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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

Acts of 1849-50 Chapter 45

SECTION 1. That a new county be, and the same is hereby established, to be composed of fractions taken from the counties of Anderson, Campbell, Fentress and Morgan, and to be known and designated by the name of Scott county, Provided, No more than six citizens shall be taken from the county of Fentress.

SECTION 2. That the county of Scott shall be bounded as follows, to wit: Beginning at a large Hickory on the bank of Crouches Creek, where the Kentucky State line crosses the same about forty poles west of the Clear river, thence south 45 degrees, west ten miles to a stake at the top of hell point opposite to where William Beard lives, thence south sixty degrees, west three miles to where Wheeler's turnpike road crosses the same, thence south 45 degrees west to a black oak and hickory on the top of the main Buffalow Mountain, about one half mile north of Richard Adkin's, thence south passing John L. Smith's at four miles, in all twelve miles to a point where the Anderson county line strikes New river, leaving William Massingale's 20 poles in the new county, thence up New river, south 30 degrees east passing the mouth of Beech Fork at four miles, in all six miles, to a stake on the east bank of New river, thence south 80 degrees, west eight miles crossing Smoky Creek, at five and one half, so as to include William Rich, in all eight miles, to the Morgan county line on the divide between Smoky and Brimstone, thence north 65 degrees west, eight miles to a stake on Black Wolf about one mile above Andrew Lewallin's, thence north 40 degrees, west ten miles crossing the Clear fork, just below the mouth of Skull Creek, in all twelve miles, to a large pine on the divide between the Clear Fork and Honey Creek, about 20 poles west of Isaac Hill's, thence north 30 degrees, west four miles to New river at the mouth of Honey creek, thence down said river the same course, including the leatherwood bottom in the new county, in all six miles to a point at the mouth of Anderson's branch, thence north 45 west nineteen and a half miles to the Kentucky line, thence east with the Kentucky line fifty three miles to the beginning.

SECTION 3. That for the purpose of organizing the county of Scott, George Falkner, William Chitwood; Wain O. Cotton, Thomas Lawson, and Wm. Massingill of Campbell county, William Rich of Anderson county, John Triplet of Morgan county, and Dura Smith sr. of Fentress county, shall be and they are hereby appointed Commissioners, who shall take an oath before some justice of the peace, faithfully and impartially to discharge the duties imposed upon them in this act, and in all cases of vacancy that may occur among said Commissioners previous to the organization of the county court of Scott county, the same be filled by the other Commissioners, and all vacancies occurring after said organization shall be filled by the county court of Scott county; the said Commissioners shall enter into bond and security to be approved of by the county court of Scott county, and payable to the chairman thereof in the sum of three thousand dollars, conditioned for the faithful performance of their several duties. A majority of said Commissioners shall constitute a board competent to do all things herein enjoined on them. They shall keep a regular record of all their proceedings as Commissioners, which shall be returned to the county court of Scott county, at its first session, and the same shall be recorded by the clerk thereof on the records of said court, and they shall make such other returns, after the organization of said court as shall be directed thereby.

SECTION 4. That it shall be the duty of said Commissioners, first giving twenty days notice in one public place, or more if they think necessary, of the time and places to open and hold an election at one place or more in each of the fractions proposed to be stricken off from the counties of Anderson, Campbell, Morgan and Fentress, for the purpose of ascertaining whether a majority of the voters residing in those fractions are in favor of or opposed to the establishment of the county of Scott; and all persons qualified to vote for members of the General Assembly, who have resided in the fractions proposed to be stricken off, six months next preceding the day of the 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 voting against the new county, shall have on their ticket the words old county, and if upon counting all the ballots, the judges of the several elections shall return that a majority of each of the fractions respectively have voted for the new county, then the county of Scott shall be, and the same is hereby declared to be a county, with all the powers, privileges and advantages, and subject to all the liabilities with other counties in this State.

SECTION 5. That if from any cause elections should not be held in all or each of the fractions as before directed, the said commissioners shall proceed as soon as practicable, to hold said election so ordered to be held, in the same manner and under the same regulations as specified in the foregoing section, and in

like manner if the said commissioners shall believe upon an investigation, which they are hereby authorized to institute, into the manner of holding the several elections, that any improper or fraudulent practices have been permitted they shall have power to declare the election so held in any fraction to be void, and proceed to hold another election in said fraction, first giving ten days notice in the manner herein prescribed.

SECTION 6. For the due administration of justice the different Courts to be holden in the said county of Scott, shall be held at the house of George McDaniel, until the seat of justice of said county shall be located. The county court shall in the intermediate time have full power to adjourn the courts to such other place in said county as they may deem better suited for the holding of the same, and for public convenience, and adjourn to the seat of justice, when in their judgment, the necessary arrangements are made; and all writs and other precepts issuing from any of said courts, returnable to either place, shall and may be returned to the place to which said court may have been removed by the county court aforesaid; and the courts for the county of Scott shall be under the same rules, regulations, and restrictions, and shall have, hold and exercise, and possess the same powers and jurisdiction as prescribed by law for holding courts in other counties. Said court shall be attached to the second judicial circuit, and the circuit court shall be held by the judge of said circuit on the fourth Mondays of March, July and November in each and every year, and the citizens of said county may file bills in chancery at the chancery court held at Jacksboro, or Knoxville.

SECTION 7. All officers civil and military, in said county, shall continue to hold their offices and exercise all the powers and functions thereof until others are elected according to law, and the said county of Scott, shall elect her officers on the same day, and under the same rules, regulations and manners as provided by law for the election of officers in the other counties in this State. Provided, That nothing in this act contained shall deprive the above named counties from having, holding and exercising jurisdiction over the territory composing the county of Scott and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers take place according to law. Provided also, nothing herein shall prevent the above named counties from entering up judgments, or the sheriffs of said counties from selling under such judgments any lands within the bounds of said county of Scott, for taxes, costs and charges, until the county of Scott is organized.

SECTION 8. That the commissioners appointed by this act shall appoint such persons as they may deem of suitable qualifications, to open and hold the election for county officers for the said county of Scott, and such person so appointed shall be, and he is hereby invested with full power and authority to appoint deputies to administer all the necessary oaths, and to do and perform all other duties as by law are required by sheriffs or other officers holding similar elections.

SECTION 9. That citizens of Scott county, in all elections for Governor, Representatives in Congress, members of the General Assembly, and electors for President and Vice President of the United States, shall vote with the counties from which they have been respectively stricken off, until the next apportionment agreeable to the provisions of the fifth section of the tenth article of the Constitution.

SECTION 10. That it shall be the duty of the commissioners aforesaid, as soon as practicable after the county of Scott shall have been established, to select and procure by purchase or otherwise a suitable site for the seat of justice in said county, having due regard to the convenience and wishes of a majority of the citizens of said county, and the said commissioners having first caused a deed to be made to themselves and their successors with general warranty, to a sufficient quantity of land, including the site so selected, shall cause a Town to be laid off thereon; with as many streets of such width as they may deem necessary, reserving a sufficient quantity of land for a public square, said commissioners shall designate and reserve from sale one lot on which to build the public Jail of said county; said Town as soon as laid off shall be known by such name as said commissioners may give it.

SECTION 11. That the commissioners shall sell the lots in said town on a credit of at least twelve months, first giving due notice thereof in one or more newspapers, and shall take bonds with sufficient security from purchasers of said lots payable to themselves and their successors in office, and shall make title in fee simple as commissioners to the respective purchasers of said lots.

SECTION 12. The proceeds of the sales of the lots aforesaid shall be a fund in the hands of said commissioners, for defraying the expenses incurred in the purchase of said tract of land on which said seat shall be located, and also for defraying the expenses of erecting the public buildings for said county of Scott.

SECTION 13. The commissioners shall superintend the erection of such public buildings as the county court of said county shall order and direct to be built, and shall let the same out, and shall take bonds from undertakers with ample penalties and sufficient securities payable to themselves and their successors, conditioned for the faithful performance of his or their contracts, the balance if any of the proceeds arising from the sales of the lots herein authorized to be laid off and sold, remaining in the

hands of commissioners after defraying the expenses of purchasing the Town site for the county seat, and the costs of public buildings ordered to be built by the county court, shall be paid over by said commissioners to the Trustee of the said county of Scott, to be held, applied and accounted for by him as other county funds.

SECTION 14. The said commissioners shall also appoint five suitable persons as commissioners, whose duty it shall be to divide and lay off said county of Scott into civil districts; designate the place for holding elections therein, and do and perform all the duties relative thereto, which by the laws of the State, such commissioners are authorized or required to do.

SECTION 15. That the county of Scott shall form one Regiment, which shall be known and designated as the 163rd Regiment, and shall be attached to the first Division and fourth Brigade; the military officer or officers highest in command included in said county of Scott, shall at such time and place as he or they may determine upon, call all the commissioned officers together, and such of them as shall attend, are hereby authorized and empowered to lay off said county into Battalions and companies, and provide for holding said elections for the purpose of electing all officers in said Regiment, in the manner provided by law.

SECTION 16. Should the boundary line of Scott county as designated in the second section of this act, approach nearer to the county seat of either of the old counties, from which the territory constituting the county of Scott is taken, than is prescribed by the constitution, it shall be the duty of the commissioners herein appointed to appoint some surveyor who shall rerun and re-mark such line or lines, so as not to violate the constitutional limits of said old county, and said surveyor shall make a report to the county court of Scott county, which report so made shall be recorded by the clerk of said court, and such line so run shall be the established line of said county.

SECTION 17. That the commissioners of Scott county, be and they are hereby authorized to exercise all the powers conferred in this act, and such other powers as may be necessary and proper to the complete organization of said county of Scott.

SECTION 18. That before the said county shall be established, said commissioners shall be satisfied from an actual survey, that said county contains not less than three hundred and fifty square miles, and a population of four hundred and fifty qualified voters, and that said counties of Anderson, Campbell, Morgan and Fentress, will not be reduced below the constitutional limits; Provided, That the survey ordered by this Act may be dispensed with if there is no opposition to the organization of the county, and all alleged reduction of the county or counties below their constitutional limits from which said county of Scott is stricken.

SECTION 19. That if the new county of Scott shall fail to organize against the first Saturday in March next, and consequently fail to elect necessary county officers as prescribed in the 7th Section of this act, they shall proceed to elect their county officers on the first Saturday in July next, thereafter, under the same rules and regulations as is now prescribed by law, and such officers so elected shall hold their offices until the regular time of electing county officers in this State and no longer.

Passed: December 17, 1849

Change of Boundary Lines

Acts of 1853-54 Chapter 129

SECTION 1. That the following shall be the dividing line between the county of Campbell on the one side, and the counties of Anderson and Scott on the other--to wit: Beginning at a point on New river, a short distance above William Massengill's, where the present Scott county line crosses said New river; running thence up New river to a point on the east bank of New river, opposite to Solomon Doherty's; thence to the Coal gap, in such a direction as to leave the waters of the Beech fork in Campbell county, and to leave Banister Vowel's residence in Anderson county; running thence on the south side of the mountain, in which the said Coal gap occurs, to the present residence of the Cokers', including the said Cokers in Campbell county; thence a direct line to a point in the former line between Campbell and Anderson counties, near the residence of Paul Harmor, so as to leave said Harmor in Anderson County. Provided, that if either of the counties of Anderson and Campbell desire to have a survey of the line laid off in this act, they shall be entitled thereto, and the county of Campbell shall defray all expenses incident to said survey.

SECTION 2. This section referred to the boundary line between Campbell and Claiborne counties.

Passed: February 20, 1854

Acts of 1853-54 Chapter 320

COMPILER'S NOTE: Only Section 25 had reference to Scott County.

SECTION 25. That the dividing line between the counties of Anderson and Scott be changed as follows: To leave new river at two white walnuts on the north bank of said river, at the mouth of a hollow in William Massingill's field; thence up said hollow to the top of the mountain, which divides the waters of said river from the waters of Smoky Creek, north eighty, west 160 poles; thence along the top of said mountain due west 320 poles, to a white oak, James McGee's west corner; thence south 30, west 600 poles, with the top of the mountain, passing Lowe's Gap; thence south 80, west 500 poles with the top of the mountain to intersect with the old line near the head of the Straight Fork; thence with said line to new river; thence down the same to the beginning.

Passed: February 11, 1854

Acts of 1870-71 Chapter 91

SECTION 1. That the county line between the counties of Campbell and Scott be changed as follows: Beginning where the line between Campbell and Scott counties strikes the Kentucky line; thence west with said Kentucky line to the extreme top of Fork Ridge; thence southward along the top of said ridge to the Campbell County line, so as to include all the waters of the Capuchin Fork of Tellico Creek in Campbell County.

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

Passed: January 23, 1871

Acts of 1871 Chapter 118

WHEREAS, An Act was passed by the General Assembly of the State of Tennessee on the 23rd day of January, 1871, entitled, "An Act to change the line between the counties of Campbell and Scott, and

WHEREAS, by said change several voters were detached from the county of Scott and attached to the county of Campbell, contrary to the wishes and interest of said voters, and

WHEREAS, It has been clearly shown by petition and sworn testimony that it is the desire of all of said voters to be added to the county of Scott. Therefore,

SECTION 1. That the county line between the counties of Scott and Campbell be changed as follows, to-wit: Beginning on the top of Fork Ridge in the Scott and Campbell county line, where James Criscillis and Hiram Trammell's lands join; thence with their dividing line, crossing Capuchin Fork of Jellies to the top of the ridge dividing the waters of Capuchin and Trammell's Fork; thence with the top of said last named ridge westwardly to the Scott and Campbell county line, including all of James Blankenship's lands in Scott county: Provided, however, that nothing in this Act shall be so construed as in any way to effect (sic) the farms of Danswell Trammell, James Smith, John Lay, David Baird, and Joseph Baird, who with their said farms are hereby declared to belong to the county of Campbell.

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

Passed: December 13, 1871

Acts of 1871 Chapter 14

SECTION 1. That the County Line between the Counties of Scott and Fentress be changed as follows: Beginning in the Scott and Fentress County line, on the north bank of the Clear Fork, at the mouth of "Caney Branch," and about two hundred poles above where J. M. Shoemaker formerly lived; thence north 45° west twenty-one miles to the extreme top of the mountain north of Rock Creek; thence along the top of said mountain north of the Scott and Fentress County line including John Draughn, Elswich Thompson, C. Blevins, Daniel Blevins, George Smith, Lewis Burk, Harmon Burk and Samuel Smith in Scott County.

SECTION 2. That nothing in this Act shall be so construed as to include any liners in Scott County except those mentioned in the preceding Section.

SECTION 3. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: October 26, 1871

Acts of 1897 Chapter 217

SECTION 1. That the boundary line between the counties of Scott and Fentress in the State aforesaid, be and the same are hereby defined and constituted as follows: Beginning at the mouth of Caney Branch on the north side of Clear Fork, and running thence north 35 degrees, 45 minutes; west 1,067 poles to the mouth of Potter's Branch, on Whiteoak creek; thence north 18 degrees, 30 minutes, west 1,450 poles to a set stone on latitude line 36 degrees, 30 minutes, known as the old Matthews line, near Katy Blevins' old place; thence north 27 degrees, west 1,600 poles to a stone north of the Louis Burke old place; thence north 32 degrees, west 1,000 poles to a planted rock in the present line between the States of Kentucky and Tennessee.

SECTION 2. That from and after the passage of this Act this shall be the dividing line between the counties of Scott and Fentress as aforesaid, except as follows: That the whole farm of Franklin Sewell shall be included in Fentress County, and the whole of the farm now owned and occupied by Daniel Blevins and Jacob Blevins and the Louis Burke place shall be included in the county of Scott.

SECTION 3. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 9, 1897

Boundaries - Historical Notes

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

1. Acts of 1853-54, Chapter 181, Section 9, changed the lines between Scott and Fentress counties so as to include all the possessions of Belfield Moore in Fentress.
2. Acts of 1855-56, Chapter 156, Section 1, moved the farms of James Ball, James Walden, Jesse T. Lay and Leander Herd into Campbell County; Section 3 changed the lines between Scott, Morgan, and Fentress Counties as the survey run by Riley Long required, making his survey the permanent boundary lines; Section 4, moved all the lands of Ewel Smith into Scott County from Campbell County.
3. Acts of 1857-58, Chapter 36, Section One, provided that the line run by Stanfield from Ewel Smith's to William Massengill's be, and the same is, hereby established as the dividing line between the said counties of Campbell and Scott so as to include all the citizens west of the said line in Scott County, and who would enjoy all the rights and privileges as other citizens.
4. Acts of 1857-58, Chapter 129, Section 1, detached the farms belonging to William Young and Elisha Chaney from Scott County and placed them in Morgan County.
5. Acts of 1859-60, Chapter 135, Section 2, provided that the county line between Fentress and Scott County be so changed that commencing at the north of Scull Creek on the Clear Fork, it shall run thence down the river to the south fork, to the mouth of Honey Creek at the old county line. Section Three of the same act transferred the dwelling house, and the tract of land on which it stands, of A. H. Cross from Scott County into Morgan County.
6. Acts of 1866-67, Chapter 9, Section 3, changed the lines between Campbell and Scott Counties so as to include all the lands belonging to John Patterson, Austin L. Keath, William Cross, William Keatherly, John McGee, Henry Goodman, James McGee, William Thompson, and the farm, formerly owned by Ewel Smith, but now the property of Riley and Jacob Queener, in Campbell County.
7. Acts of 1867-68, Chapter 60, Section 4, moved the properties of Henry Thompson, and the lands and residence of Ewel Smith, Riley and Jacob Queener, which is now owned by John E. Hudson and Isaac Neal, from Campbell County back into Scott County. Section 5 of the same act transferred the residence and farm of Wesley Buttram from Fentress County into Scott County.
8. Acts of 1868-69, Chapter 43, Section 6, detached the lands belonging to Dempsey Massengale from Morgan County and attached them to Scott County.
9. Acts of 1870, Chapter 84, transferred the lands of William A. Cross and Levi L. Adkins from Campbell County into Scott County.
10. Acts of 1873, Chapter 71, changed the lines between Campbell and Scott counties so as to include the farm of William Trammell in Scott County provided the action did not reduce Campbell County below the constitutional limits.
11. Private Acts of 1873, Chapter 75, transferred from Anderson County into Scott County all the farms belonging to Jordan Massingal, Huston Carroll, Greebery West, William Carroll, and

Alexander Low, under the same provision as above.

12. Acts of 1873, Chapter 99, moved the farms and residences of John Low, Jr., and William Keathaley from Campbell County into Scott County under the same conditions.
13. Acts of 1879, Chapter 137, Section 10, changed the lines between Scott and Campbell so as to include all the lands of J. Q. Cross in Scott County.
14. Acts of 1883, Chapter 51, altered the boundaries between Scott, Anderson, and Campbell Counties so that the lands of Richmond Kennedy would be included wholly within Campbell County.
15. Acts of 1883, Chapter 100, moved all the lands belonging to John Lay and John Lawdermilk, as they were described in the Act from Campbell County into Scott County.
16. Acts of 1883, Chapter 195, detached the farm of Milton S. Cross from Campbell County and attached the same to Scott County consisting of about 200 acres on Straight Fork Creek.
17. Acts of 1885, Chapter 60, repealed the 6th Section of an Act passed March 14, 1868 which changed the lines between Smith, Putnam, and Dekalb Counties, and for other purposes, and the line between Scott and Morgan counties was reestablished as it was before passage of the act. This must refer to Item 8, above.
18. Acts of 1887, Chapter 46 transferred all the properties belonging to Bart Neal, W. C. Adkins, and Peter Adkins out of Campbell County and into Scott County.
19. Acts of 1889, Chapter 21, detached the farms and residences of John B. Young and Solomon Young from Morgan County and attached them to Scott County.
20. Acts of 1897, Chapter 257, is an exact duplicate of Acts of 1897, Chapter 217, which is published herein.
21. Acts of 1897, Chapter 278, moved the lands of Calvin Allen and David Lay out of Scott County and into Campbell County.

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