



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Chapter IV - Boundaries

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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 3
Creation of County 3
Acts of 1837-38 Chapter 199 3
Change of Boundary Lines 3
Acts of 1839-40 Chapter 2 3
Private Acts of 1855-56 Chapter 27 6
Private Acts of 1857-58 Chapter 129 6
Private Acts 1915 Chapter 542 6
Boundaries - Historical Notes 6

Chapter IV - Boundaries

Creation of County

Acts of 1837-38 Chapter 199

COMPILER'S NOTE: Sections 1, 2, and 4 of this Act did not concern DeKalb County and are not published herein.

SECTION 3. That the dividing line between the counties of DeKalb and White, running north from the four mile tree, on Dibrell's road, be so changed as to run with the line of the eighth district to the Jackson County line, leaving all the citizens residing in said eighth district in the county of White.

Passed: January 27, 1838.

Change of Boundary Lines

Acts of 1839-40 Chapter 2

SECTION 1. That the act passed 11th day of December, 1837, established DeKalb county, but which was not published in the book purporting to contain all of the acts passed by the General Assembly of Tennessee during their regular session in 1837-38, is hereby declared to be in full force, and every thing done in accordance with the provisions of said act since its passage, is declared to be as valid and binding as if said act had been published in the book containing the acts passed in 1837-38.

SECTION 2. Said act is in the following words, viz: "An act to establish the county of DeKalb, in honor of Baron DeKalb, the friend of American liberty, who fell at the battle of Camden in the war of the Revolution."

"SECTION 1. That a new county is hereby established of parts of Cannon, Franklin, White and Jackson counties, to be called DeKalb, in honor of Baron DeKalb, the friend of American liberty, who fell at the battle of Camden, in the war of the Revolution.

"SECTION 2. The county of DeKalb shall be bounded as follows, viz: beginning at the corner between Smith and Cannon counties, on the Wilson county line, near Alexandria, and running thence south twenty-three degrees east, with the old line between Smith and Wilson counties, eight miles to a point in said line; thence south forty-eight degrees east, eleven miles and three quarters, to the Warren county line at John Martin's; thence north eighty-three degrees east, seven miles to a point twelve miles north from M'Minnville; thence south eighty degrees east, four miles and three quarters, to Caney fork river, at the mouth of Barren creek; thence down said river with its meanders to the mouth of Townsend's creek; thence to an Oak on the road from Sparta to Dibrell's ferry, four miles from said ferry; thence north thirty-seven and a half degrees east, nine miles and three fourths, to a point on the stage-road from Sparta to Carthage; thence north two miles, to a corner between White and Jackson counties, on Cane creek; thence south seventy-five degrees west, sixteen miles and a half, so as to strike the north-west corner of Cannon county, on the Caney fork river; and thence with the line run by Thomas Durham, between Smith and Cannon counties, to the beginning.

"SECTION 3. For the due administration of justice in the said county of DeKalb, the different courts shall be holden at the house of Barnard Richardson until the seat of justice for said county shall be located, and a suitable house erected for that purpose. The county court shall, in the intermediate time, have full power to adjourn the courts to such other place in the said county as they may deem better suited for the holding of the same, and for the public convenience, and to adjourn to the seat of justice whenever, in their judgment, the necessary arrangements are made, and all writs and other precepts returnable to either place shall and may be returned to the place to which said courts may have been removed by the county court aforesaid, and the said courts to be holden in and for said county of DeKalb shall be under the same regulations and restrictions, and shall have, hold, exercise and possess the same powers and jurisdiction as are possessed by said courts in other counties in this state.

"SECTION 4. All civil and military officers in said county of DeKalb may hold their office, and

discharge the duties of the same, during the time for which they were elected; and should there be vacancies in said county of DeKalb, such vacancies shall be filled as the law directs, and it shall be the duty of the sheriff of Cannon county to hold elections to fill the same until a sheriff shall be elected for DeKalb county; and if any civil district or districts should be divided, by the lines of the said county of DeKalb passing through them, it shall and may be lawful for the county court of said county, and the courts of the several counties from which said county has been taken, to attach the said fractions to other districts in their respective counties, or form a district or districts of one or more fractions, as said courts may think proper; and the said county of DeKalb shall be placed upon an equal footing, possess equal powers and privileges, in all respects, as other counties in this State: Provided, nothing in this act contained shall be so construed as to prevent the counties of Cannon, Warren, White and Jackson from entering up judgments, or the sheriffs of said counties from selling under such judgments any lands within the bounds of said county of DeKalb for taxes, cost and charges for the present or any preceding year, nor to prevent the sheriffs of either of said counties from collecting from the citizens of said county of DeKalb any taxes due for the present or any preceding year.

"SECTION 5. It shall be the duty of the sheriff of Cannon county, with the power to appoint as many deputies as may be necessary, to hold an election in all the precincts in said county of DeKalb, on the first Friday in February next, for the election of one sheriff and all other county officers to which other counties in this State are entitled, whose elections are required to be submitted to the voters of the whole county; and the said officers, when elected, shall be commissioned in the same manner, and have the same powers, duties and emoluments as other officers of the same grade and denomination in other counties in this State.

"SECTION 6. The first term of the county court in said county shall commence on the first Monday in March next, during which term said court shall put in nomination two or more places for the location of the seat of justice in said county; and the sheriff of said county, by himself and deputies, or such persons as he may appoint, shall open and hold an election between all places put in nomination, at each precinct in each civil district, on the third Friday in April next; and it shall be the duty of the said sheriff to advertise said election for a seat of justice, at least thirty days previous to the day of election, in at least two public places in each civil district in said county, which advertisement shall fully specify the places put in nomination by the county court, and if any citizen or citizens of said county may desire the seat of justice for said county to be at any place not put in nomination by the county court, any additional places may be put in nomination by any citizen or citizens of said county, at any period previous to, or on the day of election; Provided, that the seat of justice shall not be more than two and a half miles from the centre of said county. In every thing pertaining to the opening and holding said election, the sheriff and his deputies, and all others assisting to hold the election in each of the districts, shall conform to, and be governed by the laws now in force, in relation to the holding of elections for members of the General Assembly of this State; and every man shall be entitled to vote in said election who shall be, at the time of voting, a citizen of said county of DeKalb, and twenty-one years of age. The votes polled in said election shall be compared by the sheriff on Saturday, the next day after the election, in the presence of the county and circuit court clerks, or any two justices of the peace for said county, at the house of Barnard Richardson, the place designated in this act for holding courts in said county; and if it shall appear that a majority of the votes have been given for any one place, that place shall be the county seat. But should it appear that no one place has been voted for by a majority of all voting in the election, then the sheriff, within thirty days thereafter, shall hold another election between the two places which received the highest number of votes, having given at least ten days notice, by advertisement, as required before the first election; and whenever it shall appear that a majority of all the votes given at either election hereby authorized were in favor of one place, that place shall be the seat of justice of said county of DeKalb, and shall be called Smithville.

"SECTION 7. At the first term of the county court after the seat of justice shall have been established, as required by this act, it shall be the duty of the county court to appoint five commissioners, whose duty it shall be to procure, by purchase or otherwise, at least fifty acres of land at said county seat, for which they shall cause a deed or deeds to be made to themselves, or their successors in office, by general warranty, and on said fifty acres of land said commissioners shall immediately proceed to lay off a town, with as many streets and of such width as they may deem necessary, reserving at least two acres for a public square, and a lot sufficient for building a jail.

"SECTION 8. The said commissioners, appointed by the county court, shall sell the lots in said town, on a credit of at least twelve months, first giving due notice thereof in one or more newspaper printed in this State, and shall take bonds, with approved security, for the purchase

money, payable to themselves, and their successors in office, and shall make titles in fee simple, as commissioners, to the respective purchasers of said lots.

"SECTION 9. 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 the said tract of land on which the said county seat is located, and also for defraying the expenses of erecting public buildings.

"SECTION 10. The said commissioners shall superintend the building of the court house, jail, and other necessary public buildings, and shall let out such buildings as the county court in said county shall order to be built, upon such terms and conditions as the said court shall direct, and shall take bond, with sufficient securities, from the person or persons to whom the same is let, payable to themselves and their successors in office, in the sum of ten thousand dollars, conditioned for the faithful performance of his or their contracts.

"SECTION 11. The said commissioners, before they enter upon the duties of their office assigned them by this act, shall take an oath or affirmation that they will truly and faithfully execute and perform the different duties by this act enjoined on them, according to the best of their judgment; and moreover, shall enter into bond, with approved security, payable to the chairman of the county court of DeKalb county, and his successors in office, in the sum of five thousand dollars, conditioned for the due and faithful performance of the duties enjoined upon them by this act, which bond shall be deposited in the office of the county court clerk in said county, and shall not be so construed as to make one of the commissioners security for another.

"SECTION 12. The said commissioners shall keep a fair and regular statement of all the monies by them received and expended; which statement, when required, shall, from time to time, be laid before the county court. And when all the necessary public buildings are completed, the said commissioners shall, by order of the county court, pay over all surplus money to the county trustee for county purposes, and they shall be allowed by the county court a reasonable compensation for their services.

"SECTION 13. The said commissioners, in laying off the town, shall also reserve as many lots as they may deem necessary, to be given to the different religious denominations, on which to erect houses of public worship, and also a lot for a public burying ground; and said commissioners shall also reserve lots for a male and female academy, of such size as they may think necessary.

"SECTION 14. That the county of DeKalb be, and the same is hereby attached to the 13th Judicial circuit, and the courts therefor shall be held by the Judge of said circuit on the first Mondays of January, May and September of every year.

"SECTION 15. That said county of DeKalb is hereby attached to the Chancery district composed of the county of Smith, and the courts therefor shall be holden at Carthage, as heretofore provided.

"SECTION 16. That the said county of DeKalb shall form one regiment, and that said regiment, in all its relations to the militia of this State, shall assume the place of the 141st regiment, at present in Cannon county, and shall take the number of said regiment in Cannon county.

"SECTION 17. That the field officers included in said county of DeKalb, shall meet at the house of Barnard Richardson, on the second Friday in February next, and divide said regiment into battalions and companies, and provide for electing all officers in said regiment, where there may be vacancies, in the manner pointed out, and as provided for by the militia laws of this State.

"SECTION 18. That it shall be the duty of the sheriffs for the counties of Cannon, Jackson, White and Warren, each, at the different precincts hereby stricken from his county, to open and hold an election on the second Friday in January next, in the same manner as herein provided for the election of a county seat for said county of DeKalb, and the votes given in each fraction of a county taken off in the formation of said county of DeKalb shall be compared by the sheriff holding said election, at the house of Barnard Richardson, on Saturday, the next day after said election, and if a majority voting in each fraction shall vote in favor of being attached to and included in said county of DeKalb, said county of DeKalb shall be considered as established; but if a majority in either fraction shall vote against being included in said county of DeKalb, this act establishing it shall then be void. In the formation of said county, no county from which a part may be taken shall be reduced below its constitutional amount of territory, and the voters stricken off from White county shall vote at Davis', Dibrell's, and Henry P. Burton's.

Passed: December 11th, 1837.

SECTION 3. The reenacting and republication of the act above recited shall not in any way be taken to invalidate any portion of a supplemental act or amendments to the same passed at the last session of the

General Assembly of Tennessee.

SECTION 4. That the county of DeKalb, as organized under the act above recited, and the acts referred to, is hereby declared to be established as one of the lawful and constitutional counties of this State, according to the provisions of this and the aforesaid acts.

Private Acts of 1855-56 Chapter 27

SECTION 1. That the County lines between DeKalb and Putnam be so changed as to commence where the DeKalb County line crossed the old line that divided Smith and Jackson, near Elijah Smith's, running north with the main direction of said old line so as to include Thomas and Abner Harper, and on to the top of the ridge between the Buffalo Valley and Wolf Creek; then with the main directions of said ridge to said creek just below Jesse Hale's; thence down said creek to its mouth; thence up the river with its meanders to the DeKalb County line, near James Jones's.

SECTION 2. That the first section of an act, Chapter 152, passed the 14th of February, 1854, be and the same is hereby, repealed.

SECTION 3. That this Act shall take effect from and after its passage.

Passed: November 20, 1855.

Private Acts of 1857-58 Chapter 129

COMPILER'S NOTE: The first seven sections of this Act did not concern DeKalb County and are not published herein.

SECTION 8. That the county line between the counties of DeKalb and Putnam, be so changed as to run as follows, to wit: Beginning on the line between said counties, on the top of a large ridge, near Gordon Maxwell's; running with said ridge, a northwest direction, to the Caney Fork River below Joseph Mitchell's; thence up said river to the old line; and that the territory and citizens in said amended boundary be attached to the 16th Civil District of DeKalb county; and that said citizens have all the rights and privileges of other citizens of said county of DeKalb. That all the tax and revenue due from said citizens to the county of Putnam, for the year 1858, shall be paid to the revenue collector of Putnam county: Provided, the property of said persons, included in said portion detached from the county of Putnam and attached to the county of DeKalb, shall be given in to the revenue Commissioner, of the county of Putnam, for and during the term of five years from this time, and the tax thereon shall be assessed against them in the county of Putnam; and the tax collector for said county of Putnam shall have the right to collect the same.

SECTION 9. That this act shall take effect from its passage.

Passed: March 15, 1858.

Private Acts 1915 Chapter 542

SECTION 1. That the line between White and DeKalb Counties be changed by taking from DeKalb County and adding to White County a strip of land bounded and described as follows:

Beginning in the center of the Caney Fork River at a point where said river in its downward flow leaves the line between said Counties, runs thence down the center of said river to a point in the center of the river two miles below Sligo Ford, thence at right angles Easterly 350 feet to a point, thence, southernly and parallel with the meanders of the river to a point in the present White County line, thence Westerly 350 feet to the beginning.

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

Passed: May 17, 1915.

Boundaries - Historical Notes

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

1. Acts of 1837-38, Chapter 61, appointed Guilford Jones, the county surveyor of Smith County, to ascertain the center of DeKalb County. This act also set his compensation, oath, responsibilities, and provisions for another surveyor should he fail to perform his duties.
2. Acts of 1843-44, Chapter 57, altered the boundary line between Cannon and DeKalb Counties as

- to include the dwelling house of Alfred Hancock in Cannon County.
3. Acts of 1847-48, Chapter 99, placed the farms of John Reynolds and Jesse D. Allen in DeKalb, taking them out of Smith County.
 4. Acts of 1849-50, Chapter 139, changed the boundaries between Smith and DeKalb Counties to include the farms of Nicholas Smith, Andrew Vantreece, John Robinson, and John F. Goodner in DeKalb.
 5. Acts of 1851-52, Chapter 262, made two changes in DeKalb County lines. The boundary with Smith County was changed to include in DeKalb the dwelling houses of H. H. Sullivan, John Corley and William H. Christian. The south boundary of J. N. Murphey's farm was made the dividing line between DeKalb and Warren County, thus placing the entire farm in DeKalb County.
 6. Acts of 1851-52, Chapter 304, placed the farm of John Martin, Jr. in DeKalb County out of Cannon County. This Act was repealed by Acts of 1853-54, Chapter 152, and the repealing clause was later repealed by Acts of 1855-56, Chapter 27, Page 29.
 7. Acts of 1853-54, Chapter 118, changed the boundary line between Cannon and DeKalb counties so as to include the lands of Thomas Martin and the widow Kersey in DeKalb County.
 8. Acts of 1853-54, Chapter 181, placed the lands of Charles Denney in the County of White, out of DeKalb County. This was repealed by Acts of 1859-60, Chapter 211, Page 596.
 9. Acts of 1855-56, Chapter 122, Section 23, placed the residence of John Martin, Jr., in DeKalb County, rather than in Warren County.
 10. Acts of 1855-56, Chapter 165, changed the county lines between DeKalb and Putnam to place the lands of Bird Sexton, Willis Coggins and Loyd P. Coggins in DeKalb County.
 11. Acts of 1859-60, Chapter 196, Section 10, changed the County line between DeKalb and Cannon Counties, but it was repealed by Acts of 1870, Chapter 118, Page 181.
 12. Acts of 1879, Chapter 61, detached the land of J. W. Wood from Smith and DeKalb Counties, placing it in Wilson County.
 13. Acts of 1881, Chapter 164, changed the boundaries between Smith and DeKalb to include all the lands of John Rollins and Thomas Oakley in DeKalb County.
 14. Acts of 1881, Chapter 165, placed the land of Herd Cope in the County of DeKalb out of White County.
 15. Acts of 1883, Chapter 66, detached the land of S. G. Hawkins from DeKalb County and placed all of it in Warren County.
 16. Acts of 1887, Chapter 53, changed the line between DeKalb and Smith counties so as to include the lands of John Rollin in the First Civil District of DeKalb.
 17. Acts of 1887, Chapter 192, changed the county lines of DeKalb and Putnam Counties to place the portion of the lands of F. H. Smith lying in Putnam County in the 16th Civil District of DeKalb.
 18. Acts of 1887, Chapter 193, took the land of John Eldridge out of DeKalb County and placed them in White County.
 19. Acts of 1887, Chapter 228, removed seventeen acres of J. C. Jones' land from DeKalb County and placed them in Cannon.
 20. Acts of 1889, Chapter 141, changed the county line between Putnam and DeKalb to include the lands of Capt. Purtaman Jones and that of John H. Gamer in Putnam County, removing them from DeKalb County.
 21. Acts of 1889, Chapter 264, took the lands of F. Rigsby and William Stratten out of White County and placed them in DeKalb County.
 22. Acts of 1893, Chapter 20, detached the lands of H. S. Gill from Smith County and placed it in DeKalb County.
 23. Acts of 1893, Chapter 73, changed the boundary between DeKalb and Smith Counties as described in the Act, and included the farm of H. S. Gill in DeKalb County.
 24. Acts of 1897, Chapter 136, changed the boundary lines between Warren and DeKalb Counties so as to include the land of Mrs. Laura Northcut in DeKalb County.
 25. Acts of 1897, Chapter 263, detached the balance of the lands of C. A. Malone from DeKalb and placed it in Smith County.
 26. Acts of 1899, Chapter 143, changed the line between Smith and DeKalb Counties so as to include all the lands of J. M. Bates in Smith County.

27. Acts of 1899, Chapter 179, detached the lands of William Oakley from the County of Smith and placed them in DeKalb County.
28. Acts of 1899, Chapter 342, placed the land of James Roller in DeKalb County, out of Warren County.
29. Acts of 1899, Chapter 344, changed the boundary line between Warren and DeKalb to include all the lands of H. G. Stevens in Warren County.
30. Acts of 1903, Chapter 213, provided that the line between Cannon and DeKalb be changed to include all of the lands of E. T. Haley, Mrs. M. J. Turner, W. J. Vandergroft, George Hancock, James Kirby, J. D. Vandergroft and W. R. Watson in Cannon County. Acts of 1903, Chapter 387, was substantially identical to this Act, changing the name Vandergroft to Vandergraft.
31. Acts of 1903, Chapter 221, placed the land of Lycurgus Kelley in DeKalb County, out of Smith County.
32. Acts of 1905, Chapter 36, detached the lands of V. M. Weaver from DeKalb County and attach them to Putnam County.
33. Acts of 1905, Chapter 88, removed the land of J. B. Williams from the Seventeenth Civil District of DeKalb County and attached it to the Seventh Civil District of Smith County.
34. Acts of 1905, Chapter 95, changed the boundaries between Smith and DeKalb Counties to place the land of Daniel Driver in DeKalb County.
35. Acts of 1905, Chapter 156, altered the line between Putnam and DeKalb so as to include all of the land of Richard Herron in DeKalb County.
36. Acts of 1907, Chapter 291, placed all the land of Jessie Pullum in Putnam County, thereby changing the boundary with DeKalb.
37. Acts of 1907, Chapter 503, detached the land of W. L. Foster from Putnam County and placed them in DeKalb County.
38. Acts of 1911, Chapter 415, changed the line between Wilson and DeKalb to place all the land of J. S. Barry in Wilson County.
39. Private Acts of 1915, Chapter 260, moved the farms of Shelia Jennings, T. R. Jennings and T. D. Fite from the Thirteenth Civil District of DeKalb to the Thirteenth Civil District of Wilson County.
40. Private Acts of 1915, Chapter 528, placed the lands of W. A. Huggins in Wilson County, out of DeKalb County.
41. Private Acts of 1915, Chapter 541, changed the county line between Putnam and DeKalb to remove the portion of Joseph Bozarth's land in the Thirteenth Civil District of Putnam County and placed it in the Eighth Civil District of DeKalb County.
42. Private Acts of 1915, Chapter 556, changed the line between the Counties of DeKalb and Cannon so that all the land John Sadler purchased from Will Hancock in the Tenth Civil District of Cannon was placed in the Third Civil District of DeKalb County.
43. Private Acts of 1915, Chapter 558, detached the lands of Mrs. J. T. Qualls from Wilson County and placed them in DeKalb County.
44. Private Acts of 1915, Chapter 662, changed the line between the Counties of DeKalb and Cannon to remove A. J. Smithson's land from the Third Civil District of DeKalb County and place it in Cannon County.
45. Private Acts of 1925, Chapter 530, detached the lands of R. P. Kirby from the Twenty-first Civil District of DeKalb and placed them in the Sixteenth Civil District of Warren County.
46. Private Acts of 1927, Chapter 82, changed the boundary line between DeKalb and White Counties to place the lands of F. C. Henderson in White County. Private Acts of 1927, Chapter 147, is identical to this Act.
47. Private Acts of 1927, Chapter 785, changed the boundary lines between DeKalb and Wilson Counties to place the farm of Mrs. M. C. Saddler in the Thirteenth District of Wilson.
48. Private Acts of 1929, Chapter 412, detached the land of Albert Ashburn from the Eighth Civil District of DeKalb County and placed it in Putnam County.
49. Private Acts of 1933, Chapter 227, placed the lands of Grover Foutch and Andrew M. Foutch in Wilson County, out of DeKalb County.
50. Private Acts of 1933, Chapter 270, detached from DeKalb the land of A. J. Smithson which he purchased from Claude Lefevers and placed such land in Cannon County.

51. Private Acts of 1935, Chapter 93, detached the 40 acre farm of W. A. Fite from DeKalb County and placed it in Wilson County.
52. Private Acts of 1939, Chapter 524, detached the farm of James Underhill from the Fifth Civil District of DeKalb County and placed it in the Ninth Civil District of Cannon County.
53. Private Acts of 1941, Chapter 426, changed the county line between DeKalb and Putnam so as to include in DeKalb the land of John Agee.
54. Private Acts of 1941, Chapter 434, placed the entire tract of Rhoda McGuffey's land in Putnam County, thereby changing the boundary with DeKalb County.
55. Private Acts of 1971, Chapter 65, detached the land of Vennie Snyder from the Ninth Civil District of Cannon County and placed it in the Fifth Civil District of DeKalb. Public Acts of 1972, Chapter 548, placed the Snyder land back in Cannon County.
56. Public Acts of 1975, Chapter 161, moved the land described in the Act which was owned by Vennie H. Snyder and was located in the Ninth Civil District of Cannon County out of Cannon County and into the Fifth Civil District of DeKalb County. The land transferred consisted of 15 acres more or less. This act was repealed by Public Acts of 1976, Chapter 422, Page 91.
57. Public Acts of 1976, Chapter 487, transferred ten acres, more or less, as the same was described in the act, which belonged to Mr. and Mrs. Willie Curtis, out of the Fifth Civil District of DeKalb County and into the Ninth Civil District of Cannon County, so that all the Curtis property would be within the boundaries of Cannon County.
58. Public Acts of 1978, Chapter 774, detached the lands of Mr. and Mrs. Willie Curtis from the Ninth Civil District of Cannon County and placed them in the Fifth Civil District of DeKalb County.
59. Public Acts of 1981, Chapter 81, altered the boundary lines between DeKalb County and Cannon County to move about one acre of land, as the same was described, out of the Second Civil District of DeKalb County and attaching the same to the Fourth Civil District of Cannon County.

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