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Creation of the County

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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Acts of 1797 Chapter 8

WHEREAS the citizens of Jefferson county, living on the waters of French Broad and Big Pigeon, above the mouth of Chucky river, are so situated by rivers and mountains, that they cannot with convenience attend courts, general musters or elections in said county; And it being made appear to this general assembly, that the bounds required by the constitution may be had in each county:

SECTION 1. That from and after the passing of this act, the said county shall be divided by a line to begin on the North Carolina boundary line with this state, on the south side of French Broad river, one mile from said river, thence down said river, one mile distance from the same to where it intersects the Greene county line, thence with said line to Nolichucky river, a small distance below Captain William White's house, thence down the said river to French Broad, leaving all the islands to Jefferson county, thence down the river French Broad, in the same manner, to the bent of said river opposite Colonel Parmenas Taylor's, and from thence a direct line to the top of English's mountain, within one mile of Sevier county line, thence parallel with that line to the uppermost house on Cozby's creek, and from thence an easterly line, to a point on the North Carolina boundary line, as to leave six hundred and twenty-five square miles in Jefferson county, and from thence with the said boundary line to the beginning, which bounds, so described, shall, from and after the passing of this act, be a separate and distinct county, known by the name of Cocke.

SECTION 2. That Henry Ragan, William Job, John Cassee, Peter Fine, John Keeney, Reps Jones, and John M'Glochlen, are hereby appointed commissioners, and authorized to lay off and appoint a place the most 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 court house, prison, and stocks are to be erected in said county of Cocke, to contract and agree with suitable workmen, for erecting and building, at the place aforesaid, a court house, prison, and stocks for the use and benefit of said county. And the better to enable the commissioners aforesaid to carry this act into effect:

SECTION 4. That a tax not exceeding twelve and a half cents on each hundred acres of land--a tax not exceeding twelve and a half cents on each town lot--a tax not exceeding twenty-five cents on each slave, between the age of twelve and fifty years--a tax not exceeding one dollar on each stud horse--a tax not exceeding twelve and a half cents on each free male, between the age of twenty one and fifty years, shall be collected in the said county of Cocke every year, not exceeding three 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 fifteen hundred dollars, payable to the governor for the time being, and his successors in office, for the use of the said county of Cocke, 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 said county of Cocke shall be held constantly by the justices of said county, on the fourth Mondays in February, May, August, and November, in every year; and the justices for the said county of Cocke are hereby authorized and empowered to hold the first court for the same at the house of Daniel Adams, where to commence on the fourth Monday in November 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 shall from court to court adjourn themselves, until a court house shall be built of the said county of Cocke, and then all causes, matters and things depending in the said court, and all manner of process returnable to the same, shall be adjourned to said court house; and all courts held in and for said court of Cocke, 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 other courts held for the several counties in this state: *Provided*, That nothing herein contained shall be construed so as to prevent the collection of all arrearages of public and county taxes, due the county of Jefferson, in said county of Cocke.

SECTION 7. That the sheriff of Jefferson county is hereby authorized to collect all monies due on judgments or executions, entered up in the county of Jefferson, prior to the passing of this act, and that all proceedings now pending in the county of Jefferson shall be proceeded on, and determined in the same manner as if this law had not been passed.

SECTION 8. That the inhabitants of said county of Cocke shall be entitled to hold an election, at the court house, under the same rules and regulations, as prescribed for elections, in other counties, and shall make returns of the polls in the same manner as pointed out by law, in other cases of separate elections, shall compose a part of the district of Hamilton, and shall send four jurors to the superior court of said district.

October 9, 1797.

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