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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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No current Private Acts in force.

Elections - Historical Notes

Districts - Reapportionment

The acts listed below have affected the civil districts in Anderson County, but are no longer operative regarding elections. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1835-36, Chapter 1, required the general assembly of the state to appoint suitable persons in each county to lay off the civil districts of the county in accordance with the population count of 1833, and the newly adopted state constitution. Each county having 3,000, or more, qualified voters would have at least 25 districts; between 2,500 and 3,000 voters required 20 civil districts, proceeding gradually down the population scale. Each civil district would elect two justices of the peace and two constables. The commissioners were obligated to utilize all the natural geographical features in their work of dividing the county. Resolution #3, which accomplished the above for all the counties named James H. Nichols, Samuel C. Young, Joseph C. Moore, William Brummett, and John Garner, as commissioners for Anderson County.
2. Acts of 1855-56, Chapter 137, Section 2, was the legal authority for the county court of Anderson County to lay off a civil district in the said county out of a fraction of the first and a portion of the eleventh civil district, either by appointing commissioners, or by any other method suitable to them. The said district, once laid off, would be entitled to all privileges of other districts and would be treated as such.
3. Public Acts of 1865-66, Chapter 8, established the seventeenth judicial circuit of Tennessee. The circuit court of Anderson County was held in Clinton on the second Mondays in March, July and November.
4. Private Acts of 1947, Chapter 468, abolished fourteen civil districts in Anderson County and created four civil districts in their places. The justices of the peace were abolished in the old districts. The first civil district would contain the old fourth and sixth civil districts; the second civil district had the old fifth, tenth, twelfth, thirteenth, and fourteenth civil districts; the third civil district was composed of the old first, second, third and eleventh civil districts; and the fourth civil district included the old seventh, eighth, and ninth civil districts. The act named James S. Holt, J.D. Yarnell, and Albert Taylor, as justices for the new first civil district; R. C. Lienert and Phil C. Mason as justices for the second civil district; R.B. Wallace and Owen Davis as justices in the third district; and Woodrow Wilson Stuart and M.F. McDermott for the fourth civil district. This act was repealed by the one following.
5. Private Acts of 1947, Chapter 817, repealed Private Acts of 1947, Chapter 468, above, and abolished the four civil districts created therein. This act formed five civil districts which were made up of former civil districts which were listed by number in the act. This act named the same people as magistrates mentioned in the act above, adding Garvin Walls and J. K. Arthur as justices for the fifth district. The remainder of this act coincided with the language of the preceding act.
6. Private Acts of 1951, Chapter 458, created a new sixth civil district for Anderson County and changed the boundaries of the fifth civil district by amending Private Acts of 1947, Chapter 817, above in Section 2. The fifth civil district was now composed of a part of the old fifth district and a portion of the fourth civil districts. The sixth civil district herein coincided exactly with the boundaries of the old tenth civil district. Oscar Robertson and A.B. Stott were appointed as justices of the peace for the sixth district to serve until their successor could be elected by popular vote in the next general election.
7. Private Acts of 1959, Chapter 1, amended Private Acts of 1947, Chapter 817, so as to increase the number of civil districts in Anderson County from six to eight by changing the fourth district and adding new seventh and eighth districts, all of which were described by a metes and bounds description. This act provided for the election of two justices of the peace and one constable in each of the two districts which would be held on May 1, 1959.
8. Private Acts of 1965, Chapter 186, abolished the then existing eight civil districts of Anderson County and created instead two civil districts. The first district embraced all of the territory outside of the corporate limits of the City of Oak Ridge. The second district included all of the

territory within the city limits of Oak Ridge on the effective date of the act. This act stated that justices of the peace would be elected in accordance with general law and in addition to the number provided by general law, the City of Oak Ridge would elect two additional justices of the peace. This act was made subject to referendum approval.

Elections

The following is a listing of acts for Anderson 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 1803, Chapter 24, divided Tennessee into five presidential electoral districts, designating the counties of Knox, Sevier, Blount, Roane, and Anderson as the third district. The election would take place on the first Thursday and Friday in November, 1804, with the vote being canvassed and certified in Knoxville on the following Monday.
2. Acts of 1803, Chapter 51, recited that, because of the mountainous terrain and large boundaries of the counties of Claiborne and Anderson, it was a great inconvenience for residents living north of the Clinch River to attend at the courthouse in Claiborne County, therefore, it would hereafter be lawful for that portion of Claiborne County and all that part of Anderson County which formerly belonged to Grainger County to hold an election in the house where Charles Dever now lived in Powell's Valley for all national, state, and county elections.
3. Acts of 1805, Chapter 64, established the number of senators at thirteen and the number of representatives in the general assembly of the state at twenty-six until the next enumeration of the people. Anderson County and Roane County together would elect one senator and count the votes at Burrville. The two counties would likewise share one representative counting the votes at the same place.
4. Acts of 1807, Chapter 18, directed that the district of Roane County and Anderson County for the election of a state senator and representative would hereafter have the vote compared at Kingston in Roane County instead of at Burrville in Anderson County. The sheriffs of the respective counties would govern themselves accordingly.
5. Acts of 1807, Chapter 74, formed five presidential electoral districts in the state. The third district included the counties of Knox, Blount, Anderson, Roane, Rhea, Bledsoe, and the part of Campbell County which was formerly a part of Anderson County and elect one elector. All polls would be counted and certified at Knoxville.
6. Acts of 1812, Chapter 5, established eight presidential electoral districts across the state assigning the counties of Knox, Blount, Roane, Campbell, and Anderson to the third district which would elect one presidential elector. All votes would be counted at Knoxville.
7. Acts of 1812, Chapter 27, set up six U. S. Congressional Districts across the state. The third district was made up on the counties of Anderson, Campbell, Roane, Rhea, Bledsoe, Overton, White, Warren, and Franklin.
8. Acts of 1812, Chapter 57, apportioned the representation of the general assembly into twenty senators and forty representatives. The counties of Roane, Rhea, Anderson, and Bledsoe would jointly elect one senator, counting the polls at Kingston. All counties in the state would elect one representative alone except those named where more than one would be elected among which Anderson County was not numbered.
9. Acts of 1813, Chapter 3, made it the duty of the sheriff, or his deputy, to open and hold a separate election at the house of Jacob Weaver, who lived in the Big Valley, at the same time as other elections were held. It was lawful for anyone residing in the upper battalion area above a line running west from the plantations of John Miller, Powell Herman, and James Leach, to vote at Clinton at the courthouse. Election returns would be made to the sheriff at Clinton as the other returns were.
10. Acts of 1815, Chapter 140, obligated the sheriff, or his deputy, to hold a separate election at the home of Timothy Sexton on the waters of the New River at the same time as all other elections were held. Further, it would be lawful for all people residing northwest of the Cumberland Mountain in Anderson County to vote here. All courts martial and militia elections would accordingly be held here likewise.
11. Acts of 1817, Chapter 92, required the sheriff, or deputy, of Anderson County to open and hold a separate election in the county at the home of Douglas Oliver at the same time and under the same rules and regulations as other elections. All those who were qualified to vote could vote here, or at the courthouse in the county seat for the purpose of electing a governor, members of congress, electors to elect a president and vice-president.

12. Public Acts of 1819, Chapter 69, provided for the representation in the general assembly still composed of twenty senators and forty representatives. Anderson County would elect one representative alone, and would join the counties of Roane, Morgan, Rhea, Bledsoe, Marion, Hamilton, and McMinn to elect a senator, all polls being sent to Kingston in Roane County.
13. Public Acts of 1822, Chapter 1, established eight congressional districts in the state of Tennessee. The third congressional district contained the counties of Campbell, Anderson, Morgan, Roane, Rhea, Bledsoe, Marion, Hamilton, McMinn and Monroe.
14. Public Acts of 1823, Chapter 47, formed eleven presidential electoral districts in Tennessee and places the counties of Blount, Knox, Anderson, Morgan, and Roane in the third district and would elect one elector. The election would occur on the first Thursday in October, 1824, with all polls being compared at Knoxville.
15. Private Acts of 1824 (2nd Sess.), Chapter 1, was a duplication of Acts of 1823, Chapter 47, above, except that the election would be on the first Thursday and Friday in November, 1824.
16. Public Acts of 1826, Chapter 3, was the next general apportionment of representation in the state legislature. Knox and Anderson counties would join together to elect both one state senator and one representative counting the polls in each case at Knoxville.
17. Public Acts of 1827, Chapter 17, provided for eleven presidential electoral districts in Tennessee of which the third district comprised the counties of Blount, Knox, Anderson, Morgan, and Roane. The election would be held on the second Thursday and Friday in November, 1828, counting all polls at Knoxville.
18. Private Acts of 1831, Chapter 57, among many other things, also established a separate election precinct at the house of Captain Anderson's muster ground in Anderson County at which one could vote in all authorized elections.
19. Public Acts of 1832, Chapter 4, organized the state into thirteen congressional districts assigning the counties of Anderson, Knox, Sevier, Blount, and Monroe to the third congressional district.
20. Public Acts of 1832, Chapter 9, prescribed the mode of choosing electors to vote for president and vice president of the United States. The state was divided into fifteen electoral districts. The counties of Knox, Anderson, Campbell, Morgan and Roane composed the fourth electoral district.
21. Public Acts of 1833, Chapter 71, divided Tennessee into twenty senatorial and forty representative districts for the general assembly. One senatorial district was made up of the counties of Knox, Anderson, Campbell, and Morgan whose polls would be counted at Clinton. Campbell, Morgan and Anderson counties combined to elect one representative to the general assembly.
22. Public Acts of 1833, Chapter 76, provided for the calling of a state convention for the purpose of amending the state constitution. The counties of Anderson, and Morgan composed one district and elected one delegate.
23. Public Acts of 1835-36, Chapter 39, allotted the counties of Knox, Campbell, Anderson, Morgan, and Roane to the fourth district of the fifteen presidential electoral districts provided in the act.
24. Acts of 1842, Chapter 1, organized the state general assembly into twenty-five senatorial and fifty representative districts. One senatorial district contained the counties of Campbell, Anderson, Roane, and Morgan, all of whose polls would be compared at Clinton in Anderson County. The counties of Campbell and Anderson elected one representative and the polls were compared at Jacksboro in Campbell County.
25. Acts of 1842, Chapter 7, set up eleven congressional districts of which the second district included the counties of Jefferson, Grainger, Claiborne, Campbell, Anderson, Morgan, Sevier, Blount, and Monroe.
26. Acts of 1845-46, Chapter 144, stated that in the election for state representative for Campbell County and Anderson County the polls would hereafter be compared at Jacksborough in Campbell county on the Saturday next following the election instead of on Monday as had been previously been the case. The act also changed the time of comparing the polls from the next Saturday after the election to the next Monday after.
27. Acts of 1849-50, Chapter 234, changed the location for comparing the polls cast in the representative district composed of Anderson and Campbell counties back to Clinton instead of at Jacksborough.
28. Acts of 1851-52, Chapter 196, separated Tennessee into ten congressional districts. The second congressional district was made up of the counties of Grainger, Claiborne, Campbell, Scott, Anderson, Knox, Morgan, Fentress, and Overton.

29. Acts of 1851-52, Chapter 197, organized the representation in the general assembly of the state. Anderson County and Campbell County would jointly elect one representative, counting the votes at Rossville, and one senatorial district contained the counties of Claiborne, Grainger, Anderson, and Campbell.
30. Public Acts of 1865, Chapter 34, was a post Civil War act which formed eight congressional districts in Tennessee. The second district included the counties of Claiborne, Union, Knox, Campbell, Scott, Morgan, Anderson, Blount, Monroe, Polk, McMinn, Bradley, and Roane.
31. Public Acts of 1867-68, Chapter 5, provided that the place heretofore designated to compare the vote in the fourth senatorial district, composed of the counties of Grainger, Claiborne, Campbell, Anderson, and Union, would be changed from the Sharp's Mill to Maynardsville in Union County.
32. Public Acts of 1871, Chapter 146, was enacted subsequent to the 1870 census and Constitutional Convention. The representation of twenty-five senators and fifty representatives was retained for the general assembly. Knox and Anderson counties would elect one representative jointly and the fourth senatorial district was composed of the counties of Union, Grainger, Anderson, and Knox.
33. Acts of 1872, Called Session, Chapter 7, increased the number of congressional districts in the state to nine. The second district comprised 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, added a tenth congressional district to the state. This alignment allocated the counties of Jefferson, Sevier, Blount, Monroe, Loudon, Roane, Knox, Anderson, Campbell, Scott, Morgan, and Union to the second congressional district.
35. Public Acts of 1881 (Ex. Sess.), Chapter 5, permanently divided the general assembly into thirty-three senators and ninety-nine representatives as it now stands.
36. Public Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the representation of the general assembly according to the numerical values adopted above. The counties of Anderson and Morgan would jointly elect one representative and the counties of Knox and Anderson constituted the fifth state senatorial district.
37. Public Acts of 1882 (2nd Ex. Sess.), Chapter 27, reorganized the ten congressional districts in Tennessee. The second district now contained the counties of Union, Sevier, Blount, Knox, Loudon, Roane, Anderson, Morgan, Campbell, and Scott.
38. Public Acts of 1891, Chapter 131, rearranged the ten congressional districts according to the 1890 Federal Census Count. The counties of Jefferson, Union, Sevier, Blount, Knox, Loudon, Roane, Anderson, Morgan, Campbell, and Scott constituted the second congressional district.
39. Acts of 1891 (Ex. Sess.), Chapter 10, reapportioned the general assembly based on the 1890 Federal Census. The sixth senatorial district included the counties of Anderson, Meigs, Loudon, Blount, and Roane. Anderson, Scott, and Morgan counties would jointly elect one representative.
40. Public Acts of 1901, Chapter 109, reorganized the counties in the ten congressional districts in accordance with the 1900 Federal Census enumeration. The second congressional district contained the counties of Hamblen, Jefferson, Knox, Blount, Loudon, Roane, Scott, Anderson, Campbell, and Union.
41. Public Acts of 1901, Chapter 122, would be the last act of apportionment for the general assembly for the next sixty odd years even though the state constitution required it to be done every ten years. The seventh senatorial district had in it the counties of Anderson, Roane, McMinn, Bradley, and James. Anderson County and Morgan County would share one representative.
42. Private Acts of 1911, Chapter 597, declared that no registration of voters would be had in Anderson County (identified by the 1910 Federal Census figures) and, therefore, registration would not be a prerequisite to voting.
43. Private Acts of 1937, Chapter 180, stated that, in Anderson County, the officers, judges, clerks, and registrars of any general, or called, election would each be paid \$2.00 per day out of the general county fund as now provided by law. This act would also be applicable to primary elections.
44. Private Acts of 1941, Chapter 346, declared that in order to provide a more convenient voting place in the community in Devonia, or Buffalo, and Moore's Camp, all located in the tenth civil district of Anderson County, hereafter all the voters in the Devonia and Buffalo areas would vote at Moore's Camp. The officers of the election were instructed to select a suitable building in Moore's Camp in which to hold the election. There was no intention to create a new precinct in addition to all the others, only to change the voting place so as to promote the convenience of the

- electorate.
45. Private Acts of 1947, Chapter 398, recited in its preamble that Anderson County had become the site of atomic developments which had brought about increases in population around the area of Oak Ridge, therefore the hours of holding elections in all general, special, primary, and called elections in the fourth civil district of the county would be from 9:00 a.m. until 7:00 p.m. instead of from 9:00 a.m. until 4:00 p.m.
 46. Private Acts of 1947, Chapter 399, provided that the voting precincts in Anderson County which were designated and established by the quarterly court at the January, 1947, term would continue as the voting precincts until after the general state election in 1948. The quarterly court could create added voting precincts if so desired but was prohibited from abolishing any precincts which were included above.
 47. Private Acts of 1947, Chapter 414, stated that in Anderson County each voter, in addition to other regulations required by law, must be registered as a voter before being allowed to exercise the elective franchise in any election held in any civil district, ward, and precinct of the county. The registration would be in the manner prescribed by the general law of the State effective April 1, 1948.
 48. Private Acts of 1947, Chapter 656, fixed the compensation of all election officials in Anderson County at \$2.50 per day payable on the warrant of the county judge, or finance officer. It was made a misdemeanor for any election official to be appointed and not serve.
 49. Private Acts of 1951, Chapter 487, provided that in all the precincts in Anderson County where voting machines were to be used for the purpose of voting would open at 9:00 a.m. and close at 7:00 p.m. standard time.
 50. Private Acts of 1951, Chapter 568, recited in the preamble that voter registration was held in the fourth civil district of Anderson County in the belief that the district had more than 2500 in population, which would bring it under the provisions of Public Acts of 1949, Chapter 172, which registration was legal in all respects except being unauthorized by law. This act validated and legalized the said registration held in the fourth civil district of Anderson County to the same extent as if it had been done under properly constituted authority.
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