



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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

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Chapter VII - Elections

Districts - Reapportionment

Civil Districts

Private Acts of 1961 Chapter 43

SECTION 1. That the existing four (4) civil districts of Clay County, Tennessee be and the same are hereby abolished, and in lieu thereof there are hereby created eight (8) civil districts the boundaries of which shall be as follows:

(A) With respect to the existing First Civil District, beginning at a stake in the Richville and Brimstone Road where said road enters the existing Second District, thence northward with said road to a stake at the intersection of this road and the Turkey Creek Road, thence a straight line northeasterly, from this point to a stake at the intersection of the New Hope Road and Liberty Hill Road, with same straight line extending northeastwardly to a stake in the Kentucky line, thence east with the Kentucky line to the Cumberland River, thence down the Cumberland River to where the existing Third Civil District crosses the Cumberland River, thence with the existing Third District line to a stake where the existing First, Second and Third Districts corner, thence with the existing Second District line to the beginning point, said boundaries to contain what shall be known as District No. Five.

The remainder of the existing district shall be known as District No. One.

(B) With respect to the existing Second Civil District, beginning where Browning Creek enters Jackson County, running northward to where Willmore Short Road intersects Union Hill and Miles Roads, thence northwest to the forks of Trace Creek and Pursley Creek, thence with Trace Creek to Highway 52, thence northward to where Clementsville Road enters Kentucky, said line to be the boundary between the new Second and Sixth Districts.

That portion of the existing Second District to the west of said line shall be known as the new Second District, and that portion to the east of said line shall be known as the new Sixth District.

(C) With respect to the existing Third District, beginning at a stake where Dale Hollow Reservation leaves Highway 53 (near the top of Cedar Hill), thence north with Highway 53 to a stake where the J. W. Stone Road enters Highway 53, thence westerly one thousand (1,000) feet with the J. W. Stone Road to a stake in said road, thence northwardly a straight line to a stake at the Key Cemetery (near Mrs. Franklin Killmon's residence), thence northwesterly to a stake at the top of the Neely Creek Hill in the Neely Creek to Pea Ridge Road, thence northwardly to a stake at the Kentucky line where Slop Hollow Branch enters Kentucky, thence eastward with the Kentucky Line to Dale Hollow Lake, thence with the western shore of Dale Hollow Lake to a stake in the Dale Hollow shore line directly south of the beginning point, thence northward to the a beginning point, such boundaries to enclose what shall be known as the new District No. Seven.

The remainder of the existing Third District shall be the new District No. 3.

(D) With respect to the existing Fourth District, beginning at a point where Irons Creek enters Dale Hollow Lake, up Irons Creek to the head of the left fork of Irons Creek, thence south to a stake in the Overton County line, thence westerly with the Overton County line to Dale Hollow Lake, thence with said lake to the beginning point, such boundaries to enclose what shall be known as the new Eighth District.

The remainder of the existing Fourth District shall constitute the new Fourth District.

SECTION 2. That there are hereby named to serve as justices of peace, in addition to those presently serving, the following: For the First District, H. T. Melton; for the Fifth District, C. D. Reecer; for the Seventh District, J. T. Colson and Waymon Estep; for the Fourth District, Sid Mabry; for the Eighth District, E. E. Chilton; for the Second District, Claude Browning; for the Sixth District, Gurvis Smith.

SECTION 3. That there are hereby named the following additional constables: For the Fifth District, Roscoe Boles; for the Seventh District, Brance Scott; for the Eighth District, Rad Collins; for the Second District, Lynn Spivey.

SECTION 4. That all present justices of the peace and all present constables shall until their terms of office expire represent the new Civil District in which they reside.

SECTION 5. That those persons appointed as justices of the peace and constables by this Act shall serve until September 1, 1962, and their successors shall be elected in the August General Election of 1962. Any vacancies occurring prior to that time shall be filled as now provided by law.

SECTION 6. That the constitution of the School Board of Clay County, as provided for in Chapter 330 of the Private Acts of 1947, shall remain undisturbed by the present Act.

SECTION 7. That this Act shall be of no effect unless and until it shall be approved by a majority of qualified voters voting in a referendum to be held in Clay County on March 23, 1961. Its approval or rejection in said referendum shall be certified by the Clay County Election Commission to the Secretary of State.

Passed: February 13, 1961.

Elections - Historical Notes

Civil Districts

The acts listed below have affected the civil districts in Clay 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 1903, Chapter 569, reduced the number of civil districts in Clay County from twelve to four, which were composed of whole former civil districts. The County Court was authorized to set up the voting precincts in the various civil districts as created herein.
2. Private Acts of 1943, Chapter 283, abolished the existing four Civil Districts of Clay County and created eight in their place, which were described by incorporating civil districts into the descriptions and by metes and bounds. Section 3 of this act names the two Justices of the Peace and the Constable for each District who would serve until the next regular county election in August, 1944. C. J. Mabry was named as the chairman of the county court and his salary as such set at \$100 per month. He would serve until the next regular meeting of the county court when the justices of the court would elect their own chairman. This act was expressly repealed by Chapter 238, Private Acts of 1947.
3. Private Acts of 1947, Chapter 238, specifically repeals Chapter 283, Private Acts of 1943, Item 2, above, which redistricted Clay County.
4. Private Acts of 1947, Chapter 329, abolished the then existing eight civil districts in Clay County and regrouped them into four new districts. This act was repealed by the Private Acts of 1961, Chapter 43.

Elections

The following is a listing of acts for Clay 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 1871, Chapter 146, apportioned Tennessee according to the 1870 federal census. Clay, Jackson, and Macon Counties would elect one representative between them and the 25th Senatorial District was composed of Macon, Smith, Clay, Trousdale, Sumner, and Jackson Counties.
2. Acts of 1872 (Ex. Sess.), Chapter 7, placed Clay in the Second of eight, U.S. Congressional Districts with Sevier, Knox, Jefferson, Anderson, Campbell, Scott, Morgan, Fentress, Cumberland, White, Putnam, Overton, Jackson, Smith, and Macon Counties.
3. Acts of 1873, Chapter 27, divided the State into ten U.S. Congressional Districts. Clay was assigned to the Fourth with Fentress, Overton, Putnam, Jackson, Macon, Smith, Trousdale, Wilson, Sumner, and Robertson.
4. Acts of 1881 (Ex. Sess.), Chapter 6, reapportioned Tennessee according to the 1880 Federal Census. Macon and Clay Counties would share a Representative to the General Assembly. Jackson, Macon, Clay, Overton, Pickett, and Fentress Counties composed the 11th Senatorial District.
5. Acts of 1882 (Ex. Sess.), Chapter 27, delineated ten U.S. Congressional Districts in the State. The counties remained the same except DeKalb County was added to the Fourth U.S. Congressional District.
6. Acts of 1891, Chapter 131, separated the U.S. Congressional Districts according to the 1890 Federal Census. The Counties were changed by adding Pickett, Rhea, and Cumberland Counties and by taking Robertson and DeKalb out of the Fourth.

7. Acts of 1891 (Ex. Sess.), Chapter 10, provided that Clay, Overton, Fentress, and Pickett Counties would share a Representative to the General Assembly as the 8th District, and that Scott, Fentress, Pickett, Overton, Clay, Jackson, and Putnam Counties would constitute the Tenth State Senatorial District.
8. Acts of 1901, Chapter 109, designated Sumner, Trousdale, Wilson, Putnam, Jackson, Overton, Smith, Macon, Pickett, Fentress, Morgan, Cumberland, and Rhea Counties as the Fourth U.S. Congressional District.
9. Acts of 1901, Chapter 122, put Clay County in the 10th Senatorial District with Morgan, Fentress, Pickett, Overton, Putnam and Jackson Counties. Fentress, Pickett, Overton, and Clay Counties would elect one Representative jointly for the General Assembly.

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