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Public Acts of 1869-70 (Ex. Sess.) Chapter 89

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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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Public Acts of 1869-70 (Ex. Sess.) Chapter 89

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 distinguished sons.

SECTION 2. That the County of Crockett shall be bounded as follows, to wit: Beginning at a stake at the edge of low-water mark, in the middle fork of Forked-deer River, at a point eleven miles from Dyersburg, the county seat of Dyer county, above, and in an easterly direction of said Dyersburg; running thence in a southwest direction, so as not to approach said Dyersburg nearer than eleven miles, in the south fork of the Forkeddeer River; thence upon said river with its various courses, to a point in said river eleven miles from Brownsville, the county seat of Haywood; thence, leaving said river, running in a southeasterly direction on a line, so as not to approach said county seat of Haywood County nearer than eleven miles, till the same again strikes the said south fork of Forked-deer River, at a point eleven miles from Brownsville; thence up said river, with its various courses, to a point 160 poles above mile mark No. 22, and at a point twenty-one and one-half miles below Jackson--by river measurement; thence north, 41 degrees east, crossing the road leading from Jackson to Bell's Station, on the Memphis and Ohio Railroad, at the 12 mile post from Jackson, and crossing the Jackson and Dyersburg road 20 poles west of the 12 mile post, to a stake in the said middle fork of the Forked-deer river; thence down the same, with its various courses thereof, to a point in said river eleven miles from Trenton, the county seat or (sic) Gibson county; thence, leaving said river, in southwesterly direction in a line, so as not to approach nearer than eleven miles to the said county seat of Gibson County, till the same again strikes the said middle fork of Forked-deer River; thence down said river, with the various courses thereof, to the beginning.

SECTION 3. That for the purpose or organizing the County of Crockett, that A. B. Howlett, James Emerson, David Whitacre, A. T. Fielder, G. W. Bettes, John Lyon, J. C. Thorp, and T. F. Conly, 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 Court, the vacancies so occurring shall be filled by said Court of the County of Crockett. The said Commissioners shall enter into such bond and security as may be required by the said County Court of Crockett, made payable to the Chairman thereof, conditioned for the faithful performance of their duties, as required by this Act. 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 of 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 place 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 16th day of July next, in order to ascertain whether two-thirds of the voters residing in each of the said fractions, are in favor of, or opposed to the formation of the said new county of Crockett, and all persons qualified to vote for members of the General Assembly, residing in said fractions, 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 two-thirds of the legal votes cast in each of 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. That if from any cause said election should not be held in said fractions as required in the foregoing sections, on the day set apart for said election, or should there be any fraudulent influences used in said election, it shall be lawful, at the option of said Commissioners, to give notice again, and hold said election another time, or oftener, at their option, as intended on the first election day, and the said Commissioners shall have full power to make all necessary investigations, and prevent any improper influences on any succeeding election.

SECTION 6. That for the due administration of justice, the different Courts to be holden for said County of Crockett, shall be held in the town of Cageville, until the seat of justice shall be located, and all writs and other process, issuing from any of said Courts, returnable to that place, shall be legal, and the Courts

for the County of Crockett shall be under the same rules, regulations and restrictions; shall have, 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 Thirteenth Judicial Circuit, and the Circuit Courts shall be held by the Judge of said circuit, on the second Mondays of April, August and December, in each and every year, and shall be attached to the Eleventh Chancery District; and the Chancery Court shall be held on the fourth Mondays of May and November, in each and every year.

SECTION 7. That all officers, civil or military, now holding office 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 this Act; 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 this Act; Provided, also, that 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, cost and charges, until the County of Crockett is organized. That the Commissioners, their successors or agents, shall be authorized and empowered to so change, alter or modify lines fixed in this Act, as not to infringe upon the constitutional limits of the counties of Madison, Gibson (sic) and Dyer; provided that this section shall not be construed to invalidate any past act or acts of the Commissioners in conformity with this act to establish the County of Crockett.

As amended by: Private Acts of 1870-71, Chapter 26

SECTION 8. That said Commissioners shall have power, and it shall be their duty to appoint five suitable and qualified individuals, to divide said county into not less than twelve civil districts, designating the boundaries and places for holding elections in said districts, and perform all the duties relative thereto, which, by the laws of the State, such Commissioners are required to do. It shall be the further duty of said Commissioners to appoint some suitable surveyor, to survey and plainly mark the boundary lines of said County of Crockett, as described in this Act, and said surveyor shall make a report to the first County Court of Crockett County, which report shall be recorded by the Clerk of said court, and such lines, so run and marked, shall be the established lines of said county.

SECTION 9. That the Commissioners appointed by this Act, shall appoint such persons as they may think proper, to open and hold the elections for county officers, for the said county of Crockett, and such persons, 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 Commissioners of Registration, or 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 Thursday in August, 1870, 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 the different officers so elected, takes place in other counties in the State.

SECTION 10. 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 fifth section of the tenth article of the amended constitution.

SECTION 11. That it shall be the duty of the above named Commissioners, so soon as convenient, after the full and complete organization of the said County of Crockett, to select and establish a suitable location for the seat of justice of the said county of Crockett, having a due regard for health and (sic) convenience of a majority of the citizens of said county, and the site so established shall be known and designated by the same (sic) of "Alamo," to perpetuate the name of the place where David Crockett fell, fighting for the liberties of Texas; Provided, however, the said Commissioners may, at their option, put in nomination three places, neither of which shall be more than three miles from the supposed or probable center of said County of Crockett, which places shall be voted for by the legal voters of said county, and the site nominated, receiving the largest number of votes, shall be, and is hereby declared to be the seat of justice of the said County of Crockett: Provided further, That if said Commissioners should think there was fraud, or any other unfair means used in said election, they may, at their option, set aside such election, and submit the question a second time to the qualified voters of said county, which election shall be final.

SECTION 12. That is 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 take bonds, with ample security, payable to themselves and their successors in office, conditioned for the faithful performance of his or their contract; and the proceeds of the sales of all donations of lands, town-lots, or other gifts, that may be made in consideration of the location of the seat of justice, for said County of Crockett or otherwise, shall be a fund in their hands, to pay the necessary expenses in

organizing said county, and paying for the erection of the public buildings ordered to be built by the County Court; and should any surplus remain in their hands, it shall be their duty to pay over the same to the Trustee of said county, to be accounted for by him as other funds in his hands.

SECTION 13. That the said Commissioners of Crockett County be, and they are hereby authorized to exercise all the powers conferred in this Act, and such other powers as may be necessary and proper to a complete organization of said County of Crockett. The fractions composing said County of Crockett, shall be liable for their pro rata of the debts contracted and owing by the counties from which they are taken, and shall also receive their proportion of any stocks or credits belonging to said counties.

SECTION 14. That this Act take effect, the public welfare requiring it, from and after its passage.

Passed: June 29, 1870.

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