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## Chapter VII - Elections

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# Chapter VII - Elections

## Voter's Registration

### Private Acts of 1947 Chapter 127

**SECTION 1.** That in all civil districts and voting precincts having a population of 2,500 inhabitants or over that number, computed by the Federal Census of 1940 or any subsequent Federal Census, in all Counties of Tennessee having a population of not less than 25,250 nor more than 25,300, according to the Federal Census of 1940 or any subsequent Federal Census, shall be required to register as hereinafter provided, as a prerequisite to voting in all elections in said civil districts or voting precincts, and that thereafter such persons so registering shall be permanently registered and shall not be again required to register, in order to be eligible to vote, unless they change their residence.

**SECTION 2.** That in all civil districts and voting precincts mentioned in Section 1 of this Act and to which the provisions of this Act apply, there shall be held a general registration of voters beginning on the second Monday in August, 1947, and the registrars of said civil districts and voting precincts of said Counties shall open the registration books on said date, and the same shall be kept open for the registration of voters for ten days, not counting Sundays, and all the qualified voters in such civil districts and/or voting precincts desiring to register as voters, shall register, within the said ten days, in the manner that registration is required by the general law of Tennessee to be made, and the registrars shall issue to the voters registering, certificates of registration, as provided by law. Such voters so registering at such registration shall not be required to again register as a prerequisite to voting, unless they shall thereafter change their residence as provided for in Section 4 of this Act.

**SECTION 3.** That the registrars of said civil districts and voting precincts of said Counties shall, in the manner required by law, give ten days published notice of a supplemental registration, and shall open the registration books of said civil districts and voting precincts, for the registration of voters therein, previous to any election, or any primary election provided for by law, to be held in any such civil districts or voting precincts or in any municipality comprising all or a part of such civil district or voting precinct; and the registration books shall be kept open three days for registration, and the said registration days shall be continuous, exclusive of Sunday, and the books shall be closed twenty days prior to such election or primary; and at such supplemental registration, the registrars shall, upon the application of the voters of such civil districts or voting precincts, register such voters who have not previously registered under the provisions of the Act, and re-register those who have changed their residence since registering.

**SECTION 4.** That all such persons who shall have registered as provided in this Act, and thereafter change their residence by removing to another residence, either within or without the voting precinct or district where registered, shall not be qualified to vote in any election thereafter held, without having first re-registered for as long as twenty days prior to any election where he or she offers to vote; and the registrars, in such cases, shall take up and cancel the certificate of registration formerly issued to such voter, unless the same has been lost or destroyed.

**SECTION 5.** That the provisions of the general law of Tennessee as contained in Section 1997 to 2002, Sections 2009 to 2026, and Sections 2254 to 2258 of the Code of Tennessee shall apply to the registration of voters, the method of appointment of registrars and the registration of voters, the penalties provided for the violation of the registration law and the keeping of all records pertaining to the registration of voters in the civil districts and voting precincts mentioned in Section 1 of this Act.

**SECTION 6.** That the Sections of this Act and/or parts thereof be declared to be independent sections, or parts of sections, and the holding of any section or part of section to be unconstitutional, void or ineffective for any cause shall not affect any other section or part thereof, and all such remaining sections shall continue in force and effect.

**SECTION 7.** 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 30, 1947.

## Elections - Historical Notes

### **Districts - Reapportionment**

The acts listed below have affected the civil districts in Wilson County, but are no longer operative regarding elections.

1. Public Acts of 1835-36, Chapter 1, was passed subsequent to the adoption of the new State Constitution. This Act directed the General Assembly by Resolution to appoint five suitable persons in each county as Commissioners to lay out the civil districts for their county according to the population count of 1833 and territory. Each county having 3,000 or more qualified voters would be divided into 25 civil districts; between 2,500 and 3,000 voters in a county would call for 20 civil districts and so on down to the minimum of eight civil districts. Two Justices of the Peace and one Constable would be elected in each District except the one containing the county town which would have three Justices of the Peace and two Constables. The Commissioners were to take advantage of the natural contours and features of the land in laying out the districts. Resolution #3, Page 196, named George Williamson, George Smith, William Williams, Silas Tarver, and \_\_\_\_\_ Paulding as the Commissioners for Wilson County.
2. Private Acts of 1929, Chapter 887, rearranged the boundaries between the Second and Fourth Civil Districts in Wilson County so that the lands of Lee Burton, Will Oldham, A. B. Jenkins, Arrington Jenkins, W. J. Johnson, P. G. Willis, J. W. Willis, Shely Foutch, Bob Northern, \_\_\_\_\_ Sanford, J. B. Tubb, Hilton Tubb, Early Bay, Charles Bay, Charles Thompson, Gordon Thompson, and John Thompson would all hereafter be a part of the Fourth Civil District.

### **Elections**

The following is a listing of acts for Wilson 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 1799, Chapter 46, named people in each county who would meet in Nashville to select the three Presidential Electors from Tennessee. In the Mero District, Michael C. Sweetman, John Harpole and John Alcorn were appointed to represent Wilson County. All those chosen in the Mero District would meet at Nashville in 1800.
2. Acts of 1801, Chapter 43, provided for the election of U. S. Congressmen from Tennessee. Wilson County was in the Mero District and all the polls would be returned to Nashville.
3. Acts of 1801, Chapter 44, anticipating that the U. S. Congress would increase the number of Representatives allotted to the State, proclaimed the State to be one district and that candidates would run throughout the State. This Act would only apply until the end of the next session of the General Assembly.
4. Acts of 1803, Chapter 24, set up five Presidential Electoral Districts in the State. The 4th Electoral District was composed of the counties of Jackson, Smith, Wilson and Sumner. All the votes would be canvassed at Bledsoeborough in Smith County.
5. Acts of 1805, Chapter 64, apportioned the 13 Senators and 26 Representatives in the General Assembly of Tennessee. Wilson County and Sumner County would have the same Senator, and Wilson County would have one Representative alone.
6. Acts of 1807, Chapter 74, designated the five Presidential Electoral Districts in the State for the election scheduled on the second Thursday in November, 1808. The counties of Smith, Jackson, Overton, White, Sumner, Wilson, Warren, and Franklin were all assigned to the Fourth Electoral District whose votes would be returned to Carthage in Smith County.
7. Acts of 1807, Chapter 89, provided for a separate election to be held at the house where Solomon George now lives at the head of Bradley's Creek. All those persons entitled to vote living within the bounds of Captains McNight, Putnam, Leech, and Bumpass militia companies could vote at George's subject to the same rules as if they were voting at the courthouse.
8. Acts of 1809, Chapter 1, authorized the election of three U. S. Congressmen from Tennessee; one from the Washington District, one from the Hamilton District, and one from the combined districts of Robertson, Winchester, and Mero. The returning officers of the Mero District would meet at Nashville.
9. Acts of 1811, Chapter 54, made it the duty of the Sheriff or his Deputy to hold an election at the house of William Stanly, near Big Cedar Lick, and all persons living in the bounds of the militia districts commanded by Captains Barksdale, Williamson, Spinks, and Robertson were eligible to vote at this precinct.
10. Acts of 1812, Chapter 5, set up eight Presidential Electoral Districts in Tennessee for the Presidential Election to be held on the first Thursday and Friday in November, 1812. The Fifth Electoral District consisted of the counties of Smith, Sumner, and Wilson, and would elect one elector.
11. Acts of 1812, Chapter 27, divided Tennessee into six U. S. Congressional Districts, designating the counties of Smith, Sumner, Wilson and Jackson as the Fourth District. Each District would elect

one Representative.

12. Acts of 1812, Chapter 57, revised the representation in the General Assembly from 13 to 20 Senators and the Representatives from 26 to 40. Wilson County would elect one Senator alone, and would also elect one Representative alone. Wilson County would alternate with Maury County in electing an additional representative with Wilson County having the added representation until the next apportionment.
13. Acts of 1815, Chapter 31, created 8 Presidential Electoral Districts in Tennessee, which were to be composed of the same counties as provided in Acts of 1812, Chapter 5. These would be used for the Presidential election to be conducted on the first Thursday and Friday in November, 1816.
14. Acts of 1817, Chapter 181, recited that the elections which were formerly authorized to be held at the house of Solomon George, now occupied by William C. Mitchell, would hereafter be held in some house in the town of Maryville in Wilson County under the same rules and regulations as applied at the old location.
15. Public Acts of 1819, Chapter 69, apportioned the representation in the General Assembly. Wilson county would elect one Senator and one Representative.
16. Public Acts of 1822, Chapter 1, formed nine U. S. Congressional Districts in Tennessee of which the Fifth Congressional District included the counties of Smith, Sumner, and Wilson.
17. Public Acts of 1823, Chapter 47, divided the State into eleven Presidential Electoral Districts. The 6th Electoral District contained the counties of Smith, Sumner, and Wilson, and the election would take place on the first Thursday and Friday in October, 1824. The Sheriff or returning officers of the Sixth District would meet at Hartsville in Sumner County.
18. Public Acts of 1824, Chapter 1, had similar provisions to Public Acts of 1823, Chapter 47, except that the election was set to occur on the first Thursday and Friday in November, 1824.
19. Public Acts of 1826, Chapter 3, reapportioned the General Assembly of the State. Wilson County continued to elect one of the 20 State Senators and also one of the 40 Representatives.
20. Public Acts of 1827, Chapter 17, created eleven Presidential Electoral Districts in the State, designating the counties of Smith, Sumner, and Wilson as the Sixth Electoral District for the election taking place on the second Thursday and Friday in November, 1828. Polls were to be compared at Hartsville in Sumner County.
21. Private Acts of 1831, Chapter 280, stated that the town of Commerce in Wilson County would hereafter be a voting precinct at which people could vote in all public elections.
22. Public Acts of 1832, Chapter 4, set up 13 U. S. Congressional Districts in Tennessee. Wilson County and Davidson County constituted the Seventh U. S. Congressional District.
23. Public Acts of 1832, Chapter 9, formed 15 Presidential Electoral Districts in the State. The Election would take place on the first Monday and Tuesday in November, 1832. Smith County and Wilson County composed the Seventh Electoral District.
24. Public Acts of 1833, Chapter 9, declared that the storehouse belonging to James Somers, Esquire, in Wilson County, called Halifax, would hereafter serve as a voting precinct in all elections for public office.
25. Public Acts of 1833, Chapter 71, apportioned the representation in the General Assembly. Davidson County and Wilson County would combine to elect one State Senator, and the same two counties would also jointly elect three Representatives. In 1835, Wilson, Davidson, Rutherford and Williamson counties would alternate between one and two representatives according to the schedule in the Act.
26. Public Acts of 1833, Chapter 76, provided for a Constitutional Convention of 60 delegates who would be elected on the first Thursday and Friday in March and would meet in Nashville on the third Monday in May to amend, revise, alter, or enact a new Constitution for the State. The counties of Rutherford, Bedford, Maury, Williamson, Davidson, and Wilson would all elect two delegates each to the Convention.
27. Public Acts of 1835-36, Chapter 39, authorized 15 Presidential Electoral Districts in Tennessee assigning the counties of Smith and Wilson to the Seventh Electoral Districts.
28. Acts of 1839-40, Chapter 79, stated that hereafter each Congressional District in Tennessee would constitute an electoral district and elect one elector. Two electors would be elected at-large to make the total number of electors fifteen.
29. Acts of 1842 (Ex. Sess.), Chapter 1, increased the representation in the General Assembly from 20 to 25 Senators and from 40 to 50 Representatives. Wilson County would elect one Senator and

- two Representatives alone, counting votes at Lebanon.
30. Acts of 1842 (Ex. Sess.), Chapter 7, divided the State into eleven U. S. Congressional Districts. The Seventh Congressional District was made up of the counties of Wilson, Rutherford, Cannon, and Williamson.
  31. Acts of 1847-48, Chapter 101, recited that each Congressional District in Tennessee would also serve as a Presidential Electoral District in the forthcoming election and that two electors would be elected at-large for a total of 13 electors.
  32. Acts of 1851-52, Chapter 196, separated the State into ten U. S. Congressional Districts. The Fifth Congressional District contained the counties of Sumner, Wilson, Rutherford, Cannon and Williamson.
  33. Acts of 1851-52, Chapter 197, in its apportionment of the General Assembly allocated two of the 50 Representatives to Wilson County and designated Wilson County and DeKalb County as one of the 25 State Senatorial Districts.
  34. Public Acts of 1865, Chapter 34, enacted shortly after the Civil War, established eight U. S. Congressional Districts in Tennessee. The Fifth Congressional District included the counties of Williamson, Davidson, Wilson, Sumner, Robertson and Cheatham.
  35. Public Acts of 1869-70, Chapter 105, was the authority to hold a referendum election in the State on whether or not to call a Constitutional Convention which would consist of 75 delegates elected from the Senatorial and Representative Districts of the State. The Convention, if authorized, would convene in Nashville on the second Monday in January, 1870, to alter, amend, change, or rewrite the 1834 Constitution of the State.
  36. Public Acts of 1871, Chapter 146, reapportioned the Tennessee General Assembly. Wilson County and Davidson County constituted the Twelfth Senatorial District while Wilson County would elect one Representative for herself and share a Floterial Representative with Trousdale County and DeKalb County.
  37. Acts of 1872 (Ex. Sess.), Chapter 7, delineated nine U. S. Congressional Districts in Tennessee assigning the counties of Robertson, Cheatham, Davidson, Sumner, Wilson, Trousdale and DeKalb to the Fifth U. S. Congressional District.
  38. Public Acts of 1873, Chapter 27, raised the number of U. S. Congressional Districts in the State from nine to ten. The Fourth Congressional District included the counties of Fentress, Overton, Putnam, Jackson, Clay, Macon, Smith, Trousdale, Wilson, Sumner and Robertson.
  39. Public Acts of 1881 (Ex. Sess.), Chapter 5, fixed the number of senators in the Tennessee General Assembly at 33 and the number of Representatives at 99, both on a permanent basis.
  40. Public Acts of 1881 (Ex. Sess.), Chapter 6, organized the representation in the Tennessee Legislature according to the increase in numbers in that body under Public Acts of 1881 (Ex. Sess.), Chapter 5, and in compliance with in the 1881 Federal Census. Wilson County would elect two Representatives alone, and share the 13th Senatorial District with Smith County.
  41. Public Acts of 1882 (2nd Ex. Sess.), Chapter 27, formed ten U. S. Congressional Districts in the State. The Fourth Congressional Districts was composed of the counties of Sumner, Wilson, Macon, Trousdale, Smith, DeKalb, Clay, Jackson, Putnam, Overton, Fentress, and Pickett.
  42. Public Acts of 1891, Chapter 131, apportioned the ten U. S. Congressional Districts in Tennessee. The Fourth Congressional District contained the counties of Sumner, Wilson, Macon, Trousdale, Smith, Clay, Jackson, Overton, Putnam, Fentress, Pickett, Cumberland, and Rhea.
  43. Acts of 1891 (Ex. Sess.), Chapter 10, was the apportionment of the Tennessee General Assembly according to the 1890 Census. The 13th State Senatorial District included Smith County and Wilson County. Wilson County would have one Representative alone and share another one with Trousdale County and Sumner County in the Ninth District.
  44. Public Acts of 1901, Chapter 109, realigned the ten U. S. Congressional Districts in the State to conform to the 1900 Census. The Fourth Congressional District was composed of the counties of Sumner, Trousdale, Wilson, Putnam, Jackson, Clay, Overton, Smith, Macon, Pickett, Fentress, Morgan, Cumberland and Rhea.
  45. Public Acts of 1901, Chapter 122, apportioned the Tennessee Legislature. Smith County and Wilson County constituted the 13th Senatorial District. Wilson County would elect one Representative alone and share a Floterial Representatives with Davidson as the Fifteenth District.
  46. Private Acts of 1921, Chapter 433, provided that all Officers, Judges, Clerks, Registrars, and Assistant Registrars in elections in Wilson County, where the Dortch Law does not apply, would be

- paid \$2 per day for their services, and all of these same officials who serve in those areas in which the Dortch Law is in effect would be paid \$2.50 per day in the same manner.
47. Private Acts of 1941, Chapter 280, stated that hereafter in all primary, general and special elections, the polls in the First Civil District of Wilson County would remain open until 6:00 p.m. on each election day.
  48. Private Acts of 1945, Chapter 17, averred that thereafter in all primary, general, special and municipal elections held in the Tenth Civil District of Wilson County the polls in that District and in the town of Lebanon would be kept open until 6:00 p.m. and all persons qualified to vote were to be allowed to do so until that time.
  49. Private Acts of 1949, Chapter 172, fixed the pay of the Receivers, Judges, Clerks, Registrars, and other officials holding elections in Wilson County. In the Tenth Civil District they would be paid \$5 per day each. In the First, Second and Sixteenth Civil Districts they would be paid \$4 per day and in all other Civil Districts they would receive \$3 per day.
  50. Private Acts of 1949, Chapter 173, recited in the preamble that many voters in the Second Civil District of Wilson County worked at Old Hickory, Vultee and Nashville who would not get off work in time to vote unless the time for closing the polls was extended to 6:00 p.m. This Act set the closing time for polls in that Civil District at 6:00 p.m.
  51. Private Acts of 1949, Chapter 404, set the time for closing the polls in the 25th Civil District of Wilson County at 6:00 p.m. for the same reasons stated in Private Acts of 1949, Chapter 173.
  52. Private Acts of 1949, Chapter 917, recited the same reasons specified in Private Acts of 1949, Chapters 173 and 404, for closing the polls at 6:00 p.m. in the 24th Civil District of Wilson County.
  53. Private Acts of 1953, Chapter 68, extended the time for closing the polls on election day in the Sixteenth Civil District of Wilson County to 6:00 p.m. for the same reasons cited in the preceding acts.
  54. Private Acts of 1953, Chapter 76, recited in the preamble that many voters in the 20th Civil District of Wilson County work at the Veteran's Hospital in Smyrna and other places outside of Wilson County and could not get off work in time to vote unless the time for closing the polls was extended to 6:00 p.m. This Act set the closing time for polls in that Civil District at 6:00 p.m.

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