



March 13, 2025

Grainger

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Grainger



Grainger County Courthouse

Revised and Edited By: Steve Lobertini, Codification Specialist, and Theodore Karpynec, Administrative Assistant, 1996

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Chapter I - Administration

Budget System

Private Acts of 1939 Chapter 502

SECTION 1. (a) That a County Finance and Budget Commission, composed of three members be created for all counties in the State of Tennessee having a population of not less than 12,690, nor more than 12,800, according to the Federal Census of 1930, or any subsequent Federal Census, said Finance and Budget Commission to be selected and to perform the duties hereinafter imposed.

(b) Beginning April 1, 2003, the county finance and budget commission (hereinafter, "commission") shall consist of five (5) members. The county executive shall be one (1) member of this commission. The three (3) incumbent members on that date shall continue in office for the remainder of their terms. The county executive shall appoint one (1) member of the commission subject to the approval of the county legislative body to serve with the commission members who are incumbents on April 1, 2003, for the balance of their terms. Thereafter, the county executive shall appoint, subject to the approval of the county legislative body, four (4) members of the commission each year, at the January meeting or as soon thereafter as is practicable. Members of the commission appointed after the end of the terms of the three (3) incumbent members as of April 1, 2003, and the one (1) other member appointed to serve with these incumbent members for the balance of the incumbent's term, shall serve until their successors are appointed by the county executive and approved by the county legislative body.

(c) The members of the commission need not be members of the county legislative body, but may be members of the county legislative body.

(d) The county executive shall be ex officio the chair of the commission. The county executive may employ a secretary for the commission or assign this duty to a county employee.

(e) The county legislative body may in its discretion allow members of the commission such compensation for their service as the county legislative body deems proper.

(f) Any provision for compensation, as well as provision for printing, publicity, notices, supplies and other necessary expenses of the commission shall be payable from the county general fund and shall be included in the appropriations for the annual operating budget of the county.

(g) The commission shall perform all the duties respecting county budgets and appropriations, tax levies and finance that may otherwise have been assigned to other committees of the county legislative body.

As amended by: Private Acts of 2003, Chapter 30

SECTION 2. The commission may meet as often as necessary to prepare an annual budget and conduct the other business assigned to it by this act, general law or resolution of the county legislative body. The commission shall meet at the call of the chair and according to any resolutions adopted by the county legislative body on this subject.

As amended by: Private Acts of 2003, Chapter 30

It shall be the duty of said Commission to make a thorough investigation of each department or branch of the county government and for said purpose the said Commission shall have the authority to examine the records and books of all county officials, to issue subpoenas and compel attendance of witnesses.

SECTION 3. The fiscal year of Grainger County and of each office, department, institution, agency and activity thereof shall begin on July 1 of each year and shall end on June 30 next following. The fiscal year shall constitute the budget year, and the year for accounting and reporting of each and every fund, department, institution, activity and agency of the county government; but the aforementioned provision shall be in addition to, and not in lieu of, any accounting and reporting required of any official by general law.

As amended by: Private Acts of 2003, Chapter 30

SECTION 4. (a) The superintendent of roads of Grainger County shall, on or before April 1 of each year or such date as may be set by the county legislative body, file with the county executive an itemized statement of the funds estimated to be required for the county road program for the ensuing fiscal year and for the construction, operation, repair and administration of the county road system and for the general administration of the highway department, together with an estimate of the highway and road funds, including any bridge funds, expected to be received during such fiscal year.

(b) The county board of education, after preparing its annual budget as now provided by law, shall file such budget with the county executive for inclusion in the complete budget document to be presented to

the commission.

(c) Each of the other county operating departments, institutions, offices and agencies shall file with the county executive on or before April 1 of each year, or such date as may be set by the county legislative body, a detailed estimate of its requirements for expenditures from the county's funds for the ensuing fiscal year, together with any estimate of any county revenue to be received by such department, institution, office or agency.

(d) The county executive shall prepare, on or before April 1 of each year or such date as may be set by the county legislative body, an itemized statement of the amounts which the county executive estimates are necessary to be expended from the county general fund, the debt service funds and from all other funds (excluding highway funds and school funds, and funds derived from the sale of bonds), together with an estimate of the revenue to be received during the next fiscal year.

(e) The county executive, on or before May 1 of each year or such date as may be set by the county legislative body, shall file a consolidated budget document with the commission showing an itemized statement of the amounts estimated by the various officials and department heads to be required for the efficient operation of the county government from the county general fund, the debt service funds, highway funds, school funds and all other funds, together with an estimate of the revenues estimated to be received by each of the funds during the next fiscal year and an estimate of the unencumbered balance of each of the funds at the beginning of the fiscal year.

(f) It is the duty of each official, office, department, institution, agent or employee of the county government to furnish in writing such information, in such form and at such times, as may be requested by the county executive or the commission.

As amended by: Private Acts of 2003, Chapter 30

SECTION 5.

(a)

(1) At least forty-five (45) days prior to the beginning of each fiscal year or by such date as may be set by the county legislative body, the commission shall review and propose an annual budget and submit a complete budget document for publication.

(2) The budget document shall contain an itemized and classified plan of all proposed expenditures and estimated receipts for the ensuing fiscal year, and shall conform to the uniform classification of accounts established by the county.

(3) The classification of accounts shall be subject to the approval of the comptroller of the treasury.

(4) It is expressly provided that the classification of expenditures and receipts of any and all county school funds for any purpose administered by the county board of education and the county director of schools shall conform in all respects to the classification of accounts as prescribed by the commissioner of education.

(b) Opposite each item of estimated revenue, the budget document shall show in opposite parallel columns the amount actually collected for the last completed fiscal year, a revised estimated amount for the current fiscal year and the estimate for the ensuing fiscal year.

(c) Likewise, opposite each item of proposed expenditure, the budget document shall show the amount actually expended for such item during the last completed year, the probate amount which will be spent during the current fiscal year and the proposed appropriations or expenditure estimate for the ensuing fiscal year as well, and the estimated fund balance for each fund at the beginning and end of the ensuing fiscal year.

(d) In preparing the budget, the commission may revise, as it deems necessary, the estimates or requests made by the various departments, officials, offices, institutions and agencies of the county, but any county official or head of any office, department, institution or agency of the county shall be entitled to a hearing before the commission with reference to any contemplated changes in the budget of such person's office, department, institution or agency; provided, however, in accordance with general law, line items in the school board budget may not be changed by the commission.

(e) The commission shall certainly and fully provide in the budget document for all requirements for debt service, interest and maturities, and for any deficit in any fund balance at the beginning of the fiscal year, and shall propose a tentative property tax rate for the ensuing fiscal year as well as recommend any other taxes or fiscal measures that the commission deems necessary or prudent.

As amended by: Private Acts of 2003, Chapter 30

SECTION 6.

(a)

(1)

(A) The commission shall conduct a public hearing after submitting a complete budget document. At least ten (10) days before the commission conducts a public hearing as provided in subdivision (a)(3), the county executive shall cause the proposed annual operating budget document to be published in a newspaper of general circulation in the county.

(B) This budget shall also contain a summary budgetary comparison for the general fund, highway fund, general purpose school fund, debt service funds and other funds of the county that shall include a comparison of the proposed budget with that of the current year and the prior year.

(C) The budgetary comparisons shall be by individual fund and shall summarize revenues by local, state, federal and other sources. Expenditures shall be summarized by salaries and other costs. The budgetary comparison shall also present estimated beginning and ending fund balances and estimated employee positions.

(2) The publication shall also contain a notice of a public hearing to be conducted by the commission at which any citizen of the county shall have the right to appear and state such citizen's views on the budget.

(3) Such public hearing shall be held by the commission not later than ten (10) days prior to the beginning of the fiscal year.

(b) Following such public hearing, the commission shall make any revisions to the proposed budget document that the commission deems necessary or prudent and file the final proposed budget document with the county clerk and present copies of such document to each member of the county legislative body.

As amended by: Private Acts of 2003, Chapter 30.

SECTION 7.

(a)

(1) The commission shall present the final proposed budget document to the county legislative body at the regular July meeting each year or at a special meeting called for this purpose during the month of July.

(2) The final proposed budget document shall be accompanied by a budget message from the commission explaining the financial program and outlining the services, work and activities to be financed by the proposed budget and a brief discussion of the means proposed for financing the expenditure program set forth in the budget.

(3) With the final proposed budget document, the commission shall deliver to the county legislative body a budget appropriation resolution and a property tax levy resolution.

(b)

(1) The county legislative body may alter or revise the final proposed budget except as to provision for debt service requirements, line item changes to the school board budget and other expenditures required by law, but the county legislative body shall finally adopt a budget not later than the third Monday in July or as soon thereafter as is practicable.

(2) Pending such final adoption of a budget by the county legislative body, the county executive is authorized to make temporary allotments for expenditures for essential county services, in amounts not in excess of the comparable allotment for an average quarter of the preceding fiscal year.

(c) The budget, the appropriations resolution and the property tax levy resolution, as adopted, shall be spread upon the minutes of the county legislative body.

As amended by: Private Acts of 2003, Chapter 30

SECTION 8. (a) The appropriations made in the appropriation resolution, or any amendment thereto, shall constitute the limit to expenditures for the various purposes and from the several funds of Grainger County for the fiscal year covered by the resolution, and no expenditure shall be made or obligation created in excess of such limitation.

(b) Any resolution presented to the county legislative body in any fiscal year, after the original appropriation resolution has been adopted and the property tax rate for the year fixed by that body, which provides for an appropriation in addition to those made in the original budget appropriation resolution, shall specifically provide sufficient revenue or other funds to meet expenditures to be made in consequence of such additional appropriation.

(c) If at any time during the fiscal year it shall become apparent that the revenues of any of the county's

funds, together with its unencumbered fund balance, will not be sufficient to equal the amount of the original appropriations, it shall be the duty of the county executive to impound the appropriations from such fund in such amount as shall appear necessary, subject to the written approval of the commission.

(d) The appropriations made by the county legislative body, as provided above, shall constitute authorization for expenditures, and expenditures may be made and obligations created against any appropriation to an aggregate total of the amount appropriated for such item.

(e) Expenditures from all funds of the county, except school funds and highway funds, shall be made by disbursement warrants on the county trustee signed by the county executive, and no other official, department, institution or agency of the county shall issue negotiable warrants or vouchers for such expenditures.

As amended by: Private Acts of 2003, Chapter 30

SECTION 9. (a) The county executive shall make a report to the commission after the end of each month showing the condition of the budget.

(b)

(1) The report shall show for each item of appropriation, or allotment thereof, the total expenditures for the month and the year to date, the amount of outstanding encumbrances and the amount of the unencumbered balance.

(2) The report shall also show for each fund an itemized statement of the revenues and receipts estimated for the year, the amount of the collections of each item for the month and the year to date and the unrealized portion of the estimate.

(c)

(1) The most recent of such reports shall be presented by the county executive at each regular session of the county legislative body.

(2) At such time, the county executive shall advise the county legislative body of the condition of the budget and of any adjustments or reduction of appropriations that may be recommended by the commission, and shall recommend any other action which, in the county executive's opinion, the county governing body should take in order that the budget shall be kept in balance.

As amended by: Private Acts of 2003, Chapter 30

SECTION 10. Any official or employee of the county, or any institution or agency thereof, who fails or refuses to perform the duties required of that official or employee by this act, or who fails or refuses otherwise to conform to the provisions of this act, is subject to a civil penalty as set by the county legislative body pursuant to Tennessee Code Annotated, Section 5-1-121. Furthermore, the performance of a duty incumbent upon an official or employee pursuant to this act may be enforced by mandamus from the circuit court, upon petition brought by the county executive. Also, any employee of the county who fails or refuses otherwise to conform to the provisions of this act is subject to removal from the employee's position.

As amended by: Private Acts of 2003, Chapter 30

SECTION 11. The provisions of this act shall not apply to county school funds for any purpose, the county board of education or the director of schools, unless approved by the commissioner of education.

As amended by: Private Acts of 2003, Chapter 30

SECTION 12. That all purchases or contracts made in excess of any item of the budget shall be void and unenforceable against such county, either by quantum meruit or under the contract, and any such official exceeding his budget shall be liable individually on his official bond therefor.

SECTION 13. That any word, phrase, paragraph, section or part of this Act that may be declared unconstitutional shall not render void the remaining and other paragraphs, sections, and parts.

SECTION 14. That all laws in conflict with this Act are hereby repealed.

SECTION 15. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 28, 1939.

Landfills

Private Acts of 1978 Chapter 203

SECTION 1. Purpose and Scope - The purpose of this act is to promote the public health, safety, morals, convenience, order, prosperity and general welfare of the citizens and residents of Grainger County, Tennessee. Because of the nature and character of their operations, sanitary landfills and/or garbage

dumps, can have a decidedly detrimental effect upon surrounding properties. Such uses of land tend to create problems of noise, dust, traffic and health hazards, and may adversely affect property values by their general appearance.

SECTION 2. Definitions - For the purpose of this act and in order to carry out the provisions and intentions as set forth herein, certain words, terms and phrases are to be used and interpreted as hereafter defined. The word "person" includes a firm, partnership or corporation as well as an individual. The term "shall" is always mandatory and not directory; and the word "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the words, intended, arranged or designed to be used or occupied; words in the singular number include the plural and words in the plural number include the singular; words used in the present tense shall include the future tense.

SANITARY LANDFILL AND/OR GARBAGE DUMP:

Any area or site utilized by a public or private entity for disposal of solid waste or refuse in excess of five tons per day.

NOXIOUS MATTER:

Material (in gaseous, liquid, solid, particulate or any other form) which is capable of causing injury to living organisms, chemical reactions or detrimental effects upon the social, economic or psychological well-being of individuals.

SECTION 3. It shall be unlawful for any person to place, construct or operate a sanitary landfill and/or garbage dump on any tract of land in Grainger County outside the city limits of Rutledge except in accordance with the conditions and limitations contained herein.

SECTION 4. The following general requirements shall apply to any tract of land to be used as a sanitary landfill and/or garbage dump.

1. All tracts of land used for the above named purposes shall be maintained so as to be in a sanitary condition and so as not to be a menace or detriment to the public health, safety or welfare.

2. No tract of land shall be used to establish a sanitary landfill and/or garbage dump within 500 feet of any public road in Grainger County, except where a more stringent state or federal law applies.

3. The number of vehicular access driveways permitted on any single street or road frontage shall be limited to:

(A) One driveway where the parcel to be used has a maximum road or street frontage of 300 feet or less.

(B) Two driveways where the road or street frontage exceeds 300 feet.

4. No driveway entering from a public road to said tract of land shall be located closer than 100 feet from the property line; and no driveway shall be located closer than 300 feet from any established residence or business.

5. In conjunction with the use of any tract of land for a garbage dump and/or sanitary landfill, no large trucks shall use county roads for access to said tract except in compliance with any weight limits applicable to said county roads.

6. No tract of land shall be used as a garbage dump and/or sanitary landfill where, by reason of its location, noxious matter will emanate from said tract of land to adjoining tracts of land which are, or likely will be used or occupied by persons for any purpose.

7. Because of the tendency for garbage dumps and/or sanitary landfills to promote the breeding of vermin, and to emanate noxious matter to adjoining properties, no such operation shall be permitted closer than 1,000 feet from any existing residence or business establishment.

SECTION 5. Any tract of land on which a garbage dump and/or sanitary landfill is to be established shall be maintained in the following condition.

1. The portion of the tract in which garbage and other refuse is to be dumped shall be enclosed by a non-climbable fence, of a minimum height of 6 feet.

2. Said fence shall be located at least 100 feet from the front, side, and rear lot lines.

SECTION 6. The County Quarterly Court shall be the agent of the county for the enforcement of this act.

1. Before any person begins construction or other steps preliminary to the location and operation of a garbage dump and/or sanitary landfill, he shall certify to the court that the proposed tract is of sufficient size and in a location so that compliance with all the provisions contained herein shall be possible; and apply for a permit to begin site preparation.

2. The County Quarterly Court shall hold a public hearing on all such applications. At such hearing the court shall hear any testimony of adjoining land owners and other interested citizens regarding the possibility of full compliance with all the regulations set forth herein if a garbage dump and/or sanitary landfill is located on the proposed tract.

3. If it appears from all the evidence that full compliance with the provisions contained herein will be possible, the court shall issue the permit for site preparation and construction.

4. After all necessary site preparation and other construction is complete, but before any further steps are taken, any person proposing to locate, operate or maintain a garbage dump and/or sanitary landfill shall apply to the county court for an operating permit. The court shall issue said permit on evidence of full compliance with all the provisions of this act.

5. Compliance with the above procedure and the regulations set forth herein shall be required in addition set forth herein shall be required in addition to compliance with all applicable state and/or federal regulations and requirements.

SECTION 7. Any person who attempts to locate, operate or maintain a garbage dump and/or sanitary landfill without fully complying with the regulations and standards set forth herein may be restrained and enjoined from beginning or continuing said operation. Restraint proceedings shall be instituted in the name of the county by the appropriate county official. Restraint proceedings may also be instituted by any owner of land adjacent to a garbage dump and/or sanitary landfill opened, maintained or operated in violation of any of the standards and regulations set forth herein.

SECTION 8. Any person who locates, opens, operates or maintains a sanitary landfill and/or garbage dump in violation of any of the provisions contained herein shall be guilty of a misdemeanor. Each day of operation without full compliance with all the provisions contained herein shall be deemed a separate offense.

SECTION 9. 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 10. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Grainger County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 11. 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 10.

Passed: March 6, 1978.

Administration - Historical Notes

Budget System

The following acts once created a budgeting system for Grainger County, but they have been specifically repealed or superseded by current law.

1. Private Acts of 1911, Chapter 305, amended Acts of 1909, Chapter 305, which authorized county courts to create a county finance committee to exempt Grainger County from its provisions, thus, denying Grainger County this authority.
2. Private Acts of 1998, Chapter 108, repealed Private Acts of 1939, Chapter 502, and any other acts amendatory thereto, relative to the Grainger County Budget and Finance Commission. This act never received local approval.

County Legislative Body

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

1. Acts of 1797, Chapter 6, Section 2, set the time for holding the county court of Grainger County to the third Mondays in February, May, August and November.
2. Acts of 1809 (1st Sess.), Chapter 93, regulated the time of holding the courts of pleas and quarter sessions. The court in Grainger County was set to the third Monday in the months of February, May, August and November.
3. Acts of 1815, Chapter 137, authorized the justices of the peace in the counties of Rutherford, Maury and Grainger to hold their courts of pleas and quarter sessions, for the space of two weeks

if it became necessary.

4. Private Acts of 1831, Chapter 91, Section 2, repealed all laws which authorized the county courts of Grainger County to hold quorum courts.
5. Acts of 1903, Chapter 554, abolished certain civil districts and the office of justice of the peace within the abolished civil districts. In addition, the act redistricted Grainger County. This act was subsequently amended by Acts of 1903, Chapter 375, but the changes did not affect the justices of the peace.
6. Private Acts of 1911, Chapter 503, amended the public law to disallow the election of justices of the peace in incorporated and county towns in Grainger County.
7. Private Acts of 1921, Chapter 387, increased the per diem salary of justices of the peace from one dollar and fifty cents to four dollars.
8. Private Acts of 1931, Chapter 306, ratified the action of the county court in its settlement of its lawsuit against former trustee J. J. Moody.
9. Private Acts of 1947, Chapter 432, authorized the county court to appropriate unexpended funds of the county to aid in construction of a courthouse and jail.
10. Private Acts of 1961, Chapter 351, increased the per diem salary of justices of the peace from four dollars to eight dollars. This act was rejected by the county court and therefore did not become operative.
11. Private Acts of 1973, Chapter 133, increased the per diem salary of justices of the peace to \$20 per day.

County Mayor

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

1. Acts of 1903, Chapter 555, created and defined the duties of the county judge of Grainger County. This act was amended by Private Acts of 1915, Chapter 698, to add additional duties to the office of county judge. The act as amended, was repealed by Private Acts of 1917, Chapter 822.
2. Private Acts of 1921, Chapter 79, created and defined the duties of the county judge of Grainger County elected for an eight year term beginning the first Thursday in August. The salary was \$900 per annum.
3. Private Acts of 1945, Chapter 566, authorized the county judge of Grainger County to pay the widow of Henderson Whitt \$750 for funeral expenses.
4. Private Acts of 1955, Chapter 236, increased the salary of the county judge to \$1,800. This act was not approved by the county court and thus did not become operative.

County Register

The following act once affected the office of county register in Grainger County, but is no longer operative.

1. Private Acts of 1831, Chapter 162, authorized that all deeds of conveyance and other instruments of writing registered in Grainger County to be read in evidence on trials at law or in equity in all cases.

County Trustee

The following act once affected the office of county trustee in Grainger County, but is no longer operative.

1. Private Acts of 1911, Chapter 305, exempted Grainger County from the provisions of Acts of 1909, Chapter 305, which authorized the county court to define the duties of the county trustee and to fix his penalty.

General Reference

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

1. Acts of 1796 (1st Sess.), Chapter 28, appointed commissioners for the new county of Grainger and authorized said commissioners to purchase land and build a courthouse and jail.
2. Acts of 1797, Chapter 13, appointed new commissioners and directed that they build a courthouse and jail, and that said task be completed by the second Monday of March, 1798.

3. Acts of 1799, Chapter 29, appointed new commissioners and directed them to lay out a town to be known as Rutledge and further provided that the new commissioners take an oath to do equal justice to the citizens of Grainger County.
4. Acts of 1801, Chapter 78, set the compensation of the commissioners appointed to superintend the building of the courthouse and laying out of the town of Rutledge.
5. Acts of 1804, Chapter 37, authorized the Grainger County Court of Please and Quarter Sessions to make an allowance to Abraham Elliott for ex officio services rendered.
6. Private Acts of 1823, Chapter 82, authorized John Stiffee to lay off and establish a town on his own land in Grianger County near the mouth of Blackwell's Branch, on the north side of the Holston River which consisted of not more than fifty lots with suitable streets and alleys.
7. Private Acts of 1832, Chapter 31, released and discharged Elihu Leffew of Grainger County from the payment of a forfeiture taken against him in the circuit court of Grainger County, as the appearance bail of Tarlton M'Carroll.
8. Private Acts of 1833, Chapter 31, Section 2, authorized John Popejoy of Grainger County to hawk and peddle goods without a license.
9. Private Acts of 1833, Chapter 35, dissolved the bonds of matrimony between John Chesney and his wife Sarah Chesney of Grainger County.
10. Private Acts of 1833, Chapter 68, made capable in law that John Spoon, Henry Spoon and David Spoon of Grainger County take by descent the real and personal estate of the David Counts.
11. Private Acts of 1833, Chapter 117, authorized Thomas Champlin to hawk and peddle goods in Grainger County.
12. Private Acts of 1833, Chapter 147, extended the privileges of feme sole to Phebe M'Cubbin's of Grainger County.
13. Private Acts of 1833, Chapter 170, authorized the county court of Grainger County to emancipate slave Samuel.
14. Private Acts of 1833, Chapter 255, dissolved the bonds of matrimony between Phoebe M'Cubbins and her husband William M'Cubbins.
15. Public Acts of 1833, Chapter 76, provided for the election of sixty delegates to a convention in Nashville for the purpose of revising the state constitution. The counties of Grainger, Campbell, Claiborne and Jefferson composed a district and elected three delegates to the convention.
16. Acts of 1851-52, Chapter 191, Section 20, authorized Grainger County to take stock in rail roads and to issue bonds.
17. Acts of 1853-54, Chapter 323, Section 13, allowed Grainger County to buy stock in the Nashville and Memphis Railroad Company.
18. Acts of 1855-56, Chapter 61, Section 2, provided that Grainger County have the authority and power to take stock in the Cincinnati, Cumberland Gap and Charleston Railroad.
19. Private Acts of 1933, Chapter 801, removed the disabilities of infancy of Fred L. Myers.
20. Private Acts of 1947, Chapter 97, transferred certain funds which were in the hands of the county trustee of Grainger County and certain other funds that were paid in by the taxpayers of the county, for the construction of a new courthouse.
21. Private Acts of 1961, Chapter 118, authorized the quarterly county court of Grainger County to compensate the widow of D.C. Hammer.

Chapter II - Animals and Fish

Coon Dogs

Public Acts of 1968 Chapter 612

SECTION 1. It is lawful to train coon dogs by chasing raccoons in Grainger County during the thirty (30) days immediately preceding the opening of the season under general laws of the State for hunting raccoons.

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

Passed: March 28, 1968.

Deer Hunting

Private Acts of 1976 Chapter 198

SECTION 1. It is a misdemeanor, punishable as provided by general law for any person to hunt deer or other big game in Grainger County unless such person has in his possession at the time written permission from the owner of the land upon which he is hunting to hunt on such land on that particular day.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Grainger 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 3. For the purpose of approving this Act as provided in Section 3, it shall take effect on becoming a law, the public welfare requiring it, but for all other purposes, it shall take effect upon being approved as provided in Section 2.

Passed: January 26, 1976.

Hunting on Sundays

Private Acts of 1961 Chapter 312

SECTION 1. That this Act prohibits the use of Firearms for hunting on Sundays in Counties having a population of not more than Twelve Thousand, Five Hundred Fifteen (12,515) and not less than Twelve Thousand, Five Hundred (12,500) according to the Federal Census of 1960 or any subsequent Federal Census. It is hereby declared to be a misdemeanor for any person to use Firearms of any nature for the purpose of hunting on Sundays.

SECTION 2. That upon conviction of any person for the use of Firearms on Sundays contrary to the provisions of this Act he shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00).

SECTION 3. That the provisions hereof shall have no effect until approved by a two-thirds (2/3) vote of the Quarterly County Court of counties hereby affected at a regular meeting of said County Court occurring more than thirty (30) days subsequent to the approval of this Act by the Chief Executive of the State. Its approval or non-approval shall be proclaimed by the presiding Officer of said Quarterly County Court and the action of the Quarterly County Court thereon shall be certified by him to the Secretary of State, at Nashville.

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

Passed: March 15, 1961.

Livestock Inspectors

Private Acts of 1951 Chapter 674

SECTION 1. That in Counties of this State with a population of not less than 14,355, nor more than 14,358, by the Federal Census of 1940, or any subsequent Federal Census, the Quarterly County Court is hereby authorized to elect for a term of four years, not exceeding two (2) animal inspectors.

It shall be the duty of such livestock inspectors to make an inspection and examination of the livestock in said counties and to treat such as may be found ailing or sick with the view of promoting the spread of health among such stock and to reduce the danger of infections or contagious diseases. Such animal inspectors may contract with the owner or owners of any diseased livestock found by them for the treatment thereof by such inspectors, the compensation therefor to be mutually agreed upon between the parties. Such livestock inspectors may be compensated by the Quarterly County Court of such counties to which this Act applies in an amount not to exceed \$10.00 per annum for each inspector so appointed.

Elections thereof may be made by the Quarterly County Court at any regular term or called session and the person or persons so elected shall hold office for a period of four (4) years from the date of such election and until their successor shall be duly elected and qualified. The said County shall not be liable for the default or negligence of any such livestock inspectors where the County Court has used care and caution in the selection thereof but nothing herein shall exempt such inspectors personally for the negligence in the performance of their duties.

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

Passed: March 15, 1951.

Animals and Fish - Historical Notes

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 Grainger 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 1826, Chapter 30, gave relief to William Cobb and others who maintained fish traps and dams in the Holstein River from an order of the commissioners appointed by the legislature to oversee navigation. Said order was to remove the traps and dams as obstructions to navigation. This act authorized the empaneling of a jury to determine the question of whether each or all of the dams and traps were obstructions to navigation.
2. Private Acts of 1831, Chapter 132, prevented non-residents of Claiborne and Campbell counties from grazing their stock in said counties. However, the counties of Grainger and Hawkins were exempted from the provisions of this act.
3. Public Acts of 1895, Chapter 159, made it a misdemeanor to: (1) hunt quail or partridge from April 1st to October 1st, (2) hunt quail or partridge with a net, and (3) export from the county, quail or partridge for profit in Grainger County.
4. Private Acts of 1897, Chapter 189, made it unlawful to hunt deer, turkeys, ducks, mocking birds, pheasants, larks, grouse, quails or other species of birds without the consent of the owner of the land whereon the hunting occurred, and further provided that it was unlawful to hunt these same animals and birds between March 1st and October 1st.
5. Acts of 1903, Chapter 215, made it a misdemeanor for the owner to allow his livestock to roam free in the county and gave those damaged by the livestock a lien against the livestock and provided further that owners of land who discovered roaming livestock on their property were allowed to pen the livestock and feed them and have a lien against the livestock to secure their costs. A referendum was provided whereby the people of the county could approve or not approve the act. Apparently the act was not approved as the legislature subsequently passed an act with similar provisions.
6. Acts of 1905, Chapter 175, contained similar provisions to Acts of 1903, Chapter 215, and apparently was designed to achieve the same result as the first act which was not approved by referendum. Acts of 1905, Chapter 175, did not provide for approval by referendum but took effect immediately.
7. Private Acts of 1919, Chapter 357, made it lawful to shoot fish with a gun in Grainger County.
8. Private Acts of 1919, Chapter 460, evidenced a strong legislative intent to protect quails as it flatly prohibited the hunting of quails for two years and thereafter provided for a quail season to run only from December 1 to December 15. This act was repealed by Private Acts of 1921, Chapter 310.
9. Private Acts of 1921, Chapter 405, exempted Grainger County from Public Acts of 1919, Chapter 61, which regulated the ownership of dogs.
10. Private Acts of 1933, Chapter 825, allowed the fishing without a license in Grainger County if the fishing was by the use of a trot line, bank-hook, jig, basket, and net with a one and one half inch mesh.
11. Private Acts of 1935, Chapter 78, regulated the hunting of quail and doves by setting the quail season from November 20 to December 20, and the dove season from October 20 to December 10 and, also, required persons hunting on land owned by another to have a permit from the owner and a state license. This act was subsequently amended by the Private Acts of 1937, Chapter 137, to change the quail season from November 20 through December 15 to December 1 through December 15.

Chapter III - Bond Issues

Bond Issues - Historical Notes

A listing of the acts which authorized various bond issues for Grainger County is included below for reference purposes, although these acts are no longer current.

Buildings

1. Private Acts of 1947, Chapter 95, authorized the county court to issue bonds in an amount not greater than \$250,000, at an interest rate not to exceed 3%, the proceeds from which were to be used in building a combination courthouse and jail.
2. Private Acts of 1959, Chapter 22, authorized the county court to issue bonds in an amount not greater than \$200,000, at an interest rate not to exceed 6%.

Debts

1. Public Acts of 1866-67, Chapter 41, authorized the county court to issue bonds to pay its indebtedness with the only restriction being that no debt could be paid which was incurred to aid the confederate cause.
2. Private Acts of 1925, Chapter 250, authorized a bond issue of \$50,000 to pay off outstanding county indebtedness. These bonds were to mature in not more than 30 years and were to have a maximum interest rate of 6%.
3. Private Acts of 1931 (Ex. Sess.), Chapter 44, authorized a bond issue of \$50,000 for the purpose of providing funds to pay and retire outstanding indebtedness incurred for school purposes. These bonds were to have a maximum interest rate of 6%.
4. Private Acts of 1935 (Ex. Sess.), Chapter 61, was a bond issue of \$60,000 for the purpose of funding the outstanding floating indebtedness of Grainger County as of July 15, 1935. These bonds had a maximum interest rate of 4% and were to mature within twenty-five years.

Railroads

1. Public Acts of 1899, Chapter 418, amended the Public Acts of 1887, Chapter 3, which allowed counties to issue bonds to invest in railroads, to authorize Grainger County to issue bonds maturing in forty years as opposed to the twenty years in the public act.
2. Acts of 1903, Chapter 438, amended the Public Acts of 1887, Chapter 3, to authorize Grainger County to issue bonds for investment in "electric railroads" as well as other railroads.

Roads

1. Acts of 1903, Chapter 454, authorized a bond issue not to exceed \$100,000 for the purpose of building macadamized roads. These bonds were to mature in not more than fifty years at a rate of interest not to exceed 6%.
2. Private Acts of 1915, Chapter 467, authorized a bond issue of \$200,000 for the purpose of building, grading, macadamizing and otherwise improving the county roads. These bonds were to mature in not more than forty years at a rate of interest not to exceed 5%.
3. Private Acts of 1919, Chapter 658, authorized a bond issue of \$200,000 for the purpose of constructing and macadamizing county roads. These bonds were to bear interest at a rate not to exceed 5%.
4. Private Acts of 1921, Chapter 78, authorized a bond issue of \$200,000 for the purpose of constructing and macadamizing county roads. These bonds were to bear interest at a rate not to exceed 6% per annum. This act was amended by the following acts which made certain administrative changes: (1) Private Acts of 1921, Chapter 510, (2) Private Acts of 1923, Chapter 466, (3) Private Acts of 1925, Chapter 336, (4) Private Acts of 1927, Chapter 373.

Schools

1. Private Acts of 1931, Chapter 117, authorized a bond issue of \$100,000 to build and equip two high schools. These bonds were to mature in not more than 30 years and were to bear interest at a rate not exceeding 6% per annum.
2. Private Acts of 1955, Chapter 132, authorized a bond issue of \$60,000 to build and equip schools. These bonds were to bear interest at a rate not exceeding 4% per annum.

Chapter IV - Boundaries

Creation of the County

Acts of 1796 (1st Session) Chapter 28

SECTION 1. That the said counties of Hawkins and Knox, be divided by the following lines: Beginning on the main road leading from Bull's Gap to Haines Iron Works, on Mossy Creek, at the house of Felps Reed,

leaving said house in the new county, running a direct course to the Kentucky road, on the north side of Holston River, a quarter of a mile above the house of Thomas Henderson; thence north fifty degrees west, to the line that divides this state from the state of Virginia; thence west with said line to a point, northwest of the end of Clinch mountain; thence in a direct course to the end of Clinch mountain; thence with the ridge that divides the waters of Richland and Flat Creeks to Holston River, at the upper end of the first bluff above Boyle's old place; thence up the meanders of said river to the mouth of Panther Creek; thence up said creek to the head spring thereof, near the house of John Evans; thence along the main wagon road to the beginning; and all that part of the aforesaid counties of Hawkins and Knox, contained within the lines before described, be erected into a separate and distinct county by the name of Grainger.

SECTION 2. That David Hayley, Major Lee, Benjamin M'Carty, Bartley Marshall, and James Blair, shall be, and they are hereby appointed commissioners, and they are authorized to purchase and lay off a place, the most central and convenient in said county of Grainger, for the purpose of erecting a court house, prison, and stocks.

SECTION 3. That the aforesaid commissioners are hereby authorized and required, as soon as may be, after agreeing on the place whereon the court house, prison, and stocks, are to be erected in said county of Grainger, to contract and agree with suitable workmen for erecting and building, at the place aforesaid, a court house, prison, and stocks, for the use and benefit of said county. - And the better to enable the commissioners aforesaid, to carry this act into effect.

SECTION 4. That a tax not exceeding twelve and a half cents, on each hundred acres of land - a tax, not exceeding twelve and a half cents, on each town lot - a tax, not exceeding twenty-five cents, on each slave, between the age of ten and fifty years - a tax, not exceeding one dollar, on each slave house - and a tax, not exceeding twelve and a half cents, on each free male, between the age of twenty-one and fifty years, shall be collected in the said county of Grainger every year, not exceeding three years, by the sheriff or collector of the same, and accounted for and paid to the said commissioners, at the same time and in the same manner, and under the like penalties and restrictions, as is, or may be directed for collecting, accounting for, and paying public taxes.

SECTION 5. That before the said commissioners shall take unto their hands, any of the monies directed to be collected by this act, they shall enter into bond, in the sum of fifteen hundred dollars payable to the governor, for the time being, and his successors in office, for the use of the said county of Grainger, conditioned, for the faithful discharge of the trust reposed in them.

SECTION 6. That the first court of the said county of Grainger shall be held, by the justices of the same, on the second Mondays in June, September, December, and March, every year; and the justices thereof are hereby authorized and empowered to hold the first court, for the same, at the house of Benjamin M'Carty; and all subsequent courts for said county, on the days above mentioned for holding courts therein, at any place to which the said justices shall from court to court adjourn themselves, until a court house shall be built for the said county of Grainger; and then all causes, matters, and things, depending in the said court, and all manner of process returnable to the same, shall be adjourned to such court house; And all courts held in and for the said county of Grainger, shall be held by commission to the said justices, in the same manner and under the same rules and restrictions; and shall have and exercise the same powers and jurisdiction as are, or shall be prescribed for the courts for the several counties in this state.

SECTION 7. That the aforesaid county of Grainger shall be, and is hereby declared to compose a part of the district of Hamilton, in the same manner, and for all purposes, civil and military, as other counties in the said district doth: Provided, Nothing in this act contained shall be so construed as to prevent the sheriffs or collectors of the said counties of Hawkins and Knox from collecting all arrearages of public and county tax, within the limits of the said county of Grainger, in the same manner as if this act had not been passed: And the said county of Grainger shall, from and after the passing of this act, furnish four jurors to the superior court of law and equity, for the district of Hamilton aforesaid.

SECTION 8. That John Cocke and William Payne, be, and are hereby appointed commissioners, who are authorized to run the dividing lines between the aforesaid counties, that is, where they are not already run, or particularly pointed out by natural boundaries; for which services, each of the commissioners shall be allowed two dollars per day, and the marker one dollar per day; the expenses to be paid by the aforesaid county of Grainger.

SECTION 9. That all proceedings now pending in the county courts of Hawkins and Knox, shall be proceeded on and determined in the same manner as if this law had not been passed: Provided, Nothing herein contained shall be construed, so as to give said county of Grainger separate election for governor and members of the general assembly; but the inhabitants of said county, shall be entitled to suffrage in the county from which they were taken, until the first enumeration shall be made.

Passed: July, 1796.

Establish County Seat

Acts of 1797 Chapter 13

SECTION 1. That John Owens, senior, John Brister, Isaac Lane, George Bean, senior, William Stone, Robert Boyd, Henry Howell, James Fears, Jacob Vanhoozer, William Millikin, and Michael Massingill, be, and they or a majority of them, are hereby appointed commissioners in the room of those appointed in the above recited second section, and are hereby vested with similar power, and under the same restrictions in all respects whatever.

SECTION 2. That the said commissioners or a majority of them, are hereby authorized to lay out a town on said land, to consist of forty lots, with proper streets and allies, numbered from one to forty inclusive, to be known by the name of Rutledge, in honor to George Rutledge, esquire, of Sullivan county.

SECTION 3. That the said commissioners are hereby required to complete the duties enjoined on them by this act, between the second Monday of December, one thousand seven hundred and ninety seven, and the second Monday of March, one thousand seven hundred and ninety eight.

SECTION 4. That the line dividing the aforesaid counties, shall be extended as follows, viz. Beginning at a marked tree, near the dwelling house of James Blair, senior, on the line from Felps Reed's to Thomas Henderson's, thence to the said Henderson's and Joel Dyer's south west corner, thence a north course with said Henderson and Dyers line, so as to leave the house of Robert Patterson ten poles in Grainger county, thence a direct line to the upper end of the first island below the mouth of Big War creek, thence to the Black Lick, leaving the house of William Hord in Hawkins county, thence with the last mentioned course to the top of Powell's Mountain, thence north, thirty west to the Virginia line.

SECTION 5. That William Payne, be appointed surveyor, who, with two markers shall run and mark the said amended line as early as practicable, and shall be allowed as follows, viz. The surveyor for each day he shall necessarily attend, the sum of two dollars per day, the markers each one dollar per day, to be paid by the county of Grainger.

SECTION 6. That the second section of an act, entitled, "An act for erecting part of the county of Hawkins, and part of the county of Knox, into a separate and distinct county," passed at Knoxville, one thousand seven hundred and ninety six, be and the same is hereby repealed.

Passed: October 28, 1797.

Change of Boundary Lines

Acts of 1798 Chapter 21

SECTION 1. That the bounds of Grainger county shall be ascertained and known by the following lines, viz. Beginning on the main road leading from Bulls Gap to Haine's Iron Works on Mossey Creek, at the house of Phelps Reed, leaving said house in Grainger county, thence to a marked tree near the dwelling-house of James Blair, senior, on the line from Phelps Reed's to Thomas Henderson's, thence to the said Henderson's and Dyer's south west corner, thence a north course with said Henderson's and Dyer's line, so as to leave the house of Robert Patterson ten poles in Grainger county, thence a direct line to Clinch river a quarter of a mile below the mouth of Big War Creek, thence to the Black Lick, leaving the house of William Hord in Hawkins county, thence with the last mentioned course to the top of Powel's mountain, thence the same course to the Virginia line, thence with said line to the Indian boundary line at Cumberland mountain, thence with said boundary line to where the present Knox line intersects the same, thence with Knox line to the top of the Cross Mountain, thence with said Mountain to Clinch river, thence up said river to a point, that a south east line will strike the end of Clinch mountain, thence with the ridge that divides the waters of Richland creek from those of Flat creek, to the first Bluff below Boyles's old place on Holston river, thence up Holston river to the mouth of Panther creek, thence up said creek to the road leading from Bulls Gap to Haines's Iron works, thence up said road to the beginning.

SECTION 2. That the county of Jefferson shall send five jurors to the superior courts, and the county of Grainger seven jurors to each superior court for the district of Hamilton.

SECTION 3. That this act shall be in force and use from and after the passing the same.

Passed: January 5, 1799.

Acts of 1801 Chapter 45

SECTION 1. That from and after the passing of this act, Knox county shall be bounded by the following lines, (viz) Beginning on the south bank of Holston, at the mouth of Little river, and running with the lines as described by an act, entitled, "an act describing and extending the bounds of Knox county," passed at Knoxville, January the fifth, one thousand seven hundred & ninety nine, to the upper end of the first bluff above Boyle's old place, thence along the lines as described by "An act to annex part of Grainger county to the county of Knox," thence along the former line of Knox county, to a ridge between Clinch mountain and Clinch river, known by the named of the Chestnut ridge, thence along said ridge to the lower line of Henderson and company's survey; thence along said line to the top of the Copper ridge, thence along the extreme height of said ridge opposite the first bluff below the mouth of Bull Run, thence to the north bank of Clinch river opposite said bluff, thence along the said north bank to a point, from which south, forty five degrees east, will strike the south bank of Holston river, so as to leave Knox a constitutional county, thence up the several meanders of said river on the south side to the beginning.

SECTION 2. That all that tract of country lying within the following described bounds, shall be, and is hereby made and constituted a new and distinct county by the names of Anderson, (viz) Beginning on the Chestnut ridge where the Knox and Grainger line crosses it, thence north, forty five degrees west, to the northern boundary of this state, thence south forty five degrees west, to a point from whence, south, forty five degrees east, will strike Wallen's ridge one quarter of a mile above the gap of the Indian fork of Poplar creek, thence to the double springs on the east fork of said creek, thence a direct course to Clinch river opposite the mouth of Hickory creek, thence up the lines of Knox county to the beginning.

SECTION 3. That all that tract of country lying within the following described bounds, shall be, and is hereby made and constituted a new and distinct county by the name of Roane, (viz) Beginning at the corner of Knox county on the south bank of Holston river, running along said line to Clinch river on the north bank, thence up or down said north bank, as the case may be, to the corner of Anderson county, thence along said line, north forty five degrees west, to the north west corner thereof, thence south, forty five degrees west, to the southern boundary of this state; thence east, along said southern boundary to the river Tennessee, on the south side, thence up the several meanders of said river on the south side, to a point opposite the south bank of Holston river, thence to the said south bank, thence up the several meanders on the south side to the beginning.

SECTION 4. That Knox County shall not extend further down, than to a direct line from the salt petre cave, below the Chota ford on Holston, to the mouth of Hickory creek, on Clinch river, until the constitutional limits of Knox county shall be ascertained by actual survey, which shall be done by disinterested commissioners appointed by the county court of Knox: Provided also, That if on accurate survey it shall be found, that there are not constitutional bounds for Knox county above the line described in this section, that then and in that case, the deficiency shall be made up, by taking one half thereof from the county of Anderson on the south side, between the Grainger line, and the lower line of Henderson and company's survey; the other half thereof from Roane county, between the rivers Clinch and Holston, which lines when run, shall be the bounds of Knox county, anything in this act to the contrary notwithstanding.

COMPILER'S NOTE: Sections 5, 6, 7, 8, 9, 10, 11, and 12 did not apply to Grainger County, therefore, they have not been included herein.

SECTION 13. That nothing herein contained, shall be so construed as to prevent the collector of public taxes of Knox and Grainger counties to collect the tax for the year one thousand eight hundred and one, and all arrearages of taxes.

COMPILER'S NOTE: The remainder of this act did not apply to Grainger County and therefore, is not included herein.

Passed: October 29, 1801.

Acts of 1801 Chapter 46

SECTION 1. That Hawkins and Grainger counties be divided by the following lines, (to wit.) Beginning on the north bank of Clinch river where the Hawkins and Grainger line crosses the same, thence down the north bank of said river Clinch, to a point opposite where the Knox and Grainger line strikes the said river, thence north, forty five degrees west, to the line which divides this state from the state of Kentucky, thence east with said line, to where it intersects with the line which divides this state from the state of Virginia, thence due east with said line to a point from which a direct line to the beginning, will leave six hundred and twenty five square miles in the county of Hawkins, and all that part of the aforesaid counties of Hawkins and Grainger contained within the lines before described, shall be a separate and distinct county by the name of Claiborne.

COMPILER'S NOTE: Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10 did not apply to Grainger County and

therefore, is not included herein.

SECTION 11. That all proceedings now pending in the county courts of Hawkins and Grainger, shall be proceeded on and determined in the same manner as if this act had not been passed.

COMPILER'S NOTE: The remainder of this act did not apply to Grainger County, and therefore, is not included herein.

Passed: October 29, 1801.

Acts of 1801 Chapter 47

SECTION 1. That all that part of Grainger county herein described, shall be annexed to, and be a part of Knox county: Beginning at the first bluff above Boyles's old place, running up the several meanders of Holston river to the upper corner of a survey of land claimed by William Cobb, next, below James Vance, thence a direct line to the Richland road, where the Knox and Grainger line crosses it.

SECTION 2. That Nathan B. Markland, is hereby appointed to run the aforesaid line, and shall receive the sum of three dollars for the same, to be paid by the county of Knox.

SECTION 3. That nothing herein contained shall be so construed as to prevent the sheriff of Grainger county from collecting the taxes for the year of one thousand eight hundred and one, and all arrearages.

Passed: October 29, 1801.

Acts of 1801 Chapter 55

SECTION 1. That Josphe Cobb, esquire, is hereby appointed a commissioner to run the line between the aforesaid counties of Grainger and Hawkins, from the south west corner of Joel Dyer's and Thomas Henderson's land, to Clinch river, agreeably to an act of assembly, passed at Knoxville, in the year one thousand seven hundred and ninety nine, entitled, "An act describing and extending the bounds of Grainger county."

SECTION 2. That the said commissioner is hereby authorized to employ a marker to mark said line.

SECTION 3. That the said commissioner shall be allowed the sum of two dollars per day, and the marker one dollar per day, for each day they may necessarily be employed running said line, which expense is to be paid by the county of Grainger, and their receipts shall be sufficient vouchers with the treasurer in the settlement of his accounts.

Passed: November 13, 1801.

Acts of 1809 (1st Session) Chapter 20

SECTION 1. That the middle of Clinch river shall hereafter be the dividing line between the counties of Grainger and Claiborne, so far as the north bank of said river is at present the line between said counties, any law, custom or usage, to the contrary notwithstanding.

SECTION 2. That this act shall be in force, from and after the passage thereof.

Passed: October 19, 1809.

Acts of 1809 (1st Session) Chapter 29

That the lines hereafter described, shall be the dividing lines between the counties of Hawkins and Grainger, to wit: Beginning at or near the house of John Mossatt, esquire, where the original line between said counties began running, thence with the road leading from Haynes's Iron Works to Cheeks Cross Roads to where John Mossatt's line crosses said road; then with said line to the road leading from Cheeks Cross Roads to Marshall's ferry on Holston River, then with said road to where it crosses the present line between said counties, and all that part lying westwardly of said line, shall be added to and made a part of Grainger county, any law to the contrary notwithstanding: Provided, That nothing herein contained, shall be so construed as to prevent any collector or other officer of Hawkins county from collecting any arrearages of taxes or other demands which may be due.

Passed: Nov. 22, 1809.

Acts of 1817 Chapter 158

WHEREAS the road leading from the Panther Springs to the house formerly occupied by Felps Reed, is the line between the county of Grainger and Jefferson, and whereas, there have been frequent changes made

in said road, which renders it difficult to ascertain where the true line now is, for remedy whereof:

SECTION 1. That hereafter, that part of the main stage road, as it now runs from the Panther Springs, to the house formerly occupied by Felps Reed, afterwards by John Mosset now deceased, and is now occupied by Joseph Shannon; shall be the true dividing line between the county of Grainger and the county of Jefferson, any law to the contrary notwithstanding.

Passed: November 1817.

Public Acts of 1883 Chapter 129

COMPILER'S NOTE: Public Acts of 1890 (2nd Ex. Sess.), Chapter 5, repealed the above act with the purported exception that the farm of V. W. Capps was left in Union County, but note that the Public Acts of 1895, Chapter 104, purports to, also, place the farm of V. W. Capps in Union County.

SECTION 1. That the county line between the counties of Grainger and Union counties be so as to run as follows, to wit: Beginning on the county line between the counties on the top of Log Mountain, running eastward with the top of said mountain to the corner of William Hollingsworth's farm; thence northwardly with said Hollingsworth's line to Hogskin Creek; thence with said creek to Clinch River; thence from said river to the Union county line.

SECTION 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same is hereby repealed.

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

Passed: March 21, 1883.

Private Acts of 1919 Chapter 674

SECTION 1. That the boundary line between Grainger and Hancock Counties is hereby changed so as to read as follows: "Beginning on the south bank of Clinch River on a sweet gum known as Nancy Jackson and Irvin Green's corner; thence with said Irvin Green's line to the top of War Ridge, thence with the top of said ridge eastwardly to the Hancock County line, thence northwestwardly to Clinch River, thence to the beginning," and all of the tract of land hereinbefore described is hereby detached from Grainger County and attached to Hancock County, Tennessee, and the farm of Winfield Searce is detached from Hancock County and attached to Grainger County.

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

Passed: April 14, 1919.

Boundaries - Historical Notes

The following is a summary of acts which authorized boundary changes for Grainger County.

1. Acts of 1845-46, Chapter 47, Section 4, altered the line between Jefferson and Grainger counties to place the land of J. N. Shannon in Jefferson County.
2. Acts of 1847-48, Chapter 51, altered the line between Grainger and Jefferson counties to place the land of James Barton in Grainger County.
3. Acts of 1847-48, Chapter 197, altered the line between Grainger and Jefferson counties to place the land of William Rice in Jefferson County.
4. Acts of 1849-50, Chapter 69, altered the line between Grainger, Hawkins, and Jefferson to place the land of Obadiah Boaz in Grainger County and, also, altered the line between Grainger and Hawkins to place the farm of David Harris in Grainger County.
5. Acts of 1851-52, Chapter 221, altered the line between the counties of Grainger and Knox to place in Knox County lands owned by James Cannon, Hardin W. Mynatt, Preston Mynatt, and Preston Mitchel.
6. Acts of 1855-56, Chapter 161, altered the line between Grainger and Jefferson to place the farm of Charles E. Eckle in Jefferson County.
7. Public Acts of 1857-58, Chapter 47, altered the line between Grainger and Jefferson to place the farms of William Taylor and Jessee Hunt in Jefferson County.
8. Private Acts of 1860, Chapter 135, Section 7, altered the line between Grainger and Jefferson counties to place the farm of Mrs. Nancy Senter in Grainger.

9. Public Acts of 1869-70, Chapter 48, altered the line between Grainger and Hawkins Counties to place the farm of John Coldwell in Hawkins County.
10. Public Acts of 1869-70, Chapter 48, altered the line between Grainger and Knox counties to place the land of James McBee in Grainger County.
11. Public Acts of 1869-70, Chapter 88, Section 8, altered the line between Grainger and Claiborne counties to place Grissom's Island, situated in the Clinch River and owned by George Johnson and Isaac West in Claiborne County.
12. Public Acts of 1870-71, Chapter 118, altered the line between Grainger and Union counties to place the farms of James Dyer Sr. and James Dyer, Jr. in Union County.
13. Public Acts of 1873, Chapter 70, altered the line between Grainger and Union counties to place the farms of J. J. Sellers, Pryor Dyer, James Vitetoe and E. D. Hill in Union County.
14. Public Acts of 1877, Chapter 149, altered the line between Grainger and Hawkins counties to place the farm of Anderson Mullens in Grainger County.
15. Public Acts of 1879, Chapter 56, altered the line between Grainger and Jefferson counties to place the island farm of John Vance, situated in the Holston River in Jefferson County.
16. Public Acts of 1887, Chapter 49, altered the line between Grainger and Union counties to place the farm of J. T. Inkleboyer in Grainger County. This act was repealed by Public Acts of 1895, Chapter 188, which was in turn repealed by Private Acts of 1901, Chapter 361, thus apparently reviving the act. The act was repealed again by Acts of 1905, Chapter 71.
17. Public Acts of 1889, Chapter 24, altered the line between Grainger and Union counties to place the lands of G. W. Hollinsworth, William Hollinsworth, B. M. McPhetridge, and B. Shelton in Grainger County.
18. Public Acts of 1891, Chapter 154, altered the line between Grainger and Hancock counties to place the lands of J. D. Greene and William T. Greene in Hancock County.
19. Public Acts of 1895, Chapter 104, altered the line between Grainger and Union counties to place the farm of V. W. Capps in Union County.
20. Public Acts of 1899, Chapter 233, altered the line between Grainger and Union Counties to place the farms of J. A. Popejoy and E. E. Dyer in Union County. Private Acts of 1901, Chapter 310, repealed this act.
21. Private Acts of 1901, Chapter 191, altered the line between Grainger and Knox counties to place the farm of James M. Shipe in Grainger County.
22. Acts of 1903, Chapter 527, altered the line between Grainger and Hancock counties to place the farm of John Wolf in Grainger County.
23. Acts of 1907, Chapter 227, altered the line between Grainger and Jefferson counties to place "Old McKinney Island" owned by E. G. Price, James Vance and Samuel Vance, and situated in the Holstein River in Jefferson County.
24. Acts of 1907, Chapter 386, altered the line between Grainger and Jefferson counties to place "Vance's Island" in Grainger County.
25. Private Acts of 1911, Chapter 245, altered the line between Grainger and Hancock Counties to place the farm of J. N. Dalton in Grainger County.
26. Private Acts of 1919, Chapter 394, altered the line between Grainger and Union counties to place the farms of C. M. Cabbage, Lafayette Hamilton and Jess Rush in Union County.
27. Private Acts of 1919, Chapter 739, altered the line between Grainger and Knox counties to place the lands of I. L. Moore and Sallie Moore in Knox County.
28. Private Acts of 1927, Chapter 741, altered the line between Grainger County and Knox County to place the farm of Viola E. Hamilton in Knox County.
29. Private Acts of 1933, Chapter 637, altered the line between Grainger and Knox counties to place the farm of A. C. Panatt in Knox County.

Chapter V - Court System

Circuit Court

Private Acts of 1969 Chapter 162

SECTION 1. That regular terms of the Circuit Court of Grainger County, with general jurisdiction to try and dispose of civil and criminal cases, shall continue to convene and be held on the Third Monday in April, August, and December of each year as now provided by law; and that, in addition to such regular terms, monthly terms of said Circuit Court shall convene and be held on the Third Monday of each and every month of the year, with jurisdiction to try and dispose of all civil cases within the jurisdiction of said Circuit Court as now defined by law, except cases in which a jury trial shall have been or shall be regularly demanded.

SECTION 2. That all leading process hereafter issuing from said Circuit Court in civil cases shall be made returnable to the next Third Monday of the month coming five or more days after the issuance of such process; and if, on the return day of such process, or in the first pleading tendering an issue, or on the first day of any term at which the case shall stand for trial, a jury trial shall be demanded, then the case shall automatically go over to the next regular term of said Circuit Court as distinguished from said monthly terms, and shall stand for trial in the regular way.

SECTION 3. That the jurisdiction of said Circuit Court at said monthly terms herein provided for shall be limited to the trial of non-jury cases, cases appealed from Justice of the Peace Courts, divorce cases and other cases involving domestic relations, equity cases coming within the jurisdiction of the Circuit Courts under the general law, and to the hearing and disposition of all issues and questions arising on demurrers, dilatory pleas, motions, and applications to amend pleadings in any civil case pending in said Court.

SECTION 4. That this Act shall be liberally construed and interpreted, and its provisions are hereby declared to be severable. If any of its sections, provisions, sentences or phrases are held to be unconstitutional or void, the remainder shall remain in full force and effect, it being the legislative intent now hereby declared that this Act would have been adopted and passed even if such unconstitutional or void matter had not been included herein.

SECTION 5. That all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

SECTION 6. That this act take effect from and after its passage, the public welfare requiring it.

Passed: May 7, 1969.

Court System - Historical Notes

Board of Jury Commissioners - Jurors

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

1. Acts of 1796 (1st Sess.), Chapter 28, placed the new county of Grainger in the Hamilton District and set the number of jurors required to be sent to the superior courts of law and equity of Hamilton District.
2. Acts of 1797, Chapter 7, apportioned the number of jurors each county of those comprising the Hamilton District should return to the superior courts of law and equity of said district. Grainger was required to return five.
3. Acts of 1798, Chapter 21, increased the number of jurors Grainger County was required to furnish the superior courts of law and equity of Hamilton District to seven.
4. Acts of 1801, Chapter 59, apportioned the number of jurors required of each county for the superior courts of law and equity of Hamilton District. Grainger County was required to send four. This act was repealed by Private Acts of 1978, Chapter 163.
5. Private Acts of 1923, Chapter 298, created a board of jury commissioners for Grainger County.
6. Private Acts of 1955, Chapter 374, set the pay of the members of the board of jury commissioners in Grainger County to \$6.00 per day.

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Grainger County, although they no longer have the force of law since they have either been superseded by general law, repealed, or failed to receive local ratification.

1. Public Acts of 1824, Chapter 14, provided that the supreme court hold chancery court for the counties of Sullivan, Hawkins, Grainger and Claiborne.
2. Public Acts of 1835-36, Chapter 4, established chancery courts in the state. The counties of Grainger, Claiborne and Campbell composed the fourth chancery district and held court at Tazewell on the fourth Mondays of February and September.

3. Acts of 1837-38, Chapter 116, changed the times of holding chancery court in the state. The chancery court of Grainger County was set to the first Mondays of June and December.
4. Acts of 1847-48, Chapter 97, provided that Grainger County would compose a chancery district and that the court would be held at Rutledge on the first Mondays of May and November of each year. This act was subsequently amended by Acts of 1847-48, Chapter 220, to provide that court would be held on the third Monday in June and December.
5. Public Acts of 1857-58, Chapter 88, prescribed the times and places of holding chancery court in the state. The Grainger County Chancery Court was set to the third Mondays of June and December at Rutledge.
6. Public Acts of 1865-66, Chapter 41, set the time for holding chancery court in Grainger County on the third Mondays of April and October.
7. Public Acts of 1870, Chapter 32, divided the state into chancery districts. The first chancery district was composed of the counties of Grainger, Johnson, Carter, Washington, Sullivan, Hawkins, Greene, Hancock, Claiborne, Jefferson, Cocke, Powell and Hamblen.
8. Public Acts of 1870, Chapter 47, fixed the time for holding the chancery courts of the state. The chancery court of Grainger County was set for the third Mondays of April and October.
9. Acts of 1885 (Ex. Sess.), Chapter 20, divided the state into chancery division. The first chancery division was composed of the counties of Grainger, Johnson, Carter, Washington, Sullivan, Hawkins, Greene, Hancock, Claiborne, Jefferson, Cocke, Hamblen and Unicoi. The Grainger County Chancery Court was set for the third Mondays in April and October.
10. Public Acts of 1891, Chapter 165, amended Acts of 1885 (Ex. Sess.), Chapter 20, by changing the times of holding the chancery court in the first chancery division. The chancery court of Grainger County was changed to the first Monday in May and November.
11. Public Acts of 1893, Chapter 100, provided for the creation of a new chancery division to be composed of Sullivan, Hawkins, Hamblen, Grainger, Claiborne, and Hancock counties. The time for holding said court was set to the fourth Monday and November for Grainger County.
12. Public Acts of 1895, Chapter 14, changed the time for holding chancery court in Grainger County to the second Monday in March and September.
13. Public Acts of 1899, Chapter 427, divided the state into chancery divisions and set the time for holding the same. The chancery court of Grainger County was placed in the first chancery division and was held on the third Monday in May and November.
14. Private Acts of 1901, Chapter 438, amended Public Acts of 1899, Chapter 427 by placing Grainger County in the second chancery division and changing the times of holding said court to the second Mondays in April and October.
15. Private Acts of 1919, Chapter 342, changed the time for holding chancery court in Grainger County to the third Mondays in February and August.
16. Public Acts of 1919, Chapter 100, created the thirteenth chancery division which was composed of the counties of Grainger, Blount, Cocke, Hamblen, Jefferson, Sevier and Union. The time of holding the chancery court of Grainger County was set for the third Monday in January and July.
17. Public Acts of 1920, Chapter 5, created the thirteenth chancery division composed of the counties of Blount, Cocke, Grainger, Hamblen, Jefferson, Sevier and Union and fixed the time for holding chancery court to the third Monday of January and July for Grainger County.
18. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, divided the state into chancery divisions. Grainger County was placed in the thirteenth chancery division in which the chancery court was set for the fourth Mondays in May and November.
19. Public Acts of 1935, Chapter 148, provided that the chancery court of Grainger County be held by the judge of the second judicial circuit, times of which were held on the second Mondays of May and November.
20. Public Acts of 1963, Chapter 371, created the fifteenth chancery division which was composed of the counties of Greene, Hamblen, Union and Grainger. The chancery court of Grainger County was held on the fourth Monday in May and November.

Chancery Court - Clerk and Master

The reference list below contains acts which once applied to the clerk and master in Grainger County.

1. Acts of 1909, Chapter 226, set the compensation of the chancery court clerk and master of Grainger County at a minimum of five hundred dollars per annum.

2. Private Acts of 1913, Chapter 17, revised the minimum compensation of the chancery court clerk and master of Grainger County to seven hundred and fifty dollars per annum.

Circuit Court

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

1. Acts of 1809 (1st Sess.), Chapter 49, divided the state into five judicial circuits, placed Grainger County in the first circuit and gave the circuit court jurisdiction in all matters and causes at common law and in equity.
2. Public Acts of 1835-36, Chapter 5, established circuit courts throughout the state. The first judicial circuit was composed of the counties of Grainger, Greene, Washington, Carter, Johnson, Sullivan, Hawkins and Claiborne. The circuit court of Grainger County was held on the third Monday of April, August and December.
3. Acts of 1837-38, Chapter 3, amended Public Acts of 1835-36, Chapter 5. The circuit court of Grainger County became part of the twelfth circuit along with the counties of Cocke, Sevier, Jefferson, Grainger, Claiborne and Campbell.
4. Acts of 1837-38, Chapter 116, changed the time of holding circuit courts of the state. The circuit court of Grainger County was set to the fourth Mondays of April, August and December.
5. Public Acts of 1857-58, Chapter 98, prescribed the times of holding the circuit courts of the state. The Grainger County Circuit Court was set for the fourth Mondays of April, August and December.
6. Public Acts of 1870, Chapter 31, laid the state off into judicial circuits. The second circuit was composed of the counties of Grainger, Cocke, Jefferson, Union, Sevier, Scott, Campbell, Claiborne and Hamblen.
7. Public Acts of 1870, Chapter 46, fixed the time for holding the circuit courts of the state. The circuit court for Grainger County was set for the fourth Mondays in April, August and December.
8. Acts of 1885 (Ex. Sess.), Chapter 20, divided the state into judicial circuits. The second judicial circuit was composed of the counties of Grainger, Campbell, Claiborne, Union, Hamblen, Jefferson, Cocke, Anderson and Sevier. The time for holding the circuit court of Grainger County was set for the fourth Mondays in April, August and December.
9. Public Acts of 1889, Chapter 117, changed the time of holding circuit court in Grainger County to the first Mondays of April, August and December.
10. Public Acts of 1899, Chapter 427, divided the state into judicial circuits. Grainger County was placed in the second judicial circuit along with Jefferson, Sevier, Hamblen, Cocke, Morgan, Scott, Campbell, Anderson, Union and Fentress. The circuit court for Grainger County was set for the first Monday in February, June and October.
11. Acts of 1903, Chapter 227, set the times for holding circuit courts in the second judicial circuit; Grainger County's times for holding circuit court remained the same as set in Public Acts of 1889, Chapter 117.
12. Acts of 1905, Chapter 477, reset the times for holding courts in the second judicial circuit; Grainger County times remained the same as set in Public Acts of 1889, Chapter 117.
13. Acts of 1907, Chapter 205, reset the times for holding courts in the second judicial circuit; Grainger County times remained the same as set in Public Acts of 1889, Chapter 117.
14. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, divided the state into judicial circuits. Grainger County was placed in the second judicial circuit in which the time for holding the circuit court was set for the first Monday in April, August and December.
15. Public Acts of 1951, Chapter 17, fixed the time of holding the circuit court of the second judicial circuit. The circuit court of Grainger County was set for the third Mondays in April, August and December.
16. Public Acts of 1955, Chapter 19, fixed the time of holding the circuit court of the second judicial circuit. The circuit court of Grainger County was set for the third Monday in April, August and December.
17. Public Acts of 1959, Chapter 99, fixed the time of holding the circuit court of the second judicial circuit. The circuit court of Grainger County was set for the third Monday in April, August and December.

Circuit Court - Clerk

The following act has no current effect, but once applied to the Grainger County Circuit Court Clerk. It

was repealed, superseded, or never received local approval.

1. Private Acts of 1939, Chapter 482, set the compensation of the circuit court clerk at \$1,000 per annum.

Criminal Court

The following acts once pertained to the Grainger County Criminal Court, but are no longer current law.

1. Public Acts of 1867-68, Chapter 49, repealed the above act as to Jefferson, Cocke, Grainger and Claiborne counties.
2. Public Acts of 1867-68, Chapter 90, created a judicial criminal district composed of Johnson, Carter, Washington, Sullivan, Hawkins, Hancock, Greene, Cocke, Jefferson, Grainger and Claiborne counties.
3. Acts of 1885 (Ex. Sess.), Chapter 20, set the time for holding the Grainger County Criminal Court to the fourth Mondays in April, August and December.
4. Public Acts of 1899, Chapter 427, set the time for holding the criminal court in Grainger County to the first Monday in February, June and October.
5. Private Acts of 1939, Chapter 482, set the compensation of the criminal court clerk at \$1,000 per annum.

District Attorney General - Assistants and Criminal Investigators

The following acts once affecting Grainger County are no longer in effect but are listed here for historical purposes.

1. Acts of 1817, Chapter 65, established solicitorial districts throughout the state. The counties of Hawkins, Grainger, Claiborne and Campbell composed the second solicitorial district.
2. Public Acts of 1931, Chapter 64, created the office of assistant attorney general in Grainger County, which at the time was in the second judicial circuit.
3. Public Acts of 1975, Chapter 253, created the office of one additional assistant district attorneys general for Grainger County, which at the time was in the second judicial circuit.
4. Public Acts of 1977, Chapter 377, created the office of full time assistant district attorney general for Grainger County, which at the time was in the second judicial circuit.

Chapter VI - Education/Schools

Board of Education

Private Acts of 1957 Chapter 54

SECTION 1. That from and after the effective date of this Act the Members of the County Board of Education in counties of this State having a population of not more than 13,090 and not less than 13,080, according to the Federal Census of 1950, or any other subsequent Federal Census, shall be paid a sum of six dollars (\$6.00) per day, for each session actually in attendance.

SECTION 2. That all Acts or parts of Acts in conflict with this Act are hereby repealed.

SECTION 3. That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the Quarterly County Court of any county to which it may apply on or before the next regular meeting of such Quarterly County Court occurring more than sixty (60) days after its approval by the Chief Executive of this State.

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

Passed: February 14, 1956.

Private Acts of 1972 Chapter 392

SECTION 1. There is hereby created a Board of Education for Grainger County composed of ten (10) members.

As amended by: Private Acts of 1982, Chapter 224

SECTION 2. The county is hereby divided into five (5) school districts, the boundaries of which shall be as follows:

School District 1. The boundaries of School District 1 shall be the same as County Commission

District 1.

School District 2. The boundaries of School District 2 shall be the same as County Commission District 2.

School District 3. The boundaries of School District 3 shall be the same as County Commission District 3.

School District 4. The boundaries of School District 4 shall be the same as County Commission District 4.

School District 5. The boundaries of School District 5 shall be the same as County Commission District 5.

As amended by: Private Acts of 1982, Chapter 224

SECTION 3. The Board of Education members shall be citizens of recognized integrity, intelligence, and ability to administer the duties of the office. Each such member shall have resided not less than one (1) year next preceding his election in the county commission district comprising the School Board District from which he is elected and shall be a registered voter in such district. No member of the Quarterly County Court nor any other county official, elected or appointed, shall be eligible for election or appointment as County Board of Education member. No board member shall serve as a teacher or in any other position under the board carrying with it any salary or compensation. Should a board member move his place of residence outside the district which he represents, the office of such board member shall become vacant.

SECTION 4. At the August General Election in 1982, there shall be elected at large two (2) board members from each School Board District by the qualified voters of each such district. The terms of such board members shall be four (4) years and shall begin on September 1, 1982. The terms of the presently constituted school board shall terminate at midnight on August 31, 1982.

SECTION 5. Before entering upon the duties of the office, every member of the County Board of Education shall qualify as such member by taking and subscribing and filing with the County Court Clerk, the following oath:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of Tennessee, and the laws governing the operation of the Grainger County School System, and that I will faithfully, zealously, and impartially discharge the duties of a member of the Grainger County Board of Education without fear or favor, and for the public welfare.

SECTION 6. Vacancies on the County Board of Education shall be declared by the Board to exist on account of death, resignation, acceptance of a position in conflict with Board qualifications as set forth in Section 3 hereof, or removal of residence. All vacancies shall be filled for the unexpired term at the next regular general election held more than forty (40) days subsequent to the occurrence of said vacancy, provided, however, that the Quarter County Court, at its next regular or special meeting after such vacancy occurs, shall fill the same on an interim basis with the election by majority vote of a qualified person. Said interim member shall hold office until the vacancy is permanently filled at the next general election.

SECTION 7. At the first meeting of the Board of Education in September of each year, the members of the Board shall elect from among themselves a Chairman and such other officers as they may deem proper. A regular meeting of the County Board shall be held once each quarter at a time and place selected and publicity announced by the Board. The Board shall adopt written rules of procedure which shall include provision for the call of special meetings by the Chairman or by a majority of members of the Board, provisions for due notice of the time, place, and agenda of such regular or special meetings, and all other procedural rules that the Board may deem necessary and suitable.

SECTION 8. All meetings of the County Board shall be open to any resident who may desire to attend, provided that nothing herein contained shall be construed as denying the Board the right to hold executive sessions, but no official act shall be taken in such executive sessions.

SECTION 9. Board members shall be paid per diem for attendance at each regular or special meeting of the Board, plus travel expenses, said per diem and travel expense rates to be the same as those paid to members of the Quarterly County Court.

SECTION 10. The County Board shall have the responsibility for the government, supervision, and control of the public schools of the County, provided, however, that no Board member shall have authority to act independently on any school matter. The Board shall generally exercise all powers, duties, and privileges as set forth in the public laws of Tennessee relative to County Boards of Education and specifically discharged those duties enumerated in Section 49-214 and Section 49-215, Tennessee Code Annotated, which are not in conflict with the provisions of this Act.

It shall be the duty of the County Board of Education to elect, from nominations or recommendations made by the Superintendent of Schools, but not otherwise, all principals, teachers, and other employees of the County School System; and to fix the salaries of principals, teachers, and other employees of the County School System, within the funds available or provided by the Quarterly County Court.

It shall be the duty of the Board to plan for the extension and development of the County School System; to determine the need for new buildings; to plan, locate, erect, and furnish the same, after the Quarterly County Court shall have provided funds for same.

The Board shall adopt written policies and regulations for the proper functioning of the Board and the School System. It shall have drawn up and made available for general distribution a statement of such policies and regulations.

The Board shall assign to the County Superintendent of schools such duties as are set forth in Section 49-224, Tennessee Code Annotated, and any other such duties as can reasonably be expected of the superintendent.

SECTION 11. The County Board of Education shall direct the superintendent of schools to prepare a budget showing the proposed expenditures for the schools under its jurisdiction for the ensuing fiscal year, and after the Board approves of said budget, it shall submit the same to the budget committee of the Quarterly County Court pursuant to Section 49-214, Tennessee Code Annotated. At the same time, the Board shall cause to be prepared and shall submit to the budget committee an estimate of the amount of funds to be received from the State and Federal governments for school purposes, and of the amount estimated as required to be raised by taxation in order to meet and pay the estimated expenditures for the ensuing year. Nothing herein contained, however, may be construed as denying the Board the right to amend its budget from time to time during the year as changing circumstances warrant, provided that such amendments do not increase the total amount of projected expenditures beyond the total amount of anticipated revenues for that year.

SECTION 12. All assets of, and all legal debts, contracts, and financial obligations incurred by the County Board of Education established and operating under the provisions of Chapter 53, Private Acts of Tennessee, 1935, and all amendatory acts thereto shall be transferred to and assumed by the County Board of Education, created by this act.

SECTION 13. Should any city or Special School District operating a School System within the County deem it advisable to place the operation of said System under the general supervision of the County Board of Education, the consolidation of the two school Systems and proper dispensation of their assets and liabilities shall be accomplished pursuant to the provisions of Section 49-401 through 49-429, Tennessee Code Annotated.

SECTION 14. This Act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the Quarterly County Court of Grainger County on or before July 1, 1972. 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 15. For the purpose of approving or rejecting the provisions of this act, as provided in Section 14, it shall be effective on becoming a law, the public welfare requiring it. For all other purposes it shall become effective upon becoming approved as provided in Section 14.

Passed: April 7, 1972.

Superintendent or Director of Schools

Private Acts of 1943 Chapter 76

SECTION 1. That hereafter the County Superintendent of Schools in all Counties having a population of not more than 14,360, nor less than 14,350, according to the Federal Census of 1940 or any subsequent Federal Census, shall be elected by the qualified voters of such County at the regular election to be held on the first Thursday in August, 1944, and every four years thereafter. The term of office of the Superintendent of Schools elected in August, 1944, shall begin on January 1, 1945, following his election and shall continue until September 1, 1948, it being the intention and purpose of this Act not to curtail the term of office of the present County Superintendent. At all future elections the term of office of Superintendent shall begin on September 1, following his or her election and shall continue for four years and until his successor shall be elected and qualified.

SECTION 2. That the qualifications of any person aspiring to said office shall be the same as provided under present or future laws governing qualifications of County Superintendents generally and the certification of evidence of such qualification shall be filed with the County Judge or the Chairman of the

County Court of said County at least thirty days before any such general election.

SECTION 3. That the duties of such Superintendent shall be the same as required of Superintendents of Public Instruction in this State and the compensation shall be fixed by the Quarterly County Court at not less than \$750.00 per annum to be paid by said County and not to include that paid by the State.

SECTION 4. That it shall be the duty of said County Superintendent to visit all schools in said County at least twice each year, one of said visits to be during the first half of said term of school and the other during the last half of said term, and he shall make a report of said visits to the Quarterly County Court at its January and July terms. Upon failure of any such Superintendent to make said reports, the County Court may withhold his compensation until said reports are made.

SECTION 5. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 19, 1943.

Education/Schools - Historical Notes

Board of Education

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

1. Private Acts of 1911, Chapter 315, amended Acts of 1907, Chapter 236, by providing that each civil district in Grainger County, shall constitute a school district, and a member of the said board of education would be elected from each district.
2. Private Acts of 1927, Chapter 300, created a county board of education for Grainger County which was composed of seven members which served for two years and were paid \$60 per annum, payable quarterly out of the general educational fund of Grainger County.
3. Private Acts of 1935, Chapter 53, created a county board of education for Grainger County. This act was repealed by Private Acts of 1972, Chapter 392.
4. Private Acts of 1961, Chapter 352, would have amended Private Acts of 1957, Chapter 54, by raising the compensation of the members of the county board of education, but the act was rejected by local officials and therefore never became law.

Superintendent or Director of Schools

The acts referenced below once affected the office of superintendent of education in Grainger County, but are no longer operative. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Private Acts of 1931, Chapter 76, provided that the county superintendent of public instruction be elected by the qualified voters of Grainger County at the general election held on the first Thursday of August of 1932 and biennially thereafter.
2. Private Acts of 1933, Chapter 154, repealed Private Acts of 1931, Chapter 76.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Grainger County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval.

1. Private Acts of 1823, Chapter 270, appointed John F. Jack and Felps Read as commissioners of Madison Academy in Grainger County.
2. Private Acts of 1825, Chapter 316, appointed Benjamin Craighead, Thomas M. Brown, William Dyer and William E. Cocke as additional trustees of Madison Academy in Grainger County.
3. Private Acts of 1827, Chapter 237, appointed Hugh Houston, William E. Cocke and Thomas Whiteside as additional trustees of Madison Academy in Grainger County.
4. Private Acts of 1829-30, Chapter 128, appointed Samuel B. Tate, Thomas S. Cocke, Martin Cleveland, Robert Gains and Bolin Shirley as additional trustees of Madison Academy in Grainger County.
5. Acts of 1907, Chapter 170, created a special school district in the fifth civil district of Grainger County and provided for the directors and government of same.
6. Acts of 1909, Chapter 494, required parents and guardians of Grainger County, to cause children between certain ages to attend some public school for a certain number of days each year, except under certain conditions.

7. Private Acts of 1911, Chapter 332, provided for and enforced the education of all children between the ages of eight years and sixteen years of age in Grainger County.
8. Private Acts of 1931, Chapter 76, provided for the election of superintendent of public instruction by popular vote in Grainger County.

Chapter VII - Elections

Elections - Historical Notes

Districts - Reapportionment

The acts listed below have affected the civil districts in Grainger County, but are no longer operative regarding elections.

1. Acts of 1907, Chapter 170, created a special school district in the fifth civil district of Grainger County.
2. Private Acts of 1911, Chapter 129, created the sixth and seventh civil districts for Grainger County and detached a part of the fourth civil district and attached it to the fifth civil district.
3. Private Acts of 1913, Chapter 215, changed the line between the second civil district and the third civil district of Grainger County.

Elections

The following is a listing of acts for Grainger County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes.

1. Acts of 1797, Chapter 10, authorized the citizens of Grainger County to hold elections for governor, members of the general assembly, and representatives to represent the state.
2. Acts of 1798, Chapter 16, Section 3, apportioned four senators and eight representatives to the Hamilton District. Grainger County elected one senator and two representatives.
3. Acts of 1799, Chapter 15, authorized the citizens of Clinch River, in Grainger County, to hold separate election for governor, members of the general assembly, and representatives to represent the state.
4. Acts of 1803, Chapter 24, provided for the election of electors of president and vice president of the United States. The state was divided into five election districts with the counties of Grainger, Hawkins, Claiborne, Jefferson and Cocke composing the second electoral district and electing one elector.
5. Acts of 1803, Chapter 51, authorized the citizens of parts of Claiborne and Anderson counties, which once were part of Grainger County, to hold separate elections.
6. Acts of 1806, Chapter 23, authorized the citizens of Claiborne County who lived above the line which formerly divided the counties of Grainger and Hawkins to hold separate elections.
7. Acts of 1812, Chapter 5, provided for the election of electors of president and vice president of the United States. The state was divided into eight election districts with the counties of Grainger, Sevier, Claiborne, Jefferson and Cocke composing the second electoral district and electing one elector.
8. Acts of 1812, Chapter 27, divided the state into six congressional districts. The counties of Jefferson, Grainger, Claiborne, Knox, Sevier Blount and Cocke composed the second congressional district and elected one representative to the United States Congress.
9. Acts of 1812, Chapter 57, provided for the apportionment of senators in the state legislature. The counties of Grainger, Claiborne and Campbell shall compose one election district and elected one senator.
10. Acts of 1817, Chapter 129, authorized the sheriff of Grainger County to hold a separate election for the purpose of electing a governor, members to congress, electors to elect a president and vice president, members of the state legislature and militia officers.
11. Public Acts of 1819, Chapter 5, laid off and established separate elections in the state. A precinct election was established at the house of Joseph Noah in Grainger County on the south side of the Holston River.
12. Public Acts of 1819, Chapter 69, divided the state into senatorial and representative districts. The counties of Grainger, Claiborne and Campbell composed one election district and elected one senator. In addition, Grainger County elected one representative.

13. Public Acts of 1822 (2nd Sess.), Chapter 1, divided the state into congressional districts. The counties of Grainger, Claiborne, Cocke, Jefferson, Knox, Sevier and Blount composed the second congressional district.
14. Public Acts of 1823, Chapter 47, provided for the election of electors of president and vice president of the United States. The second electoral district was composed of the counties of Grainger, Cocke, Sevier, Jefferson, Claiborne and Campbell.
15. Public Acts of 1824, Chapter 1, provided for the election of electors of president and vice president of the United States. The counties of Cocke, Sevier, Jefferson, Grainger, Claiborne and Campbell composed the second electoral district and elected one elector.
16. Public Acts of 1826, Chapter 3, divided the state into election districts for the purpose of electing senators and representatives. The counties of Grainger, Jefferson, Claiborne and Campbell composed one election district and elected one senator. In addition, the counties of Hawkins, Washington, Greene, Jefferson, Grainger, Blount, Monroe and McMinn elected and returned one representative each.
17. Private Acts of 1827, Chapter 197, established a precinct election in Grainger County.
18. Public Acts of 1827, Chapter 17, provided for the election of electors of president and vice president of the United States. The second electoral district was composed of the counties of Cocke, Sevier, Jefferson, Grainger, Claiborne and Campbell and elected one elector.
19. Private Acts of 1829-30, Chapter 174, Section 2, repealed Public Acts of 1819, Chapter 5, and moved the site of the precinct election to the Holston Paper Mill in Grainger County for the election of members to the legislature, governor and member to congress.
20. Public Acts of 1832, Chapter 4, divided the state into districts for the election of representatives to the United States Congress. The counties of Sullivan, Hawkins, Grainger, Claiborne and Campbell composed the second congressional district.
21. Public Acts of 1832, Chapter 9, provided for the election of electors of president and vice president of the United States. The counties of Sullivan, Hawkins, Grainger and Claiborne composed the second electoral district.
22. Public Acts of 1833, Chapter 4, established a precinct election at the house of Robert Huddleston in Grainger County.
23. Public Acts of 1833, Chapter 71, divided the state into representative and senatorial districts under the enumeration of 1833. The counties of Grainger, Cocke, Jefferson and Claiborne composed one election district and elected one senator. In addition, Grainger and Claiborne counties composed one election district and elected one representative.
24. Public Acts of 1835-36, Chapter 39, provided for the election of electors of president and vice president of the United States. The counties of Sullivan, Hawkins, Grainger and Claiborne composed the second electoral district.
25. Acts of 1842 (Ex. Sess.), Chapter 1, divided the state into senatorial and representative districts. The counties of Grainger, Jefferson and Claiborne composed the fourth senatorial district in which the polls were compared at Rutledge in Grainger County. Furthermore, Grainger County elected one representative in which the poll was compared at the courthouse in Rutledge.
26. Acts of 1842 (Ex. Sess.), Chapter 7, divided the state into districts for the election of representatives to the United States Congress. The counties of Grainger, Jefferson, Claiborne, Campbell, Anderson, Morgan, Sevier, Blount and Moore composed the second congressional district.
27. Acts of 1851-52, Chapter 196, divided the state into districts for the election of representatives to the United States Congress. The counties of Grainger, Claiborne, Campbell, Scott, Anderson, Knox, Morgan, Fentress and Overton composed the second congressional district.
28. Acts of 1851-52, Chapter 197, divided the state into senatorial and representative districts. Grainger County elected one representative and composed one senatorial district along with Claiborne, Anderson and Campbell counties.
29. Public Acts of 1871, Chapter 146, divided the state into senatorial and representative districts. Grainger and Hamblen counties jointly elected one representative and the counties of Grainger, Union, Anderson and Knox composed the fourth senatorial district.
30. Public Acts of 1873, Chapter 27, divided the state into congressional districts. The counties of Johnson, Carter, Sullivan, Washington, Greene, Hawkins, Hancock, Claiborne, Grainger, Hamblen and Cocke composed the first congressional district.

31. Public Acts of 1881 (Ex. Sess.), Chapter 6, divided the state into senatorial and representative districts. Grainger County elected one representative and was placed in the fourth senatorial district along with Claiborne, Union, Campbell and Scott counties.
32. Public Acts of 1882 (2nd Sess.), Chapter 27, divided the state into congressional districts. The counties of Johnson, Carter, Sullivan, Washington, Unicoi, Hawkins, Greene, Hamblen, Hancock, Claiborne, Cocke and Grainger composed the first congressional district.
33. Public Acts of 1891 (Ex. Sess.), Chapter 10, divided the state into senatorial and representative districts. Grainger and Hamblen counties composed the second representative district while the third senatorial district was composed of Grainger, Hancock, Claiborne, Union and Campbell counties.
34. Public Acts of 1891, Chapter 131, divided the state into congressional districts. The counties of Johnson, Carter, Sullivan, Washington, Unicoi, Hawkins, Greene, Hamblen, Hancock, Claiborne, Cocke and Grainger composed the first congressional district.
35. Public Acts of 1901, Chapter 109, divided the state into congressional districts. The first congressional district was composed of the counties of Sullivan, Johnson, Carter, Unicoi, Washington, Greene, Hawkins, Hancock, Claiborne, Grainger, Cocke and Sevier counties.
36. Public Acts of 1901, Chapter 122, divided the state into senatorial and representative districts. The third senatorial district was composed of the counties of Grainger, Hancock, Claiborne, Union, Campbell and Scott. The fifth representative district was composed of Grainger and Hancock counties.
37. Private Acts of 1947, Chapter 436, provided compensation for officers, judges, clerks and election officials holding general, regular or primary election in Grainger County in the amount of \$2.00 per day.

Chapter VIII - Health

No current private acts in force.

Chapter IX - Highways and Roads

Road Construction

Private Acts of 1923 Chapter 351

SECTION 1. That it shall be permissible and lawful for any person, firm or corporation to construct, maintain and operate a tie, or timber, hoist or chute over or across any public road in any county of the State having a population of not less than 13,360 and not more than 13,375, by the Federal Census of 1920, or any subsequent Federal Census; provided, that nothing herein contained shall operate to relieve the operator of such hoist or chute from any damages for which such operator would otherwise be liable by reason of the negligent operation of such hoist or chute.

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

Passed: March 23, 1923.

Road Law

Private Acts of 1929 Chapter 840

SECTION 1. That an Act entitled "An Act to provide for a system of good roads to regulate the laying out, working, changing, opening, closing and maintaining of public roads, culverts and ferries and bridges in the counties of this State having a population of not less than 13,360, nor more than 13,375, according to the Federal Census of 1920, or by any subsequent Federal Census; to create the office of 'Superintendent of Roads,' in such counties, and to define the powers and duties thereof and to provide for subordinate agents under same, to provide means, funds, labor, instrumentalities and powers for carrying into effect of said Act; to fix age limit of male citizens residing in such counties subject to road duty, to provide for payment of commutation to Trustee in lieu of work and provide fines and penalties for neglecting or refusing to work or commute to, making the Trustee Custodian of County road fund, to provide means of disbursing same, and to provide in the event that any part of this Act shall for any reason be held unconstitutional, for the remainder thereof," being Chapter 443 of the Private Acts of the General

Assembly of the State of Tennessee for the year 1927 passed April 14, 1927, and approved April 18, 1927, and being the Act set forth in the Caption hereof, be and the same hereby is repealed.

SECTION 2. That this Act take effect from and after the first of September, 1930, the public welfare requiring it.

Passed: April 11, 1929.

Superintendent of Roads

Private Acts of 1980 Chapter 232

SECTION 1. The office of Superintendent of Roads for Grainger County is hereby created. The Superintendent of Roads shall be considered the chief administrative officer for purposes of the County Uniform Road Law codified in Tennessee Code Annotated Section 54-1001 et seq.

SECTION 2. The Superintendent of Roads shall be elected by the qualified voters of Grainger County in accordance with the General Election Laws of the State of Tennessee in the general election to be held in August 1982 and every four (4) years thereafter. Upon certification of the results of the August 1982 election the Superintendent of Roads elected shall take office September 1, 1982 for a term of four (4) years.

A vacancy in the office of Superintendent of Roads shall be filled by an appointee of the county legislative body who shall serve until a successor is elected at the next general election occurring after the vacancy according to Tennessee Code Annotated Section 5-1-104.

As amended by: Private Acts of 1983, Chapter 18

SECTION 3. Each year, the superintendent of roads shall prepare a proposed budget for the Grainger County highway department. The superintendent of roads of Grainger County shall on or before April 1 of each year, file with the county executive an itemized statement of the funds estimated to be required for the county road program for the ensuing fiscal year and for the construction, operation, repair and maintenance of the county road system and for the general administration of the highway department, together with an estimate of the highway and road funds, including any bridge funds, expected to be received during such fiscal year.

As amended by: Private Acts of 2003, Chapter 30

SECTION 4. The Superintendent of Roads shall have the authority to draw warrants upon the County Treasury. No warrant drawn by the Superintendent of Roads shall be a valid claim against the county unless countersigned by the County Executive.

As amended by: Private Acts of 1991, Chapter 25.

SECTION 5. The Superintendent of Roads is hereby authorized to make purchases and contract for services necessary to carry out the functions of his office as set out in the County Uniform Road Law, T.C.A. Section 54-1001 et seq.

All purchases of and contracts for purchases of supplies, materials, equipment and contractual services, and all contracts for the lease or rental of equipment shall be based wherever possible on competitive bids. If the amount of the expenditure is estimated to exceed the amount set forth in the County Uniform Highway Law, Tennessee Code Annotated, Section 54-7-113 as amended, sealed bids shall be solicited by the Superintendent of Roads. Solicitation shall be made by public notice inserted at least once in a newspaper of county-wide circulation five (5) days prior to the final date for submitting bids or by posting notices on a public bulletin board in the county courthouse.

As amended by: Private Acts of 1991, Chapter 25

All purchases of less than one thousand dollars (\$1,000.00) may be made by the Superintendent of Roads in the open market without notice, but shall wherever possible be based upon at least three (3) competitive bids.

All sealed bids received under the requirements of this act shall be opened publicly at the time and place fixed in the advertisement and shall after the award or contract or order be open to public inspection.

The Superintendent of Roads may purchase from any federal, state or local government unit or agency without conforming to the bidding requirements of this act.

SECTION 6. The Superintendent of Roads shall keep a complete record showing the receipts, appropriations and disbursements, and shall make a report to the county legislative body on a quarterly basis, showing how the funds have been spent and handled, and upon the failure or refusal of said Superintendent of Roads to make said quarterly reports to the county legislative body, it shall be the duty of the County Executive to withhold the payment of his salary until said reports have been made and approved by the County Executive, or county legislative body. It shall be the duty of the County Revenue

Commission in said county to audit the records of the Superintendent of Roads in Grainger County and to make a report of said audit to the county legislative body on a quarterly basis, said report to be approved by the county legislative body and copied along with the proceedings of the county legislative body on the minute book of the county legislative body.

SECTION 7. This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the Grainger County Legislative Body. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.

Passed: March 12, 1980.

Highways and Roads - Historical Notes

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

1. Private Acts of 1821, Chapter, 152, provided for the keeping in repair a part of a road leading from Bean's Station in Grainger County to Kentucky that lies near Cumberland Gap on the Cumberland Mountain.
2. Private Acts of 1825, Chapter 325, appointed William Clark of Grainger County and George Williams of Hawkins County as additional commissioners of the Bean's Station Turnpike.
3. Private Acts of 1835-36, Chapter 147, appointed Thomas Whiteside of Grainger County as a commissioner of the Bean's Station Turnpike Road.
4. Acts of 1837-38, Chapter 45, appointed Nelson A. Senter of Grainger County as one of the commissioners of the Bean's Station Turnpike Road and outlined their duties and responsibilities.
5. Acts of 1839-40, Chapter 92, provided that the next two commissioners of the Bean's Station Turnpike be from Grainger County.
6. Acts of 1841-42, Chapter 190, appointed Charles McAnally and Hugh O. Taylor as commissioners of the Bean's Station Turnpike and outlined their duties and responsibilities.
7. Acts of 1845-46, Chapter 139, authorized the commissioners of the Bean's Station Turnpike Road to use the proceeds from the tolls to pay for the turnpike's repairs in Grainger County.
8. Acts of 1847-48, Chapter 186, Section 7, authorized the building of a second toll in Grainger County for the Campbell and Anderson Turnpike Company.
9. Acts of 1849-50, Chapter 176, Section 3, authorized the citizens of Claiborne and Grainger counties to pass on the Bean Station Turnpike Road free of charge.
10. Acts of 1855-56, Chapter 36, repealed the law which had allowed the citizens of Grainger and Claiborne counties to pass the Bean Station Turnpike Road for free.
11. Public Acts of 1875, Chapter 44, amended the various acts in reference to the Bean Station and Cumberland Gap Turnpike Roads as they affected Grainger County.
12. Public Acts of 1879, Chapter 39, required that the toll of the Cumberland Gap Turnpike Road be leased out to the highest bidder whereupon the road was to be kept in good traveling order or the county court of Grainger County could terminate the lease.
13. Private Acts of 1919, Chapter 378, regulated the working and laying out of public roads in Grainger County. This act was amended by Private Acts of 1935, Chapter 506 and Private Acts of 1937, Chapter 147 respectively.
14. Private Acts of 1927, Chapter 443, provided for a system of good roads to regulate the laying out, working, changing, opening, closing and maintaining of public roads, culverts and ferries and bridges in Grainger County.
15. Private Acts of 1937, Chapter 147, amended Private Acts of 1919, Chapter 378, by deleting sections 2 and 5.
16. Private Acts of 1937, Chapter 366, created a road law for Grainger County which provided for the election of road commissioners, their duties and salary; created three road districts and permitted the road commissioners to work the county convicts or prisoners upon the various roads of the county.

17. Private Acts of 1939, Chapter 373, amended Private Acts of 1937, Chapter 366, by allowing women citizen to become candidates to serve as road commissioner and lowering the age of eligibility to 21 years. In addition to other changes, the act increased the salary of the chairman and vice chairman of the road commissioner to \$300.
18. Private Acts of 1945, Chapter 476, created a road law for Grainger County which included the election of a road superintendent, the fixing of his salary, bond, and manner of election, defined his duties, and prescribed his qualifications, fixed his term of office; permitted the road superintendent to work the county convicts or prisoners upon the various roads of Grainger County; and provided for the raising of funds for road purposes and the disbursement of the same in conjunction with all funds derived from the state or federal government.
19. Private Acts of 1947, Chapter 94, amended Private Acts of 1945, Chapter 476, by increasing the salary of the road superintendent from \$1,200 to \$1,800.
20. Private Acts of 1949, Chapter 820, amended Private Acts of 1945, Chapter 476, by eliminating the funds of the state gasoline tax to the road law.
21. Private Acts of 1953, Chapter 208, amended Private Acts of 1945, Chapter 476, by increasing the salary of the road superintendent to \$2,400 per anum.
22. Private Acts of 1959, Chapter 60, amended Private Acts of 1945, Chapter 476, by increasing the salary of the secretary-bookkeeper to \$100 per month.
23. Private Acts of 1963, Chapter 188, amended Private Acts of 1945, Chapter 476, by authorizing \$125 per month to the superintendent as reimbursement for his expenses in carrying out the duties of his office. In addition, this act further amended Private Acts of 1945, Chapter 476, by increasing the salary of the secretary-bookkeeper to \$150 per month.
24. Private Acts of 1967-68, Chapter 105, amended Private Acts of 1945, Chapter 476, by providing \$300 per month to the superintendent for the use of his car in conjunction with his duties as road superintendent. Furthermore, the salary of the bookkeeper was increased to \$300 per month.
25. Private Acts of 1967-68, Chapter 467, amended Private Acts of 1945, Chapter 476, by providing \$200 per month to the superintendent for the use of his car in conjunction with his duties as road superintendent. Furthermore, the salary of the bookkeeper was decreased to \$200 per month.
26. Private Acts of 1974, Chapter 283, would have amended Private Acts of 1945, Chapter 476, but the act was not acted upon by local authorities prior to the publication of the 1974 Volume of Tennessee Private Acts.
27. Private Acts of 1979, Chapter 111, repealed Private Acts of 1945, Chapter 476 and all amendatory acts.

Chapter X - Law Enforcement

Offenses

Firearms

Private Acts of 1961 Chapter 312

SECTION 1. That this Act prohibits the use of Firearms for hunting on Sundays in Counties having a population of not more than Twelve Thousand, Five Hundred Fifteen (12,515) and not less than Twelve Thousand, Five Hundred (12,500) according to the Federal Census of 1960 or any subsequent Federal Census. It is hereby declared to be a misdemeanor for any person to use Firearms of any nature for the purpose of hunting on Sundays.

SECTION 2. That upon conviction of any person for the use of Firearms on Sundays contrary to the provisions of this Act he shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00).

SECTION 3. That the provisions hereof shall have no effect until approved by a two-thirds ($\frac{2}{3}$) vote of the Quarterly County Court of counties hereby affected at a regular meeting of said County Court occurring more than thirty (30) days subsequent to the approval of this Act by the Chief Executive of the State. Its approval or non-approval shall be proclaimed by the presiding Officer of said Quarterly County Court and the action of the Quarterly County Court thereon shall be certified by him to the Secretary of State, at Nashville.

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

Passed: March 15, 1961.

Law Enforcement - Historical Notes

Militia

Those acts once affecting Grainger County, which related to the militia and to other law enforcement agencies other than the sheriff, are mentioned below in chronological order.

1. Acts of 1803, Chapter 1, provided for the better establishment and regulation of the militia of the state. The militia of Grainger County composed the seventh regiment of the state.
2. Acts of 1815, Chapter 119, provided for the better establishment and regulation of the militia of the state. The militia of Grainger County composed the seventh regiment of the state.
3. Public Acts of 1819, Chapter 68, revised and amended the militia laws of the state. The militia of Grainger County composed the seventh regiment of the second brigade and held regimental musters on the second Saturday in the month of October.
4. Public Acts of 1826, Chapter 69, revised and amended the militia laws of the state. The militia of Grainger County composed the seventh regiment of the second brigade and held regimental musters on the second Saturday in the month of October.
5. Public Acts of 1835-36, Chapter 21, divided the militia of the state into companies, battalion, regiments, brigades and divisions. The militia of Grainger County composed the fifteenth and sixteenth regiments. In addition, the militia of Grainger County was placed in the third brigade, second division.
6. Acts of 1839-40, Chapter 56, revised the militia laws of the state. The militia of Grainger County composed the fifteenth and sixteenth regiments of the third brigade.
7. Public Acts of 1861, Chapter 1, revised the militia laws of the state. The militia of Grainger County composed the fifteenth and sixteenth regiments of the third brigade.

Offenses

The act briefly summarized below fell into this category in Grainger County. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Private Acts of 1947, Chapter 430, regulated the possession, storage, use, manufacture or sale of pyrotechnics in Grainger County. This act was repealed by Private Acts of 1959, Chapter 116.

Sheriff

The following acts have no current effect but are included here for reference purposes since they once applied to the Grainger County Sheriff's Office.

1. Private Acts of 1825, Chapter 269, fixed and regulated the compensation of the Grainger County Sheriff to \$800 per annum.
2. Private Acts of 1825, Chapter 290, authorized the sheriff of Grainger County to appoint an additional deputy.
3. Private Acts of 1833, Chapter 246, authorized the sheriff of Grainger County to appoint an additional deputy.

Chapter XI - Libraries

County Governmental Library Commission

Private Acts of 1974 Chapter 375

SECTION 1. There shall be created in Grainger County, a commission to be known as the Grainger County Governmental Library Commission. Said Commission shall be composed of four (4) members. Two (2) shall be appointed by the circuit court judge and two (2) members shall be appointed by the chancery court judge for a term of two years on a calendar year basis. Provided, however, the judges shall initially appoint one-half of the commissioners to serve through the balance of the calendar year in which this act becomes effective, and one-half through the balance of the subsequent calendar year, so that the commissioners will thus serve through the balance of the calendar year in which this act becomes effective, and one-half through the balance of the subsequent calendar year, so that the commissioners

will thus serve staggered terms. They shall serve without salary, and shall themselves elect a chairman and a secretary from their members. Each commissioner shall serve until his successor is appointed. In the event of vacancy in the office of a commissioner by death, resignation, refusal to serve, or otherwise, such vacancy shall be filled for the balance of said term two (2) years by the judge or his successor in office who made the original appointment of said commissioner.

SECTION 2. The purpose of the commission shall be to establish, acquire, maintain and operate a county governmental library. The commission shall have full power and authority to acquire by purchase, gift, rent, lease, loan or otherwise, law books, codes, treatises, periodicals or other works of law, government, medicine, literature or other written materials that they may deem necessary or beneficial to the courts, state, county and municipal officials, members of the bar and the public, for research or use in the preparation, trial or decisions of any matters that come or may come before the courts of the county and state, or of use by public officials or the public, on questions of law or government; also to acquire in like manner furniture, fixtures, bookcases, supplies and all things necessary to establish, maintain and operate the county governmental library; together with the right to employ and discharge librarians and other assistants, to fix salaries of said employees; and in their discretion to make all reasonable rules and regulations governing the operation and use of the library. Space in which to house the library shall be provided by the county in the Grainger County Court House in Rutledge without cost to the county governmental library commission. All books, furniture and other equipment so purchased or acquired shall become the property of the county.

SECTION 3. For the purpose of financing said library, one dollar (\$1.00) of the county litigation tax on all civil and criminal cases in all courts, shall be deposited, by the county Trustee, in the County Governmental Library Fund and used only for the purpose set out in this act. On approval of a majority of the commission the chairman and secretary shall draw warrants on the county trustee is authorized and directed to make payment out of such fund upon all warrants presented in compliance with the provisions of this Act and signed by the chairman and secretary.

As amended by: Private Acts of 1983, Chapter 319

SECTION 4. The commission shall have full power and authority if necessary to provide sufficient operating funds, to assess lawyers and others, except judges and public officials, reasonable dues or charges for the use of the library, and to make charges for the use, damage or destruction of books or other property, and that any income from said dues or charges shall be paid by the commission into the office of the county trustee in a like manner and at like times as monies collected hereunder shall be paid by the clerks of the various counts to the county trustee.

SECTION 5. The commission shall keep written minutes of their meetings, at which meetings a majority of all members of the commission then serving shall constitute a quorum for the transaction of business, and the commission shall keep a record of monies received and disbursed, purchases, loss or destruction of books or other property, and a property inventory, with reasonable accuracy.

SECTION 6. This Act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the quarterly county court of Grainger County before July 31, 1974. 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 7. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.

Passed: March 28, 1974.

Chapter XII - Taxation

Hotel/Motel Tax

Private Acts of 2021 Chapter 30

SECTION 1. As used in this act:

(1) "Clerk" means the county clerk of Grainger County, Tennessee, or such other officer as the county legislative body may direct;

(2) "Consideration" means the consideration charged, whether or not received for the occupancy in a hotel valued in money whether to be received in money, goods, labor, or otherwise, including all receipts, cash, credits, property, and services of any kind or nature without any deduction therefrom whatsoever. This definition does not imply that consideration is charged when the space provided to the person is complimentary from the operator and no consideration is charged to or received from any person;

(3) "County" means Grainger County, Tennessee;

(4) "Hotel" means any structure or space, or any portion thereof, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist camp, tourist court, tourist cabin, campground, motel or any place in which rooms, lodging, or accommodations are furnished to transients for a consideration;

(5) "Occupancy" means the use or possession, or the right to the use or possession, of any room, lodgings, or accommodations in any hotel;

(6) "Operator" means the person operating the hotel whether as owner, lessee, or otherwise, and includes governmental entities;

(7) "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver trustee, syndicate, governmental unit other than the United States or any of its agencies, or any other group or combination acting as a unit; and

(8) "Transient" means any person who exercises occupancy or is entitled to occupancy for any rooms, lodging, spaces, or accommodations in a hotel for a period of less than thirty (30) continuous days.

SECTION 2. The legislative body of Grainger County is authorized to levy a privilege tax upon the privilege of occupancy in a hotel of each transient, in the amount not to exceed five percent (5%) of the rate charged by the operator. The tax imposed is a privilege tax upon the transient occupying such room or other accommodation and is to be collected and distributed as provided in this act. The rate of the tax may be modified by the county legislative body up to the percentage limitation stated in this section. Such tax is in addition to all other taxes levied or authorized to be levied whether in the form of excise, license, or privilege taxes, and shall be in addition to all other fees and taxes now levied or authorized to be levied; provided, that, pursuant to Tennessee Code Annotated, Section 67-4-1425, Grainger County is prohibited from levying the tax within a municipality that has levied an occupancy tax prior to the effective date of this act.

SECTION 3.

(a) Each operator shall add the occupancy tax to each invoice prepared by the operator for the occupancy of the hotel. The invoice must be given directly or transmitted to the transient, a copy thereof to be retained and filed by the operator as provided in Section 8.

(b) When a person has maintained occupancy for thirty (30) continuous days, that person is entitled to receive from the operator a refund or credit for the tax previously collected or charged, and the operator is entitled to receive credit for the amount of such tax if previously paid or reported to the county.

SECTION 4. An operator of a hotel shall not advertise or state in any manner, whether directly or indirectly that the tax or any part thereof will be assumed or absorbed by the operator or that it will not be added to the rent, or that if added, any part will be refunded.

SECTION 5.

(a) Each operator who leases, rents, or charges for rooms or space in hotels within the county shall remit the tax collected by the operator to the clerk not later than the twentieth day of each month for the preceding month. The operator shall collect the tax from the transient at the time of the presentation of the invoice for occupancy, whether prior to, during, or after occupancy, as may be the custom of the operator. If credit is granted by the operator to the transient, then the obligation to the county entitled to such tax is that of the operator.

(b) For the purpose of compensating the county clerk for collecting the tax, the clerk may retain five percent (5%) of the amount of the tax remitted by the operator.

(c) The clerk shall faithfully account for, make proper reports of, and pay over to the trustee of the county at monthly intervals, all funds paid to, and received by, such clerk for the privilege tax authorized by this act.

SECTION 6.

(a) The clerk shall collect the tax and place the proceeds of the tax in accounts as designated in Section 10 for the purposes stated therein. Each operator shall file with the clerk a monthly tax return under oath with such number of copies thereof as the clerk may reasonably require for the collection of such tax. The report of the operator must include such facts, and information as may be deemed reasonable for the verification of the tax due. The clerk shall develop the form of such report, and the form must be approved by the county legislative body prior to use. The clerk shall audit each operator in the county at least once per year and shall report on the audits on a quarterly basis to the county legislative body.

(b) The county legislative body may adopt resolutions to provide reasonable rules and regulations for the implementation of the provisions of this act, including the form for such reports.

SECTION 7.

(a) Taxes collected by an operator that are not remitted to the clerk on or before the due dates are delinquent. An operator is liable for interest on such delinquent taxes from the due date at the rate of twelve percent (12%) per annum, and is liable for an additional penalty of one percent (1%) for each month or fraction thereof such taxes are delinquent. The interest and penalties become a part of the tax herein required to be remitted.

(b) Each occurrence of knowing refusal of an operator to collect or remit the tax or knowing refusal of a transient to pay the tax imposed is a separate violation of this act and may result in the imposition of a civil penalty, to be imposed separately for each violation, not to exceed fifty dollars (\$50.00) upon a finding of such knowing refusal by a court of competent jurisdiction. As used in this section, "each occurrence" means each day.

(c) This section does not prevent the clerk or other authorized collector of the tax from pursuing any civil remedy available to the collector by law, including issuing a distress warrant and the seizure of assets, to collect any taxes due or delinquent under this act.

SECTION 8. Each operator liable for the collection and payment to the county of any tax levied pursuant to this act shall keep and preserve for a period of three (3) years all records necessary to determine the amount of such tax. The clerk may inspect the records of each operator at all reasonable times.

SECTION 9.

(a) In administering and enforcing the provisions of this act, the clerk has as additional powers the powers and duties with respect to collecting taxes as provided in Tennessee Code Annotated, Title 67, or otherwise provided by law for county clerks.

(b) Upon any claim of illegal assessment and collection, the taxpayer has the remedies provided in Tennessee Code Annotated, Title 67, it being the intent of this act that the provisions of law that apply to the recovery of state taxes illegally assessed and collected also apply to the tax levied pursuant to this act. Tennessee Code Annotated, Section 67-1-707, is applicable to adjustments and refunds of such tax. With respect to the adjustment and settlement with taxpayers, all errors of county taxes collected by the clerk under the authority of this act must be refunded by the clerk.

(c) Notice of any tax paid under protest must be given to the clerk, and the resolution authorizing levy of the tax must designate a county officer against whom suit may be brought for recovery.

SECTION 10. The proceeds of the tax authorized by this act must be deposited in the general fund held solely for expenditures therefrom as may be adopted by county legislative body.

SECTION 11. The tax levied pursuant to this act shall only apply in accordance with the provisions of Tennessee Code Annotated, Section 67-4-1425.

SECTION 12. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision's application, and to that end the provisions of this act are declared to be severable.

SECTION 13. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Grainger County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified to the secretary of state.

SECTION 14. 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 as provided in Section 13.

Passed: May 12, 2021.

Litigation Tax

Private Acts of 1983 Chapter 319

SECTION 1. There is hereby imposed a special privilege tax in the amount of five dollars and twenty-five (\$5.25) on every civil case and fifteen dollars (\$15.00) on every criminal case instituted in any court in Grainger County, except original proceedings in Juvenile Court and cases instituted in any City Court.

SECTION 2. The clerks of the various courts who are required to collect the state litigation tax shall also

collect the tax imposed by this act in the same manner as the state litigation tax imposed by Tennessee Code Annotated, Section 67-4102, Item J, is collected and shall be liable for the collection of the tax imposed by this Act.

SECTION 3. The privilege taxes collected pursuant to this Act shall be paid over monthly to the county Trustee and shall be distributed in the following manner:

(A) One dollar (\$1.00) of the tax collected on each case shall be deposited in a special fund known as the "Courthouse Remodeling, Refurbishing, and Maintenance Fund" for the purpose of providing for remodeling, refurbishing and maintaining the Courthouse and grounds. Monies from this fund shall be used only for the purposes described above unless otherwise approved by majority vote of the county commission.

(B) One dollar (\$1.00) of the tax collected on each case shall be deposited into the County Governmental Library Fund and used only for the purpose set out in Chapter 375 of the Private Acts of 1974.

(C) The remainder of the tax collected under the provisions of this Act shall be deposited, by the trustee, in the county general fund to be used for any county purpose authorized by the county commission.

COMPILER'S NOTE: Section 4 amended Private Acts of 1974, Chapter 375 which is printed herein.

SECTION 5. Chapter 202 of the Private Acts of 1982 is hereby repealed in its entirety.

SECTION 6. This Act shall have no effect unless it shall be approved by two-thirds (2/3) majority of the Board of County Commissioners of Grainger County. 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 become effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective on the first day of the month after its approval as provided in Section 6.

Passed: March 3, 1983.

Private Acts of 1976 Chapter 296

SECTION 1. There is imposed upon each case of any description filed in any of the following courts sitting in Grainger County a tax of one dollar (\$1.00), to be assessed and collected as a part of the costs of the case; circuit court, chancery court, county court, general sessions court, and any municipal court in Grainger County.

SECTION 2. There is imposed a special privilege tax of one dollar (\$1.00) upon and with respect to each and every instrument offered for recordation in the office of the county register of Grainger County, the payment of which shall be a condition precedent to the recordation of the instrument.

SECTION 3. The litigation taxes provided for herein shall be collected by the clerks of the respective courts in which cases are filed, and the registration tax herein provided for shall be collected by the county register. Each of the officials shall be accountable for and shall pay over such revenue to the county trustee quarterly, not later than the tenth (10th) day of the month following the quarter in which collections are made.

SECTION 4. It is hereby expressly provided that the term "case" shall include ex parte as well as adversary or contested proceedings.

SECTION 5. The trustee shall deposit the taxes herein collected in a special fund hereby created, to be known as the "Courthouse Remodeling, Refurbishing, and Maintenance Fund", for the purpose of providing for the remodeling, refurbishing, and maintenance of the Grainger County courthouse and the grounds thereof. Decisions on remodeling, refurbishing, and maintenance, and the dispersal of monies from the fund shall be made by a committee composed of the County Judge, as Chairman, and two (2) members of the quarterly county court, to be selected by the County Judge and approved by the court. Monies from the fund shall be used only for courthouse remodeling, refurbishing, or maintenance, unless otherwise approved by the committee.

SECTION 6. The taxes imposed herein shall be permanent and shall provide a permanent fund for maintenance remodeling, and refurbishing of the Grainger County courthouse, and may be used for any alteration, addition, or other project involving the courthouse which is approved by the quarterly county court.

SECTION 7. This act is hereby declared to be severable, and if any portion thereof be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining portions, it being

the intent that the latter would have been enacted in the absence of the invalid portions.

SECTION 8. This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the Quarterly County Court of Grainger 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 9. 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 8.

Passed: March 11, 1976.

Taxation - Historical Notes

Assessor of Property

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 Grainger County Assessor. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Acts of 1845-46, Chapter 116, placed a tax on Grainger County for the purpose of building a courthouse. The tax was to be collected by the tax collector or sheriff of the county and given to the commissioners appointed to superintend the building of the courthouse.
2. Private Acts of 1921, Chapter 101, set the compensation of the Grainger County Tax Assessor to \$750 per annum. This act was amended by Private Acts of 1933, Chapter 543.
3. Private Acts of 1925, Chapter 478, set the compensation of the Grainger County Tax Assessor to \$1,000 per annum.
4. Private Acts of 1931, Chapter 336, amended the above act to provide for the payment of the assessor's salary in two payments instead of in one.
5. Private Acts of 1935, Chapter 77, provided for a tax assessor in each civil district to assume the duties once provided by the county tax assessor for Grainger County.
6. Private Acts of 1937, Chapter 140, repealed Private Acts of 1935, Chapter 77.
7. Private Acts of 1949, Chapter 366, increased the compensation paid to the Grainger County Tax Assessor to \$1,500 per annum.
8. Private Acts of 1953, Chapter 448, increased the compensation paid to the Grainger County Tax Assessor to \$2,400.

Taxation

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

1. Acts of 1796 (1st Sess.), Chapter 28, set the tax rate and enumerated the things to be taxed for the new county of Grainger.
2. Acts of 1799, Chapter 29, set the tax rate again and regulated the methods of collection and accounting.
3. Acts of 1801, Chapter 60, authorized the Grainger County Court to levy an additional tax of the purpose of building a new courthouse.
4. Private Acts of 1931, Chapter 612, authorized Grainger County to levy and collect a tax on all the personal and real property and all ad valorem when an appropriate order was made by the county quarterly court which authorized such levy for county purposes in a sum not to exceed .30¢ on the \$100 of taxable property in Grainger County.
5. Private Acts of 1976, Chapter 2, would have imposed a \$1.00 litigation tax to be used for courthouse refurbishing and maintenance. This act was not ratified and never became effective.
6. Private Acts of 1982, Chapter 202, imposed a \$1.00 litigation tax, with the proceeds to be used to refurbish and maintain the Grainger County Courthouse. This act was repealed by Private Acts of 1983, Chapter 19.

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