



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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Elections - Historical Notes

Districts - Reapportionment

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

1. Public Acts of 1835-36, Chapter 1, required the General Assembly, by joint resolution, to appoint five suitable people, as Commissioners, in each county to lay off the county into districts of convenient size regarding both land area and population. The number of districts in a particular county would depend on population, with counties of 3,000 or more people allowed a total of twenty-five districts. Resolution Number 3 of December 11, 1835, appointed John R. Patrick, James Robeson, John W. Holder, Richmond P. Harris, and Daniel Reagle as Commissioners for Franklin County. Later resolutions replaced Patrick with John Staples and replaced Staples with William S. Mooney.
2. Acts of 1855-56, Chapter 137, created an additional Civil District in Franklin County. The Enoch Stewart cabin on the state line, Round Cave, the old turnpike gate on Belfonte Road, and Ellis' Fork on Point Rock Creek were some of the place names mentioned in the metes and bounds description of the District boundaries.
3. Public Acts of 1895, Chapter 209, formed an additional Civil District, the Nineteenth, for Franklin County. The metes and bounds description started at a point where the Eighth, Ninth and Tenth Civil Districts joined at the Henry Bratton farm then ran north to Mrs. Nancy Spark's place, then west to the land of Joe Finney, then west to Pope Duncan's land, then to Payne's Church on the Winchester to Hillsborough Road, so as to include Pope Duncan's land. The polling place would be at Perkins' School House.
4. Acts of 1903, Chapter 236, created the Twentieth Civil District in Franklin County. Some parts of the metes and bounds description mentioned Boiling Fork Creek at or near Hanley's Mill, the Winchester Road crossing of Waggoner's Creek, and Estill Springs Road beyond B. A. Ring's.
5. Acts of 1903, Chapter 482, divided the Twelfth Civil District into two Districts to be called the Twelfth and Twenty-first, the description of the latter including the names of J. D. Lynch, John Boy Lynch and the Barnes' land.

Elections

The following is a listing of acts for Franklin 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 1807, Chapter 74, established five Districts for the election of the Electors who were to vote in the 1808 election of the President and the Vice President of the United States. The Fourth District contained the Counties of Smith, Jackson, Overton, White, Sumner, Wilson, Warren, and Franklin. Votes would be tabulated at Carthage. The elector chosen would then meet the other electors in Knoxville to vote for President and Vice President.
2. Acts of 1812, Chapter 5, increased the number of Presidential Electoral Districts in the State from five to eight. The Fourth District was made up of the Counties of Rhea, Bledsoe, Overton, White, Warren, and Franklin, which together would elect one Elector. Votes would be counted and recorded at Sparta for the district.
3. Acts of 1812, Chapter 27, established six U. S. Congressional Districts in Tennessee, doubling Tennessee's representation in Washington. Franklin County was in the Third District.
4. Acts of 1812, Chapter 57, increased the membership of the General Assembly of Tennessee to twenty Senators and forty Representatives. Franklin County would elect one Representative and Franklin and Warren Counties together would elect one Senator.
5. Acts of 1813, Chapter 115, provided that the separate election for the Sheriff which as established was to be held at the home of Major James Hunt would instead be held at the house of James Cunningham in Franklin County under the existing rules and regulations.
6. Acts of 1815, Chapter 31, organized Tennessee into eight U. S. Electoral Districts for the 1816 election of the President and Vice President of the United States.
7. Private Acts of 1820, Chapter 95, provided that the election return officers of the Senatorial District composed of Warren and Franklin Counties would thereafter meet in Hillsborough in

Franklin County on the first Monday after the election to compare the polls.

8. Public Acts of 1822, Chapter 1, established eight U. S. Congressional Districts in the State. The Counties of Franklin, Overton, White, and Jackson composed the Fourth District.
9. Public Acts of 1823, Chapter 47, formed eleven Presidential Electoral Districts in Tennessee, assigning the Counties of Franklin, Warren, White, Overton, and Jackson to the Fifth Electoral District.
10. Public Acts of 1826, Chapter 3, apportioned the State for representation in the General Assembly to twenty Senators and forty Representatives. Franklin County and Warren County elected one Senator while Franklin County itself elected one Representative.
11. Public Acts of 1827, Chapter 17, established eleven Presidential Electoral Districts. The Fifth District contained Franklin, Warren, White, Overton, Fentress, and Jackson Counties and was to elect one elector.
12. Public Acts of 1832, Chapter 4, divided Tennessee into thirteen U. S. Congressional Districts. The Fifth Congressional District included the Counties of Franklin, Fentress, White, Overton, and Warren.
13. Public Acts of 1832, Chapter 9, created fifteen Electoral Districts for the election of the President and Vice President. Franklin County and Bedford County were in the Tenth U. S. Congressional District.
14. Public Acts of 1833, Chapter 71, provided that Franklin County and Warren County would constitute one of the twenty State Senatorial Districts and that Franklin County would elect one of the forty Representatives alone.
15. Public Acts of 1833, Chapter 76, stated that a Constitutional Convention of sixty members would be called, whose delegates would be elected on the first Thursday and Friday in March. Those selected would meet in Nashville on the third Monday in May to revise, amend, and alter the State Constitution, or form a new one. Franklin and Sumner Counties would compose a District and jointly elect one delegate.
16. Public Acts of 1835-36, Chapter 39, enacted subsequent to the adoption of the 1835 Constitution, formed fifteen Presidential Electoral Districts in Tennessee. Franklin County and Bedford County formed the Tenth District.
17. Acts of 1837-38, Chapter 67, appointed William L. Mooney, Jesse Gorher, and Benjamin Wildman as Commissioners to hold an election on the first Saturday in February, 1838, at three precincts to ascertain the will of the people on whether that part of Franklin County would become part of Coffee County.
18. Acts of 1839-40, Chapter 79, declared that each congressional district constituted one electoral district for the purpose of choosing electors for the Presidential and Vice Presidential election of 1840.
19. Acts of 1842 (Ex. Sess.), Chapter 1, divided the State into twenty-five Senatorial Districts and fifty Representative Districts for the General Assembly. The Counties of Franklin and Lincoln comprised one of the Senatorial Districts and Franklin County, alone, would elect one Representative.
20. Acts of 1842 (Ex. Sess.), Chapter 7, established eleven U. S. Congressional Districts in the State. It assigned Franklin, Lincoln, Bedford, and Marshall Counties to the Fifth District.
21. Acts of 1851-52, Chapter 196, formed ten U. S. Congressional Districts in the State. The Sixth District contained the Counties of Franklin, Bedford, Marshall, Lincoln, and Maury.
22. Acts of 1851-52, Chapter 197, apportioned the State for representation in the General Assembly. Franklin County would elect one Representative alone. Franklin and Lincoln Counties constituted one Senatorial District.
23. Public Acts of 1865, Chapter 34, set up eight U. S. Congressional Districts in Tennessee. The Fourth District contained the Counties of Franklin, Rutherford, Cannon, Coffee, Lincoln, Bedford, Giles, and Marshall.
24. Public Acts of 1869-70, Chapter 105, authorized a referendum to be held on the proposed calling of a Constitutional Convention which would amend, revise, or form a new Constitution for the State. The ballots would be simply a "For" or "Against" proposition. There would be seventy-five (75) delegates to the convention and each county would have the same number of delegates as it had Senators and Representatives in the General Assembly. The delegates elected would convene in Nashville on the second Monday in January, 1870.

25. Public Acts of 1871, Chapter 146, apportioned the representation in the Tennessee General Assembly based on the 1870 Census. Franklin County would elect one Representative alone, and be a part of the Thirteenth Senatorial District with the Counties of Marshall and Lincoln.
26. Acts of 1872, (Ex. Sess.), Chapter 7, divided Tennessee into nine U. S. Congressional Districts, based on the 1870 Census. The Fourth District was made up of the Counties of Franklin, Lincoln, Marshall, Bedford, Coffee, Cannon, and Rutherford.
27. Public Acts of 1873, Chapter 27, increased the number of U. S. Congressional Districts in Tennessee from nine to ten and reassigned counties accordingly. The Fifth U. S. Congressional District included the Counties of Franklin, Lincoln, Marshall, Moore, Bedford, Coffee, and Rutherford.
28. Public Acts of 1881 (2nd Sess.), Chapter 5, established the number of State Senators at thirty-three and the number of Representatives at ninety-nine.
29. Public Acts of 1881 (2nd Sess.), Chapter 6, apportioned the State Senatorial and Representative Districts. Franklin County elected one Representative. The Counties of Franklin, Moore, and Bedford composed the Fifteenth Senatorial District.
30. Public Acts of 1882 (Ex. Sess.), Chapter 27, divided Tennessee into ten U. S. Congressional Districts. The Fifth Congressional District was made up of the Counties of Franklin, Cannon, Coffee, Lincoln, Moore, Marshall, Bedford, and Rutherford.
31. Acts of 1891 (Ex. Sess.), Chapter 10, apportioned the state according to the 1890 Census. Franklin County would have one Representative. The Eleventh Senatorial District contained the Counties of Franklin, Marion, and Grundy.
32. Public Acts of 1891, Chapter 131, divided Tennessee into ten U. S. Congressional Districts. The Third U. S. Congressional District was composed of Franklin, Monroe, Polk, Bradley, Hamilton, James, McMinn, Bledsoe, Grundy, Van Buren, White, Warren, Marion, and Meigs.
33. Acts of 1901, Chapter 109, formed ten U. S. Congressional Districts in the State with Franklin County in the Third District along with Monroe, Polk, McMinn, Meigs, Bradley, James, Hamilton, Marion, Sequatchie, Bledsoe, Van Buren, Grundy, White, and Warren.
34. Acts of 1901, Chapter 122, was the last reapportionment of the General Assembly for more than sixty years. The Eleventh Senatorial District included the Counties of Franklin, Marion, Grundy, and Warren. Franklin County was to elect one Representative alone and another one along with Marion County.
35. Acts of 1907, Chapter 178, amended Acts of 1901, Chapter 122, above, by abolishing the position of joint Representative for Franklin and Marion Counties and permitting Marion County to elect one Representative proper.
36. Private Acts of 1915, Chapter 145, repealed Acts of 1907, Chapter 178, above, and restored the joint Representative for Marion and Franklin Counties.
37. Private Acts of 1917, Chapter 251, exempted Franklin County from the provisions of Public Acts of 1890, Chapter 24, a general election law for the state.
38. Private Acts of 1917, Chapter 252, declared that no registration of voters would be had in Franklin County and that registration would not be a prerequisite to voting in that County in any local, state or national election.

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