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Chapter IV - Boundaries

Dear Reader:

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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 County

Public Acts of 1821 Chapter 32

COMPILER'S NOTE: Only those sections of the act which apply to Carroll County are reproduced below.
[SECTIONS 1 AND 2 OMITTED].

SECTION 3. That all the territory included in the lines hereafter mentioned shall constitute a county by the name of Carroll county: Beginning on West boundary of Humphreys at the the (sic) south east corner of Henry county; running thence west with the south boundary of said county to the south west corner of Henry county; thence south parallel with the range lines to a point two and a half miles south of the line dividing the 9th and 12th districts; thence east parallel with the sectional line to the second range line in the 9th district; thence north to the north east corner or range 2, section 11, in said 9th district; thence east with the district line to the west boundary of Perry county; thence northwardly with the west boundary of Perry and Humphreys counties to the beginning.

[SECTIONS 4-9 OMITTED].

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 the 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.

[SECTION 13 OMITTED].

November 7, 1821.

COMPILER'S NOTE: Section 10 of Private Acts of 1821, Chapter 201 (reproduced on the following page), corrects an error in the boundary description of Carroll County which appeared in Public Acts of 1821, Chapter 32, above.

County Seat

Private Acts of 1821 Chapter 201

COMPILER'S NOTE: Section 10 of the following act corrects an error in the boundary description of Carroll County which appeared in Public Acts of 1821, Chapter 32, immediately preceding this act.

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 [sic] districts, thence east as mentioned in the above recited act.

November 16, 1821.

Private Acts of 1822 Chapter 210

SECTION 1. That it shall and may be lawful for Molton Dixon to charge the county of Hickman at the rate of three dollars for each day necessarily engaged in running the lines and centering the same, and employed in making out maps for said county, under the directors of the commissioners appointed by an act of the last General Assembly.

SECTION 2. That the said Molton Dixon may prove his account before any justice of the peace in the county of Hickman, and file the same with the county trustee of said county, whose duty it shall be to discharge the same out of the first money coming into his hands, and the said account shall be a good voucher in his settlement with the county court of Hickman, any law to the contrary notwithstanding.

SECTION 3. That the county court of Hickman County make an appropriation, and direct the trustee to pay over to the umpires appointed by the legislature in 1821, to fix on a site for the seat of justice for said county, the sum of four dollars per day for each day they were necessarily employed in going to, and returning from, and fixing on a site in said county.

SECTION 4. That the county court of Henderson county, Madison county, Carroll county and Henry county make a similar appropriation to the commissioners appointed by the Legislature of 1821, to fix on sites for the seats of justice in the counties aforesaid.

Passed: August 23, 1822.

Change of Boundary Lines

Acts of 1849-50 Chapter 83

SECTION 1. That the line between the counties of Gibson and Dyer, be so changed as to include in the county of Gibson, the territory lying between the North Fork and Little North Fork of Forked Deer river, so that the line shall run with the said forks of said river to their junction.

SECTION 2. That the citizens living in the following bounds in Carroll county, are hereby permitted to attach themselves to Weakley county, in the manner hereinafter prescribed, to wit: Beginning at the north west corner of Carroll county, running with said county line east, to a distance of two miles, thence south to the Obion river, thence down said river as it meanders to the west boundary line of said county, thence with said line to the beginning.

SECTION 3. That the county court of Carroll county, is hereby empowered to designate a suitable place in said bounds, at which to open and hold election of the qualified voters residing in the limits of said territory, and also to appoint some suitable person, who after giving twenty days notice in writing in three places in said bounds of the time and place of holding said election, shall open and hold the same on the day, and at the place specified in said notices, opening the polls at the hour of 11 o'clock, A.M., and closing the same at the hour of 3 o'clock, P.M., and at which election all the citizens living in said territory who are qualified to vote for members of the General Assembly shall be entitled to vote, and those who are in favor of being attached to Weakley county, shall have on their ticket the word "*Weakley*," and those in favor of remaining in Carroll county shall have upon their ticket the word "*Carroll*," and the person so appointed to hold said election, shall return a certified copy of the polls of said election to the clerks of the county courts of Weakley and Carroll counties, and which poll lists shall be filed in each of said offices, and if the voters aforesaid, shall vote to be attached to the county of Weakley, then the territory shall be taken and deemed to be a part of the county of Weakley, and the citizens therein shall be entitled to all the privileges and rights of citizens of Weakley county. *Provided*, that if the cutting off of this territory, shall reduce Carroll county below its constitutional limits, this act shall be void.

SECTION 4. That the person so appointed to open and hold said election, shall appoint three judges and two clerks of the same, and he is hereby empowered, and it is made his duty to qualify said judges and clerks as in elections for members of the General Assembly.

[Undated]

Public Acts of 1893 Chapter 3

SECTION 1. That the line between the counties of Carroll and Henderson be changed to run as follows: Beginning in the center of Giffin's Creek with W. A. Holder's east boundary line; thence up, and following the meanderings of Giffin's Creek to C. F. McHany's west boundary line; with C. F. McHany's west boundary line back to the said creek; thence up center said creek to Sim Barkham's east boundary line to York's Creek; thence up center of York's Creek to the county line, containing about seven hundred and fifty (750) acres, and including the lands of C. A. Gates, E. E. Williamson, W. A. Holder, G. W. Lovell, M. C. Lanier, and M. E. Jones, L. R. Burroughs, Sim Barkham, Ranking and Williamson, W. N. Holmes in Carroll County.

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

Passed: February 9, 1893.

Private Acts of 1949 Chapter 599

SECTION 1. That the county line between Carroll and Benton Counties is hereby changed so as to take from the 16th Civil District of Carroll County and place in the 12th Civil District of Benton County the following described land:

A strip of land forty (40) feet wide extending twenty (20) feet on each side of a line beginning in the center of the road from Mt. Carmen Church, in Benton County, to McMackin's spur, in Carroll County, at the point where the county line between Carroll and Benton Counties crosses said road and running west with the center of said road to a point in said road ten (10) feet west of Big Sandy River Canal.

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

Passed: April 4, 1949.

Boundaries - Historical Notes

Boundaries

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

1. Public Acts of 1867-68, Chapter 20, changed the line between Benton and Carroll Counties to attach lands southwest of Big Sandy River to Carroll County (this portion was later repealed), and changed the line between Carroll and Henry Counties to place the lands and residences of Marion Wood and N. Swift in Carroll County.
2. Public Acts of 1868-69, Chapter 39, repealed the portion of Public Acts of 1867-68, Chapter 20, which had changed the line between Benton and Carroll Counties, and authorized the formation of Grant County out of portions of Carroll, Gibson, Henderson and Madison Counties.
3. Public Acts of 1869-70 (2nd Sess.), Chapter 3, provided for the establishment of Etheridge County out of portions of Henderson, Gibson, Carroll, Madison and Weakley Counties, subject to the outcome of an election those areas on whether the new county should be formed. This act was amended by Public Acts of 1869-70 (2nd Sess.), Chapter 117, to authorize the Commissioners appointed under that act to make changes in the boundary line of the new county adjacent to Henderson and Madison Counties, by either extending or contracting the boundary as they determined to be in the best interests of the people. This act was further amended by Public Acts of 1870-71, Chapter 93, to authorize boundary changes and to condition any boundary changes, and the formation of the county itself, upon the approval of 2/3 of the voters.
4. Public Acts of 1877, Chapter 14, established a new county to be known as Hanes County out of parts of Henderson, Benton, Carroll and Decatur Counties, conditioned upon the approval by the people in the area affected.
5. Public Acts of 1883, Chapter 55, changed the line between the counties of Benton and Carroll to place the house and lands of J. T. Dudley in Benton County.
6. Public Acts of 1883, Chapter 56, transferred all the lands belonging to W. T. Vaden and W. A. Thompson out of Henderson County and into Carroll County.
7. Acts of 1905, Chapter 20, changed the line between the counties of Benton and Carroll to detach from Benton County and attach to Carroll County the land upon which was situated the residence and outbuildings of S. C. Walker.

1. Private Acts of 1951, Chapter 605, changed the county line between Carroll and Benton Counties to take from the 14th Civil District of Carroll County and place in the 2nd Civil District of Benton County the lands belonging to the W. T. Miller heirs and Brinkley.

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