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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 Cheatham County, but are no longer operative.

1. Private Acts of 1937, Chapter 196, provided for the appointment of a Grand jury clerk.
2. Private Acts of 1947, Chapter 275, amended Private Acts of 1917, Chapter 427, which had established a Board of Jury Commissioners for Williamson County, to make its provisions applicable to Cheatham County. This is apparently the only private act to set up a Board of Jury Commissioners in Cheatham.
3. Private Acts of 1949, Chapter 816, set the per diem compensation of jurors at \$3. This is now regulated by general law found in T.C.A. 22-4-101, et seq.

## **Chancery Court**

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of equity jurisdiction in Cheatham County, although they no longer have the force of law since they have either been superseded by general law, repealed, or failed to receive local ratification.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

1. Acts of 1857-58, Chapter 82, provided that bills of chancery were to be filed in the Chancery Court at Springfield in the County of Robertson.
2. Acts of 1857-58, Chapter 93, established a chancery court at Ashland City and provided that Cheatham County was to constitute a separate chancery district.
3. Acts of 1871, Chapter 5, changed the time for holding chancery court sessions from the third Mondays in April and October to the second Mondays in May and November. This act was repealed by Public Acts of 1873, Chapter 12.
4. Acts of 1895, Chapter 66, set the time for holding chancery court on the third Mondays in April and September.
5. Acts of 1903, Chapter 277, provided that chancery court in Cheatham County was to be held on the Tuesday after the first Monday in April and October.
6. Private Acts of 1919, Chapter 455, was apparently intended to clarify the meeting date of Chancery Court since it also provided that chancery court in Cheatham County was to be held on the Tuesday after the first Monday in April and October.

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

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

1. Private Acts of 1911, Chapter 296, set the salary of the clerk and master at \$550 per year.
2. Private Acts of 1927, Chapter 254, set the salary of the clerk and master at \$1,000 per year and provided that any fees collected by that office, over and above the salary amount, could be retained by the clerk and master.

## **Circuit Court**

The following acts were once applicable to the circuit court of Cheatham 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. Acts of 1857-58, Chapter 1, provided that circuit court in Cheatham County was to be held at Sycamore Mills until the courthouse could be completed, on the third Mondays in February, June and October.
2. Public Acts of 1857-58, Chapter 98, provided that Circuit Court in Cheatham County would be held on the third Mondays of February, June and October. Public Acts of 1869-70 (2nd Sess.), Chapter 46, amended this act.
3. Public Acts of 1869-70 (2nd Sess.), Chapter 32, divided the State into Chancery Districts. The Sixth District was comprised of Wilson, Sumner, Robertson, Montgomery, Stewart, Trousdale and Cheatham Counties.
4. Public Acts of 1869-70 (2nd Sess.) Chapter 47, set the time for the Chancery Courts. Cheatham County would meet on the Third Mondays of April and October.
5. Public Acts of 1877, Chapter 47, changed the time for holding Chancery Court in Cheatham County to the third Monday in March and third Monday in October. This act was amended by

- Public Acts of 1879, Chapter 36, Public Acts of 1883, Chapter 21 and Public Acts of 1883, Chapter 224.
6. Acts of 1885 (Ex. Sess.) Chapter 20, divided the state into Judicial Circuits and Chancery Divisions. Cheatham County was in the Seventh Judicial Circuit and Eighth Chancery Division.
  7. Public Acts of 1889, Chapter 14, changed the time for holding Circuit Courts of the Seventh Judicial Circuit. This act was amended by Public Acts of 1891, Chapter 140 and Public Acts of 1899, Chapter 409.
  8. Acts of 1891 (Ex. Sess.) Chapter 20, established the Nineteenth Judicial Circuit (of which Cheatham County was a part of) and fixed the times for holding court. This act was repealed by Public Acts of 1899, Chapter 154.
  9. Acts of 1895, Chapter 173, provided that circuit court was to be held on the third Mondays in February, June and October.
  10. Public Acts of 1899, Chapter 427, changed the time for holding Circuit Court in Cheatham County to the second Monday in January, May and September. This act was amended by Public Acts of 1913 (1st Ex. Sess.), Chapter 2.
  11. Acts of 1901, Chapter 463, detached Cheatham County from the Seventh Judicial Circuit and placed it in the Eighteenth Judicial Circuit, with court to be held on the fourth Mondays in January, May and September.
  12. Acts of 1903, Chapter 29, placed Cheatham in the Ninth Judicial Circuit and set the time for holding circuit court on the third Mondays in February, June and October.
  13. Acts of 1905, Chapter 286, set the time for holding Chancery Courts in the Sixth Division of Tennessee. Chancery court in Cheatham County would meet on the first Tuesdays after the first Mondays in April and October.
  14. Acts of 1909, Chapter 329, was identical to the 1903 act, placing Cheatham in the Ninth Judicial Circuit and setting the time for holding court on the third Mondays in February, June and October.
  15. Acts of 1919, Chapter 813, established the Seventeenth Judicial Circuit and fixed the times for holding court. This act was amended by Public Acts of 1931 (2nd Ex. Sess.) Chapter 38, and Public Acts of 1947, Chapter 230.
  16. Public Acts of 1957, Chapter 95, provided for the establishment of the Twenty-first Judicial Circuit.
  17. Public Acts of 1971, Chapter 277, provided for a secretary to the judge of the Twenty-first Judicial Circuit and set the compensation for the position. This act was amended by Public Acts of 1976, Chapter 655, and Public Acts of 1978, Chapter 800.
  18. Public Acts of 1976, Chapter 655, created an additional office of Circuit Judge for the Twenty-first Judicial Circuit.
  19. Public Acts of 1976, Chapter 655, created the office for an additional circuit judge in the Twenty-first Judicial Circuit. Cheatham County is now in the Twenty-third Judicial District, according to T.C.A. 16-2-506, which also stipulates the number of judges, assistant district attorneys general and investigators for the district.

#### **Circuit Court - Clerk**

The following acts have no current effect, but once applied to the Cheatham 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 1911, Chapter 304, set the salary of the Circuit Court Clerk at \$700 annually. Private Acts of 1919, Chapter 165, increased the Clerk's salary to \$800. This act was repealed by Private Acts of 1927, Chapter 721.
2. Private Acts of 1927, Chapter 351, raised this annual salary to \$1,000, but this act was repealed by Private Acts of 1947, Chapter 277.

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

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

1. Public Acts of 1971, Chapter 56, created the office of Assistant District Attorney General for the Twenty-First Judicial Circuit.
2. Public Acts of 1972, Chapter 781, created an additional office of Assistant District Attorney General for the Twenty-First Judicial Circuit.
3. Public Acts of 1974, Chapter 527, created an additional office of Assistant District Attorney

General for the Twenty-First Judicial Circuit.

4. Public Acts of 1976, Chapter 519, created an additional office of full-time Assistant District Attorney General for the Twenty-First Judicial Circuit.

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