



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

Table of Contents

Chapter VII - Elections 3
Districts - Reapportionment 3
Civil Districts 3
Private Acts of 1911 Chapter 542 3
Private Acts of 1937 Chapter 512 3
Elections - Historical Notes 4

Chapter VII - Elections

Districts - Reapportionment

Civil Districts

Private Acts of 1911 Chapter 542

SECTION 1. That there be and are hereby created and established for and within the county of Scott in this State, and in lieu of fourteen districts therein as now laid out, five civil districts only.

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

1. The territory embraced in the Fourth, Fifth, and Tenth Districts as now laid out shall compose the First Civil District of said county.
2. The territory embraced in the Third and Ninth Civil Districts as now laid out shall compose the Second Civil District of said county.
3. The territory embraced in the Second, Thirteenth, and Fourteenth Civil Districts as now laid out shall compose the Third Civil District of said county.
4. The territory embraced in the First, Eighth, and Twelfth Civil Districts as now laid out shall compose the Fourth Civil District of said county.
5. The territory embraced in the Sixth, Seventh, and Eleventh Districts as now laid out shall compose the Fifth Civil District of said county.

SECTION 3. That all election precincts now established existing in said county shall continue and shall be legal election precincts in and for the several civil districts of said county as herein and hereby established in which such precincts may be located until changed by lawful authority; and that there shall be elected at the regular August election in 1912 two Justices of the Peace and one Constable for each of the civil districts herein created and established and one additional Justice of the Peace and Constable for the Third Civil District in which the county seat is located.

SECTION 4. That the districts hereinabove set out shall so remain unchanged until repealed or changed by an Act of the Legislature.

SECTION 5. That all laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 6. That this Act take effect on the first day of August, 1912, the public welfare requiring it.

Passed: June 29, 1911.

Private Acts of 1937 Chapter 512

SECTION 1. That Chapter No. 542 of the Private Acts of 1911, which is entitled "An Act to create and establish five Civil Districts in the County of Scott in lieu of fourteen Civil Districts as therein now existing and to define the boundary of same," be and the same is hereby amended so as to establish and fix the boundary lines between the Third and Fifth Civil Districts of said Scott County as created by Section 2 of said Act as follows:

Beginning on the west bank of New River in the Old Second District line above or up the River from the Junction of Paint Rock Creek with New River at the eastern line of what was formerly the John B. Jeffers lands around the mouth of said Paint Rock Creek and now Paint Rock Coal Company lands; and thence running northwardly with the eastern boundaries of said lands and the lands of Abraham Strunk so as to include them in the present Third District of said county, to the County Pike Road leading from Winona in the Fifth District over the hill to Huntsville in the Third; thence westwardly with said Winona County road to State Highway No. 63 and the Cross Roads, near the top of the Paint Rock hill and west of the Richard Crowley residence; thence crossing said State Highway and running with the County Pike Road leading by the Annadel School house 30 poles to a stake and stone, thence east 40 poles to the old District line near the Allen McDonald old place in the flats between Paint Rock and Buffalo Creeks; and with said old district line, north twenty (20) degrees west two and three fourths (2 3/4) miles to a sugar tree and black oak on a branch near the Gilbert Smith residence and old place, passing east of the lands of Henry Byrd, A. K. Byrd and Frank Chambers near the Annadel School so as to continue them in the Third District. And so as to contain the lands of John Botts in the Fifth Civil District of said County.

As amended by: Private Acts of 1953, Chapter 165

SECTION 2. That the lands and territory east of said lines set out in Section 1, hereof extending northwardly from New River, shall be and constitute part of the Fifth District and that the lands of territory west thereof shall be and constitute part of the Third District of said Scott County.

SECTION 3. That all laws and parts of laws in conflict with this Act, be and the same are repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: May 10, 1937.

Elections - Historical Notes

Districts - Reapportionment

The acts listed below have affected the civil districts in Scott 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 1933, Chapter 74, created a new and additional Sixth Civil District for Scott County. The area to be contained in the new 6th Civil District was described by metes and bounds in Section 2 of the Act, and further provided that within 60 days after passage of this Act the Election Commissioners would hold an election for two Justices of the Peace, one Constable, one member of the County Board of Education and one District Road Commissioner within the District and the precinct now established in the area, known as the "Station Camp Precinct," shall remain as is. This district shall remain until changed, or repealed, by the Legislature. This Act was repealed by the one below.
2. Private Acts of 1935, Chapter 215, specifically repeals Private Acts of 1933, Chapter 74, above, in its entirety, thus reducing the number of civil districts in Scott County back to five.
3. Private Acts of 1937, Chapter 658, again created a Sixth Civil District in Scott County which was new and describes the boundaries. Within 60 days the Election Commission shall hold an election for two Justices of the Peace, one Constable, and one member of the County Board of Education. The "Station Camp" voting precinct would remain as it was. Those elected shall assume their offices within ten days and the boundaries of this District cannot be changed except by the Legislature. This act was repealed by the one following.
4. Private Acts of 1939, Chapter 316, expressly repealed Private Acts of 1937, Chapter 658, above which created a new 6th Civil District for Scott County.
5. Private Acts of 1961, Chapter 91, created a new 6th Civil District for Scott County out of parts of the 4th and 5th Civil Districts, the area being described by metes and bounds. There would be an election to elect two Justices of the Peace, one Constable, and one School Board member. This Act was rejected and disapproved by the Quarterly County Court and never became an effective law.

Elections

The following is a listing of acts for Scott 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 is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1857-58, Chapter 90, provided that the polls for the election of the joint State Representative for the counties of Scott, Morgan, and Fentress would be compared at Jamestown in Fentress County on the first Monday next succeeding the day of the election.
2. Acts of 1865, Chapter 34, divided the State into eight U.S. Congressional Districts shortly after the conclusion of the Civil War. The Second District was then made up of the counties of Claiborne, Union, Knox, Campbell, Scott, Morgan, Anderson, Blount, Monroe, Polk, McMinn, Bradley, and Roane.
3. Acts of 1867-68, Chapter 7, Section 2, made it the duty of the Sheriff of Fentress, Scott, Morgan, and Cumberland counties to meet at Jamestown, in Fentress County, on the first Monday after the regular biennial elections in August so as to compare the vote for the two joint Representatives to the General Assembly. All conflicting laws were repealed.
4. Acts of 1871, Chapter 146, apportioned Tennessee for the General Assembly according to the Federal Census for 1870. Union, Campbell, and Scott counties would elect one Representative jointly and the State was divided into 25 Senatorial Districts of which the Fifth Senatorial District was composed of the counties of Campbell, Morgan, Scott, Roane, Fentress, Overton, Putnam, White, and Cumberland.

5. Acts of 1872 (Ex. Sess.), Chapter 7, divided the State into nine U.S. Congressional Districts. The Second was made up of Sevier, Knox, Jefferson, Anderson, Campbell, Scott, Morgan, Fentress, Cumberland, White, Putnam, Overton, Jackson, Smith, Macon, and Clay counties.
6. Acts of 1873, Chapter 27, again apportioned the State of Tennessee into U.S. Congressional Districts, this time to ten such Districts. Jefferson, Sevier, Blount, Monroe, Loudon, Roane, Knox, Anderson, Campbell, Scott, Morgan, and Union counties were all assigned to the Second U.S. Congressional District thereunder.
7. Acts of 1881 (Ex. Sess.), Chapter 6, redistricted the State for the General Assembly, according to the new population figures for 1880. One Representative would be elected jointly by Scott, Fentress, and Pickett counties. The State now had 33 Senatorial Districts of which the Fourth was composed of Claiborne, Grainger, Union, Campbell, and Scott Counties.
8. Acts of 1882 (Ex. Sess.), Chapter 27, did the same thing for the ten U.S. Congressional Districts assigning Jefferson, Union, Sevier, Blount, Knox, Loudon, Roane, Anderson, Morgan, Campbell, and Scott Counties to the Second U. S. Congressional District.
9. Acts of 1891 (Ex. Sess.), Chapter 10, reapportioned the State according to the 1890 Census for the General Assembly. Anderson, Morgan, and Scott Counties would elect one State Representative between them and Scott, Fentress, Pickett, Overton, Clay, Jackson, and Putnam Counties composed the Tenth State Senatorial District.
10. Acts of 1897, Chapter 216, detached Scott County from the Tenth State Senatorial District and attached it to the Third District. Morgan and Hancock Counties were also transferred into different Senatorial Districts by this Act.
11. Acts of 1901, Chapter 109, established the 10 U. S. Congressional Districts. The Second consisted of Hamblen, Jefferson, Knox, Blount, Loudon, Roane, Scott, Anderson, Campbell, and Union Counties.
12. Acts of 1901, Chapter 122, apportioned the total representation of the State in accordance with the 1900 census taking. The Third State Senatorial District was made up of Hancock, Grainger, Claiborne, Union, Campbell, and Scott counties. Scott, Campbell, and Union Counties would elect one Representative jointly.
13. Acts of 1905, Chapter 463, amended Acts of 1901, Chapter 122, Item 11, above, by transferring Hawkins and Greene Counties in the First and Second Senatorial Districts so that the Third Senatorial District contained Hancock, Hawkins, Grainger, Claiborne, Union, Campbell, and Scott Counties. The Representative Districts were also changed by this law but these changes did not affect Scott County.
14. Private Acts of 1913, Chapter 211, stated that no registration of voters is required in Scott County as a prerequisite to vote in any State, County, Municipal, or any other election. The Dortch Ballot was retained for use in the county and the act specified that the Registrar would continue to initial the ballots.
15. Private Acts of 1923, Chapter 235, provided that no registration of voters shall be had in Scott County except in incorporated cities of more than 2500 population but elsewhere registration shall not be a prerequisite to vote in any National, State, County, City, or Civil District election.
16. Private Acts of 1933, Chapter 98, required that every voter in Scott County be registered at least 30 days prior to voting in any election. The Commissioners of Elections shall appoint two registrars for each voting precinct, furnish all the essential materials and forms at the county's expense and have the registration books open at least 60 days prior to any election. All the detached requisites to be permanently registered are set out in the act. At least ten days before the election, the Commissioners shall, upon application, furnish any candidate with a list of the registered voters, plus absentees, if the applicant pays ten cents per 100 names. The Act made it a misdemeanor for any person to give false information, fraudently use a registration card, or to attempt to vote on a card belonging to someone else, subject to fines of \$50 to \$500 or be confined in the jail or workhouse not to exceed ninety days.
17. Private Acts of 1945, Chapter 272, repealed Chapter 17, Private Acts of 1939, which required a referendum to be held before any bonds could be issued in Scott County for any purpose.
18. Private Acts of 1945, Chapter 399, set the compensation of the officers of elections in Scott County in all general, special, and primary elections at \$4 per day, and the compensation of the Judges, Clerks, and Registrars of elections at \$3 per day, all to be paid out of the general fund of the county.
19. Private Acts of 1957, Chapter 178, provided that in Scott County, quoting 1950 Federal Census

figures, election officials shall be compensated for their services in holding the elections at the rate of \$5 per day. This act was properly ratified by the Scott County Quarterly Court.

20. Private Acts of 1961, Chapter 37, directed the Scott County Election Commission to designate upon each person's voter registration card the fact of such voter's entitlement to vote in municipal elections. This act was repealed by Private Acts of 1981, Chapter 176.

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