

**PRIVATE ACTS
OF
UNION COUNTY, TENNESSEE**

REVISED EDITION

**COUNTY TECHNICAL ASSISTANCE SERVICE
THE UNIVERSITY OF TENNESSEE
INSTITUTE FOR PUBLIC SERVICE
NASHVILLE, TENNESSEE**

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PREFACE

County government in Tennessee is a political subdivision of state government. As a political subdivision, county government has only that authority which is delegated to it by the state. In Tennessee, the process of delegation of power from state government to county government is accomplished through legislative action of the general assembly, either through a general (public) act or private act. In the case of the general act, the general assembly grants certain powers which have general application to all or a large number of counties across the state. These general acts are assembled and codified in the Tennessee Code Annotated which is revised and published on an annual basis and is widely available. However, finding individual county legislation (private acts) is not so easy since it is not published in the official code.

The presence of a large body of private legislation in this state is the result of two basic factors. First, although the Tennessee Constitution mentions some county government offices, the provisions of the Tennessee Constitution dealing with county government lack detail, thereby allowing the general assembly wide latitude in county government administration. Secondly, the Tennessee General Assembly has seen fit to enact much of the law relating to county government on an individualized county-by-county approach. The result has been that the 95 counties in Tennessee operate under both general laws and private acts. This body of private legislation is a mass of separate acts, with each applying to only one or a very small group of counties. Since these acts affect counties on an individual basis, they are not included in the Tennessee Code Annotated but rather are published annually in separate volumes.

The result of this past method of publication of private legislation has been the accumulation of a large portion of county law in a cumbersome mass of chronologically arranged volumes which at last count numbered over 120 books. To further complicate matters, the older volumes have not been reprinted, so that there are today only a handful of complete sets of the private acts in existence. Nevertheless, scattered through these hard-to-obtain volumes is the only public record of those laws from which Tennessee counties draw a large portion of their authority to govern and under which they operate daily. Before the County Technical Assistance Service began compilation of the private acts on a county-by-county basis, there was no statewide effort to organize these acts into a body of current law easily accessible for reference by county officials and interested citizens. It is our hope that this volume of The Private Acts of Union County will provide a useful reference for county administration in Union County.

We are indebted to the Union County legislative delegation for its continued support of the County Technical Assistance Service and this compilation.

HOW TO USE THE PRIVATE ACTS OF UNION COUNTY

At least three methods can be used to locate a private act contained in this volume. The method used will depend on the amount of information you have at the outset of your research.

First, when you have no information about any specific act but merely a general question as to the law on a given subject, the table of contents can be used to ascertain the pages of this volume pertaining to that particular subject area. The chapter headings found in the table of contents are arranged alphabetically and conform to what the compiler believes to be the most commonly used terms found in county government in Tennessee. You should note, however, that the table of contents is general in nature and is not a word index.

A second method can be used if you already know the year and chapter number of an act in question. The parallel reference table in the back of this volume affords a reference to the pages containing the desired act or acts.

Finally, if you have a copy of the Tennessee Private Acts Index (The Michie Co., Charlottesville, VA, 1984; currently LexisNexis) it can be used as a more complete word index. Upon ascertaining the chapter and year of the private act of interest, the parallel reference table in this volume can be used to locate the private acts.

The private acts currently in effect for the county are reprinted in this volume. When going through this volume you will note that there are some acts noted herein which are no longer current laws due to subsequent passage of acts which have superseded them in usage. The compiler has described these acts which have been superseded in historical notes at the end of the chapter wherein the current act on the subject is reprinted. Under topic headings throughout this volume, brief summaries or references are made to general law codified in Tennessee Code Annotated that deals with the particular topic.

The acts that are printed in full in this volume include any subsequent amendments to the act. Although no statement is made regarding whether the amendatory act was ratified, the ratification was checked by the compiler to insure that the amendatory act was approved locally and is in effect.

This compilation is updated through the 2005 Second Regular Session of the 104th Tennessee General Assembly.

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CHAPTER I - ADMINISTRATION

ADMINISTRATION

BUDGET SYSTEM

Counties in Tennessee may operate their budgeting system under one of the three optional general laws on the subject or under the provisions of private acts or county or metropolitan government charters. The three optional general laws dealing with budgeting are the County Budgeting Law of 1957, the County Financial Management System of 1981 and the Local Option Budgeting Law of 1993. If neither an optional general law nor a private act or county charter has been adopted, the county may have established a budget committee by resolution to serve in an advisory role to the county legislative body. Also see T.C.A. §§ 5-9-401 through 5-9-407, and T.C.A. § 49-2-301 (school budget). Most counties are subject to a general law dealing with the procedure for making budget amendments that is codified at T.C.A. § 5-9-407.

The County Budgeting Law of 1957 is found in title 5, chapter 12 of Tennessee Code Annotated. It is a general law establishing procedures for the preparation and adoption of county budgets for all county funds, activities and agencies. The County Budgeting Law of 1957 is permissive legislation and in order to come under its provisions, counties must adopt a resolution by 2/3 vote of the county legislative body or pass the proposal in a referendum. Section 5-13-111 of Tennessee Code Annotated specifically provides that the 1957 general law does not affect either private acts then in existence or prevent the enactment of private legislation for Tennessee counties creating central accounting systems, the position of budget director, or other budgeting procedures.

The County Financial Management System of 1981 is codified at T.C.A. § 5-21-101 et seq. This law provides an optional system and methods of controlling the financial affairs of a county, including budgeting, purchasing, and investment processes. This act is permissive in nature and can be activated by a two-thirds (2/3) vote of the county legislative body, or by a majority vote in a referendum election.

The Local Option Budgeting Law of 1993 is an optional general law located at T.C.A. §§ 5-12-201 through 5-12-217. This law may be adopted by a two-thirds (2/3) vote of the county legislative body. This law may be adopted and used in conjunction with the County Budgeting Law of 1957 or the County Financial Management System of 1981, or used alone. This optional law provides procedures for the formulation, adoption and amendment of an annual budget that includes deadlines for action. If a county legislative body operating under this law fails to adopt a budget by August 15, the portion of the budget prepared by the department of education goes into effect, and similarly, the remainder of the budget as proposed by the county executive or budget committee goes into effect.

ADMINISTRATION

BUILDING PERMITS

PRIVATE ACTS OF 1973

CHAPTER 87

SECTION 1. Any person or persons, firms or corporations desiring to erect or have erected, constructed, or reconstructed, any building or structure in Union County, or any person or persons, firms or corporations desiring to alter or have altered any existing building or structure in Union County, where the value of such alteration will exceed the sum of one thousand dollars (\$1,000.00), shall first apply to and obtain from the Tax Assessor of Union County for a building permit for such erection, construction, reconstruction, or alteration. Said application shall be in a form to be prescribed by the County Tax Assessor and shall contain the following information: (1) whether the proposed work is to be new construction or the alteration of an existing structure; (2) the location or address of the proposed construction or alterations; (3) the identity of the owner or owners of the premises; (4) the estimated cost of the completed structure in the case of new construction, or in the case of alteration of an existing structure, the estimated value of such structure before and after such alteration; and (5) such other information as the County Tax Assessor shall prescribe.

Upon proper application, duly filed, the County Tax Assessor shall then issue a building permit and shall take note of the fact of such erection, construction, reconstruction, or alteration for his tax records.

No new or additional property tax shall be assessed against such premises unless and until the same are completed or at least completed to the extent that they are habitable or may be put to use. However, in the case of the alteration of an existing structure not theretofore on the tax books of the county, or against which no property tax has been assessed, the County Tax Assessor is not precluded from assessing such structure at its value before such alteration is completed and subsequently increasing the assessment upon completion of such alteration, so as to include the value thereof within the current taxable year.

SECTION 2. The county building permit required herein shall not be required in any parts of the county, or the cities therein, wherein a building permit is required under county or city zoning or building laws, provided copies of such permits are made available to the office of the County Tax Assessor, but all parts of the county, including the cities of Luttrell and Maynardville, continue to be subject to the permit requirements of this law so long as and during such time as zoning or building construction permits are not required and enforced in such areas, or if these areas and cities fail to make copies of the required permits available to the office of the County Tax Assessor of Union County.

SECTION 3. The County Assessor of Properties shall be entitled to a fee for the issuance of each building permit. The amount of the fee shall be set by the county legislative body for Union County, and shall not exceed the following:

(1) The sum of two hundred twenty-five dollars (\$225) for residential construction, including homes and the setup of new and used mobile homes; and

(2) The sum of four hundred fifty dollars (\$450) for commercial construction which shall include a unit or development of more than two (2) residential units.

As amended by: Private Acts of 2005, Chapter 31.

SECTION 4. Any violation of any of the provisions of this act shall be punishable upon conviction thereof by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00).

SECTION 5. This act shall have no effect unless the same shall have been approved by two-thirds ($\frac{2}{3}$) vote of the Quarterly County Court of Union County on or before the next regular meeting of such court occurring more than thirty (30) days after its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

SECTION 6. For the purpose of approving this act as provided in Section 2, it shall take effect on becoming a law, the public welfare requiring it, but the provisions hereof shall not be effective until July 1, 1973.

PASSED: April 26, 1973

ADMINISTRATION

COUNTY ATTORNEY

The office of county attorney is not a constitutional office nor is it an established office under general law. The office of county attorney may be set up by private act. The county mayor is authorized by T.C.A. § 5-6-112 to employ counsel where there is no county attorney established by private act or county or metropolitan government charter.

The general law at T.C.A. § 49-2-203 authorizes the board of education to employ legal counsel to advise or represent the board. The County Uniform Highway Law authorizes county highway departments subject to this general law (most counties) to employ legal counsel or to solicit the use of legal counsel retained by the county to prosecute or defend litigation caused by or necessary to the operation of the county highway department. T.C.A. § 54-7-110. There may be other private acts which allow other governmental departments to hire attorneys.

ADMINISTRATION

COUNTY CLERK

The county clerk, formerly the county court clerk, is a constitutional office as provided by article VII, section I of the Constitution of Tennessee. The county clerk is popularly elected for a term of four years. T.C.A. § 18-6-101. The bond required for county clerks is \$50,000 in counties with a population greater than 15,000 and \$25,000 in counties with a population less than 15,000. T.C.A. § 18-2-201.

Most of the duties of the county clerk are specified in the general law (public acts) codified in Tennessee Code Annotated. The county clerk is the clerk of the county legislative body. The clerk keeps the official record (minutes) of the legislative body. The county clerk is responsible for the issuance of marriage licenses and pawnbrokers' licenses. The county clerk is the collector for a number of local and state taxes including local wheel taxes, local hotel/motel taxes, wholesale beer tax, business taxes and vehicle registration fees. T.C.A. § 18-6-105. The clerk's salary is determined in accordance with T.C.A. § 8-24-102. The basic fee schedule for the county clerk is found at T.C.A. § 8-21-407.

ADMINISTRATION

COUNTY MAYOR

All counties in Tennessee, except those with a metropolitan form of government, must have an elected county executive who is formally entitled county mayor unless entitled county executive by private act. T.C.A. § 5-6-101. The county mayor serves a four year term.

The county mayor is the chief executive officer of the county and has all of the powers and duties formerly exercised by the county judge except judicial powers. The county mayor serves as a nonvoting, ex officio member of the county legislative body, and the county mayor or a representative of the county mayor serves as a nonvoting member of all committees of the legislative body. T.C.A. § 5-6-106. The county legislative body may elect the county mayor as its chairman. However, the county mayor may refuse to serve as chairman. T.C.A. § 5-5-103. If the county mayor is not elected chairman, then the county mayor may veto legislative resolutions of the county legislative body. T.C.A. § 5-6-107.

Except as otherwise provided by law, the county mayor appoints members of county boards and commissions and county department heads. Such appointees are subject to confirmation by the county legislative body. T.C.A. § 5-6-106(c). It is important to recognize that most boards and department heads are provided for by general law or private act, and this residual appointive power of the county mayor may not be applicable.

The county mayor is authorized to employ one or more clerical assistants as may be necessary for the performance of his or her official duties. The county mayor sets the compensation for these clerical assistants within the amount appropriated for this purpose by the county legislative body. T.C.A. § 5-6-116.

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

1. Acts of 1855-56, Chapter 253, created the office of county judge for every county in the state requiring him to be learned in the law and elected by the people to a four year term, and to meet other qualifications as written. The quorum courts were abolished and all their obligations given to the judge. The sessions of the court, the jurisdiction and power of the court, the responsibilities of the clerk, who would be the circuit court clerk, and the judge's duties as financial officer are all specified in detail. This act was repealed by Public Acts of 1857-58, Chapter 5, and the courts were returned to their former status.
2. Private Acts of 1901, Chapter 201, created and regulated the office of county judge for Union County. This act was amended by Acts of 1905, Chapter 84, which added \$150 per year compensation for the county judge for his doing the work of financial agent for the county, this being in addition to his salary as county judge. Private Acts of 1913, Chapter 105 also amended Private Acts of 1901, Chapter 201, Section 5, by increasing the salary of the county judge at \$150 per annum; and \$350 per year as financial agent to Union County. Private Acts of 1901, Chapter 201, was repealed by Private Acts of 1921, Chapter 767.

3. Private Acts of 1923, Chapter 561, as amended by Private Acts of 1925, Chapter 252, Private Acts of 1943, Chapter 222, and Private Acts of 1947, Chapter 118, provided for the election of a county judge in Union County held in August 1924 who would serve until the regular elections in 1926 and thereafter the county judge would serve a term of eight (8) years with a salary of \$500 per annum.
4. Private Acts of 1935 (Ex. Sess.), Chapter 93, provided that the county judge of Union County for his services as county judge and financial agent would be paid \$750 annually in monthly installments from the county treasury. The purpose of the legislature was declared to be to increase the salary as financial agent so that the total sum of \$750 annually would be paid. This act was amended by Private Acts of 1943, Chapter 418, by increasing the combined salaries of the county judge, as specified in the amended act, from \$150 to \$900 annually. Chapter 418 was amended by Private Acts of 1947, Chapter 119, which increased the salary of the Union County Judge to \$1,200 per annum. Private Acts of 1943, Chapter 418 was repealed by Private Acts of 1947, Chapter 118.
5. Private Acts of 1941, Chapter 482, authorized the Union County Judge to issue fiats for injunctions, attachments and supersedeas.

ADMINISTRATION

COUNTY LEGISLATIVE BODY

Each county in Tennessee, except those with a metropolitan form of government, has a county legislative body, which is also formally known as the board of county commissioners, or informally known as the county commission.

The county legislative body, or board of county commissioners, is composed of not less than nine (9) nor more than twenty-five (25) members. The board reapportions the county into districts from which county commissioners are elected. These districts must be apportioned on the basis of population so that each commissioner represents substantially the same number of people. No more than three commissioners may be elected from the same district. T.C.A. § 5-1-108.

The county legislative body replaced the quarterly county court as provided in the Public Acts of 1978, Chapter 934, T.C.A. § 5-5-101 *et seq.* The county commissioners are vested with all the legislative powers and duties formerly vested in justices of the peace, but possess no judicial powers and are not charged with any judicial functions. Under T.C.A. § 36-3-301, members of county legislative bodies may solemnize marriages.

The following acts once applied to the quarterly court or the county legislative body of Union County and are included herein for historical purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1919, Chapter 400, increased the per diem pay for justices of the peace in Union County from \$1.50 per day to \$2.50 a day for attendance at regular meetings of the county court.
2. Private Acts of 1961, Chapter 46, would have raised the per diem pay for every justice of the peace in Union County to \$7.50 per day for each days attendance at regular or called meetings of the county court. However, this act was disapproved by the quarterly county court and therefore did not become a law.

ADMINISTRATION

COUNTY LIBRARY COMMISSION

PRIVATE ACTS OF 1981

CHAPTER 24

SECTION 1. There shall be created in Union County, a commission to be known as the Union County Governmental Library Commission. This commission shall be composed of five (5) members who are citizens of Union County. The judges of the circuit court, chancery court, and court of general sessions, or their successor courts shall each appoint one (1) member of the library commission and the other two (2) members shall be elected by the county commission from members of the Union County bar. The term of membership shall be four (4) years.

In the event of a vacancy in office resulting from death, resignation, refusal to serve, or otherwise, of a member appointed by a circuit court judge, a chancellor, or a general sessions judge, such vacancy shall be filled for the balance of the term by the judge or his successor in office who made the original appointment of that library commissioner.

In the event of a vacancy in office resulting from death, resignation, refusal to serve, or otherwise, of a member elected by the county commission, such vacancy shall be filled for the remainder of the term by the county commission.

Each library commissioner shall serve until his successor is appointed and assumes the duties of office after taking an oath to faithfully fulfill the duties of the office.

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

SECTION 3. For the purpose of financing the library, there shall be taxed as a cost on each civil, criminal, quasi-civil, quasi-criminal, or any other action at law, or suit in equity of any nature, hereafter filed in, arising in, or brought by appeal, certiorari or otherwise to the circuit, chancery,

or general sessions courts in Union County, the sum of one dollar (\$1.00). The cost taxed in pursuance of this section shall be collected as other costs in such cases are collected by the clerks of such courts, and the same shall be designated as county library tax. On or before the last day of each month the clerks of the respective courts shall pay to the county trustee all amounts collected as county library tax in the preceding calendar month. The sum paid to the county trustee shall be designated as the county governmental library fund and used only for the purposes set out in this act. On approval of a majority of the library commission the chairman and secretary thereof shall draw warrants on the county trustee for expenditures of the commission, indicating on such warrant the fund against which they are drawn and the county trustee is authorized and directed, upon all warrants signed by the chairman and secretary, to make payments out of said fund upon the warrants so issued and presented in compliance with the provisions of this act.

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

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

SECTION 6. This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the county legislative body of Union County before October 1, 1981. Its approval or non-approval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.

PASSED: February 26, 1981.

ADMINISTRATION

COUNTY REGISTER

The office of county register is a constitutional office, established by article VII, section 1 of the Constitution of Tennessee, and is regulated by the general statutes found in Tennessee Code Annotated, title 8, chapter 13; title 10, chapter 7 (public records); title 47, chapter 9 (U.C.C. Secured Transactions); and title 66 (real property and registration of instruments). The salary of the county register is determined in accordance with T.C.A. § 8-24-102.

The principal duty of the county register is the registration of instruments which the law requires to be, or allows to be, filed or recorded. These instruments include, but are not limited to: deeds of conveyance of real estate, powers of attorney, deeds of trust, mortgages, liens, land sale contracts, plats, leases, military discharges, and papers under the Uniform Commercial Code. The purposes of such registrations are also varied. The records of the register's office provide a public record of real property ownership, liens and various other transactions that affect the public interest. The basic fee schedule for the register is found at T.C.A. § 8-21-1001.

ADMINISTRATION

COUNTY TRUSTEE

The county trustee is one of the county officers established by article VII, section 1 of the Constitution of Tennessee. The office is regulated by title 8, chapter 11 of Tennessee Code Annotated. Duties of the county trustee regarding the collection of property taxes are codified in Tennessee Code Annotated, title 67, chapter 5. The county trustee is elected by the qualified voters of the county to serve a four year term. T.C.A. § 8-11-101. Upon election the trustee must take the required oath of office and enter into a surety bond. T.C.A. § 8-11-102. For other statutes pertaining to the many duties of the trustee as a fiscal officer, see volume 14 of the combined general index of T.C.A. under "County Trustee". The salary of the county trustee is determined in accordance with T.C.A. § 8-24-102.

ADMINISTRATION

MOBILE HOME PARKS

PRIVATE ACTS OF 1997

CHAPTER 74

SECTION 1. PURPOSE AND SCOPE

The purpose of this act is to provide areas within the confines of Union County outside the city limits of Maynardville for the location and development of planned mobile home parks. These areas shall be developed and located so as to provide safe and sanitary living conditions for mobile home occupants and to be convenient to employment, shopping centers, schools and other community facilities.

SECTION 2. DEFINITIONS

(1) "Buffer strip" means a planted material or other material as may be approved by the Union County Planning Commission which will provide a screen not less than six (6') feet in height;

(2) "Health officer" means the health officer of Union County, Tennessee or his authorized representative.

(3) "Mobile home" means a detached single-family dwelling unit with all of the following characteristics:

(A) Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems;

(B) Designed to be transported after fabrication on its own wheels, or on flatbed or other trailers or detachable wheels; and

(C) Arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location of foundation supports, connection to utilities, and the like; and

(4) "Mobile home park" means any plot of ground containing a minimum of two (2) acres upon which three (3) or more mobile homes are located or are intended to be located, but does not include sites where unoccupied mobile homes are on display for sale. A mobile home park cannot be developed on a site that is less than two (2) acres in size.

SECTION 3. It shall be unlawful for any person to place or maintain three (3) or more mobile homes for living or sleeping purposes on any premises or tract of land in Union County

outside the city limits of Maynardville unless they are contained within a planned mobile home park duly permitted and pursuant to the provisions of this act.

SECTION 4. The Union County Planning Commission shall grant approval of a mobile home park when all the provisions of this act have been met. An application and all accompanying plans and supporting data shall be filed in duplicate with the planning commission at least seven (7) days prior to a regular meeting of the commission.

SECTION 5. The owner or lessee of the land parcel proposed for a mobile home park shall submit a plan for development to the Union County Planning Commission for approval. This plan shall show:

- (1) The park plan drawn to scale;
- (2) The area and dimensions of the proposed park;
- (3) The location and width of all driveways and walkways;
- (4) The location and dimensions of any proposed service buildings and structures;
- (5) The location of all water and sewer lines;
- (6) The location of all equipment and facilities for refuse disposal and other park improvements;
- (7) A plan for drainage of the park;
- (8) A certificate of accuracy signed by the surveyor or engineer that the boundary survey is correct;
- (9) A certificate and signature of the health officer;
- (10) A certificate for planning commission approval; and
- (11) Any other information deemed pertinent by the planning commission.

SECTION 6. MINIMUM STANDARDS

- (a) The site shall be located on a well-drained and flood-free site with proper drainage.
- (b) The site shall not be exposed to objectionable smoke, noise, odors, insect or rodent harborage or other adverse influences.
- (c) The site shall be located with direct access to an open public street.
- (d) The planning commission may attach special conditions and safeguards to protect both the occupants of the park and the occupants of surrounding property from such

elements as noise, light and dust. Where required to serve these ends, walls, planting, surfacing or other material or artificial means for protection may be required as a part of such special conditions.

(e) The mobile home park shall contain not more than five (5) individual mobile home spaces per gross acre.

(f) Service buildings shall be of permanent construction, adequately ventilated and lighted.

(g) An approved water supply and sewer shall be provided to each mobile home space. Piping and connections shall be as specified and approved by the county health officer.

(h) The planning commission shall determine if common areas are needed. If required, the area shall contain a minimum of five hundred square feet (500 sq. ft.) for mobile home space, exclusive of roadways, mobile home spaces and parking spaces.

(I) All service buildings shall be convenient to the spaces which they serve and shall be maintained in a clean and sanitary condition.

(j) The drives, walks, and parking areas shall be paved with hard surface material which shall be not less than double bituminous surface.

(k) Roadways shall be a minimum of twenty feet (20') in width.

(l) Entrances and exits to the mobile home park shall be designed for safe and convenient movement of traffic into and out of the park, and shall be located and designed as prescribed by the Union County Planning Commission.

(m) Any part of the park area not used for buildings or other structures, parking, or access ways shall be landscaped with grass, trees, shrubs, and pedestrian walks.

(n) The park shall be adequately lighted. At the discretion of the planning commission on all sizable mobile home parks, all interior drives and walkways within the park shall be lighted at night with security lights.

(o) Each mobile home shall be set back a minimum of thirty feet (30') from any public street and a minimum of fifteen feet (15') from all property lines.

(p) Each mobile home park shall provide at least two (2) off-street parking spaces for each mobile home unit. The parking spaces shall be located for convenient access to the mobile home units.

(q) All service buildings and the grounds of the park shall be maintained in a clean, sightly condition and kept free from any conditions that will menace the health of any occupant or the public or constitute a nuisance.

(r) Fire hydrants will be required if sufficient size water lines are available to serve the hydrants.

(s) In each mobile home park, the duly authorized attendant or caretaker shall be charged at all times to keep the mobile home park, its facilities and equipment, in a clean, orderly, safe and sanitary condition.

(t) It shall be unlawful for any person to maintain or operate a mobile home park within the Union County Planning Region, unless such person first obtains approval from the Union County Planning Commission.

SECTION 7. ENFORCEMENT

Any person or persons who willfully neglects or refuses to comply with any of the provisions of this act shall be subject to a civil penalty of not more than fifty dollars (\$50.00) for each offense. Each day of violation shall constitute a separate offense.

SECTION 8. REVIEW POWERS OF THE COMMISSION

(a) Any of the foregoing provisions may at the discretion of the Union County Planning Commission be waived for good and sufficient reasons. However, all mobile home park requests shall be submitted to the commission for review and shall be accompanied by a mobile home park development plat. The planning commission shall review all mobile home park plans for preliminary and final approval.

(b) Expansion of existing mobile home parks shall be submitted to the Union County Planning Commission for approval and must conform to the standards set forth in this act.

SECTION 9. VALIDITY

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

SECTION 11. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 10.

PASSED: MAY 29, 1997

ADMINISTRATION

PURCHASING

The laws regarding purchasing for county governments are not uniform and several options exist. The county education department has its own purchasing law (T.C.A. § 49-2-203(A)(4)), but this law is superseded in those counties that adopt the statutes of the optional County Financial Management System of 1981. T.C.A. § 5-21-106 et seq. Further, in counties that have adopted the County Purchasing Law of 1957, another optional general law, the county board of education may or may not use the central county purchasing system depending upon the approval of the state commissioner of education. T.C.A. § 5-14-115.

The County Uniform Highway Law, at T.C.A. § 54-7-113, provides a purchasing law for the county highway department when purchasing for the department is not governed by private act or when the county has not adopted either the County Purchasing Law of 1957 or the County Financial Management System of 1981. Nevertheless, even where private acts generally govern the purchases of the county highway department, purchases of less than \$10,000 do not have to be publicly advertised and competitively bid. The purchasing provisions of the County Uniform Highway Law do not apply to Shelby, Davidson, Knox, and Hamilton counties.

Purchases from the general fund are governed by the County Purchasing Law of 1983, T.C.A. § 5-14-201 et seq., unless the county operates under a county or metropolitan government charter, or has adopted the County Financial Management System of 1981 or the County Purchasing Law of 1957. Also, this general law does not apply to counties with private acts if the private act provides for public advertising and competitive bidding for purchases over \$5,000 or a lesser amount.

The County Purchasing Law of 1957, found in T.C.A. §§ 5-14-101 through 5-14-116, may be adopted by the voters in a referendum or by a two-thirds (2/3) vote of the county legislative body. This act is one of the three companion Fiscal Control Acts of 1957. Under this act the county executive appoints a purchasing agent subject to the approval of the county legislative body. T.C.A. § 5-14-103. The purchasing agent must be qualified by training and experience to perform the required duties. T.C.A. § 5-14-103.

The person appointed as purchasing agent must have a corporate surety bond of not less than \$10,000 nor more than \$25,000. The salary is not to be in excess of other county officials as prescribed in T.C.A. §§ 8-24-101 and 8-24-102. T.C.A. § 5-14-103(b). The director of accounts and budgets also serves as the purchasing agent in some counties. The primary duties of the purchasing agent are to: (1) purchase all supplies, materials, equipment and contractual services, (2) arrange for rental of all machinery, buildings and equipment, (3) transfer materials, supplies and equipment between county departments, and (4) supervise the central storeroom. T.C.A. § 5-14-105 et seq.

The County Financial Management System of 1981 is found in T.C.A. §§ 5-21-101 through 5-21-129. This law provides for the consolidation and establishment of a financial management system for all county funds operated through the county trustee, including purchasing. The system is similar in scope to the 1957 acts; however, under this act the county operates under one act rather than three. This system must be approved by a two-thirds (2/3) vote of the county legislative body or a majority of the voters in order to be effective in any county. T.C.A. § 5-21-126.

Under the County Financial Management System of 1981, a finance department is created to administer the finances of the county and all funds handled by the county trustee, in conformity with generally accepted principles of governmental accounting and rules and regulations established by the state comptroller of the treasury and state commissioner of education. T.C.A. § 5-21-103. Unlike the 1957 laws, school funds are managed under this system just like all other county funds. The commissioner of education may remove the school department from the system if records are not maintained properly and timely. T.C.A. § 5-21-124.

The County Purchasing Law of 1983, T.C.A. § 5-14-201 et seq., applies to purchases by authorized officials using county funds, except that it does not apply to purchases from county highway funds, county education funds, or purchases by counties that have adopted the County Purchasing Law of 1957 or the County Financial Management System of 1981. Neither does this act apply in counties operating under a county or metropolitan government charter. Furthermore, the act does not apply to counties with private acts if the private act provides for public advertising and competitive bidding for purchases in excess of \$5,000 or a lesser amount as established by the private act.

Tennessee Code Annotated § 5-14-204 requires that all purchases and leases or lease-purchase agreements made under the County Purchasing Law of 1983 shall be made or entered into only after public advertisement and competitive bidding, except for (1) purchases costing less than \$5,000, (2) goods or services which may not be procured by competitive means because of the existence of a single source or because of a proprietary product, (3) supplies, materials or equipment needed in an emergency situation, subject to reporting requirements of the county legislative body and the county executive, (4) leases or lease-purchase agreements requiring payments of less than \$5,000 per year, and (5) fuel and fuel products purchased in the open market by governmental bodies. County legislative bodies may lower the dollar amount required in this act and may also adopt regulations providing procedures for implementing this act.

Counties with populations over 150,000 are authorized to make purchases under \$10,000 without competitive bids or proposals, but these counties may retain their present competitive bidding requirements or establish different limits by private act or charter provision. T.C.A. § 12-3-1007.

County governments may use pricing discounts obtained by the National Association of Counties (NACo) Purchasing Alliance by considering the NACo price in the same manner as a formal bid or informal quotation under the county's bidding laws. T.C.A. § 12-3-1008. The Tennessee Department of General Services (TDGS) may upon request, purchase supplies and equipment for any county. Counties, without public advertisement and competitive bidding, may purchase under the provisions of contracts or price agreements entered into by TDGS. Also, county governments may purchase goods, except motor vehicles, under federal General Services Administration (GSA) contracts, to the extent permitted by federal law or regulations. T.C.A. § 12-3-1001.

Counties are authorized to distribute and receive bids, proposals and other offers electronically, but are prohibited from requiring small or minority owned businesses to receive or respond electronically. T.C.A. § 12-3-704.

ADMINISTRATION

GENERAL REFERENCE

The administration of county government is placed, through a coordination of duties and responsibilities, in various elected or appointed officials, plus various boards, agencies and commissions. For general law on county administration, see Tennessee Code Annotated, title 5 (Counties) and title 8 (Public Officers and Employees). Specific subject headings in the combined general index in volumes 14, 15, and 16 of T.C.A. may be checked for other statutes relating to county administration. These duties are summarized in the Tennessee County Government Handbook, a CTAS publication.

The following private or local acts constitute part of the administrative and political history of Union 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 1861 (Ex. Sess.), Chapter 24, declared that Union County would form one regiment to be known as the one hundred-sixty second regiment and be attached to the fourth brigade of the state militia. The militia officers holding the highest rank and command in Union County shall at a predetermined time and place call all officers together and hold elections as the law requires for battalions and companies as these officers may lay off for Union County.
2. Private Acts of 1933, Chapter 643, recited that the state was suing John B. Sharp and his sureties, a former trustee of Union County, for balances due Union County on various accounts; that the county court had authorized a settlement of these account with the current trustee which all had mutually agreed upon; and, because the said John B. Sharp did not keep accurate records of disbursements, a significant injustice could be done to his sureties. Therefore, the action of the county court in directing and authorizing a settlement to be made and the affair closed is ratified and confirmed in all things if the said conditions of the same as directed therein are met in full by all parties.

CHAPTER II - ANIMALS AND FISH

ANIMALS - FISH

In Tennessee, the wildlife resources agency has exclusive jurisdiction of the duties and functions formerly held by the game and fish commission or of any other law relating to the management, protection, propagation, and conservation of wildlife, including hunting and fishing. T.C.A. § 70-1-301. The general statutes dealing with wildlife resources are found in title 70 of the Tennessee Code Annotated.

Stock laws or fence laws were for many years a source of bitter controversy in Tennessee counties. The general fence law for the state is now contained in T.C.A. title 44, chapter 8.

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 Union 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 1895, Chapter 161, made it unlawful for the next five years after passage of this act for any person to chase deer with dogs or hounds, or to shoot, wound, capture, or kill the same in Union, Anderson, Claiborne, Campbell, Cocke, Morgan, and Scott counties. Those violating this act are guilty of a misdemeanor and subject to fines of not less than \$5.00 nor more than \$50.00.
2. Private Acts of 1897, Chapter 276, amended the general law on the protection of fish, Public Acts of 1895, Chapter 127, so as to make it lawful to take fish from any of the streams, lakes, rivers, or ponds in Union, Wayne, Perry, Humphreys, Marshall and Campbell counties by grabbling or gig except during March, April, and May.
3. Public Acts of 1899, Chapter 333, made it unlawful for the next ten years after the passage of this act to chase deer with dogs or hounds, or to shoot, wound, capture, or kill, or attempt to do so, in Union, Anderson, Claiborne, Campbell, Cocke, Morgan, Scott, and McNairy counties. The fines were set from \$10 to \$50 and the proper judges would charge this act to the grand juries of their respective counties.
4. Acts of 1907, Chapter 438, made it unlawful for live stock, cattle, horses, mules, hogs, sheep, or goats to be allowed to run at large in Union County. Violators were punished with a \$2.00 to \$5.00 fine. The person damaged could have a lien for damages on the trespassing animals and also a lien for the cost of taking them up and caring for them until redeemed by their owner. This act did not relieve the railroads from their liability under other laws for maiming or killing animals. This act was amended by Private Acts of 1917, Chapter 314, so as to give the Union County Grand Jury inquisitorial powers over all violations of the provisions of Acts of 1907, Chapter 438.
5. Private Acts of 1915, Chapter 350, provided the manner by which fish were caught, and provided for the regulating, the gigging and shooting of fish in Union County.
6. Private Acts of 1917, Chapter 315, made it unlawful for anyone in Union County to shoot any foxes or destroy the den of any young fox, or use any trap, snare, or other device, catch,

maim, or otherwise destroy or injure any such fox or foxes. This law did not apply to areas within 100 yards of any home or out building, or to killing such animals as might be a threat to poultry and livestock at or near barns or dwellings. The fines for violation were from \$25 to \$100. This act was repealed by Private Acts of 1919, Chapter 140.

7. Private Acts of 1919, Chapter 11, made it unlawful for five years after passage of this law to kill any partridges or quail in Union County under penalty of \$5.00 to \$25.00 fines for the first offense and \$10 to \$50 thereafter of which the prosecutor would be given one-fifth.
8. Private Acts of 1921, Chapter 405, was a long list of counties who were exempting themselves by the use of population figures from the provisions of Public Laws of 1919, Chapter 61, a statewide dog control law. Union County was among those which exempted themselves.
9. Private Acts of 1931, Chapter 547, made it unlawful for anyone in Union County to kill quail for the next three years after the passage of the act or be subject to a \$10.00 to \$50.00 fine for doing so.
10. Private Acts of 1933, Chapter 113, legalized fishing with a trot line, bank hook and an ordinary basket with one and one-half inch opening and with gigs in Union County.
11. Private Acts of 1945, Chapter 335, permitted Dock Smith who has been practicing veterinary surgery for more than ten years in Union County to continue to do so in that county without any further authority being needed than this act.
12. Public Acts of 1978, Chapter 157, prohibited raccoon dog and opossum dog training by chasing raccoon and opossum except during open season in Union County. This act also permitted certain dog field trials and provided penalties for violations of this act.

CHAPTER III - BOND ISSUES

BOND ISSUES

Bond issues have been authorized by private legislation, but general law now has provisions covering bond issues needed by counties. Most of the private legislation authorizing counties to issue bonds, or to borrow money on short term notes, contained similar provisions. Generally, these common provisions concerned limitations on the rate of interest to be paid, the maximum number of years for the maturity period, and an additional tax levy for general obligation bonds, the proceeds of which were placed in a sinking fund and used to amortize the bonds and interest over the specified maturity period.

For many years the authority of counties to issue bonds was contained in many different chapters of Tennessee Code Annotated. Recently, the authority to issue bonds and notes has been consolidated in the Local Government Public Obligations Act of 1986, T.C.A. § 9-21-101 *et seq.* However, the older authority to issue bonds for school purposes remains in title 49, chapter 3 of Tennessee Code Annotated.

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

COURTHOUSE

1. Public Acts of 1899, Chapter 45, permitted the quarterly county court of Union County to issue \$12,000 in 6%, 10 to 20 year bonds to build a courthouse for the county. The details of the bond issue are fixed and the county court is obligated under this act to levy an additional tax for the sinking fund. The county trustee was named to handle the funds and keep the records.

DEBTS

1. Public Acts of 1866-67, Chapter 41, provided that the county court of Hawkins County by a two-thirds vote of its members issue coupon bonds for the amount of its outstanding indebtedness but no debt incurred during the Civil War was to be paid from the bonds. Section 2 of the act extended the same authority to Union, Grainger, Claiborne, Campbell and Anderson counties.
2. Private Acts of 1921, Chapter 766, authorized Union County to issue up to \$45,000 in 6%, 5 to 30 year bonds to pay off, refund, or redeem any and all of the indebtedness of the county which might exist at the time the bonds were issued, including but not limited to any sum which might be owing for the construction of a bridge across the Clinch River. The bonds were sold by the board of bridge commissioners with all the essential details of tax levy and bond forms being incorporated into the law.
3. Private Acts of 1931, Second Extra Session, Chapter 45, authorized Union County to issue \$20,000 in 6%, 5 year bonds and repeated all the necessary details of the bonds and the tax levy. The purpose was to pay and retire outstanding school debts and to discharge other obligations of the county which were just, due, and owing at the time.

PUBLIC BUILDING

1. Private Acts of 1965, Chapter 26, provided for a referendum to be held on the question and, if approved by a three-fourths vote of the people, the quarterly county court could then issue up to \$300,000 in bonds, at a maximum 6% interest rate, and no more than twenty years maturity, to acquire a site and erect a public building or buildings, thereon for public purposes. The bonds were called general obligation bonds but the revenue derived from the buildings could be used to pay off the bonds. The county trustee would handle the funds and keep the records.

ROADS

1. Public Acts of 1887, Chapter 55, allowed the county court of Union County to issue \$15,000 in 6%, 10 year bonds, to build a macadamized road in or through the said county. The details of the issue were fixed, the tax levy required, and the trustee given the onus of handling the money. This act was repealed by Private Acts of 1917, Chapter 166.
2. Public Acts of 1899, Chapter 315, permitted the quarterly court of Union County to issue up to \$50,000 in 6%, 50 year bonds, to build macadamized roads in the county as the county court may direct, the details were fixed, the tax levy required, and the county judge, or chairman, was given the responsibility to keep accurate and permanent records of all transactions connected with the issue and the projects.
3. Private Acts of 1915, Chapter 664, provided for the locating, grading, building and macadamizing of roads and bridges in Union County, by authorizing the county court to issue interest bearing coupon bonds and provided for a board of commissioners to carry out the work of constructing the roads. This act also provided for the levy of a tax and the creation of a sinking fund to pay said bonds and interest thereon.
4. Private Acts of 1917, Chapter 166, allowed the county court to issue up to \$50,000 in 6%, 10 year bonds to construct and repair pike roads and bridges in Union County. The schedule of roads to be affected and the amount of money allocated to each were prescribed in the act. The Union County Road Commission "was to determine the rights of way, survey the routes and condemn all land which had to be taken." All the incidental details of issuance and operation of the program are in the act. Elbert Q. Hill, Elizah Shapp, and Bishop L. Johnson, were named for all the roads except the Dixie Highway, and George N. Taylor, Thad C. Smith, and G. S. Steiner were named as its commissioners.
5. Private Acts of 1919, Chapter 648, authorized Union County to issue bonds in the amount of \$10,000 annually for the next ten years to construct and repair pike roads and bridges. Three roads were to be improved and the money to be spent on each were written into the act. The details fixed in the law recited 6% as top interest and 10 years as the maximum maturity period. The road commission, once formed, would be subject to the direction and general supervision of the court.
6. Private Acts of 1921, Chapter 351, authorized Union County to issue \$125,000 of interest-bearing coupon bonds for the purpose of grading, repairing, building and constructing pike roads and bridges in the county. The bonds had an interest rate of 6% and matured in 30 years. T.B. Walters, Tillie Johnson, and C.E. Claiborne; A. R. Sharp, E. Q. Hill, and David Walker; Joe McDonald, William E. Broker, and J. F. Mitchell were the groups of road

commissioners named, and Sherman Hill, J. P. Rutherford, and Mean Nelson would look after the bridges. This act was repealed by Private Acts of 1943, Chapter 155.

SCHOOLS

1. Private Acts of 1947, Chapter 808, authorized \$100,000 to build a high school in Maynardville which was to mature in no more than ten years from the date of issue at such interest rate as the county court might determine. These were general obligation bonds with the requisite details included. The authority to accept or negotiate for matching funds from other governmental departments was granted. The "High School Building Commission" consisted of Thomas L. McDonald, Chairman, Charles E. Sexton, Secretary, Clifford Steiner, Evan Shelby, and Ottis Wright, members. This act was repealed by Private Acts of 1949, Chapter 649.

2. Private Acts of 1949, Chapter 651, allowed the quarterly county court of Union County to issue \$200,000 in 3%, 10 year bonds, to erect a quality high school in Union County. There were no other details as were contained in the 1947 act which was repealed.

CHAPTER IV - BOUNDARIES

BOUNDARIES

CREATION OF COUNTY

ACTS OF 1849-50

CHAPTER 61

SECTION 1. That a new County be and the same is hereby established, to be composed of fractions taken from the counties of Grainger, Claiborne, Campbell, Anderson and Knox, and to be known and designated by the name of Union County.

SEC. 2. That the county of Union, shall be bounded as follows, to wit: Beginning at a sweet gum, in the Knox county line, at the end of Clinch mountain, and four chains south of the Nance's ferry road; thence running north thirty-eight, east one mile, and thirty-four poles, to the top of a chain of Clinch mountain; thence north, twenty-five east, one mile and forty-two poles, to the top of a spur, of said mountain; thence north six west, three quarters of a mile, crossing the main range of Clinch mountain; thence north forty-five east, along the side of the mountain one mile, to a white oak on the top of a spur, leading down the mountain opposite Wm. Donehue's; thence north, crossing Flat creek two miles and twenty poles, to a beech on the bank of Dyer's branch; thence north ten west, two hundred and twenty poles, to the top of the Copper ridge; thence north one mile and three quarters, to the top of the Log mountains; thence north twenty-five, east one hundred and ninety-two poles to a sugar tree near John Bullard's; thence north eighty, east one hundred poles to a stake, near John Wolfinbarger's house; thence north eighteen, east five miles and eight poles to Clinch river, three quarters of a mile above Capp's ford; thence down the south bank of said river, as it meanders, five miles and a quarter, to a large double sycamore, below Dodson's island; thence north twenty-five, west, crossing Clinch river, one hundred and eighty-two poles, to a white oak, four poles north of the Big Valley road; thence north thirty-five, west five miles, to Powel's river, at a Spanish oak, forty poles below the mouth of Camp creek; thence down the south bank of Powel's river, as it meanders, twenty-nine miles and a quarter, to a walnut, at Thomas's ford; thence south ten east, four miles and a quarter, to Clinch river, eight poles above a large spring; thence crossing said river the same course, twenty poles, to a beech on the south bank of said river; thence down said river, as it meanders, two miles, to the line of Henderson & Co.'s survey, about two miles above the mouth of Powel's river; thence with the line of Henderson & Co., south forty-five, east a half mile, to a white oak in said line; thence south, thirty-eight east, four miles and one hundred and ten poles, to Byram's fork, on Hynes's creek, four poles above a large white oak; thence south fifty west, one hundred and forty poles, to a stake, in Charles Mitchell's field; thence south twenty-eight east, two miles and one half, to the Knox county line, on top of the Chestnut or Hynd's ridge; thence along the top of said ridge, with the Knox county line, two hundred and thirty poles, to a road crossing from Martin Gentry's to Knoxville; thence south thirty-five east, two miles, crossing Raccoon Valley road and Bull-run creek, to a stake, near Marvil Hill's house; thence south seventy-five east, four miles and twenty poles, to a white oak, east of Gorden Mynatt's; thence north seventy-eight east, two miles and fourteen poles, to an ash, in J. Gibb's field; thence south eighty-one east, four miles and three hundred and ten poles, to the top of House mountain; thence with the extreme height of said mountain, to the east end of the same; thence north fifteen east, four miles and twenty poles, to the Knox county line at Nelson Mynatt's; thence with said line to the beginning.

SEC. 3. That for the purpose of organizing the county of Union, William T. Carden, John F. Huddleston, Ezre Buckner and Wm. Colvin, of the county of Grainger; Malcijah Nash, J. G. Palmer and John Sharpe, of Claiborne county; Isaac C. Dyer, Meril Hill and Hazell Hill, of Campbell county; James W. Turner, Allen McCoy and A. L. Carden, of the county of Anderson; and Henry Graves and Henry G. Rovers, of the county of Knox, shall be and they are hereby appointed commissioners, who shall take an oath before some justice of the peace, faithfully and impartially to discharge the duties enjoined on them in this act, and in all cases of vacancy that may occur among said commissioners, previous to the organization of the county courts of Union county, the same shall be filled by the other commissioners; and all vacancies occurring after said organization, shall be filled by the county courts of Union county; the said commissioners, shall enter into bond and security, to be approved of by the county court of Union county, and payable to the chairman thereof, in the sum of five thousand dollars, conditioned for the faithful discharge of their several duties; a majority of said commissioners, shall constitute a board, competent to do all things herein enjoined on them; they shall keep a regular record of all their proceedings, as commissioners, which shall be returned to the county court of Union county, at its first session, and the same shall be recorded by the clerk thereof, on the records of said court, and they shall make such other returns after the organization of said court, as shall be directed thereby.

SEC. 4. That it shall be the duty of said commissioners, first giving thirty days notice in two public places, or more, of the time and place to open and hold an election at one place, in each of the fractions proposed to be stricken off from the counties of Grainger, Campbell, Anderson, Knox and Claiborne, for the purpose of ascertaining whether a majority of the voters residing in those fractions, are in favor of, or opposed to the establishment of the county of Union, and all persons qualified to vote for members of the General Assembly, who have resided in the fractions proposed to be so stricken off, six months, immediately preceding the election, shall be entitled to vote, and each voter, who desires to vote for the establishment of the new county, shall have on his ticket, the words, "new county," and those voting against the new county, shall have on their tickets, the words, "old county," and if, upon counting all the ballots, the judges of the several elections, shall return that a majority of each of the fractions, respectively, have voted for the new county, then the county of Union, shall be and the same is hereby declared to be a county, with all the powers, privileges and advantages, and subject to all the liabilities and duties with other counties in the State.

SEC. 5. That if from any cause, elections shall not be held in all or each of the fractions, as before directed, the said commissioners shall proceed, as soon as practicable, to hold said election, so omitted, to be held in the same manner and under the same regulations, as specified in the foregoing section, and in like manner, if the said commissioners shall believe upon investigation, which they are hereby authorized to institute, into the manner of holding the several elections that any improper or fraudulent practices have been permitted, they shall have power, to declare the election, so held in any fraction, to be void, and proceed to hold another election in said fraction, first giving thirty days' notice, as heretofore provided.

SEC. 6. That for the due administration of justice, the different courts, to be holden in the said county of Union, shall be held at John F. Huddleston's, on the waters of Bull run, until the seat of justice shall be located; the county court shall, in the intermediate time, have full power to adjourn the courts to such other place in said county, as they may deem better suited for the holding of the same, and for public convenience; and, to adjourn to the seat of justice, when, in their judgment, the necessary arrangements are made, and all writs and other precepts, issuing from any of said courts, returnable to either place, shall and may be returned to the place to which said court

may have been removed, by the county court aforesaid, and the courts for the county of Union, shall be under the same rules, regulations and restrictions, and shall have, hold and exercise, and possess the same powers and jurisdiction, as prescribed for holding courts in other counties; said courts shall be attached to the twelfth judicial circuit; and the circuit court shall be held by the judge of said circuit, on the first Monday in February, June and October, in each and every year, and the citizens of said county, may file bills in chancery, at either of the chancery courts, held at Rutledge, Tazewell or Knoxville, at their election.

SEC. 7. That all officers, civil and military, in said county, shall continue to hold their offices, and exercise all the powers and functions thereof, until others are elected according to law, and the said courts of Union shall elect her officers on the same day and under the same rules, regulations and restrictions, as provided by law, for the elections of officers in the other counties in this State; *Provided*, That nothing in this act contained, shall deprive the above named counties from having and exercising jurisdiction over the territory composing the county of Union and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers takes place according to law; *Provided also*, Nothing herein shall prevent the above named counties, from entering upon judgments, or the sheriffs of said counties from selling under such judgments any lands, within the bounds of the county of Union, for taxes, costs and charges, until the county of Union is organized.

SEC. 8. That the commissioners appointed by this act, shall appoint such person as they may deem of suitable qualifications to open and hold the election for county officers for the said county of Union, and such person, so appointed, shall be and he is hereby invested with full power and authority, to appoint deputies, clerks and judges, and by himself and deputies, to administer all the necessary oaths, and to do and perform all other duties, as by law are required of sheriffs or other officers holding similar elections.

SEC. 9. That citizens of Union county, in all elections for Governor, Representatives in Congress, members of the General Assembly and electors of President and Vice President, shall vote with the counties from which they have been respectively stricken off, until the next apportionment, agreeable to the provisions of the fifth section of the tenth article of the constitution.

SEC. 10. That it shall be the duty of the commissioners aforesaid, as soon as practicable, after the county of Union shall have been established, to select and procure, by purchase or otherwise, a suitable site for the seat of justice, in said county, having due regard to the convenience and wishes of a majority of the citizens of said county, and the said commissioners, having first caused a deed to be made to themselves and successors, with general warranty, to be a sufficient quantity of land, including the site so selected, shall cause a town to be laid off thereon, with as many streets, of such width, as they may deem necessary, reserving a sufficient quantity of land for a public square; said commissioners shall designate and reserve from sale, one lot in said town, for the purpose of erecting a public jail, for said county; said town, as soon as laid off, shall be known by such name as said commissioners may give it; *Provided*, The commissioners shall open and hold an election at two or more places in said county, first giving twenty days' notice of the time and place, for the purpose of fixing upon an eligible site for the seat of justice in said county of Union, and should such election be held, all qualified voters for members to the General Assembly, shall be entitled to vote, in selecting said site; should there be two or more places put in nomination and voted for, the place receiving a majority of all the votes taken in shall thereupon be declared by said

commissioners, the seat of justice of Union county; *Provided*, Said commissioners shall have the right to hold elections from time to time, until one place receives a majority of all those voting.

SEC. 11. That the commissioners of said county, shall sell the lots in said town, on a credit of at least twelve months, first giving due notice thereof, in some one or more newspapers, and shall take bond with sufficient security from the purchasers of said lots, payable to themselves and their successors, in office, and shall make title in fee simple as commissioners to the respective purchasers of said lots.

SEC. 12. That the proceeds of the sales of the lots aforesaid, shall be a fund in the hands of said commissioners, for defraying the expense incurred in the purchase of said tract of land, on which the said seat shall be located, and also for defraying the expense of erecting the public building for said county of Union.

SEC. 13. That the commissioners, shall superintend the erection of such public building, as the county court of said county shall order and direct to be built, and shall let the same out, shall take bonds from undertakers, with ample penalties and sufficient securities, payable to themselves and their successors, conditioned for the faithful performance of his or their contracts; that the balance of any of the proceeds, arising from the sales of the lots, herein authorized to be laid off and sold, remaining in the hands of the commissioners, after defraying the expense of purchasing the town site, for the county seat, and the cost of the public building, ordered to be built, by the county court, shall be paid over, by said commissioners, to the trustee of said county of Union, to be held, applied and accounted for, by him, as other county funds.

SEC. 14. That said commissioners shall also appoint five suitable persons, as commissioners, whose duty it shall be, to divide and lay off said county of Union, into civil districts, designate the places of holding elections therein, and do and perform all the duties relative thereto, which, by the laws of the State, such commissioners are authorized or required to do.

SEC. 15. That the county of Union, shall form one regiment, and shall be known and designated as the 162d regiment, and shall be attached to the 4th brigade, the militia officer of officers, highest in command, included in said county of Union, shall, at such time and place, as he or they may determine upon, call all the commissioned officers together, and such of them as shall attend, are hereby authorized and empowered to lay off said county, into battalions and companies, and provide for holding said elections, for the purpose of electing all officers in said regiment, in the manner prescribed by law.

SEC. 16. That should the boundary line of Union county, as designated in the second section of this act, approach nearer to the county seat of either of the old counties, from which the territory constituting the county of Union is taken, than is prescribed by the constitution, it shall be the duty of the commissioners, herein appointed, to appoint some surveyor, who shall re-run and mark such line or lines, so as not to violate the constitutional rights of said old county, and said surveyor, shall make a report, to the county court of Union, which report shall be the recorded by the clerk of said court, and such line, so run, shall be established line of said county.

SEC. 17. That the commissioners of Union county, be and they are hereby authorized to exercise all the powers conferred in this act, and such other powers, as may be necessary and proper, to the complete organization of the said county of Union.

SEC. 18. That before the said county shall be established, said commissioners shall be satisfied from the survey already made, or from actual survey to be made, that said county contains not less than three hundred and fifty square miles, and a population of four hundred and fifty qualified voters, and that said counties of Grainger, Claiborne, Campbell, Anderson and Knox, will not be reduced below their constitutional limits; *Provided*, The survey provided for by this section, may be dispensed with if there is no opposition to the organization of the county, on an alleged reduction of the county or counties below their constitutional limits, from which the county of Union is stricken.

SEC. 19. That if the new county of Union, shall fail to organize against the first Saturday in March next, and consequently, fail to elect necessary county officers, as prescribed in the seventh section of this act, they shall proceed to elect their county officers on the second Saturday in July next thereafter, under the same rules and regulations as are now prescribed by law, and such officers, so elected, shall hold their offices until the regular time of electing officers in this State, and no longer.

SEC. 20. That the commissioners, herein appointed, in laying off the town, shall reserve as many lots as they may deem necessary, to be given to the different religious denominations, on which to erect houses of public worship, and said commissioners shall also reserve two lots, upon which to build a male and female academy, of such size as they may think suitable for said purposes.

SEC. 21. That the said commissioners shall keep a fair and regular statement of all the moneys by them received and expended, which statement, when required, shall, from time to time, be laid before the county court, and when all the public buildings are completed, the said commissioners shall, by order of the county court, pay over all surplus money, if there be any, to the county trustee for county purposes, and they shall be allowed, by the county court, a reasonable compensation for their services.

SEC. 22. That the line of Union county, shall not approach the county seat of any old county, nearer than twelve miles, any thing in this act to the contrary notwithstanding.

Passed January 3, 1850.

BOUNDARIES

ACTS OF 1851-52

CHAPTER 22

SECTION 1. That the above mentioned act is and that the same be hereby revived and re-enacted and in full force and effect, as if the same had not by its operation become repealed or extinct, with the following additional amendments and alterations.

COMPILER'S NOTE: The act being revived was Acts of 1849-50, Chapter 61, establishing Union County.

SEC. 2. That the boundary line of said county of Union, in and through the fraction taken from Knox County in forming the same, be that run and marked last by the commissioners named in the act this is intended to amend, with such alterations as the commissioners hereinafter appointed may think proper, and the same being legal under said act to make. And that the call for boundary in said act, calling from the top of the Log Mountains, north twenty-five east one hundred ninety-two poles to a sugar tree, near John Beeler's, being the true call.

SEC. 3. That in lieu of the commissioners appointed in the act which this is intended to amend, that the following persons be and they are hereby appointed commissioners, with all the powers and privileges, and subject to the duties that are required of the commissioners heretofore appointed; Isaac, C. Dyer, of Campbell county, William Neadham, of Claiborne county, John Bullard, of Grainger county, Hardin Scaggs, of Knox county, and James Turner, of Anderson county.

SEC. 4. That the court house and county town of Union county, be and the same is hereby located, and to be laid off and built under the direction of said commissioners in the Raccoon Valley, near Liberty Meeting House in said Valley, on a site offered to be ceded gratuitously of some twenty-three acres, and warranted by the Rev. Mark Munroe and others to said commissioners for the purpose of locating said town. That the same be laid out and built on the most convenient and eligible point of such cession, after the said commissioners taking to themselves and their successors in office added in fee simple, with general warranty from the present owners of such cession, and any other that may be offered by them or by them purchased at or near said site.

SEC. 5. That an act passed by the General Assembly of the State of Tennessee, on the 1st of February, 1850, entitled "an act requiring notice to be given for the formation of new counties," be and the same is hereby repealed, so far as it may conflict with the establishing of Union county, the citizens thereof having petitioned the legislature before the passage of said act.

SEC. 6. That if the new county of Union shall fail to organize against the first Saturday in March next, so that she may thereby fail to elect the necessary county officers, that the commissioners herein appointed, or such persons as they may designate, may at any time thereafter, said county may be organized, first giving twenty days' notice at the voting in every district in said county, open and hold elections for all necessary county officers.

SEC. 7. That it shall be necessary to open and hold an election in all the different fractions composing the county of Union, to ascertain the assent or dissent.

SEC. 8. That the northern boundary line of Union county be changed in the following manner: Leaving Powell's river eighty poles above Fullington's saw-mill; run thence a south west course to the head of a hollow near Thomas Brantly's; leaving said Brantly in Campbell county; thence down said hollow to Powell's river, below Quinton Sweat's, leaving said Sweat in Campbell county.

SEC. 9. That said Union county shall be constituted and formed according to the above provisions. *Provided*, No one of the old counties, from which a fraction is taken, shall be reduced below the number of square miles required by the constitution of the State.

SEC. 10. That any sheriff or revenue collectors who have gone out of office, or those now in office from all the counties from which fractions are taken off, for the formation of Union county, shall have two years, from and after the passage of this act, to collect any taxes which are now due and unpaid to said sheriffs, with as full power and authority as though no such county had been formed.

Passed, December 6, 1851.

BOUNDARIES

ACTS OF 1853-54

CHAPTER 2

SECTION 1. That section second of an Act to establish the county of Union, passed January the third, one thousand eight hundred and fifty, shall be so amended that the boundary line of said county shall be as follows, to-wit: Beginning at a sweet gum in the Knox county line at the end of the Clinch mountain, and four chains south of Nance's Ferry road; thence running north thirty-eight east one mile and thirty-four poles to the top of a chain of Clinch mountain; thence north twenty-five east one mile and forty-two poles to the top of a spur of said mountain; thence north six west three quarters of a mile, crossing the main range of Clinch mountain; thence north forty-five east along the side of the mountain, one mile, to a white oak on the top of a spur leading down the mountain opposite Wm. Donchurs; thence north, crossing Flat creek, two miles and twenty poles, to a beech on the bank of Dyer's branch; thence north ten west two hundred and twenty poles, to the top of Copper ridge; thence north one mile and three quarters, to the top of Lag mountains; thence twenty-five east one hundred and ninety-two poles, to a sugar tree near John Beeler's; thence north eighty east one hundred poles, to a stake near John Woolfinberger's house; thence north eighteen east, five miles and eight poles, to Clinch river, three quarters of a mile above Copp's ford; thence down the south bank of said river, as it meanders, five miles and a quarter, to a large double sycamore below Dodson's island; thence north twenty-five west, crossing Clinch river, one hundred and eighty-two poles, to a white oak, four poles north of the Big Valley road; thence north thirty-five west, five miles, to Powell's river, at a Spanish oak forty poles below the mouth of Camp creek; thence down the meanders of said river to a point twelve miles from Jacksborough, at a spring near John Craig, jr.'s house on Powell's river, as run and marked by A. W. Armstrong; thence with the line as run and marked by said Armstrong, to Clinch river; thence crossing the river in the same direction to the south bank of said river; thence down the meanders of the river, to Henderson & Co's. survey, two miles above the mouth of Powell's river; thence with the line of Henderson & Co. south forty-five east, half a mile, to a white oak in said line; thence south thirty-eight east, four miles and one hundred and ten poles, to Byron's fork on Hynds' creek, four poles above a large white oak; thence a direct line to the top of the Chestnut or Hynds' ridge, the Knox county line, as run and marked by said Armstrong; thence with the Knox county line on the top of the ridge, to the road crossing from Martin Gentry's to Knoxville; thence south thirty-five east, two miles, crossing Raccoon Valley road and Bull Run creek, to a stake near Marvel Hill's house; thence south seventy-five east, about two miles, to a point where the said Armstrong departed from the line as run and marked by Daniel B. Capps; thence with the line as run and marked by said A. W. Armstrong; thence north seventy-eight east, to the end of Clinch mountain, along a line as run and marked by the Commissioners of Union county, to the Knox county line; thence with said line to the beginning.

SEC. 2. That the line herein designated, is hereby declared to be the established line of Union county, and that the commissioners of said county are hereby authorized to proceed at once to organize said county, according to so much of the provisions of the acts to establish Union county as are not inconsistent with this act.

SEC. 3. That the Circuit Court of said county, shall be held on the first Mondays after the fourth Mondays of January, May and September, and shall be held at the place specified in the 6th section of an act entitled "an act to establish the county of Union," passed January 3d, 1850; *Provided*, it shall be lawful for the Judge holding said Court, to hold the same at Liberty Meeting House, if he thinks it best to do so, until a Court house shall be provided at the seat of justice.

Passed Nov. 21, 1853.

BOUNDARIES

ACTS OF 1855-56

CHAPTER 165

SECTION 1. That the County line of Union County, designated and established in section one, chapter two, of the act of 1853, be, and the same is hereby, altered as follows:--Beginning on a poplar marked "D," on the top of Chestnut Ridge, where the line runs by Armstrong intersects the dividing line between Knox and Anderson; then running south fifty-six degrees, east one mile and one hundred and twenty poles to Bull Run Creek; then north three-eighths of a mile, passing Levi George's, leaving him in Knox County; then south, forty-five degrees, east to Bull Run Creek; then down the creek to a point where it is intersected by the line running south, fifty-six degrees east; then south seventy degrees, east including Joseph McHaffee, in Union County, one and a half miles to the road leading from C. B. Hansard's to Knoxville; then north forty-five degrees, east one mile and three-eighths to a stake on the north side of Bull Run Creek, in Parrick George's farm; then north seventy-five degrees, east two miles to a white oak, about forty poles north of David Hawkins', leaving him in Knox County; then south forty-five degrees east seven-eighths of a mile to a stake on the top of a spur; then south seventy degrees, east three-fourths of a mile to an oak in a field on the top of Copper Ridge; then by the shortest course to the line known as the Big Survey Line; then following the said line to the line of Grainger County, so as to include C. Cox, Edward West, Jacob Mittenberger, and John Cox, but no other person, on the south side of Copper Ridge; then with the line of Grainger County to the line of Union county; and the said County is declared to be organized with the boundary designated in the act of 1853, chapter two, section one, except the alteration herein made.

SEC. 2. That the proceedings of the County Court, and the official acts of the several County officers of Union County are hereby declared to be legal and valid, to the same extent as similar proceedings and official acts of the County Courts and County officers of other Counties under previously existing laws.

SEC. 3. That the several County officers of said County, and their official securities shall be held liable upon the respective official bonds for official misconduct, or default for all revenues, taxes, or privileges, and for registration of deeds and other moneys in the same manner, and to the same extent, as similar officers in other Counties under existing laws.

SEC. 4. That the several Justices of the Peace resident within the limits of Union County, elected and commissioned, as Justices from either of the Counties from which the said County of Union was composed, are hereby declared to be Justices of the Peace for Union County in their respective civil districts, and they shall continue in office as such Justices of said County until the expiration of their respective official commissions, except in cases of removal, resignation, or death; and the present County officers shall hold and exercise the functions of their respective offices until the next regular election, and until their successors are elected and qualified.

SEC. 5. That this act shall take effect and be in force from and after its passage.

SEC. 6. This section did not apply to Union County.

Passed: January 23, 1856.

BOUNDARIES

PRIVATE ACTS OF 1865-66

CHAPTER 76

SEC. 1. That the County line between the Counties of Union and Knox be so changed as to run as follows: Beginning on a stone where the County line crosses the Knoxville Road leading to Maynardville by way of Milan Church, running direct to the point of Clinch Mountain near the house of Nels. Mynette; *Provided, however*, that the persons hereby attached to Union County shall be required, as heretofore, to pay their share of the taxes levied by the County Court of Knox County until the entire indebtedness already incurred by Knox County for Railroad purposes, shall be paid, and the Tax Collector of Knox County shall collect said tax from the people, who, by this act, are attached to Union County, and said Tax Collector shall account for and pay over to the Trustee of Knox County all monies so collected by him, according to the laws now in force.

SEC. 2. That E. Longmire be, and he is hereby, appointed to run and plainly mark the above named line.

SEC. 3. This section did not apply to Union County.

SEC. 4. This section did not apply to Union County.

Passed: April 26, 1866.

BOUNDARIES

PUBLIC ACTS OF 1873

CHAPTER 70

SECTION 1. That the County line between the Counties of Union and Grainger, be so changed, that all citizens of Grainger County, designated by the following boundary, be and they are hereby attached to Union County, to-wit: Beginning on the corner between Union and Grainger Counties, thence east so as to include Pryor Dyer's farm in Union County; thence with the lines of Union County to a white oak corner between James Dyer and E. W. Popejoy and J. J. Sellers; thence east 89 poles to a rock corner between J. J. Sellers and E. W. Popejoy; thence due north to Clinch river.

SEC. 2. That nothing in this Act shall be so construed as to include any livers in Union County except J. W. Sellers, Pryor Dyer, James Vitetoe and E. D. Hill, the petitioners for the change mentioned in the preceding section, nor to reduce Grainger County below its constitutional limit, nor bring the line thus designated nearer the Court House of Grainger County than eleven miles.

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

Passed March 21, 1873.

BOUNDARIES

PRIVATE ACTS OF 1925

CHAPTER 462

SECTION 1. That the line between the counties of Union and Knox be changed as follows:

Beginning at the intersection of Manuel Merritt's line and the Knox County line; and Union County line thence northward with Manuel Merritt's line to the north corner of Charles T. Booker land; thence eastward with Chas. T. Booker line to Big Flat Creek; thence southward with the creek to the Knox County line.

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

Passed April 2, 1925.

BOUNDARIES

PRIVATE ACTS OF 1951

CHAPTER 52

SECTION 1. That the boundary line between the Counties of Claiborne and Union be and the same is hereby changed, by detaching from the Third Civil District of Claiborne County the following described tracts of land to wit: 24.4 acres owned by James H. Harness, and bounded on the north by Elbert B. Shelby; on the east by Sharps Chapel Road; on the South by T.V.A. land; and on the west by other land owned by the said James A. Harness; 14 acres owned by Wm. A. Brogan, and bounded on the south and west by Sharps Chapel Road; on the north by Stiner Road; and on the east by other land owned by the said Wm. A. Brogan; and approximately 50 acres owned by the Tennessee Valley Authority, and being all to the T.V.A. land that lies between the Sharps Chapel Road and the Norris Lake, and bounded as follows: On the north by Sharps Chapel Road; on the east by Elbert B. Shelby, James A. Harness and the Sharps Chapel Road; on the west by present County line and Norris Lake; and on the south by Norris Lake, and attaching said tracts to the Sixth Civil District of Union County.

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

Passed: January 25, 1951.

BOUNDARIES

PRIVATE ACTS OF 1965

CHAPTER 156

SECTION 1. That the boundary line between the counties of Claiborne and Union is changed by detaching the following described tracts of land from Claiborne County and attaching the same to Union County:

BEGINNING at and on a point where the Union County-Claiborne County line crosses the TVA Contour 10-44 line; thence running an easterly course with the Union County-Claiborne County line, $80^{\circ} 15 \text{ Min E.}$ a distance of 406 feet at a point in the Union County-Claiborne County line; thence running a straight line eastwardly designated as the Union County-Claiborne County line, a southward direction to a point where the said Union County-Claiborne County line crosses the contour (TVA) 1044 line; thence following the TVA Contour line 1044, a northerly direction approximately 400 feet to the BEGINNING point, and containing three-fourths of an acre, more or less.

Parcel No. 2

BEGINNING at a metal marker in the 1044 contour on the northeast shore of the Little Barren Creek Embayment and in the boundary between the lands of the United States of America and Elbert B. Shelby from which US-TVA Monument 1417-4 (Coordinates: N. 721, 121; E. 2,662,-158) at an angle in the said boundary bears $S. 55^{\circ} 55' E.$ at a distance of 23 feet; thence with the 1044-foot contour as it meanders in a north-westerly direction to a metal marker on the southwest side of a road; thence leaving the contour and with a line marked by the United States of America's boundary $N. 12^{\circ} 55' W.,$ 42 feet to a point immediately east of a junction of roads; thence with the United States of America's boundary $S. 55^{\circ} 55' E.,$ 140 feet to the point of BEGINNING and containing 0.1 acre, more or less.

Reference to the above described tracts is recorded in Book of Deeds "K", Vol. 3, pages 183-85 Register of Deeds Office, Union County, Tennessee, by United States of America, TVA, to W. H. Shelby.

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

Passed: March 8, 1965.

BOUNDARIES

PUBLIC ACTS OF 1982

CHAPTER 666

SECTION 1. The county boundaries between Knox County and Union County shall be revised so as to include within Union County all of the territory described as follows:

SITUATED in Sixth Civil District of Knox County, Tennessee and Sixth Civil District of Union County, Tennessee and being more particularly described as follows:

BEGINNING on a stone in Needham's line at the Sulphur Spring Branch, running thence westwardly with Needham's, Hansard Chapel Church Lot, and J. N. Yadon's line to a stone at Highway No. 33; thence southwardly with Highway No. 33 to a stone at said Highway; thence southeastwardly about 67 poles to a stone between A. J. Cox and this tract; thence southwardly about 25 poles to a stone in A. J. Cox's line; thence southeastwardly with a conditional line made by Mynatt and Tolson to a stone on top of Dark Hollow Ridge; thence eastwardly with the range of the top of the ridge a marked line to Sulphur Spring Branch, at a rock, John Hansard's corner (now Jess Welch); thence northwardly down the middle of the branch as it meanders to the beginning.

Containing 85 more or less, and being the same property conveyed to Edgar L. Bayless and wife, Twilla Bayless by Warranty Deed of A. J. Cox and wife, Arbelles Cox, dated February 29, 1936 and of record in Warranty Deed Book V-2, page 249 and in Deed Book 609, page 174 in the offices of the Register of Deeds for Union County and Knox County, Tennessee, respectively.

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

PASSED: March 22, 1982

BOUNDARIES

The private act has often been used as a means for transferring parcels of land from one county to another, often because the boundary lines would bisect an individual landowner's property, placing the landowner under the jurisdiction of two counties. This type of boundary change was often very general in its description of the land transferred, without any metes and bounds description. The following is a summary of acts which authorized boundary changes for Union County.

1. Acts of 1855-56, Chapter 156, Section 2 transferred the lands of residence of Drury Laffoon into Claiborne County from Union County.
2. Private Acts of 1859-60, Chapter 196, Section 5 moved the farm belonging to William Albright from Campbell County into Union County; Section 6 moved the properties of John Robertson, Howard M. Hubbs, and William H. Dyer from Knox County into Union County but did not relieve these families from paying the railroad tax levied in Knox County; Section 8 changed the boundary lines between Union and Campbell counties so as to cause to leave in Campbell County John Lay's bend of the Powell River leaving Powell's River at the narrows of said bend and below William Swint's and running across said narrows to Powell's River at the lower end of John Lay's farm.
3. Public Acts of 1867-68, Chapter 60, Section 13, changed the lines between Union and Claiborne counties so as to include the farm and dwelling of Silas Williams in Union County.
4. Public Acts of 1870-71, Chapter 118 changed the lines between Union and Grainger counties so as to include all the properties of James Dyer, Senior, and James Dyer, Junior, in Union County.
5. Public Acts of 1871, Chapter 7, altered the lines between Campbell County and Union County so as to place all the farms and residences of John S. Spangler and John K. Farris in Union County.
6. Public Acts of 1873, Chapter 72, transferred all the farm of James McHaffee from Union into Knox County, said McHaffie having filed a petition seeking the same, and provided that such action would not reduce Union County below the constitutional limitation on square miles and would not place the county line nearer than eleven miles to the courthouse of Union County.
7. Public Acts of 1873, Chapter 77, created the new county of Webster from parts of Claiborne, Campbell, and Union counties.
8. Public Acts of 1875, Chapter 140, Section 4, changed the boundary line between Union and Knox counties so as to place all the lands of John Anderson and W. Edward Anderson out of Knox County and into Union County.

9. Public Acts of 1879, Chapter 111, changed the boundary line between Union and Claiborne counties so as to place the entire farm of Benjamin Pike into Claiborne County from Union County.
10. Public Acts of 1879, Chapter 137, Section 12, changed the boundary line between Union and Claiborne counties so as to include the farms of Issac Holoway, John D. Parker and Jacob Leach in Claiborne County.
11. Public Acts of 1883, Chapter 40, took all the properties of Andrew Pary, Richard Pary, Mary McBee, Jasper Woods, John Houston, William Shofner, Henry Keck, and William Blason which were in Union County and placed them in Claiborne County.
12. Public Acts of 1883, Chapter 103, provided that the tract of land owned by Joseph McHaffee be transferred from Knox County into Union County.
13. Public Acts of 1883, Chapter 129, changed the boundary line between the counties of Union and Grainger from Log Mountain in Grainger County to the Clinch River in Union County. This act was repealed by Public Acts of 1890, Second Extra Session, Chapter 5, except that the properties of V. W. Capps remained in Grainger County. Otherwise the boundary lines reverted to their status before the passage of that 1883 act.
14. Public Acts of 1887, Chapter 45, moved all the lands of Benjamin Pike from Union County into Claiborne County.
15. Public Acts of 1887, Chapter 47, changed the lines between Union and Knox counties so that all the property of Calvin Kitts be included in Union County.
16. Public Acts of 1887, Chapter 49, transferred the lands of J. T. Inklebarger from Union County into Grainger County. This act was repealed by Public Acts of 1895, Chapter 188. However, Private Acts of 1901, Chapter 361 repealed Public Acts of 1895, Chapter 188, so as to transfer the lands of J. T. Inklebarger from Union County into Grainger County.
17. Public Acts of 1887, Chapter 227, moved the farms belonging to Harvey Williamson, Berry Ellison and Josiah Smith into Union County from Claiborne County.
18. Public Acts of 1889, Chapter 24, changed the boundary line between Union and Grainger counties so as to include the lands of G. W. Hollingsworth, William Hollingsworth, B. M. McPhetridge and B. Shelton in Grainger County.
19. Public Acts of 1889, Chapter 194, changed the lines between Knox and Union counties so that all the properties of Charles H. Smith, R. H. Harless, A. K. Mynatt, L. D. Bates and Joseph Bates be included in Knox County.
20. Public Acts of 1891, Chapter 53, changed the boundary line between the counties of Union and Claiborne so as to include the farms of Andrew Pary, Richard Pary, Mary McBee, Jasper Wood, John Houston, William Schoffner, Henry Keck, Jr., and William Beeson in Union County.

21. Public Acts of 1891, Chapter 255, transferred the lands of Alvin Brogans and Frankley Collin's from Union County into Claiborne County.
22. Public Acts of 1895, Chapter 7, changed the boundary line between Union and Claiborne counties so as to move the farms and residences of John Woods, Lida Broguns, William Bullard, Isaac and Hiram Schoffner from Claiborne County into Union County and the land of R. P. Rucher and T. N. Cheatham from Union County into Claiborne County.
23. Public Acts of 1895, Chapter 104, detached the farm of V. W. Capps from Grainger County and attached the same to Union County.
24. Public Acts of 1895, Chapter 183, moved all that portion of the Samuel Bayless farm lying north of the Raccoon Valley Road from Knox County into Union County.
25. Public Acts of 1895, Chapter 215, transferred the properties of J. J. Woods, W. J. Woods, and S. C. Woods from Claiborne County into Union County and the farms of Marharet E. Cheatham, W. A. Cheatham, and John Rollins from Union into Claiborne County.
26. Public Acts of 1899, Chapter 233, changed the lines between Union and Grainger counties so as to include all the land belonging to J. A. Popejoy and E. E. Dyer in Union County. This act was repealed by Private Acts of 1901, Chapter 310.
27. Acts of 1903, Chapter 386, changed the boundary line between Union and Campbell counties by so that fifty acres described as follows: on the north by the Thomas farm, south and west by the Craig farm; on the east by the Lindamond farm, be placed in the second civil district of Campbell County.
28. Acts of 1905, Chapter 68, changed the boundary line between Union and Claiborne counties so as to place all the lands belonging to J. M. Whited out of Claiborne County and put them into Union County.
29. Acts of 1905, Chapter 71, changed the boundary line between Union and Grainger counties so as to place the lands of J. T. Inklebarger into Grainger County from Union County.
30. Acts of 1905, Chapter 186, changed the boundary line between Union and Knox counties so as to transfer a small triangular shaped piece of land belonging to W. E. Smith and William Childress from Knox County into Union County.
31. Acts of 1907, Chapter 394, transferred the farm of F. M. Williams from Claiborne County into Union County.
32. Acts of 1909, Chapter 68, changed the boundary line between Union and Knox counties so as to include the Hugh Caldwell farm in Union County.
33. Private Acts of 1919, Chapter 393 changed the boundary line between Union and Claiborne County line so as to include in Claiborne County all the farm of William Russell which adjoined the lands of William Ford, Jim Medley, and Jess Smith which now lies on both

sides of the line, and to transfer all the property of G. S. Steiner whose lands adjoin Leach and Wilson into Union County.

34. Private Acts of 1919, Chapter 394, detached the farms of C. M. Cabbage, Lafayette Hamilton, and Jess Rush from Grainger County and attached the same to Union County.
35. Private Acts of 1937, Chapter 175 moved the lands of Mrs. J. M. Keck from the second civil district of Claiborne County into the seventh civil district of Union County.
36. Private Acts of 1947, Chapter 441 detached property of E. B. Shelby from the third civil district of Claiborne County and attached it to the sixth civil district of Union County.
37. Private Acts of 1963, Chapter 120, changed the boundary line between Knox and Union counties so as to include the farm of Clint Davis which was located in the sixth civil district of Knox County and placed it in the first civil district of Union County.

CHAPTER V - COURT SYSTEM

COURT SYSTEM

BOARD OF JURY COMMISSIONERS - JURORS

All private acts creating county boards of jury commissioners were repealed by § 22-2-201 of Tennessee Code Annotated, except in Davidson, Knox and Hamilton counties. The general statutes dealing with jurors and juries can be found in T.C.A. title 22. County boards of jury commissioners are described in T.C.A. § 22-2-201, and the qualifications of a juror are listed in T.C.A. § 22-1-101.

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

1. Private Acts of 1925, Chapter 109, created a board of jury commissioners for Union County. This act provided for the selection of juries, prescribed the duties of the members of said board, and of the judges, and provided for jury lists and jury boxes to be kept in the county.
2. Private Acts of 1935, Chapter 746, created a board of jury commissioners for Union County. This act provided for the selection of juries; prescribed the duties of the members of said board and the judge and provided jury lists and jury boxes.
3. Private Acts of 1961, Chapter 45, would have provided that every regular juror in Union County be paid \$5.00 a day for every day's attendance as a regular juror and special jurors empaneled to hear cases in chancery court to be paid the same. However, this act was not approved by Union County and therefore did not become law.
4. Private Acts of 1963, Chapter 59, would have paid jurors in Union County no less than \$5.00 nor more than \$8.00 for each day's attendance at court as a regular juror. Special jurors for the chancery court would have be paid the same, all coming out of the treasury of the county. However, this act was not approved by Union County and therefore never became law.

COURT SYSTEM

CHANCERY COURT

The chancery courts are the traditional trial level equity courts in Tennessee. Equity law deals with matters not traditionally addressed by the common law (case law) of the law courts or the statutory law. Equity acts when a traditional law court remedy is not adequate to reach a just result. In Tennessee, chancery courts have exclusive jurisdiction over some matters that are traditionally considered to be equity cases, but the statutory law has given chancery courts concurrent jurisdiction with the circuit courts over most civil cases.

Union County, under the provisions of § 16-2-506 of Tennessee Code Annotated, is part of the 8th judicial district. The general law on chancery courts is found in title 16, chapter 11 of Tennessee Code Annotated, and title 17 applies to judges and chancellors.

The following acts form an outline of the development of equity jurisdiction in Union County, although they no longer have the force of law since they have either been superseded by general law, repealed, or failed to receive local ratification. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1853-54, Chapter 56, Section 2, provided that Union County, when organized, would be a part of and attached to the Knox County Chancery District and bills were permitted to be filed at Tazewell in Claiborne County or at Knoxville in Knox County.
2. Public Acts of 1857-58, Chapter 88, provided the terms of court for the chancery court for Knox and Union counties would begin in Knoxville on the first Monday in April and October.
3. Private of 1857-58, Chapter 137 created a new chancery district for Union County which court would be held at Maynardville by the chancellor of the eastern division. The court term would start in Union County of the first Monday in May and November of each year. Suits pending in the chancery courts at Tazewell, Rutledge, Jacksboro, Clinton, and Knoxville which involved citizens then living in Union County could be transferred to the new court upon request of either party. The clerks and masters of those courts would then transfer the records within 40 days to the new court.
4. Public Acts of 1865-66, Chapter 41, provided that the terms of court in the eighth chancery division composed of Campbell, Roane, Blount, and Union counties be changed. The time for holding said court in Union County was set to the second Monday of May and November.
5. Public Acts of 1866-67, Chapter 8, attached Union County to the eighth chancery district.
6. Public Acts of 1866-67, Chapter 15, also transferred Union County to the eighth chancery district. No explanation for the two acts doing the same thing and being so close together can be offered.

7. Public of 1866-67, Chapter 40, provided that the chancery court at Maynardville in Union County be held on the first Monday in May and November of each year.
8. Public Acts of 1869-70 (2nd Sess.), Chapter 32, divided the state into twelve chancery districts. The second chancery district was composed of Union, Knox, Sevier, Campbell, Anderson, Roane, Monroe, Blount, Scott, Morgan, Fentress and Christiana counties.
9. Public Acts of 1869-70 (2nd Sess.), Chapter 47, fixed the time for holding chancery courts in the state. Union County would start its chancery court terms on the first Monday in May and November. This act was amended by Acts of 1872, Called Session, Chapter 15, Section 4, which changed the court terms of Union County to the third Monday in April and October.
10. Acts of 1885 (Ex. Sess.), Chapter 20, reorganized the courts of Tennessee into eleven chancery divisions. The second division consisted of Union, Knox, Campbell, Sevier, Anderson, Blount, Roane, Loudon, Morgan, and Scott counties. Union County chancery court terms began on the third Monday in April and October.
11. Public Acts of 1887, Chapter 92, set the time for holding the Union County Chancery Court to the second Monday in May and November.
12. Public Acts of 1899, Chapter 214, placed Union, Campbell, Anderson, Knox, Roane, Morgan, and Scott counties in the twelfth chancery division. The time for holding said court in Union County was set for the fourth Monday in May and November.
13. Public Acts of 1899, Chapter 427, divided the state into ten chancery divisions. The second chancery division was composed of Union, Sevier, Blount, Loudon, Anderson, Campbell, Roane, Morgan, Scott, Fentress, and Jefferson counties. The time for holding said court in Union County was set on the third Monday in March and September. This act was amended by Private Acts of 1901, Chapter 438, which changed the second chancery division to include Union, Hawkins, Hamblen, Grainger, Claiborne, Hancock, Campbell, Anderson, Roane, Loudon, and Scott counties. The time for holding said court in Union County was set to the fourth Monday in May and November.
14. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, reorganized Tennessee's judicial structure into fourteen chancery divisions. Union County was placed in the thirteenth chancery division along with Cocke, Blount, Hamblen, Sevier, Greene, Jefferson, and Grainger counties. The time for holding said court in Union County was set for to third Monday in May and November.
15. Public Acts of 1935, Chapter 148, set the time for holding the Union County Chancery Court to the fourth Monday in February and August of each year. This act was repealed by Public Acts of 1941, Chapter 12.
16. Public Acts of 1963, Chapter 371, placed Union County in the fifteenth chancery division along with Greene, Hamblen and Grainger counties. The time for holding said court in Union County was set for the third Monday in May and November.

COURT SYSTEM

CHANCERY COURT

CLERK AND MASTER

The office of clerk and master of the chancery court is covered by title 18, chapter 5 of Tennessee Code Annotated and mentioned in article VI, section 13 of the Constitution of Tennessee, which provides that the clerk and master will be appointed by the chancellor. The salary of the clerk and master is determined in accordance with T.C.A. § 8-24-102.

The basic fee schedule for clerks of court, including the clerk and master, is found at T.C.A. § 8-21-401. Tennessee Code Annotated § 16-16-203 provides the authority for the clerks and masters who are serving as the clerks of probate courts to accomplish a variety of clerical and judicial acts involving the probate of wills and the administration of estates.

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

1. Acts of 1909, Chapter 226, could apply according to the population range quoted in the act, to Hancock, Grainger, Stewart, and Union counties or to all of them. The law sets the salary of the clerk and master at \$500.00 per year but he must file a sworn itemized statement by January 1, each year with the county judge, or chairman, showing the total amount of fees collected by his office from all sources. If the fees are less, the county will pay the clerk and master the difference out of the general funds but, if the fees are more than that sum, the clerk and master may retain them.
2. Private Acts of 1911, Chapter 197, provided and regulated the compensation of the Union County Chancery Court Clerk and Master. The salary of the chancery court clerk and master was set to \$500.00 per annum. This act was amended by Private Acts of 1929, Chapter 776, which raised the salary of the clerk and master of Union County from \$500.00 to \$900.00 annually.
3. Private Acts of 1933, Chapter 581, fixed the salary of the Union County Clerk and Master at \$900.00 per annum. This act was amended by Private Acts of 1945, Chapter 595, which increased the salary of the clerk and master to \$1,200.00 per annum.

COURT SYSTEM

CIRCUIT COURT

PRIVATE ACTS OF 1969

CHAPTER 163

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

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

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

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

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

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

PASSED: May 7, 1969

COURT SYSTEM

CIRCUIT COURT

The circuit court is the traditional trial level “law” court (as opposed to equity court) with broad civil and criminal law jurisdiction. Traditionally, the circuit courts (the “law” courts) applied the common law (case law) and the statutory law. The circuit courts continue to act as law courts, but Tennessee’s statutory law has given the circuit courts concurrent jurisdiction with the chancery courts in most civil matters. Circuit courts exercise criminal law jurisdiction as well as civil law jurisdiction in most counties in Tennessee, but in some counties a separate criminal court has been established.

Union County, by general law found in § 16-2-506 of Tennessee Code Annotated, is part of the 8th judicial district. Title 16, chapter 10 of Tennessee Code Annotated contains the general law applicable to the circuit court. Judges and chancellors are covered by title 17 of Tennessee Code Annotated.

The following acts were once applicable to the circuit court of Union 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 1853-54, Chapter 2, stated that the circuit court of Union County shall be held on the first Monday after the fourth Monday in January, May, and September at Liberty Meeting House as was provided in of Acts of 1849-50, Chapter 61.
2. Acts of 1855-56, Chapter 164, declared that all suits now pending in the fractions of the several counties from which Union County was formed and which involved citizens of what is now Union County shall be transferred to the Union County Circuit Court for both civil and criminal cases. The clerks of those other courts would have the duty to make transcripts of the records in those cases and forward them to the proper court in Union County.
3. Public Acts of 1857-58, Chapter 98, placed Union County in the second judicial circuit with Campbell, Claiborne, Grainger, Sevier, Cocke, and Jefferson counties. The time for holding said court in Union County was set on the second Monday in February, June, and October.
4. Private Acts of 1859-60, Chapter 125, changed the times for holding the circuit court of Union County to the first Monday after the fourth Monday of January, May, and September.
5. Public Acts of 1869-70 (2nd Sess.), Chapter 31, reorganized the judicial structure of Tennessee by dividing the state into judicial circuits. Union was retained in the second judicial circuit with Cocke, Jefferson, Grainger, Sevier, Scott, Campbell, Claiborne, and Hamblen counties.
6. Public Acts of 1869-70 (2nd Sess.), Chapter 46, scheduled court terms for all the judicial circuits. The time for holding the Union County Circuit Court was set on the first Monday of February, June, and October.

7. Public Acts of 1873, Chapter 108, changed the time for holding the Union County Circuit Court to the first Monday in March, July, and November with proper provisions for process to be made returnable so as to conform thereby.
8. Public Acts of 1881, Chapter 18, set the time for holding the Union County Circuit Court on the fourth Monday of February, June, and October.
9. Acts of 1885 (Ex. Sess.), Chapter 20 divided the state into fourteen regular and one special judicial circuit. The second judicial circuit consisted of Union, Claiborne, Campbell, Grainger, Hamblen, Jefferson, Cocke, Anderson, and Sevier counties. Court terms for Union County would start on the fourth Monday in February, June, and October.
10. Public Acts of 1899, Chapter 427, divided the state into fourteen judicial circuits. The second judicial circuit consisted of Union, Jefferson, Sevier, Grainger, Hamblen, Cocke, Morgan, Scott, Campbell, Anderson and Fentress counties. The time for holding said court in Union County was set for the first Monday in April, August, and December. This act was amended by Acts of 1903, Chapter 227, so as to hold said court in Union County on the second Monday in April, August, and December.
11. Acts of 1905, Chapter 359, created a separate Criminal Court for Anderson, Campbell, Morgan, Scott, Fentress, Pickett, and Union counties to be known as the criminal court of the second judicial circuit. Court times were scheduled for each county with the terms in Union County starting on the first Monday in March, July, and November. The attorney-general of the circuit would prosecute except in Pickett County where the attorney-general of the fifth circuit would attend to prosecution. The governor would appoint a judge to hold these courts until September, 1906 when they would be abolished and the criminal functions would be returned to the circuit court of each county.
12. Acts of 1905, Chapter 477, changed the time for holding Union County Circuit Court to the first Monday in March, July, and November.
13. Acts of 1907, Chapter 205, changed the time for holding the Union County Circuit Court to the fourth Monday in March, July, and November.
14. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, placed Union County in the second judicial circuit along with Cocke, Sevier, Jefferson, Grainger and Hancock counties. The time for holding said court in Union County was set to the third Monday in May and November.
15. Public Acts of 1951, Chapter 17, set the time for holding the Union County Circuit Court to the third Monday in February, June and October.
16. Public Acts of 1955, Chapter 19, fixed the time for holding the Union County Circuit Court to the second Monday in February, June and October.
17. Public Acts of 1959, Chapter 99, set the time for holding the Union County Circuit Court to the first Monday in February, June and October.

COURT SYSTEM

CIRCUIT COURT

CLERK

The office of circuit court clerk is governed by the general statutes found in Tennessee Code Annotated, title 18, chapter 4. The salary of this office is determined in accordance with T.C.A. § 8-24-102.

The following acts have no current effect, but once applied to the Union County Circuit Court Clerk. They were repealed, superseded, or never received local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1903, Chapter 255, set the salary for circuit court clerks only throughout the state according to population. The Union County Circuit Court Clerk was paid \$500 per annum, provided the clerk would file with the county judge, or chairman, on January 1 of each year, a sworn itemized statement showing the amount of fees collected by his office from every source. If the fees did not equal the salary, the county would make up the difference but, if the fees exceeded that amount, the clerk could retain the excess.
2. Private Acts of 1929, Chapter 777 fixed the salary of the circuit court clerk of Union County at \$900 annually. This act was amended by Private Acts of 1931, Chapter 461 which required the circuit court clerk to file a statement of fees collected every quarter instead of just once a year.
3. Private Acts of 1933, Chapter 580, set the salary of the Union County Circuit Court Clerk at \$900 per annum.
4. Private Acts of 1947, Chapter 121 provided that the circuit court clerk of Union County be paid the sum of \$200 annually in addition to all the other fees of the county, same to be paid on a regular warrant drawn on the general funds.

COURT SYSTEM

CRIMINAL COURT

In some counties of Tennessee, a separate criminal court has been established which has the criminal law jurisdiction of the circuit courts. The criminal court has appellate jurisdiction over criminal law matters decided in the general sessions courts.

The criminal court of Union County, by general law found in § 16-2-506 of Tennessee Code Annotated, is part of the 8th judicial district.

For the general law pertaining to criminal courts, see title 16, chapter 10 of Tennessee Code Annotated. For the general law pertaining to criminal court clerks, see title 18, chapter 4 of Tennessee Code Annotated.

The following act once pertained to the Union County Criminal Court, but is no longer current law.

1. Public Acts of 1899, Chapter 427, set the time for holding the Union County Criminal Court on the first Monday in April, August and December.

COURT SYSTEM

DISTRICT ATTORNEY GENERAL

ASSISTANTS AND CRIMINAL INVESTIGATORS

The office of district attorney general, including assistant district attorneys and criminal investigators, is covered by title 8, chapter 7 of Tennessee Code Annotated. Section 16-2-506 of T.C.A. establishes the judicial districts of the trial courts and establishes the number of assistant district attorneys general and criminal investigators in each judicial district. According to T.C.A. § 16-2-506, Union County is in the 8th judicial district. Secretarial assistance to district attorneys is authorized, but subject to the approval of the executive director of the district attorneys general conference, the comptroller of the treasury, and the commissioner of finance and administration. T.C.A. § 8-26-101(2)(G) - (1)(K).

The following acts once affecting Union County are no longer in effect but are listed here for historical purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1931, Chapter 64, created the office of assistant attorney general for the second judicial circuit, which contained Union County, prescribed the qualifications and the duties of such office and fixed the salary of the assistant attorney general at \$2,400 per annum. This act was amended by Public Acts of 1949, Chapter 87, which increased the salary of the assistant attorney general to \$3,600 per annum.
2. Public Acts of 1939, Chapter 65, provided for a criminal investigator for the second judicial circuit, which contained Union County, provided for his qualifications, salary and tenure of office. This act was amended by Public Acts of 1947, Chapter 192, which increased the salary of the criminal investigator to \$3,000 per annum. This act was further amended by Public Acts of 1976, Chapter 611, which removed the qualification that the criminal investigator of the second judicial circuit must be a practicing attorney.
3. Public Acts of 1975, Chapter 253, created the office of two additional assistant district attorneys general for the second judicial circuit, of which Union County was a part.
4. Public Acts of 1978, Chapter 631, created an additional position of criminal investigator for the district attorney general for the second judicial circuit, which included Union County. The act provided for the appointment, duties, powers and compensation of said investigator.

COURT SYSTEM

GENERAL SESSIONS COURT

The general statutes on courts of general sessions are found in title 16, chapter 15 of Tennessee Code Annotated. The purpose of this general law is to create a statewide system of general sessions courts, but T.C.A. § 16-15-501(c) expressly provides that counties may create general sessions courts by private act, giving them both the jurisdiction and powers conferred by general law and such further jurisdiction and power as each county may require. The salary of the general sessions judge is governed by T.C.A. § 16-15-5003. The compensation received by the general sessions court clerk is set by T.C.A. § 8-24-102.

COURT SYSTEM

JUVENILE COURT

PRIVATE ACTS OF 1992

CHAPTER 180

SECTION 1. The incumbent judge of the Juvenile Court of Union County elected pursuant to Chapter 325 of the Private Acts of 1921, shall continue to serve in such capacity for the remainder of the term for which such judge was elected. For the remainder of such term such incumbent judge shall continue to exercise all of the powers and duties conferred by law upon the Juvenile Judge of Union County.

SECTION 2. If for any reason the Office of Juvenile Court Judge of Union County becomes vacant prior to the expiration of the term of the incumbent judge, the vacancy in such office shall not be filled and juvenile jurisdiction in Union County shall vest in accordance with Section 3 of this act.

SECTION 3. Upon the expiration of the term of office of the incumbent Juvenile Judge of Union County, or upon a vacancy in such Office of Juvenile Judge, whichever occurs first, all jurisdiction, duties and powers formerly exercised by such Juvenile Court Judge of Union County shall vest in the judge of the court of General Sessions as provided by law.

SECTION 4. If the transfer of juvenile jurisdiction in Union County occurs because of the expiration of the incumbent judge's term, at least thirty (30) days prior to the expiration of such term, the incumbent judge shall transfer or cause to be transferred all records, case files, and other documents relating to any case within the jurisdiction of such incumbent judge to the Judge of the General Sessions Court of Union County. If any case is pending in such juvenile court upon the expiration of the term of the incumbent Juvenile Judge, such case shall be completed by the General Sessions Judge upon the transfer of jurisdiction as provided by this act.

SECTION 5. Chapter 325 of the Private Acts of 1921, and all acts amendatory thereto, are repealed.

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

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.

PASSED: MARCH 25, 1992.

COURT SYSTEM

JUVENILE COURT

The Juvenile Court Restructure Act of 1982, as amended, is codified in Tennessee Code Annotated §§ 37-1-201 through 37-1-214. Its purpose is to provide adequate juvenile court services in every county. Tennessee Code Annotated § 37-1-203 provides that the general sessions courts shall exercise juvenile court jurisdiction except in counties or municipalities wherein juvenile courts are specially provided for by law.

Special juvenile courts may be created by law (private act) to exercise juvenile court jurisdiction in a county or in contiguous counties. Counties must provide funding for such special juvenile courts. T.C.A. § 37-1-205.

Clerks of general sessions courts are required to maintain separate minutes, dockets, and records for all juvenile matters in those counties in which the general sessions court is also the juvenile court. T.C.A. § 37-1-210. The clerk of a special juvenile court is a duly elected clerk of another court in the county designated by resolution of the county legislative body, except where a duly elected clerk is provided by law (private act or charter). Clerks of the special juvenile courts are given the same duties, authority and obligations provided for clerks of other courts of record. T.C.A. § 37-1-211.

Tennessee Code Annotated § 37-1-159 provides that the juvenile court shall be a court of record. Any appeal from final disposition of a case, except the transfer of a child to be dealt with as an adult under T.C.A. § 37-1-134, may be made to the circuit court for a trial de novo.

The following act once affected juvenile courts in Union County and is included herein for reference purposes.

1. Private Acts of 1921, Chapter 325, created and regulated the office of juvenile judge in Union County, fixed his salary, defined his duties and jurisdiction, provided for the appointment of said juvenile judge and prescribed the manner of the election of his successor. This act was repealed by Private Acts of 1992, Chapter 180.

COURT SYSTEM

SECRETARIAL ASSISTANCE

Secretarial assistance to judges and chancellors is now provided on the basis of need by the administrative director of the courts, under the provisions of Tennessee Code Annotated § 17-1-401. Their salaries are set by the administrative director of the courts and the commissioner of finance and administration with the approval of the chief justice of the supreme court, under T.C.A. § 17-1-402. The general law provisions are now the sole authority for providing secretarial assistance to trial judges and chancellors.

CHAPTER VI - EDUCATION/SCHOOLS

EDUCATION - SCHOOLS

BOARD OF EDUCATION

PRIVATE ACTS OF 1951

CHAPTER 633

SECTION 1. [Deleted by Private Acts of 1976, Chapter 221].

SEC. 2. That the Secretary of the Union County, Tennessee, Board of Education shall keep a careful record of the attendance at the regular and specially called meetings of the Board of Education and certify such attendance record monthly to the proper official in charge of the disbursements of the County School Funds so that proper county warrant can be issued paying each school member of the Board of Education in accordance with the provisions hereof.

SEC. 3. That all laws and 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: March 15, 1951.

EDUCATION - SCHOOLS

BOARD OF EDUCATION

PRIVATE ACTS, 1953

CHAPTER NO. 95

SECTION 1. That in all counties of this State having a population of not less than 8,650 and not more than 8,700, according to the Federal Census of 1950, or any subsequent Federal Census there is hereby created a County Board of Education to be composed of seven (7) members.

SECTION 2. That there are hereby created six school districts for counties to which this Act applies, which school districts shall be co-incident with the civil districts and shall bear the same numbers. At the August election 1954 and quadrennially thereafter, the qualified voters of said school districts shall elect one member of the County Board of Education except school district No. 1 which shall elect two members, who shall hold office for a period of four years from September 1 next following their election. No person shall be eligible for election from any school district of which he is not a resident and the qualified voters of each school district shall elect their representatives. Vacancies occurring in said office shall be filled by special election called by the Board of County Election Commissioners upon 15 days' notice published in some newspaper in said County. Members of the Board of Education shall possess the qualifications and perform the duties prescribed by general law for members generally. They shall be compensated at the rate of twenty dollars (\$20.00) per meeting attended, beginning with members selected and qualified subsequent to July 1, 1976. To fill the vacancies occasioned by the creation of this Board, William Gilbert and Minnis Mize are named as members from school district No. 1; Stewart Snoderly is named as member from school district No.; Cecil H. Butcher is named as member from school district No. 3; M. G. Graves is named as member from school district No. 4; Luna Sharpe is named as member from school district No. 6; and Malcolm Walker is named as member from school district No. 7, who shall hold the office until September 1, 1954, and until their successors shall be elected and qualified.

As amended by: Private Acts of 1976, Chapter 221.

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

Passed: March 6, 1953.

EDUCATION - SCHOOLS

BOARD OF EDUCATION

General statutes regulating county boards of education and elementary and secondary education in the public schools may be found in T.C.A. title 49, chapters 1 through 6. Public Acts of 1992, Chapter 535, the Education Improvement Act of 1991, substantially revised many aspects of the education statutes. County boards of education are mandated to be popularly elected. The county legislative bodies, from July 1, 1992, were given authority to establish districts for county board of education members by resolution instead of having to rely on private acts for reapportionment. The new education general law provides for board members to be elected to staggered four-year terms.

Members of county boards of education must have a high school diploma or general education equivalent. However, a few counties are purported to be excluded by narrow population exception. Board members who fail to participate in state sponsored training are subject to removal by the commissioner of education. T.C.A. § 49-2-202.

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

1. Private Acts of 1927, Chapter 243, created a board of education and the position of superintendent of education, provided for the election of the seven members of the board and the superintendent in the November election of 1928. Thad C. Smith, J. Crit Sharp, William Booker, Jacob Butcher, Conrad Irwin, G. S. Stiner, and James Roe Shelby were named to the board of education until their successors could be elected and James C. Davis was nominated as superintendent. This act was tested and declared unconstitutional by the state supreme court in the case of State Ex rel, Thomas v. Davis, 159, Tenn. 693, 21 S.W.2d 623 (1929).
2. Private Acts of 1959, Chapter 312, would have amended Private Acts of 1953, Chapter 95, so as to provide for the election of county school board members on a staggered basis in Union County; however, this act was not approved by the county and therefore never became law.

EDUCATIONAL - SCHOOLS

CIVIL SERVICE

PRIVATE ACTS OF 1949

CHAPTER 385

SECTION 1. That in all counties of this State having a population of not less than 9,025 and not more than 9,035, according to the Federal Census of 1940, or any subsequent Federal Census, civil service or permanent tenure shall apply to all employees of the Board of Education of said counties occupying the positions of principals, teachers, supervisors, clerks, secretaries, stenographers, and chief maintenance men; provided, that no persons occupying the position of principals, teachers or supervisors shall be deemed to be under civil service or permanent tenure unless they have been employed by the Board of Education of the counties coming within the provisions of this Act for the third year from the time of their appointment or employment; and provided further, that no persons occupying the positions of clerks, secretaries, stenographers or chief maintenance men shall be deemed to be under civil service or permanent tenure until after they have occupied such positions for a period of two years from the time of their appointment or employment.

SEC. 2. That neither the Board of Education, nor any member thereof, nor the Superintendent of Schools, nor any other official of the Board or Department of Education of any of the counties coming within the provisions of this Act, shall have any right to dismiss, discharge, demote or change any employees made subject to civil service or permanent tenure by the provisions of this Act, from one position or class to another position or class within the Department of Education of said counties at a reduced salary, unless and until charges as specified herein shall have first been filed and sustained against such employee in the manner hereinafter provided; provided, however, that in making up the school budget the Board of Education of any such counties ascertain that there is a surpluse of employees in the system, by reason of a natural diminution of the number of pupils in any school, or otherwise, the Board of Education of any such counties may reduce the number of employees in the system to the number required by first dismissing any or all of those who have not been appointed or employed for the third year, in the case of principals, teachers or supervisors, or for the period of two years in the case of clerks, secretaries, stenographers or chief maintenance men, from the time of their appointment or employment. If the reduction so made is inadequate or insufficient in the opinion of the Board of Education of any of such counties, the Board may then dismiss civil service employees without charges being filed or sustained, but such dismissals shall be made according to seniority of service.

SEC. 3. That employees under civil service or permanent tenure by the provisions of this Act may be suspended, discharged from service, demoted, or fined not exceeding an amount equal to one-twelfth of one month's salary, upon conviction of any crime, or for inefficiency, incompetency, neglect of duty, use of narcotics or intoxicating liquors, insubordination, immorality, conduct unbecoming to their profession, failure or refusal to pay his or her taxes, or failure or refusal to pay his or her honest debts, in the following manner:

(a) The principal, or any ten patrons of the same school, may file charges against any teacher subject hereinafter defined "against any such employee." Anyone filing such charges against any teacher and it shall be proved such charges are without foundation, said persons shall be subject to the liabilities and penalties as further set forth in this Act. Such charges shall be in writing but may be in any written form and no charge shall ever be dismissed because lacking in form. A copy of such charges shall be delivered to the employee so charged, and a certificate of the principal stating that he has delivered a copy of such charges shall be sufficient evidence of the fact of delivery. No charge shall ever be dismissed for insufficiency, and any charge may be amended at any time, but if the said charge is amended after the employee has testified, the employee shall be given a reasonable time in which to make defense to the amended charge. The principal of any school may file charges against the principal of any other school, and the Superintendent of Schools of any such Board of Education or counties shall have the right to request in writing the principal of any school to prefer charges against any employee of the Board of Education of such county or counties, and upon the failure or refusal of any such principal to prefer such charges he or she shall be guilty of neglect of duty and may be proceeded against under the provisions of the civil service or permanent tenure laws of any such county coming within the provisions of this Act.

(b) After the filing of charges as hereinbefore set out, the employee charged shall be entitled to a hearing before the Superintendent of Schools. Pending this hearing, the employee may be suspended by the Superintendent but charges shall be filed and a copy thereof furnished the employee within twenty-four hours after such suspension. The Superintendent of Schools shall hear all charges within five days after a copy of such charges have been furnished the employee so charged, unless the hearing is further postponed at the request of, or with the consent of the employee under charge. At such hearing the employee under charge may appear and defend in his own right, or he may appear and defend by counsel. The Superintendent shall render his decision within ten days after the conclusion of the hearing, exclusive of the day of hearing.

(c) Any person dissatisfied with the decision of the Superintendent shall have the right to appeal therefrom to the Board of Education of such county, within three days thereafter, excluding the day upon which such decision is rendered. Upon written notice of such appeal being given to the Superintendent it shall be his duty to prepare a copy of the proceedings, evidence, etc., before him and transmit the same to the Board of Education of any such county, who shall hear the appeal on such record. No new evidence shall be introduced, but the Board may send the record back if they are of the opinion that additional evidence is necessary to reach a correct decision.

(d) The Superintendent shall issue writs of subpoena on request of either party to compel attendance of witnesses to testify at the hearing of such investigation; such subpoena shall be signed by him and be served by any Constable, the Sheriff or any Deputy Sheriff of said county, and shall be obeyed by the witnesses in the same manner as subpoenas issued by Justices of the Peace or the clerks of Common Law Courts of this State under the general statutes of Tennessee, and any failure to obey such subpoenas may be enforced in the same manner and to the same extent as is now provided by law for the enforcement or the punishment for failure to obey subpoenas issued by Justices of the Peace or the clerks of the Common Law Courts of this State. The cost of the service of such subpoenas by any lawful officer shall be the same as provided by existing laws for services of like character and shall be paid by the Board of Education of any such county. The Superintendent is authorized and empowered to administer oath to the witnesses and parties at such hearings. Such hearings shall be held at such places in said counties as may be designated by the said Superintendent and shall be public unless private hearings are agreeable to the Superintendent

and employee so charged, regardless of whether such hearing is being conducted before the Superintendent or the Board of Education. There shall be no appeal from the decision of the Board of Education, but the decision of the Board shall be final.

SEC. 4. That if on final disposition of the case the employee so charges is not dismissed nor suspended on final hearing, any unpaid salary accruing during his or her suspension before final hearing shall be paid in full by the Board of Education of such county.

SEC. 5. That if any sentence, clause, or section of this Act be held unconstitutional, or the application of this Act be held unconstitutional, with respect to any person or circumstances, such holding shall not affect any other person or circumstances.

SEC. 6. That all laws or parts of laws in conflict with this Act be, and they are, hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 29, 1949.

EDUCATION - SCHOOLS

INTEREST ON SCHOOL WARRANTS

PRIVATE ACTS OF 1941

CHAPTER 513

SECTION 1. That whenever any school warrant payable to any teacher or operator of buses as well as school warrants issued for any item of expense in connection with the school system of Union County, is presented to the Trustee of Union County for payment, and there is insufficient money in the hands of the Trustee to pay such warrant, the Trustee shall stamp thereon the date such warrant is presented for payment and register same in a book for that purpose and from the date of presentation and registration such warrant shall draw interest at the legal rate fixed by statute in this State.

As amended by: Private Acts of 1943, Chapter 256,
Private Acts of 1947, Chapter 122.

SEC. 2. That it shall be the duty of the Trustee, when funds are available to pay said warrants in the order of their priority as registered, and from the date said funds are available, interest shall cease and the holder of said warrant shall not be entitled to collect interest thereafter. This Act shall not apply to any outstanding warrant before the effective date of this Act.

SEC. 3. That this Act shall take effect from and after July 1, 1941, the public welfare requiring it.

Passed: February 15, 1941.

EDUCATION - SCHOOLS

SUPERINTENDENT OR DIRECTOR OF SCHOOLS

Under the Education Improvement Act of 1991, the office of superintendent of public instruction (county superintendent of education) has been phased out. Replacing the superintendent is a director of schools, who is an employee of the county board of education; however, the continued use of the title superintendent is permitted. The director of schools may be employed under a written contract of up to four years duration. The duties of the director of schools are enumerated in T.C.A. § 49-2-301(f).

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

1. Private Acts of 1925, Chapter 264, as amended by Private Acts of 1943, Chapter 405, and Private Acts of 1947, Chapter 874, provided for the election of the county superintendent of public instruction in counties of the state having a population of not more than 11,620 and not less than 11,610 according to the federal census of 1920 for a term of four (4) years beginning September 1, 1928.
2. Private Acts of 1943, Chapter 81, as amended by Private Acts of 1947, Chapter 117, provided that in the event the office of school superintendent became vacant, such vacancy was to be filled by the quarterly county court of Union County.

EDUCATION - SCHOOLS

GENERAL REFERENCE

The general state statutes regulating education are found in title 49 of Tennessee Code Annotated. Of particular interest to county officials are chapter 2 (Local Administration); chapter 3 (Finances); chapter 6, part 20 (School Property); chapter 6, part 3 (Elementary and Middle Schools); and chapter 6, part 4 (Junior and Senior High Schools).

The following acts constitute part of the administrative and political heritage of the educational structure of Union 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. Private Acts of 1901, Chapter 236, created a school district out of portions of Anderson and Union counties, the same described and bounded in the bill. An election would be held on the fourth Saturday in May, 1901, to elect by popular vote the school directors of the district who would serve without compensation. The clerk would provide a scholastic census enumeration for the district to the county trustees for the distribution of funds and a teacher with a certificate from either Anderson or Union County would be permitted to teach.
2. Acts of 1905, Chapter 483, was a compulsory school attendance law for Union and Claiborne counties, which required children between eight and fourteen years of age to attend school for at least fourteen weeks in a year, unless excused under the conditions stated in the act. Fines for violation of the requirement and for employers who hired children in these age brackets while school was going on were scheduled in the law. District clerks must report their names as soon as they knew in their reports and the superintendent was to make recommendations on methods of improving school attendance.
3. Acts of 1907, Chapter 322, established the "Independent School District of Loyston" in the fourth civil district of Union County bounded by the description in the act. At the August, 1908 election three school directors for the district were elected and performed all the duties of other school directors.
4. Private Acts of 1911, Chapter 332, was a compulsory attendance school law which applied to Union, Claiborne, Grainger and Hancock counties. This act included children from eight to sixteen years old and the attendance period was set to sixteen weeks, or 80 days, in the school year.
5. Private Acts of 1911, Chapter 566, applied to Union, Claiborne and Hickman counties. The act made each school a separate and distinct school district which would have three trustees elected by the people of the district. The county boards of education were given some powers and duties of teacher selection and their wages with the advice and consent of the majority of the trustees of the district. This act was amended by Private Acts of 1919, Chapter 448, so that Claiborne and Union counties were removed from its application leaving only Hickman under its terms.

6. Private Acts of 1947, Chapter 808, authorized \$100,000 to build a high school in Maynardville which were to mature in no more than ten years from the date of issue at such interest rate as the county court might determine. These were general obligation bonds with the requisite details included. The authority to accept or negotiate for matching funds from other governmental departments was granted. The "High School Building Commission" consisted of Thomas L. McDonald, Chairman, Charles E. Sexton, Secretary, Clifford Steiner, Evan Shelby, and Ottis Wright, members. This act was repealed by Private Acts of 1949, Chapter 649.
7. Private Acts of 1949, Chapter 651, allowed the quarterly county court of Union County to issue \$200,000 in 3%, 10 year bonds, to erect a quality high school in Union County. There were no other details as were contained in the 1947 act which was repealed.
8. Public Acts of 1980, Chapter 847, directed the Tennessee Department of Transportation to erect a sign to indicate the location of the pioneer school in Union County.

CHAPTER VII - ELECTIONS

ELECTIONS

DISTRICTS - REAPPORTIONMENT

The general provisions concerning county organization are found in title 5, chapter 1 of Tennessee Code Annotated. Section 5-1-101 enumerates the counties and § 5-1-108 deals with the apportionment of the county legislative bodies into a maximum of twenty-five county commissioner districts within each county that is not under a metropolitan government charter. Under T.C.A. § 5-1-111, the county legislative bodies must make necessary district boundary changes or completely redistrict a county so that the members represent substantially equal populations based on the most recent federal census at least every ten years. Upon application of any citizen affected, the chancery court of such county has original jurisdiction to review and amend the apportionment or to order an apportionment where none has been made.

Maps and legal descriptions of the boundaries of the county commissioner districts may be found in one of the following offices: County clerk, the county election commission, the state coordinator of elections, secretary of state, and the division of local government, office of the comptroller of the treasury.

Civil districts by that name are no longer used as district boundaries for election of legislative body members. These civil district boundaries have been left undisturbed as they existed prior to the first reapportionment of the quarterly county courts for real property record-keeping purposes only. T.C.A. § 5-1-112.

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

1. Public Acts of 1867-68, Chapter 82, created an additional civil district out of parts of the ninth and eleventh civil districts of Union County to be known and designated as the twelfth civil district. The quarterly county court designated the boundaries and the polling place in the new district.
2. Public Acts of 1870-71, Chapter 90, created a new civil district in Union County to be composed of that section of the county lying north of Powell's River.

ELECTIONS

Elections in Tennessee are now governed by the general statutes found in Tennessee Code Annotated title 2, chapters 1 through 19. Of particular interest to county officials is chapter 12, which covers the county election commission. The employment of administrator of elections and deputies by the county election commission is authorized by T.C.A. § 2-12-201. Tennessee Code Annotated, Section 2-12-208 sets a minimum salary for certified administrators of elections based on a percentage of the assessor's salary, and provides for certification tests, state contribution to each certified administrator's salary and other budget requirements.

Title 3, chapter 1 of Tennessee Code Annotated reapportions the state into senatorial and representative districts for the general assembly. Tennessee Code Annotated § 3-1-102 places Union County in the 4th state senatorial district (along with Claiborne, Grainger, Hancock, Hawkins and Jefferson counties), while T.C.A. § 3-1-103 places it in the 34th representative district. Union County is part of the 4th U.S. congressional district, under the provisions of T.C.A. § 2-16-103.

The following is a listing of acts for Union 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. Public Acts of 1865, Chapter 34, divided the state into congressional districts for the election of representatives to the United States Congress. The counties of Union, Claiborne, Knox, Campbell, Scott, Morgan, Anderson, Blount, Monroe, Polk, McMinn, Bradley, and Roane were placed in the second congressional district.
2. Public Acts of 1867-68, Chapter 5, provided that the place heretofore designated to compare the vote in the fourth senatorial district, composed of Union, Grainger, Claiborne, Campbell and Anderson counties, be changed from Sharp's Mill to Maynardville in Union County. The polls were compared on the first Monday after each senatorial election.
3. Public Acts of 1871, Chapter 146, apportioned the representation in the general assembly of the state by creating senatorial districts and providing for the election of representatives by the counties of the state. The counties of Union, Campbell, and Scott counties composed the fourth senatorial district. Union, Campbell and Scott counties jointly elected one representative.
4. Acts of 1872, Called Session, Chapter 7, divided the state into congressional districts for the election of representatives to the United States Congress. Union, Johnson, Carter, Sullivan, Washington, Hawkins, Greene, Hancock, Claiborne, Grainger, Hamblen and Cocke counties composed the first congressional district.
5. Public Acts of 1873, Chapter 27, divided the state into congressional districts for the election of representatives to the United States Congress. Union, Jefferson, Sevier, Blount, Monroe, Loudon, Roane, Knox, Anderson, Campbell, Scott and Morgan counties composed the second congressional district.

6. Public Acts of 1881, Extra Session, Chapter 6, apportioned the representation in the general assembly of the state by creating senatorial districts and providing for the election of representatives by the counties of the state. The counties of Union, Claiborne, Grainger, Campbell and Scott composed the fourth senatorial district. Union and Campbell counties jointly elected one representative.
7. Public Acts of 1882, Extra Session, Chapter 27, divided the state into congressional districts for the election of representatives to the United States Congress. Union, Jefferson, Sevier, Blount, Knox, Loudon, Roane, Anderson, Morgan, Campbell and Scott counties composed the second congressional district.
8. Public Acts of 1891, Chapter 131, divided the state into congressional districts for the election of representatives to the United States Congress. The counties of Union, Jefferson, Sevier, Blount, Knox, Loudon, Roane, Anderson, Morgan, Campbell and Scott composed the second congressional district.
9. Acts of 1891, Extra Session, Chapter 10, apportioned the representation in the general assembly of the state by creating senatorial districts and providing for the election of representatives by the counties of the state. Union, Hancock, Grainger, Claiborne, and Campbell counties composed the third state senatorial district. Knox and Union counties jointly elected one representative in the third representative district.
10. Public Acts of 1901, Chapter 109, divided the state into congressional districts for the election of representatives to the United States Congress. The counties of Union, Hamblen, Jefferson, Knox, Blount, Loudon, Roane, Scott, Anderson and Campbell composed the second congressional district.
11. Public Acts of 1901, Chapter 122, apportioned the representation in the general assembly of the state by creating senatorial districts and providing for the election of representatives by the counties of the state. Union, Scott, Hancock, Grainger, Claiborne and Campbell counties composed the third senatorial district. Union, Scott and Campbell counties jointly elected one representative in the sixth representative district. This act was amended by Acts of 1905, Chapter 463, so as to move some counties from one district to another in order to distribute the population more evenly. The third state senatorial district was composed of Union, Hancock, Hawkins, Grainger, Claiborne, Campbell, and Scott counties but there were no other changes in which Union County was involved.
12. Private Acts of 1943, Chapter 404, provided that all polling places in Union County would remain as they were established for the general election in November, 1942. This act was expressly repealed by Private Acts of 1947, Chapter 120.
13. Private Acts of 1949, Chapter 665, stated that all officers, judges, clerks, and other election officials holding all regular, general, and primary elections in Union County receive as compensation for their services \$3.00 per day each.

CHAPTER VIII - HEALTH

HEALTH

For the general statutes relating to health, see Tennessee Code Annotated title 68, with particular reference to chapter 2 (Local Health Services). Chapter 2 provides for the creation of county and district health departments, boards of health, and cooperation between counties and cities in the establishment of such departments and boards. It also details the operation and financing of local health services. See volumes 14, 15 and 16 (Combined General Index) of T.C.A. for reference to statutes on specific health topics.

CHAPTER IX - HIGHWAYS AND ROADS

HIGHWAYS - ROADS

ROAD LAW

PRIVATE ACTS OF 1943

CHAPTER 154

SECTION 1. That the County Highway Commission of Union County created by this Act is hereinafter referred to as "the Commission," and the members of the County Highway Commission of Union County are hereinafter referred to as the "Commissioners." The person holding the office of County Road Superintendent of Union County, which office is created by this Act, is hereinafter referred to as "Superintendent."

SEC. 2. That there is hereby created a County Highway Commission of Union County, and there is also hereby created the office of County Road Superintendent of Union County. The said County Highway Commission and Road Superintendent shall have general supervision and control over all county roads, bridges, and highways in Union County, except roads, bridges and highways which are constructed and maintained by the State or Federal Government, and over all road, bridge or highway funds now on hand or which may be hereafter raised or received from any source.

SEC. 3. That the Commission shall be composed of six members. Each of the Commissioners shall have been a resident of Union County for at least five years, shall be above the age of twenty-one years, shall not at the time of his election nor during his term of office be a member of the Quarterly County Court of Union County and no two of the Commissioners shall be residents of the same Civil District of said County.

The Superintendent shall have been a resident of the County for at least five years, shall be above the age of twenty-five years, shall have some knowledge of the construction and maintenance of roads and bridges and of the maintenance of road machinery and shall not at the time of his election nor during his term of office be a member of the Quarterly County Court of Union County.

SEC. 4. That there shall be created in Union County six road districts as follows:

The First Civil District of said County as it now exists shall constitute the First Road District.

The Second Civil District of said County as it now exists shall constitute the Second Road District.

The Third Civil District of said County as it now exists shall constitute the Third Road District.

The Fourth Civil District of said County as it now exists shall constitute the Fourth Road District.

The Sixth Civil District of said County as it now exists shall constitute the Sixth Road District.

The Seventh Civil District of said County as it now exists shall constitute the Seventh Road District.

SEC. 5. That the following are hereby named as the members of the Commission:

First Road District-----O. T. Needham
Second Road District-----L. F. Booker
Third Road District-----Arthur Cook
Fourth Road District-----Bernie George
Sixth Road District-----Horace McCarty
Seventh Road District-----B. F. Rouse

The above named Commissioners shall constitute the County Highway Commission of Union County until the next regular election for county officers, when the Commission shall be elected by the qualified voters of their respective road districts to hold office for four years and until their successors are elected or qualified.

In the event that a vacancy shall occur on the Commission by reason of the death, resignation or prolonged absence of a Commissioner, it shall be the duty of the remaining Commissioners to fill the vacancy by appointing a person from the District concerned, and the person so appointed shall fill out the unexpired term of the former Commissioner or until his successor is elected and qualified.

As amended by: Private Acts of 1990, Chapter 143.

SEC. 6. That the Commission shall have full and complete control over all highway funds belonging to the County, whether raised by local taxation or received from the State, subject to the provisions of existing laws with reference to county aid funds received from the State.

The Commission shall have complete charge of all purchases for use in connection with the operation and maintenance of the county highway system.

All purchases in excess of \$500.00, whether consisting of one item or more than one, shall be let to the lowest and best bidder. All bids filed shall be preserved by the Commission for a period of two years from the date of letting of such contracts, and during this period shall be open to inspection at reasonable hours by any qualified taxpayer of the County.

As amended by: Private Acts of 1967-68, Chapter 162.

SEC. 7. That the Commission is hereby authorized to open, close or relocate such roads as, in its judgment, may be necessary to provide an adequate and complete system of county highways, and for the purpose of opening or relocating the roads, the power of eminent domain is expressly conferred upon the Commission.

SEC. 8. That the duties and powers of the Commission shall be:

1. To exercise general supervision, control and management, through the Superintendent, over all public roads, bridges and highways of the County, over all quarries, gravel pits or banks, etc; over the construction of such roads, bridges and highways and over the repair, upkeep and maintenance of the same.

2. To lay out and classify all public roads of the County, and to divide them into sections or divisions as may be necessary or convenient for the proper construction, repair and maintenance of same.

3. To open, restore, close or widen any public roads in the County, and to procure rights-of-way for such purpose either by purchase, gift or the exercise of eminent domain.

4. To reemploy the services of an attorney whenever deemed advisable, subject to the approval of the County Judge or Chairman.

5. To have the right and power to expend all funds and revenues for road and bridge purposes now on hand or which may be hereafter raised or received from any source, for the proper construction, repair and maintenance of county roads, bridges and highways.

6. To determine and designate the roads, bridges or highways on which any road funds on hand or any road funds which may be raised or received from any source, shall be expended by the Superintendent.

7. To purchase all tractors, cars, trucks, graders, supplies and any other road equipment, machinery, tools and implements and to provide for the upkeep, repairs and maintenance of same.

8. To determine and fix the daily or hourly wage to be paid all laborers, clerks, bookkeepers, foremen or overseers who may be employed by the Superintendent under the provisions of this Act, provided, however, said wages shall not be fixed in an amount less than one dollar twenty-five cents (\$1.25) per hour.

As amended by: Private Acts of 1965, Chapter 57.

SEC. 9. That each member of the Commission shall, before entering upon the discharge of his duties under this Act, take, subscribe to and file with the Clerk of the County Court an oath that he will perform the duties of the office faithfully, impartially and without prejudice against or favor to any individual or section of the County.

SEC. 10. The compensation of each of the commissioners of the county highway or road commission shall be two hundred dollars (\$200.00) per month for commissioners selected and qualified subsequent to July 1, 2004.

As amended by: Private Acts of 1976, Chapter 221,
Private Acts of 1992, Chapter 172,
Private Acts of 2004, Chapter 77.

SEC. 11. That there is hereby created the office of County Road Superintendent of Union County who shall be elected in the regular August election, 1944, and every four years thereafter.

The Superintendent shall serve for a term of four (4) years and until his successor shall have been elected and qualified, and in the event of the death, resignation, refusal to serve or removal of the Superintendent, the members of the Commission shall appoint a person to fill out his unexpired term.

Dennis L. Bailey is hereby named as County Road Superintendent to serve until the regular election in 1944 and until his successor is elected and qualified. Dennis L. Bailey shall qualify as Superintendent by taking, subscribing to and filing with the County Court Clerk the oath hereinafter provided for such County Road Superintendent, and by executing bond as such, as further hereinafter provided.

As amended by: Private Acts of 1949, Chapter 828,
Private Acts of 1951, Chapter 720,
Private Acts of 1967-68, Chapter 352.

SEC. 12. That the person elected or appointed Superintendent shall, before entering upon the discharge of his duties or exercising any of the authority provided by this Act, take, subscribe to and file with the County Court Clerk an oath that he will perform the duties of the office faithfully, impartially and without prejudice against or favor to any individual or section of the County.

He shall also execute to the State of Tennessee a bond, with solvent sureties thereon, in the penalty of not less than Three Thousand (\$3,000.00) Dollars, that he will faithfully and impartially perform all of the duties required of him by this Act without fear, favor or partiality, and will honestly and faithfully expend and account for all moneys coming into his hands or under his disposition as Superintendent; his bond shall be approved by the County Judge or Chairman, filed and recorded as provided by law.

The Superintendent shall devote all of his time to his position, and shall be paid the sum of Eight Thousand Five Hundred Dollars (\$8,500.00) per annum, in equal monthly installments, out of highway funds belonging to the county. In addition to his salary the Superintendent shall be furnished a pick-up truck, gas for its operation and necessary repairs thereon.

That the County Finance Committee is hereby directed and authorized to audit the books and records in the office of the Road Superintendent and shall report their findings to the County Court at each regular Quarterly Session of said Court.

As amended by: Private Acts of 1945, Chapter 135,
Private Acts of 1949, Chapter 226,
Private Acts of 1965, Chapter 57,
Private Acts of 1967-68, Chapter 162,
Private Acts of 1969, Chapter 118.

SEC. 13. That the duties and powers of the Superintendent shall be:

1. To exercise charge and supervision of all county roads, bridges and highways, subject to the general charge and supervision of same by the Commission.

2. To make regular inspection of all county roads, bridges and highways, and to make reports to the Commission at its regular meetings showing the condition of all such roads, bridges and highways.

3. To demand and receive from the present road authorities all tractors, graders, plows, picks, shovels, and all other tools and equipment now being the property of the County, giving proper receipts therefor. To have charge and supervision of such machinery, tools, implements and equipment purchased for use on county roads, bridges, highways, quarries, gravel pits and banks, and to store such tools, machinery, implements and equipment so as to protect them from deterioration or decay and to have them in proper shape for use when needed.

4. To have the management, control and supervision of all laborers, and he may require any of such laborers to work on any road, bridge or highway in the County as he may deem best and advisable.

5. To have the right and authority to appoint or employ any laborers, foremen and overseers necessary to carry out the purposes of this Act as he may deem advisable. These employees shall at all times be subject to his orders and be under his control, and he may discharge any of them for reasonable cause.

6. To perform all other duties required of him under the provisions of this Act.

7. The Road Superintendent is authorized to sell, on behalf of the County Highway Commission, stone, gravel, or other road building material to any incorporated municipality in Union County. Payment for such material shall be made to the Union County Highway Commission.

As amended by: Private Acts of 1967-68, Chapter 162.

SEC. 14. That the provisions of this Act are hereby declared to be severable, and the invalidity of any portion hereof shall not be held to invalidate the remaining portions, as such remaining portions would have been passed and enacted by the General Assembly if the invalid portions had not been incorporated in this Act.

SEC. 15. That all laws or parts of laws in conflict herewith be, and they hereby are, repealed, and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 1, 1943.

HIGHWAYS - ROADS

General law on highways and roads can be found in title 54 of Tennessee Code Annotated. In 1974, the general assembly enacted the "County Uniform Highway Law," which has had a substantial effect on road law in Tennessee's counties. Found in title 54, chapter 7 of Tennessee Code Annotated, the County Uniform Highway Law applies to most counties in the state. The counties with a population in excess of 200,000 (Shelby, Davidson, Knox and Hamilton) are excluded from this law.

The County Uniform Highway Law deals extensively with the position of "Chief Administrative Officer" of the county road department. The chief administrative officer is defined in T.C.A. § 54-7-103 as a county road superintendent, county road supervisor, county engineer, director of public works, or any similar elected or appointed official. The qualifications of the chief administrative officer are set out in T.C.A. § 54-7-104. The qualifications of candidates for elected and appointed offices are reviewed by the Tennessee highway officials certification board. Qualified candidates for popular election are certified by this board to the state coordinator of elections who forwards this certification to the county election commission. T.C.A. § 54-7-104(a).

The term of office is set at four years by T.C.A. § 54-7-105, and the minimum salary of the chief administrative officer is set by T.C.A. § 8-24-102. T.C.A. § 54-7-106. The bond of the chief administrative officer is now set at \$100,000 by T.C.A. § 54-7-108.

Most of the duties of the chief administrative officer are specified in T.C.A. § 54-7-109. This section names the chief administrative officer as the head of the county highway department and gives this officer general control over the road system and the personnel employed by the county road department. However, in those counties with popularly elected highway commissions (provided by private act), the general policy decisions over the highway system remain with the elected highway commission. The chief administrative officer annually submits a county road list which includes a summary of all changes approved the previous year by the county legislative body and the reason for the change, and makes recommendations to the county legislative body respecting proposed changes to the county road list and the classification of roads. T.C.A. § 54-10-103.

The County Uniform Highway Law also gives the chief administrative officer authority to employ legal counsel (T.C.A. § 54-7-110), requires the preparation of an annual plan for road improvement (T.C.A. 54-7-111), and provides for the supervision and control of all equipment and materials owned by the county highway department (T.C.A. § 54-7-112).

The use of county equipment or materials for private purposes is prohibited by T.C.A. § 54-7-202. Any personal financial interest in the purchase of any supplies, machinery, materials or equipment by any chief administrative officer, county highway commissioner, member of the county governing body, or any employee of the county highway department is expressly forbidden by T.C.A. § 54-7-203.

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

1. Private Acts of 1868-69, Chapter 8, regulated ferriages by permitting anyone to build or erect a ferry on Powell or Clinch Rivers at any place in Union County where these rivers ran, provided that boats were built according to the act's specifications and maintained in good order. The banks of the river were also required to be kept in good condition. No toll rates could be charged until an affidavit of compliance with this law was filed with the county court clerk. The county court set the rates to be charged, and anyone removing a boat could be sued for damages. Mail carriers and jurors for the courts were given special attention and every effort would be expended in their behalf despite weather or other conditions.
2. Public Acts of 1887, Chapter 55, allowed the county court of Union County to issue \$15,000 in 6%, 10 year bonds, to build a macadamized road in or through the said county. The details of the issue were fixed, the tax levy required, and the trustee given the onus of handling the money. This act was repealed by Private Acts of 1917, Chapter 166.
3. Public Acts of 1899, Chapter 315, permitted the quarterly court of Union County to issue up to \$50,000 in 6%, 50 year bonds, to build macadamized roads in the county as the county court may direct, the details were fixed, the tax levy required, and the county judge, or chairman, was given the responsibility to keep accurate and permanent records of all transactions connected with the issue and the projects.
4. Public Acts of 1901, Chapter 136, was a road law applying to all counties under 70,000 population. This act provided for road commissioners, road taxes, and forced labor by citizens under certain conditions, defined who was subject to road duty, classified roads, set up specifications for them, and permitted the commissioners to accept bids and award contracts on work not to be done by county forces. This act was amended by Acts of 1905, Chapter 478, in several minor details but mainly on the methods to be used to initiate action to open, close, and change roads in the county.
5. Private Acts of 1913, Chapter 263, regulated the laying out, constructing, repairing and working of all public roads in Union County; provided for building and repairing bridges, and regulating and controlling public ferries and tolls; and provided penalties and punishment for the violation of this act. This act was amended by Private Acts of 1915, Chapter 368, which made it the duty of the district road commissioner to appoint overseers for the road sections instead of the county court. The county court would fix the time for working on the roads but in the event they did not, the overseer could do so. Road hands would be given credit for work whether done in their district or not and taxes would not apply to fractions of the \$100.00 property valuation. Private Acts of 1913, Chapter 263 was repealed by Private Acts of 1919, Chapter 632.
6. Private Acts of 1915, Chapter 664, provided for the locating, grading, building and macadamizing of roads and bridges in Union County, by authorizing the county court to issue interest bearing coupon bonds and provided for a board of commissioners to carry out the work of constructing the roads. This act also provided for the levy of a tax and the creation of a sinking fund to pay said bonds and interest thereon.
7. Private Acts of 1917, Chapter 166, allowed the county court to issue up to \$50,000 in 6%, 10 year bonds to construct and repair pike roads and bridges in Union County. The schedule of roads to be affected and the amount of money allocated to each were prescribed in the

act. The Union County Road Commission "was to determine the rights of way, survey the routes and condemn all land which had to be taken." All the incidental details of issuance and operation of the program are in the act. Elbert Q. Hill, Elizah Shapp, Bishop L. Johnson, were named for all the roads except the Dixie Highway, and George N. Taylor, Thad C. Smith, and G. S. Steiner were named as its commissioners.

8. Private Acts of 1919, Chapter 648, authorized Union County to issue bonds in the amount of \$10,000 annually for the next ten years to construct and repair pike roads and bridges. Three roads were to be improved and the money to be spent on each were written into the act. The details fixed in the law recited 6% as top interest and 10 years as the maximum maturity period. The road commission, once formed, would be subject to the direction and general supervision of the court.
9. Private Acts of 1921, Chapter 351, authorized Union County to issue \$125,000 of interest-bearing coupon bonds for the purpose of grading, repairing, building and constructing pike roads and bridges in the county. The bonds had an interest rate of 6% and matured in 30 years. T.B. Walters, Tillie Johnson, and C.E. Claiborne; A. R. Sharp, E. Q. Hill, and David Walker; Joe McDonald, William E. Broker, and J. F. Mitchell were the groups of road commissioners named, and Sherman Hill, J. P. Rutherford, and Mean Nelson would look after the bridges. This act was repealed by Private Acts of 1943, Chapter 155.
10. Private Acts of 1921, Chapter 768, provided for and regulated the laying out, constructing, and maintaining of the public and graded roads and bridges in Union County. This act also provided for the appointment or election of road commissioners and defined their duties and powers. This act was amended by Private Acts of 1925, Chapter 558 amended Chapter 768, above, by inserting a new Section 17 giving the road commissioners the right to exercise eminent domain and further permitting them to proceed with their work when a petition was filed. In condemnation cases the county judge would issue a warrant for the amount of damages so fixed and reported by the road commission which sum would be paid out of available road funds. This act was further amended by Private Acts of 1931, Chapter 737, which reduced the number of days the males had to work on the roads from six to four, the hours of the work day from 10 to 8, and the commutation rates from \$1.50 to .75¢ per day. Section 10 of this act which regulated the use of horses and wagons for the same purposes was stricken out entirely. Private Acts of 1921, Chapter 768, was repealed by Private Acts of 1943, Chapter 155.
11. Private Acts of 1927, Chapter 579, made it unlawful to operate any vehicle on the public highways and streets of any county seat in Union County at more than 12 miles per hour, and also extended the area of enforcement out into the county in the area between Hinds Ridge on the north and Cobb Ridge on the south, and a distance of one-half mile east and west of the court house. Signs proclaiming this fact were erected in the affected areas and violators were subjected to a range of fines from \$5.00 to \$25.00.
12. Private Acts of 1927, Chapter 584, created the office of general superintendent of roads; defined his powers, duties and qualifications and fixed his salary at \$3.00 per day. Private Acts of 1933, Chapter 112, repealed this act, as did Private Acts of 1943, Chapter 155.

13. Private Acts of 1943, Chapter 155, repealed all the road laws enacted prior to the 1943 Act which makes up the current road law. These acts were listed as Private Acts of 1921, Chapter 768; Private Acts of 1921, Chapter 351; Private Acts of 1925, Chapter 558; Private Acts of 1927, Chapter 584; and Private Acts of 1931, Chapter 737.
14. Private Acts of 1951, Chapter 634, set the salary of the Union County Superintendent of Roads at \$2,400 per annum.
15. Private Acts of 1957, Chapter 336 established minimum hourly wages for employees of the Union County Road Department at \$1.00 per hour, for skilled employees at \$1.15 per hour, and for foremen at \$1.25 per hour. The superintendent of roads would draw no less than \$225 per month and the yearly salary of the road commissioners would be \$100. This act was amended by Private Acts of 1976, Chapter 221, which deleted Section 3 in its entirety. The deleted section fixed the compensation of the road commissioners at \$100 per annum.

CHAPTER X - LAW ENFORCEMENT

LAW ENFORCEMENT

JAILS AND PRISONERS

The general law on jails and prisoners can be found in Tennessee Code Annotated title 41. Of particular interest to county officials are chapter 2 (County Workhouse), chapter 4 (Jails and Jailers), and chapter 8 (County Correctional Incentives Act). For the state law on jailers fees, see T.C.A. §§ 8-26-105 and 41-8-106. 1999 Public Chapter 190 authorizes two or more counties to enter into an interlocal agreement providing for a jail and/or workhouse to serve the contracting counties. Each county that is a party to an interlocal agreement for a jointly operated jail would no longer be required to maintain a separate jail.

LAW ENFORCEMENT

MILITIA

For many years during the early portion of Tennessee's history, the county units of the state militia were a vital part of the peace keeping and law enforcement arm of the state, being subject to call when certain conditions existed.

LAW ENFORCEMENT

OFFENSES

FIREWORKS

PRIVATE ACTS OF 1999

CHAPTER 15

SECTION 1. It shall be unlawful to sell fireworks in Union County unless:

- (1) Such fireworks are sold from a permanent structure that is not less than twenty feet (20') by twenty feet (20');
- (2) Such permanent structure has permanent utility services; and
- (3) The vendor intends to conduct business in such permanent structure on a continuing basis throughout the year.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Legislative Body of Union County. Its approval or nonapproval shall be proclaimed by the presiding officer of 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: March 17, 1999.

LAW ENFORCEMENT

OFFENSES

Some counties in Tennessee have made various activities illegal within their boundaries by the enactment of private legislation. Some of these were billiard playing, operating dance halls, shooting fireworks, and things of a similar nature.

LAW ENFORCEMENT

SHERIFF

The office of sheriff is one of the county offices established by article VII, section 1 of the Constitution of Tennessee, and it is regulated by the general statutes found in title 8, chapter 8 of Tennessee Code Annotated. The qualifications for the office of sheriff are more stringent than for most county offices. These qualifications are detailed in T.C.A. § 8-8-102. Many of the duties of the sheriff are specified in T.C.A. § 8-8-201. The sheriff's salary is determined in accordance with T.C.A. § 8-24-102. The statutes authorizing the sheriff to petition the court with criminal jurisdiction for the employment of deputies and assistants and the setting of salaries for deputies and assistants are found in T.C.A. § 8-20-101 et seq. Also, the sheriff may appoint such personnel as may be provided for in the budget adopted for the sheriff's department. T.C.A. § 8-20-120. For additional statutes relating to the sheriff, refer to the combined general index of Tennessee Code Annotated, volumes 14, 15, and 16, under specific topics relating to law enforcement, county jails and workhouses.

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

1. Private Acts of 1925, Chapter 7, provides that the sheriff of Union County be paid \$300 a year in addition to all the fees of his office, to be paid out of the county treasury on the warrant of the county judge or chairman.
2. Private Acts of 1939, Chapter 253, set up a salary for the sheriff of Union County of \$50 per month which was to be in addition to all the fees of his office and be payable monthly out of the general funds of the county. This act was amended by Private Acts of 1945, Chapter 499, which increased the monthly salary of the sheriff from \$50 to \$100.

CHAPTER XI - TAXATION

TAXATION

ASSESSOR OF PROPERTY

PRIVATE ACTS OF 1931

CHAPTER 738

SECTION 1. That this Act shall apply to any county in the State having a population of not less than 11,360 nor more than 11,375, according to the Federal Census of 1930, or any subsequent Federal Census.

SEC. 2. That in any county to which this Act applies, a tax assessor, shall be elected at the regular biennial August election, 1930, to serve for a period of four (4) years from and after September 1, 1932, and until his successor has been elected and qualified; and biennially after said first election, the qualified voters of such county shall elect a successor to serve for a like term of four (4) years.

At the January term of the Quarterly County Court of such county prior to each election in August following, the Quarterly County Court by resolution shall fix the salary of the tax assessor for the four-year term beginning September 1, following at such sum as it may determine which shall be not less than Nine Hundred (\$900.00) Dollars per annum nor more than Twelve Hundred (\$1200.00) Dollars per annum, payable by the county at the time or times and in the manner now provided by law for the payment of other county officers, it being the purpose of this Act to have the salary of each tax assessor fixed at the January term of the Quarterly County Court prior to his election in August following, with no authority in said court to change said salary during the four-year term.

As amended by: Private Acts of 1945, Chapter 344.

SEC. 3. That in addition to other duties now prescribed by law for tax assessors generally, any tax assessor serving under this Act shall keep his office open in the county seat for the transaction of business and any deed presented for registration shall be presented to the tax assessor prior to registration so that the conveyance of the property covered by said deed may be noted and transferred on the tax assessor's books to the end that the property of the county shall be kept and assessed to the proper party and without a notation on said deed showing that the same has been presented to the tax assessor for transfer of the assessment on his books, such deed shall not be subject to registration.

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

Passed: July 2, 1931.

TAXATION

ASSESSOR OF PROPERTY

The assessor of property is a constitutional officer provided for in article VII, section 1 of the Constitution of Tennessee to be elected by the qualified voters for a term of four years. For general law on the office of county assessor of property, see Tennessee Code Annotated title 67, chapter 1, part 5.

The salary of the assessor is set by the county legislative body in accordance with T.C.A. § 67-1-508 at an amount not less than the salary provided for the assessor by T.C.A. § 8-24-102. Also, T.C.A. § 67-1-508 provides that any assessor of property who has been trained and designated as a "Certified Assessment Evaluator" will be paid additional compensation by the state. Further, any assessor of property who has earned the title of "Tennessee Certified Assessor" or "Residential Evaluation Specialist" will be paid additional compensation by the state. The assessor is authorized by T.C.A. § 67-1-506 to appoint a deputy assessor for each 4,500 parcels of property over and above the first 4,500 parcels.

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

1. Private Acts of 1925, Chapter 84 provided the tax assessor of Union County a \$300 per year compensation in addition to all the fees of his office, same to be paid quarterly out of the county treasury.
2. Private Acts of 1945, Chapter 344 amended Private Acts of 1931, Chapter 738, published herein by changing in Section 2, the second paragraph the figures \$500 to \$900 and the figures \$700 to \$1,200, as shown.
3. Private Acts of 1953, Chapter 417 provided that the tax assessor of Union County would be compensated at the rate of \$1,200 per year payable in equal monthly installments.
4. Private Acts of 1959, Chapter 321, would have amended Private Acts of 1953, Chapter 417, above, by increasing the pay of the tax assessor from \$1,200 to \$1,800 per year effective at the beginning of the next term of office but this act was not approved by Union County and never became effective.

TAXATION

Most of the general law on taxation can be found in title 67 of Tennessee Code Annotated. The chief revenue source for county government is the ad valorem tax on real and personal property. The statutes dealing with the county property tax, including assessment, levy, collection, and enforcement, are found in title 67, chapter 5. Assessments are reviewed by the county board of equalization, which is covered by title 67, chapter 5, part 14. Another large source of county revenue is the local option sales tax. The authority for the local option sales tax is codified at T.C.A. title 67, chapter 6, part 7. While the property tax may be levied by the county legislative body alone, the local sales tax must be approved by the qualified voters in a referendum. Other general law granting taxing authority for counties may be found in other sections of the code. These may be found through use of the combined general index to the Tennessee Code Annotated. In some areas private acts may be used for authority to levy a tax at the county level. The revenue sources available to county governments, and the authority for such taxes and fees either in general law or private acts, are summarized in the CTAS publication County Revenue Manual.

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

1. Acts of 1853-54, Chapter 89, provided that the state and county taxes to be collected off of the new county of Union for the year 1854 shall be collected by the sheriff or tax collector, and the county taxes collected shall be applied to the use of Union County while the state taxes collected shall be paid into the state treasury.
2. Public Acts of 1870-71, Chapter 50, provided that all counties and cities may tax for county and corporate purposes under the following conditions: (1) all taxable property be taxed according to its value, (2) the credit of the county shall not be loaned to any person, firm, or corporation for any reason unless first approved by a majority of the justices of the county court and then by three-fourths of the people voting in a referendum for that purpose. Union County was among several counties exempting themselves from this legislation.
3. Private Acts of 1931, Chapter 612, authorized Union County to levy and collect a tax on all the personal and real property in said county and the ad valorem when an appropriate order is made by the quarterly county court authorizing the said tax levy which shall not exceed 30¢ per \$100.00 property valuation.

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