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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

Acts of 1909 Chapter 583

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

SEC. 2. That the boundary of said civil districts shall be as follows:

First: The Fifth and Eighth Districts as now established are hereby abolished, and the territory embraced within said civil districts is hereby attached to and shall become a part of the territory now embraced within the Sixth District, all of which shall be known as the "First District."

Second: The Second Civil District as now established shall remain, and the First District as now established is hereby abolished, and the territory embraced within said First Civil District is hereby attached to and shall become a part of said Second District.

Third: The Third Civil District as now established shall remain, and the Fourth District as now established is hereby abolished, and the territory embraced within said civil district is hereby attached to and shall become a part of said Third District.

Fourth: The Seventh District as now established shall remain, and the Eleventh District as now established is hereby abolished, and the territory embraced within said civil district is hereby attached to and shall become a part of said Seventh District, both of which shall be called the "Fourth Civil District."

Fifth: The Ninth District as now established shall be abolished, and the Tenth District as now established shall remain, and the territory embraced within said Tenth District is hereby attached to and shall become a part of said Ninth District, which shall be known as the "Fifth District."

SEC. 3. That the said districts as hereby established shall so remain until changed by an Act of the General Assembly of the State of Tennessee.

SEC. 4. That the County Court is hereby empowered to locate the various voting precincts of the First, Second, Third, Fourth, and Fifth Civil Districts of Overton County as herein set out, and that all offices of Justice of the Peace and Constables of the Fifth, Eighth, Fourth, Eleventh, and Tenth Districts of Overton County are hereby declared vacant and abolished, and that the Justices of the Peace, whose offices are abolished by this Act, will turn over all of their books and records of office to the next nearest Justice of the Peace.

SEC. 5. That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.

SEC. 6. That this Act take effect from and after January 1st, 1910, the public welfare requiring it.

Passed: April 29, 1909.

Elections - Historical Notes

Districts - Reapportionment

The acts listed below have affected the civil districts in Overton 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 1857-58, Chapter 37, established the thirteenth district in Overton County.
2. Private Acts of 1897, Chapter 170, formed a civil district in Overton County within the third civil district in order to elect a justice of the peace and a constable which district would include the town of Hillham. A brief description of the area involved is contained in the act and the sheriff is directed to hold the election after giving the notice required by law of his intention to do so.
3. Private Acts of 1947, Chapter 810, divided Overton County into four civil districts. The first civil district had in it the first, fifth, and eighth old civil district, the second had the second, third, and fourth civil districts; the third had the sixth, seventh, and twelfth districts, and the fourth had ninth, tenth, and eleventh districts. This act was repealed by the one below. The election precincts would remain as they were then constituted until changed by law and the justices of the peace and constables elected hereunder would take office on September 1, 1948, following the general

August election.

4. Private Acts of 1949, Chapter 216, expressly repealed Private Acts of 1947, Chapter 810, above, which set up new civil districts in Overton County.

Elections

The following is a listing of acts for Overton 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 1807, Chapter 68, stated that the sheriff of Overton County would open and hold two separate elections, one at the house of Thomas Patete, so as to include the main fork of the Roaring River from the Jackson County line to the head thereof, and the other so as to include Captain James Matthew's Company. The third section made it lawful for all inhabitants lying east and south of the road leading from Overton County Courthouse to Wayne Courthouse so as to include the people in Donelson's Cove on the east fork of the Obed River, to meet and vote at the place where Henery Ragan now lives.
2. Acts of 1807, Chapter 74, set up five electoral districts in Tennessee for the election of the president and vice-president of the United States. The fourth district was composed of the counties of Smith, Jackson, Overton, White, Sumner, Wilson, Warren and Franklin.
3. Acts of 1809, Second Session, Chapter 1, provided for a congressman to serve for two years, and for one each to represent the district of Washington and Hamilton, and one more to represent the combined districts of Mero, Winchester and Robertson.
4. Acts of 1812, Second Session, Chapter 5, set up eight presidential electoral districts in Tennessee. The fourth district contained the counties of Rhea, Bledsoe, Overton, White, Warren, Franklin and Jackson. The polls would be counted at Sparta in White County.
5. Acts of 1812, Second Session, Chapter 27, provided for six U.S. congressional districts in the state. The third district had in it the counties of Anderson, Campbell, Roane, Rhea, Bledsoe, Overton, White, Warren and Franklin.
6. Acts of 1812, Second Session, Chapter 57, apportioned Tennessee for the general assembly. Of the twenty senators, Overton, Jackson, and White counties would elect one jointly, and count the polls at Sparta. Overton County would elect one of the forty representatives alone.
7. Acts of 1813, Chapter 12, was the legal authority to hold a separate election at the mills of John Thurmons on the Wolf River, which had formerly been held at the house of Henry Reagins, and another voting place was authorized at the house of William Donnelson on the Obed's River. Votes would be counted at each place and return made at Monroe.
8. Acts of 1815, Chapter 8, stated that the precinct election now held at the mills of John Thurman in Overton County shall hereafter be held at the house of Levy Hinds in said county, all laws to the contrary notwithstanding.
9. Acts of 1815, Chapter 31, fixed eight presidential electoral districts for Tennessee each containing the same counties mentioned in the Acts of 1812, Second Session, Chapter 5, Item 4.
10. Acts of 1817, Chapter 81, established a voting precinct in Overton County at the house of Joseph French where all constitutional elections would be held.
11. Public Acts of 1819, Chapter 5, organized several election precincts in different counties, including one at Hillhouse in Davidson County. Section 19, of this same act repealed the law setting up an election precinct at the house of Thomas Poteet, in Overton County (Acts of 1807, Chapter 68, Item 1), and a precinct election would be held at the house of Joseph Anderson in the future.
12. Public Acts of 1819, Chapter 69, provided for 20 senators and 40 representatives in the general assembly of the state. The counties of Jackson, White and Overton would jointly elect one senator while Overton County had one representative alone.
13. Public Acts of 1822, Second Session, Chapter 1, divided the state into nine U. S. congressional districts assigning the counties of Franklin, Warren, White, Overton and Jackson to the fourth district.
14. Public Acts of 1823, Chapter 47, set up eleven electoral districts in Tennessee for the election of the president and vice-president. The fifth district contained the counties of Franklin, Warren, White, Overton and Jackson, counting the polls at Sparta in White County.
15. Public Acts of 1824, Chapter 1, also set up eleven presidential electoral districts in Tennessee but this time assigned the counties of Franklin, Warren, White, Overton, Fentress and Jackson to the fifth district.

16. Public Acts of 1826, Chapter 3, apportioned the general assembly. Overton, White, Jackson and Fentress counties would join together to elect one senator, and Overton and Jackson would elect one representative between them.
17. Public Acts of 1827, Chapter 17, organized the state into eleven presidential electoral districts and again allocated the counties of Franklin, Warren, White, Overton, Fentress and Jackson to the fifth district.
18. Private Acts of 1827, Chapter 22, provided that, in all elections where the sheriff is compelled to make return and compare the polls at White Plains for the counties of White, Overton, Fentress and Jackson, they would hereafter meet at the house of William Burton in Jackson County to compare the said polls.
19. Private Acts of 1829-30, Chapter 129, made it the duty of the returning officers of the elections in the counties of White, Overton, Fentress and Jackson, to meet and compare the votes received for other than local offices at the house of Henry Matlock in Overton County.
20. Public Acts of 1832, Chapter 4, produced 13 U. S. congressional districts in Tennessee. The fifth congressional district was made up of the counties of Fentress, White, Overton, Warren and Franklin.
21. Public Acts of 1832, Chapter 9, set up fifteen presidential electoral districts of which the sixth district comprised the counties of Jackson, White, Overton, Fentress and Warren.
22. Public Acts of 1833, Chapter 71, reorganized the state for the general assembly allowing the counties of White, Overton, Fentress and Jackson to elect one of the twenty senators jointly, comparing the polls at McKinney's in Overton County, and permitting Overton and Jackson counties to share one of the forty representatives.
23. Public Acts of 1833, Chapter 76, provided for the election of 60 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 to amend, revise, and alter the old constitution or to write a new one. Overton County and Fentress County would compose one district and elect one delegate.
24. Public Acts of 1835-36, Chapter 39, prescribed for fifteen presidential electoral districts to cover the state, assigning the counties of Jackson, White, Overton, Fentress and Warren to the sixth district.
25. Acts of 1842, Extra Session, Chapter 1, set up 25 senatorial districts and 50 representative districts in the general assembly of the state. Overton County would elect one representative alone and share the ninth senatorial district with Fentress, Jackson, White and Van Buren counties. Polls in the senatorial district would be counted at White Plains in Putnam County.
26. Acts of 1842, Extra Session, Chapter 7, came up with eleven U. S. congressional districts in the state. The fourth U. S. District was made up of the counties of Fentress, Overton, Jackson, White, DeKalb, Van Buren, Warren and Coffee.
27. Acts of 1851-52, Chapter 196, reduced the U. S. congressional districts in the state to ten. The second district was composed of the counties of Grainger, Claiborne, Campbell, Scott, Anderson, Knox, Morgan, Fentress and Overton.
28. Acts of 1851-52, Chapter 197, reapportioned Tennessee for the general assembly. Overton County would continue to elect one representative alone, and would share one of the senatorial districts with Morgan, Scott and Fentress counties, counting the votes at Jamestown in Fentress County.
29. Public Acts of 1865, Chapter 34, established eight U. S. congressional districts in Tennessee. The third congressional district contained the counties of Rhea, Hamilton, Marion, Grundy, Bledsoe, Van Buren, Sequatchie, Warren, White, Smith, Cumberland, Putnam, Jackson, Macon, Overton, DeKalb and Fentress.
30. Public Acts of 1871, Chapter 146, divided the state into districts for the general assembly. Morgan, Fentress and Overton counties would elect one representative jointly. The fifth senatorial district had in it the counties of Campbell, Morgan, Scott, Roane, Fentress, Overton, Putnam, White and Cumberland.
31. Acts of 1872, Extra Session, Chapter 7, created nine U. S. congressional districts in the state. The second congressional district was composed of the counties of Sevier, Knox, Jefferson, Anderson, Campbell, Scott, Morgan, Fentress, Cumberland, White, Putnam, Overton, Jackson, Smith, Macon and Clay.
32. Public Acts of 1873, Chapter 27, again reapportioned the state for ten U. S. congressional

- districts, probably based on the 1870 census. The fourth U. S. congressional district was made up of the counties of Fentress, Overton, Putnam, Jackson, Clay, Macon, Smith, Trousdale, Wilson, Sumner and Robertson.
33. Public Acts of 1881, Extra Session, Chapter 6, apportioned the general assembly of Tennessee based on the results of the 1880 Federal Census. The eleventh senatorial district had in it the counties of Jackson, Macon, Clay, Pickett, Fentress and Overton, and Overton would have one representative alone.
 34. Public Acts of 1882, Second Session, Chapter 27, produced ten U. S. congressional districts in the state and assigned the counties of Sumner, Wilson, Macon, Trousdale, Smith, DeKalb, Clay, Jackson, Putnam, Overton, Fentress and Pickett to the fourth.
 35. Public Acts of 1891, Chapter 131, produced ten U.S. congressional districts in the state. The counties of Summer, Wilson, Macon, Trousdale, Smith, Clay, Jackson, Overton, Putnam, Fentress, Pickett, Cumberland, and Rhea composed the fourth congressional district in the state.
 36. Acts of 1891, Extra Session, Chapter 10, was the next apportionment of Tennessee for the general assembly. The counties of Clay, Overton, Pickett and Fentress would join together to elect one representative and the tenth senatorial district was composed of the counties of Scott, Fentress, Pickett, Overton, Clay, Jackson and Putnam.
 37. Public Acts of 1899, Chapter 236, amended Private Acts of 1897, Chapter 170, Section 2, as the same related to Hillhouse so as to provide that all legal and qualified voters of the third civil district of Overton County are authorized to vote and participate in the election of the justice of the peace and constable for the town of Hillham in Overton County.
 38. Public Acts of 1901, Chapter 109, organized Tennessee into ten U. S. congressional districts. The fourth district contained the counties of Sumner, Trousdale, Wilson, Putnam, Jackson, Clay, Overton, Smith, Macon, Pickett, Fentress, Morgan, Cumberland and Rhea.
 39. Public Acts of 1901, Chapter 122, divided the state into districts for the general assembly based on the 1900 Federal Census. The tenth state senatorial district was made up of the counties of Morgan, Fentress, Pickett, Clay, Overton, Putnam and Jackson. Overton County had one representative and would share a floater with Fentress, Pickett and Clay.
 40. Private Acts of 1901, Chapter 286, set up a district for the election of one justice of the peace and one constable which district would include the town of Allons in the fourth and sixth civil districts of Overton County. The district was a one mile radius from the town of Allons school house as a center. The election commission would hold the election immediately for the two offices.
 41. Private Acts of 1913, Chapter 247, amended Public Acts of 1890, Extra Session, Chapter 24, in Section 2, a general statewide election law, as it was amended by Public Acts of 1897, Chapter 17, which applied to counties over 50,000 in population, and to cities over 2,500 in population, so as to exempt Overton County, and all the cities therein which might be affected, from its provisions.
 42. Private Acts of 1925, Chapter 639, amended Public Acts of 1901, Chapter 122, in Section 7, so as to add Putnam County to the twelfth district and to provide that the twelfth floterial district shall be composed of the counties of Fentress, Pickett, Overton, Clay and Putnam.
 43. Private Acts of 1945, Chapter 94, amended Private Acts of 1897, Chapter 170 by redefining the boundary line of the third civil district of Overton County.
 44. Private Acts of 1949, Chapter 557, stated that the compensation of those persons acting as precinct elective officials, as Judges, officers, clerks and registrars in elections in Overton County would be paid \$3.00 per day for one day only, and the same rate would apply in both primary and general elections.

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