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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 Rutherford County, but are no longer operative regarding elections.

1. Acts of 1835-36, Chapter 1, required that the General Assembly of Tennessee appoint by joint Resolution five suitable Commissioners in each County to lay off their respective counties into Civil Districts of convenient size having a regard to both geographical size and population. Each county with 3,000 qualified voters must have 25 Civil Districts, with 2500 to 3000, 20 Civil Districts, 2000-2500 voters, 17 Civil Districts, and so on down to the minimum. In Rutherford County the Resolution Number III appointed Hugh Robinson, Henry Trott, Senior, Green B. Lannum, James Read, and Solomon Beesley.
2. Private Acts of 1967-68, Chapter 113, divided Rutherford County into 21 Civil Districts according to the "one-man - one-vote" principle of apportionment with a description of each District. This Act was not accepted by the Quarterly County Court, therefore, it never became an active law.
3. Private Acts of 1967-68, Chapter 453, delineated Rutherford County into 21 Civil Districts, each being described with a detailed description.

Elections

The following is a listing of acts for Rutherford County which affected the elective process, but which have been superseded or repealed.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, formed five Presidential Electoral Districts in Tennessee. The Fifth District was made up of the Counties of Davidson, Williamson, Robertson, Montgomery, Stewart, Rutherford, and Dickson. The election would take place on the first Thursday and Friday in November, 1804, the votes to be compared at Nashville.
2. Acts of 1803, Chapter 79, provided for the State to elect three Representatives to the U.S. Congress, one from the Washington District, one from the Hamilton District, and one from the Mero District as they were then laid out.
3. Acts of 1805, Chapter 64, declared that until the next enumeration of the people the General Assembly of the State of Tennessee would be composed of 13 Senators and 26 Representatives. Williamson County and Rutherford County constituted one Senatorial District whose votes would be counted at Franklin. Rutherford County would elect one Representative alone.
4. Acts of 1807, Chapter 74, directed the Sheriffs of the various counties to hold elections on the second Thursday and Friday in November, 1808, to elect five Electors for the President and Vice-President of the United States. The Fifth District included the counties of Davidson, Robertson, Montgomery, Sumner, Dickson, Williamson, Maury, Rutherford, Bedford, and Hickman.
5. Acts of 1807, Chapter 96, stated that the Sheriff, or his Deputy, would hereafter hold an election at the house of William Kilton, on the days appointed by law to do so, and all persons living within the bounds of the second battalion of the county militia, and all persons living on the east side of road leading from Cummings Mill would vote at this new precinct place. The election there would be conducted under the same rules and regulations as all others.
6. Acts of 1809, Chapter 1, authorized the election of three Congressmen to represent the State in Washington, one from each of the Districts of Washington and Hamilton, and one from the Districts of Winchester, Mero and Robertson.
7. Acts of 1812, Chapter 5, established 8 Presidential Electoral Districts in Tennessee of which the 6th District consisted of the Counties of Davidson, Bedford, and Rutherford, which would elect one Elector, the votes being counted and canvassed at Jefferson in Rutherford County.
8. Acts of 1812, Chapter 27, divided Tennessee into six U.S. Congressional Districts each one of which would elect a Congressman. The Counties of Williamson, Bedford, Lincoln, Davidson, and Rutherford were assigned to the 5th U.S. Congressional District.
9. Acts of 1812, Chapter 57, apportioned the State for representation in the General Assembly into 20 Senatorial Districts and 40 Representative Districts. One Senatorial District comprised the counties of Bedford and Rutherford whose votes would be counted and compared at Charles

- McLeon's house and mill in Rutherford County. The counties of Davidson, Rutherford, and Bedford would each elect two Representatives.
10. Acts of 1813, Chapter 69, repealed the legal authority to hold an election at Black Foxes Camp in Rutherford County and moved that precinct to Murfreesboro. The poll would afterwards be counted and compared at this precinct. The Sheriff was further directed to hold elections hereafter at Readyville, and at the house of James Johnson, in Rutherford County, all to be subject to the regular election laws in force in the State.
 11. Acts of 1819, Chapter 69, in the apportionment of the State for the General Assembly gave Rutherford County one of the 20 Senatorial Districts alone, and also allowed the County to elect one of the 40 Representatives.
 12. Acts of 1820, Chapter 127, set up a separate election precinct at the home of Gideon Thompson in the town of Milton, in Rutherford County, to be used in all the regular elections hereafter held.
 13. Acts of 1822, Chapter 1, established nine U. S. Congressional Districts in the State of Tennessee assigning the Counties of Davidson, Williamson, and Rutherford to the 7th U. S. Congressional District.
 14. Acts of 1823, Chapter 47, created eleven Presidential Electoral Districts in Tennessee. The Seventh District was made up of the Counties of Davidson, Rutherford, and Williamson.
 15. Acts of 1823, Chapter 127, made it the duty of the Rutherford County Sheriff, or his Deputy, to hold a separate precinct election at the house of William Todd at all the legally authorized elections in the future in Rutherford County.
 16. Acts of 1824, Chapter 1, formed eleven Presidential Electoral Districts in Tennessee. The 7th District, whose votes would be compared at Franklin in Williamson County, was composed of the Counties of Davidson, Williamson, and Rutherford. Each of the Electors would convene in Murfreesboro on the first Wednesday in December next to cast their votes for the President and Vice-President of the United States.
 17. Acts of 1825, Chapter 134, declared it the responsibility of the Sheriff of Rutherford County, or his Deputy, on those days appointed by law to hold an election, to open and hold one at Anthony's Mill in Rutherford County under the same laws as the other elections were held.
 18. Acts of 1826, Chapter 3, established the Representation in the State's General Assembly. One Senatorial District comprised the counties of Rutherford and Williamson, and Rutherford County was allowed to elect two Representatives at the next election but only one in the election following.
 19. Acts of 1827, Chapter 17, assigned the Counties of Rutherford, Davidson, and Williamson to the 7th Presidential Electoral District of the eleven formed in the whole State. The votes of the 7th District were to be compared at the house of Bailey Hardeman in Williamson County.
 20. Acts of 1827, Chapter 197, provided that a separate precinct election be held at the house of James Askins in Rutherford County under all the regular election laws in effect.
 21. Acts of 1831, Chapter 57, established new election precincts in several counties in Tennessee. In Rutherford County the new precincts were located at Cave Spring and Middleton.
 22. Acts of 1832, Chapter 4, formed 13 U. S. Congressional Districts in the State of which the 8th U. S. Congressional District contained the counties of Rutherford and Williamson.
 23. Acts of 1832, Chapter 9, separated the State into 15 Presidential Electoral Districts of which Rutherford County and Williamson County composed the 9th District.
 24. Acts of 1833, Chapter 71, reapportioned Tennessee into the 20 Senatorial and 40 Representative Districts of the State Legislature. Rutherford County and Williamson County would elect one Senator jointly counting the votes cast at Hardeman's Cross Roads in Williamson County. The same counties were placed into a Representative District which would elect three Representatives. In the 1835 election, Rutherford would elect two representatives; in 1837, one; in 1839, two; and in 1841, one.
 25. Acts of 1833, Chapter 76, provided for the call of a convention of 60 members who would be elected on the first Thursday and Friday in March next and who would meet in Nashville on the third Monday in May next to revise, amend, alter the present, or form a new Constitution. Rutherford County would elect two delegates to the convention alone.
 26. Acts of 1835-36, Chapter 39, set up fifteen Presidential Electoral Districts across the State. Rutherford County and Williamson County constituted the Ninth Electoral District.
 27. Acts of 1842 (Ex. Sess.), Chapter 1, reapportioned the representation of the State for the General

Assembly into 25 Senatorial and 50 Representative Districts. Rutherford County and Williamson County would jointly elect one Senator and Rutherford County would be allowed two Representatives alone.

28. Acts of 1842 (Ex. Sess.), Chapter 7, formed Eleven U. S. Congressional Districts in Tennessee placing the counties of Wilson, Rutherford, Cannon, and Williamson in the 7th Congressional District.
29. Acts of 1851-52, Chapter 196, reduced the number of U. S. Congressional Districts in Tennessee to ten. The 5th District contained the counties of Sumner, Wilson, Rutherford, Cannon, and Williamson.
30. Acts of 1851-52, Chapter 197, rearranged the representation in the General Assembly of Tennessee. Rutherford County under the new division would elect one Representative alone and share another one with Bedford County, counting the polls at Fosterville. Williamson County joined Rutherford County in making up one Senatorial District, the votes to be compared at Triune in Williamson County.
31. Acts of 1865, Chapter 34, divided Tennessee into eight U. S. Congressional Districts in this post Civil War act. The Fourth Congressional District was composed of the Counties of Rutherford, Cannon, Coffee, Franklin, Lincoln, Bedford, Marshall, and Giles.
32. Acts of 1871, Chapter 146, reallocated the representation in the General Assembly of the State. Rutherford County and Bedford County would jointly elect a State Senator as the 10th Senatorial District, while Rutherford County would elect one Representative alone plus a floater with Bedford County.
33. Acts of 1873, Chapter 27, revised the number of U. S. Congressional District in Tennessee up to ten, reassigning the counties accordingly. The Fifth Congressional District contained the counties of Franklin, Lincoln, Marshall, Moore, Bedford, Coffee, and Rutherford.
34. Acts of 1881 (Ex. Sess.), Chapter 5, permanently established the number of Senators in the General Assembly at 33 and the Representatives at 99.
35. Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the State to conform to the Acts of 1881 (Ex. Sess.), Chapter 5, and with the 1880 Federal Census. Rutherford County and Coffee County together constituted the 14th Senatorial District out of the 33, while Rutherford County would elect two Representatives alone, and share a third with the counties of Bedford and Marshall as its share of the 99.
36. Acts of 1882 (Ex. Sess.), Chapter 27, established ten U. S. Congressional Districts in Tennessee. The counties of Cannon, Coffee, Franklin, Lincoln, Moore, Marshall, Bedford, and Rutherford were designated as the Fifth U. S. Congressional District.
37. Acts of 1891, Chapter 131, named the counties of Coffee, Lincoln, Moore, Rutherford, Marshall, Bedford, Cannon, and DeKalb as the 5th U. S. Congressional District of the ten allotted to the State.
38. Acts of 1891 (Ex. Sess.), Chapter 10, reapportioned the representation in the General Assembly according to the 1890 Federal Census, Rutherford County would elect one Representative alone and share another one with Cannon County, as the Tenth District. The 12th State Senatorial District included the counties of Rutherford, Cannon, and DeKalb.
39. Acts of 1901, Chapter 109, set up ten U. S. Congressional Districts in Tennessee after the 1900 Census. The 5th U. S. Congressional District comprised the counties of DeKalb, Cannon, Rutherford, Marshall, Bedford, Coffee, Moore, and Lincoln.
40. Acts of 1901, Chapter 122, apportioned the State for the General Assembly. The 12th Senatorial District had in it the Counties of Rutherford, Cannon, and DeKalb. Rutherford County would elect one Representative alone.
41. Private Acts of 1923, Chapter 484, provided that Acts of 1859-60, Chapter 75, be amended so that the polls be opened at 9:00 a.m. and closed at 6:00 p.m. in the cities and towns in the County of Rutherford instead of 9:00 a.m. and 4:00 p.m. This Act was repealed by Private Acts of 1979, Chapter 138.
42. Private Acts of 1949, Chapter 784, stated that after the effective date of this Act no party primary elections for county offices would be held in Rutherford County except within the period between 100 days prior to the date of the general election in which the nominees would be elected and 60 days prior to that election. The cost of the primary election would be paid by appropriation of the county court provided that at least 10% of the qualified county voters have voted in that party's primary.

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