



April 01, 2025

Chapter IV - Boundaries

Dear Reader:

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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

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Chapter IV - Boundaries

Creation of the County

Acts of 1786 Chapter 32

WHEREAS from the extent of the County of Davidson, it renders it very inconvenient and troublesome to many of the inhabitants thereof to attend the courts, general elections, and other public meetings appointed therein: That from and after the passing of this act, the said county of Davidson, be divided by a line beginning where the county line crosses the west fork of Stones' River, down the same to the junction with the main Stones' River thence a direct line to the mouth of Drakin Lick Creek, thence down Cumberland River to the mouth of Kaspus Creek, thence up the said creek to the head of the War-Trace Fork, thence a northwardly course to the Virginia line, at a point that will leave Red River, old station, one mile to the east; and all that part of Davidson that lies to the west of said line shall continue and remain the county of Davidson; and all that part of the said county of Davidson that lies east of the said dividing line, shall thenceforth be erected into a new and distinct county by the name of Sumner. And for the due administration of Justice: That the Court for the said county of Sumner, shall be held constantly by the Justices thereof on the second Mondays of January, April, July, and October in every year; and the Justices for the said county of Sumner are hereby authorized and empowered to hold the first court in the same at the house of John Hamilton, all subsequent court for the said county on the days above appointed for holding the 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 Sumner, 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 such court house; and all courts held in and for the said county of Sumner, shall be held by commission to the 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 other courts held for the several counties in this state.

Change of Boundary Lines

Private Acts of 1798 Chapter 10

SECTION 1. That from and after the passing of this act, the bounds of Davidson County shall be as follows, viz: beginning on the south bank of the Cumberland river opposite the mouth of Sycamore creek, runs south to the Indian boundary line, thence eastwardly with said Indian boundary line to the main west fork of Stones' river, thence down the middle of said fork to the old continental line, continued down said fork with the boundary line of said county heretofore established by law, and continuing with the bounds described heretofore to the beginning.

SECTION 2. That from and after the passage of this act the bounds of Sumner county shall be as follows: beginning on the Kentucky state line where Robertson county stakes the same, runs eastwardly with said state line to where the Indian boundary line strikes the same; thence a southwestwardly course with said Indian boundary to the main west fork of Stones' river; thence down said fork with Davidson county line and continuing with said county line and Robertson county line established by law heretofore to the beginning.

Passed: December 29, 1798.

Acts of 1799 Chapter 2

COMPILER'S NOTE: The following paragraphs of this act have been omitted, as they do not apply to Sumner County: paragraph 3, 14, 16, 18, 19 and 20.

That the county of Sumner shall be reduced to constitutional limits, to wit; Six hundred and twenty five square miles, exclusive of such part of Cumberland river as shall be contained therein, and shall be bounded on the west by a line beginning upon the south bank of the said river, at low water mark, immediately opposite the mouth of Mansker's creek, thence directly across the river to the mouth of said creek and up the same with the line of the county of Davidson to the line of the county of Robertson, and with that line to the northern boundary of the state; on the south, by the south bank of said river Cumberland according to its meanders; on the north by the northern boundary of the state; and on the east by a north and south line extended from the northern boundary of the state, to the said south bank of the river Cumberland. That Wallace Harris and Edward Guinn, are hereby appointed with power to both

or either to ascertain by actual survey, the eastern boundary of the said county, from the northern boundary of the state to the south bank of Cumberland river, and mark it, also to extend and mark a north and south line through the said county, from the said northern boundary to Cumberland river, so as to leave as near as may be, one moiety of the said county to the west, and the other moiety to the east of said line, for which service they shall be paid by the county, each two dollars per day, and each chain carrier and marker by them employed, one dollar per day.

That an act, entitled an act, to repeal an act, entitled An act appointing commissioners and trustees, the former to fix on a place in the county of Sumner, and the latter to purchase lands, erect a court house prison and stocks, and establish a town thereon," passed at Knoxville in the year one-thousand seven hundred and ninety-six, and for other purposes therein mentioned, be and the same is hereby repealed.

That David Shelby, David Beard, Senior James Crier, Edward Guinn, and Captain James Wilson, son of John Wilson, be, and are hereby appointed commissioners, who, or a majority of them, shall have full power and authority to purchase sixty acres of land, situate within one mile and an half of the north and south line dividing as before directed, the said county into two moieties, on some part of which shall be erected the court house, prison, and stocks of the said county, on the best terms on which it can be obtained, and to take a deed or deeds of conveyance for the same in their own names as commissioners, in trust for the county, which shall be good and valid in law, and shall vest in them and their successors in office, a complete title for the uses in this act expressed. And the said commissioners shall, by a majority, have full power to elect any suitable person or persons to fill any vacancies that may happen in their own body, by death, resignation, or otherwise.

That the said commissioners, or a majority of them, shall as soon as may be after purchasing and obtaining a title to sixty acres of land as aforesaid, cause a town to be laid off thereon, to be called and known by the name of Rutherford, for county purposes, reserving two acres near the centre thereof, on which shall be erected the court house, prison and stocks of the said county, which two acres in the plan of the said town shall be denominated the public square.

That the said commissioners be, and they are hereby authorized to sell the lots of the said town at public sale at a credit of six months, giving thirty days previous notice of such sale, by advertisement, at four or more of the most public places in the said county, taking bond, with sufficient security, for the payment of the purchase money to themselves and their successors in office. And the said commissioners, or a majority of them, are hereby authorized to execute in due form of law, deeds of conveyance, in fee simple, for the same, to the purchasers, which shall be good and valid in law, to all intents and purposes.

That the money arising from the sales of the aforesaid lots, shall by the said commissioners be applied to the building of the court house, prison and stocks; and they are authorized to contract with a suitable person or persons to erect the same: and the court house to contain convenient rooms for the juries, and the prison to consist of two rooms at least.

That the monies already appropriated by the county of Sumner, for the purpose aforesaid, shall be paid into the hands of the said commissioners, and be by them, or a majority of them, applied in paying for the lands purchased; and the overplus shall be an additional fund to that arising from the sale of the lots, to defray the expenses of erecting and [compleating] the court house, prison and stocks.

That the said commissioners shall keep a fair and regular account of all monies by them received and expended, which shall be laid before the court of the said county, when demanded; and if the monies already appropriated, shall not be sufficient to defray the expenses of the sixty acres of land, and erecting of the court house, prison, and stocks, the court shall have full power, by a county tax to make up the deficiency: Provided, that two thirds of the acting justices be present when the taxes are laid; and provided also, that the said tax shall not exceed six and a fourth cents on every white poll between the age of twenty one and fifty years, a tax not exceeding twelve and an half cents on every black poll between the age of twelve and fifty years; a tax not exceeding one dollar on each stud horse kept for the purpose of covering mares, and a tax not exceeding six and a fourth cents on each hundred acres of land in any one year, which shall be collected in the same manner, and by the same persons as public taxes are; and the monies arising from the said taxes shall be paid by the collector thereof, first deducting the same per centum for collection as is by law allowed for the collection of public taxes, into the hands of the aforesaid commissioners or a majority of them, to be applied to the purposes aforesaid.

That the aforesaid commissioner shall give bond with sufficient security, in the sum of five thousand dollars, payable to the chairman of the court of said county, and his successors in office, conditioned for the faithful performance of the duties enjoined on them by this act. That the said commissioners, when the buildings are [completed], shall lay before the court of the said county, a fair and just statement of the costs and expenses of said purchase and buildings, together with their receipts, and shall be allowed a reasonable compensation for their services by the said court; Provided that two thirds of the acting justices of said county be present when such allowance is made.

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 has 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.

That elections for members to the General Assembly, the Governor and members of Congress, shall be held at the court houses 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 court house 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.

Passed: October 26, 1799.

Private Acts of 1832 Chapter 55

That the road as now established and known by the name of the Lexington and Kentucky road, running between the counties of Robertson and Sumner, be, and the same is hereby taken, held and deemed the true dividing line between said counties, said dividing line commencing at a point in said road near Thomas Collins where the old line as heretofore established, intersects said road, running thence with said road to the Kentucky line.

Passed: October 16, 1832.

Acts of 1870 Chapter 27

COMPILER'S NOTE: Sections 3, 7, 8, 9, 10, 11, 13, 14 and 15 of this Act did not apply to Sumner County and are not included herein.

SECTION 1. That a new county be, and the same is hereby established, out of fractions of the territory composing the counties of Sumner, Macon, Smith and Wilson, around the town of Hartsville, to be called "Trousdale," in honor of Governor Wm. Trousdale.

SECTION 2. That said county of Trousdale shall be bounded as follows, to wit: Beginning on the north bank of Cumberland River, near the house of Dr. James Alexander, in Smith County; running thence in a northeasterly direction on an arc ten miles from Carthage to a stake on the Hartsville and Carthage turnpike, near the house of Mrs. Bradley; thence north 45 degrees east to Mou's Hill; thence with the meanderings of said hill to a stake in the Macon county line near Raglan's; thence with said line some ten miles to where said line crosses the middle fork of Goose Creek, near Ephraim Parsley's; thence with the meanderings of said creek to the mouth of the west branch of the middle fork; thence up said branch with its meanders to James Barnley's, at the mouth of "Love Hollow:" thence due west to the Macon county line; thence with said west boundary line southward to a mulberry tree, the southwest corner of Macon County; thence on a continuation of the south boundary line of Macon County, due west to where said line intersects the east fork of Bledsoe's Creek, near George Brown's; thence south to the Cumberland River, crossing the Gallatin and Hartsville turnpike ten miles from Gallatin, between Hallum's shop and the old toll-gate; thence up said river with its meanders, to David Jackson's in Wilson County; thence eastward on an arc eleven miles from Lebanon, to Cumberland River at the mouth of Everett's branch; thence up the river with its meanders to McDonald's warehouse; thence eastwardly on an arc eleven miles from Lebanon, near Fred Terry's and Whitson's, to a point in the Smith county line between James Calhoun's house and Henry Ward's; thence on an arc ten miles from Carthage, to the beginning.

SECTION 4. That it shall be the duty of said Commissioners to designate three voting places in the Sumner fraction, one in the Macon fraction, four in the Smith fraction, and two in the Wilson fraction; and shall give ten days' notice by written or printed circulars, posted in five or more public places in each fraction taken from the respective counties of Sumner, Macon, Smith and Wilson, that an election will be held in which all persons entitled to vote for members of the General Assembly who have resided in the fraction proposed to be stricken off for six months immediately preceding said election, shall be entitled to vote, and each voter who desires to vote for the establishment of the new county, shall have on his ticket the words "New County," and those desiring to vote against the new county, shall have on their tickets "Old County," and if, upon the counting of all the votes cast at said election in that part of each of the counties of Sumner, Macon, Smith and Wilson proposed to be taken off to form said county of Trousdale,

it shall appear that two-thirds of the qualified voters in each of the parts so taken off vote in favor of being attached to the new county, then that part shall be a part of the county of Trousdale, and the same is hereby declared to be a county, with all the powers, rights and privileges, and subject to all the liabilities and duties with other counties in this State; Provided, however, that if there should not be a two-thirds vote in the Wilson county fraction in favor of said new county, the fractions of Sumner, Macon and Smith shall constitute the county of Trousdale. Provided, the consent of two-thirds of the qualified voters residing in the part so taken off has been legally given.

SECTION 5. That said Commissioners shall appoint Judges and Clerks to hold said election, and also some suitable person as an officer in each place designated in each fraction, who shall have all the powers and perform all the duties imposed by law upon other officers holding elections under the laws of this State, and who shall, after the polls are closed and the vote counted, make out and certify the result and return the same with a copy of the poll books to the Chairman of said Board of Commissioners, who shall, when the returns are all received, in the presence of the said Board proceed to compare the vote and certify the result; and the election therein provided for shall be held on the same day in each of said fractions, and if, for any cause, the election as herein provided shall not be held in any of said fractions on the day appointed, said Board shall provide for another election as herein provided in such fraction.

SECTION 6. That said Commissioners shall have power, and it shall be their duty to mark the boundary lines of said county of Trousdale, guided by the marks and bearings set forth in the second section of this act before the election provided in the fourth section of this act, and it shall be their duty to divide the said county in such number of civil districts as the convenience of the inhabitants may require (but in no event shall there be less than ten civil districts in said county) designating the boundaries of and giving the place of holding in said districts, and they shall perform such other duties as may be necessary to carry out the provisions of this act.

SECTION 12. That it shall be the duty of the Tax Collectors of Sumner, Macon, Smith and Wilson Counties, to pay over to the Trustee of Trousdale County, when elected and qualified, that portion of the county tax of said counties which has been collected by said Tax Collectors within the boundaries of Trousdale County for 1870, and the said Trustee's receipt shall be a voucher to said Tax Collectors on settlement with the Trustees of their respective counties.

SECTION 16. That the fractions taken from the Counties of Sumner, Smith, Macon and Wilson, to form the County of Trousdale, shall continue liable for their pro rata of all debts contracted by their respective counties prior to their separation, and be entitled to their proportion of any stock or credit belonging to such old counties; and this act shall take effect from and after its passage, the public welfare requiring it.

Passed: June 21, 1870.

Private Acts of 1905 Chapter 196

SECTION 1. That the line between the Counties of Macon and Sumner be, and the same is hereby, so changed as to include the residences of J. Y. Williams, J. M. Henson, W. M. Henson, J. B. Garrett, W. R. Duffy, George Vance, Jim Woodard, and John Hawkins, and the Widow Taylor in Sumner County. Said line to run as follows: Beginning at a rock near Berry Williams' house in the Sumner and Macon County line, running thence east about 130 poles to J. T. Williams' corner; thence north about 150 poles to a beech, Amy Jumper's corner; thence east about 75 poles to a stake; thence northeast with John Garrett's and W. R. Duffy's line to George Vance's northeast corner; thence west about 175 poles back to the Macon and Sumner County line.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 5, 1905.

Private Acts of 1929 Chapter 707

SECTION 1. That the county line between Sumner and Trousdale Counties be changed and established as follows: Beginning at a point in the mouth of Canoe Branch where it empties into Cumberland River near Canoe Branch Ferry, and at low water mark, thence in a northerly direction with the southwest margin of the Public Road running from the River at Canoe Branch Ferry to the Castillian Springs and Hunters Point Road to a point where said road intersects with the Castillian Springs and Hunters Point Road, thence eastwardly with the Southern margin of said road about one-fourth mile to an old Oak Stump in the present county line between said Counties, said line as above designated detaches from Sumner County and attaches to Trousdale County the property of Callie Cunningham and perhaps others.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 11, 1929.

Private Acts of 1949 Chapter 729

SECTION 1. That the present location of U. S. Highway No. 31-W is hereby declared to be the line between the counties of Sumner and Robertson in this State, beginning where the same intersects the north boundary line of this state and running southwardly with said highway to the point where said counties no longer border thereon. All lands to the west of said highway shall be in Robertson County and all lands to the east thereof shall lie in Sumner County. Provided, however, that such lands as shall be transferred from one county to the other by this Act shall be liable for taxation for the purpose of paying any outstanding bond issues for which they would have been liable had they not been transferred from one county to another.

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring it.
Passed: April 11, 1949.

Private Acts of 1969 Chapter 297

SECTION 1. That a certain County forty-foot roadway, or right of way, located in the First Civil District of Sumner County, Tennessee, is hereby detached from Sumner County and the same is hereby attached to and shall become a part of Trousdale County. Said County road is known as the Canoe Branch road, and it begins at the present Sumner County boundary line at the Ed Brozier property line, and extends in a westerly and northwesterly direction for a distance of approximately .55 miles, more or less. The above-described road and forty-foot roadway easement shall become a part of the Trousdale County road system and the same shall be under the jurisdiction and supervision of the Trousdale County Highway Department and the same shall likewise be maintained and repaired by the Trousdale County Highway Department.

SECTION 2. That this Act shall have no effect unless the same shall be approved by a two-thirds (2/3) vote of both the Quarterly County Courts of Sumner County and Trousdale County, and its approval or non-approval shall be proclaimed by the presiding officer of each of said bodies having jurisdiction to approve or the reverse, and the same shall be certified by them to the Secretary of State.

SECTION 3. That this Act shall take effect from and after its passage, the public welfare requiring it.
Passed: March 13, 1961.

Boundaries - Historical Notes

The following is a summary of acts which authorized boundary changes for Sumner County.

1. Acts of 1843-44, Chapter 40, established the dividing line between Sumner and Robertson County beginning at the blackjack corner, of the Kentucky line, and running south with the center of the Nashville and Kentucky turnpike road, as far south as the old Kentucky Road. This Act was repealed by Private Acts of 1974, Chapter 369.
2. Acts of 1853-54, Chapter 181, transferred the dwelling house of George H. Carter out of Macon County and into Sumner County.
3. Acts of 1889, Chapter 118, moved all the lands of Green Williams which were lying partly in Sumner County, and partly in Trousdale County, out of Sumner County and into Trousdale County. Trousdale County was required to order the County Surveyor to run, establish, and mark the line of Trousdale County so as to include all of Green Williams' property within it. This Act was repealed by Private Acts of 1974, Chapter 369.

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