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Creation of the County

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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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Table of Contents

Creation of the County	3
Acts of 1801 Chapter 46	3

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Acts of 1801 Chapter 46

SECTION 1. That Hawkins and Grainger counties be divided by the following lines, (to wit.) Beginning on the north bank of Clinch river where the Hawkins and Grainger line crosses the same, thence down the north bank of said river Clinch, to a point opposite where the Knox and Grainger line strikes the said river, thence north, forty five degrees west, to the line which divides this state from the state of Kentucky, thence east with said line, to where it intersects with the line which divides this state from the state of Virginia, thence due east with said line to a point from which a direct line to the beginning will leave six hundred and twenty five square miles in the county of Hawkins, and all that part of the aforesaid counties of Hawkins and Grainger contained within the lines before described, shall be a separate and distinct county by the name of Claiborne.

SEC. 2. That George Reel, John Vanbebber, Matthew Sims, Abel Langham, Joseph Webster, John Bullard, and Silas Williams, be, and they are hereby appointed commissioners, who, or a majority of them, are authorized to fix on a place the most central and convenient in said county of Claiborne, for the purpose of erecting a court house, prison and stocks, at which place the said commissioners are authorized and required to purchase land, and lay off a town to consist of forty lots, with proper streets and alleys, which town shall be known by the name of Tazewell.

SEC. 3. That said commissioners are authorized and required, as soon as may be, after agreeing on the place whereon the court house, prison and stocks are to be erected, and they have purchased land and laid off a town as aforesaid, to contract with suitable workmen for the purpose of erecting and building a court house, prison and stocks at the place aforesaid, for the benefit of said county; and the better to enable the commissioners aforesaid, to carry this act into effect:

SEC. 4. That they are authorized and empowered to sell the said lots at public sale, giving such credit as they in their wisdom may deem necessary. And for the securing the monies arising from the same of the aforesaid lots:

SEC. 5. That the said commissioners are hereby authorized and empowered to take obligations with sufficient security from the respective purchasers thereof, payable to themselves as commissioners, which said monies, the said commissioners are to collect and apply to the use of paying for the land whereon the said town shall have been laid off, and defraying the expences of erecting a court house, prison and stocks aforesaid, and in case the monies arising from the sale of the said lots, should not be sufficient to pay for the said land, and defray the expences as aforesaid:

SEC. 6. That the court of Claiborne county are hereby authorized and empowered to lay a tax, not exceeding twelve and a half cents on each white poll, twenty five cents on each black poll, twelve and a half cents on each hundred acres of land, twenty five cents on each town lot, and one dollar on each stud horse kept for covering mares, which tax shall not be laid for more than three years, and shall be collected, accounted for, and paid into the hands of the said commissioners, under the same rules and restrictions as are observed in collecting, accounting for, and paying public taxes.

SEC. 7. That said commissioners before entering on the duties of their appointment, shall enter into bond, in the sum of fifteen hundred dollars, payable to the chairman of the court of Claiborne County, and his successors in office, for the use of said county of Claiborne, conditioned for the faithful discharge of the trust reposed in them, and shall take and subscribe the following oath: *I, A.B. do swear (or affirm as the case may be) that I will, as a commissioner to act for the county of Claiborne, do equal and impartial justice to the citizens of said county to the best of my skill and judgment. SO HELP ME GOD: which bond, together with a copy of the said oath, shall be filed in the clerk's office, for said county of Claiborne.*

SEC. 8. That the first court of Claiborne county, shall be held by the justices of the said county, on the first Mondays in March, June, September, and December, in every year, and the justices thereof are hereby authorized and empowered to hold the first court for the same at the dwelling house of John Owens, on the first Monday in December next, and all subsequent courts for said county on the days above mentioned, for holding courts therein, at any place to which the said justices from court to court may adjourn themselves, until a court house shall be built for the said county of Claiborne, then all matters and things pending in said court, and all manner of process returnable to the same, shall be adjourned to said court house, and all courts held in & for said county of Claiborne shall be held by commission to the said justices in the same manner, and under the same rules and restrictions, and shall have and exercise the same powers and jurisdiction, as are or shall be prescribed for the courts in the several counties in this state.

SEC. 9. That the aforesaid county of Claiborne, be, and the same is hereby declared to compose a part of the district of Hamilton, in the same manner, and for all purposes civil or military, as other counties in the said district doth. *Provided*, nothing herein contained shall be so construed as to prevent the sheriffs or collectors of the said counties of Hawkins and Grainger from collecting all arrearages of public and county tax within the limits of the said county of Claiborne, in the same manner as if this act had not been passed.

SEC. 10. That Walter Evans, be, and is hereby appointed a commissioner on the part of the county of Claiborne, to act with one from the county of Anderson, to run the line between the aforesaid counties, from the river Clinch, to the Indian boundary line, for which services he shall be allowed the sum of two dollars for each day he may be necessarily employed running said line, which expence [sic] is to be paid by the county of Claiborne.

SEC. 11. That all proceedings now pending in the county courts of Hawkins and Grainger, shall be proceeded on and determined in the same manner as if this act had not been passed.

SEC. 12. That the said county of Claiborne be a part of the districts for electing governor, representative or representatives to congress, a senator and representative to the general assembly to which it has heretofore belonged; and the election shall be held at the court house or usual place of holding courts in said county, at the time and in the manner by law directed, and the sheriff or returning officer shall make a return of the polls at the court house in Rutledge, on the succeeding day of the election to the sheriff or proper returning officer for Grainger county, which shall be received and considered to be a part of the election of the said county of the said Grainger, any law to the contrary notwithstanding.

SEC. 13. That Clinch river, and the path leading from the mouth of Greasy Rock creek to the head of Mulberry creek, shall be the dividing line between the county of Hawkins and the county of Claiborne, until the true line shall be ascertained.

SEC. 14. That it shall be the duty of the sheriff of Claiborne county to hold an election at the place of holding courts, on the last Friday and the day succeeding, in February next, for the purpose of electing one colonel and two majors for the regiment of said county, which election shall be held under the same rules, regulations and restrictions, as prescribed by law for holding elections for such officers.

SEC. 15. That the commissioners by this act appointed for fixing on the place for erecting a court house, prison & stocks, shall, when they have performed the duties enjoined on them by this act, lay before the court of said county of Claiborne, a regular statement of all their proceedings, and the said court are hereby required to allow them a reasonable compensation for their services, to be paid out of any county monies not otherwise appropriated.

SEC. 16. That Joseph Cobb, and Andrew Evans, esquires, or either of them, or any other justice of the peace of Grainger county, are hereby required to attend at the first court to be held for Claiborne county, for the purpose of qualifying the members of said court.

SEC. 17. That this act shall be in force from and after the sixth day of December next.

Passed: October 29, 1801.

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