



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

July 03, 2024

Chapter VII - Elections

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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

Chapter VII - Elections 3
Civil Districts 3
Private Acts of 1915 Chapter 126 3
Elections - Historical Notes 3

Chapter VII - Elections

Civil Districts

Private Acts of 1915 Chapter 126

SECTION 1. That there be and are hereby created for and within the County of Humphreys in the State aforesaid in lieu of fifteen Civil Districts as now laid out, five Civil Districts only to be and are hereby declared commensurate with the five School Districts of said County.

SECTION 2. That the boundaries of said five newly created Civil Districts shall be as follows:

1. The territory of Districts Nos. 1, 11, 15 as embraced therein as now laid shall compose and constitute the First Civil District of said County or District No. 1.
2. The territory embraced in 2, 3 and 6th Civil Districts as now laid out shall embrace and constitute the Second Civil District or District No. 2 of said County.
3. The territory embraced in the 5th, 10th and 9th Districts as now laid out shall constitute the Third Civil District of said County.
4. The territory now embraced as laid out in the 7th, 8th and 14th Civil Districts shall constitute the 4th Civil District of said County.
5. The territory embraced in the 4th, 12th, and 13th Districts as now laid out shall compose and constitute the Fifth Civil District of said County.

SECTION 3. That the Justices of the Peace and Constables as now constituted shall hold their offices until the first Monday in June 1915.

SECTION 4. That an election be held in the said new Districts herein created in the manner provided by law for Justices of the Peace and Constables for the Districts created by this Act on the first day in May 1915, and after that as provided in the general election laws of the State.

SECTION 5. That for the convenience of the voters of the County all election precincts now established and existing in said County of Humphreys shall continue and shall be legal election precincts in and for the several districts of said County as herein established, and provided further that the School Districts and Road Districts in said County shall remain as now existing under the law until altered or changed by legal authority.

SECTION 6. That under the provisions of this Act there shall be one additional Justice of the Peace for Waverly, the County site and McEwen in said County, both being incorporated towns.

SECTION 7. That all laws or parts of laws in conflict with this Act be, and the same are hereby repealed, the public welfare requiring it, and that this act take effect from and after its passage.

Passed: March 24, 1915

Elections - Historical Notes

Districts - Reapportionment

The acts listed below have affected the civil districts in Humphreys County, but are no longer operative regarding elections. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1935, Chapter 131, made it the duty of the Election Commission to hold an election immediately after the passage of this Act to ascertain the will of the people of Humphreys County on the question of abolishing the existing five Civil Districts established by Private Acts of 1915, Chapter 126, and restoring the former fifteen Districts. The Election Commissioners must canvass the vote and certify the results to the Humphreys County delegates in the Tennessee General Assembly.
2. Private Acts of 1959, Chapter 174, was not approved by the Quarterly Court of Humphreys County and never became an effective law under the Home Rule Amendment to the Constitution. This Act would have amended Private Acts of 1915, Chapter 126, by dividing the territory of the Second Civil District into two Civil Districts. The part of the Second Civil District which coincides with the Sixth School District as it was described in Private Acts of 1951, Chapter 92, would become the 6th Civil District. An election would be scheduled in the new portion to elect two Justices of the Peace and a Constable for the new district.

3. Private Acts of 1967-68, Chapter 457, directed the Humphreys County Quarterly Court, prior to the general election to be held on the first Thursday in August, 1972, to divide the County into no less than four and no more than eight Civil Districts of approximately equal population. The population of any one District would not vary over 10% from the other Districts. If the Court failed to act, the present number of the Justices of the Peace would remain the same but all the Justices must run at large. Each Civil District would elect two Justices of the Peace and one Constable except the District with the county seat which would elect three Justices of the Peace and two Constables. Private Acts of 1915, Chapter 126, was repealed with all its amendments, but this Act would not be construed as removing any Justices of the Peace from the incumbent office. This Act was not approved by the Quarterly Court and therefore remained ineffective

Elections

The following is a listing of acts for Humphreys 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 1809, Chapter 31, which formed the new county of Humphreys directed the Sheriff to hold elections to select one colonel and two majors for the militia and later to choose the members of the General Assembly, the Governor, the President and Vice-President, and other offices on the days established for said elections.
2. Acts of 1812, Chapter 5, divided the State of Tennessee into eight Presidential Electoral Districts, each of which would select one Presidential Elector. The 8th District contained the counties of Robertson, Montgomery, Stewart, Dickson, Hickman, and Humphreys. The polls would be compared at Charlotte in Dickson County.
3. Acts of 1812, Chapter 27, formed six U. S. Congressional Districts in Tennessee, assigning the counties of Robertson, Montgomery, Dickson, Humphreys, Hickman, Stewart, Maury, and Giles to the Sixth U. S. Congressional District which would elect one Representative.
4. Acts of 1812, Chapter 57, apportioned the representation in the General Assembly of the State which consisted of twenty Senators and forty Representatives. Montgomery County, Stewart County, and Humphreys County made up one of the Senatorial Districts and would elect one senator. The Counties of Stewart and Humphreys would combine to elect one State Representative.
5. Acts of 1813, Chapter 7, required that the Sheriff of Humphreys County would hold a separate election at the house of Captain James Craig, on Blue Creek, for each election to be hereafter held in the County. The polls of this precinct would be canvassed at Reynoldsburgh.
6. Acts of 1817, Chapter 4, stated that the returning officers of the election district composed of the Counties of Stewart, Montgomery, and Humphreys who were formerly bound to meet at Roslin in Stewart County would hereafter meet at the house of Phillip Hornberger in Stewart County and be governed by the same rules and regulations as all other election officers.
7. Acts of 1817, Chapter 179, declared it the duty of the Sheriff or his Deputy of Humphreys County, on the days appointed by law for holding elections, to hold a separate election at the house of Benjamin Watts on the Buffalo River in the said county.
8. Public Acts of 1819, Chapter 69, designated the counties of Stewart, Perry, and Humphreys as one of the twenty State Senatorial Districts while Humphreys County and Perry County would jointly elect one of the forty Representatives in the State Legislature. All polls would be counted and compared at Reynoldsburgh.
9. Public Acts of 1821, Chapter 46, Section 2, provided that votes from the new Senatorial District of Stewart County, Humphreys County, Perry County, Henry County, Carroll County, and Henderson County would hereafter be counted at Reynoldsburgh in Humphreys County.
10. Public Acts of 1822, Chapter 1, established nine U. S. Congressional Districts in Tennessee. The 8th District included the counties of Robertson, Montgomery, Dickson, Stewart, Humphreys, and Hickman.
11. Public Acts of 1823, Chapter 47, formed eleven Presidential Electoral Districts in the State for the Presidential election which would take place on the first Thursday in October, 1824. The 10th Presidential Electoral District consisted of the counties of Montgomery, Robertson, Stewart, Dickson and Humphreys and would elect one elector.
12. Public Acts of 1824, Chapter 1, was almost a duplicate of Public Acts of 1823, Chapter 47, except that the date of the Presidential Election was set on the first Thursday and Friday in November, 1824.
13. Public Acts of 1826, Chapter 3, divided Tennessee into 20 State Senatorial Districts and 40

- Representative Districts in the General Assembly. The Counties of Stewart, Humphreys, Perry, and Henderson would compose one election district and elect one Senator. The counties of Stewart, Humphreys and Perry would join together to elect one Representative.
14. Private Acts of 1826, Chapter 36, made it lawful in all the elections for the field officers of the militia in the Counties of Dickson, Jackson, Campbell, Claiborne, Stewart, Marion, Humphreys, and Hardin for the same to be held at the various places which would be determined by the county courts for other elections.
 15. Public Acts of 1827, Chapter 17, divided the State into eleven Presidential Electoral Districts for the national election which would be held on the second Thursday and Friday in November, 1828. The Tenth Electoral District included the counties of Robertson, Montgomery, Dickson, Stewart, Humphreys, and Perry whose polls could be compared at Charlotte, in Dickson County.
 16. Public Acts of 1832, Chapter 4, formed thirteen U. S. Congressional Districts in Tennessee of which the Eleventh Congressional District was made up of the counties of Robertson, Montgomery, Stewart, Humphreys, Hickman and Dickson.
 17. Public Acts of 1832, Chapter 9, established fifteen Presidential Electoral Districts in the State. The 13th Electoral District was composed of the counties of Robertson, Montgomery, Stewart, Dickson and Humphreys.
 18. Public Acts of 1833, Chapter 71, apportioned the representation of the State in the State Legislature. The counties of Stewart, Humphreys, Perry, and Henderson constituted one Senatorial District and the counties of Stewart, Humphreys, and Perry would jointly elect one of the 40 State Representatives.
 19. Public Acts of 1833, Chapter 76, provided for a constitutional convention of sixty delegates who would be elected on the first Thursday and Friday in March, 1834, and convene in Nashville on the third Monday in May, 1834. The counties of Dickson, Stewart, and Humphreys composed one District in which two delegates would be elected. The Convention would prepare a new State Constitution.
 20. Private Acts of 1833, Chapter 125, was the enabling legislation for an election to be held in Humphreys County on the question of moving the county seat.
 21. Public Acts of 1835-36, Chapter 1, enacted pursuant to the requisites of the 1834 Constitution, required the General Assembly to appoint suitable people by Resolution to lay off all the counties into districts for the election of Justices of the Peace and Constables. Resolution #3, named John Thompson, William McCastland, Isaac Settle, James Teas, and William Gass to perform these duties in Humphreys County.
 22. Public Acts of 1835-36, Chapter 2, Section 7, stated that the Sheriff of Humphreys County would hold the first election for the Justices of the Peace, Constables, and all officers whose election must take place in Benton County under the new 1834 Constitution.
 23. Public Acts of 1835-36, Chapter 39, organized the State into fifteen Presidential Electoral Districts. The 13th District contained the counties of Robertson, Montgomery, Stewart, Dickson, and Humphreys.
 24. Private Acts of 1835-36, Chapter 43, provided that the Sheriff of Humphreys County would open and hold an election on the fourth Monday in November, 1835, to receive the vote on the issue of dividing the County. It was the duty of the Sheriff to certify the results to the General Assembly of Tennessee.
 25. Acts of 1839-40, Chapter 79, provided that hereafter each Congressional District of the State would also be an Electoral District for the election of the President and the Vice-President of the United States. Fifteen electors would be chosen, one from each of the thirteen districts and two at-large.
 26. Acts of 1842 (E.S.), Chapter 1, increased the representation in the Tennessee General Assembly to 25 Senators and 50 Representatives. One Senatorial District comprised the counties of Dickson, Stewart, Humphreys, and Benton. The counties of Humphreys and Benton would combine to elect one Representative. Polls were to be counted at Simmon's old store in Dickson County for the Senatorial District, and the Representative ballots would be tallied at Reynoldsburgh in Humphreys County.
 27. Acts of 1842 (E.S.), Chapter 7, established eleven U. S. Congressional Districts in the State of Tennessee. The Ninth District included the counties of Robertson, Montgomery, Stewart, Dickson, Humphreys, Benton and Henry.
 28. Acts of 1847-48, Chapter 101, provided that each Congressional District would be also a

- Presidential Electoral District and two additional Electors would be elected at-large in the State.
29. Acts of 1851-52, Chapter 196, formed ten U. S. Congressional Districts in Tennessee. The Seventh Congressional District included the Counties of Giles, Lawrence, Wayne, Hardin, McNairy, Perry, Decatur, Benton, Humphreys, Hickman and Lewis.
 30. Acts of 1851-52, Chapter 197, divided the representation in the Tennessee General Assembly. The Counties of Benton, Humphreys, Perry, Decatur, and Henderson composed one State Senatorial District whose polls would be compared at the mouth of Morgan's Creek. Benton County and Humphreys County would share one Representative, comparing these votes at Reynoldsburgh.
 31. Public Acts of 1865, Chapter 34, divided Tennessee into eight U. S. Congressional Districts in the aftermath of the Civil War. The Sixth Congressional District contained the counties of Lawrence, Wayne, Hardin, Decatur, Perry, Lewis, Maury, Hickman, Humphreys, Dickson, Montgomery, and Stewart.
 32. Public Acts of 1867-68, Chapter 7, required that the votes polled in Humphreys County and in Benton County for the Representative in the General Assembly would hereafter be compared at Johnsonville on the Monday following the election.
 33. Public Acts of 1869-70, Chapter 105, authorized a referendum on the question of a Constitutional Convention consisting of 75 delegates. The Convention could change, alter, revise, or rewrite entirely the Constitution of the State as it then existed. If approved, the Convention would meet in Nashville on the second Monday in January, 1870.
 34. Public Acts of 1871, Chapter 146, reapportioned the General Assembly of the State of Tennessee which consisted of 25 Senators and 50 Representatives. The 16th State Senatorial District was composed of the Counties of Hickman, Perry, Humphreys, Dickson, Cheatham, and Houston. Humphreys County and Benton County would combine to elect one Representative.
 35. Acts of 1872 (Ex. Sess.), Chapter 7, formed nine U. S. Congressional Districts in Tennessee. The Seventh Congressional District was made up of the counties of Montgomery, Houston, Stewart, Humphreys, Benton, Henry, Carroll, Henderson, Decatur, Perry, Hardin and McNairy.
 36. Public Acts of 1873, Chapter 27, increased the number of the U. S. Congressional Districts in Tennessee from nine to ten. The Sixth U. S. Congressional District consisted of the counties of Davidson, Cheatham, Dickson, Humphreys, Stewart, Houston, and Montgomery.
 37. Public Acts of 1881 (Ex. Sess.), Chapter 5, permanently fixed the number of Senators in the General Assembly at 33 and the number of Representatives at 99.
 38. Public Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the representation in the General Assembly. Humphreys County would elect one Representative and would elect one Senator in the Twenty-second District jointly with Hickman, Dickson and Houston Counties.
 39. Public Acts of 1882 (Ex. Sess.), Chapter 27, created ten U. S. Congressional Districts in Tennessee assigning the Counties of Davidson, Robertson, Cheatham, Montgomery, Stewart, Humphreys, and Houston to the Sixth U. S. Congressional District.
 40. Public Acts of 1891, Chapter 131, divided Tennessee into ten U. S. Congressional Districts. The Sixth U. S. Congressional District included the counties of Davidson, Robertson, Cheatham, Montgomery, Stewart, Humphreys and Houston.
 41. Acts of 1891 (Ex. Sess.), Chapter 10, provided that Humphreys County, Wayne County, and Perry County would share one State Representative in the 15th District, and that Benton County, Humphreys County, Decatur County, and Hardin County made up the 24th State Senatorial District.
 42. Public Acts of 1901, Chapter 109, established ten U. S. Congressional Districts in Tennessee. The Seventh Congressional District contained the counties of Houston, Humphreys, Dickson, Hickman, Williamson, Lewis, Maury, Giles, Lawrence, and Wayne.
 43. Public Acts of 1901, Chapter 122, reapportioned the Tennessee General Assembly. The 23rd State Senatorial District contained the counties of Dickson, Humphreys, Houston, and Stewart. Humphreys County and Perry County would jointly elect one State Representative in the 20th District.
 44. Private Acts of 1917, Chapter 704, stated that no registration of voters would be required in Humphreys County as a prerequisite to the right to vote in any national, state, county, city, or precinct election. The ballot used in elections must be three inches wide and seven inches long as was then provided by general law.
 45. Private Acts of 1949, Chapter 197, set the compensation of officers holding elections, both

- general, special and primary, in Humphreys County at \$2 per day.
46. Private Acts of 1951, Chapter 93, stated that all elections hereafter held in the 2nd Civil District of Humphreys County in which members of the County School Board were to be elected, all residents and qualified voters of the Second Civil District living east of the line running due north and south from the point where Trace Creek crosses Highway 70 would vote in some precinct located east of that particular line and all residents living west of the line in the Second Civil District would vote in some precinct west of the line.
 47. Private Acts of 1953, Chapter 385, provided that in Humphreys County all polling places in the towns of Waverly, McEwen, and New Johnsonville would be open from 9:00 A.M. until 6:00 P.M. in all State, county, or municipal elections.

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