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Acts of 1845-46 Chapter 25

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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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SECTION 1. That a new county be, and the same is hereby established, to be composed of fractions taken from the counties of Haywood, Madison, Gibson and Dyer, to be known and designated by the name of Crockett county, in honor of, and to perpetuate the memory of David Crockett, one of Tennessee's distinguished sons.

SECTION 2. That the county of Crockett shall be bounded as follows, to wit: -- beginning at the mouth of the little North Fork of Forked Deer river, runs thence south 41 deg. west, crossing the road leading from Jackson to Dyersburg at 7 miles and 20 poles, and at a point ten and a half miles from said Dyersburg by way of said road, and crossing the road leading from said Dyersburg to Chestnut Bluff, at eleven miles and thirty poles, eleven and a half miles from Dyersburg, in all twelve miles to the South Fork of Forked Deer river, two and a half miles below the Chestnut Bluff turnpike bridge, by river measurement; thence up the South Fork of Forked Deer river, with the various courses thereof, fifty-one miles to a point one hundred and sixty poles above mile mark No. 22, and at a point twenty-one and a half miles below Jackson by the river measurement; thence north 41 degrees east, crossing the road leading from Jackson to Cherryville at the twelve mile post from Jackson, and crossing the Dyersburg road twenty poles west of the twelve mile post, in all ten and a half miles to the Middle Fork of Forked Deer river; thence down the same with the various courses thereof of to the beginning.

SECTION 3. That for the purpose of organizing the county of Crockett, Isaac M. Johnson, David Whitaker, Joel Nunn, Willis L. Rives, Kinchen Hathaway, Isaac H. Mason, Alfred T. Fielder and Noah Perry shall be, and they are hereby appointed commissioners on the part of the several fractions in which they reside, who shall, before entering on the discharge of their duties, take an oath before some justice of the peace, faithfully and impartially to discharge all the duties incumbent on them in this act, and in all cases of vacancies that may occur among said commissioners previous to the organization of the county court of said county of Crockett, the same shall be filled by the other commissioners, and all vacancies occurring after the organization of such courts, the vacancies so occurring shall be filled by said court of said county of Crockett. The said commissioners shall enter into bond with good security, to be approved by the county court of Crockett, and payable to the chairman thereof, in the sum of five thousand dollars, conditioned for the faithful performance of their duties. A majority of said commissioners shall constitute a board competent to do all things herein enjoined on them--they shall keep a regular record of all their proceedings as commissioners, which shall be returned to the county court of Crockett, at its first session, and the same shall be recorded by the clerk thereof, on the records of said court; and they shall make such returns, after the organization of said court, as shall be directed thereby.

SECTION 4. That it shall be the duty of said commissioners, first giving ten days notice in one public place or more, of the time and places, to open and hold an election in one place or more, in each of the fractions proposed to be stricken off, from the counties of Haywood, Madison, Gibson and Dyer, on the 15th day of March next, in order to ascertain whether a majority of the voters residing in said fractions are in favor of or opposed to the formation of the said county of Crockett, and all persons qualified to vote for members of the General Assembly, residing in said fraction, shall be entitled to vote in said election, and each voter who is in favor of the formation of the new county shall have on his ticket "new county," and each voter opposed to the formation of said county of Crockett shall have on his ticket "old county:" and if, after counting the votes cast in said election, it shall appear that there are a majority of the legal voters in said fractions in favor of the new county, then, and in that case, the county of Crockett shall be, and is hereby declared a county with all the powers, privileges and advantages, and subject to all the liabilities and duties with other counties in the State.

SECTION 5. If, from any cause, said election should not be held in said fractions, as required in the foregoing section, on the day set apart for such election, or should there be any fraudulent influence used in said election, it shall be lawful, at the option of said commissioners, to give notice again and hold said election as intended on the previous day, and said commissioners shall have full power to make all necessary investigation, and prevent any improper influence in the second election.

SECTION 6. For the due administration of justice, the different courts to be holden for said county of Crockett shall be held at the house of Isaac M. Johnson, until the seat of justice of said county, shall be located. The county courts 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 public convenience, and to adjourn to the seat of justice when in their judgments the necessary arrangements are made; and all writs and other process issuing from any of said courts, returnable to either place, shall and may be returnable to the place where said courts may have been removed by the county courts aforesaid; and the courts for the county of Crockett shall be under the same rules, regulations and restrictions--shall have, hold, exercise, and possess the same powers and jurisdiction as prescribed by law

for holding courts in other counties. Said county shall be attached to the tenth judicial circuit, and the circuit courts shall be held by the judge of said circuit, on the last Mondays of January, May and September, in each and every year, and the citizens of said county may file bills in chancery, in either of the chancery courts held at Trenton or Brownsville, at their option.

SECTION 7. That all officers, civil or military, now holding offices 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 courts of Crockett shall, at their first regular session, elect their officers for the unexpired portion of the year 1846; and ever after that their elections shall be made on the same day and in the same manner as in other counties of the State: Provided, that nothing in this act contained shall deprive the counties from which the fractions have been taken, from having, exercising and holding jurisdiction over the county of Crockett and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers takes place according to law: Provided, also, nothing herein contained shall prevent the above named counties from entering up judgments, or the sheriffs of said counties from selling under such judgments, any lands within the bounds of said county of Crockett, for taxes, costs and charges, until the county of Crockett is organized.

SECTION 8. That the commissioners appointed by this act, shall appoint such person as they may think proper to open and hold the election for county officers for the said county of Crockett, and such person so appointed shall have power to appoint deputies, clerks and judges, and by himself and deputies to administer all the necessary oaths, and do and perform all other duties now made the duty of sheriffs, or other officers holding similar elections; and it shall be the duty of such persons so appointed, together with his deputies to open and hold an election for county officers, on the first Saturday in April, 1846; which election shall be held in each civil district in said county, and the officers so elected shall hold their offices until the next regular election for county officers in other counties in the State.

SECTION 9. That the citizens of Crockett county, in all elections for Governor, members of the General Assembly, representatives in Congress, and electors for President and Vice President, shall vote with the counties from which they have been respectively stricken off until the next apportionment, agreeably to the provisions of the 5th section of the 11th article of the Constitution.

SECTION 10. That it shall be the duty of the above mentioned commissioners, as soon as convenient after the organization of said county of Crockett, to select and procure by purchase or otherwise, a suitable site for the seat of justice of said county of Crockett, having a due regard for the convenience and wishes of a majority of the legal voters of said county of Crockett; and the said commissioners, having caused a deed to be made to them and their successors in office with general warranty, for a sufficient quantity of land including the site so selected, shall cause a town to be laid off thereon, with such number of streets and allies, and of such width as they may deem necessary, reserving a sufficient quantity of land for a public square. Said commissioners shall select and reserve from sale one lot, on which to erect a public jail of said county of Crockett, and said town, so soon as laid off, shall receive such name as the above mentioned commissioners may give it: Provided, that said commissioners shall nominate not exceeding two sites for said seat of justice, which places, shall, in no event, be further from the centre of said county than three miles, which places shall be voted for by the legal voters of said county of Crockett, and the site receiving the greatest number of votes shall be, and is hereby declared, the seat of justice of said county.

SECTION 11. That the commissioners of said county shall sell the lots in said town on a credit of twelve months, first giving due notice thereof, in the public journals, and shall take bond with good and sufficient security from the purchaser or 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 when the same are paid for.

SECTION 12. That the proceeds of the sales of the lots in said town, shall be a fund in the hands of said commissioners, with which to defray the necessary expenses incurred in the purchase of said tract of land on which to erect said town; as well as the necessary expenses incurred in erecting the public buildings of said town, and should there be a surplus after defraying the above mentioned expenses, it shall be the duty of said commissioners to pay over the same to the Trustee of said county, to be accounted for by him as other funds in his hands. And it shall be the further duty of said commissioners to superintend the erection of such public buildings, as the county court of said county may direct to be built, and shall let the same out, and shall take bond from the undertakers with ample security, payable to them-selves and their successors, conditioned for the faithful performance of his or their contracts.

SECTION 13. That said commissioners shall have power, and it shall be their duty to appoint five suitable and qualified individuals to divide said county into civil districts, and designate the places for holding elections in said districts, and perform all the duties relative thereunto which by the laws of the State such commissioners are required to do.

SECTION 14. That the county of Crockett shall form one regiment, which shall be known and designated as the 132d regiment, and shall be attached to the 19th brigade. The militia officer or officers highest in command, included in said county of Crockett, shall at such time and place as he or they may designate, call all the commissioned officers together, and such of them as shall attend are hereby authorized and empowered to lay off said county into battalions and companies, and provide for holding elections for the purpose of electing all officers in said regiment in the manner prescribed by law.

SECTION 15. That in case the boundary lines of Crockett county, as above described, approach nearer the county seat of any of the old counties than is provided for in the constitution, then and in that case, it shall be the duty of said commissioners to appoint some surveyor to re-run and re-mark said boundary line of said county of Crockett, so as not to violate the constitutional right of said old county, and said surveyor shall make a report to the county court of Crockett, which report shall be recorded by the clerk of said court, and such line so run shall be the established line of said county.

SECTION 16. That the commissioners of Crockett county be and they are hereby authorized to exercise all the powers conferred in this act, and such further powers as may be necessary, and proper to the complete organization of said county.

SECTION 17. That in case said county of Crockett, is re-surveyed in accordance with the 15th section of this act, is shall contain at least three hundred and fifty square miles.

SECTION 18. That an Academy is hereby established at the county seat of said new county of Crockett, with all the rights and emoluments of other county Academies of the State, and the county court shall appoint Trustees, as in other counties, and shall name the same.

SECTION 19. That this act shall not take effect before the 14th March, 1846.

Passed: December 20, 1845.

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