



County Technical Assistance Service
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Chapter VII - Elections

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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 3
Civil Districts 3
Public Acts of 1899 Chapter 208 3
Acts of 1903 Chapter 1 3
Acts of 1907 Chapter 282 4
Private Acts of 1915 Chapter 575 4
Private Acts of 1929 Chapter 565 5
Private Acts of 1923 Chapter 485 5
Elections - Historical Notes 5

Chapter VII - Elections

Civil Districts

Public Acts of 1899 Chapter 208

Be it enacted by the General Assembly of the State of Tennessee, That the farms of John W. Stapleton and R.M. Gray be detached from Hawkins county and attached to Hancock county. Beginning on a hickory, a corner between Andrew Stapleton and the said John W. Stapleton, and running with Phoebe Trent's line southeastwardly to a cedar; thence westwardly with line of the heirs of W.E. Byrd to Richardson's Creek; thence with said line westwardly with said line to the top of the ridge, and with the top of the middle ridge to a hickory corner between Omey Gains' and R.M. Gray's line and the line of Omey Gains northwestwardly to a beach corner on Sugar Run branch so as to include all of the said farms of the said John W. Stapleton and R.M. Gray in Hancock county.

Be it further enacted, That the line between Hancock and Hawkins counties be further changed so as to detach the farm of T.J. Cantwell from Hancock county, and add the same to Hawkins county, making the following change in line between said counties: Beginning at the southwest corner of the line between said counties on said T.J. Cantwell's northeast corner on top of Copper Ridge; thence down the top of Copper Ridge with said T.J. Cantwell's line a southwest course --- poles to said T.J. Cantwell southwest corner; thence with said T.J. Cantwell's west line with its meanders --- poles to the top of Clinch Mountain on the present line between said Hancock and Hawkins counties.

Passed April 6, 1899.

Acts of 1903 Chapter 1

COMPILER'S NOTE: Acts of 1903, Chapter 1 should be read in conjunction with Acts of 1907, Chapter 282 which follows this act.

SECTION 1. That the Second, Fourth, Fifth, Ninth, Tenth, Eleventh, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth and Nineteenth Civil Districts of Hawkins County, be and the same are hereby abolished.

SEC. 2. That the territory heretofore embraced in the Fourteenth and Fifteenth Civil Districts of said County be and the same is hereby attached to the First Civil District of said County; that the territory heretofore embraced in the Eleventh Civil District of said County be and the same is hereby attached to the Twelfth Civil District of said County, and said District as herein constituted shall hereafter be known and nominated as the Second Civil District of said County; that the territory heretofore embraced in the Second, Thirteenth, Seventeenth and Nineteenth Civil Districts of said County be and the same is hereby attached to the Third Civil Districts of said County; that the territory heretofore contained in the boundaries of said Tenth Civil District of said county be and the same is hereby attached to the Twentieth Civil District of said County, and the District as herein constituted shall hereafter be known, numbered and nominated as the Fourth Civil District of said County; that the territory heretofore embraced in the Fourth and Eighteenth Civil Districts of said County be and the same is hereby attached to the Eighth Civil District of said county, and the District as herein constituted shall hereafter be known, numbered and nominated the Fifth Civil District of said County; that the territory heretofore contained in the boundaries of the Fifth and Sixteenth Civil Districts of said County be and the same is hereby attached to the Sixth Civil District of said County; that the territory heretofore embraced in the Ninth Civil District of said County be and the same is hereby attached to the Seventh Civil District of said County.

SEC. 3. That the wards or voting places of said County remain as they now are or as the County Court of said County may hereafter fix the same, except the voting places of the former Thirteenth, Nineteenth and Twentieth Civil Districts of said County, which are hereby abolished; and the voters in the territory formerly known as the Twentieth Civil District of said County shall hereafter cast their votes at the Court House in Rogersville, heretofore known as the voting place of the Tenth Civil District; and the voters in the territory heretofore composing the Thirteenth and Nineteenth Civil Districts of said County shall cast their votes at the voting place in what was formerly the Second Civil District of said County; but no Civil Districts in excess of the seven Districts hereby established shall be created out of any of the territory of said County, unless authorized by an Act of the General Assembly of the State of Tennessee.

SEC. 4. That from and after the passage of this Act the offices of the Justices of the Peace and all other

Civil District officers in the Districts abolished by this Act shall cease to exist, and the Justices and other officers in the Districts herein abolished shall turn over and deliver to the Justices of the Peace and other officers not affected by this Act, all books, papers and documents pertaining to their respective offices; and that all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 27, 1903.

Acts of 1907 Chapter 282

SECTION 1. That Chapter 1 of the Acts of the General Assembly of the State of Tennessee, passed January 27, 1903, and approved January 31, 1903, entitled "An Act to redistrict Hawkins County, etc.," be, and the same is hereby, amended as follows:

"1. By detaching from what is now the Fifth Civil District of said county all that territory which, prior to the Act of 1903, constituted the old Fourth and Eighteenth Civil Districts, and attaching said territory to what is now the Sixth Civil District of said county.

"2. By detaching the territory which, prior to the Act of 1903, constituted the old Sixth Civil District from what is now the new Sixth Civil District, and attaching the same to the present Seventh Civil District, so as to make the old Sixth and old Seventh constitute the new Seventh Civil District of said county.

"3. By detaching the territory which, prior to the Act of 1903, constituted the old Ninth Civil District of said county from what is now the Seventh Civil District of said county, and attaching said territory to the present Fifth Civil District of said county, so as to make the old Eighth and old Ninth Civil Districts constitute the Fifth Civil District of said county."

SEC. 2. That the wards or voting places remain as they now are.

SEC. 3. That the present district officials affected by this Act hold and administer their offices until the next regular county election, to be held in August, 1908, at which election district offices made vacant by this Act shall be filled, but none of the newly elected officers shall hold office under such election longer than the regular August election for the election of county officers in the year 1912.

SEC. 4. That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.

SEC. 5. That this Act take effect on and after the first Thursday after the first Monday in August, 1908, the public welfare requiring it.

Passed: April 4, 1907.

Private Acts of 1915 Chapter 575

COMPILER'S NOTE: Private Acts of 1915, Chapter 575 should be read in conjunction with Private Acts of 1929, Chapter 565 which can be found on the proceeding page.

SECTION 1. that an additional Civil District, to be known as the Eighth Civil District in Hawkins County, Tennessee, is hereby created from a part of the First Civil District of Hawkins County, Tennessee, said new, or Eighth Civil District bounded as follows: Beginning at a stake in the line between Hamblen County and Hawkins County, and in the center of the public road, leading southwestwardly from what is known as the old Jacob Shepard farm to the town of Whitesburg; thence southwardly with the line between Hamblen and Hawkins Counties to a stake, corner to Hawkins, Hamblen, and Greene counties, thence with the line of Greene County northeastwardly to center of what is known as the Ward's Gap road; thence northwestwardly with said Ward's Gap road, the same being a public road, to a point in said road near the late Jacob Shepard's residence, where a public road extends southwestwardly from said Ward's Gap road; thence southwestwardly with said public road which extends Southwestwardly from said Ward's Gap road, toward the town of Whitesburg to the place of beginning.

SEC. 2. that Election Commissioners for Hawkins County shall within four months after the passage of this Act, call an election for the purpose of electing for the Eighth Civil District of Hawkins County, Tennessee, two justices of the peace and one constable, and until their successors are elected and qualified; and that the expenses of said election shall be borne and paid by the County as such elections are now provided for by existing laws.

SEC. 3. that the election law known as the Dortch Law, which now applies to Hawkins County, shall apply to the district herein created, and that any law or part of a law in conflict with this section is hereby repealed as to this section, and that the Dortch Law shall apply to all of the Districts in Hawkins County,

including this one.

SECTION 4. that this Act take effect from and after its passage, the public welfare requiring it.

Passed: May 14, 1915.

Private Acts of 1929 Chapter 565

SECTION 1. That Chapter 575 of the Private Acts of the 59th General Assembly, entitled An Act to Create the 8th Civil District in Hawkins County, Tennessee, etc., be and the same is hereby amended so as to detach from the first civil district adjoining and attach to the said 8th civil district that lands of E.J. Moore upon which he now resides, thereby throwing all the present lands of said Moore into the said 8th civil district.

SEC. 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 3, 1929.

Private Acts of 1923 Chapter 485

SECTION 1. That an additional Civil District, to be known as the Ninth Civil District in Hawkins County, Tennessee, is hereby created from a part of the Seventh Civil District of Hawkins County, said new, or Ninth Civil District bounded as follows:

Beginning on north bank of Holston River at corner to Clay's and Owen's farms; thence down north bank of said river to corner of Flanagan's and Hord's farms, on said north bank of said Holston River; thence north with Hord's line to southwest corner of Anderson and Neil Housewrights's line; thence east with said Housewright's line to H. E. Richardson's line; thence with said Richardson's and Housewright's line to the road near the old Ike Myers' house; thence east with said road to the road leading from Church Hill to Carter's Valley road; thence northeast with this road to forks of road leading to Joe Calhoun's place and said forks of road being near house of Rosanah Cooper; thence east with road leading by Calhoun's place to forks of road near James Loyd's house; thence south with road leading by Mack Loyd's of corner of D.S. Mann's and the Thompson Loyd place; thence east with said line of Mann's and Loyd's to Pearce Messick's line; thence with Mann's and Messick's line to Mack Loyd's corner; thence east to the northeast corner of W.R. Montgomery's farm in Francisco's line; thence south with Montgomery's and Francisco's line to Mrs. Owens' corner; thence with Owen's east line to the beginning.

SEC. 2. That Election Commissioners for Hawkins County shall, within four months after the passage of this Act, call an election for the purpose of electing for the Ninth Civil District of Hawkins County, Tennessee, two Justices of the Peace and one Constable, who shall hold office until their successors are elected and qualified, and that the expenses of said election shall be borne and paid by the county as such elections are now provided for by existing laws, and Church Hill is hereby designated as the point to hold elections in said Ninth Civil District.

SEC. 3. That the election law, known as the Dortch Law, which now applies to Hawkins County, shall apply to the district herein created, and that any law or part of law in conflict with this Section is hereby repealed as to this section, and that the Dortch Law shall apply to all of the districts in Hawkins County, including this one.

SEC. 4. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 29, 1923.

Elections - Historical Notes

Districts - Reapportionment

The acts listed below have affected the civil districts in Hawkins 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 1931, Chapter 710, created a new civil district in Hawkins County which was called the tenth civil district, which composed the Dodson Creek Ward in the first civil district. An election was required for the citizens of the new tenth civil district to elect two justices of the peace and one constable. The act was repealed by Private Acts of 1933, Chapter 126, in its entirety.
2. Private Acts of 1949, Chapter 837, extended the hours of holding elections in the seventh and ninth civil districts of Hawkins County to 9 a.m. to 7 p.m.

Elections

The following is a listing of acts for Hawkins 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, appointed electors for the election of the president and vice-president of the United States. Hawkins County selected Joel Dyer, James Hogan, and William Armstrong, Esquire, as their electors.
2. Acts of 1803, Chapter 24, provided for election of electors of president and vice president of the United States. The counties of Hawkins, Claiborne, Grainger, Jefferson and Cocke composed one election district and elected one elector.
3. Acts of 1805, Chapter 64, apportioned the state into thirteen senatorial and twenty-six representative districts. Hawkins and Sullivan counties jointly elected one state senator and Hawkins County was given one representative alone.
4. Acts of 1806, Chapter 16, made it lawful for the residents of Hawkins County living north of the Clinch River to meet at the house of David Garrison on those days set aside for elections in order to vote for a governor, members to congress, members to the general assembly of the state, and to elect an elector to elect a president and vice president of the United States. It was the duty of the sheriff to hold the election.
5. Acts of 1807, Chapter 74, divided the state into five presidential electoral districts. The counties of Hawkins, Washington, Greene, Sullivan and Carter made up one electoral district and elected one elector.
6. Acts of 1812, Chapter 5, divided the state into eight electoral districts for the purpose of electing electors of a president and vice president of the United States. The counties of Hawkins, Sullivan, Carter, Washington and Greene composed the first electoral district and elected one elector.
7. Acts of 1812, Chapter 27, provided for the election of representatives from the state to the United States Congress. The state was divided into six representative districts, with the counties of Hawkins, Sullivan, Carter, Washington and Greene composing the first representative district and elected one representative district to congress.
8. Acts of 1812, Chapter 57, apportioned the representation of the state in the Tennessee Legislature. The counties of Hawkins and Sullivan composed an election district and elected one senator.
9. Public Acts of 1819, Chapter 69, apportioned the representation of the state in the Tennessee Legislature. Hawkins and Sullivan counties composed one election district and elected one senator. In addition, Hawkins County elected one representative to the legislature.
10. Private Acts of 1820, Chapter 127, set up a separate election precinct for all elections in local, state and federal governments, at Surgoinesville in Hawkins County.
11. Public Acts of 1822, Chapter 1, divided the state into congressional districts for the election of representatives to the United States Congress. The counties of Hawkins, Carter, Washington, Sullivan and Greene composed the first congressional district.
12. Public Acts of 1823, Chapter 47, divided the state into eleven electoral districts for the purpose of electing electors of a president and vice president of the United States. The first district was composed of the counties of Hawkins, Carter, Sullivan, Washington and Greene and elected one elector.
13. Public Acts of 1824, Chapter 1, divided the state into eleven electoral districts for the purpose of electing electors of a president and vice president of the United States. The first district was composed of the counties of Hawkins, Carter, Sullivan, Washington and Greene and elected one elector.
14. Public Acts of 1826, Chapter 3, apportioned the representation in the general assembly of the state. The counties of Hawkins, Carter and Sullivan composed one senatorial district and elected one senator. In addition, Hawkins County elected one representative to the state legislature.
15. Public Acts of 1827, Chapter 17, divided the state into eleven electoral districts for the purpose of electing electors of a president and vice president of the United States. The first district was composed of the counties of Hawkins, Carter, Sullivan, Washington and Greene and elected one elector.
16. Public Acts of 1832, Chapter 4, divided the state into congressional districts for the election of representatives to the United States Congress. The counties of Hawkins, Sullivan, Grainger,

Claiborne and Campbell composed the second congressional district.

17. Public Acts of 1832, Chapter 9, divided the state into electoral districts for the purposes of choosing electors to vote for a president and vice president of the United States. The counties of Hawkins, Sullivan, Grainger and Claiborne composed the second district and elected one elector.
18. Public Acts of 1833, Chapter 71, divided the state into senatorial and representative districts. The counties of Hawkins and Sullivan composed one district and elected one senator. In addition the same two counties composed one representative district and elected one representative.
19. Public Acts of 1833, Chapter 76, divided the state into districts to elect delegates for a convention in Nashville for the purpose of revising the state constitution. Hawkins County formed one district and elected one delegate to the convention.
20. Public Acts of 1835-36, Chapter 39, divided the state into fifteen electoral districts for the purpose of electing electors to vote for a president and vice president of the United States. The counties of Hawkins, Grainger, Sullivan and Claiborne composed the second electoral district and elected one elector.
21. Acts of 1842, Extra Session, Chapter 1, apportioned the representation in the general assembly of the state. The counties of Hawkins and Greene composed the second senatorial district and elected one senator, while Hawkins, Washington and Greene counties composed one representative district and elected one representative.
22. Acts of 1842, Extra Session, Chapter 7, divided the state into congressional districts in order to elect representatives to the United States Congress. The counties of Hawkins, Johnson, Carter, Sullivan, Washington, Greene and Cocke composed the first congressional district.
23. Acts of 1851-52, Chapter 196, divided the state into congressional districts in order to elect representatives to the United States Congress. The counties of Hawkins, Johnson, Carter, Sullivan, Washington, Greene and Cocke composed the first congressional district. Acts of 1851-52, Chapter 196, also apportioned the representation in the general assembly of the state. Hawkins County elected one representative and elected one senator with the counties of Hancock and Jefferson.
24. Acts of 1851-52, Chapter 197, apportioned the representation in the general assembly of the state. The counties of Hawkins, Greene, Hancock and Jefferson jointly elected one representative. The counties of Hawkins, Hancock and Jefferson composed one senatorial district.
25. Public Acts of 1865, Chapter 34, divided the state into congressional districts in order to elect representatives to the United States Congress. The counties of Hawkins, Johnson, Carter, Sullivan, Washington, Hancock, Greene, Cocke, Jefferson, Grainger and Sevier composed the first congressional district.
26. Public Acts of 1871, Chapter 146, apportioned the representation in the general assembly of the state. Hawkins County elected one representative and composed the second senatorial district along with Sullivan, Hamblen, Hancock and Claiborne counties.
27. Acts of 1872, Extra Session, Chapter 7, divided the state into congressional districts in order to elect representatives to the United States Congress. The first congressional district was composed of the counties of Hawkins, Johnson, Carter, Sullivan, Washington, Greene, Hancock, Claiborne, Union, Grainger, Hamblen and Cocke.
28. Public Acts of 1873, Chapter 27, divided the state into congressional districts in order to elect representatives to the United States Congress. The first congressional district was composed of the counties of Hawkins, Johnson, Carter, Sullivan, Washington, Greene, Hancock, Claiborne, Grainger, Hamblen and Cocke.
29. Public Acts of 1881, Extra Session, Chapter 6, apportioned the counties of the state into representative and senatorial districts. The voters in Hawkins County elected one representative and jointly elected one representative with Hamblen and Hancock counties. Furthermore, the second senatorial district was composed of the counties of Hawkins, Greene and Hancock.
30. Public Acts of 1882, Second Extra Session, Chapter 27, divided the state into congressional districts in order to elect representatives to the United States Congress. The first congressional district was composed of the counties of Hawkins, Johnson, Carter, Sullivan, Washington, Unicoi, Greene, Hamblen, Hancock, Claiborne, Cocke and Grainger.
31. Public Acts of 1891, Chapter 131, divided the state into congressional districts in order to elect representatives to the United States Congress. The first congressional district was composed of the counties of Hawkins, Johnson, Carter, Sullivan, Washington, Unicoi, Greene, Hamblen, Hancock, Claiborne, Cocke and Grainger.

32. Acts of 1891, Extra Session, Chapter 10, apportioned the counties of the state into representative and senatorial districts. Hawkins County elected one representative and was placed in the second senatorial district along with Sullivan and Hamblen counties.
33. Public Acts of 1901, Chapter 109, divided the state into congressional districts in order to elect representatives to the United States Congress. The first congressional district was composed of the counties of Hawkins, Sullivan, Johnson, Carter, Unicoi, Washington, Greene, Hancock, Claiborne, Grainger, Cocke and Sevier.
34. Public Acts of 1901, Chapter 122, apportioned the counties of the state into representative and senatorial districts. Hawkins County elected one representative and jointly elected a representative with Sullivan County in the second representative district. In addition, Hawkins County was placed in the second senatorial district along with Sullivan County. This act was amended by Acts of 1905, Chapter 463, by placing Hawkins County in the third senatorial district.
35. Private Acts of 1913, Chapter 142, provided that no registration of voters would be required as a prerequisite to voting in Hawkins County. This act was amended by Private Acts of 1931, Chapter 804, by adding a provision that the 1913 act shall not apply to the fourth civil district of the county but the general laws of the state will govern that area, and by adding a new section which divided the fourth civil district into two voting wards with Lee Highway being the dividing line. Private Acts of 1947, Chapter 699, further amended Private Acts of 1913, Chapter 142, with regard to the voting process and requiring voters to register if they have changed their residence, changed their name or lost their legal right to vote by a court judgement.
36. Private Acts of 1929, Chapter 353, stated that at any election in Hawkins County, any voter who declares to the officer, or judge, holding the election that, by reason of blindness, or other physical defect, he is unable to mark his ballot, shall, upon request, receive the assistance of the officer in the marking of his ballot, who shall do so only in the presence of the three judges of the election, and strictly as directed to do by the voter, and the above action shall be certified by the officer of the election. This act was repealed by Private Acts of 1931, Chapter 34.
37. Private Acts of 1945, Chapter 331, stated that in Hawkins County the compensation of all the judges, clerks, registrars, markers and officers holding a general, special or called election, and all legalized primary elections for each political party shall be fixed at \$2.00 per day for one day only to be paid in the same manner as they are now being paid.
38. Private Acts of 1949, Chapter 848, provided that election officials in any civil district of Hawkins County who were required to keep the polls open longer than in other districts shall be paid \$2.00 a day each in addition to the compensation allowed all election officials, as pay for additional services.
39. Private Acts of 1951, Chapter 279, set the compensation of election officials in Hawkins County at \$5.00 per day for their services, not to exceed one day in any election. This act was amended by Private Acts of 1961, Chapter 164, which provided that the compensation of election officials be set to \$1.00 per hour for each hour the polls were open, the sum of which was not to exceed \$10.00 in any election.

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