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Change of Boundary Lines

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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Change of Boundary Lines

Act of 1821 Chapter 143

SECTION 1. That the lines and boundaries of Wayne county shall be as follows, (viz:) Beginning at the south west corner of Lawrence county on the state line, and running north with the west boundary of said county to the north west corner thereof, where James Hardin marked said corner, thence running west to the Tennessee river so as to leave cedar creek in Perry county, and white oak creek in Wayne county, thence up said river so far as to include the residence of William B. Ross, thence south parallel with the range line to the south boundary of the state, thence east with said boundary line to the beginning.

SECTION 2. That James Hollis, John Ingram, John Nunley, Esq. Cary W. Pope, Arthur Choat, William Pyburn, Esq. and Malachi Wemberly or a majority of them be and they are hereby appointed commissioners to fix on a place within three miles of the center of said county, or as nearly so as a suitable situation can be procured, and the said commissioners shall purchase forty acres of land, at the place which they may fix upon as aforesaid, and shall receive a title to the same in fee simple to themselves and their successors in office, and shall lay off the said forty acres of land into a town to be known by the name of Waynesborough, reserving near the center thereof a public square of two acres, on which the court-house and stocks shall be built, likewise reserving any other lot they may think proper, for the purpose of having a jail built thereon, for the use of said county of Wayne.

SECTION 3. That the said commissioners shall sell the lots of said town at public sale on a credit of twelve months, giving due notice thereof in a public paper printed in Columbia and Nashville, and shall take bond with sufficient security from the purchasers of said lots payable to themselves and their successors in office, and shall make titles in fee simple 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 said commissioners for defraying the expense incurred in the purchase of the tract of land on which the town above mentioned is directed to be laid off, also for defraying the expense of building a courthouse, prison and stocks.

SECTION 5. That the said commissioners, shall superintend the building of the said courthouse, prison and stocks, and shall let the said buildings to the lowest bidder, advertising the courthouse sixty days in said paper printed in Columbia, setting forth the dimensions of which it is to consist, and the materials of which it is to be built, and shall take a bond with sufficient security from the person to whom the said courthouse is let, payable to themselves and their successors in office in the sum of ten thousand dollars; conditioned for the faithful performance of his contract, 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 Wayne to lay a tax, not exceeding the amount of state tax levied in said county, to be applied to the objects aforesaid, and to be continued until all arrearages are paid off.

SECTION 6. That the said commissioners before they enter on the duties of their appointment shall give bond in a sum of five thousand dollars each, payable to the chairman of the county court of Wayne, to him and his successors in office, for the use of said county, conditioned for the faithful performance of the trust reposed in them, and shall likewise take the following oath:

I, A. B. DO SOLEMNLY SWEAR (OR AFFIRM) THAT AS A COMMISSIONER TO ACT FOR THE COUNTY OF WAYNE, I WILL DO EQUAL AND IMPARTIAL JUSTICE TO THE CITIZENS OF SAID COUNTY, TO THE BEST OF MY SKILL AND ABILITY. SO HELP ME GOD.

And the said bond shall be filed in the clerk's office for said county, and shall not be so construed as to make any one of the commissioners security for another.

SECTION 7. That so soon as the above mentioned town is laid off it shall be the duty of the court of Wayne county to hold said court in said town so laid off, and all matters, causes and things now depending in the county court of Wayne, shall and may be tried and determined in said town in the same manner as if they had been originally returnable to that place.

SECTION 8. That a majority of the commissioners by this act appoint, shall in all cases be competent to perform the duties by this act assigned them, and if any one neglects or refuses to act, a majority of the justices of said county of Wayne may appoint another in his place, and when the said commissioners shall have performed the duties above enjoined upon them, they shall lay before the county court of Wayne, a full statement of all their proceeding, and the said

county court, shall make them a reasonable compensation for their services.

SECTION 9. That it shall be the duty of the county court of Wayne, to appoint some skillful person to run and mark the lines of said county of Wayne, for which they shall allow him a reasonable compensation.

SECTION 10. That this act, shall be in force and take effect from and after the first day of January in the year one thousand eight hundred and twenty-two.

SECTION 11. That all laws, and parts of laws, coming within the purview and meaning of this act, are hereby repealed.

Passed: November 5, 1821.

Acts of 1845-46 Chapter 5

SECTION 1. That all that portion of Wayne County lying north and west of a line, commencing on the Tennessee river in Wayne county, at the north of Beach Creek, running thence up said creek to the fork near John Johnson's, thence up the north fork to the next fork, thence with the dividing ridge between the forks so as to strike Buffalo river at the mouth of Canoe branch, crossing said river, thence up said Buffalo river including John Smith's, at the foot of Samuel Holmes' bend, thence one mile north, thence east to the Lewis county line, thence with the Lewis county line to the point where it passes into Hickman county, thence westwardly with the line between Hickman and Wayne to where it joins Perry county; be and is hereby attached and shall constitute a part of Perry county.

SECTION 2. That Andrew H. Guthrie, Nephthali Tracy, James Mathews, Andrew J. Helms and Simon D. Whitly be appointed commissioners to assign the citizens thus stricken off to such civil district or districts within the county of Perry as shall be most convenient for them. And that the citizens thereof shall be entitled to all the privileges and subject to all the liabilities of the citizens of the county of Perry.

SECTION 3. That the citizens within the territory thus stricken off from the county of Wayne, be required to perform military duty as the citizens in the respective districts in Perry county, to which they have been attached as provided in the second section of this act, Provided always, that if the county of Perry be divided otherwise, this act is rendered null and void.

SECTION 4. That Andrew J. Helms and Simon D. Whitly, Esqs., be appointed to open and hold an election at the Cross Roads at Alexander Oaks' old place, on Saturday the 7th day of February next, after giving fifteen days notice in at least four public places in the district, proposed to be attached. And all those in favor of being attached to Perry county, shall have on their ticket "Perry County," and those who are opposed, shall have on their ticket "Wayne County," and none but those qualified by law to vote for Governor, &c., and residing within the territory proposed to be attached shall vote, and if a majority of the legal voters residing in said territory vote in favor of being attached as aforesaid, then and in that case, it shall be considered a part of Perry county; Provided, that said county of Wayne shall not be reduced below the constitutional limits of 625 square miles: And provided further, That said line shall not approach within 12 miles of Waynesborough, the county seat of Wayne county.

Passed: November ____, 1845.

Acts of 1849-50 Chapter 197

That that portion of Hardin county, embraced within the following limits be annexed and attached to Wayne county, (viz:) beginning on the Tennessee River where the lines of Wayne and Hardin county strike said river, running from thence up said Tennessee River with its meanders to the mouth of Masses Creek, thence South to the dividing ridge between said creek and Short creek, thence with said ridge until it strikes the road leading from the old Marion Furnace to the Indian Creek road, thence with said road to the dividing ridge between Hardin's creek and Indian creek, thence east with said ridge to where it strikes the Wayne county line, thence North with said line to the beginning: Provided however, this transfer of territory does not reduce Hardin county below her constitutional area.

Passed: February 1, 1850.

Act of 1877 Chapter 157

SECTION 1. That the county line between the counties of Wayne and Lawrence by so changed as to run as follows: Beginning at a point where the Lawrenceburg, Wayland Springs and Florence road crosses the line between said counties of Wayne and Lawrence, thence in a southwesterly direction with the center of said road to the north boundary line of the State of Alabama, so as to include within the limits of said county of Lawrence all the territory south and east of said road lying in the State of Tennessee.

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

Passed: March 24, 1877.

Acts of 1897 Chapter 164

SECTION 1. That the line between the counties of Wayne and Lewis be and the same is hereby so changed as to detach all of that part of Wayne County with all its property and citizens embraced in the calls below, being a portion of the sixth civil district of Wayne County, and attach the same to Lewis County.

SECTION 2. That the following shall be the line between the counties of Wayne and Lewis by which said land above referred to shall be detached from Wayne County and attached to Lewis County, to wit: Begins at a stake where Thos. Voorhies' line crosses the Wayne and Lewis County line; thence with his line north 87o, west 50 poles to his southern southwest corner; thence north 3o, east his line 90 poles to a white oak with chestnut and oak pointer his corner; thence north 87o, west his line 62 poles to a chestnut oak his corner; thence north his line 172 poles to a hickory, the Buffalo Iron Company's corner; thence north 87o, west their line passing their corner in all 995 poles to a stake in Robinett creek, Jones Reeves' corner; thence north 3o, east his line 60 poles to a large poplar his corner; thence north 87o, west his line 160 poles to a gum stump his corner; thence north 70o, west 92 poles to a set stone; thence north 3o, east 480 poles to the county line between Wayne and Lewis Counties.

SECTION 3. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 8, 1897.

Acts of 1909 Chapter 441

SECTION 1. That the line between the counties of Perry and Wayne be so changed as to make the line read as follows between said counties: Beginning on a stake at the intersection of the present Perry and Wayne County line with E. S. Chappell's west boundary line, and run thence south instead of north as it now does...poles until it intersects with the McLemore line of a 70 acre tract now owned by S. T. and G. W. Sharp; thence south with said McLemore west boundary line...poles to the southwest corner of said 70- acre tract; thence east with the south boundary line of said tract...poles to Buffalo River; thence up said river...poles with its meanders to a point on said river where it turns east; thence on in an eastern direction up said river with its meanders to the southwest corner of the land now owned by J. E. Bastin; thence in a northern direction... poles with his west boundary line to O'Possum Creek; thence up said creek with its meanders...poles to Edwin Pope's west boundary line; thence in a northern direction...poles with his west boundary line to a stake in the present Perry and Wayne County line.

SECTION 2. That all real estate added to Perry County by this Act shall be added to and become a part of the Third Civil District of Perry County for all civil and school and all other purposes.

SECTION 3. That all 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: April 30, 1909.

COMPILER'S NOTE: This act formed part of the litigation in the case of State v. Marshall, 124 Tenn. 230, 135 S.W. 926 (1911).

Private Acts of 1925 Chapter 385

SECTION 1. That the county line between Lewis County and Wayne County, State of Tennessee, be and the same is hereby changed as lows; to-wit: Beginning at pile of stones in Lewis and Wayne Counties' line, one hundred eighty (180) poles west where said line crosses Nashville, Chattanooga & St. Louis Railway; running thence south crossing the road from Ruppertown to Ashland, at one hundred ninety and two-thirds (190 2-3) poles in all two hundred and nine and two-thirds (209 2-3) poles to two chestnut oaks, fifty (50) feet east of said road; thence south twenty-four (24) degrees thirty minutes (30') east one hundred forty-four poles to chestnut oak stump in Rockey Branch; thence south seventy-three (73) degrees east seventy-three (73) poles to pile of stones at the Waynesboro and Huppertown road; thence south twenty-eight (28) degrees east one hundred sixty-nine (169) poles to stake two white oak pointers on side of hill; thence south eighty-seven degrees (87) east crossing Allen's Creek at thirty-six (36) poles and the road at fifty-four (54) poles, in all one hundred thirteen (113) poles to two (2) white oaks at the edge of an old field: thence north seventy-two (72) degrees east two hundred thirty-six (236) poles to small hickory, C. H. Brewer's corner; thence east with the south boundary line of same forty-six (46) poles

to chestnut stump in Lewis County and Wayne County line; thence north with Lewis County and Wayne County line four hundred forty-four (444) poles; and thence west with Lewis County and Wayne County line four hundred twenty-five (425) poles to the beginning, "so as to detach the lands between said new line and the former line from Wayne County and to attach them to Lewis County, and to annex them to the Tenth Civil District of Lewis County.

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring it.
Passed: April 3, 1925.

Private Acts of 1929 Chapter 262

SECTION 1. That the line between the Counties of Lawrence and Wayne in the State of Tennessee be so changed as to detach all the lands of Cager McGee from the County of Wayne and attach the same to the County of Lawrence. Said land is bounded and described as follows: Lying and being on the waters of Factors Fork of Shoal Creek and beginning at a rock with sourwood, white oak and hickory pointers, the same being the S. W. corner of the Cager McGee tract, from lot No. 7, F. M. Cannon's plat of the Jones Springer lands sold to W. W. French; thence west 176 poles to black gum and pointers; thence north 108 poles to stake and pointers; thence west 136 poles to rock black oak pointers; thence north 22 poles to stake Post Oak and Black Oak pointers; thence north 46 degrees east 97 poles to hickory and pointers; thence north 82 degrees east, 66 poles to dogwood and pointers; thence north 30½ poles to White Oak and pointers; thence east 157 poles to Black Oak and pointers, the N. W. corner of said Cager McGee tract; thence south 70 poles to rock, thence south 41 degrees east 20 poles to rock walnut pointers; thence south 17 degrees east 34 poles to beech, ash, and poplar pointers; thence south 5 degrees west, 70 poles to stake on ridge hickory pointers, thence south 80 poles to beginning.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.
Passed: February 19, 1929.

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