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# Creation of the County

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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 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.

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