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Chapter IV - Boundaries

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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,

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Chapter IV - Boundaries

Creation of the County

Acts of 1794 (1st Session) Chapter 11

AN ACT TO DIVIDE THE COUNTY OF JEFFERSON INTO TO [sic] TWO DISTINCT COUNTIES.

WHEREAS, THE INHABITANTS OF JEFFERSON COUNTY, WHO LIVE ON THE SOUTH SIDE OF FRENCH BROAD RIVER, LABOUR UNDER DIFFICULTIES IN ATTENDING AT COURTS AND MUSTERS, IN HAVING THE RIVER TO CROSS, AND OTHER INCONVENIENCIES ATTENDING THE PRESENT EXTENSIVE BOUNDARIES OF SAID COUNTY:

SECTION 1. BE IT ENACTED BY THE GOVERNOR, LEGISLATIVE COUNCIL, AND HOUSE OF REPRESENTATIVES OF THE TERRITORY OF THE UNITED STATES OF AMERICA SOUTH OF THE RIVER OHIO, That the county of Jefferson be divided by a line as follows, to wit. Beginning on the Eastern boundary of this Territory; from thence a direct line to the ridge that divides the waters of Little Pigeon from the waters of Big Pigeon river; thence along the same to the head of Muddy creek; thence a direct line to the lower end of an island in French Board river, formerly known by the name of Hubbert's island; thence a direct line to the mouth of Cresswell's mill creek; thence with the Knox county line to the top of Bay's mountain; thence along the said mountain to where French Broad river runs through the same; thence along the said mountain, and with the extreme height thereof, to the place where the dividing ridge that divides the waters of French Broad from those of Little river intersects the same; thence with said ridge to the Pigeon mountain; thence along said mountain to the Indian boundary, and with the same to the Eastern boundary of the territory; thence to the beginning. And all that part contained in the said boundaries, shall thenceforth be erected into a new and distinct county, by the name of SEVIER.

SECTION 2. AND BE IT ENACTED, That Josph Wilson, Robert Polk, Samuel Magahee, Samuel Newell, and Thomas Buckenham are hereby appointed commissioners; and authorised to lay off, and appoint a place the most central and convenient in said county, for the purposes of erecting a court house, prison, and stocks.

SECTION 3. And for the due administration of justice in said county, BE IT ENACTED, That the court for the said county of Sevier shall be held constantly by the justices of said county on the last Mondays in January, April, July, and October in every year; and the justices for said county of Sevier are hereby authorized and empowered to hold the first court for the same at the house of Isaac Thomas; 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 for the said county of Sevier; 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 said county of Sevier, 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 Territory.

Passed: September 27, 1794.

Change of Boundary Lines

Acts of 1795 Chapter 14

Be it enacted by the Governor, Legislative Council and House of Representatives of the Territory of the United States of America South of the river Ohio, That from and after passing of this act, the line that divides the aforesaid counties of Jefferson and Sevier, on the south side of French Broad river, shall begin on said river at the lower end of Hubbard's island, thence a direct line to where the dividing ridge that divides the waters of Flat creek from the waters of Peerey's creek intersects said river, thence with said ridge to the ridge that divides the waters of Flat creek from the waters of Muddy creek, thence with that ridge to the ridge that divides the waters of Little Pigeon from the waters of French Broad and Big Pigeon to the eastern boundary of this Territory.

Passed: July 11, 1795.

Private Acts of 1796 Chapter 35

WHEREAS the lines between Sevier and Blount counties have not been sufficiently ascertained, to prevent disputes between the citizens of said counties

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That the line dividing Sevier and Blount counties, begin at where the said lines intersect on the top of Bay's Mountain, thence taking the ridge that divides the water of Little River from the waters of French Broad, and with said ridge to the eastern boundary of this state.

Passed: July, 1796.

Acts of 1809 Chapter 91

Be it enacted by the General Assembly of the State of Tennessee, That from and after the passing of this act, that part of Blount County included within the following lines, to wit: Beginning at the extreme height of the round top mountain near William Davie's in Weir's cove, from thence running due south until the said line intersects the Indian boundary line, thence along said line until it intersects Sevier county line, thence along said line to the beginning, be, and the same is hereby annexed to and shall in every respect whatever compose part of the said county of Sevier: Provided, the aforesaid location may not include any of the citizens of Tuokylechy cove in the county of Sevier; And provided also, that nothing in this law contained, shall prevent the sheriff of Blount from making such collections as he is authorized to make under the laws in force, previous to the passage of this act.

Passed: November 22, 1809.

COMPILER'S NOTE: This Act was cited, along with several others in the land dispute contained in the case of Hitchcock v. Southern Iron and Timber Company, 38 S.W. 593 (Tenn. 1896).

Acts of 1849-50 Chapter 82

WHEREAS, it appears to this General Assembly by the petition of a number of the citizens of the counties of Knox and Sevier, that the dividing line between the said counties from the mouth of Criswell's Mill creek, to the top of Bay's mountain, or the butt thereof, has never been run as was provided for by the above recited act. Therefore,

SECTION 1. That John W. Legg, county Surveyor of the county of Knox, and F.A.R. McNutt, of the county of Knox; John Mullendore, county Surveyor of the county of Sevier; and Enoch Underwood, of the county of Sevier; be, and they are hereby appointed commissioners to run and mark said line, according to the provisions of the above recited act of 1794.

SECTION 2. That after said commissioners shall so have run and marked said dividing line, they shall make two fair plain plats or plans of survey of said line, one of which shall be by them filed with the clerk of the county court of Knox county, and the other with the clerk of the county court of Sevier county, which shall be by said clerks recorded in their respective offices, under the direction of said county courts, for which surveys so to be performed by said commissioners when the labor is done and performed, they and each of them shall be entitled to the sum of dollars each, for their services to be paid out of the county treasury.

Passed: February 4, 1850.

Acts of 1879 Chapter 119

SECTION 1. That the County line between Blount and Sevier Counties be changed as follows:

Beginning on the Blount and Sevier County line, near Millstone Gap in Bluff Mountain; thence a direct line to Shook's Gap, in Bay's Mountain; thence with the top of said Mountain, to the Sevier County line.

SECTION 2. That the County Surveyors of the Counties of Blount and Sevier, together with J. R. Chandler and E. S. Thompson, of Sevier County, and Hugh Cox and Andrew McTeer, of Blount County, are hereby appointed Commissioners to run and mark said County line.

SECTION 3. That said Commissioners shall take an oath, before some Justice of the Peace, that they will faithfully, honestly and impartially perform the duties of said Commission; and they shall perform the duties above designated within six months after the passage of this Act.

SECTION 4. That said Commissioner shall make two plats of the survey, and shall accompany them with such report as may be necessary to explain said survey; and said plats of survey shall be signed by the Commissioners, and one copy filed in the Register's office of

each County of Blount and Sevier, which shall be registered by the respective Registers thereof.

SECTION 5. That the Commissioners shall mark the line on such standing timber, with such fore and aft marks and side lines as they may deem necessary to make said line plainly known; and said County Surveyors shall be paid the sum of three dollars per day-- while they are employed at said service, to be paid by their respective Counties.

SECTION 6. That the fractions of either of the above named Counties that may be added to the other County by the change of the County line as above provided for, shall continue to be liable for their pro rata of all debts contracted by their respective counties prior to said change, and shall be entitled to their proportion of any stock or credits belonging to the county from which said fractions are taken.

Passed: March 14, 1879.

Private Acts of 1941 Chapter 459

SECTION 1. That the line between the Counties of Sevier and Blount in the State of Tennessee be and the same is hereby changed so as to include within the boundaries of Sevier County and in the present Ninth District thereof that part of Blount County in the Thirteenth District bounded and described as follows, to-wit:

Beginning on an iron pin on right-of-way of highway and runs S. 6. deg. 30 min. W. 128 feet to an iron pin, 3.57 min W. 90 feet to an iron pin, 3.20 min. W 305½ feet to an iron pin, S. 64 deg. W. 320 feet to an iron pin. All the foregoing calls run along north side of roadway leading toward Levalor State Highway N. 36 deg. 30 min. W. 258½ feet to Cunningham line with same, N. 32½ E. 231 feet N. 38 deg. 30 min. E. 414 feet to beginning of right-of-way, S. 70 deg., E. 114 feet to a concrete post, N. 15 E. 9 feet to concrete post, S. 70 deg., E.187½ feet to the beginning, containing 4½ acres, more or less, being the lands of S. E. Williams of Blount County in the Thirteenth Civil District.

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

Passed: February 14, 1941.

Boundaries - Historical Notes

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

1. Acts of 1796, Chapter 34, appointed Joseph Greer, Abraham M'Clery and William Bailes, or a majority of them, as Commissioners to run the lines between Knox County and Sevier County according to the description in the 1794 Act creating Sevier County. They may start at any point they choose and each would be paid \$2.00 per day, plus \$1.00 per day for a marker, for each actual day worked which would be paid equally by the two counties.
2. Acts of 1805, Chapter 14, appointed Peter Bryan and Joshua Gid as Commissioners to ascertain the line between Jefferson and Sevier County, and Mordecai Lewis of Jefferson County who would work with them, all being given compensation at the rate of \$2.00 per day. All chain carriers hired would be paid \$1.00 a day.
3. Private Acts of 1832 (Ex. Sess.), Chapter 64, appointed John Mullendore of Sevier County and Robert Wier of Blount County to run and mark the line between the two counties in accordance with the acts of the assembly; and provided that the county courts of both counties compensate these men in an adequate fashion. They shall report to their County Courts, and the line they determine shall be the line between the two counties.
4. Acts of 1839-40, Chapter 36, required the county surveyors of Sevier and Blount Counties to run and mark the line which was changed between the two counties commencing at a point of said line on the top of Round Top Mountain and running from thence a due south course to the North Carolina line, at such compensation as their County Courts may direct. Either of the two counties may act independently of the other, and when completed, the line established from such will be the line between the two counties. This act was repealed by Acts of 1845-46, Chapter 98.
5. Acts of 1845-46, Chapter 174, changed the boundary between Sevier and Jefferson Counties so as to include all the lands of and the house of William Thompson in Jefferson County.
6. Acts of 1849-50, Chapter 98, expressly repealed Acts of 1839, Chapter 36, in its entirety.
7. Acts of 1851-52, Chapter 189, so altered the lines between Jefferson and Sevier Counties at Creswell's Creek, so as to include all the lands of Thomas Stringfield in Jefferson County.
8. Acts of 1853-54, Chapter 177, recites in the preamble that lawsuits have been filed in the Courts

of Knox County to settle a boundary line dispute between that County and Sevier County. Therefore to settle same, all the lands belonging to William Moulden and to the heirs of D. Adams are declared to be in Knox County.

9. Acts of 1881, Chapter 54, transferred all the lands belonging to S.A. Sims from Jefferson County over to Sevier County.
10. Acts of 1883, Chapter 38, moved all the land and improvements belonging to John Russell, William Felker and Benjamin Manning from Jefferson County to Sevier County.
11. Acts of 1883, Chapter 54, also transferred lands belonging to B.C. Thornburgh, James A. Caldwell and John Caldwell from Sevier County to Jefferson County.
12. Acts of 1887, Chapter 51, provided that the land belonging to Andrew Creswell, deceased, and now belonging to W. G. Creswell and M. G. Creswell, formerly located in Sevier County, is now included in Blount County.
13. Acts of 1887, Chapter 132, changed the lines between Knox and Sevier counties so that all properties belonging to G. W. Underdown and George King be included in Knox County.
14. Acts of 1887, Chapter 136, transferred the entire farms belonging to W. P. Keener, J. G. Cannon, the heirs of William Thomas, deceased, and Rufus Kelly from Knox County into Sevier County.
15. Acts of 1889, Chapter 106, altered the boundaries between Jefferson and Sevier Counties so that the lands of S.A. Sims and Benjamin Manning be included in Sevier County.
16. Public Acts of 1895, Chapter 95, detached about 50 acres belonging to D.A. Ferguson from Sevier County and attached them to Knox County, thus placing all his land in Knox County and making the road running east and west on the boundary of his property the county line.
17. Public Acts of 1899, Chapter 117, reclassified the farm and residence of T.F. Adams from Sevier County into Knox County.
18. Public Acts of 1899, Chapter 256, changed the lines between Sevier and Knox Counties so as to include in Knox County all the land lying in the 14th District of Sevier County belonging to H.C. Blair, J.G. Cannon, E.W. Houseley, J.N. McMillin, Rufus Kelly, Lula J. Walker, S.G. Randles and J.W. Creswell, thereby making the county line run with the French Broad River.
19. Acts of 1901, Chapter 208, moved all the lands belonging to Sam L. Pickens from Sevier into Blount County making the new county line run the south corner of S. H. Cunningham's and run with his line and Pickett's to the Knoxville and Sevier Pike, then with the Pike to Shook's Gap.
20. Acts of 1901, Chapter 260, detached the farms belonging to James Langston and M.A. Langston from Sevier County and attached them to Jefferson.
21. Acts of 1901, Chapter 283, moved all the lands from Sevier County into Jefferson County which belonged to W.G. Cate, J.W. Douglass, J.P. Moore, W.G. Bull and E. Bull.
22. Acts of 1903, Chapter 55, transferred the property belonging to Hugh Garner from Sevier County into Blount County.
23. Acts of 1903, Chapter 478, changed the line between Sevier and Blount County so as to begin on the extreme top of Roundtop Mountain at the southwest corner of Wear's valley and running due south to the state line of North Carolina and Tennessee, all conflicts being repealed.
24. Acts of 1903, Chapter 514, transferred all the properties of Hugh Gamble and Park P. Delozier from Sevier County into Blount County.
25. Private Acts of 1917, Chapter 816, transferred about 50 acres known as the James Gamble farm from the Tenth Civil District of Sevier County to Blount County described as being bounded on the south by the county line, on the west by the lands of Andrew Davis, on the north by the lands of A.J. Davis and on the east by the lands of Thomas Meddling and Mrs. Erven Rogers.
26. Private Acts of 1933, Chapter 355, moved from Sevier County into Knox all the lands of George Creswell, J.B. Kelly, C.M. McAfee, Lula Walker, George Maples, Paul Styles, Mollie Lafollette, Henry Lafollette and Veda M. Freels which lie on the north side of the French Broad River.
27. Private Acts of 1935, Chapter 672, contains a metes and bounds description of the property subject to the act, but simply moves the land of George Petty, then located in Jefferson County, into Sevier County.
28. Private Acts of 1939, Chapter 303, detached a 50 acre tract of land belonging to J. Ed Ogle from the 13th Civil District of Blount County and attached the same to the 9th Civil District of Sevier County. The second part of the act transferred from Sevier County to Blount County a 12 acre tract belonging to Mattie E. Carr, a seven acre tract belonging to Walter E. Ogle and a 31 acre

tract belonging to E. H. Carr.

29. Private Acts of 1941, Chapter 458, changed the lines between Sevier and Blount Counties to remove from the 16th Civil District of Sevier and place in the 18th Civil District of Blount that part of land owned by Tipton Brothers and the 75 acre tract belonging to J. T. Trotter.
30. Private Acts of 1945, Chapter 610, transferred about eight acres belonging to O. L. Boyd and John H. Kerr from the 13th Civil District of Blount County to the 9th Civil District of Sevier County which was described by metes and bounds.
31. Public Acts of 1975, Chapter 134, transferred the property belonging to Fred M. Pierce from Blount County to Sevier County. The Act contains a metes and bounds description of the approximately ten acres transferred.

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