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## Chapter IV - Boundaries

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<b>Chapter IV - Boundaries .....</b>	<b>. 3</b>
<b>Creation of the County .....</b>	<b>. 3</b>
<b>Private Acts of 1835-36 Chapter 28 .....</b>	<b>. 3</b>
<b>Change of Boundary Lines .....</b>	<b>. 4</b>
<b>Public Acts of 1869-70 (2nd Sess.) Chapter 12 .....</b>	<b>. 4</b>
<b>Public Acts of 1873 Chapter 52 .....</b>	<b>. 5</b>
<b>Public Acts of 1877 Chapter 43 .....</b>	<b>. 5</b>
<b>Public Acts of 1893 Chapter 120 .....</b>	<b>. 6</b>
<b>Private Acts of 1917 Chapter 320 .....</b>	<b>. 6</b>
<b>Private Acts of 1931 Chapter 549 .....</b>	<b>. 6</b>
<b>Boundaries - Historical Notes .....</b>	<b>. 7</b>

# Chapter IV - Boundaries

## Creation of the County

### Private Acts of 1835-36 Chapter 28

**SECTION 1.** That a new county be, and the same is hereby established between the Big Hatchee and Forked Deer rivers, and west of the county of Haywood, to be known and distinguished by the name of LAUDERDALE, in honor of, and to perpetuate the memory of Colonel James Lauderdale, who fell at the battle of New Orleans on the night of the 23d December, 1814; beginning where the west boundary line of Haywood county crosses the Big Hatchee river, running thence down the said river with its main channel, and with the main channel of the upper mouth of said river, to the main channel of the Mississippi river; thence up the said river to the old channel at Needham's cut off; thence up the said old channel to the mouth of the canal connecting the Forked Deer river with said old channel; thence in a direct line east to the Forked Deer river; thence up said Forked Deer river to a point one mile due north of the two sycamores known as the Key Corner; thence due east to the South fork of the Forked Deer river; thence up the same to the northern boundary line of Haywood county; thence in a south-western direction, through said county of Haywood, so as to cut off so much of said county of Haywood as will reduce it to six hundred and twenty-five square miles, to the west boundary line of said county; thence with said west boundary line to the beginning.

**SECTION 2.** That for the due administration of justice, the different courts to be holden in said county of Lauderdale, shall be holden at the house of Samuel Lusk, until the seat of Justice for said county shall be located, and a suitable house erected for that purpose. The county court shall, in the intermediate time have full power to adjourn the courts to such other place in said county as they may deem better suited for the holding of the same, and for the public convenience, and to adjourn to the seat of justice when in their judgment the necessary arrangements are made; and all writs and other precepts returnable to either place, shall and may be returnable to the place to which the said courts may have been removed by the county court aforesaid. And the said courts to be holden in and for the said county of Lauderdale, shall be under the same rules regulations and restrictions, and shall have, hold, exercise and possess the same powers and jurisdiction as is possessed by said courts in other counties in this State.

**SECTION 3.** That all officers, civil and military, in said county, shall continue to hold their offices and exercise all the powers and functions thereof, until others be elected under the provisions of the amended constitution and the laws made in pursuance thereof; and said county of Lauderdale shall elect her officers, civil and military, under the amended constitution, at the same time and under the same rules and regulations, and in the same manner, that may be provided by law for the election of officers in other counties in this State; and the said county of Lauderdale, shall be placed upon an equal footing, possess equal powers and privileges in all respects, as other counties in the State; *provided*, nothing in this act contained, shall be so contained as to deprive the counties of Tipton, Haywood and Dyer from having, holding and exercising jurisdiction over the territory composing said county of Lauderdale, and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers under the amended constitution: *Provided*, also, nothing in this act contained shall be so construed as to prevent the counties of Tipton, Haywood and Dyer from entering up judgments or the sheriffs of said counties from selling under such judgments, any lands within the bounds of said county of Lauderdale, for taxes, costs and charges for the present or any preceding year, nor to prevent the sheriffs of either of said counties of Haywood, Tipton or Dyer from collecting from the citizens of said county of Lauderdale any taxes due for the present or any preceding year.

**SECTION 4.** That the citizens of the county of Lauderdale, in all elections for governor, for members of Congress, and for members of the General Assembly, shall vote with the counties from which they may have been stricken off, until the next apportionment of members of the General Assembly, agreeable to the provisions of the 5th section of the 10th article of the amended constitution.

**SECTION 5.** That Blackman Coleman, David Hay, Nicholas T. Perkins, Samuel Owen and Howell Taylor, all of Haywood county, be, and they are hereby appointed commissioners, (a majority of whom can act) who shall, on or before the first Monday in January next, proceed to fix on a place as near the centre of said county as an eligible site can be procured, at least within five miles of the centre of said county, at which site said 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 general warrantee; and the said commissioners shall report and return all their proceedings relative to and concerning said county, to the county court of said county, and it shall be the duty of the clerk of said

court to record the same.

**SECTION 6.** That it shall be the duty of the county court of said county to appoint five commissioners, to whom the commissioners appointed by this act shall convey the land acquired for the use of said county, on which it shall be the duty of the commissioners appointed by the county court to cause a town to be laid off, with as many streets and of such width as they may deem necessary, reserving at least four acres for a public square, and a lot sufficient for building a jail. And the said town, when so laid off, shall be known by the name of Ripley.

**SECTION 7.** 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 one or more newspapers printed in this State, 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 8.** That the proceeds of the sales of the lots aforesaid, shall be a fund in the hands of said commissioners for defraying the expenses incurred in the purchase of said tract of land on which the said county seat is located, and also for defraying the expenses of erecting public buildings.

**SECTION 9.** That the said commissioners shall superintend the building of the court house, jail, and other necessary public buildings; and shall let out such buildings as the county court in said county shall order to be built, upon such terms and conditions as the said court shall direct, and shall take bond with sufficient securities from the person or persons to whom the same is let payable to themselves and their successors in office in the sum of ten thousand dollars, conditioned for the faithful performance of his or their contracts.

**SECTION 10.** That the said commissioners, before they enter upon the duties of their office assigned them by this act, shall take an oath or affirmation that they will truly and faithfully execute and perform the different duties by this act enjoined on them, according to the best of their judgment, and, moreover, shall enter into bond with approved security, payable to the chairman of the county court of Lauderdale county, and his successors in office, in the sum of five thousand dollars, conditioned for the due and faithful performance of the duties enjoined upon them by this act, which bond shall be deposited in the clerk's office in said county, and shall not be so construed as to make one of the commissioners security for another.

**SECTION 11.** That the said commissioners shall keep a fair and regular statement of all monies by them received and expended, which statement, when required, shall from time to time, be laid before the county court; but said commissioners shall not be called on oftener than once a year, and when the necessary public buildings are completed, the said commissioners shall, by order of the county court, pay over all surplus money to the county trustee for county purposes, and they shall be allowed by the county court a reasonable compensation for their services.

**SECTION 12.** That the first five commissioners mentioned in this act shall each be entitled to receive as compensation for their services, the sum of three 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 said county of Lauderdale, out of any monies in the treasury not otherwise appropriated.

**SECTION 13.** That John R. Howard, of Henry County, be and he is hereby appointed to run and mark the dividing line between the said counties of Haywood and Lauderdale, and to reduce the said county of Haywood to six hundred and twenty-five square miles, and the line between the counties of Dyer and Lauderdale, and that he have full power to employ chain carriers, who shall receive a reasonable compensation for their services, to be paid by the said county of Lauderdale; and the said Howard shall receive the sum of two dollars and fifty cents for each day he may be necessarily employed in the business required by this act, to be paid by the county of Lauderdale.

**SECTION 14.** That should the county court of Lauderdale not be organized in time to appoint the commissioners to lay off the town and sell the lots, it shall and may be lawful for the county court of Tipton to appoint them, and the said county court of Tipton shall take the bonds and securities of said commissioners payable to the chairman of the county court of Lauderdale and his successors in office, and do and perform any other act or acts required by this act until the organization of said county court of Lauderdale, and it shall be as good and binding as if done by the county court of said Lauderdale.

Passed: November 24, 1835.

## Change of Boundary Lines

### Public Acts of 1869-70 (2nd Sess.) Chapter 12

**SECTION 1.** That the county line between the Counties of Haywood and Lauderdale, be changed so as to run as follows: Beginning at a point on the county line where Thos. A. Walker's line crosses the same, running thence east with his line to his south-east corner; thence north-east to Louis S. Maclin's south-east corner; thence with his east boundary line in a direct course to A. L. Oldham's south-east corner; thence with the boundaries of said Oldham's land to a point where the Wandville and Chestnut Bluff road crosses said Oldham's east boundary line; thence with said Wandville and Chestnut Bluff road, in a north-eastern direction, to a point where the Haywood and Lauderdale County line crosses said road, and that portion of Haywood lying west of said line as designated, be stricken off from Haywood and attached to Lauderdale County, also that portion of Thos. Lea's land lying in Haywood County, being about ten acres, be attached to Lauderdale County.

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

Passed: June 6, 1870.

## Public Acts of 1873 Chapter 52

**SECTION 1.** That in conformity with the petition of more than four-fifths of the citizens now residing on Island No. 34, or Miller's Island; and on upper Hatchie Island, in the Mississippi river, the line between Lauderdale and Tipton Counties, be extended down the Hatchie river to the lower or southern point of upper Hatchie Island; thence westwardly to the lower or southern point of No. 34, or Miller's Island, in the Mississippi river, passing the same in a direct line to the western boundary of the State.

**SECTION 2.** That the Island No. 34, or Miller's Island, and the upper Hatchie Island, be annexed to and form part of District No. 4, of Lauderdale County; and the County Court of said county have authority to appoint suitable officers to hold an election on a day of which notice shall be given in the "RIPLEY NEWS" and "TIPTON RECORD," and if three-fourths of those citizens residing on said Island, or owning real estate on the same at the date of the passage of this Act, and voting at said election, shall cast their votes in favor of annexation to Lauderdale County, upon the return made by said officer, the County Court of Lauderdale County shall cause publication of the facts to be made in such newspapers of the State as they deem expedient, and proceed to exercise jurisdiction over the territory thus annexed; Provided, Said change shall not reduce Tipton County below the constitutional limits.

**SECTION 3.** That the said change of the line between said Counties of Lauderdale and Tipton shall in no event release the portion of Tipton County which may be cut off therefrom, and attached to Lauderdale County, from the payment of its portion of such indebtedness as may have been contracted by said County of Tipton prior to such change of the county line, and that said territory known as Island No. 34, or Miller's Island, and the upper Hatchie Island shall, notwithstanding such change in county lines, continue liable, and shall be assessed as heretofore for such portion of such previously incurred indebtedness, and which assessment shall be collected as heretofore.

Passed: March 19, 1873.

## Public Acts of 1877 Chapter 43

**SECTION 1.** That the line between Dyer and Lauderdale counties be so changed as to transfer from Lauderdale to Dyer county all the territory of Lauderdale county north of the following line: Beginning in the county line in the middle of the channel of Forked Deer river, opposite the old shingle yard below Key Corner, running thence due south to the centre of the road leading to Hale's Point from Double Bridges; thence eastwardly along said road to the centre of the road leading from Key Corner to Ripley; thence southwardly along said road to the centre of the channel of Mill Creek; thence down said creek as it meanders to the county line, towit, the south fork of Forked Deer river.

**SECTION 2.** That the passage of this Act shall in no wise exempt any of the citizens or property within the territory above mentioned from any liability already lawfully incurred either to Lauderdale county or for any railroad subscription.

**SECTION 3.** That the County Court of Dyer county shall provide for the assessment and collection of taxes in said territory for the year 1878, and shall provide for the election of Justices of the Peace and Constables in said territory, as soon as they see proper, looking to the public welfare.

**SECTION 4.** That the Justices of the Peace and Constables who are at present in office within the above described territory, shall serve as officers of Dyer county until their successors shall be elected and qualified.

**SECTION 5.** That nothing in this Act shall be so construed as to reduce Lauderdale county below her constitutional limits; and this Act shall become a law as soon as two-thirds of the qualified voters residing in the territory proposed to be added to Dyer county, shall so express their desire at an election to be held

by the sheriff of Lauderdale county, who is hereby authorized and instructed to hold such election in the mode and manner prescribed by law, within six months after the passage of this Act, first giving thirty days' notice of said election; the polls shall be open as the law provides, in two of the most convenient places in the territory mentioned above, and the said sheriff shall make known the result of the election in writing to the Clerks of the County Courts of Dyer and Lauderdale counties, who shall publish the same: Provided, that an accurate survey shall first be made to ascertain if said proposed change will reduce the county of Lauderdale below its constitutional limits.

**SECTION 6.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 20, 1877.

## Public Acts of 1893 Chapter 120

**SECTION 1.** That the line between the counties of Dyer and Lauderdale is hereby so changed as to embrace in the county of Dyer the point of land called "Tiger Tail," at the junction of the Forked Deer River with the old channel of the Mississippi River, through which Obion River now runs. This change of the line between the counties of Dyer and Lauderdale is to begin at a point in the Forked Deer River about one-fourth of a mile above its junction with the old channel of the Mississippi River, at a point where the said line diverges in a north-western direction from the Forked Deer River; runs thence from that point with the center of the Forked Deer River to the junction of the Forked Deer River with the old channel of the Mississippi River, and thence with the center of the channel through which the waters of the Obion and Forked Deer Rivers flow to the Mississippi River, called Obion River, to the Mississippi River.

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

Passed: February 1, 1893.

## Private Acts of 1917 Chapter 320

**SECTION 1.** That the line between Haywood and Lauderdale Counties shall be changed as follows:

So as to detach certain lands from Haywood County and attach them to Lauderdale County. That beginning at a point in the center of the south fork of Forked Deer River on the south margin of the Gates Levee Road, same being in the east boundary line of the Baker and Sugg tracts of land and on the line between the Counties of Haywood and Crockett and on the line of Haywood County in the 10th Civil District of said Haywood County running thence across the river bottom west to the lands of W. T. Hay that lie south of the public road; then on west with his said north boundary line and the north line of J. H. McKinnon, J. B. Lee and Thomas Lane; north 79 3-4 degrees west 3-90/100 chains to a stake, north 75 3-4 degrees 8- 84/100 chains to a stake, north 83 degrees west 29 chains to a stake, north 88 degrees west 2 1-2 chains to a stake, south 83 3-4 degrees 16 17/100 chains to an iron stake, west 102 55/100 chains to a stake, north 89 degrees, west 46 35/100 chains to a stake, in the center of the Woodville and Gates Road, with a large poplar pointer, being Thomas Lane's northwest corner and at a point about two chains north of where the present Haywood County line runs south 64 1-2 degrees west 214 29/100 chains from the south fork of Forked Deer River in a triangle in the center of the Woodville and Gates Road, and so that the lands of S. J. Pickard, Thomas Lee Estate, the Hay or Greene Bradford tract of land, Mrs. J. T. W. Milan, M. L. Wood, M. D. Coffman, K. F. Fennel, D. H. Cherry and J. B. Lucas together with a small portion of the Baker and Sugg tract of land north of the Gates Levee shall be detached from Haywood County and attached to Lauderdale County and become a part of said county and of the 17th Civil District of said County of Lauderdale.

**SECTION 2.** That the taxes for the year 1917 due upon the said lands so detached from Haywood and attached to Lauderdale County and also any other taxes that may be due by the citizens living upon the said lands shall be due and payable to the said County of Lauderdale and collected by its officers; provided that said land and all of same shall be subject to the Railroad Tax to which it was subject while a part of Haywood County, and provided that said tax shall be collected by the Trustee of Lauderdale County and by him paid to the Trustee of Haywood County.

**SECTION 3.** That all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

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

Passed: March 22, 1917.

## Private Acts of 1931 Chapter 549

**SECTION 1.** That the line between Haywood and Lauderdale Counties shall be changed as follows:

So as to detach certain lands from the First Civil District of Lauderdale County and attach them to the Ninth Civil District of Haywood County, Tennessee, which lands so detached are described as follows, to-wit:

Beginning at a stake in the mouth of Lagoon Creek where the same enters into Big Hatchie River, runs thence northward and eastward with the meanderings of Lagoon Creek and in the center thereof to a stake in the center of said creek where said creek crosses the present line between Haywood and Lauderdale Counties; thence south with said county line to a stake in Big Hatchie River; thence down said river in a northwesterly direction with the meanderings of said river and the present county line of Lauderdale County to the point of beginning, containing approximately 1,400 acres. That said above described tract of land shall be detached from said First Civil District of Lauderdale County, Tennessee, and become a part of the said Ninth Civil District of Haywood County, Tennessee.

**SECTION 2.** That taxes for the year 1931 due upon said land so detached from Lauderdale County and attached to Haywood County, Tennessee, shall be payable to said County of Lauderdale and collected by its officers.

**SECTION 3.** That all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

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

Passed: June 23, 1931.

## Boundaries - Historical Notes

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

1. Private Acts of 1835-36, Chapter 42, granted an additional 60 days to the commissioners appointed to locate and lay off the county seat of Lauderdale County. If it were not convenient for John R. Howard to make the required survey, then William B. Jones of Gibson County was authorized to do so for the same compensation. Taxes collected from residents of those parts of Tipton and Dyer Counties which became a part of Lauderdale County were be paid to Lauderdale County, and Lauderdale County was to receive its proportionate share of the school fund, internal improvement fund, and other public funds.
2. Acts of 1837-38, Chapter 256, appointed Abel H. Pope of Lauderdale County to run and mark the boundary line between Lauderdale and Haywood Counties to reduce Haywood County to its constitutional limit of 625 square miles, and run and mark the line between Lauderdale and Dyer Counties, all in accordance with Private Acts of 1835-36, Chapter 28 (reproduced hereinabove).
3. Public Acts of 1869-70, Chapter 30, changed the boundaries between Lauderdale and Haywood Counties to include all the lands of Lewis S. Maclin and Champ C. Connor in Lauderdale County, provided that Haywood County would not be reduced below the constitutional limits.

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