



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Creation

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Dear Reader:

The following document was created from the CTAS website ([ctas.tennessee.edu](http://ctas.tennessee.edu)). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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](http://www.ctas.tennessee.edu)

Table of Contents

<b>Creation .....</b>	<b>3</b>
<b>Acts of 1796 (Mar. Sess.) Chapter 31 .....</b>	<b>3</b>

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## Acts of 1796 (Mar. Sess.) Chapter 31

**SECTION 1.** That the county of Washington be divided by a line as follows, to wit, -- Beginning on the line that divides this state from the state of North Carolina, at a point from which a line to be drawn due north, will strike the house of George Haires -- thence the nearest direction to the top of the Buffaloe mountain -- thence along the heights of the said mountain, to the high knob on the fence, near the north end thereof -- thence a direct line to the house where Jonathan Tipton, junior, now lives, leaving said house in Washington county -- thence a direct line to the south bank of Watauga river, at Jeremiah Dungan's ford -- thence due north to the Sullivan line; and all that part lying to the east of said lines, henceforth be erected into a new and distinct county, by the name of Carter.

**SECTION 2.** That Landon Carter, Reuben Thornton, Andrew Greer, Senior, Zacheriah Campbell, and David M'Nabb, or a majority of them, be, and are hereby appointed commissioners, and authorized to appoint, fix on, and lay out a place the most suitable and convenient in said county, for the purpose of erecting a court house, prison and stocks.

**SECTION 3.** That the aforesaid commissioners are hereby authorized and required, as soon as may be, after agreeing on the place whereon the prison, courthouse, and stocks are to be erected in said county, to contract and agree with suitable workmen, for erecting and building, at the place aforesaid, a courthouse, prison, and stocks, for the use and benefit of said county.

**SECTION 4.** And the better to enable the commissioners aforesaid to carry this act into effect. That a tax of twelve and a half cents on each hundred acres of land -- a tax of twenty five cents on each town lot -- a tax of twenty five cents on each slave between the age of ten and fifty years -- and a tax of twelve and a half cents on each white male, between the age of twenty one and fifty years, shall be collected in the said county, for two years, by the sheriff or collector of the same, and accounted for and paid to the said commissioners, at the same time, and in the same manner, and under the like penalties and restrictions, as is or may be directed for collecting, accounting for, and paying public taxes.

**SECTION 5.** That before the said commissioners shall take into their hands, any of the monies directed to be collected by this act, they shall enter into bond in the sum of one thousand five hundred dollars, payable to the governor and commander in chief, for the time being, and his successors, conditioned for the faithful discharge of the trust reposed in them.

**SECTION 6.** And for the due administration of justice in said county, Be it enacted, That the court for the said county of Carter, shall be held constantly by the justices of said county, on the first Mondays in April, July, October and January in every year: And the justices for said county of Carter are hereby authorized and empowered to hold the first court for the same, at the house of Samuel Tipton, and all subsequent courts for said county, on the days above mentioned for holding courts therein, at any place to which the said justices shall from court to court adjourn themselves, until a court house shall be built for the said county of Carter, then all causes, matters, and things depending in the 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 the said county of Carter, 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 power and jurisdiction as are or shall be prescribed for the courts for the several counties in this state.

**SECTION 7.** That the aforesaid county of Carter shall be, and is hereby declared to compose a part of the district of Washington, in the same manner, and for all purposes, civil and military, as it did when it stood undivided from the county of Washington: And the said county of Carter, from and after the passing of this act, shall furnish three, and the county of Washington seven jurors to the inferior courts of law and equity, for the district of Washington aforesaid.

**SECTION 8.** That Joseph Brown and Nathaniel Taylor, be appointed commissioners, who are authorized to run the dividing lines between the aforesaid counties; that is, where they are not already run, or particularly pointed out by natural boundaries; for which services the said commissioners shall each be allowed two dollars per day, and the markers one dollar per day, the expense equally to be paid by the aforesaid counties.

**SECTION 9.** That the present sheriff or collector of Washington counties be authorized to collect all arrearages of public taxes, which by law he was authorized to collect, in the same manner that he might or could do, when the said county of Washington stood undivided.

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