



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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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 County

Private Acts of 1819 Chapter 41

SECTION 1. That the territory lying south west of Rhea and south and east of Bledsoe and Marion counties, shall constitute a county by the name of Hamilton in honour and to perpetuate the memory of the late Alexander Hamilton, secretary of the Treasury of the United States.

SECTION 2. That the said county of Hamilton shall be bounded as follows (to wit,) beginning at a point at the foot of Waldens ridge of Cumberland mountain on the east side thereof; thence running to a point on the Tennessee river two and one half miles below the lower end of Jolly's island, so as to include Patrick Martin in the county of Hamilton, thence south 35° east to the southern limits of this state, thence west to the point where Marion county line intersects said western boundary, thence north eastwardly with Marion county line to Bledsoe county line, thence with Bledsoe county line to a point opposite the beginning and thence to the beginning.

SECTION 3. That for the due administration of Justice, the court of Pleas and Quarter sessions and the Circuit Court of the county of Hamilton shall be holden at such place as shall be designated by Charles Gamble, Robert Patterson and William Lauderdale until otherwise provided for by law; under the same rules, regulations and restrictions, and shall possess and exercise the same power and jurisdiction of said courts in other counties in this state.

SECTION 4. That the sheriff of Hamilton county shall hold an election at the place for holding courts in said county on the first Thursday and Friday in March next, for the purpose of electing field officers for the said county of Hamilton, under the same rules, and regulations and restrictions as are prescribed by law in similar cases; and the militia of said county shall compose the 64th Regiment and shall be attached to and become a part of the 7th Brigade.

SECTION 5. That it shall be the duty of the commandant of said Regiment, having been first commissioned and sworn, to lay off said regiment into companies of convenient size, and to issue writs of election for company officers in said companies, giving the notice prescribed by law in each company; which election shall be holden and conducted under the same rules and in the same manner as in other cases for company officers.

SECTION 6. That the county of Hamilton shall be part of the district for electing Governor, Members of the General Assembly, Representatives to Congress, and Electors to elect a President, and Vice President of the United States which the county of Rhea belongs; and that the elections shall be held at the place of holding courts in said county at the time and in the manner by law directed; and the sheriff or returning officer of said county shall make return of the polls of said election to the sheriff of Rhea county in the Town of Washington on the day next succeeding each election, and comparing the votes, the sheriff of Rhea county shall declare the candidate for the Representative of the counties of Rhea and Hamilton, who may have the greatest number of votes duly elected Representative for said counties, and give him a certificate accordingly; and it shall be the duty of the sheriff of Rhea County to make return of the votes for Senators of Rhea and Hamilton Members to Congress, Governor, &c. as heretofore for Rhea county.

SECTION 7. That it shall be lawful for any Justice of the Peace for Rhea county to attend at the place appointed by said Commissioners for holding courts in Hamilton county at the first court of Pleas and Quarter sessions for said county, for the purpose of administering to the Justices of said county the necessary oaths.

Passed: October 25, 1819.

Private Acts of 1821 Chapter 169

SECTION 1. That the line running between the counties of Rhea and Hamilton, shall commence at a point one half mile below Blythe's ferry, and run across the Valley to the Mountain, so as to run between the lands of Benjamin Jones and John Russell, thence up the foot of the said mountain to the line of said counties as now run and marked.

SECTION 2. That the dividing line between the counties of Hamilton and Marion shall be as follows, (to wit:) Beginning on the south east corner of Bledsoe county, thence along the extreme height of the mountain to the head of Suck creek, thence down said creek to the mouth thereof, thence due south to the southern boundary of the state.

Passed: November 10, 1821.

Private Acts of 1829 Chapter 141

SECTION 1. That the dividing line between the counties of Hamilton and Bledsoe, shall be as follows, to wit: beginning on the north west corner of Hamilton county, on Walden's ridge near Keedy's road, running thence in a direction with Hamilton county line towards Tennessee river to the middle of Walden's ridge; thence running a direct line on the centre of said ridge, in a direction towards the mouth of Suck creek, to a point opposite the mouth of Brush creek, the dividing line between Bledsoe and Marion counties; thence to the south east corner of Bledsoe county, near the head of Kelly's mill creek.

SECTION 2. That the dividing line between the counties of Marion and Hamilton, shall be as follows, to wit: beginning on the line between Hamilton and Bledsoe counties, at a point opposite the mouth of Brush creek, on the centre of Walden's ridge, and thence with the centre of said ridge, or as nearly so as a direct line will admit, to Suck creek, and down said creek to its mouth, and with the line as now established by law between the said counties of Marion and Hamilton.

Passed: December 31, 1829.

Private Acts of 1835 - 36 Chapter 135

SECTION 1. That the dividing line between the counties of Marion and Hamilton, on the south side of the Tennessee river, shall commence opposite the mouth of Lick creek, running the nearest direction to the extreme height of the Raccoon mountain; thence in a direction so as to strike the Georgia line where said line intersects the Lookout valley, leaving the Lookout valley in Hamilton county.

SECTION 2. That so much of the act passed in the year 1833, chapter 15, as relates to the dividing line between the counties of Marion and Hamilton, on the south side of the Tennessee river, be and the same is hereby repealed.

SECTION 3. (That) if the county court of Marion county deem it expedient, they shall appoint some person or persons to mark or run and mark said line, who shall receive a reasonable compensation for his or their services, to be allowed by the court and paid out of any moneys in the hands of the county trustee not otherwise appropriated.

Passed: February 17, 1836.

Public Acts of 1980 Chapter 801

SECTION 1. The boundary line between the counties of Hamilton and Bradley is hereby changed by detaching from the county of Hamilton and attaching to the county of Bradley, all of the hereinafter described territory, to-wit:

A tract or parcel of land now lying in Hamilton County adjacent to the existing boundary line between Hamilton-Bradley County, and beginning at the steel pin, located twenty (20) feet east along the division line between Sections 21 and 28 in Hamilton County from the intersection of the boundary line of Sections 21 and 28 and the center line of Tunnel Hill Road, in a northerly direction, following the Western boundary line of the property owned by M.C. Gates, north 12 degrees, 29 minutes East 304 feet to a steel pin; thence, in a northerly direction, following [sic] the western boundary of the property owned by R.L. Cronk, north 7 degrees, 52 minutes East 380 feet more or less to the county line; thence, in an easterly direction following the present boundary line between Bradley County and Hamilton County to the intersection of the county line and the easterly property line of Cal Quinn; thence in a southerly direction, following the easterly property line of Cal Quinn, south 26 degrees, 17 minutes West 472 feet more or less to the division line between Sections 21 and 28 in Hamilton County, Tennessee; thence, in a westerly direction along the division line between Sections 21 and 28 in Hamilton County, Tennessee to the point of beginning.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring.

Passed: April 14, 1980

Public Acts of 1982 Chapter 682

SECTION 1. The boundary line between the counties of Hamilton and Rhea is hereby changed by detaching from the county of Hamilton and attaching to the county of Rhea, all of the hereinafter described territory to wit:

Four (4) tracts or parcels of land lying in Hamilton County, which parcels are depicted on map Number 2

of Hamilton County, as revised March 1981, in the Assessor of Property's office, and which parcels are adjacent to or situated near Old Hart Turnpike Road where it intersects with the Bledsoe County line, and which parcels are described specifically as follows:

Parcel Number 2 consisting of six-point-six (6.6) acres and owned by Edgar and Bobbie Long, Star Route Box 17, Graysville, Tennessee 37338;

Parcel Number 3.1 consisting of twenty-five (25) acres and owned by Anthony and Diane Knox, Post Office Box 183, Graysville, Tennessee 37338;

Parcel Number 3 consisting of thirty-one (31) acres and owned by Howard and Wilma Bowman, Star Route Box 15A, Graysville, Tennessee 37338;

Parcel Number 3.2 consisting of twenty-eight (28) acres and owned by Charles and Carolyn Bryant, 4609 Hancock Road, Chattanooga, Tennessee 37416.

SECTION 2. This Act shall take effect on becoming a law, the public welfare requiring it.

Passed: March 25, 1982.

Boundaries - Historical Notes

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

1. Public Acts of 1833, Chapter 16, extended the laws and jurisdiction of Tennessee to its southern limits. The act affected several counties, including Hamilton. Hamilton County's boundary was extended to the Georgia state line as well as to the Tennessee River, just opposite of Rhea County.
2. Acts of 1841-42, Chapter 179, Section 4, stated that the dividing line between Hamilton and Marion counties on the south side of the Tennessee River, as run and marked by the surveyor general of the Hiwassee District pursuant to the authority conferred in Private Acts of 1833, Chapter 16, shall be and remain the dividing line between the two counties.
3. Acts of 1849-50, Chapter 82, Section 3, changed the lines between Hamilton and Rhea counties so as to include all the lands of John Gray and Robert Quarls in Rhea County.
4. Public Acts of 1867-68, Chapter 23, changed the county lines between Hamilton and Rhea counties so as to include the farm of Mrs. Ann Russell, the farm of the heirs of John Gray, the farm of Mrs. Nancy McGill, the farm of Alexander Hickman and the farm of F.M. Bowers in Rhea County.
5. Public Acts of 1870-71, Chapter 66, created James County out of fractions of Hamilton and Bradley counties. This act, and with it the termination of James County, was repealed by Private Acts of 1890 (Ex. Sess.), Chapter 18.
6. Public Acts of 1879, Chapter 137, altered the boundary line between Hamilton and Rhea counties by transferring the lands of James A. Kelly to Rhea County.
7. Private Acts of 1879, Chapter 137, detached the farms of R.E. Bell, Tim Guthrie, and Anderson Cooper from Hamilton County and attached them to James County.
8. Public Acts of 1883, Chapter 82, transferred all the lands of L.B. Jones from Hamilton to Sequatchie County provided Jones would have a survey and map made at his own expense.
9. Public Acts of 1889, Chapter 140, changed the boundary lines with Rhea County so that all the lands of Theodora Flora and Peter B. Clouse about 30 acres, would be included in Rhea County.
10. Private Acts of 1893, Chapter 47 was purported to change the boundary line between James and Hamilton County, however James County was abolished by Public Acts of 1890 (Ex. Sess.), Chapter 18. Public Acts of 1901, Chapter 488, amended Public Acts of 1893, Chapter 47.
11. Private Acts of 1917, Chapter 366, changed the boundary lines between Marion and Hamilton counties so as to include the Suck Creek Pike in Hamilton County.
12. Private Acts of 1917, Chapter 477, altered the boundary lines between Hamilton and Marion counties from the corner between Marion, Hamilton, and Sequatchie counties to the Tennessee and Georgia boundary line. The act also stated that all taxes within the area given to Hamilton County, shall for the years of 1916 to 1917 be due and payable to Marion County. Furthermore, no tax in said area shall be levied or collected by Hamilton County during those years.
13. Private Acts of 1919, Chapter 44, repealed Private Acts of 1917, Chapter 366 and 477 and restored the boundaries between Hamilton and Marion counties to the state they were in before the 1917 acts were enacted.

14. Private Acts of 1919, Chapter 607, amended Private Acts of 1870-71, Chapter 66, by detaching from James County and attaching to Bradley County all the territory in James County which laid east of the wet brow of the west range of White Oak Mountains.
15. Private Acts of 1919, Chapter 695, provided for the abolishment of James County and for the transfer to Hamilton County the territory embraced in James County. All records, papers and files in the chancery, circuit and county court of James County was turned over to the respective courts in Hamilton County. This act also repealed Private Acts of 1870-71, Chapter 66.
16. Private Acts of 1957, Chapter 16, changed the county lines between Hamilton and Bradley counties so as to detach from Bradley County and to attach to Hamilton County all the territory formerly a part of James County which was attached to Bradley County by Private Acts of 1919, Chapter 607.

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