



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Chapter I - Administration

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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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## Chapter I - Administration

### Building Permits

#### Private Acts of 1975, Chapter 3

**SECTION 1.** Except for land within incorporated municipalities where a building permit system already exists, any owner or owners of real property in Lauderdale County who plans to build, erect, construct or remodel, or who plans to cause or allow to be built, erected, constructed or remodeled, any building or improvements upon their real property, where such construction or remodeling may have a value of or cost of one thousand dollars (\$1,000.00) or more, shall obtain a permit for such construction or remodeling.

**SECTION 2.** (a) The Lauderdale County Quarterly Court is hereby authorized to designate by resolution a person or group of persons, either salaried or not, to carry out the necessary inspection of proposed construction sites.

(b) The person or persons so designated shall:

(1) Review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement, including prefabricated and mobile homes, must (i) be designated or modified and anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) use construction materials and utility equipment that are resistant to flood damage, and (iii) use construction methods and practices that will minimize flood damage;

(2) Review subdivision proposals and other proposed new developments, not within the jurisdiction of the County Planning Commission, to assure that (i) all such proposals are consistent with the need to minimize flood damage, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided so as to reduce exposure to flood hazards; and (3) Make such other determinations as are necessary to obtain compliance with the criteria set forth in Section 1910 of the National Flood Insurance Program regulations.

**SECTION 3.** The County Planning Commission, as provided in Tennessee Code Annotated, Section 13-204, shall adopt regulations governing the subdivision of land which will assure that: (1) flood damage will be minimized; (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided so as to reduce exposure to flood hazards.

**SECTION 4.** The Lauderdale County Quarterly Court is further authorized to pass and promulgate by resolution rules and regulations regarding the office from which a permit may be obtained, the cost of the permit, the amount of time within which the permit will be issued or refused, and such other matters as the Court may desire.

**SECTION 5.** Any person, firm or corporation violating any such regulations or provisions as established by this Act shall be guilty of a misdemeanor as provided in Section 13- 411, Tennessee Code Annotated, and subject to penalty as provided for by law.

**SECTION 6.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Lauderdale County by September 1, 1975. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

**SECTION 7.** 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 6.

Passed: March 3, 1975.

### County Register

### Assistants

## Private Acts of 1971 Chapter 2

**COMPILER'S NOTE:** The general law providing for the employment of deputies and assistants is found at T.C.A. § 8-20-101 et seq.

**SECTION 1.** The County Register of Lauderdale County shall have the right to employ a suitable person as clerical assistant at a salary, not to exceed the sum of two hundred dollars (\$200.00) a month, such clerical assistant to be employed on a full time basis, and to be paid out of the general funds of the county.

**SECTION 2.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Lauderdale 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 3.** This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: March 3, 1971.

## Registration of Instruments

### Private Acts of 1955 Chapter 60

**SECTION 1.** That in all Counties having a population of not less than 25,047 nor more than 25,147, according to the Federal Census of 1950 or any subsequent Federal Census, that it shall be the duty of the purchaser or donee of real estate to report the same to the County Trustee, and have the same entered of record in a well bound book by the Trustee, showing the grantor, grantee, the date of the instrument, the civil district and the quantity of the land conveyed. No fee shall be charged for such entry.

**SECTION 2.** That the deed shall not be noted for registration, nor registered by the County Register until this notation is made on the deed by the County Trustee, and the transfer shall not be effective as to creditors of the bargainor or donor.

**SECTION 3.** That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the Quarterly County Court of any county to which it may apply on or before the next regular meeting of such Quarterly County Court occurring more than thirty days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

Passed: February 9, 1955.

## County Trustee

### Private Acts of 1955 Chapter 60

**SECTION 1.** That in all Counties having a population of not less than 25,047 nor more than 25,147, according to the Federal Census of 1950 or any subsequent Federal Census, that it shall be the duty of the purchaser or donee of real estate to report the same to the County Trustee, and have the same entered of record in a well bound book by the Trustee, showing the grantor, grantee, the date of the instrument, the civil district and the quantity of the land conveyed. No fee shall be charged for such entry.

**SECTION 2.** That the deed shall not be noted for registration, nor registered by the County Register until this notation is made on the deed by the County Trustee, and the transfer shall not be effective as to creditors of the bargainor or donor.

**SECTION 3.** That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the Quarterly County Court of any county to which it may apply on or before the next regular meeting of such Quarterly County Court occurring more than thirty days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

Passed: February 9, 1955.

## Obion and Forked Deer River

## Flood Control and Drainage Improvements

## Public Acts of 1959 Chapter 129

**COMPILER'S NOTE:** The following act is a public act of special application and is not codified in the Tennessee Code Annotated.

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

### **Building Permits**

1. Private Acts of 1967-68, Chapter 468, would have required persons to obtain building permits from the County Assessor for construction or remodeling valued at over \$500, but this act was not approved by the Quarterly County Court of Lauderdale County and never became law.

### **County Clerk**

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

1. Acts of 1855-56, Chapter 253, established the office of County Judge in every county in the state, assigning the Clerks of the County Courts the duty of keeping a docket of all cases to be tried in the County Courts and other clerical duties. The administration of insolvent estates, formerly the responsibility of the Clerks of the County Courts, was transferred to the County Judge. This act was repealed by Public Acts of 1857-58, Chapter 5.
2. Public Acts of 1897, Chapter 124, was a statewide act depriving County Registers, Trustees, County Court Clerks, Circuit Court Clerks, Clerks and Masters, and Sheriffs of their fees and paying them a salary according to population. It is presumed that Lauderdale County's population was just over 20,000 and the County Court Clerk would be paid \$1,800 annually under this act. This act was declared unconstitutional in Weaver v. Davidson County, 59 S.W. 1105 (Tenn. 1900).
3. Acts of 1903, Chapter 397, which created the office of County Judge, provided that the County Court Clerk was to continue as the Clerk of the County Court, with the additional duty of keeping a docket of all cases to be tried in County Court.
4. Private Acts of 1915, Chapter 300, authorized the Clerk to issue subpoenas for witnesses and to perform other acts required or authorized by law to be done in those criminal matters heard by the County Court. This act was repealed by Private Acts of 1925, Chapter 219.
5. Private Acts of 1933, Chapter 552, provided that the County Clerk in Lauderdale County would be entitled to keep no more than \$3,300 per year of the fees of his office, and the excess was to be turned over to the county treasury. This act was repealed by Private Acts of 1935, Chapter 643.

### **County Mayor**

The references below are of acts which once applied to the office of county judge, or county executive in

Lauderdale 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 1855-56, Chapter 253, established the office of County Judge in every county in the state. The County Judge would be elected by the qualified voters of the county to a four year term. The Quorum Courts were abolished and their jurisdiction and powers were transferred to the County Judge, who was to preside over the monthly and quarterly sessions of County Court and act as accounting officer and general agent for the county. The administration of insolvent estates, formerly the responsibility of the Clerks of the County Courts, was transferred to the County Judge. The County Judge would receive compensation of \$5 per day, together with any additional amounts appropriated by the Quarterly Courts. The County Court Clerks would keep the dockets and perform essential clerical duties. This act was repealed by Public Acts of 1857- 58, Chapter 5.
2. Public Acts of 1867-68, Chapter 30, created the office of County Judge for Perry, Decatur, Cheatham, Lauderdale, Smith, Fayette, Henry, Weakley and Obion Counties. The County Judge would be elected by the voters in each county to an eight-year term. The Quorum Courts were abolished and their jurisdiction and powers were transferred to the County Judge, who was to preside over the monthly and quarterly sessions of County Court and act as accounting officer and general agent for the county. The County Judge would receive compensation of \$200 per year, together with any additional amounts appropriated by the Quarterly Courts. The County Court Clerk was to continue as the Clerk of the County Court.
3. Public Acts of 1869-70 (2nd Sess.), Chapter 52, abolished the office of County Judge and restored the Quorum Court in Lauderdale County by repealing so much of Public Acts of 1867- 68, Chapter 30, as applied to Lauderdale County.
4. Public Acts of 1869-70 (2nd Sess.), Chapter 81, is identical to Chapter 52, and was passed on the same day.
5. Public Acts of 1875, Chapter 70, abolished all the quorum courts in the state and transferred jurisdiction to the Chairmen of the County Courts, who were also vested with all the jurisdiction, powers and duties of the Judges of the County Courts. The Quarterly County Courts were given the authority and duty to vote the stock of the county in any railroads. 6. Acts of 1903, Chapter 397, established the office of County Judge for Lauderdale County, to be learned in the law and legally qualified. The County Judge would be elected to an 8-year term, and commissioned in the same manner as other Judges of the State. The Quorum Court and Chairman's Court were abolished and the County Judge was given all the jurisdiction formerly exercised by those courts. The County Judge was to preside over the County Court at its quarterly session, and was given the same jurisdiction, authority, powers and duties formerly exercised by the Chairman of the County Court. The County Judge was given the power to grant fiats, writs of attachment and injunction, and all other extraordinary writs, and to hear and determine cases on writs of habeas corpus, to appoint receivers, and to solemnize marriages. The salary of the County Judge was \$500 per year. The County Judge was prohibited from practicing as an attorney in the court over which he presided and from acting as counsel in any case appealed from his court. If the County Judge became unable to attend his court due to sickness or other reason, the Governor was to appoint a temporary replacement. The County Court Clerk was to continue as the Clerk of the County Court, with the additional duty of keeping a docket of all cases to be tried in County Court. The County Judge was to hear all appeals from municipal courts. The act purported to repeal Chapter 120 of the Acts of 1875 as the act establishing the Chairman's Court, but the intent probably was to repeal Chapter 70. Although Acts of 1903, Chapter 397, has never been expressly repealed, it has been superseded by general law.
6. Acts of 1905, Chapter 451, amended Acts of 1903, Chapter 397, to increase the salary of the County Judge to \$650 per year, with a provision that the Quarterly County Court could raise it to \$800. This act was repealed by Private Acts of 1925, Chapter 220.
7. Private Acts of 1915, Chapter 300, amended Acts of 1903, Chapter 397, to broaden the jurisdiction of the County Judge to include vendor's liens on realty, suits for divorce, foreclosure of deeds of trust or mortgages, collection of debts, suits to allow guardians to encroach upon the corpus of their wards' estates, and misdemeanor cases pending in Circuit Court or Criminal Court where the defendant consented in writing. The Clerk of the County Court was given the authority and duty to issue subpoenas for witnesses and other acts to be done by the court clerk in criminal cases. The County Court was given full power to compel the attendance of witnesses and to enforce judgments, orders and decrees and do all other necessary acts. Juries would impaneled in the same way as in Chancery and Criminal Courts not supplied with jurors regularly, to be paid the same compensation in the same way as other jurors, with the same number of challenges as in criminal cases in other courts. The County Judge was to appoint a practicing attorney to

represent the State, who would take the same oath and have the same powers as an attorney general in the trial of the case and who would be paid a fee of \$10 only if conviction resulted. Appeals were to be sent to the Court of Civil Appeals or to the Supreme Court. The County Judge was to receive additional compensation of \$500 per year for his services as financial agent of the county and for the additional duties imposed upon him by the act. This act was repealed by Private Acts of 1925, Chapter 219.

8. Private Acts of 1919, Chapter 549, amended Private Acts of 1915, Chapter 300, to authorize the Quarterly County Court to pay the County Judge an additional salary not to exceed \$500 per year for acting as accounting officer and fiscal agent of the county. This act was repealed by Private Acts of 1925, Chapter 204.
9. Private Acts of 1927, Chapter 523, amended Acts of 1903, Chapter 397, in much the same manner as Private Acts of 1915, Chapter 300, to confer on the County Judge certain judicial functions concurrent with Circuit and/or Chancery Courts, and granting the County Judge additional compensation of \$500, making his total compensation \$1,800 per year. This act was repealed as of August 31, 1966, by Private Acts of 1965, Chapter 40.
10. Private Acts of 1951, Chapter 637, amended Private Acts of 1927, Chapter 523, to increase the additional compensation of the County Judge as financial agent from \$500 to \$1,100 annually, making his total compensation \$2,400 per year.
11. Private Acts of 1953, Chapter 586, amended Private Acts of 1927, Chapter 523, to raise the maximum salary of the County Judge from \$2,400 to \$3,000.
12. Private Acts of 1967-68, Chapter 40, vested in the County Judge of Lauderdale County concurrent jurisdiction with Circuit and Chancery Courts in divorce and annulment proceedings, suits to allow guardians to encroach upon the corpus of their ward's estates, approval of certain compromise settlements for minors, approval of compromise settlements in workmen's compensation cases, and removing the disabilities of minority. Necessary forms of pleadings, dockets, and records were established and the Judge was granted \$1,100 additional compensation for these added responsibilities. This act was repealed by Private Acts of 1973, Chapter 50.
13. Private Acts of 1973, Chapter 152, would have amended Acts of 1903, Chapter 397, granting concurrent jurisdiction in all matters mentioned in Private Acts of 1967-68, Chapter 40, except divorce and annulment, and no additional salary was provided for the Judge. This act was not acted upon by local authorities and never became law.
14. Private Acts of 1982, Chapter 313, divested the County Judge of Lauderdale County of any and all judicial powers, and transferred all probate and juvenile jurisdiction formerly held by the County Judge to the newly created Probate and Juvenile Court. (This act is currently in force and is reproduced herein under "Court System".)

### **County Legislative Body**

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

1. Acts of 1845-46, Chapter 82, provided that the Quarterly County Court of Lauderdale County would fill any vacancy which might occur on the Board of Commissioners for the City of Ripley.
2. Private Acts of 1921, Chapter 921, applied to the counties of Lauderdale, Washington, Greene, Johnson and Unicoi, fixing the compensation of Justices of the Peace at \$4 per day for attendance at county court and 5¢ per mile between their residence and the county seat.
3. Private Acts of 1967-68, Chapter 289, purported to amend Private Acts of 1957, Chapter 71, to raise the per diem of Justices of the Peace in Lauderdale County from \$10 to \$20. However, Private Acts of 1957, Chapter 71, applied to Tipton County and not to Lauderdale County. The act did not receive local approval and never became effective.
4. Private Acts of 1967-68, Chapter 469, would have amended Private Acts of 1921, Chapter 921, to increase the per diem of Justices of the Peace from \$4 to \$20, but this act was not approved by local authorities and never became law.
5. Private Acts of 1972, Chapter 341, was another attempt to amend Private Acts of 1921, Chapter 921, to increase the per diem of Justices of the Peace from \$4 to \$20, but this act was not approved by local authorities and never became law.

### **County Register**

The following acts once affected the office of county register in Lauderdale County, but are no longer operative. Also referenced below is an act which repealed prior law.



1. Public Acts of 1897, Chapter 124, was a statewide act depriving various county officials of their fees and paying them a salary according to population. It is presumed that Lauderdale County's population was just over 20,000, so that the Register would be paid \$1,000 annually under the act. This act was declared unconstitutional in Weaver v. Davidson County, 59 S.W. 1105 (Tenn. 1900).
2. Private Acts of 1933, Chapter 552, provided that the County Register in Lauderdale County would be entitled to keep no more than \$3,300 per year of the fees of his office, and the excess was to be turned over to the county treasury. This act was repealed by Private Acts of 1935, Chapter 643.

### **County Trustee**

The following acts once affected the office of county trustee in Lauderdale County, but are no longer operative. Also referenced below is an act which repealed prior law.

1. Public Acts of 1897, Chapter 124, was a statewide act depriving County Registers, Trustees, County Court Clerks, Circuit Court Clerks, Clerks and Masters, and Sheriffs of their fees and paying them a salary according to population. It is presumed that Lauderdale County's population was just over 20,000, and the Trustee would be paid \$1,800 annually under the act. This act was declared unconstitutional in Weaver v. Davidson County, 59 S.W. 1105 (Tenn. 1900).
2. Private Acts of 1933, Chapter 552, provided that the County Trustee in Lauderdale County would be entitled to keep no more than \$3,300 per year of the fees of his office, and the excess was to be turned over to the county treasury. This act was repealed by Private Acts of 1935, Chapter 643.

### **Obion and Forked Deer River - Flood 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 References**

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

1. Private Acts of 1857-58, Chapter 26, provided that the securities of William G. McClelland, the late revenue collector of Lauderdale County, were entitled to all the rights, privileges and benefits conferred by a 1852 act for the relief of revenue collectors.
2. Acts of 1903, Chapter 324, repealed Private Acts of 1835-36, Chapter 13 (an act to establish the Ashport Turnpike Company), and transferred the interest in the property mentioned in the act belonging to the State of Tennessee to Lauderdale County.
3. Acts of 1905, Chapter 438, amended Public Acts of 1897, Chapter 105 (authorizing towns with a population of 20,000 or more to establish and maintain free public libraries), to include towns of 6,000 and over.
4. Acts of 1905, Chapter 465, authorized counties with populations between 21,000 and 22,500 by the Federal census of 1900 to extend credit to railroads up to \$50,000 if the conditions of the act were complied with. The railroad had to run through the county or within one mile of the county seat. The president of the railroad company had to apply to the County Court for aid, and the Justices could call a popular election. If the proposal failed, it could be brought up again after 60 days.
5. Acts of 1907, Chapter 547, amended Acts of 1905, Chapter 465, to raise the amount of credit which could be extended to the railroad company from \$50,000 to \$150,000. Apparently some confusion has existed as to whether Acts of 1905, Chapter 465, and its 1907 amendment were

intended to apply to Lauderdale County or Sevier County, or both. The 1905 act is indexed under Sevier County, while the 1907 amendment is indexed under Lauderdale County. The population range included both counties.

6. Private Acts of 1925, Chapter 335, required that at least ½ the members of the County Board of Equalization in Lauderdale, Tipton and Haywood Counties be "dirt farmers" or persons who owned and operated a farm.
7. Private Acts of 1927, Chapter 89, quieted and perfected the title of John W. Gay in lands on Sunrise Island in Lauderdale County.
8. Private Acts of 1929, Chapter 743, quieted and validated the title of Mrs. Jennie Speed Folts to a plot of land in Ripley, in Lauderdale County.
9. Private Acts of 1933, Chapter 36, removed the disability of minority of Mrs. Jessie Sue Camp, a resident of Lauderdale County.
10. Private Acts of 1933, Chapter 484, was a repetition of Private Acts of 1927, Chapter 89, which quieted the title to Sunrise Island in Lauderdale County in John W. Gay. This act became necessary because House and Senate Journals did not show any roll call on the 1927 Act.
11. Private Acts of 1937, Chapter 323, created the Lauderdale County River Commission to develop and effectuate a plan to control the flooding of the Mississippi River and its tributaries in Lauderdale County and to provide flood relief to the citizens of the county. This Commission apparently was never formed.

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