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Public Acts of 1857-58 Chapter 11

Dear Reader:

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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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Table of Contents

Public Acts of 1857-58 Chapter 11	3
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SECTION 1. That a new county is hereby established, by the name of Sequatchie, and formed out of the county of Hamilton, and bounded as follows: beginning on a white oak, at the head waters of the middle prong of Collins' river, near John Lockheart's, being a corner of Marion and Grundy counties; thence southerly three-fourths of a mile, to a small white oak; thence easterly to the bluff of Cumberland mountains, opposite T. Hick's, and opposite Hendrick's creek; thence following the meanders of Hendrick's creek, formerly the southern boundary line of the second district of Marion county, to Sequatchie river, thence following the meanders of said river to Standifer's creek; thence up said creek to its source, near Henry Grayson's mill; thence south-easterly, up Walden's ridge, to the Hamilton county old line, (which is supposed to divide Walden's ridge in the centre); thence north-easterly with said line, to a poplar, on the Hamilton and Bledsoe county line; thence north-westerly to a lot line, which lot line was the north boundary of the tenth district of Bledsoe county; thence following the course of said lot line to Brush creek, to its intersection with the Bledsoe and Van Buren county lines, near J. Hitchcock's; thence south-westerly, with the Van Buren line, to a white oak on the old Savage road, being a corner of Van Buren, Grundy and Hamilton (formerly Marion) counties; thence southerly to the beginning corner, with the county line between Grundy and Hamilton, (formerly Marion).

SECTION 2. That the said county of Sequatchie shall have all of the powers and privileges, and be subject to all the restrictions of other counties in this State, and the citizens thereof shall vote with the counties from which they are taken, for members of the General Assembly, until the next apportionment, agreeable to the provisions of the fifth section of the tenth article of the amended constitution.

SECTION 3. That, for the due administration of justice, the different courts to be held in the said county of Sequatchie, shall be holden at a new meeting house near William Rankin's, on Coop's Creek, until the seat of justice for said county shall be located, and a suitable house erected for the purpose of holding the courts in; and the county court shall, in the intermediate time, have full power to adjourn the courts to such other place in said county as they may deem suited for the holding of the same; and to adjourn to the seat of justice when, in their judgment, the necessary arrangements are made for the holding said courts, and all writs and other process returnable to either place, shall be returned to the place to which said courts may have adjourned by the county court as aforesaid; and the said courts to be holden in and for said county of Sequatchie aforesaid, shall be under the same rules, regulations, and restrictions, and shall have, hold, exercise, and possess the same power and jurisdiction as are possessed by said courts in other counties of this State.

SECTION 4. That all officers, civil and military, which were, on the twentieth of September last, in the fractions of which said county of Sequatchie was formed, shall continue to hold their offices and exercise all the powers thereof--have the same jurisdiction as other officers in this State, as they had on said twentieth of September, until others are elected under the provisions of the Constitution, and said county of Sequatchie shall be placed upon an equal footing, and possess equal powers and privileges in all respects as other counties of this State.

SECTION 5. That the circuit courts shall be held for the county of Sequatchie by the Judge of the third judicial circuit, on the fourth Mondays in January, May, and September, and shall hold its terms at the school house near William Rankin's, on Coop's Creek, until notified that the justices of said county have removed the holdings of the court of said county to the seat of justice, and shall adjourn to the seat of justice.

SECTION 6. That it shall be the duty of the county court of said county, so soon as the commissioners appointed by this act shall designate a suitable place for the seat of justice for said county, which shall be within four miles of the center of said county, to appoint five commissioners to whom the said commissioners appointed by this act, shall convey the land acquired for the use of the county aforesaid, on which it shall be the duty of the commissioners appointed by the county court to cause a town to be laid off with as many streets, and of such width as they may deem proper and necessary, and with such sized lots as they think proper, reserving three acres for a public square, upon which a court house shall be erected; and a lot shall be reserved sufficient for a jail, and shall reserve such lots for churches as they may see proper; and said town, when laid off, then be known by the name of Dunlap; and the said commissioners shall proceed to sell the lots upon at least twelve months credit; they shall reserve a lot suitable for a county academy, and shall give due notice of the time and place of sale, which shall be on the premises, and shall take bond with sufficient security from the purchasers of said lots, payable to themselves and successors in office, and shall make titles in fee simple, as commissioners, to the respective purchasers.

SECTION 7. That the proceeds of the sale aforesaid, shall be a fund in the hands of said commissioners

for defraying the expenses incurred in the purchase of the land on which the county seat is rested and located, and also of the erecting a court house and jail for said county, and the said commissioners shall superintend the building of the court house and jail and other necessary buildings, and shall let out said buildings as the county court may order, upon such terms as said court may order, and shall take bond with sufficient security from the persons to whom the same is let, payable to themselves and successors in office, in the sum of ten thousand dollars, conditioned for the faithful performance of the contract.

SECTION 8. That said commissioners shall, before they enter upon the duties of their appointment, take an oath that they will truly and faithfully perform the different duties by this act enjoined upon them, according to their best judgement, and shall enter into bond and security in the sum of five thousand dollars to the chairman of the county court of Sequatchie aforesaid, conditioned for the faithful performance of their duties as conferred upon them by this act, which bond shall be deposited in the office of the clerk of the county court of said county; they shall keep a regular account of all monies by them received and expended, and make due return of the same to the county court of said county, and shall in all things be subject to the order of said court in relation to the buildings and funds, and shall account for all moneys and funds in their hands when required by said court, and shall be entitled to such compensation as the county court may think reasonable.

SECTION 9. That the first county court for said county shall be held on the first Monday of January, 1858, and shall perform all the duties of other county courts; and the first circuit court shall be held on the fourth Monday in May, 1858, and shall have all the jurisdiction of other circuit courts.

SECTION 10. That John H. Rogers, John L. Stone, B. L. Bennett, John Pickett, Franklin Dickens, Samuel W. Robertson, and Byrom Heard, are appointed commissioners to locate the seat of justice in said county of Sequatchie; they shall, so soon as the county court shall notify them, proceed to locate the seat of justice for said county, purchase the land and convey the same to the commissioners as directed in this act; and should any of them fail to attend, the county court shall appoint others to fill their places.

SECTION 11. That there shall be an election held at the several districts and precincts in said county of Sequatchie, on the first Saturday in March, 1858, at which election the qualified voters of said county shall vote to elect a sheriff, clerk of the circuit and county courts, a register, and trustee, who shall when elected, be qualified at the first term of their respective courts; and the county court shall elect the county officers which they are entitled to elect at their first session; and all elections thereafter for county officers, shall take place at the time fixed by law for the election of such officers, in other counties in this State; and it shall be the duty of the sheriff of Hamilton county to give the notice required by law, and by his deputies, to hold the elections provided for in this section, and to make the same return and certificates for said county of Sequatchie, which are by law required to be made in other counties.

SECTION 12. That a county academy is hereby established in said county, known by the name of Rankin Academy, and shall be located in or near the county town in said county, which said academy shall be entitled to all the rights and emoluments as other academies are entitled to; and the clerks of said courts and justices of the peace shall be entitled to such books as other clerks and justices are entitled to in this State.

COMPILER'S NOTE: Sections 13 and 14 did not concern Sequatchie County and are not repeated here.

SECTION 15. That this act shall take effect from and after its passage.

Passed: December 9, 1857.

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