



December 20, 2024

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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.

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## Chapter IV - Boundaries

### Creation of the County

#### Private Acts of 1823 Chapter 96

**SECTION 1.** That a county to be called and known by the name of McNairy, be, and the same is hereby established west of Hardin county; beginning at the southwest corner of Hardin county, running thence north with the west boundary of the same twenty-seven and one half miles; thence west, passing the southeast corner of Madison county, to a point three miles west of the first range line in the ninth district; thence south, parallel with said range line, on the south boundary of this state; thence east, on said boundary, to the beginning.

**SECTION 2.** That for the due administration of justice for said county, the courts of Pleas and Quarter Sessions and circuit courts of said county shall be held at the house of Abel V. Maury, near the center of said county, until otherwise provided for by law, viz: The courts of Pleas and Quarter Sessions, on the second Mondays in January, April, July and October, and the succeeding days, and the circuit courts on the third Mondays in May and November, and the succeeding days, in each and every year, under the same rules, regulations and restrictions, and to have and exercise the same powers and jurisdiction, that other courts of judicature of like grades in this state now or hereafter may have.

**SECTION 3.** That the sheriff of said county shall open and hold an election on the first Friday and Saturday in April next, at the place of holding courts for said county for the purpose of electing field offices for the militia of said county under the same rules, regulations and restrictions as are pointed out by law in similar cases; and the militia of said county shall compose the eightieth regiment of Tennessee militia, and be attached to the eleventh brigade.

**SECTION 4.** That it shall be the duty of the commandant of said regiment, having been first commissioned and sworn according to law, to divide his regiment into such number of companies as he shall think best for the convenience of said companies; and it shall further be the duty of said commandant to issue writs of election for company officers according to law, as provided for in other cases of elections for captain and subaltern officers.

**SECTION 5.** That this act shall take effect, and be in force, from and after the first day of January next.

Passed: October 8, 1823.

### Boundaries - Historical Notes

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

1. Acts of 1823, Chapter 137, provided that the surveyor appointed to run the line between Hardin and Henderson Counties would also run the line between Henderson and McNairy Counties at the same rate of pay as may seem reasonable and right and which would be shared by the two counties.
2. Acts of 1823, Chapter 238, Section 2, appointed John H. Bills as surveyor to run, measure, and mark the line between McNairy and Hardeman Counties, the cost of which would be equally borne by the two counties. Their respective County Courts were required to appropriate enough money between them to pay Bills \$3.00 a day and his chain bearers and markers \$1.50 a day each.
3. Acts of 1833, Chapter 467, asserted that a new southern boundary between Tennessee and Mississippi had been established by John Thompson, the commissioner for the state of Tennessee, and instructed the principle surveyors of a number of counties, among them McNairy, to extend their dividing lines from what was called "Winchester's Line" to the new boundary established by John Thompson.
4. Acts of 1837, Chapter 7, Section 3, made it the duty of the County Surveyors in Hardin, McNairy, Hardeman, Fayette, and Shelby Counties, if not done already, to extend the dividing lines of said counties to the line recently run by the Commissioners seeking to establish the line between Tennessee and Mississippi.
5. Acts of 1857-58, Chapter 11, Section 14, changed the lines between McNairy and Hardeman Counties so as to include all the land, dwelling, and out houses of Francis Clement in McNairy County.
6. Acts of 1875, Chapter 68, created a new County, called Wisdom County, out of portions of

Madison, Henderson, McNairy, and Hardeman Counties. This Act which was apparently defeated in the election required therein never became active as far as we can tell although the customary Commissioners were named.

7. Acts of 1885, Chapter 131, moved the lands of S.D. Anderson from McNairy County into Chester County.
8. Acts of 1889, Chapter 59, detached the lands of C.C. Jones and J.S. Ball from McNairy and attached them to Chester County.
9. Acts of 1889, Chapter 61, moved all the lands of J. H. Mitchell which were in McNairy County into Hardin County. This Act was repealed by Item 12 below.
10. Acts of 1889, Chapter 142, transferred all the property of J. Short and Ben Smith which was in McNairy County, into Chester County.
11. Acts of 1889, Chapter 252, is an exact duplicate of Chapter 142, Acts of 1889, above, which happened occasionally as the same Bill, or another like it, was passed on two different occasions by the Legislature.
12. Acts of 1889, Chapter 253, changed the boundaries between McNairy and Hardin Counties so as to include all the properties of W. S. White in Hardin County.
13. Acts of 1893, Chapter 19, repealed Chapter 61, Acts of 1889, above, which involved Hardin County.
14. Acts of 1893, Chapter 44, moved all the properties belonging to C. H. Joyner from McNairy County and placed them into Hardin County.
15. Acts of 1893, Chapter 53, changed the properties of the residence and the premises of W. W. Scott from Hardin County into McNairy County. This act had a very brief description of the property. This act was repealed by Chapter 112, Acts of 1899, below.
16. Acts of 1899, Chapter 112, expressly repealed Chapter 53, Acts of 1893, which was passed on March 28, 1893, in its entirety.
17. Acts of 1903, Chapter 266, transferred all the properties belonging to Tom Sipes, Charles Tull, James Tull, and James Jeans from the Third Civil District of McNairy County into Chester County. This act was probably never acted on, being repealed by the act below.
18. Acts of 1903, Chapter 369, expressly repealed the Act above, Chapter 266, Acts of 1903.
19. Private Acts of 1911, Chapter 246 addressed an apparent boundary disagreement between Hardin and McNairy counties. This act instructed the county judges of each county to procure a copy of the original act establishing the dividing line between the two counties and to hire surveyors who would follow the act and mark the line which would remain the legal line between the two counties.
20. Private Acts of 1939, Chapter 364, detached that portion of the farm belonging to J. C. Kent which was located in the 12th Civil District of McNairy County and attached the same to the First Civil District of Chester County.
21. Private Acts of 1947, Chapter 611, transferred all the parts of the farms of Mrs. J. A. Parker and Mrs. H. B. O'Neal, consisting of approximately 20 acres, from the old 12th Civil District of McNairy County to the First Civil District of Chester County.
22. Public Acts of 1973, Chapter 149, removed a tract of land owned by Bobby Mullins, Gilbert Hutcherson, and Edward Felton from the 10th Civil District of McNairy county to Chester county.
23. Public Acts of 1974, Chapter 501, changed the dividing lines between McNairy and Chester counties by moving all of the property of Clarence Bullman from McNairy county to Chester county.
24. Public Acts of 1975, Chapter 141, moved the Pugh property, the Bethune property, and the Davis property from McNairy county to Chester county.
25. Public Acts of 1977, Chapter 308, moved the property of Billy Latham from McNairy county to Chester county.
26. Public Acts of 1977, Chapter 309, moved certain lands belonging to Roy Whitten from McNairy county to Chester county.
27. Public Acts of 1977, Chapter 310, moved certain lands belonging to Amo Smith from McNairy county to Chester county.
28. Public Acts of 1977, Chapter 311, moved certain lands belonging to R. A. Talley and Eugene

Morris from McNairy county to Chester county.

29. Public Acts of 1977, Chapter 312, moved certain lands belonging to Kenneth Essary from McNairy county to Chester county.

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