



July 22, 2024

Creation of the County

Dear Reader:

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

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

Sincerely,

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Acts of 1796 (1st Session) Chapter 28

SECTION 1. That the said counties of Hawkins and Knox, be divided by the following lines: Beginning on the main road leading from Bull's Gap to Haines Iron Works, on Mossy Creek, at the house of Felps Reed, leaving said house in the new county, running a direct course to the Kentucky road, on the north side of Holston River, a quarter of a mile above the house of Thomas Henderson; thence north fifty degrees west, to the line that divides this state from the state of Virginia; thence west with said line to a point, northwest of the end of Clinch mountain; thence in a direct course to the end of Clinch mountain; thence with the ridge that divides the waters of Richland and Flat Creeks to Holston River, at the upper end of the first bluff above Boyle's old place; thence up the meanders of said river to the mouth of Panther Creek; thence up said creek to the head spring thereof, near the house of John Evans; thence along the main wagon road to the beginning; and all that part of the aforesaid counties of Hawkins and Knox, contained within the lines before described, be erected into a separate and distinct county by the name of Grainger.

SECTION 2. That David Hayley, Major Lee, Benjamin M'Carty, Bartley Marshall, and James Blair, shall be, and they are hereby appointed commissioners, and they are authorized to purchase and lay off a place, the most central and convenient in said county of Grainger, for the purpose of erecting a court house, prison, and stocks.

SECTION 3. That the aforesaid commissioners are hereby authorized and required, as soon as may be, after agreeing on the place whereon the court house, prison, and stocks, are to be erected in said county of Grainger, to contract and agree with suitable workmen for erecting and building, at the place aforesaid, a court house, prison, and stocks, for the use and benefit of said county. - And the better to enable the commissioners aforesaid, to carry this act into effect.

SECTION 4. That a tax not exceeding twelve and a half cents, on each hundred acres of land - a tax, not exceeding twelve and a half cents, on each town lot - a tax, not exceeding twenty-five cents, on each slave, between the age of ten and fifty years - a tax, not exceeding one dollar, on each slave house - and a tax, not exceeding twelve and a half cents, on each free male, between the age of twenty-one and fifty years, shall be collected in the said county of Grainger every year, not exceeding three years, by the sheriff or collector of the same, and accounted for and paid to the said commissioners, at the same time and in the same manner, and under the like penalties and restrictions, as is, or may be directed for collecting, accounting for, and paying public taxes.

SECTION 5. That before the said commissioners shall take unto their hands, any of the monies directed to be collected by this act, they shall enter into bond, in the sum of fifteen hundred dollars payable to the governor, for the time being, and his successors in office, for the use of the said county of Grainger, conditioned, for the faithful discharge of the trust reposed in them.

SECTION 6. That the first court of the said county of Grainger shall be held, by the justices of the same, on the second Mondays in June, September, December, and March, every year; and the justices thereof are hereby authorized and empowered to hold the first court, for the same, at the house of Benjamin M'Carty; and all subsequent courts for said county, on the days above mentioned for holding courts therein, at any place to which the said justices shall from court to court adjourn themselves, until a court house shall be built for the said county of Grainger; and then all causes, matters, and things, depending in the said court, and all manner of process returnable to the same, shall be adjourned to such court house; And all courts held in and for the said county of Grainger, shall be held by commission to the said justices, in the same manner and under the same rules and restrictions; and shall have and exercise the same powers and jurisdiction as are, or shall be prescribed for the courts for the several counties in this state.

SECTION 7. That the aforesaid county of Grainger shall be, and is hereby declared to compose a part of the district of Hamilton, in the same manner, and for all purposes, civil and military, as other counties in the said district doth: Provided, Nothing in this act contained shall be so construed as to prevent the sheriffs or collectors of the said counties of Hawkins and Knox from collecting all arrearages of public and county tax, within the limits of the said county of Grainger, in the same manner as if this act had not been passed: And the said county of Grainger shall, from and after the passing of this act, furnish four jurors to the superior court of law and equity, for the district of Hamilton aforesaid.

SECTION 8. That John Cocke and William Payne, be, and are hereby appointed commissioners, who are authorized to run the dividing lines between the aforesaid counties, that is, where they are not already run, or particularly pointed out by natural boundaries; for which services, each of the commissioners shall be allowed two dollars per day, and the marker one dollar per day; the expenses to be paid by the aforesaid county of Grainger.

SECTION 9. That all proceedings now pending in the county courts of Hawkins and Knox, shall be proceeded on and determined in the same manner as if this law had not been passed: Provided, Nothing herein contained shall be construed, so as to give said county of Grainger separate election for governor and members of the general assembly; but the inhabitants of said county, shall be entitled to suffrage in the county from which they were taken, until the first enumeration shall be made.

Passed: July, 1796.

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