



County Technical Assistance Service
INSTITUTE for PUBLIC SERVICE

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Chapter VII - Elections

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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

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Chapter VII - Elections

Districts - Reapportionment

Acts of 1903 Chapter 94

SECTION 1. That the First Civil District, the Fourth Civil District, the Fifth Civil District, the Seventh Civil District, the Tenth Civil District, the Twelfth Civil District, the Thirteenth Civil District and the Sixteenth Civil District of Claiborne County, as the same have heretofore and up to this time been constituted and existed, be and are hereby abolished.

SEC. 2. That the territory heretofore and up to this time embraced in the First Civil District of said county, be and the same is hereby attached to what has heretofore and up to this time been the Fifteenth Civil District of said county, and that the said combined territory be hereafter known and nominated the Ninth Civil District of said county; that the territory heretofore and up to this time embraced in the Thirteenth Civil District of said county, be and the same is hereby attached to what has heretofore and up to this time been the Second Civil District of said county, and that the said combined territory be hereafter known and nominated the Seventh Civil District of said county; that the territory heretofore and up to this time embraced in the Fourth Civil District of said county, be and the same is hereby attached to what has heretofore and up to this time been the Third Civil District of said county, and that the said combined territory be hereafter known and nominated the Sixth Civil District of said county; that the territory heretofore and up to this time embraced in the Fifth Civil District of said county, be and the same is hereby attached to what has heretofore and up to this time been the Sixth Civil District of said county, and that the said combined territory be hereafter known and nominated the Fifth Civil District of said county; that the territory heretofore and up to this time embraced in the Seventh Civil District of said county, be and the same is hereby attached to what has heretofore and up to this time been the Ninth Civil District of said county, and that the said combined territory be hereafter known and nominated the Fourth Civil District of said county; that the territory heretofore and up to this time embraced in the Tenth Civil District of said county, be and the same is hereby attached to what has heretofore and up to this time been the Eleventh Civil District of said county, and that the combined territory be hereafter known and nominated the Third Civil District of said county; that the territory heretofore and up to this time embraced in the Twelfth Civil District of said county, be and the same is hereby attached to what has heretofore and up to this time been the Fourteenth Civil District of said county, and that the combined territory be hereafter known and nominated the Second Civil District of said county; and that the territory heretofore and up to this time embraced in the Sixteenth Civil District of said county, be and the same is hereby attached to what has heretofore and up to this time been the Ninth Civil District of said county, and that the combined territory be hereafter known and nominated the First Civil District of said county.
As amended by: Private Acts of 1963, Chapter 60

SEC. 3. That no civil district in excess of the number of eight hereby created and established, shall be created out of any of the territory of said county unless authorized by an Act of the General Assembly of the State of Tennessee.

SEC. 4. That from and after this date the offices of Justices of the Peace and of all other civil district officers in the districts hereby abolished, shall cease to exist; that all the officers in the districts hereby abolished shall turn over to the officers of the new districts all the books, papers and records appertaining to their offices in the abolished districts, and that all laws and parts of laws in conflict with this Act be, and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 6, 1903.

Acts of 1907 Chapter 344

SECTION 1. That the following bounded section shall compose the Ninth Civil District in Claiborne County, Tenn.: Beginning on the top of Cumberland Mountain where the Campbell and Claiborne County line crosses the same; thence eastwardly with the crest of Cumberland Mountain to where the Carr Gap road crosses the same; thence leaving the crest of Cumberland Mountain and with the Carr Gap road northwestwardly, crossing Tackett's Creek; thence continuing with said road to where the same crosses Cooper's Ridge; thence with the crest of Cooper's Ridge to the top of Log Mountain; thence with the crest of Log Mountain, passing Bryson's Point to the State line between Kentucky and Tennessee; thence leaving Log Mountain and with the Kentucky-Tennessee State line westwardly to the Campbell and

Claiborne County line; thence leaving the State line and running with the said Claiborne and Campbell County line southwardly to the beginning.

SEC. 2. That the Election Commissioners of Claiborne County shall, within thirty days after the passage of this Act, open and hold an election in said district for the purpose of electing two Justices of the Peace and one Constable and three School Directors for said district, who shall hold their offices until the next general election for said offices, respectively.

SEC. 3. That the old voting place in the old First Civil District of Claiborne County on Clear Fork, near the mouth of Straight Creek, shall be the voting precinct in said district.

SEC. 4. That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 9, 1907.

Private Acts of 1917 Chapter 440

SECTION 1. That the following boundary in Claiborne County, Tennessee, shall be and hereafter constitute the Tenth Civil Districts of said county:

Beginning on top of the Cumberland Mountain at Hopper's Gap, thence running southwardly with Sam Alexander's lane to the Valley road so as to include Dorsey Alexander in the Tenth Civil District hereby created, thence up said road northeastwardly to Branscomb lane to the back valley road so as to leave F. R. Dunn's farm in the Seventh Civil District of said county, thence eastwardly with said Back Valley road to Toney Hollow, thence with said Toney Hollow to the top of the dividing ridge, thence with said ridge southwardly to the Union County line, thence with Union County line to Powell's River, thence eastwardly with Powell's River to the Sixth District line; then with the Sixth District line northwardly to the top of the Cumberland Mountain, then with the top of Cumberland Mountain and the Ninth District line westwardly to the beginning, hereby creating a new Civil District as provided by Chapter 94 of the Acts of the General Assembly of 1903.

SEC. 2. That the Election Commissioners of Claiborne County shall on the first Thursday in May, 1917, open and hold an election in said district for the purpose of electing two Justices of the Peace and one Constable for said district, who shall hold their offices until the next regular election, *provided, however*, that in the event said Election Commissioners shall fail or refuse to call an election as above provided, the qualified voters of said district hereby created shall have the right to hold said election on said date.

SEC. 3. That the voting place for said district hereby created shall be at Vanbibbers Spring the present voting place for the Seventh Civil District of said county.

SEC. 4. That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 28, 1917.

Private Acts of 1919 Chapter 730

SECTION 1. That the following bounded section shall compose the Tenth Civil District of Claiborne County, Tennessee, beginning at a white oak in the Grant line in the Hopper Gap of Cumberland mountain; thence running southwardly with the east line of Dorsey Alexander's farm to the Powells Valley pike road; thence southwardly with the line of Dicy Branscomb and Horace Russell to the farm of William Russell; thence westwardly with the east line of J. P. Edwards via the Russell Schoolhouse and with William Russell's line to the top of the ridge of John Pierce's farm; thence southwardly to the head of Big Branch Hollow; thence with said hollow to the Union County line near Powells river; thence with the Union County line to the Campbell County line, and thence with the line between Campbell and Claiborne County to the Grant line, and thence with said Grant line to the beginning.

(a) The Alexander farm is to be in the 7th District.

(b) The I. R. Dunns Branscombs farm is to be in the 7th District.

As amended by: Private Acts of 1923, Chapter 495

SEC. 2. That the Election Commissioners of Claiborne County shall, within sixty days after the passage of this Act, open and hold an election in said district for the purpose of electing two Justices of the Peace, and one Constable, and any other district officer or officers common to all the other districts of Claiborne County, Tennessee, for said district, who shall hold their offices until the next general election for such offices, respectively.

SEC. 3. That Rogers' mill shall be the voting place in said district.

SEC. 4. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 10, 1919.

Private Acts of 1963 Chapter 60

SECTION 1. That Section 2, Chapter 94, Acts of the General Assembly 1903 be amended by abolishing the Eighth Civil District of Claiborne County, Tennessee, and making the area embraced therein a part of the Ninth Civil District of said county from and after September 1, 1966, the expiration of the term of the present Justices of the Peace representing said district.

SECTION 2. That this Act shall have no effect unless the same shall be approved by a majority of the voters voting in an election to be held for such purpose. Within 15 days after the approval of this Act by the Governor, or after its otherwise effective date, it shall be the duty of the county board of election commissioners of the county to which this Act applies, to call an election for the county to be held not less than 20 nor more than 40 days from the date of such call for the purpose of accepting or rejecting the provisions of this Act. The ballots used in such election shall have printed thereon the title of this Act and voters shall vote for or against its adoption. The votes cast at such election shall be canvassed by the county board of election commissioners upon the first Monday occurring 5 or more days next after the date of such election and the results shall be proclaimed by such board and certified to the Secretary of State. The qualification of voters shall be that provided by law for participation in general elections and all laws applicable to general elections shall apply to an election held hereunder. The cost of said election shall be paid by the county to which this Act applies.

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

Passed: February 25, 1963.

Elections - Historical Notes

Districts - Reapportionment

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

1. Acts of 1803, Chapter 51, authorized citizens of Claiborne County north of the Clinch River to vote at Charles Davis's house.
2. Acts of 1806, Chapter 23, authorized Claiborne citizens living north of the old Grainger-Hawkins line to vote at the house of Henry Sumpter.
3. Acts of 1806, Chapter 47, authorized the citizens of Claiborne County living below old Town Creek to vote at the home of James Vanhebler.
4. Private Acts of 1830, Chapter 268, established a precinct election at the house of Abraham Vanderpole.
5. Private Acts of 1831, Chapter 57, established a precinct election at John Brock's house in Claiborne County.
6. Private Acts of 1957, Chapter 97, consolidated certain civil districts in counties of the state with populations between 24,700 and 24,850 according to the Federal Census of 1950. Civil districts numbered eight and nine were consolidated and formed into the ninth civil district.

Elections

The following is a listing of acts for Claiborne County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1803, Chapter 24, prescribed the mode of choosing electors to vote for president and vice-president of the United States. The counties of Hawkins, Claiborne, Grainger, Jefferson and Cocke composed the second electoral district and elected one elector.
2. Acts of 1803, Chapter 51, recited that, because of the mountainous terrain and large boundaries of the counties of Claiborne and Anderson, it was a great inconvenience for residents living north of the Clinch River to attend at the courthouse in Claiborne County. Therefore, it would hereafter be lawful for that portion of Claiborne County and all that part of Anderson County which formerly

belonged to Grainger County to hold an election in the house where Charles Dever now lived in Powell's Valley for all national, state and county elections.

3. Acts of 1809, Chapter 16, Section 2, stated that the citizens of Claiborne County residing south of Powell's River and west of the town of Tazewell where to vote at the courthouse for the election of governor, members of the general assembly, members to congress and electors of president and vice-president of the United States.
4. Acts of 1812, Chapter 5, established eight electoral districts for the purpose of electing electors to vote for the president and vice-president of the United States. The second electoral district was composed of the counties of Cocke, Jefferson, Sevier, Grainger and Claiborne.
5. Acts of 1812, Chapter 57, apportioned the representation of the general assembly into 20 senators and 40 representatives. The counties of Grainger, Claiborne and Campbell composed one election district and jointly elected one senator. The polls were counted at Rutledge and Tazewell alternately beginning with Rutledge.
6. Acts of 1815, Chapter 18, authorized the people of Claiborne County to vote at any election place that suited their convenience.
7. Public Acts of 1819, Chapter 69, provided for the representation in the general assembly to compose of 20 senators and 40 representatives. The counties of Claiborne, Grainger and Campbell composed one election district and elected one senator. Furthermore, Claiborne and Campbell counties jointly elected one representative.
8. Public Acts of 1822, Chapter 1, divided the state into congressional districts for the election of representatives to the United States Congress. The Second Congressional District was composed of the counties of Grainger, Claiborne, Cocke, Jefferson, Knox, Sevier and Blount.
9. Public Acts of 1823, Chapter 47, provided for the election of electors of president and vice-president of the United States and to divide the state into 11 electoral districts. The second electoral district was composed of the counties of Cocke, Sevier, Jefferson, Grainger, Claiborne and Campbell and would elect one elector.
10. Public Acts of 1824, Chapter 1, provided for the election of electors of a president and vice-president of the United States. The state was divided into eleven electoral districts. The second electoral district was composed of Cocke, Sevier, Jefferson, Grainger, Claiborne and Campbell counties which elected one elector.
11. Public Acts of 1826, Chapter 3, divided the state into election districts for the election of state senators and representatives. The counties of Jefferson, Grainger, Claiborne and Campbell composed one election district and elected one senator. Claiborne and Campbell counties would jointly elect one representative.
12. Public Acts of 1827, Chapter 17, provided the election of electors of president and vice president of the United States. The state was divided into eleven electoral districts. The counties of Cocke, Sevier, Jefferson, Grainger, Claiborne and Campbell composed the second electoral district.
13. Public Acts of 1833, Chapter 71, divided the state into representatives and senatorial districts. The counties of Cocke, Jefferson, Grainger and Claiborne composed one election district and elected one senator. Furthermore, Claiborne and Grainger counties composed one election district and elected one representative.
14. Public Acts of 1833, Chapter 76, provided for the calling of a state convention for the purpose of revising the state constitution. The counties of Campbell, Claiborne, Grainger and Jefferson composed one district and elected three delegates.
15. Public Acts of 1835-36, Chapter 39, prescribed the mode of choosing electors to vote for president and vice-president of the United States. The counties of Sullivan, Hawkins, Grainger and Claiborne composed the second electoral district. One elector resided in this district.
16. Acts of 1842, Chapter 1, apportioned the representation in the general assembly of the state. The counties of Grainger, Jefferson and Claiborne composed the fourth senatorial district and elect one senator. Furthermore, Claiborne County was authorized to elect one representative, the polls were compared at the courthouse in Tazewell.
17. Acts of 1842, Chapter 7, divided the State into districts for the election of representatives to the Congress of the United States. The second congressional district was composed of the counties of Claiborne, Jefferson, Grainger, Campbell, Anderson, Morgan, Sevier, Blount and Monroe.
18. Public Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the several counties of the state into senatorial and representative districts. Claiborne County was to elect one representative and was also placed in the fourth senatorial district along with Grainger, Union, Campbell and Scott

counties.

19. Private Acts of 1923, Chapter 496, dispensed with the requirement of having to re-register before each election.

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