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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,

The University of Tennessee  
County Technical Assistance Service  
226 Anne Dallas Dudley Boulevard, Suite 400  
Nashville, Tennessee 37219  
615.532.3555 phone  
615.532.3699 fax  
[www.ctas.tennessee.edu](http://www.ctas.tennessee.edu)

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# Chapter IV - Boundaries

## Creation of the County

### Private Acts of 1809 Chapter 55

**SECTION 1.** That there be a new county established within the following described bounds, to wit: Beginning at the south east corner of Maury county, thence due south to the southern boundary of the state; thence west, so far as to form a constitutional county; thence north to the line of Maury county, and with said line to the beginning, which could shall be known by the name of Giles county.

**SECTION 2.** That James Ross, Nathaniel Moody, Tyree Rhodes, Gabriel Bumpass, and Thomas Whitson, be, and they are hereby appointed commissioners who, or a majority of them shall (as soon as the nature of the case will admit) proceed to fix on a place on Richland creek, as near the centre of the county as an eligible site can be procured, at which site the said commissioners shall procure at least one hundred acres of land, for which they shall cause a deed or deeds to be made, to themselves and their successors in office, by a general warrantee, on which they shall cause a town to be laid off, with the necessary streets, at least eighty feet wide, reserving at least two acres, for a public square, on which shall be built a court-house and stocks, also reserving a public lot, sufficient to contain a jail in a convenient part of the town, which town shall be known by the name of Pulaski.

**SECTION 3.** That when the town shall have been thus laid off, the aforesaid commissioners are further required to advertise for sale, in one of the Gazettes, in Nashville, to the highest bidder, giving sixty days previous notice, and allowing twelve months credit, such portion of the lots so laid off, as they may think will be for the benefit of the county, and that they shall take bonds with sufficient security, to themselves and their successors in office, and shall make titles to the purchasers in fee simple.

**SECTION 4.** That it shall be the duty of said commissioners to contract with suitable workmen to build a court-house, prison and stocks; and the money arising from the sale of such lots, after paying for the land purchased, and the necessary expense of laying off said town, shall be applied to the payment of such court-house, prison and stocks.

**SECTION 5.** That should the money arising from the sale of said lots, be insufficient to pay for each court-house, prison and stocks, in that case a majority of the justices of said county, shall in term time, have power, and are hereby authorized to lay a county tax, not exceeding the state tax, which tax shall be continued from year to year, until a sufficient sum be collected to pay for such public buildings, and shall be collected in the same manner as the state tax, and when collected, the sheriff shall pay the same over to the commissioners, and be by them applied to the payment of the said public buildings, and the commissioners receipt shall be allowed in the settlement of the sheriff's accounts.

**SECTION 6.** 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 six thousand dollars, for the faithful discharge of their duty as herein expressed, which bond shall be lodged in the office of the clerk of the said county of Giles.

**SECTION 7.** That so soon as the public buildings shall be completed, the said commissioners shall lay before the court of Giles county a just and fair statement of all the 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 compensation for their services, PROVIDED, there shall be a majority of the justices of the peace of said county present, when such allowance is made.

**SECTION 8.** That for the due administration of justice, the court of pleas and quarter sessions shall be held in and for the county of Giles, on the third Monday in February, May, August and November, in each and every year; and the justices for said county shall hold the first court at the house of Lewis Kirk, and they may adjourn their courts from time to time, to such place as they may think most convenient, until a courthouse 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 court-house, and all courts of pleas and quarter sessions, held in and for said county, shall be held by the justices of the peace, in the same manner, and under the same rules and regulations, and shall have and exercise the same powers and jurisdictions as are or shall be prescribed, by and for the several counties in this state.

**SECTION 9.** That nothing herein contained, shall be so construed as to prevent the sheriff or collector of Maury county for collecting the taxes within the said county of Giles, which are at this time due, in the same manner as if this act had not been passed.

**SECTION 10.** That the said county of Giles be a part of the district, for electing an elector to elect a President and Vice-President of the United States, for electing a governor, representative or representatives to Congress, Senator or Senators and representatives in the General Assembly, and field officers; and be annexed to the brigade to which it has heretofore been attached, and the elections be held at the place for holding court in said county, and shall be conducted under the same rules and regulations as are established by law; and that the sheriff or deputy sheriff of said county of Giles, shall, on the second Thursday of March next, hold an election at the place above stated, for the purpose of electing the field officers of militia for the said county of Giles, which election shall be conducted pursuant to the laws now in force and use for the election of field officers, and the sheriff or returning officer shall make a return in all cases of elections agreeably to the laws now in force and use in this state, and shall observe the same rules and regulations in making returns and comparing votes, as are now observed in the electoral district, to which the said county is attached.

**SECTION 11.** That the militia of said county of Giles shall constitute the thirty-seventh regiment, and shall hold regimental matters on the fourth Thursday in October in each year, and the colonel or commanding officer of each regiment, shall lay off the county line into companies, and shall use his writ, and appoint the place where elections shall be held for company officers.

**SECTION 12.** That this act shall be in force from and after the first day of January next.

Passed: November 14, 1809.

## Change of Boundary Lines

### Private Acts of 1870 Chapter 34

**SECTION 1.** That the territory of Giles County lying north and east of the line beginning on the top of the ridge in Giles and Marshall County line, at the west end of Enoch Smith's farm, not far from Wesley Griffs; running thence, in a southern direction with a lane, to the Bear Creek Church road; thence with said road to the mouth of the land in the Cornersville and Lynnville road that divides the farm of P. T. Cox and Richard Wilkes; thence south with the Cornersville and Lynnville road to a large poplar in the road where the Cornersville and Lynnville road turns east; thence with the old Huntsville and Columbia road to the Christian Church near D. G. Ussey's, the same being the line of the seventeenth district of Giles County; thence with the said Huntsville and Columbia road and the civil district line, to what is known as the G. W. Day farm and Easlick's mills; then east, so as to strike the line that divides the lands of S. G. Marsh and W. W. Simmons, near the Cornersville and Pulaski turnpike; thence east with said Marsh and Simmons' line to the southeast corner of said Marsh's farm; thence north to the middle of Richland Creek; thence east up Richland Creek, meandering the same to the point where the Giles and Marshall County line crosses the creek near James Moore's, shall be, and the same is hereby attached to and constitute a part of Marshall County.

**SECTION 2.** That the territorial fractions, taken from Giles and added to Marshall County by this Act, shall continue liable for its pro rata of all debts contracted by Giles County before the passage of this act, and the said fraction shall be entitled to its proportion of any stocks or credits belonging to Giles County.

**SECTION 3.** That the State and County taxes of said fraction for the year 1870, shall be collected by the Tax Collector of Giles County, and when collected in said fraction, the county tax shall be paid to the County Trustee of Giles County, and constitute a part of the county revenue of Giles County.

**SECTION 4.** That as the public welfare requiring it, this act shall take effect from and after its passage.

Passed: June 30, 1870.

### Private Acts of 1887 Chapter 205

**SECTION 1.** That the county line between the counties of Giles and Maury be so changed, as follows: Beginning at an oak tree, the corner of the said counties, about four hundred (400) yards south of W. J. Henson's house, running thence south 6 degrees 5' west 380 poles to black oak, thence north 45 degrees west 260 poles to old line, containing in all about eight hundred and forty-two (842) acres of land.

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

Passed: March 26, 1887.

### Public Acts of 1973 Chapter 156

**COMPILER'S NOTE:** The following act is a public act of special application and is not codified in

Tennessee Code Annotated.

**SECTION 1.** The boundary line between Maury and Giles Counties is changed by detaching from Giles County and attaching to Maury County the following described tract of land:

Beginning at a point where the southern boundary of the W. A. Richardson property intersects the eastern right-of-way of U. S. Highway 31, south of the present county boundary line; thence easterly along the southern boundary of the Richardson property and the northern boundary of the Underwood property to its intersection with the Armstrong property; thence northerly along the eastern boundary of the Richardson property and the western boundary of the Armstrong property to the intersection of the present County boundary with the Richardson-Armstrong property line, the land so described lying south of the present Maury-Giles County line and being part of lands owned by W. A. Richardson.

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

Passed: April 30, 1973.

## Public Acts of 1974 Chapter 518

**COMPILER' S NOTE:** The following act is a public act of special application and is not codified in Tennessee Code Annotated.

**SECTION 1.** The boundary line between Maury and Giles Counties is changed by detaching from Giles County and attaching to Maury County the following described tract of land:

Beginning at a point in the west margin of the Mt. Pleasant - Campbellsville Road (Campbellsville Pike) where the present Maury & Giles County line crosses said road, thence in a southerly direction with the west margin of said road (pike) to the southeast corner of the fifteen (15) acre trace (sic) of land conveyed to Orville Mangrum and wife, Bertha Mae Mangrum, by deed of record in Book 533, page 195 of the Register's Office of Maury County, Tennessee; thence with the south boundary line of said Orville Mangrum's and Bertha Mae Mangrum's said 15 acre tract to Waldrop's east boundary line; thence with said Waldrop's line to the original county line, between Maury and Giles Counties so as to include all of said 15 acre tract in Maury County. Said County line being changed to whatever extent is necessary to place all of said 15 acre tract in Maury County.

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

Passed: March 11, 1974.

## Boundaries - Historical Notes

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

1. Private Acts of 1811, Chapter 13, stated that whereas some doubt exists about the boundary line run between Giles and Lincoln Counties as authorized by the 1809 Act creating Giles County, the line run and marked by the Commissioners appointed in that act is declared to be the boundary between the two Counties.
2. Private Acts of 1827, Chapter 201, changed the line between Maury and Giles Counties so as to include all the lands belonging to John Andrews in Giles.
3. Private Acts of 1836, Chapter 35 created Marshall County which included part of Giles County. It was provided in the act that nothing should be construed as preventing the Giles County Court from rendering judgements. It was also provided that should the citizens in the fraction of land that was to be taken from Giles County to make up part of Marshall County vote to become part of Marshall County prior to the holding of elections in other counties, then the territory that comes to Marshall county from Giles county should be stricken from the south part of the Lincoln fraction.
4. Private Acts of 1840-41, Chapter 179, change the county line between Knox and Grainger Counties, a provision is included in the act that Giles County not be reduced by more than 625 square miles.
5. Private Acts of 1849-50, Chapter 110, Section 2, altered the line between Lincoln and Giles Counties so that the land and residence of Thomas Collins would be included all in Giles County and the County surveyor would run and mark the line accordingly.
6. Private Acts of 1853-54, Chapter 130, transferred the tract of land granted to Felix Carroll from Giles County to Lawrence County.
7. Private Acts of 1867-68, Chapter 20, detached all the lands belonging to C. J. Dugger from Giles

County and attached them to Maury County.

8. Private Acts of 1868-69, Chapter 39, moved all the lands of W. H. Hagen, James W. Hagan, William Hagan, and Sinia Garner (all names spelled as the Act had them) from Giles County into Lawrence County.
9. Private Acts of 1870 (3rd Ex. Sess.), Chapter 18, Section 5, changed the boundary between Lawrence and Giles so that the 90 acres belonging to Emery Hughes would be included in Lawrence County.
10. Private Acts of 1877, Chapter 155, altered the boundary between Giles and Lawrence Counties so as to include all the lands of James Harwell, Thomas M. Kelley, Katherine Hughes, Elsia Scott, John M. Berry, and about 100 acres of A. J. Hannah from the 18th Civil District of Giles County in the 4th Civil District of Lawrence County.
11. Private Acts of 1879, Chapter 21, moved the house and farms of James Perry, Mr. Pollis and D. W. Kincaid from Marshall County into Giles County. This Act was cited in the case of *Wilson v. State*, 143 Tenn. 68, 224 S.W. 172 (1920), relative to the procedures of enactment rather than the contents of the Bill.
12. Private Acts of 1879, Chapter 57, amended the June 30, 1870 Act by changing the boundary line so as to throw all the lands of W. T. Marsh into Marshall County, the boundary line for Marshall County, the boundary line for Marshall being run on the south border of this land instead of the north.
13. Private Acts of 1879, Chapter 137, transferred all the lands of Berry Brashears from Giles County into the 9th Civil District of Lawrence County.
14. Private Acts of 1901, Chapter 256, moved the lands of J. L. Ball, as described in the Act, from Lawrence County into Giles County.
15. Private Acts of 1901, Chapter 308, detached the properties of T. M. Burgess, N. M. Smith, M. L. Burgess, W. N. Poarch, T. L. Poarch, James Gosnell, Mrs. S. J. Harris, and Mrs. Emma Moore from Giles County and attached all of them to Marshall County.
16. Private Acts of 1905, Chapter 28, changed the lines between Giles and Marshall so as to place the lands of J. D. Cainer, and J. B. Smithson in Marshall County.
17. Private Acts of 1909, Chapter 101, transferred the land of Howard Fox from the 17th Civil District of Giles County to the 4th Civil District of Marshall County.
18. Private Acts of 1915, Chapter 384, attempted to add a strip of Giles County to Marshall County. This act, however, was declared unconstitutional in the case of *Giles County v. Marshall County*, 133 Tenn. 415, 181 S.W. 308 (1915), because the Marshall County line would then be within the eleven mile limit of the Giles County Seat, which is prohibited by the Constitution.
19. Private Acts of 1925, Chapter 640, moved ten acres of land belonging to G. W. Stallings from the 4th Civil District of Marshall County to the 15th Civil District of Giles County.

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