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Chapter IV - Boundaries

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Chapter IV - Boundaries

Creation of the County

Acts of 1819 Chapter 7

SECTION 1. That the territory contained within the lines hereafter mentioned, shall constitute a county the name of McMinn County.

SECTION 2. That the said county of McMinn, shall be bounded as follows, to wit: Beginning at the point where the meridian line will cross the line of Roane County; thence a direct line to a point which shall be equidistant from Tillasseh, on the Tennessee, and Hiwassee on the Indian boundary line; continuing the same course to the southern boundary line of this state; thence west with said line to the county of Hamilton; thence with the eastern line of said county to the county of Rhea; thence with the lines of the county of Rhea to the county of Roane; thence to the beginning.

SECTION 3. That all the Territory included in the lines hereafter mentioned shall constitute a county by the name of Monroe County.

SECTION 4. That said county of Monroe shall be bounded as follows, towit: Beginning at the beginning of McMinn county; thence running eastwardly with the line of Roane county to the Tennessee river; thence up said river to the mouth of Cowee and Nanteyalee; thence with the dividing ridge between said rivers to the eastern boundary line of this state; thence south with the said line to the line dividing this state from the state of Georgia; thence west to the county of McMinn; thence with the said county to the beginning.

SECTION 5. That for the administration of Justice, the courts of Pleas and Quarter sessions and the circuit courts in said counties shall be held at the following places, to-wit: For the county of McMinn, at the house of Major John Walker, and for the county of Monroe, at the house of William Dixon, on the south bank of Little Tennessee opposite the town of Morganton, at which places the said courts shall be holden, until otherwise provided for by law, under the same rules, regulations and restrictions, and shall exercise the same power and jurisdiction that is possessed by said courts, in other counties of this State.

SECTION 6. That the Sheriff's of the counties of Monroe and McMinn, shall each hold an election at the places appointed for holding courts in said counties on the first Friday and Saturday in May next, for the purpose of electing field officers of the Militia for said counties, under the same rules, regulations and restrictions, as are prescribed by law in similar cases; and the militia of the county of Monroe shall compose the sixty-sixth regiment, and shall be attached to the seventh brigade; and the militia of the county of McMinn shall compose the sixty-seventh regiment, and be attached as aforesaid.

SECTION 7. That it shall be the duty of the commandants of said sixty-sixth, and sixtyseventh regiments, having first been commissioned and sworn according to law, to divide their regiments into such number of companies, as they shall think best, for the convenience of said companies, and it shall be the duty of each of said commandants, to issue writs of election for company officers according to law.

SECTION 8. That said county of Monroe shall be attached to the election district of the county of Blount, and to be governed by the same rules and regulations as other elections are held in Blount county, and the Sheriff of Monroe County shall make return of the votes of his county for electors to elect a president and vice president, Governor, members to congress and members to the state Legislature, to the sheriff of Blount county, under the same rules and regulations as for other counties; and that said county of McMinn shall be attached to the election district of the county of Rhea under the same rules and regulations as govern the counties of Monroe and Blount.

SECTION 9. That it shall be lawful for any Justice of the Peace for Blount county, to attend at the first court for said county of Monroe, and any Justice of the Peace for Rhea county may attend the first court in the county of McMinn for the purpose of administering the necessary oaths to the Justices of said courts.

Passed: November 18, 1819.

County Seat

Acts of 1821 Chapter 204

SECTION 1. That it shall be the duty of the justices of the peace in each captain's company, to open and hold an election at the place of holding company musters in the county of McMinn on the first Saturday in May next, for the purpose of electing a fit and proper person from each of said captains companies as a

commissioner to fix upon a suitable site for said seat of justice in said county of McMinn, to superintend the laying out of the same into convenient streets and alleys and the erection of the public buildings, for said county.

SECTION 2. That all free white male citizens of said county above the age of twentyone years, shall be entitled to vote for said commissioner; PROVIDED, that they shall vote within the captain's company where such persons may reside, and the person getting the highest number of votes in each company aforesaid shall be a commissioner for the purpose aforesaid.

SECTION 3. That said commissioners thus appointed shall appear at the next court of pleas and quarter sessions for said county, and there in open court each of them shall give bond with approved securities to the chairman of said county court and his successors in office, in the penalty of a thousand dollars, conditioned for the due and faithful discharge of the duties devolving upon each of them as commissioner as aforesaid, which said bond shall be filed in the clerk's office of said court.

SECTION 4. That the aforesaid commissioners or a majority of them are hereby authorized and required as soon as may be after said court, to hold a meeting and settle upon a place for the permanent seat of justice for said county of McMinn, which said site shall be fixed at a place in said county to be most permanently advantageous to said county, without regard to any other considerations and after a majority of them shall have agreed upon the places of fixing the seat of justice, shall make such agreement with the owner of the land, whereon they may wish to fix said seat of justice as to them shall seem right and just, and for the lowest price the same can be procured, for any quantity not less than forty, nor more than sixty acres, and shall take a title from the owner of said land to themselves and their successors in office as commissioners of said county town, and in the event the said commissioners shall deem it right to establish the town of Calhoun as the permanent seat of justice for said county, they shall before they establish the same receive a title to themselves and their successors in fee simple, for at least fifty acres of land, adjoining said town in an oblong square, commencing on the river Hiwassee, on the south eastern boundary of said town, and running northwardly along the length of said town, from the owner of the land surrounding said town, without giving any compensation therefor; and in the event said commissioners shall fix upon the town of Columbus as the seat of justice for said county, then and in that case said commissioners shall receive a title from the owner of the land lying immediately below said town in fee simple for the quantity of fifty acres of land commencing on the Hiwassee river, and on the western boundary of said town to run in an oblong square the whole length of said town, and in either case the said commissioner shall lay off the same into convenient lots, streets and alleys, and that the public buildings shall be built upon or near to the boundary line between the old and new town as near the center of the old and new town as a convenient site may be procured, which said lots shall be sold for the use of said town, as hereinafter provided for; but should said commissioners pitch upon another place in said county, they shall lay off the tract of land procured by the commissioners into a public square, lots, streets, and alleys of convenient size, which said town shall be known by the name of

SECTION 5. That said commissioner shall sell the lots in the town laid out in said county in either the ways by this act directed to the highest bidder, upon a credit of twelve months, the sales whereof shall be advertised in the Knoxville Register at least thirty days before said sales.

SECTION 6. That it shall be the duty of said commissioners to contract with suitable workmen to build a courthouse, prison and stocks; the court house and stocks to be placed on the public square, but said commissioners may build said prison upon some other lot in said town as to them shall seem right.

SECTION 7. That said commissioners shall appropriate the money arising from the sale of the town lots aforesaid to the payment of the lands, if they shall be compelled to purchase a site, and the public buildings. If there should be a surplus in their hands after said buildings are finished, after the manner prescribed by said commissioner, (It) shall be deposited in the treasury of said county, and to remain there for the use of said town, subject to the disposition of the county court of said county.

SECTION 8. That the seat of justice shall remain in the town of Calhoun until the public buildings for said county shall be finished and reported by said commissioners to the court of said county, that the same are finished in the manner contemplated by the original plan for the establishment of said buildings.

SECTION 9. That when said commissioners have finished said buildings, and reported the same as by this act required, the court may make any allowance to said commissioners not exceeding one dollar and fifty cents per day.

SECTION 10. That it shall be the duty of the courts of pleas and quarter sessions for the counties of McMinn and Monroe at their first sessions after the first day of January next, to appoint a fit and suitable person on part of each county to run and mark the line dividing said counties, beginning where the same commences on Roane county line, running thence to the Indian boundary to a point in said line that shall

be six miles north east of the residence of Caleb Starr, and that the said line shall be run and marked by said persons on or before the June term of McMinn county court, and a fair plat thereof returned to the courts of said county, and when that shall have been done the expense of the same shall be paid at the mutual expense of said counties, not exceeding five dollars a day for each day both said persons may be engaged in running the same.

Passed: November 16, 1821.

Change of Boundary Lines

Acts of 1822 Chapter 194

Whereas the commissioners appointed in pursuance of an act of the General Assembly of this State, passed at the last session, have agreed and pitched upon a site for a seat of Justice in McMinn county, as near the center thereof as an eligible site can be procured, and whereas the land upon which said seat of justice is placed is vacant and unappropriated, and quite poor and barren, being valuable only for the waters and timber; therefore; That the register of East Tennessee shall issue a grant for the one half of the following tract of land, viz: for the south-east quarter of section No. 28, and the north-west quarter section of section No. 34, in the fourth township in range first west of the meridian to the commissioners for the establishment of said seat of justice in said county and their successors in office, in trust for the use and benefit of said town forever, upon said commissioners producing to the said register and certificate of the said surveyor general that the said land is vacant and unappropriated, and that the same is poor, and valuable only for the water and timber upon the same; which said grant shall be perfected as other grants are perfected, and that the said town shall be called and known by the name of Athens; which said site is hereby established and made the permanent seat of justice for said county forever.

Passed: August 23, 1822.

Acts of 1833 Chapter 214

That the line dividing the counties of Rhea and McMinn, shall continue from the south bank of Hiwassee river, crossing said river opposite to the foot of the first large ridge, above the mouth of Price's Creek, thence along the extreme height or top of said ridge, as it meanders until it strikes the south line on the top of said ridge, which runs from the eight mile tree or stake from the mouth of White's creek, as established by the act of 1819, fixing the lines between the counties of Rhea and Roane, leaving John Igon's plantation, William Moore's plantation, Matlock's Mills, and the whole of the back valley so called and its meanders on the north side in Rhea county: PROVIDED, HOWEVER, nothing contained shall prevent the county court of Rhea from levying a county tax on the persons and property of such citizens as reside within the territory hereby annexed to the county of McMinn, for the year 1834, or the collecting the State and county tax in said territory for the year 1834, in such manner as he might or could have done if this act had not passed: AND PROVIDED, FURTHER, the citizens residing in the territory aforesaid, shall not be subject to the payment of tax of any kind, in the county of McMinn for the said year of 1834, nor shall the county court of McMinn be authorized to levy any jail or court house tax, upon real property, actually settled at the passage of this act, lying within the territory aforesaid, for and during the term of ten years; AND PROVIDED ALSO, the dividing line as designated in this act, shall be run and marked by John Locke of Rhea county, at the proper expense of McMinn county, should the county court of McMinn require the same to be done by an order of court, and a copy thereof duly served upon the said John Locke.

Passed: November 28, 1833.

Public Acts of 1833 Chapter 16

The county of McMinn, in addition to its present limits, shall commence at the point on the south bank of [the] Hiwassee river, where the Rhea county line terminates, thence along said line, until it strikes the Hamilton county line at Wilson Evan's.

Passed: November 8, 1833.

COMPILER'S NOTE: Additional provisions to the above Act are not applicable and have therefore been omitted.

Acts of 1837-38 Chapter 304

SECTION 1. That the line between said counties is hereby altered, to commence where the line between

the Hiwassee and Ocoee districts strikes the Monroe county line, thence with the line of said district, to the corner of township one, and two of the Ocoee District, in the third range east, between sections five in township two, and section 32, in the township one; thence with the township line to the North Carolina line, and all south and east of the above described line, be and the same is hereby declared to be in the county of Monroe.

Passed: January 18, 1838.

Acts of 1849-50 Chapter 98

SECTION 1. That the dividing line between the counties of Monroe and McMinn be altered or changed so as to commence on Star's mountain on the dividing line between the Hiwassee and Ocoee district, at or near the corner of fractional townships numbers one and two; thence east of north to the Monroe County line in such direction so as not to include more than seventeen qualified voters in the bound taken from McMinn County.

SECTION 2. That the county courts of McMinn and Monroe are hereby authorized to employ the county surveyors of said counties, or any other person that is competent, to run and mark said line; Provided, The same may be deemed necessary, and the county courts of said counties shall make such surveyor running said line, a fair compensation for his services, to be paid out of any money in the county treasury not otherwise appropriated.

SECTION 3. That nothing in this act shall be so construed as to prevent either of the counties of McMinn or Monroe from running and marking said line, and making a fair compensation for the same, as provided in the second section of this act.

SECTION 4. That an act to alter the dividing line between the counties of Sevier and Blount, passed the 18th day of December, 1839, be and the same is hereby repealed.

Passed: February 4, 1850.

Acts of 1873 Chapter 69

SECTION 1. That the line between the Counties of Polk and McMinn, be so changed as to include in the County of McMinn the lands of M.L. Phillips, known as the "Phillips Ferry Farm," said changed line to begin at the Phillips Ferry, on the north bank of the Hiwassee river; thence up the river with the lines of said Phillips' lands, in Polk County, to the main stock road, which is the present line between said two Counties, so as to include all of said farm in the County of McMinn; Provided, that nothing in this Act shall be so construed as to reduce Polk County below its constitutional limits, nor bring the line, thus designated, nearer the Court House of Polk County than eleven miles.

SECTION 2. That all of that part of Dickson County east of Harpeth River, be attached to Cheatham County.

SECTION 3. That the line between the Counties of Hawkins and Hamblen be so changed as to include the lands of Daniel Reed in the County of Hamblen.

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

Passed: March 21, 1873.

Acts of 1881 Chapter 61

SECTION 1. That the line between the counties of Loudon and McMinn be so changed as to detach from McMinn and attach to Loudon the following boundaries, to-wit: One tract of land containing one hundred and sixty acres, and one containing three hundred and twenty acres, all adjoining the county of Loudon, and belonging to Wm. L. Richeson, lying and being in the first district of McMinn county.

SECTION 2. That the county line so run as to include the aforementioned tracts of land belonging to the said Richeson in Loudon county.

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

Passed: April 4, 1881.

Acts of 1901 Chapter 347

SECTION 1. That the line between the Counties of McMinn and Loudon, in the State of Tennessee, be so changed as to detach the land of W.P. Frank, consisting of 160 acres, in section 24, Township 2, Range 1, west of the Basic line, Hiwassee District, from the County of McMinn and attach the same to the County of

Loudon.

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

Passed: April 19, 1901.

Acts of 1903 Chapter 166

SECTION 1. That the line between the counties of Monroe and McMinn be and the same is so changed as to follow the boundary lines of the farms owned by William Thomas and G. M. Bilderback in the First Civil District of Monroe County and so as to include all of the said farms belonging to the said Thomas and Bilderback in Monroe County; the lines to run as follows:

Beginning at the southwest corner of what is known as the Ridge land, belonging to the heirs of H. B. Yearwood heirs, and running west 58 rods, more or less, with the lines of William Thomas' lands and Mrs. Mollie Flemmiken's land to a corner of the Heiskell lands; thence north with the line of Mrs. L. E. Heiskell 158 poles; thence in a northern direction with the line between William Thomas' land and the lands of Mrs. Heiskell to the Sweetwater and Pinhook road and G.M. Bilderback line; thence with G.M. Bilderback's line west to J. A. Bilderback's corner; thence in a northern course with the west line of G.M. Bilderback and William Thomas to a point in the road between J.P. Richeson and Elias Walker's place, where the Loudon County line intersects the McMinn and Monroe County lines.

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

Passed: March 13, 1903.

Private Acts of 1923 Chapter 229

SECTION 1. That the part of the line between southwest corner of the White Cliff property on Star's Mountain to where the old Mecca-White Cliff road now intersects the line, be changed to run as follows, to-wit: So as to place the lands known as the White Cliff property, containing about 160 acres; the lands of Wash Adams, containing about 10 acres; the lands of R. L. Everhart, containing about 60 acres; with the old Mecca-White Cliff road from present line to properties named above and the lands on the west side of said road, including said road, in McMinn County.

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

Passed: March 8, 1923.

Private Acts of 1929 Chapter 184

SECTION 1. That the line between the Counties of Loudon and McMinn be and the same is hereby changed so as to detach the lands now owned by S. H. Richeson, Tom Richeson, Bertha Mineral Co., Sam Riddle, J. A. Lively and what is known as the Wheatly Farm from Loudon County, and attach such lands to the First District of McMinn County, Tennessee.

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

Passed: February 11, 1929.

Private Acts of 1933 Chapter 262

SECTION 1. That the line between Monroe and McMinn Counties be changed and that the lands lying within the following described boundaries be transferred from the Old 6th, New 2nd Civil District of McMinn County and placed in the Old 7th, New 3rd Civil District of Monroe County, and the said tract of land so transferred being described as follows: Being a tract of one hundred acres of land adjoining the land of R.F. Hicks and being the same tract of land purchased by R. F. Hicks from Mattie Torbett and others, and said tract of 100 acres lying immediately West of the lands of the said R. F. Hicks, and said 100 acre tract all being in McMinn County, Tennessee.

The said 100 acre tract is bounded on the East by the lands of R. F. Hicks; on the North by the lands of O. S. Thomas; on the West by the lands of Brient; on the South by the lands of Lee.

SECTION 2. That the State and county taxes for the year 1933 and prior years thereto on said 100 acre tract of land shall be paid as assessed to the Trustee of McMinn County, Tennessee, and thereafter, all taxes on said 100 acre tract of land shall be assessed and paid in Monroe County, Tennessee.

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

Passed: March 31, 1933.

Private Acts of 1935 Chapter 239

SECTION 1. That beginning on the north bank of Hiwassee River and on the westerly line of right of way of the new main line of the Louisville & Nashville Railroad; thence northerly with the line of right of way on the westerly side of the right of way of said L.& N. Railroad to a point on the west line of Section 8 in Fr. Town 1 South of Range 1 West of the Hiwassee District, being the west boundary line of the G. L. Williams farm; thence north with said section line and west boundary of the said Williams farm about a mile to the northwest corner of said Section 8 and corner of Williams land; thence east with section line and boundary line of Williams and Calhoun place to the intersection of the north and south middle section line of Section 5; thence north with said middle section line to the county road leading from J. C. Carter's store to Lindsdale and Patty Station; thence east with the county road to the cross roads at J. C. Carter's store; thence northwardly with the county road from J. C. Carter's store to the old Polk and McMinn County line near the residence of the G.P. Nichols.

SECTION 2. That said territory shall be a part of the 6th civil district of McMinn County and known as the 17th voting precinct of said county.

SECTION 3. That the voting place of said precinct shall be at Lindsdale school house.

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

Passed: March 29, 1935.

Private Acts of 1935 Chapter 295

SECTION 1. That the boundary line between the counties of Polk and McMinn be so changed and re-established as to be in part, as follows: Beginning on the North bank of the Hiwassee River and on the Westerly line of the right-of-way of the new main line of the Louisville & Nashville Railroad Company, and extending thence in a Northerly direction with the West line of said right-of-way to a point on the West line of Section 8, in Fractional Township 1, South of Range 1, West of Hiwassee District, the same being the West boundary line of the G. L. Williams farm; thence North with said section line and West boundary of said Williams farm about one (1) mile to the Northwest corner of said Section 8 and a corner with said Williams land; thence East with the section line and boundary line of the Williams and Calhoun farms to the intersection of the North and South middle section line of Section 5; thence North with the said middle section line to the county road leading from J. C. Carter's store to Lindsdale and Patty Station; thence East with the county road to the cross-roads at J. C. Carter's store; thence in a Northerly direction with the County road from J. C. Carter's store to the old Polk and McMinn County line near the residence of G. P. Nichols.

SECTION 2. That the lands and territory lying between the boundary line of said counties as fixed and re-established by Section 1 of this Act and the former line between said counties be detached from Polk County and attached to and made a part of the Sixth (6th) Civil District of McMinn County, to constitute and be known as the Seventeenth (17th) voting precinct of said county, with its voting place at Lindsdale School House.

SECTION 3. That, in order to avoid interference with the school now being conducted at said Lindsdale School House, by and at the expense of Polk County, this Act take effect forty (40) days from the date of its passage, the public welfare requiring it.

SECTION 4. That, pending the effective date of this Act as fixed by Section 3 hereof, the County Board of Education of Polk County be, and it is hereby, authorized to continue the operation of said Lindsdale School to the expiration of the present school term.

SECTION 5. That all laws or parts of laws in conflict herewith be, and the same are, hereby repealed.

Passed: April 5, 1935.

Private Acts of 1937 Chapter 849

SECTION 1. That the present line between the Counties of Monroe and McMinn be changed so that the following described lands now owned by J. N. Wilson, situated in the old Eighth Civil District of Monroe County, shall be included in the present Third Civil District of McMinn County, Tennessee: That part of the lands of said J. N. Wilson as are described as beginning at a conditional corner, between said Wilson land and J. R. Gaines, on the County Line, at a white oak, near the bank of a branch; running thence south, crossing the Tellico- Etowah Road, fifty (50) rods to a stake on the east and west section line; thence due east fortyfive (45) rods to a stake on a conditional corner between this land mentioned, fifty (50) rods, crossing said road and said branch, to a stake on a conditional corner between this tract and J. R. Gaines;

thence west, along said Gaines line, forty-five (45) rods to beginning corner; containing fifteen (15) acres, more or less. Being part of what has been known as the Cass Tract, and formerly the property of James Wilson, now deceased.

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

Passed: May 20, 1937.

Private Acts of 1951 Chapter 346

SECTION 1. That the boundary line between the counties of McMinn and Loudon, near the Erie, Tennessee Post Office, be changed as follows: That all of the land that lies East of the Erie Post Office along the Blue Springs Road up to the Kingston and Sweetwater Public Road, that are now in McMinn County and belonging to Raymond Wicker, Lester Thomas, Ray Lones, Dave Ledford, Hugh Rodgers, and Deedie Harrell, shall hereafter be in Loudon County, Tennessee.

SECTION 2. That all of what is known as the Blue Springs Public Road beginning at the Erie, Tennessee Post Office and extending Eastwardly to its intersection with the Kingston and Sweetwater Public Road shall henceforth be a part of Loudon County and the boundary lines between McMinn and Loudon Counties are changed accordingly.

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

Passed: March 2, 1951.

Boundaries - Historical Notes

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

1. Acts of 1823, Chapter 236, provided that the commissioners of Athens would receive such compensation as the court of pleas and quarter sessions might award them, for their services in laying out the county's seat of justice.
2. Acts of 1853, Chapter 106, changed the boundary line between Monroe and McMinn to include all of Jesse Cunningham's farm in Monroe.
3. Acts of 1879, Chapter 137, changed the line between Loudon and McMinn to include the farm of F. Smith in Loudon County.
4. Acts of 1885, Chapter 54, changed the line between Loudon and McMinn to include all the lands of Sarah Etheridge in Loudon County.
5. Acts of 1887, Chapter 196, changed the line between Monroe and McMinn to include the lands of Samuel Richee, Hannah James, James Land, Samuel Land, and Andrew Morgan in Monroe County.
6. Acts of 1887, Chapter 202, changed the line between Meigs and McMinn to include the farm of Carrol and Nelsey Stanton in McMinn County.
7. Acts of 1889, Chapter 58, changed the line between McMinn, Monroe, and Loudon to transfer the land of S. R. Murray into Monroe County.
8. Acts of 1889, Chapter 65, changed the line between McMinn and Polk to place the lands of N. S. Price in Polk County.
9. Acts of 1897, Chapter 168, changed the line between Loudon and McMinn to place J. L. Green's land in Loudon County.
10. Acts of 1905, Chapter 178, changed the line between McMinn and Polk to include the lands of John M. Dunn within Polk County.
11. Private Acts of 1915, Chapter 435, changed the line between Monroe and McMinn to include the lands of O. A. Tooney in Monroe County.
12. Private Acts of 1921, Chapter 305, changed the line between Monroe and McMinn to include the lands of H. D. Joines in Monroe County.
13. Private Acts of 1925, Chapter 503, changed the line between Monroe and McMinn to include the lands of E. Ragan and L. O. Hicks in McMinn County.
14. Private Acts of 1937, Chapter 305, changed the line between McMinn and Polk to include the lands belonging to Charles Melton within McMinn County.
15. Private Acts of 1951, Chapter 340, changed the line between McMinn and Monroe to include the lands of Henry Wyatt and G. H. Hyde in McMinn County.

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