



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

Creation of the County

Public Acts of 1821 Chapter 32

COMPILER'S NOTE: This act established Henry, Carroll, Madison, Henderson and other counties west of the Tennessee River. Only those sections of the act which apply to Madison County have been included in this compilation.

SECTION 5. That all the territory included in the lines hereafter mentioned shall constitute a county to be called and known by the name of Madison county; Beginning two miles and a half south of the north east corner of range 2, section 11, in the 9th district, running thence west parallel with the sectional line to the 3d range line in the 10th district; thence south on said range line to a point two miles and a half south of the sixth sectional line in said district; thence east parallel with said sectional line to the second range line in the 9th district; thence north on said range line to the beginning.

SECTION 10. That for the due administration of justice, the Courts of Pleas and Quarter Sessions in said counties shall be held at the following places & times: For the county of Henry, at the house of Henry Wall, on the first Monday in December, March, June and September; for the county of Carroll, on the second Monday in December, March, June and September, at the house of R. E. C. Doherty; for the county of Madison, at the house of Adam R. Alexander, on the third Monday in December, March, June and September; for the county of Henderson, at the house of Samuel Wilson, on the fourth Monday in December, March, June and September; at which places the said courts shall be holden until otherwise provided for by law, under the same rules, regulations and restrictions, and shall exercise the same power and jurisdiction that is possessed by said courts in other counties of this state.

SECTION 11. That the sheriffs of the counties of Henry, Carroll, Madison and Henderson shall each hold an election at the places appointed for holding courts in said counties on the first Friday and Saturday in March next, for the purpose of electing field officers of the militia for said counties, under the same rules, regulations and restrictions as are pointed out by law in similar cases; and the militia of the county of Henry shall compose the ___ Regiment, and shall be attached to the ___ Brigade; and the militia of the county of Carroll shall compose the ___ Regiment and be attached as aforesaid; and the militia of the county of Madison shall compose the ___ Regiment, and be attached as aforesaid; and the militia of the county of Henderson shall compose the ___ Regiment, and be attached as aforesaid.

SECTION 12. That it shall be duty of the commandants of said _____ and _____ Regiments, having first been commissioned and sworn according to law, to divide their regiments into such number of companies as they shall think best for the convenience of said companies and it shall be the duty of each of said commandants to issue writs of election for company officers according to law.

November 7, 1821.

County Seat

Change of Name

Private Acts of 1822 Chapter 99

SECTION 1. That the town heretofore laid off for the seat of justice in the county of Madison, by the name of Alexandria, shall be known and distinguished by the name of Jackson, and that Stokely D. Hays, William E. Butler, Herndon Harrolson, Vincent Harrolson, William Stoddard, Daniel Horton, William Arnold and Adam Huntsman are hereby appointed commissioners for the town of Jackson, in addition to the commissioners appointed by the county court of Madison, under the authority of an act passed by the General Assembly on the 16th November, 1821, for the purpose of establishing the permanent seat of justice in Madison and other counties, and that the said last mentioned commissioners shall have and possess equal powers in all respects with the commissioners appointed by said county court of Madison.

August 17, 1822.

Private Acts of 1821 Chapter 201

SECTION 1. That Sterling Brewer, James Fentress and Abram Murry, Esquires, be and they are hereby

appointed commissioners, who or a majority of them shall on or before the first Monday in May next, proceed to fix on a place, as near the center of the respective counties as an eligible site can be procured, at least within three miles of the center of each of said counties, at which site the commissioners shall procure by purchase or otherwise, at least fifty 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 warranty, and the said commissioners shall report and return all their proceedings relative to and concerning the county of Henry to the county court thereof, and all their proceedings relative to and concerning the county of Carroll, to the county court thereof, and all their proceedings relative to and concerning the county of Henderson to the county court thereof, and all their proceedings relative to and concerning the county of Madison, to the county court thereof, and it shall be the duty of the clerk of each of the several counties to record the same.

SECTION 2. That it shall be the duty of the respective county courts aforesaid to appoint five commissioners, to whom the commissioners appointed by this act, shall convey the lands acquired for county purposes, on which it shall be the duty of the commissioners appointed by the county court to cause a town to be laid off in their respective counties with their necessary streets, at least ninety feet wide, reserving at least four 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.

SECTION 3. That the commissioners of each of the respective counties shall sell the lots of the town of their county at public sale, on a credit of twelve months, giving due notice thereof, in one or more of the public newspapers printed in Nashville, and shall take bond with sufficient securities from the purchasers of said lots, payable to themselves and successors in office, and shall make titles in fee simple as commissioners to the respective purchasers of said lots.

SECTION 4. That the proceeds of the sales of the lots aforesaid, shall be a fund in the hands of the respective commissioners, for defraying the expenses incurred in the purchase of the tract of land in their county, on which the town is directed to be laid off, also for defraying the expenses of building thereon a court house, prison and stocks.

SECTION 5. That the said commissioners shall superintend the building of the court house, prison and stocks, in their respective counties and shall let all of the said public buildings to the lowest bidder, advertising the same sixty days in one or more of the newspapers printed in Nashville, setting forth their dimensions and the materials of which they are to be built, and shall take bond with sufficient securities from the person or persons to whom the court house, prison or stocks, is let, payable to themselves and successors in office, in the sum of at least ten thousand dollars, conditioned for the faithful performance of his or their contract or contracts, and if the proceeds of the sale of said lots is not sufficient for the purposes above mentioned, it shall be the duty of the county court of the county or counties where such deficiencies may happen, to lay a tax, not exceeding the amount of the state tax levied in the said county, to be applied to the objects aforesaid and to be continued until all arrearages are paid off.

SECTION 6. That the commissioners appointed by the county courts, before they enter on the duties of their appointments shall give bonds and approved securities, in the sum of five thousand dollars each, payable to the chairman of the county court of their county, and his successors in office, for the use of the county, conditioned for the faithful performance of the trust reposed in them, and the said bond shall be filed in the clerk's office of the county, and shall not be so construed as to make any one of the commissioners securities for another.

SECTION 7. That a majority of the commissioners shall in all cases be competent to perform the duties by this act assigned them, and if any one of the commissioners appointed by the county court neglects or refuses to act, a majority of the justices of the county, where such vacancies may happen, shall appoint another in his place, and when the said commissioners shall have performed the duties above enjoined upon them, they shall lay before their respective county courts a full statement of all their proceedings, and the county court shall make them a reasonable compensation for their services.

SECTION 8. That the first mentioned three commissioners shall be entitled to and receive as compensation for their services --- dollars for each day they may be absent from home, and necessarily employed in performing the duties required of them by this act, to be paid by the counties aforesaid, in such proportion as the said commissioners may deem just and equitable.

SECTION 9. That when either of the towns above mentioned is laid off, the courts of the county shall be adjourned to, and held therein, any law to the contrary notwithstanding; and that this act shall not be so construed as to make either of the aforesaid counties liable for any part of the expenses which the other may incur or take from either of the counties any of the monies which may accrue to it from the sale of town lots or otherwise.

And whereas a manifest mistake appears in the second call or line establishing Carroll county, by an act of

the present General Assembly, for remedy whereof,

SECTION 10. That the lines of said county shall run as follows, to wit: Beginning at the south east corner of Henry county, running thence west with the south boundary to the south west corner thereof, thence south two miles and a half to the fourth sectional line in the 12th district, thence west on said sectional line to a point four miles west of the first range line in said district, thence south parallel with said range line to a point two miles and a half south of the line separating the 9th and 12 districts, thence east as mentioned in the above recited act.

November 16, 1821.

Change of Boundary Lines

Public Acts of 1868-69 Chapter 39

COMPILER'S NOTE: Sections 1 and 3-14 do not pertain to Madison County. Therefore, they were omitted.

SECTION 2. That the county line of Henderson be so changed as to attach the portions of said county Southwest of the Forked Deer River to Madison County, beginning at the Southwest corner of Henderson County, running east with the McNairy County line to the Forked Deer River; thence with said river to the county line between Henderson and Madison counties. The taxes in the portions of said county due shall be paid to the Tax Collector of Henderson County.

Passed: February 25, 1869

Public Acts of 1879 Chapter 42

COMPILER'S NOTE: Sections 3 and 6-12 have been omitted, because they do not pertain to Madison County.

SECTION 1. That a new county be, and the same is hereby established, out of fractions of Madison, Henderson, McNairy and Hardeman counties, to be known as Chester County.

SECTION 2. That the county of Chester shall be bounded as follows: Beginning at a stake on the south bank of the middle fork of the Forked Deer River, where the Henderson and Madison county line crosses said river, at a beech and two hickory pointers, thence east with the meanderings of said river to a stake, hickory, elm and hornbean pointers on the land of Dr. W. E. Tucker; thence with the arc of a circle with the radius of 11 miles; from the town of Lexington 12°93 miles; thence east 1 mile; thence in a southern direction to the northwest corner of Hardin County; thence with said line to the northeast corner of McNairy county; thence south with the McNairy and Hardin county line 1°52 miles; thence west 1°39 miles; thence south to the corner of the old survey of Wisdom County, made under the Act, this to repeal, on the lands of Thomas Wilkerson; thence west 8 miles; thence with the arc of a circle, with the radius of 11 miles, from the town of Purdy 14 miles; thence west 2°53 miles; thence with the arc of a circle with the radius of 11 miles from the town of Bolivar, 8°75 miles; thence north to the Madison county line; thence east with the Madison and Hardeman county line to a stake 10 poles east of the house of Rev. Robert Rainey; thence north 61½ degrees east 9 miles; thence north 26½° east to the Henderson and Madison county line; thence north with said line to the beginning. 278°77 square miles.

SECTION 4. That it shall be the duty of said Commissioners, first giving thirty days notice in one public place or more, of the time and place to open and hold an election in one or more places in each of the fractions proposed to be stricken off from the counties of Madison, Henderson, McNairy and Hardeman, in order to ascertain whether two-thirds of the voters residing in each of the said fractions are in favor of, or opposed to, the formation of said new county of Chester, and all persons qualified to vote for members of the General Assembly, residing in said fractions, shall be entitled to vote in said elections, and each voter who is in favor of the formation of the new county, shall have on his ticket, "New County," and each voter opposed to the formation of said new county of Chester, shall have on his ticket, "Old County," and after counting the vote cast in said election, if it shall appear that there are two-thirds of the legal voters in each of said fractions in favor of the new county, then in that case, the county of Chester shall be, and is hereby declared a county, with all the privileges and advantages, and subject to all the liabilities and duties with other counties in this State.

SECTION 5. That in order to carry into effect, and make certain and accurate, the provisions in the fourth section of this Act, said Commissioners are hereby empowered and authorized to canvass and take the census of the qualified voting population in the bounds of the several fractions proposed to be stricken off from the counties of Madison, Henderson, McNairy and Hardeman, and if for any cause the election as herein provided shall not be held in any of said fractions, on the day appointed, said Commissioners shall

provide for another election as herein provided in such fractions.

SECTION 13. That the citizens of Chester county in all elections for Governor, Members of the General Assembly, Representatives in Congress and Electors for President and Vice President, shall vote with the counties from which they have been respectively stricken off, until the next apportionment agreeable to the provisions of the fifth section of the Tenth Article of the Constitution of the State.

SECTION 14. That the fractions composing the said county of Chester shall be liable for their pro rata of the debts contracted and owing by the counties from which they were taken, and shall also receive their proportion of any stock or credits belonging to said old counties.

SECTION 15. That an Act passed March 19, 1875, entitled, "An Act to create a new county off of Madison, Henderson, McNairy, and Hardeman counties, in the State of Tennessee," and all other Acts and parts of Acts in conflict with this Act be, and the same are hereby repealed.

SECTION 16. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 1, 1879.

Boundaries - Historical Notes

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

1. Public Acts of 1887, Chapter 119, changed the line between Gibson and Madison Counties to place in Madison County all the lands of J. M. Simpson and R. H. Simpson, and in Gibson county all the lands of J. G. Fulghum.
2. Acts of 1903, Chapter 183, changed the boundary line between Madison and Henderson Counties to include the farm of C. N. Matlock in Madison County.
3. Acts of 1907, Chapter 570, changed the boundary lines between Madison and Hardeman Counties to include the land of Robert B. Swint in Madison County.
4. Private Acts of 1911, Chapter 97, changed the Madison County-Crockett County line to place the land owned by Robert B. Griggs in Crockett County.
5. Private Acts of 1921, Chapter 796, placed land of R. H. Simpson in Madison County from Gibson County. This act was repealed by Private Acts of 1937, Chapter 740, which changed the boundary line to return Simpson's land to Crockett County.
6. Private Acts of 1921, Chapter 848, placed certain lands of R. T. Lewis in Gibson County and other lands of R. T. Lewis in Madison County, in an attempt to "straighten the line" between Madison and Gibson Counties.
7. Private Acts of 1931, Chapter 726, changed boundary lines to remove certain property from Hardeman County into the First Civil District of Madison County. This act was repealed by Private Acts of 1957, Chapter 152.
8. Private Acts of 1937, Chapter 740, changed the line between Gibson and Madison counties to place in Gibson county the lands acquired by W. A. Birdsong from R. H. Simpson, being the same lands placed in Madison County by Private Acts of 1921, Chapter 796.

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