

Understanding County Governments

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(Reproduced from the 4-H County Government Guide)

In 1845, when Texas became a state, county government was the most meaningful form of government to the citizens because it directly influenced their everyday lives. Texas state officials seldom left Austin. Few municipal governments existed and federal government officials in Washington had little, if any, interest in county government. Therefore, county government became known as the “grassroots government,” the government closest to the people.

In the early 1900s, the county was characterized as the “dark continent” of the American government. This was due largely to the developing municipal governments that were seen as the major provider of services to most county residents who resided in cities.

Today, because of the increasingly urban population, the county is perceived as an anachronistic remnant of a bygone rural era. Sometimes county commissioners are still believed to be mostly “road commissioners” because of their important road-building responsibilities. In fact, they are probably among the most important business people in county government, because county government is big business. The role of a county commissioner is similar to being a member of a board of directors for a major business.

With increasingly complex demands upon governments, the county is re-emerging as the most important form of government. More and more federal and state responsibilities, including many service programs, are being delegated or mandated to the counties. County officials today are doing more with less. They are meeting new challenges and opportunities. They are employing modern technologies and working “smarter and harder.” They are staying abreast of changes in the law and keeping up with modern business practices. All but two of the elective county officeholders are required to participate in the mandatory continuing education program for county officials. Today, county officials are correctly being perceived as respected professionals and key business leaders in their counties, along with attorneys, doctors, accountants, bankers and others.

English Origin of American Counties

The origin of American counties can be traced back more than 1,000 years to the shires or divisions of Anglo-Saxon England. The ancient English shire performed legislative, judicial and public works, law enforcement and military functions. The legislative and judicial body of the shire was a shire-moot, which met only two

times a year. The word moot is derived from Saxon “motian,” which means “to meet.” So this shire-moot was the meeting of the shire. An earl, almost always an important landowner of the district of the shire, presided over the shire-moot and was the leader of the King’s military forces in the shire. After the Norman Conquest in 1066, earls were called counts and from them shires took the name of counties. A shire-reeve, predecessor of today’s sheriff, was originally an assistant to the earl of the district. In time, the shire-reeve gained police, financial and judicial powers.

In the United States today the sheriff, by himself or with his deputies, executes civil and criminal court papers in a county, has charge of the jail and prisoners, attends court, and keeps the peace. A bishop was the judicial officer in the shire in church-related matters. The shire provided Anglo-Saxon England with a local government that met the limited needs of the times.

The county was the main unit of local government in England when the first English colonist landed in America. Under King James I, counties in America were primarily an arm of British national government institutions and the colonists adapted these to meet the local needs of their new environment.

Though settlers came to Texas from many lands, the “Anglos” (a term meaning that an individual’s language was English and that he was probably of Anglo, Saxon, Norman, Welsh or Irish stock), who were numerically predominant, controlled social and political affairs and the economy. Their legal and governmental system was to prevail, but with a heavy borrowing from the Spanish and Mexican cultures.

Historic Origin of Texas Counties

Cultural Influence. The origin of the Texas county is found in “municipality,” the local unit of government under Spanish and Mexican rule. These municipalities were rather large areas

embracing one or more settlements and the surrounding rural territory. The organization of the government of the municipality included an ayuntamiento (council) composed of at least one alcalde (judge), a varying number of regidores (aldermen), a *sindico procurador* (attorney), an *alguacil* (sheriff), and an *escribano* (secretary).

In 1821, there were four major Spanish settlements in Texas—San Antonio, Bahia (Goliad), Nacogdoches, and the Rio Grande Valley—three areas of light settlement and ranching, and four major roads. The church was often the first institution established in a town; school was often the second. In most instances, the two were linked, with the priest often conducting classes in the church building and serving as a part-time teacher to the community’s children.

Spanish-Mexican influence is evident in many facets of Texas life. Many of the laws in Texas are inherited from the period when Spain and Mexico ruled. The Mexican influence on Texas is also seen in the way towns developed. In the center of the town, a square was reserved for a courthouse or statehouse. The town proper was divided into square blocks by streets 20 to 40 feet wide. These blocks were further divided into building lots of a certain size to be sold to colonists for building residences. The Latin American unit of land measurement, known as the “vara,” is still much in evidence in land titles, and traces of the Spanish-Mexican rectangular survey system can be seen widely in the state.

The rectangular survey system is a great contrast to the haphazard, irregular property lines produced by the traditional southern Anglo-American practice of metes and bounds. Under that system, rights to certain amounts of land were granted and the recipient laid out his property lines as he saw fit, using various landmarks such as large trees, roads and creeks as borders and corners. The government of the Republic of Texas (1836-1845) formally adopted the Spanish-Mexican rectangular survey system.