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Chapter IV - Boundaries

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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Chapter IV - Boundaries

Creation of the County

Acts of 1801 Chapter 45

COMPILER'S NOTE: Only the Acts that pertain to Roane County are included here.

SECTION 3. That all of that tract of country lying within the following described bounds shall be, and is hereby made and constituted a new and distinct county by the name of Roane, (viz.) Beginning at the corner of Knox County on the south bank of the Holston river, running along said line to Clinch river on the north bank, thence up or down said north bank, as the case may be, to the corner of Anderson County, thence along said line, north forty-five degrees west, to the northwest corner thereof, thence south, forty-five degrees west, to the southern boundary of this state, thence east, along said southern boundary to the river Tennessee, on the south side, thence up the several meanders of said river on the south side, to a point opposite the south bank of Holston river, thence to the said south bank, thence up the several meanders on the south side to the beginning.

SECTION 4. That Knox County shall not extend further down, than to a direct line from the Salt Petre cave, below the Chota ford on Holston, to the mouth of Hickory Creek, on Clinch river, until the constitutional limits of Knox County shall be ascertained by actual survey, which shall be done by disinterested commissioners appointed by the county court of Knox; Provided also, That if on accurate survey it shall be found, that there are not constitutional bounds for Knox county above the line described in this section, that then and in that case, the deficiency shall be made up, by taking one half thereof from the county of Anderson on the south side, between the Grainger line, and the lower line of Henderson and Company's survey; the other half thereof from Roane county, between the rivers Clinch and Holston, which lines when run, shall be the bounds of Knox county, any thing in this act to the contrary notwithstanding.

SECTION 16. That Hugh Nelson, John Smith, T. Alexander Carmichael, William Barnett, Paul Halson, Zacheus Airs, or a majority of them, are hereby appointed commissioners to agree with a suitable workman to build a court house, prison and stocks, in the town of Kingston, on the lot reserved for that purpose, for the use of said county of Roane.

SECTION 17. That for the due administration of justice, the court of Pleas and Quarter sessions shall be held for said county of Roane, on the third Mondays of March, June, September and December, and the justices for said county shall hold the first court at the house of Alexander Carmichael in Kingston, on the third Monday of December next, and all subsequent courts for said county on the days above mentioned, for holding courts therein, at the same place, until a court house shall be built in and for said county, and then all causes, matters and things depending in said court, and all manner of process returnable to the same, shall be adjourned to such courthouse, and all courts held in and for said county, shall be held by commission to 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 by law, for the courts of the several counties in this state.

SECTION 18. That the said county of Roane, be, and is hereby declared a part of Hamilton district, in the same manner and for all the purposes, civil, criminal and military, in as full and ample manner as any county in this state, and shall send two jurors to the superior court of Hamilton district.

SECTION 19. That a majority of the acting justices of the county of Roane, when in session, shall have power, and are hereby authorized and required, to lay an additional county tax, not exceeding twelve and an half cents on each hundred acres of land liable to taxation, twelve and a half cents on each white poll, twenty five cents on each black poll, fifty cents on each stud horse kept for covering mares, twenty five cents on each town lot, and ten dollars on each billiard table, the said tax to be laid from year to year, until a sufficient sum shall be collected to pay for said public buildings, and shall be collected by the collector of public taxes, on the same per centum, as other county taxes, and shall pay the same to the aforesaid commissioners, whose receipt shall be allowed in the settlement of his accounts, and be by them applied to the payment of said public buildings.

SECTION 20. That before the said commissioners enter on the duties of their appointment, they shall enter into bond with sufficient security, payable to the governor for the time being, in the sum of three thousand dollars, for the faithful discharge of their duty as herein expressed, which bond shall be lodged in the office of the clerk of said county of Roane.

SECTION 21. That so soon as the public buildings shall be completed, the aforesaid commissioners shall

lay before the court of Roane County, a just and fair statement of all monies by them received, as well as those by them expended, with sufficient vouchers for the same, by virtue of their appointment, and the court shall make them a reasonable allowance for their services; Provided, There shall be five acting justices present when such allowance is made. **SECTION 22.** That Joseph Taylor is hereby appointed a commissioner on the part of the county of Roane, to act with the commissioner appointed on the part of Anderson county, to run the line between the counties of Anderson and Roane, from the double springs on the east fork of Poplar Creek, to the Indian boundary, and from the aforesaid double springs, to Clinch river; and shall have the sum of two dollars for each day he may be necessarily employed in running said line, to be paid by the treasurer of Roane county, out of the county monies, whose receipt shall be good in the settlement of his accounts.

SECTION 23. That John McClellan and Joseph Taylor are hereby appointed commissioners to run and mark the line between the counties of Knox and Roane from the salt petre cave on Holston to the mouth of Hickory creek on Clinch river, for which they shall have the sum of two dollars & fifty cents, for each day they may be necessarily employed in running said line, and the treasurer of Knox county, is hereby required to pay John McClellan for his services in running said line, whose receipt shall be good in the settlement of his accounts; and also the treasurer of Roane County, shall pay Joseph Taylor for his services in running said line, whose receipt shall be good in the settlement of his accounts.

SECTION 24. That nothing herein contained shall be so construed, as to prevent the collector of Knox county from collecting the tax for the year one thousand eight hundred and one, and all arrearages of taxes.

SECTION 25. That the election for governor, representative or representatives to congress, and members of the general assembly, shall be held at the court houses of the counties of Anderson and Roane, by the sheriffs or their deputies, under the same rules and regulations as are prescribed by law, and on the days which elections for such purposes are authorized to be held, and those citizens of Anderson and Roane counties, formerly citizens of Knox county, shall be entitled to vote in their respective counties.

SECTION 26. That it shall be the duty of the returning officers of the counties of Anderson and Roane, to meet the returning officer of Knox county, in Knoxville, on the succeeding Monday, with the number of their respective polls, and with him compare the same; and the returning officer of Knox county shall declare those duly elected members of the general assembly, and give certificates accordingly, and it shall be the duty of said sheriff to transmit a just statement of the poll of election, for governor, representative, or representatives to congress, to the speaker of the senate in the same manner as by law directed.

SECTION 29. That John McClellan and Joseph Harden, esquires, or either of them are hereby authorized and required to attend at the first court to be held for the county of Roane, for the purpose of qualifying the members of said court.

SECTION 30. That this act shall be in force in the county of Anderson, from and after the thirteenth day of December next, and in the county of Roane, from and after the twentieth day of the same month.

Change of Boundary Lines

Acts of 1817 Chapter 38

SECTION 1. That all that tract of country lying within the following described bounds, shall be and is hereby made and constituted a new and distinct county by the name of Morgan, in honor, and to perpetuate the memory of the late Major General Daniel Morgan, to wit: Beginning on the top of Walden's Ridge, on the line of Roane and Anderson counties, thence south westwardly with the extreme top of said Ridge, within ten poles of the main Cumberland Turnpike Road, thence a parallel line with said Road, leaving the same ten poles to the south, to where Robert Johnston now lives, on the great Cumberland road, thence a direct course to the ford of the clear fork on Cumberland river, where Pale's Turnpike road crosses the same, thence due North to the Kentucky line, thence East with said line to the corner of Campbell County, thence with said line to the corner of Anderson, thence with said line to the corner of Anderson and Campbell Counties, near the head of smoky creek leaving all the waters of smoky creek in Anderson County, and all the waters of Brimstone in Morgan County, thence to the beginning, so as to leave all the waters of new river in Anderson county, and all the waters of Emery in Morgan County.

COMPILER'S NOTE: Sections 2 through 9 were not applicable to Roane County.

SECTION 10. That nothing herein contained shall be so construed as to prevent the collector of public taxes for Roane and Anderson counties, from collecting the tax that may be due for the year 1817, or that may become due before the said county of Morgan shall be organized.

SECTION 11. That William Hogshead is hereby appointed a commissioner on the part of Anderson

county, and Joseph McPherson a commissioner on the part of Roane county, and William Wall a commissioner on the part of Morgan county, to run the line contemplated in the first section of this act, who are hereby authorized to employ a suitable surveyor, and a sufficient number of chain carriers, to run out and mark the lines aforesaid.

SECTION 12. That the commissioner on the part of Roane County, shall be allowed for his services the sum of two dollars per day, to be paid by the treasurer of Roane county, out of any monies in his hands not otherwise appropriated whose receipt shall be good in the settlement of his accounts, and that the commissioner on the part of Anderson county, shall be allowed the like sum of two dollars per day, to be paid by the treasurer of Anderson county, out of the county monies, whose receipt shall be good in the settlement of his accounts, and that the commissioner on the part of Morgan county, shall be allowed the like sum per day to be paid by the treasurer of Morgan county, out of the county monies whose receipt shall be good in the settlement of his accounts.

October 11, 1817

Acts of 1873 Chapter 76

SECTION 1. That the boundary line separating the County of Roane from the Counties of Cumberland and Morgan, be so changed as to run as follows: Beginning at the point on the east side of White's Creek where the said Creek now intersects the line between the Counties of Roane and Cumberland; thence up said White's Creek to the mouth of Piney Creek; thence up said Piney Creek to the point where said Creek crosses the turnpike, or main road, running between Knoxville and Nashville, and continuing up said Piney Creek to the point where said Creek leaves the present lands of the the (sic) "Roane Iron Company;" thence along the present line of the said "Roane Iron Company's" land to Clifty Creek; thence down Clifty Creek to Emory River; thence down Emory River to where it intersects the present line between the Counties of Roane and Morgan.

Passed: March 22, 1873.

Private Acts of 1889 Chapter 34

SECTION 1. That the line between the counties of Anderson and Roane be and the same is hereby settled and fixed so as to include the following described boundary in the county of Anderson, viz: Beginning at a rock in the old line between Anderson and Roane in E. A. Reed's south-east line, then south 78 west with Reed's line 150 poles to a beech in Reed's corner, thence south 53 west 107 poles to a large forked white oak on a hill near G. W. Butler's house, thence south 17 west 51 poles to a stake, hickory and black oak pointers William Wiley's and John G. Scott's corner; then with the line between said Wiley's and said Scott's to the Walden Ridge Railroad, and same course continued to the Valley Road, and same course still continued to the top of Walden's Ridge in the line between Morgan and Roane Counties, in all 124 poles to a stake, hickory and black oak pointers; thence north 61½ east 168 poles to the center of the gap of Walden's Ridge, then with the line between the counties of Morgan and Roane to the corner of the counties of Anderson, Morgan, and Roane, near the old salt well, then a direct line to the beginning.

SECTION 2. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 23, 1889.

Boundaries - Historical Notes

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

1. Acts of 1803, Chapter 49, appointed George Preston a Commissioner to act with John McClellan to run the boundary line between Knox County and Roane County. Preston would replace Joseph Taylor who was formerly appointed to the task but moved away before entering upon the same. Preston would have the same authority as was granted to Taylor and would be paid at the same rate of pay.
2. Acts of 1806, Chapter 51, named Jesse Roysden, and Jacob Jones as Commissioners to run and mark the line between Roane County and Anderson County. The two named could employ someone to do the marking if they desired. The Commissioners would be paid \$2 per day and the marker, if hired, would be paid \$1 daily.
3. Acts of 1807, Chapter 9, was an act to reduce Roane County to its constitutional limits, describing the county as being bounded on the south-west by a line beginning on the north bank of the Tennessee, at the end of the ridge that divides the waters of White's Creek from those of Piney

- River; thence along said ridge to Wallen's Ridge; thence north forty-five west to the Overton County line. Arrangements were made for the proper collection of taxes and for the reporting of polls in elections at Kingston in Roane County.
4. Acts of 1807, Chapter 10, amended the Act above (Chapter 9) to make it lawful for the Sheriff of Roane County to execute all lawful process which were issued and came to the hands of the said Sheriff before the passage of the above amended Act, in the same manner as if the said act had not been passed, and the execution of said process would be as good and valid, although done within the limits of Rhea County, or Bledsoe County, as if the same had been accomplished in Roane County.
 5. Acts of 1809, Chapter 20, provided that the line which would divide Roane County from Rhea and Bledsoe Counties would begin on the north bank of the Tennessee River at the mouth of White's Creek, thence up White's Creek as it meanders to the place where the road leading from Knoxville to Nashville crosses the main fork of the said White's Creek; thence north, forty west, to the Overton County line. Nothing contained in this Act would be construed to preclude the Sheriff of Roane County from collecting the State, County, and poor tax due in that part of Rhea County and Bledsoe County which is east and north of the above described line.
 6. Acts of 1815, Chapter 75, provided that all that part of Rhea County lying north and east of the following described line, beginning at White's Creek, near Matthew English's saw mill, at the mouth of Crab Orchard Creek, thence running up said creek to the mouth of Burke's Creek, thence a direct course to the northwest corner of Roane County at the Overton County line would hereafter be a part of Roane County, but the Sheriff of Rhea County could collect those taxes due in the said area for the year, 1815.
 7. Acts of 1815, Chapter 200, extended the boundaries of Rhea County and Roane County, to the southern border of the State of Tennessee with the warning that nothing in this Act would be construed to authorize anyone to violate the laws of the United States which were in force and applicable to the Indian Reservations.
 8. Acts of 1817, Chapter 38, changed the lines between Anderson County and Roane County in the creation of Morgan County. The sections of this Act pertinent to Roane County are published herein.
 9. Acts of 1819, Chapter 3, Section 2, set up the boundary line of Roane County beginning at a point on the south side of the Tennessee River opposite the mouth of White's Creek; thence south, forty-five degrees east, ten miles; then a direct line to a chain of ridges four miles south of Browder's Ferry on the Big Tennessee River; thence with the said chain of ridges to the mouth of the Holston River. John W. Brazeal was appointed as the surveyor to run and mark the lines described above at a compensation of \$2 per day for each day spent in the performance thereof.
 10. Acts of 1821, Chapter 78, established the line between Roane County and Monroe County beginning on the south bank of the Tennessee River on the second range line east of the meridian, thence south with the said line to the present line, as the same has heretofore been run and marked.
 11. Acts of 1823, Chapter 256, Section 1, changed the boundary between Roane County and Monroe County beginning on the second range line east of the meridian where the present Monroe and Roane line leaves the same; thence with the said line to where the same strikes the township line, at or near Taylor Eldridge's reservation; thence with the said line to the extreme height of the Black Oak Ridge; thence along the same to the present line as heretofore marked and run. The remainder of this Act affected Monroe County only.
 12. Acts of 1837-38, Chapter 259, required the dividing line between Roane County and Rhea County to be run and established so as to include the possessions of Leonard C. Nance wholly within Roane County. The County Court of Roane County could appoint someone to run and mark the line, if they desired.
 13. Acts of 1845-46, Chapter 206, Section 17, changed the boundary line between Roane County and Morgan County so that the dwelling house and land of Henry King would be contained wholly within Roane County.
 14. Acts of 1855-56, Chapter 161, Section 7, realigned the boundary lines between Morgan County and Roane County so that the farms of Moses C. Winters and L. Rutor were included wholly within Roane County, any law to the contrary notwithstanding.
 15. Acts of 1855-56, Chapter 173, Section 7, provided that the Surveyors of Anderson County and Roane County would meet to run and mark the dividing line between those two counties from the Double Springs on Poplar Creek to a point on the Clinch River according to the terms of Chapter

- 45, Acts of 1801, Section 15. This line, when run and marked, would constitute the boundary between the two counties.
16. Acts of 1857-58, Chapter 47, Sections 10 and 11, changed the boundaries between Anderson and Roane County as described in the Act to the extent that the properties belonging to D. L. Bradley, John R. Galbreath, Samuel Tunnell, William Rite, W. C. Griffith, and J. C. Roberts were all included wholly within Roane County. Section 11 placed the effective date of this Act at May, next, gave the people affected the right to vote in the next election, and the Sheriff of Anderson County could collect the taxes for the current year. This Act was repealed by Acts of 1857-58, Chapter 83.
 17. Acts of 1857-58, Chapter 83, provided that anyone who desired a boundary change between counties must file an application for the change, accompanied by a survey and plat of the same, with the Legislature before June 1 of the year preceding the meeting of the General Assembly. Section 2 moved the properties of James Sewel, William Carter, William Elkins, John Billingsly, and David H. Dickey out of Roane County and into Monroe County with the line now following the course described in the Act. Section 3 repealed the 10th Section of Acts of 1857-58, Chapter 47, Item 15, above, in its entirety.
 18. Acts of 1857-58, Chapter 129, Section 5, changed the lines dividing Roane, Morgan, and Anderson Counties so that it would be continued between Roane County and Anderson County with the extreme height of the Pine Ridge, a northeasterly direction, to the Mountain Fork of Poplar Creek; thence up with the meanders of said Creek to the north side of Walden's Ridge; thence with the foot of said Ridge, a westerly direction to the West Fork of the Indian Fork of Poplar Creek, to the place where the county line between Roane County and Morgan County now crosses the Creek. This Act was repealed in Item 23, below.
 19. Acts of 1859-60, Chapter 196, Section 4, transferred the properties owned by D. H. Dickey and S. H. Caldwell out of Roane County and into Monroe County provided the move did not obstruct the road leading from Kingston to the Depot of the Eastern Tennessee and Georgia Railroad.
 20. Acts of 1866-67, Chapter 9, Section 2, rearranged the dividing lines between Roane County and Monroe County so that Carmichael's Island in the Tennessee River above Loudon would hereafter be wholly within Roane County.
 21. Acts of 1869-70, Chapter 48, Section 4, moved the residence and lands belonging to J. D. Turner out of McMinn County and into Roane County.
 22. Acts of 1869-70 (Ex. Sess.), Chapter 2, would have formed a new County in Tennessee by the name of Christiana out of portions of the counties of Blount, Roane, and Monroe around the area of Loudon as the same was more particularly described in the Act. The efficacy of this Act depended on the approval of the people living in the affected area in a referendum election. Since the County was apparently never established, it would be safe to assume the people did not approve in the election.
 23. Acts of 1869-70, (Ex. Sess.), Chapter 88, repealed Acts of 1857-58, Chapter 129, Item 18, above, in its entirety as it affected Roane, Anderson, and Morgan Counties and restored the boundaries between the respective counties as they existed prior to that act.
 24. Acts of 1870-71, Chapter 18, Section 6, changed the line between Roane County and Loudon County to run with the land line and to place the farms of B. F. Cooly and W. C. Burnett entirely within the limits of Roane County.
 25. Acts of 1870-71, Chapter 118, Section 2, detached the farms of Jesse Preston and Henry Bogart from Roane County and attached them to Loudon County.
 26. Acts of 1873, Chapter 76, affected the boundaries of the counties of Roane, Cumberland, and Morgan.
 27. Acts of 1875, Chapter 140, realigned the boundaries between Roane County and Loudon County so that the lands belonging to Calvin McChaffrey, Jackson West, G. Newman, John Estes, F. M. Estes, A. J. Ingram, Sanford Ingram, G. W. Simpson, A. Fittz, Robert Norwood, W. P. Tetrow, J. O. Hays, Eblin Potter, and DeWitt Abbott, would all be included in Loudon County, except that the line shall not run at any place closer than eleven miles to Kingston, the county seat of Roane County.
 28. Acts of 1879, Chapter 137, Section 8, transferred the lands of William Powell out of Cumberland County and placed them in Roane County. Section 9, of the same act, moved the entire farm owned by S. P. Cook out of Roane County and into Loudon County.
 29. Acts of 1883, Chapter 8, changed the lines between Roane County and Loudon County so that the farm belonging to J. L. Waller was situated wholly within the boundaries of Roane County.

30. Acts of 1883, Chapter 89, rearranged the dividing lines between Roane County and Meigs County so that the home farm of E. M. Ewing, the lands of the heirs of Henderson Deatherage, William D. Browder, A. J. Hagler's home farm, Elizabeth Clower's lands, and those of Jeremiah Gepson, Sarah Woolsey, and Chrissie Woolsey would all be located wholly within Meigs County.
31. Acts of 1883, Chapter 203, repealed Acts of 1870-71, Chapter 18, Section 4, Item 24, above, but this Section did not apply to Roane County.
32. Acts of 1887, Chapter 127, required the counties of Anderson and Roane to appoint three Commissioners each, including the surveyors of each county, who would select a seventh commissioner, not to reside in either county, but who would also be a practical surveyor. The Committee would meet on a day appointed and make a survey of the line between the counties beginning one-fourth of a mile above the gap of the Indian Fork of Poplar Creek, thence south forty-five degrees east to Wallen's Ridge, one-fourth of a mile above the gap of the Indian Fork of Poplar Creek; thence a direct line to the double springs on the east Fork of Poplar Creek; thence to the Clinch River opposite to the mouth of Hickory Creek.
33. Acts of 1889, Chapter 34, changed the lines between Roane County and Anderson County.
34. Acts of 1891, Chapter 244, detached the lands belonging to J. J. Winton from Roane County and attached them to Meigs County.
35. Acts of 1899, Chapter 317, took all of the lot owned by William M. Freels, which was located in Anderson County, and placed it in Roane County.
36. Acts of 1899, Chapter 330, rearranged the boundaries between Roane County and Morgan County beginning in the present line between Morgan County and Roane County at the junction of Clifty Creek with Emory River; thence running due east crossing Emory River and the Cincinnati, New Orleans and Texas-Pacific Railroad, in all 380 poles, to the extreme top of Walden's Ridge, the present line between Roane County and Morgan County. This Act was repealed by the Act following.
37. Acts of 1901, Chapter 93, expressly repealed Acts of 1899, Chapter 330, Item above, in its entirety, restoring the boundaries of the counties as they were prior to the passage of that Act.

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