



May 16, 2024

Administration - Historical Notes

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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Audit

The Acts listed below are no longer in effect in Robertson County, and since the general state law referenced above was enacted in 1947 while the local law bears a date of 1943, any conflict between the two would be resolved by the state statute. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1941, Chapter 386, formed an audit committee in Robertson County, composed of three people serving two year terms, who would be elected by popular vote in the general August election and take office following September 1. Until that time the statute named J. E. Powell as the chairman of the audit committee, and Henry Gower and Ernest Porter would be the other members. The Committee members would be paid \$5 each for every day actually spent in the work of the Committee which has specific power to conduct investigations and examine the records of all departments of county government. The Committee could issue subpoenas, administer oaths, and examine witnesses. They could also employ auditors and accountants as they deemed essential, as well as attorneys, when the need arose. The Committee would file a report on their activities and expenses every six months with the County Clerk. This Act was repealed by the one following.
2. Private Acts of 1943, Chapter 63, specifically repealed Private Acts of 1941, Chapter 386, above, as the same was written.

Budget System

The following acts once created a budgeting system for Robertson County, but they have been specifically repealed or superseded by current law. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1917, Chapter 576, created a Board of Finance in Robertson County composed of three men over 25 years of age and residents of the county, but no member of the Quarterly County Court could serve on this Board. F. G. Ewing, A. L. Dorsey, and John N. Richards were named in the act as the first members of the Board of Finance who would serve until the first Monday in January, 1919, when the county judge, or chairman, would appoint the members to serve for the ensuing two years. The members would be sworn into office, choose one of their number as a chairman and as secretary, and discharge the duties and responsibilities outlined in the act for which they could hire an accountant to assist them, if necessary. The accountant's salary would be fixed by the Board and paid monthly and department heads would be required to cooperate with auditors and accountants. Proper and timely reports were to be made to the County Court. This Act was repealed by the one following.
2. Private Acts of 1919, Chapter 276, repealed Private Acts of 1917, Chapter 576, in its entirety, and the Board of Finance was abolished.

Building Permits

The act mentioned below was in effect in Robertson County until repealed specifically by the act published herein, Private Acts of 1979, Chapter 66.

1. Private Acts of 1967, Chapter 31, required that people apply to the Assessor of Property for building permits when the value of the work to be done exceeded \$1,000, for which the Assessor could charge a \$1 fee. The Act did not apply to construction or alteration in cities when the city charged for a building permit. This Act was repealed by Private Acts of 1979, Chapter 66.

County Attorney

The following acts once affected the appointment, election, or office of the county attorney in Robertson County. These acts are included for historical reference only. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1935, Chapter 448, created the position of County Attorney in Robertson County who would be a licensed attorney, at least thirty years of age, and otherwise qualified to perform the duties of the office. The Governor would appoint an attorney to serve until the next general August election who could produce a successor to serve a term of four years. The County Attorney would transact all the legal business of the county, in court, or otherwise, advise all county officials concerning the law; would act as prosecutor in the criminal court and assist the District Attorney in the prosecution and trial of all criminal cases in the Circuit Court of Robertson County. The annual salary was set at \$1800 but the County Attorney would be paid extra when compelled

to litigate matters in State and Federal Courts. This Act was repealed below.

2. Private Acts of 1939, Chapter 196, amended Private Acts of 1935, Chapter 448, above, by adding a provision that the County Attorney would not represent, either directly or indirectly, or in connection with any other attorney, or become involved as claimant, defendant, or insurer in any claim for damages to person, property, or character, of another, or further, be involved in any matter wherein a criminal prosecution had, or could, grow out of the claim.
3. Private Acts of 1941, Chapter 132, specifically repealed Private Acts of 1935, Chapter 448, above, as the same was amended, and abolished the office of county attorney in Robertson County, Tennessee.
4. Private Acts of 1967, Chapter 33, was the legal authority for the position of county attorney in Robertson County, until it was repealed by Private Acts of 1980, Chapter 330.

County Clerk

The following act once affected the office of county clerk in Robertson County. It is included herein for historical purposes.

1. Private Acts of 1933, Chapter 567, provided that the County Court Clerk of Robertson County (identified by the use of the 1930 Federal Census figures) would receive a salary, or compensation, for his services a sum not to exceed \$3,000 annually, beginning on September 1, 1934. The Clerk must file a sworn, itemized statement showing the amount of fees collected in the office with the County Judge, or Chairman. If the fees were less than \$3,000 the sum total of the fees would constitute the salary of the clerk and, if the fees exceeded \$3,000, the clerk was directed to pay the excess into the county general fund through the Trustee.

County Legislative Body

The following act once affected the office of county clerk in Robertson County. It is included herein for historical purposes.

1. Private Acts of 1933, Chapter 567, provided that the County Court Clerk of Robertson County (identified by the use of the 1930 Federal Census figures) would receive a salary, or compensation, for his services a sum not to exceed \$3,000 annually, beginning on September 1, 1934. The Clerk must file a sworn, itemized statement showing the amount of fees collected in the office with the County Judge, or Chairman. If the fees were less than \$3,000 the sum total of the fees would constitute the salary of the clerk and, if the fees exceeded \$3,000, the clerk was directed to pay the excess into the county general fund through the Trustee.

County Mayor

The references below are of acts which once applied to the office of county judge in Robertson County. They are included herein for historical purposes only.

1. Private Acts of 1909, Chapter 440, created the office of County Judge in Robertson County.
2. Private Acts of 1923, Chapter 520, amended Private Acts of 1909, Chapter 440, above, so as to increase the annual salary of county judge from \$1,200 to \$1,800 annually, which amount would be paid in equal monthly installments out of the regular county funds on the warrant of the Judge.
3. Private Acts of 1909, Chapter 440, as amended by Private Acts of 1923, Chapter 520, which established the office of county judge (and abolished the office of chairman of the county court of Robertson County) has been superseded by general law, Public Acts of 1978, Chapter 934. The administrative duties of the former county judge have been transferred to the county executive. T.C.A. § 5-6-101.
4. Private Acts of 2005, Chapter 1, redesignated the title of county mayor to county executive. This act was repealed by the Private Acts of 2007, Chapter 2.

County Register

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

1. Acts of 1806, Chapter 1, divided Tennessee into two districts, the East District, and the West District, with one Register for each district. The Register would be located in Knoxville for the East District and at Nashville for the West District.
2. Acts of 1851-52, Chapter 119, required that all the duties of the Entry Taker would hereafter be performed by the Register in those counties south and west of the Congressional Reservation line who would collect the same fees as the Entry Takers had been collecting. The Entry Takers were

obligated to turn over their books and records, plus all maps, to the Registers of the respective counties involved. The Registers were given permission to employ a Deputy Register where the public interest would be best served thereby. Robertson County was among those counties exempting themselves from the application of this law.

3. Private Acts of 1933, Chapter 565, fixed the annual salary of the Register for Robertson County at \$3,000, starting September 1, 1934 (the act had Registrar but obviously meant Register). All excess fees, commissions, and emoluments would be paid into the county treasury and any amount less than \$3,000 would be the salary of the Register for that year.
4. Private Acts of 1949, Chapter 821, provided that in Robertson County, before any person could have a deed conveying the title to any real estate in the county, they must first present the same to the Tax Assessor who was directed to record the information specified in the act on his records. Registers were prohibited from recording any of these instruments conveying title to real estate which did not have the stamp on it showing that the above had been done. This Act was repealed by the one following.
5. Private Acts of 1951, Chapter 267, expressly repealed Private Acts of 1949, Chapter 821, above, as the same was written and enacted.

County Trustee

The following acts once affected the office of county trustee in Robertson County, but are no longer operative.

1. Private Acts of 1915, Chapter 223, fixed the amount of the bonds required of the Trustee of Robertson County for State taxes at \$20,000 and the bond to be made by the Trustee for county taxes was set at \$40,000, both bonds to be conditioned as was required by law.
2. Private Acts of 1919, Chapter 388, provided for the Trustee of Robertson County to contract with banks on the question of the interest rate to be paid on county deposits.
3. Private Acts of 1943, Chapter 89, recited in the preamble that funds were not in the hands of the County Trustee of Robertson County, all being the remainders left in various bond issues for the county whose purpose had been fulfilled and completed. This Act enabled the Trustee to transfer the specified funds out of the bond issue accounts and into the general county fund, the total amount of all funds in this category being around \$7,000.

General Reference

The following private or local acts constitute part of the administrative and political history of Robertson 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 repeal prior law without providing new substantive provisions.

1. Acts of 1797, Chapter 15, stated that prior to the division of Tennessee County into Robertson County and Montgomery County, Tennessee County owed some of its citizens for their services as jurors and for other public purposes which debts were not paid at the time of the division. This Act authorized those citizens who had sums due them to apply to their present county of residence for payment out of that particular county's tax funds.
2. Acts of 1801, Chapter 5, declared that no pork, beef, hogs, lard, butter, hemp, meal or other perishable commodities could be sold unless the same was inspected. Justices of the Peace were authorized to enforce this law, Regulations were enacted for keeping the warehouses, for inspecting the products, and for the conduct of all those who would be involved in the process, including the sale of the goods after inspection had been made. Springfield and Fayetteville were designated as inspection points in Robertson County.
3. Acts of 1807, Chapter 5, increased the bonds of the Treasurer of the Robertson District to \$50,000 which bonds would be secured with ten securities, all being occasioned by the increased revenue of the State and to the high probability of further increases.
4. Acts of 1809, Chapter 56, was the legal authority for Thomas Dixon, of Robertson County, who had a large family and only one leg, and who had moved into the county with a small amount of merchandise, to sell, either by himself or his representative, those goods he had brought with him without having to obtain a license. Acts of 1809, Chapter 21, did the same as the above act.
5. Acts of 1811, Chapter 34, vested the properties of Hollis Lick in Robertson County with the power to make and proceed to a conclusion a lottery to procure salt out of the above Lick, the amount to be raised by the lottery not to exceed \$2,000 on such scheme as the proprietors might devise. The properties must enter into appropriate bond to secure the prize money. If for some reason, some funds were not used, or the lottery was not fully consummated, any funds not to be

- returned to the ticket holders could be donated to Liberty Academy in the County.
6. Acts of 1811, Chapter 42, made it lawful for any person, or persons, to erect two warehouses on the Cumberland River, one on the north side of the River at Weakleys' Ferry in Montgomery County; and the other on the south side of the River near Weakleys' Ferry in Dickson County, both sites being adjacent to Robertson County, for the inspection of tobacco and other articles for sale.
 7. Acts of 1815, Chapter 199, named John Hutchison, William Lain, Benjamin Tucker, Jack E. Turner, William L. Armstrong, Thomas Kilgore, and James H. Bryan, as commissioners to conduct a lottery scheme to raise a sum of money not to exceed \$4,000 which would be used in building a court house in Springfield in Robertson County. The Commissioners were required to make bond in an amount sufficient to insure the payment of the prizes. The drawing for the lottery prizes would be in accordance with the stipulations in this Act.
 8. Acts of 1820, Chapter 82, was the authority for John Shannon, of Robertson County, to retail spirituous liquors in the county of his residences without having to pay any license fee to the county or the State.
 9. Acts of 1822, Chapter 70, permitted John Brooks, of Robertson County, to hawk and peddle goods, wares, and merchandise in the State of Tennessee without having to pay any taxes for doing so in the State.
 10. Acts of 1822, Chapter 85, provided that property belonging to the estate of Herbert Harwell, a citizen who recently died in Robertson County, would be sold under execution by the Sheriff which executions were obtained heretofore and remain unsatisfied. After the property was sold, the proceeds would be applied to the payments of judgments against Harwell.
 11. Acts of 1825, Chapter 149, allowed James Read, of Robertson County, to vend and sell at retail merchandise and goods throughout the State of Tennessee without having to pay any State or County taxes for doing so.
 12. Acts of 1825, Chapter 177, among other things, changed the name of Caroline Read to Caroline Read Payne, daughter of Solomon Payne, of Robertson County.
 13. Acts of 1826, Chapter 80, was the enabling act which permitted the holding and drawing of a lottery in Robertson County for the benefit of Richard Jones. Commissioners were named in the Act and directed to give bond in twice the amount of the prizes to be paid. (This Act was practically unreadable in the volume available to us so that the names of the Commissioners and the purpose of the lottery could not be ascertained. We were unsuccessful in our efforts to locate this Act in a legible form.)
 14. Acts of 1826, Chapter 121, authorized Mark P. Duncan, of Robertson County, to sell goods at retail throughout Robertson County without having to obtain a license, provided the said Duncan took an oath before the County Court Clerk that he would not sell any goods belonging to any other person, only sell goods belonging to him.
 15. Acts of 1827, Chapter 85, released Phillip Silvers and Cornelius Wilson, both of Robertson County, and their security, John C. Straughon, from the payment of a fine of \$10 for each one which was imposed upon them by the county court of Robertson County for an alleged assault and battery charge plus one of false imprisonment.
 16. Acts of 1827, Chapter 147, required the collector of the public revenue in Robertson County for the year 1827 to pay to the commissioners heretofore appointed by law to superintend the construction of a jail in Springfield one-half of the State tax which the 1825 act ordered to be paid to the county trustee for county purposes. The Commissioner's receipt would be a good voucher for the same.
 17. Acts of 1827, Chapter 171, was legal authority for Anthony Hinkle, of Robertson County, to hawk and peddle goods and merchandise in Robertson County and Davidson County without paying any tax provided the said Hinkle took the oath before some Justice of the Peace in either county that the goods he sold were his own and the proceeds were for his own personal benefit.
 18. Acts of 1831, Chapter 43, stated that the cashier of the Bank of Tennessee would place to the credit of the counties of Montgomery, Dickson, Robertson, Sumner, Davidson, Stewart, Humphreys, Perry, Hickman, Williamson, Lawrence, Wayne, Hardin and Wilson, their pro rata share of the \$60,000 set aside for the internal improvement of Middle Tennessee. The share for each county was based on the percentage of the population of that county of the combined population of all the counties.
 19. Acts of 1832, Chapter 97, appointed Henry Frey, Robert Green, Matthew Powell, Henry Hart and

- William Seal, as the Internal Improvement Board for Robertson County who had the power to receive and expend all the funds for Robertson County, being granted all the powers and obligations as other commissioners of Internal Improvement.
20. Acts of 1833, Chapter 34, established the Planter's Bank in Tennessee whose main office would be at Nashville and one of the branch offices would be at Springfield under the supervision of Richard Cheatham, George C. Conrad, Thomas Farmer, Thornton H. Cook and William Seal. All the rules and regulations pertinent to corporate banking institutions at that time were included within this statute.
 21. Acts of 1847-48, Chapter 42, attached the County of Robertson to the Nashville Bank District and there would be a director for the said county who would be chosen as other directors were selected and enjoy all their rights and privileges.
 22. Acts of 1853-54, Chapter 317, stated that Robertson County would be added to the Nashville Bank District (as the preceding Act did) and would be entitled to have a Director on the Bank Board in the same manner as other Directors.
 23. Acts of 1855-56, Chapter 163, incorporated the town of Turnersville in Robertson County which contained the territory described in the act and which town would be entitled to a Justice of the Peace.
 24. Acts of 1867-68, Chapter 42, incorporated John H. Pope, Thomas L. Green, William Moore, G. B. Randolph, W. R. Sadler, C. C. Bell, William Pitt, Willie Woodard, M. V. Ingram, Jo C. Stark, E. A. Fort, G. B. Mason, John S. Hare, John Woodard, Thomas J. Brisle, B. B. Ralls, N. H. Anderson, Mills Taylor, George C. Benton and Solomon Hiser as the "Robertson County Agricultural and Horticultural Association" with an authorized capital stock of \$10,000. The corporation could be organized as soon as \$5,000 in stock was subscribed and confirmed. Officers were to be elected in Springfield who were given the powers necessary to carry out the general purposes of the corporation.
 25. Acts of 1869-70, Chapter 96, incorporated John Woodrell, William Moore, John S. Hart, Willie Woodrell, C. M. Warfield, Boyd M. Cheatham, G. G. Mason, and their associates as the "Bank of Springfield" which would come under all the general laws pertinent to corporate banking institutions.
 26. Acts of 1897, Chapter 124, concerned the annual salaries of the elected county officials which were classified according to the population of the county in which the official served. The officers would be deprived of all fees which became the property of the county. Although this Act was declared unconstitutional in *Weaver v. Davidson County*, 104 Tenn. 315, 59 S.W. 1105 (1900), yet, it with others soon to follow have been the forerunners of the salary acts under which the State currently operates.
 27. Acts of 1899, Chapter 232, incorporated Springfield as Mayor and Alderman of Springfield granting to them the 29 powers specifically enumerated in the act. The city contained the area described from which a Mayor and 6 aldermen would be elected for two year terms and then appoint the Marshal, Recorder and Treasurer.
 28. Private Acts of 1929, Chapter 273, removed the disabilities of infancy from Very Johnson, of Robertson County, and granted to her the right to contract to do all other things in the same capacity as an adult.
 29. Private Acts of 1933, Chapter 103, took Homer Ellis, Jr., of Robertson County, away from all the deficiencies of being a minor in order that he could take the Bar Examination and thereafter be the same as a legal adult.
 30. Private Acts of 1933, Chapter 442, took away all the disabilities of her minority from Vergie May Savage and granted her all the rights of a majority so that she could transfer and convey some real estate.
 31. Private Acts of 1937, Chapter 77, made Polly Henry a legal adult of Robertson County by removing her minority. At the time of the passage of this act, she resided in Memphis, Tennessee.
 32. Private Acts of 1937, Chapter 481, created the "Orlinda Taxing District" which contained the certain areas described in the Act for the purpose of constructing and maintaining a system of water works. The officers would be three commissioners and a Treasurer who would be elected on the first Tuesday in May 1941, for a term of four years. The Commission would make the rules and regulations and the bylaws for the District. The District had the authority to issue \$22,000 in bonds to buy the water system, at an interest rate not to exceed 5%, and maturing as directed. All the property of the District was pledged to the payment of the bonds, plus the Commissioners could fix the rates to be charged to the water consumers. This Commission would in no way have

any power over the roads or the schools in the district.

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