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# Acts of 1868 Chapter 30

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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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# Acts of 1868 Chapter 30

## **COMPILER'S NOTE:**

**SECTION 1.** That there shall be elected by the qualified voters of the counties of Perry, and Decatur, and Cheatham, and Lauderdale, a person, to be styled County Judge, for each county, who shall hold his office for the term of eight years from the date of his Commission, who shall be elected on the first Saturday in May, 1868.

**SECTION 2.** That the election for County Judge shall be held at the same places, and by the same officers, by whom the county elections are held, on the first Saturday in March, and under the same regulations prescribed for county elections--except elections to fill vacancies, which may be held at any time, under proper notice.

**SECTION 3.** That the County Judge shall be commissioned in the same manner as other Judges of this State; and before entering upon the duties of his office, he shall take an oath to support the Constitution of the United States, and the Constitution of the State of Tennessee, with all its amendments; and an oath faithfully to discharge the duties of his office.

**SECTION 4.** That the Quorum Courts of the aforesaid counties are hereby abolished, and the County Judge shall have and exercise all the jurisdiction and power now belonging to the Quorum Courts. Said Judge shall preside over the County Court, at its quarterly sessions, which shall be held as heretofore; and shall have and exercise the same power, jurisdiction and authority, which now belongs to, or is exercised by the Chairman of the County Court; and shall perform the same duties as are now required of said Chairman, either in or out of said County Court.

**SECTION 5.** That the County Court, to be held by the County Judge, shall hold its Regular Sessions on the first Monday in each month; provided, that the Mondays of the Quarterly Sessions of the County Court, all business requiring the presence of all, or any of the Justices of the county, shall be disposed of; after which, the County Judge shall dispose of such other business as may properly come before said Court, under the provisions of this Act; and said Court shall sit, from day to day, so long as the business thereof may require.

**SECTION 6.** That all the jurisdiction and power of the present County Court over Administrations, Executors, Guardians, Wards, Trustees, Wills, Dowers, and Partitions, Sales, or Divisions of Lands, and of all testamentary and administration, matters, or subjects connected therewith, and questions of lunacy, are abolished; and the same are hereby transferred and given to the County Court, to be held by the County Judge, who shall have all the jurisdiction, power, and authority, over all these subjects which may be necessary and proper in the exercise thereof; provided, that either party may have the right of appeal from any judgement order, decree or action of said County Judge, as is now allowed by the laws of this State in other cases.

**SECTION 8.** That the County Judge shall be the Accounting Officer and General Agent of the county; and as such, he shall have power, and it shall be his duty:

Firstly. To have the care and custody of all the county papers, except such as are by law placed in the custody of other county officers.

Secondly. To control all books, papers, and instruments, pertaining to his office.

Thirdly. To audit all claims for money against the county.

Fourthly. To draw, and seal with the seal of the County Court, all Warrants upon the County Treasury.

Fifthly. To audit and settle the accounts of the County Trustee, and those of any other Collector, or Receiver of the county revenue, taxes, or incomes, payable into the County Treasury; and to require said officers or persons to render and settle their accounts, as desired by law.

Sixthly. To enter in a book, to be known as "Warrant Book", all warrants issued, in order that he may know the number issued, date and amount, and name of drawee, of each Warrant drawn upon the Treasury.

Sevently. To keep, in a suitable book, an account of the receipts and expenditures of the county, in such a manner as to show clearly the assets of the county, and the debts payable to and by it--balancing said account semiannually; and to superintend the financial condition of the county.

Eighthly. No money shall be drawn out of the County Treasury only upon a Warrant issued by the County Judge.

**SECTION 9.** That the County Judge shall receive two hundred dollars per annum, during the sitting of the Monthly and Quarterly Courts; and the several Quarterly Courts are hereby authorized to make additional compensation to the Judge, by appropriation, for his services, if they, in their judgement, think proper and

right. Said Judge shall be paid his compensation quarterly, out of the County Treasury, upon the Judge's own Warrant.

**SECTION 14.** That the County of Fayette be, and is hereby, allowed a County Judge, and he shall have a salary of six hundred dollars, to be paid in quarterly installments, out of the County Treasury; and said County Judge shall have all the powers and privileges conferred upon County Judges, and be subject to the liabilities and restrictions established by law in this State.

**SECTION 16.** That this Act take effect from and after its passage.

Passed: January 31, 1868.

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