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Private Acts of 1825 Chapter 319

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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SECTION 1. That William Gore, of the county of Overton be, and he is, hereby appointed to survey the lines of the county of Fentress so as to ascertain the center of said county, and that he shall be allowed a reasonable compensation for his services, by the county court, as also, for the necessary chain carriers, to be paid out of any monies belonging to said county not otherwise appropriated.

SECTION 2. That Woodson P. White, of White County and John Graham and Daniel Keith, of Jackson County, and George Finley and Joseph Bates, of Overton County be, and they are, hereby appointed commissioners, whose duty it shall be, or a majority of them, so soon as practicable after said lines are run or center ascertained by the said surveyor, to proceed to view the premises, including said central point, and if the same is an eligible site for a town, to report the same to the county court of Fentress, and should such central point, not be a suitable place for a town, the said commissioners shall select the nearest eligible site for a town to said point, which may, in their opinion, be suitable for that purpose; said commissioners to be paid for their said services a reasonable compensation by the county court of Fentress, out of any monies belonging to said county, not otherwise appropriated.

SECTION 3. That it shall be the duty of the county court of Fentress county, at their first session after the passage of this act, to appoint eight commissioners, whose duty it shall be to procure, from the person or persons who may own the site selected as aforesaid, a good and sufficient legal title for as much land as to them may be deemed requisite for that purpose, and it shall be their duty, in case they cannot agree with the proprietor or the proprietors for the cite agreed on as aforesaid, they may choose five disinterested freeholders, who, after having been duly sworn before any acting justice of the peace for the said county of Fentress to decide impartially, proceed to value the said site or premises and report to the county court accordingly, whose duty it shall be, to pay to the proprietor or proprietors of the said site the amount of money for which the same is valued out of any monies belonging to said county, not otherwise appropriated.

SECTION 4. That the commissioners appointed by the county courts as aforesaid, shall proceed to lay off said town and designate the plan thereof, to cause to be laid off the lots, streets, lanes and alleys, and designate the place for the court house and other public buildings, to be erected in said town.

SECTION 5. That when the town shall be laid off, the commissioners shall advertise the same in the newspapers printed at Sparta, specifying the time and place for the same of said lots, which advertisement shall be at least thirty days before the day of sale, and they shall proceed to sell said lots upon twelve months credit, taking bond with good and sufficient security therefor, making deeds in fee simple to the purchasers.

SECTION 6. That the said commissioners or a majority of them, shall contract with some suitable person or persons, to build a courthouse, prison and stocks, at the site selected and laid off for the seat of justice, and the monies arising from the sale of the lots, after paying for the land purchased, shall be appropriated to the expenses in erecting said public buildings, and if the monies arising from the sale of lots aforesaid, be insufficient to pay for the land and public buildings, it shall, and may be, lawful for the county court of Fentress, a majority of the acting justices being present, to lay a county tax on taxable property, not exceeding the State tax, which may be continued from year to year, until a sum is raised sufficient to answer the purposes intended, and the tax aforesaid shall be collected at the time and in the same manner, other taxes or dues are collected, and in case of default in collecting or accounting for said tax to the commissioners, the sheriff, for such his default, may be proceeded against by motion, and judgment before the county court a in other cases of default.

SECTION 7. That before the commissioners shall proceed to discharge the duties assigned them, they shall enter into bond to the Governor of the State of Tennessee and his successors, in the sum of five thousand dollars, conditioned for the faithful discharge of the duties of their appointment, to be filed with the clerk of the county court, and be by him recorded.

SECTION 8. That the commissioners appointed by the county court as aforesaid, to carry this act into effect, and a majority of them shall at all times be competent to transact any business or perform any duty imposed on them as commissioners.

SECTION 9. That in case of death, resignation or refusal to act, of any one or more of the commissioners herein named, it shall and may be lawful for the balance of said commissioners to elect one or more by ballot so as to complete the number of commissioners hereby appointed, and the commissioners thus elected, shall have the same powers and privileges with the commissioners by this act appointed.

SECTION 10. That said commissioners, shall appoint one of their body as chairman, in whose name all notes, bonds, etc. and in whose name all suits, may be instituted on the notes, bonds, etc. and for their

services, as by this act directed, said commissioners shall be entitled to such compensation as may be allowed by the county court of Fentress.

SECTION 11. That said county town or seat of justice in said Fentress County, shall be known and called by the name of Jamestown, in honor of James Fentress.

SECTION 12. That so soon as the court-house hereby authorized to be built, shall be in a situation that the courts of Fentress county can be held therein, the said commissioners shall certify the same to the county court of said county, whereupon it shall be the duty of the several courts of Fentress County, to adjourn from the present place of holding courts in said county, to the court- house in Jamestown, or if said commissioners can procure a private house of any kind, in the town aforesaid, suitable for holding the several courts as aforesaid in, the commissioners shall report the same to the county court as aforesaid, and the said courts shall adjourn to the house specified, in said town, without delay, and all writs, subpoenaes and other process, made returnable to the present place of holding courts in said county, shall be returnable to the house specified in such town, until the courthouse aforesaid be completed, after which, the courts as heretofore directed by this act, shall adjourn without delay, to the courthouse in Jamestown, and all writs, subpoenas and other process, be returned to the courthouse in Jamestown, and shall be as good and available in law as if they had originally been made returnable to the said courthouse in Jamestown.

SECTION 13. That the said commissioners before entering on the duties enjoined on them by this act, shall, before some acting justice of the peace for Fentress County, take an oath well and truly, faithfully and impartially to perform all the duties required of them to do and perform by the provisions of this act.

Passed: December 5, 1825.

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