



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Chapter V - Court System

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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.

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## Chapter V - Court System

### Chancery Court

#### Clerk and Master

### Private Acts of 1963 Chapter 262

**COMPILER'S NOTE:** The general law providing for the appointment of deputies and assistants to the Clerk and Master is found at T.C.A. § 8-20-101 et seq.

**SECTION 1.** That the Clerk and Master of the Chancery Court of Lauderdale County, Tennessee, is hereby allowed to employ secretarial assistance and compensate such person in an amount of One Hundred and Fifty Dollars (\$150.00) per month, payable from the general funds of the County.

**SECTION 2.** That this Act shall have no effect unless the same shall have been approved by a two thirds vote of the Quarterly County Court of Lauderdale County on or before the next regular meeting of such Quarterly County Court occurring more than thirty days after its approval by the Chief Executive of this State. Its approval or nonapproval shall be proclaimed by the presiding officer of the body having jurisdiction to approve, and shall be certified by him to the Secretary of State.

**SECTION 3.** That this Act shall be effective from and after its passage, the public welfare requiring it, but the provisions thereof shall not become operative until validated as provided in Section 2 herein.

Passed: March 20, 1963.

### Circuit Court

#### Clerk

### Private Acts of 1961 Chapter 269

**COMPILER'S NOTE:** The appointment of deputies and assistants to the Circuit Court Clerk is governed by general law found in T.C.A. § 8-20-101 et seq., which formerly was T.C.A. § 8- 2001 et seq., referenced in the act above.

**SECTION 1.** That in all counties of this state having a population of not less than 21,800 nor more than 21,850, such county may provide for compensating an assistant to the Circuit Court Clerk as follows:

In the event the Circuit Judge of such County, under the provisions of Section 8-2001 et seq. of the Tennessee Code Annotated, enters an order allowing an Assistant to such Clerk and fixes the amount of the salary therefor, payment to such Assistant shall be made in equal monthly installments by warrants drawn on the County Trustee and signed by the County Judge or Chairman of the County Court from surplus fees and costs turned in to the County General Fund from the Circuit Court Clerk, over and above the salary allowed him by law. Provided, however, that if such surplus funds are not sufficient to pay such Assistant the amount fixed as his salary by the Circuit Judge as above provided, the same shall be supplemented to such extent from the general funds of the County and the County Court of such County shall appropriate sufficient funds therefor.

**SECTION 2.** That this Act shall have no effect unless the same be approved by a two-thirds (2/3) vote of the Quarterly County Court of any County to which this Act applies. The presiding officer of such body shall proclaim its approval or nonapproval and certify the same to the Secretary of State.

**SECTION 3.** That this Act shall take effect from and after its passage the public welfare requiring it.

Passed: March 14, 1961.

### Law Library Commission

### Private Acts of 1963 Chapter 265

**SECTION 1.** That there is hereby created the Lauderdale County Law Library and Courtroom Commission which shall be composed of five members.

Two members of said Commission shall be attorneys at law appointed by the President of the Lauderdale County Bar Association for terms of two years, or until their successors are appointed. The Clerk and Master of the Chancery Court, the Clerk of the Circuit Court, and the Sheriff of Lauderdale County shall be members of the Commission. The members of the Commission shall elect from among its membership a chairman and a secretary.

The members of the Commission shall receive no compensation for their services as such.

**SECTION 2.** That a litigation tax of fifty cents (50¢) shall be taxed as part of the cost in all cases filed in the General Sessions Court, the Chancery Court, and the Circuit Court of Lauderdale County.

Said tax shall be collected by the Clerks of said courts and shall be paid into a separate fund, which shall be designated Law Library and Courtroom Fund. Said fund shall be maintained by the County Trustee and expenditures from said fund for the purposes herein authorized shall be made by warrants signed by the chairman and secretary of the Commission upon proper authorization by the Commission.

**SECTION 3.** That the Commission shall establish and maintain a Law Library for the use of the courts, judges, public officials, attorneys, and the public. The Commission shall have power to acquire by gift, purchase, loan or otherwise such codes, treatises, court reports and other books, periodicals and services which it shall deem beneficial for those persons authorized to use the same.

The Commission shall have authority to acquire in like manner furniture, equipment and supplies necessary or useful in the establishment and operation of the library.

The Commission shall make rules and regulations governing the operation and use of said library and shall be responsible for the protection and safekeeping of the library, its contents, equipment and supplies. The Commission shall have authority to exclude from using the library facilities any persons who damage the library, or its contents, or who refuse to conform with the rules and regulations promulgated.

The Commission shall have authority to expend the funds herein provided for the purpose of improving the facilities of the courtrooms in the Lauderdale County Courthouse.

**SECTION 4.** That the Quarterly County Court of Lauderdale shall provide suitable facilities for the housing and safekeeping of the library, its contents and equipment. The library, its contents, equipment and supplies shall be the property of Lauderdale County.

**SECTION 5.** That the Commission shall hold regular meetings and special meetings upon the call of the chairman. Four members shall constitute a quorum and the affirmative vote of at least three members shall be necessary for any affirmative action of the Commission. The secretary shall keep a record of the meetings, which record shall reflect all action of the Commission.

**SECTION 6.** That this Act shall have no effect unless the same shall be approved by a two-thirds vote of the Quarterly County Court of Lauderdale County at its next regular meeting held more than ten days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the County Judge and shall be certified by him to the Secretary of State.

**SECTION 7.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 21, 1963.

## Probate and Juvenile Court

### Private Acts of 1982 Chapter 313

**SECTION 1.** There is hereby created a Probate and Juvenile Court in and for Lauderdale County, Tennessee to be known as the "Probate and Juvenile Court of Lauderdale County, Tennessee".

**SECTION 2.** Such court shall have jurisdiction over all matters over which jurisdiction is now or shall hereafter be vested in probate or juvenile courts by the general laws of the State of Tennessee, including, but not limited to the jurisdiction as now vested in the County Court of Lauderdale County, Tennessee, by the general laws of the state and those judicial powers vested in the County Judge of Lauderdale County, Tennessee, by public or private acts, and by Tennessee Code Annotated, Sections 16-16-107 through 16-16-119, inclusive; Tennessee Code Annotated, Title 30, Chapters 1 through 20, inclusive; Tennessee Code Annotated, Title 31, Chapters 1 through 8, inclusive; Tennessee Code Annotated, Title 32, Chapters 1 through 5, inclusive; Tennessee Code Annotated, Title 34, Chapters 1 through 11, inclusive; Tennessee Code Annotated, Title 35, Chapters 1 through 11, inclusive; Tennessee Code Annotated, Title 37, Chapters 1 through 17, inclusive; all to the extent that under such laws the jurisdiction thereunder was vested heretofore in any juvenile court or any county court or any court exercising the jurisdiction thereof formerly known as a Quorum County Court or Monthly County Court.

**SECTION 3.** The Office of County Judge of Lauderdale County, Tennessee as heretofore created by public or private acts is hereby divested of any and all judicial powers as therein created and to the extent thereof such former act is repealed.

**SECTION 4.** The County Clerk of Lauderdale County, Tennessee shall act as the Clerk of the Probate Court of Lauderdale County, Tennessee as herein established and when acting as clerk of such court, shall be designated as the "Clerk of the Probate and Juvenile Court of Lauderdale County, Tennessee" and such minute books and other necessary records for such court as shall be necessary and required shall so reflect. The clerk shall charge all fees and be entitled to receive such fees and charges as shall be fixed by the general laws of the State of Tennessee from time to time for any county, probate or juvenile court in the State of Tennessee, and which such fees when collected shall be accounted for and disbursed as all fees and charges are similarly done by such courts. The County Clerk shall be empowered to designate one or more persons employed by him as deputies from time to time to be a deputy clerk for the court herein created.

**SECTION 5.** The judge of the court herein created shall have all jurisdiction to punish for contempt and to issue extraordinary writs and processes as now or shall hereafter be exercised by any judge or chancellor or any circuit or chancery court of the State of Tennessee.

**SECTION 6.** Appeals from the court herein created, or any contest of any will being probated therein, or the demand for a jury trial upon any issue therein provided shall be the Circuit Court of Lauderdale County, Tennessee or such other court as may by the general laws of the state be from time to time provided, or to such appellate court of the State of Tennessee as may be from time to time provided by law, all according to the general laws of the State of Tennessee.

**SECTION 7.** If the judge of the court herein created shall fail to attend or cannot preside in any pending case, or for any other reason shall not be able to hold court, he may designate in writing some person otherwise qualified to hold such court in his place and stead or in default thereof a majority of the attorneys then present may elect one of their number who has the qualifications of such judge, and when such person shall have been so appointed or elected, he shall take the same oath and have the same authority as the regular judge of such court to hold court and perform all of the duties thereof for such occasion.

**SECTION 8.** In case of a vacancy for any cause in the office of the judge of the court herein created, the same shall be filled by an election and appointment of the County Commission of Lauderdale County, Tennessee of some person otherwise qualified to fill such vacancy and which such person when so elected and appointed by the County Commission shall serve until the first day of September following the next biennial August election occurring more than thirty (30) days after such vacancy occurs and until such person's successor is duly elected and qualified.

**SECTION 9.** The court herein created shall at all times be treated and considered as a court of record. That such court shall be in continuous session without the intervention of any term or terms, it being provided herein that such court shall be held by the judge thereof at such time and during such periods as shall be required to provide for the orderly dispatch and disposition of all business properly coming before it.

**SECTION 10.** There shall be one judge for the court herein created who shall be a duly licensed lawyer within the State of Tennessee, and who shall be at least thirty (30) years of age at the time of his election or appointment and who shall otherwise have all of the qualifications and shall have the same term as provided by the Constitution of the State of Tennessee for inferior court judges and who shall take the same oath that shall be required for other judges of the State of Tennessee.

**SECTION 11.** The compensation of the judge of the court herein created shall be set, prior to the beginning of each term, by the County Commission, and such compensation shall be subject to annual cost of living increases equal to the percentage increase established annually by the General Assembly for other county officials. Such salary or compensation shall be payable in equal monthly installments out of the General Fund of Lauderdale County, Tennessee. The salary or compensation of such judge shall not be otherwise increased or decreased during the term of office.

**SECTION 12.** The County Commission of Lauderdale County, Tennessee shall annually appropriate from the General Fund of Lauderdale county such funds as are necessary and appropriate for the orderly operation and administration of the court herein created.

**SECTION 13.** This act shall not be construed to prohibit the judge of the court herein created from the private practice of law except that he shall be prohibited from practicing law in any matter over which the court herein created may exercise jurisdiction.

**SECTION 14.** The judge of the court herein created shall from time to time be authorized and empowered to adopt rules of practice and procedure for the court not otherwise inconsistent with the substantive and

procedural laws of the State of Tennessee relative to matters within the jurisdiction of such judge, or that shall not otherwise be inconsistent with such rules as may be from time to time promulgated by any superior court having supervisory jurisdiction over the court herein created.

**SECTION 15.** Every provision of this act is declared to be severable and should any portion of the same be held unconstitutional or invalid for any reason the same shall not affect the remainder of this act, it being the intent herein that such unconstitutionally declared portions shall be elided, and that the General Assembly declare that it would have thus enacted this act with such unconstitutional or invalid portions elided therefrom.

**SECTION 16.** Notwithstanding any provision of Tennessee Code Annotated, Title 2, Chapter 5, Part 1 or any other provisions of the law to the contrary, for the 1982 election only, if this act is approved pursuant to Section 17 after the final date for filing nominating petitions for the 1982 regular August election, the county election commission of Lauderdale County shall establish a time for filing such nominating petitions for the office of judge of the court of general sessions [sic].

**SECTION 17.** This act shall have no effect unless it shall have been approved by a twothirds (2/3) vote of the County Commission of Lauderdale County, Tennessee and such approval being certified and proclaimed by the presiding officer thereof to the Secretary of State.

**SECTION 18.** For the purpose of approving or rejecting the provisions of this act as provided in Section 16 [sic], it shall take effect upon becoming a law, the public welfare requiring it. For all other purposes it shall take effect upon the earliest occurrence of the following:

(a) September 1, 1982, provided that for the purpose of filling the office of judge herein created by election of the people it shall be effective for purposes of candidates qualifying for election thereto as of the first day for qualifying as provided by the general election laws of the State of Tennessee; or

(b) Upon the death or resignation of the incumbent or vacancy otherwise occurring in the office of County Judge of Lauderdale County, Tennessee as now exists pursuant to Chapter 162 of the Acts of the General Assembly of the State of Tennessee of 1887.

**COMPILER'S NOTE:** Acts of 1887, Chapter 162, referenced in Section 18(b) above, created the office of County Judge for Humphreys County, and not Lauderdale County.

Passed: April 8, 1982.

## Court System - Historical Notes

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

The following acts once affected jurors or boards of jury commissioners in Lauderdale County, but are no longer operative.

1. Public Acts of 1835-36, Chapter 6, directed the County Courts of each county to designate and cause to be summoned either 25 or 37 citizens of the county who were land owners and over 21 years of age to serve as jurors for circuit court, with one juror to be selected from each civil district if there were 25 civil districts in the county. Jurors were to be paid \$1 for each day of service.
2. Private Acts of 1947, Chapter 865, set the compensation of jurors in Lauderdale County at \$3 per day for each day of service.
3. Private Acts of 1957, Chapter 230, would have created a Board of Jury Commissioners for Lauderdale County, but this act was not approved by the quarterly county court and never became law.
4. Private Acts of 1959, Chapter 319, would have set the compensation of jurors on both grand and petit juries in Lauderdale County at \$7.50 per day for each day's attendance, with the Foreman of the Grand Jury to be paid \$10 daily. This act also would have repealed Private Acts of 1947, Chapter 865, but this act was not approved by the quarterly county court and never became law.

### **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Lauderdale 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.

1. Public Acts of 1835-36, Chapter 4, created three chancery divisions in Tennessee to be known as the Eastern, Middle and Western Divisions. The Western Division was composed of Weakley,

Obion, Dyer, Gibson, Carroll, Benton, Perry, Henderson, Madison, Haywood, Tipton, Lauderdale, Fayette, Shelby, Henry, Hardeman and McNairy Counties. The chancery court for the counties of Lauderdale, Tipton and Haywood was designated the 6th District of the Western Division, to be held at Brownsville on the third Mondays in May and November.

2. Acts of 1853-54, Chapter 105, placed Lauderdale County in a separate chancery district with court to be held at Ripley on the first Mondays in January and July. The chancellor was to appoint a clerk and master.
3. Acts of 1855-56, Chapter 158, changed the dates for holding chancery court at Ripley to the second Mondays in June and December.
4. Public Acts of 1857-58, Chapter 88, set the dates for holding chancery court in the Eastern, Middle, Western, Fourth, Fifth and Sixth Chancery Divisions. The terms of the chancery court at Ripley in Lauderdale County would begin on the first Thursday after the fourth Monday in May and on the first Thursday after the third Monday in November.
5. Public Acts of 1866-67, Chapter 33, set the dates for holding chancery court at Ripley in Lauderdale County on the first Monday after the fourth Monday in May and the fourth Monday in November.
6. Public Acts of 1869-70 (2nd Sess.), Chapter 32, divided the state into 12 chancery districts. Lauderdale County was in the 10th District along with Hardeman, Madison, Haywood, Tipton and Fayette Counties. The twelve chancery "districts" created by Public Acts of 1869-70 (2nd Sess.), Chapter 32, were referred to as "divisions" in subsequent legislation.
7. Public Acts of 1869-70 (2nd Sess.), Chapter 47, set the dates for holding chancery court throughout the state. In the 10th Division, the chancery court in Lauderdale County would begin on the third Mondays in May and November.
8. Public Acts of 1879, Chapter 17, changed the dates for holding chancery court in Lauderdale County to the first Mondays in May and November.
9. Acts of 1885 (Ex. Sess.), Chapter 20, established chancery divisions, judicial circuits and special criminal circuits throughout the state. Lauderdale County remained in the 10th Chancery Division along with Fayette, Tipton, Haywood, Dyer, Obion, Weakley and Gibson Counties. Chancery court terms in Lauderdale County would begin on the first Mondays in March and September.
10. Public Acts of 1887, Chapter 17, changed the dates for holding chancery court in Lauderdale County to the first Mondays in June and December.
11. Public Acts of 1889, Chapter 23, changed dates for holding chancery courts in the 10th Division. The chancery court at Ripley in Lauderdale County would continue to be held on the first Mondays in June and December.
12. Public Acts of 1895, Chapter 99, changed the dates for holding chancery court in the 10th Division. Lauderdale County was changed to the second Mondays in June and December.
13. Public Acts of 1899, Chapter 427, reorganized the judicial circuits and chancery divisions of the state. Ten chancery divisions were established, and Lauderdale County was placed in the 9th Division along with Dyer, Obion, Lake, Weakley, Gibson, Fayette, Haywood, Tipton and Hardeman Counties. The chancery court terms in Lauderdale County would begin on the first Mondays in April and October.
14. Acts of 1903, Chapter 591, changed the court terms for the 9th Chancery Division. Lauderdale County was set on the third Mondays in May and November.
15. Public Acts of 1931 (2nd Ex.Sess.), Chapter 38, restructured the chancery divisions and judicial and criminal circuits, dividing the state into 13 chancery divisions. Lauderdale County remained in the 9th Division, with chancery court terms to begin on the third Mondays in May and November.
16. Public Acts of 1974, Chapter 547, provided for an additional Chancellor for the 9th Chancery Division, and divided the division into Part I and Part II. The Chancellor for Part II was designated the Senior or Presiding Chancellor. The additional Chancellor was allowed \$4,800 per year to employ secretarial assistance.
17. Public Acts of 1976, Chapter 577, amended Public Acts of 1974, Chapter 547, to provide that the Chancellor for Part I would preside over Fayette, Hardeman, Hardin, McNairy and Chester Counties, and the Chancellor for Part II would preside over Tipton, Lauderdale, Haywood and Crockett Counties. Part II would be held in Lauderdale County on the third Mondays in May and November.

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

The reference list below contains acts which once applied to the clerk and master in Lauderdale County.

1. Public Acts of 1897, Chapter 124, provided that the clerk and masters of the chancery courts would no longer be allowed to keep all of the fees received by their offices, and instead would be paid a fixed salary. Assuming that the population of Lauderdale County was just over 20,000, the Clerk and Master would have received \$1,800 annually. This act was declared unconstitutional in *Weaver v. Davidson County*, 59 S.W. 1105 (Tenn. 1900).
2. Public Acts of 1835-36, Chapter 4, placed Lauderdale, Tipton and Haywood Counties Counties in the 6th District of the Western Division, with the Chancellor for the Western Division to appoint a Clerk and Master for the court at Brownsville, to serve a term of 6 years.
3. Acts of 1853-54, Chapter 105, placed Lauderdale County in a separate chancery district and directed the Chancellor for the western division to appoint a Clerk and Master at Ripley.
4. Private Acts of 1931, Chapter 488, fixed the salary of the Clerk and Master of Lauderdale County at \$2,400 annually, provided that he filed a sworn itemized statement with the Judge or Chairman of the County Court showing the total amount of fees paid into the office, less commissions or fees as receivers. If the fees were less than the salary, the county would make up the difference, but if the fees exceeded the salary, the Clerk and Master could retain the excess.

### **Circuit Court**

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

1. Public Acts of 1835-36, Chapter 5, established eleven judicial circuits with one circuit judge in each circuit. Circuit court was to be held three times each year in each county. Lauderdale, Perry, Henderson, Madison, Haywood and Tipton Counties constituted the 10th Judicial Circuit. Circuit court in Lauderdale County was set on the third Mondays in February, June and October.
2. Acts of 1839-40, Chapter 21, changed the dates for holding certain circuit and chancery courts in the state. Circuit court in Lauderdale County would begin on the first Mondays in February, June and October.
3. Acts of 1841-42, Chapter 149, set the dates for holding circuit court in Lauderdale County on the first Mondays in February, June and October.
4. Acts of 1843-44, Chapter 155, changed the dates for holding certain circuit and chancery courts in the state. Circuit court in Lauderdale County would begin on the third Mondays in February, June and October.
5. Acts of 1855-56, Chapter 157, attached Lauderdale County to the 11th Judicial Circuit and provided that circuit court would begin on the third Mondays in March, July and November. This act was passed on February 14, 1856, and the portion of the act which attached Lauderdale County to the 11th Judicial Circuit was repealed on February 21, 1856, by Acts of 1855-56, Chapter 150.
6. Public Acts of 1857-58, Chapter 13, established a new 15th Judicial Circuit consisting of Gibson, Obion, Dyer and Lauderdale Counties. Court terms would begin in Lauderdale County on the third Mondays in April, August and December.
7. Public Acts of 1857-58, Chapter 21, set the dates for holding circuit court in Lauderdale County on the second Mondays in January, May and September, and directed the judges of the 9th and 10th Circuits to hold court in the counties in the new 15th Circuit until the judge of the 15th Circuit could be elected.
8. Public Acts of 1857-58, Chapter 98, divided the State into sixteen judicial circuits. Lauderdale County was placed in the 16th Judicial Circuit along with Dyer, Obion and Gibson Counties. Circuit court terms would begin in Lauderdale County on the third Mondays in January, May and September.
9. Private Acts of 1857-58, Chapter 82, set the dates for holding circuit court in Lauderdale County on the third Mondays in January, May and September.
10. Private Acts of 1859-60, Chapter 125, changed the dates for holding circuit court in Lauderdale County to the second Mondays in March, July and November.
11. Public Acts of 1867-68, Chapter 1, attached Lauderdale County to the 14th Judicial Circuit.
12. Public Acts of 1869-70 (2nd Sess.), Chapter 31, established fifteen judicial circuits in the state. Lauderdale County was in the 14th Judicial Circuit along with Fayette, Tipton and Hardeman Counties, and the circuit court at Bartlett in Shelby County.



13. Public Acts of 1869-70 (2nd Sess.), Chapter 46, set the dates for holding circuit courts across the state. Circuit court was to begin in Lauderdale County on the fourth Mondays in January, May and September.
14. Acts of 1885 (Ex. Sess.), Chapter 20, divided the state into fourteen judicial circuits, as well as chancery divisions and criminal court circuits. Lauderdale County was placed in the 13th Judicial Circuit along with Dyer, Hardeman, Fayette, Tipton and Lake Counties. Court would begin in Lauderdale County on the first Tuesdays in March, July and November.
15. Public Acts of 1891, Chapter 179, amended Acts of 1885 (Ex. Sess.), Chapter 20, to change the times for holding circuit court in Lauderdale, Dyer and Tipton counties. Circuit court in Lauderdale County was changed to the second Tuesdays in March, July and November.
16. Public Acts of 1899, Chapter 427, divided the state into fourteen judicial circuits, as well as chancery divisions and special criminal circuits. Lauderdale County was placed in the 14th Judicial Circuit with Obion, Lake, Dyer, Tipton, Fayette and Weakley Counties. Lauderdale County circuit court would begin on the third Mondays in February, June and October.
17. Acts of 1905, Chapter 57, amended Public Acts of 1899, Chapter 427, to create a new 16th Judicial Circuit which comprised Lauderdale, Tipton, Fayette, Hardeman, McNairy and Madison Counties (criminal jurisdiction in Madison County remained in the 12th Judicial Circuit). Court terms would begin at Ripley in Lauderdale County on the second Mondays in April, August and December.
18. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, reorganized the state into twenty judicial circuits, as well as chancery divisions and special criminal circuits. Lauderdale County remained in the 16th Judicial Circuit, along with Hardeman, McNairy, Madison, Tipton and Fayette Counties. Circuit court terms in Lauderdale County would begin on the first Mondays in February, June and October.

### **Circuit Court - Clerk**

The following acts have no current effect, but once applied to the Lauderdale County Circuit Court Clerk. They were repealed, superseded, or never received local approval.

1. Public Acts of 1897, Chapter 124, provided that the clerks of the circuit courts would no longer be allowed to keep the fees received by their offices, and instead would be paid a fixed salary based upon the county population. The Circuit Court Clerk in Lauderdale County would have received \$1,500 annually, based upon the available population figures. This act was declared unconstitutional in Weaver v. Davidson Co., 59 S.W. 1105 (Tenn. 1900).
2. Acts of 1903, Chapter 255, set the salaries for circuit court clerks across the state according to population. The Circuit Court Clerk in Lauderdale County would have been paid \$1,000 annually. The clerks were required to file an itemized sworn statement of all fees received by their offices. If the fees were less than the salary the county would pay the difference, but if the fees exceeded the salary the clerk was allowed to retain the excess.
3. Private Acts of 1929, Chapter 239, set the salary of the Circuit Court Clerk of Lauderdale County at \$1,500 per year, with no other compensation. All fees collected by the office had to be turned over to the county by the first of each month.

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

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

1. Public Acts of 1857-58, Chapter 13, established the 15th Judicial Circuit consisting of Gibson, Obion, Dyer and Lauderdale Counties, and provided for the election of an Attorney for the State for the new judicial circuit.
2. Public Acts of 1973, Chapter 91, created the office of Assistant District Attorney for the 16th Judicial Circuit, consisting of the counties of Fayette, Hardeman, Lauderdale and Tipton, to be appointed by the District Attorney General. This act was superseded by Public Acts of 1984, Chapter 931, T.C.A. §§ 16-2-506 and 16-2-508.

### **General Sessions Court**

The following acts never received local approval, but are included herein as a reference to our readers.

1. Private Acts of 1993, Chapter 51, would have conferred domestic relations jurisdiction on the General Sessions Court of Lauderdale County.
2. Private Acts of 1993, Chapter 52, would have conferred probate jurisdiction on the General Sessions Court of Lauderdale County. This act failed to receive local approval.

3. Private Acts of 1994, Chapter 193, would have determined the salary of the general sessions judge according to county classifications in Tennessee Code Annotated.

### **Secretarial Assistance**

The following acts are no longer in effect but are listed here for historical purposes.

1. Public Acts of 1957, Chapter 150, set the salary of the stenographer to the Chancellor of the 9th Chancery Division at \$2,400 annually.
2. Public Acts of 1963, Chapter 309, increased the salary of the stenographer to the Chancellor of the 9th Chancery Division from \$2,400 to \$3,600 annually.
3. Public Acts of 1967, Chapter 137, increased the salary of the stenographer to the Chancellor of the 9th Chancery Division from \$3,600 to \$4,800 annually.

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