



July 22, 2024

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, 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 the 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.

AND BE IT ENACTED, 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.

AND BE IT ENACTED, That a new county be established by the name of Smith, to be contained within the following described bounds; beginning upon the south bank of Cumberland river, at the south end of the eastern boundary of Sumner county, thence north with the said eastern boundary, to the northern boundary of the state, and with the said boundary, east to whether it is intersected by the Cherokee boundary, run and marked agreeably to the treaty of Holston, thence with that boundary, to the Canyon (sic) Fork of Cumberland river, thence with the said fork according to its meanders, to the mouth thereof, thence down the south bank of Cumberland river according to its meanders, to the beginning.

BE IT ENACTED, 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.

AND BE IT ENACTED, 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 Dixson; and after at such place as the court shall adjourn to.

AND BE IT ENACTED, That elections for members to the General Assembly, the Governor and member 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 the 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.

BE IT ENACTED, 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.

BE IT ENACTED, That the elections for company officers for the counties of Smith and Wilson, shall be held at their respective company muster ground, on the third Thursday in February next, in the same manner and form as appointed by law for electing company militia officers.

BE IT ENACTED, 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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