



December 22, 2024

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# Court System - Historical Notes

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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 Blount County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1797, Chapter 7, required Blount County to provide five grand jurors for the Hamilton District Superior Courts of Law.
2. Private Acts of 1925, Chapter 521, created a board of jury commissioners for Blount County. Blount County was removed from this act by Private Acts of 1927, Chapter 285.
3. Private Acts of 1929, Chapter 43, set the salary of jurors at \$3.00.
4. Private Acts of 1931, Chapter 556, created a board of jury commissioners for Blount County.

## **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Blount County, although they no longer have the force of law since they have either been superseded by general law, repealed, or failed to receive local ratification.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 1823, Chapter 13, provided that the chancery court in Blount County would begin its terms on the first Mondays in June and December.
2. Public Acts of 1824, Chapter 14, fixed the time of holding chancery court in Blount County to the first Monday in June and December.
3. Private Acts of 1831, Chapter 217, Section 4, directed the chancellor of the Eastern Division of the state to hold a chancery court at Madisonville, in Monroe County and continue the terms thereof for two weeks, should business of said court require, for the counties of Blount, McMinn and Monroe.
4. Private Acts of 1833, Chapter 199, authorized Blount County citizens to bring chancery suits either in the court at Knoxville or the court at Madisonville.
5. Public Acts of 1835-36, Chapter 4, established the sixth chancery district which composed of the counties of Anderson, Knox and Blount. The court was held at Knoxville on the second Mondays in April and October.
6. Public Acts of 1835-36, Chapter 20, Section 11, allowed the citizens of Blount County the right to file their bills and have them tried in the chancery court in Madisonville or at Knoxville.
7. Acts of 1851-52, Chapter 345, established a chancery court in Maryville, and provided that terms would begin on the second Monday in February and August.
8. Acts of 1851-52, Chapter 353, provided that chancery cases which had originated in Blount County and were pending in the chancery courts in Knoxville, Sevierville, or Madisonville, would be transferred to the new chancery court in Maryville.
9. Acts of 1853-54, Chapter 54, established the first chancery division in which Blount County was a part of. The times for holding the court was not altered.
10. Acts of 1853-54, Chapter 55, Section 4, set the times for holding the chancery court for Blount County to the fourth Mondays in May and November.
11. Public Acts of 1857-58, Chapter 88, set the dates for holding chancery court in Blount County on the fourth Mondays in May and November.
12. Private Acts of 1859-60, Chapter 37, changed the days for holding chancery court to the first Tuesday after the first Monday in May and September.
13. Public Acts of 1865, Chapter 14, again changed the time for holding chancery court; this act providing that it should meet on the fourth Mondays in June and December.
14. Public Acts of 1865-66, Chapter 41, set the time for holding chancery court on the second Mondays in June and December.
15. Public Acts of 1870, Chapter 32, divided the state into chancery districts. The counties of Blount, Knox, Sevier, Campbell, Union, Anderson, Roane, Monroe, Scott, Morgan, Fentress and Christiana formed the third chancery district.
16. Public Acts of 1870, Chapter 47, divided the state into chancery divisions. Blount County was

placed in the second chancery division in which the times of holding the chancery court was set to the second Mondays of June and December.

17. Acts of 1872, Extra Session, Chapter 15, again changed the time for holding chancery court, to the second Mondays in June and December of each year.
18. Acts of 1885, Extra Session, Chapter 20, provided that the second chancery division would consist of the courts in the counties of Knox, Campbell, Sevier, Union, Anderson, Blount, Roane, Loudon, Morgan and Scott; and this act further provided that the chancery court in Blount County would be held on the second Mondays in June and December.
19. Public Acts of 1887, Chapter 92, set the time for holding chancery court on the third Monday in April and October.
20. Private Acts of 1901, Chapter 438, divided the state into chancery divisions. Blount County was placed in the first chancery division and the time for holding the chancery court was set to second Mondays in April and October.
21. Acts of 1907, Chapter 174, changed the time for holding chancery court to the first Mondays in April and October.
22. Public Acts of 1919, Chapter 100, created and established a chancery division out of the counties of Blount, Cocke, Grainger, Hamblen, Jefferson, Sevier and Union. The times for holding the court for Blount County was set for the first Monday in April and October.
23. Private Acts of 1929, Chapter 216, amended the general law then in effect to provide that in Blount County chancery court would be held on the second Mondays in March and September.
24. Public Acts of 1931, Chapter 38, Second Extra Session, placed Blount County in the thirteenth chancery division and set the time for holding chancery court to the second Mondays in March and September.
25. Public Acts of 1972, Chapter 462, created the law and equity court for Blount County. The law and equity court has concurrent jurisdiction with the chancery and circuit courts of Blount County, in which the judge of the law and equity court was vested with all the common law and statutory powers of the chancery and circuit court judges. This act was amended by Public Acts of 1977, Chapter 418, which transferred the jurisdiction of the law and equity court to the thirtieth judicial circuit.

### **Clerk and Master**

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

1. Private Acts of 1911, Chapter 156, set the annual salary of the Blount County Clerk and master at \$850, and required him to file an annual statement of the fees received by his office. If these fees were more than the amount to be paid to him in salary, he was allowed to retain the excess. This was amended by Private Acts of 1917, Chapter 621, which raised this annual salary to \$1800.

### **Circuit Court**

The following acts were once applicable to the circuit court of Blount 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. Acts of 1809, Chapter 49, First Session, divided the state into five judicial circuits, and placed Blount in the second judicial circuit, along with Cocke, Jefferson, Sevier, Knox, Anderson, Roane, Rhea and Bledsoe counties. This act also provided that circuit court in Blount County would be held on the first Mondays in February and August of each year.
2. Acts of 1812, Chapter 81, Second Session, provided for an additional term of circuit court in Blount County, for the trial of civil causes only. This additional term was to have begun on the fifth Monday in August, 1813.
3. Acts of 1817, Chapter 121, changed the time for holding circuit court to the Monday after the fourth Monday in January and July of each year.
4. Public Acts of 1835-36, Chapter 5, established judicial circuits through out the state. Blount County was placed in the second judicial circuit in which the times of holding said court were set to the first Monday after the fourth Monday in January.
5. Acts of 1837-38, Chapter 3, set the time for holding circuit court in Blount County on the fourth Monday in January, May and September.
6. Acts of 1853-54, Chapter 55, reduced the terms of circuit court in Blount County to two annually,

to be held on the fourth Mondays in May and November.

7. Public Acts of 1857-58, Chapter 98, placed Blount County in the third judicial circuit and provided that court would be held on the fourth Mondays in January, May and September.
8. Public Acts of 1870, Chapter 31, divided the state into judicial circuits. Blount County was placed in the third circuit along with Morgan, Anderson, Knox, Monroe, Roane, Cumberland, Fentress and Christiana.
9. Public Acts of 1870, Chapter 46, fixed the time for holding the circuit courts through out the state. The times for holding the Blount County Circuit Court was set to the fourth Mondays of April, August and December.
10. Public Acts of 1879, Chapter 179, also specified that the circuit court in Blount County would be held on the fourth Mondays in January, May and September.
11. Acts of 1885 Extra Session, Chapter 20, placed Blount County in the third judicial circuit, along with Knox, Monroe, Loudon, Roane, Morgan and Scott, and also provided that court would be held on the fourth Mondays in January, May and September.
12. Public Acts of 1899, Chapter 168, abolished the third judicial circuit, of which Blount County had been a part of.
13. Public Acts of 1899, Chapter 239, set the time for holding circuit court on the third Mondays in January, May and September.
14. Public Acts of 1899, Chapter 409, attached the counties of Blount, Loudon and Roane to the seventeenth judicial circuit of the state. The circuit court for Blount County was set to the second Monday in February, June and October.
15. Public Acts of 1899, Chapter 427, placed Blount County in the fourth judicial circuit, along with the counties of Bradley, Polk, Meigs, McMinn, James Loudon, Roane and Monroe. The circuit court in Blount County was to meet on the first Monday of April, August, and December. This was amended by Private Acts of 1901, Chapter 413, to change the time for holding circuit court to the third Mondays in February, June and October; and this amendatory act itself was also amended, by Acts of 1903, Chapter 354, to set the time for holding circuit court in Blount County on the second Mondays in February, June and October.
16. Public Acts of 1915, Chapter 167, changed the time of holding the circuit court in Blount County, in the fourth judicial circuit, to the third Mondays in February, June and October of each year.
17. Private Acts of 1925, Chapter 58, established a separate criminal court for Blount, Monroe, Loudon, Roane, McMinn, Bradley and Polk counties.
18. Private Acts of 1925, Chapter 217, provided that criminal court in Blount County would begin its terms on the second Mondays in April, August and December.
19. Private Acts of 1925, Chapter 218, also specified that the terms of circuit court in Blount County would be held on the second Mondays in February, June and October.
20. Private Acts of 1929, Chapter 638, amended the general statute then in effect, exempting Blount County from the provisions setting the salary of the juvenile court judge. This was repealed by Private Acts of 1933, Chapter 424.
21. Public Acts of 1929, Chapter 142, fixed the times of holding the Blount County Circuit Court to the first, second and third Mondays of February, June and October.
22. Public Acts of 1931, Chapter 38, Second Session, placed Blount County in the third judicial circuit and set the times for holding circuit court to the first Mondays in February, June and October.
23. Public Acts of 1972, Chapter 462, created a circuit court for the thirteenth judicial circuit, the jurisdiction of which was co-extensive with Blount County.

### **Circuit Court Clerk**

The following act has no current effect, but once applied to the Blount County Circuit Court Clerk. It was repealed, superseded, or never received local approval.

1. Acts of 1903, Chapter 255, set the salary of the circuit court clerk in Blount County at \$750 annually. This was amended by Private Acts of 1917, Chapter 628, which raised that salary to \$1,800 per year, and by Private Acts of 1929, Chapter 62, which provided that in addition to \$1,800 annually, the circuit court clerk would also receive \$600 annually from the criminal court fees.

### **Criminal Court**

The following acts once pertained to the Blount 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 1925, Chapter 15, created a criminal court in Blount County and set the time for holding criminal court to the fourth Monday in March, July and November.
2. Public Acts of 1929, Chapter 142, fixed the times of holding the Blount County Criminal Court to the second and third Mondays of April, August and December.
3. Public Acts of 1931, Chapter 38, Second Session, placed Blount County in the fourth criminal court circuit and set the time for holding criminal court on the second Monday in April, August and December.
4. Public Acts of 1939, Chapter 228, provided for a criminal investigator for the criminal court of the fourth judicial circuit of the state and provided for his qualifications, salary and tenure of office.
5. Public Acts of 1974, Chapter 687, created the office of criminal investigator for the fourth judicial circuit; provided for the appointment, qualifications, powers and duties of said investigator and fix the compensation thereof.

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

The following acts once affecting Blount 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. Acts of 1817, Chapter 65, established solicitorial districts throughout the state. Blount County was placed in the third solicitorial district along with Cocke, Jefferson and Sevier counties.
2. Private Acts of 1921, Chapter 879, created the office of assistant attorney general for Blount County, provided the appointment and qualifications, the payment of his salary and defined his duties.
3. Private Acts of 1931, Chapter 74, amended Private Acts of 1921, Chapter 879, by setting the salary of the assistant attorney general to \$2,400.00 which was payable out of the treasury of the state upon warrant of the comptroller quarterly.
4. Public Acts of 1971, Chapter 130, created the offices of two additional assistant district attorneys general for the fourth judicial circuit of the state, provided for their appointment, fixed the qualification, determined the duties of said officers and set their compensation.
5. Public Acts of 1972, Chapter 550, provided a secretary to the district attorney general for the fourth judicial circuit of the state, provided for the appointment, compensation, and duties and also provided for the effective date of appointment.

### **General Sessions Court**

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

1. Private Acts of 1989, Chapter 21, would have amended Private Acts of 1947, Chapter 345 by vesting the general sessions court with jurisdiction, power, and authority concurrent with the circuit and chancery court, to hear and determine all domestic relations cases and with the full power and authority conferred upon the circuit and chancery court to enforce all of its orders, decrees, and judgments. This act, however, was not ratified locally and therefore never became effective.

### **Juvenile Court**

The following act once affected juvenile courts in Blount County and is included herein for reference purposes.

1. Public Acts of 1929, Chapter 103, exempted Blount County from Public Acts of 1911, Chapter 58, Section 14, which provided for the regulation, treatment and control of dependent, neglected and delinquent children and the establishment of a juvenile court.

### **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 position of secretary to the judge of the fourth judicial circuit. This was amended by Public Acts of 1972, Chapter 550, to raise the salary of the position.

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