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Public Acts of 1871 (Ex. Sess.) Chapter 132

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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 1871 (Ex. Sess.) Chapter 132

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 a stake at the edge of low water mark of the middle fork of Forked Deer River, with three birch and three small cypress pointers marked C C L, which stake is situated south 82°, east eleven miles and one chain from Dyersburg, the county site of said Dyer County; running thence south 12°, west 55 chains; thence south 18°, west 80 chains; thence south 23°, west 80 chains; thence south 28°, west 80 chains; thence south 33½°, west 80 chains; thence south 38 ¾°, west 90 chains; thence south 44¼°, west 80 chains; thence south 49½°, west 80 chains; thence south 54 ¾°, west 80 chains; thence south 60°, west 80 chains; thence south 65¼°, west 80 chains; thence south 69½°, west 80 chains; thence south 74½°, west 67 chains to a stake in the south fork of Forked Deer River; thence up said river with the main channel thereof to a point in said river 11 miles and one chain from the town of Brownsville, the county site of Haywood county; thence leaving said river so as not to approach the said town of Brownsville nearer than 11 miles, as follows to wit: running north 89°, 50', east 54 chains; thence south 85°, 10', east 80 chains; thence south 80°, east 80 chains; thence south 74 ¾°, east 80 chains; thence south 69 1/3°, east 80 chains; thence south 64°, east 80 chains; thence south 58 ¾°, east 80 chains; thence south 53½°, east 80 chains; thence south 48¼°, east 80 chains; thence south 43°, 10', east 77 chains to a stake in said south fork of Forked Deer River 11 miles from the said town of Brownsville; thence up said river with the main channel thereof to a stake with a gum, poplar and beech pointers, the beech marked C C L, April 13, 1871; thence north 41°, east by a line known as the McLemore line 836 chains to a stake in the middle fork of the Forked Deer River, about 8 chains above the crossing of said river by the Mobile and Ohio Railroad; thence down said river with its main channel to a stake in said river 11 miles and one chain from Trenton, the county site of Gibson county, with sweet gum, maple and holly pointers, marked C C L; thence leaving said river so as not to approach the town of Trenton nearer than 11 miles, as follows, to wit: north 88 ¾°, west 8 chains; thence north 83½°, west 80 chains; thence north 78 1/3°, west 80 chains; thence north 72½°, west 80 chains; thence north 67½°, west 80 chains; thence north 62½°, west 80 chains; thence north 56 ¾°, west 22 chains to a stake in said middle fork of Forked Deer River; thence down said river with its main channel to a stake 11 miles and one chain from Trenton, the county site of said Gibson county; thence leaving said river so as not to approach nearer than 11 miles of Trenton, as follows, to wit: running north 23°, west 20 chains; thence north 18°, west 80 chains; thence north 12½°, west 80 chains; thence north 177°, west 80 chains; thence north 1½°, west 40 chains to a stake at low water mark in said river, with a forked water oak pointer, marked C C L, 11 miles and one chain from the said town of Trenton; thence down the main channel of said river to the beginning, as surveyed and marked by Gen. William Connor, of Lauderdale county, Tennessee.

SECTION 3. That for the purpose of organizing the County of Crockett, that William N. Beasly, John F. Sinclair, J. Frank Robertson, David James, Asa Dean, F. J. Wood, Dr. T. J. Hicks and J. E. Pearson shall be, and 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 upon 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 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 duty 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 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 commissioner, viz: William N. Beasly and John F. Sinclair, in the fraction of Dyer county; or Frank Robertson and David James, in the fraction of Gibson; Asa Dean and F. J. Wood in the fraction (sic) of Haywood, and T. J. Hicks and J. E. Pearson in the fraction of Madison county, and they are hereby fully authorized and empowered to canvass and take the census of the qualified voters residing in the fractions in which they reside, proposed to be stricken off in said new county of Crockett. After the enumeration shall be completed the Commissioners, after giving thirty days' notice, shall open and hold an election at all the voting places in the fractions proposed to be stricken off,

and at such other places as they may designate in said fractions, at which election those favoring the new county, shall endorse on the ballots, "New County;" those opposing shall endorse on their ballots, "No New County;" and if after counting all the votes so taken as aforesaid, it shall appear that two-thirds of all the qualified voters residing in each of the said fractions have given their vote to the formation of said 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 liabilities and duties with other counties in this State.

SECTION 5. That in order to expedite the census and vote provided for in section 4 of this Act, as well as to make certain its accuracy, each one of said Commissioners are hereby empowered to appoint a qualified assistant, who, after being sworn to act impartially in carrying out the provisions of the fourth section of this Act, shall be fully authorized to take said census and consent as aforesaid.

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 rule, regulations and restrictions, shall have, exercise and possess the same power 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 Courts shall be held on the fourth Mondays of May and November in each 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, costs and charges, until the county of Crockett is organized.

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.

SECTION 9. That the Commissioners appointed by this Act shall appoint such person or persons as they may think proper, to open and hold the elections for county officers for said county of Crockett, and such person or 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 duties of sheriffs or other officers holding similar elections, and it shall be the duty of such persons so appointed, together with his deputies, after giving fifteen days' notice, to open the polls and hold an election in each civil district in said county for district and county officers, 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 this 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 Sections 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 convenience of a majority of the citizens of said county, and the site so established shall be known and designated by the name 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, or themselves locate the county site as they may deem best.

SECTION 12. That 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 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 said Commissioners of Crockett county be, and they are hereby authorized to exercise all the powers and privileges conferred on them by this Act, and any and all other powers, not in violation of the Constitution of the State, that may be necessary and proper for the complete setting up and organization of said county of Crockett.

SECTION 14. That 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 were taken, and shall also receive their proportion of any stocks or credits belonging to said old counties.

SECTION 15. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: November 23, 1871.

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