



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Acts of 1870 (Ex. Sess.) Chapter 29

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Dear Reader:

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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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## Acts of 1870 (Ex. Sess.) Chapter 29

**SECTION 1.** That a new county be and the same is hereby established, to be composed of portions taken from the northern portion of Jackson and Overton Counties, to be known and designated by the name of County of Clay, and shall be bounded as hereinafter provided.

**SECTION 2.** That the general boundaries of said county shall be as follows, to-wit:

Beginning at the common corner of Jackson and Overton Counties, upon the State line between Kentucky and Tennessee, running thence with said line east to a point in said line on the northern boundary of Overton County, to be fixed by the Commissioners to be hereafter designated in this act; thence south or southwest to a point in Overton County, to be also fixed and established by the said Commissioners; thence in a westerly direction through Overton and Jackson counties to a point to be fixed by the Commissioners' thence north with said line to the State line; thence east with said line to the beginning; Provided, That no line of said new county shall approach the Court-houses of Jackson and Overton Counties nearer than ten miles in a direct line from the same.

**SECTION 3.** That R. P. Brooks, Jas. G. Cunningham and Job M. Morgan, of Jackson County, and W. H. Turner and Thomas Armstrong, of Overton County, be and they are hereby appointed Commissioners, with full power and authority to run out and designate the boundaries of said county by actual survey; and they are authorized to employ a competent person to survey the same; and if, upon finding that their territory and population are sufficient to meet the requirements of the Constitution without infringing the constitutional territory or population of the counties from which said County of Clay is to be taken, then said Commissioners shall have the lines of said County of Clay plainly marked, and cause a correct map of the same to be made out and transmitted to the Secretary of State, who shall file the same in his office; and the County of Clay is hereby established upon the following conditions:

**SECTION 4.** That it shall be the duty of said Commissioners, as soon as they shall ascertain that there is territory and population sufficient to establish a new county under the requirements of the second and third sections of this act, after giving twenty days' notice in three or more public places, of the time and place in each of the fractions proposed to be stricken off from the Counties of Jackson and Overton, to open and hold an election in each of the fractions proposed to be stricken off from the counties aforesaid, for the purpose of ascertaining whether two-thirds of the voters residing in those fractions, are in favor of or opposed to the establishment of said County of Clay; 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 entitle to vote; and each voters who desires the establishment of the new county, shall have on his ballot "New County," and those opposed to the new county shall have on their ballots "Old County;" and if upon counting the ballots, the judges of the several elections shall return that two-thirds of each of the fractions have voted for the new county, then the County of Clay 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.** That all officers in said county shall continue to hold their offices and exercise all the powers and functions thereof, until others are elected and qualified according to law, and the said County of Clay shall elect her officers on the day and under the same rules and regulations as provided by law for the election of officers in other counties in this State.

**COMPILER'S NOTE:** The remainder of this act concerned Clay County, and is not included herein.

Passed: June 16, 1870.

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