



May 16, 2024

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# Greene

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Dear Reader:

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

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

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## Greene



Greene County Courthouse

**Revised and Edited By:** Steve Lobertini, Legal Consultant, and Theodore Karpynec Administrative Assistant, 1996

**Updated By:** Stephen Austin, Legal Consultant, 2017

## Chapter I - Administration

### Building Permits

#### Private Acts of 1963 Chapter 57

**SECTION 1.** That from and after the effective date of this act no building or buildings shall be built, erected, or constructed in Greene County of the value of twenty-five hundred dollars (\$2,500.00) or more without the builder thereof having first obtained from the county court clerk of Greene County a permit for said building, erection, or construction. The said county court clerk shall collect a fee of one dollar (\$1.00) for issuing said permit.

**SECTION 2.** That if any person shall proceed to build, erect, or construct any building or buildings without having first obtained said permit and paying the fee provided therefor the property shall be taxed in the following manner. The tax assessor shall assess taxes against said property for the year in which said property is entered on the tax rolls of the county and in addition shall tax the property for the two (2) years immediately preceding, plus a twenty per cent (20%) penalty.

**SECTION 3.** That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the quarterly county court of Greene County on or before the next regular meeting of such quarterly county court occurring more than thirty days after its approval by the Governor of this State, or after its otherwise effecting date. Its approval or nonapproval shall be proclaimed by the presiding officer of the quarterly county court, and shall be certified by him to the Secretary of State.

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

Passed: February 25, 1963.

### County Fairs

#### Acts of 1797 Chapter 18

That the citizens of the county of Greene shall have the privilege of holding two fairs in each and every year at the town of Greeneville, for the purpose of selling all kind of goods, wares, and merchandize, free to every citizen of the state, subject to such regulations as may hereafter be established by law, and the said fairs shall be held on the third Tuesdays in the months of May and November in each year, and may continue for two days each.

October 27th, 1797.

### County Registers

#### Private Acts of 1925 Chapter 351

**SECTION 1.** That in every county in this State having a population of not more than 32,826 and not less than 32,822, according to the Federal Census of 1920, or any subsequent Federal Census, that the salary of the Tax Assessor shall be Three Thousand Dollars (\$3,000.00) per annum, payable quarterly, Seven Hundred and Fifty Dollars (\$750.00) per quarter, out of the County Treasury upon a warrant drawn by the Chairman or County Judge of said County for that purpose.

**SECTION 2.** That the Tax Assessor of said county or counties shall maintain and keep open during business hours an office in the Court House for said county or counties for the transaction of all business relating to his office as Tax Assessor, which shall be in charge of himself or his duly appointed deputy.

**SECTION 3.** That before any deed or other instrument which conveys or purports to convey the title in fee simple to any real estate shall be recorded it shall be the duty of the County Tax Assessor to examine the same and ascertain if the property described in said deed or instrument has been and is correctly assessed.

**SECTION 4.** That it shall be the duty of the County Tax Assessor to countersign every such deed or instrument after having recorded the transfer upon the assessment books of the property conveyed by said deed or instrument to the party or parties in whom the title is shown to be vested by such deed or instrument.

**SECTION 5.** That it shall be unlawful for any County Register or Deputy County Register to record or

enter any deed or instrument coming within the provisions of Section 3, of this Act upon the records of the Register's office or to receive such deed or instrument for the purpose of recording or entering the same upon the records, unless such deed or instrument shall have first been countersigned by the County Tax Assessor or his duly appointed deputy.

**SECTION 6.** That any County Register or Deputy County Register who shall be convicted of violating the provisions of Section 5, of this Act shall be fined not less than \$5.00 nor more than \$10.00.

**SECTION 7.** That all laws and parts of laws in conflict with this Act, be, and the same are hereby repealed.

**SECTION 8.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 11, 1925.

## County Trustee

### Acts of 1815 Chapter 48

**SECTION 1.** That from and after the first day of January next, the Treasurers or Trustees for the counties of Greene and Rutherford, shall keep their respective offices in the towns of Greeneville and Murfreesborough, any law to the contrary notwithstanding.

**SECTION 2.** That the Treasurers or trustees of the counties of Bedford and Carter, shall keep their offices in the towns of Shelbyville and Elizabethton, after the first day of January as aforesaid; provided that nothing herein contained shall be so construed, as to compel any of said Treasurers or Trustees heretofore appointed, to remove their offices until the expiration of the time for which they may have been appointed.

Oct. 18th, 1815.

## Library Commission

### Private Acts of 1913 Chapter 278

**COMPILER'S NOTE:** Portions of this act are in conflict with the general statutes regulating libraries in counties, cities and towns, found in Tennessee Code Annotated Title 10, Chapter 3.

**SECTION 1.** That any county having a population of not less than 31,000 nor more than 31,100 according to the Federal census of 1910 or any subsequent Federal census, alone or in conjunction with any municipal corporation existing in such county, and which includes the county seat of such county, shall have the power to establish and maintain a free public library and rest rooms for the use and benefit of the inhabitants of such county, and for this purpose may levy a tax of not more than five cents annually on each one hundred dollars of taxable property of such county, such tax to be levied and collected in like manner with other general taxes of such county, and to be known as the "library fund."

**SECTION 2.** That at any quarterly session of the County Court in any county coming under the provisions of this Act, such court may by resolution adopted by a majority vote of the Justices composing said court and entered on the minutes of the court, provide for the establishment and maintenance of a library and rest rooms, either alone or in conjunction with any municipal corporation as provided in Section 1 of this Act. After such resolution shall have been adopted, such Quarterly Court shall select five Commissioners, who shall be resident citizens and freeholders of the county and who shall be designated as "Library Commissioners." One shall be elected for five years, one for four years, one for three years, one for two years, and one for one year, and annually thereafter one shall be elected to serve for five years. All vacancies caused by death, resignation, removal, or otherwise shall be filled by the Quarterly County Court. Said Library Commissioners shall serve without compensation, and be subject to removal by the court.

**SECTION 3.** That said Library Commissioners shall, immediately after their election or appointment, meet and organize by electing one of their number President, and such other officers as they may deem necessary. They shall have complete and final power to appoint a suitable librarian and assistants, fix their compensation, and remove their appointees at pleasure.

**SECTION 4.** That the said Library Commissioners shall have power to make and adopt such by-laws, rules, and regulations for their own guidance and for the government of the library and rest room as they may deem expedient, not inconsistent with this Act, and shall provide penalties for the violation of the same; provided, the Quarterly County Court shall have power to set aside any by-law, rule, or regulation

so adopted.

**SECTION 5.** That said Library Commissioners shall have power to purchase, hold or lease grounds; to occupy, lease, or erect an appropriate building or buildings for the use of such library; also to accept any gift or money or property thereto; and all property purchased or otherwise obtained by such Board, and the title thereto, shall vest in such Board and their successors as a body corporate to be held by it in trust for the uses of said library; and said Commissioners shall have the exclusive possession, care, and custody of the grounds, rooms, or buildings constructed, purchased, leased set, apart, or occupied for the purpose of the said library and rest rooms. The said Board shall also have the exclusive control of the expenditure of all moneys collected or donated to the credit of the library fund; provided, all taxes levied or collected for said library fund, or funds donated thereto, shall be kept for the use of said library separate and apart from the other funds of the said county, and shall be disbursed only when drawn upon by the proper officer of said county upon the properly authenticated vouchers of the said Commissioners.

**SECTION 6.** That every library and rest room established and maintained under this Act shall be forever free to the use of the inhabitants of the county where located, subject to such restrictions, rules, and regulations as the Commissioners may adopt in order to render the use of said library and rest rooms of the greatest benefit to the greatest number. Said Board may extend the privileges and use of such library and rest room to persons residing outside of said county upon such terms and conditions as they may deem proper. Said Board may exclude from said library and rest rooms any and all persons who shall willfully violate the rules prescribed for its government and control.

**SECTION 7.** That the said Commissioners shall report to the Quarterly County Court at its January term of each year, showing the condition of their trust with itemized statement of the moneys received and expended by them since their last annual report, together with such statistics, information, and suggestions as they may deem proper to so report or as the said Quarterly Court may require, which report shall be verified by the affidavit of the proper officer of said Library Commissioners.

**SECTION 8.** That if any county coming under the provisions of this Act shall, by resolution adopted as hereinbefore provided, decide to establish and maintain a library and rest rooms jointly with any municipal corporation, then the Library Commissioners selected by said court as hereinbefore provided are authorized to enter into written agreement with the board of directors, or proper officers of such municipal corporation, for the joint establishment and maintenance of such library, not inconsistent with the provisions of this Act; provided, that such agreement shall be submitted to the County Court in quarterly session and be by it approved before the same shall become effective.

**SECTION 9.** That at any quarterly session of the County Court in any county coming under the provisions of this Act, such court may, by resolution adopted by a majority vote of the Justices composing said court and entered on the minutes of the court, aid any free public library association and rest rooms established in such county, and for that purpose may levy, from year to year in the manner herein provided for, the tax authorized in Section 1 of this Act, and for the same purpose may expend the tax so collected; provided, it shall be shown to the satisfaction of such Quarterly County Court (1) that said library association is legally incorporated under the laws of Tennessee; (2) that it is already in regular and useful operation under its charter with a lawfully constituted board of officers and directors; (3) that it has available for public use, and in such use, books of the value of not less than three thousand dollars; and provided, further, it shall be shown to the satisfaction of said court that such aid is needed in order to the continued useful public operation of such library and rest rooms.

**SECTION 10.** That any free library association and rest rooms receiving county aid as provided for in the foregoing Section 9, may continue to select its own directors and control its own management as authorized in its charter; provided, that said Quarterly County Court shall have power at any time while such library association is receiving such aid to appoint three directors on said library board; and provided, further, that the said County Court shall have the same power at any time while such library association is receiving such aid of setting aside by-laws, rules, and regulations of said library association as is granted in the foregoing Section 4 in regard to the libraries to be originally established under this Act; no director of any library association receiving such aid shall receive any pay or compensation for services rendered as such, and the officers and employees of such association shall give such bond as the said County Court shall require.

**SECTION 11.** That any free public library association receiving county aid as provided for in the foregoing Section 9, shall be subject to the provisions of and vested with the power granted in the foregoing Sections, 6 and 7, and shall have power to receive the aid provided for in this Act and at any time to accept donations of money or property of any kind from any lawful source whatsoever.

**SECTION 12.** That the moneys collected for the benefit of such library association as provided for in the foregoing Section, 1 and 9, shall be kept separate and apart from the other funds as required in Section 5 of this Act, and disbursed in the manner required in said Section 5.

**SECTION 13.** That the property and grounds of the libraries established or aided under this Act be exempt from taxation and execution.

**SECTION 14.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 11, 1913.

## Administration - Historical Notes

### County Clerk

The following acts once affected the office of county clerk in Greene County. They are included herein for historical purposes.

1. Public Acts of 1917, Chapter 47, set the salary of the Greene County Clerk to \$2,000 per annum.
2. Private Acts of 1923, Chapter 613, set the salary of the county court clerk at \$3,500, with all the fees of that office to go into the county general fund.
3. Private Acts of 1933, Chapter 829, set the maximum annual compensation of the county court clerk at \$3,000, payable from the fees of the office.

### County Legislative Body

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

1. Acts 1793, Chapter 2, set the dates for holding the court of pleas and quarter session in Greene County on the third Mondays in February, May, August and November.
2. Acts of 1794, Chapter 8, changed the date of the court of pleas and quarter sessions in Greene County to the second Monday in February, May, August and November.
3. Acts of 1797, Chapter 6, specified that the court of pleas and quarter sessions would meet in Greene County on the fourth Mondays in January, April, July and October.
4. Acts of 1809, First Session, Chapter 93, specified that the court of pleas and quarter sessions would meet in Greene County on the fourth Mondays in January, April, July and October.
5. Acts of 1815, Chapter 51, provided that Alexander Brown was to receive all the official papers of any justice of the peace who resigned in Greene County, and that such vacancies were to be filled by the county court.
6. Private Acts of 1821, Chapter 127, provided that the court of pleas and quarter sessions in Greene County was to be held for two weeks in January and July, rather than in quarterly terms of one week.
7. Private Acts of 1919, Chapter 419, set the per diem of Greene County Justices of the Peace at \$2.50, plus \$.05 per mile for travel expenses.
8. Private Acts of 1921, Chapter 921, raised the per diem of magistrates in Greene, Washington, Carter, Johnson and Unicoi counties to \$4.00.
9. Private Acts of 1929, Chapter 260, made it unlawful for any justice of the peace of the state to have an office for the transaction of his official business in any other civil district of his county than the one in which he was elected to.

### County Mayor

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

1. Private Acts of 1929, Chapter 785, as amended by Private Acts of 1933, Chapter 831, created the office of county judge in Greene County. The office of chairman and chairman pro tem of the county court was abolished and all power and duties of that office were conferred to the county judge. The county judge was elected for an eight (8) year term with a salary of \$1,500 per annum.
2. Private Acts of 1955, Chapter 107, vested the county judge of Greene County the jurisdiction to issue fiats for all extraordinary process.

### County Register

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

1. Acts of 1805, Chapter 12, provided that all deeds, or certified copies thereof, that had been



registered in the register's office of Greene County be considered in law as legal and to be admitted as evidence in any court of justice in the state.

2. Acts of 1805, Chapter 27, released James Stinson, register of Greene County, Ewen Allison and David Russell from the payment of a judgement recovered against them by the governor of Tennessee, in the superior court of the Hamilton District.
3. Private Acts of 1827, Chapter 116, authorized George Brown, register of Greene County, to keep his office at his own house in the town of Greenville.
4. Private Acts of 1831, Chapter 162, provided that all deeds of conveyance and other instruments of writing registered in Greene County be read in evidence in trials at law or in equity.
5. Public Acts of 1917, Chapter 47, set the salary of the Greene County Register of Deeds to \$2,000 per annum.
6. Private Acts of 1923, Chapter 613, as amended by Private Acts of 1925, Chapter 57, to make it applicable to Greene County, set the salary of the register at \$2,500 per year.
7. Private Acts of 1933, Chapter 828, set the annual salary of the Greene County Register at \$2,500. This act was repealed by Private Acts of 1937, Chapter 778.

### **County Trustee**

The following acts once affected the office of county trustee in Greene County, but are no longer operative.

1. Public Acts of 1917, Chapter 47, set the salary of the Greene County Trustee to \$2,000 per annum.
2. Private Acts of 1923, Chapter 613, set the salary of the Greene County Trustee at \$3,500 per annum.
3. Private Acts of 1933, Chapter 833, lowered this salary to \$3,000 per annum.
4. Private Acts of 1937, Chapter 781, authorized the trustee to appoint a deputy trustee who would be responsible for the collection of delinquent poll taxes.

### **General Reference**

The following private or local acts constitute part of the administrative and political history of Greene County but are today no longer operative because 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 1786, Laws of North Carolina, Chapter 23, pardoned and consigned the offenses and misconduct of certain persons in the counties of Greene, Washington, Sullivan and Hawkins for withdrawing their allegiance from the State of North Carolina. This act was amended by Acts of 1787, Laws of North Carolina, Chapter 27 and Acts of 1788, Laws of North Carolina, Chapter 4, which extended the pardons to all persons who may have withdrawn their allegiance from the State of North Carolina.
2. Acts of 1789, Laws of North Carolina, Chapter 7, repealed Acts of 1786, Laws of North Carolina, Chapter 23 and all amendatory acts.
3. Private Acts of 1819, Chapter 100, was an unusual early act, appointing county commissioners for Greene County. The county commissioners, William Dixon, Valentine Sevier, Alexander M. Nelson, George T. Gillispy, John Harmon, Sr. and Alexander Sevier, were given control of the public monies of the county, with authority to collect any monies due from public officers or citizens. This act was amended by Private Acts of 1820, Chapter 131, to authorize these commissioners to loan public monies, provided that two securities were given, and to require an annual report to the county court of the status of the county's finances. These acts were repealed by Private Acts of 1822, Ex. Sess., Chapter 173.
4. Private Acts of 1819, Chapter 143, authorized the county court to sell the old courthouse and to deed any title or interest Greene County had in such property.
5. Private Acts of 1821, Chapter 29, authorized the state treasurer to pay John Williams, the Greene County coroner, \$32 as compensation for conveying Eleanor Woods, "a decrepit woman charged with murder of an infant" from Greene County to Jonesborough and back and for her maintenance for six months.
6. Private Acts of 1825, Chapter 105, authorized Jotham Brown of Greene County to seal and stamp all bushels, half bushels, pecks and half pecks, made or manufactured in his shop, which were agreeable to the proper standard for Greene County, and such measures, when sealed and

branded by Mr. Brown, were considered as good as if branded by the proper standard keeper. This act was repealed by Private Acts of 1931, Chapter 97.

7. Public Acts of 1825, Chapter 103, authorized Sind M'Cardle of Greene County to sue and be sued, contract and be contracted, with, in her own name, and in her own behalf, and that she was given full power and authority to sell, dispose of, and convey, all or any part of such property or estate as she may acquire.
8. Private Acts of 1826, Chapter 40, provided for the judge of the first circuit court of Greene County to hear and determine a petition from Thomas G. Watkins to divorce his wife Susan W. Watkins.
9. Private Acts of 1827, Chapter 102, authorized the justices of the peace in Greene County to lay and collect a tax for the purpose of finishing a courthouse.
10. Private Acts of 1831, Chapter 249, Section 2, empowered Amey Harris, wife of William Harris of Greene County, to have, possess and enjoy property, both real and personal, to sue and be sued, plead and be impleaded, and in all respects to enjoy the rights and privileges of an unmarried woman excepting the privilege of intermarrying with another man.
11. Private Acts of 1832, Chapter 2, authorized Henry Ripley of Greene County to emancipate his slave William.
12. Private Acts of 1832, Chapter 35, authorized Sarah Stacy of Greene County to exhibit her petition for a divorce to the judge of the circuit court of said county.
13. Private Acts of 1832, Chapter 65, authorized Alexander Brown, keeper of the justices' records for Greene County, to appoint a deputy keeper of said office.
14. Private Acts of 1832, Chapter 80, required the secretary of state to furnish the keeper of the justices' record of Greene County with the first volume of the Haywood and Cobbs' Revisal.
15. Private Acts of 1832, Chapter 135, authorized the register of East Tennessee at Knoxville to issue a grant to John Rymall of Greene County for sixteen and three fourth acres of land, situated in Greene County on the south side of the Nolichucky River.
16. Private Acts of 1833, Chapter 131, authorized Catharin Hale, of Greene County, to execute a deed of conveyance to Daniel Lowry for eighty acres of land in McMinn County.
17. Private Acts of 1833, Chapter 226, Section 2, authorized John Weems to emancipate his slave, provided, that Mr. Weems gave a bond with approved security that his slave would not become a public charge to any county in this state.
18. Private Acts of 1833, Chapter 252, authorized the register of East Tennessee to issue a grant of three hundred acres in Greene County to John Balch.
19. Private Acts of 1833, Chapter 275, authorized the county court of Greene County to emancipate slaves Charles and Delpha.
20. Private Acts of 1917, Chapter 463, authorized the town of Greenville to appropriate money for the purpose of building and furnishing, jointly with Greene County, a high school building, within the corporate limits of said town, to be used jointly by the town of Greenville and Greene County.
21. Private Acts of 1919, Chapter 66, exempted Greene County from the general law regulating the salaries of county officials.
22. Private Acts of 1919, Chapter 213, made women over twenty-one eligible to serve as deputy register in Greene County, with all the powers, rights and responsibilities of that office.
23. Private Acts of 1919, Chapter 274, provided that women, either single or married, over the age of twenty-one, could serve as a deputy clerk of the chancery, circuit and county courts as well as a deputy register or deputy trustee, in the counties of Greene, Weakley, Rutherford, Montgomery, Giles or Fayette. This act required the women to post bond of \$2,500 before assuming office, and it also abolished the defense of coverture, a common law presumption that a married woman's legal existence was "covered" by that of her husband. Under coverture, she could not be held legally responsible for her actions; her husband was. Acts such as these abolished this defense, and by making a woman responsible for her actions, a barrier to her employment was removed.
24. Private Acts of 1931, Chapter 769, provided that the Greene County Quarterly Court could borrow money to pay premiums on county bonds, and issue interest-bearing notes for the repayment of those borrowed funds.
25. Private Acts of 1933, Chapter 832, set out the procedure by which county officers could employ and pay deputies.
26. Private Acts of 1935, Chapter 738, removed the minority of Jefferson Davis Sluder.

27. Private Acts of 1935, Chapter 739, removed the minority of Anna Murray Monk.
28. Private Acts of 1982, Chapter 212, would have created a finance and budget committee for Greene County, but this act was rejected by the proper authorities of Greene County and therefore never became law.

## Chapter II - Animals and Fish

### Fish Traps

#### Private Acts of 1829-30 Chapter 302

**SECTION 1.** That should it hereafter appear by satisfactory proof being made to the county courts of Washington and Greene County, or either of them, that the navigation of Nolichucky River is obstructed by fish traps and dams, it shall and may be lawful for each of said courts to appoint three commissioners that the navigation is obstructed by fish traps and dams, they shall give twenty days notice to the person or persons owning such traps and dams, to remove them, and any person or persons failing to comply with such notice, it shall be the duty of said commissioners to collect a sufficient number of hands to remove such obstructions, and any expense incurred by such removal shall be charged to the person owning such trap or traps, dam or dams, a true bill of which shall be made out and sworn to, at least by one of said commissioners, and shall be recovered in the same way other actions of debt of the same grade are recoverable by law.

Passed: January 13, 1830.

### Fish

#### Private Acts of 1933 Chapter 886

**SECTION 1.** That it shall be lawful in all counties of this State having a population of not less than 35,100 nor more than 35,150, according to the Federal Census of 1930 or any subsequent Federal Census, to catch or take fish from the streams in said counties by the means of baskets and traps, constructed as hereinafter provided.

**SECTION 2.** That the traps to be used under the provisions of this Act shall have their slats at least two and one-half inches apart, and no trap placed in any running stream shall be so placed as to occupy the whole width of the stream or in such a way as to prevent the free passage of fish up and down the stream, and all baskets shall have slats at least two inches apart.

**SECTION 3.** That in case the person desiring to catch fish is not the owner of the land through which the stream runs, he shall be required to obtain permission from such land owner for placing his trap or basket in the waters, and in case the stream is the dividing line between two or more land owners, he shall be required to obtain permission from all such land owners.

**SECTION 4.** That one person shall not use at the same time more than one trap or basket.

**SECTION 5.** That the taking of fish by the means and methods above set out, shall be lawful between April 15, of each year and October 1 provided the person so taking the same has purchased his hunting and fishing license.

**SECTION 6.** That it shall be unlawful to take game fish by the above methods.

**SECTION 7.** That any person violating the provisions of this law shall be deemed guilty of a misdemeanor and punishable by a fine of not less than \$10.00 nor more than \$25.00.

**SECTION 8.** That all laws and parts of laws inconsistent with this Act, and the same are hereby repealed, and that this Act take effect from and after its passage, the Public Welfare requiring it.

Passed: April 22, 1933.

### Foxes

#### Private Acts of 1953 Chapter 497

**SECTION 1.** That there shall be a closed season upon foxes at all times, and that foxes may be chased with dogs at any time of the year except during such periods as may be fixed by the Game and Fish Commission for the protection of the species in all counties of this State having a population of not less

than 41,000 and not more than 41,500 inhabitants, according to the Federal Census of 1950, or any subsequent Federal Census.

“Should the Game and Fish Commission determine that there is need for an open season in any such county or counties they shall have the power and authority to open same for such a period of time as they may deem necessary and advisable.”

**SECTION 2.** That all laws or parts of laws in conflict with this Act be and the same are hereby repealed and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: April 10, 1953.

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

1. Public Acts of 1893, Chapter 152, made it a misdemeanor to kill or capture any game bird from the first of February to the first of November of each year in Greene County.
2. Public Acts of 1899, Chapter 110, made it unlawful to net, trap, or capture quail or partridges in Greene County for five years after passage of this act.
3. Public Acts of 1899, Chapter 159, made it lawful to catch fish and baskets or bait nets in the streams of Greene County, but this was amended by Private Acts of 1901, Chapter 267, to make it unlawful to catch bass from March 1st to June 1st of each year and unlawful to catch trout from September 1st to March 1st. Almost immediately the legislature amended the amendatory act changing the closed season on bass to June 1st through August 1st, and providing that even during those dates, bass could be caught with hook and line.
4. Private Acts of 1901, Chapter 212, made it lawful to catch fish in the Nolichucky River by means of a fish trap except between March 15th and June 1st of each year. Four years later this act was amended by Acts of 1905, Chapter 502, to provide that there would be no closed season on fishing with fish traps in the Nolichucky River.
5. Acts of 1903, Chapter 205, was the first stock law for Greene County, applying to swine, sheep and goats. This law made it a misdemeanor to allow such animals to run at large, with damaged landowners given the right to impound wandering stock and a lien on them to secure payment of damages. This was repealed by Acts of 1905, Chapter 228.
6. Acts of 1903, Chapter 411, defined a lawful fence in Greene County as one built on good sized, substantial posts, set firmly in the ground not more than 11 feet apart, consisting of four barbed wires or four planks running horizontally and fastened firmly to the posts, set at distances of 12 inches apart.
7. Acts of 1905, Chapter 246, was the next stock law for Greene County which made it illegal for owners of horses, mules, cattle, sheep, goats, swine or other livestock to allow them to roam at large. This act gave damaged landowners the right to impound such wandering stock, provided that they gave notice to the stock owners, and also gave landowners a lien on such stock in order to secure payment of damages.
8. Private Acts of 1911, Chapter 50, enacted a fence law for Greene County.
9. Private Acts of 1911, Chapter 372, set the open season for fishing in Greene County from May 15th to November 30th of each year, and provided that fishing could lawfully be done by means of fish traps, baskets, nets, or seines.
10. Private Acts of 1917, Chapter 80, made it unlawful to shoot, trap, net, or in any way kill quail in Greene County from November 15, 1917, to November 15, 1922.
11. Private Acts of 1917, Chapter 135, made it unlawful to shoot any fox or destroy the den of any fox in Greene County.
12. Private Acts of 1919, Chapter 214, made it unlawful to hunt, kill, or net any game on the land of another without the written or verbal permission of the person in control of land.
13. Private Acts of 1919, Chapter 322, made it unlawful to trap, snare, spring-hole, dead fall, pen, or shoot with a gun any fur-bearing animal except during the open season on that animal.
14. Private Acts of 1921, Chapter 405, exempted Greene County from the general dog law of Tennessee.
15. Private Acts of 1927, Chapter 95, was a general fishing law for Greene County, setting the open

season from April 1st to November 30th of each year. Fishing could be done by means of traps or baskets with slats 2" apart, and the permission of the owners of land bordering the streams had to be obtained before fishing. While an open season was declared by this act, there was a provision protecting black bass, rainbow trout, jack, wall-eyed pike and muskellunge, requiring that they be returned to the water if caught by any fisherman from a Greene County stream.

16. Private Acts of 1929, Chapter 753, was a general game law for Greene County, setting the open date on pheasants, quail, coon, skunk, mink, muskrat, and other types of wildlife found within the county.
17. Public Acts of 1968, Chapter 550, regulated the training of coon dogs and that taking of raccoons in Greene County. This act was repealed by Public Acts of 1980, Chapter 496.

## Chapter III - Bond Issues

### Bond Issues - Historical Notes

A listing of the acts which authorized various bond issues for Greene 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.

#### **Buildings - Memorials**

1. Private Acts of 1915, Chapter 490, authorized a bond issue of \$50,000, to be used to construct a new courthouse. These bonds were to bear a maximum interest rate of 6% and were to mature at the times authorized by the quarterly county court.
2. Private Acts of 1925, Chapter 146, validated a bond issue of \$50,000 authorized by the quarterly county court on October 7, 1925 for the purpose of constructing a new jail with a maximum interest rate of 6%, and maturing within ten years.

#### **Debts**

1. Public Acts of 1866-67, Chapter 41, authorized Greene County to issue coupon bonds for the amount of indebtedness of said county; however, the money could not be used to pay debts incurred as a result of aiding the Confederate forces during the Civil War.
2. Private Acts of 1920, Ex. Sess., Chapter 28, authorized a \$100,000 bond issue (maximum interest rate of 6%), to pay off the county's floating indebtedness.
3. Private Acts of 1927, Chapter 121, authorized the issuance of "County Funding Bonds" in the amount of \$126,000. Subject to voter approval, these bonds were to mature within thirty years, with a maximum interest rate of 5%.
4. Private Acts of 1929, Chapter 69, provided for a \$200,000 bond issue to fund outstanding county indebtedness. These bonds had a maximum interest rate of 5% and were to mature within thirty years.
5. Private Acts of 1957, Chapter 50, authorized the Greene County Quarterly Court to issue bonds of \$450,000 (maximum interest rate of 4%) for the purpose of providing funds with which to retire the outstanding floating indebtedness of the county.

#### **Roads**

1. Private Acts of 1869-70, Chapter 91, authorized Greene County to issue bonds in the amount of \$50,000, to aid in the construction of the Greeneville and Warm Springs Turnpike.
2. Public Acts of 1899, Chapter 228, authorized a \$100,000 bond issue for road purposes. Subject to voter approval, these bonds would bear interest at a maximum rate of 6% and would mature within twenty years. This act was amended by Private Acts of 1901, Chapter 269, to increase the amount of bonds which could be issued to \$150,000 and this amendment was itself amended by Acts of 1907, Chapter 136, to authorize an additional issue of \$150,000. Acts of 1903, Chapter 13 increased the expiration of the bonds from ten to twenty years. These acts were repealed by Acts of 1907, Chapter 525.
3. Acts of 1903, Chapter 259, provided for another road bond issued by Greene County of \$150,000, subject to voter approval (maximum interest rate of 5%, maturity dates of ten, twenty and thirty years after issuance). This act was also repealed by Acts of 1907, Chapter 525.
4. Acts of 1907, Chapter 525, authorized a bond issue for road purposes of \$150,000.
5. Private Acts of 1913, Chapter 75, was another authorization for a road bond issue of \$500,000. These bonds were subject to voter approval, with a maximum interest rate of 6% and a maturity

date within thirty years. This act also specified the roads which were to be repaired with the funds from this bond issue. This act was itself amended by Private Acts of 1913, Chapter 70, and Private Acts of 1915, Chapter 533, to change the roads which were to be repaired with the road bond funds.

6. Private Acts of 1917, Chapter 2, provided for a road bond issue of \$100,000, at 6% maximum annual interest.
7. Private Acts of 1917, Chapter 100, authorized a bond issue of \$510,000 (maximum interest rate 6%--maturity date within thirty years) for the purpose of macadamizing and grading certain county roads designated by this act. This act was almost immediately amended by Private Acts of 1917, Chapter 310, to change the roads to be repaid with this bond money; and this amendment was subsequently followed by a number of amendatory acts which also added or deleted roads designated for repair. These amendatory acts were: Private Acts of 1919, Chapter 21; Private Acts of 1919, Chapter 232; Private Acts of 1919, Chapter 579; Private Acts of 1919, Chapter 580; Private Acts of 1919, Chapter 603; Private Acts of 1919, Chapter 649; Private Acts of 1921, Chapter 419; and Private Acts of 1921, Chapter 918.
8. Private Acts of 1919, Chapter 352, authorized the issuance of road bonds by the Greene County Quarterly Court. This issue was to be for \$40,000 and these funds were to be used for building, grading, and macadamizing certain roads in the eighteenth civil district.
9. Private Acts of 1919, Chapter 465, was an amendment to Private Acts of 1917, Chapter 100, which provided that if there were not sufficient funds to macadamize all the roads designated, then the major roads were to be repaired first. This amendment was repealed by Private Acts of 1921, Chapter 908.
10. Private Acts of 1921, Chapter 842, provided for a road bond issue or \$30,000 to be used to macadamize certain roads in the second and twenty-second civil district.
11. Private Acts of 1923, Chapter 380, authorized an issuance of Greene County Road Bonds in the amount of \$200,000.
12. Private Acts of 1925, Chapter 309, provided for a \$30,000 bond issue (maximum interest rate of 6%, to mature within thirty years) to be used for macadamizing five miles of the Lonesome Pine Trail.
13. Private Acts of 1927, Chapter 506, authorized a bond issue of \$100,000, for use in constructing the Johnson City to Knoxville highway. These bonds, subject to voter approval, would mature within thirty years at a maximum annual interest rate of 5%.

#### **Refunding**

1. Private Acts of 1917, Chapter 332, validated the issuance of refunding bonds in the amount of \$50,000 by the Greene County Quarterly Court on July 1, 1908. These bonds had an annual interest rate of 5% and were to mature by July 1, 1918.
2. Private Acts of 1931, Chapter 768, authorized the quarterly county court to borrow money and to issue bonds for its repayment, to be used for providing funds in anticipation of its revenue.

#### **Schools**

1. Private Acts of 1931, Chapter 312, provided for the issuance of bonds in the amount of \$50,000; and these funds were to be used for the payment of school indebtedness for the operation of schools in the years 1929-30 and 1930-31.

## **Chapter IV - Boundaries**

### **Creation of County**

### **Acts of North Carolina 1783 Chapter 51**

1. WHEREAS, the large extent of the County of Washington renders the attendance of the inhabitants on the extreme parts of the said county to do public duties, extremely difficult and expensive:
2. That from and after the passing of this act, the county of Washington shall be divided into two distinct counties, by a direct line beginning at William Williams' in the fork of Horse Creek, at the foot of Iron Mountain, thence a direct course to George Gallespie's house, at or near the mouth of Big Limestone, thence a north course to the line which divides the counties of Washington and Sullivan, thence with said line to the Chimney Top Mountain, thence a direct course to the mouth

of Cloud's Creek, in Holston River; and all that part of Washington County westward of the said line, from and after the passing of this act, shall be and is hereby declared to be a distinct county by the name of Greene.

## Acts of the Territory South of the River Ohio

### Acts of 1792 Chapter 1

1. That from and after the fifteenth day of the present month of June, the counties of Greene and Hawkins shall be circumscribed by a line beginning on Nolichucky River at the same place where the ridge which divides the waters of Bent and Lick Creek strikes it; thence with that ridge to Bull's Gap of Bay's Mountain; thence a direct line to the place where the road that leads from Dodson's ford to Perkin's iron works crosses the watry fork of Bent creek; thence down the road to the head of Panther creek down the meanders of that creek to the river Holston; thence a northwest course to the river Clinch; again from Nolichucky River where the ridge that divides the waters of Bent and Lick creek strikes it, a direct course to Peter Fine's ferry on French Broad, then south to the ridge that divides the waters of French Broad and Big Pigeon, and with said ridge to the eastern boundary of the territory.

**COMPILER'S NOTE:** The last three sections of this act established Jefferson County. Therefore, they have not been included.

Done at Knoxville, the 11th day of June, in the year of our Lord 1792.

### Acts of 1798 Chapter 13

**SECTION 1.** That from and after the passing of this act, the line that divides the county of Greene from the county of Cocke, shall begin at the corner of Greene and Jefferson counties, on Nolichucky river, at the end of Bay's mountain, from thence up Nolichucky river to the mouth of Oven creek, from thence a direct line to Major Gragg's so as to leave his plantation in Greene county, from thence a direct line to the Painted Rock on French Broad river, below the Warm Springs; from thence south to the Cocke county line, and all that part lying south of the said line shall be a part of Cocke county.

**SECTION 2.** That the sheriff of Greene county shall have the same power and lawful authority to collect and receive all his arrearages of taxes, and executions, in that part of Cocke county that was formerly part of Greene county in the same manner as if this act had never been passed.

January 2, 1799.

### Acts of 1806 Chapter 53

**SECTION 1.** That so much of the ordinance aforesaid, as respects the line beginning on Nolichucky River, at the place where the ridge which divides the waters of Bent and Lick creek strikes the same; thence with that ridge to Bull's Gap of Bays Mountain, at the house of William Cross, leaving the same in the county of Greene; thence eastwardly along the main height of Bays Mountain, to the Chimney Top Mountain, be, and the same is hereby declared to be the line between the counties of Greene and Hawkins, so far as leads from William Cross's, in Bull's Gap, to the top of Chimney Top Mountain.

**SECTION 2.** That all laws and parts of laws coming within the purview of this act, whether published by the authority of this state, or the state of North Carolina, are declared null and void.

September 11th, 1806.

### Public Acts of 1881 Chapter 145

**SECTION 1.** That the line between the county of Greene and the counties of Washington and Unicoi be and the same is hereby changed as follows: Beginning at a point where said line crosses the road leading from Horn creek to Carset creek in the lane between the farms of Alfred Painter and Thomas Painter and running thence south 25 degrees east 1 mile to the top of Cannon Knob, thence south 25 degrees east 4 miles to the top of Wilson Knob, thence south 25 degrees west to Low Gap in Flint Mountains to the North Carolina line, so as to include in Greene county all that territory lying between said line and the North Carolina line and the line as it now runs.

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

Passed: April 4, 1881.



## Public Acts of 1972 Chapter 450

**COMPILER'S NOTE:** Although a public rather than private act, this legislation has special effect so that its provisions are not found in Tennessee Code Annotated.

**SECTION 1.** That a portion of a tract of land of Samuel W. Waddle and wife, Zella M. Waddle, now situated in Washington County, hereunder described, is removed from Washington County in to the 1st Civil District of Greene County, and the county line between Greene County and Washington County at this place shall hereafter run with the boundaries of said tract so as to exclude the said lands from Washington County and include the same in the 1st Civil District of Greene County. The tract of land is generally bounded and described as follows:

"Beginning at a point approximately 1000 feet East of the Horse Creek Road; and running thence North 83 degrees East [sic] 30 rods to a stake; thence North 82 ½ East 31-3/5 rods to a stake corner to Broyles; running thence with the line of Broyles, South 35 ½ East 88-4/5 rods to a stake; thence South 85 ½ East 18 rods to a stake; thence South 4 ½ West 9-2/5 rods to a stake corner to Fillers; thence with the line of Fillers, et al, 35 ½ degrees West 76 ½ rods to a stake corner to Wilhoit; thence North 43 ½ West 76 rods to a stake corner to Wilhoit, North 85 ½ West 135 feet to a stake; thence with the alleged Greene County-Washington County line 64 rods to a stake corner to Fox and Ricker; thence with the line of Ricker, South 89 ¼ East 240 feet to a stake; thence North 5 ¼ West 33.9 rods to the beginning."

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

Passed: February 22, 1972.

## Public Acts of 1973 Chapter 79

**COMPILER'S NOTE:** Although a public rather than private act, this legislation has special effect so that its provisions are not found in Tennessee Code Annotated.

**SECTION 1.** Harold A. Thornburg and wife, Bettie Thornburg own the hereinafter described two tracts of land, one (1) tract containing 12 acres located and situate in the 17th Civil District of Greene County, Tennessee, and one (1) tract containing 1-¾ acres in the 13th Civil District of Washington County, Tennessee, and that these tracts of land hereunder described are removed from Washington County into the 17th Civil District of Greene County, and the county line between Greene County and Washington County at this place shall hereinafter run with the boundaries of said tract so as to exclude the said lands from Washington County and include the same in the 17th Civil District of Greene County. The tracts of land are generally bounded and described as follows:

TRACT NO. 1: Situate in District No. 17 of Greene County, Tennessee, described as follows: BEGINNING at a set stone McAnis' corner running N. 40 E. 13 Poles to a set stone at a right of way; thence with said right of way N. 38 W. 45-¾ Poles to a post on right of way; thence N. 41 W. 16 poles to a set stone in Strickler's line; thence with the Strickler's line; thence S. 3 W. 28 poles to a set stone Strickler's corner; thence with their line S. 86 E. 30 poles to a set stone; thence S. 3 E. 32 poles to a set stone; thence S. 87 E. 27-¾ poles to the BEGINNING, containing Twelve Acres by estimation, more or less.

Being the same property conveyed to Harold A. Thornburg and wife, Bettie Thornburg, by deed of Fred Thornburg, et ux, dated November 15, 1946, and found of record in Deed Book No. 165, page 513, Register's Office for Greene County, Tennessee.

TRACT NO. 2: Situate in the 13th Civil District of Washington County, Tennessee, adjoining the lands of Strickler, Whitaker, and Calhoon and bounded as follows: BEGINNING at a set stone S. 40 W. 29 ½ poles to a set stone in Strickler's line; thence with his line N. 88 E. 18 ½ poles to a set stone, Strickler and Whitaker corner; thence with Whitaker's line N. 8 E. 22 poles to a set stone in said line; thence N. 56 W. 3 ¼ poles to the BEGINNING, containing one and Three fourths (1-¾) acres, more or less. Conveyed with this property is a right of way from the house on this property to the right of way of Lot Calhoon. Being the same property conveyed to Harold Thornburg and wife, Bettie Thornburg, by deed of D. M. Thornburg, et ux, dated March 17, 1952, and found of record in Deed Book No. 188, page 123, Register's Office for Greene County, Tennessee.

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

Passed: April 10, 1973.

## Public Acts of 1973 Chapter 102



**COMPILER'S NOTE:** Although this is a public act rather than a private one, its provisions have special effect and cannot be found in Tennessee Code Annotated.

**SECTION 1.** The tracts of lands, hereunder described, are shown on the tax rolls of Greene and Washington Counties as being divided between the 17th Civil District of Greene County and the 7th Civil District of Washington County after historically being entirely within the 7th Civil District of Washington County and are removed from Greene County into the 7th Civil District of Washington County.

The county line between Greene and Washington Counties at this place shall hereafter run with the boundaries of said tracts so as to exclude said lands from Greene County and include the same in Washington County. The tracts of land are generally bounded and described as follows:

TRACT NO. 1. Lying and being in the 7th Civil District of Washington County, Tennessee adjoining the lands of Moody, Hall, Hooper and Duncan and bounded as follows:

BEGINNING in center of branch below spring, running N 45½ W 14 and 20/25 poles to a stake; thence S. 52 W 4½ poles to a set stone; thence N 46 W 5 and 5/25 poles to a stake; thence S 71 W 3 and 20/25 poles to a stake; thence N 30 W 18 and 10/25 poles to a stake in the road; thence S 62 W 20 and 19/25 poles to a set stone, Bolens Corner; thence S 52 E 11 poles to a stake; thence S 57 W 11 poles to a stake; thence N 39 W 11½ poles to the center of the road; thence S 63 W 94½ poles to a stake Moody's corner; thence S 3 E 87 poles to a set stone Moody's and Hall's corner; thence with Hall's line S 85 E 74 poles to a stake near a white oak stump; thence S 3 W 56 poles to a set stone; thence N 87 E 10½ poles to a stake in the Greene County Line, thence with County line N 5 E 153 poles to Duncan's corner; thence S 76 E 27 poles to corner of Graveyard; thence S 74 E 14 and 5/25 poles to a set stone by the road; thence N 18 E 54 poles to the beginning, containing eighty four acres more or less. Being the same property conveyed to Alvin Dolen and wife, Theora Dolen, by deed of J. E. Nelms and wife Nora B. Nelms, dated July 5, 1919, and appears of record in Deed Book 143, page 252, Register's Office in Washington County.

TRACT NO. 2. Situate in District No. 7 of Washington County, Tennessee: BEGINNING at a stake in the road near a large Hickory tree, thence N. 59 ¾ E 11 poles to a stake in the road. Thence S. 30 ¼ E. 11 poles to a stake. Thence 59 ¾ W. 11 poles to a stake; thence N. 30 ¼ W. 11 poles to the beginning and containing by estimation three fourths of an acre more or less. Being the same property conveyed to Alvin Dolen and wife, T. O. Dolen, by deed of J. E. Barnes and wife, Pearl Barnes, dated July 23, 1920 and appears of record in Deed Book 152, Page 245, Register's Office of Washington County.

TRACT NO. 3. Situated in the 7th Civil District of Washington County, Tennessee, and described as follows:

BEGINNING in old line between Dolen and J.E. Duncan running N W 65 feet to the Greene Co. line, then with the Greene Co. line 143 feet to a post and rock in said Greene Co. line then N E 148 feet to the beginning corner in line between Dolen and J. E. Duncan. Being the same property conveyed to Alvin Dolen and wife, by deed of John E. Duncan and wife, Grace Duncan, dated April 4, 1918 and appears of record in Deed Book 143, Page 251, Register's Office of Washington County.

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

Passed: April 17, 1973.

## Public Acts of 1980 Chapter 795

**SECTION 1.** The boundary line between the counties of Greene and Washington is hereby changed by detaching from the county of Greene and attaching to the county of Washington, that part of the hereinafter described territory, which is now lying in Greene County, to wit:

A parcel or tract of land lying partially in the first district of Washington County and partially in Greene County, and beginning at a post in the outside line and corner to tract sold to Roy Brown, thence N 5 ½ E 91 ½ poles to a pine stump; thence S 87 ½ E 109 ½ poles to a stake in the road; thence S 2 W 14 poles to a stake, Foxes corner; thence with his line three courses, N 85 W 12 poles to a post; S 6 ½ W 20 poles to a post; S 87 E 12 ½ poles to a stake in the road; thence S 11 W 28 ¼ poles to a stake in the road; thence N 67 W 9-3/5 poles to a stake in the turn of the road; thence S 5 ½ W 33-4/5 poles to a stake in the forks of the road; thence with another road and Roy Browns's line N 87 W 99 poles to the beginning, containing 59.2 acres, more or less.

A parcel or tract of land now lying partially in the first district of Washington County and partially in Greene County and beginning at a planted rock, Ed Treadway line, white oak, Sourwood and Maple pointers and corner to I. W. Brown, thence 83-¾ W 58-3/25 poles to a planted rock in Ira Brown's line, thence with his line S 2-¾ W 28-17/25 poles to a planted rock post oak pointers, thence S 85-2/5 E 62-3/

25 poles, thence N 3 E 17-3/5 poles to a planted rock; thence W 4-4/5 poles to a planted rock, Ed Treadway corner, thence N 2-3/4 E 9 1/2 poles to the place of beginning, containing 10 1/2 acres be the same more or less; and a second tract, adjoining the lands of Ira Brown and others, beginning at a planted rock Ira Brown's corner; thence with line N 77 1/4 W 57 poles to a planted rock Sourwood, Black Gum, White Oak pointers, thence N 2-3/4 E 29-6/25 poles to a planted rock post oak pointers; thence S 85-2/5 E 57-8/25 poles to a planted rock, Sourwood pointers, thence S 3 W 29-6/25 poles to a place of beginning, containing 10 acres be the same more or less; and a third tract, beginning at a stake in the road, corner to Howser and Corby, then north with Corby's line 168 feet to a rock, then east with Corby's line 51 feet to a rock, at the road, then with the road 175 feet to the beginning.

A parcel or tract of land now lying partially in the first district of Washington County and partially in Greene County, and beginning at a rock on Broyles line, then N 19 poles to a rock in said line, then west 12 poles to a rock near a white oak, then south 20 poles to a rock near Burgners corner in Broyles line, then east 12 poles to the beginning. Containing 1 1/2 acres more or less.

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

Passed: March 26, 1980.

## Public Acts of 1982 Chapter 855

**SECTION 1.** The boundary line between the counties of Greene and Washington is hereby changed by detaching from the county of Greene and attaching to the county of Washington, all of the hereinafter described territory to wit:

A parcel or tract of land not lying wholly or partially in Greene County adjacent to the existing Washington County boundary line, and beginning at Gent Taylor's corner maple and sourwood pointers, then with his line N. 86 3/4 W. 58 9/25 poles to a planted rock, Taylors corner then with Ira Brown's line S. 2 3/4 W. 25 8/25 poles to a planted rock, Julia S. Painters corner, then with her line S. 83 3/4 E. 58 poles to a planted rock on Harry Birds line, then with his line N. 2 3/4 E. 29 11/25 poles to the beginning. Containing by estimation 10 acres more or less. But there is excepted from the above tract 1.85 acres sold to C. C. Fox, reference to deed made March 20, 1929.

Being the same property conveyed to Charlie Brown by Deed of Laura Brown, dated December 30, 1944, and recorded in the Register's Office for Washington County, Tennessee, in Deed Book No. 226, page 31, to which reference is here made.

**SECTION 2.** 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 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 3.** This Act shall take effect on becoming a law, the public welfare requiring it.

Passed: April 8, 1982.

## Boundaries - Historical Notes

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

1. Acts of 1801, Chapter 53, appointed David Stuart as the commissioner to run the line between Greene and Cocke counties, as set out in an act passed January 2, 1799. Thomas Hollard was to act as Mr. Stuart's assistant.
2. Acts of 1801, Chapter 54, appointed James Patterson as surveyor and John Parks as marker for Greene County and Joseph Brown, surveyor and George Davis, marker for Washington County, to run and mark the line between those counties, according to an act passed in 1783 at Hillsborough, North Carolina.
3. Acts of 1801, Chapter 56, appointed Daniel Carter of Greene County and William Payne of Hawkins County as commissioners to run the line between those two counties, according to an act passed by the North Carolina legislature in 1786.
4. Private Acts of 1829-30, Chapter 213, authorized citizens of Greene County at their own expense to have the county resurveyed for the purpose of ascertaining the number of square miles in it.
5. Private Acts of 1832, Chapter 46, authorized the Greene County Court to appoint a surveyor to run the line between Greene and Cocke counties, "as lies between Michael Broyalse's house on Horse Creek and the North Carolina line."
6. Private Acts of 1835-36, Chapter 29, and Acts of 1837-38, Chapter 192, attempted to establish

the county of Powell out of parts of Greene, Sullivan, Hawkins and Washington counties, but neither of these attempts was able to gain voter approval and the county of Powell was never established.

7. Acts of 1847-48, Chapter 145, placed in Cocke County all the lands and buildings of George Easterly, Junior, south and west of the Nolichucky River in Cocke County, out of Greene County.
8. Public Acts of 1891, Chapter 142, changed the boundary between Greene and Washington Counties, placing the farms of G. M. Gillespie, A. E. Gillespie, Thomas C. Williams and George T. Harris in Washington County.
9. Public Acts of 1895, Chapter 176, placed the lands of Benjamin Keebler, lying on "what is known as Limestone Creek" in Washington County, out of Greene County.

## Chapter V - Court System

### Criminal Court

### Public Acts of 1951 Chapter 73

**COMPILER'S NOTE:** The following act is a public act of special application and is not codified in Tennessee Code Annotated.

**SECTION 1.** That a Criminal Court is hereby created and established in the Twentieth Judicial Circuit of Tennessee, for the counties of Greene, Hamblen, Hawkins, and Sullivan, to be known as the "Criminal Court of the Twentieth Judicial Circuit of Tennessee".

**SECTION 2.** That the said Criminal Court shall have general, common law, and statutory jurisdiction, original appellate and exclusive over all criminal cases existing and arising in said counties to the same extent as is now or may hereafter be conferred upon the Circuit and Criminal Courts of this State under the common law or the statutes and to hear, try, and determine all criminal cases.

**SECTION 3.** That concurrent with the passage of this Act, the Honorable Thomas H. Rogan, of Hawkins County, is hereby appointed Judge of the Criminal Court created hereunder, and shall serve until the next general election, as provided for in Section 4 of this Act. Said Judge shall be clothed with the same powers and jurisdiction as to extraordinary process as are now provided by law for such Criminal Judges, Circuit Judges and Chancellors in this State, and his salary shall be the same and paid in like manner by the State as that of other Criminal and Circuit Judges of the State.

**SECTION 4.** That at the general election to be held on the first Thursday in August, 1952, and at all regular elections for Judges held thereafter, there shall be elected by the qualified voters of said counties a Judge for said Criminal Court of the Twentieth Judicial Circuit of Tennessee, in the same manner and with the same tenure of office as other Criminal and Circuit Judges of this State.

**SECTION 5.** That the District Attorney General of the Twentieth Judicial Circuit of Tennessee shall perform the duties of the District Attorney General in the said Criminal Court in the counties herein named.

**SECTION 6.** That the Circuit Court Clerks and Sheriffs of the several counties herein named shall be the Clerks and Sheriffs for said Criminal Court in said counties and they shall perform the same duties and receive the same compensation now provided by law for them.

**SECTION 7.** That all bonds and recognizances heretofore or hereinafter taken and of process heretofore or hereinafter issued, shall be made returnable to the Court at the times and places fixed by this Act for the holding of the said Court in said counties herein named.

**SECTION 8.** That it shall be lawful for the Judge of the Criminal Court and the Judge of the Twentieth Judicial Circuit to hold each of their courts in any of the different counties, including the same county, or said circuit at the same time.

**SECTION 9.** That the County Courts, Jury Commissioners or other duly existing and authorized authorities of the various counties above set out shall appoint and select juries for said Criminal Court, according to the law now controlling in the above counties respectively, who shall be summoned to attend and bound to appear at said Criminal Court and shall have the same pay, qualifications, powers and privileges and shall be organized, as now, under existing law as the law provides with reference to grand juries and all other juries of courts, but all bills of indictment, presentments and informations shall be returned to said Criminal Court.

**SECTION 10.** That all criminal cases now existing or pending in the Circuit Courts of said named counties

on the passage of this Act shall by virtue of the provisions of this Act automatically be transferred to this said Criminal Court herein established in said counties respectively, and said cases shall be tried and determined therein by this said Criminal Court. The Clerks of the respective Circuit Courts in the aforesaid counties shall immediately upon the passage of this Act transfer all criminal proceedings and papers from the Circuit Court for said county to the Criminal Court and shall procure and keep the proper books, records and minutes for said Criminal Court. The Clerk shall keep the records, papers, minutes and proceedings of the Circuit Court and the Criminal Court separate. All Courts of General Sessions and Justices of the Peace, or other inferior courts, in the various herein named counties shall bind over offenders against the State laws to said Criminal Court as heretofore they have been bound over to the Circuit Court.

**SECTION 11.** That all appeals, writs of error and appeals in the nature of writs of error shall be prosecuted from the judgments of said Criminal Court to the Supreme Court and as from other Criminal Courts of this State.

**SECTION 12.** That the time and place for holding the said Criminal Court in the said counties shall be as follows:

For Greene County, at Greeneville, the second Mondays in January, May, and September.

For Hamblen County, at Morristown, the first Mondays in February, June, and October.

For Hawkins County, at Rogersville, the third Mondays in February, June, and October.

For Sullivan County, at Blountville, the first Mondays in March, July, and November.

**SECTION 13.** That all laws and parts of laws now existing in conflict with this Act and its full intentions, be and the same are hereby repealed.

**SECTION 14.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 27, 1951.

## General Sessions Court

### Private Acts of 1955 Chapter 170

**SECTION 1.** That there is hereby created and established in and for Greene County, Tennessee, a Court, which shall be designated "Court of General Sessions of Greene County, Tennessee."

Court rooms and adequate facilities for said Court shall be provided in the Courthouse at Greeneville and it shall be the duty of the Chairman of the County Court of said County to make provisions therefor, and to provide necessary dockets, furnishings, supplies and all necessary equipment for the proper maintenance of said Court and the expenses of same shall be paid out of the General Fund of the County.

**SECTION 2.** That the Court of General Sessions of Greene County, Tennessee, is hereby vested with all the jurisdiction and shall exercise the authority conferred by the Legislature upon Justices of the Peace in civil and criminal cases, suits and actions, which jurisdiction and authority shall be co-extensive with Greene County, Tennessee. The authority of the Justices of the Peace in their capacity as members of the Quarterly Court or in the performance of the rites of matrimony, to hear and determine cases for damages where the amount involved does not exceed Fifty (\$50.00) Dollars, and to issue criminal and civil warrants returnable before General Sessions Judge and to pass on bail bonds pending a hearing before the General Sessions Judge and issuing mittimus to jail for those persons to be held pending action before the General Sessions Court is in nowise affected by this Act.

**SECTION 3.** That jurisdiction and authority is hereby conferred upon the Judge of the Court of General Sessions for Greene County, Tennessee, to grant all extraordinary process in all proper cases presented to him in which application is made therefor in all cases originating in Greene County, and when so granted by him will be as effective as those granted by the Judges of the various Courts of the State.

**SECTION 4.** That before the issuance of any warrant in a civil case the plaintiff shall execute a cost bond with good security in the sum of Fifty (\$50.00) Dollars, or in lieu thereof make a cash deposit with the Clerk of not less than Ten (\$10.00) Dollars or more than Fifty (\$50.00) Dollars to secure the costs, or take the oath prescribed for poor persons, and on motion, the Court may increase the security.

**SECTION 5.** That said Court shall be in session at the Courthouse in Greeneville daily, Monday through Friday, except legal holidays, from 9 a.m. to 4 o'clock p.m., provided, however, the Judge shall have power and authority to hear and determine cases at any other place in Greene County as he may determine to be more feasible and convenient for the parties.

**SECTION 6.** That the costs and fees and the rules of pleading and practice, forms of writs and process,

stay of appeals from judgments in civil cases of said Court shall be the same as Justices of the Peace, except where specifically changed by this Act, in cases in which the jurisdiction of said Justices have been divested by this Act.

**SECTION 7.** That the criminal and civil dockets shall be kept in substantially the form as those now required of Justices of the Peace.

**SECTION 8.** That there shall be a Judge for said Court with the same qualifications, term of office, and oath as prescribed by law for Circuit Judges and Chancellors. That the compensation of said Judge shall be Sixty-five Hundred (\$6,500.00) Dollars, per annum, payable in equal monthly installments, the same to be paid out of the General Funds of the County.

**SECTION 9.** That the first Judge shall be elected by the qualified voters of the County at the election of other County Officers in August, 1958 and shall take his office September 1, 1958, and shall hold said office for a term of eight (8) years as provided by law for Circuit Judges and Chancellors.

**SECTION 10.** That if the Judge of said Court fails to attend, cannot attend, or preside in a pending cause, the majority of the attorneys present in such Court may elect of their number one who has the qualifications of such a Judge and when elected shall have the same authority as a regular Judge to hold the Court for the occasion.

**SECTION 11.** That the Clerk of the Circuit Court of Greene County, Tennessee, is hereby authorized and directed to act as Clerk of said Court and to perform the duties thereof in all civil and criminal cases and who shall have concurrent authority with the Judge to issue warrants and other processes and writs, other than those which the law requires shall be issued only by a judicial officer. All bail bonds, recognizance bonds and appearance bonds of persons charged with misdemeanors for their appearance for arraignment or trial in said Court shall be taken by the Clerk or by a Justice of the Peace, and immediately, if taken by a Justice of the Peace turned over to the Clerk and filed in his office. All fees for issuing warrants which are collectible under the General Law shall go into the Circuit Court Clerk's Office to be applied on his salary and the expenses of running his office.

**SECTION 12.** That all fines and forfeitures adjudged by said Court shall be payable to and collected by the Clerk and be reported on and accounted for and paid over as required by law.

**SECTION 13.** That the Sheriff of said County, or any Deputy Sheriff or Constable thereof, shall serve legal processes, writs and papers issued by said Court with the same authority as provided by law in the other inferior Courts.

**SECTION 14.** That the Court of General Sessions of Greene County, Tennessee, is hereby vested with jurisdiction to try and determine and render final judgments in all misdemeanors brought before said Court by warrant on information wherein the person charged with such misdemeanor offenses enters a plea of guilty or requests a trial upon the merits, and expressly waives an indictment, presentment and a Grand Jury investigation, and a jury trial. In such cases the trial shall proceed before the Judge and without a jury. The final judgment of such Court may be appealed to the Criminal Court of Greene County, where such appeal shall be tried by a Judge of such Court without a jury and without indictment of presentment.

**SECTION 15.** That it shall be the mandatory duty of the Judge of said Court when a defendant is brought before such Court upon arraignment or trial, to advise such defendant of his constitutional right to the aid of counsel, the right to be tried only upon presentment or indictment by a Grand Jury, the right to make a statement in reference to the accusation or the right to waive such statement and a right to a trial by a jury. Upon the defendant agreeing in writing to waive the right to be put to trial only by presentment or indictment by a Grand Jury and the right to be tried by a jury of his peers, such Court may proceed to hear and determine said case.

Said waiver shall be in writing, signed by the defendant, written on or attached to the warrant, and in the form and of contents substantially as follows:

The defendant, \_\_\_\_\_ pleads \_\_\_\_\_ guilty of the offenses of \_\_\_\_\_ and expressly waives his or her right to be tried only by or upon presentments or indictment preferred by a Grand Jury, and likewise expressly waives the right to and trial by a jury of his or her peers.

Signed \_\_\_\_\_

Attest \_\_\_\_\_

Clerk

**SECTION 16.** That said Court shall have authority to hear and determine all undisposed of cases arising in the Courts of Justices of the Peace of Greene County, as if said cases had originated in said Court of

General Sessions, and said Court shall have power and authority to issue executions and other final process on judgments rendered by Justices of the Peace.

**SECTION 17.** That this Act shall in no wise impair the right, title or interest of any Justices of the Peace of Greene County to any unpaid fees, or fund in which he had a right or interest in any proceedings, judgment or suit, whether said cause is disposed of or pending when this Act becomes effective.

That the official dockets, records and papers in possession of Justices of the Peace of said County shall be turned over to Greene County on the date this Act becomes effective.

**SECTION 18.** That the Legislature expressly declares that each section, sub-section, paragraph and provision of this Act is severable, and that should any portion of this Act be held unconstitutional or invalid, the same shall not affect the remainder of this Act, but such unconstitutional or invalid portion shall be elided, and the Legislature declares that it would have enacted this Act with such unconstitutional or invalid portions elided therefrom.

**SECTION 19.** That all laws or parts of laws in conflict with the provisions of this Act, be, and they are hereby repealed as of the date this Act becomes effective.

**SECTION 20.** That this Act shall have no effect unless the same shall be approved by the majority of the voters voting in an election to be held for such purpose. Said election shall be held at the general election in August, 1956 and it shall be the duty of the County Board of Election Commissioners of Greene County to call the election for the purpose of accepting or rejecting the provisions of this Act. On said ballot used in said election shall be printed thereon the title of this Act and the voters shall vote for or against its adoption. The votes cast in such election shall be canvassed by the County Board of Election Commissioners upon the first Monday occurring five or more days next after the date of such election and the results shall be proclaimed by such Board and certified to the Secretary of State. The qualifications of voters shall be that provided by law for participation in general elections and all laws applicable to general elections shall apply to an election held hereunder.

**SECTION 21.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 2, 1955.

## Juvenile Court

### Private Acts of 1994 Chapter 187

**SECTION 1.** On the effective date of this act, the Clerk of the Court of General Sessions of Greene County shall also serve as the Clerk of the Juvenile Court of Greene County and the County Clerk shall cease to be Clerk of such Juvenile Court. In the cases of juvenile jurisdiction conferred on the General Sessions Court, separate docket and minute books shall be kept by the Clerk of the Court of General Sessions.

**SECTION 2.** On the effective date of this act, the County Clerk shall immediately transfer all records, files and other documents in such County Clerk's possession relating to the Juvenile Court of Greene County to the Clerk of the Court of General Sessions of Greene County.

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

**SECTION 4.** 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 3.

Passed: April 14, 1994.

## Court System - Historical Notes

### Board of Jury Commissioners - Jurors

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

1. Acts of 1784, Laws of North Carolina, Chapter 28, Section 3, created the Washington District which consisted of the counties of Greene, Washington and Sullivan. This act also authorized Greene County to send twenty-one persons to serve as grand and petit jurors for the superior court of law and equity.



2. Private Acts of 1917, Chapter 786, amended Acts of 1903, Chapter 348, which created a board of jury commissioners, to allow Greene County to establish the same.
3. Private Acts of 1923, Chapter 393, created a board of jury commissioners for Greene County. This act differed from the provisions now found in the general law in that the board was to be composed of only two members of different political parties, appointed by the quarterly county court. This act also provided that the number of names on the jury list submitted was to be not less than one-fifth the number of voters in the past presidential election, but that the list was to be of not less than five hundred nor more than six hundred names. The original act was amended by Private Acts of 1945, Chapter 433 and again by Private Acts of 1953, Chapter 338, which raised the number of required names on the jury list to not less than nine hundred nor more than one thousand names.
4. Private Acts of 1949, Chapter 253, set the salary of jurors in Greene County at \$4.00 per day, with the foreman of the grand jury receiving a per diem of \$6.00.
5. Private Acts of 1953, Chapter 94, raised the salary of jurors to \$5.00 per day, with the foreman of the grand jury to receive \$7.00 per day.

### **Chancery Court**

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

1. Public Acts of 1824, Chapter 14, Section 8, set the terms for the chancery court in Greene County to the third Mondays in May and November.
2. Private Acts of 1826, Chapter 90, provided that chancery court in Greeneville would be held on the second Mondays in May and November.
3. Public Acts of 1827, Chapter 79, Section 3, divided the state into two chancery divisions. The chancery court at Greeneville was placed in the Eastern Division along with the chancery courts held at Rogersville, Kingston, Carthage and McMinnville.
4. Public Acts of 1827, Chapter 88, Section 3, set the times for holding the Greene County Chancery Court to the third Mondays of May and November.
5. Public Acts of 1829-30, Chapter 27, set the time for holding the Green County Chancery Court to the second Mondays of May and November.
6. Public Acts of 1835-36, Chapter 4, established chancery districts throughout the state. This act placed Greene County in the second chancery division, the courts of which were held on the second Mondays in February and September.
7. Acts of 1837-38, Chapter 116, Section 12, set the times for holding the chancery court of Greene County to the second Mondays of May and November.
8. Acts of 1847-48, Chapter 132, Section 2, provided that citizens of Greene County could file chancery bills at the court at Greeneville or the court at Dandridge.
9. Public Acts of 1857-58, Chapter 88, prescribed the times and places of holding chancery courts in the state. The chancery court of Greene County was set for the first Mondays of May and November at Greeneville.
10. Public Acts of 1865-66, Chapter 41, set the dates for holding chancery court in Greene County to the second Mondays in May and November.
11. Public Acts of 1870, Chapter 32, divided the state into chancery districts. The first chancery district was composed of the counties of Johnson, Carter, Washington, Sullivan, Hawkins, Greene, Hancock, Claiborne, Grainger, Jefferson, Cocke, Powell and Hamblen.
12. Public Acts of 1870, Chapter 47, fixed the times for holding the chancery courts of the state. The chancery court of Greene County was set for the second Mondays of May and November.
13. Acts of 1885 (Ex. Sess.), Chapter 20, divided the state into chancery divisions. Greene County was placed in the first chancery division along with Johnson, Carter, Washington, Sullivan, Hawkins, Hancock, Claiborne, Grainger, Jefferson, Cocke, Hamblen and Unicoi counties. The chancery court of Greene County was set for the second Mondays in May and November.
14. Public Acts of 1891, Chapter 165, amended Acts of 1885 (Ex. Sess.), Chapter 20, by reorganizing the first chancery division. Greene County was placed in the first chancery division and the time for holding said court was set for the third Monday in January and July.
15. Public Acts of 1899, Chapter 427, divided the state into chancery divisions. Greene County was

placed in the first chancery division and held chancery court on the fourth Monday in March and September.

16. Private Acts of 1901, Chapter 438, amended Public Acts of 1899, Chapter 427, by reorganizing the first and second chancery divisions. Greene County was placed in the first chancery division along with Sullivan, Johnson, Carter, Washington, Unicoi, Cocke, Jefferson, Sevier and Blount counties. The time for holding the Greene County Chancery Court was set for the fourth Mondays in March and September.
17. Private Acts of 1927, Chapter 407, set the terms of the Greene County Chancery Court on the first Mondays in May and November.
18. Private Acts of 1929, Chapter 517, detached Greene County from the first chancery division and placed it in the thirteenth chancery division.
19. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, divided the state into chancery divisions. Greene County was placed in the thirteenth chancery division. The time for holding said court was set for the first Mondays in May and November.
20. Public Acts of 1941, Chapter 160, amended Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, by changing the time for holding the Greene County Chancery Court to the fourth Mondays in April and October.

#### **Chancery Court - Clerk and Master**

The reference list below contains acts which once applied to the clerk and master in Greene County. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1917, Chapter 47, set the salary of the Greene County Chancery Clerk to \$2,000 per annum.
2. Private Acts of 1921, Chapter 156, set the salary of the clerk and master at \$2,500 per annum, but this act was repealed by Private Acts of 1923, Chapter 629.
3. Private Acts of 1933, Chapter 826, set the maximum salary of the clerk and master at \$2,500 annually, and provided that this amount could be paid only out of the fees of that office.

#### **Circuit Court**

The following acts were once applicable to the circuit court of Greene 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 1809, 1st Sess., Chapter 49, divided the state into five judicial circuits and placed Greene County in the first circuit, along with Washington, Carter, Sullivan, Hawkins, Grainger, Claiborne, and Campbell counties. This act also set the time for holding circuit court in Greene County to the first Mondays in March and September.
2. Acts of 1815, Chapter 151, changed the days for holding the Greene County Circuit Court to the last Mondays in February and August.
3. Acts of 1817, Chapter 132, changed the days for holding the Greene County Circuit Court, to the first Mondays in March and September.
4. Private Acts of 1823, Chapter 150, provided that when there were five Mondays in August, the circuit court term was to begin on the fifth Monday in August rather than on the first Monday in September.
5. Public Acts of 1824, Chapter 27, Section 2, repealed any act that provided for the holding of a special term of the Greene County Circuit Court.
6. Public Acts of 1824, Chapter 156, Section 7, authorized the circuit court of Greene County to hold a special term.
7. Public Acts of 1835-36, Chapter 5, established eleven judicial circuits throughout the state. The first judicial district was composed of the counties of Greene, Washington, Carter, Johnson, Sullivan, Hawkins, Grainger and Claiborne.
8. Acts of 1837-38, Chapter 3, amended Public Acts of 1835-36, Chapter 5, by increasing the number of judicial circuits to fourteen.
9. Acts of 1837-38, Chapter 116, changed the times of the Greene County Circuit Court and added an additional term, to be held on the second Mondays of February, June, and October.
10. Public Acts of 1857-58, Chapter 98, prescribed the times of holding the circuit courts of the state. In the first judicial circuit, Greene County held its court on the second Mondays of February, June



and October.

11. Public Acts of 1870, Chapter 31, laid the state off into judicial circuits. The first judicial circuit was composed of the counties of Hancock, Hawkins, Greene, Carter, Johnson, Sullivan, Washington and Boone.
12. Public Acts of 1870, Chapter 46, fixed the times of holding the circuit courts of the state. The circuit court of Greene County was set for the second Mondays of January, May and September.
13. Acts of 1885, Ex. Sess., Chapter 20, divided the state into judicial circuits. Greene County was placed in the first judicial circuit along with Johnson, Carter, Sullivan, Washington, Unicoi, Hawkins and Hancock counties. Greene County held its circuit court on the second Mondays in February, June and October.
14. Public Acts of 1889, Chapter 74, fixed the time for holding the circuit court of Greene County to the first Mondays after the fourth Mondays in January, May and September.
15. Public Acts of 1899, Chapter 427, divided the state into judicial circuits. Greene County was placed in the first judicial circuit. The times of holding circuit court in Greene County was set for the fourth Monday in February, June, and October.
16. Acts of 1903, Chapter 198, provided that circuit court in Greene County would begin its terms on the fourth Mondays in February, June, and October. This was amended by Private Acts of 1913, Chapter 202, to change those days to the second Mondays in March, July, and November.
17. Private Acts of 1921, Chapter 303, set the days for holding circuit and law court in Greene County on the first Mondays in April, August, and December.
18. Private Acts of 1925, Chapter 276, enabled the cities, towns, villages and other public or private corporations to locate, relocate and construct places of interment, highways and other public betterments upon being found that each proposal was in the interest of the general public by the circuit court of Greene County.
19. Public Acts of 1925, Chapter 35, placed the counties of Greene, Hawkins, Hamblen and Sullivan into the twentieth judicial circuit of Tennessee.
20. Public Acts of 1925, Chapter 94, fixed the time and place of holding the Greene County Chancery Court to the second Mondays in February, June and October at Greenville.
21. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, reorganized Tennessee's judicial structure into fourteen chancery divisions. The thirteenth judicial circuit was composed of Cocke, Blount, Hamblen, Sevier, Greene, Jefferson, Grainger, and Union counties. The circuit court of Greene County was set for the first Monday in May and November.
22. Public Acts of 1972, Chapter 515, created the twenty-seventh judicial district which was composed of the counties of Greene, Hawkins and Hamblen. Greene County was scheduled to hold its circuit court on the first Mondays in June, October and February.

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

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

1. Acts of 1851-52, Chapter 64, provided that Valentine Sevier, the circuit court clerk of Greene County, was to receive \$144.62, the amount due him from the State of Tennessee for his assistance in the case against Henry Smith for passing counterfeit money.
2. Private Acts of 1911, Chapter 172, made unmarried women over the age of twenty-one eligible to serve as deputy clerks in the circuit court or any other court. This act also provided that marriage of such a female deputy would act as an immediate disqualification of that office.
3. Private Acts of 1917, Chapter 772, sets the annual salary of the circuit court clerk at \$1,200, and provided that the clerk could retain any fees collected by his office which were over and above this amount. This was amended by Private Acts of 1927, Chapter 90, which raised that salary to \$2,000 annually.
4. Public Acts of 1917, Chapter 47, set the annual salary of the Greene County Circuit Court Clerk to \$2,000.
5. Private Acts of 1933, Chapter 830, set the salary of the circuit court clerk at \$2,000 annually, and was amended by Private Acts of 1937, Chapter 23, to provide that the circuit court clerk could keep any excess fees collected by his office, over and above this amount. This act was also amended by Private Acts of 1949, Chapter 744, to raise that salary to \$2,600 annually and again by Private Acts of 1953, Chapter 551, to set his salary at \$5,000 per year.

**Criminal Court**

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

1. Public Acts of 1867-68, Chapter 90, Section 5, created a criminal judicial district which consisted of the counties of Greene, Johnson, Carter, Washington, Sullivan, Hawkins, Hancock, Cocke, Jefferson, Grainger and Claiborne. The time for holding the Greene County Criminal Court was set for the first Mondays in March, July and November.
2. Private Acts of 1925, Chapter 131, created a separate criminal court for Washington, Greene, Unicoi, Carter, and Sullivan counties.
3. Public Acts of 1925, Chapter 16, created and established a criminal court in Greene County. The time for holding said court was set for the fourth Mondays in March, July and November in Greenville.

**District Attorney General - Assistants and Criminal Investigators**

The following act once affecting Greene County, is no longer in effect but is listed here for historical purposes.

1. Acts of 1817, Chapter 65, Section 3, established solicitorial districts throughout the state. The first solicitorial district was composed of the counties of Greene, Washington, Carter and Sullivan.

**General Sessions Court**

The following acts are included herein for reference purposes.

1. Private Acts of 1955, Chapter 1, attempted to create a general sessions court and clerk for Greene County, but this act was rejected by the quarterly county court and never became an effective law.
2. Private Acts of 2017, Chapter 15, amended Private Acts of 1955, Chapter 170, to create two divisions within the General Sessions Court in Greene County and establish the office of a second judge to preside over the second division. The act was not adopted by the county legislative body.

## Chapter VI - Education/Schools

### Tusculum College

#### Incorporation

#### Private Acts of 1868-69 Chapter 4

**SECTION 1.** That the Boards of Trustees of Greeneville and Tusculum Colleges, situated in the county of Green [sic], be and they are hereby consolidated under the name of Tusculum College, with all the rights privileges, powers and immunities of a University, which Board shall be composed of the following-named citizens, and not to exceed thirty in number: Andrew Johnson, Wm. B. Robinson, Francis A. McCorkle, Thomas L. Robinson, Isaac C. Datson, Anthony Moore, James C. Wilson, G. H. Evans, David T. Patterson, R. A. Crawford, Robert B. Moser, James A. Galbraith, S. P. Crawford, Joseph R. Brown, Wm. R. Brown, James Britton, Sr., Samuel McGaughey, H. R. Baker, M. S. Doak, Wm. M. Crawford, Samuel Milligan, E. Fink, S. S. M. Doak, Samuel S. Doak, David Sevier, Wm. B. Rankin, S. E. Knapp, and Robert M. McKee, who, with their successors in office, to be chosen as hereinafter provided, shall have perpetual succession, and shall constitute a body politic and corporate, and have a common seal; and the said Trustees and their successors, or a majority of them, together with the President of said College shall have, and they are hereby vested with the legal power and capacity to buy, receive, possess a lien and dispose of any land property or money for the use and benefit of said institution, and may sue and be sued, commence and practice any legal process, and have the like instituted against them in any Court of Record in the most ample manner.

As amended by:

Private Acts of 1913, Chapter 196

**SECTION 2.** That the President of said College, with any six of the Trustees who may be present, shall be a board adequate for the transaction of business. In the absence of the President, any seven of the Trustees, being convened on their own adjournment, may choose a President pro tem. to act during such absence and that the President and each Trustee, before entering upon the duties of his office, shall take an oath of office before any officer authorized by law to administer oaths, such oath to be signed and filed with the Secretary of the Board to faithfully execute his respective office; and a majority of the maximum members of the board shall have power to remove from office the President or any Trustee when they think proper, and to fill all vacancies which may occur in the Board.

As amended by:

Private Acts of 1913, Chapter 196

**SECTION 3.** That the Board shall have power to elect a President and Vice President; the latter shall be a member of the faculty, to fill all vacancies which may occur in the Board; and also from their own body to elect a Secretary and Treasurer, which election shall be by a majority of the members of the whole Board, and all other officers necessary for conducting the concerns of the College, to be elected in such manner as may be prescribed by the by-laws of the Board, and the Board shall have full power to displace and suspend, or supersede, such officers at pleasure, and shall meet on their own adjournment, or at the call of the President or any two members of the Board of Trustees, and they shall have power to examine the students, to confer the usual literary honors, to alter or change the site of the College to such place within the limits of the county as they may think best; and when, for the interest of the institution, to erect all necessary buildings, to adopt any measures they may think proper, to advance the cause of literature at said College, and to make any by-laws, rules and regulations relating to the same and the government thereof, and their own proceedings, as a majority of the Board may deem right and proper. Said College, for the present, may be located at the present site of Tusculum College, but which location may be changed by a vote of two-thirds of the maximum number of the Board, Provided, That none of the by-laws or action of the Board is inconsistent with the Constitution and laws of the United States and of the State of Tennessee; and they further take effectual care that the advantage of a liberal education and the honor of the institution shall be accessible to students of all denominations.

Passed: November 27, 1868.

## Scholarships

### Private Acts of 1953 Chapter 14

**SECTION 1.** That the county courts, in all counties of this State having a population of not less than 41,000 and not more than 41,500 inhabitants, according to the Federal Census of 1950, or any subsequent Federal Census, are hereby authorized and empowered to award scholarships to worthy, deserving students who are graduates of accredited high schools in said counties and residents thereof, in an amount not to exceed Three Hundred (\$300.00) Dollars per student per year, who desire to attend Tusculum College at Greeneville, Tennessee, or any other college to be selected by any of said county courts, which scholarships are declared to be in the public interest.

**SECTION 2.** That the County courts of all such counties are authorized to levy a tax for the purpose of providing the funds with which to pay such scholarships, or to pay same out of the general county funds which payments shall be made directly to the college, or colleges, selected.

**SECTION 3.** That all laws or parts of laws in conflict with this Act be and the same are hereby repealed, and this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 16, 1953.

## Education/Schools - Historical Notes

### Board of Education

The following acts once affected the board of education in Greene County but are no longer operative.

1. Private Acts of 1978, Chapter 190, provided that at the regular August election in 1978, voters in Greene County were given the opportunity to vote on the question of electing the members of the Greene County Board of Education by popular vote.
2. Private Acts of 1980, Chapter 251, created a seven member board of education for Greene County. The members had to be 21 years of age, a citizen and resident of Greene County, and a resident of the district in which elected. This act created the East, North, and Southwest School Districts.

### Superintendent or Director of Schools

The acts referenced below once affected the office of superintendent of education in Greene County, but are no longer operative.

1. Private Acts of 1939, Chapter 131, provided for a superintendent of public instruction in Greene County. The salary was \$2,500 per annum and the term of office was four years elected by the qualified voters of Greene County at the regular August election of 1940.
2. Private Acts of 1953, Chapter 501, authorized a salary increase of \$1,000 per annum in addition to the regular minimum salary schedule for the superintendent of public instruction.

## **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Greene 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 1794, Chapter 19, established Greeneville College in Green County on the plantation of the Reverend Mr. Hezekiah Balch.
2. Acts of 1806, Chapter 8, incorporated Rhea Academy as the county academy of Greene County. Named as trustees by this act were Benjamin McNutt, Valentine Sevier, James Galbreath, William Rankin, and William Dixon.
3. Public Acts of 1822 (Ex. Sess.), Chapter 191, authorized the conveyance of part of the Harmony Church lot in Greene County to the trustees of Rhea Academy.
4. Private Acts of 1827, Chapter 126, established the Greeneville Female Academy, and incorporated it for a period of fifty years.
5. Private Acts of 1832, Chapter 76, Section 5, empowered the clerk and treasurer of the board of common school commissioners of Greene County to perform all the duties required of the late bank agent of Greene County, as are provided for the bank agency of Campbell County.
6. Acts of 1841-42, Chapter 139, authorized the trustees of Rhea Academy to expend not more than \$1,500 for purchasing a lot in the city of Greeneville, to be used for extending the academy and creating a female branch.
7. Public Acts of 1871, Chapter 35, authorized the commissioners of Common Schools for Civil District Ten in Greene County to sell the "Wight School House Lot" which was no longer being used for school purposes and was so inconveniently located that it probably would never again be used for school purposes.
8. Public Acts of 1893, Chapter 137, authorized Greene County to sell and transfer any title it had in the property known as Rhea Academy, thereby abolishing the county academy.
9. Private Acts of 1901, Chapter 350, abolished School District #38 in the twenty-first civil district of Greene County. This independent school district had been established by the Greene County Quarterly County Court at its July term, 1900.
10. Acts of 1903, Chapter 449, established an independent school district in the twenty-first civil district of Greene County. All special school districts which were non-taxing districts were abolished by the general education act of 1925.
11. Acts of 1905, Chapter 275, established a school district out of portions of the first, fourteenth and fifteenth civil districts.
12. Acts of 1905, Chapter 319, established an independent school district in the first civil district of Greene County.
13. Acts of 1905, Chapter 368, established an independent school district out of the fifteenth civil district of Greene County and the thirteenth civil district of Washington County.
14. Acts of 1905, Chapter 372, established an independent school district in the twelfth, seventeenth, and fourteenth civil districts.
15. Acts of 1907, Chapter 263, established a school district in the fifteenth civil district of Greene County.
16. Acts of 1907, Chapter 267, established an independent school district out of the tenth, twelfth, and thirteenth civil districts of Greene County.
17. Acts of 1907, Chapter 274, changed the boundary between the fifteenth and twenty-second school districts in Greene County.
18. Private Acts of 1911, Chapter 377, was a compulsory education law for Greene County. This act required children between the ages of eight and sixteen to attend school for sixteen weeks or eighty days each year. Exemptions from this act could be granted on the basis of physical or mental disability, sickness, extreme poverty, or a showing that the child was attending a private, parochial, or tutorial school providing a course of instruction similar to that taught in the public schools.
19. Private Acts of 1935, Chapter 185, provided for the election of the county superintendent of public instruction by popular vote. It was not as detailed as the law which subsequently superseded it, Private Acts of 1939, Chapter 131.

20. Private Acts of 1935, Chapter 520, provided that in Greene County senior high schools could be established and maintained with an average daily attendance of forty or more pupils.
21. Private Acts of 1967-68, Chapter 327, attempted to amend Private Acts of 1953, Chapter 501, by raising the additional compensation to be paid the Greene County superintendent of public instruction from \$1,000 annually to \$2,000.

## Chapter VII - Elections

### Districts - Reapportionment

#### Private Acts of 1911 Chapter 103

**SECTION 1.** That "An Act entitled An Act to abolish the First, Sixth, Eighth, Thirteenth, and Fifteenth Districts of Greene County, Tenn., and to constitute voting precincts for other districts, approved April 15, 1903," being Chapter 447 of the Acts of 1903, be, and the same is hereby, repealed.

**SECTION 2.** That "An Act entitled an Act to change and establish the line between the Fourth and Seventh Districts of Greene County, approved April 13, 1905," being Chapter 371 of the Acts of 1905, be, and the same is hereby, repealed.

**SECTION 3.** That "An Act entitled An Act to change the line between the Seventeenth and Eleventh Civil Districts of Greene County, Tenn., approved April 12, 1905," being Chapter 305 of the Acts of 1905, be, and the same is hereby, repealed.

**SECTION 4.** That "An Act entitled An Act to change the lines between the Fifteenth and Sixteenth Districts of Greene County, Tenn., so as to include the farms of certain persons named in the Act within the Fifteenth District for all purposes," being Chapter 301 of the Acts of 1905, be, and the same is hereby, repealed.

**SECTION 5.** That "An Act entitled An Act to change the line between the Twelfth and Seventeenth Civil Districts of Greene County, Tenn., approved April 15, 1903," being Chapter 420 of the Acts of 1903 [sic], be, and the same is hereby, repealed.

**SECTION 6.** That the Twenty-five civil districts of Greene County, Tenn., as they existed prior to and at the time of the passage of said Act forming Chapter 445 of the Acts of 1903 be, and the same are, reestablished with line and boundaries as they existed before and at the time of the passage of said Act, approved May 15, 1903, and that the voting places in said districts shall be the same in number and at the same points as they were legally immediately before the passage of said last named Act; provided, that for the convenience of the voters of the County Court at any quarterly term shall have the right to change any of said voting places.

**SECTION 7.** That this Act shall take effect from and after the date for the election of county officers in August, 1912; provided, that the Magistrates and other district officers which said districts shall be entitled to under this Act shall be elected at said August election, and shall be inducted into office at the same time as the other officers to be elected at said election.

**SECTION 8.** 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 its passage, the public welfare requiring it.

Passed: February 9, 1911.

#### Private Acts of 1929 Chapter 927

**SECTION 1.** That Chapter 361 of the Private Acts of 1923, entitled "An Act to Redistrict Greene County" be, and the same hereby is, repealed.

**SECTION 2.** That the Civil Districts of Greene County shall exist for all purposes by the same numbers and metes and bounds as they did prior to the passage of Chapter 361 of the Private Acts of 1923.

**SECTION 3.** That this Act take effect from and after August 1, 1930, the public welfare requiring it.

Passed: April 2, 1929.

#### Private Acts of 1961 Chapter 25

**SECTION 1.** That the line between the 14th Civil District of Greene County, Tennessee, and the 15th Civil District of Greene County, Tennessee, be and the same is hereby changed so as to include the 15th Civil District that portion of the 14th Civil District beginning at the boundary line between said Civil

Districts, at the creek on U.S. Highway 11E and running southwesterly with said highway to the southwest boundary line of the Chuckey School property, and running thence in a northerly direction with said southwest boundary line of said school property to the corner of same, thence in a line parallel with U.S. Highway 11E to the creek; thence with creek to the point of beginning.

**SECTION 2.** That this Act shall have no effect unless the same shall have been approved at some regular meeting of the Greene County Quarterly Court by a two-thirds vote by the Greene County Quarterly Court, and its approval or non-approval shall be proclaimed by the presiding officer of the Court, and shall be certified by him to the Secretary of State.

**SECTION 3.** That this Act shall take effect at such time and in such manner as provided in Section 2 above, the public welfare requiring.

Passed: February 6, 1961.

## Private Acts of 1961 Chapter 310

**SECTION 1.** That the boundary of the Tenth Civil District of Greene County, Tennessee, is hereby enlarged so that the same shall comprise the following described territory which is bounded as follows, in addition to any territory that formerly comprised the Tenth Civil District of Greene County, Tennessee, not included in the following description:

BEGINNING at the center of the bridge over Holley's Creek on the Tusculum Pike, and running thence with said Pike, North 71 deg. 46 min. West 330.3 feet; thence North 83 deg. 27 min. West 435 feet to the center of Andrew Johnson Highway; thence crossing the Robinson lands North 37 deg. 58 min. West 1038.8 to the N.E. corner of the Sam Freeman lot; thence with the East boundary of Forest Hills, North 18 deg. 41 min. West 516.5 feet to an iron stake, corner to Britton; thence with Britton, North 82 deg. 53 min. East 357.2 feet to an iron stake; thence North 40 deg. 50 min. East 14.2 feet to the center of Holley's Creek; thence up and with the meanders of said Creek, and with the lands of Britton and other, in a general direction of North 35 deg. 11 min. West 1417.3 feet to the center of the bridge over said Creek, on the Snapps Ferry Road; thence crossing the Southern Railroad North 6 deg. 48 min. West 648.2 feet to a stake in Moore's line; thence with Moore and Parkins North 86 deg. 33 min. West 270.7 feet to a rock, corner of Moore, Tweed and Parkins; thence crossing Parkins South 65 deg. 20 min. West 616 feet to a stake in Easterly's line; thence with Easterly and Parkins North 43 deg. 02 min. West 867.8 feet to a post; thence crossing Easterly and with the line of Carter, Austin and Burns, South 46 deg. 12 min. West 1954.5 feet to a post, corner of Carter in Hankins' line; thence crossing Hankins' South 89 deg. 34 min. West 772 feet to an iron stake, corner of Hankins and McAmis in Taylor's line; thence with McAmis South 64 deg. 17 min. West 1974.8 feet; thence with Knight and Simpson North 18 deg. 48 min. West 431.6 feet; thence with Knight South 66 deg. 30 min. West 468 feet to the old corporation line; thence North 44 deg. 34 min. West 524 feet to the Kingsport Highway at Fry Street, an original corner on the old Corporation line; thence with said old Corporation line, South 66 deg. 57 min. West 4754.0 feet, crossing the Baileyton Pike, to an iron pin; thence North 84 deg. 25 min. West, 159.5 feet to a hickory; thence with Hardin and Brown, North 33 deg. 13 min. West 950 feet to a stake in Brown's field; thence South 45 deg. 44 min. West 1861.5 feet to a cedar, on the East side of the Rogersville Road; thence South 65 deg. 43 min. East 188 feet to the center of Walnut Road, thence with the center of said Road, South 28 deg. 44 min. West 1714 feet to a Black Oak on the South side of Arnold Road; thence along said road North 53 deg. 54 min. West 366.4 feet to an automobile Axle in the West line of Seaton Avenue, Holt's corner; thence North 58 deg. 19 min. West 517.1 feet to a stake; thence South 73 deg. 37 min. West 1020 feet to a 20 inch locust; thence South 56 deg. 57 min. West 475 feet to a concrete post; thence crossing the Knoxville Highway South 48 deg. 41 min. West 68.7 feet to a post; thence with Rader South 64 deg. 48 min. West 234.2 feet to a post; thence North 34 deg. 22 min. West 74 feet to a post; thence with Rader and crossing Knoxville Pike, South 37 deg. 26 min. West 1186.8 feet; thence South 42 deg. 37 min. West 1027 feet to a post; thence South 42 deg. 32 min. East 83.6 to the old Knoxville Road; thence with said road, North 69 deg. 50 min. East, 763 feet; thence North 87 deg. 22 min. East 468.8 feet; thence South 84 deg. 47 min. East 159.5 feet; thence South 68 deg. 40 min. East 436.6 feet; thence South 58 deg. 27 min. East 93.3 feet to the Knoxville Pike; thence with said Pike South 55 deg. East 150 feet to Smith Lane; thence along said Lane, South 30 deg. 30 min. West 165 feet to a rock; thence South 14 deg. 15 min. West 929 feet; thence with Smith South 61 deg. 30 min. East 218 feet to a rock; thence South 36 deg. 25 min. East 475.4 feet to a rock; thence South 15 deg. 31 min. East 389.9 feet to a Post; thence South 31 deg. 13 min. West 849.5 feet to a Black Oak stump; thence South 14 deg. 36 min. West 907.8 feet to West Irish Street; thence with said Street South 80 deg. 06 min. West 333 feet; thence South 12 deg. 23 min. East 212 feet to the center of the Southern Railroad; thence South 43 deg. 48 min. West 726.8 feet to a post, Ricker's corner; thence with



Ricker North 39 deg. 55 min. West 507.8 feet; thence South 57 deg. 56 min. West 1781 feet; thence South 39 deg. 49 min. East 513.1 feet to a post; thence South 44 deg. 22 min. West 463.6 feet to a post at the Northwest corner of Hawk's year; thence South 29 deg. 02 min. West 867 feet; thence South 38 deg. 16 min. East 282.4 feet to a Post; thence South 52 deg. 03 min. West 313.7 feet to a post; thence crossing Craddock Drive, South 3 deg. 03 min. West 63.9 feet to an Iron pin; thence along the South side of Craddock Drive, South 51 deg. 53 min. West 1168 feet to Fann Drive; thence South 27 deg. 55 min. East 218.4 feet; thence South 51 deg. 53 min. West 130.3 feet; thence South 56 deg. 45 min. West 264.7 feet; thence South 30 deg. 15 min. East 409 feet to an iron stake at the Newport pike; thence crossing said Pike, and Bird and Cutshaw and Fillers, South 64 deg. 26 min. East 4897.6 feet to a post; thence with Godwin, Disney and Keiker, South 59 deg. 08 min. East 787.2 feet to an iron stake at the Asheville Highway; thence crossing said Highway North 62 deg. 58 min. East 204.5 feet to Shipe's corner; thence with Shipe South 38 deg. 35 min. East 499 feet to a stake; thence North 45 deg. 18 min. East, 592.7 feet; thence North 24 deg. 54 min. East 1306.2 feet to an iron stake near a light pole, King's corner; thence North 24 deg. 43 min. East 1349 feet to a post, corner of Reaves and Smithson; thence North 51 deg. 25 min. East 1696 feet to a post corner to Knight and Kirk; thence crossing the Kirk lands North 40 deg. 20 min. East 563.8 feet to an iron stake by a post at the corner of the woods; thence North 60 deg. 11 min. East, 2509.2 feet to South Main Street, corner of Mays and Harmon; thence with Harmon, Bell, Baxter and Leming, North 56 deg. 58 min. East 2392.2 feet to the Jones Bridge Road; thence South 56 deg. 07 min. East 73 feet; thence with Brown North 29 deg. 25 min. East, 228 feet to a post, thence North 42 deg. East 1759 feet to a Black Oak South of Ottinger's chicken house; thence crossing Ottinger, Smith, Fry, et al, North 59 deg. 42 min. East 3464 feet to the Buckingham Road; thence along said Road, South 66 deg. 52 min. East 233 feet; thence South 61 deg. 13 min. East 51.9 feet to Luttrell's corner; thence with said Luttrell North 43 deg. 42 min. East 628 feet; thence North 59 deg. 42 min. East 163 feet; thence North 63 deg. 36 min. East 405 feet to a point in the line of Eastside Subdivision; thence South 41 deg. 19 min. East 419 feet to Poe's line; thence with Poe, North 28 deg. 09 min. East 527 feet; thence South 34 deg. 24 min. East 87.4 feet; thence with King and Cobble North 54 deg. 52 min. East, 622.4 feet; thence with Mt. Bethel Road, North 37 deg. 48 min. West 29 feet; thence with Hope North 50 deg. 19 min. East 1105.5 feet to a post; thence South 41 deg. 18 min. East 517.4 feet to the road; thence along and with said road North 65 deg. 56 min. East 410 feet, thence North 53 deg. 45 min. East 364.8 feet thence North 34 deg. 59 min. West 855.6 feet to a post; thence North 52 deg. 31 min. East 905.8 feet to a Rock; thence North 2 deg. 56 min. East 214.1 to a Rock, thence North 22 deg. 17 min. East 1534.5 feet to the Beginning.

**SECTION 2.** That the boundaries of the Eighth, Ninth and Thirteenth Civil Districts of Greene County, Tennessee, are hereby contracted to the extent that the boundary line of the Tenth Civil District of Greene County, Tennessee, described in Section 1 hereof, encroaches upon any territory that was formerly within the boundaries of the said Eighth, Ninth and Thirteenth Civil Districts of Greene County, Tennessee, and so that the boundary line between the Tenth Civil District of Greene County, Tennessee, on the one hand and the Eighth, Ninth, and Thirteenth Civil Districts of Greene County, Tennessee, on the other, shall be the boundary line described in Section 1 hereof.

**SECTION 3.** That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

**SECTION 4.** That this Act shall have no effect unless the same shall have been approved by a two-thirds vote of the Quarterly County Court of Greene County 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. Its approval, or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or reverse, and shall be certified by him to the Secretary of State.

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

Passed: March 15, 1961.

## Private Acts of 1965 Chapter 157

**SECTION 1.** That the boundary of the Tenth Civil District of Greene County, Tennessee, is hereby enlarged so that the same shall comprise the following described territory which is bounded as follows, in addition to any territory that formerly comprised the Tenth Civil District of Greene County, Tennessee, not included in the following description:

BEGINNING at an iron stake an original corner between the 10th and 13th Civil Districts in the present corporation line of the City of Greeneville and running thence with said corporation line South 86 deg. 38 min. East 129.5 feet to a set stone; thence North 21 deg. 44 min. East 298.4

feet; thence North 5 deg. 16 min. East 249.1 feet to a set stone; thence North 46 deg. 21 min. East 626.6 feet to an iron stake on the east side of the poor farm road; thence North 45 deg. 30 min. East 1758.9 feet to a post; thence North 38 deg. 32 min. West 270.6 feet to an iron stake; thence North 44 deg. 57 min. East 2353.3 feet to the center of the road leading from the Snapp Ferry Road to the Kingsport Highway; thence with the center of said road South 44 deg. 20 min. East 1173.5 feet to a point in the Snapp Ferry Road; thence South 45 deg. 14 min. West 446.7 feet; thence South 28 deg. 46 min. West 86.2 feet to the north right of way of the Southern Railroad; thence with said railroad right of way North 51 deg. 15 min. East 541.7 feet a point of curve in said right of way; thence with a 1508.3 foot radical [sic] curve 1163.6 feet to the point of tangent; thence South 84 deg. 33 min. East 1205.6 feet to a point of curve in said right of way; thence with said curve, cord bearings and distances, South 85 deg. 33 min. East 198.3 feet; South 87 deg. 40 min. East 198.5 feet; South 89 deg. 36 min. East 199.0 feet; North 88 deg. 36 min. East 199.0 feet; North 87 deg. 17 min. East 68.4 feet to an iron stake in the said north right of way line of the Southern Railroad; thence crossing said Railroad, South 31 deg. 04 min. East 4936.6 feet to an iron stake in the northern city limits of Tusculum; thence with said Tusculum Corporation line South 43 deg. 47 min. West 296.5 feet to an iron stake in a small lake; thence South 10 deg. 14 min. East 1354.9 feet to a stake in the north right of way of the old Tusculum Road, bearing north 18 deg. 54 min. West 12 feet from an angle iron in the Northwest corner of culvert on said road; thence with the North right of way of said Old Tusculum Road, South 71 deg. 06 min. West 361.6 feet to a point of curve; thence with a 138.9 foot radial curve 129.25 feet to the point of tangent; thence North 55 deg. 35 min. West 483.4 feet; thence North 57 deg. 25 min. West 167.8 feet; thence North 53 deg. 23 min. West 321.2 to a point of curve; thence with a 260.5 foot radial curve 339.8 feet to the point of tangent; thence South 51 deg. 52 min. West 66.7 feet to a point of curve; thence with a 409.3 foot radial curve 223.3 feet to the point of tangent; thence South 83 deg. 08 min. West 1089.9 feet to a point of curve; thence with a 421.3 foot radial curve 239.2 feet to the point of tangent; thence South 50 deg. 36 min. West 124.6 feet to a point of curve; thence with a 460.1 foot radial curve 354.8 feet to the point of tangent; thence North 85 deg. 13 min. West 301.1 feet to a point of curve; thence with a 1637.0 foot radial curve 324.8 feet to the point of tangent; thence South 83 deg. 25 min. West 244.7 feet to a stake on the North side of said Old Tusculum Road; thence crossing said road South 1 deg. 55 min. West 798 feet to a post; thence South 45 deg. 31 min. West 111.5 feet to an iron stake; thence North 88 deg. 19 min. West 1583.3 feet to a post; thence South 45 deg. 40 min. West 145.8 feet to a post; thence South 44 deg. 13 min. West 798.0 feet to an iron stake; thence South 84 deg. 06 min. West 1794.7 feet to an iron stake in the original line between the 13th and 10th Civil Districts; thence with said line North 22 deg. 17 min. East 858.2 feet to the center of a culvert over Holly Creek on the Old Tusculum Road; thence with said road, North 71 deg. 46 min. West 330.3 feet to a point in said road; thence North 83 deg. 27 min. West 435.0 feet to a point in the Tusculum Boulevard; thence North 37 deg. 58 min. West 1038.8 feet; thence North 18 deg. 41 min. West 516.5 feet to an iron stake; thence North 82 deg. 53 min. East 357.2 feet to an iron stake; thence North 40 deg. 50 min. East 14.2 feet to the center of Holly Creek; thence approximately North 29 deg. 15 min. West 1417.3 feet to the center of a culvert over Holly Creek on the Old Snapp Ferry Road; thence North 6 deg. 48 min. West 648.2 feet to the BEGINNING.

**SECTION 2.** That the boundary of the Thirteenth Civil District of Greene County, Tennessee, is hereby contracted to the extent that the boundary line of the Tenth Civil District of Greene County, Tennessee, described in Section 1. hereof, encroaches upon any territory that was formerly within the boundary of the said Thirteenth Civil District of Greene County, Tennessee, and so that the boundary line between the Tenth Civil District of Greene County, Tennessee, on the one hand and the Thirteenth Civil District of Greene County, Tennessee, on the other, shall be the boundary line described in Section 1. hereof.

**SECTION 3.** That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

**SECTION 4.** That this Act shall have no effect unless the same shall have been approved by a two-thirds vote of the Quarterly County Court of Greene County occurring more than thirty (30) days after its approval by the Chief Executive of this State. Its approval, or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or reverse, and shall be certified by him to the Secretary of State.

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

Passed: March 10, 1965.

## Elections - Historical Notes



### **Districts - Reapportionment**

The acts listed below have affected the civil districts in Greene County, but are no longer operative regarding elections. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1835-36, Chapter 114, authorized the county court of Greene County to alter the lines of the justices districts, number eight, ten and twelve, so as to include within the tenth district the farms of William Dickson, Mrs. Wyly, Mrs. Vistel, Richard M. Woods and Robert Malony.
2. Private Acts of 1901, Chapter 176, changed the boundary between Greene and Washington counties "so as to make the line of the farm of George H. Hartsell of the Fifteen Civil District of said county the line between the counties."
3. Acts of 1903, Chapter 445, abolished the first, sixth, eighth, thirteenth, fourteenth and fifteenth civil districts of Greene County, attaching their territory to other districts and renumbering the remaining districts.
4. Acts of 1905, Chapter 301, changed the boundary between the fifteenth and sixteenth civil districts, to include the farms of John Ratliff, George A. Crawford, John Bowser, and G. W. Smith in the fifteenth district.
5. Acts of 1905, Chapter 371, changed the boundaries between the fourth and seventh districts of Greene County.
6. Acts of 1905, Chapter 305, changed the boundaries between the eleventh and seventeenth civil districts of Greene County.
7. Acts of 1905, Chapter 420, changed the line between the twelfth and seventeenth civil districts of Greene County.
8. Private Acts of 1911, Chapter 103, repealed Acts of 1903, Chapter 445, Acts of 1905, Chapter 301, Acts of 1905, Chapter 305 and Acts of 1905, Chapter 420.
9. Acts of 1907, Chapter 65, changed the line between the fourth and nineteenth civil districts of Greene County, and while this act was not specifically repealed; it apparently was repealed by implication by Private Acts of 1911, Chapter 103, which re-established the Greene County civil districts as they existed prior to 1903.
10. Acts of 1909, Chapter 203, changed the voting place in the fourth civil district from Phillips' Schoolhouse to Mohawk School.
11. Acts of 1909, Chapter 291, changed the voting place in the sixteenth district from Cedar Grove to the Union Temple Schoolhouse.
12. Private Acts of 1923, Chapter 361, was the next legislative attempt to redistrict Greene County, by abolishing thirteen of the civil districts and redrawing the lines of the remaining twelve. This act was specifically repealed by Private Acts of 1929, Chapter 927,
13. Private Acts of 1923, Chapter 626, provided that all voting precincts in Greene County would remain as they had been prior to the passage of the redistricting act.
14. Private Acts of 1925, Chapter 116, changed the boundary between the fourth and twelfth civil districts of Greene County, but this act was repealed by implication when the Private Acts of 1929, Chapter 927, re-established the civil districts of Greene County as they had existed prior to the passage of the 1923 redistricting act.

### **Elections**

The following is a listing of acts for Greene County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1785, Laws of North Carolina, Chapter 46, authorized the inhabitants of Greene, Washington and Sullivan counties to elect members to represent them in the general assembly.
2. Acts of 1803, Chapter 24, provided that Greene, Washington, Carter and Sullivan counties would form the first district for the election of presidential electors and votes in such elections would be compared at the courthouse in Jonesborough.
3. Acts of 1805, Chapter 64, apportioned the state into legislative districts, with Greene County to elect one state senator and one representative to the state house.
4. Acts of 1807, Chapter 74, divided the state into five districts for the election of presidential electors, with Washington, Greene, Carter, Sullivan and Hawkins to form the first district and to elect one elector.

5. Acts of 1812, Chapter 5, divided the state into eight electoral districts, with Sullivan, Carter, Greene, Washington and Hawkins counties forming the first district and elected one elector.
6. Acts of 1812, Chapter 27, divided Tennessee into six congressional districts, with the first congressional district comprising the counties of Hawkins, Sullivan, Carter, Washington and Greene.
7. Acts of 1812, Chapter 57, set the membership of the state legislature at twenty in the state senate and forty in the state house of representatives. Greene County was to elect one senator and one representative with the polls to be compared at the courthouse in Greeneville.
8. Acts of 1815, Chapter 107, provided that beginning with the election to be held on the first Thursday and Friday of August, 1817, Greene County was to have a second polling place, at the house of Colonel John Newman, in addition to the polling place at the courthouse.
9. Acts of 1817, Chapter 180, established a separate poll in Greene County at the house of Michael Myers, in addition to those already in existence.
10. Public Acts of 1819, Chapter 5, Section 7, removed the precinct election at the house of Michael Myers to the house of George Rinker. This act also repealed Acts of 1817, Chapter 180.
11. Public Acts of 1819, Chapter 69, apportioned the representation of the state. The counties of Greene and Jefferson composed one election district and elected one senator. In addition, Greene County elected one representative.
12. Public Acts of 1822, Chapter 1, divided Tennessee into nine congressional districts, with Carter, Washington, Sullivan, Hawkins and Greene forming the first congressional district.
13. Public Acts of 1823, Chapter 47, provided for the election of electors of president and vice president of the United States by dividing the state into eleven electoral districts. The first district was composed of the counties of Greene, Carter, Sullivan, Hawkins and Washington.
14. Public Acts of 1824, Chapter 1, provided for the election of electors of president and vice president of the United States by dividing the state into eleven electoral districts. The first district was composed of the counties of Greene, Carter, Sullivan, Hawkins and Washington.
15. Public Acts of 1826, Chapter 3, apportioned the representation in the general assembly of the state. The counties of Greene, Washington, Cocke and Sevier composed one election district and elected one senator. In addition, Greene County elected one representative.
16. Private Acts of 1827, Chapter 196, established an additional voting precinct in the town of Rhea, at the house of John Mathias in Greene County.
17. Public Acts of 1827, Chapter 17, divided the state into eleven electoral district for the purpose of electing electors of president and vice president of the United States. The first electoral district was composed on the counties of Greene, Carter, Sullivan, Hawkins and Washington and elected one elector.
18. Private Acts of 1831, Chapter 57, established a precinct election at the house of Alexander English in Greene County.
19. Private Acts of 1831, Chapter 152, Section 3, authorized the sheriff of Greene County to open and hold an election at the house of Jacob Broyles on Horse Creek in Greene County to elect a governor, members of the general assembly, member to Congress and electors to elect a president and vice president.
20. Public Acts of 1832, Chapter 4, divided the state into districts for the election of representatives to the Congress of the United States. The counties of Carter, Greene, Washington, Cocke and Jefferson composed the first congressional district.
21. Public Acts of 1832, Chapter 9, prescribed the mode of choosing electors to vote for president and vice president of the United States and divided the state into fifteen electoral districts. The counties of Carter, Washington, Greene and Jefferson composed the first electoral district.
22. Public Acts of 1833, Chapter 71, divided the state into representative and senatorial districts. The counties of Greene, Carter and Washington composed one election district and elected one senator. In addition, the counties of Greene, Knox, Monroe and McMinn elected and returned one representative each.
23. Public Acts of 1833, Chapter 76, provided for the calling of a convention for the purpose of revising and amending the state constitution. Sixty members were elected to the convention by districts laid off in the state. Greene County composed one district and elected one delegate to the convention. The returning officers of Greene County met at Sevierville to compare votes.
24. Private Acts of 1835-36, Chapter 114, authorized the Greene County Court to alter the lines of the

magisterial districts. This act was a forerunner to the current law in this state, which has again transferred the power to determine the number and boundaries of magisterial districts back to the local governing body.

25. Public Acts of 1835-36, Chapter 39, prescribed the mode of choosing electors to vote for president and vice president of the United States. The counties of Greene, Carter, Washington and Jefferson composed the first district.
26. Acts of 1842, Second Session, Chapter 1, provided that the counties of Greene and Hawkins composed the second senatorial district and jointly elected one state senator with the polls were compared at the home of James Guthrie in Greene County. Greene County elected one member to the state house of representatives. This act was amended by Acts of 1847-48, Chapter 65, to provide that the polls would be compared at Dr. Alexander Williams' mill, on Lick Creek in Greene County.
27. Acts of 1842, Second Session, Chapter 7, placed Carter, Johnson, Sullivan, Washington, Hawkins, Greene and Cocke counties in the first congressional district of Tennessee.
28. Acts of 1851-52, Chapter 196, divided the state into congressional districts. The first congressional district was composed of the counties of Greene, Johnson, Carter, Sullivan, Washington, Hawkins, Cocke, Jefferson, Hancock and Sevier.
29. Acts of 1851-52, Chapter 197, divided the state into representative and senatorial districts. The counties of Greene, Hawkins, Hancock and Jefferson elected one representative, the polls of which were compared at Rogersville. The counties of Greene, Cocke, Sevier and Blount composed one senatorial district and compared the polls at Rogersville as well.
30. Public Acts of 1871, Chapter 146, divided the state into representative and senatorial districts. Greene County elected one representative and was placed in the first senatorial district along with Johnson, Carter and Washington.
31. Public Acts of 1873, Chapter 27, divided the state into congressional districts. Greene County was placed in the first congressional district.
32. Public Acts of 1881, Extra Session, Chapter 6, divided the state into senatorial and representative districts. Greene County elected one representative and was placed in the second senatorial district along with Hawkins and Hancock counties.
33. Public Acts of 1882, Second Session, Chapter 27, divided the state into congressional districts. Greene County was placed in the first congressional district.
34. Public Acts of 1891, Chapter 131, divided the state into congressional district. Greene County was placed in the first congressional district.
35. Acts of 1891, Extra Session, Chapter 10, divided the state into senatorial and representative districts. Greene County elected one representative and was placed in the first senatorial district along with Carter, Johnson, Unicoi and Washington counties.
36. Public Acts of 1901, Chapter 109, divided the state into congressional districts. Greene County was placed in the first congressional district.
37. Public Acts of 1901, Chapter 122, apportioned the state into senatorial and representative districts, with Johnson, Carter, Unicoi, Washington and Greene counties to elect one state senator. One representative was to be elected from Greene County, and one more representative was to be elected jointly by the counties of Greene, Washington and Unicoi. This was amended by Acts of 1905, Chapter 463, to provide that Greene and Sullivan counties were to form the second senatorial district and in addition to the one representative from Greene County, one representative was to be elected jointly from Sullivan and Greene counties.
38. Public Acts of 1925, Chapter 96, provided for the holding of an election in Greene County to fill the offices of circuit judge and attorney general of the twentieth judicial circuit.
39. Private Acts of 1941, Chapter 177, set the compensation for election officer in general elections at \$2.00 per day.
40. Private Acts of 1949, Chapter 252, raised the per diem of election officers to \$4.00 for elections held "under the auspices of the state."
41. Private Acts of 1963, Chapter 6, attempted to repeal the Private Acts of 1949, Chapter 252, and raise the per diem of election officers to \$7.00, but this act did not gain local ratification and never became an effective law.

## Chapter VIII - Health

## County Coroner

### Deputy

## Private Acts of 1975 Chapter 75

**SECTION 1.** The position of Deputy Coroner of Greene County is hereby established.

**SECTION 2.** The Quarterly County Court of Greene County is hereby empowered to name a person of suitable qualification to said office and to appropriate a salary for said Deputy Coroner in an amount deemed appropriate in the discretion of said Court.

**SECTION 3.** This Act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) majority of a quorum of the Quarterly County Court of Greene County at or before the next regular meeting of the court occurring more than thirty (30) days after this Act's approval by the Governor. Its approval or nonapproval by the Quarterly County Court shall be proclaimed by the presiding officer of the court and certified by him to the Secretary of State.

**SECTION 4.** Upon being approved by the Quarterly County Court of Greene County, as provided in Section 3 hereof, this Act shall be deemed to have an effective date and become law when approved by the Governor, the public welfare requiring it.

Passed: April 17, 1975.

## Garbage Disposal

## Private Acts of 1984 Chapter 219

### SECTION 1.

(a) It shall be unlawful for any person who is not a resident of Greene County to carry or haul trash or garbage into such county for the purpose of disposing of the trash or garbage in public garbage receptacles owned or provided by Greene County.

(b) Venue for a violation of this Act shall be the county in which the garbage or trash was deposited.

(c) Any person violating the provisions of this Act shall be subject to a civil penalty of twenty-five dollars (\$25.00).

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

**SECTION 3.** 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 2.

Passed: May 15, 1984.

## Chapter IX - Highways and Roads

### Load Limits

## Private Acts of 1921 Chapter 333

**SECTION 1.** That from and after the passage of this Act, it shall be unlawful for any motor truck, van, dray or other wheeled vehicle engaged in the transportation or hauling of passengers or goods, wares or merchandise of any kind or any other substance; the aggregate weight of which vehicle and load carried by such vehicle shall exceed five tons to operate over any of the public highways, roads or bridges of any County in the State containing a population of not less than thirty-two thousand eight hundred and twenty-four or more than thirty-two thousand eight hundred and fifty according to the Federal Census of 1920 or any subsequent Federal Census, provided that the provisions of this Act shall not apply to the streets and roads of any incorporated town or city within such counties, and provided further that this Act shall not apply to the moving of threshing machines, engines, etc., from one place in the County to some other place therein.

**SECTION 2.** That any person, firm or corporation violating the provisions of this Act shall be guilty of a misdemeanor and on conviction shall be punished by a fine of not less than \$25.00 nor more than \$50.00 for each offense, or by imprisonment of any person and any official of any firm or corporation in the County jail for not less than 30 and not more than 60 days, or by both fine and imprisonment in the discretion of the Court.

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

Passed: March 15, 1921.

## Referendum Relative to New Highway from Pigeon Forge to the Tri-Cities Airport

### Private Acts of 1998 Chapter 174

**SECTION 1.** The County Legislative Body of Greene County may by resolution call for an advisory referendum at either the regular August Election of 1998 or the regular November Election of 1998. The question on the ballot of such election shall be substantially as follows:

Should there be a new highway from Pigeon Forge to the Tri-Cities Airport?

Yes \_\_\_\_\_

No \_\_\_\_\_

The County Legislative Body of Greene County may place a brief statement of the purpose of the referendum preceding the question on the ballot. Such statement shall not exceed two hundred (200) words.

**SECTION 2.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Legislative Body of Greene County. Its approval or non-approval shall be proclaimed by the Presiding Officer of the Legislative Body of Greene County and certified to the Secretary of State.

**SECTION 3.** For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

Passed: May 1, 1998.

## Right of Way Construction

### Private Acts of 1981 Chapter 18

**SECTION 1.** Any person desiring to perform any type of construction or excavating within the right-of-way of any county road in Greene County, Tennessee, or to make an entrance, build a curb, gutter, or sidewalk, lay cables, pipe lines, or any other such improvements on or under a county road, must first make application to the superintendent of roads for approval of such construction or excavation.

#### **SECTION 2.**

(a) In addition to the provisions of Section 1, prior to cutting or otherwise disturbing any public road or road right-of-way in Greene County, a private contractor must comply with the following requirements:

- (1) File an application for an excavation permit with the Greene County road superintendent, or other road commission employee designated by the road superintendent to receive the same;
- (2) Post a cash bond for the estimated cost of any damage to the public road or right-of-way, in an amount to be determined by the Greene County Road Superintendent or other designated employee, in an amount sufficient to guarantee that any road or right-of-way which might be disturbed will be repaired to as good or better condition as the road or right-of-way was in before any excavation or other disturbance was caused to the road or right-of-way;
- (3) Show proof of adequate amounts of liability insurance to protect the traveling public, or its property, from any damage that might come to the traveling public because of the excavation or the disturbance, of the public road or right-of-way;
- (4) Show proof that he, or his company, is bonded by a reputable bonding or insurance company or in the alternative show proof of sufficient financial capacity to qualify for bonding by a reputable bonding or insurance carrier; and

(5) Agree to place signs or other markers at the site of any excavation, or other work, being done in a public road, or right-of-way, so as to comply with the Manual On Uniform Traffic Control Devices For Streets And Highways published by the Tennessee Department of Transportation.

(b) Any individual or concern, failing to comply with the procedures will be prosecuted for the offense of destruction of public property and/or sued for the amount of any damages caused to any public road or right-of-way and/or reported to the proper licensing authorities with any local, state or federal government or agency.

### **SECTION 3.**

(a) In addition to the provisions of Section 1, prior to cutting, or otherwise disturbing any public road or road right-of-way in Greene County, Tennessee, a city or utility district must comply with the following requirements:

(1) Notify at least forty-eight (48) hours in advance of the expected beginning of work the Greene County road superintendent, or other road commission employee designated by the road superintendent of its desire to make a cut or other excavation in a public road or right-of-way;

(2) Post a bond for the estimated cost of any damage to the public road or right-of-way, in an amount to be determined by the Greene County Road Superintendent, or other designated employee, in an amount sufficient to guarantee that any road or right-of-way which might be disturbed will be repaired to as good or better condition as the road or right-of-way was in before any excavation or other disturbances was caused to the road or right-of-way;

(3) Show proof of adequate amounts of liability insurance to protect the traveling public, or its property, from any damage that might come to the traveling public because of the excavation or the disturbance, of the public road or right-of-way;

(4) Agree to place signs or other markers at the site of any excavation, or other work, being done in a public road, or right-of-way, so as to comply with the Manual On Uniform Traffic Control Devices For Streets And Highways published by the Tennessee Department of Transportation.

(b) Any city or utility district failing to comply with the procedures will be sued for the amount of any damages caused to any public road or right-of-way and/or denied any future permits to cut or otherwise disturb a public road or right-of-way.

**SECTION 4.** In the case of actions or persons not covered by the provisions of Sections 2 and 3, the superintendent of roads may require a permit, application fee, or the posting of a bond by persons seeking to make construction or excavation on or along a county road.

**SECTION 5.** The county superintendent of roads shall make all rules and regulations necessary concerning the requirements for approval of applications required by this act. No higher standards of construction, however, shall be required for application approval than the standard of construction required for the road department of the county.

**SECTION 6.** Any person violating the provision of this act is guilty of a misdemeanor and is subject to a fine of not less than \$25.00 nor more than \$50.00, unless a different penalty is provided, as in Section 2 and 3.

**SECTION 7.** This act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the county legislative body of Greene County before October 1, 1981. Its approval or nonapproval shall be proclaimed by the presiding officer of the Greene County legislative body and certified by him to the Secretary of State.

**SECTION 8.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 7.

Passed: February 25, 1981.

**COMPILER'S NOTE:** Our information from the office of the Secretary of State is that this Act was properly approved by the Greene County Legislative Body on April 20, 1981, thus placing the same into effect.

## **Road Law**

### **Private Acts of 1927 Chapter 130**

**SECTION 1.** That in all Counties of this State having a population of not less than 32,822, or more than 32,826, under the Federal Census of 1920, or any subsequent Federal Census, there is hereby created the

office of Superintendent of Public Roads, to be known as Road Superintendent, who shall hereafter be elected by the qualified voters of said County at the regular August election held for the election of public officials in said County for the year 1936, and at each biennial August election thereafter held in said County; that said Road Superintendent shall hold his office for a period of two years, and until his successor is elected and qualified; that he shall be a reputable citizen and taxpayer of said county; shall be a civil engineer, or a person who has had practical experience in road building and maintenance, and who is competent to supervise the construction, maintenance and repair of roads of said county; that the vacancy now existing in said office of Road Superintendent, by reason of the expiration of the term of the present incumbent, shall be filled by the qualified voters of said county at a special election called for that purpose, to be held in each voting precinct of said county, in the manner as required by law for the election of other public officials, upon thirty days notice thereof, given by the Election Commissioners of said County, published as the law requires the present incumbent holding said office until his successor is elected and qualified; that any vacancy in said office shall be filled for the unexpired term by the appointment of the County Chairman or Judge--such person so appointed shall have the qualifications herein set out, and shall hold office until the next regular election held for the purpose of electing such Road Superintendent.

Before entering upon the discharge of his duties, said Road Superintendent, elected as herein provided, shall execute bond in the sum of FIVE THOUSAND (\$5,000.00) DOLLARS, conditioned for the faithful performance of his duties, and shall take oath that he will well and truly perform and discharge each and all of the duties of office devolving upon him by the provisions of said Act. He shall have an office, with proper furniture and equipment at the County site of said County.

As amended by: Private Acts of 1935, Chapter 184

**SECTION 2.** That the Road Superintendent shall receive a salary of \$6,500.00 per annum, to be paid monthly upon warrant issued by the proper officials of said County, in the manner of other disbursements, and shall, in addition, receive expenses necessary in the operation of his automobile, which shall be itemized and sworn to, and be approved by the County Chairman or Judge before paid.

As amended by: Private Acts of 1935, Chapter 184

Private Acts of 1947, Chapter 279

Private Acts of 1951, Chapter 438

Private Acts of 1953, Chapter 532

**SECTION 3.** That the Road Superintendent may be removed at any time by the County Judge or Chairman of the County upon his own volition upon a proper showing that he is not properly qualified in accordance with the provisions of Section 1 of this Act, or for incompetency, malfeasance or misfeasance in office, upon written charges preferred against said Road Superintendent by five or more citizens or taxpayers of said counties coming within the provisions of this Act, which charges shall be filed with the County Judge or Chairman and a copy of which shall be served upon said Road Superintendent. Said Chairman or County Judge shall fix a day when said charges shall be heard, which shall be at least ten days after notice and copy of said charges have been served upon said Road Superintendent. Such hearing shall be at the Court House in the county site. If, upon hearing, it appears that such charges are sustained, the County Judge or Chairman of the County shall remove said Road Superintendent and serve notice of such removal upon said Road Superintendent. After the hearing a record of the proceedings on such hearing shall be filed in the office of the County Clerk.

As amended by: Private Acts of 1935, Chapter 184

**SECTION 4.** That if any Road Superintendent neglects or refuses to diligently perform and prosecute the duties of his office, he shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding Five Hundred (\$500.00) Dollars; and he shall be subject to the same penalty if he refuses or neglects to cause his subordinates to perform their duties under his direction.

As amended by: Private Acts of 2011, Chapter 22

**SECTION 5.** That the said Road Superintendent shall have general authority over and charge of all public roads and every grade, including bridges thereon, within his county, with the exception of State or Federal Aid Highways. He shall have authority over and general supervision of all work of construction, repairing and improving the public roads and bridges of the County, as well as matters of locating, annulling and changing said roads. He shall have control of the funds derived from taxes or otherwise provided for the construction, improvement or maintenance of the roads of this County under the limitations herein provided; however, the provisions of this Act shall in no way interfere with the construction of any graded or macadamized, or the repairing, rebuilding or restoring of any roads by any means authorized by a special Act, or from funds derived from the sale of bonds provided for such use under any special Act.

Said Road Superintendent shall not build or cause to be built any bridge or bridges at a site where a bridge has not heretofore been built, except upon being directed so to do by an appropriate resolution of the Quarterly County Court.

The Road Superintendent shall purchase such tools and materials as may be necessary for the construction and maintenance of the roads of his County, but the purchase of road machinery, gravel beds, quarries and trucks shall not be made by said Road Superintendent but by a Purchasing Committee hereinafter provided for.

The Road Superintendent shall not incur any debts or make any purchases or expenditures aggregating an amount in excess of the sum set apart for roads for the current year by the Quarterly County Court. The Road Superintendent shall take receipts showing all amounts paid for all purchases made by him from any company, firm or individual and said receipts shall become a part of the public records of his office. He shall preserve all papers and keep a copy of all accounts, petitions, etc., which may come before him, which shall be public records subject to inspection at any time by any citizen of the County. He shall carefully audit all accounts presented for payment and require that same be itemized and sworn to. He shall make a report in writing to each Quarterly Term of the County Court of his expenditures for each quarter and furnish said Court with such information as it may require. He shall at each January Term of the Quarterly County Court make an annual report showing the total disbursements for the preceding year and the items making up such total, properly classified with reference to the class of work and nature of the expenditures as well as showing the exact equipment and property on hand and its condition and value, and otherwise as may by [sic] required by the Quarterly County Court. He shall prepare and keep a record of all macadamized, graded and common roads by divisions, as hereinafter provided.

**SECTION 6.** [Deleted by Private Acts of 2011, Chapter 22]

As amended by: Private Acts of 1935, Chapter 184  
Private Acts of 2011, Chapter 22

**SECTION 7.** [Deleted by Private Acts of 2011, Chapter 22]

As amended by: Private Acts of 1935, Chapter 184  
Private Acts of 1947, Chapter 279  
Private Acts of 1951, Chapter 438  
Private Acts of 1953, Chapter 552  
Private Acts of 1974, Chapter 192  
Private Acts of 1981, Chapter 10  
Private Acts of 1986, Chapter 114  
Private Acts of 1987, Chapter 1  
Private Acts of 2000, Chapter 87  
Private Acts of 2005, Chapter 46  
Private Acts of 2011, Chapter 22

**SECTION 8.** [Deleted by Private Acts of 2011, Chapter 22]

As amended by: Private Acts of 1935, Chapter 184  
Private Acts of 2011, Chapter 22

**SECTION 9.** That the said Road Superintendent shall prepare and submit at the April term of the Quarterly County Court a full and detailed estimate or budget showing the cost of the work and expenditure necessary for the improvement, maintenance and construction of the roads in the County for the ensuing year upon which said estimate or budget the said Quarterly County Court may base their appropriations and tax levies to meet the expenses of such road construction improvement and maintenance as his report may show necessary. The Quarterly County Court shall approve said estimate or budget at its regular July term of the Court as submitted by the Road Superintendent or as amended by said Court.

As amended by: Private Acts of 1955, Chapter 122

**SECTION 10.** That the expenditures and payments made from the road fund under the provisions of this Act shall be on warrants of the Road Superintendent, countersigned by the County Chairman or Judge of the County, to be drawn upon the Trustee or County Treasurer, and paid by him out of the funds available for public roads of the said County under the provisions of this Act. The Trustee of said County shall receive no additional compensation for collecting, handling and disbursing said funds.

**SECTION 11.** That it shall be unlawful for any Road Superintendent to appoint, employ or contract with any member of his immediate family, including parents, children, brothers or brothers-in-law, for services or materials provided for under the provisions of this Act.

As amended by: Private Acts of 2011, Chapter 22

**SECTION 12.** [Deleted by Private Acts of 2011, Chapter 22]

As amended by: Private Acts of 2011, Chapter 22

**SECTION 13.** That the County Judge or Chairman, by and with the consent of the Quarterly County Court at its first adjourned or regular session after the passage of this Act, shall appoint two members of the County Court, which members shall not be of the same political party, and said members so appointed, together with the County Judge or Chairman, shall constitute a Purchasing Committee, whose



duty it shall be to purchase for the use of the County stone crushers, road rollers, engines, tractors, trucks and road machinery, and such other equipments, tools and materials as may be necessary for the construction, repair and maintenance of the public roads of said County, all of which shall be paid for out of the County road funds for the current year, or from the proceeds of bonds or county warrants sold for such purposes as provided by law.

The Road Superintendent shall make known to the Quarterly County Court and to said Purchasing Committee the kind and amount of machinery, tools and apparatus needed for the repair, maintenance and upkeep of the roads of the County.

All contracts for the purchase of machinery, equipment or tools made by the Purchasing Committee in behalf of the County shall be signed by the County Judge or Chairman.

All road machinery shall be under the care of the Road Superintendent, and the expense of caring for same shall be borne by the County. He shall provide a proper place for the housing of all machinery and tools and cause the same to be stored therein when not in use.

**SECTION 14.** That the Road Superintendent may, with the approval of the County Court, lease or hire stone crushers, road rollers, traction engines, etc. The expense thereof shall be paid by him in like manner out of the moneys belonging to the road fund for the repair and improvement of the public roads of the County.

**SECTION 15.** That the Road Superintendent, with the approval of the Purchasing Committee, or said Purchasing Committee may purchase of the owner any gravel bed, pit or stone quarry within the County, and if they cannot agree with the owner of said gravel bed, pit or quarry, they may, in behalf of the County, acquire same by condemnation, provided it is more than 1,000 feet from any house, barn, orchard or vineyard, unless damage is waived by the owner. The purchase price of such stone or gravel and the damages awarded in such condemnation proceeding, together with the cost and expense thereof, shall be a charge against the road fund and paid out of the moneys collected therefor as provided by law.

**SECTION 16.** That all applications to open, change or close any and all public roads shall be made to the County Road Superintendent by written petition, which shall designate the road to be opened, changed or closed, giving the beginning point, its general course, and the owners of land over which it shall pass to the closing point. The said Superintendent shall, within ten days after receiving said petition, designate a date when he will view said road and cause notice of same to be observed on each land-owner, or his agent, and attorney if a non-resident, and also notify the first signer of said petition, such notice to land-owners and the first signer to be given at least five days before the date set for the viewing of the road. At the time designated, the said Superintendent will go upon the premises and view said road, assess such damage, as any land-owner may be entitled to, directing that the same be paid out of the County Treasury, and he shall make a written report of his action and file the same with all petitions, notices, and other papers with the Clerk of the County Court within ten days after the date of viewing said road. Any land-owner or person materially affected who may desire to contest the action of the Superintendent of Roads may file same in writing, setting up his grounds with the Clerk of the County Court within five days after the date allowed for the filing of the Superintendent's report. The party filing protest may, by demanding same in his protest or petition, have an open hearing or trial before the Chairman of the County, or County Judge, and have witnesses summoned to be examined, such protestant or petitioner shall give bond to secure the cost of such hearing if taxed against him. Any such petitioner or Protestant may appeal from the action of the County Court to the next term of Circuit Court on giving bond for costs provided such appeal is prayed within five days from the date of entering the final order of the County Judge or Chairman. In all cases, whether there be protests or not, the County Judge or Chairman shall review the report of the Superintendent and report shall be approved and adopted by his order before it becomes finally effective.

**SECTION 17.** [Deleted by Private Acts of 1931, Chapter 314].

**SECTION 18.** That an Act to provide for the creation of the office of Road Superintendent and for his appointment and qualification and to fix his salary and to provide for the appointment of an Assistant Road Superintendent, and to provide for the working and repairing, opening and closing the changing of the public roads of all classes in all counties in the State of Tennessee having a population of not less than 32,822 nor more than 32,826, according to the Federal Census of 1920, or any subsequent Federal Census, passed March 30th, 1925, approved April 13th, 1925, and entitled Chapter No. 457 of the Private Acts of 1925, and an Act entitled Chapter No. 599 of the Private Acts of 1923, and an Act entitled Chapter No. 193 of the Private Acts of 1915, and all subsequent amendments thereto, in particular Chapter 508 of the Acts of 1921, and Chapter 189 of the Acts of 1919, be and the same are hereby repealed.

**SECTION 19.** That all Acts or portions of Acts in conflict with this Act be and the same are hereby repealed.

**SECTION 20.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 10, 1927.

## Road Superintendent

## Compensation

### Private Acts of 1974 Chapter 191

**SECTION 1.** The compensation of the Road Superintendent of Greene County is hereby fixed at ten thousand dollars (\$10,000.00) per year, payable in equal monthly installments out of the treasury of the county at such times and in the same manner as other county officials are paid. Said Road Superintendent shall also be entitled to receive expenses necessary in the operation of his automobile, which shall be itemized and sworn to, and be approved by the County Judge or chairman before paid.

**SECTION 2.** Chapter 238 of the Private Acts of 1965 is hereby repealed.

**SECTION 3.** This Act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the Quarterly County Court of Greene County before August 31, 1974. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

**SECTION 4.** For the purpose of ratifying this Act, as provided in Section 3, it shall take effect upon becoming a law, but the salary increase provided by this Act shall not be effective until September 1, 1974.

Passed: February 14, 1974.

## Road Tax

### Private Acts of 1951 Chapter 500

**SECTION 1.** That in all counties in the State of Tennessee, having a population of not less than Thirty-nine Thousand, Four Hundred (39,400) nor more than Thirty-nine Thousand, Four Hundred and Ten (39,410), according to the Federal Census of 1940 or any subsequent Federal Census, the Quarterly County Court shall have authority to levy taxes for highway purposes of not less than five (.05¢) cents, nor more than Seventy-five (.75¢) cents on each One Hundred (\$100) Dollars worth of property as shown by the assessment made by the County Assessor for such counties.

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

Passed: March 12, 1951.

## Highways and Roads - Historical Notes

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

1. Acts of 1797, Chapter 35, authorized James Guthrey to build a bridge over Lick Creek on the main road leading from Bull's Gap to Greeneville. This act allowed him to charge the following tolls: for a footman 6¼¢, for a man and a horse 12½¢, for a horse and chair 25¢ and for a four-wheeled carriage 50¢.
2. Private Acts of 1820, Chapter 130, altered a part of the turnpike between Sherrils Cove to the Painted Rock in Greene County.
3. Private Acts of 1821, Chapter 71, authorized Jacob Dyke of Greene County to build a mill dam across the owl sluice of the Nolichucky River.
4. Private Acts of 1825, Chapter 334, authorized William Reynolds of Greene County to open and establish a turnpike road across Paint Mountain. This act was amended by Private Acts of 1831, Chapter 34, which authorized the proprietors to build a new turnpike road and close the Paint Mountain Road. This act was further amended by Private Acts of 1831, Chapter 184, which called for the construction of an additional road in the Warringsburg Turnpike.
5. Private Acts of 1829-30, Chapter 219, provided that the charter for the turnpike road granted to William Houston, Jacoby Baker and William Reynolds be extended to the first day of January 1846.

6. Private Acts of 1829-30, Chapter 302, authorized the county courts of Greene and Washington to appoint commissioners to superintend the clearing out of fish traps and dams in Nolichucky River.
7. Private Acts of 1831, Chapter 89, authorized Cain Broyles to open a turnpike road across Paint Mountain in Greene County, beginning at the North Carolina line.
8. Private Acts of 1831, Chapter 241, authorized the county court of Greene County to grant to Robert C. Gordon the privilege of erecting a toll bridge across Lick Creek in said county.
9. Acts of 1837-38, Chapter 122, extended the charter of the Paint Mountain Road for one hundred years and also provided that this road was to run from the painted rock to the house where William Houston lived.
10. Acts of 1849-50, Chapter 64, authorized John Love to open a turnpike road from the North Carolina line near Ben Pip Gap, crossing Paint Creek and intersecting Cain Broyle's road near the Chapman Gap on the north side of Paint Mountain.
11. Acts of 1859-60, Chapter 114, was the first road law for Greene County, and one of the earliest in the state. This act provided that the county court was to classify the roads of the county into three classes, to levy a tax for the upkeep of the road, and to supervise the maintenance of the county roads. This act was amended by Public Acts of 1861, Extra Session, Chapter 20, to suspend the collection of the road tax levy until after January, 1862.
12. Public Acts of 1901, Chapter 136, regulated the working and laying out of public roads in the state except in counties with a population of 70,000 and over. This act was repealed by Private Acts of 1978, Chapter 198.
13. Acts of 1909, Chapter 56, created the Board of Public Road Commissioners for Greene County, to be composed of three members, elected by the quarterly county court. The office of superintendent of public roads, who was to be a civil engineer, working under the supervision of the road commission, was also created by this act. This act was almost immediately amended by Acts of 1909, Chapter 288, to provide that it would not conflict with any other road law. Both of these acts were repealed by Greene County's next road law, of the Private Acts of 1915, Chapter 193.
14. Private Acts of 1911, Chapter 614, provided that owners and operators of a traction engine or other heavy machinery were liable for all damages done to bridges, culverts, sewer pipes, troughs or other fixtures for the conveyance of water. This act was repealed by Private Acts of 1917, Chapter 433.
15. Private Acts of 1915, Chapter 193, provided for the election by the quarterly county court of three County Road Commissioners, one of whom would also serve as the Superintendent of Roads. This act was first amended by Private Acts of 1917, Chapter 358, to provide that no funds from the sale of road bonds could be expended upon state roads. Private Acts of 1919, Chapter 189, amended this act to change the provisions regarding road duty, and Private Acts of 1921, Chapter 508, further amended this road duty amendment. Private Acts of 1921, Chapter 520, amended Private Acts of 1915, Chapter 193, by authorizing the road commission of Greene County to appoint a commissioner to its civil district who was to serve for one year and receive a salary of \$20 per year. All of these acts were repealed by Private Acts of 1925, Chapter 457.
16. Private Acts of 1923, Chapter 599, was the next road law for Greene County, providing for the appointment by the County Judge and quarterly county court of a county road supervisor, who was to have control of the county roads and their maintenance. This act was repealed by Private Acts of 1925, Chapter 457.
17. Private Acts of 1925, Chapter 457, was a general road law for Greene County. This act authorized the county judge and the quarterly county court, acting jointly, to appoint a civil engineer to serve as the superintendent of public roads. This chief administrative officer was to serve terms of two years and was subject to removal from office upon petition of five or more Greene County citizens who felt him to be negligent in the performance of his duties. This act was repealed by Private Acts of 1927, Chapter 130, the current road law of Greene County.
18. Private Acts of 1953, Chapter 378, authorized the superintendent of roads to pay \$3,000 to Lily M. Lowry, the widow of James Butler Lowry, who was accidentally killed at a Greene County rock quarry on March 6, 1952. This payment had to be authorized by special legislation since the Greene County Highway Department at that time was not covered by the Workmen's compensation law.
19. Private Acts of 1965, Chapter 238, set the annual salary of the road superintendent at \$7500. This act was repealed by Private Acts of 1974, Chapter 191.

20. Private Acts of 1967-68, Chapter 326, attempted to amend the road law now in effect, Private Acts of 1927, Chapter 130, to raise the annual salary of the district commissioners to \$4,000, but this amendatory act was rejected by the quarterly county court and never took effect.
21. Private Acts of 1996, Chapter 126, would have abolished the office of district road commissioner of Greene County and amended Private Acts of 1927, Chapter 130, however, this act was not ratified by Greene County and therefore never became law.

## Chapter X - Law Enforcement

### Jail Commission

#### Private Acts of 1933 Chapter 848

**SECTION 1.** That in counties of this State having a population of not less than 35,000 nor more than 35,150 according to the Federal Census of 1930 or any subsequent Federal Census, the sheriff thereof shall be paid the sum of Thirty-five Hundred (\$3,500) Dollars per year, payable monthly out of the county treasury. In addition thereto such sheriff may appoint a jailer who shall have charge and care of the County jail. Such jailer shall be paid the sum of Nine Hundred (\$900.00) Dollars per annum, payable monthly out of the county treasury. The above compensation shall be in full of all compensation for the services of the said sheriff as above mentioned and all fees and other emoluments of office which would accrue to him in the absence of this law shall be and become the property of the County.

It shall be the duty of the sheriff of such counties, not later than the tenth of each month, to make a report to the county judge and to turn over to such official all sums which may have been collected by him during the preceding calendar month by virtue of his position as sheriff, which report shall be in itemized form and contain a true and accurate list of the office accruing to such sheriff by virtue of his position.

**SECTION 2.** That after the effective date of this Act the sheriffs of such counties shall be deprived of any and all emoluments which might otherwise accrue to them by virtue of the board of prisoners after conviction and in such counties all accounts for supplies and clothing and the board and upkeep of such prisoners shall be paid by the county. There is hereby created a Jail Commission composed of the county judge, county court clerk and sheriff of such counties, whose duties it shall be to provide clothing, bedding and food for prisoners in such county jails as now provided by law. Such Jail Commission shall be vested with exclusive power to make all purchases of food, bedding, clothing and other supplies for prisoners in the jails of said counties and such supplies, food, clothing, etc. shall be paid out of the General County Account by warrant issued by the county court clerk and signed by the county judge, after approved bills therefor have been filed in his office, which said bills shall be approved by a majority of said Jail Commission. In case there shall be any prisoners held in said jail under the authority to convictions in courts of the United States, such prisoner shall be provided for in the same manner as provided in the above section but all sums paid by the United States for their care and upkeep shall be and become the property of the county.

**SECTION 3.** That it shall be unlawful for any sheriff in counties affected by this Act to fail and refuse to make the reports herein called for to the county judge or to make an incorrect report, or to willfully convert to his own use any sums belonging to the county under this Act. It shall also be a misdemeanor for any sheriff in counties affected by this Act to share in or receive any portion of the fees accruing to his deputies under the provision of any Act allowing the same to such deputies.

**SECTION 4.** That this Act shall take effect from and after Sept. 1, 1934, the public welfare requiring the same.

Passed: April 22, 1933.

### Junkyards

#### Private Acts of 1959 Chapter 340

**SECTION 1.** That hereafter in counties having a population of not less than 41,035 nor more than 41,055, according to the Federal Census of 1950 or any subsequent Federal Census, it shall be unlawful for any person, persons, firm or corporation to maintain a junkyard within five hundred (500) feet of the property line of any church, synagogue, temple, chapel, or other place of worship.

**SECTION 2.** That as used in this Act, the term "junkyard" shall mean any place or location where three or more incapacitated motor vehicles are kept, located, or stored, for the purpose of being scrapped,

dismantled, or sold for junk as a whole or in parts.

**SECTION 3.** That violation of the provisions of this Act shall be a misdemeanor, punishable upon conviction thereof by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00). Each day that such violation is continued shall be deemed a separate offense.

**SECTION 4.** That a junkyard maintained in violation hereof is hereby declared a public nuisance.

**SECTION 5.** That the Legislature expressly declares that each section and provision of this Act is severable, and that should any provision of this Act be held unconstitutional or invalid by a court of competent jurisdiction, the same shall not affect the remainder of this Act, but such unconstitutional or invalid portion shall be elided, and the Legislature declares that it would have enacted this Act with such unconstitutional or invalid portions elided therefrom.

**SECTION 6.** That this Act shall have no effect unless the same shall have been approved by a two-thirds ( $\frac{2}{3}$ ) 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. Its approval or non-approval shall be certified 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 7.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 19, 1959.

## Sawdust in Streams

### Private Acts of 1911 Chapter 362

**SECTION 1.** That it shall be unlawful for any person, firm, or corporation, in counties whose population is not more than 31,090 nor less than 31,080 as shown by the Federal census of 1910 or any subsequent Federal census, to place or cause to be placed in any of the running streams, lakes, or ponds, or place or cause to be placed so near the banks of any running streams, lakes, and ponds, so that the same will be washed therein by high tides or overflows, any sawdust, shavings, or off fallings from sawmills or planing machines, or other refuse matter.

**SECTION 2.** That any violation of this Act shall be a misdemeanor, and the punishment for each offense shall upon conviction be a fine of not less than ten nor more than fifty dollars.

**SECTION 3.** That the grand juries of counties whose population is not more than 31,090 nor less than 31,080 as shown by the Federal census in 1910 or any subsequent Federal census, have inquisitorial power under this Act.

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

Passed: April 18, 1911.

## Law Enforcement - Historical Notes

### Jails and Prisoners

The following act once affected jails and prisoners in Greene County, but is no longer operative.

1. Acts of 1805, Chapter 55, authorized a tax levy by the Greene County Court for the purpose of constructing a stone jail.

### Militia

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

1. Acts of 1803, Chapter 1, was a militia law for Greene County, placing the county troop in the third regiment of the Tennessee militia, and specifying that the annual muster would be held in Greeneville on the second Thursday of October.
2. Acts of 1815, Chapter 119, specified that the Greene County militia was part of the third regiment.
3. Public Acts of 1819, Chapter 68, revised and amended the militia laws of the state. The militia of Greene County composed the third regiment and held regimental musters on the third Thursday in October.
4. Private Acts of 1824, Chapter 37, was another militia law for Greene County, which created the ninetieth regiment of the second battalion. The regimental muster was to be held on the second

Thursday in October and the battalion would muster on the second Saturday in April of each year.

5. Public Acts of 1825, Chapter 69, revised and amended the militia laws of the state. The militia of Greene County composed the third regiment and ninetieth regiment; the third regiment held a regimental muster on the third Thursday in October, and the ninetieth regiment, on the fourth Thursday in October.
6. Public Acts of 1835-36, Chapter 21, divided the militia of the state into companies, battalions, regiments, brigades and divisions. The militia of Greene County composed the seventh and eighth regiments of the state. The counties of Greene, Jefferson and Cocke constituted the second brigade of the first division.
7. Acts of 1837-38, Chapter 157, provided that the annual muster of the second brigade would be held on the first Friday and Saturday in September of each year in Greenville.
8. Acts of 1839-40, Chapter 56, revised and amended the militia laws of the state. The militia of Greene County composed the seventh and eighth regiments of the second brigade. The seventh regiment held musters on the second Monday in October, while the eighth held musters on Tuesday the next day.
9. Public Acts of 1861, Chapter 1, revised and amended the militia laws of the state. The militia of Greene County composed the seventh and eighth regiments which were part of the second brigade. Regimental musters were held on the second Monday in October for the seventh regiment and on the next day for the eighth regiment.

### **Offenses**

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

1. Private Acts of 1997, Chapter 5, repealed the Private Acts of 1949, Chapter 588 and any other acts amendatory thereto, relative to the prohibition of pyrotechnics in Greene County.

### **Sheriff**

The following acts have no current effect but are included here for reference purposes since they once applied to the Greene County Sheriff's Office. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Acts of 1853-54, Chapter 76, authorized the sheriff of Greene County to appoint an additional deputy.
2. Acts of 1859-60, Chapter 122, released James Jones, the Greene County Sheriff, from payment of punitive damages of \$683.17 in a judgment granted to the state against him for late tax collection.
3. Public Acts of 1917, Chapter 47, set the salary of the Greene County Sheriff to \$2,000 per year.
4. Private Acts of 1919, Chapter 102, fixed the compensation for the Greene County Sheriff to \$600 per annum. The act was amended by Private Acts of 1929, Chapter 535, which increased the salary of the sheriff to \$1,200 per annum.
5. Private Acts of 1921, Chapter 852, provided that the sheriff was to receive \$600 annually for ex-officio services in addition to the other fees of this office. This act was repealed by Private Acts of 1923, Chapter 102.
6. Private Acts of 1925, Chapter 28, was identical to Private Acts of 1921, Chapter 852, which provided that the sheriff was to receive \$600 annually for ex-officio services in addition to the other fees of this office.
7. Private Acts of 1953, Chapter 381, abolished the fee system for compensation of the Greene County sheriff, setting his salary at \$6,500 annually, to be paid from the fees of his office, with any excess fees going into the county general fund.

## **Chapter XI - Taxation**

### **Assessor of Property**

### **Additional Duties**

### **Private Acts of 1925 Chapter 351**

**SECTION 1.** That in every county in this State having a population of not more than 32,826 and not less than 32,822, according to the Federal Census of 1920, or any subsequent Federal Census, that the salary of the Tax Assessor shall be Three Thousand Dollars (\$3,000.00) per annum, payable quarterly, Seven Hundred and Fifth Dollars (\$750.00) per quarter, out of the County Treasury upon a warrant drawn by the Chairman or County Judge of said County for that purpose.

**SECTION 2.** That the Tax Assessor of said county or counties shall maintain and keep open during business hours an office in the Court House for said county or counties for the transaction of all business relating to his office as Tax Assessor, which shall be in charge of himself or his duly appointed deputy.

**SECTION 3.** That before any deed or other instrument which conveys or purports to convey the title in fee simple to any real estate shall be recorded [sic] it shall be the duty of the County Tax Assessor to examine the same and ascertain if the property described in said deed or instrument has been and is correctly assessed.

**SECTION 4.** That it shall be the duty of the County Tax Assessor to countersign every such deed or instrument after having recorded the transfer upon the assessment books of the property conveyed by said deed or instrument to the party or parties in whom the title is shown to be vested by such deed or instrument.

**SECTION 5.** That it shall be unlawful for any County Register or Deputy County Register to record or enter any deed or instrument coming within the provisions of Section 3, of this Act upon the records of the Register's office or to receive such deed or instrument for the purpose of recording or entering the same upon the records, unless such deed or instrument shall have first been countersigned by the County Tax Assessor or his duly appointed deputy.

**SECTION 6.** That any County Register or Deputy County Register who shall be convicted of violating the provisions of Section 5, of this Act shall be fined not less than \$5.00 nor more than \$10.00.

**SECTION 7.** That all laws and parts of laws in conflict with this Act, be, and the same are hereby repealed.

**SECTION 8.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 11, 1925.

## General County Purposes Tax

### Private Acts of 1931 Chapter 779

**SECTION 1.** That this Act shall apply to all counties of the State having a population of not less than 35,110, nor more than 35,164, according to the Federal Census of 1930, or any subsequent Federal Census.

**SECTION 2.** That any such county, acting by and through its Quarterly County Court, shall be and is hereby authorized to levy and collect annually for general county purposes a tax not to exceed Thirty Cents (30¢), on each One Hundred Dollars (\$100.00), of taxable property in such county, and this authority shall exist in the Quarterly County Court regardless of the amount of such taxes authorized to be levied and collected by the general revenue law of the State, or otherwise.

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

Passed: July 1, 1931.

## Litigation Tax

### Private Acts of 1996 Chapter 155

**SECTION 1.** There is hereby imposed a litigation tax on the privilege of litigating a civil and criminal action in the amount of fifteen dollars (\$15.00) to be assessed and taxed as part of the costs of the action on all such actions disposed of in the circuit, criminal, chancery and general sessions courts of Greene County.

As amended by: Private Acts of 1997, Chapter 39  
Private Acts of 1999, Chapter 16

**SECTION 2.** The litigation taxes provided in Section 1 shall be collected by the clerks of the various courts in which the actions are disposed. The clerks shall pay over the revenue generated by such litigation taxes to the county trustee every month, by the tenth (10th) of the month immediately following the end of the month in which such collections were made by the clerks.



**SECTION 3.** The trustee of Greene County shall deposit the litigation taxes collected under the authority of Section 2 into such general fund. That all funds generated by the additional fifteen dollar (\$15.00) litigation tax shall be used exclusively for the purpose of purchasing vehicles and equipment for the Greene County Sheriff's Department upon the appropriation of the County Legislative Body.

As amended by: Private Acts of 1997, Chapter 39  
Private Acts of 1999, Chapter 16

**SECTION 4.** The litigation taxes collected under this act shall be considered suspended when the court having jurisdiction over the cause of actions suspends the costs of such action.

**SECTION 5.** As used in this act, unless the context requires otherwise, "action" includes all ex parte hearings, advisory hearings and contested proceedings in the enumerated courts.

**SECTION 6.** 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 7.** This act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the legislative body of Greene County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Greene County legislative body and certified by him to the Secretary of State.

**SECTION 8.** For the purpose of approving or rejecting the provisions of this act, it shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective on the first day of the month following its approval as provided in Section 7.

Passed: March 18, 1996.

## Wheel Tax

### Private Acts of 1976 Chapter 251

**SECTION 1.** For the privilege of using the public roads, except state-maintained roads, in Greene County, there is levied on the privilege of operating motor-driven vehicles, (including motorcycles and motor-driven bicycles and scooters, but excluding farm tractors, self-propelled farm machines not usually used on public highways or roads, and all government owned motor-driven vehicles) a special privilege tax for the benefit of the county, of ten dollars (\$10.00).

This tax shall be paid by the owner of each motor-driven vehicle, operated on the roads of Greene County, state-maintained roads excluded, at least thirty (30) days each year.

**SECTION 2.** It shall be a misdemeanor for any owner of a vehicle taxable hereunder to operate such vehicle upon the streets, roads or highways of the county, state-maintained roads excluded, unless the provisions of this act are met. Provided further that nothing in this act shall be construed as permitting the levy and collection of a tax against non-residents of Greene County who do not come within the provisions of this act.

Any new resident of Greene County shall be allowed thirty (30) days after establishing his residence in the county within which to comply with the provisions of this act.

**SECTION 3.** The tax herein levied shall be collected by the County Court Clerk of Greene County, who shall collect this tax at the same time he collects the state privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this state. The clerk shall not issue to a county resident a state license for the operation of a vehicle taxable hereunder unless, at the same time, the owner pays the privilege tax levied hereunder.

**SECTION 4.** Payment of the tax shall be evidenced by a receipt, issued in duplicate by the clerk, the original of which shall be kept by the vehicle owner and by a decal or emblem also issued by the clerk, which shall be affixed on the lower right-hand side of the vehicle windshield. Provided, however, that the privilege tax decal for motorcycles, motor-driven bicycles, and scooters shall be placed on the top portion of the gasoline tank, but if such tank is not visible then on any prominent and visible portion of that vehicle.

**SECTION 5.** The design of the decal or emblem shall be determined by the county court clerk. The expense incident to the purchase of such decals and emblems herein required, as well as the expense of obtaining proper receipts and other records necessary for the performance of the duties herein incumbent upon the clerk shall be paid from the general fund of the county.

**SECTION 6.** When this tax is paid and the provisions of this act complied with by the owner, he shall be entitled to operate the taxed, decal bearing, vehicle in the county for a period of one (1) year from March

1st of each year until midnight on the last day of February of the next succeeding year. There shall be a grace period of forty-six (46) days to commence on March 1st of each year and end at midnight on April 15th to allow for the purchase of new emblems and decals.

When a vehicle becomes taxable under this act, at a later date than the above required date, the same proportionate reduction in cost shall be made, as is not made in the issuance of the privilege tax payable to the state and collected by the clerk, under the provisions of the general law.

**SECTION 7.** For his services in collecting the tax, and in issuing the receipt therefor and delivering the decal or emblem to the owner, the clerk shall be entitled to a fee of fifty cents (50¢) for each vehicle, motorcycle, motor-driven scooter and bicycle, it being the legislative intent that the clerk's fee equal not more than five percent (5%) of the amount of tax paid; and further provided that this fee shall be deducted from the amount of wheel tax paid. The clerk will faithfully account for, make proper reports of, and pay over to the county trustee at monthly intervals, all funds received by him for the payment of the tax.

**SECTION 8.** In the event any vehicle for which the wheel tax has been paid and the emblem or decal issued and placed thereon, becomes unusable to the extent that it can no longer be operated over public roads; or in the event that the owner transfers the title to such vehicle, and completely removes therefrom and destroys the decal or emblem, and the owner makes proper application to the clerk for the issuance of a duplicate decal or emblem to be used by him on another vehicle for the unexpired term for which the original decal or emblem was issued, and the clerk is satisfied that the applicant is entitled to the issuance of such a duplicate decal or emblem, and the owner pays into the hands of the clerk the sum of two dollars (\$2.00) the clerk will then issue to such owner a duplicate receipt, canceling the original receipt delivered to him by the owner, and will deliver to the owner a duplicate decal or emblem, which shall be affixed to the vehicle for which it is issued, as herein provided, and such duplicate decal or emblem shall entitle the owner to operate or allow to be operated the vehicle upon the county roads for the remainder of the period for which the original decal or emblem was issued. Likewise, in the event a decal or emblem becomes obliterated, erased, or defaced, or is destroyed under the provisions of this act, and is therefore illegible and unusable by the owner, upon proper application made by the owner and filed with the clerk, showing such circumstances and facts to be true, then the clerk, upon receipt from the owner of two dollars (\$2.00) may issue and deliver to the owner a duplicate decal or emblem.

**SECTION 9.** The proceeds of this tax shall be deposited in the county general debt service fund to be used for retirement of county debt, or in such other fund as the County Legislative Body may determine by resolution.

As amended by: Private Acts of 1996, Chapter 175

**SECTION 10.** Any person violating the provisions of this act, upon conviction, shall be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00).

**SECTION 11.** The tax herein levied shall be collected beginning March 1, 1977, and each subsequent year thereafter.

**SECTION 12.** 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 13.** This act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the Quarterly County Court of Greene County before September 1, 1976. Its approval or nonapproval shall be proclaimed by the presiding officer of the quarterly county court and certified by him to the Secretary of State.

**SECTION 14.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 13.

Passed: March 10, 1976.

## Hotel/Motel Privilege Tax

## Private Acts of 1986 Chapter 127

**SECTION 1.** For the purposes of this Act, unless the context requires otherwise, the following terms shall have the meanings indicated:

(a) "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate,

or any other group or combination acting as a unit.

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

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

(d) "Transient" means any person who exercises occupancy or is entitled to occupancy for any rooms, lodgings or accommodations in a hotel for a period of less than ninety (90) continuous days.

(e) "Consideration" means the consideration charged, whether or not received, for the occupancy in a hotel valued in money whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, property and services of any kind or nature without any deduction therefrom whatsoever. Nothing in this definition shall be construed to imply that consideration is charged when the space provided to the person is complimentary from the operator and no consideration is charged to or received from any person.

(f) "Operator" means the person operating the hotel whether as owner, lessee or otherwise.

**SECTION 2.** The legislative body of Greene County is authorized to levy a privilege tax upon the privilege of occupancy in any hotel of each transient in an amount not to exceed seven percent (7%) of the consideration charged by the operator. Such tax is a privilege tax upon the transient occupying such room and is to be collected as provided by this act.

As amended by: Private Acts of 1997, Chapter 10  
Private Acts of 2004, Chapter 101

**SECTION 3.** Such tax shall be added by each and every operator to each invoice prepared by the operator for the occupancy of his hotel, such invoice to be given directly or transmitted to the transient and shall be collected by such operator from the transient and remitted to the county.

When a person has maintained occupancy for ninety (90) continuous days, he shall receive from the operator a refund or credit for the tax previously collected from or charged to him, and the operator shall receive credit for the amount of such tax if previously paid or reported to the county.

**SECTION 4.** The tax hereby levied shall be remitted by all operators who lease, rent or charge for any hotel room within the county to the county clerk, such tax to be remitted to such officer not later than the 20th day of each month for the preceding month. The operator is hereby required to collect the tax from the transient at the time of the presentation of the invoice for such occupancy whether prior to occupancy or after occupancy as may be the custom of the operator, and if credit is granted by the operator to the transient; then the obligations to the county entitled to such tax shall be that of the operator.

**SECTION 5.** No operator of a hotel shall advertise or state in any manner whether directly or indirectly that the tax or any part thereof will be assumed or absorbed by the operator, or that it will be added to the rent, or that, if added, any part will be refunded.

**SECTION 6.** Taxes collected by an operator which are not remitted to the county clerk on or before the due dates are delinquent. An operator shall be liable for interest on such delinquent taxes from the due date at a rate of eight percent (8%) per annum, and in addition for a penalty on such taxes of one percent (1%) for each month or fraction thereof that such taxes are delinquent. Such interest and penalty shall become a part of the tax herein required to be remitted. Willful refusal of an operator to collect or remit the tax or willful refusal of a transient to pay the tax imposed is hereby declared to be unlawful and shall be punishable upon conviction by a fine not in excess of fifty dollars (\$50.00).

Any fine levied herein shall be applicable to each individual transaction involving lodging services paid by a transient to the operator in those cases when the operator fails or refuses to pay the tax payable to the county clerk.

**SECTION 7.** It shall be the duty of every operator liable for the collection and payment to the county of any tax imposed by this Act to keep and preserve for a period of three (3) years all records as may be necessary to determine the amount of such tax as he may have been liable for the collection of and payment to the county, which records the county clerk shall have the right to inspect at all reasonable times.

**SECTION 8.** The county clerk in administering and enforcing the provisions of this Act shall have as additional powers, those powers and duties with respect to collecting taxes as provided in Title 67 of Tennessee Code Annotated or otherwise provided by law for the county clerks.

Upon any claim of illegal assessment and collection, the taxpayer shall have the remedy provided in the

Tennessee Code Annotated, Section 67-1-912, it being the intent of this act that the provisions of law which apply to the recovery of taxes illegally assessed and collected shall apply to the tax collected under the authority of this Act; provided, the county clerk shall possess those powers and duties as provided in Tennessee Code Annotated, Section 67-1-707 (a) and (b) with respect to adjustment and settlement with taxpayers of all the errors of taxes collected by him under the authority of this act and to direct the refunding of same. Notice of any tax paid under protest shall be given the county clerk, and suit for recovery shall be brought against such county clerk.

#### **SECTION 9.**

(a) One and one-half percent (1 ½%) of the tax levied herein shall be retained by the county government and the general fund and allocated for the direct support of industrial development, recruitment, and retention for all Greene County. One and one-half percent (1 ½%) of the tax shall be retained by the county and the general fund and allocated for direct support of development and support of tourism for Greene County. Two percent (2%) of the tax shall be allocated to Greene County's General Debt Service Fund. One percent (1%) of the tax shall be allocated to the county's capital improvement fund for construction, renovation or maintenance of facilities, recreational pursuits, or the purchase of equipment. The remaining one percent (1%) of the tax shall be allocated to support or promote the performing arts as allocated by the Greene County legislative body.

(b) All such percentages, proceeds and revenues specified in subsection (a) may be reallocated by the Greene County Legislative Body by two-thirds (2/3) vote of the membership as necessitated or warranted under the circumstances then existing.

As amended by:  
Private Acts of 1997, Chapter 10  
Private Acts of 2001, Chapter 6  
Private Acts of 2004, Chapter 101

**SECTION 10.** The tax collected by the county clerk shall be remitted by him to the county trustee for distribution in accordance with the terms of this act and the laws of the state of Tennessee.

**SECTION 11.** The privilege tax levied by this act shall be in addition to all other taxes levied or authorized to be levied whether in the form of excise, license, or privilege taxes, and shall be in addition to all other fees and taxes now levied or authorized to be levied.

**SECTION 12.** If any clause, sentence, paragraph, section or any part of this act shall be held or declared to be unconstitutional, it shall not affect the remainder of this act notwithstanding the part held to be invalid, if any, and to that end the provisions of this Act are declared severable.

**SECTION 13.** This Act shall have no effect unless it is approved by a two-thirds (⅔) vote of the county legislative body of Greene County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of Greene County and certified by him to the Secretary of State.

**SECTION 14.** For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 13.

Passed: March 17, 1986.

## Transfer Assessment

### Private Acts of 1927 Chapter 307

**SECTION 1.** That the following described real estate, to-wit:

"A certain tract or boundary of land belonging to Dr. J. R. McCrary, and bounded as follows: By the lands of W. M. Hall, Richard Moody Estate, Dr. J. R. McCrary and Jas. McCrary and known as the R. C. Fulkerson farm and containing 78 acres more or less, of which amount there is fifty acres lying in the Seventh Civil District of Washington County and about 28 acres lying in the Ninth Civil District of Greene County, it constituting one entire farm" and now all assessed for taxation in Greene County, Tennessee, shall hereafter be assessed for taxation in the Seventh Civil District of Washington County, Tennessee, and shall not hereafter be assessed for taxation in Green [sic] County, Tennessee.

**SECTION 2.** That this law shall not operate to make any change in the boundary line between said Washington County and Greene County.

**SECTION 3.** 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 its passage, the public welfare requiring it.

Passed: April 8th, 1927.

## 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 Greene County Assessor. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1865-66, Chapter 74, Section 4, allowed David Fry, tax collector for Greene County, an additional six months to collect and account for his liability as such collector.
2. Private Acts of 1925, Chapter 125, created the office of delinquent poll tax collector for Washington, Greene and Unicoi counties.
3. Private Acts of 1927, Chapter 207, created the office of delinquent poll tax collector for Greene County. This act was repealed by Private Acts of 1929, Chapter 455.
4. Private Acts of 1933, Chapter 827, set the annual salary of the assessor in Greene County at \$2,500. This was repealed by Private Acts of 1937, Chapter 779.
5. Private Acts of 1953, Chapter 379, set the assessor's salary at \$6,500 per annum, with no additional travel expenses. This was repealed by Private Acts of 1965, Chapter 285.
6. Private Acts of 1965, Chapter 285, raised the assessor's salary to \$7,500 per year.

### **Taxation**

The following is a listing of acts pertaining to taxation in Greene County which are no longer effective.

1. Acts of 1801, Chapter 65, authorized an additional tax levy by the Greene County court for the purpose of procuring a standard of weights and measures.
2. Acts of 1803, Chapter 27, authorized an additional tax levy for the purpose of removing the courthouse and jail to another location in Greeneville and for repairing that building once it was moved.
3. Acts of 1804, Extra Session, Chapter 24, authorized the county court in Greene County to levy and collect a tax for the purpose of removing the courthouse to another location and underpinning it, and to repair the jail and erect stocks.
4. Acts of 1806, Chapter 13, provided that all inhabitants west of Bays Mountain were to pay taxes for the year 1806 to the Greene County Sheriff, despite a boundary change which had placed them in Hawkins County.
5. Private Acts of 1824, Chapter 78, authorized the levy and collection of a tax for completion of the new courthouse.
6. Private Acts of 1825, Chapter 90, provided that the former sheriff of Greene County, Hugh Carter, was to be allowed two more years in which to finish collecting the taxes due while he was sheriff.
7. Private Acts of 1827, Chapter 73, allowed Alfred Hunter, another former sheriff of Greene County, an additional two years in which to complete his collection of taxes.
8. Private Acts of 1829-30, Chapter 253, Section 2, authorized the county court of Greene County to elect a person, other than the sheriff, to collect the state and county taxes.
9. Private Acts of 1913, Chapter 201, authorized the county court to levy a tax of 50¢ to \$1.00 on each \$100 of assessed property, to be known as the "pike tax" and used to macadamize the "present graded roads within the county."
10. Private Acts of 1978, Chapter 189, provided that at the May 2, 1978 primary election, the citizens of Greene County had the opportunity to vote on whether or not a wheel tax of \$10 should be implemented for each vehicle in Greene County.

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