



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

November 21, 2024

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# Grundy

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

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# Grundy



Grundy County Courthouse

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# Chapter I - Administration

## Budget System

### Private Acts of 1935 Chapter 483

**SECTION 1.** That there is hereby created and established for Grundy County, Tennessee, a Budget System under and by the terms of which said County shall operate its affairs.

**SECTION 2.** That it shall be the duty of the Highway Commissioners of Grundy County, on or before the first Monday in April of each year, to prepare and file with the County Court Clerk of said County, an itemized statement or budget of the funds which said Commissioners estimate to be necessary for the construction, maintenance, upkeep and operation of the roads, bridges and county workhouse, and expenses incident thereto, for the year commencing on the first day of September following the making of said report; said budget shall show in detail and in separate items the estimated amounts necessary for salaries and office expenses, new equipment, maintenance or repair of old equipment, bridges, lumber, gravel, work-house expenses, as well as all other estimated necessary expenditures connected with or under the supervision of said Highway Commissioners, and said budget shall likewise show in parallel columns the amount expended during the previous year for the respective purposes. That it shall likewise be the duty of the County Board of Education of said County, on or before the first Monday in April of each year to prepare and file with the County Court Clerk of said County, an itemized statement or budget of the funds which said Board of Education estimates to be necessary for the maintenance and operation of the schools in said County, and expenses incident thereto, for the year commencing on the first day of September following the making of said report; and said budget shall show in detail and in separate items the estimated amounts necessary for office expenses and salaries of the County Superintendent of Schools and his assistants, salaries of teachers for the different County Elementary and High-Schools, the aggregate of the salaries for each individual school, for the purchase of new equipment, the maintenance and repair of old equipment, school buildings and repairs for school buildings, janitor service, bus service, insurance, and all other expenses incident to or connected with the public school system in said County, whether the same has been specifically set out in this Act or not. Said budget shall likewise show in parallel columns the amounts expended during the previous year for the respective purposes.

That it shall be likewise the duty of the County Judge of Grundy County, on or before the first Monday of April in each year, to prepare and file with the County Court Clerk of said County an itemized statement or budget of the funds which he estimates necessary to be expended from the general county fund during the year commencing on the first day of September following said report, for the payment of salaries, mother's pensions, maintenance of insane patients, jail bills, improvements and repairs of Court House and/or Jail, court costs, jail buildings and all other expenses which should be properly paid out of the general county fund, whether specifically set out in this Act or not. It shall also be the duty of the County Judge of said County, at the same time to prepare and file with the County Court Clerk, a statement or budget showing the amounts necessary to pay the principal and interest on any county bonds which may become due during the year for which said budget is being made, and shall also show in parallel columns the amounts expended during the previous year for the respective purposes.

That it shall be the duty of all other county officials, agencies or parties not hereinabove specifically mentioned, having authority to expend, county, school, road, bridge, or other funds of said County, to file with said clerk on or before the first Monday of April each year, an itemized statement or budget of the funds estimated to be necessary to be expended by said officials, agencies or parties for the year commencing the first day of September following the making of said report.

That it shall be the duty of the County Trustee of said County, on or before the first Monday in April of each year to prepare and file with the County Court Clerk of said County an itemized statement or budget of all funds, exclusive of funds to be derived from tax on property, which he has reasonable grounds to believe will be paid into his office during the year commencing on the first of the following September, and which will be available for the purpose of defraying the expense of the county government during said year; and said statement shall show the source of each fund and said Trustee shall likewise show in a parallel column the amount received for the same sources during their year ending on the preceding August 31st, as near as may be practicable, and he shall likewise show in said statement the actual amount collected from the county tax on property, during the year ending on the preceding August 31st.

It shall be the duty of the County Court Clerk to record the budgets herein referred to in a well bound book kept for that purpose and in a manner that shall make a permanent record of the same.

**SECTION 3.** That the duty of preparing and presenting to the County, the budget for Grundy County, at

its July term each year, shall devolve upon the County Revenue Commissioners of said County, and one of said Commissioners shall act as Secretary of said Commissioners and shall keep a complete record of the acts of said Commissioners relative to the preparation and presentation of said budget, and in so far as their duties pertain to the preparation and presentation of said budget, they shall be, and in this Act are referred to and designated as the Budget Commission for Grundy County, Tennessee.

**SECTION 4.** That each year prior to the meeting of the July term of the Quarterly Court of Grundy County, it shall be the duty of said Budget Commission to consider and examine the budgets referred to in Section 2 of this Act, and such other records and data as may be necessary, and to prepare on appropriate forms a complete itemized budget covering all of the proposed expenditures of every kind and description to be made by or on behalf of the County for the year beginning on September 1st following. And in preparing said budget, said Commission is not to be bound by the recommendations of the various departments of the County referred to in Section 2 hereof, but shall make such changes as in the opinion of said Commission are to the best interests of the County.

That immediately upon its organization said Budget Commission shall cause to be prepared and printed appropriate forms on which the budgets of the various departments of the County referred to in Section 2 hereof are to be submitted and also appropriate forms for the budget herein provided for to be prepared and submitted by said Commission. That said forms shall be of such a nature as to enable said Commission to submit to the Quarterly Court as hereinafter provided a complete itemized budget and financial statement of the County in simple, intelligible form, to the end that the Quarterly Court shall have before it in said budget all of the data necessary to enable it to intelligently determine the proper amount to be allowed to the various departments of the County during the year for which the budget is proposed and the amount of revenue that will be available to pay the amount so allowed. And in determining the nature and kind of said forms, said Budget Commission may seek such expert advice in respect to this matter as will enable it to accomplish the desired end.

That said budget, when prepared by said Budget Commission, shall be filed with the County Court Clerk and by him recorded along with the budgets prepared by the several departments of the County, as hereinabove provided for, in a well bound book and kept as a permanent record in the office of the County Court Clerk; and shall be submitted by the Chairman of the Commission each year to the July Term of the Quarterly Court of Grundy County in open Court; and it shall be the duty of said Court before fixing the tax rate for the current year to fully consider in open Court said budget prepared by said Budget Commission, but the same shall not be in any way binding on said Court. That said Court shall have full right and power to alter, vary or change in any way it deems right and proper said budget so submitted by said Budget Commission or any part of said budget thereof, but it shall be the positive duty of said Court at its July Term each year, to fix, establish and adopt a complete, itemized budget of the amounts to be expended by each department of the County Government during the year beginning on the first day of September following, and no warrant drawn against the County's funds or any funds accruing to the office of the County Trustee from any source, after September 1, 1935, shall be binding on the County unless the items or expense for which said warrant is issued shall have been included in a budget adopted by said Court as herein provided for; and no warrant shall be valid or binding on the County after the aggregate amount of warrants theretofore drawn during the fiscal year by or on behalf of any department of the County Government, shall equal the amount allowed said department in the budget adopted for that year.

That in preparing said budget it shall be the duty of the Budget Commission to take into consideration any unexpended balances that may remain to the credit of any department at the end of the year from the amount allowed such department for the previous year.

That, as nearly as may be practicable, said Commission shall show in its budget the amount of actual expenditures of each department of the County Government during the preceding year, covering each item or head in the budget, said amounts for such previous year to be shown in a column parallel to that containing the proposed amount recommended for the ensuing year, so that when completed said budget will show not only the proposed expenditures for the ensuing year, but the actual expenditures under each head for the past year.

That from the data and information herein required to be prepared and filed with the County Court Clerk by the County Trustee, and such other data as it may be necessary to examine, said Budget Commission shall show in its budget an itemized statement or estimate of all funds, exclusive of the funds derived from the County tax on property, which said Commission has reasonable grounds to believe will be available during the year for the payment of the amounts allowed in its said budget for said year, and it shall also show as nearly as may be practicable, the amounts of revenue derived from the same sources during the past year, together with the amount actually collected from the County tax on property during such preceding year.

That along with its budget and report said Commission shall submit to said Court such other data, information and recommendations as it may deem advisable and necessary to enable the said Quarterly Court and the public to fully understand the financial condition of the County and the necessity for the amount fixed in said budget and the tax rate on property recommended by said Commission.

That the Secretary of said Commission shall mail a full and complete copy of the report and budget prepared by said Commission, to each member of the Quarterly Court, at least ten days before the July Term of said Court, and shall also cause a copy of said report and budget to be posted at three public places in Grundy County at least ten (10) days before each July Term of the Court, one of which places shall be at the Court House of said County.

**SECTION 5.** That for the year 1935 the reports from the County Judge, Trustee, Highway Commissioners, and all other Departmental Heads of said County required to be filed with the County Court Clerk on or before the first Monday in April, shall be filed with said clerk on or before the first Monday in June, 1935; and for the year 1936 and all subsequent years said reports shall be filed on or before the first Monday in April, as provided by this Act.

**SECTION 6.** That in the event said Budget Commission fails, refuses or neglects to prepare and submit the budget herein provided for to the said Quarterly Court at its July Term, then it shall be the duty of the County Judge at said Term of Court to appoint three competent persons to prepare and present the Budget for the ensuing year to the said Court, and it shall be the duty of said Court to adopt an itemized budget covering the amounts to be expended by each department of the County Government for the year beginning on the first day of the following September, and said budget shall be of the same kind and form as that herein required to be prepared by said Budget Commission, and it shall be a misdemeanor in office for any official of Grundy County, from and after September 1, 1935, to draw, sign or issue the warrant of Grundy County, against any fund of said County, unless a budget has been adopted by said Quarterly Court as herein provided for; and no warrant shall be valid or binding on the County of Grundy unless the item of expense for which said warrant is drawn shall have been included in a budget adopted according to the provisions hereof.

That the Budget as finally adopted by the Quarterly Court at its July Term each year shall be spread on the Minutes of said Court, and from and after September 1, 1935, no warrants shall be drawn against any of the funds of Grundy County by any official of said County unless and until a budget has been adopted by said Quarterly Court as herein required; provided, that warrants may be issued prior to September 1, 1935, covering any obligations or indebtedness of said County actually incurred prior to that date.

**SECTION 7.** That it shall be the duty of each Department of the County Government that disburses public funds, or are authorized to issue orders upon which such disbursements are made, from any of the funds of said County, to keep all such bonds and records as will enable them to fully and specifically comply with the provisions of this Act. Each of said departments and officials shall close the books kept by him or them as of the 31st day of August of each year, showing the balance then to his or their credit, said balance to represent the difference between the amount allowed said department in the budget for the year ending on that date, and the aggregate amount of warrants issued and chargeable against said amount allowed in said budget, regardless of whether said warrants have been paid or not; and it shall likewise be the duty of each of said departments and said officials to open his or their books on the first day of September of each year, bringing forward the balance, if any, arrived at in the manner herein provided for, remaining to the credit of said department from the previous year, to which shall be added the amount allowed said department in the budget adopted by the Quarterly Court at its July Term next preceding.

That said book shall be kept in such a manner as to at all times show the amount allowed that department or fund in said budget adopted at the July Term of the Quarterly Court and the amount of all warrants drawn and/or chargeable against said fund, regardless of whether said warrant has been paid or not, said warrants to be posted in said book as the same are issued.

That on the first day of each September hereafter the amount allowed each department or disbursing agency of the County Government or County Fund in said budget shall also be placed at the appropriate place on the stubs in the several Warrant Books containing the warrants to be used by said department or County Agency, in drawing on any of the funds of said County and said amount shall be added to any balance remaining from the previous year; and at the end of each day it shall be the duty of every official issuing warrants of any kind against any such fund, to subtract the aggregate of the warrants issued that day from the previous balance arrived at as herein provided for, and the balance thus arrived at shall be brought forward each day at an appropriate place on the stubs remaining in said Warrant Book; and at the end of each month it shall be the duty of every official drawing warrants against any of the funds of Grundy County, to reconcile the balance to the credit of the fund drawn against as shown on the warrant stubs, with the balance to the credit of said fund as shown by the book required to be kept by said official;

provided that for the year beginning September 1, 1935, the books of each department shall be opened by placing to the credit of each department the amount allowed it in the budget adopted at the July Term 1935, of the Quarterly County Court, without regard to the number of warrants theretofore issued by said departments or the Heads thereof, which have not been paid; and said amount so allowed said department for the year beginning September 1, 1935, shall also be placed at an appropriate place on the stubs of the warrant book used by said department before any warrants are drawn or issued by said department after the beginning of said year, and thereafter the balance from day to day shall be arrived at and carried in said warrant book stubs as herein provided for.

**SECTION 8.** That it shall be unlawful and a Misdemeanor in Office, for any official or employee of Grundy County to draw, sign, issue, deliver, or to authorize the drawing, signing, issuance or delivery of any warrant against any fund of said County, when the aggregate of the warrant theretofore issued, signed or authorized to be issued, whether the same have been paid by the Trustee or not, equals the amount allowed in the budget adopted by the Quarterly Court to that department or fund of the County against which said warrant would otherwise be chargeable, plus the balance, if any, that may have been brought forward to the credit of such department or fund from the previous year, and it shall also be a misdemeanor in office for any official to sign or issue, or authorize the signing or issuance of a warrant or warrants against any of the funds of Grundy County in excess of the amount allowed said fund in the budget adopted by the Quarterly Court, plus any balance remaining to the credit of such fund from the previous year.

That it shall be the mandatory duty of every official drawing the warrants against any of the funds of said County, to keep advised and know before he signs, issues or delivers any warrants or authority to issue a warrant, whether or not the aggregate of the warrants theretofore issued against said funds out of which said warrant is payable, equals the amount allowed said fund or department in the budget for that year, plus any balance brought forward from the previous year, and it shall be the duty of said Budget Commission before submitting its annual report to the Quarterly Court, to examine the books and records of each department of the County Government for the purpose of ascertaining whether or not the warrants issued by or on behalf of any of said departments during the year ending on the preceding August 31, have exceeded the amount allowed said department in the budget adopted in that year, and said Commission shall show in its report to be filed with its budget each year the departments, if any, that have issued warrants or authorized their issuance, in excess of the amounts allowed such department in the budget for said year, and it shall be the mandatory duty of the Quarterly County Court, when it shall appear to their satisfaction that any department has exceeded said budget, to direct the County Court Clerk, by proper order on the Minutes of said Court, to certify the facts to the District Attorney General for presentation to the Grand Jury at the next Term of the Circuit Court; and it shall be the duty of the District Attorney General to present the facts to said Grand Jury and to institute such other proceedings as may be necessary to give full effect to the provisions of this Act.

**SECTION 9.** That it shall be a Misdemeanor in Office for any County officer, agent or employee, including members of the Grundy County Board of Highway Commissioners, the members of the Grundy County Board of Education, the County Superintendent of Education, the County Judge and/or the County Court Clerk, to violate any of the provisions of this Act or to fail or refuse to do or perform any of the duties placed upon them or any of them by this Act, and any such officer or officers violating any of the provisions of this Act shall be subject to a fine not to exceed Five Hundred Dollars and be subject to removal from office, in any appropriate legal proceeding brought for that purpose.

**SECTION 10.** That all laws in conflict with this Act are hereby repealed.

**SECTION 11.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: April 15, 1935.

## County Judge

### Private Acts of 1921 Chapter 579

**SECTION 1.** That there be, and there is hereby created, the office of County Judge, in all Counties in this State, including Grundy County, having a population of more than nine thousand, seven hundred and fifty, but less than nine thousand, seven hundred and fifty-five, according to the Federal Census of 1920, or that may have such population by any subsequent Federal Census.

**SECTION 2.** That no person shall be eligible to fill the office of County Judge in such Counties, unless he be a bona fide resident of such County, and shall have resided in such County at least two years immediately before his election, and he shall be learned in the law, and thirty, or more years of age.

As amended by: Private Acts of 1923, Chapter 645

**SECTION 3.** That the Governor appoint and commission a County Judge for said County until September 1, 1922.

**SECTION 4.** That the General County Election in August, 1922, and at the same time and place, and by the same election officers, there shall be elected by the qualified voters of Grundy County a County Judge, who shall assume and take office on the first Monday in September, 1922, and he, together with his successors, shall hold office for a term of four years, and until his successor is elected and qualified, and in case of a vacancy in said office of County Judge, by death, sickness, or other inability, the office shall be filled, or supplied in the same mode and manner, as provided for other Judges of the State in like cases.

**SECTION 5.** That said County Judge shall hold and preside over all the County Courts of said County and he is hereby clothed with all the powers, authority, and jurisdiction now possessed and exercised by the Chairman of the County Court of said County, and in addition to the powers and authority therein specifically conferred on said County Judge.

**SECTION 6.** That the County Courts shall have its sessions as the same time as now provided by law, and the Clerk of the County Court shall continue to be the Clerk of said Court, with all the duties and powers now, or hereafter to be fixed by law.

**SECTION 7.** That the Governor shall commission all county Judges selected under this Act, in the same manner as other Judges of this State are commissioned.

**SECTION 8.** That the County Judges of said County, before entering upon the discharge of their duties, and before being commissioned as such, shall take and subscribe to the same oath as now required by law of the Circuit Judges of this State, and shall give bond with good and solvent surety, to be approved by the Circuit Judge of such County in the penalty of two thousand dollars, payable to the State of Tennessee, and conditioned for the faithful discharge of all his duties, and as financial agent and accounting officer of the County, which oath and bond shall be filed in the office of the County Court Clerk, and spread of record on the minutes of the Court.

**SECTION 9.** That the County Judge of said County be, and is hereby required, between January first, and April the first of each and every year, to make a complete examination and audit of the books and account of every county officer in said County pertaining in any way to their respective offices, including the office of the County Court Clerk, Circuit Court Clerk, Clerk and Master, Registrar, Trustee, Superintendent of Public Instruction for the County, Sheriff, Justices of the Peace and Road Commissioners, and Road Overseers and all other officials, said audit to cover the preceding year, and to effectually accomplish said examinations and audits, said County Judge is hereby given the authority to examine all records of any and all of said offices at any time he may demand, and may require any such officer, or officers by subpoena to appear before him and produce any record pertaining to any office and also examine any such officer on oath touching the conduct of his office, and the records therein, and any such officer failing to obey any such summons, or to produce his books on demand of the County Judge, shall be guilty of contempt of Court, and may be punished accordingly.

**SECTION 10.** That said Judge of the County Court shall make a written report of his audit and the condition of every County office in said County on or before the first Monday in April of each year; said report, to be made to the whole Quarterly Court, and then spread upon the minutes of the Court, and in event it appears that there has been any defalcation, misfeasance, or nonfeasance in any office, said County Judge shall immediately report that fact to the prosecuting attorney general for the District in which said County is located.

**SECTION 11.** That said County Judge shall not be precluded from practicing law, except in his own Court and cases appealed from his Court.

**SECTION 12.** That the County Judge shall have the custody of all books, papers and documents pertaining to his office, and the fiscal affairs of the County, and he shall cause to be entered in a well-bound book to be called the "warrant book" all warrants in the order in which they are issued, giving the number, date, amount, for what purpose and to whom issued, and no money shall be drawn from the County Treasury except on warrant signed by the County Judge and countersigned by the County Court Clerk and no warrant shall be signed or approved by the County Judge in payment of any account against any fund in said Treasury unless fully itemized and sworn to by the claimant, and in case of accounts against the road funds of the County, said itemized statement shall show who did the work, or furnished the material, when and upon what road, and by whose authority, and then approved by the Commissioner of the road district where the labor was performed, or material furnished.

**SECTION 13.** That the County Judge of said County shall have the power and authority to grant fiats for writs of injunction, and attachments or certiorari and supersedeas, appoint receivers and issue all other extraordinary writs, or authorize their issuance, the same as Chancellors and Circuit Judges of this State



have and possess, and also to hear and determine cases on writs of habeas corpus.

**SECTION 14.** That the said County Judge shall receive a salary of one thousand dollars per annum, payable quarterly out of the general county fund.

**SECTION 15.** That in event any section, or other portion of this bill should for any reason be declared unconstitutional, such decision by the Courts, shall in no way effect the remaining part and the operation of same.

**SECTION 16.** That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed and that this Act take effect from and after January first 1922, the public welfare requiring it.

Passed: March 31, 1921.

## Administration - Historical Notes

### County Executive

The references below are of acts which once applied to the office of county judge, or county executive in Grundy County. They are included herein for historical purposes only.

1. Private Acts of 1951, Chapter 90, recited in the preamble to the Act that the administrative duties of the County Judge had become very heavy and burdensome and, further, that he is called upon to perform many ex-officio duties and furthermore, the Quarterly County Court has approved an allowance of \$800 per year for the Judge as compensation for the aforesaid tasks, therefore, this Act authorizes the above amount to be paid to the County Judge in accordance with the terms herein as compensation for his extra duties and responsibilities.
2. Private Acts of 1955, Chapter 85, recites substantially the same facts in the preamble as above except that \$600 has been appropriated by the Quarterly Court as an allowance for the Judge and this Act increases the salary of the County Judge as the fiscal agent and administrative officer of the County and as compensation for the ex-officio duties the Judge is compelled to perform by \$600 per year, making a total salary of \$2,400, all to be paid out of the general funds of the County.

### County Legislative Body

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

1. Private Acts of 1843-44, Chapter 204, which created Grundy County, required the Quarterly Court, once elected to meet at Beersheba Springs until the County Seat was selected and prepared or until the Court decided to adjourn into another place.
2. Private Acts of 1921, Chapter 358, provided that all Justices of the Peace in Grundy County would be paid \$2.50 per day for the first day of any court term plus their mileage allowance but they would be compensated at the rate of \$2.00 only for any days after the first one.
3. Private Acts of 1955, Chapter 82 provided that the Justices of the Peace of Grundy County would receive ten dollars for each day's attendance upon the Quarterly County Court. In addition the Justices would receive twenty cents per mile traveling expense for each mile traveled between their home and the county seat.

### Purchasing

The following acts once affected the purchasing procedures of Grundy County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1845-46, Chapter 172, appointed A. E. Patton, Solomon P. Goodman, William B. Smart, Noah Bass, and John T. Neal, of Bedford County, as Commissioners to locate the County seat of Grundy County. It was their duty to locate the County seat in the center of the county, or as near thereto as possible, having due regard to the locality for its water supply. It was made the duty of the County Court of Grundy County to make an allowance out of any money, unappropriated by law for their services in this regard.
2. Acts of 1847-48, Chapter 96, established Altamont as the County seat of Grundy County. Greek Bawley, John Fultz, Noah Bass, Robert Tate, and Thomas Burrus were appointed as Commissioner to sell the lots in the town according to the plan on which they were laid off and to apply the proceeds to the construction of the necessary public buildings. James Tate, who has already built a house on one of the lots, may dispose of the same and retain the price received. The several courts of the County would be held at the house of Jesse Wooten until suitable arrangements

could be made to have them meet in Altamont.

3. Acts of 1853-54, Chapter 140, provided that Grundy County shall belong to the Shelbyville Bank District, and shall have one Director in the Branch of the Bank of Tennessee at Shelbyville, provided, however, that the number of Directors in the Branch for Bedford County shall not be reduced.
4. Acts of 1853-54, Chapter 184, incorporates Altamont under the Mayor - Aldermen form of Charter and government, conferring upon the newly fashioned city all the authority and privileges incidental to municipal types of corporate institutions. The Sheriff, or a Constable, will hold an election within the boundaries of that city on the first Saturday in March, next, for the purpose of electing five Aldermen who would choose one of their number to be Mayor.
5. Acts of 1857-58, Chapter 126, abolished the office of Entry Taker in Lawrence, DeKalb, White, Macon, Decatur, Grundy, Humphreys, and Wilson Counties. The Surveyors in those counties will hereafter perform the duties of the Entry Taker and receive all the pay and emoluments normally given to the Entry Taker. This Act was repealed insofar as Grundy County was involved by the one below.
6. Acts of 1861-62, Chapter 11, repealed Chapter 126, Acts of 1857-58, insofar as that Act applied to Grundy County thus restoring the office of Entry Taker.
7. Acts of 1867-68, Chapter 65, created a County Commission composed of three members who would serve three year, staggered terms of office, so that one would be elected each year, and who would be sworn and bonded. The remaining members would be the ones to fill any vacancy until the next general election. The Commission was required to hold quarterly meetings of which the County Court Clerk would keep records. All the powers of the County Court plus some others enumerated in this Act were granted to the County Commissioners. All Magistrates were stripped of all their duties, responsibilities and powers. No Commissioner could be interested in any public work, scheme, or contract. Section 14 extended the provisions of this Act to Coffee and Grundy Counties where the Grundy Chairman would be paid \$150 per year and the Commissioners would receive \$100.
8. Acts of 1869-70, Chapter 49, repealed the Act passed March 12, 1869, which created a Board of County Commissioners for Madison County and all other Acts which created these Boards in the past. All Acts which may have been repealed by those creating these Boards for any county expressly or impliedly, are hereby revived and restored to effectiveness.
9. Acts of 1870, Chapter 15, Section 4, repealed the Act which created a Board of County Commissioners in Grundy County, and elsewhere, and reinstated the County Judge law all over the State for all the counties which had them prior to the passage of this Act.
10. Acts of 1870, Chapter 119, repealed every Act in the State which created a Board of County Commissioners and restored all laws which may have been repealed by them.
11. Acts of 1870-71, Chapter 30, declared that the Elk River lying in Grundy County and running from the Franklin County line to the Big Spring near John Burroughs to be navigable. The question of whether or not the County Court should levy a tax to produce funds with which to remove the obstructions from the river must be submitted to the vote of the people in a referendum for that purpose. If approved, the tax money would be collected by the County Trustee who would pay the same out on the warrant of three Commissioners who would be appointed by the Quarterly Court to oversee the work.
12. Acts of 1897, Chapter 124, regulated the salaries of the County officials of all the counties according to the population of that County. This Act was among the first to do this and served as a model for those which followed. The salary would be paid out of the fees of the office and each office holder was required to submit sworn, itemized, monthly reports to the County Judge or Chairman. The fees were declared to be the property of the counties, and the salaries would not exceed the fees. Deputies could be appointed only as the County Court authorized and these were to conform to the schedule for each population group contained in this law. This Act was tested in the courts in the case of Weaver v. Davidson County (1900), 104 Tenn. 315, 59 S.W. 1105.
13. Private Acts of 1963, Chapter 217, authorized, empowered, and directed the Quarterly Court to create a Purchasing Commission which would have and exercise the powers set forth in the Act. The Commission would consist of three members who would be elected by the County Court for one year terms. They would be paid \$10 per day not to exceed 20 days per year and would assume primarily the functions of the Purchasing Agent, and the County Judge in this respect. This Act was rejected by the Quarterly Court of Grundy County and, therefore, never became

effective as a law under the Home Rule Amendment to the State Constitution.

14. Private Acts of 1973, Chapter 56, provided that any person desiring to construct, or alter, any building in Grundy County which construction, or alterations, would cost more than \$2,000 must apply on the form specified in the Act to the Tax Assessor of Grundy County for a permit to do so. The Tax Assessor will issue the permit and take note of the proposed construction, or alteration, for tax records. The property was not to be reassessed until completion of the work for which the permit was issued when the permit was required to be returned to the Tax Assessor within thirty days, or a penalty of \$5.00 be levied against the permittee. This law did not apply to cities where a building permit was already required. The Tax Assessor could charge a fee of \$5.00 for this service. The County was empowered to start appropriate legal proceedings when this Act was not observed and all public utilities were prohibited from furnishing their services to the location until the owner, or occupant, complied. This Act was likewise rejected by the Quarterly County Court of Grundy County and never became a law.

## Chapter II - Animals and Fish

### 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 Grundy County. They are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1889, Chapter 244, made it unlawful for any person other than a citizen of Tennessee to hunt, kill, or capture any wild deer, wild turkey, quail, or partridge, or any species of game, or fish, in Bledsoe, Cumberland, Grundy, James, Meigs, Morgan, Overton, Marion, Rhea, Roane, Sequatchie, Van Buren, Warren, and White Counties at any season of the year. Only resident citizens of those counties may hunt and kill the same for profit but any citizen of Tennessee may hunt and kill them for his own and his family's use. Anyone violating the terms of this Act could be fined from \$25 to \$100.
2. Acts of 1897, Chapter 172, declared it to be a misdemeanor for any person from any other county to hunt, capture, kill, shoot, wound, or destroy any quail, partridge, wild turkey, or deer, in Grundy and Van Buren Counties. It was unlawful to kill quail at any time on the enclosed lands of another without the permission of the owner. It was further unlawful to export any quail, or partridge, from those counties at anytime. The fines for violators ranged from \$5.00 to \$10.00. The Grand Juries were given inquisitorial powers and the Judges of the county would charge the contents of this Act to the Grand Jury.
3. Acts of 1897, Chapter 240, stated that the residents of the counties of Hardin, Gibson, Crockett, Tipton, Fayette, Franklin, Grundy, and Marion, may catch fish at any time, except from April 1 to June 1 of each year, in any of the waters in said counties by any means except by poison, dynamite, or other explosives, or by wing net stretched across any stream.
4. Acts of 1909, Chapter 502, was applicable to the counties of Bledsoe, Fentress, Grundy, Houston, Lake, Meigs, and Trousdale. The Act defined an acceptable fence as being one composed of four strands of barbed or smooth wire, or a combination of them, which were fastened to substantial posts no more than sixteen feet apart, and no more than eight feet apart at the corners, and set firmly into the ground. The wires should be at twelve inch intervals from the ground up. This Act was not intended to relieve any railroad from any liability heretofore imposed upon them in this regard. The owner of any livestock found trespassing on lands enclosed with this type of a fence would be liable for any damages inflicted for which the injured person was awarded a lien on the stock.
5. Private Acts of 1917, Chapter 686, declares the open seasons in Bledsoe, Cumberland, Grundy, Marion, Sequatchie, and Van Buren Counties. On turkeys, the season is from November 1 to January 1; on turkey gobblers, from April 1 to May 1; on quail, from November 1 to February 1; on deer, from November 1 to December 10, and on squirrels the entire year was open season. All laws in conflict with this one were repealed.
6. Private Acts of 1921, Chapter 403, made it lawful in Warren and Grundy Counties to fish in all the streams of those counties with a basket for suckers and for carp which were for family use only, and not for profit or export.
7. Private Acts of 1921, Chapter 405, amended Chapter 61, Public Acts of 1919, which was a rather restrictive, harsh, statewide law regulating the care and keeping of dogs, by exempting many of

the counties in Tennessee from its provisions, Grundy County being among those exempted.

8. Private Acts of 1921, Chapter 463, was an exact duplicate of Chapter 403, Private Acts of 1921, above.
9. Private Acts of 1925, Chapter 694, was for the purpose of repealing Chapter 63, Private Acts of 1923, which this Act stated was applicable to Chester and Grundy Counties, but the original Act, Chapter 63, Private Acts of 1923, was applicable only to Chester County. The Act concerned the shooting of quail.
10. Private Acts of 1945, Chapter 141, state that three barbed wires, ribbon wires, or planks, securely attached to substantial posts set firmly in the ground not more than ten feet apart, the bottom wire, or plank, to be not more than four and one-half feet from the ground, the intermediate ones being evenly spaced in between these two, the same shall constitute an acceptable and lawful fence in Grundy County.
11. Private Acts of 1947, Chapter 162, asserted that a great demand for a "No Fence Law" was being made on the Representatives of Grundy County in the General Assembly, and so, this Act was the authority to call a referendum election in that county to ascertain the will of the people on whether they wanted a "No Fence Law," or not. The County Election Commission would canvass the results of such an election and certify the same to George W. Bryant, Floterial Representative, and to Roy Wiseman, Senator of the 11th State Senatorial District.

## Chapter III - Bond Issues

### Bond Issues - Historical Notes

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

#### **Bridge**

1. Private Acts of 1929, Chapter 277, was the authority for the Quarterly County Court of Grundy County, to issue interest bearing coupon bonds, or warrants, at an interest rate not to exceed 5%, and up to \$25,000 for any one year for the purpose of building a bridge over the Cumberland River at Hart's Ferry. Such warrants, plus interest, would become due at such times as the Court designates. If issued, the Court was required to levy a tax to amortize the same every year as long as they remained unpaid.

#### **Courthouse**

1. Acts of 1885, Chapter 148, permitted the Quarterly Court of Grundy County to issue up to \$20,000 in bonds, at 6%, or less, interest, for the purpose of erecting a courthouse, coupons to be attached and all details as specified in the enabling Act must be observed. The Court was required to levy a tax to place into the sinking fund to repay the bonds and interest.

#### **Debts**

1. Private Acts of 1927, Chapter 483, state that Grundy County was heavily in debt because of having to acquire rights of way for the highway program, and of having to rebuild the Courthouse at Altamont and Tracy City, and, further, has a floating debt of some \$6,000 which was all legally incurred under the County Court, and that there are no funds with which to pay these debts. The Quarterly Court was given the authority to issue interest bearing bonds, or warrants, with interest rates up to 6% to defray and pay said debts for which a special tax must be levied in addition to all other taxes, the proceeds of which would be used to repay warrants and bonds issued hereunder.
2. Private Acts of 1931, Chapter 53, allowed the Grundy County Quarterly Court to issue up to \$30,000 in bonds for the purpose of paying its floating indebtedness as evidenced by outstanding warrants, at an interest rate not to exceed 6%, and for a maturity period not to exceed 25 years. All details essential to a valid bond issue were present in the Act and the mandatory tax levy was required. It was declared unlawful for any county official to issue warrants in excess of 90% of the tax aggregate for which fines could be administered from \$50 to \$100.
3. Private Acts of 1935, Chapter 484, ratified and confirmed all the prior proceedings held by the Quarterly Court of Grundy County in connection with the authorization and issuance of \$65,000 in 6%, 35 year bonds, same to be legalized as fully as if they were issued with full statutory

authority, to pay the outstanding warrants and debts which were also declared to be the legal, valid, and binding debts of the county in order to facilitate issuance.

4. Private Acts of 1941, Chapter 268, declared that all the prior actions of the Grundy County Quarterly Court had in connection with the issuance of \$50,000 in bonds, dated February 3, 1941, which authorized the issue, confirmed the sale thereof and fixed the details, providing for the payment thereof, are hereby confirmed, ratified, and legalized and are declared to be the legal and binding obligations of the County. County officials are authorized to do and accomplish all necessary things to complete the issue notwithstanding the lack of any authority to do so, or the existence of any prior defect.

### **Jail**

1. Acts of 1899, Chapter 160, allowed the Quarterly Court of Grundy County to issue and sell bonds up to \$4,000, at an interest rate of 6%, or less, and for a maturity period under twenty years for the erection of a county jail at Altamont, all the necessary details of the issue being enunciated in the law. The Judge, or Chairman, shall keep accurate records of all the transactions connected therewith, and the Court must levy the tax.

### **Roads**

1. Acts of 1907, Chapter 412, stated that, upon the petition of five voters, a referendum could be held in Grundy County to ascertain the will of the people on whether, or not, to issue up to \$200,000 in bonds to build and improve the public roads. If the referendum passed, the Court was to issue the bonds but the interest rate could not exceed 5%, nor the maturity period exceed 30 years. A five member Commission would be appointed for staggered terms up to three years, who would be sworn and bonded, and who would supervise the program. The Commission could employ an engineer to detail each proposed road project as to cost and other factors affecting cost such as damage to properties. The Commission would be paid as the Quarterly Court directs, and be known as the "County Board of Highway Commissioners." All essential elements of good enabling legislation for bond issues were present.
2. Private Acts of 1919, Chapter 622, allowed the Quarterly Court of Grundy County to issue up to \$200,000 in 6%, 40 year bonds, to improve generally the road system of the County. All details of the issue and proper records are to be kept as specified in the Act. Three Commissioners were to be elected by the people as the Grundy County Highway Commission, all vacancies being filled by the remaining members of the Board until the next general election. A referendum would be held and the Commissioners elected at the same time who would have both the authority and the responsibilities spelled out in the law. They would be sworn and bonded, hold regular meetings, elect a Chairman, and Secretary, from their own number who would discharge the duties mentioned in the Act. The Chairman would be paid \$1,400, the Secretary, \$600, and the Commissioner, \$500 per year. The Commission was to seek aid from the State and Federal governments, had the authority to employ engineers, and to exercise the right of eminent domain. They would serve a four year term unless the work were completed sooner. Conflicts of interest were prohibited, and guidelines were furnished for the letting of contracts. Some specification for roads which were to be built under this Act were included.
3. Private Acts of 1921, Chapter 26, amended Chapter 622, Private Acts of 1919, above, by adding a provision requiring expenditures made under that Act to be checked by the Financial Committee of the County; by adding a provision which established salaries of \$700 per year for the Chairman, \$300 per year for the Secretary, and \$250 per year for the Commissioners until the actual construction of the roads began and then their pay would double in each respect; by deleting Section 10 entirely which set the former compensations of the Commissioners; by changing the percentages in Section 14 to state that no more than 80% of these funds shall be expended for actual construction on contractors estimates, and no more than 20% of said fund shall be expended for expenses; the Trustees compensation was changed to that allowed to employ legal counsel, if needed. This Act was repealed by Chapter 686, Private Acts of 1923.
4. Private Acts of 1923, Chapter 513, amended Chapter 622, Private Acts of 1919, Item 2, above, all being subject to the successful outcome of a referendum held for that purpose, by adding a section between Sections 11 and 12 which permitted the Grundy County Highway Commission to enter into a contract with the State Highway Department to begin forthwith the construction of the road at Monteagle and build the same as it was designated through Tracy City, Coalmont, Gruetli, Altamont, Beersheba Springs, and on to the Warren County line near Wannamaker's Branch, until State and Federal funds should become available. If no funds should become available from those sources, the county would build the road alone under an Advisory Board composed of Samuel Warner, W. W. Jones, M. W. Sanders, Peter Conry, and James H. Northcut,

all of whom would serve with no pay but could be paid actual expenses. If done by the County, the width and the surfacing material of the road would be decided by the Advisory Committee.

5. Private Acts of 1923, Chapter 686, expressly repealed Chapter 26, Private Acts of 1921, Item 3, above, in its entirety.
6. Private Acts of 1925, Chapter 581, amended Section 38, Chapter 622, Private Acts of 1919, Item 2, above, by striking that Section and adding a new one which authorized the Grundy County Board of Highway Commissioners to enter into contracts with the State Highway Department for the maintenance and upkeep of the roads mentioned in the original bill, and all the monies collected for this purpose will be turned over to the State Highway people. In the event of the County Court cannot function, the County Judge may carry out the provisions of this Act and, if no agreement can be reached with the State, then the County Judge may expend said funds as he deems in the best interests of the people.
7. Private Acts of 1929, Chapter 666, stated that in counties, which included Grundy County, which have heretofore issued and sold bonds for the construction of highways and the money has not been spent, or used in that program, the State is authorized and directed to assume and pay such bonds, with interest, out of the funds received by the State for that purpose, provided said funds are spent on the road work of the counties. The Chairman of the County Highway Commission was allowed to enter into a contract for that purpose. This Act applies only to Grundy County.

### **Schools**

1. Private Acts of 1927, Chapter 698, authorized the Board of Education in Grundy County, when the Board considered it necessary, to borrow in excess of the budget, or legitimate school income for High School purposes, or to liquidate debts for high school purposes. The Board could issue interest bearing warrants, or notes, up to \$8,000, at selected maturity and interest schedules, which would be binding and legal obligations of the county, and which would be exempt from taxation by other levels of governments.
2. Private Acts of 1927, Chapter 751, validated all prior proceedings held in connection with the issuance of \$13,000 in bonds on October 1, 1926, which was to be used to build a public school building in Grundy County. The form of the bond was contained in the Act, the essential details were given, the tax levy for the sinking fund was required. The interest rate was limited to 5½%, and the maturity schedule to five years.
3. Private Acts of 1935, Chapter 482, allowed the Quarterly Court of Grundy County to issue up to \$50,000 in 6%, 20 year bonds, to build and equip a High School to be located at Tracy City. All details were set up, the tax levy required, and the Trustees given the responsibility of handling the money.
4. Private Acts of 1935 (Ex. Sess.), Chapter 50, permitted the Grundy County Quarterly Court to issue \$150,000 in 6%, 40 year bonds, to repair and construct school buildings, to acquire sites, and to equip the same, the Court being mandated to cooperate with the Federal Government in any plan or device connected therewith. Contracts were allowed to be made, as needed, and the Trustee would handle the funds and keep records. The Court could act by Resolution, if desired.

## **Chapter IV - Boundaries**

### **Creation of the County**

#### **Acts of 1843-44 Chapter 204**

**SECTION 1.** That a new county be, and the same is hereby established, by taking a part of the counties of Warren and Coffee, to be known and designated by the name of Grundy, in honor of the Honorable Felix Grundy, deceased.

**SECTION 2.** That the beginning corner of the county of Grundy shall commence in the center of the stage road leading from McMinnville, where the Coffee County line crosses the same; thence a southerly direction, so as not to approach Manchester nearer than twelve miles, until near Benjamin Douglas'; thence eastwardly up the Mountain to the top; thence with the meanders of the Bluffs to the line of District No. 13, in Coffee County; thence with said line to the line of Franklin County; thence east with said line to James Petty's, near the foot of Cumberland Mountain; thence with the burned stand road to the line of Marion County; thence with said line to the line of Warren County; thence with the line of Warren County, to the line of Van Buren county; thence west with said line to the corner of Jesse

Savage's; thence round the Bluffs of Hill's Creek, so as not to approach nearer the town of McMinnville than twelve miles, to a point on the road leading to the Beersheba Springs, twelve miles south-east from McMinnville; thence westwardly crossing the Mountains, so as to keep twelve miles from McMinnville, to a point near Jesse Fults; thence westwardly passing between John Brown Esq., and William Roton's; thence a direct line to the beginning; said lines in no case to approach nearer than twelve miles of the town of McMinnville and Manchester.

**SECTION 3.** For the purpose of organizing the county of Grundy, William Dugan, Adrian Northcut, and James Tate, from the county of Warren, and Alfred Brawley and John Burrows, of the county of Coffee, shall be and are hereby appointed commissioners, who shall take an oath before some Justice of the Peace, faithfully and impartially to discharge the duties enjoined upon them in this act, and in all cases of vacancy that may occur among said commissioners previous to the organization of the county court of Grundy county, the same shall be filled by the other commissioners, and all cases occurring after the said organization, shall be filled by the county court of Grundy county, the said commissioners shall enter into Bond and security, to be approved by the county court of Grundy county, and payable to the Chairman thereof, in the sum of two thousand dollars, conditioned for the faithful discharge of their several duties; a majority of said commissioners shall constitute a Board to do all things herein enjoined upon them, they shall keep a regular record of all their proceedings as commissioners, which shall be returned to the county court of Grundy County at their first session, and the same shall be recorded by the clerk thereof, on the records of said court, and they shall make such other returns after the organization of said court, as shall be directed thereby.

**SECTION 4.** It shall be the duty of said commissioners, first giving ten days notice, in two or more public places, of the time and places to open and hold an election at one or more places in each of the fractions proposed to be stricken off from the counties of Warren and Coffee, respectively, for the purpose of ascertaining whether a majority of the voters residing in the several fractions are in favor of, or opposed to the establishment of the county of Grundy, and all persons qualified to vote for members of the General Assembly, who have resided in the fractions proposed to be stricken off, six months immediately preceding the day of election, shall be entitled to vote, and each voter who desires to vote for the establishment of the new county, shall have on his ticket the words "new county," and if upon counting all the ballots, the Judges of several fractions shall return that a majority of each of the fractions have voted for the new county, then the county of Grundy shall be, and the same is hereby established with all the powers, privileges and advantages, and subject to all the liabilities and duties with other counties in this State.

**SECTION 5.** That for the due administration of Justice, the different courts to be held in said county of Grundy, shall be held at Beersheba Springs until the seat of Justice shall be established, that the County court shall in the intermediate time, have full power to adjourn the courts to such other place in said county as they deem better suited for the same, and for public convenience, and to adjourn to the Seat of Justice when in their judgment the necessary arrangements are made; and all writs and other precepts issuing from any of said courts returnable to either place shall and may be returned to the place to which said court may have been removed by the county court aforesaid, and the courts of the county of Grundy shall be under the same rules, regulations, and restrictions, and shall have, hold, exercise and possess the same powers and jurisdiction as are prescribed by law for holding courts in other counties; said county shall be attached to the 13th Judicial Circuit, and the circuit courts shall be held by the judge of said circuit, on the second Mondays in April, August, and December in each and every year, and the citizens of said county may file bills in chancery, at the chancery court at McMinnville.

**SECTION 6.** All officers civil and military in said county, shall continue to hold their offices and exercise all the powers and functions thereof, until others are elected according to law; and the said county of Grundy shall elect her officers on the same day, and under the same regulations as provided by law for the election of officers in other counties in this State; Provided, that nothing in this act contained shall deprive the above named counties from having, holding, and exercising jurisdiction over the territory composing the county of Grundy and the citizens thereof in as full and ample a manner as they now have, until the election of county officers takes place according to law; Provided also, nothing herein shall prevent the above named counties from rendering judgments, or the Sheriffs of said counties from selling under such judgments any lands within the bounds of said county of Grundy, for taxes, costs, and charges, until the county of Grundy shall be fully organized.

**SECTION 7.** The citizens of Grundy county in all elections for Governor, Representatives in Congress, members of the General Assembly, and Electors of President and Vice President, shall vote with the counties from which they have been respectively stricken off, until the next apportionment agreeable to the fifth section of the tenth article of the constitution of Tennessee.

**SECTION 8.** It shall be the duty of the commissioners aforesaid, as soon after the county of Grundy shall have been established as practicable, to select and procure by purchase or otherwise a suitable site for

the Seat of Justice in said county, having due regard to the convenience and wishes of a majority of the citizens of said county, and the said commissioners having first caused a deed to be made to themselves and their successors with general warranty, to a sufficient quantity of land including the site so selected, shall cause a town to be laid off thereon, with as many streets of such width as they may deem necessary, reserving a sufficient quantity of land for a public square; said commissioners shall designate and reserve from sale one lot in said town on which to build a public jail for said county, and also such other lots as they may deem prudent, on which to erect other public or religious buildings; said town so laid off shall be known by such name as said commissioners may give it.

**SECTION 9.** That the commissioners of said county shall sell the lots in said town, on a credit of at least twelve months, first giving due notice thereof in one or more newspapers, and shall take bond with sufficient security from the purchasers of said lots, payable to themselves, and their successors in office, and shall make title in fee simple as commissioners to the respective purchasers of said lots.

**SECTION 10.** The proceeds of the sale of the lots aforesaid shall be a fund in the hands of the commissioners for defraying the expenses incurred in the purchase of said tract of land, on which said seat of Justice shall be located and also for defraying the expenses of erecting the public buildings for said county of Grundy.

**SECTION 11.** The commissioners shall superintend the building of such public buildings as the county court of said county shall order and direct to be built, (and shall order and direct to be built) and shall let the same out and take bonds from the undertakers with ample penalties and securities payable to themselves and their successors, conditioned for the faithful performance of his or their contracts, that the balance if any, of the proceeds arising from the sales of the lots of said town remaining in the hands of said commissioners after defraying the expenses aforesaid shall be paid over by said commissioners to the Trustee of said county of Grundy, to be held, applied, and accounted for by him as other county funds.

**SECTION 12.** The said commissioners shall appoint five suitable persons as commissioners whose duty it shall be to divide and lay off said county of Grundy into civil districts, designate the place for holding elections therein, and do and perform all the duties relative thereto which by the laws of this State such commissioners are authorized and required to do.

**SECTION 13.** The county of Grundy shall form one regiment, which shall be known and designated as the 161st regiment, and shall be attached to the tenth Brigade. The militia officer or officers highest in command included within said county of Grundy, shall at such time and place as he or they may determine upon, call all the commissioned officers together, and such of them as shall attend, are hereby authorized and empowered to lay off said county into battalions and companies and provide for holding elections for the purpose of electing all officers in said regiment in the manner prescribed by law.

**SECTION 14.** The county court shall be and is hereby authorized to make such allowance as they may deem reasonable as a compensation to said county commissioners for their services in organizing said county, to be paid out of the Treasury of said county of Grundy.

**SECTION 15.** That to avoid all litigation, cost and dispute which may arise in settling the boundaries of said county of Grundy, and to secure the counties of Coffee and Warren from being reduced below their constitutional limits, it shall be the duty of the commissioners appointed by the third section of this act, previous to the holding of the election provided for in the fourth section of this act, to cause to be made a re-survey of all the Boundary lines of said counties, and that they shall give notice to the county court of Coffee county, of the time when the line will be run taking off so much of the territory as is taken from said county of Coffee, and also notice to the county court of Warren, of the time when the line will be run taking off a portion of said county of Warren, which notices shall be given sixty days before the running of said line, and shall be given by a written notice by said commissioners or a majority of them, directed to the county court and filed with the clerk of the same, and the said courts shall have power, and may at their discretion, respectively appoint a commissioner or surveyor to superintend on the part of each of said counties, the making of the several surveys, so far as each county is concerned, to see that the limits of each of said counties of Warren and Coffee, are not reduced below their proper constitutional limits; each of said commissioners or surveyors so appointed by said county courts, to act on behalf of the county and county court within which he has been appointed, and if said courts shall refuse or decline to make such appointment, after such notice, the said commissioners mentioned in the said third section, may proceed to make said re-survey, and lay off by running the lines described in this act, and shall, when said survey is completed, so as to include the proper constitutional limits in said county, and not reducing the said other counties below their constitutional limits, and shall cause said survey to be recorded and registered in the Register's office of said county of Grundy when the same is organized, and said Boundaries shall become so established, and when marked and designated by the general calls contained in this act; and the re-survey here provided for, shall be made by a sworn surveyor, and sworn chain carriers, under direction of said commissioners named in the third section, and such as may be



appointed by said county courts; Provided, that nothing in this act contained, shall be so construed as to authorize or attach any portion of the territory now belonging to Marion county, to the county of Grundy.

Passed: January 29, 1844.

## Change of Boundary Lines

### Acts of 1879 Chapter 235

**SECTION 1.** That the lines between the Counties of Franklin, Coffee, and Grundy, at their intersection on Elk River, be changed as follows, to-wit:

Beginning at a stake in the line between Coffee and Grundy, 20 yards north of Elk River, and running thence west to the north end of the bridge crossing Elk River; thence with the center of said bridge to the south end of said bridge; thence to a stake in the old line, 15 yards south of said river, so as to place the said bridge on the lines between said Counties of Coffee, Franklin, and Grundy.

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

Passed: March 28, 1879.

### Acts of 1891 Chapter 143

**SECTION 1.** That the line between the counties of Franklin, Marion, and Grundy be changed to run as follows, to wit:

Beginning at what is known as Drip Spring, south of the railroad on the line between Franklin and Marion, and running east to Fred. Myers' spring, thence northeastward across the railroad to Basil Summers' chalybeate spring in Grundy County; thence west along the north bluff of the mountain to the line between Franklin and Grundy Counties, north of the railroad.

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

Passed: March 13, 1891.

### Acts of 1897 Chapter 312

**SECTION 1.** That the line between Marion and Grundy Counties, at Monteagle be changed so as to make the present railroad the line from the old depot in a westerly direction to where the present county line crosses said railroad at the water tank.

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

Passed: April 8, 1897.

### Acts of 1903 Chapter 448

**SECTION 1.** That the line between the counties of Grundy and Marion be changed so as to run as follows: Beginning on the Franklin County line at a point twenty-five (25) feet south of where the Tracy City branch of the Nashville, Chattanooga & St. Louis Railroad crosses same, and running thence parallel with said railroad to a point opposite the water tank; thence to the center of said railroad; thence with the center of said railroad to the freight depot; thence south twenty-five (25) feet; thence along and parallel with said railroad to a point where said railroad leaves the Marion County line.

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

Passed: April 13, 1903.

### Private Acts of 1927 Chapter 324

**SECTION 1.** That the line between Franklin County and Grundy County, be and the same is hereby changed as follows: Beginning at the stone bridge over Elk River on the Winchester and Pelham pike at a point where Coffee County and Grundy County corner and running thence Eastwardly with the meanders of Elk River to the Old Bell Mills Site; thence southwardly with the line between the Patterson farm and the Lynch farm and the Smith farm and the Lynch farm to Providence and Mount Eagle road; thence with said road to the corner of A. J. Patterson and J. P. Sherill's farm; thence southwardly with the line between A. J. Patterson and J. P. Sherill to the Franklin County line, so as to detach from Grundy County and attach to Franklin County the farm of A. J. Patterson and a portion of the farm of Frank L. Lynch.

**SECTION 2.** That all laws and parts of laws in conflict with the provisions of this, be and the same are hereby repealed.

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

Passed: April 12, 1927.

## Boundaries - Historical Notes

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

1. Acts of 1845-46, Chapter 134, which attempted to take land from Warren County and define said land as part of Grundy County was declared unconstitutional and void according to the court in *Gotcher v. Burrows*, 28 Tenn. 585 on the grounds that the land which Grundy County was attempting to annex was less than twelve miles in some places from Warren County's county seat.
2. Acts of 1849-50, Chapter 79, moved the residence and lands belonging to William Kelton, Wilson S. Kelton, Ely Hanby, and Jacob Wagoner from Grundy County and placed them in Warren County. Section 2 detached the home and farm belonging to William C. Williamson from Grundy County and attached the same to Coffee County. Section 4 transferred all the properties belonging to Elizabeth Tate, wife of James Tate, Peter Counts, and Jacob Wannamaker from Warren County into Grundy County, thence to the line known as the Robert's line. Section 5 merely states that Thomas Johnson is hereby attached to Grundy County but doesn't say from which county he came.
3. Acts of 1851-52, Chapter 262, Section 3, changed the lines between Grundy and Coffee County so as to include the lands of William H. Coulson wholly within Coffee County. Section 8, of the same Act, also transferred out of Grundy and into Coffee County all the lands belonging to William H. Willis, Mary E. Nevell, Pollyanna Nevell, and A. E. Patton, conferring upon all of them all the rights and privileges of other citizens of Coffee County.
4. Acts of 1853-54, Chapter 181, changed the boundary line between Grundy and Marion Counties beginning on the southeast corner of Grundy County, running north eastwardly course to the Carlton Place where John Lockheart now lives and thence to the Northeast line of Grundy County so as to include as much territory now in Grundy County as is intended to be stricken off of Marion County. The County Courts of Grundy and Marion Counties will appoint surveyors and chain carriers to run the said line. Grundy County would pay her surveyor \$2.50 per day and the chain carriers \$1.00 per day.
5. Acts of 1855-56, Chapter 248, changed the boundary lines between Grundy and Marion Counties so as to include all the lands of Benjamin Wooten wholly within Grundy County. Section 2 provided that parts of the Acts of 1853, Chapter 181, remain in full force and effect according to a description contained in this Section, applying to Marion County only. Section 3 conferred upon those moved all the rights of citizenship. Section 5 transferred the properties belonging to Mary E. Nevell and Poleyne Nevell from Grundy County into Coffee County.
6. Acts of 1857-58, Chapter 11, Section 13, moved the property commencing at the old Caldwell Bridge and running due south to the old Petty Road, so as to include W. G. Gwinn, Lawson Row, and Daniel C. Smith wholly within Franklin County.
7. Acts of 1857-58, Chapter 83, Section 3, repealed the 10th Section of an Act passed on March 4, 1858, which was an Act entitled an Act to change the line between the Counties of Grundy, Jefferson, Grainger, Anderson, and Roane.
8. Acts of 1873, Chapter 73, changed the lines between Grundy, and Coffee Counties so as to take out of Grundy and place into Coffee County the lands and properties of Martin Hoover, Henry Meadows, J. C. Garrison, T. J. Garritson, William Garritson, James Parks, E. Rives, T. E. Rives, T. E. Mabery, G. Browley, T. G. England, James Rhea, John Rhea, James Hoover, Andres Stalls, A. Anthony, William H. Garritson, W. H. Meadows, E. H. Rives, James Parks, J. W. Walker, J. B. Thoxton and Joseph Brawley. (It seem some names are repeated and some may be misspelled but this is the way they appeared in the Act.) These moves would not be made until after an election indicating a desire to do so.
9. Acts of 1877, Chapter 81 changed the boundary between Coffee and Grundy Counties by including the lands of Ewell Smith in Coffee County.
10. Acts of 1881, Chapter 107, moved the home and land of J. F. Laxson out of Grundy County and into Franklin County.
11. Acts of 1891, Chapter 228, transferred the same properties of J. F. Laxson from Franklin County back into Grundy County.

12. Acts of 1905, Chapter 374, detached the residences and farm of Thomas E. Mabry and Mrs. Mary Pointer from Grundy County and attached them to Coffee County.
13. Private Acts of 1931, Chapter 774 took the lands of W.M. Wanamaker, O. C. Wanamaker, and A. H. Coppinger from Grundy County and attached them to Warren County, thus becoming part of the Sixth Civil District.
14. Private Acts of 1947, Chapter 629, transferred a tract of land belonging to Tom Pointer lying in the First Civil District of Grundy County, consisting of about 100 acres to the 8th Civil District of Warren County.

## Chapter V - Court System

### Court System - Historical Notes

#### **Board of Jury Commissioners - Jurors**

The following act once affected jurors or boards of jury commissioners in Grundy County, but is no longer operative.

1. Private Acts of 1933, Chapter 323, created a Board of Jury Commissioners for Grundy County who would be appointed by Circuit and Criminal Judges, consisting of three discreet people, freeholders, not attorneys, or prospective litigants, nor State or County employees who would serve two year terms, be sworn and bonded, according to the terms of this Act, and who would select a Chairman from among their number. The Circuit, or Criminal, Court Clerk would serve as Clerk. The Board would select from the tax rolls, or other public sources, a list of names equal to one-eighth of the total number of votes cast in the last presidential election but which would be no less than 250 nor more than 1,000. The Clerk would enter their names in a well-bound book as the Jury List which would be certified by all three members of the Board. The names would also be placed on an individual scroll, or card, placed in a box, locked, sealed, and opened again only in the presence of the Board. Within ten to fifteen days before Court begun, the box would be opened in the presence of the Board and a child, ten years old or younger, would draw the names of the number of jurors needed, or as might be specified by order of the Court. These names would be placed in an envelope and presented to the Judge in open Court. At least five days before court begins the list drawn out would be transmitted by the Clerk to the Sheriff who would summon the jurors. None could be excused except on order of the Judge. Provisions for summoning special juries and panels were included.

#### **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Grundy 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. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1843-44, Chapter 204, stated that all courts would be held at Beersheba Springs in Grundy County until the County seat for the county is selected or until the County Court adjourns the several Courts to another suitable place in Grundy County. The people of the newly created County could file their Bills in Equity at the court in McMinnville, in Warren County.
2. Acts of 1845-46, Chapter 44, Section 3, provided that the citizens of Grundy County might elect and have the power to file their Bills in Chancery at the Court in Manchester in Coffee County. The Clerk and Masters of any court in which a suit was pending was authorized to transfer the same to that Court.
3. Acts of 1847-48, Chapter 96, declared that the several courts of Grundy County would meet at the home of Jesse Wooten until suitable arrangements could be made at Altamont for the Courts to meet there. This Act also established Altamont as the county seat of Grundy County.
4. Acts of 1853-54, Chapter 181, Section 4, provided that the citizens of Grundy County could now file their suits in Chancery also at Jasper in Marion County as well as in Manchester in Coffee County and McMinnville in Warren County.
5. Acts of 1855-56, Chapter 13, established a Chancery Court at Altamont in Grundy County which the Chancellor of the Fourth Chancery Division would hold. The first term shall begin on the first Monday in May and November.
6. Acts of 1855-56, Chapter 164, changed the opening dates for the terms of the Chancery Court at

Altamont to the Friday after the fourth Monday in March and September.

7. Acts of 1857-58, Chapter 88, divided Tennessee into the Eastern, Middle, Western, Fourth, Fifth, and Sixth Chancery Divisions. The Fourth Division was made up of the counties of Wilson, Macon, Jackson, Putnam, Smith, Coffee, Franklin, Lincoln, Bedford, Sumner, DeKalb, Warren, Van Buren, Cannon, Rutherford, and Grundy whose Court at Altamont would open on the Friday after the fourth Monday in March and September.
8. Acts of 1866-67, Chapter 33, created the 12th Chancery Division in the State which contained the counties of White, Van Buren, Grundy, Franklin, Coffee, Putnam, Smith, DeKalb, Cannon, and Warren. Court would begin in Altamont for Grundy County on the second Monday in April and October. The Governor would appoint a Chancellor to hold the Courts in this new Division until his successor was elected and qualified.
9. Acts of 1870, Chapter 32, divided the State into twelve Chancery Divisions. The Fourth was composed of the Counties of Franklin, Lincoln, Bedford, Rutherford, Cannon, Coffee, Warren, and Grundy.
10. Acts of 1870, Chapter 47, scheduled the days for opening the Chancery Courts for every County in the State. Grundy would start the Chancery Courts at Altamont on the Wednesday after the second Monday in April and October.
11. Acts of 1885 (Ex. Sess.), Chapter 20, reorganized the lower Judicial system in Tennessee into eleven Chancery Divisions. The Third Division contained the counties of Bradley, Polk, Marion, Rhea, McMinn, Hamilton, James, Monroe, Meigs, Bledsoe, Sequatchie, Van Buren, Coffee, and Grundy whose Chancery Court terms would commence on the first Friday after the third Monday in April, August, and December. The terms of the Circuit and Chancery Courts were the same in Grundy County. This Act was part of the litigation in the case of *Flynn v. State* (1958), 203 Tenn. 341, 313 SW<sup>2</sup> 249.
12. Acts of 1887, Chapter 13, Section 10, changed the Court terms for all the counties in the Third Chancery Division. Grundy County would open the Chancery Courts on the first Monday in January and June.
13. Acts of 1889, Chapter 13, changed the court terms of all the Chancery Courts in the Third Chancery Division. Grundy County's Chancery Courts would be held at the same time as the Circuit Courts and would be presided over by the Chancellor or by the Circuit Judge of the proper judicial circuit. This provision was repealed by the Act following.
14. Acts of 1891, Chapter 253, stated that the Chancery Court of Grundy County shall hereafter be held on the first Wednesday after the second Monday in February and August. The Authority of the Circuit Judge to hold the Chancery Court of Grundy County is hereby repealed and the Chancery Court will be presided over by the Chancellor of the Third Division.
15. Acts of 1895, Chapter 37, changed the terms of the Chancery Court in Franklin, Rhea, Polk, and Grundy Counties in the Third Chancery Division but did not mention the others. Grundy County's Chancery Court would begin on the first Tuesday after the second Monday in February and August. All process being required to conform to these dates.
16. Acts of 1897, Chapter 151, stated that the Chancery Courts of Grundy County would thereafter be held on the first Tuesday after the third Monday in May and November instead of on the days set in Chapter 37, Private Acts of 1895, above.
17. Acts of 1899, Chapter 427, rearranged the entire lower court system of the State. There were ten Chancery Divisions of which the Third had in it the counties of Franklin, Rhea, Bradley, James, Marion, Coffee, Bledsoe, Sequatchie, McMinn, Moore, Warren, Monroe, Polk, Meigs, Hamilton, and Grundy. Grundy County Chancery Courts would start their respective terms on Tuesday after the third Monday in May and November.
18. Private Acts of 1911, Chapter 435, created the 12th Chancery Division out of the 3rd Chancery Division, taking all the counties mentioned above in Item 17 out of the Third and placing them in the Twelfth, except Hamilton County which was assigned to the Third Chancery Division above. The Courts would continue to be held at the times previously specified. The Governor would appoint a Chancellor for the new Division to serve until the next general election, and the Chancellor would appoint a Clerk and Master, if needed.
19. Private Acts of 1913, Chapter 5, Section 11, created a Chancery Court to be held at Tracy City in Grundy County which shall have concurrent jurisdiction with the Court at Altamont. Any cause may be transferred to the new Court. The Judge of the Court of Grundy County will hold this Court but will receive no extra compensation. The Clerk and Master at Altamont will be the Clerk and Master of the new Court and the Sheriff of the County will wait upon the new Court as he has

the old one. This Act was repealed by Chapter 2, Public Acts of 1957.

20. Private Acts of 1925, Chapter 582, changed the terms of the Chancery Courts at Altamont and at Tracy City. At Altamont the Court would begin on the second Monday in May and November of each year and at Tracy City on the Wednesday after the second 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 Grundy County.

1. Private Acts of 1925, Chapter 691, set the compensation of the Clerk and Master of Grundy County, identified by the use of the 1920 Federal Census figures, at \$900 per year provided the Clerk and Master file with the County Judge, or Chairman, a sworn, itemized statement showing all the fees collected by that office, and, if the fees were less than the salary, the County would pay the difference. Nothing would be paid unless the report was filed and the State shall not be responsible for any costs whatsoever.
2. Private Acts of 1929, Chapter 314, stated that in Grundy County the Quarterly County Court shall, at its April Session next and every two years thereafter, fix the amount of the "ex-officio" fees to be paid to the Clerk and Master of the County, beginning on September 1, of that year, provided that the amount of ex-officio fees shall not be less than \$250 nor more than \$500 per year, payable quarterly and shall not be increased, or decreased, during the term for which it is set. The ex-officio fees shall be paid in addition to all the other fees collected by the office.
3. Private Acts of 1951, Chapter 103, established the salary of the Clerk and Master of Grundy County at \$1,500 per year which amount would be in addition to all the fees collected in that office. The Quarterly Court was required to appropriate this amount for that purpose each year. The County Judge will draw a warrant each month in favor of the Clerk and Master for 1/12 of the total amount.
4. Private Acts of 1951, Chapter 665 was an exact duplicate of Chapter 103, Private Acts of 1951, above, in Item 3.

### **Circuit Court**

The following acts were once applicable to the circuit court of Grundy County but now have no effect, having been repealed, superseded, or having failed to win local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1843-44, Chapter 204, assigned the Circuit Court of newly formed Grundy County to the 13th Judicial Circuit providing that the Court be held at Beersheba Springs on the second Monday in April, August, and December until the Courthouse at the county seat could be prepared.
2. Acts of 1845-46, Chapter 27, changed the terms of the Circuit Courts in the 13th Judicial Circuit assigning Grundy County to the third Monday in April, August, and December.
3. Acts of 1847-48, Chapter 181, again rearranged the opening dates for the Circuit Courts in the 13th Judicial Circuit which was composed of the counties of Van Buren, Coffee, Warren, Franklin, Lincoln, and Grundy whose Circuit Courts would start on the third Monday of February, June, and October.
4. Acts of 1849-50, Chapter 206, rearranged the schedule of opening dates for the Circuit Courts of the 13th Judicial Circuit which now had the counties of Franklin, Warren, Van Buren, Coffee, and Grundy which went to the third Monday in January, May, and September.
5. Acts of 1857-58, Chapter 98, rearranged the entire lower court system of the State into sixteen Judicial Circuits. The 8th Judicial Circuit consisted of the Counties of Van Buren, Warren, Coffee, Lincoln, Franklin, and Grundy whose courts would continue to start on the third Monday in January, May, and September.
6. Acts of 1870, Chapter 31, organized the State into fifteen regular and one special Judicial Circuit. The Counties of Grundy, Warren, Coffee, Franklin, Lincoln, and Van Buren were all assigned to the 6th Judicial Circuit.
7. Acts of 1870, Chapter 46, assigned the Circuit Courts of all the Counties in the State to starting dates for their three annual terms. Grundy County's Circuit Courts would still continue to meet on the third Monday in January, May, and September.
8. Acts of 1883, Chapter 50, changed the term of the Circuit Court in Grundy County to the first Tuesday after the third Monday in May, and the first Tuesday after the fourth Monday in October instead of the times now fixed by law.
9. Acts of 1885, Chapter 103, again changed the terms of the Circuit Court for Grundy County to the first Tuesday after the third Monday in January, the first Tuesday after the third Monday in May,

and the first Tuesday after the third Monday in September.

10. Acts of 1885 (Ex. Sess.), Chapter 20, organized the lower court system into fourteen regular, and one special, Judicial Circuits. The 6th Judicial Circuit contained the Counties of Van Buren, Franklin, Coffee, Warren, Moore, Lincoln, DeKalb, White, and Grundy, whose courts would start their terms on the first Friday after the third Monday in April, August, and December.
11. Acts of 1887, Chapter 8, changed the schedule of court terms in all the counties of the Sixth Judicial Circuit. Grundy County's Circuit Courts would begin on the fourth Monday in April, August, and December.
12. Acts of 1891, Chapter 34, rescheduled the duties to open the Circuit Court in Grundy County to the first Tuesday after the fourth Monday in March, July, and November, instead of the times previously set by law.
13. Acts of 1895, Chapter 97, reset the opening dates for the Circuit Courts in Warren, DeKalb, Van Buren, and Grundy Counties. Grundy was assigned to the first Tuesday after the first Monday in March, July, and November.
14. Acts of 1899, Chapter 427, reorganized the entire lower judicial system of Tennessee into fourteen Judicial Circuits. The Seventh Judicial Circuit was composed of the Counties of Van Buren, Coffee, Warren, Moore, DeKalb, Bledsoe, Rhea, Lincoln, and Grundy. Grundy's Courts would begin on the Tuesday after the fourth Monday in March, July, and November.
15. Acts of 1903, Chapter 580, changed the starting dates for all the counties in the 7th Judicial Circuit but left Grundy as they were.
16. Acts of 1909, Chapter 540, reset the Circuit Court terms for Rhea and Grundy Counties. Grundy would take up the Circuit Court dockets on the Tuesday after the first Monday in March and July, and Tuesday after the fourth Monday in November.
17. Private Acts of 1913, Chapter 5, created a second Circuit Court for Grundy County to be held at Tracy City for the 6th, 7th, 8th, 9th, 11th, 12th, and 13th old Civil Districts, the jurisdiction, both Civil and Criminal, being co-extensive with the boundaries of those Districts. The Court would be held by the Circuit Judge of the county on the first Thursday after the first Monday in March and July and after the fourth Monday in November. The Circuit Court Clerk will be the Clerk of this Court which was given concurrent jurisdiction with the other Circuit Court at Altamont. This Act was repealed by Chapter 2, Public Acts of 1957.
18. Public Acts of 1917, Chapter 15, changed some of the Circuit Court terms in the 18th Judicial Circuit but did not change Grundy County.
19. Private Acts of 1921, Chapter 326, amended Chapter 5, Private Acts of 1913, by providing for the Circuit Court established at Tracy City for the area composed of the old Civil Districts numbered about to be held by the Circuit Judge of Grundy County for both civil and criminal cases and to have appellate jurisdiction over the lower courts in the Civil Districts composing the area. This Act was repealed by Chapter 166, Private Acts of 1957.
20. Private Acts of 1925, Chapter 541, stated that hereafter the Circuit Court of Grundy County shall convene at Altamont on the first Monday in March, on the second Monday in July, and on the first Monday in November, and that the Court at Tracy City would meet on the second Monday in March, the third Monday in July, and the third Monday in November.
21. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, divided the whole lower judicial system of the State into twenty Judicial Circuits. The 18th Judicial Circuit contained the counties of Franklin, Sequatchie, Bledsoe, Marion, Meigs, Rhea, and Grundy. The courts in Grundy County would meet at Altamont the first Monday in March and November and the second Monday in July. The Court at Tracy City would open on the third Monday in July. The Court at Tracy City would open on the third Monday in July and November and the second Monday in March.
22. Private Acts of 1947, Chapter 429, stated that the line previously described as separating the jurisdictional areas of the two Circuit Courts in Grundy County had become rather indefinite, this Act reestablishes and delineates a new jurisdictional line between the two courts. The court at Tracy City ceased to exist in 1957 and therefore this Act is not published herein being repealed in Item 25 below.
23. Public Acts of 1957, Chapter 2, amended Section 16-232, Tennessee Code Annotated by striking the provision for the Circuit Court of Grundy County at Tracy City and reciting that the Court at Altamont would meet on the first Monday in March and November and the second Monday in July. This Act also repeals Chapter 5, Private Acts of 1913, which established the second Court. See *Cheek v. Rollins*, 202 Tenn. 608, 308 SW 2d 393 (1957).

24. Private Acts of 1957, Chapter 166, specifically repealed Chapter 326, Private Acts of 1921, Item 19, above, in its entirety.
25. Private Acts of 1957, Chapter 167, expressly repealed Chapter 429, Private Acts of 1947, in its entirety.
26. Public Acts of 1963, Chapter 248, divided the 18th Judicial Circuit into two Parts. The Governor would appoint a Judge to hold Part II until September 1, 1964, when a successor would be elected to hold until September 1, 1966, when the Judge would be elected for the regular 8 year term. The Judges would pro rate the case load and the Senior Judge would assign cases if they could not agree. The new Judge was allowed to employ a stenographer at \$100 per month.
27. Public Acts of 1967, Chapter 5, changed the terms of the Circuit Courts in the 18th Judicial Circuit which had Franklin, Meigs, Rhea, Sequatchie, Bledsoe, Marion, and Grundy Counties in it. Grundy's Court would begin on the second Monday in April and August and on the first Monday in December.
28. Public Acts of 1968, Chapter 616, amended Section 16-232, Tennessee Code Annotated by adding a provision that in addition to regular terms of Court, the first Monday in every month shall be a Rule Day of the Court and to each summons, accompanied by a Declaration, the defendant must plead.
29. Public Acts of 1971, Chapter 239, amended Section 16-232, T.C.A., by inserting a new Section which reset the Court schedules for the 18th Circuit. Grundy County was scheduled to begin on the first Monday in March, July, and November.

#### **Circuit Court - Clerk**

The following acts have no current effect, but once applied to the Grundy County Circuit Court Clerk. They were repealed, superseded, or never received local approval.

1. Acts of 1903, Chapter 255, fixed the salaries of the Circuit Court Clerks in the State according to classes fixed by population. In counties having a population of 15,000, or under, according to the 1900 Federal Census, the Circuit Court Clerk would be paid \$500 per year. Grundy County would fall into this group. If the fees collected by the office, as they were shown on the sworn, itemized report which was ordered to be filed with the County Judge in January of each year, were less than the stated salary, the County must pay the difference, but, if the fees exceeded the salary, the Circuit Court Clerk could retain the excess. This, and an 1897 Act, were the forerunners of the current statutes fixing these salaries and served in many ways as models of those to come.
2. Private Acts of 1921, Chapter 347, amended Chapter 255, Public Acts of 1903, Item One, above, by setting the annual salary of the Circuit Court Clerk of Grundy County at \$700 per year, provided the conditions of filing the sworn, itemized, annual statement were complied with.
3. Private Acts of 1925, Chapter 592, also amended Chapter 255, Public Acts of 1903, above, by adding a provision to that Act which set the annual salary of the Circuit Court Clerk of Grundy County at \$900 a year under the conditions stipulated in that Act which were required to be observed by the Circuit Court Clerk.
4. Private Acts of 1929, Chapter 315, stated that the Quarterly Court of Grundy County at its next April Session, and every two years thereafter, would set the ex-officio fees which were to be paid to the Circuit Court Clerk. The fees could be no less than \$300 nor more than \$600 per year, shall no be increased or decreased during the term for which they were set, and would be paid in addition to all the other fees and income of that office.

#### **General Sessions Court**

The following acts once affected the general sessions court of Grundy County, but are no longer in effect and are included herein for reference purposes.

1. Acts of 1849-50, Chapter 30, Section 4, stated that all Decrees and Court Judgments rendered by any of the courts of law and equity in Grundy County, relating to the property rights of the citizens of the 11th and 12th Civil Districts of the County which were at one time attached to Grundy County shall be of as binding force as if those Districts were still a portion of Grundy County.
2. Private Acts of 1921, Chapter 348, established the charges for the taking of depositions in Grundy County which charges shall be taxed and collected as part of the costs in the case, at \$1.00 for all depositions under 1800 words and those taking deposition may charge six cents per 100 for all words over 1800, but no extra compensation shall be added for fixing the seal thereto.
3. Private Acts of 1931, Chapter 592, amended Chapter 58, Public Acts of 1911, Section 14, by

excepting Grundy County from the provisions of that Section and setting the compensation of the Judge of the Court dealing with delinquent children at \$400 per year, payable quarterly, which shall be in addition to the salary already provided by law.

4. Public Acts of 1967, Chapter 82 allows for an Assistant District Attorney General for the Eighteenth Judicial Circuit. Grundy County, however, is no longer a part of the Eighteenth Judicial Circuit, and is now a part of the Twelfth Judicial Circuit.
5. Public Acts of 1971, Chapter 192 provides two Criminal Investigators for the Eighteenth Judicial Circuit. Grundy County is presently a part of the Twelfth Judicial Circuit, thus, this act does not affect Grundy County.
6. Public Acts of 1974, Chapter 607, amended Section 16-1109, Tennessee Code Annotated, Subsection 6, to set the salary of the Judge of the General Sessions Court in Macon County, Coffee County, and Grundy County. In Grundy County the annual salary of the Judge was fixed by this Act at \$6,500.
7. Public Acts of 1976, Chapter 561 creates an additional office of full-time Assistant District Attorney General for the Eighteenth Judicial District. Grundy County is, however, no longer a part of the Eighteenth Judicial District.

#### **Secretarial Assistance**

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

1. Public Acts of 1963, Chapter 248, Section 8 authorized the newly appointed Judge in Part II of the 18th Circuit to hire a stenographer at a salary of \$100 per month. This Section of the Act would be superseded by the above Tennessee Code Annotated Sections.

## Chapter VI - Education/Schools

### Board of Education

### Private Acts of 1983 Chapter 141

**SECTION 1.** Chapter 75 of the Private Acts of 1971, as amended by Chapter 214 of the Private Acts of 1978, is hereby repealed.

**SECTION 2.** The members constituting the Grundy County Board of Education on the effective date of this Act shall remain as the legally constituted Board of Education for Grundy County and each member of said Board shall hold office until his or her particular term of office expires, and any vacancies existing on said Board on the effective date or hereafter may be filled according to law by the county legislative body. The members appointed by the county legislative body shall reside in the district that they represent.

**SECTION 3.** Grundy County shall be divided into six (6) school districts. These school districts shall be identical to the six (6) county commissioner districts established by the Board of County Commissioners of Grundy County pursuant to statute, and these school districts shall be modified when the county commissioner districts are modified.

**SECTION 4.** Members of the Grundy County Board of Education elected pursuant to this Act shall serve for a term of two (2) years and until a successor is elected and qualified. The term of each member shall begin on September 1 of the year of the member's election. The Election Commission of Grundy County shall issue to the persons elected pursuant to this Act a Certificate of Election in the same manner as other county officers.

**SECTION 5.** One member of the Board of Education of Grundy County shall be elected from School District Number 1 (same as County Commissioner District Number 1) in the August 1986 General Election and every two (2) years thereafter.

One member of the Board of Education of Grundy County shall be elected from School District Number 2 (same as County Commissioner District Number 2) in the August 1986 General Election and every two (2) years thereafter.

One member of the Board of Education of Grundy County shall be elected from School District Number 3 (same as County Commissioner District Number 3) in the August 1984 General Election and every two (2) years thereafter.

One member of the Board of Education of Grundy County shall be elected from School District Number 4 (same as County Commissioner District Number 4) in the August 1984 General Election and every two (2) years thereafter.



years thereafter.

One member of the Board of Education of Grundy County shall be elected from School District Number 5 (same as County Commissioner District Number 5) in the August 1984 General Election and every two (2) years thereafter.

One member of the Board of Education of Grundy County shall be elected from School District Number 6 (same as County Commissioner District Number 6) in the August 1984 General Election and every two (2) years thereafter.

One member of the Board of Education of Grundy County shall be elected at-large by all the voters of Grundy County in the August 1984 General Election and every two (2) years thereafter.

**SECTION 6.** The Grundy County Board of Education shall consist of seven (7) members. Each member of the Board of Education elected pursuant to this Act shall reside in the district he or she represents, provided however, that the member elected at-large may reside anywhere in the county.

**SECTION 7.** On September 1 of the year of their election, or as soon thereafter as is practical, the newly elected members of the Grundy County Board of Education shall meet at the county courthouse and take an oath of office administered by someone authorized to administer oaths.

**SECTION 8.** The duties of the members of the Grundy County Board of Education shall be as prescribed by general law.

**SECTION 9.** If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not effect other provisions or applications of this 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 county legislative body of Grundy County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body 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: May 11, 1983.

## Buses

### Private Acts of 1963 Chapter 294

**SECTION 1.** That it shall be lawful in Grundy County, Tennessee, for a member of the Quarterly County Court of such County to contract with the County Board of Education of such County to drive school buses for such school system.

**SECTION 2.** 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 thirty (30) days after its approval by the chief executive of this State, or after its otherwise effective date. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve, and shall be certified by him to the Secretary of State.

**SECTION 3.** That this Acts shall be effective from and after its passage, the public welfare requiring it, but the provisions thereof shall not become operative until validated as provided in Section 2 herein.

Passed: March 21, 1963.

## Superintendent or Director of Schools

### Private Acts of 1929 Chapter 551

**COMPILER'S NOTE:** The constitutionality of this Act was upheld by the Supreme Court of Tennessee in the case of State, ex rel., Rollings v. Ritzius, 164 Tenn. 259, 47 S.W.2d 558 (1932).

**SECTION 1.** That hereafter the County Superintendent of Public Instruction, in all counties of this State having a population of more than 9,750 and less than 9,755 according to the Federal census or any subsequent Federal Census, shall be elected by the qualified voters of such counties at the regular election to be held on the first Thursday in August 1930, and every two years thereafter, and whose term of office

shall begin on January 1, 1931 and continue for two years and until his successor shall be elected and qualified.

**SECTION 2.** That the qualification of any person aspiring to said office shall be the same as provided under present or future laws governing the qualifications of County Superintendents generally, and the certificate of evidence of such qualifications shall be filed with the judge or chairman of the county court of such counties at least sixty days before any such general election.

**SECTION 3.** That the duties of such superintendents shall be the same as required of Superintendents of Public Instruction generally in this State, and their compensation shall be that provided and allowed under the general educational laws of the State of Tennessee.

**SECTION 4.** That all laws and parts of laws, in conflict with this act, be and the same are hereby repealed, and that this act take effect the first day of April, 1930, the public welfare requiring it.

Passed: April 3, 1929.

## Education/Schools - Historical Notes

### **Board of Education**

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

1. Private Acts of 1971, Chapter 75, established a 7 member Board of Education with one member elected from each of the seven voting districts. This Act and its amendment were repealed by Private Acts of 1983, Chapter 141.
2. Private Acts of 1978, Chapter 214, reworded the 1971 Act, above so that the seven members would be elected from magisterial districts for a varying term with reelection for a 6 year term.
3. Private Acts of 1982, Chapter 347, would have amended the 1971 Act by creating six school districts with a candidate from each district and one candidate to serve at large. There was no action taken on this by December 1, 1982 and is thereby ineffective under T.C.A. 8-3-202.

### **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Grundy County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1847-48, Chapter 180, incorporated Jesse Wooten, John Myers, William Dangin, Stephen M. Griswold, and David Burrows, as a body corporate and politic to be known as the "Trustees of Altamont Academy," conferring upon them all the powers, privileges, and obligations incidental to corporate institutions in Tennessee. The Trustees would select a President, Vice-President, and Secretary of the Board and would make all the rules and regulations concerning the internal management and affairs of the academy. The Academy would be given its distributive share of the county school funds.
2. Acts of 1905, Chapter 495, provided that all the land area described in the Act which was located in Warren, Grundy, and Coffee Counties was created into and would hereafter constitute the "Viola Taxing District" which would maintain and operate a high school, or schools, for that area and District. There would be three Directors and a Clerk, all to be elected by the voters of the District to two year terms, who would control, direct, and manage the school. The Directors were granted all the powers incidental to corporation plus the special powers announced in the Act. The special powers included the authority to accept the Viola Normal College facilities in which a high school was to be organized for the white children of the area who would attend without charge for the entire school year. A special property tax rate for the school would be levied in the District of 25 cents per \$100, property valuation, and a poll tax of 25 cents per eligible male would be assessed. The Board members would not be paid anything for their services and they would set the compensation to be paid to the Clerk. All of this was conditioned upon the successful outcome of a referendum to be held in the described area.
3. Acts of 1907, Chapter 236, abolished the office of District Directors in every county of the State and created Boards of Education and District Boards of Advisors in their places. The County Court would divide each County into five school districts, or less, which would be composed of whole civil districts from each of which one member of the Board of Education would be elected. The County Superintendent was named as the Secretary to the Board. Any person who is a resident

and voter of the district and who has at least a primary education would be eligible to serve on the Board on which the County Superintendent would fill any vacancies. The duties of the Chairman, selected by the Board members, the Secretary, and the members are all stipulated in the Act. Board members would receive from \$1.50 to \$3.00 per day for their services, the amount to be fixed by the County Court. Each Advisory Board member, three in number, would be elected by the voters of their Districts and discharge the duties and responsibilities enumerated in this law. This Act would not affect the city school systems in any way. Several counties took themselves out from under the provisions of this Act but Grundy County was not among those doing so.

4. Acts of 1909, Chapter 494, stated that the parent or guardian of all children from eight to fourteen years of age, would cause them to attend school for four months, or eighty consecutive days, each year. This Act would not apply if the child had completed the courses of study, or was being taught in private or parochial schools, or by a qualified private tutor. The child could also be excused if its services were needed to ward off poverty and/or to help support the family. The principal, or the teacher, was enabled to excuse a child for a temporary absence from school. Penalties were established to apply to violators of this Act which would include the keeping of certain specified attendance records on each child. The principal was required to notify the child's parents of any absence. An errant child could be sent to a truant school if the situation warranted it. This Act was made applicable to eighteen counties only, including Grundy, by the use of the 1900 Federal Census figures.
5. Private Acts of 1915, Chapter 46, formed part of the Fourth Civil District of Grundy County, and part of the Eighth Civil District of Marion County, into a special school district with Monteagle to be called the "Monteagle Special School District" which would contain that portion of both counties described in the Bill. The School District would be controlled and managed by a five member Board of School Trustees, elected by the people for two year terms beginning in August, 1916. To serve until the election, the Act appointed W. H. Richmond, J. H. Shelters, V. I. Holcombe, C. H. Mankin, and Dr. D. H. Bryan, as the interim Board. The Board would select a President, a Vice-President, and a Secretary, who would keep proper and accurate records. The Board would hold regular meetings of which ample public notice would be given, and they would be in charge of all properties and employees. A special school tax of twenty cents on each \$100 of property valuation, and a poll tax of \$1.00 on eligible males were levied in order to extend the school year to nine months of free school. The Board would establish and maintain a high school in the District in which a state approved curriculum would be taught. This Act was repealed by Chapter 311, Private Acts of 1929, below.
6. Private Acts of 1919, Chapter 15, amended Chapter 46, Private Acts of 1915, above, by lowering the property tax rate levied in that Act to support and maintain the schools of the Monteagle School District from twenty cents to ten cents per \$100 property valuation.
7. Public Acts of 1925, Chapter 115, was a statewide educational Act which was the basis for Title 49, Tennessee Code Annotated. Section 33 in that Act abolished all special school districts which were not taxing districts to hold referenda on the question of their abolition. Any special school district would be permitted to become a part of the county school system when all of its debts were paid.
8. Private Acts of 1929, Chapter 311, expressly repealed Chapter 46, Private Acts of 1915, which created the Monteagle Special School District, as it was amended in its entirety.
9. Private Acts of 1929, Chapter 933, created the Tracy City Special School District as the same was described by metes and bounds in the Act. This Act named Jess D. Fults, as Chairman, and Mrs. W. P. Stone, J. Cam Henley, Dewitt McCullough, and E. C. Shelton to serve as the first five member Board of Directors of the District until their successors are elected on October 15, 1930, to two year terms. The Recorder shall report the scholastic population of the District and the Superintendent shall keep adequate records of school attendance in the District, upon which the Trustee was directed to apportion the school funds. A special property tax rate of 25 cents per \$100 property valuation was levied to raise the funds to operate the schools. The Board would select their Chairman and Treasurer and meet at least four times per year exercising the specific powers granted to it as well as those state powers incidental thereto. All State laws which were not in conflict with this Act would apply to this District.
10. Private Acts of 1931 (2nd Ex. Sess.), Chapter 111, amended Chapter 933, Private Acts of 1929, by correcting a directional error in the description of the land encompassing the land area of the Tracy City School District, and by placing all the schools in the District under Control of the County Board of Education of Grundy County. The tax levy for the special school district was established at 25 cents per \$100 property valuation and a poll tax of \$1.00 was imposed on each male citizen

between ages of 21 and 50 who were subject to the payment of poll taxes. The Board was not permitted to prescribe a standard of conduct for any school in the area which was inferior to those prescribed for public education.

11. Private Acts of 1961, Chapter 66, divided Grundy County into five School Districts which were composed entirely of the whole Civil Districts from each of which would come one member of the Board of Education except the First District which would have three members. This Act was rejected by the Quarterly Court and therefore never became an effective law under the provisions of the Home Rule Amendment to the State Constitution.
12. Private Acts of 1982, Chapter 347, would have amended Chapter 75, Private Acts of 1971, by rewriting Section one thereof relative to the composition and election of the members of the Board of Education. The deadline for approval which was stated in this act was not met by the Grundy County Commission thus rendering this Chapter null and void.

## Chapter VII - Elections

### Elections - Historical Notes

#### **Districts - Reapportionment**

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

1. Acts of 1843-44, Chapter 204, Section 12, which provided that the County Commissioners of newly formed Grundy County shall appoint five suitable persons as Commissioners whose duty it would be to lay off the county into Civil Districts and to designate within the Civil Districts thus laid off, the places where elections would be held.
2. Acts of 1905, Chapter 210 created and established four Civil Districts in lieu of the thirteen Civil Districts that existed prior to this act.
3. Private Acts of 1913, Chapter 162 created a new Fifth Civil District out of the Fourth Civil District as it was established by Chapter 210, Private Acts 1905.
4. Private Acts of 1917, Chapter 798 amended Private Acts of 1913, Chapter 162 by creating a new Sixth District out of the existing Third Civil District.
5. Private Acts of 1919, Chapter 519 forms the Seventh and Eighth Civil Districts and reconstitutes the First civil District to the boundaries it had before Private Acts of 1905, Chapter 210 was enacted.
6. Private Acts of 1935, Chapter 438 amended Private Acts of 1917, Chapter 798 by striking out the words "Chapter 162, Private Acts of 1913" as they appear, and substitute "Chapter 210, Private Acts 1905" which corrected an obvious error, and by inserting a geographical change in the area of the 6th Civil District.

#### **Elections**

The following is a listing of acts for Grundy 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 1851-52, Chapter 196, divided Tennessee into ten United States Congressional Districts. The Fourth Congressional District had in it the counties of Jackson, Macon, Smith, DeKalb, White, Warren, Coffee, Grundy, and Van Buren.
2. Acts of 1851-52, Chapter 197, reorganized the State for the General Assembly. Grundy, Coffee, and Van Buren Counties would elect one Representative to the General Assembly jointly and county the polls at Altamont. One State Senatorial District was composed of the counties of Warren, Cannon, Coffee, Grundy, and Van Buren, and these votes would be tabulated and verified in McMinnville.
3. Acts of 1865, Chapter 39, delineated the State into eight U.S. Congressional Districts of which the Third Congressional District consisted of the counties of Meigs, Rhea, Hamilton, Marion, Grundy, Bledsoe, Van Buren, Sequatchie, Warren, White, Smith, Cumberland, Putnam, Jackson, Macon, Overton, DeKalb, and Fentress.
4. Acts of 1867-68, Chapter 5, moved the place for comparing the polls in the representative District made up of Van Buren, Grundy, and Coffee Counties to the city of McMinnville in Warren County.

5. Acts of 1871, Chapter 147, reapportioned the State for the General Assembly according to the population count in the 1870 Federal Census. Marion, Sequatchie, Bledsoe, Hamilton, Grundy, and Van Buren Counties would elect one Representative jointly. The Seventh State Senatorial District was composed of the counties of Rhea, James, Hamilton, Bledsoe, Sequatchie, Marion, Grundy, and Van Buren.
6. Acts of 1872, Chapter 7, redistricted Tennessee for the United State Congressional Representatives into nine Districts. The Third U.S. Congressional District contained the counties of Blount, Loudon, Roane, Monroe, McMinn, Meigs, Rhea, Polk, Bradley, James, Hamilton, Marion, Sequatchie, Bledsoe, Grundy, Van Buren, and Warren.
7. Acts of 1873, Chapter 27, divided the State into ten U.S. Congressional Districts and assigned Polk, McMinn, Meigs, Rhea, Bradley, James, Hamilton, Marion, Grundy, Sequatchie, Bledsoe, Van Buren, White, Warren, DeKalb, Cannon, and Cumberland Counties to the Third Congressional District.
8. Acts of 1881 (Ex. Sess.), Chapter 5, set the number of Senators for the General Assembly at 33 and the number of Representatives at 99 for the future composition of the General Assembly.
9. Acts of 1881 (Ex. Sess.), Chapter 6, reapportioned the state being the same on the 1880 Federal Census. Marion and Grundy Counties would elect one Representative between them. The Ninth Senatorial District of the State had Grundy, Sequatchie, Bledsoe, Van Buren, Rhea, Cumberland, Morgan, and White Counties in it.
10. Acts of 1882 (Ex. Sess.), Chapter 27, divided the State into ten U.S. Congressional Districts, assigning Monroe, Polk, Bradley, Hamilton, James, McMinn, Bledsoe, Sequatchie, Marion, Grundy, Van Buren, White, and Warren Counties to the Third U.S. Congressional Districts.
11. Acts of 1891 (Ex. Sess.), Chapter 10, reapportioned Tennessee's General Assembly according to the 1890 Federal Census. Grundy, Sequatchie, Bledsoe, Van Buren, and Cumberland Counties would jointly elect one State Representative. Marion, Grundy, Franklin, and Warren Counties would make up the 11th State Senatorial District.
12. Acts of 1901, Chapter 109, divided Tennessee into ten U.S. Congressional Districts assigning the counties in accordance with the 1900 Federal Census. The Third Congressional District listed the counties of Monroe, Polk, McMinn, Meigs, Bradley, James, Hamilton, Marion, Sequatchie, Bledsoe, Van Buren, Grundy, White, Warren, and Franklin.
13. Acts of 1901, Chapter 122, was the last reapportionment of the Tennessee General Assembly until the Federally ordered reapportionment took place in the 1960's. The Eleventh State Senatorial District comprised Marion, Franklin, Grundy, and Warren Counties. Cumberland, Sequatchie, Bledsoe, Van Buren, and Grundy Counties would elect one Representative jointly.
14. Private Acts of 1931, Chapter 154, stated that within thirty days from the passage of this Act the Grundy County Election Commission would hold an election and submit to the people the question of whether Chapter 5, Private Acts of 1913, should be repealed or not. The results of the election were to be certified to the Grundy County delegation in the General Assembly as soon as they were known by the Election Commission.

## Chapter VIII - Health

### Hospital Appropriations

#### Private Acts of 1931 Chapter 363

**SECTION 1.** That any county in this State, having a population of not less than 9,710 nor more than 9,725, by the Federal Census of the year of 1930, or any subsequent Federal Census of the year 1930, or any subsequent Federal Census, is hereby authorized to appropriate and donate, to any hospital for the sick, located within or without said county, which engages wholly, or in part, in the work of caring for the indigent sick inhabitants of such county, free of cost, an amount not to exceed Five Thousand (\$5,000) Dollars per annum.

**SECTION 2.** Any appropriation made under this Act may be done by the Quarterly Court of such county, at a regular session, and limited to the remainder of the calendar year in which the appropriation is made.

**SECTION 3.** It shall be the duty of the County Judge or Chairman of the County Court of any county making such appropriation, to issue to the treasurer of such hospital a warrant on the County Trustee, for

any amount appropriated by the Quarterly Court under this Act, and said warrant shall be paid by the Trustee, out of any funds of said county in his hands, not otherwise appropriated.

**SECTION 4.** All laws and parts of laws in conflict with this Act are hereby repealed.

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

Passed: June 5, 1931.

## Chapter IX - Highways and Roads

### Gas Tax Division

#### Private Acts of 1947 Chapter 489

**SECTION 1.** That out of the Two Cent Gasoline Tax Fund now received by Grundy County from the State of Tennessee that one-twelfth of the said Fund paid to the Trustee of the said County for the year 1947 shall be paid by the said Trustee to the Governing Bodies of the Towns of Tracy City, Palmer, and Altamont, on the following basis of apportionment, to-wit: Tracy City, Seventy-Five (75%) percent of the said one-twelfth; Palmer, Fifteen (15%) percent of the said one-twelfth; and Altamont, Ten (10%) percent of the said one-twelfth.

**SECTION 2.** That for the year 1947 and each year thereafter the Trustee of the County will take as a basis of arriving at the one-twelfth of the said Gasoline Tax Fund going to the said Municipalities the sum received from the State by the said County for the preceding year and shall set up on the books of the Trustee's Office one-twelfth of the said sum for the year 1947 and for each year thereafter, and shall pay the same as herein provided, to the said Governing Bodies of the Municipalities of Tracy City, Palmer, and Altamont.

**SECTION 3.** That the Governing Bodies of the said Municipalities shall each year lay out and designate the streets, roads and bridges within the said Municipalities where said fund shall be expended and the Governing Bodies of the said Municipalities will cause to be made a record of all funds received under the provisions of this Act and the same shall be opened to inspection by any party interested.

**SECTION 4.** That the Trustee of Grundy County will make the division of this Fund as herein provided and shall pay the same to the Municipalities on or before the 1st day of June of each year, and the first payment under the provisions of this Act shall be made on or before the 1st day of June, 1947.

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

Passed: February 27, 1947.

### Road Law

#### Private Acts of 1939 Chapter 435

**SECTION 1.** That in all counties in this State having a population of more than 9,715 and less than 9,725 according to the Federal Census of 1930, or any subsequent Federal Census, there is created the office of Superintendent of Roads, and the qualifications of the person to fill this office shall be that he is a citizen of the county in which he is to serve, and shall be above the age of twenty-five years.

**SECTION 2.** That the Superintendent of Roads in all such counties shall, before entering upon the duties of such office, take and subscribe to an oath that he will support the Constitution of the United States and the Constitution of the State of Tennessee, and that he will faithfully, impartially, diligently and to the best of his ability and skill, perform all duties required of him as such Superintendent of Roads, and account for all monies and property coming into his hands as such Superintendent, and he shall also execute and file in the office of the County Court Clerk a good and sufficient bond in the penalty of Ten Thousand Dollars, which shall be approved by the County Judge or Chairman, payable to the State of Tennessee for the use and benefit of such county, conditioned upon his faithful performance of his duties as Superintendent of Roads as prescribed by the provisions of this Act, and the faithful accounting for all monies and property belonging to the county which may come into his hands as such official.

**SECTION 3.** The salary of the Superintendent of Roads shall be in the same amount as provided for the Clerk of the County Court of Grundy County in Chapter 24 of Title 8 of Tennessee Code Annotated.

As amended by:

Private Acts of 1949, Chapter 170

Private Acts of 1949, Chapter 750

Private Acts of 1959, Chapter 2

## Private Acts of 1970, Chapter 194

## Private Acts of 1970, Chapter 195

**SECTION 4.** That the Superintendent of Roads shall have general, complete and exclusive control over the laying out, construction and maintenance of all public roads in his county (except such roads and bridges as are or may be under the supervision and control of the Department of Highways and Public Works of the State) and shall have the right and authority to employ persons to do work in laying out, constructing and repairing all public roads in his county, fix the wages to be paid such employees, which shall not be above the average wage scale prevailing in such counties for similar services, and shall have authority to purchase all necessary supplies, materials and equipment for carrying on the work on the public roads, provided, no equipment the cost of which is more than Five Hundred Dollars, shall be purchased by such Superintendent of Roads without the approval of a majority of the Justices of the County in Quarterly Court assembled.

**SECTION 5.** That the Superintendent of Roads shall, once each month, issue written orders to the County Judge or Chairman for the payment of all salaries and wages including his own salary and the salary of his Clerk, which orders shall contain a brief statement of the time for which payment is made, on what account and the amount, and the County Judge or Chairman shall issue warrants against the road funds of the County for the payment of the same, provided there are funds in the hands of the Trustee of the county to pay the same, and shall preserve said orders in his office.

**SECTION 6.** That when it becomes necessary so to do, in order to efficiently carry out the work on the public roads, as provided for in this Act, the Superintendent of Roads may institute condemnation proceedings for the purpose of condemning land for road purposes, chert beds, rock quarries, gravel beds and/or any other road building material necessary for the construction and maintenance of the public roads in such counties. The damages assessed against the county in all such cases shall be paid by the County Judge or Chairman out of the road funds of the county, upon a certificate from the Superintendent of Roads.

**SECTION 7.** That the Superintendent of Roads shall have supervision, charge of and exclusive control over all machinery and equipment owned by the county and/or used in the construction and maintenance of all public roads in such counties, as well as all tools, supplies and equipment belonging to such counties, and he shall make a complete inventory of the same and file a copy thereof in the office of the County Court Clerk within thirty days after taking office.

**SECTION 8.** There shall be elected by the qualified voters of such counties at the next regular August election 1966, and at each succeeding quadrennial election thereafter a suitable person as Superintendent of Roads, who shall take office on the first day of September following his election and who shall hold office for four years and thereafter until his successor in office is elected and qualified.

As amended by: Private Acts of 1965, Chapter 166

**SECTION 9.** That in the event of a vacancy in the office of Superintendent of Roads, the Quarterly County Court shall, at its next regular session or at a special session called for that purpose, elect a Superintendent of Roads to serve in compliance with the provisions of this Act until his successor shall have been elected and qualified as herein provided.

**SECTION 10.** That such Superintendent of Roads, either with or without the consent of a majority of the Justices of the County, shall not enter into any obligation for machinery, equipment or supplies beyond the ability of the county to pay for the same during the incumbency of the Superintendent of Roads making such purchases.

**SECTION 11.** That in making purchases for supplies and equipment, competitive bidding shall be allowed among the proposed sellers, except in emergency purchases where the purchase shall not exceed twenty-five dollars.

**SECTION 12.** That the Superintendent of Roads shall have the authority to contract with any State or Federal Agency by which the road funds of the county may be supplemented or augmented to that additional employees may be employed on road work and/or bridge construction or repairs, beyond the ability of the county alone to employ provided that such contracts shall not incur any liability to the county above the revenue of that county for road purposes.

**SECTION 13.** That the method of opening, closing or changing the location of any public road in such counties as provided for in Sections 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, and 2741 of the Code of Tennessee, shall not be changed or abridged by this Act, but the same are to be left in force and effect and applicable to all counties coming under the provisions of this Act.

**SECTION 14.** That the Superintendent of Roads shall submit to each Quarterly Session of the County Court a full and complete report of his activities as such Superintendent of Roads, showing in each report the amount of road funds on hand at the beginning of the quarter together with the amount expended for

labor, supplies, materials, and equipment, and the amount expended on each account, together with a list of articles purchased, the number of laborers employed, the number of new miles constructed or the fractions thereof, and where located, during the quarter for which said report is made.

**SECTION 15.** That in the event any Section of this Act is declared invalid, the remaining Sections shall remain in full force and effect, as it is declared to be the Legislative intent to enact each Section separately.

**SECTION 16.** That this Act take effect from and after August Election 1940, the public welfare requiring it.

Passed: March 1, 1939.

**COMPILER'S NOTE:** The Tennessee County Highway Law, codified in Title 54, Chapter 7 of Tennessee Code Annotated, has superseded or expanded portions of this act.

## Highways and Roads - Historical Notes

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

1. Acts of 1901, Chapter 136, was a Road law enacted to apply to all counties in the State under 70,000 in population. The County Court of the respective Counties would select a Road Commissioner from each Road District which would be co-extensive with the Civil Districts who would serve a two year term, be a citizen and freeholder of the district and experienced in road work and who would be in charge of all the roads, bridges, and overseers in the District. He would be sworn and bonded and discharge the duties stipulated in the Act. The County Court will assign the road hands to the Sections to be worked and set the number of days for them from five to eight, and set the price to be allowed one for the use of a team and wagon. The County Courts were allowed to levy a road tax of two cents per \$100 of evaluation for each day of labor assessed for road hands, two-thirds of which may be worked out. All males outside of incorporated cities between the ages of 21 and 45 are subject to labor on the roads. The Commissioners would name the road overseers in their districts. Prisoners could be worked on roads under certain conditions. Roads would be classified and indexed and meet some of the specifications set up in the act. The County Court was authorized to contract for some of the road maintenance, if desired. Procedures were specified which must be followed in the exercise of eminent domain and in the handling and disposition of petitions to open, close, or change roads. See Carroll v. Griffith, 117 Tenn. 500, 97 S.W. 66 (1906) for a case on this Act.
2. Acts of 1905, Chapter 478, amended Chapter 136, Acts of 1901, in several minor particulars but primarily in the procedures to be followed in the reception of the hearing of, and the disposition of petitions to open, close, or change roads since the execution of such requests nearly always involved the exercise of eminent domain and the infliction of damages on other parties.
3. Private Acts of 1921, Chapter 349, stated that the Road Districts in Grundy County were hereby made and declared to be co-extensive with the Civil Districts of the County as they existed at this time. If the boundaries of Civil Districts are changed, or the county should be redistricted, the same will have no effect on this law and the Road Districts will continue to be co-extensive with the Civil Districts.
4. Private Acts of 1923, Chapter 392, declared that the same number of days of road work shall be levied against the owners of wagons and teams as are levied against road hands, and the owners of the wagons and teams are required to work that number. The owners of teams must pay \$3.50 per day for commutation fees and road hands \$1.75 per day for each day of work missed. If one is not subject to duty but desires to drive ones own team, he shall be paid \$1.50 per day for a double team, and \$1.00 per day for a single team. The amount paid to the authorities for commutation shall be credited to the Road District from whence it came. Road overseers shall warn each team owner of the days to work according to law, and the overseer shall be paid \$1.50 for each day he works at this job. All violators of this Act were subject to fines from \$10 to \$50.
5. Private Acts of 1925, Chapter 662, amended Chapter 136, Public Acts of 1901, which is Item One, above, as it was amended, in Section 3, by adding after the word "State" a provision which granted the authority to the Road Commissioners to open any road to public use which led to any rock quarry, gravel bed, or other road surfacing material.
6. Private Acts of 1927, Chapter 614, contained a general repealing clause but no specific references. The Act provided that the Quarterly Court of Grundy County should levy against the



owner of all teams and work stock the same number of days labor on the roads as were levied against other road hands, except that the owner of two or more teams was required to work only two teams. This Act would not apply to mine mules, Jucks, Jennets, stallions, brood mares, and saddle horses. The owner of a team could commute by paying \$3.50 per day, the amount to be credited to the District where paid. Overseers would supervise this work and issue warnings to the owners notifying them of the time and place to report. Failure to comply could result in fines ranging from \$10 to \$50. General road laws of the State would apply to all instances not covered by this Act. This law was repealed by the one following.

7. Private Acts of 1929, Chapter 135, expressly and entirely repealed Chapter 614, Private Acts of 1927, above.
8. Private Acts of 1929, Chapter 278, was the next comprehensive Road Law for Grundy County. This Act designated all highways in the County as secondary or district roads, defining each class. A three member Highway Commission was created of which the County Judge would be chairman, and the Quarterly Court would appoint the other two members, all of whom would be sworn and bonded. Afterwards the Commissioners would be elected by the people, and a chairman would be selected by the members, thus elected from their own number who would be the County's agent in highway matters. The Commission would classify the roads into the categories mentioned and would supplant the Workhouse Commission, assuming all their responsibilities towards working the prisoners on the roads. The Commissioners would be paid as the Quarterly Court might direct, including repayment of their actual expenses. The Commission would manage and control all public roads and bridges, equipment and supplies, which they could purchase under the regulations prescribed, all amounts over \$250 being bought under the bid process. They would hold regular monthly meetings, exercise the right of eminent domain observing strictly and at all times the requirements of the law and would divide and disburse road funds as the best interests of the county demanded but could not exceed the tax levy appropriation in any circumstance. The Commission was allowed to employ an engineer and was required to formulate a system for county road repair. Reports would be made at intervals to the Court which had the authority to change their plans if the Court desired. Procedures were prescribed in the Act which must be followed in considering petitions to open, close, or change roads. All conflicts with this law were repealed.
9. Private Acts of 1929, Chapter 279, recited that, in order to raise funds to construct, maintain, and repair roads in Grundy County, identified by the use of the 1920 Federal Census figures, the Quarterly County Court at its first session after the passage of this Act, shall levy a tax of not less than \$2.50 and not more than \$5.00 upon every male citizen between the ages of 21 and 50 who have not been exempted under the law from road duty. The Tax Assessor will place the names of all those who are subject to the tax on the tax rolls and the Trustee will collect the same. A property tax of 15 cents per \$100 property valuation was also levied which the Trustee would likewise collect.
10. Private Acts of 1929, Chapter 889, was an act which created a County Highway Commission for counties between 9,193 and 10,000 in population, according to the 1920 census. These figures would include Grundy County but it is obvious the Act was not intended to apply to Grundy County, although some works on private acts differed. In any event, this Act was repealed by Chapter 698, Private Acts of 1937, a fact which goes unnoticed by those who say the Act applied to Grundy County.
11. Private Acts of 1931, Chapter 590, amended Chapter 278, Private Acts of 1929, Item 8, above, in Section 3, by changing some of the verbiage and inserting a provision that the County Court would elect the three Highway Commissioners thereafter for one, two, and three year terms, and after that, for three year terms so that one would be up every year.
12. Private Acts of 1933, Chapter 455, amended Chapter 278, Private Acts of 1929, in Section 2, by increasing the bond of the Road Commissioners from \$5,000 to \$10,000, and by naming Alan M. Shook, R. M. Crick, and Robert Crouch as Highway Commissioners to serve until September 1, 1934, when their successors, who would have been elected in the August, 1934 elections, would take over the office.
13. Private Acts of 1933, Chapter 713, specifically repealed Chapter 590, Private Acts of 1931, which amended Chapter 278, Private Acts of 1929, the Road Law of Grundy County, and which gave the County Court the authority to appoint the Highway Commissioners to staggered three year terms, instead of their being elected by popular vote.
14. Public Acts of 1976, Chapter 767, made it unlawful for the State, or any political subdivision thereof including counties and cities, to own or operate any plant, or facility, for the manufacture

or production of hot mix asphalt, and to sell, barter, trade, loan, or give away, the product of any such plant or facility. This prohibition did not apply to any county, or city, already operating such a plant, but they must comply with all state rules, regulations, and standards governing the same. Six counties exempted themselves from the provisions of this Act, one of which was Grundy County.

## Chapter X - Law Enforcement

### Law Enforcement - Historical Notes

#### **Offenses**

The act briefly summarized below fell into this category in Grundy County.

1. Acts of 1909, Chapter 568, made it unlawful for any person to break off, chip off, mutilate, deface, or carry away any of the formation, or parts, of Wonder Cave in Grundy County. Any one doing so and apprehended would be fined from \$25 to \$50. However, no person would be convicted of this offense under this Acts unless the owner of Wonder Cave shall keep the same well posted at four conspicuous places in or near the entrance to the cave with a printed copy of this Act.

#### **Sheriff**

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

1. Private Acts of 1921, Chapter 627 raised the compensation of the Sheriff of Grundy County by \$500 in addition to the fees then allowed by law. This sum was payable quarterly out of the county funds upon warrant of the County Chairman or County Judge of the County Court.
2. Private Acts of 1927, Chapter 773, fixed the salary of the Sheriff of Grundy County at \$1,000 per year, payable quarterly, which shall be in addition to, over, and above, regardless of, the amount of fees collected in the office, and which are allowed by law to the Sheriff. The salary would be paid out of regular county funds.
3. Private Acts of 1929, Chapter 316, provided that in Grundy County the Quarterly Court at its April Session in 1930, and every two years thereafter, would set the amount of the ex-officio fees to be paid to the sheriff beginning on September 1, of that year, which amount shall be no lower than \$400 and no higher than \$800, and which would not be increased, or decreased during the term for which it was set. The amount paid hereunder would be in addition to, and over and above, all fees allowed the Sheriff by law.
4. Private Acts of 1945, Chapter 25, stated that, in Grundy County, identified by the use of the 1940 Federal Census figures, the Sheriff shall be paid as ex-officio fees the sum of \$1,800 per year, payable in equal monthly installments out of the county treasury on the warrant of the County Judge but no other ex-officio fees of any kind would be paid other than this.
5. Private Acts of 1949, Chapter 135, increased the amount of the ex-officio fees to be paid to the Sheriff of Grundy County from \$1,800 to \$3,600 payable in equal monthly installments, as before. No other ex-officio allowances of any kind would be paid to the Sheriff, and this Act would take effect on March 1, 1949.

## Chapter Xi - Taxation

### Litigation Tax

#### Private Acts of 1963 Chapter 181

**SECTION 1.** That a litigation tax of One Dollar and 50/100 (\$1.50) shall be taxed as part of the costs in all civil and criminal actions in either the General Sessions Court, the Chancery Court or the Circuit Court of Grundy County, Tennessee.

**SECTION 2.** That the Clerk of the said Courts will collect the said litigation tax and pay same to the Trustee of Grundy County, Tennessee, who will place same into a separate fund, which is to be designated as the "Grundy County Capital Improvement Fund," which fund is to be used exclusively for the purpose of

improving the courthouse and/or jail.

**SECTION 3.** That all expenditures made from the said fund shall be made by the County Judge upon the approval and authorization of the Grundy County Court for the purposes specified herein.

**SECTION 4.** That the County Court is hereby authorized to issue notes and bonds for the purposes specified herein and pledge the income hereof for the exclusive payment of the bonds or notes.

**SECTION 5.** That this Act shall have no effect unless the same shall have been approved by a two-thirds (2/3) vote of the County Court of Grundy County, Tennessee, on or before the next regular meeting of such County Court occurring more than thirty (30) days after its approval by the Chief Executive of the State. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

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

Passed: March 15, 1963.

## Mineral Severance Tax

### Private Acts of 1983 Chapter 140

**COMPILER'S NOTE:** Portions of this act may have been superceded by general law.

**SECTION 1.** A severance tax is hereby levied in Grundy County on sand, gravel, limestone, phosphate rock, clay, and all other minerals that are severed from the earth for private commercial purposes. However, the tax shall not be levied on any mineral taxed under the provisions of Tennessee Code Annotated, Section 67-5901 [67-7-102] through 67-5905 [67-7-110]. The measure of the tax shall be set by resolution of the Grundy County legislative body, but shall not be less than ten cents (10¢) nor more than twenty-five cents (25¢) per ton on all minerals severed from the ground in Grundy County that are subject to the tax levied by this Act. The owner shall become liable for payment of the severance tax at the time the mineral is severed from the earth and transported from the mine. The tax is levied upon the severance of the mineral regardless of the place of processing or sale of the mineral or the fact that delivery may be made outside the county. The tax shall accrue at the time the sand, gravel, limestone, phosphate rock, clay or other mineral is severed from the earth and in its natural or unprocessed state and transported from the mine. The tax levied shall be a lien upon all subject minerals severed in the county and any other property owned by the miner. Such lien shall be entitled to preference over all judgements, encumbrances or liens whatsoever created.

**SECTION 2.** Administration and collection of this tax shall be by the County Clerk of Grundy County who shall have the power to promulgate all rules and regulations necessary and reasonable for the administration of the provisions of this Act.

**SECTION 3.** The tax levied by this Act shall be due and payable on the first day of the month succeeding the month in which the sand, gravel, limestone, phosphate rock, clay, or other mineral products are severed from the soil. For the purpose of ascertaining the amount of tax payable, it shall be the duty of all operators in Grundy County to transmit to the county clerk on or before the fifteenth (15th) day of the month next succeeding the month in which the tax accrues a return upon forms provided by him. The return shall show the month or period covered, the total number of tons of each type of mineral, sand, gravel, limestone, phosphate rock, clay or other mineral product severed from each production unit operated, owned or controlled by the taxpayer during the period covered, the amount of the tax and such information as the county clerk may require. The return shall be accompanied by a remittance covering the amount of tax due as computed by the taxpayer.

**SECTION 4.** The tax levied by this Act shall become delinquent on the sixteenth (16th) day of the month next succeeding the month in which such tax accrues. When any operator shall fail to make any return and pay the full amount of the tax levied on or before such date there shall be imposed, in addition to other penalties provided herein, a specific penalty in the amount of ten percent (10%) of the tax due. Whenever a penalty is imposed there shall be added to the amount of tax and penalty due interest thereon at the rate of ten percent (10%) per annum from the date due until paid. A further penalty of fifty percent (50%) of the amount due may be added if the nonpayment of the tax is due to an intent to evade payment. If the tax is delinquent for a period of sixty (60) days, or if the nonpayment of the tax is due to an intent to evade payment, the person liable for such payment may be restrained and enjoined from severing sand, gravel, limestone, phosphate rock, or other mineral products that have been severed and sold and upon which the tax is due. Restraint proceedings shall be instituted in the name of the county by the district attorney general for the county at the request of the Grundy County Clerk.

All such penalties and interest imposed by this Act shall be payable to and collectible by the county clerk

in the same manner as if they were a part of the tax imposed and shall be retained by the county clerk's office to help defray the expenses of administration and collection.

**SECTION 5.** When any person shall fail to file any form, statement, report or return required to be filed with the county clerk, after being given written notice of same, the county clerk is authorized to determine the tax liability of such person from whatever source of information may be available to him. An assessment made by the county clerk pursuant to this authority shall be binding as if made upon the sworn statement, report or return of the person liable for the payment of such tax; and any person against whom such an assessment if lawfully made shall thereafter be stopped to dispute the accuracy thereof except upon filing a true and accurate return together with such supporting evidence as the county clerk may require indicating precisely the amount of the alleged inaccuracy.

**SECTION 6.** All revenues collected from the severance of sand, gravel, limestone, phosphate rock, clay, or other mineral products in Grundy County less an amount of five percent (5%) of the taxes collected which shall be used to cover the expenses of administration and collection and all of the penalties and interest collected, which shall be retained by the office of the county clerk and credited to its current service revenue to cover the expense of administration and collection, shall be remitted quarterly to the county trustee of Grundy County, not later than the tenth (10th) day of the month following the end of the calendar quarter. These revenues shall become a part of the general fund of Grundy County, subject to appropriation by the county legislative body.

Any adjustment of taxes, penalties, or interest which is necessary to adjust any error in collection or disbursement may be made at a subsequent collection or disbursement.

**SECTION 7.** If any provision 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 8.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Grundy County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Grundy County legislative body 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: May 11, 1983.

## Special Levies

### Private Acts of 1949 Chapter 171

**SECTION 1.** That Grundy County, Tennessee is hereby authorized and empowered to levy and collect for purposes of forestry conservation and fire prevention a tax of not more than ten cents on each \$100 worth of property assessed for taxation in said county. The Quarterly County Court of Grundy County is authorized to levy said tax in the same manner as other taxes in said county are levied. The proceeds shall be deposited in a separate fund by the County Trustee and shall be expended for forestry conservation and fire prevention in cooperation with the State and Federal Governments.

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

Passed: February 15, 1949.

### Private Acts of 1951 Chapter 395

**SECTION 1.** That Grundy County, Tennessee, acting by and through its Quarterly County Court is hereby authorized and empowered to make special tax levies for the following purposes, which shall be in addition to the forty-cent levy for general county purposes, and in addition to other special tax levies for special purposes:

Direct Relief, not to exceed	.15 cents
Veterans, not to exceed	.10 cents
Elections, not to exceed	.07 cents
Courthouse and Jail Improvements, not to exceed	.08 cents

County Agent and Home Demonstration, not to exceed

.08 cents

**SECTION 2.** That the special levies made by the Quarterly County Court of Grundy County, Tennessee, for the fiscal year 1950-51 and for previous years in the amounts and for the purposes set forth in Section 1 of this Act are hereby ratified, confirmed and validated.

**SECTION 3.** That the provisions of this Act are hereby declared to be severable. If any of its sections, provisions, exceptions, sentences, clauses, phrases, or parts be held unconstitutional or void, the remainder of this Act shall continue in full force and effect, it being the legislative intent now hereby declared, that this Act would have been adopted even if such unconstitutional or void matter had not been included therein.

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

Passed: March 5, 1951.

## 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 Grundy County Assessor.

1. Private Acts of 1913 (Ex. Sess.), Chapter 80, provided that the Tax Assessor in Grundy County using the 1910 Federal Census figures, shall be paid \$500 per year, payable quarterly out of the county treasury upon the warrant of the County Judge or chairman.
2. Private Acts of 1921, Chapter 350, stated that the annual salary of the Tax Assessor in Grundy County shall be \$600 per year, payable quarterly out of the county treasury on the warrant of the County Judge or chairman.
3. Private Acts of 1947, Chapter 812, set the annual salary of the Tax Assessor in Grundy County at \$1,500, payable quarterly out of regular county funds.

### Taxation

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

1. Acts of 1870-71, Chapter 50, authorized the counties and the cities of the State to levy taxes for county and municipal purposes upon the following conditions (1) that all taxable property be taxed according to its value on principles established in regard to State taxation, and (2) that the credit of no county, or city, shall be given or loaned to any person, firm, or corporation, except that a majority of the Quarterly Court agree to submit the question to a referendum vote and that the issue be approved by a three-fourths vote in the referendum. Several counties, including Grundy County, exempted themselves from the requirement of the three-fourths vote approval for the next ten years, stating that simple majority approving the same would be sufficient.
2. Private Acts of 1969, Chapter 15, established a transfer tax on all transfers of real property by deed. This act and any other acts amendatory thereto was repealed by the Private Acts of 1998, Chapter 172.

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