



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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Chapter VII - Elections

Districts - Reapportionment

Private Acts of 1961 Chapter 12

SECTION 1. That Chapter 34 of the Private Acts of 1953, entitled, "AN ACT to redistrict counties in this State with a population of not less than 16,100, nor more than 16,400, by the Federal Census of 1950, or any subsequent Federal Census, and to provide for the election of justices in such counties as are redistricted", be and the same is hereby repealed and the civil districts established as they existed prior to the enactment of the statute herein repealed.

SECTION 2. That there shall be fourteen civil districts. Civil district No.1, as presently constituted, shall be Civil district No.1, as redistricted. Civil districts 2, 3, and 4, as now constituted are hereby redistricted into thirteen civil districts, which shall have boundaries identical with the thirteen civil districts which were redistricted into civil districts 2, 3, and 4, by Chapter 34 of the Private Acts of 1953.

SECTION 3. That this Act shall have no effect unless the same shall be approved by a majority of the voters of said county voting in an election to be held for such purpose. It shall be the duty of the Secretary of State to certify a true and perfect copy of this Act to the County Board of Election Commissioners within twenty (20) days after its passage. Within ten (10) days after the sine die adjournment of this General Assembly, it shall be the duty of the County Board of Election Commissioners to call an election for such county to be held not less than two (2) nor more than thirty (30) days from the date of such call, for the purpose of accepting or rejecting the provisions of this Act. The ballot 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 shall be canvassed by the County Board of Election Commissioners upon the first Monday occurring five (5) or more days next after the date of such election and the result 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.

SECTION 4. That this Act shall take effect from and after its passage, so far as the new districts are concerned, on and after September 1, 1962, but justices of the peace shall be elected at the August election, 1962, to fill the offices created by this redistricting of said counties. The persons so elected shall hold office until September 1, 1966, and subsequent elections shall be for the constitutional term of six years, the public welfare requiring it.

Passed: January 31, 1961.

Elections - Historical Notes

Districts- Reapportionment

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

1. Private Acts of 1953, Chapter 34, set up four Civil Districts in White County which were composed of old Civil Districts as they had apparently existed since shortly after the formation of the County. Civil District #2 was composed of old Civil Districts 2, 10, 11, 12, 13, and 14. Civil District #3 contained old Civil Districts 3, 4, and 5, and Civil District #4 had in it old Civil Districts 6, 7, 8, and 9. Proper arrangements were made about the Magistrates and Constables. This Act was repealed by Private Acts of 1961, Chapter 12.
2. Private Acts of 1963, Chapter 98, redistricted White County into eight Civil Districts, describing each one by adequate metes and bounds descriptions. Two Justices of the Peace would be elected from each District for six years except the First, which had the county town, would elect four. One Constable would be elected from each District except the First which would elect two. Those currently occupying these offices would continue to do so until September 1, 1966. This Act was rejected by the Quarterly Court of White County and never became a law under the provisions of the House Rule Amendment to the Constitution of the State.

Elections

The following is a listing of acts for White 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 1806, Chapter 41, provided for two separate elections to be held in newly formed White County: one at the house of William Chis sum (sic) on the waters of the Colin's River, and all the inhabitants living west of Colin's River shall meet and vote at that place, and the other at the house of John Allen, and all living north of the north fork of the Caney Fork River would vote at the Allen house.
2. Acts of 1807, Chapter 74, set up the Electoral District, five in number, for the election of the President and Vice President. The election would be held on the second Thursday in November, 1808. The Fourth Electoral District was composed of the Counties of Smith, Jackson, Overton, White, Sumner, Wilson, Warren, and Franklin.
3. Acts of 1809, Chapter 1, stated that the State of Tennessee would elect three Representatives to the United States Congress, one from the Washington District, one from the Hamilton District, and one from the combined Winchester, Robertson, and Mero Districts.
4. Acts of 1811, Chapter 57, repealed so much of the 1806 Act which established elections in White County at the homes of William Chissum and John Allen and provided that the election at Chissum's would hereafter be held at the house of Major Joseph Smith and the one held at John Allen's will hereafter take place at Robert Armstrong's home, any law to the contrary not withstanding.
5. Acts of 1812, Chapter 5, divided Tennessee into eight Presidential Electoral Districts. The Fourth District contained the Counties of Rhea, Bledsoe, Overton, White, Warren, Franklin, and Jackson. Polls would be counted at Sparta.
6. Acts of 1812, Chapter 27, established six U. S. Congressional Districts in the State assigning the Counties of Anderson, Campbell, Roane, Rhea, Bledsoe, Overton, White, Warren, and Franklin to the Third District.
7. Acts of 1812, Chapter 57, apportioned the State for the General Assembly. Of the twenty State Senators, Overton, Jackson, and White Counties would elect one jointly, and the polls would be counted at White Plains in White County. Every county would elect at least one of the 40 Representatives except several of the more populous counties would elect more than one.
8. Acts of 1815, Chapter 31, delineated eight Presidential Electoral Districts in the State assigning the same counties to the same Districts given them in the 1812 Act.
9. Acts of 1819, Chapter 5, fixed additional election precincts for several of the counties. The new precincts in White County were located at the homes of James Netherton and James Day.
10. Acts of 1819, Chapter 69, was the next apportionment of the State for the General Assembly of 20 Senators and 40 Representatives. White, Overton, and Jackson Counties would elect a Senator together and White would elect one Representative alone, counting polls at White Plains.
11. Acts of 1820, Chapter 56, established a precinct voting place at the home of Thomas Ellison in White County which would be operated under the same rules, regulations, and laws as all other election precincts.
12. Acts of 1822, Chapter 1, divided Tennessee into eight U. S. Congressional Districts. The Fourth District consisted of the Counties of Franklin, Warren, White, Overton, and Jackson.
13. Acts of 1823, Chapter 57, designated the Counties of Franklin, Warren, White, Overton, and Jackson as the 5th Presidential Electoral District in the eleven established in the State.
14. Acts of 1824, Chapter 1, set up eleven Presidential Electoral Districts in the State of which the Fifth District had in it the Counties of Franklin, Warren, White, Overton, Fentress, and Jackson. Returns were to be counted at Sparta.
15. Acts of 1826, Chapter 3, reapportioned Tennessee's General Assembly according to the enumeration of citizens furnished by the counties. White, Overton, Fentress and Jackson Counties were to elect one Senator jointly and White and Fentress Counties shared a Representative.
16. Acts of 1827, Chapter 17, divided Tennessee into eleven Presidential Electoral Districts. The Fifth District comprised the Counties of Franklin, Warren, White, Overton, Fentress, and Jackson.
17. Acts of 1827, Chapter 22, provided that the election precinct and the counting of the polls which had heretofore been done at White Plains in White County shall hereafter be accomplished at the house of William Burton in Jackson County under the same rules and regulations.
18. Acts of 1827, Chapter 160, set up precincts in White County in Millegeville (sic) at the house of Robert Cook, at Hunter's Mill on Falling Water River at the house of James Davis, at Brown's Mill, and at Bluford Warren's, on Cumberland Mountain, and at the old precinct on the road leading up

the Calf Killer.

19. Acts of 1829, Chapter 129, made it the duty of the returning officers in White, Overton, Fentress, and Jackson Counties to meet to compare the votes received for the election of Governor, U. S. Congress, and General Assembly at the house of Henry Matlock in Overton County on the first Monday after the first Thursday and Friday in August.
20. Acts of 1832, Chapter 4, divided the State into thirteen U. S. Congressional Districts. The 5th District had in it the Counties of Fentress, White, Overton, Warren, and Franklin.
21. Acts of 1832, Chapter 9, organized the State into fifteen Presidential Electoral Districts of which the 6th District included the Counties of Jackson, White, Overton, Fentress, and Warren.
22. Acts of 1833, Chapter 71, divided the representation in the State Legislature. White and Fentress Counties would share one Representative, and White was placed in a Senatorial District with Overton, Fentress, and Jackson Counties, polls being counted at McKinney's in Overton County.
23. Acts of 1833, Chapter 76, provided for the election of the 60 member delegates to the upcoming Constitutional Convention who would be elected on the first Thursday and Friday in March, and meet in Nashville on the third Monday in May. White County was allowed one delegate.
24. Acts of 1835-36, Chapter 39, delineated fifteen Presidential Electoral Districts in Tennessee giving the Counties of Jackson, White, Overton, Fentress, and Warren to the 6th District.
25. Acts of 1839-40, Chapter 79, made each one of the U. S. Congressional Districts to be the Presidential Electoral Districts for the Presidential elections to follow.
26. Acts of 1842, Chapter 1, was the next apportionment of the General Assembly. White County would elect one Representative and share another with Fentress and Van Buren, polls being counted at Sparta. Fentress, Overton, Jackson, White, and Van Buren Counties formed one Senatorial District.
27. Acts of 1842, Chapter 7, created eleven U. S. Congressional Districts in Tennessee. The Fourth District was composed of the Counties of Fentress, Overton, Jackson, White, DeKalb, Van Buren, Warren, and Coffee.
28. Acts of 1851-52, Chapter 196, fashioned Tennessee into ten U. S. Congressional Districts. The Fourth District contained the Counties of Jackson, Macon, Smith, DeKalb, White, Warren, Coffee, Grundy, and Van Buren.
29. Acts of 1851-52, Chapter 197, was the next Act for the apportionment of the General Assembly. White County would elect one Representative alone and White, Jackson, and Macon Counties would share a State Senator, the polls being counted at Gainsboro.
30. Acts of 1865, Chapter 34, created 8 U. S. Congressional Districts in Tennessee immediately after the Civil War. The Third District had in it the Counties of Meigs, Rhea, Hamilton, Marion, Grundy, Bledsoe, Van Buren, Sequatchie, Warren, Smith, Cumberland, Putnam, Jackson, Macon, Overton, DeKalb, and Fentress.
31. Acts of 1871, Chapter 146, reapportioned the State Legislature according to the 1870 Census and pursuant to the latest edition of the State Constitution. White and Putnam Counties would join together in the election of one Representative and the 5th State Senatorial District was made up of the Counties of Campbell, Morgan, Scott, Roane, Fentress, Overton, Putnam, White, and Cumberland.
32. Acts of 1872, Chapter 7, set up nine U. S. Congressional Districts in the State of which the Second District was composed of the Counties of Sevier, Knox, Jefferson, Anderson, Campbell, Scott, Morgan, Fentress, Cumberland, White, Putnam, Overton, Jackson, Smith, Macon, and Clay.
33. Acts of 1873, Chapter 27, added another U. S. Congressional District to the State making ten in all. The Third District contained the Counties of Polk, McMinn, Meigs, Rhea, Bradley, James, Hamilton, Marion, Grundy, Sequatchie, Bledsoe, Van Buren, White, Warren, DeKalb, Cannon, and Cumberland.
34. Acts of 1881 (Ex. Sess.), Chapter 5, made the number of Senators in the Tennessee General Assembly 33 permanently, and the number of Representatives at 99.
35. Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the State in accordance with the new allotment of members of the General Assembly. White County would elect one Representative alone under the new system and share a Senator with Grundy, Sequatchie, Bledsoe, Van Buren, Rhea, Cumberland, and Morgan Counties.
36. Acts of 1882 (Ex. Sess.), Chapter 27, retained the ten U. S. Congressional Districts assigning Monroe, Polk, Bradley, Hamilton, James, McMinn, Bledsoe, Sequatchie, Marion, Grundy, Van

- Buren, White, and Warren Counties to the Third District.
37. Acts of 1883, Chapter 237, added Rhea, Meigs, and Cumberland Counties to the Third U.S. Congressional District.
 38. Acts of 1891 (Ex. Sess.), Chapter 10, divided the representation in the State General Assembly according to the 1890 Census. White County continued to elect one Representative alone and would share the 9th Senatorial District with Rhea, Bledsoe, Cumberland, Sequatchie, Van Buren, and Morgan Counties.
 39. Acts of 1901, Chapter 109, stayed with the ten U. S. Congressional Districts but reassigned counties according to the 1900 census taking. The Third U. S. Congressional District was composed of the Counties of Monroe, Polk, McMinn, Meigs, Bradley, James, Hamilton, Marion, Sequatchie, Bledsoe, Van Buren, Grundy, White, Warren, and Franklin.
 40. Acts of 1901, Chapter 122, was the last reapportionment of the Tennessee General Assembly for more than 60 years. White County still had the one State Representative and was placed in the 9th State Senatorial District with Rhea, Meigs, Bledsoe, Sequatchie, Van Buren, and Cumberland Counties.
 41. Private Acts of 1919, Chapter 59, stated that in all national, State, County, District, and municipal elections, registration of voters shall not be a prerequisite to voting in White County, and the Dortch Ballot law likewise does not have to be complied with in order to have a valid election in open view of the public.
 42. Private Acts of 1943, Chapter 62, changed the Second Civil District voting precinct known as the old Oil Well to the Hickory Valley School House.
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