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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 Carter 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 1870-71, Chapter 58, created the Thirteenth Civil District for Carter County. This new Civil District was formed out of the Eighth Civil District, with Hart's Ford, Watauga River, Carter's Depot and Lindymood's Mill on Indian Creek named as some of the metes and bounds description. Elections for a Constable and two Justices of the Peace were to be held at the Brick Church in the Thirteenth Civil District. In the Eighth Civil District of Carter County an election was to be held to elect a Constable.
2. Private Acts of 1947, Chapter 691, rearranged the Civil Districts in Carter County into five Civil Districts. Each of the new Civil Districts were composed of then existing Civil Districts. The act provided that all election precincts in Carter County remain unchanged unless it was changed by lawful authority. Justices of the Peace and Constables were to be elected at the general election.
3. Private Acts of 1951, Chapter 710, provided for a referendum in Carter County for the purpose of determining the will of the people on whether to retain the then five Civil Districts created by Private Acts of 1947, Chapter 691, above, or revert to the number of Civil Districts in existence prior to the enactment of the 1947 Act. The expenses of the election would be paid by the County Judge upon warrant drawn on the Trustee and upon certification by the Election Commission.
4. Private Acts of 1953, Chapter 23, repealed Private Acts of 1947, Chapter 691, above, and declared that the Civil Districts of Carter County would be assigned as they were prior to the effective date of that 1947 Act.
5. Private Acts of 1961, Chapter 286, detached a portion of the Thirteenth Civil District and attached it to the Eighth Civil District of Carter County. Citizens living in that area were entitled to the same privileges and rights as other voting citizens of the Eighth Civil District.

Elections

The following is a listing of acts for Carter 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 1797 (Sept. Sess.), Chapter 11, made it lawful for either the Sheriff, the Coroner, or a proper Deputy to open the polls in the western part of Carter County at the home of William Moreland for the citizens to vote for Governor, Congressional Representatives and for members of the General Assembly, due to the mountainous terrain. General musters of the militia will also be conducted in this area but the same rules and regulations governing them will be observed as do all the others.
2. Acts of 1798, Chapter 16, apportioned the State for the General Assembly. The number of Senators was fixed at 12 and there were 24 Representatives. Carter County was to elect a Representative and jointly elect one Senator with Washington County. The Sheriffs of both Counties were to meet at the Jonesboro courthouse to count the polls on the first Monday after the election.
3. Acts of 1805, Chapter 64, apportioned the State for the General Assembly. The number of Senators was fixed at and there were 26 Representatives. Carter County was to elect one Representative and jointly elect one Senator with Washington County. Polls would be counted at Jonesboro.
4. Acts of 1812, Chapter 27, divided the State into six Congressional Districts. The First District comprised Hawkins, Sullivan, Carter, Washington and Greene Counties and they were permitted to elect one Representative to Congress.
5. Acts of 1812, Chapter 57, apportioned the State for representation in the General Assembly. The number of Senators rose to 20 and Representatives to 40. Carter and Washington composed one Senatorial District with the votes to be counted at Jonesboro and every county elected one Representative except the bigger ones which had two.
6. Public Acts of 1819, Chapter 69, divided the State into 20 Senatorial and 40 Representative

Districts. Carter and Washington Counties would jointly elect a Representative and a Senator with all votes being counted at Jonesboro.

1. Public Acts of 1822, Chapter 1, established eight U.S. Congressional Districts in the State. The Counties of Carter, Washington, Sullivan, Hawkins and Greene composed the First District.
2. Public Acts of 1826, Chapter 3, apportioned the State for representation in the General Assembly to twenty Senators and forty Representatives. The Counties of Carter, Sullivan and Hawkins composed one election district and were entitled to elect one Senator and Carter and Sullivan would jointly elect one Representative.
3. Private Acts of 1827, Chapter 160, provided that all elections held in Carter County for the purpose of electing the Governor, members of Congress and members of the State Legislature be open and held by the Sheriff at the house of Snider in addition to then existing precincts.
4. Public Acts of 1832, Chapter 4, divided Tennessee into thirteen U.S. Congressional Districts. Carter, Greene, Washington, Cocke and Jefferson Counties composed the First District.
5. Public Acts of 1833, Chapter 71, apportioned the State for the General Assembly which would be composed of twenty Senators and forty Representatives. Carter, Washington and Greene Counties combined to elect one Senator and Carter and Washington would jointly chose one Representative.
6. Public Acts of 1833, Chapter 76, stated a Constitutional Convention of sixty members would be called whose delegates would be elected on the first Thursday and Friday in March and that those selected would meet in Nashville on the third Monday in May to revise, amend and alter the current State Constitution, or form a new one. Carter County would elect one delegate to the Convention.
7. Public Acts of 1835-36, Chapter 2, provided that the Sheriffs would be responsible for opening the elections in the Counties of this State. If there was no Sheriff, the Coroner had the duty to hold elections. If no Coroner, the Chairman of the County Court was to appoint a suitable person to hold the elections. Elections for the Governor, Representatives and members of the General Assembly would be held on the first Thursday in August, 1837 and once every two years thereafter. Polling of these votes would be as prescribed by the Ordinance of the Convention. The Sheriff, Coroner or Deputies of Carter County were to hold the elections for Johnson County. The elected officers were to give bond. Elections were to be held for a Sheriff, Trustee, Register, Circuit Court Clerk and a County Court Clerk for each County in the State. Polling of these votes would be at the courthouse on the first Monday after the election.
8. Acts of 1842 (2nd Sess.), Chapter 1, apportioned the State for the General Assembly into twenty-five Senatorial Districts and fifty Representative Districts. Carter County was in the First Senatorial District with Johnson, Sullivan and Washington Counties. Polls would be counted at Elizabethton in Carter County. Carter and Johnson Counties would jointly elect one Representative.
9. Acts of 1842 (2nd Sess.), Chapter 7, divided the State into eleven U.S. Congressional Districts. The First District contained the Counties of Johnson, Carter, Sullivan, Washington, Hawkins, Greene and Cocke.
10. Public Acts of 1865, Chapter 34, was the first apportionment act subsequent to the Civil War and it divided Tennessee into eight U. S. Congressional Districts. The First District contained the Counties of Carter, Johnson, Sullivan, Washington, Hawkins, Hancock, Greene, Cocke, Jefferson, Grainger and Sevier.
11. Public Acts of 1871, Chapter 146, reapportioned the State for the General Assembly based upon the 1870 Federal Census. Carter and Johnson Counties would jointly elect one Representative. Carter, Johnson, Washington and Greene Counties composed the First Senatorial District.
12. Acts of 1872 (Ex. Sess.), Chapter 7, created nine U. S. Congressional Districts with Johnson, Carter, Sullivan, Washington, Hawkins, Greene, Hancock, Claiborne, Union, Grainger, Hamblen and Cocke Counties comprising the First District.
13. Public Acts of 1873, Chapter 27, added a tenth U. S. Congressional Districts to the State and rearranged the county assignments of each district. Johnson, Carter, Sullivan, Washington, Greene, Hawkins, Hancock, Claiborne, Grainger, Hamblen and Cocke Counties were allocated to the First District.
14. Public Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the State into Senatorial and Representative Districts. Carter and Johnson Counties would jointly elect one Representative and both Counties would join Washington, Unicoi, Greene and Sullivan Counties in electing one

- Representative. The First Senatorial District was composed of Carter, Johnson, Sullivan, Washington and Unicoi Counties.
15. Public Acts of 1882 (Ex. Sess.), Chapter 27, divided Tennessee into ten U. S. Congressional Districts. The Counties of Johnson, Carter, Sullivan, Washington, Unicoi, Hawkins, Greene, Hamblen, Hancock, Claiborne, Cocke and Grainger composed the First District.
 16. Acts of 1891 (Ex. Sess.), Chapter 10, provided that Carter County would elect one State Representative alone, and Carter, Johnson, Unicoi, Washington and Greene Counties composed the First Senatorial District.
 17. Acts of 1901, Chapter 109, divided the State into ten U. S. Congressional Districts. The First District contained Sullivan, Johnson, Carter, Unicoi, Washington, Greene, Hawkins, Hancock, Claiborne, Grainger, Cocke and Sevier Counties.
 18. Acts of 1901, Chapter 122, apportioned the representation for the General Assembly of Tennessee based upon the 1900 Federal Census. Johnson, Carter, Unicoi, Washington, and Greene Counties composed the First Senatorial District. Johnson and Carter Counties would jointly elect one Representative.
 19. Private Acts of 1929, Chapter 292, declared that all duly qualified voters in Carter County living within any incorporated city or town would be permitted to cast their ballots in all elections for State, City, County, and National offices at the nearest polling or voting precinct within the incorporated city or town.
 20. Private Acts of 1931 (2nd Ex. Sess.), Chapter 2, authorized the Registrars in Carter, McMinn, Montgomery, Obion and Weakley Counties to appoint a Deputy Registrar. The Deputy had to take an oath and execute a \$500 bond and would be paid a salary of \$900 per year, to be paid out of the excess fees of the office of the County Registrar. The act provided that a county warrant be issued by the Chairman of County Court and the County Judge for the necessary fees, if the excess fees were insufficient to pay the Deputy's salary. The Deputy Registrar was empowered with the same powers as the County Registrar.
 21. Private Acts of 1937, Chapter 816, fixed the compensation of Officers, Judges and Clerks for their services in Carter County at \$2 per day and Registrars were to receive \$3 per day for the registering of voters in Carter County.
 22. Private Acts of 1947, Chapter 744, provided that the Judges, Clerks and Officers holding a general or a special election in Carter County would be entitled to \$4 per day for one day only as compensation for their services.
 23. Private Acts of 1947, Chapter 745, provided that in Carter County every person, who was registered to vote for members of the General Assembly in November 1946, would not be required to register to vote again provided such person continued to reside in the precinct or civil district in which they originally registered. The same applied to persons who registered thereafter. The act further stated that any registered voter who moved to another civil district would be required to register again in the civil district to which the voter has moved. The Registrant was to make entry on the registration books showing that the voter was registered in another civil district or precinct, disqualifying them from voting in the civil district or precinct in which they had been previously registered.
 24. Private Acts of 1951, Chapter 118, provided that election officials in Carter County would be paid \$7 per day for one day only for their services in holding all elections.
 25. Private Acts of 1951, Chapter 121, required that election precincts in Carter County in every regular election open at 9:00 A.M. standard time and close at 6:00 P.M. standard time.
 26. Public Acts of 1978, Chapter 597, repealed Acts of 1842 (2nd Sess.), Chapter 1, above.

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