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# Administration - Historical Notes

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Dear Reader:

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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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# Administration - Historical Notes

## **County Attorney**

The following act once affected the appointment, election, or office of the county attorney in Morgan County. This act is included for historical reference only.

1. Private Acts of 1933, Chapter 344, set the compensation of the Morgan County Court Clerk at \$1,800 per annum. This act was later repealed by Private Acts of 1935, Chapter 101.

## **County Clerk**

The following acts once affected the office of county clerk in Morgan County. They are included herein for historical purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1820, Chapter 58, authorized William Wall to keep the Morgan County Clerk's office at his own home.
2. Private Acts of 1826, Chapter 27, authorized that the Morgan County Clerk keep his office at his own house, within one mile of the town of Montgomery, in said county.

## **County Legislative Body**

The following acts once applied to the quarterly court or the county legislative body of Morgan County and are included herein for historical purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1817, Chapter 132, set the time for holding county court in Morgan County on the third Mondays in January, April, July, and October.
2. Private Acts of 1825, Chapter 269, established the county seat of Morgan County at Samuel Scott's.
3. Acts of 1845-46, Chapter 149, called for an election to keep the county seat in Montgomery, to move it to Wartburg, or to a point designated by five commissioners.
4. Private Acts of 1869-70, First Session, Chapter 20, called for an election on whether to move the county seat of Morgan County to Wartburg or to keep it at Montgomery. This act was amended by Public Acts of 1869-70, First Session, Chapter 62, Section 2, which moved the date of the election from the 1st to the 4th Saturday in March.
5. Public Acts of 1870-71, Chapter 108, validated the actions taken by the county court in Montgomery after the county seat had been officially moved to Wartburg.
6. Private Acts of 1913, Chapter 212, fixed the compensation of the justices of the peace who attended the regular or special sessions of the Morgan County Quarterly Court at \$2.50 per day. In addition, each justice of the peace received 5¢ for each mile traveled in going to and from his residence to the county seat.
7. Private Acts of 1921, Chapter 357, fixed the per diem compensation of the justices of the peace for Morgan County at \$3.00 per diem for their attendance, in addition to the 5¢ for each mile traveled in going to and from their residences to the county seat.
8. Private Acts of 1923, Chapter 501, validated the issuance of \$55,000 in school bonds for Morgan County. The purpose of the bonds was for the construction and equipment of a high school building in said county.
9. Private Acts of 1923, Chapter 624, validated the issuance of \$20,000 in road bonds for the purpose of constructing roads in Morgan County.
10. Private Acts of 1929, Chapter 730, validated and authorized the payment by Morgan County of certain outstanding indebtedness created by the school authorities for the purpose of operating schools within the county.
11. Private Acts of 1937, Chapter 364, validated all actions taken by the Morgan County Court in issuing \$1,291,300 in refunding bonds.
12. Private Acts of 1949, Chapter 180, fixed the per diem and compensation of the justices of the peace for Morgan County at \$10 per day for their attendance, in addition to the mileage provided.
13. Private Acts of 1967-68, Chapter 432, would have amended Private Acts of 1949, Chapter 180, by increasing the salary of the justices of the peace of Morgan County to \$25 per diem, however, this act was rejected by Morgan County and never became law.

### **County Mayor**

The references below are of acts which once applied to the office of county judge, or county executive in Morgan County. They are included herein for historical purposes only. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1889, Chapter 41, created the office of county judge for Morgan County. The act set an eight year term and defined the judge's duties. This act was repealed by Private Acts of 1901, Chapter 456.
2. Acts of 1909, Chapter 370, as amended by Private Acts of 1919, Chapter 380, Private Acts of 1929, Chapter 687, Private Acts of 1931, Chapter 609, and Private Acts of 1972, Chapter 275, established the office of county judge for Morgan County. The act also abolished the office of chairman of the county court and transferred the powers and jurisdiction of that office to the county judge.
3. Private Acts of 1941, Chapter 497, authorized the Morgan County Judge to expend as much as \$900 per year for secretarial help. This act was amended by Private Acts of 1949, Chapter 178, to increase the amount allowed to be expended to \$1,500.
4. Private Acts of 1951, Chapter 223, authorized \$2,400 dollars in extra compensation for the county judge of Morgan County.

### **County Register**

The following acts once affected the office of county register in Morgan County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1831, Chapter 6, authorized Daniel S. Lavender, the county register of Morgan County, to keep his office at his own house in said county.
2. Private Acts of 1831, Chapter 162, provided that all deeds of conveyances and other instruments of writing registered in Morgan County be as good and valid in law and equity as if the same had been endorsed and certified in the most formal and legal manner, and that the same shall be read as evidence on trials at law or in equity in all cases.

### **General Reference**

The following private or local acts constitute part of the administrative and political history of Morgan County but are today no longer operative because they have either been superseded, repealed, or failed to receive local approval. Also referenced below are acts which

1. Private Acts of 1821, Chapter 198, released and discharged David Thomas, of Morgan County, from the payment of a fine or judgment taken against him on a scire facias in the Overton County Circuit Court, as security for the appearance of a certain George Cook.
2. Private Acts of 1829-30, Chapter 25, validated the official acts of Benjamin C. White, former surveyor of Morgan County who had been commissioned as Benjamin White.
3. Private Acts of 1831, Chapter 125, authorized the sale of the public square and buildings in Montgomery, the former county seat of Morgan County.
4. Private Acts of 1831, Chapter 223, authorized Thomas Butler, William Butler, James Gilbreath and Meriman Rector to enter any quantity of land, near their salt well, in Morgan, Roane and Anderson counties, provided that they not exceed five thousand acres. This act also provided that the land entered shall not be liable to taxation for fifteen years.
5. Private Acts of 1831, Chapter 231, authorized the tax collectors in Morgan County to turn over all state taxes collected to commissioners appointed by the county court to build a jail.
6. Private Acts of 1835-36, Chapter 116, authorized the remainder of the public square in the town of Montgomery, not previously sold, to be sold.
7. Acts of 1847-48, Chapter 76, authorized Morgan County to furnish a director for the branch of the Bank of Tennessee at Sparta.
8. Acts of 1849-50, Chapter 195, authorized the German Evangelical Church of Morgan County to hold land for church purposes.
9. Acts of 1909, Chapter 483, authorized the governor to grant a right of way through and over the property of the state in Morgan and Anderson counties for a railroad tunnel, so as to more fully develop the state's coal lands.
10. Private Acts of 1915, Chapter 539, made women over the age of 21 years eligible to be appointed and serve as deputy clerk of any of the courts in Morgan County.

11. Private Acts of 1925, Chapter 779, prevented county officials charged with the expenditure of public funds in Morgan County, from drawing or approving checks or warrants against the funds of the county to the amount of \$500.00 or more.

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