

## 1958--A PIVOTAL GRUNDY COUNTY ELECTION

by Raymond Hargis

When Paul E. "Bill" Sanders died in May 2007, it was pointed out to me that I am the last surviving county official of those who were elected in 1958. Bill was first elected County Trustee in 1948 and continued to serve until his retirement in 1982. Also, Elston Clay was elected Sheriff and Charlie Caldwell had been elected Road Superintendent before 1958. Malcolm Fults, County Judge, Violet Crutchfield, Register of Deeds, Florence Bouldin, Circuit Court Clerk, and Raymond Hargis, County Court Clerk, were elected for the first time in 1958.

I refer to this election as "pivotal" for two reasons: (1) the Democratic party had initiated a county primary in 1956. Not everyone thought a primary was needed and it was uncertain whether it would be supported enough for its nominees to win in the general election; (2) the County Court had approved a legislative private act that abolished the branch court at Tracy City and followed up with an order that all county offices operating in Tracy City be moved to the county seat in Altamont. The County Judge election was viewed as a contest about if and when this County Court action would be carried out. Before examining these two matters in some detail, I would like to review some elements of county life in the years leading up to 1958.

Toward the end of the 1930's, many federal programs designed to bring the coming out of the Great Depression were still operating in the County--WPA, NYA, etc. Many young men had entered the CCC. Early in the 1940's World War II began to be a reality and Pearl Harbor brought war to us. Jobs in timber and coal mines became plentiful and with nearly all young men entering military service, women began to enter the work force. Gasoline and many commodities were rationed, but I don't recall any great hardship because of shortages.

After the war there was a period of returning to civilian life by servicemen and a period of adjustment for families. With production of cars and other consumer goods, many jobs were available "up North" and many Grundy County residents flocked to such jobs. Television had not as yet made its impression on entertainment. Radio programs were still popular, especially country music stars who would come to the county for shows. Eddy Arnold, Bill Monroe, and other stars came on a frequent basis. Other entertainment included "box slippers" and other school programs to raise money. Families and neighbors would get together at times and there were parties and "shivarees". (When was the last time you heard that word?)

One particular item, mostly forgotten now, is the ghost stories told at many gatherings. There were family ghosts but many of the stories centered

around unexplained and unidentified sounds and sightings. In Gruetli, where I grew up, many of these were ascribed to the "Whistling Jack" ( in Altamont it was called "Screaming Jack".) I never knew anyone who saw or heard the creature, but it seemed everyone "knew" someone who did. Cedric Campbell said he "didn't believe in haints" , but he was "scared to death of'em." Cedric was a member of a remarkable family whose members are quoted far and wide for stories they have told that make us laugh or give us a clear insight into human nature. For example, Cedric said of his school experience: "the teacher would write something on the board and it was so clear and I could understand it so well. Then she would erase it and I couldn't remember a word of it." I guess we could all agree with Cedric's plight. Other "Campbell stories" come from Drew, Ottis, Celo, and Brosie. There were other good "story tellers" we've all known over the years.

Two of the most popular events of these years were the county fair and the county elections. People from "up North" would come back for these events, especially the county fair. They knew they could look forward to seeing many friends and families, and locals looked forward to seeing them. On county election nights, crowds would gather in front of the Grundy County Herald to await results. The crowds mostly blocked Depot Street for about half the night or till races were decided. The fair lasted the whole week and

the crowds were very large every night. Both of these events were in Tracy City and always drew people from all over the county.

During the time leading up to 1958 there were two "laws" that affected nearly everyone in one way or another. The "no fence law" and the "poll tax". The no fence law simply allowed livestock to roam around anywhere. Many families had milk cows who had bells around their necks which would help locate them for the evening milking. The sound of tinkling bells in the late evening is an enduring memory for anyone who lived during that period of the no fence law.

Sheriff Lewie Winton told of a local man whose cow did not come home one evening and he went out to look for her. It got dark and the man realized he was lost. It was a moonless night and pitch dark. He could not find a road or see any lights. Finally, he sensed he was in a clearing because he could see a light in the distance. He headed for the light hoping it was a house so he could get his bearings and find a way home. When he got to the light, he saw it was a house and went up on the porch and knocked on the door. When the door opened, there stood his wife! The man said, "never mind" and walked on into the house.

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The "no fence law" was repealed or abolished in the late 40's requiring all livestock to be "fenced up" to keep them off the roads and others' property. The poll tax was repealed at about the same time. This tax had to be paid in order to vote in elections. It was alleged to have been enacted to keep blacks and poor people from voting. You would show your poll tax receipt and be allowed to vote. There was no registration by precinct so you could vote any voting place, which gives rise to another funny story told as an actual happening.

Albert Schlageter was running for Road Superintendent and asked his friend, "Bogey" Burnette of Palmer to vote for him. "Bogey" said he would. After the election, Albert hunted "Bogey" up and jumped on him, saying he didn't get a vote in Palmer. "Bogey", trying to placate Albert said, "I didn't vote in Palmer--I voted down the road in Camp Four." Albert said, "Bogey", you are lying--I didn't get a vote in Camp Four, either.

These events sort of indicated a simpler time. Faster cars and better roads ended the practice of livestock roaming around just as ending the poll tax indicated the increasing importance of elections. The 1958 election was a step along the way of emerging from a somewhat sleepy rural time to a time that realized that the post World War II period was a time of change. Some county offices were viewed as somewhat "part-time" because there

was not enough business to keep officials busy all day, and most offices were on a fee basis which did not always result in regular pay since the fees were collected as the work was done. However, by 1958, most offices' fees were enough to attract more candidates which drew more interest in the elections.

The matter of a primary arose because some Democrats thought Republicans were running as Democrats because they knew the county was so heavily Democratic that a Republican had no chance. Then the Republicans of the county would unite behind their candidate with Democrats split among several Democratic candidates, giving the Republican a chance to win.

One example of this was the Tax Assessor race in 1948 when Morris Dykes, a known Republican, was elected over 15 other candidates. Since the general election ballot did not identify candidates by party, it was left up to the voter to decide the party affiliation of each candidate. Since the state of Tennessee did not allow voters to register by party, it was up to the individual voter to decide who was a Democrat or Republican.

Democratic leaders planning a primary thought they could require a voter to pledge to support the Democratic nominee in the general election, but this was quickly abandoned when voters rebelled against pledging themselves to vote for someone they did not want to vote for.

After all the pros and cons were debated, it was finally decided that the party would point out that the purpose of the primary was to pick a nominee for each office and that primary voters should support that nominee in the general election.

Another problem had to do with the cost of a primary election since the cost had to be paid by the Democratic party, which also had to name a Primary Election Board to plan and oversee the election. It was decided that candidates in the primary would pay a fee based on the salary of the office being sought. This fee made some people uneasy since it didn't seem quite right to have to pay to run for an office. But this practice prevailed until Congress passed the Presidential Primary law and the state allowed the two parties to hold county primaries at the same time at public expense if the parties decided to hold a primary. But this was a few years down the road.

So in 1956, the Democratic primary was launched in April with only about 2,300 voters participating. The nominees were Paul E. Sanders, Trustee, Elston Clay, Sheriff, E. J. Cunningham, Supt. of Schools, Charles Caldwell, Supt. of Roads, and Jerry Curtis, Tax Assessor. In August, all the nominees won easily. Elston Clay beat Jim Meeks, E. J. Cunningham beat Mark Phipps, Charlie Caldwell beat Dee Meeks, Jerry Curtis beat Leonard Bryant, and Paul E. Sanders was unopposed.

Thus, The Democratic Primary got off to a good start, but in 1958 it got a good test and another test in 1964 which will be discussed later.

Whether Republicans or Independents would vote in a Democratic primary was unclear, especially since only 2,300 voted in 1956 and 3,500 to 4,000 would need to vote in the primary for it to be the decisive force Democrats envisioned. I remember asking a Republican friend if he thought his party would vote in a Democratic primary and he said most of them will because if they don't they will have no voice in who gets elected. Not only will we vote we will also run for office, he said. Since state law does not allow registration by party, there is nothing to prevent a member of either party from voting or being a candidate in the other party's primary.

Why is there no law for registration by party? Members of the state legislature and candidates for governor from both parties have resisted party registration over the years because candidates for the legislature or governor have always depended on votes of the opposite parties. This is especially true in governor elections when Democrats controlled the office for years. East Tennessee Republicans, in particular, would make deals with the Democratic candidate in order to get projects for their area. knowing they could not elect a Republican governor, they dealt with the likely Democratic candidate who would feel that the Republican support

would ensure his victory. In recent years the Republican party has elected governors, senators, and other officials so that they are probably the majority party in the state now. Even so, there is no push for party registration because Republicans now bargain for Democratic support where needed. This means that party registration is not likely anytime soon.

While the Democratic Primary factor was playing out, the other pivotal factor of abolishing the branch court at Tracy City was well underway. **In** 1913, a local act of the legislature had established a branch court of both the circuit court and chancery court evidently because the railroad that came to Tracy City due to the development of the coal industry made the town more accessible to more people. The county seat at Altamont was more remote with more difficult travel. When the railroad was later extended to Palmer, it made Tracy City convenient to even more people. A jail was provided for prisoners who would be brought to trial. Then when Tracy City residents were elected to county offices they would set up offices in the Tracy City courthouse so as to be convenient to more people just as the branch court was more convenient. With a courthouse in Tracy City and one in Altamont, the county was said to have two county seats, especially by non-residents. Actually, Altamont

was and is the county seat, with Tracy City having only a branch of the court system.

After World War II with cars and trucks increasing in number, roads were extended and improved to the point that transportation within the county made all the county accessible to practically all citizens.

The Grundy County Herald in April, 1949, reported the following: "At County Court, Harrison Hamby of Pelham Valley, who had served as magistrate as far back as 50 years before, was present and told the Court of traveling 2 1/2 hours of hard horseback riding on the trip to Altamont which now took only about a half hour of driving." Mr. Hamby's remark seems to justify the 1913 establishment of the branch court and also serves to justify the abolishing of the branch court as no longer necessary. Countering the latter argument, Tracy City citizens would say that you might not establish a branch court now, but since you already have it in place, it should be continued.

With the private act to abolish the branch court approved by the County Court and another to move county offices to Altamont also

approved, the issue wound up before the Tennessee Supreme Court, which, in December, 1957, ruled that the county had the right to abolish the branch court and move all litigation to the county seat of Altamont.

Thus, the stage was now set for a vigorous primary in April, 1958. There were several offices to be filled in that election, but the one attracting the most attention was that of County Judge who presided over the county Court and administered the County General Fund. This gave him considerable power over county finances and what was actually done with county funds, especially if he would depend on a County Court majority to agree with him. There were several candidates for County Judge from all over the county, but the race quickly settled down to a two man race between Jerry Curtis of Tracy City and Malcolm Fults of Altamont, who had spearheaded the effort to abolish the branch court and move all county offices from Tracy City to Altamont. Everyone knew what this race was all about. Jerry Curtis would do what he could to slow or reverse the move to Altamont. Malcolm Fults would move quickly to complete the move to Altamont.

What effect this conflict would have on the races for other offices was not clear because none of these offices had any direct influence on county policies. You could assume that a candidate from Altamont

would not get a lot of support in Tracy City and vice versa, but just how much of a factor this would be was not known. If you did not live in either town, you could hope that you would not be judged by a race that you had no part in. While there was some sign that these other candidates were judged by where they lived, the election results did not seem to show that the winning candidates were voted on the basis of being involved in the County Judge race.

The County Judge race was a real cliffhanger. Malcolm Fults won over Jerry Curtis by 23 votes, 1,043 to 1,020. Five other candidates got some votes but were not even close to winning. In a race that close, you would expect some questions about the results, so Jerry Curtis decided to run as an independent in August against Malcolm Fults who was the Democratic nominee. This time Malcolm Fults won by 115 votes, 1,871-1,756. For all intents and purposes, this settled the issue of the branch court and the moving of the county offices to Altamont.

**In** the other primary races, Elston Clay won over Jim Meeks for Sheriff; Raymond Hargis over Hubert Lusk for County Court Clerk; Violet B. Crutchfield over Lewis Fults for Register of Deeds; Florence Bouldin over Aylor Layne for Circuit Court Clerk; Charlie Caldwell over Dee Meeks for Superintendent of Roads. None of these races were very

close except the Register of Deeds contest which Violet B. Crutchfield won over Lewis Fults by 96 votes. None of these nominees had opposition in the August General Election. Although Malcolm Fults won in the General Election as the Democratic nominee, it would be fair to say that being the nominee was probably not the deciding factor in his election even though it certainly didn't hurt. It was clear to everyone that the race was about abolishing the branch court and moving the county offices to Altamont. Still, it can be said that the Democratic Primary was firmly established and continues till today in 2008. The primary was challenged again in 1964 in a disputed election that will be discussed later.

I think it should be noted that **in** the 1958 election three longtime county officials lost their positions--County Judge **J. L.** Rollings, County Court Clerk, Hubert Lusk, and Register of Deeds, Lewis Fults. These men had served long and honorably for many years and the loss of their offices should not be construed as a rejection of their service. Instead, it should be understood that voters from time to time just decide it is time for a change that they want to see others given a chance with new energy and new ideas. This sometimes happens in one or several offices and elections and should be seen as a natural progression, not a personal rejection. These three public officials served Grundy County well.

In the April, 1960 Primary Jim Meeks was nominated for Sheriff over Lewie Winton and Glenn Bonner was named Supt. of Schools over E. J. Cunningham and both of these elections were fairly close. Neither Winton or Cunningham challenged the primary winners in the August General Election although Jim Meeks did beat challenger Herschel Curtis handily in the only contested race. Thus, Jim Meeks won as Sheriff and all the other Democratic nominees won uncontested races.

In the April, 1964 Primary Lewie Winton again challenged Jim Meeks for Sheriff and E. J. Cunningham challenged Glenn Bonner for Supt. of Schools. Lewie Winton was nominated Sheriff by 55 votes and E. J. Cunningham was nominated Supt. of Schools by 101 votes. But controversy arose over the Primary vote. In the Crossroads precinct, someone announced that Jim Meeks had won the box by an amount that gave him the nomination. (It was never clear who gave out that vote or where it came from.) When the precinct officials gave the vote totals, Lewie Winton carried the box by enough to give him the nomination. The Supt. of Schools race was also close and Glenn Bonner hinted that he was not satisfied with the vote at the Tracy City courthouse.

After much discussion and heated debate, it was finally decided that the Primary Election Board would count the votes again in the Crossroads precinct in the Sheriff's race and the Tracy City Courthouse precinct in the Supt. of Schools race, which was counted first. The vote was the same as the official count, giving Lewie Winton the nomination. Jim Meeks was incensed and felt that he should be the nominee. The Board announced that Lewie Winton was the Sheriff nominee and E. J. Cunningham the Supt. of Schools nominee. Later, Jim Meeks announced that he would run as an Independent in the August, 1964 General Election for Sheriff. Then, Glenn Bonner, noting that his election was also very close with questionable vote counts, announced he would run as an Independent for Supt. of Schools.

Jim's General Election campaign emphasized the confusion over the vote in Crossroads, while Glenn insisted on vote questions but also argued that E. J. was no longer a resident of Grundy County, having moved to Nashville where he now managed a store.

In the August election, both Democratic nominees lost the contested races. (Other nominees won). Jim Meeks won by 305 votes over Lewie Winton and Glenn Bonner won over E. J. Cunningham by 45 votes.

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Just as in the 1958 County judge election, the question here was not over who was a Democrat or Republican, but whether or not there had been a fair election. The General Election was to decide finally who should hold the two disputed offices. We should note that in both 1958 and 1964 the final votes settled both disputes. To the credit of everyone involved, the final results were accepted and Grundy County government continued.

I will close this writing by listing several county-wide disputes, some of which I have just discussed. In more or less chronological order, these disputes were: (1) In 1951-52, a county hospital where the voters approved \$100,000 in bonds to build a hospital, but a bitter dispute over its location caused the project to be abandoned; (2) the adoption of a Democratic Primary and abolishing of the Tracy City branch court in 1958; (3) the disputed election of the Sheriff **and** the Supt. of Schools in 1964; (4) the location and building of a new Grundy County High School in 1997-98.

Every one of these issues was settled by debating and voting. Even though both sides in each of these matters felt strongly about their positions, there were no acts of violence. Votes by the County Court or County Commission and the Board of Education or any other body with a voice in the matter were heard till a settlement was reached and the issue resolved. All Grundy County citizens can take pride in seeing that their government has operated according to law and the will of the people.

### **Comments**

In March 1958 Mr. Raymond Hargis lived in Palmer and was the principal of the Palmer Elementary School. After the school term ended in May 1958, he began his duties as County Court Clerk that Fall.

Mr. Hargis later served several terms as Superintendent of Grundy County Schools. Mr. Hargis and his wife, the former Doris brown, live today in Manchester, TN. They are the parents of Deborah Boyd, a teacher, and Joel R. “Jody” Hargis who is the current Director of Schools for Grundy County.

On behalf of the Grundy County Historical Society, we sincerely thank Mr. Hargis for this fascinating article about the political history of Grundy County and feel that it will be an invaluable source of information for future historians.

In 2007, Mr. Hargis wrote “Grundy County Baseball Memories” which is also available on the Grundy County Historical Society’s web site and is highly recommended reading.

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