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Creation of the County

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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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

Table of Contents

Creation of the County	3
Acts of 1870 Chapter 27	3

Creation of the County

Acts of 1870 Chapter 27

SECTION 1. That a new county be, and the same is hereby established, out of fractions of the territory composing the counties of Sumner, Macon, Smith and Wilson, around the town of Hartsville, to be called "Trousdale," in honor of Governor Wm. Trousdale.

SECTION 2. That said county of Trousdale shall be bounded as follows, towit: Beginning on the north bank of Cumberland River, near the house of Dr. James Alexander, in Smith County; running thence in a northeasterly direction on an arc ten miles from Carthage to a stake on the Hartsville and Carthage turnpike, near the house of Mrs. Bradley; thence north 45 degrees east to Mou's Hill; thence with the meanderings of said hill to a stake in the Macon county line near Raglan's; thence with said line some ten miles to where said line crosses the middle fork of Goose Creek, near Ephraim Parsley's; thence with the meanderings of said creek to the mouth of the west branch of the middle fork; thence up said branch with its meanders to James Barnley's, at the mouth of "Love Hollow;" thence due west to the Macon county line; thence with said west boundary line southward to a mulberry tree, and south-west corner of Macon County; thence on a continuation of the south boundary line of Macon County, due west to where said line intersects the east fork of Bledsoe's Creek, near George Brown's; thence south to the Cumberland River, crossing the Gallatin and Hartsville turnpike ten miles from Gallatin, between Hallum's shop and the old toll-gate; thence up said river with its meanders, to David Jackson's in Wilson County; thence eastward on an arc eleven miles from Lebanon, to Cumberland River at the mouth of Everett's branch; thence up the river with its meanders to McDonald's warehouse; thence eastwardly on an arc eleven miles from Lebanon, near Fred Terry's and Whitson's, to a point in the Smith county line between James Calhoun's house and Henry Ward's; thence on an arc ten miles from Carthage, to the beginning.

SECTION 3. That for the purpose of perfecting the organization of said county of Trousdale, E. T. Seay, S. W. Lesueur, J. S. Dyer, Howard Young, Col. Jas. H. Vaughn, Robert Burford, Cyrus H. Lauderdale, John Carr and E. P. Lowe, are hereby appointed Commissioners, who shall, before entering upon the discharge of their duties, take an oath to faithfully and impartially discharge all the duties imposed on them by this Act; and all vacancies that may occur previous to the organization of the County Court of said county, shall be filled by the remaining Commissioners. A majority of said Commissioners shall constitute a board to transact all things enjoined on them, and it shall be the duty of said board to keep a true record of their proceedings as Commissioners, which shall be returned to the County Court of said county of Trousdale, at the first term, to be entered upon the record of said court, and said Commissioners shall make such other reports thereafter as said court shall require.

SECTION 4. That it shall be the duty of said Commissioners to designate three voting places in the Sumner fraction, one in the Macon fraction, four in the Smith fraction, and two in the Wilson fraction; and shall give ten days' notice by written or printed circulars, posted in five or more public places in each fraction taken from the respective counties of Sumner, Macon, Smith and Wilson, that an election will be held in which all persons entitled to vote for members of the General Assembly who have resided in the fraction proposed to be stricken off for six months immediately preceding said election, shall be entitled to vote, and each voter who desires to vote for the establishment of the new county, shall have on his ticket the words "New County," and those desiring to vote against the new county, shall have on their tickets "Old County," and if, upon the counting of all the votes cast at said election in that part of each of the counties of Sumner, Macon, Smith and Wilson proposed to be taken off to form said county of Trousdale, it shall appear that two-thirds of the qualified voters in each of the parts so taken off vote in favor of being attached to the new county, then that part shall be a part of the county of Trousdale, and the same is hereby declared to be a county, with all the powers, rights and privileges, and subject to all the liabilities and duties with other counties in this State; Provided, however, That if there should not be a two-thirds vote in the Wilson County fraction in favor of said new county, the fractions of Sumner, Macon and Smith shall constitute the county of Trousdale. Provided, the consent of two-thirds of the qualified voters residing in the part so taken off has been legally given.

SECTION 5. That said Commissioners shall appoint Judges and Clerks to hold said election, and also some suitable person as an officer in each place designated in each fraction, who shall have all the powers and perform all the duties imposed by law upon other officers holding elections under the laws of this State, and who shall, after the polls are closed and the vote counted, make out and certify the result and return the same with a copy of the poll books to the Chairman of said Board of Commissioners, who shall, when the returns are all received, in the presence of the said Board proceed to compare the vote and certify the result; and the election therein provided for shall be held on the same day in each of said fractions, and if, for any cause, the election as herein provided shall not be held in any of said fractions on

the day appointed, said Board shall provide for another election as herein provided in such fraction.

SECTION 6. That said Commissioners shall have power, and it shall be their duty to mark the boundary lines of said county of Trousdale, guided by the marks and bearings set forth in the second section of this act before the election provided in the fourth section of this act, and it shall be their duty to divide the said county in such number of civil districts as the convenience of the inhabitants may require (but in no event shall there be less than ten civil districts in said county) designating the boundaries of and giving the place of holding in said districts, and they shall perform such other duties as may be necessary to carry out the provisions of this act.

SECTION 7. That said Commissioners shall appoint such suitable persons as they think proper, to open and hold the election for said county of Trousdale, and those so appointed shall have power to appoint Deputies, Clerks and Judges, and, by themselves and Deputies, to administer all the necessary oaths, and do and perform all other duties now imposed upon officers holding similar elections, and such Deputies shall open and hold an election within thirty days after the result of the first election is known, for the purpose of electing a full quota of county officers, which election shall be held in each civil district in said county of Trousdale, and the officers so elected shall hold their offices until the next regular election of county officers takes place throughout the State; and that the Judges, Clerks and officers hereby appointed, shall hold the elections provided by law for judicial and other officers on the first Thursday in August, 1870.

SECTION 8. That said Board of Commissioners at its first meeting, shall designate a place within the limits of said county of Trousdale where said Board shall meet. They shall meet upon their own adjournment and may be convened at any time by their chairman.

SECTION 9. That the different courts of said county of Trousdale shall be held in the town of Hartsville, and all process issuing from any of said courts returnable to this place shall be legal, and such courts shall be subject to such rules and regulations, and exercise the same powers as courts of similar jurisdiction in other counties. The County Court of Trousdale shall have the powers conferred by law upon County Courts, and meet at the time prescribed by law.

SECTION 10. That when both parties to a suit at law or equity reside in the County of Trousdale, upon application of either party to the Court in which suit is pending, it shall be removed to the new county, and the Clerk of the Court in the old county shall transmit a transcript of the records in such suit to the appropriate Clerk of the new county; and when the defendant to such suit resides within the new county and the plaintiff does not, then upon application of the defendant to the Court in which said suit is pending, it shall be transferred to the appropriate Court of the new county.

SECTION 11. That all officers of the said county shall continue to hold their offices and perform the duties thereof until others are elected and qualified according to law.

SECTION 12. That it shall be the duty of the Tax Collectors of Sumner, Macon, Smith and Wilson Counties, to pay over to the Trustee of Trousdale County, when elected and qualified, that portion of the county tax of said counties which has been collected by said Tax Collectors within the boundaries of Trousdale County for 1870, and the said Trustee's receipt shall be a voucher to said Tax Collectors on settlement with the Trustees of their respective counties.

SECTION 13. That the Commissioners herein provided for shall receive such compensation as may be allowed them by the County Court after the organization of the county.

SECTION 14. That it shall be the duty of the County Court of the said County of Trousdale, within three months after their organization to submit to a vote of the qualified voters of said county the permanent location of the county site, and whatever place receives the highest number of votes shall be the county site.

SECTION 15. That no tax shall be imposed upon the people of said County of Trousdale for the purpose of building a Court-house within four years after its organization.

SECTION 16. That the fractions taken from the Counties of Sumner, Smith, Macon and Wilson, to form the County of Trousdale, shall continue liable for their pro rata of all debts contracts by their respective counties prior to their separation, and be entitled to their proportion of any stock or credit belonging to such old counties; and this act shall take effect from and after its passage, the public welfare requiring it.
Passed: June 21, 1870

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