

House Resolution 1522

By: Representative Franklin of the 43rd

A RESOLUTION

1 Urging the United States Census Bureau to utilize the correct Georgia-North Carolina and
2 Georgia-Tennessee boundary lines at the 35th parallel for census purposes; and for other
3 purposes.

4 WHEREAS, the undisputed northern border of the State of Georgia and the southern border
5 of the states of North Carolina and Tennessee lies at the 35th parallel, north of the
6 southernmost bank of the Tennessee River; and

7 WHEREAS, a flawed survey conducted in 1818 and never accepted by the State of Georgia
8 erroneously marks the 35th parallel south of its actual location; and

9 WHEREAS, over a long period of years, from time to time, the legislatures of these states
10 have undertaken to authorize the appointment of committees to meet and to resolve the issues
11 associated with the wrongly surveyed and erroneously marked border; and

12 WHEREAS, by an Act of the General Assembly of North Carolina, approved in 1881 (N.C.
13 Gen. Stat. 141-1 to 6 (1964)), the General Assembly of North Carolina authorized the
14 Governor of North Carolina to appoint commissioners and a surveyor from North Carolina
15 to act with the commissioners and surveyors appointed or to be appointed by any of the states
16 contiguous to North Carolina to resurvey and mark the boundary lines between these states;
17 and

18 WHEREAS, no official record of any such commissioners and surveyors as provided for in
19 said Act exists; and

20 WHEREAS, by an Act of the General Assembly of Georgia, approved October 15, 1887
21 (Ga. L. 1886-87, p. 105), the General Assembly of Georgia directed the Governor to
22 communicate with the Governor of Tennessee for the purpose of having a joint survey and
23 settlement of the disputed boundary question and authorized the appointment of a committee

1 to meet with an assembly committee representing the State of Tennessee, whose duty it
2 would be to survey, establish, and proclaim the true boundary line; and

3 WHEREAS, by an Act approved April 8, 1889, the General Assembly of the State of
4 Tennessee enacted a similar authorization; and

5 WHEREAS, by a resolution approved March 6, 1941 (Ga. L. 1941, p. 1850), the General
6 Assembly directed the Governor of Georgia to communicate with the Governor of Tennessee
7 for the purpose of having a joint survey and settlement of the disputed question and further
8 resolved that a standing committee of the House of Representatives be created to meet with
9 a similar committee of the State of Tennessee to establish, survey, and proclaim the true
10 boundary line between Georgia and Tennessee; and

11 WHEREAS, by a resolution approved March 27, 1947 (Ga. L. 1947, p. 1728), the General
12 Assembly appointed a commission to negotiate with the proper authorities of the State of
13 Tennessee and to agree upon and to fix a definite boundary line, and, in the failure of the
14 commission to reach a settlement, the General Assembly authorized and directed Attorney
15 General of the State of Georgia to institute suit in the federal courts for purposes of
16 accurately determining the boundary line between Georgia and Tennessee; and

17 WHEREAS, by a resolution approved March 6, 1971 (Ga. L. 1971, p. 2374), the General
18 Assembly directed the Governor of Georgia to communicate with the Governors of North
19 Carolina and Tennessee for the purpose of having joint surveys and settlements of the
20 disputed boundary questions and further resolved that a Georgia-North Carolina and
21 Georgia-Tennessee Boundary Line Commission be created to meet with similar commissions
22 of the legislatures of the states of North Carolina and Tennessee to establish, survey, and
23 proclaim the true boundary lines between Georgia and North Carolina and between Georgia
24 and Tennessee, and to take such further or other action or pursue such remedy or remedies
25 as the joint Commission of the Georgia General Assembly, by a majority vote, deems proper
26 to establish the definite and true boundary lines between Georgia and North Carolina and
27 Georgia and Tennessee; and

28 WHEREAS, by suggestion of the United States Court of Appeals for the D.C. Circuit, the
29 Chairman of the Tennessee Public Service Commission and the Chairman of the Georgia
30 Public Service Commission agreed in 1974 to reserve resolution of the general boundary
31 issue until a later date (15 FERC, p. 61240), the resolution of which has never been reached;
32 and

1 WHEREAS, notwithstanding these authorizations and directions, the boundary lines have
2 never been accurately resurveyed and marked and remain in doubt; and

3 WHEREAS, it is to the public interest and welfare that accurate and exact lines between the
4 said states be established and proclaimed and that the correct populations of these states
5 should be reflected accurately and accordingly by the United States Census Bureau.

6 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
7 the United States Census Bureau is urged to utilize the correct Georgia-North Carolina and
8 Georgia-Tennessee boundary lines at the 35th parallel for all census purposes.

9 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized
10 and directed to transmit an appropriate copy of this resolution to the United States Census
11 Bureau.