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Chapter IV - Boundaries

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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

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Chapter IV - Boundaries

Creation of the County

Private Acts of 1835-36 Chapter 32

SECTION 1. That the territory contained in the lines herein after mentioned, shall constitute a county to be called the county of Bradley, in honor of and to perpetuate the memory of Col. Edward Bradley, late of Shelby County.

SECTION 2. The said county of Bradley shall be bounded as follows, to wit: Beginning at the point on the south bank of Hiwassee river, where the Rhea county line terminates; thence along said line until it strikes the Hamilton county line, at Wilson Evans's; thence along said line to the White Oak mountain; thence along the extreme height of said mountain and the Hamilton county line entire, until it strikes the five mile point of Hamilton county line, on the dividing line between the States of Georgia and Tennessee; thence along said line until it strikes the main channel of the Hiwassee river; thence down the said main channel with the center thereof, including such islands as there may be therein, to the beginning.

SECTION 3. For the administration of justice in said county of Bradley, the county courts shall be held at the methodist camp ground, near the head of Chatsian creek, until the last Saturday in May next; at which time, a vote shall be taken by the qualified voters of said county, between some two or more places, which shall be put in nomination by the justices of the county court, at their first term in May; and the place which shall receive the largest number of votes shall be the place of holding the different courts, in said county, until further provided for by law; Provided, said justices shall not designate any Indian reservation, without the consent of the Indians residing thereon, at the times it is required to be held in the counties now established; and circuit courts shall also be held at the same place, on such days as may be designated in an act to be passed at the present session on the subject of circuit courts. The said courts shall be held at the place aforesaid, until a seat of justice be established, and then the same shall be held at such seat of justice. Said courts shall be under the same rules, regulations and restrictions, and shall exercise the same power and authority and jurisdiction that are possessed by said courts in other counties of this State.

SECTION 4. The deputy sheriff of McMinn county, Joseph W. McMillan, or in case he should die, remove, or refuse to act, the sheriff of the said County of McMinn, with the power to appoint as many deputies as may be necessary, shall hold an election at the times and places as may be designated in the general laws to be passed at the present session of the general assembly, for the election of all county and district officers, as well as militia officers, for said county; and the said officers, when elected, shall be commissioned in the same manner and have the same powers, duties and emoluments, as other officers of the same grade and denomination.

SECTION 5. The militia of the said county shall compose one regiment, and be numbered and attached to such brigade as may be provided in the militia law of the present session.

SECTION 6. That said county of Bradley shall be attached to the county of McMinn, for the election of representatives and senators in the General assembly, and members of Congress, and the election of electors of president and vice president until otherwise ordered by law.

SECTION 7. The justices of the peace to be elected by said county, shall be qualified by some justice of the peace, of any adjoining county, at the first term of their court, after their election, or the said oaths may be administered by any circuit judge of this State. When the county seat is established said town shall be called Cleveland, in honor of Col. Benjamin Cleaveland; Provided, nothing in this act contained, shall extend to authorize any further jurisdiction over the Cherokee Indians, than such as is authorized by the act of 1833.

Passed: February 10, 1836.

Change of Boundary Lines

Private Acts of 1917 Chapter 188

SECTION 1. That the line between the Counties of Bradley and Meigs be so changed as to make the line read as follows between said Counties: Beginning at the Southeast Corner of the W. T. Francisco farm where it corners on the Bradley and Meigs County line, running thence west with the line of W. T.

Francisco and A. A. Marler line to line of T. A. Marler farm, thence Southwest with the T. A. Marler and A. A. Marler line to the James County line, thence North to A. A. Marler's north line.

SECTION 2. That the line between the Counties of Bradley and Meigs be so changed as to make the line read as follows: Beginning at a point on the Southwest side of the Georgetown road on A. A. Marler's north line on the Meigs County line; running thence southwest with the said north line of the A. A. Marler farm to a corner of A. A. Marler's farm, thence south with the line of said A. A. Marler farm to the top of the White Oak Mountain.

SECTION 3. That all the real estate added to Bradley County by this Act shall be added to and become a part of the Second Civil District of Bradley County for all civil, school and other purposes.

SECTION 4. That all laws in conflict with this Act be and the same are hereby repealed.

SECTION 5. That this act take effect from and after its passage, the public welfare requiring it.

Passed: March 14, 1917.

Private Acts of 1949 Chapter 791

SECTION 1. That the following territory lying in and comprising a part of the east side of Meigs County, and described as follows:

Beginning at a point at the northeast corner of lands owned by Roy Kincannon on the Bradley County section line in the center of Highway No. 60 and running north with the section line, which is the Old Bradley County line approximately three hundred (300) yards to a point which marks a corner of the Kincannon land and land of Muncy; thence southwest with the Gertrude Hunter line approximately two hundred fifty (250) yards to the center of Highway No. 60; thence southwest with the center line of Highway No. 60 to the beginning point, said tract of land contains approximately five (5) acres, and begin property owned by John Russ, Frank Wooten and the Georgetown Baptist Church, which said tract of land shall be and the same is thereby attached to and constituted a part of Bradley County.

SECTION 2. That the territorial fraction taken from Meigs County and added to Bradley County by this Act shall continue liable for its pro rate of all debts contracted by Meigs County before the passage of this Act, and the said fraction shall be entitled to its proportion of any stocks or credits belonging to Meigs County.

SECTION 3. That the State and County taxes of said fraction for the year 1949 shall be collected by the Trustee of Meigs County, and when collected in said fraction, the County tax shall be paid to said County Trustee of Meigs County, and shall constitute a part of the County revenues

of Meigs County.

SECTION 4. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: April 13, 1949.

Private Acts of 1957 Chapter 16

SECTION 1. That the line between Bradley and Hamilton Counties is hereby changed so as to detach from Bradley County and to attach to Hamilton County all the territory formerly a part of James County which was attached by Bradley County by Chapter 607, Private Acts of 1919, to which statute reference is hereby made for a full and complete description of the territory involved.

SECTION 2. That this Act shall be of no effect and void unless within 6 months from the date of final legislative action herein the same shall be ratified and approved by a two-thirds majority of the Quarterly County Courts of both Bradley and Hamilton Counties. The Clerk of each County shall certify such ratification or the reverse to the Secretary of State.

SECTION 3. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 28, 1957.

Public Acts of 1980 Chapter 801

COMPILER'S NOTE: Although this is a public, rather than a private act; it is one of special effect and is not found in Tennessee Code Annotated.

SECTION 1. The boundary line between the counties of Hamilton and Bradley is hereby changed by

detaching from the county of Hamilton and attaching to the county of Bradley, all of the hereinafter described territory, to-wit:

A tract or parcel of land now lying in Hamilton County adjacent to the existing boundary line between Hamilton-Bradley County, and beginning at the steel pin, located twenty (20) feet east along the division line between Sections 21 and 28 in Hamilton County from the intersection of the boundary line of Sections 21 and 28 and the center line of Tunnel Hill Road, in a northerly direction, following the western boundary line of the property owned by M. C. Gates, north 12 degrees, 29 minutes East 304 feet to a steel pin; thence, in a northerly direction, following the western boundary of the property owned by R. L. Cronk, north 7 degrees, 52 minutes East 380 feet more or less to the county line; thence, in an easterly direction following the present boundary line between Bradley County and Hamilton County to the intersection of the county line and the easterly property line of Cal Quinn; thence in a southerly direction, following the easterly property line of Cal Quinn, south 26 degrees, 17 minutes West 472 feet more or less to the division line between Sections 21 and 28 in Hamilton County, Tennessee; thence, in a westerly direction along the division line between Sections 21 and 28 in Hamilton County, Tennessee to the point of beginning.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring.
Passed: April 14, 1980.

Boundaries - Historical Notes

The following is a summary of acts which authorized boundary changes for Bradley County.

1. Acts of 1857-58, Chapter 47, moved the residence and farm of Dr. W. B. Wright out of Bradley County and into Polk County.
2. Acts of 1859-60, Chapter 135, changed the boundaries between Bradley County and Polk County so that the lands of James B. Cook, William J. Dowell, R. S. Warren, J. Y. Davidson, W. S. Norris, John Cate, F. M. Cate, Matthew McNabb, W. Breedwell, and William Singleton were all wholly included within the boundaries of Polk County.
3. Acts of 1866-67, Chapter 10, changed the lines between Bradley County and Polk County by extending it in a southern direction along the second range east of the basis line of the Ocoee District one-half mile further than it now runs so as to include wholly within Polk County the lands of Alexander Cavitt and J. D. A. Davidson.
4. Acts of 1866-67, Chapter 76, rearranged the boundary lines between Bradley County and Meigs County so as to include the farm belonging to W. Beard and S. Beard, formerly known as the Alexander Roger's farm, in the Ninth Civil District of Bradley County, and the First Civil District of Meigs County, wholly within the confines of Bradley County.
5. Acts of 1871, Chapter 66, created James County out of fractions of territory taken from Bradley County and Hamilton County as the same was legally described in the act. The act appointed Nathan Hinche and George Wells of Bradley County, and eight other people from Hamilton County who would serve as Commissioners to organize James County. An election would be conducted by the Commissioners in the affected portion of each county to ascertain the will of the people on whether they wanted to be a new county or remain as they were. This act was expressly repealed by the Acts of 1890, Chapter 18.
6. Private Acts of 1890, Chapter 18, abolished James County and dissolved its area returning the land to Bradley County and Hamilton County from which it was taken. Arrangements were made to return the records and to pay the debts of the dissolved county, and the 1871 Act, above, was expressly repealed. (For some reason, however, James County continued in existence until a later date despite the language of this Act.)
7. Private Acts of 1895, Chapter 191, changed the lines between Bradley and James Counties so that the lands belonging to M. V. Landau, W. B. Tallant, Robert Tallant, William Gresham, W. B. Smith, W. A. Guille, and the Hinch heirs were all detached from Bradley County, as they were described in the Act, and attached the same to James County.
8. Private Acts of 1907, Chapter 380, amended Private Acts of 1895, Chapter 191, so as to strike the name "Nathan Hirsch" farm and insert the phrase the "Old Price Farm".
9. Private Acts of 1919, Chapter 607, amended Private Acts of 1870-71, Chapter 66, so as to detach from James County and attach to Bradley County all territory lying east of the west brow of the west range of the White Oak Mountains.
10. Private Acts of 1919, Chapter 695, abolished James County, dissolving its government and returning the land to Bradley and Hamilton County from which it came, and repealing Acts of

1871, Chapter 66, which created the County of James.

11. Private Acts of 1931, Chapter 812, detached the lands belonging to T. A. Marler, A. A. Marler, John Russ, and a part of the Callie Hunter farm from the First Civil District of Meigs County and attached the same to the Second Civil District of Bradley County, consisting of approximately 300 acres.

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