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Acts of 1870 (Ex. Sess.) Chapter 6

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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 1870 (Ex. Sess.) Chapter 6

COMPILER'S NOTE: Those Sections of this Act which did not involve Jefferson County were not printed herein then the county of Hamblen shall be, and the same is hereby declared to be a county, with all the powers, rights and privileges, and subject to all the liabilities and duties with other counties in this State.

SECTION 1. That in conformity to the fourth section of the tenth Article of the Constitution of the State of Tennessee, a new county be, and the same is hereby established, to be composed of fractions to be taken from the counties of Jefferson and Grainger, to be known and designated as Hamblen County.

SECTION 2. That the boundaries of the county of Hamblen shall be as follows, viz: Beginning at four cedars on the northern bank of Nolachucky River, at the point where the boundary line between Jefferson and Greene counties to Rader's Spring, at or near Bull's Gap; thence with the line between Hawkins and Jefferson counties to Mount Sterling, at or near the house of Wm. Pangle; thence with the line between Hawkins and Jefferson counties to Cheek's cross roads; thence with the line between Hawkins and Grainger counties to the center of Holston River; thence down the Holston River with the meanders thereof to the mouth of Hull's branch; thence from the mouth of Hull's branch south 25 degrees east one mile and 120 poles to a stake; thence east 5 miles and 16 poles to a stake; thence south 77 degrees east 1 mile to a stake; thence south 71 degrees east 1 mile to a stake; thence 65 degrees east 1 mile to a stake; thence 59 degrees east 1 mile to a stake; thence south 53 degrees east 1 mile to a stake; thence south 47 degrees east 1 mile to a stake; thence south 23 degrees east one half of 1 mile to a stake on the northern bank of French Broad River; thence south 60 degrees east, up the French Broad River to the mouth of Nolachucky River; thence up the Nolachucky River with the meanders thereof, and with the line between Jefferson and Cocke Counties to the beginning.

SECTION 5. That it shall be the duty of said Commissioners to designate five public places in the fraction taken from Jefferson County, and three public places in the fraction taken from Grainger County, and shall give public notice by printed or written advertisement, for at least thirty days, posted up at five or more public places in each of said fractions; that on a day to be designated by them, and at the places designated, an election will be opened and held at which all persons entitled to vote for members of the General Assembly, who have resided in the fraction proposed to be stricken off for six months immediately preceding said 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 desiring to vote against the new county shall have on their tickets the words "Old County," and if upon counting all the ballots cast in said election, it shall appear that two-thirds of all the qualified voters in each of said fractions have voted for the new county,

SECTION 6. That said Commissioners shall appoint Judges and Clerks to hold said election, and also some suitable person as an officer at each place designated in each of said fraction, who shall have all the powers and perform all the duties imposed by law upon other officers and inspectors holding elections under the laws of this State; and who shall, after polls are closed and the vote counted, make out and certify the result and return the same, with a copy of the pollbooks, to the Chairman of said Board, who shall, when the return are all received, proceed, in the presence of said Board, to compare the votes and certify the result and return the same, with a copy of the pollbooks, to the Chairman of said Board, who shall, when the returns are all received, proceed, in the presence of said Board, to compare the votes and certify the result and return the same, with a copy of the pollbooks, to the Chairman of said Board, who shall, when the returns are all received, proceed, in the presence of said Board, to compare the votes and certify the result; and the election herein provided shall be held on the same day in each of said fractions; and if, from any cause the election as hereby provided, shall not be held in either of said fractions on the day appointed, said Board shall provide for another election, as herein provided in such fraction; and if said Commissioners shall believe upon investigation, which they are hereby fully authorized to institute into the manner of holding said election, that any improper or fraudulent practices have been permitted, they shall have the power to declare the election so hold in either fraction to be void, and shall proceed to hold another election in said fraction, first giving thirty days' notice, as herein provided.

SECTION 14. That all causes now pending, or which may be pending at the time of the

organization of said county, in any of the Court of either Jefferson or Grainger Counties, between citizens pending within the limits of the new county, shall be transferred to the county having jurisdiction thereof in said county of Hamblen; and all suits pending, or which may be pending against any defendant residing within the limits of the new county, shall, if the plaintiff consent thereto, also be transferred to said county; and all prosecutions pending, or which may be pending in the Court of either of the counties of Grainger or Jefferson, for violations of the criminal law, where the crime is charged to have been committed within the limits of the new county, as hereby established, shall also be transferred to the Court of Hamblen County having jurisdiction thereof.

SECTION 16. That the people of each of the fractions taken from Jefferson and Grainger Counties shall remain liable and be bound to pay their respective shares of the debts owing by either of the counties from which they are stricken off, and shall also be entitled to their respective shares of all public securities or stocks that may be the property of either of said counties, and all

taxes assessed for the year 1870 on the property, polls and privileges in each of said fractions remaining uncollected upon the organization of said county of Hamblen, and the election and qualification of a Tax Collector for said county, shall be collected and accounted for by the Tax Collector of said county of Hamblen in the same manner as the public taxes of other counties, and the taxes assessed for county purposes in each of said fractions which may be collected at the time or organization of said county shall be apportioned between the new and the old counties, the fractions of each being required to pay their proper proportion of all public expenses for the year, up to the time of organization as aforesaid, and the county Courts of the old counties respectively, and also the County Court of the new county shall each appoint three suitable persons on the part of each, to apportion the public debt that each county may owe, and also to apportion the public securities or stocks, that may be owned by either of the old counties, and also to apportion the revenue assessed for county purposes, which may have been collected by the old counties for the year 1870, and in making such apportionment, the aggregate value of all taxable property and polls in each shall be taken as the basis of said apportionment, and each of the fractions included in the new county, and shall remain liable and pay their proportion of the debts of the old county from which they may be stricken off, and the County Courts of each of said counties are fully authorized to make such orders and regulations as may be necessary to carry out the provisions of this section, so as to effect a fair and equitable apportionment of the debts owing, stock owned and revenue collected by each.

SECTION 18. That the public welfare required that this act shall take effect from and after its passage.

Passed: May 31, 1870.

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