



April 02, 2025

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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Creation of the County

Acts of 1799 Chapter 2

COMPILER'S NOTE: Sections 1 and 2 of the Act reduced Sumner County to its constitutional limit of 625 square miles and appointed two surveyors to run and mark the eastern boundary as the Act directed. Section 3 created Smith County. Sections 5 through 13 of this Act concerned the commissioners laying out the county seat of Sumner County at a town to be established and called Rutherford.

SECTION 4. That another new county be established by the name of Wilson, to be contained within the following described bonds: beginning upon the south bank of the river Cumberland at low water mark, at the mouth of Drake's lick branch, the northeast corner of Davidson County, thence with the line of Davidson County, to the Cherokee boundary, as run and marked agreeably to the treaty of Holston, and with the said boundary to the Caney Fork, and down the Caney Fork according to its meanders to the mouth thereof, thence down the meanders of Cumberland river, by the south bank to the beginning.

SECTION 14. That it shall and may be lawful for the Sheriff of Sumner County to collect the taxes for the year one thousand seven hundred and ninety nine, and all arrearages of taxes for every and any preceding year, in the same manner, and with as full authority, as if this act had not been passed; and Sumner County shall be liable to the payment of every demand that any of the citizens of Wilson or Smith Counties, heretofore a part of the said county, may legally have for services rendered the said county, in the same manner as if this Act had never been passed.

SECTION 15. That courts of pleas and quarter sessions shall be held in the County of Smith, and the County of Wilson, with the same power and authority of the courts of pleas and quarter sessions of the counties heretofore by law established. The courts of the County of Smith shall commence on the third Mondays of the months of December, March, June, and September; and the courts of the County of Wilson shall commence on the fourth Mondays of the months of December, March, June, and September, with authority to continue by adjournment, from day to day, until the succeeding Saturday inclusive.

SECTION 16. That the first court for the County of Wilson shall be held at the house of Captain John Harpole, and after at such place as the court shall adjourn to; and for the County of Smith, at the house of Major Tilman Dixon, and after at such place as the court shall adjourn to.

SECTION 17. That all elections for members to the General Assembly, the Governor and members of Congress, shall be held at the courthouses of the Counties of Smith and Wilson, on the days on which elections for such purposes are authorized to be held, and the sheriffs of those counties shall meet the sheriff of Sumner County, at the courthouse of said county, on the succeeding Monday, and with him examine the respective polls of election for the three counties, heretofore the County of Sumner, and declare the persons duly elected members to the General Assembly, and give certificates accordingly to the persons duly elected; and it shall be the duty of the said sheriff to transmit a statement of the poll of election for Governor and member of Congress to the Speaker of the Senate, in the same manner as directed by law, as the duty of Sheriffs of counties heretofore established.

SECTION 18. That it shall be the duty of the sheriffs of the Counties of Wilson and Smith, each to hold an election at the place of holding court in their respective counties, on the first Thursday and the succeeding day of February next, for the purpose of electing one Colonel and two Majors for their respective counties, under the same rules, regulations and restrictions as prescribed by law for the election of such officers.

SECTION 19. That the elections for company officers for the Counties of Smith and Wilson, shall be held at their respective company muster grounds, on the third Thursday in February next, in the same manner and form as appointed by law for electing company militia officers.

SECTION 20. That the Counties of Smith and Wilson, shall be in all cases whatsoever, considered as a part of the district of Mero.

Passed: October 26, 1799.

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