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# Private Acts of 1835-36 Chapter 36

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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,

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)

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## Private Acts of 1835-36 Chapter 36

**SECTION 1.** That a new county be and the same is hereby established, by the name of Coffee, in honor of the late General John Coffee, east of Bedford, west of Warren and north of Franklin, adjoining said counties, and composed of parts of the same: beginning at the store house of William Norton, in Hoover's gap, in the line between Rutherford and Bedford; thence south, eight degrees east, ten and a half miles, to a point twelve miles east of Shelbyville; thence south six and a half miles to a corner in Franklin county; thence east eight and a half miles, to a point twelve miles north of Winchester; thence south, eighty degrees east, four miles; thence north, forty-five degrees east, thirteen miles sixty-four poles; thence north three hundred and four poles; thence north, thirty degrees west, two miles and one hundred and fifty poles; thence north, sixty degrees west, one mile and one hundred and sixty poles; thence north, thirty degrees west, two miles; thence north, eighty-five degrees west, three miles and two hundred poles; thence north, twenty degrees west, six and a half miles; thence south, seventy-one degrees west, six miles and seventy poles, thence north, eleven degrees west, one thousand and thirty poles to the Bedford corner; thence south, forty-four degrees west, along the line between Rutherford and Bedford, one hundred and ninety-two poles; thence south, along said line, one hundred and twenty-eight poles; thence a continuation with said line and ridge, with its meanders, to the beginning.

**SECTION 2.** That for the due administration of justice, the different courts to be holden in said county of Coffee, shall be holden at the house of Thomas Powers, until the seat of justice for said county shall be located, but a suitable house erected for that purpose; the county court shall, in the intermediate time, have full power to adjourn the courts to such other place in the said county, as they may deem better suited for the holding of the same, and for the public convenience, and to adjourn to the seat of justice when in their judgment the necessary arrangements are made; and all writs and other process, returnable to either place, shall and may be returned to the place to which the said courts may have been removed, by the county court aforesaid; and the said courts to be holden in and for the said county of Coffee, shall be under the same regulations and restrictions, and shall have, hold, exercise and possess the same powers and jurisdiction as are possessed by said courts in other counties in this State.

**SECTION 3.** That all officers, civil and military in said county, shall continue to hold their offices, and exercise all the powers and functions thereof, until others be elected under the provisions of the amended constitution and the laws made in pursuance thereof. And the said county of Coffee shall elect her officers, civil and military, under the amended constitution, at the same time and under the same rules and regulations, and in the same manner that may be provided by law for the elections of officers in other counties in this State. And the said county of Coffee shall be placed upon an equal footing, possess equal powers and privileges, in all respects, as other counties in this State; Provided, nothing in this act contained shall be so construed as to deprive the counties of Bedford, Warren and Franklin, from having, holding and exercising jurisdiction over the territory composing said county of Coffee and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers under the amended constitution, Provided, also, nothing in this act contained shall be so construed as to prevent the counties of Bedford, Warren and Franklin from entering up judgments, or the sheriffs of said counties from selling, under such judgments, any lands within the bounds of said county of Coffee, for taxes, costs and charges, for the past or any proceeding year; nor to prevent the sheriffs of either of said counties of Bedford, Warren and Franklin from collecting from the citizens of said county of Coffee, any taxes due for the past or any proceeding year.

**SECTION 4.** That the citizens of the county of Coffee, in all elections for governor, for members of congress and for members of the general assembly, shall vote with the counties from which they may have been stricken off, until the next apportionment of members of the general assembly, agreeable to the provisions of the fifth section of the tenth article of the amended constitution.

**SECTION 5.** That William S. Norton, Hugh Davidson, Sen. Lecil Bobo, John Hickerson, Alexander Blakely, William Bradshaw and Thomas Powers be and they are hereby appointed commissioners, a majority of whom can act, who shall, on or before the first Monday in January next, proceed to fix on a place, as near the center of said county as an eligible site can be procured at least within four miles of the center of said county; at which site the said commissioners shall procure, by purchase or otherwise, at least fifty acres of land, for which they shall procure a deed or deeds, to be made to themselves and their successors in office, by general warranty; and the said commissioners shall report and return all their proceedings relative to and concerning said county, to the county court of said county; and it shall be the duty of the clerk of said court to record the same.

**SECTION 6.** That it shall be the duty of the county court of said county, to appoint five commissioners, to whom the commissioners appointed by this act shall convey the land acquired for the use of said county; on which it shall be the duty of the commissioners appointed by the county court, to cause a town

to be laid off, with as many streets and alleys, and of such width as they may deem necessary, reserving at least four acres for a public square, and a lot sufficient for building a jail; and the said town, when so laid off, shall be known by the name of Manchester.

**SECTION 7.** That the commissioners of said county shall sell the lots in said town on a credit at least of twelve months, first giving due notice thereof in one or more newspapers printed in this State; and shall take bond with sufficient security, from the purchasers of said lots, payable to themselves or their successors in office; and shall make titles, in fee simple, as commissioners, to the respective purchasers of said lots.

**SECTION 8.** That the proceeds of the sale of the lots aforesaid, shall be a fund in the hands of said commissioners, for defraying the expenses incurred in the purchase of the said tract of land on which the said county seat is located; and also for defraying the expenses of erecting public buildings.

**SECTION 9.** That the said commissioners shall superintend the building of the court house, jail and other necessary public buildings; and shall let out such buildings as the county court of said county shall order to be built, upon such terms and conditions as the said court shall direct; and shall take bond with sufficient securities, from the person or persons to whom the same is let, payable to themselves and their successors in office, in the sum of ten thousand dollars, conditioned for the faithful performance of his or their contracts.

**SECTION 10.** That the said commissioners, before they enter upon the duties of their office assigned them by this act, shall take an oath or affirmation that they will truly and faithfully execute and perform the different duties by this act enjoined on them, according to the best of their judgment; and moreover, shall enter into bond with approved securities, payable to the chairman of the county court of Coffee county, and his successors in office, in the sum of five thousand dollars, conditioned for the due and faithful performance of the duties enjoined upon them by this act; which bond shall be deposited in the clerk's office in said county, and shall not be so construed as to make one of the commissioners security for the other.

**SECTION 11.** That the said commissioners shall keep a fair and regular statement of all moneys by them received and expended; which statement, when required, shall, from time to time, be laid before the county court; but said commissioners shall not be called on oftener than once a year; and when all the necessary public buildings are completed, the said commissioners shall, by order of the county court, pay over all surplus money to the county trustee, for county purposes; and they shall be allowed, by the county court, a reasonable compensation for their services.

**SECTION 12.** That the first seven commissioners mentioned in this act, shall each be entitled to receive, as compensation for their services, the sum of three dollars per day, for each day they may be absent from home, and necessarily employed in performing the duties required of them by this act, to be paid by the said county of Coffee, out of any monies in the treasury not otherwise appropriated.

**SECTION 13.** That the commissioners that may be appointed to lay off the town, shall also reserve as many lots as they may deem necessary, to be given to the different religious denominations, on which to erect houses of public worship; and also a lot for a public burying ground; and that the said commissioners shall also reserve a lot for each, a male and female academy, of such size as they may deem necessary; Provided, that that portion of the counties of Warren and Franklin included within the bounds of Coffee county, shall still be liable to pay to the respective counties from which they may be taken off, their rateable proportion of the county debt; and Provided, further, that the citizens of the county of Coffee shall be entitled to receive their rateable proportion from the several counties from which they are taken, of the school fund, internal improvement fund, or other public moneys, which are now due or may fall due prior to this act going into effect.

**SECTION 14.** That the portion of Rutherford county lying in Hoover's gap, shall be attached to and become a part of the county of Coffee, upon the following conditions, to wit: that the county of Rutherford shall not thereby be reduced below her constitutional number of square miles; and that a majority of the qualified voters, residing within the boundaries, as hereinafter described, shall, on or before the 15th day of February next, notify the governor of the State, by written communication, signed by such majority, of their wish, to be attached to said county of Coffee. A direct line shall be run, crossing Hoover's gap at right angles, as near as may be, so as to intersect with the Bedford county line, on the ridge, on each side of said gap, leaving Christopher Hoover and Jacob Hoover on the north side of said line, and crossing the gap as near Jacob Hoover's mill as practicable, to leave those persons on the north side of said line; and the territory lying on the south of the line to be so run, shall, on the conditions aforesaid, be attached to and become a part of the county of Coffee.

Passed: January 8th, 1836.

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