



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,

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Table of Contents

Chapter VII - Elections 3
Districts - Reapportionment 3
Acts of 1903 Chapter 599 3
Private Acts of 1913 Chapter 40 3
Private Acts of 1917 Chapter 663 3
Private Acts of 1923 Chapter 512 4
Private Acts of 1925 Chapter 578 4
Private Acts of 1925 Chapter 638 4
Elections - Historical Notes 5

Chapter VII - Elections

Districts - Reapportionment

Acts of 1903 Chapter 599

SECTION 1. That there are hereby created and established for the county of Cumberland four civil districts in lieu of the thirteen civil districts now existing therein.

SECTION 2. That the boundaries of said new civil districts shall be as follows:

First--The territory now embraced within the boundaries of the second and fifth civil districts shall be consolidated and shall hereafter be known as the first civil district.

Second--That the territory now embraced within the boundaries of the first, sixth, and thirteenth civil districts shall be consolidated and shall hereafter be known as the second civil district.

Third--That the territory now embraced within the boundaries of the third, fourth, eighth, and eleventh civil districts shall be consolidated and shall hereafter be known as the third civil district.

Fourth--That the territory now embraced in the seventh, ninth, tenth, and twelfth civil districts shall be combined and shall hereafter be known as the fourth civil district.

SECTION 3. That all the various district officers, to wit: Justices of the Peace, Constables, and Tax Assessors now holding offices in said county are hereby abolished, and the County Board of Election Commissioners shall call an election to be held according to law for the election of two Justices of the Peace, one Constable, and one Tax Assessor in all the new districts created, except in the first, wherein shall be elected three Justices of the Peace. Said election shall be opened and held at the various voting precincts in said county on the 7th day of May 1903, and the present district officers in said county shall hold their offices until the officers herein provided for have been elected and qualified.

SECTION 4. That the voting precincts in the various civil districts in said county shall remain as they now stand.

SECTION 5. That this Act take effect from and after the 7th day of May, 1903, the public welfare requiring it.

Passed: April 1, 1903.

COMPILER'S NOTE: See State v. Hamby, 114 Tenn. 361, 84 S.W. 622 (1904), in which this Act was challenged.

Private Acts of 1913 Chapter 40

SECTION 1. That the farm of J. T. Brown be detached from the Third Civil District of Cumberland County, Tenn, and be attached to the Fourth Civil District of said county.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 18, 1913.

Private Acts of 1917 Chapter 663

SECTION 1. That there is hereby created and established in Cumberland County a Fifth Civil District, the boundaries to be as follows:

Beginning on the Stephens Gap Road at the top of the mountain at the Bledsoe County line; thence in a northerly direction with the Stephens Gap Road to the old Ross Road; thence in a westerly direction with the Ross Road to the White County line; thence in a southerly direction to the Bledsoe County line; thence with the Bledsoe County line to the place of beginning.

SECTION 2. That the Election Commissioners of Cumberland County shall call a special election, under the general election laws of this State, to be held on the first Thursday in June after the passage of this Act for the purpose of electing two Justices of the Peace and one constable to represent said district, who shall hold their office until the next regular election held for the election of county and district offices and until their successors are elected and qualified.

SECTION 3. That all subsequent elections shall be held under the general election laws of this State and said district shall be entitled to elect such officers to represent said district as are elected in the other districts of the county and for a like term and with like powers and duties.

SECTION 4. That all laws and parts of laws in conflict with this Act, be, and the same are, hereby repealed.

SECTION 5. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 3, 1917.

Private Acts of 1923 Chapter 512

SECTION 1. That there is hereby created and established in Cumberland County, a Sixth Civil District, the boundaries to be as follows:

Beginning in the Morgan and Cumberland County line on the crest of Crab Orchard Mountain within the boundaries of Joe Smith's farm; thence southwestwardly with the top of said mountain passing by Jack Smith's farm and to the south thereof to the Frank Derrick place and including same; thence southwardly passing burnt bridge on Spencer's Hill to Burke's Creek; thence down Burke's Creek with its meanders to Fall Creek; thence down Fall Creek with its meanders to its intersection with the Roane and Cumberland County line; thence with the line between road and Cumberland County and Morgan and Cumberland County to the place of beginning.

SECTION 2. That within 60 days from the approval of this Act the County Board of Election Commissioners for said county shall call and advertise an election for the purpose of electing two Justices of the Peace and one Constable by the legally qualified voters of said district, who shall hold their respective offices until the next regular election held for the election of county and district officers, and until their successors are elected and qualified.

SECTION 3. That all subsequent elections shall be held under the general election laws of this State and said district shall be entitled to elect such officers to represent said district as are elected in other districts of the county and for a like term with like powers and duties.

SECTION 4. That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

SECTION 5. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 28, 1923.

Private Acts of 1925 Chapter 578

SECTION 1. That there be, and is hereby created and established for and within the County of Cumberland, in this State a civil district.

SECTION 2. That the boundaries of said civil district shall be as follows: Beginning at Joe Smiths; thence south to the Frank Derrick place; thence west by the Cline Mill set crossing Dady's Creek to the Second District line; thence with said district line to the Morgan County line; thence with Morgan line to the place of beginning.

SECTION 3. That all persons, being and living in said boundary, shall be and constitute the Seventh Civil District of Cumberland County.

SECTION 4. That the election commissioners for Cumberland County shall order an election, opened and held on the first Saturday in June, 1925, for the purpose of electing Two Justices of the Peace and one Constable, for the Seventh Civil District of Cumberland County, who shall hold their office until the regular August election next preceding, this election, or until their successors are elected and qualified.

SECTION 5. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 4, 1925.

Private Acts of 1925 Chapter 638

SECTION 1. That there is hereby created and established in Cumberland County an Eighth Civil District, the boundaries to be as follows:

Beginning where the First and Fifth District line crosses Meadow Creek, thence down Meadow Creek to Meadow Creek Falls. Thence northly leaving Joe Baker's farm in the First District and the Matthew Mitchell farm in the New District, Mitchell's northeast line being the dividing line between the First and Eighth Districts to the old graded road. Thence with said graded road to where said road reaches the Bell farm. Thence with Bell's south line west to Little Field Creek. Thence down said creek to the old Frost road; thence with Frost road to the old Sequatchie road, then with same road to Pomona Roads. Thence with Second District line to Putnam County. Thence with Putnam County line to White County line. Thence with White County line to the line between the First and Fifth Districts. Thence with said line to the beginning.

SECTION 2. That within sixty days from the approval of this Act the County Board of Election Commissioners for said county shall call and advertise an election for the purpose of electing two Justices of the Peace and one Constable by the legally qualified voters of said district, who shall hold their respective offices until the next regular election held for the election of the county are elected and qualified.

SECTION 3. That all subsequent elections shall be held under the general election laws of this State and said district shall be entitled to elect such officers to represent said district as are elected in other districts of the county and for a like term with like powers and duties.

SECTION 4. That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

SECTION 5. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 9, 1925.

Elections - Historical Notes

Districts - Reapportionment

The acts listed below have affected the civil districts in Cumberland 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 1913, Chapter 50, created a Fifth Civil District in Cumberland County, giving the boundaries thereof, and providing for the election of two Justices of the Peace and one Constable therein within sixty days from the passage of this act. This Act was repealed by Private Acts of 1915, Chapter 453.
2. Private Acts of 1915, Chapter 453, repealed expressly Private Acts of 1913, Chapter 50, thereby abolishing the Fifth Civil District of Cumberland County which area was added to the First Civil District and the act also abolished the offices of the two Justices of the Peace and the Constable of the Fifth District who were directed to surrender all their credentials.
3. Private Acts of 1959, Chapter 276, would have reduced the number of Civil Districts in the county from eight to four by grouping whole former districts into the bigger latter ones. The Act also would have repealed all former private acts which created civil districts. The act depended upon the favorable outcome of a referendum vote but the act itself was not approved and did not become a law under the Home Rule Amendment to the State Constitution.

Elections

The following is a listing of acts for Cumberland 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 1843-44, Chapter 59, Section 18, in attempting to establish the new county of Cumberland in the area now occupied by Cheatham County, authorized an election to be held to approve the establishment of the new county. Acts of 1843-44, Resolution 60, authorized the Judges who had held the election in that part of Davidson County taken into Cumberland County to hear proof of illegal votes being cast and received in that election. They were directed to strike from the poll all votes which they found to be cast illegally.
2. Acts of 1865, Chapter 34, divided the State into 8 U. S. Congressional Districts immediately after the end of the Civil War. Cumberland was in the Third District with Meigs, Rhea, Hamilton, Marion, Grundy, Bledsoe, Van Buren, Sequatchie, Warren, White, Smith, Putnam, Jackson, Macon, Overton, Dekalb, and Fentress Counties.
3. Acts of 1871, Chapter 146, apportioned Tennessee for representation in the State General Assembly. James, Meigs, Rhea, and Cumberland County would elect one Representative to the

- General Assembly between them and Cumberland would be in the 5th State Senatorial District with Campbell, Morgan, Scott, Roane, Fentress, Overton, Putnam and White Counties.
4. Acts of 1872 (Ex. Sess.), Chapter 7, divided the State into 9 U.S. Congressional Districts. Cumberland County was in the Second District with Sevier, Knox, Jefferson, Anderson, Campbell, Scott, Morgan, Fentress, White, Putnam, Overton, Jackson, Smith, Macon, and Clay Counties.
 5. Acts of 1873, Chapter 27, reapportioned Tennessee into ten U.S. Congressional Districts. Cumberland County went to the Third District with Polk, McMinn, Meigs, Rhea, Bradley, James, Hamilton, Marion, Grundy, Sequatchie, Bledsoe, Van Buren, White, Warren, DeKalb, and Cannon Counties.
 6. Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the State for the General Assembly. Cumberland, Bledsoe, Sequatchie, and Van Buren Counties would elect jointly one Representative and of the 33 Senatorial Districts, Cumberland County was in the 9th with Grundy, Sequatchie, Bledsoe, Van Buren, Rhea, Morgan, and White Counties.
 7. Acts of 1882 (Ex. Sess.), Chapter 27, apportioned Tennessee into ten U.S. Congressional Districts according to the census of 1880. Cumberland was not mentioned in any of the lists of counties comprising the Districts.
 8. Acts of 1889, Chapter 196, amended Acts of 1882 (Ex. Sess.), Chapter 27, by detaching Cumberland County and Rhea County from the third U.S. Congressional District and attaching them to the Fourth U.S. Congressional District.
 9. Acts of 1891 (Ex. Sess.), Chapter 10, apportioned Tennessee for the General Assembly according to the 1890 Census. Grundy, Sequatchie, Bledsoe, Van Buren, and Cumberland Counties would elect one Representative jointly as part of the Seventh Representative District and Cumberland was in the 9th State Senatorial District with Rhea, Bledsoe, White, Sequatchie, Van Buren, and Morgan Counties.
 10. Acts of 1901, Chapter 109, separated the State into ten U.S. Congressional Districts. Cumberland was in the Fourth District with Sumner, Trousdale, Wilson, Putnam, Jackson, Clay, Overton, Smith, Macon, Pickett, Fentress, Morgan, and Rhea Counties.
 11. Acts of 1901, Chapter 122, apportioned for the State General Assembly according to the 1900 Census. The 9th State Senatorial District was made up of Rhea, Meigs, Bledsoe, Sequatchie, Van Buren, White, and Cumberland Counties. Bledsoe, Sequatchie, Van Buren, Grundy, and Cumberland would elect one Representative jointly for the Eleventh House District.

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