



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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## Chapter VII - Elections

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Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

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# Chapter VII - Elections

## Districts - Reapportionment

### Private Acts of 1903 Chapter 16

**SECTION 1.** That the First, Second, Fourth, Sixth, Seventh, Eighth, Ninth, Eleventh, Twelfth, Fourteenth, Fifteenth, Tenth, Eighteenth, Nineteenth, Twentieth, and Twenty-first Civil Districts of Roane County, as now laid out and constituted, be, and the same are hereby abolished, and that the territory therein be attached to the Third, Fifth, Seventeenth, Thirteenth, and Sixteenth Civil Districts as follows:

1. That the territory lying and being within the lines of said First, Second and Eighteenth Civil Districts herein abolished, be, and the same is hereby attached to the Third Civil District of said County.
2. That all the territory lying and being within the lines of said Fourth, Fourteenth and Fifteenth Civil Districts herein abolished, be, and the same is hereby attached to the Fifth Civil District of said County.
3. That all the territory lying and being within the lines of the Seventh and Nineteenth Civil Districts herein abolished and so much of the Sixth and Twenty-first Civil Districts, also abolished, lying east of Caney Creek from its intersection with the Tennessee River to the Harriman and Rockwood Road; then with said road to the lane at the residence of T. W. Carter; then with said lane and a continuation of same course to the Morgan County line, be, and the same is hereby attached to the Sixteenth Civil District of said County.
4. That the territory lying and being within the lines of said Twelfth and Twentieth Civil Districts herein abolished, and so much of said Sixth and Twenty-first Civil Districts lying west of Caney Creek from its intersection with Tennessee River to the road from Harriman and Rockwood; then with said road to the lane at the residence of T. W. Carter; then with said lane and a continuation of same course to the Morgan County line, be, and the same is hereby attached to the Thirteenth Civil District of said County.
5. That all the territory lying and being within the lines of the said Eighth, Ninth, Eleventh and Tenth Civil Districts, herein abolished, be, and the same is hereby attached to the Seventeenth Civil District of said County.

**SECTION 2.** That said Sixteenth Civil District shall hereafter be known as the First Civil District; that said Fifth Civil District shall hereafter be known as the Second Civil District; that said Seventeenth Civil District shall hereafter be known as the Fourth Civil District, and that said Thirteenth Civil District shall hereafter be known as the Fifth Civil District of said County.

**SECTION 3.** That the number of Civil Districts for said County as herein established shall not be increased or diminished except by Act of the General Assembly.

**SECTION 4.** That the offices of all Justices of the Peace and Constable, in the several districts herein abolished, be, and the same are hereby abolished, but this Act shall not be construed to apply to Justices of the Peace elected in and for incorporated towns in said County.

**SECTION 5.** That all laws and parts of laws in conflict with this Act are hereby repealed.

**SECTION 6.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 3, 1903.

### Private Acts of 1909 Chapter 199

**SECTION 1.** That the district line between the First Civil District and the Third Civil District of Roane County, Tenn., be, and the same is hereby, so changed as to detach the boundary hereinafter described from the Third Civil District and attach the same to the First Civil District of said county -- to wit: Commencing at a point on the west bank of the Big Emory River, on the line between the First and Third Civil Districts, and running thence down the west bank of said river with its several meanders to its confluence with the Clinch River; thence down and along the north bank of said Clinch River to the mouth of the Margrave Branch; thence up the Margrave and Goddard Branches to the line between the Goddard and Gambill lands; thence north along the line between the Goddard and Gambill lands to the First District line; thence east with the line between the First and Third Civil Districts to the point of beginning.

**SECTION 2.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 6, 1909.

# Elections - Historical Notes

## **Districts - Reapportionment**

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

1. Acts of 1835-36, Chapter 1, enacted after the adoption of the 1835 State Constitution, required the General Assembly of the State to appoint suitable persons as Commissioners to lay out the civil districts in each county having 3,000, or more, qualified voters would have 25 civil districts, with 2,500 to 3,000 qualified voters there were to be 20 civil districts, and so on down a graduated scale for each county. Each civil district was entitled to elect two justices of the peace and one constable, but the civil district containing the county seat would have three justices of the peace and two constables. The commissioners were directed to take full advantage of natural lines in laying out the districts as was available to them. Resolution #3 of the assembly named the commissioner to accomplish the above in every Tennessee County. Those named for Roane County were Joseph Byrd, Jr., James Luckey, Daniel Wester, Amos Marney, and Joel Hembree.
2. Private Acts of 1903, Chapter 16, apparently is the last private act concerning civil districts in Roane County, although it is possible that the civil districts could have been changed in another way. The constitutionality of this act, and several others, was attacked but sustained by the Supreme Court in Iles v. Matlock, 111 Tenn. 234, 80 SW 750 (1903), the redistricting cases, reported under the style of Grainger County v. State.

## **Elections**

The following is a listing of acts for Roane 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, divided Tennessee into five Presidential Electoral Districts. The Third Electoral District had in it the counties of Knox, Sevier, Blount, Roane, and Anderson. The presidential election would take place on the first Thursday and Friday in November, 1804, and the returns for this District would be made at Knoxville on the following Monday.
2. Acts of 1803, Chapter 79, stated that in order to secure equal representation in the national Congress, the Districts of Washington, Hamilton, and Mero would each elect one Congressman.
3. Acts of 1805, Chapter 64, apportioned the representation in the General Assembly of the State at 13 Senators and 26 Representatives. The counties of Roane and Anderson would constitute one State Senatorial District whose votes would be counted at Burrville in Anderson County, and the same two counties would likewise share one Representative, the polls being counted for it at the same location as the Senatorial votes.
4. Acts of 1806, Chapter 39, stated in the introduction that the mountainous situation and size of Roane County made it inconvenient for the citizens living north of the Tennessee River and west of White's Creek to attend the Courthouse in Kingston. Therefore, it would hereafter be lawful for all the inhabitants of Roane County in the area lying north of the Tennessee River and west of White's Creek to meet and hold elections at the house of William Henry under the same election laws as were being applied to other polling places. The musters of the militia were to occur here also.
5. Acts of 1807, Chapter 18, stated that the District of Roane County and Anderson County for State Senator and Representative would hereafter have the votes compared at Kingston in Roane County instead of being counted at Burrville in Anderson County. The sheriffs of the respective counties would be governed accordingly.
6. Acts of 1807, Chapter 74, set up five Presidential Electoral Districts in Tennessee for the election which would occur on the second Thursday in November, 1808. The Third Electoral District was composed of the counties of Knox, Blount, Anderson, Roane, Rhea, Bledsoe, and that part of Campbell County, which was formerly Anderson County. The polls were to be canvassed and compared at Knoxville.
7. Acts of 1809, Chapter 1, declared that the State would send three Representatives to the Congress of the United States, one from the District of Washington, one from the District of Hamilton, and one from the combined Districts of Winchester, Robertson, and Mero.
8. Acts of 1812, Chapter 5, divided Tennessee into eight Presidential Electoral Districts assigning the counties of Knox, Blount, Roane, Campbell, and Anderson to the Third Electoral District, whose

votes would be counted and canvassed at Knoxville.

9. Acts of 1812, Chapter 27, created six U. S. Congressional Districts in the State. The Third Congressional District contained the counties of Anderson, Campbell, Roane, Rhea, Bledsoe, Overton, White, Warren, and Franklin.
10. Acts of 1812, Chapter 57, increased the representation in the General Assembly from 13 to 20 Senators and from 26 to 40 Representatives. The counties of Roane, Rhea, Anderson, and Bledsoe constituted one Senatorial District, whose votes would be counted at Kingston. Each county would elect at least one Representative except those which would elect more than one.
11. Acts of 1813, Chapter 106, made it the duty of the sheriff of Roane County on the days of all elections to hold a separate election in Roane County at the house of Jared Hotchkiss on the main road leading from Kingston to Knoxville, and another one at the house of Joseph Robinson on the waters of the Embrees River. The Act authorized any person living in Roane County who was otherwise qualified to vote to cast their ballots at Kingston.
12. Acts of 1815, Chapter 6, provided that the separate election heretofore authorized to be held at the house of Joseph Robinson in Roane County would hereafter be conducted at the house of Charles McClung on the Flat fork of the Emery River where Moses Wenter formerly lived, under the same rules and regulations as all other elections were being held.
13. Acts of 1817, Chapter 184, made it the duty and responsibility of the Sheriff, or his Deputy, of Roane County to open and hold an election on the same day and under the same regulations as were all the others at the home of Thomas Blake on King's Creek. The polls from this precinct were to be counted and returned to the county seat.
14. Acts of 1819, Chapter 69, provided that the counties of Anderson, Roane, Morgan, Rhea, Bledsoe, Marion, Hamilton, and McMinn would jointly elect one Senator and the polls were to be examined and counted at Kingston. Roane County and Morgan County would share one of the 40 Representatives.
15. Acts of 1822, Chapter 1, divided Tennessee into nine U. S. Congressional Districts. The Third Congressional District was made up of the counties of Campbell, Anderson, Morgan, Roane, Rhea, Bledsoe, Marion, Hamilton, McMinn, and Monroe.
16. Acts of 1823, Chapter 47, established eleven Presidential Electoral Districts among the counties in Tennessee. The Third Electoral District encompassed the counties of Blount, Knox, Anderson, Morgan, and Roane. The polls in this District would be counted at Knoxville after the election was held on the first Thursday in October, 1824.
17. Acts of 1824, Chapter 1, was a duplicate of Acts of 1823, Chapter 47, which set up eleven Presidential Electoral Districts in the State.
18. Acts of 1826, Chapter 3, apportioned the representation of twenty senators and forty Representatives in the General Assembly of Tennessee. The counties of Roane, Morgan, Rhea, Hamilton, Bledsoe, and Marion constituted one State Senatorial District whose votes would be counted at Washington in Rhea County. Roane County and Morgan County would jointly elect one Representative tallying the ballots at Kingston in Roane County.
19. Acts of 1827, Chapter 17, organized the State into eleven Presidential Electoral Districts for the Presidential election coming up on the second Thursday and Friday in November, 1828. The Third District included the counties of Blount, Knox, Anderson, Morgan, and Roane, all votes being returned at Knoxville.
20. Acts of 1831, Chapter 57, among several other things, also provided for a separate election to be held at the home of Joseph Bryant in Roane County.
21. Acts of 1832, Chapter 4, formed thirteen U. S. Congressional Districts across the State of Tennessee. The Fourth U. S. Congressional District was composed of the counties of Morgan, Roane, McMinn, Rhea, Hamilton, Bledsoe, and Marion.
22. Acts of 1832, Chapter 9, formed Tennessee into fifteen Presidential Electoral Districts. The Fourth District included the counties of Knox, Anderson, Campbell, Morgan, and Roane.
23. Acts of 1833, Chapter 71, reapportioned the representation in the General Assembly. Of the twenty Senators to be elected, the counties of Roane, Rhea, Marion, Hamilton, and Bledsoe would combine to elect one, while Roane County and Rhea County would share a Representative. The polls in the latter election would be counted and compared at the home of George Gordon on White's Creek in Roane County.
24. Acts of 1835-36, Chapter 39, seemed to be a duplicate of a previous Act which established fifteen Presidential Electoral Districts in Tennessee, designating the counties of Knox, Campbell,

Anderson, Morgan, and Roane as the Fourth District.

25. Acts of 1842 (Ex. Sess.), Chapter 1, changed the representation in the General Assembly from 20 to 25 Senators, and from 40 to 50 Representatives. The 6th State Senatorial District consisted of the counties of Campbell, Anderson, Roane, and Morgan whose votes would be counted at Clinton in Anderson County. Roane County would elect one of the 50 Representatives alone.
26. Acts of 1842 (Ex. Sess.), Chapter 7, organized Tennessee into eleven U. S. Congressional Districts of which the Third District was made up of the counties of Knox, Roane, Bledsoe, Rhea, Meigs, McMinn, Polk, Bradley, Hamilton, and Marion.
27. Acts of 1851-52, Chapter 196, set up ten U. S. Congressional Districts in the State. The Third Congressional District contained the counties of Blount, Monroe, Polk, McMinn, Meigs, Rhea, Bledsoe, Bradley, Hamilton, Marion, and Roane.
28. Acts of 1851-52, Chapter 197, apportioned the General Assembly of the State. Roane County would elect one Representative alone and would join Knox County to form the First State Senatorial District whose polls would be compared at Richard Meredith's old place in Knox County.
29. Acts of 1865, Chapter 34, gave Tennessee eight U. S. Congressional Districts in the aftermath of the Civil War. The counties of Claiborne, Union, Knox, Campbell, Scott, Morgan, Anderson, Blount, Monroe, Polk, McMinn, Bradley, and Roane made up the Second Congressional District.
30. Acts of 1869-70, Chapter 105, was the enabling legislation to call a referendum on the question of holding a Constitutional Convention which would have 75 delegates from the total Senatorial and Representative Districts. The convention would have the authority to change, alter, revise, or rewrite entirely the State Constitution as it then existed. If approved, the Convention would meet in Nashville on the second Monday in January, 1870. This led to the formation of the 1870 Constitution which, with amendments, is still the organic law of the State.
31. Acts of 1871, Chapter 146, was the first apportionment of the General Assembly subsequent to the adoption of the 1870 Constitution and the compilation of the 1870 census. Roane County would elect one of the 50 Representatives alone and would join the counties of Campbell, Morgan, Scott, Fentress, Overton, Putnam, White, and Cumberland to select one of the 25 State Senators.
32. Acts of 1872, Chapter 7, formed Tennessee into nine U. S. Congressional Districts of which the Third Congressional District contained the counties of Blount, Loudon, Roane, Monroe, McMinn, Meigs, Rhea, Polk, Bradley, James, Hamilton, Marion, Sequatchie, Bledsoe, Grundy, Van Buren, and Warren.
33. Acts of 1873, Chapter 27, added one U. S. Congressional District to the State making a total of ten. The Second U. S. Congressional District contained the counties of Jefferson, Sevier, Blount, Monroe, Loudon, Roane, Knox, Anderson, Campbell, Scott, Morgan, and Union.
34. Acts of 1881 (Ex. Sess.), Chapter 5, set the number of Senators in the State Legislature permanently at 33 and the number of Representatives at 99 in the future.
35. Acts of 1881 (Ex. Sess.), Chapter 6, rearranged the representation in the General Assembly to coincide with the establishment of new numerical quotas. The Sixth State Senatorial District was composed of the counties of Blount, Loudon, Monroe, and Roane, while Roane County would continue to have one Representative alone.
36. Acts of 1882 (Ex. Sess.), Chapter 27, set up ten U. S. Congressional Districts in Tennessee composed of whole counties. The counties of Jefferson, Union, Sevier, Blount, Knox, Loudon, Roane, Anderson, Morgan, Campbell, and Scott constituted the Second Congressional District.
37. Acts of 1891, Chapter 131, rearranged the counties in the ten U. S. Congressional District in order to conform to the figures of the 1890 Census. The counties of Jefferson, Union, Sevier, Blount, Knox, Loudon, Roane, Anderson, Morgan, Campbell, and Scott were all placed in the Second Congressional District under the terms of this Act.
38. Acts of 1891 (Ex. Sess.), Chapter 10, did the same for the representation in the General Assembly according to the statistics of the 1890 Federal Census. Roane County retained one Representative for itself alone and combined with the counties of Anderson, Meigs, Loudon, and Blount to form the Sixth State Senatorial District.
39. Acts of 1901, Chapter 109, divided Tennessee into ten U. S. Congressional Districts assigning the counties according to the 1900 Census figures. The Second Congressional District included the counties of Hamblen, Jefferson, Knox, Blount, Loudon, Roane, Scott, Anderson, Campbell, and Union. Henceforth, these statutes would be public laws and a part of the Tennessee Code.
40. Acts of 1901, Chapter 122, would be the last apportionment of the State General Assembly for over sixty years. The Seventh State Senatorial District was made up of the counties of Anderson,

- Roane, McMinn, Bradley, and James. Roane County would elect a lone Representative.
41. Private Acts of 1933, Chapter 707, declared that no registration of voters would be had in Roane County and no registration of voters would be a prerequisite to one's right to vote in any election, regular, or called, which took place in the county. Oliver Springs was expressly excepted from the operation of this law. This act was repealed by the one following.
  42. Private Acts of 1935, Chapter 294, expressly repealed Private Acts of 1933, Chapter 707, Item 41, above, in its entirety, bringing Roane County within the requirements of general state law on voter registration.
  43. Private Acts of 1935, Chapter 552, amended Private Acts of 1935, Chapter 294, above, so that the effective date of that Act would be on August 1, 1935.
  44. Private Acts of 1939, Chapter 118, approved and ratified the action of the Quarterly Court of Roane County taken in connection with dividing the voting precinct at Harriman into two precincts using Queen Street as the dividing line, all area east of Queen Street being designated as Ward One and all area west of the said street becoming Ward Two. The proper amendments to accomplish the above division of the City into two Wards were specified for the Charter of the city and were related to other laws which would be affected by the change. This Act was repealed by the one following.
  45. Private Acts of 1941, Chapter 360, expressly and entirely repealed Private Acts of 1939, Chapter 118, Item 44, above, which established two voting precincts in the City of Harriman in Roane County.
  46. Private Acts of 1945, Chapter 414, provided that, after the passage of this Act, election officials in Roane County would be paid \$3 per day in those precincts staying open until 7:00 p.m. and \$2 per day in those voting places which closed earlier than that time. These provisions were made applicable to all elections including primaries. Expenditures were authorized to be made in the same manner as in other elections.
  47. Private Acts of 1949, Chapter 512, state that in Roane County Registrars would be paid hereafter at the rate of \$5 per day for each day actually spent by them in the discharge of their regular and normal duties.
  48. Private Acts of 1949, Chapter 513, further declared that, in Roane County (identified by the use of 1940 Federal Census figures) election officials in both general elections and primaries which were legally authorized and conducted would be paid at the rate of \$5 per day for one day only.
  49. Private Acts of 1953, Chapter 380, set up the time for opening the polling precincts in all the general elections and legalized primaries in Roane County at 9:00 a.m. and the closing time for the polls was fixed at 6:00 p.m. throughout the County.

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