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## II. COUNTY COURT CLERK

### Structure

#### Creation

When Anderson County was created by an act approved January 16, 1827, the first meeting of the county court was held on February 5, 1827, after its members had been commissioned by Governor Desha. At this meeting, David White, Jr., presented his certificate of qualification from the Court of Appeals, and was appointed clerk of the Anderson County Court. (1)

#### Selection and Term

Until 1850 the county court clerk of Anderson County was appointed for a term lasting during good behavior. Constitutional provision in 1850, however, made this office elective for a 4-year term, as is the case today. (2)

#### Qualifications

The clerk was required to have been a resident of the county for 1 year prior to his appointment, but, since Anderson was a new county, the first clerk must have lived for that length of time in one of the counties from which Anderson was taken. (3) Later this provision was changed, and in order to qualify for office the clerk was required to have lived in the State 2 years and in the county 1 year preceding his election. (4)

Until 1850, research disclosed no specific age qualification for the county court clerk; however, the constitution of that year stipulated that he must have been at least 21 years of age preceding his election, a provision which was later reaffirmed and is still in effect. (5)

The clerk, before qualifying as a permanent official, has always been required to produce a certificate from a majority of the judges of the Court of Appeals that he has been examined by their clerk and is qualified to perform the duties of his office. (6)

#### Oath

The county court clerk was required to take the oaths to support the constitution and to perform the duties of his office faithfully. (7) In

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1. CONST. 1799, ART. 4, SEC. 10; ACTS, 1826-27, PP. 44, 57; COUNTY COURT ORDERS, FIRST VOL. NOT LABELED, PP. 1, 2, SEE ENTRY 194.
  2. CONST. 1799, ART. 4, SEC. 10; CONST. 1850, ART. 6, SEC. 1; CONST. 1891, SEC. 99.
  3. CONST. 1799, ART. 3, SEC. 9.
  4. CONST. 1850, ART. 6, SEC. 2; CONST. 1891, SEC. 100.
  5. CONST. 1850, ART. 6, SEC. 2; CONST. 1891, SEC. 100.
  6. CONST. 1799, ART. 4, SEC. 10; CONST. 1850, ART. 4, SEC. 39; CONST. 1891, SEC. 100.
  7. CONST. 1799, ART. 6, SEC. 1.

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