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Chapter IV - Boundaries

Dear Reader:

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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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Chapter IV - Boundaries

Creation of the County

Private Acts of 1819 Chapter 146

WHEREAS it is represented to this General Assembly, that there are many inhabitants, and much business at and about the Chickasaw Bluff, and that to those people the regular and convenient administration of the laws would be greatly beneficial- wherefore:

SECTION 1. That a new county be called and known by the name of Shelby, in honor and to perpetuate the name of Issac Shelby, late Governor of Kentucky, be, and is hereby established in the southwest corner of this state, and that the county so established, shall be bounded as follows, to wit: beginning in the middle of the main channel of the Mississippi river, where the southern boundary of this state, lately marked by General James Winchester, strikes the western boundary of the state, thence east thirty miles along said southern boundary line to the eighty mile tree, thence north to a point, from which a due west corner to the center of the main channel of the Mississippi, and thence down the main channel of the Mississippi to the beginning will include a constitutional county of six hundred and twenty five square miles.

SECTION 2. That for the due administration of Justice in the said county of Shelby, the courts hereinafter established shall be holden, commencing on the first Monday in May next, and quarterly thereafter, until the end of the next stated General Assembly, at the Chickasaw Bluff, at such house and place therein as a majority of the Justices of the said county shall appoint, and all courts shall be held by commission to the said Justices, in the same manner and under the same rules and restrictions, and shall have and exercise the same powers and jurisdiction as either the county courts, or quorum courts in the respective counties of this state, combining therein, their respective original jurisdictions, and said justices shall also have and hold jurisdiction of all causes out of court that ordinarily belong to justices of the peace.

SECTION 3. That in all cases, where appeals, writs of error, or other process are allowed, an appeal, writ of error, or other process may and shall be from said courts of Shelby county to the circuit court of Humphreys county, under the same rules and restrictions as are provided by law.

SECTION 4. That there shall be appointed by joint resolution of both houses of the General Assembly, five justices of said county to be commissioned as aforesaid, who shall have and possess the jurisdiction as specified in this act, of whom three at least shall be necessary to constitute a court, and said justices shall be allowed the usual fees out of court, and the pay for holding court, that is allowed in similar cases by law.

SECTION 5. That the sheriff of Stuart county, or collector of public taxes or monies due on executions within said county, shall have power to collect the same, in the same manner, as if this act had not passed.

SECTION 6. That the militia of said county shall be organized and the officers elected, as in other counties, according to the laws now in force and used in this state, and be attached to the fifth brigade.

SECTION 7. That the court herein before constituted and appointed, are authorized and required to appoint a solicitor to prosecute in behalf of the government, until an attorney general shall be appointed for the circuit, which shall include said county; and in the mean time they are authorized and empowered to make an allowance to said solicitor, out of any county monies for his ex-officio services of any sum not exceeding fifty dollars.

Nov. 24, 1819.

Establish County Seat

Public Acts of 1826 Chapter 196

SECTION 1. That the second term of the court of pleas and quarter sessions for the county of Shelby, to be held in 1827, shall adjourn their court, at the rise of the term, to the place laid off and designated by the commissioners of said county, to fix the seat of justice therein, and the said place so fixed on shall be called and known by the name of "Raleigh".

SECTION 2. That after the said court shall have adjourned, all writs, subpoenas and recognizances, shall be returnable to the said town of Raleigh as aptly as though the said court had never adjourned.

SECTION 3. That the first term of the circuit court of Shelby county, after the county court shall have adjourned, shall be held at the town of Raleigh, under the same rules as is prescribed for the county court.

December 11, 1826.

Change County Seat

Public Acts of 1865-66 Chapter 39

SECTION 1. That the County-seat of Shelby county of this State, be, and is hereby removed to the fifth Civil District of said county, and within the corporate limits of the city of Memphis: Provided, That the Sheriff of said county of Shelby shall first after giving thirty days' public notice, open and hold an election at the usual places within said county, and a majority of the voters at said election shall indicate by their votes, a desire for said removal.

SECTION 2. That in the event of the said election resulting in favor of said removal, this act shall take effect immediately.

Passed: May 24, 1866.

Public Acts of 1866-67 Chapter 38

WHEREAS, By an Act of the General Assembly of the State of Tennessee, passed May 24, 1866, the removal of the County Seat of Shelby County from Raleigh to Memphis, was to be submitted to the voters of Shelby County, upon notice of the Sheriff; and whereas, the election was held on the 15th day of September, 1866, in pursuance of said Act of 24th May, 1866; and whereas, a majority of the votes polled in said election, was in favor of the removal of the County Seat of the County of Shelby from Raleigh to the 5th Civil District of Shelby County, and within the corporate limits of the City of Memphis: Therefore,

SECTION 1. That the removal of the County Seat of Shelby County, from Raleigh to the 5th Civil District of Shelby County, and within the corporate limits of the City of Memphis, is hereby ratified.

SECTION 2. That all Acts done, and Courts held, by the County Court of Shelby County, by virtue of the removal of the County Seat of Shelby County, from Raleigh to the 5th Civil District of said County, and within the corporate limits of the City of Memphis, are hereby ratified and confirmed.

SECTION 3. That said Act, above referred to, passed 24th of May, 1866, be so amended as to authorize said County Seat of Shelby County, to be removed to, and located in, any Civil District within the corporate limits of the city of Memphis.

SECTION 4. That all laws, and parts of laws, in conflict with this Act, are hereby repealed; and that this Act take effect from and after its passage.

Passed: March 8, 1867.

Change of Boundary Lines

Public Acts of 1821 Chapter 32

COMPILER'S NOTE: Section 7 of the Public Acts of 1821, Chapter 32, is the only section which dealt with Shelby County.

SECTION 7. Beginning on the south west corner of the last described bounds, running thence north to the 5th sectional line in the 10th district; thence west to a point one mile west of the 3d range line in the 11th district; thence south paralleled with said range line to the south boundary of the state; thence east on said boundary to the beginning. And that the following described lines shall be the bounds of one other county which may hereafter be laid off north of Shelby county: Beginning on the line separating the 11th and 13th districts, at a point two miles west of the first range line in the 11th district; running thence west on said dividing line to the middle of the Mississippi river; thence down the main channel of the same to the north west corner of Shelby county; thence east with the north boundary of Shelby county, and the last mentioned bounds, to a point three miles east of the 2d range line in the 11th district; thence north parallel with the said line to the beginning. Which two last described bounds shall be attached to, and be a part of Shelby county, until otherwise provided for by law, and shall enjoy all the privileges, and [be] subject to all the duties as citizens of Shelby county, with this exception, that no tax shall be laid or collected in the said bounds for the purpose of erecting public buildings in the county of Shelby.

November 7, 1821.

Public Acts of 1823 Chapter 129

SECTION 1. That the following described bounds, to wit: beginning at the south-west corner of Hardeman county, running north with the west boundary line of said county, to the fifth sectional line in the tenth district; thence west, to a point one mile west of the third range line in the eleventh district; thence south parallel with said range line to the south boundary of the state; thence east with said boundary, to the beginning; which above-described bounds was heretofore attached to Shelby county, shall be hereafter attached to, and be a part of Hardeman county, until otherwise provided for by law.

SECTION 2. That the citizens of the above-described bounds shall be entitled to all the privileges, and subject to all the duties, as other citizens of Hardeman county, with this exception, that they shall not be liable to pay any taxes for the purpose of erecting public buildings in said county of Hardeman.

October 30, 1823.

Public Acts of 1883 Chapter 81

SECTION 1. That the line between the county of Tipton and the counties of Fayette and Shelby, be and the same is hereby changed as follows:

Beginning at a point on the line between Tipton and Fayette counties where the Memphis and Louisville railroad crosses East Beaver Creek; thence down said creek with its meanders to the point where the same empties into Middle Beaver Creek, on the line between Fayette and Shelby counties; thence up said Beaver Creek with its meanders to the South line of Tipton county, so as to include all territory of Shelby and Fayette counties lying north and east of said creeks, in Tipton county, and that all property real and personal within said territory be assessed for taxes after the year 1883, in said Tipton county: Provided, however, no tax shall be assessed on said property for the payment of bonds issued by the county of Tipton, under the general improvement laws of the State, to the Memphis and Paducah railroad.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 13, 1883.

Private Acts of 1925 Chapter 434

SECTION 1. That the line between Tipton County and Shelby County, Tennessee, is hereby changed as follows:

The new line between Shelby County and Tipton County hereby established shall begin at the intersection of the southwest corner of a one hundred and seventy-five (175) acre tract of land belonging to the J. C. Walker estate, where the west line of said tract intersects with the old north line of Shelby County, and run thence north from the said point of beginning seventy-five (75) chains along the west boundary line of said 175 acre tract of the J.C. Walker estate and the west line of the Aleck McQuiston one hundred and seventy-eight (178) acre tract of land to the south boundary line of the right of way of the Tipton Road at the northwest corner of said Alex McQuiston 178 acre tract; thence east along the south boundary line of the right of way of said Tipton road two hundred and nine (209) chains to the west line of the R. A. Hewett one hundred and one and one-half (101 ½) acre tract of land; thence northwest along the west boundary line of said R. A. Hewett 101 ½ acre tract of land 24 chains to the northwest corner of same at the intersection of a branch; thence northeastwardly along the meanders of said branch seventeen and fifty one-hundredths (17.50) chains to Beaver Creek; thence southeastwardly along the meanders of said Beaver Creek four chains to the northwest corner of the tract of land belonging to the C.E. Calhoun estate; thence east eighty-three (83) chains along the north boundary line of said land belonging to the C.E. Calhoun estate and the north boundary line of the land belonging to the J. B. Trobaugh estate to the northeast corner of said Trobaugh lands where the north boundary of same intersects with the west boundary of Mrs. Kate McQuiston's eighty-five and one-fourth (85 ¼) acre tract; thence north along the west boundary of said McQuiston tract twelve (12) chains to the northwest corner of said McQuiston eighty-five and one-fourth acre tract; thence east along the north boundary of said McQuiston land thirty-five chains to the northeast corner of said McQuiston land; thence south twenty six (26) chains along the east boundary line of said McQuiston land to the north boundary line of the W.J. and L. M. Shaw 50 acre tract at the southeast corner of said McQuiston lands; thence east along the north boundary line of said Shaw tract, three (3) chains to the northeast corner of said Shaw tract; thence south along the east boundary line of the said Shaw fifty acre tract of land and the lands belonging to R. T. Thomas estate and the Mary Pierce fifteen (15) acre tract 26.75 chains to a point where the east boundary line of said Mary Pierce fifteen acre tract intersects with the old north boundary line of Shelby county; and all of the

land formerly in Tipton county contained within the area surrounded by the new line between Shelby and Tipton County as hereby established, and the old north line of Shelby County, are hereby taken from Tipton County and annexed to the First Civil District of Shelby county, Tennessee. The line between Shelby County and Tipton County, except as changed by this Act, shall remain as heretofore.

SECTION 2. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby repealed.

SECTION 3. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 31, 1925.

Public Acts of 2023 Chapter 183

COMPILER'S NOTE: This Act is a special legislation that does not appear in Tennessee Code Annotated.

SECTION 1. The boundary line between Shelby County and Fayette County shall be revised so that the new boundary line is established as follows:

Starting at 881979.25, 339362.988 using state plane coordinate system feet to the north ROW line of U.S. Route 64 and also being the Shelby/Fayette Census County line used during the 2020 decennial census, then continuing to follow the north ROW line of U.S. Route 64 to 882208.999, 339462.774 being the southeast corner of the city of Arlington boundary and the north ROW of Braggs Drive. 882446.823, 347518.595 to 882678.993, 347556.253 north to 882999.026, 352890.871 being the north line of Donaldson Drive, then 883069.42, 352904.659 to 883088.68, 353336.334 to 882946.247, 353335.427 north to 883405.242, 359782.405 west 883159.589, 359801.227 north 883187.697, 360769.797 to 883183.462, 361179.937 then with a line identified as "county line" in the Fayette County parcel data 883494.906, 361324.25 then with a line identified as "county line" in the Fayette County parcel data 883199.561, 361485.534 then with a line identified as "county line" in the Fayette County parcel data 884030.465, 361643.962 then with a line identified as "county line" in the Fayette County parcel data 883502.208, 362294.051 northerly 883570.648, 362509.372, to 883621.035, 362788.147 then to the south ROW line of 1-40 883683.362, 363764.332 to 884088.462, 368912.876 to 884122.047, 369526.035 to south side of ROW 884183.894, 370489.372 crossing ROW 884184.303, 370519.051 to 884139.163, 371413.127 to 884117.892, 372149.138 to 884020.079, 374931.699 crossing railroad 884161.515, 378467.292 to north line of the city of Arlington boundary then southwesterly to 884078.532, 378415.714 being the Shelby/Fayette Census County line used during the 2020 decennial census.

SECTION 2. This act takes effect January 1, 2024, the public welfare requiring it.

Passed: April 24, 2023.

Boundaries - Historical Notes

The following is a summary of acts which authorized boundary changes for Shelby County.

1. Private Acts of 1822, Chapter 111, authorized Colonel Jacob Tipton or one of his deputy surveyors to survey and mark the eastern and northern boundaries of Shelby County and to make up and present a certified plot of the county's boundaries to the county court.
2. Private Acts of 1823, Chapter 206, authorized an election on the first Monday of February, 1824 to ascertain the wishes of the voters of Shelby County on the location of the county seat.
3. Private Acts of 1824, Chapter 167, directed the commissioners appointed by law to fix the permanent seats of justice in counties west of the Tennessee River to select a site and fix the seat of justice for Shelby County.
4. Public Acts of 1833, Chapter 46, Section 2, authorized the principle surveyors in Hardin, McNairy, Hardeman, Fayette and Shelby counties to extend the dividing line of said counties from the Winchester's Line to the line ran by John Thompson on the 35th degree of north latitude.
5. Acts of 1837-38, Chapter 7, Section 3, called the different surveyors in the counties of Shelby, McNairy, Hardin, Hardeman and Fayette to extend the dividing lines of said counties to the line marked by the commissioners in Public Acts of 1833, Chapter 46, Section 2.
6. Public Acts of 1867-68, Chapter 60, changed the boundary between Shelby and Tipton counties to place the land of C. Angle in Tipton County. This was repealed and the land returned to Shelby County by Acts of 1905, Chapter 53.
7. Private Acts of 1867-68, Chapter 105, required all landowners of lots in Shelby County to file plots with the register of deeds for that county.

8. Public Acts of 1921, Chapter 54, authorized the governor of the State of Tennessee to issue a tract of land, that once comprised the old third civil district of Shelby County, to E. L. Bateman.
9. Private Acts of 1937, Chapter 266, amended the general law provisions to provide that the county surveyor of Shelby County was to be paid a per diem salary of \$10.00.
10. Private Acts of 1974, Chapter 305, provided that if the boundaries of the corporate limits of municipalities of Shelby County were contiguous along a public roadway, and if such road were altered, the respective governing bodies were authorized to adjust such boundaries by contract between themselves.

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