



February 05, 2025

Court System - Historical Notes

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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Board of Jury Commissioners - Jurors

The following acts once affected jurors or boards of jury commissioners in Hamblen County, but are no longer operative. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Private Acts of 1911, Chapter 165, made applicable to Hamblen County the general statutes governing Boards of Jury Commissioners.
2. Private Acts of 1927, Chapter 36, established a Board of Jury Commissioners for Hamblen County.
3. Private Acts of 1927, Chapter 160, exempted Hamblen County from the general law which authorized Criminal Court Judges and Circuit Judges with criminal jurisdiction to appoint the foreman of the grand jury. This act was repealed by Private Acts of 1937, Chapter 538.
4. Private Acts of 1947, Chapter 199, amended Private Acts of 1927, Chapter 36, by increasing the number of names of prospective jurors placed in the jury box.
5. Private Acts of 1947, Chapter 201, set the salary of Hamblen County jurors at \$3 per day.
6. Private Acts of 1949, Chapter 312, set the per diem salary of jurors at \$5 except the foreman of the Grand Jury who was to receive \$10.
7. Private Acts of 1951, Chapter 207, raised the per diem salary of the Jury Commissioners to \$5

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Hamblen County, although they no longer have the force of law since they have either been superseded by general law, repealed, or failed to receive local ratification. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Acts of 1869-70, Chapter 32, placed Hamblen in the First Chancery Division.
2. Acts of 1869-70, Chapter 47, provided that Chancery Court in Hamblen County would meet on the second Mondays in May and November of each year. This Act was repealed by Acts of 1871, Chapter 101, which also provided that the terms of Chancery Court in Hamblen County would begin on the third Mondays in January and July.
3. Acts of 1871, Chapter 67, set the terms of Chancery Court on the second Mondays in January and July.
4. Acts of 1885 (Ex. Sess.), Chapter 20, placed Hamblen County in the First Chancery Division and provided that the terms of Chancery Court would begin on the third Mondays in January and July.
5. Acts of 1891, Chapter 165, provided that Chancery Court would meet on the third Mondays in February and August.
6. Acts of 1893, Chapter 100, established the Twelfth Chancery Division, consisting of Sullivan, Hawkins, Hamblen, Grainger, Claiborne, and Hancock Counties. The terms of Chancery Circuit in Hamblen County were set on the second Mondays in February and August.
7. Acts of 1899, Chapter 427, placed Hamblen County in the First Chancery Division and provided that the terms would begin on the fourth Mondays in May and November. This was amended by Acts of 1901, Chapter 438, to change the meeting days to the fourth Mondays in February and August.
8. Public Acts of 1919, Chapter 100, established the Thirteenth Chancery Division. This act was amended by Public Acts of 1920 (Ex. Sess.), Chapter 5, and Public Acts of 1931 (2nd Ex. Sess.), Chapter 38.
9. Public Acts of 1963, Chapter 371, established the Fifteenth Chancery Division. This act was amended by Public Acts of 1967, Chapter 27.

Chancery Court - Clerk and Master

Referenced below is an act which once applied to the clerk and master in Hamblen County.

1. Private Acts of 1937, Chapter 457, set the salary of the Clerk and Master of the Chancery Court in Hamblen County at \$900 per year. This Act also required the Clerk and Master to file an annual fee report of all the fees collected by that office.

Circuit Court

The following acts were once applicable to the circuit court of Hamblen County but now have no effect, having been repealed, superseded, or having failed to win local approval.

1. Acts of 1869-70, Chapter 31, placed Hamblen County, if established, in the Second Judicial Circuit.
2. Acts of 1869-70, Chapter 46, provided that the terms of Circuit Court in Hamblen County would begin on the third Mondays in April, August, and December.
3. Acts of 1879, Chapter 140, set the time for holding Circuit Court on the first Mondays in April, August and December.
4. Acts of 1885 (Ex.Sess.), Chapter 20, placed Hamblen County in the Second Judicial Circuit and provided that the terms of Circuit Court were to begin on the first Mondays in April, August and December. This was amended by Acts of 1889, Chapter 117, to change the time for holding Circuit Court terms to the fourth Mondays in April, August, and December.
5. Acts of 1899, Chapter 427, placed Hamblen County in the Second Judicial Circuit and set the terms of Circuit Court on the Second Monday in February, June, and October. This was amended by Acts of 1903, Chapter 277, to change the terms of Circuit Court to the first Mondays in January, May and September.
6. Acts of 1905, Chapter 477, set the terms of Circuit Court on the first Mondays in January, May and September.
7. Acts of 1907, Chapter 205, set the terms of Circuit Court on the first Mondays in January, May and September, but it was amended by Private Acts of 1919, Chapter 513, to set the time for holding Circuit Court on the first Mondays in March, July and November.
8. Private Acts of 1915, Chapter 552, set the salary of the Circuit Court Clerk in Hamblen County at \$700 per year, to be paid from the fees of that office. The minimum and maximum salary of the Circuit Court Clerk is now set by T.C.A. 8-24-102 and 8-24-104.
9. Private Acts of 1923, Chapter 15, set the terms of the Circuit Court on the first Mondays in February, June and October. This act was amended by Public Acts of 1925, Chapters 35 and 96 and, later, by Public Acts of 1931 (2nd Ex. Sess.), Chapter 38.
10. Public Acts of 1972, Chapter 515, created a new judicial circuit for Greene, Hawkins and Hamblen Counties, and provided for a judge and specified terms. T.C.A. 16-2-506 now provides that Greene, Hawkins, Hancock and Hamblen Counties shall comprise the Third Judicial District. T.C.A. 16-2-510 abolishes terms.

District Attorney General - Assistants and Criminal Investigators

The following acts once affecting Hamblen County are no longer in effect but are listed here for historical purposes.

1. Public Acts of 1925, Chapter 96, provided for the election of attorney general for the twentieth judicial circuit.
2. Public Acts of 1939, Chapter 65, created the office of criminal investigator for the 2nd judicial circuit.
3. Public Acts of 1967, Chapter 48, created the office of assistant district attorney general for the counties of Greene, Hamblen and Hawkins in the twentieth judicial circuit.
4. Public Acts of 1969, Chapter 277, created an additional assistant district attorney general for the twentieth judicial circuit.
5. Public Acts of 1974, Chapter 567, created the office of secretary-file clerk to the office of District Attorney General for the twentieth judicial circuit.
6. Public Acts of 1974, Chapter 685, created one additional position of criminal investigator for the twentieth judicial circuit.

General Sessions Court

The following acts once affected the general sessions court of Hamblen County, but are no longer in effect and are included herein for reference purposes.

1. Private Acts of 1963, Chapter 256, was amendatory to Private Acts of 1947, Chapter 235, providing for secretarial assistance to the General Sessions Judge at a salary of \$300. This Act was rejected on the local level and never became an effective law.
2. Private Acts of 1965, Chapter 216, attempted to amend the General Sessions Court Act, by raising the judge's salary to \$10,000 per year, but it was rejected by the Quarterly County Court and

never took effect.

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