



July 22, 2024

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# Acts of 1855-56 Chapter 122

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Sincerely,

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Table of Contents

<b>Acts of 1855-56 Chapter 122 .....</b>	<b>. 3</b>
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## Acts of 1855-56 Chapter 122

**SECTION 1.** That a new County shall be established, to be known and distinguished by the name of Cheatham, to be composed of parts of the Counties of Davidson, Robertson, Montgomery, and Dickson; beginning at a point in a line dividing the Counties of Robertson and Montgomery, eleven miles north of the mouth of Harpeth River, the above point being on James W. Moody's plantation, a south-west direction from his dwelling; running thence west, two and a half miles, to a post oak and black gum, marked with the letters, M.C.; thence south, forty degrees west, crossing the stage road leading from Nashville to Clarksville, at two miles, two hundred and four poles, and crossing Cumberland River, in all six and one-half miles, to the south bank of said river; thence up the said river, with its meanders, to the mouth of Barton's Creek; thence up said Creek, with its meanders, to the mouth of the Barren Fork of said creek; thence up said creek, with its meanders, to the road leading from Clarksville to Charlotte, by the road; thence a due south course four and three-quarters miles, to a point in the Dickson County line; thence east with said line one mile, to a large dead red oak, and pointers one-half mile north of the Family Forge; thence south seventy-two degrees, east crossing said Barton's Creek at one hundred and twenty poles, and the road leading from said forge to Weakley's Ferry, at one mile and one hundred twenty poles, and the road leading from said ferry to Cumberland Furnace, at three miles and ninety poles, and crossing Johnson's Creek, at five miles and sixty-eight poles, continued, in all seven miles, to three hickories on the east side of a hill; thence south forty-seven degrees, east crossing the road leading from Charlotte to the mouth of Harpeth River, at ninety-eight poles, and crossing said Harpeth River, at one mile, one hundred and twenty poles, and again at two miles and eighty poles, and again at three miles, one hundred and four poles, about ten poles above the mouth of Mann's Creek; thence south, from the mouth of Mann's Creek with the Davidson County line, seven and a half miles to the Charlotte turnpike; thence east, with the pole, ten miles to a stake; thence north, in a direct line until it intersects the original line of Cumberland County heretofore established, of which this is in lieu; thence north twenty-one degrees, east crossing Big Marrow-bone, at five miles and sixty-eight poles, continues, in all, six miles to a chestnut and poplar east of the north fork of said creek, thence north, five degrees, west crossing the state road from Nashville to Clarksville, at two miles and eleven poles, and the road by the Pinnacle Bluff, on Sycamore Creek, at three miles, one hundred and fifty-one poles, and continues, in all five miles and sixty-eight poles, to a beech on the south bank of Sycamore Creek; thence down said creek, with its meanders, to the mouth of Hollis' Mill Creek; thence up said creek one hundred and forty poles, to the mouth of Jackson's Branch; thence up said branch three-quarters of a mile to a sugar-tree and hickory standing at the mouth of Edward Smith Church's Spring Branch; thence north seventy-three and one-half degrees, west two miles and thirty-four poles, to a small black walnut and red oak standing on the east side of the road leading from Springfield to the mouth of Harpeth; thence a direct course to a point one-half mile east of the point of beginning, thence west to the beginning.

**SECTION 3.** That all officers, civil and military, in said County shall continue to hold their offices, and exercise all the powers and functions thereof, until others shall have been elected under the provisions of the Constitution and law made in pursuance thereof; and it shall be the duty of the County Court of Cheatham County, at their first term, to appoint some suitable person to open and hold elections in each civil district in said County, on the 15th day of May, 1856, for the purpose of electing County officers; which election shall, in all respects, be conducted agreeably to the existing laws regulating elections in other Counties in this State. The officers so elected shall have the same jurisdiction, powers, and emoluments that the County officers are entitled to under the existing law; and the County of Cheatham shall be placed on an equal footing, possess equal powers and privileges, in all respects, as other Counties in this State: Provided, nothing in this act contained shall be so construed as to prevent the Counties of Davidson, Robertson, Montgomery, and Dickson from entering up judgments, or the Sheriffs of said Counties from selling under such judgments, any lands within said County of Cheatham, for taxes, costs, or charges, for the present or any preceding year; nor to prevent the Sheriff of either of said Counties from collecting from the citizens of said County of Cheatham any taxes due for the present or any preceding year.

**SECTION 5.** That B. F. Binkley, of the County of Davidson, Henry Frey and Wiley Woodward, of the County of Robertson, Pleasant Bagwell, of the County of Montgomery, and Benjamin C. Robertson of the County of Dickson, be and they are hereby, appointed Commissioners, a majority of whom are hereby authorized to act; who shall, on or before the 21st day of April, 1856, proceed to fix on a suitable and eligible site for the seat of justice, and for the County Town within three miles of the centre; at which site the said 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 general warranty, and the said Commissioners shall name the County Town, and report all the proceedings relative to and concerning said County, to the County Court of said County; and it is hereby made the duty of the Clerk to

record the same.

**SECTION 13.** That John M. Joslin, of the County of Davidson, be, and he is hereby, appointed to run and plainly mark the dividing line between the Counties of Davidson and Cheatham; between the Counties of Montgomery and Cheatham; between the Counties of Dickson and Cheatham; and he shall ascertain the number of square miles within the limits of said new County, in accordance with the boundaries as set forth in the first section of this act; and he shall further ascertain whether the line, or any one of them, approach within twelve miles of the County Seats of the old Counties from which said new County is taken, and report the same to the Governor; and he shall have full power to employ chain-carriers, who shall receive reasonable compensation for their services, to be paid by the said County of Cheatham, and the said John M. Joslin shall receive the sum of four dollars per day for each day he may be necessarily employed in the business required by this act, to be paid by the said County of Cheatham.

**SECTION 18.** That, on the first Saturday in April, 1956, it is hereby made the duty of the Sheriffs of Robertson, Davidson, Montgomery, and Dickson Counties, by themselves and deputies, to open and hold elections for the purpose of receiving the votes of the qualified voters residing in each fraction taken from the several Counties to form the said County of Cheatham; at which election the polls shall be opened at ten o'clock, A.M., and close at 4 o'clock, P.M.; and no person shall vote at said election unless he has resided in the fractions in which he offers to vote, six months immediately preceding the day of said election; and those who wish to vote for the new County, shall put "Cheatham" on their tickets, and those against shall put the words, "Old County" on their tickets, and no vote shall be counted unless the above word or words be upon it; and should any person vote at either of said elections, not being a qualified voter, or residing in the fraction of which he may vote, such offender, on conviction thereof, shall forfeit and pay the sum of twenty-five dollars, to be recovered, before any tribunal having cognizance thereof.

**SECTION 19.** That the election for that fraction which is taken off of Davidson, shall be held at the houses of John Hooper and James M. Lee; for that fraction taken from Robertson, shall be held at Hudgins' Tan Yard; for that fraction taken from Montgomery, at the house of John H. Atkins' Store and Littleton Perdue; and for that fraction taken from Dickson, shall be held at the house of John J. Hinton.

**SECTION 20.** That immediately after the elections, the Sheriffs of Davidson, Robertson, Montgomery, and Dickson, shall make returns to the Governor, of a full statement of all the votes, both for and against the establishment of said County of Cheatham; and, if it shall appear that a majority of the qualified voters, voting in each fraction taken from old Counties, to form said new County; and, if it shall further appear by the report of the said John M. Joslin, that there are within the limits of said new County, three hundred and fifty square miles, and that the lines of said new County as designated in the first section of this act, do not run nearer than twelve miles to the County Seat of the old Counties from which said County of Cheatham is taken; and, if it shall further appear from the returns of said Sheriff, that there is a constitutional number of qualified voters in said County of Cheatham; then the Governor shall forthwith issue his proclamation, setting forth that said county of Cheatham has become a constitutional County; and the same shall be immediately organized, in conformity with this act: Provided, that, after a survey of Dickson, it shall be found that there will still remain to Dickson County her full constitutional territory of 625 square miles.

**SECTION 21.** That the act passed 3d January, 1844, establishing County of Cumberland be, and the same is hereby, repealed.

**SECTION 22.** That it shall be lawful for the surveyor to depart from the original line; provided, he does not approach nearer than twelve miles of each County Seat.

**SECTION 26.** That the act to establish the County of Cheatham, be so amended as that the lines of said County, shall be altered as follows, viz: With the proper degrees, so as to strike the mouth of Barton's Creek, in all six miles, and so as not to approach Clarksville at any point nearer than twelve miles; thence, up said creek, with its meanders, to the mouth of the Barren Fork; thence up the east fork of said Barton's Creek one mile, with its meanders; thence, south, so as not to approach Clarksville nearer than twelve miles; thence south, with the proper degrees east, so as to keep a distance of twelve miles from Charlotte, in all six miles; thence south, with the proper degrees east, so as not to approach said County Seat of Dickson, near the mouth of Mann's Creek; thence south, nine miles, to the Charlotte Turnpike near or at Ben Andersons'; thence east, with the meanders of said Charlotte pike, ten and one-half miles, so as to run north, will strike the lower point of Green's Island; thence north, in a direct line until it intersects the original line of Cumberland County, heretofore established--of which this is in lieu; thence north twenty-one degrees, east four miles to Marrow-bone Creek.

**SECTION 27.** That this act shall take effect from and after its passage.

Passed: February 28, 1856.

**COMPILER'S NOTE:** The Sections omitted from the above did not concern Dickson County and are

therefore not published herein.

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