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# Private Acts of 1905 Chapter 18

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Private Acts of 1905 Chapter 18

**SECTION 1.** That the office of County Judge of Roane County be, and the same is hereby established in said county.

**SECTION 2.** That the term of office of said County Judge shall be eight years, and he shall receive a salary of eight hundred dollars (\$800) per year, payable quarterly out of the county funds of said county upon warrants drawn as hereinafter provided. (See note at end of section for current salary).

**SECTION 3.** That said County Judge shall be elected at the regular election to be held in said county for county officers in August, 1906, that he shall be commissioned in the same manner as the other judges of the State, and before entering upon the duties of his office he shall take an oath to support the Constitution and laws of the United States, and the Constitution and laws of the State of Tennessee, and to faithfully discharge the duties of his office; and shall also enter into a bond in the sum of ten thousand dollars (\$10,000) conditioned to faithfully discharge the duties of his office, and to account for all moneys and county property that shall come into his hands as such County Judge. Said County Judge shall enter upon the discharge of his duties immediately after the passage of this Act and upon taking said oath and giving said bond as above required.

**COMPILER'S NOTE:** See Chapter 190, Private Acts of 1911, following this act.

**SECTION 4.** That it shall be the duty of the Governor of the State of Tennessee to appoint a person to hold the office of County Judge of said county to serve from the time this Act becomes effective until the regular election in August, 1906, and until his successor is elected and qualified.

**SECTION 5.** That the office of Chairman of the County Court of said county be, and the same is, hereby abolished, and said County Judge shall have and exercise all of the powers and jurisdiction of said Chairman, and shall perform all the duties heretofore performed by said Chairman. Said County Judge shall be the accounting officer and agent for said county, and as such shall have the power, and it shall be his duty:

1. To have the care and custody of all county property.
2. To control all books, papers, and documents pertaining to his office, and to the fiscal affairs of the county.
3. To audit all claims of whatever character against the county, and when approved by him, he shall certify the same to the Clerk of the County Court, who shall issue a warrant therefor on the county treasury, to be signed by said County Court Clerk and countersigned by said County Judge.
4. Said County Judge shall countersign all warrants properly issued by the County Court Clerk upon the county treasury, and no warrant shall be paid that is not so signed and countersigned.
5. Said County Judge shall audit and settle the accounts of the County Trustee, and those of all other officers collecting or receiving county revenues, and all officers or other persons entrusted with receiving or expending any money of the county.
6. He shall cause to be entered in a well-bound book to be kept by the Clerk of the County Court, said book to be known as the warrants entered in the order in which they are issued, giving the number, date, and amount, and for what purpose and to whom given.
7. Said County Judge shall keep in a well-bound book, to be provided at the expense of the county for that purpose, an account of the receipts and disbursements of the county.

**SECTION 6.** That the County Court to be held by the County Judge under the provisions of this Act shall be held on the first Monday of each month, and shall sit from day to day so long as the business thereof may require, and said Judge shall have the same power to preserve order and to impose fines and imprisonments for contempt as other Judges in Tennessee.

**SECTION 7.** That the Quarterly Court of Roane County, composed of the Justices of the Peace of said County, shall meet as heretofore on the first Mondays in January, April, July, and October of each year, that said County Judge shall preside over same, and that they shall have such jurisdiction as heretofore vested in them by law.

**SECTION 8.** That the duties of said County Judge shall not interfere with the duties of the County Court Clerk of said county as now provided by law, that said clerk shall be and continue the clerk of the said court to be held by said County Judge under the provisions of this Act, that he shall have all power heretofore vested in him by law and shall perform all the duties heretofore performed.

**SECTION 9.** That it shall be the duty of the Clerk of said County Court to keep and preserve in a well-bound book, to be provided for such purpose, a docket of all cases coming before the County Court of

said county for trial or other action, and no suit, motion, or other action shall be proceeded with until the same is placed upon the docket, and all suits, motions, and actions shall be tried, continued, or disposed of in the order in which they appear upon the docket.

**SECTION 10.** That said County Judge shall not be precluded from practicing law in any of the courts of this State, except in the County Court of Roane County, and in cases appealed from his decisions.

**SECTION 11.** That whenever said County Judge is unable from sickness or other cause to attend and hold his court, the Governor shall have the power to appoint some suitable person to hold said court until the disability of the regular judge is removed.

**SECTION 12.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 3, 1905.

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