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# Court System - Historical Notes

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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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# Court System - Historical Notes

## **Board of Jury Commissioners - Jurors**

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

1. Private Acts of 1925, Chapter 521, created boards of jury commissioners in Loudon, Blount, Roane, Monroe, Bradley and Polk counties. This act was amended by Private Acts of 1927, Chapter 285 which removed Loudon County from applicability of the act.
2. Private Acts of 1931, Chapter 556, established a board of jury commissioners in Loudon County; prescribed the duties of the members of said board and provided for jury lists and jury boxes.

## **Chancery Court**

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of equity jurisdiction in Loudon County, although they no longer have the force of law since they have either been superseded by general law, repealed, or failed to receive local ratification.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

1. Public Acts of 1870, Chapter 32, placed Christiana County in the second chancery district along with Knox, Sevier, Campbell, Union, Anderson, Roane, Monroe, Blount, Scott, Morgan and Fentress counties.
2. Public Acts of 1870, Chapter 47, fixed the time for holding the Christiana County Chancery Court to the third Mondays of May and November.
3. Acts of 1885, Extra Session, Chapter 20, placed Loudon County in the second chancery division along with Knox, Campbell, Sevier, Union, Anderson, Blount, Roane, Morgan and Scott counties. The time for holding said court in Loudon County was set for the third Mondays in May and November.
4. Public Acts of 1899, Chapter 427, placed Loudon County in the second chancery division along with Sevier, Blount, Campbell, Anderson, Roane, Morgan, Scott, Union, Fentress and Jefferson counties. The time for holding said court in Loudon County was set to the third Monday in January and July.
5. Public Acts of 1931, Second Extra Session, Chapter 38, placed Loudon County in the second chancery division along with Hawkins, Claiborne, Hancock, Campbell, Anderson, Roane and Scott counties. The time for holding said court in Loudon County was set to the first Mondays in May and November.

## **Chancery Court - Clerk and Master**

The reference list below contains an act which once applied to the clerk and master in Loudon County.

1. Private Acts of 1925, Chapter 83, set the salary of the Loudon County Clerk and Master at \$300 per year plus the fees of the office. This act was repealed by Private Acts of 1933, Chapter 124.

## **Circuit Court**

The following acts were once applicable to the circuit court of Loudon County but now have no effect, having been repealed, superseded, or having failed to win local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1870, Chapter 31, placed Christiana County in the third judicial circuit along with Morgan, Anderson, Knox, Monroe, Roane, Cumberland Fentress and Blount counties.
2. Public Acts of 1870, Chapter 46, fixed the time for holding the Christiana County Circuit Court to the fourth Mondays of May, September and January.
3. Public Acts of 1879, Chapter 179, set the time for holding the Loudon County Circuit Court to the fourth Mondays in April, August and December.
4. Acts of 1885, Extra Session, Chapter 20, placed Loudon County in the third judicial circuit along with Blount, Monroe, Roane, Morgan and Scott counties. The time for holding said court in Loudon County was set to the fourth Mondays in April, August and September.
5. Public Acts of 1895, Chapter 30, set the time for holding the Loudon County Circuit Court on the first Mondays in January, May and September.
6. Public Acts of 1899, Chapter 427, placed Loudon County in the fourth judicial circuit along with

Bradley, Polk, Meigs, McMinn, James, Roane, Blount and Monroe counties. The time for holding said court in Loudon County was set to the first Monday in March, July and November.

7. Acts of 1903, Chapter 354, set the time for holding the Loudon County Circuit Court to the first Mondays in February, June and October.
8. Private Acts of 1911, Chapter 401, set the terms of the Loudon County Circuit Court to the first Monday in February, the fourth Monday in May and the first Monday in October.
9. Private Acts of 1923, Chapter 537, set the time for holding the Loudon County Circuit Court on the first Mondays in February, June and October.
10. Public Acts of 1929, Chapter 142, set the time for holding the Loudon County Circuit Court to the fourth Monday in February, June and October.
11. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, placed Loudon County in the fourth judicial circuit along with Bradley, Roane, Blount, McMinn, Polk and Monroe counties. The time for holding said court in Loudon County was to the fourth Mondays in February, June and October.

### **Circuit Court - Clerk**

The following acts have no current effect, but once applied to the Loudon County Circuit Court Clerk. They were repealed, superseded, or never received local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1897, Chapter 260, required the secretary of state to furnish the offices of the circuit court clerk and clerk and master of Loudon County all the supreme court reports up to the first Baxter volume. Loudon County was to pay the cost of transportation.
2. Private Acts of 1911, Chapter 328, set the salary of the Loudon County Circuit Court Clerk at \$600.00 per year.
3. Private Acts of 1915, Chapter 552, set the salary of the Loudon County Circuit Court Clerk at \$700.00 with the provision that any excess fees above this amount could be retained.
4. Private Acts of 1919, Chapter 471, set the salary of the Loudon County Circuit Court Clerk at \$900.00 per year to be paid out of the fee account. This act was repealed by Private Acts of 1923, Chapter 178.
5. Private Acts of 1921, Chapter 830, set the salary of the Loudon County Circuit Court Clerk at \$1200.00 per year. This act was repealed by Private Acts of 1923, Chapter 177.
6. Private Acts of 1925, Chapter 119, set the Loudon County Circuit Court Clerk's salary at \$300.00 per year in addition to the fees of the office.

### **Criminal Court**

The following acts once pertained to the Loudon County Criminal Court, but are no longer current law. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1899, Chapter 427, set the time for holding the Loudon County Criminal Court to the first Monday in March, July and November.
2. Private Acts of 1925, Chapter 58, created a criminal court in Loudon County. This act was duplicated in Public Acts of 1925, Chapter 15.
3. Private Acts of 1925, Chapter 105, fixed the dates for the opening of the regular terms for the criminal court in Loudon County to the first Mondays in March, July and November.
4. Public Acts of 1929, Chapter 142, set the time for holding the Loudon County Criminal Court on the fourth Monday of January, May and September.
5. Public Acts of 1931, Second Extra Session, Chapter 38, re-established the criminal division of the fourth judicial circuit which comprised the counties of Loudon, Bradley, Blount, McMinn, Polk, Monroe and Roane. The time for holding said court in Loudon County was set for the fourth Mondays in January, May and September.
6. Public Acts of 1965, Chapter 188, created the twenty fourth judicial circuit and transferred the counties of Polk, McMinn, Bradley, and Monroe into that circuit, leaving Blount, Loudon and Roane Counties in the criminal division of the fourth circuit. The Loudon County courts would meet on the third Mondays in March, July and November, in Loudon County for civil cases and the third Mondays in January, May and September for criminal cases.
7. Public Acts of 1979, Chapter 427, changed all court dates from the third to the first Mondays of the designated months set out in 5 above.

### **District Attorney General - Assistants and Criminal Investigators**

The following acts once affecting Loudon County are no longer in effect but are listed here for historical purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1939, Chapter 228, established a criminal investigator for the fourth judicial circuit.
2. Public Acts of 1971, Chapter 130, created the office of one additional assistant district attorney general for the fourth judicial circuit, which included Loudon County.
3. Public Acts of 1972, Chapter 550, authorized the district attorney for the fourth circuit to hire at secretary at the salary of \$4,800 per annum. This act has been superseded by T.C.A. 8- 26-101 (G) and (H) which provides that secretarial salaries for such positions will be determined by the executive secretary of the district attorney general conference in conjunction with the commissioner of personnel.
4. Public Acts of 1974, Chapter 687, created the office of one criminal investigator for the fourth judicial circuit, which include Loudon County.

### **General Sessions Court**

The following act once affected the general sessions court of Loudon County, but is no longer in effect and is included herein for reference purposes.

1. Private Acts of 1965, Chapter 225, would have amended Private Acts of 1959, Chapter 57 so as to vest the general sessions court of Loudon County with jurisdiction to hear and determine workmen's compensation cases and to remove the disabilities of minors. However, this act was rejected by Loudon County and therefore never became law.
2. Private Acts of 2003, Chapter 57, would have amended Private Acts of 1959, Chapter 57, by creating a "Family Court of Loudon County, Tennessee." This act did not receive local approval.
3. Private Acts of 2005, Chapter 55, would have amended Private Acts of 1959, Chapter 57, by creating a "Family Court of Loudon County, Tennessee". This act did not receive local approval.

### **Secretarial Assistance**

The following act is no longer in effect but is listed here for historical purposes.

1. Public Acts of 1963, Chapter 231, created the office of secretary of the judge of the fourth judicial circuit who was to be paid \$2,400 per year.

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