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Acts of 1817 Chapter 26

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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WHEREAS, it is represented to this General Assembly, that the seat of Justice in the county of Jackson, is in a bend of Cumberland river, and a considerable distance from the centre, and many of the good citizens of said county have to labor under hardships, and inconvenience in attending the same, for remedy whereof:

SECTION 1. That the sheriff of Jackson County is hereby required, on the first Thursday and Friday in August next, to open and hold an election in Jackson County, at all the places now appointed by law to hold elections, when and where all persons who are entitled to vote for Governor, members of Congress, members to the General Assembly, &c. shall be entitled to a vote, and at said election the sheriff shall pub Williamsburg, the present place of holding courts in Jackson County, and the centre of said county, in nomination; which said election, shall be conducted under the directions of said sheriff and a sufficient number of inspectors, to be appointed by the county court for that purpose, and which election shall be conducted under the same rules, regulations and restrictions as other general elections are held; and if, upon counting out the votes and properly comparing them, a majority of the votes of said county shall be in favor of removing the seat of Justice to the CENTRE; it shall be moved accordingly, and if a majority of the votes shall be in favor of continuing the seat of Justice, it shall remain at WILLIAMSBURG.

SECTION 2. That when it is ascertained that a majority of the people of Jackson County, is in favor or removing their seat of Justice, by a comparison of the polls of said election, the commissioners hereafter to be appointed by this act, shall select the most eligible situation, and as near the centre as it is practicable to get good water, and lay off a county town in Jackson County, first having procured from any person or persons, who may own the land where the site is settled, a good and sufficient title for forty acres of land for that purpose.

SECTION 3. That when the town shall be so laid off, the said commissioners shall advertise the same in the Carthage Gazette, and Knoxville Register, the time and place of the sale of the town lots, which notice and advertisement shall be at least thirty days before the sale shall take place, and they shall proceed to sell the said lots at twelve months credit, taking bond and good security of the purchasers, and shall make deeds in fee simple to the purchasers.

SECTION 4. That it shall be the duty of said commissioners, or a majority of them to contract with some suitable person or persons to build a courthouse, prison and stocks, and the money arising from the sale of said lots, shall be appropriated to that purpose, after paying for the land purchased for said town, and if the money arising from the sale of the aforesaid lots is insufficient to pay for the land, and also for the court house, prison and stocks, it shall, and may be lawful for the county court of Jackson county, (a majority of the acting justices being present) to lay a county tax on every description of taxable property in their county, not exceeding the state tax, which may be continued from year to year, until a sufficient sum is collected to answer the purpose intended, and which tax shall be collected by the sheriff of Jackson County, under the same rules, regulations, &c. as he is bound to collect other taxes and public dues, and shall receive the same fees, and said monies when so collected, shall be paid by said sheriff to said commissioners, and upon failure thereof, he shall be liable to judgment upon motion, at the instance of the commissioners, in the same manner as judgments are taken against him in other cases.

SECTION 5. That before the said commissioners shall proceed on the duties of their appointment, they shall enter into bond to the Governor, and his successors in office, in the sum of six thousand dollars, conditioned for the faithful discharge of the duties of their office, which bond shall be filed with the clerk of the county court, and be by him recorded.

SECTION 6. That Philip Mulky, Thomas Butler, William Scantling, James Perry, Joseph Hawkins, James Vance, Alexander Keith, Esquire, James W. Smith, and William Rash, Esquire, shall be, and they are hereby appointed commissioners to carry this act into operation, and a majority of them, shall be competent at all times, to transact any business required by this act; and before they enter upon the duties of their appointment, they shall take an oath or affirmation, to act to the best of their skill and judgment, in all the duties required of them.

SECTION 7. That when said town is laid off and established, it shall be known by the name of Gainesboro', in honor of Major General Edmund P. Gaines, and as soon as the courthouse shall be erected and received by said commissioners, the justices of the county court for said county, shall adjourn said court and all proceeding therein, to the said town of Gainesboro, and from thenceforth, it shall be the seat of Justice for Jackson County, and all elections that are now holden by law, at the town of Williamsburg, shall be holden at the court house in Gainesboro'.

SECTION 8. That if the commissioners under this act, cannot correctly ascertain the centre of Jackson County in any other way, they are hereby authorized to employ some surveyor, and a sufficient number of

chain carriers, to run out said county and ascertain the centre, and said surveyor shall make out three fair plats of said county, and deposit one in the clerks office of said county; one shall be for the use of the commissioners, and the surveyor shall preserve the other.

SECTION 9. That when the county is centred, if an eligible situation cannot be found nearer the centre than Williamsburg, than and in that case, Williamsburg shall continue to be the seat of Justice for said county.

SECTION 10. That in case of death, resignation, or removal of any of the commissioners appointed by this act, or if any of them shall refuse to act, it shall and may be lawful for the balance of said commissioners to proceed to elect one by ballot, to fill up such vacancy, and when so elected and sworn, they shall be as competent to act, as if they had been first appointed.

SECTION 11. That if it should become necessary to employ a surveyor and chain carriers to run out Jackson County, they shall receive the following compensation, to wit; the surveyor two dollars and fifty cents per day, each chain carrier one dollar per day, out of any monies in the hands of the commissioners, either by sales of lots, or by a tax laid by the county courts.

SECTION 12. That the commissioners shall receive such a compensation as the county court of Jackson may allow, out of the monies aforesaid.

SECTION 13. That the said commissioners shall appoint one of their own body as chairman of said commissioners, and shall take all notes, bonds, &c. in his name, as chairman aforesaid.

Passed: October 6, 1817

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