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Creation of the County

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

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

Sincerely,

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Creation of the County

Acts of 1835-36 Chapter 34

SECTION 1. That a new county be, and the same is hereby established, between the county of McMinn and the Tennessee river, to be known by the name of Meigs county, in honor of Colonel Return Johnathan Meigs, deceased, a patriot and soldier of the revolution of 1776; to be composed of that part of Rhea county lying south of Tennessee river, and bounded as follows: beginning at a point below William Blythe's on the Tennessee river, where the line divides the counties of Rhea and Hamilton; thence running a south east course, with said line, dividing the counties of Rhea and Hamilton to Wilson Novius, where the Rhea county line intersects the McMinn county line; thence a north east course with said McMinn line, to a large ridge above the mouth of Price's creek; thence with said dividing line between the counties of Rhea and McMinn, to the eight mile tree or stake, near Bottom's mills, on Sugar Creek; thence a north west course with the line dividing the counties of Rhea and Roane, at or near the mouth of White's creek, on the Tennessee river; thence down the main channel of said river to the beginning.

SECTION 2. That for the due administration of justice, the county court and the circuit court in said county shall be held at the house of John Stewart, until otherwise provided for, under the same regulations and restrictions, and shall exercise and possess the same power and jurisdiction as possessed by said courts in other counties in this State.

SECTION 3. That all officers, civil and military in said county of Meigs, shall continue to hold their offices, and exercise all the powers thereof, until others are elected under the provisions of the amended constitution and the laws made in pursuance thereof; and the said county of Meigs shall elect for others, civil and military, under the amended constitution, at the same time, and under the same rules and restrictions, and in the same manner that may be provided for the electing of officers in other counties in this State; and the said county of Meigs shall be placed upon an equal footing, possess equal powers and privileges, in all respects, as other counties in this State; Provided, nothing in this act contained shall be so construed as to deprive the county of Rhea from having, holding and exercising jurisdiction over the territory composing said county of Meigs, and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers, under the amended constitution; Provided, also, nothing in this act contained shall be so construed as to prevent the county of Rhea from entering up judgments, or the sheriff of said county from selling, under such judgments, any lands within the bounds of said county of Meigs, for taxes, costs and charges, for the present or any preceding year, not to prevent the sheriff of said Rhea county, from collecting from the citizens of said county of Meigs, any taxes due for the present or any preceding year.

SECTION 4. That the citizens of the county of Meigs, in all elections for governor, members of congress and for members of the general assembly shall vote as heretofore, with the county of Rhea, until the next apportionment of members of the general assembly, agreeable to the provisions of the fifth section of the tenth article of the amended constitution.

SECTION 5. That James Blevins, James Lillard, William Keer, Andrew Kineamon, John Randals and Elisha Sharp, all with the county of Meigs, be and they are hereby appointed commissioners, a majority of whom can act, who shall, on or before the first Monday in May next proceed to fix on a place, as near the center of said county as an eligible site can be procured, at least within three miles of the center of said county; at which site the said commissioners shall procure, by purchase or otherwise, at least fifty acres of land; for which they shall cause a deed or deeds to be made to themselves and successors in office, by general warranty; and the said commissioners shall report and return all their proceedings relative to and concerning said county, to the county court of said county; and it shall be the duty of the clerk of said county to record the same.

SECTION 6. That it shall be the duty of the county court of said county to appoint five commissioners, to whom the commissioners appointed by this act, shall convey the land acquired for the use of said county, on which it shall be the duty of the commissioners, appointed by the county court, to cause a town to be laid off, with as many streets and of such width as they may deem necessary, reserving at least three acres for a public square and a lot sufficient for building a court house and jail, and said town, where so laid off, shall be known as Decatur, in honor of the late Commodore Stephen Decatur of the United States navy.

SECTION 7. That the commissioner of said county, shall sell the lots in said town on a credit of at least twelve months; first giving due notice thereof, in one or more newspapers printed in this State; and shall take bond with sufficient securities, from the purchasers of said lots, payable to themselves and successors in office; and shall make title, in fee simple, as commissioners, to the respective purchasers.

SECTION 8. That the proceeds of the sales of the lots aforesaid, shall be a fund in the hands of said commissioners, for defraying the expenses incurred in the purchase of the said tract of land, on which the said county seat is located; and also, for defraying the expenses of erecting public buildings.

SECTION 9. That the said commissioners shall superintend the building the court house and jail, and other necessary public buildings; and shall let out such buildings as the county court in said county shall order to be built, upon such terms and conditions as the said court shall direct; and shall take bond, with sufficient security, from the person or persons to whom the same is let payable to themselves and successors in office, in the sum of ten thousand dollars, conditioned for the faithful performance of his or their contracts.

SECTION 10. That the said commissioners, before they enter upon the duties of their offices assigned them by this act, shall take an oath as affirmation that they will truly and faithfully execute and perform the different duties by this act enjoined upon them, according to the best of their judgment; and moreover, shall enter into bond with approved security, payable to the chairman of the county court of Meigs county, and his successors in office, in the sum of five thousand dollars conditioned for the due and faithful performance of the duties enjoined upon him by this act; which bond shall be deposited in the clerk's office in said county; and shall not be so construed as to make one of the commissioners security for another.

SECTION 11. That said commissioner shall keep a fair and regular statement of all money by them received and expended; which statement, when required, shall, from time to time, be laid before the county court; but said commissioner shall not be elected no oftener than once a year; and when all the necessary public buildings are completed, the said commissioners shall, by order of the county court pay over all surplus money to the county trustee, for county purposes; and they shall be allowed by the county court a reasonable compensation for their services.

SECTION 12. That the first six commissioners mentioned in this act, shall be entitled to receive, as compensation for their services, the sum of two dollars for each day they may be absent from home and necessarily employed in performing the duties required of them by this act, to be paid by the said county court of Meigs, out of any money in the treasury not otherwise appropriated.

SECTION 13. That should the county court of Meigs not be organized in time to appoint the commissioners to lay off the town and sell the lots that it shall and may be lawful for the county court of Rhea to take the bond and security of said commissioners, payable to the chairman of the county court of Meigs, and his successors in office; and do and perform any other act or acts required by this act, until the organization of said county court of Meigs; and it shall be as good and binding as if done by the county court of said county of Meigs.

Passed: January 20th, 1836.

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