

**PRIVATE ACTS  
OF  
MOORE COUNTY, TENNESSEE**

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**REVISED EDITION**

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**COUNTY TECHNICAL ASSISTANCE SERVICE  
THE UNIVERSITY OF TENNESSEE  
INSTITUTE FOR PUBLIC SERVICE  
NASHVILLE, TENNESSEE**

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## PREFACE

County government in Tennessee is a political subdivision of state government. As a political subdivision, county government has only that authority which is delegated to it by the state. In Tennessee, the process of delegation of power from state government to county government is accomplished through legislative action of the General Assembly, either through a general (public) act or private act. In the case of the general act, the General Assembly grants certain powers which have general application to all or a large number of counties across the state. These general acts are assembled and codified in the Tennessee Code Annotated which is revised and published on an annual basis and is widely available. However, finding individual county legislation (private acts) is not so easy since it is not published in the official code.

The presence of a large body of private legislation in this state is the result of two basic factors. First, although the Tennessee Constitution mentions some county government offices, the provisions of the Tennessee Constitution dealing with county government lack detail, thereby allowing the general assembly wide latitude in county government administration. Secondly, the Tennessee General Assembly has seen fit to enact much of the law relating to county government on an individualized county-by-county approach. The result has been that the 95 counties in Tennessee operate under both general laws and private acts. This body of private legislation is a mass of separate acts, with each applying to only one or a very small group of counties. Since these acts affect counties on an individual basis, they are not included in the Tennessee Code Annotated but rather are published annually in separate volumes.

The result of this past method of publication of private legislation has been the accumulation of a large portion of county law in a cumbersome mass of chronologically arranged volumes which at last count numbered over 120 books. To further complicate matters, the older volumes have not been reprinted, so that there are today only a handful of complete sets of the private acts in existence. Nevertheless, scattered through these hard-to-obtain volumes is the only public record of those laws from which Tennessee counties draw a large portion of their authority to govern and under which they operate daily. Before the County Technical Assistance Service began compilation of the private acts on a county-by-county basis, there was no statewide effort to organize these acts into a body of current law easily accessible for reference by county officials and interested citizens. It is our hope that this volume of The Private Acts of Moore County will provide a useful reference for county administration in Moore County.

We are indebted to the Moore County legislative delegation for its continued support of the County Technical Assistance Service and this compilation.

## HOW TO USE THE PRIVATE ACTS OF MOORE COUNTY

At least three methods can be used to locate a private act contained in this volume. The method used will depend on the amount of information you have at the outset of your research.

First, when you have no information about any specific act but merely a general question as to the law on a given subject, the table of contents can be used to ascertain the pages of this volume pertaining to that particular subject area. The chapter headings found in the table of contents are arranged alphabetically and conform to what the compiler believes to be the most commonly used terms found in county government in Tennessee. You should note, however, that the table of contents is general in nature and is not a word index.

A second method can be used if you already know the year and chapter number of an act in question. The parallel reference table in the back of this volume affords a reference to the pages containing the desired act or acts.

Finally, if you have a copy of the Tennessee Private Acts Index (The Michie Co., Charlottesville, VA, 1984), it can be used as a more complete word index. Upon ascertaining the chapter and year of the private act of interest, the parallel reference table in this volume can be used to locate the private acts.

The private acts currently in effect for the county are reprinted in this volume. When going through this volume you will note that there are some acts noted herein which are no longer current laws due to subsequent passage of acts which have superseded them in usage. The compiler has described these acts which have been superseded in historical notes at the end of the chapter wherein the current act on the subject is reprinted. Under topic headings throughout this volume, brief summaries or references are made to general law codified in Tennessee Code Annotated that deals with the particular topic.

The acts that are printed in full in this volume include any subsequent amendments to the act. Although no statement is made regarding whether the amendatory act was ratified, the ratification was checked by the compiler to insure that the amendatory act was approved locally and is in effect.

**This compilation is updated through the 99th Session of the Tennessee General Assembly.**

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## CHAPTER I - ADMINISTRATION

## ADMINISTRATION

### BUDGET SYSTEM

Counties in Tennessee may operate their budgeting system under one of the three optional general laws on the subject or under the provisions of private acts or county or metropolitan government charters. The three optional general laws dealing with budgeting are the County Budgeting Law of 1957, the County Financial Management System of 1981 and the Local Option Budgeting Law of 1993. If neither an optional general law nor a private act or county charter has been adopted, the county may have established a budget committee by resolution to serve in an advisory role to the county legislative body. Also see T.C.A. §§ 5-9-401 through 5-9-407, and T.C.A. § 49-2-301 (school budget). Most counties are subject to a general law dealing with the procedure for making budget amendments that is codified at T.C.A. § 5-9-407.

The County Budgeting Law of 1957 is found in Title 5, Chapter 12 of Tennessee Code Annotated. It is a general law establishing procedures for the preparation and adoption of county budgets for all county funds, activities and agencies. The County Budgeting Law of 1957 is permissive legislation and in order to come under its provisions, counties must adopt a resolution by two-thirds (2/3) vote of the county legislative body or pass the proposal in a referendum. Section 5-13-111 of Tennessee Code Annotated specifically provides that the 1957 general law does not affect either private acts then in existence or prevent the enactment of private legislation for Tennessee counties creating central accounting systems, the position of budget director, or other budgeting procedures.

The County Financial Management System of 1981 is codified at T.C.A. § 5-21-101 *et seq.* This law provides an optional system and methods of controlling the financial affairs of a county, including budgeting, purchasing, and investment processes. This act is permissive in nature and can be activated by a two-thirds (2/3) vote of the county legislative body, or by a majority vote in a referendum election.

The Local Option Budgeting Law of 1993 is an optional general law located at T.C.A. §§ 5-12-201 through 5-12-217. This law may be adopted by a two-thirds (2/3) vote of the county legislative body. This law may be adopted and used in conjunction with the County Budgeting Law of 1957 or the County Financial Management System of 1981, or used alone. This optional law provides procedures for the formulation, adoption and amendment of an annual budget that includes deadlines for action. If a county legislative body operating under this law fails to adopt a budget by August 1, the portion of the budget prepared by the department of education goes into effect, and similarly, the remainder of the budget as proposed by the county executive or budget committee goes into effect.

## ADMINISTRATION

### COUNTY ATTORNEY

The office of county attorney is not a constitutional office nor is it an established office under general law. The office of county attorney may be set up by private act. The county executive is authorized by T.C.A. § 5-6-112 to employ counsel where there is no county attorney established by private act or county or metropolitan government charter.

The general law at T.C.A. § 49-2-203 authorizes the board of education to employ legal counsel to advise or represent the board. The County Uniform Highway Law authorizes county highway departments subject to this general law (most counties) to employ legal counsel or to solicit the use of legal counsel retained by the county to prosecute or defend litigation caused by or necessary to the operation of the county highway department. T.C.A. § 54-7-110. There may be other private acts which allow other governmental departments to hire attorneys.

## ADMINISTRATION

### COUNTY CLERK

The county clerk, formerly the county court clerk, is a constitutional office as provided by Article VII, Section I of the Constitution of Tennessee. The county clerk is popularly elected for a term of four years. T.C.A. § 18-6-101. The bond required for county clerks is \$50,000 in counties with a population greater than 15,000 and \$25,000 in counties with a population less than 15,000. T.C.A. § 18-2-201.

Most of the duties of the county clerk are specified in the general law (public acts) codified in Tennessee Code Annotated. The county clerk is the clerk of the county legislative body. The clerk keeps the official record (minutes) of the legislative body. The county clerk is responsible for the issuance of marriage licenses and pawnbrokers' licenses. The county clerk is the collector for a number of local and state taxes including local wheel taxes, local hotel/motel taxes, wholesale beer tax, business taxes and vehicle registration fees. T.C.A. § 18-6-105. The clerk's salary is regulated by T.C.A. §§ 8-24-102 and 8-24-104. The old minimum and maximum variation in salary ended on September 1, 1993. The basic fee schedule for the county clerk is found at T.C.A. § 8-21-407.

The following acts once affected the office of county clerk in Moore County. They are included herein for historical purposes.

1. Private Acts of 1943, Chapter 430, Page 1504, set the salary of the County Court Clerk at \$1,200 per year.
2. Private Acts of 1951, Chapter 80, Page 213, was a salary statute for various Moore County officials, setting the County Court Clerk's at \$1,500 annually.
3. Private Acts of 1957, Chapter 383, Page 1201, did not gain local approval and never became an operative law, but it would have set the County Court Clerk's annual salary at \$2,200.

ADMINISTRATION

COUNTY EXECUTIVE

PRIVATE ACTS OF 1974

CHAPTER 206

SECTION 1. Effective September 1, 1974, all judicial functions, jurisdiction and duties vested in and exercised by the chairman of the Quarterly County Court of Moore County, pursuant to general law or private act are divested from such office and are transferred to and vested in the Chancellor of the Chancery Court of Moore County; and all judicial functions, jurisdiction and duties vested in the Moore County Court are divested from such court and are transferred to and vested in the Chancery Court for Moore County; and all functions, jurisdiction and duties of a judicial nature vested in the county court clerk of Moore County are divested from that office and transferred to and vested in the Clerk and Master of the Chancery Court of Moore County. Juvenile jurisdiction vested in the Court of General Sessions of Moore County by Chapter 14 of the Private Acts of 1961 shall remain in that court.

SECTION 2. The Clerk and Master shall have power to appoint administrators in all cases where the application is uncontested, and to conduct hearings on the probate of wills in common form, and to prepare and submit orders of probate for signature of the Chancellor. In all cases where the Chancellor is absent from the County, the order of probate may be signed by the Chancellor at chambers and returned by him to the Clerk and Master for entry as provided in Rule 58 of the Tennessee Rules of Civil Procedure.

SECTION 3. Appeals from actions of Chancery Court in the exercise of the jurisdiction herein transferred to it shall be taken to the Court of Appeals or to the Supreme Court of Tennessee as provided by law for appeals generally.

SECTION 4. Where the validity of any last will or testament, written or nuncupative is contested, the Chancery Court of Moore County shall cause the fact to be certified to the Circuit Court as provided in Tennessee Code Annotated, Section 32-401; or if the general law is amended giving the Chancery Courts of this State concurrent jurisdiction, then such law shall be applicable.

SECTION 5. The Chancellor may make local rules of practice and procedure in the exercise of the jurisdiction herein transferred as deemed expedient, consistent with law and with such rules as may be promulgated by the Supreme Court of Tennessee and may revise such local rules from time to time as deemed necessary and proper; but all such local rules or revisions thereof, before becoming effective, shall be approved by the Chief Justice of the Tennessee Supreme Court and the presiding judge of the Court of Appeals.

SECTION 6. The office known by the title "chairman of the County Court of Moore County" is hereby redesignated as "county administrator of Moore County." The county administrator and his successors shall be elected at the August 1974 general election by the qualified voters of Moore

County and each four (4) years thereafter. The county administrator shall take office on September 1 following his election and shall serve for a term of four (4) years and until his successor is elected and qualified. He shall be eligible to succeed himself in office.

SECTION 7. The county administrator shall be paid, in accordance with Tennessee Code Annotated, Section 8-2414, an annual salary commensurate with that established for counties of the same population classification; in addition thereto, he shall be paid in accordance with the provisions of Tennessee Code Annotated, Section 5-613, as applicable to counties of the same classification, and in accordance with such other provisions of the general law as may be established from time to time by the General Assembly, commensurate with levels for counties of the same classification.

SECTION 8. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Moore County. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 9. For the purpose of approving or rejecting the provisions of this Act, as provided in Section 8, it shall be effective on becoming a law, the public welfare requiring it. For the purpose of electing a county administrator, it shall be effective upon being approved as in Section 8. For all other purposes, it shall be effective September 1, 1974.

Passed: February 20, 1974.

## ADMINISTRATION

### COUNTY EXECUTIVE

All counties in Tennessee, except those with a metropolitan form of government, must have an elected county executive who serves under that title or another appropriate name designated by private act. T.C.A. § 5-6-101. The county executive serves a four year term.

The county executive is the chief executive officer of the county and has all of the powers and duties formerly exercised by the county judge except judicial powers. The county executive serves as a nonvoting, ex officio member of the county legislative body, and the county executive or a representative of the county executive serves as a nonvoting member of all committees of the legislative body. T.C.A. § 5-6-106. The county legislative body may elect the county executive as its chairman. However, the county executive may refuse to serve as chairman. T.C.A. § 5-5-103. If the county executive is not elected chairman, then the county executive may veto legislative resolutions of the county legislative body. T.C.A. § 5-6-107.

Except as otherwise provided by law, the county executive appoints members of county boards and commissions and county department heads. Such appointees are subject to confirmation by the county legislative body. T.C.A. § 5-6-106(c). It is important to recognize that most boards and department heads are provided for by general law or private act, and this residual appointive power of the county executive may not be applicable.

The county executive is authorized to employ stenographic and clerical assistants needed in the performance of his or her duties. T.C.A. § 5-6-116. The county legislative body is authorized to fix the salaries of these assistants. These salaries are paid out of the county general fund. T.C.A. § 5-6-118.

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

1. Private Acts of 1935, Chapter 4, Page 4, created a three member Board of County Commissioners for Moore County, elected by the voters for terms of two years, and gave them the duty of administering the county affairs. This act was amended almost immediately by Private Acts of 1935, Chapter 299, Page 662, which provided that all county warrants had to be signed by the Chairman or Secretary of the County Commission. Chapter 4 was specifically repealed by Private Acts of 1949, Chapter 464, Page 1238.
2. Private Acts of 1935, (Extra Session), Chapter 18, Page 401, amended Private Acts of 1935, Chapter 4 by providing that the Board of County Commissioners was also vested with the duties of operating the poorhouse and the workhouse, and giving them control of the County Board of Health, the Turnpike Board and the power to make all necessary purchases and hire all necessary employees. This act was repealed by Private Acts of 1949, Chapter 472, Page 1246.

3. Private Acts of 1939, Chapter 147, Page 412, created the office of Moore County Judge, to be held by a person of "good moral reputation, learned in the law, and at least thirty years old." The Judge would be elected to an eight year term by the qualified voters and would have all the powers conferred upon Chairman of the County Clerk. He was to be the general financial agent of the county. He was also given limited criminal jurisdiction. This act was amended by Private Acts of 1939, Chapter 579, Page 1854, to require the county judge to execute bond in the amount of \$5,000. Both acts were repealed by Private Acts of 1941, Chapter 27, Page 110.
4. Private Acts of 1939, Chapter 493, Page 1580, required the members of the Moore County Board of Commissioners to execute bond in the amount of \$3,000. This act was repealed by Private Acts of 1949, Chapter 470, Page 1244.
5. Private Acts of 1941, Chapter 311, Page 1064, amended Private Acts of 1935, Chapter 4, to provide that the Chairman of the Board of Commissioners was to be the executive officer of the Commission and to have general supervision of all county affairs. This was repealed by Private Acts of 1949, Chapter 468, Page 1242.

## ADMINISTRATION

### COUNTY LEGISLATIVE BODY

Each county in Tennessee, except those with a metropolitan form of government, has a county legislative body, which is also formally known as the board of county commissioners, or informally known as the county commission.

The county legislative body, or board of county commissioners, is composed of not less than nine (9) nor more than twenty-five (25) members. The board reapportions the county into districts from which county commissioners are elected. These districts must be apportioned on the basis of population so that each commissioner represents substantially the same number of people. No more than three commissioners may be elected from the same district. T.C.A. § 5-1-108.

The county legislative body replaced the quarterly county court as provided in the Public Acts of 1978, Chapter 934, T.C.A. § 5-5-101 et seq. The county commissioners are vested with all the legislative powers and duties formerly vested in justices of the peace, but possess no judicial powers and are not charged with any judicial functions. Under T.C.A. § 36-3-301, members of county legislative bodies may solemnize marriages.

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

1. Private Acts of 1951, Chapter 358, set the per diem of Moore County justices of the peace at \$4 and provided that they could not be compensated for more than two days at any one session of the quarterly county court. This act was repealed by Private Acts of 1973, Chapter 7, Page 35.
2. Private Acts of 1973, Chapter 7, Page 35, raised the salary of justices of the peace in Moore County to \$15 effective retroactively to September 1, 1972. This has now been superseded by the general statute.

## ADMINISTRATION

### COUNTY REGISTER

The office of county register is a constitutional office, established by Article VII, Section 1 of the Constitution of Tennessee, and is regulated by the general statutes found in Tennessee Code Annotated, Title 8, Chapter 13; Title 10, Chapter 7 (public records); Title 47, Chapter 9 (U.C.C. Secured Transactions); and Title 66 (real property and registration of instruments). The salary of the county register is set by T.C.A. §§ 8-24-102 and 8-24-104. The end of the old minimum/maximum variation in salary is effective from September 1, 1993.

The principal duty of the county register is the registration of instruments which the law requires to be, or allows to be, filed or recorded. These instruments include, but are not limited to: deeds of conveyance of real estate, powers of attorney, deeds of trust, mortgages, liens, land sale contracts, plats, leases, military discharges, and papers under the Uniform Commercial Code. The purposes of such registrations are also varied. The records of the register's office provide a public record of real property ownership, liens and various other transactions that affect the public interest. The basic fee schedule for the register is found at T.C.A. § 8-21-1001.

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

1. Private Acts of 1919, Chapter 395, Page 1033, provided the Moore County Register an annual amount of \$250, in addition to the fees of the office.
2. Private Acts of 1931, Chapter 485, Page 1269, raised the register's annual salary to \$250 in addition to the fees of the office.
3. Private Acts of 1939, Chapter 321, Page 914, provided for the transfer to the county general fund some \$817.20, which remained from a bond sale; and provided that \$350 of this money would be spent on constructing a fireproof vault in the Register's office.
4. Private Acts of 1943, Chapter 430, Page 1504, set the annual salary of the register at \$1,000.

## ADMINISTRATION

### COUNTY TRUSTEE

The county trustee is one of the county officers established by Article VII, Section 1 of the Constitution of Tennessee. The office is regulated by Title 8, Chapter 11 of Tennessee Code Annotated. Duties of the county trustee regarding the collection of property taxes are codified in Tennessee Code Annotated, Title 67, Chapter 5. The county trustee is elected by the qualified voters of the county to serve a four year term. T.C.A. § 8-11-101. Upon election the trustee must take the required oath of office and enter into a surety bond. T.C.A. § 8-11-102. For other statutes pertaining to the many duties of the trustee as a fiscal officer, see Volume 14 of the Combined General Index of T.C.A. under "County Trustee".

The salary of the county trustee is set by T.C.A. §§ 8-24-102 and 8-24-104. The old minimum/maximum variation in salary ended on September 1, 1993.

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

1. Private Acts of 1925, Chapter 52, Page 152, set the annual salary of the County Trustee at \$1,500. All fees of this office became county property.
2. Private Acts of 1931, Chapter 485, Page 1269, set the trustee's salary at \$1,500, and provided that he was to receive none of the fees of his office; they were to be placed in the county general fund.
3. Private Acts of 1933, Chapter 736, Page 1706, reduced the trustee's salary to \$1,000. per year, or to the amount of fees generated up to \$1,000. This act was repealed by Private Acts of 1935, Chapter 20, Page 50.
4. Private Acts of 1935, Chapter 223, Page 511. placed upon the Moore County Trustee the duty of assessing property for taxation, with additional compensation of \$100 per annum in years of assessing personal property and \$250 per annum in years of assessing real property. This act was repealed by Private Acts of 1939, Chapter 73, Page 203.
5. Private Acts of 1943, Chapter 430, Page 1504, set the salary of the trustee at \$1,500 per annum.
6. Private Acts of 1951, Chapter 80, Page 213, was an act setting the salaries of numerous Moore County officials, among them the trustee, who was to receive \$1,800 annually.
7. Private Acts of 1957, Chapter 383, Page 1201, would have raised the annual salary of the trustee to \$2,200, but this act did not receive local approval and therefore never became an operative law.

ADMINISTRATION

PURCHASING

PRIVATE ACTS OF 1933

CHAPTER 349

SECTION 1. That in counties of this State having a population of not less than 4,030 nor more than 4,040 according to the Federal Census of 1930 or any subsequent Federal Census, it shall be the duty of every county official to preserve all of the records of his office, which shall bear upon any financial transaction had with, for or on behalf of such counties for a period of four years from the date of such transaction.

Any official violating the provisions of this Act shall be fined not less than Twenty-five (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars and imprisoned for not less than thirty days nor more than six months, at the discretion of the court. The grand juries of such counties shall have inquisitorial powers over this offense.

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring the same.

Passed: April 5, 1933.

## ADMINISTRATION

### PURCHASING

The laws regarding purchasing for county governments are not uniform and several options exist. The county education department has its own purchasing law (T.C.A. § 49-2-203(A)(4)), but this law is superseded in those counties that adopt the statutes of the optional County Financial Management System of 1981. T.C.A. § 5-21-106 et seq. Further, in counties that have adopted the County Purchasing Law of 1957, another optional general law, the county board of education may or may not use the central county purchasing system depending upon the approval of the state commissioner of education. T.C.A. § 5-14-115.

The County Uniform Highway Law at T.C.A. § 54-7-113 provides a purchasing law for the county highway department when purchasing for the department is not governed by private act or when the county has not adopted either the County Purchasing Law of 1957 or the County Financial Management System of 1981. Nevertheless, even where private acts generally govern the purchases of the county highway department, purchases of less than \$2,000 do not have to be publicly advertised and competitively bid. The purchasing provisions of the County Uniform Highway Law do not apply to Shelby, Davidson, Knox, and Hamilton Counties.

Purchases from the general fund are governed by the County Purchasing Law of 1983, T.C.A. § 5-14-201 et seq., unless the county operates under a county or metropolitan government charter, or has adopted the County Financial Management System of 1981 or the County Purchasing Law of 1957. Also, this general law does not apply to counties with private acts if the private act provides for public advertising and competitive bidding for purchases over \$2,500 or a lesser amount.

The County Purchasing Law of 1957, found in T.C.A. §§ 5-14-101 through 5-14-116, may be adopted by the voters in a referendum or by a two-thirds (2/3) vote of the county legislative body. This act is one of the three companion Fiscal Control Acts of 1957. Under this act the county executive appoints a purchasing agent subject to the approval of the county legislative body. T.C.A. § 5-14-103. The Purchasing Agent must be qualified by training and experience to perform the required duties. T.C.A. § 5-14-103.

The person appointed as purchasing agent must have a corporate surety bond of not less than \$10,000 nor more than \$25,000. The salary is not to be in excess of other county officials as prescribed in T.C.A. §§ 8-24-101 and 8-24-102. T.C.A. § 5-14-103(b). The director of accounts and budgets also serves as the purchasing agent in some counties. The primary duties of the purchasing agent are to: (1) purchase all supplies, materials, equipment and contractual services, (2) arrange for rental of all machinery, buildings and equipment, (3) transfer materials, supplies and equipment between county departments, and (4) supervise the central storeroom. T.C.A. § 5-14-105 et seq.

The County Financial Management System of 1981 is found in T.C.A. §§ 5-21-101 through 5-21-129. This law provides for the consolidation and establishment of a financial management system for all county funds operated through the county trustee, including purchasing. The system is similar in scope to the 1957 acts; however, under this act the county operates under one act rather

than three. This system must be approved by a two-thirds (2/3) vote of the county legislative body or a majority of the voters in order to be effective in any county. T.C.A. § 5-21-126.

Under the County Financial Management System of 1981, a finance department is created to administer the finances of the county and all funds handled by the county trustee, in conformity with generally accepted principles of governmental accounting and rules and regulations established by the state comptroller of the treasury and state commissioner of education. T.C.A. § 5-21-103. Unlike the 1957 laws, school funds are managed under this system just like all other county funds. The commissioner of education may remove the school department from the system if records are not maintained properly and timely. T.C.A. § 5-21-124.

The County Purchasing Law of 1983, T.C.A. § 5-14-201 et seq., applies to purchases by authorized officials using county funds, except that it does not apply to purchases from county highway funds, county education funds, or purchases by counties that have adopted the County Purchasing Law of 1957 or the County Financial Management System of 1981. Neither does this act apply in counties operating under a county or metropolitan government charter. Furthermore, the act does not apply to counties with private acts if the private act provides for public advertising and competitive bidding for purchases in excess of \$2,500 or a lesser amount as established by the private act.

Tennessee Code Annotated § 5-14-204 requires that all purchases and leases or lease-purchase agreements made under the County Purchasing Law of 1983 shall be made or entered into only after public advertisement and competitive bidding, except for (1) purchases costing less than \$2,500, (2) goods or services which may not be procured by competitive means because of the existence of a single source or because of a proprietary product, (3) supplies, materials or equipment needed in an emergency situation, subject to reporting requirements of the county legislative body and the county executive, (4) leases or lease-purchase agreements requiring payments of less than \$2,500 per year, and (5) fuel and fuel products purchased in the open market by governmental bodies. County legislative bodies may lower the dollar amount required in this act and may also adopt regulations providing procedures for implementing this act.

## ADMINISTRATION

### GENERAL REFERENCE

The administration of county government is placed, through a coordination of duties and responsibilities, in various elected or appointed officials, plus various boards, agencies and commissions. For general law on county administration, see Tennessee Code Annotated, Title 5 (Counties) and Title 8 (Public Officers and Employees). Specific subject headings in the Combined General Index in Volumes 14, 15, and 16 of T.C.A. may be checked for other statutes relating to county administration. These duties are summarized in the County Government Handbook, a CTAS publication.

The following private or local acts constitute part of the administrative and political history of Moore 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. Private Acts of 1933, Chapter 332, Page 788, required the Moore County Court Clerks, Trustee, Sheriff, and Road Commissioner to publish monthly statement of the receipts and disbursements of funds by their officers, either in a newspaper published in Moore County or by handbill. This act was repealed by Private Acts of 1935, Chapter 266, Page 608.
2. Private Acts of 1935, Chapter 253, Page 575, prohibited the appropriation of county funds for cooperative farm demonstration work, or to other farm associations, bureaus, or other organizations, without a voter ratification of such appropriation. This act was repealed by Private Acts of 1937, Chapter 570, Page 1835.



## CHAPTER II - ANIMALS AND FISH

ANIMALS AND FISH

PRIVATE ACTS OF 1957

CHAPTER 60

SECTION 1. That it shall be unlawful in Moore County for any person to catch or possess minnows for the purpose of sale.

SECTION 2. That it shall be unlawful in Moore County, Tennessee for any person to possess more than two-hundred fifty (250) minnows, provided the same were caught in any stream in Moore County, and the same are possessed for the purpose of sale.

SECTION 3. That violation of this Act shall be a misdemeanor, punishable by a fines not to exceed twenty-five Dollars (\$25.00).

SECTION 4. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 19, 1957.

COMPILER'S NOTE: The taking, transporting and sale of minnows for bait is regulated by Tennessee Code Annotated, which does not conflict with this private act.

## ANIMALS AND FISH

In Tennessee, the wildlife resources agency has exclusive jurisdiction of the duties and functions formerly held by the game and fish commission or of any other law relating to the management, protection, propagation, and conservation of wildlife, including hunting and fishing. T.C.A. § 70-1-301. The general statutes dealing with wildlife resources are found in Title 70 of the Tennessee Code Annotated.

Stock laws or fence laws were for many years a source of bitter controversy in Tennessee counties. The general fence law for the state is now contained in T.C.A. Title 44, Chapter 8.

The following is a listing of acts that at one time affected, but no longer appear to have any effect on, hunting, fishing or animal control in Moore County. They are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1915, Chapter 206, Page 809, was the first stock or fence law for Moore County, making it unlawful for stock to be allowed to run at large except on unfenced ranges in the county. This act also gave damaged property owners the right to impound the wandering livestock and a lien on them for payment of damages. This act was amended by the Private Acts of 1919, Chapter 147, Page 331, to provide that persons cultivating lands adjacent to unfenced ranges could not recover for damages caused by livestock running at large unless such cultivated lands were enclosed by a lawful fence. The original act was also amended by Private Acts of 1923, Chapter 293, Page 940, to make it a misdemeanor to willingly violate any provisions of the act.
2. Private Acts of 1929, Chapter 695, Page 2092, made it unlawful to catch fish with a hook and line or with a trot line in any month of the year in Moore County. In addition, it would be unlawful to use baskets with wooden slats or wire.
3. Private Acts of 1935, Chapter 57, Page 137, provided that any landowner and/or his guest, could hunt quail, partridge, rabbits, or squirrels between November 1st and March 1st of each year. This act never really had any effect, since it was repealed later in the 1935 session by Private Acts of 1935, Chapter 417, Page 995.
4. Private Acts of 1935, Chapter 231, Page 525, required hunters to receive the permission of the landowner before hunting or fishing in Moore County, but relieved them of any duty to purchase a hunting or fishing license. It would be unlawful for residents to hunt or trap any fur-bearing animals, except Red Fox, between November 15 and February 15.
5. Private Acts of 1935, Chapter 632, Page 1678, made it lawful to buy and/or sell furs from wild animals in Moore County, without payment of any license fee for such a privilege.



## CHAPTER III - BOND ISSUES

## BOND ISSUES

Bond issues have been authorized by private legislation, but general law now has provisions covering bond issues needed by counties. Most of the private legislation authorizing counties to issue bonds, or to borrow money on short term notes contained similar provisions. Generally, these common provisions concerned limitations on the rate of interest to be paid, the maximum number of years for the maturity period, and an additional tax levy for general obligation bonds, the proceeds of which were placed in a sinking fund and used to amortize the bonds and interest over the specified maturity period.

For many years the authority of counties to issue bonds was contained in many different chapters of Tennessee Code Annotated. Recently, the authority to issue bonds and notes has been consolidated in the Local Government Public Obligations Act of 1986, T.C.A. § 9-21-101 et seq. However, the older authority to issue bonds for school purposes remains in Title 49, Chapter 3 of Tennessee Code Annotated.

A listing of the acts which authorized various bond issues for Moore County is included below for reference purposes, although these acts are no longer current. Also referenced below are acts which repeal prior law without providing new substantive provisions.

### DEBTS

1. Private Acts of 1929, Chapter 89, Page 179, authorized Moore County to borrow up to \$25,000 and to issue interest-bearing notes for repayment of its outstanding indebtedness. The notes would bear 6% interest and the County Court would levy a special property tax to create a sinking fund.
2. Private Acts of 1929, Chapter 340, Page 881, authorized Moore County to borrow up to \$3,000 in any one year for the purpose of paying outstanding indebtedness and to issue interest-bearing notes for the repayment of that loan. These notes could not bear interest in an amount greater than 6% per annum. This act was repealed by Private Acts of 1933, Chapter 9, Page 12.
3. Private Acts of 1929, Chapter 681, Page 2001, was identical to Private Acts of 1929, Chapter 340. Chapter 681 was repealed by Private Acts of 1933, Chapter 8, Page 11.
4. Private Acts of 1935, Chapter 232, Page 529, authorized a bond issue of not more than \$26,000. These bonds were to bear interest in the amount not greater than 5¼%. The proceeds from their sale were to be used to pay off outstanding indebtedness of Moore County. The power to levy a special tax and create a sinking fund was granted.
5. Private Acts of 1935, Chapter 556, Page 1425, validated the issuance of funding bonds in the amount of \$26,000. These bonds were dated January 1, 1935, bearing interest at 3½%, and maturing from January 1, 1940 through 1952. The Quarterly County Court was given the power to levy a sufficient tax to cover this amount.

## SCHOOLS

1. Private Acts of 1925, Chapter 561, Page 2129, authorized a bond issue, with voter approval, not exceeding \$50,000. These bonds were to bear interest at an annual rate of up to 6%, mature within ten to fifty years, and the proceeds from their sale were to be used to build schools. This act was repealed by Private Acts of 1927, Chapter 43, Page 109.
2. Private Acts of 1927, Chapter 61, Page 137, authorized Moore County to issue and negotiate interest-bearing warrants to be used to provide funds for lands and school buildings. There was a mistake in the census figures used in this act, so it was amended by Private Acts of 1927, Chapter 206, Page 520, to correct that error. Private Acts of 1931, Chapter 438, Page 1177, also amended the original act, to make the issuance of those warrants subject to voter approval, and Private Acts of 1931, Chapter 686, Page 1862, was also amendatory to the original act, striking out the work "warrants" and substituting the work "bonds." In addition no bond issue could exceed \$22,000 nor could the interest exceed 6%.
3. Private Acts of 1931, Chapter 589, Page 1594, validated the issuance of high school bonds in the amount of \$22,000. These bonds were to bear interest at 6% per annum and were to mature between the years of 1931 and 1942.
4. Private Acts of 1941, Chapter 136, Page 454, validated a bond issue of \$5,700, to be used for repaying the indebtedness created by N.S. Walker, a former Moore County Superintendent of Instruction who had issued school warrants in excess of the budget.
5. Private Acts of 1947, Chapter 646, Page 2737, authorized a bond issue of \$150,000, maximum interest rate of 4%, payable within twenty years, to be used for constructing school buildings. This was amended by Private Acts of 1949, Chapter 737, Page 2264, to provide that no member of the Moore County School Building Commission appointed by the original act to oversee the sale of these bonds could be employed as secretary of that commission.
6. Private Acts of 1949, Chapter 736, Page 2261 authorized Moore County to issue bonds in an amount of no more than \$50,000, upon request of the building commission established by Private Acts of 1947, Chapter 646.



## CHAPTER IV - BOUNDARIES

BOUNDARIES

CREATION OF COUNTY

ACTS OF 1871

CHAPTER 96

SECTION 1. That a new county be and the same is hereby established, out of fractions of the territory of Lincoln, Franklin, Coffee and Bedford counties, to be known as Moore county.

SECTION 2. That the said county of Moore shall be bounded as follows: Beginning at a point near James W. Holman's, on the Lynchburg and Fayetteville turnpike road, in the county of Lincoln, running in a southeast direction to the mouth of Tucker's Creek, on Elk river, thence up Elk river to the line of Widow Gregory's lands, in Franklin county; thence with the line of said lands so as to leave out of said new county the farms of Mrs. Gregory and Mrs. Cole, to Elk river; thence east to a point near James A. Silvertooth's, on Big Hurricane, thence northeast to a point on the Nashville and Chattanooga Railroad, near Ganaway's Woodyard; thence northeast, across said road one mile, to a point in the county of Coffee, thence on a line parallel with said railroad, to a point near the water tank, on the seven-mile grade; thence to a point across said railroad, to a point near the Burrow place, on Shipman's Creek, in the county of Bedford, thence in a southwest direction to a point near W. P. Bobo's, thence in a western direction to a point near Peyton Dean's, on Flat Creek; thence west, to Mount Hermon Church; thence with Elk Ridge, to a point one mile south of Berry Prossers, in the county of Lincoln, thence southeast to a point on Gimlet Creek, near Newton Ashby's; thence to a point near Boonville, on West Mulberry Creek; thence to the beginning point.

SECTION 3. That for the purpose of organizing the said county of Moore, the following named persons are appointed Commissioners, to-wit: Berry Prosser, Lewis Morgan, J. B. Thompson, John D. Tolley, H. H. Smith, Wm. Copeland, J. E. Spencer, and S. J. Green, of the county of Lincoln; C. T. Shiver, A. J. Simpson, Goodwin Miller and Harvey Farris, of the county of Franklin; James G. Aydelotte, Mike Campbell, Thos. Colley and S. J. McLemore, of the county of Coffee; Wm. Smith, W. P. Bobo and John Sullivan of the county of Bedford, who shall, before entering upon the duties herein specified, take an oath before some Justice of the Peace, faithfully and impartially to discharge their duties as such Commissioners, and in case of vacancy from any cause or refusal to act on the part of any Commissioner, his place shall be filled by the other Commissioners, who shall select his successor from the fraction of the county in which the vacancy occurred. A majority of said Commissioners shall constitute a Board, competent to do all things enjoined upon them as Commissioners; and they shall keep a record of their proceedings, which shall be returned by them to the County Court of said county of Moore, at its first session, and the same shall be recorded by the Clerk thereof on the Records of said Court.

SECTION 4. That for the purpose of ascertaining the will of the people of the said fractions of Lincoln, Franklin, Coffee and Bedford counties, in which they reside, as to the said creation of the new county of Moore, said Commissioner shall cause, at as early a day as practicable, an election to be opened and held in the fractions of the old counties that are to be included in the new county; at

which election those voting for the new county shall have written or printed on their tickets or ballots, the words, "New County," and those voting against it shall have written or printed on their tickets, the words "Old County." And said Commissioners shall have power to appoint suitable persons to open and hold said elections; and such persons, so appointed, shall have power to appoint deputies, clerks, and judges, and by themselves or deputies, to administer all necessary oaths, do and perform all other duties necessary to the proper holding of said election. Said election shall be held at such times and places as may be designated by said Commissioners, and upon such notice of time and place as said Commissioners shall direct.

SECTION 5. That the qualified voters of the fractions aforesaid, composing said new county of Moore, in the election provided for in the 4th section of this Act, shall vote at the election held in or for a fraction of the old county in which they reside: Provided, that if there is more than one place of voting in said fraction, that it shall be lawful for said voters to cast their votes at any one of said places.

SECTION 6. That the persons appointed to hold said election shall make returns of said election to said Commissioners, at such time and place as they may designate in the order directing said election to be held, and who shall count the vote of said fractions separately. And if the requisite constitutional majority is found in favor of the new county, then the said Commissioners shall proceed to complete the organization of said county as hereinafter directed.

SECTION 7. That whenever it shall be ascertained by the election aforesaid that the vote of the people of said fractions of said old counties are in favor of the said new county of Moore, then the Commissioners aforesaid shall appoint not less than three, nor more than five, suitable persons, whose duty it shall be to divide said county into suitable districts of convenient size, and fix the place of voting in each district. The number of said districts shall not exceed four for every eighty square miles of said new county.

SECTION 8. That as soon as said new county is laid off into civil districts, the said Commissioners shall appoint suitable persons to open and hold an election in said new county for the purpose of electing officers to the various county and district offices provided for by law for each county in this State; and such persons, so appointed, shall have full power and authority to appoint deputies, clerks, and judges; and by themselves and deputies, to administer all necessary oaths, and to do and perform all the duties incumbent upon them as officers of an election; said election to be held at the time fixed by the Commissioners, upon the usual notice, and at the places designated in such civil districts, as provided for in section 7 of this Act, and make due return thereof, as the law directs.

SECTION 9. That said Commissioners, as soon as it is ascertained that the people of said fractions of the said old counties have voted for the new county, shall designate a temporary county site for said new county, and procure a suitable building in which to hold the Courts in said county, until an election can be held by the people for the purpose of locating permanently the county site of said county. And the County Court of said county, at its first session, shall order an election held for the purpose of establishing the permanent county site; and said election shall be held and conducted, and returns made as now provided by law for elections. Each voter shall have written or printed upon his ticket or ballot the name of the place at which he desires the county site, and the name of the place receiving the highest number of votes, shall be the permanent county site; and the County Court of

said county shall proceed, as soon after the election as practicable, to locate the said site, and to procure the erection of the necessary county buildings.

SECTION 10. That said Commissioners shall have power to make any change in the lines of said county, if found necessary, so as to conform with the requirements of the Constitution of this State.

SECTION 11. That the taxes to be assessed and collected for State and county purposes for the year 1872, if said county is established, shall be collected for the new county.

SECTION 12. That before the said new county shall be established, the Commissioners appointed under this Act shall cause an actual survey of this county to be made, and an actual enumeration of the qualified voters in the limits of said county, in order that it may be ascertained if said new county has the required number of square miles, and the number of voters as required by the Constitution.

SECTION 13. That before the election is held to determine whether said new county shall be formed, the Commissioners appointed in this Act shall cause an actual survey to be made by some competent surveyor, to ascertain whether any old county, out of which the proposed new county is to be made, will be reduced below five hundred square miles, and if the boundary set out in this Act shall reduce any of the old counties below the Constitutional area of territory, then before any voter shall be taken, the Commissioners herein appointed shall reduce the area of the proposed new county so as not to infringe upon the area prescribed for old counties, as fixed by the Constitution: Provided, however, that the proposed new county shall contain 275 square miles and 700 qualified voters.

SECTION 14. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: December 14, 1871.

## BOUNDARIES

### PRIVATE ACTS OF 1933

#### CHAPTER 342

SECTION 1. That the line between the counties of Moore and Coffee be changed by detaching from Coffee county and adding to Moore county the lands situated south and west of the following described line, to wit:

Beginning at a point in the fence inclosing the lands of Lem Motlow, on the north side of the Lynchburg and Tullahoma road known as the "Cobb road," where said road crosses the Moore-Coffee county line, and running from thence in a northwesterly direction with said fence, along said road, to the southeast corner of Lem Motlow's "Paty tract;" thence with the east boundary line of said Paty tract to the northeast corner of said Motlow's "Harton tract;" thence with the north boundary line of said Harton tract to a point in the line of said Motlow's "Briney tract;" thence with the line of said Briney land to the line of said Motlow's "Jenkins tract;" thence with the line of the Jenkins tract to the north side of the Dixie Highway; thence easterly with the north side of said Highway to the corner of the lands of Harve Moore; thence with Moore's line in a northerly direction to Lem Motlow's "Robinson tract;" thence with the line of said Robinson tract back to the point where the boundary line of that tract crosses Moore county line.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 5, 1933.

## BOUNDARIES

### PRIVATE ACTS OF 1939

#### CHAPTER 362

SECTION 1. That the line between the Counties of Moore and Lincoln in the State of Tennessee, be and the same is hereby changed so as to include within the boundaries of said Lincoln County, and in the 10th Civil District thereof, that part of said Moore County, bounded and described as follows, to-wit:

Beginning at a point in the Fayetteville and Shelbyville Pike in front of S.D. Barham's residence, the same being the southwest corner of Joe Stephenson's lot, running thence north, down the hill, with said Stephenson's line, on the west boundary to a walnut near a spring; thence north 6 feet to J. C. Wagster's line; thence, up hollow, northwest to the center of a well; thence from the well to A. D. McAnt's lot; thence south and west with McAnt's line to the center of Fayetteville and Shelbyville pike, which is also the County line between Moore and Lincoln Counties; thence south and east, with said pike, to the beginning, containing two acres, more or less, comprehending the entire lot or parcel of land of J. P. Murray and wife, Joe Annie Murray.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 25, 1939.

BOUNDARIES

PRIVATE ACTS OF 1945

CHAPTER 109

SECTION 1. That the line between the counties of Bedford and Moore, in the State of Tennessee, be so changed so as to detach the lands of Mrs. Laylon Mullins from the 22nd Civil District of Bedford County, and attach the same to the Ninth (9th) Civil District of Moore County, which tract of land is described as follows, to-wit:

Bounded on the North by the lands of J. B. Woodard; on the West by the lands of Jim Ward; on the South by road and lands of Scott Ervin and on the East by the lands of E. W. Mullins and Luther Anderson, said lands of Woodard and Ward being in Bedford County, and the lands of Ervin and Mullins and Anderson being in Moore County, containing seventy (70) acres be the same more or less and being the same lands which the owner, Mrs. Laylon Mullins, inherited from W. T. Hise, et ux, as their only child and heir at law.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 1, 1945.

## BOUNDARIES

### PRIVATE ACTS OF 1945

#### CHAPTER 285

SECTION 1. That the line between Franklin and Moore Counties be, and the same is, hereby changed as follows: By detaching from Franklin County and the farm conveyed to L. E. Huffman, A. F. Huffman and E. C. Huffman by John W. Bedford and wife, Ruth Bedford, by deed of record in Deed Book 69 at page 598, Register's Office of Franklin County, lying in the Fourteenth Civil District of said County; the farm conveyed to A. F. Huffman by Tobe Stewart and wife, Dovie Stewart, and J. H. Stewart by deed of record in Deed Book 68, page 104, Register's Office of Franklin County, lying in the Fourteenth Civil District of Franklin County; the farm of Thomas D. Chapman conveyed to him by J. C. Rolman and wife, Elvie Rolman, by deed of record in Deed Book 69, page 422, Register's Office of Franklin County, lying in the Fourteenth Civil District of Franklin County; and the farm of E. C. Huffman lying in the Sixth Civil District of Franklin County and conveyed to him by Morton Webb and wife, Odell Webb, by deed or record in Deed Book 67, pages 361-362, Register's Office of Franklin County, and attach said farm lands to Moore County.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 16, 1945.

BOUNDARIES

PRIVATE ACTS OF 1945

CHAPTER 428

SECTION 1. That the thirteen acre tract of land of the farm of Charlie Smith, now situated and lying in the 14th District of Franklin County, bounded on the north by the land of Charlie Smith, south by the land of George Hodge, east by the land of Garland Ray, and west by the land of Charlie Smith, be and hereby is detached from Franklin County and attached to the Second District or Moore County.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 27, 1945.

## BOUNDARIES

### PRIVATE ACTS OF 1947

#### CHAPTER 272

SECTION 1. That the line between Franklin and Moore Counties be and the same is hereby changed as follows: By detaching from the Sixth Civil District of Franklin County the following described tracts of land, to-wit: Approximately 180 acres of land, more or less, owned by John W. Bedford and wife, Barbara Ruth Bedford, bounded on the north by M. D. Gray and Mack Brandon, south by Frank Gray, east by Frank Gray and James Gray, and west by the Moore and Franklin County line; approximately 176 acres of land, more or less, owned by M.D. Gray, bounded north by Harland Bean, south by Mack Brandon, east by James Gray and J. Lee Clark, west by Moore and Franklin County line; approximately 37 acres of land, more or less, owned by James M. Gray and wife, Louise Gray, bounded north by M. D. Gray, south by Frank Gray and John W. Bedford, east by John Lee Clark and M. D. Gray, and west by M. D. Gray and John W. Bedford, and attach said three tracts of land to the Third Civil District of Moore County.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 19, 1947.

BOUNDARIES

PRIVATE ACTS OF 1947

CHAPTER 357

SECTION 1. That the line between Lincoln and Moore Counties be and the same is hereby changed as follows: By detaching from the Fifth Civil District of Lincoln County approximately One Hundred Ninety-five acres of land owned by G. B. Waggoner and wife, Martha J. Waggoner, bounded north by the Moore and Lincoln County lines, south by Logan, east by Moore and Lincoln County line and west by Farrer, and attach said land to the Seventh Civil District of Moore County.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 20, 1947.

BOUNDARIES

PRIVATE ACTS OF 1947

CHAPTER 358

SECTION 1. That the line between Lincoln and Moore Counties be and the same is hereby changed as follows: By detaching from the Fifth Civil District of Lincoln County approximately 404 acres of land owned by Reagor Motlow, bounded north by Motlow & Parks, south by Wilson, east by Baldwin and west by Tipps, and approximately 97 acres of land owned by Conner Motlow, bounded north by Warren, south by Motlow, east by McGee and west by Parks, and attach said tracts of land to the First Civil District of Moore County.

SECTION 2. That this Act take effect from and after its passage the public welfare requiring it.

Passed: February 20, 1947.

BOUNDARIES

PRIVATE ACTS OF 1949

CHAPTER 610

SECTION 1. That the line between Franklin and Moore Counties be and the same is hereby changed as follows: By detaching from the Sixth Civil District of Franklin County approximately eighty-five acres of land owned by J. C. Bedford, bounded north by Soloman and Majors, south by Durham and Son, east by Mrs. Ella Majors and west by Moore and Franklin County line, and attach said land to the Third Civil District of Moore County.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 7, 1949.

## BOUNDARIES

### PRIVATE ACTS OF 1951

#### CHAPTER 351

SECTION 1. That the line between Coffee and Moore Counties in this State be and the same is hereby changed by detaching from the County of Coffee and adding to the County of Moore all the territory embraced within the following description:

Beginning at the NW corner of a 225 acre tract of land formerly owned by Jno. W. Harton and wife, and conveyed to C. A. Osborne and wife by deed of record in Deed Book 66, Page 93, Register's Office, Coffee County, Tennessee; running thence S, E and N with the lines of said 225 acre tract to the SE corner of a tract of land now owned by Carlton L. Way and wife, Mary Louise Way; thence with the southerly line of said Way land, in a westerly direction 600 feet; thence in a northerly direction with the W line of said Way land 400 feet to the southerly margin of State Highway 55; thence crossing said highway to the north margin of said State Highway 55 to a point where such line strikes the present county line of Moore County and specifically embracing within Moore County all of State Highway 55 lying S and W of said last mentioned lines, it being the intention of this Act to embrace within Moore County all of the farm of C. A. Osborne and wife described in the deed above referred to EXCEPT that portion heretofore conveyed to Carlton L. Way and wife by deed of record in Deed Book 69, page 69, Register's Office, Coffee County, Tennessee, and to embrace within the boundaries of Moore County Highway No. 55 up to the NW corner of the land of Carlton L. Way, heretofore described.

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 2, 1951.

## BOUNDARIES

### PRIVATE ACTS OF 1959

#### CHAPTER 310

SECTION 1. That the line between the counties of Bedford and Moore be, and the same is, hereby changed by detaching from the County of Bedford and attaching to the County of Moore all of the hereinafter described territory:

A tract or parcel of land now lying in the 24th civil district of Bedford County, adjacent to, and just north of the line between the counties of Bedford and Moore containing 481.5 acres, more or less, and composed of properties owned by the following:

Beginning at a point in the line between the County of Bedford and Moore in the center of an old pike, the same being the southwest corner of the Lawson Norman land and the southeast corner of the land of Miss Grace Mullens, both of which lie in the Twenty-fourth Civil District of Bedford County. Thence with the center of an old road So. 87 deg. E. 770 Ft.; thence N. 50 deg. E. 473 ft.; thence N. 58 deg. 45 min. E 246 ft.; thence N. 41 deg. E. 185 ft.; thence N. 1 deg. E. 512 ft.; thence N. 7 deg. E. 571 ft. to the corner of a fence, the same being Lawson Norman's northeast corner; thence with Norman's north line and Farrar's south line S. 85 deg. 30 min. W. 319.5 ft. to a stone; thence N. 58 degs. W. 724 ft.; thence W. 63 deg. 30 min. W. 120 ft.; thence N. 86 deg. 30 min. W. 2109 ft. crossing Highway No. 82 to the northeast corner of the C. S. and Ruby Wiseman land; thence N. 75 deg. W. 224 ft.; thence No. 65 deg. W. 251 ft.; thence N. 27 deg. 13 min. W. 292 ft. to a stone; thence S. 52 deg. W. 317 ft. to a stone, the northwest corner of the Leonard and Daisy Bennett land; thence S. 83 deg. 15 min W. 136 ft.; thence S. 47 deg. 45 min. W. 399 ft.; thence No. 24 deg. 30 min. W. 34 ft.; thence with an old fence and with Cowan's south line north 86 deg. 15 min. W. 1946 ft. to the corner of an old fence; thence with Cowan's east line S. 6 deg. 30 min. W. 2053 ft. to the corner of a fence in the north margin of the Wiseman Road; thence with the north margin of said road and the south line of Cowan's land N. 35 deg. 30 min. W. 61 ft.; thence N. 40 deg. 30 min. W. 112 ft.; thence N. 44 deg. 35 min. W. 509 ft.; thence n. 46 deg. W. 920 ft.; thence N. 81 deg. 30 min W. 334 ft.; thence N. 69 deg. 45 min. W. 165 ft.; thence N. 59 deg. 45 min. W. 162 ft.; thence N. 68 deg. 30 min. W. 436 ft.; thence crossing said Wiseman Road and running with the west margin of Bonner Road and the east boundary of Mullens land S. 5 deg. W. 988 ft. to the southeast corner of Mullens land; thence N. 86 deg. W. 913.5 ft.; thence S. 4 deg. W. 365.7 ft.; thence with the south boundary of Mullens land and the north boundary of the Earl Bonner land N. 85 deg. 30 min. W. 2505.4 ft.; thence with the west boundary of Earl Bonner land S. 4 deg. 30 min. W. 1576 ft.; thence with the boundary line between the counties of Bedford and Moore S. 52 deg. 15 min. E. 717.4 ft.; thence S. 86 deg. 30 min. E. 1666.5 ft. thence S. 4 deg. 30 min. W. 89.8 ft.; thence S. 85 deg. 30 min. E. 1300 ft. to a stone; thence S. 85 deg. 30 min. E. 600 ft. to the corner of a fence; thence N. 1203 ft. to the corner of a fence; thence S. 85 deg. 45 min. E. 2323.5 ft. to the corner of a fence; thence N. 5 deg. 30 min. E. 153 ft. to the corner of a fence; thence S. 81 deg. 30 min. E. 2009 ft. to the corner of a fence; thence S. 5 deg. W. 759 ft. to the southwest corner of Bedford Wiseman's one-acre tract; thence S. 80 deg. 30 min. E. 829.8 ft. to the southeast corner of Bedford Wiseman's one-acre tract; thence N. 11 deg. 30 min. W. 192.7 ft.; thence N. 11 deg. 30 min. E. 191.4 ft.; thence N. 40

deg. 45 min. E. 462 ft.; thence continuing with the line between the counties of Bedford and Moore north 1 deg. W. 214.5 ft.; thence N. 73 deg. E. 94.4 ft.; thence N. 48 deg. 30 min E. 888.4 ft.; thence S. 88 deg. E. 642.2 ft. to the point of beginning containing approximately 620 acres. The following property, now located in the Twenty-fourth Civil District of Bedford County, is included in the above described tract;

J. Earl Bonner and wife, Clara W. Bonner-----137.6

James Hice and wife, Nuel Hice-----132 (Approx.)

Leonard Bennett and Daisy Bennett-----135 (Approx.)

C. S. Wiseman and wife, Ruby Wiseman-----45.5

Mis Grace Mullens-----29

Lawson Norman and wife, Clara Parks Norman-----140 (Approx.)

A one-acre tract of Bedford Wiseman

SECTION 2. That this Act shall have no effect unless the same shall be approved by a two-thirds vote of both the Quarterly County Courts of Bedford and Moore Counties 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 officers of each of the bodies having jurisdiction to approve or the reverse and shall be certified by him to the Secretary of State.

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

Passed: March 19, 1959.

## BOUNDARIES

### PRIVATE ACTS OF 1965

#### CHAPTER 86

SECTION 1. That the line between the counties of Franklin and Moore be, and the same is hereby changed by detaching from the Sixth Civil District of Franklin and attaching to the Third Civil District of the County of Moore, the following described tract of land, to-wit:

Beginning at the southwest corner of a 55 acre tract and the southeast corner of the original tract, running thence north  $86^{\circ}$  west 28 poles to a stake; thence south  $2^{\circ}$  west 5 poles to a stake; thence north  $86^{\circ}$  west  $86\frac{1}{2}$  poles to a gully; thence up the gully when reduced to a straight line is north  $31\frac{1}{2}^{\circ}$  west 34 poles; thence north  $2^{\circ}$  east 19 poles to a stake in the road; thence north  $48\frac{1}{2}^{\circ}$  west 10 poles to a stake in the road; thence north  $3^{\circ}$  east  $16\text{-}18\frac{18}{25}$  poles to a stake; thence south  $52^{\circ}$  east 32 poles to a stake; thence north  $87^{\circ}$  east 26 poles to a stake; thence south  $2^{\circ}$  east 21 poles to a stake; thence south  $88^{\circ}$  east 20 poles to a stake; thence north  $23^{\circ}$  east  $24\frac{1}{2}$  poles to a stake; thence north  $37^{\circ}$  east 36 poles to a stake in the east boundary of the original tract; thence south  $12^{\circ}$  east  $20\frac{1}{2}$  poles to a stake; thence south  $7^{\circ}$  east 59 poles to the beginning, containing 39 acres and 32 poles.

Being the same tract of land conveyed into Cecil Hulvey and wife, Geneva Hulvey, by deed of James A. Durm, et ux, et al, bearing date of January 17, 1950, of record in Deed Book No. 81, page 479, Register's Office of Franklin County, Tennessee.

SECTION 2. That this Act shall have no effect unless the same shall be approved by a two-thirds vote of both the Quarterly County Courts of Franklin and Moore Counties 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 officers of each of the bodies having jurisdiction to approve or the reverse and shall be certified by him to the Secretary of State.

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

Passed: March 2, 1965.

## BOUNDARIES

### PRIVATE ACTS OF 1971

#### CHAPTER 181

SECTION 1. The line between the counties of Coffee and Moore be, and the same is hereby changed so that the county line between the counties of Coffee and Moore will be located in the following manner:

Beginning at the northwest corner of a certain one hundred (100) acre tract described in a deed to George Vibbert, recorded in Deed Book 20, page 554, Register's office in Moore County; thence east along the north line of the Vibbert tract, to the northeast corner of the original one hundred (100) acre tract, in the west line of a tract owned by the L&N Railroad, now the northeast corner of property owned by R. C. Riddle, Deed Book 29, page 8, Register's office, Moore County; thence south along the east line of the Riddle tract and the west line of the L&N Railroad property, to the north margin of the Tullahoma-Normandy Road; thence in a westerly direction with the north line of the road and the south line of the R.C. Riddle property, J. W. Vibbert property, Edwin Gary property, Glenn Robinette property, and George Vibbert, Jr. property to a point in the south line of U.S. Highway 41-A; thence southeast with the south margin of U.S. 41-A, 765' to a fence; thence west with said fence 620' to a point; thence north 200' to a point; thence west 640' to a fence; thence further west about 590' to a northwest corner of the H. C. Stone property, thence south with the H. C. Stone west line and the Shirley Stone east line about 2390' to the northeast corner of the James T. Rutledge property, thence west with the James Rutledge north line and the Shirley Stone south line about 1995' to a point supposed to be the Coffee-Moore County line. So as to include in Moore County all of the property presently owned by George Vibbert, Edwin Gray, R. C. Riddle, Glenn Robinette, J. W. Vibbert, George Vibbert, Jr., James Farrell, and Shirley Stone, and to place in Coffee County all of the property of I.W. Davis, consisting of 3.5 acres more or less lying between the old Tullahoma Road and the present Highway 41-A.

SECTION 2. This Act shall take effect on becoming a law, the public welfare requiring it.

Approved: May 21, 1971.

COMPILER'S NOTE: This Act did not require local ratification as it does not fall within the purview of Article XI, Section 9 of the Constitution of the State of Tennessee.

## BOUNDARIES

### PUBLIC ACTS OF 1975

#### CHAPTER 70

SECTION 1. A portion of a tract of land of Joe Farrar and wife, Frances Farrar, now situated in Bedford County, hereunder described, is removed from Bedford County into Moore County, and the county line between Bedford County and Moore County at this place shall hereafter run with the boundaries of said tract so as to exclude the said lands from Bedford County and include the same in Moore County. The tract of land is generally bounded and described as follows:

Bounded on the North by Hilltop Road and Daniel Road; on the East by the Daniel Road and Riddle; on the South by Riddle and Farrar; and on the West by Farrar; containing 65.8 acres, be the same more or less, and being all that portion of an original tract lying on the south side of the Hilltop and Daniel Road, which original tract contained 108-1/2 acres, more or less, which original tract was conveyed to J. W. Womble by R. C. Gordon and wife by deed dated October 13, 1927 and recorded in Deed Book 33, page 7, Register's Office of Bedford County, Tennessee, the northern portion of this tract was that day conveyed to William Eugene Gant and wife.

SECTION 2. This Act shall take effect on becoming a law, the public welfare requiring it.

Passed: April 21, 1975.

COMPILER'S NOTE: This is an uncodified public act and does not appear in Tennessee Code Annotated.

## BOUNDARIES

### PUBLIC ACTS OF 1975

#### CHAPTER 214

SECTION 1. John N. Steioff and wife, Marie S. Steioff own the hereinafter described tract of land located and situated mainly in the 25th Civil District of Bedford County, Tennessee with a portion of said tract located and situated in the 5th Civil District of Coffee County, Tennessee and a portion of said tract located and situated in the 10th Civil District of Moore County, Tennessee and these portions of such tract of land are removed from Coffee County and Moore County into the 25th Civil District of Bedford County and the county line between Bedford County and Coffee County and Moore County at this place shall hereinafter run with the boundaries of said tract so as to exclude the said lands from Coffee and Moore Counties and include the same in the 25th Civil District of Bedford County such that the entire tract of land hereunder described shall be located and situated in the 25th Civil District of Bedford County. That tract of land is generally bounded and described as follows:

BEGINNING at a pipe near an old railroad brake shoe protruding from the ground at a decayed dogwood stump near the west edge of an old road extending from the Tullahoma-Normandy Road near a gravel pit; thence North 04 Deg. East, 1,647 feet along the west boundary line of the Mitchell property to a pipe; thence North 75 Deg. 20 Min. West 2,000.6 feet along the south boundary line of the Mitchell property to a pipe; thence North 15 deg. West 950 feet more or less, along the west boundary line of the Mitchell property to a pipe; thence North 89 deg. West, 445 feet, more or less, along the south boundary of what is known as the Taylor property to a pipe; thence South 02 deg. 17 min. West, 700 feet, more or less, along the East boundary of the Carr property to a pipe; thence South 02 deg. 17 min. West, 3,077.7 feet, along the east boundaries of the Carr and Short properties to a pipe; thence South 85 deg. 30 min. East 657.3 feet along the north boundary of the Short property to a pipe; thence South 07 deg. 40 min. West, 990 feet, along the east boundary of said Short property to a pipe; thence North 51 deg. 58 min. East 2,816.4 feet along the northwest boundary of the Weaver place to the point of beginning, and containing 183 acres, more or less, being the same property conveyed to John N. Steioff and wife, Marie S. Steioff, by deed of Guy W. Leming and wife, Martha Leming dated January 23, 1960.

SECTION 2. This Act shall take effect on becoming a law, the public welfare requiring it.

Passed: May 13, 1975.

COMPILER'S NOTE: This is an uncodified public act and does not appear in Tennessee Code Annotated.

## BOUNDARIES

The private act has often been used as a means for transferring parcels of land from one county to another, often because the boundary lines would bisect an individual landowner's property, placing the landowner under the jurisdiction of two counties. This type of boundary change was often very general in its description of the land transferred, without any metes and bounds description. The following is a summary of acts which authorized boundary changes for Moore County.

1. Acts of 1899, Chapter 413, Page 975, changed the boundary between Moore and Bedford Counties by placing the lands of J. N. Sullivan in Bedford.
2. Acts of 1903, Chapter 374, Page 1109, placed the lands of Mrs. Louise Bean in Moore County, out of Franklin.
3. Acts of 1905, Chapter 91, Page 202, was a boundary change between Moore and Lincoln Counties, placing the lands of J. L. Foster in Moore.
4. Acts of 1905, Chapter 136, Page 293, changed the line between Lincoln and Moore Counties, by placing "what is known as the Dave Wagster Place on Chestnut Ridge", which had been purchased by Joe Stevenson in Lincoln County.
5. Acts of 1905, Chapters 191 and 390, Pages 395 and 806, placed the lands of A. J. Womack in Moore County, out of Franklin County.
6. Acts of 1905, Chapters 206 and 385, Pages 430 and 801, changed the boundary between Moore and Franklin Counties by placing the lands of N. A. Majors in Moore.
7. Acts of 1907, Chapters 326, Page 1112, altered the boundary of Bedford and Moore Counties by placing the lands of J. L. Erwin in Moore County.
8. Acts of 1909, Chapter 208, Page 725, changed the line between Moore and Franklin Counties by placing the lands of Thomas Millsaps in Moore County.
9. Acts of 1909, Chapter 481, Page 1763, placed the lands of E. H. Allen in Moore County, out of Bedford County.
10. Private Acts of 1913, Chapter 218, Page 718, placed the lands of E. H. Davis in the First Civil District of Moore County, out of Lincoln County.
11. Private Acts of 1915, Chapter 443, Page 1501, altered the line between Moore and Franklin Counties by placing the lands of M. A. Bean in the third district of Moore County.
12. Private Acts of 1917, Chapter 59, Page 167, placed the lands of Spoon Motlow in the first district of Moore County, out of Lincoln County.
13. Private Acts of 1917, Chapter 244, Page 788, changed the boundary between Moore and

Franklin Counties, by placing the lands of G. E. Byron and the J. E. Coop Estate in the Second Civil District of Moore County, and the lands of M. A. Bean in the Third Civil District of Moore County.

14. Private Acts of 1927, Chapter 735, Page 2393, placed the J. J. Prosser farm in the Eighth Civil District of Moore County, out of Lincoln County.
15. Private Acts of 1939, Chapter 343, Page 966, removed the house and lot of H. G. Hicks and wife from the Tenth Civil District of Lincoln County to Moore County.
16. Private Acts of 1941, Chapter 309, Page 1059, was a boundary change between Moore and Franklin Counties, placing the one hundred twenty-four acre tract of C. M. Cates in the Second Civil District of Moore County, out of the Fourteenth Civil District of Franklin County.

## CHAPTER V - COURT SYSTEM

## COURT SYSTEM

### BOARD OF JURY COMMISSIONERS - JURORS

All private acts creating county boards of jury commissioners were repealed by § 22-2-201 of Tennessee Code Annotated, except in Davidson, Knox and Hamilton Counties. The general statutes dealing with jurors and juries can be found in T.C.A. Title 22. County boards of jury commissioners are described in T.C.A. § 22-2-201, and the qualifications of a juror are listed in T.C.A. § 22-1-101.

The following act once affected jurors or boards of jury commissioners in Moore County, but is no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1917, Chapter 181, Page 630, provided for the appointment of a three member Board of Jury Commissioners by the Circuit Judge. The Board was to select male jurors from the residents of the county. Procedures were established for selecting grand and petit juries. This Act was repealed by Private Acts of 1935, Chapter 350, Page 778.

## COURT SYSTEM

### CHANCERY COURT

Moore County, under the provisions of § 16-2-506 of Tennessee Code Annotated, is part of the 17th Judicial District. The general law on chancery courts is found in Title 16, Chapter 11 of Tennessee Code Annotated, and Title 17 applies to judges and chancellors.

## COURT SYSTEM

### CHANCERY COURT

#### CLERK AND MASTER

The office of clerk and master of the chancery court is covered by Title 18, Chapter 5 of Tennessee Code Annotated and mentioned in Article VI, Section 13 of the Constitution of Tennessee, which provides that the clerk and master will be appointed by the chancellor. The salary of the clerk and master is regulated by T.C.A. §§ 8-24-102 and 8-24-104. The old minimum and maximum variation in salary ended on September 1, 1993.

The basic fee schedule for clerks of court, including the clerk and master, is found at T.C.A. § 8-21-401. Tennessee Code Annotated § 16-16-203 provides the authority for the clerks and masters who are serving as the clerks of probate courts to accomplish a variety of clerical and judicial acts involving the probate of wills and the administration of estates.

The reference list below contains acts which once applied to the clerk and master in Moore County. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1917, Chapter 67, Page 203, set the annual salary of the clerk and master at \$500, to be paid out of the fees of that office. This act also required an annual statement of the fees received by the clerk and master's office to be filed with the county judge or chairman. This act was repealed by Private Acts of 1919, Chapter 395, Page 1033.
2. Private Acts of 1919, Chapter 395, Page 1033, changed the salary to \$250 annually in addition to the fees collected by that office. This act was amended by Private Acts of 1925, Chapter 37, Page 112, to raise that salary to \$500 annually.
3. Private Acts of 1931, Chapter 485, Page 1269, amended the general law to create a new classification of counties and to compensate the various officials in those counties. The Moore County Clerk and Master was to receive an annual salary of \$500 in addition to the fees of his office. This act was repealed by Private Acts of 1935, Chapter 261, Page 601.
4. Private Acts of 1943, Chapter 430, Page 1504, set the clerk and master's annual salary at \$1,000.
5. Private Acts of 1951, Chapter 80, Page 213, set the salary of the clerk and master at \$1,300 per annum.
6. Private Acts of 1953, Chapter 356, Page 1218, lowered the salary of the clerk and master to \$750 per annum and required that quarterly fee reports be filed with the county judge or chairman.
7. Private Acts of 1957, Chapter 383, Page 1201, would have raised this salary to \$1,500 per

year, but this act was rejected by the Moore County Quarterly Court and never became an effective law.

## COURT SYSTEM

### CIRCUIT COURT

Moore County, by general law found in § 16-2-506 of Tennessee Code Annotated, is part of the 17th Judicial District. Title 16, Chapter 10 of Tennessee Code Annotated contains the general law applicable to the circuit court. Judges and chancellors are covered by Title 17 of Tennessee Code Annotated.

The following acts were once applicable to the circuit court of Moore County but now have no effect, having been repealed, superseded, or having failed to win local approval.

1. Acts of 1899, Chapter 429, Page 1005, set the time for holding Circuit Court on the Tuesday after the first Monday in February and June and the Tuesday after the fourth Monday in October.
2. Acts of 1903, Chapter 580, Page 1544, changed the time for holding Circuit Court in Moore County to the first Tuesday after the first Mondays in February, June, and October. At this time Moore County was part of the Seventh Judicial Circuit.

## COURT SYSTEM

### CIRCUIT COURT

#### CLERK

The office of circuit court clerk is governed by the general statutes found in Tennessee Code Annotated, Title 18, Chapter 4. The salary of this office is set by T.C.A. §§ 8-24-102 and 8-24-104. The old minimum and maximum variation in salary ended on September 1, 1993. The basic fee schedule for clerks of court is found at T.C.A. § 8-41-401.

The following acts have no current effect, but once applied to the Moore County circuit court clerk. They were repealed, superseded, or never received local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1919, Chapter 395, Page 1033, set the salary of the Circuit Court Clerk in Moore County at \$250 per year, in addition to the fees of the office.
2. Private Acts of 1931, Chapter 485, Page 1269, raised the clerk's salary to \$500 yearly, by exempting Moore County from the general statute setting county officials' salaries. This Act was repealed by Private Acts of 1935, Chapter 261, Page 601.
3. Private Acts of 1939, Chapter 368, Page 1038, set the salary of the Circuit Court Clerk at \$600 per annum.
4. Private Acts of 1943, Chapter 430, Page 1504, set the salary of the circuit court clerk at \$1,000 per annum.
5. Private Acts of 1951, Chapter 80, Page 213, was a private act setting salaries for a number of Moore County officials, under which the circuit court clerk was to receive an annual salary of \$1,300.
6. Private Acts of 1957, Chapter 383, Page 1201, the salary of the circuit court clerk in Moore County would have been set at \$1,500 per annum, but this act, which covered numerous other county officials, was rejected by the quarterly county court and never became an effective law.

## COURT SYSTEM

### DISTRICT ATTORNEY GENERAL

#### ASSISTANTS AND CRIMINAL INVESTIGATORS

The office of district attorney general, including assistant district attorneys and criminal investigators, is covered by Title 8, Chapter 7 of Tennessee Code Annotated. Section 16-2-506 of T.C.A. establishes the judicial districts of the trial courts and establishes the number of assistant district attorneys general and criminal investigators in each judicial district. According to T.C.A. § 16-2-506, Moore County is in the 17th Judicial District. Secretarial assistance to district attorneys is authorized, but subject to the approval of the executive secretary to the district attorney general's conference, the comptroller of the treasury, and the commissioner of finance and administration. T.C.A. § 8-26-101(2)(G) through (K).

The following acts once affecting Moore County are no longer in effect but are listed here for historical purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1976, Chapter 526, Page 350, created the position of Criminal Investigator for the District Attorney-General of the 23rd Judicial Circuit who would serve at the pleasure and direction of the District Attorney General and be compensated at the rate provided under general law. Such individual may be a licensed attorney who may have additional duties of representing the state as prosecutor in all of the courts of the 23rd Judicial Circuit. This act was repealed by Public Acts of 1977, Chapter 401, Page 1010.
2. Public Acts of 1963, Chapter 265, Public Acts of 1968, Chapter 527, and Public Acts of 1977, Chapter 401, created additional positions for assistant district attorneys general in the Twenty-third Judicial District. Moore County is now a part of the Seventeenth Judicial District, according to T.C.A. 16-2-506, which also provides the number of judges, assistant district attorneys general and investigators for the district.

COURT SYSTEM

GENERAL SESSIONS COURT

CLERK'S SALARY

PRIVATE ACTS OF 1965

CHAPTER 70

SECTION 1. That the General Sessions Court Clerk be paid a salary in Moore County, Tennessee, in accordance with the provisions of the Public Acts of the State of Tennessee of 1959, Chapter 109. That said salary of the Moore County Clerk of the Court of General Sessions be fixed at Fifty Dollars (\$50.00) per month to be deducted from the fees collected by said Clerk in connection with the operation of said General Sessions Court.

SECTION 2. That in the event that there are not enough fees collected by the Clerk of the Court of General Sessions in Moore County, Tennessee, to pay said salary of Fifty Dollars (\$50.00) per month, the County Judge or Chairman of the County Court shall pay said salary from the General fund of the County.

SECTION 3. That this Act shall have no effect unless approved by a two-thirds (2/3) vote of the Quarterly County Court of Moore County, Tennessee, at the next regular meeting occurring more than thirty (30) days subsequent to its approval by the Chief Executive of the State. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and shall be certified by him to the Secretary of State.

SECTION 4. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 22, 1965.

## COURT SYSTEM

### GENERAL SESSIONS COURT

The general statutes on courts of general sessions are found in Title 16, Chapter 15 of Tennessee Code Annotated. The purpose of this general law is to create a statewide system of general sessions courts, but T.C.A. § 16-15-501(c) expressly provides that counties may create general sessions courts by private act, giving them both the jurisdiction and powers conferred by general law and such further jurisdiction and power as each county may require. The base salary of the general sessions judge is set by T.C.A. § 16-15-5003. The compensation received by the general sessions court clerk is set by T.C.A. §§ 8-24-102 and 8-24-104.

COURT SYSTEM

JUVENILE COURT

PRIVATE ACTS OF 1961

CHAPTER 14

SECTION 1. That all jurisdiction exercised by the County Judge concerning and relating to juveniles is hereby transferred from the County Court and vested in the General Sessions Court of Moore County; and the General Sessions Judge of Moore County shall have and exercise all the jurisdiction, power, authority and duties now or hereafter vested by law in Juvenile Court.

SECTION 2. That the Circuit Court Clerk of Moore County shall serve as the Clerk of the General Sessions Court as to all matters arising under Section 1 hereof and all fees accruing thereunder shall belong to the Office of the Circuit Court Clerk.

SECTION 3. That this Act shall have no effect unless the same shall be approved by a two-thirds vote of the Quarterly County Court of Moore County at a regular meeting of said Court occurring more than thirty (30) days after the approval of this Act by the Chief Executive of the State. Its approval or non-approval shall be proclaimed by the County Judge and such approval or non-approval shall be certified by him to the Secretary of State.

SECTION 4. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 26, 1961.

## COURT SYSTEM

### JUVENILE COURT

The Juvenile Court Restructure Act of 1982, as amended, is codified in Tennessee Code Annotated §§ 37-1-201 through 37-1-214. Its purpose is to provide adequate juvenile court services in every county. Tennessee Code Annotated § 37-1-203 provides that the general sessions courts shall exercise juvenile court jurisdiction except in counties or municipalities wherein juvenile courts are specially provided for by law.

Special juvenile courts may be created by law (private act) to exercise juvenile court jurisdiction in a county or in contiguous counties. Counties must provide funding for such special juvenile courts. T.C.A. § 37-1-205.

Clerks of general sessions courts are required to maintain separate minutes, dockets, and records for all juvenile matters in those counties in which the general sessions court is also the juvenile court. T.C.A. § 37-1-210. The clerk of a special juvenile court is a duly elected clerk of another court in the county designated by resolution of the county legislative body, except where a duly elected clerk is provided by law (private act or charter). Clerks of the special juvenile courts are given the same duties, authority and obligations provided for clerks of other courts of record. T.C.A. § 37-1-211.

Tennessee Code Annotated § 37-1-159 provides that the juvenile court shall be a court of record. Any appeal from final disposition of a child, except the transfer of a child to be dealt with as an adult under T.C.A. § 37-1-134, may be made to the circuit court for a trial de novo.

## COURT SYSTEM

### SECRETARIAL ASSISTANCE

Secretarial assistance to judges and chancellors is now provided on the basis of need by the administrative director of the courts, under the provisions of Tennessee Code Annotated § 17-1-401. Their salaries are set by the administrative director of the courts and the commissioner of finance and administration with the approval of the chief justice of the supreme court, under T.C.A. § 17-1-402. The general law provisions are now the sole authority for providing secretarial assistance to trial judges and chancellors.

The following act is no longer in effect but is listed here for historical purposes.

1. Public Acts of 1963, Chapter 262, Section 5, Page 1050, provided that the circuit judge of the newly created Twenty-third Judicial Circuit could employ a secretary at a salary not to exceed \$3,000 per annum. This was an uncodified public act and did not appear in Tennessee Code Annotated.



## CHAPTER VI - EDUCATION/SCHOOLS

EDUCATION - SCHOOLS

BOARD OF EDUCATION

PRIVATE ACTS OF 1972

CHAPTER 318

SECTION 1. The county board of education of Moore County shall consist of five (5) members, with one (1) member to be elected from each of five (5) school districts, constituted as follows:

The first magisterial district shall constitute school district 1.

The second magisterial district shall constitute school district 2.

The third magisterial district shall constitute school district 3.

The fourth magisterial district shall constitute school district 4.

The fifth magisterial district shall constitute school district 5.

SECTION 2. At the August 1972 general election members shall be elected by the qualified voters of the respective districts, to assume office September 1, 1972 and to serve for the following terms and until their successors are elected and qualified. Members from school districts 1 and 4 shall be elected for terms of two (2) years. Members from school district 2 and 5 shall be elected for terms of four (4) years. The member from school district 3 shall be elected for a term of six (6) years. As initial terms expire successors shall be elected at the August general election every two (2) years, to serve for full terms of six (6) years. Members shall assume office on September 1 following their election and serve until their successors are elected and qualified.

SECTION 3. No person shall be eligible for election as a member of the county board of education who is not a freeholder and resident of the school district from which he is elected.

SECTION 4. Chapter 5 of the Private Acts of 1935, relative to the board of education of Moore County, is repealed.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the quarterly county court of Moore County. Its approval or non-approval shall be proclaimed by the presiding officer of the court and certified by him to the Secretary of State.

SECTION 6. For the purpose of approving this act as provided in Section 4, it shall take effect on becoming a law, the public welfare requiring it, but for other purposes, it shall be effective upon such approval.

Passed: March 29, 1972.

EDUCATION - SCHOOLS

BOARD OF EDUCATION

POWER OF CONDEMNATION

PRIVATE ACTS OF 1925

CHAPTER 768

SECTION 1. That there is hereby given to and conferred upon the County Board of Education of the several counties of this State having a population of not less than 4,491 nor more than 4,500, according to the Federal Census of 1920, or any subsequent Federal Census, the right to condemn lands for building sites for public school house and grounds; and the Boards of Education of such counties are hereby authorized and empowered immediately upon the filing of their petition for the condemnation of such lands to take possession of the same, pending the action of the court, and all compensation in damages in taking such lands shall be paid for by the county out of the general funds upon warrants drawn by the Judge or Chairman of the County Court of such county.

SECTION 2. That the proceedings shall comply with and be governed by the laws and eminent domain of this State so far as same are applicable.

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

Passed: April 3, 1925.

## EDUCATION - SCHOOLS

### BOARD OF EDUCATION

General statutes regulating county boards of education and elementary and secondary education in the public schools may be found in T.C.A. Title 49, Chapters 1 through 6. Chapter 535 of the Public Acts of 1992, the Education Improvement Act of 1991, substantially revised many aspects of the education statutes. County boards of education are mandated to be popularly elected, but the time for implementation can vary from county to county. The county legislative bodies, from July 1, 1992, were given authority to establish districts for county board of education members by resolution instead of having to rely on private acts for reapportionment. The new education general law provides for board members to be elected to staggered four-year terms.

Members of county boards of education must have a high school diploma or general education equivalent. However, a few counties are purported to be excluded by narrow population exception. Board members who fail to participate in state sponsored training are subject to removal by the commissioner of education. T.C.A. § 49-2-202.

The following act once affected the board of education in Moore County but is no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1935, Chapter 5, Page 8, provided that the members of the County Board of Education shall be elected by popular vote for two year terms. School districts were set out comprising one or more of the civil districts. A total of six districts were created with district one electing two members and the remainder one. This Act was repealed by Private Acts of 1972, Chapter 318, Page 1232.

EDUCATION - SCHOOLS

SUPERINTENDENT OF EDUCATION

PRIVATE ACTS OF 1963

CHAPTER 87

\*SECTION 1. That in Moore County, Tennessee, the County Superintendent of Education shall be elected by the people at the regular election of county officers as provided in Section 26-103 T.C.A. and shall hold office for a period of two years and until his successor shall be elected and qualified. The first such County Superintendent of Education to be so elected, shall be elected at the election for county officers on the first Thursday in August, 1964, and shall take office on the first Monday in September, 1964. A County Superintendent of Education shall be elected by the Quarterly County Court of Moore County at its regular April Term of 1963 to hold such office until the first Monday in September, 1964. No person shall be eligible to the position of County Superintendent of Education in Moore County unless he or she shall hold a professional certificate to entitle them to election as County Superintendent of Education generally, and the person so elected shall perform and discharge all of the functions now provided by law for county superintendents of education.

\*COMPILER'S NOTE: Tennessee Code Annotated 49-2-301 now requires that a county superintendent of education be elected for a term of four years.

SECTION 2. That Chapter 647 of the Private Acts of 1947 be, and the same is hereby repealed.

SECTION 3. That this Act shall have no effect unless the same shall be approved by a two-thirds vote of the Quarterly County Court of Moore County at a regular or special meeting held not more than ninety days after the approval of this Act by the Chief Executive of the State. Its approval or nonapproval shall be proclaimed by the presiding officer of such Quarterly County Court or the reverse and shall be certified by him to the Secretary of State.

SECTION 4. That this Act shall take effect for the purpose of ratifying the same as provided in Section 3 from and after its passage, the public welfare requiring it, and for all other purposes after the same shall have been approved as provided in said Section 3.

Passed: March 6, 1963.

## EDUCATION - SCHOOLS

### SUPERINTENDENT OR DIRECTOR OF SCHOOLS

Chapter 535 of the Public Acts of 1992, known as the Education Improvement Act of 1991, mandates a phasing out of the office of superintendent of public instruction (county superintendent of education) over the decade of the 1990s. Counties with superintendents may by two-thirds (2/3) vote of the county legislative body extend the office of superintendent and the existing method of election or appointment, but this authority will end with the 1996 elections. Replacing the superintendent will be a director of schools, who will be an employee of the county board of education; however, the continued use of the title superintendent is permitted. The director of schools may be employed under a written contract of up to four years duration. The duties of the superintendent or director of schools are enumerated in T.C.A. § 49-2-301(f).

The acts referenced below once affected the office of Superintendent of Education in Moore 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 1935, Chapter 21, Page 51, provided for the popular election of the County Superintendent of Public Instruction for a two year term.
2. Private Acts of 1947, Chapter 647, Page 2742, provided that the County Superintendent of Education would be elected by the Quarterly County Court at its April term biennially. Qualifications for this office were listed. This Act was repealed by Private Acts of 1963, Chapter 86, Page 292.

## EDUCATION - SCHOOLS

### GENERAL REFERENCE

The general state statutes regulating education are found in Title 49 of Tennessee Code Annotated. Of particular interest to county officials are Chapter 2 (Local Administration); Chapter 3 (Finances); Chapter 6, Part 20 (School Property); Chapter 6, Part 3 (Elementary and Middle Schools); and Chapter 6, Part 4 (Junior and Senior High Schools).

The following acts constitute part of the administrative and political heritage of the educational structure of Moore County but are no longer operative since 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 1891, Chapter 166, Page 342, authorized the County Court to lay off, create, establish, or change the lines of school districts in their county. This act was repealed by Acts of 1903, Chapter 240, Page 551.
2. Acts of 1903, Chapter 240, Page 551, made every school district in the counties of the State coextensive with the civil districts of said county. In a special election to be held in August, 1903, three school directors for each school district would be chosen. Attendance outside of a district was permitted.
3. Acts of 1905, Chapter 232, Page 483, provided that persons who lived on one side of a county line and were not convenient to a public school in their respective district or county may form themselves into a school district jointly, or could attend the nearest school in the adjacent district or county. This act amended Private Acts of 1903, Chapter 240 only as it pertained to Lincoln and Moore Counties.
4. Acts of 1905, Chapter 272, Page 576, created the Fourteenth School District out of portions of the Third, Fourth, and Sixth Civil Districts, setting out its boundaries and appointing a board of school directors. This act contained no tax provision, so this special school district was abolished by Public Acts of 1925, Chapter 13.
5. Acts of 1905, Chapter 322, Page 677, created the Twelfth School District out of portions of the Tenth and Eleventh Civil Districts in Moore County. Like the special school district above, this non-taxing special school district was abolished by the general education law of 1925.
6. Acts of 1905, Chapter 421, Page 893, authorized the Moore County Court to establish such special school districts as were determined to be necessary for the benefit of county residents. The number of these special school districts could not exceed the number of civil districts in the county by more than twenty-five percent.
7. Private Acts of 1911, Chapter 533, Page 1601, divided the then existing Second School District into two districts, the one on the northwest side of the line to be known as the Fifteenth School District and the other as the Second School District.

8. Private Acts of 1917, Chapter 19, Page 41, authorized the directors of school districts to establish primary and secondary schools in which the first ten grades of public school curriculum could be taught.
9. Private Acts of 1919, Chapter 113, established the Lynchburg Special School District in the First Civil District of Moore County. This special school district was authorized to establish a primary school and a high school and it was also given taxing powers. The tax rate was set at 50 cents on every \$100 of taxable property plus a one dollar per person poll tax. Private Acts of 1920 (Ex. Sess.), Chapter 68, Page 263, amended Private Acts of 1919, Chapter 113 to establish a tax rate scale by which the larger the value of the property, the smaller the tax rate applied. Private Acts of 1923, Chapter 635, Page 2328, repealed Private Acts of 1920 (Ex. Sess.), Chapter 68 and amended Private Acts of 1919, Chapter 113 by establishing a new work tax scale. Private Acts of 1927, Chapter 657, Page 2078, further amended Private Acts of 1919, Chapter 113 by establishing a new inverse tax scale and repealed both Private Acts of 1920 (Ex. Sess.), Chapter 68 and Private Acts of 1923, Chapter 635. Private Acts of 1929, Chapter 732, Page 2191 returned the tax rate to a flat ten cents per \$100 of valuation. Private Acts of 1933, Chapter 3, Page 4 repealed Private Acts of 1919, Chapter 113 and its amendments and returned control of the schools in this district to the Moore County Board of Education.
10. Private Acts of 1919, Chapter 178, Page 413, created the Marble Hill Special School District, covering the territory of the Third Civil District. This act named a Board of Trustees, set up a taxing schedule and provided for the establishment of both a primary and a high school. This was purportedly amended by Private Acts of 1919, Chapter 440, Page 1237, to reduce the number of members of the Board of Trustees to three members. Private Acts of 1920 (Ex. Sess.), Chapter 67, Page 262, also amended Private Acts of 1919, Chapter 178, by setting up the inversely graduated tax scale, peculiar to the special school districts in Moore County. These Acts were amended by Private Acts of 1923, Chapter 341, Page 1178, to establish a tax of twenty cents on every \$100 valuation in the district.
11. Private Acts of 1919, Chapter 629, Page 1998, established the Lois Special School District in the Fourteenth and Sixth Civil Districts and a portion of the Fourth Civil District of Moore County. This special school district was to be controlled by a five-member board of trustees and was to operate on funds provided by a tax levy for the special school district. Private Acts of 1920 (Extra Session), Chapter 66, Page 261, amended the original act to lower the original tax levy of \$1 per \$100 to \$.50 per \$100 assessed valuation. Private Acts of 1921, Chapter 449, Page 1332, was another amendment, changing the tax rate from the flat rate to a changing tax schedule based on the value of the taxable property. The tax rate was again amended by Private Acts of 1923, Chapter 328, Page 1141, to return to a fixed fifteen cents on the hundred tax rate and to repeal Private Acts of 1921, Chapter 449. Under the general education law found in Public Acts of 1925, Chapter 13, special school districts which were taxing districts could elect to join the county school system after retirement of their outstanding debts. If the Lois Special School District did not go out of existence in this manner, it was apparently superseded by the private acts which have created county-wide boards of education in Moore County, setting up school districts without reference to any special school districts which were to remain separate.

12. Private Acts of 1921, Chapter 284, Page 854, created the Chestnut Ridge Special School District out of parts of Moore and Lincoln Counties. This act also set up the board of school trustees who were to be elected by the district voters every two years, and also authorized a tax levy on an inverse scale to support the schools in the district. This was repealed by Private Acts of 1923, Chapter 220, Page 734.
13. Private Acts of 1921, Chapter 285, Page 894, created the Charity Special School District, in the counties of Lincoln and Moore. An inverse tax scale was set out for the collection of taxes to fund the schools of the district. This act was repealed and the district abolished by Private Acts of 1927, Chapter 499, Page 1525.
14. Private Acts of 1929, Chapter 284, Page 724, provided that the Moore County Board of Education was to designate the curriculum to be taught in the elementary schools of the county, which in schools with two or more teachers could have ten grades. This act also authorized the board of education to award certificates of promotion from the elementary schools in the county, which would certify that the student was ready to enter and pursue a course of study in a high school in the county.
15. Private Acts of 1935, Chapter 5, Page 8, created a county-wide school system for Moore County, setting out the school districts in the county and providing for the popular election of members of the Moore County Board of Education. This act was amended by Private Acts of 1939, Chapter 549, Page 1725, which changed the boundaries of the third and fourth school districts. These acts were repealed by the current private act setting up the Moore County Board of Education, Private Acts of 1972, Chapter 318, found in this volume.



## CHAPTER VII - ELECTIONS

ELECTIONS

CREATION OF DISTRICTS

PRIVATE ACTS OF 1941

CHAPTER 135

SECTION 1. That in counties of this State having a population of not less than 4,050, nor more than 4,100, by the Federal Census of 1940, or any subsequent Federal Census, there shall be eleven civil districts. The first civil district thereof shall be composed of the territory embraced in the First Civil District of said County as it existed on January 1, 1939. Lyndon Simpson, Harry Baxter and Will Bailey are hereby named as justices of the peace for said district to serve until September 1, 1942, and until their successors shall be elected and qualified.

The Second Civil District of said County shall be composed of the Second Civil District as it existed on January 1, 1939. John M. Walker and John Neal are hereby designated as justices of the peace of said civil district until September 1, 1942.

The Third Civil District of said County shall be composed of the territory embraced in the Third Civil District thereof as it existed on January 1, 1939. Claude J. Harrison and Guy Golden are hereby designated as justices of the peace for said Third Civil District to serve until September 1, 1942.

The Fourth Civil District shall embrace the territory included in the Fourth Civil District as it existed on January 1, 1939. Frank Lesley and Roy C. Matlock are hereby designated as justices of the peace of said civil district to serve until September 1, 1942, or until their successors are elected and qualified.

The Fifth Civil District of said County shall be composed of the Fifth Civil District thereof as it existed on January 1, 1939. W. C. Sullenger and Hugh D. Smith are hereby designated as justices of the peace for said civil district until September 1, 1942, and until their successors shall be elected and qualified.

The Sixth Civil District of said County shall be composed of the territory embraced in the Sixth Civil District thereof as it existed on January 1, 1939. Jeff S. Casey and Will L. Baits are hereby designated as justices of the peace for said civil district until September 1, 1942, or until their successors shall be elected and qualified.

The Seventh Civil District of said County shall be composed of the Seventh Civil District thereof as it existed on January 1, 1939. W. L. Robertson and John S. Woodard are hereby designated as justices of the peace for said civil district until September 1, 1942, or until their successors shall be elected and qualified.

The Eighth Civil District of said County shall be composed of the Eighth Civil District thereof as it existed on January 1, 1939. L. A. Redd and Frank Corder are hereby designated as justices of the peace for said civil district until September 1, 1942, or until their successors shall be elected and qualified.

The Ninth Civil District of said County shall be composed of the Ninth Civil District thereof as it existed on January 1, 1939. Emmett Stone and R. S. Bedford are hereby designated as justices of the peace for said civil district until September 1, 1942, or until their successors shall be elected and qualified.

The Tenth Civil District of said County shall be composed of the Tenth Civil District as it existed on January 1, 1939. James Short and W. Riley Ray are hereby designated as justices of the peace for said civil district until September 1, 1942, or until their successors shall be elected and qualified.

The Eleventh Civil District of said County shall be composed of the Eleventh Civil District thereof as it existed on January 1, 1939. H. C. Prince and Will Cleek are hereby designated as justices of the peace for said civil district until September 1, 1942, or until their successors shall be elected and qualified.

At the August election, 1942, there shall be elected from the First Civil District of said County, it being the district containing the county seat, three magistrates and two constables, and from each of the other districts there shall be elected two magistrates and one constable, who shall hold their offices for the constitutional period. Lyndon Simpson is hereby designated as Chairman of the County Court to exercise the functions of that office until such time as the said County Court can meet and organize by electing a Chairman by the votes of its own members.

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 29, 1941.

COMPILER'S NOTE: This act establishes the civil districts of Moore County, which are not necessarily the county legislative body districts. Tennessee Code Annotated 5-1-111 now requires reapportionment of county legislative districts at least once every ten years, and this can be done by resolution of the county legislative body.

## ELECTIONS

### DISTRICTS - REAPPORTIONMENT

The general provisions concerning county organization are found in Title 5, Chapter 1 of Tennessee Code Annotated. Section 5-1-101 enumerates the counties and § 5-1-108 deals with the apportionment of the county legislative bodies into a maximum of twenty-five county commissioner districts within each county that is not under a metropolitan government charter. Under T.C.A. § 5-1-111, the county legislative bodies must meet at least every ten years to make necessary district boundary changes or completely redistrict a county so that the members represent substantially equal populations based on the most recent federal census. Upon application of any citizen affected, the chancery court of such county has original jurisdiction to review and amend the apportionment or to order an apportionment where none has been made.

Maps and legal descriptions of the boundaries of the county commissioner districts may be found in one of the following offices: County clerk, the county election commission, the state coordinator of elections, secretary of state, and the division of local government, office of the comptroller of the treasury.

Civil districts by that name are no longer used as district boundaries for election of legislative body members. These civil district boundaries have been left undisturbed as they existed prior to the first reapportionment of the quarterly county courts for real property record-keeping purposes only. T.C.A. § 5-1-112.

## ELECTIONS

Elections in Tennessee are now governed by the general statutes found in Tennessee Code Annotated Title 2, Chapters 1 through 19. Of particular interest to county officials is Chapter 12, which covers the county election commission. The employment of registrars-at-large and clerical assistants by the county election commission is authorized by T.C.A. § 2-12-201. Section 2-12-208 sets a minimum salary for certified registrars-at-large based on a percentage of the Assessor's salary, and provides for certification tests, state contribution to each certified registrar's salary and other budget requirements.

Title 3, Chapter 1 of Tennessee Code Annotated reapportions the state into senatorial and representative districts for the general assembly. Tennessee Code Annotated § 3-1-102 places Moore County in the 14th State Senatorial District (along with Warren, Coffee, Franklin and Lincoln Counties), while T.C.A. § 3-1-103 places it in the 39th Representative District. Moore County is part of the 4th U.S. Congressional District, under the provisions of T.C.A. § 2-16-103.

The following is a listing of acts for Moore County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1871, Chapter 96, Page 90, created Moore County and provided for the division of the county into districts of convenient size with a place of voting in each district. The number of districts could not exceed four for every eighty square miles of the county.
2. Private Acts of 1911, Chapter 448, Page 1221, changed the boundary between the Fourth and Fifth Civil Districts of Moore County by transferring the lands of George Smith from the Fifth to the Fourth Civil District.
3. Private Acts of 1931, Chapter 482, Page 1264, transferred all the lands owned by W. C. Evans which were in the Third Civil District into the Sixth Civil District.
4. Private Acts of 1939, Chapter 91, Page 239, was a redistricting act for Moore County, establishing six civil districts. This was amended by Private Acts of 1939, Chapter 511, Page 1650, to adjust the Third and Fourth Civil Districts. It was effectively repealed by Private Acts of 1941, Chapter 135, Page 450, which is found in this volume.
5. Private Acts of 1957, Chapter 383, Page 1201, attempted to set the salary of the Moore County Registrar at \$1500.00 per annum. However, this act did not gain local approval and never became an effective law. Other general salary bills of this type for Moore County indicate that the intent may have been to set the salary of the register rather than the registrar.



## CHAPTER VIII - HEALTH

## HEALTH

For the general statutes relating to health, see Tennessee Code Annotated Title 68, with particular reference to Chapter 2 (Local Health Services). Chapter 2 provides for the creation of county and district health departments, boards of health, and cooperation between counties and cities in the establishment of such departments and boards. It also details the operation and financing of local health services. See Volumes 14, 15 and 16 (Combined General Index) of T.C.A. for reference to statutes on specific health topics.

## CHAPTER IX - HIGHWAYS AND ROADS

HIGHWAYS AND ROADS

SUPERINTENDENT OF HIGHWAYS

PRIVATE ACTS OF 1984

CHAPTER 172

SECTION 1. There is hereby created the office of Superintendent of Highways for Moore County. Said Superintendent of Highways shall be the executive head of the Moore County Highway Department and shall be the chief administrative officer of said department under the terms of the County Uniform Highway Law codified in Chapter 7, Title 54, Tennessee Code Annotated.

SECTION 2. The present Highway Supervisor of Moore County, elected in the August, 1982 General Election, shall serve as the Superintendent of Highways for Moore County for the remainder of his present term which ends in 1986. At the August 1986 General Election and every four years thereafter, the qualified voters of Moore County shall elect a Superintendent of Highways who shall serve for a term of four years and until a successor is elected and is qualified.

SECTION 3. The Moore County Superintendent of Highways shall perform all the duties prescribed or authorized to be performed by a chief administrative officer pursuant to the County Uniform Highway Law. Further, said Superintendent shall serve as the contracting officer and purchasing agent for Moore County Highway Department. The Superintendent of Highways shall sign all warrants upon the highway fund, excepting in the event of the officer's disability or absence from the county for over seven continuous days, or a vacancy in the office, the County Executive shall be empowered to sign fiscal warrants until the end of the vacancy, absence or disability. The Superintendent shall notify the County Executive in writing of the end of the disability or prolonged absence and upon receipt of such notice the County Executive shall cease to exercise the temporary powers conferred by this section.

SECTION 4. If any provisions of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

SECTION 5. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Board of County Commissioners of Moore County. Its approval or nonapproval shall be proclaimed by the presiding officer of such Board and certified by him to the Secretary of State.

SECTION 6. 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 5.

Passed: March 15, 1984.

## HIGHWAYS AND ROADS

General law on highways and roads can be found in Title 54 of Tennessee Code Annotated. In 1974, the general assembly enacted the "County Uniform Highway Law," which has had a substantial effect on road law in Tennessee's counties. Found in Title 54, Chapter 7 of Tennessee Code Annotated, the County Uniform Highway Law applies to most counties in the state.

The County Uniform Highway Law deals extensively with the position of "Chief Administrative Officer" of the county road department. The chief administrative officer is defined in T.C.A. § 54-7-103 as a county road superintendent, county road supervisor, county engineer, director of public works, or any similar elected or appointed official. The qualifications of the chief administrative officer are set out in T.C.A. § 54-7-104. Public Acts of 1989, Chapter 77, amended T.C.A. § 54-7-104(a)(1), to provide that the state coordinator of elections, rather than the highway committee of the county legislative body, shall certify a candidate's qualifications to be elected chief administrative officer of the county highway department in those counties where this officer is popularly elected.

The term of office is set at four years by T.C.A. § 54-7-105, and the minimum salary of the chief administrative officer must be ten percent (10%) greater than the salary of the county trustee under T.C.A. § 54-7-106. The bond of the chief administrative officer is now set at \$100,000 by T.C.A. § 54-7-108.

The duties of the chief administrative officer are specified in T.C.A. § 54-7-109. This section names the chief administrative officer as the head of the county highway department and gives this officer general control over the road system and the personnel employed by the county road department. However, in those counties with popularly elected highway commissions (provided by private act), the general policy decisions over the highway system remain with the elected highway commission.

The County Uniform Highway Law also gives the chief administrative officer authority to employ legal counsel (T.C.A. § 54-7-110), requires the preparation of an annual plan for road improvement (T.C.A. 54-7-111), and provides for the supervision and control of all equipment and materials owned by the county highway department (T.C.A. § 54-7-112).

The use of county equipment or materials for private purposes is prohibited by T.C.A. § 54-7-202. Any personal financial interest in the purchase of any supplies, machinery, materials or equipment by any chief administrative officer, county highway commissioner, member of the county governing body, or any employee of the county highway department is expressly forbidden by T.C.A. § 54-7-203.

The following is a listing of acts which once had some effect upon the county road system in Moore County, but which are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1919, Chapter 154, Page 345, regulated the operation of toll turnpikes in Moore County, providing that no toll could be charged unless such turnpikes were at least

five miles in length and kept at all times in good repair. This Act replaced the supervision of the turnpikes under the County Road Commission who would inspect the turnpikes at the order of the County Judge or Chairman. Procedures for the County Judge or Chairman to order the turnpikes open were enclosed.

2. Private Acts of 1919, Chapter 160, Page 357, was the first general road law for Moore County, creating a three-member Road Commission, to be elected by the Quarterly County Court for terms of two years. The Road Commission had full supervision of the county's public roads, except for public bridges which remained under the control of the Quarterly County Court. This Road Commission was to appoint a district commissioner from each road district, who would then appoint a district overseer to insure the efficient working of the roads in his district. Procedures for opening, changing, or closing roads were included in the Act as were provisions for a tax levy, work of road hands, and commutation. This act was amended by Private Acts of 1920 (Extra Session), Chapter 96, Page 350, to change the powers of the county road commission to declare which roads were to be worked on and to set up an appeal procedure for disgruntled citizens who disagreed with the commission's decision. Both of these acts were repealed by Private Acts of 1921, Chapter 867, Page 2665.
3. Private Acts of 1921, Chapter 867, Page 2665, was the next general road law for Moore County. This act set up the office of county road commissioner and gave him full charge and control of all the county roads but not of the bridges. The county road commissioner was to appoint road district commissioners who would appoint their district road overseer. This was amended by Private Acts of 1923, Chapter 610, Page 2267, to lower the road commissioner's salary from \$300 per year to \$200. Private Acts of 1933, Chapter 162, Page 422, was another amendment to the 1921 Moore County road law, providing that the quarterly county court could exempt men from road duty only for a mental or physical disability which made them unfit for manual labor, and had been exempted from the payment of poll taxes.
4. Private Acts of 1935, Chapter 6, Page 10, designated each civil district in the county as a road district. A road overseer was to be elected for a two year term from each road district, to take charge and to oversee the working of public roads in their district. This act was repealed by Private Acts of 1949, Chapter 463, Page 1237.
5. This Act was amended by Private Acts of 1935, Chapter 225, Page 514, to reduce the overseer's bond from \$2,000 to \$1,000. Private Acts of 1935 (E.S.), Chapter 99, Page 636, amended Private Acts of 1935, Chapter 6, to provide that it was not to be construed as interfering with the right of the State Highway Commissioner to designate the roads in Moore County on which the allotment of auto tax fund may be expended. Private Acts of 1935 (Ex. Sess.), Chapter 99, was repealed by Private Acts of 1949, Chapter 469, Page 1243.
6. Private Acts of 1937, Chapter 19, Page 80, amended Private Acts of 1935, Chapter 6, to provide that the Board of Highway Commissioner had to file a monthly report with the County Trustee estimating their future expenditure for machinery and its repair. This was repealed by Private Acts of 1941, Chapter 26, Page 109.

7. Private Acts of 1939, Chapter 84, was an amendment to Private Acts of 1935, Chapter 6, which created six road districts in Moore County by combining some of the civil districts. This act was repealed by Private Acts of 1941, Chapter 466, Page 1640.
8. Private Acts of 1939, Chapter 510, Page 1649, was amendatory to Private Acts of 1939, Chapter 84, by redefining the Third and Fourth Road Districts. This act was repealed by Private Acts of 1941, Chapter 467, Page 1641.
9. Private Acts of 1941, Chapter 312, Page 1066, was amendatory to Chapter 6 of the Private Acts of 1935, and it set up a "Machinery Fund" on which warrants could be drawn for the payment of expenses in connection with the buying, maintaining, repairing and operating the county highway department's machinery. No more than 70% of the road funds could be placed in this account and all purchases were to be competition bidding. This act was repealed by Private Acts of 1949, Chapter 467, Page 1210.
10. Private Acts of 1941, Chapter 468, Page 1642, was an amendment to the Moore County road law found in of the Private Acts of 1935, Chapter 6, raising the compensation of the road overseers to \$15.00 per month. This amendatory act was repealed by Private Acts of 1949, Chapter 466, Page 1240.
11. Private Acts of 1949, Chapter 473, Page 1247, created the Board of County Road Commissioners consisting of three members, popularly elected, for two year terms. The Board was empowered to exercise all powers of the county in the administration, control and supervision of county roads. The Board was directed to employ a Supervisor of Roads who would construct, repair and maintain all county roads and bridges, and maintain all county road equipment. This Act was repealed by Private Acts of 1979, Chapter 109, Page 455.
12. Private Acts of 1953, Chapter 318, Page 1024, was an amendment to Private Acts of 1949, Chapter 473, which increased the number of members of the Road Commission by two and to gave the Quarterly County Court the authority to remove any member of the Commissioner for misconduct in office. This Act also limited to 40% of the road funds the amount that could be spent to acquire machinery. There were two acts passed in the 1967-68 legislative session to repeal this amendment. Private Acts of 1967-68, Chapter 47, Page 214, was rejected by the Quarterly County Court, but Private Acts of 1967-68, Chapter 96, Page 364, was approved by local officials and did repeal the 1953 amendment to the road law.
13. Private Acts of 1970, Chapter 347, Page 1303, was an attempted amendment to the Private Acts of 1949, Chapter 347, which did not gain local approval. This amendatory act was a fairly comprehensive one, redefining the road districts and the qualifications, term and salary of the road commissioners.
14. Private Acts of 1972, Chapter 345, Page 1333, was an amendment to Private Acts of 1949, Chapter 473 setting the salary of the Chairman of the Board of County Road Commissioners at \$1,800 per annum and the members at \$1,200 per annum. A provision for traveling expenses was also included. The salary for the Secretary to the commission was to be set by the commissioners between \$2,500 and \$3,800 per annum. The Supervisor of Road's salary was to be set by the commissioners between \$4,800 and \$6,000 per annum. Employment

restrictions any qualifications were also included in the Act. This Act was repealed by Private Acts of 1979, Chapter 109, Page 455.

15. Private Acts of 1980, Chapter 299, Page 490, would have created the Moore County Board of Highway Commissioners, to be composed of five members who would be elected to six year terms after the initial staggered terms, for the purpose of maintaining a system of public roads. In addition, the office of Highway Supervisor was created who would be elected to a four year term. He would be the chief administrative officer of the Highway Department as defined in the "County Uniform Road Law". This Act was not approved by the Board of County Commissioners and is not effective.

## CHAPTER X - LAW ENFORCEMENT

## LAW ENFORCEMENT

### JAILS AND PRISONERS

The general law on jails and prisoners can be found in Tennessee Code Annotated Title 41. Of particular interest to county officials are Chapter 2 (County Workhouse), Chapter 4 (Jails and Jailers), and Chapter 8 (County Correctional Incentives Act). For the state law on jailers fees, see T.C.A. §§ 8-26-105 and 41-8-106.

## LAW ENFORCEMENT

### MILITIA

For many years during the early portion of Tennessee's history, the county units of the state militia were a vital part of the peace keeping and law enforcement arm of the state, being subject to call when certain conditions existed.

## LAW ENFORCEMENT

### OFFENSES

Some counties in Tennessee have made various activities illegal within their boundaries by the enactment of private legislation. Some of these were billiard playing, operating dance halls, shooting fireworks, and things of a similar nature.

## LAW ENFORCEMENT

### SHERIFF

The office of sheriff is one of the county offices established by Article VII, Section 1 of the Constitution of Tennessee, and it is regulated by the general statutes found in Title 8, Chapter 8 of Tennessee Code Annotated. Many of the duties of the sheriff are specified in T.C.A. § 8-8-201. The sheriff's salary is now set by T.C.A. §§ 8-24-102 and 8-24-108. The statutes authorizing the sheriff to petition the court with criminal jurisdiction for the employment of deputies and assistants and the setting of salaries for deputies and assistants are found in T.C.A. § 8-20-101 et seq. Also, the sheriff may appoint such personnel as may be provided for in the budget adopted for the sheriff's department. T.C.A. § 8-20-120. For additional statutes relating to the sheriff, refer to the Combined General Index of Tennessee Code Annotated, Volumes 14, 15, and 16, under specific topics relating to law enforcement.

The following acts have no current effect but are included here for reference purposes since they once applied to the Moore County sheriff's office. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1919, Chapter 395, Page 1033, set the annual salary of the sheriff at \$250 plus all the fees of his office. This was amended by Private Acts of 1925, Chapter 420, Page 1564, to raise the salary to \$500 yearly in addition to the fees.
2. Private Acts of 1931, Chapter 485, Page 1269, exempted Moore County, by creating a new class of county, from the general law salary statute, with the sheriff's salary remaining at \$500 per annum. This was repealed by Private Acts of 1935, Chapter 261, Page 601.
3. Private Acts of 1943, Chapter 391, Page 1330, set the Moore County Sheriff's salary at \$1,500 annually, in addition to the fees of the office, in order to provide adequate compensation so that the sheriff's office could properly function.
4. Private Acts of 1951, Chapter 80, Page 213, was a salary act for various Moore County officials. The sheriff's annual salary was set at \$2,000.
5. Private Acts of 1957, Chapter 383, Page 1201, was another act setting county officials' salaries in Moore County. Under this act, the sheriff would have received \$2,300 per annum and all fees collected would become county property, but the Moore County Quarterly Court did not approve this act, so its provisions never became effective law.



## CHAPTER XI - TAXATION

TAXATION

ASSESSOR OF PROPERTY

PRIVATE ACTS OF 1939

CHAPTER 146

SECTION 1. That in counties of this State having a population of not less than 4,030, nor more than 4,040 by the Federal Census of 1930, or any subsequent Federal Census, there is hereby created the office of County Tax Assessor. At the regular election, 1940, there shall be elected by the qualified voters in counties to which this act applies some person as Tax Assessor, who shall hold office for a period of four years from and after September 1, next following his election and until his successor shall be elected and qualified. Until September 1, 1940, Dick Hinkle is hereby named as such Tax Assessor. Any vacancies occurring whatsoever in the office of Tax Assessor shall be filled by the Quarterly County Court but the term of the person so appointed shall expire on September 1, next following the first election for county officials after such vacancy.

SECTION 2. That the duties of such Tax Assessor shall be those as now prescribed by Sections 1340-1480, inclusive, of the Code of Tennessee. His salary shall be \$400.00 per annum, payable in equal monthly installments from the treasury of counties to which this Act applies. The Tax Assessor shall, within thirty days after his appointment or election, qualify by taking an official oath before the clerk of the court in counties to which this Act applies.

As amended by: Private Acts of 1939, Chapter 361, Page 1027.

COMPILER'S NOTE: This salary is now regulated by general law. See T.C.A. 67-1-508.

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

Passed: February 2, 1939.

TAXATION

ASSESSOR OF PROPERTY

LYNCHBURG

PRIVATE ACTS OF 1981

CHAPTER 29

SECTION 1. Section 1 of Chapter 2 of the Private Acts of 1935, Extra Session, as amended by Chapter 298 of the Private Acts of 1947, Chapter 90 of the Private Acts of 1965, and Chapter 22 of the Private Acts of 1977 is amended by deleting the third paragraph in its entirety and substituting instead the following new paragraph:

It shall be the duty of the County Tax Assessor to assess for purposes of taxation all taxable property within the boundaries of Lynchburg. Such assessment, together with the tax rate thereon, shall be maintained by the City Recorder of the Town of Lynchburg, and the City Recorder shall be responsible for the collection of property taxes levied by the town. However, the City Commission of Lynchburg may, by ordinance, designate the County Trustee of Moore County as tax collector of the Town of Lynchburg and such ordinance shall designate any fee to be paid the County Tax Assessor for such collection. The Mayor, Treasurer and Recorder shall each be paid the sum of one hundred dollars (\$100) each month, which shall be compensation in full for their services as officials of the Town of Lynchburg.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Board of Commissioners of the Town of Lynchburg before July 1, 1981. Its approval or nonapproval shall be proclaimed by the presiding officer of the Board of Commissioners and certified by him to the Secretary of State.

SECTION 3. 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 2.

Passed: March 4, 1981.

## TAXATION

### ASSESSOR OF PROPERTY

The assessor of property is a constitutional officer provided for in Article VII, Section 1 of the Constitution of Tennessee to be elected by the qualified voters for a term of four years. For general law on the office of county assessor of property, see Tennessee Code Annotated Title 67, Chapter 1, Part 5.

The minimum salary of the assessor is set by the county legislative body in accordance with T.C.A. § 67-1-508 at an amount not less than the salary of the county trustee under T.C.A. § 8-24-102. Also, T.C.A. § 67-1-508 provides that any assessor of property who has been trained and designated as a "Certified Assessment Evaluator" will be paid additional compensation by the state. Further, any assessor of property who has earned the title of "Tennessee Certified Assessor" or "Residential Evaluation Specialist" will be paid additional compensation by the state. The assessor is authorized by T.C.A. § 67-1-506 to appoint a deputy assessor for each 4,500 parcels of property over and above the first 4,500 parcels.

The following acts were superseded, repealed or failed to win local ratification, but they are listed here as a reference to laws which once affected the assessor in Moore County. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1911, Chapter 353, Page 945, provided that in Moore and Coffee Counties, there was to be a District Tax Assessor for each civil district, to be elected by the voters every two years. The office of County Tax Assessor was abolished.
2. Private Acts of 1923, Chapter 634, Page 2326, repealed the 1911 act as it applied to Moore County, and created the office of County Tax Assessor. The Assessor was to be elected by the voters of Moore County for a four year term, to be paid \$400 annually, and could not succeed himself in office. The tax assessor was required to have each taxpayer fill out a schedule of his property. The salary of the assessor was raised to \$500 per annum by an amendment in Private Acts of 1925, Chapter 51, Page 151. The Census figures used in the act were corrected by Private Acts of 1929, Chapter 299, Page 754, which was amended by Private Acts of 1931, Chapter 439, Page 1178, which provided that the tax assessor could succeed himself and that he was to receive his salary in monthly installments. These acts were repealed by Private Acts of 1935, Chapter 95, Page 212.
3. Private Acts of 1943, Chapter 430, Page 1504, set the assessor's annual salary at \$600. This was amended by Private Acts of 1947, Chapter 648, Page 2743, to raise the salary to \$700 per annum.
4. Private Acts of 1947, Chapter 298, Page 1216, made it the duty of the County Tax Assessor to assess the taxable property within the town of Lynchburg. Prior to this Act it was the responsibility of the Lynchburg City Recorder under Private Acts of 1935 (Ex. Sess.), Chapter 2, Page 357. Private Acts of 1965, Chapter 90, Page 304, returned this responsibility to the Town Tax Assessor.

5. Private Acts of 1951, Chapter 80, Page 213, set the salary of the tax assessor at \$900 annually.
6. Private Acts of 1957, Chapter 383, Page 1201, was an act setting the annual salaries of a number of Moore County officials, among them the assessor, who was to receive \$1,200. This act did not gain local approval, however, and never became an operative law.

TAXATION

TAX LEVY

LITIGATION TAX

PRIVATE ACTS OF 1982

CHAPTER 318

SECTION 1. Chapter 79 of the Private Acts of 1967 is hereby repealed.

SECTION 2. There is hereby imposed, pursuant to Tennessee Code Annotated, Section 67-4101(b), a special privilege tax on litigation in Moore County, Tennessee. Such privilege tax on all civil cases shall be five dollars and twenty-five cents (\$5.25) or an amount equal to the state litigation tax on civil cases as provided in Tennessee Code Annotated, Section 67-4102 Item J, whichever is greater. Such privilege tax on all criminal cases shall be fifteen dollars (\$15.00) or an amount equal to the state litigation tax on criminal cases as provided in Tennessee Code Annotated, Section 67-4102 Item J, whichever is greater.

SECTION 3. The clerks of the various courts who are required to collect the state litigation tax shall also collect the county litigation tax hereby imposed. The clerk shall collect the tax hereby imposed in the same manner as the state litigation tax and shall be liable for the taxes so imposed. The privilege tax imposed by this act shall be subject to the same exceptions as are granted by general law to the state privilege tax and shall, therefore, not be collected on original proceedings in a juvenile court or on any hearing before the Tennessee court of the judiciary.

SECTION 4. When any part of the costs in any case has been collected, after payment of any state litigation tax accrued thereon, the amount necessary for the payment of the tax hereby imposed shall be next applied thereto before applying any of the amount collected as cost to any other funds or items of cost.

SECTION 5. The proceeds of the tax hereby imposed shall be deposited in the county general fund from which expenditures can be made by the County Executive upon authorization by the Board of County Commissioners.

SECTION 6. This act shall have no effect unless it shall be approved by a two-thirds (2/3) majority of the Board of County Commissioners of Moore County at its next regular meeting following the passage of this act. Its approval or nonapproval by that body shall be certified by the presiding officer 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 the first day of the month after being approved as provided in Section 6.

Passed: April 7, 1982.

TAXATION

TAX LEVY

PAUPER TAX

PRIVATE ACTS OF 1935

CHAPTER 560

SECTION 1. That in all Counties of this State having a population of not less than 4,030, nor more than 4,045 by the Federal Census of 1930, or any subsequent Federal Census, the Quarterly County Courts of such County shall have the right to levy against all the taxable property located in said County such tax as may in the opinion of said Quarterly County Court be necessary and proper to enable said County to defray the expenses of maintaining and relieving paupers in said County and also to enable said County to defray the maintenance, care and upkeep of such citizens as may be insane whether confined in State institutions or otherwise. Said tax shall be collected in the same manner and at the same time as other taxes are now collected by law and the bond of the County Trustee shall be liable therefor.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 17, 1935.

## TAXATION

Most of the general law on taxation can be found in Title 67 of Tennessee Code Annotated. The chief revenue source for county government is the ad valorem tax on real and personal property. The statutes dealing with the county property tax, including assessment, levy, collection, and enforcement, are found in Title 67, Chapter 5. Assessments are reviewed by the county board of equalization, which is covered by Title 67, Chapter 5, Part 14. Another large source of county revenue is the local option sales tax. The authority for the local option sales tax is codified at T.C.A. Title 67, Chapter 6, Part 7. While the property tax may be levied by the county legislative body alone, the local sales tax must be approved by the qualified voters in a referendum. Other general law granting taxing authority for counties may be found in other sections of the Code. These may be found through use of the Combined General Index to the Tennessee Code Annotated. In some areas private acts may be used for authority to levy a tax at the county level. The revenue sources available to county governments, and the authority for such taxes and fees either in general law or private acts, are summarized in the CTAS publication County Revenue Manual.

The following is a listing of acts pertaining to taxation in Moore County which are no longer effective. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1933, Chapter 475, Page 1136, validated the issuance of special warrants by the Moore County Quarterly Court. These warrants were to be used to refund to taxpayers in Moore County the amounts they had paid under an illegal tax levy of 55¢ known as a "special county tax" in 1930. This tax was declared invalid by the chancery court in the case of Motlow v. Moore County. The legislature in Private Acts of 1935, Chapter 224, Page 513, directed the Moore County Quarterly Court to repay to the taxpayers involved in that case the legal expenses they had incurred having the tax levy declared invalid. This was amended by Private Acts of 1935, Chapter 416, Page 993, to give the same duty to the Board of County Commissioners.
2. Private Acts of 1935, Chapter 97, Page 214, provided that members of the Board of Equalization in Moore County were to be elected by the voters of the civil districts they represented, rather than by the county at large, and their term was set at two years.
3. Private Acts of 1967-68, Chapter 79, Page 304, levied a litigation tax of \$1.50 as part of the costs in all civil and criminal actions brought in the General Sessions Court and all civil actions brought in the County Court. For the Circuit and Chancery Courts, the tax was \$3. A tax of \$1.50 was levied on any appeal de novo to the Circuit or Chancery Courts. The tax would be used exclusively for improvements and repair of the court facilities and jail. This Act was repealed by Private Acts of 1982, Chapter 318, Page 255.

