



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,

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Chapter VII - Elections

Civil Districts

Private Acts of 1969 Chapter 52

SECTION 1. That a portion of the twenty-fifth Civil District of Weakley County be removed and placed into the twenty-fourth Civil District; the portion to be transferred from District 25 to District 24 is as follows: BEGINNING at a stake N.E.C. of the 7th Civil District westline of 24th District and S.E.C. of 25th District; runs thence west with Gardner road to old Dresden- Latham road; runs thence North and East with Old Dresden-Latham road to point where same intersects with Highway No. 118; thence North with Highway No. 118, to point where said highway crosses Strawbridge branch; thence Northeast with Strawbridge branch to South of the 4th District; thence East with South line of the 4th District to Cypress Creek; thence Southeast with Cypress Creek to N.W. Corner of 24th Civil District.

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring it.
Passed: April 7, 1969.

Elections - Historical Notes

Districts - Reapportionment

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

1. Acts of 1835-36, Chapter 1, required the General Assembly to appoint five commissioners for each county of the State to lay off the respective counties into districts of convenient size, regard being had to both territory and population, for the purpose of electing Justices of the Peace and Constables therein. The number of districts would depend on the population of the county and the formula in the Act. By Resolution #3, John M. Shultz, Martin Lawler, William Ridgeway, Robert R. Gilbert, and David Winston were named as commissioners.
2. Acts of 1837-38, Chapter 245, attached all that portion of Gibson County which lies north of the South Fork of the Obion River to Weakley County and designating said attached portion as Civil District 12.
3. Acts of 1905, Chapter 207, abolished the 21st Civil District in Weakley County and the territory in that Civil District as it was then established by law was annexed to the Second Civil District of the County. On the effective date of this Act, the Justices of the Peace in District 21 will deliver all their records and papers to the Justices in Civil District 2.
4. Private Acts of 1919, Chapter 128, changed the boundaries between the 5th Civil District and the 25th Civil District of Weakley County so as to include in the 5th Civil District the lands of W. J. Bowlin, N. B. Warren, W. S. Stewart, Willis Olds, T. T. Wright, J. J. Wright, Joe Smithwick, D. A. Simmons, W. E. Simmons, J. C. Simmons, Sam Simmons, W. T. Bram, E. N. Bram, Mrs. G. D. Mayo, Mrs. Martha Burton, Mrs. Lydia Mansfield, L. H. Normen, Boyd Deron, and Phil Smith.
5. Private Acts of 1923, Chapter 75, altered the lines between the 3rd Civil District and the 14th Civil District of Weakley County beginning at a point on the west boundary line of the 2nd Civil District at the northwest corner of the A. K. Vancleave farm and in the center of Cane Creek, running west with the meanderings of the Creek to Bomar's bridge which spans the said Creek on the Martin-Mount Pelia public road, and hereafter all that portion of the 3rd Civil District, lying south of Cane Creek is attached to the 14th Civil District and all that portion of the 14th Civil District between the two designated points lying north of Cane Creek is attached to the 3rd Civil District of Weakley County.
6. Private Acts of 1929, Chapter 836, changed the lines between the 9th, the 15th, and the 16th Civil Districts, by detaching the farms of N. B. Abernathy, Houston Swindell, Mrs. Anne Higgs, Mrs. Mary Williamson, Anthony Williamson, Henry Williamson, H. V. Drewery, Talma Capps, J. H. Drewery, J. R. Drewery, Mrs. Vera Martin, Monroe Earles, and Jesse Swindell from the 15th and 16th Civil Districts and attached them all to the 9th Civil District.
7. Private Acts of 1937, Chapter 696, allowed L. T. Roberts, Clint Roberts, W. A. Medlock, Tom Medlock, J. A. Connell, Hubert Connell, L. E. Drewry, and J. C. Phillips, who now live near or on the line between the 10th and 23rd Civil Districts but actually reside in the 10th Civil District to

vote in the 23rd Civil District in all elections, which shall be their voting precinct until otherwise changed. This Act was repealed by Private Acts of 1975, Chapter 97, Page 388.

8. Private Acts of 1943, Chapter 169, permitted W. D. Stallcup and family, Bud Bynum and family, W. W. Hodges and family, J. M. Hodges and family, J. W. Hodges, Tom Bynum and family, R. B. Brasfield and family, and Mrs. Etta Brasfield who now live and vote in the 10th Civil District of Weakley County, to vote in the 23rd Civil District in all National, State, and County elections so long as they now retain their present place of residence.
9. Private Acts of 1947, Chapter 188, provided that all qualified voters within a certain described area in the Third Civil District of Weakley County, Tennessee, would hereafter vote at the established polling place in the 14th Civil District of said county which is now located at Mount Pelia.
10. Private Acts of 1975, Chapter 96, amended Private Acts of 1943, Chapter 169, by adding the names of Robert E. Fowler, Jane L. Fowler, Zelmer Williams, Dorothy Williams, Loyd Cooper, Francis Cooper, and Leighton Cooper to those authorized to vote in the 23rd Civil District.

Elections

The following is a listing of acts for Weakley 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 1824, Chapter 1, divided the State into eleven Presidential Electoral Districts assigning the counties of Wayne, Perry, Hardin, and all the counties west of the Tennessee River to the Eleventh District.
2. Acts of 1826, Chapter 3, apportioned the State for representation in the General Assembly into 20 Senatorial Districts and 40 Representative Districts. The Counties of Henry, Weakley, Obion, Carroll, Gibson, and Dyer would elect one State Senator. Henry and Weakley Counties would jointly elect one Representative counting the votes at Paris.
3. Acts of 1827, Chapter 17, formed Tennessee into eleven Presidential Electoral Districts. The Eleventh District was made up of the counties of Henry, Weakley, Obion, Carroll, Gibson, Dyer, Henderson, Madison, Haywood, Tipton, McNairy, Hardeman, Fayette, and Shelby.
4. Acts of 1832, Chapter 4, divided Tennessee into 13 U. S. Congressional Districts. The 12th U. S. Congressional District was composed of the counties of Haywood, Madison, Dyer, Obion, Gibson, Weakley, Henry, and Carroll.
5. Acts of 1832, Chapter 9, organized the State into fifteen Presidential Electoral Districts. The 15th District had in it the counties of Henry, Weakley, Obion, Dyer, Gibson, Carroll, Tipton, and Haywood.
6. Acts of 1833, Chapter 71, reapportioned the State into 20 Senatorial and 40 Representative Districts. The Counties of Carroll, Henry, Weakley, and Obion made up one Senatorial District with the votes to be counted at Dresden, and Gibson, Weakley, and Obion Counties would jointly elect one Representative, counting the votes at Winton.
7. Acts of 1833, Chapter 76, was the call for a Constitutional Convention of sixty delegates who would be elected on the first Thursday and Friday in March and would convene in Nashville on the following third Monday in May. Weakley and Obion Counties would elect one delegate jointly, counting the votes at Dresden.
8. Acts of 1835-36, Chapter 39, divided Tennessee into 15 Presidential Electoral Districts. The 15th District was composed of the counties of Henry, Weakley, Obion, Dyer, Gibson, Carroll, Tipton, and Haywood.
9. Acts of 1842 (Ex. Sess.), Chapter 1, divided the State into 25 Senatorial Districts and 50 Representative Districts for the General Assembly. The 21st Senatorial District had in it the counties of Henry, Weakley, and Obion and arranged for the polls to be counted at Dresden. Weakley County would elect one Representative alone.
10. Acts of 1842 (Ex. Sess.), Chapter 7, formed Tennessee into eleven U. S. Congressional Districts, placing in the Eleventh District the counties of Perry, Henderson, Madison, Carroll, Gibson, Weakley and Obion.
11. Acts of 1851-52, Chapter 196, formed ten U. S. Congressional Districts in the State. The 9th District contained the counties of Henry, Weakley, Dyer, Obion, Lauderdale, Tipton, Gibson, Carroll, and Henderson.
12. Acts of 1851-52, Chapter 197, apportioned the State for representation in the General Assembly.

- Weakley County would elect one Representative alone, and made up a Senatorial District with Henry and Obion Counties, counting the polls at Dresden.
13. Acts of 1865, Chapter 34, established 8 U. S. Congressional Districts in Tennessee in this post Civil War Act. The 7th District consisted of Henry, Benton, Weakley, Obion, Dyer, Gibson, Lauderdale, Henderson, and Carroll.
 14. Acts of 1871, Chapter 146, was an apportionment of the State based on the 1870 Federal Census. Weakley County would elect one Representative alone and share another one with Carroll, Gibson, and Henry Counties. The 20th Senatorial District was made up of the counties of Henry, Weakley, Obion, and Lake.
 15. Acts of 1872 (Ex. Sess.), Chapter 7, set up nine U. S. Congressional Districts in Tennessee. The 8th U. S. District contained the counties of Madison, Crockett, Haywood, Lauderdale, Dyer, Gibson, Weakley, Obion, and Lake.
 16. Acts of 1873, Chapter 27, provided for ten U. S. Congressional Districts in Tennessee. The 9th District had in it the counties of Weakley, Obion, Lake, Dyer, Gibson, Crockett, Haywood, Tipton, and Lauderdale.
 17. Acts of 1881 (Ex. Sess.), Chapter 5, established on a permanent basis that the number of Senators in the General Assembly would be 33 and the number of Representatives, 99.
 18. Acts of 1881 (Ex. Sess.), Chapter 6, organized the State for representation in the General Assembly based upon Acts of 1881 (Ex. Sess.), Chapter 5, and the 1880 public census. Weakley County had one Representative for its representation alone and would share another with Henry County. Henry and Weakley would jointly elect one of Senator for the 27th District.
 19. Acts of 1882 (Ex. Sess.), Chapter 27, organized ten U. S. Congressional Districts in the State. The ninth U. S. Congressional District consisted of the counties of Weakley, Gibson, Crockett, Haywood, Lauderdale, Dyer, Obion, and Lake.
 20. Acts of 1891 (Ex. Sess.), Chapter 10, was the apportionment of the General Assembly which was based on the 1890 census. Weakley County was awarded one Representative alone and would share another one with Carroll County as the 17th District, and the 28th Senatorial District was made up of the counties of Obion, Weakley, and Lake.
 21. Acts of 1901, Chapter 109, rearranged the ten U. S. Congressional Districts in the State according to the 1900 census. The Ninth U. S. District comprised the counties of Gibson, Weakley, Obion, Lake, Dyer, Lauderdale, Haywood, and Crockett.
 22. Acts of 1901, Chapter 121, apportioned Tennessee for the General Assembly. The 28th Senatorial District was made up of the counties of Lake, Obion, and Weakley. One representative was given to Weakley alone and a floater would be elected by Weakley, Carroll, and Henry Counties jointly as the 22nd District.
 23. Private Acts of 1937, Chapter 798, made it unlawful in Weakley County for any legal voter to vote in any county primary election in more than one precinct but must vote in the precinct in which the voter resides; it was likewise unlawful for any voter under the age of 21 to vote, and it was unlawful for any officer or judge, to permit anyone to do so knowingly. Any person who induced anyone to commit any of the above acts was also guilty of a misdemeanor. Fines were provided for anyone violating the above prohibitions. This Act was repealed by Private Acts of 1975, Chapter 97, page 388. This Act was declared unconstitutional in the case of *State v. Matthews*, 173 Tenn. 302, 117 SW2d (1938), because the body of the Bill was broader than the caption.

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