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# THE PERRY COUNTY

## HISTORIAL SOCIETY QUARTERLY

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ISSUE 25-3

SEPTEMBER 2019

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### BICENTENNIAL: YES, PERRY COUNTY IS 200 YEARS OLD

At the First Session of the Thirteenth General Assembly of the State of Tennessee, Begun and Held at Murfreesboro, on Monday, the Twentieth Day of September, One Thousand Eight Hundred and Nineteen, the following act was presented, approved and officially signed on November 18, 1819 as follows, in part. "An Act to establish north of Wayne and west of Hickman and south of Humphreys counties. Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That a new county be and the same is hereby established, north of Wayne county west of Hickman and south of Humphreys counties by the name of Perry County". Section 2. Be it

enacted That for the administration of justice, the first court of pleas and quarter sessions and circuit courts and all subsequent courts, until otherwise provided for, shall be held at the house of James Yates, on Tom's Creek, or at such other place in said

county as the justices in said county may adjourn from the said James Yates, to hold their courts after the first term under the same rules, regulations, and restrictions....." "Section. 6. Be it enacted, That the county courts shall be held in Perry County on the ----- Monday in -----" This section did not specify the dates for the meeting of the county courts, but it is documented elsewhere the said court met on January 3, 1820. The last Section, #7.

stated "Be It Enacted, That it shall be the duty of the clerk of the said county of Perry to receive and receipt for the quantum of acts and journals of the present session." This was signed by



**The James Dickson house, located on Lick Creek, where the first court of Perry County met on Jan. 3, 1820. The house is listed on the National Register of Historic Places.**

James Fentress, Speaker of the House of Representatives and R. Weakley, Speaker of the Senate, November 18, 1819. Thus, this was the official beginning of Perry County.

The first meeting of the county court was at the

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home of James Dickson, on Lick Creek, as apparently the magistrates (justices) of the county preferred the Dickson house, rather than the Yates house. Through the years descendants of James Dickson have said the "officials" met at the Dickson house, as it was the only house with glass in the windows---fact or fiction? Who knows? The Dickson house remains standing, and is listed on the National Register of Historic Places.

Following a meeting of the County Court, it was determined a permanent location for the County seat was in order. Therefore, at the First Session of the Fourteenth General Assembly of the State of Tennessee in 1821, this was done. As of November 21, 1821, the General Assembly authorized the Commissioners to purchase a site and lay off a town. The purchase was to be "fifty acres of land, on which should be erected the courthouse, prison and stocks for the use of said county, then lay off a town to be called and known as Perryville, with two acres for a public square." As it was directed that a Court House be erected, so it was, as evidenced by the following, taken from Record 1841-1846, copied in part as follows: "State of Tennessee Please at the Court House of the Town of Perryville County of Perry & state aforesaid on the third Monday being the seventh day of May in the year of our Lord one Thousand Eight hundred and forty one and sixty fifth year of American Independence present and presiding the Honorable Benjamin C. Totten one of the Judges of the Circuit Court of the State of Tennessee and assigned to hold the courts of the fourteenth Judicial Circuit in said state." This continued as an order to bring into court a person for whom a summons had previously issued. There still exist many old court records of the trials held at the Courthouse of Perry County, located at Perryville.

Changes were coming! Acts of the State of Tennessee, passed at the First Session of the Twenty-Sixth General Assembly for the years 1845-46, Chapter VII of said Acts declared "Whereas, It has been satisfactorily made known to this General Assembly, that the county of Perry is divided by the Tennessee river, to the manifest inconvenience of a very large portion of its citizens, and that by attach-

ing a portion of the county of Wayne to the county of Perry, there is sufficient territory within the requirements of the constitution to divide said county by the river and organize a new county on the west side of the river." "Section 3. Be it enacted, That the county seat of the county of Perry be and is hereby located at Harrisburg, in said county, and for the administration of justice, the county and circuit courts of said county shall be held in some house in the town of Harrisburg, in said county, and the circuit courts thereof shall be holden (sic) on the 3rd Mondays in January, May and September, and said county shall be attached to the 14th Judicial circuit in said State, provided that the county court of Perry, a majority of the Justices concurring therein, may adjourn to some other place in said county, if they find it more convenient to hold the courts aforesaid, and adjourn to the seat of justice whenever the necessary arrangements are made....." Section 4 of the Act named Isaac W. Stanly, Wyly R. Lane, William Watson, Andrew H. Guthrie and Basdal Brown, as appointed to a board of Commissioners, and "as soon as practicable after the location of the county seat shall be permanently established.....procure by purchase or otherwise, a sufficient quantity of land upon which to lay off a town and to erect all necessary public buildings for said county".....

Therefore, we now have two counties - Perry and Decatur. The county seat of Perry County, as stated was Harrisburg, and the county seat of Decatur remained at Perryville for a short time, and was later moved to Decaturville, where it remains to this date. For years it has been rumored that Perryville missed being the capitol of Tennessee by one vote. The following information from the State Archives should revolve this question. The October House Journal of 1843 listed many towns that were nominated for Tennessee State Capitol, the ones with the most votes included Manchester, McMinnville, Columbia, Chattanooga and Nashville. Nashville had the most Yea votes, being voted on and affirmed multiple times. There is no mention of Perryville in the House Journal of October, 1843.

Now, to move on to establishment of a county

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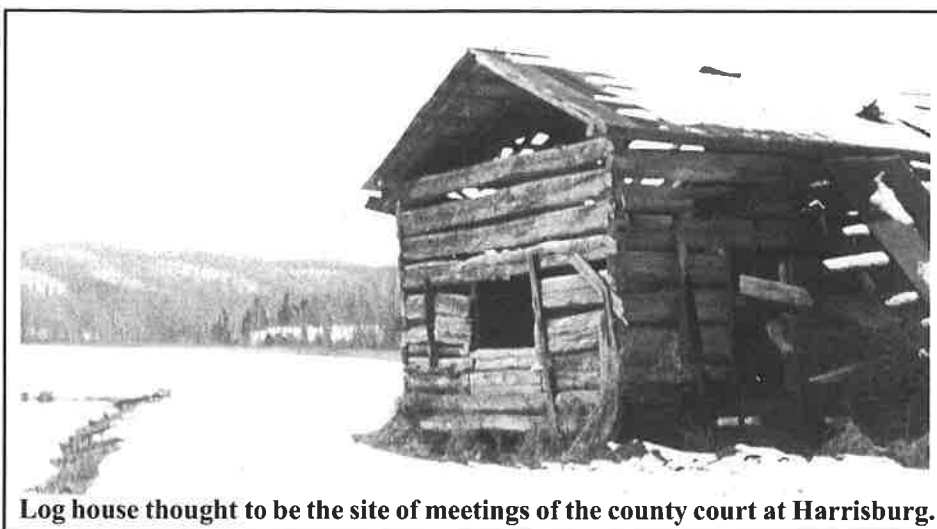
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seat for Perry County. Harrisburg was named after Dr. Wyatt Harris, who lived at said Harrisburg, located about three miles south of what was to become Linden. Dr. Harris was not of the David Rice Harris family. He was born January 3, 1796, in Wilkes County, Georgia. Land records show he owned property in Perry County as early as 1834.

Harrisburg had a mercantile business, and several people living in the area.

In the meantime, the all absorbing question of the people of Perry County was where to locate the county seat—an area that was called Milton was very much favored and it was determined a vote was needed, so between Milton and Harrisburg the votes were cast—the Winner---Milton! It was quickly discovered there was already a “Milton” in Tennessee. At the suggestion of Thomas M. Brashear, of Linden, who served in both the Legislature and Senate, the name of the town became LINDEN!

With all this being said and done, a person very much interested in Perry County and its well being, generously donated thirty eight and 87/100 acres of land for the establishment of the county seat of Perry County. The deed was dated January 23, 1847, whereby David R. (Rice) Harris donated to the commissioners Isaac W. Stanly, William Watson, Wily R. Lane, Basdel Brown & William B. Cragg of the town of Milton (this was before the name change). The town was laid off in lots measuring 66 x 99 feet, with the deed stating “the above tract of land is given to the said commissioners and their successors in office for the use of the said county of Perry for the solely purpose of locating a town thereon for the Seat of Justice of said county of Perry and for no other purpose whatsoever.” And this is how



**Log house thought to be the site of meetings of the county court at Harrisburg.**

Linden came “to be”. As a side note, it has always been said Linden became the county seat by six affirmative votes, per Goodspeed Histories, published in 1886, again—Fact or Fiction????

By now, Linden was beginning to develop and by 1850, there was a courthouse, a frame building, replacing an earlier log building. Linden also boasted a hotel, owned by John L. Webb, a physician, several merchants and a postmaster—yes, things were looking up! Not only was there Linden, but numerous small villages, post villages and landings were being established. By 1854, Lobelville, named after Henri de Lobel, a French immigrant, was a growing post-village, as well as Beardstown, established in 1830 and named after George Beard, the first merchant. By now, the Cedar Grove Iron Furnace, built in 1834, by Wallace Dixon, was in full operation. Throughout the county were horse-mills, water-mills, cotton-gins, grist-mills, saw-mills, tanneries as well as cultivation of farm land. Yes, Perry County was growing, and according to the 1850 Census, there were 928 families living in the county.

After 200 years we are still the small, beautiful county with rivers, hills and valleys. What more could we ever want?

TOW

## Updating the Historical Society Quarterly

As indicated in the Quarterly, Issue 25-2, June, 2019, this Quarterly is to follow the sequence and will be Issue 25-3, September 2019. Again, apologies for being late, but it is hoped, in time, the Quarterly will be "up to date". TOW

## DONATIONS/GIFTS

Received from Mrs. Tom E. Averett publication of "Boys in Black" by Gene Percy, autographed by the members of the Perry County High School team. Also, Mrs. Averett donated copies of Goodspeed History of Perry County, Cemetery Records of Perry County, published 1992, by Mary and Melissa Bowen and Cemetery Records of Perry County, published in 2002, by Tammy Bowen.

Mrs. Cherry Fisher May, daughter of Hugh Fisher, donated 35mm slide entitled "Journey to the Past". We appreciate these donations which add to our genealogy research.

*The Perry County Historical Society* is located in the Genealogy Room at the Perry County Library, 104 College Avenue, Linden, TN 37096. The phone number for the Library is 931-589-5011. The Historical Society mailing address is PO Box 22, Linden, TN 37096. The Genealogy Room is open Monday, Tuesday, Thursday and Friday, from 10:00 AM until 4:00 PM; closed Wednesday, Saturday and Sunday. The Historical Society e-mail address is: [perryhs3@gmail.com](mailto:perryhs3@gmail.com). Regular meetings of the Society are on the fourth (4th) Monday of each month at 6:00 PM in the Genealogy Room. There is no meeting in December. Visitors are always welcome.

*Annual Membership Dues* are \$10.00. Members receive the Perry County Quarterly four (4) times each year. Please check your *membership due date* on the address label of your Quarterly. Articles, queries, and other items of historical interest may be submitted to be included in the Quarterly. The Historical Society is financially supported by membership dues, book sales, and donations. If you would like to join the Historical Society, we welcome new members.

*Perry County Historical Society's* Web Page can be reached through the Tennessee Genealogy Website at: <http://www.tngenweb.org>. The direct link to Perry County Tennessee Genealogy and History is: <http://www.tngenweb.org/perry/>