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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,

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# Creation of the County

## Private Acts of 1823 Chapter 302

**SECTION 1.** That Jonathan Douglass, of the county of Overton, be, and he is hereby, appointed surveyor to reduce Overton county to its constitutional limits, beginning at the north-east corner of Jackson county, on the east bank of Cumberland river, in the Kentucky line; running thence east with the Kentucky line, so far that by running south parallel with the eastern boundary of the said county of Jackson, until it strikes the Morgan county line; thence with the same to the Cumberland road, and with that westwardly to the line of the said county of Jackson, and with the same to the beginning, will leave Overton county its constitutional limits.

**SECTION 2.** That a new and distinct county be, and the same is hereby, established east of the county of Overton, to be known and distinguished by the name of Fentress county; beginning at the north-east corner of the said county of Overton, (when reduced,) in the Kentucky line; running thence east, with the Kentucky line, to the south fork of Cumberland river; thence up the same as it meanders, to the Clear fork; thence up the same to the forks where Pile's turnpike was formerly kept, where Richard Butler now lives, so as to leave said Butler in Morgan county; thence up the right-hand fork of the said Clear fork, to its head or source; from thence a direct line to the south-east corner of Overton (when reduced;) thence northwardly with the line of Overton county to the beginning.

**SECTION 3.** That, for the due administration of justice, the Court of Pleas and Quarter-Sessions, and the Circuit Courts in said county, shall be holden at the house of George Helms, until otherwise provided for, under the same regulations and restrictions, and shall exercise and possess the same powers and jurisdiction, as is possessed by said courts in other counties in this state.

**SECTION 4.** That sheriff of Fentress county shall hold an election at the place of holding courts in said county, on the first Thursday and succeeding days in April next, for the purpose of electing field-officers for said county of Fentress, under the same rules and regulations as are prescribed by law in similar cases; and the militia of said county of Fentress shall constitute the \_\_\_ regiment and shall become a part of the\_\_ \_brigade.

**SECTION 5.** That elections for company officers for the county of Fentress, shall be held at such places as the commandant of militia in said county may appoint; which said elections shall be held on such days as may be directed by said commandant.

**SECTION 6.** That the surveyor appointed by the first section of this act, shall be allowed the sum of two dollars per day, and the chain-carriers and markers who may be employed by said surveyor, shall each be allowed the sum of one dollar per day, for their services in running and marking said lines, to be paid equally by the counties of Overton and Fentress, out of any moneys not otherwise appropriated.

**SECTION 7.** That the county of Fentress shall be a part of the district for electing Governor, Representatives to Congress, Electors to elect a President and Vice President of the United States, and Members to the General Assembly, to which the county of Overton now belongs, and that elections be held at the place of holding courts in said county, (and such other places as the court may establish,) at the time, and in the manner, by law directed; and the sheriff, or returning officer of said county, shall make return of the polls of said election to the sheriff of Overton county, shall make return of the polls of said election to the sheriff of Overton county, in the town of Monroe, on the day next succeeding each election.

**SECTION 8.** That such Justices of the Peace as may have been heretofore appointed, and which may fall within the bounds of the county of Fentress, be, and they are hereby, continued in office: AND PROVIDED NEVERTHELESS, that nothing in this act contained, shall be so construed as to prevent the sheriffs of Overton and Morgan counties from collecting the taxes which may be due within their respective counties for the present year, or any preceding year.

Passed: November 28, 1823.

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