



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Administration - Historical Notes

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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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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The following acts once created a budgeting system for Grainger County, but they have been specifically repealed or superseded by current law.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 Private Acts of 1998, Chapter 108, repealed Private Acts of 1939, Chapter 502, and any other acts amendatory thereto, relative to the Grainger County Budget and Finance Commission.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 Private Acts of 1831, Chapter 91, Section 2, repealed all laws which authorized the county courts of Grainger County to hold quorum courts.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 Pleas 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 Grainger 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.

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