



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

July 03, 2024

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# Creation of 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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# Creation of County

## Private Acts of 1801 Chapter 45

**COMPILER'S NOTE:** Sections 1, 3, 16-21, and 23-25 do not pertain to Anderson County and have been omitted.

**SECTION 2.** That all that tract of country lying within the following described bounds, shall be, and is hereby made and constituted a new and distinct county by the name of Anderson, (viz.) Beginning on the Chestnut ridge where the Knox and Grainger line crosses it, thence north, forty five degrees west, to the northern boundary of this state, thence south forty five degrees west, to a point from whence, south, forty five degrees east, will strike Wallen's ridge one quarter of a mile above the gap of the Indian fork of Poplar creek, thence to the double springs on the east fork of said creek, thence on a direct course to Clinch river opposite the mouth of Hickory Creek, thence up the lines of Knox county to the beginning.

**SECTION 4.** That Knox county shall not extend further down, then to a direct line from the salt petre cave, below the Chota ford on Holston, to the mouth of Hickory creek, on Clinch river, until the constitution [sic] limits of Knox county shall be ascertained by actual survey, which shall be done by disinterested commissioners appointed by the county court of Knox: Provided also, that if on accurate survey it shall be found, that there are not constitutional bounds for Knox county above the line described in this section, that then and in that case, the deficiency shall be made up, by taking one half thereof from the county of Anderson on the south side, between the Grainger line, and the lower line of Henderson and company's survey; the other half thereof from Roane county, between the ridge [sic] Clinch and Holston, which lines when run shall be the bounds of Knox county, anything in this act to the contrary notwithstanding.

**SECTION 5.** That William Lea, Kinza Johnston, William Standefur, William Robertson, Joseph Grayson, Solomon Massingale, and Hugh Montgomery, are hereby appointed commissioners, who or a majority of them shall, as soon as may be, fix on a place the most convenient as near the river Clinch, on the north side as the nature of the case will admit, between the Island ford, and where Samuel Worthington now lives for a court house, prison and stocks, for the use of said county of Anderson: And [sic] after agreeing on the place, they shall proceed to purchase any quantity of land, not exceeding fifty acres, for which they shall cause a deed or deeds to be made to themselves or their successors in office, on which they shall cause a town to be laid off with necessary streets and allies, [sic] reserving two acres as near the center as may be, on which the court house, prison, and stocks shall be erected, which town shall be known by the name of Burrville.

**SECTION 6.** That when the town shall thus be laid off, the aforesaid commissioners are further required to advertise for sale, to the highest bidder at a credit of six months, the lots of said town, giving thirty days previous notice, and shall take bonds with sufficient securities, to themselves or successors in office, and shall make titles to the purchasers.

**SECTION 7.** That it shall be the further duty of the aforesaid commissioners, to contract with suitable workmen, to build a courthouse, prison and stocks, and the monies arising from the sale of said lots, after paying for the land so purchased, shall be applied to pay for said court house, prison and stocks.

**SECTION 8.** That should the money arising from the sale of said lots prove insufficient to pay for said public buildings, then, and in that case, a majority of the acting justices of said county of Anderson, shall in term time have power, & are hereby authorised and required to lay an additional county tax, not exceeding twelve and an half cents on each hundred acres of land liable to taxation, twelve and an half cents on each white poll, twenty five cents on each black poll, fifty cents on each stud horse kept for covering mares, and twenty five cents on each town lot; the said tax to be laid from year to year, until a sufficient sum shall be collected to pay for said public buildings, and shall be collected by the collector of public taxes on the same per cent as other county taxes, and shall pay the same to the aforesaid commissioners, and be by them applied to the payment of said public buildings, whose receipts shall be allowed in the settlement of his accounts.

**SECTION 9.** That before the said commissioners enter on the duties of their appointment, they shall enter into bond with sufficient security, payable to the governor for the time being, in the sum of five thousand dollars, for the faithful discharge of their duty as herein expressed, which shall be lodged in the office of the clerk of the county of Anderson.

**SECTION 10.** That so soon as the public buildings shall be completed, the aforesaid commissioners shall lay before the court of Anderson county a just and fair statement of all monies by them received, as well those by them expended, with sufficient vouchers for the same, by virtue of their appointment, and the

court shall make them a reasonable allowance for their services; Provided, there shall be five justices present when such allowance is made.

**SECTION 11.** That for the due administration of justice, that the court of pleas and quarter sessions, shall be held in and for said county of Anderson on the second Mondays of March, June, September, and December, and the justices for said county shall hold the first court at the house where Joseph Denham, senior, now lives, on the second Monday of December next, and all subsequent courts for said county, on the days above mentioned for holding courts therein, at the same place; until a court house shall be built in and for said county, and then all causes, matters and things depending in 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 said county, shall be held by commission to said justices, in the same manner, and under the same rules and restrictions, and shall have and exercise the same powers and jurisdictions, as are or shall be prescribed, by, and for the courts of the several counties in this state.

**SECTION 12.** That the said county of Anderson, be, and is hereby declared a part of Hamilton district, in the same manner, and for all purposes, civil, criminal and military, in as full and ample manner as any county in this state, and shall send three jurors to the superior court of said district.

**SECTION 13.** That nothing herein contained, shall be construed as to prevent the collector of public taxes of Knox and Grainger counties to collect the tax for the year 1801, and all arrearages of taxes.

**SECTION 14.** That William Hogshead is hereby appointed a commissioner on the part of Anderson county, to act with a commissioner appointed by the county of Claiborne, to run the line between the aforesaid counties, from Clinch river to the Indian boundary, and shall have for his services the sum of two dollars, for each day he may be necessarily employed in running said line, to be paid by the treasurer of Anderson county, out of the county monies, whose receipt shall be good in the settlement of his accounts.

**SECTION 15.** That Jesse Roysden is hereby appointed a commissioner on the part of the county of Anderson, to act with a commissioner appointed in the county of Roane to run the line between the aforesaid counties, from the double springs on the east fork of Poplar Creek, to the Indian boundary, and from the aforesaid double springs to Clinch river, and shall receive the sum of two dollars for each day he may be necessarily employed in running said line, and shall employ a marker who shall be entitled to receive one dollar per day, to be paid by the treasurer of Anderson county, out of the county monies, and their receipts shall be good in the settlement of his accounts.

**SECTION 22.** That Joseph Taylor is hereby appointed a commissioner on the part of the county of Roane, to act with the commissioner appointed on the part of Anderson county, to run the line between the counties of Anderson and Roane, from the double springs on the east fork of Poplar creek, to the Indian boundary, and from the aforesaid double springs, to Clinch river; and shall have the sum of two dollars for each day he may be necessarily employed in running said line, to be paid by the treasurer of Roane county, out of the county monies, whose receipt shall be good in the settlement of his accounts.

**SECTION 26.** That it shall be the duty of the returning officers of the counties of Anderson and Roane, to meet the returning officer of Knox county, in Knoxville, on the succeeding Monday, with the number of their respective polls, and with him compare the same, and the returning officer of Knox county, shall declare those duly elected members of the general assembly, and give certificates accordingly and it shall be the duty of said sheriff to transmit a just statement of the poll of election, for governor, representative, or representatives to congress, to the speaker of the senate in the same manner as by law directed.

**SECTION 27.** That the citizens of Anderson county, formerly part of Grainger, shall have the right of suffrage with the citizens of Claiborne county in all elections for governor, representative or representatives to congress, and members of the general assembly, until the next census be taken.

**SECTION 28.** That James White and John Menefee, esquires or either of them, are hereby authorized and required to attend at the first court to be held for the county of Anderson, for the purpose of qualifying the member of said court.

**SECTION 30.** That this act shall be in force in the county of Anderson, from and after the thirteenth day of December next, and in the county of Roane, from and after the twentieth day of the same month.

**Passed:** November 6, 1801.

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