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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
Elections - Historical Notes	3

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Districts - Reapportionment

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

1. Acts of 1909, Chapter 565, established seven civil districts in Smith County which were to be composed of the twenty-three districts in existence prior to the act. All election precincts were to remain as they were and the Districts set up under the act would remain until changed by the General Assembly.
2. Private Acts of 1911, Chapter 53, repealed Private Acts of 1909, Chapter 565, above, thus restoring the twenty-three former civil districts as they were prior to passage of the repealed act. They would be known by their former numbers. The Election Commission was to hold elections in each of the re-established Districts for two Justices of the Peace and one Constable.

Elections

The following is a listing of acts for Smith County which affected the elective process, but which have been superseded or repealed.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 1799, Chapter 46, stated that Tennessee would have three electors for president and vice president of the country, one from each major district of Tennessee. In the Mero District were the Counties of Davidson, Sumner, Montgomery, Robertson, Wilson, Smith and Williamson. Those named as electors in Smith County were Grant Allen, Tilman Dixson, and Henry McKinney.
2. Acts of 1803, Chapter 24, divided Tennessee into five Presidential Electoral Districts, each of which would have one elector. Jackson, Smith, Wilson and Sumner Counties composed the Fourth Electoral District and polls would be counted at Bledsoeborough in Smith County.
3. Acts of 1805, Chapter 64, apportioned the General Assembly on the basis of population figures furnished by the counties. Of the thirteen state senators, Jackson and Smith Counties jointly would elect one. Smith County would elect one of the twenty-six representatives alone. The polls were to be counted at Fort Blount in Smith County.
4. Acts of 1806, Chapter 41, made it lawful for residents of Smith County living on Goose Creek, Long Creek, and Dixson's Creek, north of Fort Blount road, to meet and vote in the elections of governor, congressman, and president at the home of John Brevard. The Sheriff, or his deputy, were required to hold the election.
5. Acts of 1807, Chapter 42, amended Acts of 1806, Chapter 41, above, to include in the elections allowed at the house of John Brevard, those for members of the General Assembly.
6. Acts of 1807, Chapter 74, provided that the election of Presidential Electors in Tennessee would be held on the second Thursday in November, 1808. Of the five Electoral Districts, the Fourth District was composed of Smith, Jackson, Overton, White, Sumner, Wilson, Warren, and Franklin Counties.
7. Acts of 1809, Chapter 1, provided for the election of three congressmen in Tennessee, one from the Washington District, one from the Hamilton District, and one from the combined Winchester, Mero, and Robertson Districts. The poll for Winchester District would be counted at Carthage, for Robertson District at Springfield, and for Mero District at Nashville.
8. Acts of 1812, Chapter 5, divided the State into eight Presidential Electoral Districts. Smith, Wilson, and Sumner Counties made up one District and would elect one elector.
9. Acts of 1812, Chapter 27, divided the State into six congressional election districts. The fourth district was composed of the Counties of Smith, Sumner, Wilson and Jackson and would elect one representative to Congress.
10. Acts of 1812, Chapter 57, apportioned the State for the General Assembly which would be composed of twenty senators and forty representatives. Smith County would elect one senator and one representative alone.
11. Acts of 1812, Chapter 65, declared that the election authorized to be held at the home of John Brevard in Smith County would thereafter be held at the house of James Montgomery, any law to the contrary not withstanding.

12. Acts of 1817, Chapter 29, declared it the duty of the Sheriff or his deputy to open and hold a separate election in the town of Lancaster in Smith County, whenever other elections were held.
13. Public Acts of 1819, Chapter 69, divided the State into districts for the purpose of electing members of the General Assembly. Smith County was to elect one member each to the Senate and the House of Representatives.
14. Public Acts of 1822, Chapter 1, divided the State into eight U. S. Congressional Districts to elect members of Congress. Smith, Sumner, and Wilson Counties constituted the Fifth Congressional District.
15. Public Acts of 1823, Chapter 47, named the Counties of Smith, Sumner, and Wilson as the Sixth U. S. Congressional District. Polls were to be counted at Hartsville in Sumner County.
16. Public Acts of 1824, Chapter 1, named the Counties of Smith, Sumner, and Wilson as the Sixth U. S. Congressional District.
17. Public Acts of 1826, Chapter 3, apportioned Smith and Sumner Counties as one of the twenty State Senatorial Districts, to elect one Senator jointly. Counting of votes would take place at Hartsville.
18. Public Acts of 1827, Chapter 17, divided Tennessee into eleven Presidential Electoral Districts. Smith, Sumner, and Wilson Counties composed the Sixth District.
19. Public Acts of 1832, Chapter 4, organized thirteen U. S. Congressional Districts in the State for the purpose of electing Representatives of Congress. Jackson, Smith and Sumner Counties composed the Sixth Congressional District.
20. Public Acts of 1832, Chapter 9, established fifteen Presidential Electoral Districts in Tennessee. Smith and Wilson Counties constituted the Seventh District.
21. Public Acts of 1833, Chapter 13, established a new precinct, for all elections held in Smith County, at the house of Daniel Bratton.
22. Public Acts of 1833, Chapter 71, apportioned Tennessee for the General Assembly. Smith and Sumner Counties would jointly elect one of the twenty senators and Smith County would elect one representative alone.
23. Public Acts of 1833, Chapter 76, organized delegates to be elected to the upcoming Constitutional Convention. The election of delegates would be on the first Thursday and Friday in March. Those persons elected would convene in Nashville on the third Monday in May. Smith and Sumner Counties jointly would elect three delegates.
24. Public Acts of 1833, Chapter 94, repealed Acts of 1833, Chapter 13, above, which established a voting precinct at the home of Daniel Bratton.
25. Private Acts of 1835-36, Chapter 39, set up fifteen Presidential Electoral Districts in the State, assigning Smith and Wilson Counties to the Seventh District.
26. Acts of 1839-40, Chapter 79, assigned Smith and Wilson Counties to the Seventh U. S. Congressional District.
27. Acts of 1842 (2nd Sess.), Chapter 1, apportioned Tennessee into twenty-five Senatorial Districts. Sumner and Smith Counties composed the Fifteenth District. The act divided the State into fifty Representative Districts. Smith County would elect two representatives.
28. Acts of 1842 (2nd Sess.), Chapter 7, divided the State into eleven U. S. Congressional Districts. Smith, Sumner, and Davidson Counties composed the Eighth U. S. Congressional District.
29. Acts of 1851-52, Chapter 196, apportioned the State into ten U. S. Congressional Districts. Jackson, Macon, Smith, DeKalb, White, Warren, Coffee, Grundy and Van Buren Counties composed the Fourth Congressional District.
30. Acts of 1851-52, Chapter 197, assigned Smith and Sumner Counties to one State Senatorial District with polls to be counted at Hartsville. Smith County would elect one representative alone and share another with Sumner and Macon Counties.
31. Public Acts of 1865, Chapter 34, established eight U. S. Congressional Districts in the State. The Third District was composed of the Counties of Meigs, Rhea, Hamilton, Bledsoe, Marion, Grundy, Van Buren, Sequatchie, Warren, White, Smith, Cumberland, Putnam, Jackson, Macon, Overton, DeKalb and Fentress.
32. Public Acts of 1871, Chapter 146, reapportioned the State based on the 1870 Federal Census. Smith County would elect one representative alone and would share the Ninth State Senatorial District with Macon, Clay, Trousdale, Sumner, and Jackson Counties.

33. Acts of 1872 (Ex. Sess.), Chapter 7, reapportioned Tennessee into nine U. S. Congressional Districts. The Second District was made up of the Counties of Sevier, Knox, Jefferson, Anderson, Campbell, Scott, Morgan, Fentress, Cumberland, White, Putnam, Overton, Jackson, Smith, Macon and Clay.
34. Public Acts of 1873, Chapter 27, redistricted the State into ten U. S. Congressional Districts. The Fourth District was made up of the Counties of Fentress, Overton, Putnam, Jackson, Macon, Clay, Smith, Trousdale, Wilson, Sumner and Robertson.
35. Public Acts of 1881 (Ex. Sess.), Chapter 5, permanently fixed the number of state senators at thirty-three and the number of representatives at ninety-nine.
36. Public Acts of 1881 (Ex. Sess.), Chapter 6, reapportioned Tennessee on the basis of the 1880 Census, giving Smith County one Representative and having the County share a floater representative with Sumner and Trousdale. Smith and Wilson Counties constituted the Thirteenth Senatorial District.
37. Public Acts of 1882 (Ex. Sess.), Chapter 27, apportioned Tennessee into ten U. S. Congressional Districts. The Fourth Congressional District was composed of the Counties of Sumner, Wilson, Macon, Trousdale, Smith, DeKalb, Clay, Jackson, Putnam, Overton, Fentress and Pickett.
38. Acts of 1891 (Ex. Sess.), Chapter 10, allowed Smith County to elect one representative to the General Assembly and to share the Thirteenth State Senatorial District with Wilson County.
39. Acts of 1901, Chapter 109, formed ten U. S. Congressional Districts, assigning to the Fourth District the Counties of Sumner, Trousdale, Wilson, Putnam, Jackson, Clay, Overton, Smith, Macon, Pickett, Fentress, Morgan, Cumberland, and Rhea.
40. Acts of 1901, Chapter 122, reapportioned the State into thirty-three Senatorial Districts, with Smith and Wilson Counties composing the Thirteenth District and electing one senator. Smith County, alone, would elect one member to the House of Representatives.
41. Private Acts of 1933, Chapter 153, amended the Absentee Voting Law, which was Section 2228 of the Code of Tennessee, in the first line by inserting the appropriate language to exclude Smith County from its provisions.
42. Private Acts of 1935, Chapter 22, repealed Private Acts of 1933, Chapter 153, above, which exempted Smith County from the provisions of the State Absentee Voting Law.

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