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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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Table of Contents

<b>Creation of the County .....</b>	<b>3</b>
<b>Private Acts of 1835-36 Chapter 31 .....</b>	<b>3</b>

# Creation of the County

## Private Acts of 1835-36 Chapter 31

**SECTION 1.** That a new distinct county be and the same is hereby established, to be known and distinguished as the county of Johnson; beginning at the line of Sullivan county, at a place called the Rich End, where the cross ridge commences that divides the waters of Beaver Dam and Stoney creeks; thence running with the heights of said ridge to the Iron mountain; thence with the extreme heights of said mountain to a point opposite the ridge running from said mountain between Dugger's and Vanhouse's; then with said ridge to the Watauga river; then up said river to the mouth of Elk creek; then with the ridge dividing Elk creek from the Watauga river, to the North Carolina line; then with the line between Carter county and the North Carolina line to the Virginia line; then with the Virginia line to the corner between Carter and Sullivan counties, from thence to the beginning.

**SECTION 2.** That William Gott, Robert Reeve and James O'Brien be and they are hereby appointed commissioners under this act to designate a proper place for the permanent location of the seat of justice for said county, (with due regard to population and territory,) and the said commissioners shall proceed, on or before the first day of March, to the selection of said site.

**SECTION 3.** That the county courts shall, at their first or second session appoint five or seven at their discretion, good and lawful men, citizens of said county, commissioners, who shall proceed and procure, by purchase or otherwise, from ten to one hundred acres of land, at such place as the commissioners named in this act may designate, upon which the county seat shall be located, for which they shall cause a deed or deeds to be made to themselves and their successors in office, by general warranty; and said county seat, when so located, shall be called Taylorsville; and the said commissioners, under the direction of said county court, shall proceed to lay off the town into lots, sell the lots, collect and appropriate the monies, and do all other things touching said county or county seat, not mentioned in nor incompatible with this act or the amended constitution.

**SECTION 4.** That for the due administration of justice, the different courts to be holden in said county of Johnson, shall be held at the house of Thomas Johnson, deceased, until the county seat shall be located, and a house erected for that purpose; 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 the public convenience, and to adjourn to the seat of justice, when in their judgment the necessary arrangements are made, and all writs and all other precepts returnable to either place, shall and may be returned to the place to which the said court may have been removed by the county court aforesaid; and the said court to be holden in and for said county of Johnson, shall be under the same regulations and restrictions, and shall have, hold, exercise and possess the same power and jurisdiction as is provided by said court in other counties in this State.

**SECTION 5.** 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 under the provisions of the amended constitution, and the laws made in pursuance thereof; and the said county of Johnson shall elect her officers, civil and military, under the amended constitution, at the same time and under the same rules and regulations, and in the same manner that may be provided by law for the election of officers in the other counties of this State; and the said county of Johnson shall placed upon an equal footing, possess equal powers and privileges in all respects, as other counties in this State; Provided, that nothing contained in this act shall be so construed as to deprive the county of Carter from holding and exercising jurisdiction over the territory of the said county of Johnson and the citizens thereof, in as full and ample manner as it now has, until the election of county officers under the amended constitution; Provided, also, that nothing in this act contained shall be so construed as to prevent the county of Carter from entering up judgments, or the sheriff of said county, from selling under such judgments, any lands or other property within the bounds of said new county, and for collecting taxes, costs and charges, for the present or any preceding year.

**SECTION 6.** That the citizens of Johnson county, in all elections for governor, members of congress, and for members of the general assembly, shall vote with the county of Carter, until the next apportionment of members of the general assembly, agreeable to the provisions of the 5th section of the tenth article of the amended constitution.

**SECTION 7.** That the commissioners appointed by this act, and such as may be appointed by the county court, shall, before entering upon the discharge of the duties assigned by this act, take an oath or affirmation that they will truly and faithfully execute and perform the different duties by this act enjoined, according to the best of their judgment; and those appointed by the court shall enter into bond, with

approved security, payable to the chairman of the county court of Johnson and his successors in office, in the sum of five thousand dollars, conditioned for the due and faithful performance of the duties enjoined by this act, and the court of said county of Johnson; which bond, when so taken, shall be deposited in the county court clerk's office in said county.

**SECTION 8.** That the said commissioners, appointed by the court aforesaid, shall keep a fair and regular statement of monies, by them received and expended; which statement, when required, shall from (time) to time, be laid before the county courts; and if, after erecting public buildings, there should be a surplus of money, the said commissioners shall pay over the same to the county trustee, to be used for county purposes.

**SECTION 9.** That the commissioners appointed by this act, and such as may be appointed by the court of said county, shall receive for each day that they may be necessarily employed in performing the duties assigned or required of them by this act, such sum as the said court may consider a fair compensation for their services, to be paid by the trustee of said county, out of the first monies not otherwise appropriated.

Passed: January 2d, 1836.

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