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Chapter I - Administration

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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Chapter I - Administration

Budget System

Private Acts of 1993 Chapter 23

SECTION 1. Chapter 517 of the Private Acts of 1935, as amended by Chapter 452 of the Private Acts of 1937, and all acts amendatory thereto is hereby repealed. Gibson County shall follow the general procedures set forth in Sections 2 through 11 in this act in the preparation, adoption, and execution of all budgets respecting all funds, activities, and agencies of county government.

SECTION 2. The county budget committee of Gibson County is hereby created. The committee shall consist of five (5) members of the County Legislative Body, each of whom shall be nominated by the county executive and approved by the County Legislative Body at its regular September session of each year or at any subsequent session. The county executive shall serve as a non-voting ex officio member of the budget committee, and shall serve as secretary of the committee. The five (5) members of the budget committee shall be compensated as provided in Tennessee Code Annotated, Section 5-5-107(d), for committees of the County Legislative Body. Compensation, as well as any provision for printing, publicity, supplies, and other necessary expenses of the budget committee, shall be payable from the county general fund and shall be included in the annual appropriations. The budget committee shall perform all duties respecting county budgets and appropriations as herein provided.

SECTION 3. There is hereby created a fiscal year for Gibson County and for each office, department, institution, activity and agency thereof, which fiscal year shall begin on July 1 each year and shall end on June 30 next following. The fiscal year shall constitute the budget year, and the year for accounting and reporting of each and every fund, office, department, institution, activity, and agency of the county government; but the aforesaid provision shall be in addition to, and not in lieu of, any accounting and reporting now required of any official by general law.

SECTION 4. (a) The county highway commissioners or superintendent shall, on or before the first day of April of each year, file with the county executive an itemized statement of the funds estimated to be required for the county road program for the ensuing fiscal year and for the construction, operation, repair and maintenance of the county road system and for the general administration of the highway department, together with an estimate of the highway and road funds expected to be received during such fiscal year.

(b) The county executive, on or before April 1st of each year, shall prepare an itemized statement of the amounts which he estimates are necessary to be expended from the county general fund, the debt service funds and from all other funds (excluding highway funds, school funds, and funds, and funds derived from the sale of bonds), together with an estimate of the revenue to be received during the next fiscal year.

(c) Each of the other operating departments, institutions, offices and agencies shall file with the county executive on or before April 1st of each year a detailed estimate of its requirements for expenditures from the county's fund for the ensuing fiscal year, together with an estimate of any county revenues to be received by such agency, office or department.

(d) The county executive shall, on or before May 1st of each year file a consolidated budget document with the budget committee showing an itemized statement of the amounts estimated by the various departments and officials to be required for the efficient operation of the county government from the county general fund, the debt service funds, highway funds, and all funds, together with an estimate of the revenues estimated to be received by each of the funds during the next fiscal year and an estimate of the unencumbered cash balance of each of the funds at the beginning of the fiscal year.

(e) It is the duty of each official, office, department, institution, agent, or employee of the county government to furnish in writing such information, in such form and at such time as may be requested by the budget committee.

SECTION 5. At least thirty (30) days prior to the beginning of each fiscal year the budget committee shall review and adopt the annual budget. The budget document shall contain an itemized and classified plan of all proposed expenditures and estimated receipts for the ensuing fiscal year, and shall conform to the uniform classification of accounts established by the county executive. However, the classification of accounts must be first approved by the Comptroller of the Treasury. Opposite each item of estimated revenue the budget document shall show in opposite parallel columns the amount actually collected for the last completed fiscal year, a revised estimated amount for the current fiscal year, and the estimate for the ensuing fiscal year. Likewise, opposite each item of proposed expenditure the budget document shall show the amount actually expended for such item during the last completed year, the probable amount which will be spent during the current

fiscal year and the proposed appropriations or expenditure estimate for the ensuing fiscal year. In preparing the budget, the budget committee may revise, as it deems necessary, the estimates or requests made by the various departments, officials, offices, institutions and agencies of the county, but any county official or employee shall be entitled to a hearing before the budget committee with reference to any contemplated changes in his budget requests or estimates. The budget committee shall certainly and fully provide in the budget for all requirements for debt service, interest and bond maturities and for any cash deficit in any fund at the beginning of the fiscal year, and shall propose a tentative tax rate for the current calendar year.

SECTION 6. On or before June 15th of each year the budget committee shall cause a synopsis of the proposed budget, and a statement of the tax rate required to finance the proposed budget, to be published in a newspaper having general circulation in such county. The synopsis of the proposed budget shall contain all information required by, and shall otherwise comply with, any general laws requiring publication of the budget. The publication shall also contain a notice of a public hearing to be conducted by the budget committee at which any citizen of the county shall have the right to appear and state his view on the budget. Such public hearing shall be held by the budget committee no later than ten (10) days prior to the beginning of the fiscal year. Following such public hearing, the budget committee shall make the final revision of the budget document and prepare copies for presentation to the County Legislative Body.

SECTION 7. (a) The budget committee shall present the proposed consolidated budget to the County Legislative Body by July 1 of each year. The proposed budget shall be accompanied by a budget message explaining the financial program and outlining the services, work and activities to be financed by the proposed budget and a brief discussion of the means proposed for financing the expenditure program set forth in the budget. With the proposed budget, the budget committee shall deliver to the County Legislative Body a budget appropriation resolution and a tax levy resolution.

(b) The County Legislative Body may accept or reject the budget as submitted to it by the budget committee. If the budget is not approved in its entirety, the County Legislative Body shall make such recommendations as it deems appropriate, and return the budget document to the budget committee for revision and resubmission to the County Legislative Body.

(c) The County Legislative Body shall finally adopt a budget not later than the fourth Monday in July. The budget, the appropriation resolution, and the tax levy resolution, as adopted, shall be spread upon the minutes of the County Legislative Body.

(d) Pending final adoption of the budget by the County Legislative Body, the county executive is hereby authorized to make temporary allotments for expenditures for essential county services for all county funds budgeted according to this act, in amounts not in excess of the comparable allotment for an average quarter of the preceding fiscal year.

SECTION 8. (a) The appropriations made in the appropriation resolution, or any amendment thereto, shall constitute the limit to expenditures for the various purposes and from the several funds of such county for the fiscal year covered by the resolution, and no expenditure shall be made or obligation created in excess of such limitation. Any resolution presented to the County Legislative Body in any fiscal year, after the original appropriation resolution has been adopted and the tax rate for the year fixed by that body, which provides for an appropriation in addition to those made in the original budget appropriation resolution, shall specifically provide sufficient revenue or other funds to meet expenditures to be made in consequence of such additional appropriations. If at any time during the fiscal year it shall become apparent that the revenues of any of the county's funds together with its unencumbered cash balance at the beginning of such year will not be sufficient to equal the amount of the original appropriations, it shall be the duty of the county executive to impound the appropriations from such fund in such amount as shall appear necessary, subject to the written approval of the budget committee; and then it shall be presented to the County Legislative Body for their approval at their next regular session.

(b) The appropriations made by the County Legislative Body, as provided above, shall constitute authorization for expenditure, and expenditures may be made and obligations created against any appropriation to an aggregate total of the amount appropriated for such item. However, the expenditures and encumbrances against the amounts appropriated shall be made only in consequence of a purchase order as may be required by state law.

(c) No expenditures made or obligations created in any manner other than so specified or authorized in this act shall be valid or binding against the county. Provided, however, that the County Legislative Body may issue such regulations as it deems necessary for the prompt handling of bona fide emergencies.

(d) Expenditures from all funds of the county shall be made by disbursement warrants on the county trustee or by checks, signed by the official authorized by state law to issue warrants or checks for such expenditures. Before any disbursement warrant shall be issued in discharge of any obligation, a detailed invoice or statement thereof shall be filed

with the responsible official, and it shall be his duty to carefully check all such invoices to determine if they are correct, if the goods or services have been received or rendered as stated, and if the obligation is just, authorized or legally binding on the county.

(e) Bill and accounts incurred in accordance with authorized appropriations shall be paid promptly in order that the county may obtain the benefit of cash discounts; and for this purpose, it shall not be necessary for any such bill or account to be filed and recorded by the county clerk or to be approved before payment by the County Legislative Body or by any committee or commission appointed by it.

SECTION 9. The county executive shall make a report at the end of each month showing the condition of the budget. The report shall show for each item of appropriation, and/or allotment thereof, the total expenditures for the month and the year to date, the amount of outstanding encumbrances and the amount of the unencumbered balance. The report shall also show for each funds an itemized statement of the revenues and receipts estimated for the year, the amount of the collections of each item for the month and year-to-date and the unrealized portion of the estimate. The most recent of such reports shall be presented by the county executive at each regular session of the County Legislative Body. At such time he shall advise the County Legislative Body of the condition of the budget, and of any adjustment or reduction of appropriations which should be made, and shall recommend any other action which, in his opinion, the County Legislative Body should take in order that the budget shall be kept in balance.

SECTION 10. Any official or employee of the county, or of any institution or agency thereof, who shall fail or refuse to perform the duties required of him by this act, or who shall fail or refuse otherwise to conform to the provisions of this act, shall be subject to fine and to removal from his office or position.

SECTION 11. The provisions of this act shall not apply to county school funds for any purpose, the county board of education, or the county superintendent.

SECTION 12. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Gibson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the County Legislative Body of Gibson County and certified by him to the Secretary of State.

SECTION 13. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 12.

Passed: March 4, 1993.

County Attorney

Private Acts of 1967-68 Chapter 120

SECTION 1. The office of County Attorney is created for Gibson County. The County Attorney shall be elected by the Quarterly County Court upon the recommendation of the County Judge at the next regular session of the Quarterly County Court following the effective date of this Act and shall serve for a term of two (2) years or until his successor is elected and qualified. In the event of a vacancy the same shall be filled by the County Judge of the Quarterly Court, until the next regular or special meeting of the Quarterly County Court.

SECTION 2. The County Attorney shall be a resident of Gibson County and shall be licensed to practice law in the State of Tennessee.

SECTION 3. It shall be the duty of the County Attorney to advise with the County Judge, all committees of the Quarterly County Court, and all other county officials upon legal matters pertaining to their respective office, and prepare and render written legal opinions to all county officers pertaining to the performance of their official duties.

SECTION 4. The Quarterly County Court shall fix his compensation payable on the first day of each month out of the general funds of the county upon a warrant drawn by the County Judge upon the County Trustee.

SECTION 5. The County Attorney shall take and subscribe to the following oath: "I do solemnly swear that I will perform with fidelity the duties of the office of County Attorney to which I have been elected and which I am about to assume to the best of my ability."

SECTION 6. In the event the County Attorney is called upon to represent the county in any extra or special legal

matter of litigation not referred to in this Act, he shall be entitled to additional compensation, the amount of which, if not agreed on in advance between the Quarterly County Court and the County Attorney, shall be in accordance with the prevailing fees charged by the member of the bar of the county.

SECTION 7. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Gibson County at or before the next regular meeting of the Court occurring more than thirty (30) days after its approval by the Governor. Its approval or nonapproval shall be proclaimed by the presiding officer of the Court and certified by him to the Secretary of State.

SECTION 8. This Act shall take effect upon becoming law, the public welfare requiring it.

Passed: April 27, 1967.

County Legislative Body

Private Acts of 1933 Chapter 212

COMPILER'S NOTES: Quarterly County Courts were abolished in 1978 and were replaced by the county legislative body (also referred to as Board of County Commissioners). See T.C.A. § 5-5-101 et seq. In the act reproduced above, references to the "Quarterly County Court" now refer to the county legislative body. \

Voting procedure for the election of county officers is governed by T.C.A. § 5-5-116, but the Tennessee Supreme Court has held that the statute is entirely directory. State ex rel. Wolfe v. Henegar, 175 S.W.2d 553 (Tenn. 1943). Therefore, Section 1 of Private Acts of 1933, Chapter 212 governing voting procedure for election of county officers probably has not been superseded by the statute.

SECTION 1. That in counties having a population of not less than 46,525 and not more than 46,530 according to the Federal Census of 1930, or any subsequent Federal Census, the Quarterly County Courts when electing any county officer, which under the law they are empowered to elect, shall cast their votes by calling the name or names of the candidates for whom they desire to vote when the roll of the Court is called by the County Court Clerk for the purpose of ascertaining and recording the vote and/or votes of the members of said courts in the election or elections of county officers as aforesaid. It shall be mandatory for the vote in the election of county officers by the County Court to be so ascertained and the clerk of the court shall record the vote of each and every member of the court, and the minutes of the court shall show how each and every member of the County Court voted or for whom each voted in the election of county officers. No person shall be legally elected to any county office in the counties coming under the provision of this Act by the said Courts to any county office, unless the vote is so taken and so recorded, and no one shall hold any county office in the counties coming under the provisions of this Act until the provisions of this Act are complied with.

SECTION 2. That the Quarterly County Court in the counties coming under the provisions of this Act, in voting on appropriations of County funds for any purpose, shall in each and every instance wherein the amount or any item shall be in the amount of Fifty Dollars (\$50.00) or in excess thereof, in response to a roll call by the County Court Clerk vote aye or a no, and the record or minutes of the court shall show how each and every member of the court voted on said item. No appropriation for any one item in the amount of Fifty Dollars (\$50.00), or in excess thereof, shall be deemed to have been approved by the Quarterly County Court in the counties coming under the provisions of this Act, unless the minutes of the court show how each and every member voted on each particular item mentioned above, and in no case shall any such appropriation of the amount above designated be deemed to have been made by the Quarterly County Courts in counties coming under the provisions of this Act, unless a majority of the members of said court vote said appropriation and the record show that the majority of the court did so vote.

COMPILER'S NOTE: Voting on appropriations of any amount is governed by T.C.A. § 5-9-302. The provisions of the 1933 act appear not to conflict with the statutory requirements, but provide additionally that any appropriations over \$50 which are not properly approved and recorded shall be void.

SECTION 3. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 30, 1933.

Obion and Forked Deer River

Flood Control and Drainage Improvements

Public Acts of 1959 Chapter 129

WHEREAS, Public Law 526, 79th Congress, Second Session, and Public Law 858, 80th Congress, Second Session, authorized the construction of flood control and drainage improvements of the Obion and Forked Deer Rivers and their tributaries in Obion, Weakley, Gibson, Dyer, Crockett, Lauderdale, Haywood, and Madison Counties, substantially in accordance with the reports of the Chief of Engineers, United States Army, House Document No. 757, 79th Congress, Second Session, and House Document No. 627, 80th Congress, Second Session; and

WHEREAS, The construction of such flood control and drainage improvements at federal expense cannot be undertaken by the Corps of Engineers, United States Army, until a responsible sponsoring agency furnished the United States of America written assurances that it will perform the local cooperation required by law:

SECTION 1. That, in consideration of the construction at federal expense by the Corps of Engineers, United States Army, of flood control and drainage improvements of the Obion and Forked Deer Rivers and their tributaries, in the Counties of Obion, Weakley, Gibson, Dyer, Crockett, Lauderdale, Haywood, and Madison, substantially in accordance with the reports of the Chief of Engineers, United States Army, House Document No. 757, 79th Congress, Second Session, and House Document No. 627, 80th Congress, Second Session, as authorized by Public Law 526, 79th Congress, Second Session, and Public Law 858, 80th Congress, Second Session, the State of Tennessee, through its Obion-Forked Deer Basin Authority, be authorized and empowered to defray the cost of the alteration of existing highway bridges in Dyer and Lauderdale Counties required by such improvements, to acquire and furnish without cost to the United States of America all lands, easements, and rights of way required for construction of such improvements, and to maintain all such works after completion; and to execute and furnish to the United States of America written assurances that it will perform the aforesaid acts of local cooperation; and that the State of Tennessee, acting by and through the Governor and the Obion-Forked Deer River Basin Authority, be authorized and empowered to execute and furnish to the United States of America written assurances that it will hold and save the United States of America free from any damages that may result from any special construction, without cost to the Tennessee Game and Fish Commission, by way of continuous spoil banks, culverts, locks and/or other structures under contracts let by the Corps of Engineers, United States Army, along the improved channels of the Obion and Forked Deer Rivers and/or the tributaries thereof over, across or along the boundary of any tract of land owned by or leased to the Tennessee Game and Fish Commission designed to permit the control and/or regulation of the water level on said land in its use as a public hunting area and/or a game refuge or sanctuary.

As amended by:

Public Acts of 1963, Chapter 149

Public Acts of 1974, Chapter 415

SECTION 2. That the State of Tennessee, through its Obion-Forked Deer Basin Authority, acting through and in conjunction with the Counties in which such improvements are to be constructed, shall be authorized and empowered to acquire and furnish the lands, easements and rights of way required for such work. To this end, the power of eminent domain is hereby conferred upon the state and the counties in which such improvements shall be constructed for the purpose of acquiring such lands, easements and rights of way as may be deemed necessary for the purposes of this Chapter. The general statutes relating to the acquisition of lands for works of internal improvement shall be applicable both as to the bringing of condemnation actions and the remedies of property owners. The counties in which such improvements are to be made shall be charged with the responsibility of acquiring the necessary lands, easements and rights of way either by gift, purchase or condemnation. The cost of any such lands, easements and rights of way through purchase or condemnation shall be paid by the State of Tennessee. All other expense incident to the cost of acquisition of such lands, easements and rights of way, including title or abstract work, appraisal fees, attorney fees and court costs, shall be borne by the county in which the required lands, easements and rights of way are located. In the event any County fails or refuses to acquire such necessary lands, easements and rights of way, the State, through the Obion-Forked Deer Basin Authority, shall acquire the same, either by purchase, gift or condemnation, and such County shall be liable for and shall reimburse the State for all expenses incurred in the acquisition of such lands, easements and right of way, except the cost or purchase price of the lands, easements and rights of way themselves.

The state shall be primarily liable for the purchase price of such lands as may be needed for such improvements but suits by property owners for any taking without compensation shall be brought against the county, and the state's Obion-Forked Deer River Basin Authority shall reimburse the county for any final judgment rendered against it. In addition, it shall be the duty of the counties to defend such suits, but the commissioner may defend such suits if the counties fail or refuse to defend them, and the counties shall reimburse the Obion-Forked Deer Basin Authority for all expenses, including attorney's fees, in defending such suits.

As amended by: Public Acts of 1974, Chapter 415

COMPILER'S NOTE: The 1974 amendment deleted references to the state department of highways, but the reference to the "commissioner" contained in the second paragraph of Section 2 remains, probably in error.

SECTION 3. That drainage and levee districts which presently own any property interests or rights of way required for such improvements are hereby authorized, empowered and directed to transfer and convey such property interests or rights of way to the State of Tennessee for the purposes of this Chapter upon the request of the Obion-Forked Deer Basin Authority.

As amended by: Public Acts of 1974, Chapter 415

SECTION 4. That the State of Tennessee through its Obion-Forked Deer Basin Authority be and it is hereby authorized, empowered and directed to maintain all such works upon completion, in which maintenance the Obion-Forked Deer Basin Authority shall use prison labor wherever possible. The Commissioner of the Department of Corrections shall make available prison labor for such purposes and shall furnish such guards and transportation as may be necessary in connection with such maintenance work.

As amended by: Public Acts of 1974, Chapter 415

SECTION 5. That the Obion-Forked Deer Basin Authority and the counties affected be and they are hereby authorized to expend their funds for the acquisition of the necessary rights of way for such channel improvement and to properly maintain the completed improvements.

As amended by: Public Acts of 1974, Chapter 415

SECTION 6. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 11, 1959.

Administration - Historical Notes

County Clerk

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

1. Private Acts of 1919, Chapter 146, made women over the age of 21 eligible to hold the offices of deputy register, deputy county court clerk, deputy circuit court clerk, and deputy clerk and master in Gibson County.
2. Private Acts of 1923, Chapter 319, set the salary of the County Court Clerk at all fees, commissions and other revenues collected by the office. This act was repealed by Private Acts of 1925, Chapter 416.
3. Private Acts of 1933, Chapter 776, set the salary of the County Court Clerk at \$3,000 per annum.

County Legislative Body

The following acts once applied to the quarterly court or the county legislative body of Gibson County and are included herein for historical purposes.

1. Public Acts of 1823, Chapter 41, provided that the county court of Henderson County would meet on the first Mondays in January, April, July and October.
2. Private Acts of 1824, Chapter 102, set the dates for holding county court on the first Mondays in January, April, July and October.
3. Private Acts of 1825, Chapter 318, set the dates for holding county court on the first Mondays in March, June, September and December.
4. Private Acts of 1829, Chapter 20, declared that the Quarterly Courts of the counties of Gibson, Henderson, Carroll, Dyer, Knox, Anderson and Obion, on the first day of the first term in the year, could select three of their number to hold the county courts for the remainder of that year. These Justices were to be paid \$1.50 a day for each day spent holding this Quorum Court, and the county court was given the power to levy a tax of \$1 on each suit filed, if necessary.
5. Public Acts of 1832, Chapter 21, set the dates for holding county court on the third Mondays in March, June and September.
6. There were three private acts setting the compensation of justices of the peace (now county commissioners), which is now set by T.C.A. § 5-5-107. The first of these was Private Acts of 1919, Chapter 115, which set the per diem at \$2.50 per day, plus 5¢ per mile. Private Acts of 1957, Chapter 76, raised the per diem to \$7.50 and the mileage allowance to 10¢ per mile. The per diem was increased to \$15 by Private Acts of 1965, Chapter 31.

County Mayor

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

1. Acts of 1905, Chapter 432, created the office of County Judge. The County Judge was given all the powers and authority formerly exercised by the Chairman of the County Court, as well as certain powers, jurisdiction and authority conferred upon Circuit Judges and Chancellors. The salary was \$1,000 annually.
2. The office of County Judge was temporarily abolished when Acts of 1905, Chapter 432, was repealed by Private Acts of 1913, Chapter 258. Private Acts of 1915, Chapter 383, purported to amend the then-repealed 1905 act by removing the qualification that the Gibson County Judge be a licensed attorney. Private Acts of 1917, Chapter 412, repealed Private Acts of 1913, Chapter 258, and revived Acts of 1905, Chapter 432, thereby re-creating the office of Gibson County Judge.
3. Private Acts of 1919, Chapter 584, resolved confusion as to qualifications for the office of County Judge by setting the qualifications without any requirement that the candidate be a licensed attorney. This act repealed all conflicting portions of the 1905 act.
4. Private Acts of 1935 (Ex. Sess.), Chapter 34, changed the manner of filling vacancies in the office of County Judge.
5. Private Acts of 1941, Chapter 203, gave the Gibson County Judge a number of additional judicial powers concurrent with those of the Chancery and Circuit Courts, including divorce and criminal jurisdiction. In Private Acts of 1965, Chapter 231, an attempt was made to repeal this act but the Quarterly County Court failed to ratify the act. These powers were removed from the office of County Judge when this act was repealed by Private Acts of 1967-68, Chapter 374.
6. Private Acts of 1949, Chapter 770, set the salary of the County Judge at \$5,000 annually.
7. Private Acts of 1961, Chapter 380, set the salary of the County Judge at \$7,500 annually.
8. Private Acts of 1965, Chapter 232, attempted to amend Acts of 1905, Chapter 432, by removing all the judicial functions from the office of County Judge, but this act failed to gain local approval.

County Register

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

1. Private Acts of 1919, Chapter 146, made women over the age of 21 eligible to hold the office of deputy register, deputy county court clerk, deputy circuit court clerk, and deputy clerk and master in Gibson County.
2. Private Acts of 1923, Chapter 319, set the compensation of Gibson County Register at all fees, commissions and other amounts received by the office. This act was repealed by Private Acts of 1925, Chapter 416.
3. Private Acts of 1933, Chapter 775, set the compensation of County Register at no more than \$3,000 per year, payable only out of the fees collected by the office.

County Trustee

The following acts once affected the office of county trustee in Gibson County, but are no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1923, Chapter 319, set the compensation of Gibson County Trustee at all fees, commissions and other amounts received by the office. This act was repealed by Private Acts of 1925, Chapter 416.
2. Private Acts of 1933, Chapter 774, set the compensation of County Trustee at no more than \$3,000 per year, payable only out of the fees collected by the office.

Obion and Forked Deer River - Flood Control and Drainage Improvements

The following acts, which were not codified, once affected flood control and drainage improvements in the Obion and Forked Deer River basin, and are included herein for historical purposes.

1. Public Acts of 1972, Chapter 807, added a new section to Public Acts of 1959, Chapter 129, providing the department of agriculture with concurrent authority and responsibility for maintenance of completed channel improvements for the Obion and Forked Deer Rivers. This act

was repealed twice, first by Public Acts of 1973, Chapter 38, and again when the 1973 act was repealed by Public Acts of 1974, Chapter 415.

2. Public Acts of 1973, Chapter 38, amended Public Acts of 1959, Chapter 129, and Public Acts of 1963, Chapter 149, to transfer the authority and responsibility for the flood control and drainage improvements for the Obion and Forked Deer Rivers from the department of highways and public works to the department of agriculture. This act was repealed by Public Acts of 1974, Chapter 415.

General Reference

The following private or local acts constitute part of the administrative and political history of Gibson County but are today no longer operative because they have either been superseded, repealed, or failed to receive local approval. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Public Acts of 1823, Chapter 11, created the 16th Solicitorial District, to be composed of the counties of Obion, Gibson, Weakley and Dyer.
2. Private Acts of 1823, Chapter 111, established Gibson County.
3. Private Acts of 1824, Chapter 53, required the surveyor-general of the 13th District to move his office to the place of holding court in Gibson County.
4. Private Acts of 1824, Chapter 128, authorized the County Court to levy a tax of not more than 12½¢ per 100 acres, for five years, to improve navigable streams in the Western District, including Gibson County.
5. Public Acts of 1832, Chapter 14, authorized the County Court of Gibson County to appoint a Board of Commissioners of Internal Improvement.
6. Public Acts of 1835-36, Chapter 48, directed the county court in each county to appoint a surveyor and an entry taker for the county, and directed the present surveyor for the 13th district to deliver all existing records to the entry taker in Gibson County.
7. Acts of 1853-54, Chapter 180, authorized Gibson County to take stock in railroads and issue bonds.
8. Acts of 1855-56, Chapter 140, authorized the Gibson County Court to subscribe to stock in the Memphis and Ohio Railway Company.
9. Acts of 1855-56, Chapter 182, created the Trenton Building & Loan Association, "to enable the working men of Trenton to become their own landlords."
10. Acts of 1855-56, Chapter 251, authorized the Gibson County Court to sell the State's interest in the Forked Deer Turnpike Company and turn over the proceeds from that sale to the State Treasury.
11. Private Acts of 1859-60, Chapter 97, authorized the Entry Taker to give certified copies of land grants in the 13th District certified by the North Carolina Secretary of State to be read as prima facie evidence in state courts.
12. Private Acts of 1869-70, Chapter 57, created the "Gibson County Agricultural, Mechanical and Blooded Stock Association," a body corporate and politic to have succession for ninety-nine years, for the encouragement of agriculture and the mechanical arts and the growth of blooded stock.
13. Public Acts of 1871, Chapter 53, authorized the Gibson County Court to appoint a notary public in the 13th Civil District, in the new town of Milan.
14. Public Acts of 1875, Chapter 35, allowed an additional notary public for the 14th Civil District of Gibson County. This Act was repealed by Private Acts of 1978, Chapter 171.
15. Private Acts of 1933, Chapter 61, removed the disabilities of infancy and minority from Richard D. Holmes of Trenton.
16. Private Acts of 1935, Chapter 51, removed the disabilities of infancy from William Harwood Pounds.
17. Private Acts of 1935, Chapter 278, removed the disabilities of infancy from Eva Geraldine Norris of Memphis, to enable her to make settlement with the Gibson County Clerk and Master.
18. Private Acts of 1935, Chapter 283, removed the disabilities of infancy from Mrs. Pearl Oliver.
19. Private Acts of 1935, Chapter 284, removed the disabilities of infancy from Adron Hicks Wesson.
20. Private Acts of 1935, Chapter 629, removed the disabilities of infancy from James Reagor.
21. Private Acts of 1937, Chapter 75, removed the disabilities of infancy from R. G. Poyner.

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