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Chapter VII - Elections

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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 VII - Elections

Districts - Reapportionment

Private Acts of 1939 Chapter 281

SECTION 1. That civil district 8, 16, 11 and 7 of McNairy County, Tennessee, be and the same are hereby consolidated and from and after the effective date of this Act shall be known as Civil District No. 1 thereof. Pony Gibson and W. G. Walker, who were duly elected magistrates for the civil districts included in Civil District No. 1 as herein designated, are hereby designated as magistrates for said Civil District No. 1 and _____, duly elected constable for one of the civil districts included in Civil District No. 1, is hereby designated constable.

Civil Districts 17, 19, 3 and 2 as now constituted, are hereby consolidated into one which shall be known as Civil District No. 2 of said county. W.R. Nickles and Wilbur Robertson, who were duly elected from part of the territory now comprised of Civil District No. 2 as herein designated, are designated as magistrates for said Civil Districts and _____, duly elected constable for a part of the territory now embraced in said Civil District No. 2 shall be designated constable.

Civil Districts 12 and 15 as now constituted are hereby consolidated and shall comprise Civil District No. 3 of said county from and after the effective date of this Act. R. E. Wade and C. C. Lipford, duly elected magistrates from one of the civil districts consolidated to make Civil District No. 3 as herein provided, are hereby designated as magistrates for said Civil District 3; and _____, duly elected constable for one of the civil districts merged to make Civil District No. 3 is hereby designated as constable of said district. Civil Districts 9, 13 and 10 as now constituted shall comprise Civil District No. 4 of said county. Leo Atkins and Ed Wagoner, duly elected magistrates from civil districts merged to constitute Civil District No. 4 are hereby designated as magistrates and _____, duly elected constable, is hereby designated as constable. Civil Districts 4, 5 and 6 as now constituted, shall comprise Civil District No. 5 of said county from and after the effective date of this Act. Roy Huggins, Thomas Jones and C. L. McCullar, all duly elected magistrates from one of the civil districts merged to constitute Civil District No. 5 are hereby designated as magistrates from said Civil District No. 5, it being the civil district containing the county town; and _____, duly elected constable for one of the civil districts merged to make Civil District No. 5, is hereby designated as constable.

Civil Districts 1, 18 and 14 as now constituted are hereby merged and shall constitute from and after the effective date of this Act, Civil District No. 6 of said county. R. L. Wilmeth and W. G. Minton, both duly elected magistrates from part of the territory included in Civil District No. 6 as herein constituted, are hereby designated as magistrates for said Civil District No. 6 and _____, duly elected constable from one of the civil districts included in said Civil District No. 6 as herein constituted, as designated as constable therefor. **SECTION 2.** That from and after the effective date of this Act, the office of justice of the peace in each of the incorporated towns contained in McNairy County be and the same is hereby abolished and for naught held.

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

Passed: February 21, 1939.

COMPILER'S NOTE: See Swaim v. Smith and McNairy County v. Smith, 174 Tenn. 688, 130 S.W.2d 116 (1939), wherein the court upheld the constitutionality of this act.

Private Acts of 1943 Chapter 439

SECTION 1. That the term "Old Civil District" shall mean the civil districts of McNairy County, Tennessee, as constituted prior to the enactment of Chapter No. 281, of the Private Acts of 1939.

SECTION 2. That the Old Civil Districts 17 and 3 be removed from the territory of Civil District No. 2 and that such removed territory shall compose a new Civil District which shall be Civil District No. 7, and Arlis Garner and John Ward, are hereby appointed to fill the newly created offices of Justice of the Peace for said Civil District No. 7. Albert Lott is hereby designated as Constable for Civil District No. 7.

SECTION 3. That the territory included in the Old Civil District No. 4 shall be removed from Civil District No. 5 of said County, and the territory of said Old Civil District No. 4 shall be added to and become a part of Civil District No. 6 of said County. G. W. Hall is hereby designated to fill the vacancy in the office of Justice of the Peace in said Civil District No. 5, and the Constable will remain as at present.

SECTION 4. That Old Civil Districts 1 and 18 shall be removed from the territory composing Civil District No. 6 and such territory so removed shall constitute a new Civil District to be known as Civil District No. 8 of said County. W. R. Steadman and R. L. Wilmeth are hereby designated to fill the vacancies in the office of Justice of the Peace in said Civil District No. 8. Norris Bodiford is hereby designated as Constable for said Civil District No. 8.

SECTION 5. That Earl Jones is hereby designated as Justice of the Peace to fill the vacancy created by changing the territory constituting Civil District No. 6 of said County.

SECTION 6. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 9, 1943.

Private Acts of 1949 Chapter 347

WHEREAS, By Chapter 281 of the Private Acts of 1939, the old Civil Districts of McNairy County, Tennessee, were so changed as to consolidate a number of the same and to create new districts, and by Chapter No. 439 of the Private Acts of 1943, certain other changes were made and new Civil Districts created, and it has become necessary and material to create out of certain of the Civil Districts as fixed by said Chapter No. 281, new Civil Districts;

SECTION 1. That Civil District No. 1, as now composed of old Civil Districts, Nos. 7, 8, 11, and 16, be so changed as that all of the territory embraced and included in old Civil Districts Nos. 11 and 16, shall be and constitute under this Act, Civil District No. 1, and that old Districts Nos. 7 and 8, as they existed and were at the time of the enactment of said Chapter No. 281, will be removed from District No. 1, provided by said Act, and here created into a new District, designated as District(sic), designated as District No. 10.

SECTION 2. That M. C. Eithridge and C. S. Treech be, and they are hereby appointed to fill the offices of Justice of the Peace in said District No. 1, as created by this Act, and that J. O. Mitchell and J. L. Tacker are hereby appointed as Justices of the Peace for said District No. 10, as created and established by this Act.

SECTION 3. That whereas, Civil District No. 4 as now existing is composed of old Civil Districts numbers 9, 10 and 13, and that whereas, Civil District No. 5 as now existing is composed of old Civil Districts Nos. 5 and 6.

SECTION 4. That out of said existing Civil Districts Nos. 4 and 5, old Civil Districts Nos. 5 and 9 shall be removed and shall from and after the effective date of this Act be known as a new Civil District No. 9; and that old Civil Districts Nos. 10 and 13 as they existed at the time of the enactment of said Chapter 281 shall be and they are made into a new Civil District to be known as District No. 4; and that all the territory formerly included in old Civil District No. 6 as it existed and was at the time of the enactment of Chapter 281 shall be and the same shall constitute the boundaries of a Civil District created under this Act known as District No. 5.

SECTION 5. That whereas, Civil District No. 3 as now existing is made up of old Civil Districts Nos. 15 and 12 as they were laid out at the enactment of Chapter 281 of the Private Acts of 1939.

SECTION 6. That all of the territory of old Civil District No. 12 as laid out at the time of the enactment of said Chapter 281 shall be and the same is separated from Civil District No. 3 and a new Civil District is created therefrom to be known as Civil District No. 12; and Civil District No. 3, from the effective date of this Act, shall include only the territory included in old Civil District No. 15.

SECTION 7. That whereas, at present Civil District No. 2 is now composed of the territory included in Civil Districts Nos. 2 and 19.

SECTION 8. That all of old Civil District No. 19 is separated from District No. 2 and the same shall constitute a new Civil District known as Civil District No. 11, leaving the area of Civil District No. 2 the same as old Civil District No. 2.

SECTION 9. That the following are designated Justices of the Peace of the new Civil Districts as shown after their names in the following list:

Eldridge Howard and Roy Huggins -- District No. 9.

Otis Plunk and Wilbur Robinson -- District No. 11.

Irwin Cagle and R. E. Wade -- District No. 12.

J. P. Whitley and M. B. Melton, presently Justices of the Peace, shall be Justices of the Peace for Civil District No. 4 as created by this Act.

SECTION 10. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 23, 1949.

Elections - Historical Notes

Districts - Reapportionment

The acts listed below have affected the civil districts in McNairy County, but are no longer operative regarding elections.

1. Acts of 1855-56, Chapter 122, Section 24, created a new Civil District in McNairy County by inserting a metes and bounds description of the involved area, which was near the old 12th Civil District, and the election precinct for the new district would be at James Malone's home.
2. Acts of 1859-60, Chapter 127, Section 63, provided that the voters in the First Civil District of McNairy County would have two places for voting in all elections, one, at Mary P. Kirk's house as is now established and the other at John Nalls in the fork of the Tuscumbia and Hatchie Rivers provided that the polls shall be composed at Mary P. Kirk's home as was done heretofore.

Elections

The following is a listing of acts for McNairy County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes.

1. Acts of 1826, Chapter 3, apportioned Tennessee for the General Assembly showing that Hickman, Lawrence, Wayne, Hardin and McNairy Counties constituted one State Senatorial District and McNairy, Hardeman, Fayette, Tipton and Shelby Counties would elect one Representative between them.
2. Acts of 1832 (Ex. Sess.), Chapter 4, divided Tennessee into 13 U.S. Congressional Districts. Perry, Henderson, McNairy, Hardeman, Fayette, Shelby and Tipton Counties were in the 13th District.
3. Acts of 1833, Chapter 71, apportioned Tennessee into 20 Senatorial Districts of which Hickman, Lawrence, Wayne, Hardin and McNairy Counties composed one. McNairy and Hardeman would elect one Representative between them, all this according to the popular enumeration of 1833.
4. Acts of 1842 (Ex. Sess.), Chapter 1, apportioned the State for the General Assembly into 25 Senatorial Districts of which Henderson, Perry and McNairy Counties composed the 24th. McNairy would elect one Representative to the Legislature alone.
5. Acts of 1842 (Ex. Sess.), Chapter 7, divided the State into eleven U.S. Congressional Districts. Hardeman, Fayette, Shelby, Tipton, Haywood, Lauderdale, Dyer and McNairy Counties composed the Eleventh.
6. Acts of 1865, Chapter 34, divided Tennessee into 8 United States Congressional Districts. The 8th was made up of McNairy, Hardeman, Fayette, Shelby, Tipton, Madison and Haywood Counties.
7. Acts of 1866-67, Chapter 45, Section 2, provided for an additional voting box to be established in the 7th Civil District of McNairy County at Bethel Springs on the Mobile and Ohio R.R.
8. Acts of 1871, Chapter 146, reapportioned the State for the General Assembly into 25 Senatorial Districts. Hardin, Decatur, Benton, Henderson and McNairy Counties were in the 18th District. McNairy would elect one Representative alone.
9. Acts of 1872 (Ex. Sess.), Chapter 7, placed McNairy, Montgomery, Houston, Stewart, Humphreys, Benton, Henry, Carroll, Henderson, Decatur, Perry and Hardin Counties in the 7th U.S. Congressional District.
10. Acts of 1873, Chapter 27, divided Tennessee into ten U.S. Congressional Districts. McNairy was allocated to the 8th District along with Henry, Benton, Carroll, Perry, Decatur, Hardin, Henderson and Madison Counties.
11. Acts of 1881 (Ex. Sess.), Chapter 5, fixed the number of Senators in the General Assembly of the State of Tennessee at 33 and the total of Representatives at 99, according to the enumeration of people held in 1881.
12. Acts of 1881 (Ex. Sess.), Chapter 6, permitted McNairy County to elect one Representative to the General Assembly and placed the county in the 24th Senatorial District with Hardeman County.
13. Acts of 1882 (Ex. Sess.), Chapter 27, delineated the State into ten U.S. Congressional Districts, allotting McNairy to the 8th District with Henry, Benton, Perry, Decatur, Hardin, Henderson, Madison and Carroll Counties.
14. Acts of 1891 (Ex. Sess.), Chapter 10, apportioned Tennessee according to the 1890 census count. McNairy County would elect one Representative alone, and join Chester and Hardeman Counties in the 27th Senatorial District.

15. Acts of 1901, Chapter 109, divided the State into ten U.S. Congressional Districts. McNairy, Henry, Benton, Perry, Carroll, Decatur, Henderson, Chester, Madison and Hardin Counties all composed the 8th U.S. Congressional District.
16. Acts of 1901, Chapter 122, apportioned the State. McNairy County would elect one Representative to the General Assembly's House and share the 26th Senatorial District with Hardeman, Hardin, Decatur and Benton Counties.

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