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# Creation of the County

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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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# Creation of the County

## Acts of 1843 Chapter 38

**SECTION 1.** That a new county be, and the same is hereby established to be composed of fractions taken from the counties of Maury, Lawrence, Wayne and Hickman, and to be known and designated by the name of Lewis County, in honor of Captain Merriwether Lewis, who has rendered distinguished services to his country, and whose remains lie buried and neglected within its limits, and shall be bounded as follows:

**SECTION 2.** Beginning on the South bank of Duck River, at a point twelve miles on a straight line West from Columbia, and running in a South direction, leaving Columbia twelve miles to the East, to the Turnpike leading from Mount Pleasant to Tennessee river, thence with said turnpike road to the Wayne County line, running thence in a Northerly direction, leaving Waynesboro to the West twelve miles, thence in a North-East direction through Hickman county, leaving Centerville twelve miles to the West to Duck River, thence up said river to the beginning.

**SECTION 3.** That John Aiken and Albert G. Cooper of the county of Maury, Shadrick Morris and James Voss of the county of Lawrence, James Gullett and David Voorhies of the county of Wayne, Hugh B. Venable and John Clayton of the county of Hickman, shall be, and they are hereby appointed commissioners, with authority to employ a competent surveyor to run out and designate the boundaries of said county, and also to employ a competent surveyor to ascertain by actual survey of the several counties, from which the county of Lewis is to be composed, and if upon such survey there shall be territory and population sufficient to meet the requirements of the constitution, without infringing upon the constitutional territory or population of either of the counties, from which said county of Lewis is to be composed, then said county of Lewis is hereby established upon the following conditions.

**SECTION 4.** It shall be the duty of said commissioners, as soon as they ascertain that there is territory and population sufficient to constitute a new county under the requirements of the third section of this act, after first giving twenty days notice in two or more public places, of the time and place in each of the fractions proposed to be stricken off from the counties of Maury, Lawrence, Wayne, and Hickman, that they will open and hold an election in each of the fractions proposed to be taken off from the counties aforesaid, for the purpose of ascertaining whether a majority of the voters, residing in the several fractions, are in favor of, or opposed to the establishment of said county of Lewis; and all persons qualified to vote for members of the General Assembly, who have resided in the fractions aforesaid six months immediately preceding the day of election, shall be entitled to vote, and each voter who desires to vote for the establishment of the new county, shall have on his ticket the words New County, and those desirous to vote against the new county, shall have on their tickets the words Old County; and if upon counting the ballots, the judges of the several elections in said fractions, shall return that a majority of each of the fractions have voted for the new county, then the county of Lewis shall be, and the same is hereby established, with all the powers, privileges and advantages, and subject to all the liabilities of other counties in this State.

**SECTION 5.** All officers, civil and military in said county, shall continue to hold their offices, and exercise all the powers and functions thereof, until others are elected according to law, and the said county of Lewis, shall elect her officers on the same day, and under the same rules and regulations as provided by law for the election of officers in other counties in this State.

**SECTION 6.** The commissioners appointed by the third section of this Act, shall appoint such persons as they may deem suitable to open and hold the elections for county officers for the said county of Lewis, and such persons so appointed shall be, and are hereby invested with full power and authority to appoint deputies, clerks, and judges, and by himself and deputies to administer all necessary oaths, and to do and perform all other duties as by law are required of Sheriffs or other officers holding similar elections.

**SECTION 7.** It shall be the duty of the commissioners aforesaid, as soon after the county of Lewis shall have been established as practicable, to select and procure by purchase or otherwise, a suitable site for the seat of justice in said county; and the said commissioners, having first caused a deed to be made to themselves, and their assigns with general warranty, to a sufficient quantity of land, including the site so selected, shall cause a town to be laid off thereon, with as many streets and alleys as they may deem sufficient, with a suitable square for the erection of public buildings; said commissioners may reserve such lots as they may deem advisable for the purpose of erecting a jail and such other purposes as they may think advisable; and said town so laid off shall be known by such name as a majority of said commissioners may give it.

**SECTION 8.** BE IT ENACTED, That the commissioners of said county shall sell the lots in said town on a credit of at least twelve months, first giving due notice thereof in some newspaper published in this state, and shall take bond with security from the purchasers of said lots, payable to themselves and their successors in office, and shall make title in fee simple as commissioners to the respective purchasers of said lots.

**SECTION 9.** The proceeds of the sales of the lots aforesaid, shall be a fund in the hands of said commissioners, for the defraying the expense incurred in the purchase of said tract of land on which the said county seat shall be located, and also for defraying the expenses of erecting the public buildings for said county of Lewis.

**SECTION 10.** The commissioners shall superintend the building of such public buildings as the county court of said county shall order and direct to be built, and shall let the same out, and take bonds from the undertakers with ample penalties and sufficient securities, payable to themselves and their successors, conditioned for the faithful performance of his or their contracts.

**SECTION 11.** The said commissioners shall also appoint five commissioners, whose duty it shall be to divide and lay off said county of Lewis into civil districts, designate the place for holding elections, therein, and do and perform all the duties relative thereto, which by the laws of this state such commissioners are authorized and required to do.

**SECTION 12.** The county of Lewis shall be attached to the 8th Judicial Circuit, and the circuit courts in said county shall be held on the 4th Mondays in March, July, and November, in each year.

**SECTION 13.** The militia of the county of Lewis shall form one regiment which shall be known and designated as the 158th Regiment, and shall be attached to the 24th Brigade of Tennessee Militia.

**SECTION 14.** That the county court of Lewis County, when organized, shall be authorized to make such appropriations as they may think proper to the commissioners appointed under the provisions of this act, to compensate them for their necessary expenses and services.

**SECTION 15.** That for the convenience of the citizens and for the administration of Justice, the county and circuit courts of said county of Lewis, shall be held at the house of John Blackburn, until the public buildings for said county shall be completed, due notice of which shall be given to the clerks of the several courts in said county by the commissioners herein appointed, after which time they shall be held at the court house in the county aforesaid.

Passed: December 21, 1843.

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