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# Court System - Historical Notes

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

1. Public Acts of 1901, Chapter 154, created a board of jury commissioners for counties between 60,000 to 70,000 inhabitants, according to the Federal Census of 1900 or one subsequent, for the selection of juries, to prescribe the duties of the board, and the judges of the courts, penalties for violation of the act, for jury lists and jury boxes to be kept in each county affected and to repeal all conflicting laws.
2. Acts of 1903, Chapter 543, amended Sections 1, 7, and 8 of the above 1901 law by denying compensation to a jury commissioner for absence unless because of sickness or physical disability; limiting the time a juror would serve to two weeks, and by granting the judge authority to give a juror two weeks in which to arrange his affairs if he sought to be excused from service for business reasons. The act also changed the manner in which names of jurors were prepared for preservation on the lists.
3. Private Acts of 1915, Chapter 251, provided that in all counties having a population of not less than 89,000 and not more than 91,000 according to the Federal Census of 1910, the officers serving the circuit and criminal courts shall receive a per diem of \$4.00 per day compensation for their services, to be paid by the county.
4. Private Acts of 1919, Chapter 47, set the pay of a juror at \$3.00 per day, plus mileage or ferriage, in Hamilton County for each day's attendance at court.
5. Private Acts of 1929, Chapter 771, purportedly provided a system for the first and second divisions of the circuit and criminal courts of Hamilton County to select and impanel petit jurors. The judges of the courts could transfer the jurors between the courts as needed. The term of service was limited to three weeks, not two, and the chancellor could call on these officials for jurors for his court sessions; if the other courts were not in session, the chancellor could impanel them on his own.
6. Private Acts of 1933, Chapter 773, provided that each regular or special juror of Hamilton County shall be paid a per diem of \$2.00 plus mileage as provided by law. This act was repealed by Private Acts of 1949, Chapter 189.
7. Private Acts of 1935, Chapter 790, amended Chapter 773, above, by raising the juror's per diem to \$3.00 and mileage. This law was also repealed by Private Acts of 1949, Chapter 189.
8. Private Acts of 1949, Chapter 189, authorized all citizens serving as jurors in Hamilton County to be compensated \$5.00 per day. This act was repealed by Private Acts of 1967-68, Chapter 281.
9. Private Acts of 1967-68, Chapter 281, specifically repealed Private Acts of 1933, Chapter 773, which paid a juror \$2.00 per day and Private Acts of 1935, Chapter 790, which raised the amount to \$3.00 daily, and Private Acts of 1949, Chapter 189, which also repealed the two former acts, suspended the operation of the public law on the same subject insofar as Hamilton County was concerned and set the daily pay of a juror then at \$5.00 daily.

## **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Hamilton 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. Private Acts of 1822 (Ex. Sess.), Chapter 13, directed that the judges of the supreme court shall hold an equity court at least once each year in the several divisions of the state which included Hamilton in the eastern portion.
2. Private Acts of 1824 (Ex. Sess.), Chapter 14, authorized the appointment of two more supreme court justices who would hold chancery court in each of the divisions twice a year instead of just once. The chancery court was held at Kingston on the first Monday in June and December for Knox, Anderson, Morgan, Roane, Rhea, Hamilton, Campbell, McMinn, Monroe and Blount counties.
3. Private Acts of 1827, Chapter 79, divided the state into two chancery divisions placing Hamilton in the Eastern Division, and Chapter 88 of the same year, made some changes in chancery structure but the court would continue to be at Kingston for the same counties and on the same dates.

4. Public Acts of 1827, Chapter 88, set the time of holding the chancery court for the counties of Knox, Blount, Anderson, Morgan, Roane, Rhea, Hamilton, Campbell, McMinn, and Monroe to the first Monday in June and December to be continued two weeks at Kingston.
5. Private Acts of 1831, Chapter 217, declared that the Kingston Chancery District be composed of Rhea, Hamilton, Roane and Morgan counties.
6. Public Acts of 1835-36, Chapter 4, created three grand chancery districts in the state, appointed three chancellors to hold court, placed Hamilton in the eighth district of the eastern division with Bledsoe, Marion and Rhea counties. The court was held in Pikeville on second Monday of June and December. The chancellors would promulgate rules of practice and appoint the various clerks and masters.
7. Acts of 1839-40, Chapter 21, Section 9, provided that suits originating in Hamilton County could be brought either in the chancery court at Pikeville or at Cleveland in Bradley County at the discretion of the complainant.
8. Private Acts of 1843-44, Chapter 151, established a chancery court in Harrison, in Hamilton County which would be held on the third Monday of March and September by the chancellor of the eastern division and which would have exclusive equity jurisdiction in the county. Private Acts of 1843-44, Chapter 169, permitted the transfer of pending causes from Pikeville and Cleveland to Harrison upon motion duly made by either party.
9. Acts of 1853-54, Chapter 54, placed Hamilton County in the fifth division of the six chancery divisions into which the state was divided.
10. Private Acts of 1857-58, Chapter 82, made the fourth and fourteenth civil districts of Hamilton County into separate chancery division for which court would be held in Chattanooga on the first Monday in January and July by the chancellor of the fifth chancery district. The clerk and master at Harrison would serve the court even if a deputy had to be appointed to keep the office open. The sheriff would see that the court had officers and causes could be transferred to Chattanooga from Harrison. The fourteenth district would bear the expense of building a courthouse.
11. Public Acts of 1857-58, Chapter 88, also contained Hamilton in the fifth chancery district of the eastern division with court terms at Harrison on the first Monday of March and September and at Chattanooga on the second Monday of January and July.
12. Private Acts of 1859-60, Chapter 59, provided that the chancery court at Harrison would be held on the second Monday of June and December instead of the first Monday of March and September and would be in the Second Division. Private Acts of 1859-60, Chapter 86, Section 3, changed court terms at Chattanooga to the fourth Monday in January and July instead of the second. Private Acts of 1859-60, Chapter 125, made all process returnable to the March term of 1860, returnable to the June, 1860, term at Harrison.
13. Public Acts of 1865-66, Chapter 8, Section 6, which was immediately after the Civil War stated that the chancery court at Harrison would be held on the third Monday of November and the second Monday of June.
14. Public Acts of 1869-70 (2nd Ex. Sess.), Chapter 47, assigned Hamilton County to the Third Chancery Division along with nine other counties and set the terms of court to begin on the first Monday of June and December.
15. Public Acts of 1870 (Ex. Sess.), Chapter 32, reorganized the chancery court judicial structure into twelve chancery districts. Hamilton, Polk, McMinn, Rhea, Cumberland, Meigs, Bledsoe, Sequatchie, Marion, Bradley, and the special court at Chattanooga compose the Third Chancery Division. Public Acts of 1870 (Ex. Sess.), Chapter 47, set court terms for the first Monday of June and December.
16. Private Acts of 1870-71, Chapter 40, changed the court terms for the chancery court in Hamilton County to the second Monday of April and October.
17. Public Acts of 1875, Chapter 132, directed the chancellor of the third chancery division to hold the circuit courts of Hamilton County and times would be set not to conflict with the holding of the chancery courts. This act was repealed by Public Acts of 1877, Chapter 161, which assigned the duty to the judge of the fourth judicial circuit.
18. Public Acts of 1883, Chapter 34, changed the court terms of the entire third chancery division altering Hamilton's to the third Monday of April and October.
19. Acts of 1885, Chapter 20, Extra Session, divided the state into eleven chancery divisions. Hamilton remained in the third division with 14 other counties and retained the same court terms as before.

20. Public Acts of 1887, Chapter 13, provided that the chancellor of the third division would hold special sessions of the circuit court without additional compensation at times which did not conflict with the chancery terms of court. Section 10 of the act scheduled court terms for the Hamilton County Chancery Court on the first Monday in April and September while also designating terms for all the other counties in the division. This act, very similar to the 1875 act above, was also repealed by Private Acts of 1889, Chapter 13.
21. Public Acts of 1889, Chapter 13, repeals the 1887 act above, and sets court terms to begin on the third Monday in April and October.
22. Acts of 1891 (Ex. Sess.), Chapter 6, detached Franklin County from the fourth chancery division and placed it in the third division, changing court terms for Bledsoe, Sequatchie and Hamilton counties which would be on the first Monday in April and October.
23. Public Acts of 1899, Chapter 427, changed the judicial structure of the state. The act created ten chancery divisions with Franklin, Rhea, Bradley, James, Marion, Coffee, Bledsoe, Sequatchie, Grundy, McMinn, Moore, Warren, Monroe, Meigs, Polk and Hamilton counties in the third division. Hamilton's terms began on the third Monday in March and September.
24. Private Acts of 1911, Chapter 435, created a new twelfth chancery division, taking all the counties out of the third division except Hamilton, and placing them in the new division, adding Van Buren in Hamilton's place. Five court terms at Hamilton would start on the first Monday of February, April, June, October and December. Private Acts of 1911, Chapter 434, set up the five court terms.
25. Private Acts of 1961, Chapter 350, directed the legislative body of Hamilton County to supplement the pay of the judges of the circuit, criminal and chancery courts by \$1,800 per year which would be paid by the county but this act was rejected by the local governing body and did not become a law.

#### **Clerk and Master**

The reference list below contains acts which once applied to the clerk and master in Hamilton County. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Acts of 1855-56, Chapter 147, Section 2, made it lawful for the clerk and master at Harrison to appoint a deputy who resides at Chattanooga who would keep an office open there and who would have the power and authority to perform all official acts of the court and of that office.
2. Private Acts of 1859-60, Chapter 116, authorized the chancellor of the second division in the eastern section to appoint a clerk and master at Chattanooga who would give bond and operate under the same laws and regulations as the others in the state.
3. Private Acts of 1911, Chapter 348, made unmarried females over the age of 21 and residents of the county eligible for appointment as a deputy clerk and master. Marriage would cause a forfeit of the position and acceptance of the same would estop her to deny any legal liability she may have incurred while in office.
4. Public Acts of 1957, Chapter 401, amended Public Acts of 1955, Chapter 201, by granting the clerk and master of Hamilton County an additional \$1,000 annual pay for being the probate clerk of the county. Public Acts of 1967, Chapter 402, repealed this act specifically and in its entirety.

#### **Circuit Court**

The following acts were once applicable to the circuit court of Hamilton 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. Private Acts of 1819, Chapter 72, assigned Roane, Rhea, Bledsoe, Marion, Hamilton, McMinn and Monroe to the seventh judicial circuit and the legislature would elect a judge for that circuit who would hold court at a place to be determined later on the second Monday of April and October.
2. Private Acts of 1823, Chapter 147, stated that the county court of Hamilton County would be held at the residence of John Mitchell, about one mile from the place now being used in order to alleviate the inconvenience complained of until a permanent seat of justice could be selected. The judge of the seventh judicial circuit would also hold his court here under the same conditions, the clerks to adjust process accordingly.
3. Public Acts of 1826, Chapter 38, Section 4, authorized the judge of the seventh circuit court to hold the Hamilton County Circuit Court on Friday or as soon as the judge arrived at the place of holding the court. The jurors and witnesses summoned to attend the circuit court on Friday during the April term.

4. Private Acts of 1827, Chapter 5, changes court term times in the seventh judicial circuit for Roane, Rhea, Bledsoe, Marion, McMinn, Monroe and Hamilton counties whose terms would start on the third Monday in April and October.
5. Public Acts of 1827, Chapter 65, the courts of pleas and quarter sessions of the counties of Dickson, Sullivan, Weakley, Hawkins, Hamilton, Smith, Henry and Rhea or a majority of the justices of the county court being present, shall elect by ballot three of their body to hold the said courts for that year.
6. Public Acts of 1835-36, Chapter 5, declared that circuit court would henceforth be held three times a year. The act divided the state into eleven judicial circuits and placed Hamilton in the third judicial circuit with Roane, Rhea, Meigs, Bledsoe, Marion, McMinn and Monroe counties. Court dates were the fourth Monday of March, July and November.
7. Private Acts of 1835-36, Chapter 41, repeats that the circuit courts for those counties in the third judicial circuit will be held on the days specified unless changed by the general assembly, except Meigs County which was changed by this act.
8. Acts of 1837-38, Chapter 116, divided the state into fourteen judicial circuits. Hamilton, McMinn, Bradley and Meigs counties composed the third circuit, and court terms for Hamilton started on the fourth Monday in March, the Monday after the fourth Monday in July, and the fourth Monday in November.
9. Acts of 1843-44, Chapter 155, provided that the July term of the circuit court in Hamilton County shall begin on the fourth Monday in July.
10. Acts 1855-56, Chapter 147, authorized the clerk of the circuit court and the clerk of the county court of Hamilton County to appoint a deputy, who may reside at Chattanooga.
11. Public Acts of 1857-58, Chapter 23, created a law court at Chattanooga with general common law jurisdiction in all cases arising at law of a civil or criminal character but was extended only to those cases originating in the fourth and fourteenth civil districts of Hamilton County. Terms of the court would begin on the first Mondays of February, June and October. The attorney general and circuit judge of the third judicial circuit would serve this court until different arrangements were made.
12. Public Acts of 1857-58, Chapter 98, Section 1, reorganized whole judicial structure into 16 circuits. Hamilton, Bradley, Polk, Rhea, McMinn, Meigs counties and the common law court at Chattanooga composed the fourth judicial circuit. Hamilton's courts would meet on the 4th Monday in March, July and November.
13. Private Acts of 1859-60, Chapter 86, Section 1, changed the time for holding circuit court at Harrison in Hamilton County to the first Monday in February, June and October.
14. Public Acts of 1868-69, Chapter 22, Section 16, provided that the law court of Chattanooga shall consist of three regular terms in every year beginning on the third Mondays in February, June and October, and that the court would continue attached to the fourth judicial circuit and held by the judge of that circuit.
15. Public Acts of 1869-70 (Second Extra Session), Chapter 46, reorganized the circuit court into fifteen circuits. Hamilton, McMinn, Polk, Meigs, Bradley, Rhea, Marion, Sequatchie, Bledsoe counties, and the law court at Chattanooga, comprised the fourth judicial circuit. Court terms for Hamilton would begin on the fourth Monday in March, July and November under this act but this was changed almost immediately by Public Acts of 1870, Chapter 106, to the first Monday in April, August and December.
16. Public Acts of 1869-70, Chapter 70, provided that the fifth civil district of Hamilton County would be attached to and included in the jurisdiction of the law court at Chattanooga. All laws in force in the fourth, fourteenth, seventeenth and third civil districts shall apply as well to the fifth.
17. Public Acts of 1870, Extra Session, Chapter 31, divided Tennessee into fifteen circuits but left the fourth circuit as it was constituted by the above act in item 10.
18. Public Acts of 1870, Extra Session, Chapter 46, changed Hamilton County Circuit Court terms back to the fourth Monday of March, July and November.
19. Public Acts of 1870, Extra Session, Chapter 106, changed court terms of all the fourth judicial circuit. Hamilton was given the first Monday in April, August and December and Chattanooga Law Court the second Monday in March, July and November.
20. Public Acts of 1871, Chapter 48, repealed Acts of 1870-71, Chapter 82 which conferred criminal jurisdiction on the county court of Hamilton County. Chapter 48, provided that all criminal cases pending in Hamilton County were to be transferred to the circuit court of Hamilton County.

21. Public Acts of 1875, Chapter 132, changed starting circuit court term dates to the first Monday of January, May and September, to continue as long as necessary to dispose of the court's business. This act was repealed by Public Acts of 1877, Chapter 161, insofar as the chancellor of the third division being required to hold the special terms of court.
22. Public Acts of 1883, Chapter 34, changed the court dates for the circuit court of Hamilton to the third Monday of January, May and September.
23. Acts of 1885, Chapter 20, Extra Session, organized the state into fourteen judicial circuits. Hamilton, Bradley, Polk, Meigs, Rhea, Bledsoe, Sequatchie, Marion, McMinn and James counties composed the fourth circuit.
24. Public Acts of 1887, Chapter 13, arranged for special terms to be held for the circuit court in Hamilton on the fourth Mondays of February, June and October but this act was also repealed by Public Acts of 1889, Chapter 13.
25. Public Acts of 1889, Chapter 13, Section 3, established the start of the circuit court terms in Hamilton County as the third Monday in January, May and September while also repealing Public Acts of 1887, Chapter 13.
26. Public Acts of 1889, Chapter 35, created a new seventeenth judicial circuit by taking Bradley, James, McMinn, Meigs, Monroe and Polk counties out of the third and fourth judicial circuits. The governor would appoint a judge and an attorney general for the new circuit.
27. Public Acts of 1889, Chapter 167, fixed the time to start circuit court terms in Hamilton as first Monday in January, May and September.
28. Public Acts of 1899, Chapter 427, created fourteen judicial circuits for the state. Hamilton, Franklin, Sequatchie and Marion counties are in the sixth circuit with court terms for Hamilton starting on the first Monday in January, May and September.
29. Public Acts of 1915, Chapter 18, made Hamilton County into the sixth judicial circuit and provided for the holding of the circuit and criminal courts of said circuit. This act was amended by Public Acts of 1915, Chapter 140, which changed the appearance terms to twelve for the circuit court of the sixth judicial circuit beginning on the first Mondays in each month. Chapter 140 also set three trial terms for the said court to be held on the first Mondays in January, May, and September.
30. Private Acts of 1920 (Ex. Sess.), Chapter 38, fixed the compensation of court officers serving the criminal and circuit courts in Hamilton County. This act was amended by Private Acts of 1921, Chapter 144, which fixed the compensation of court officers serving in the criminal, chancery and circuit courts by personal attendance to \$6.00 per day.
31. Private Acts of 1921, Chapter 161, declared that hereafter all the appeals of cases from Hamilton County to the supreme court, or court of appeals, would be taken to Nashville instead of to Knoxville, and the clerk at Knoxville would proceed to transfer those causes then pending to Nashville. This act was repealed by Private Acts of 1925, Chapter 90 in its entirety.
32. Private Acts of 1921, Chapter 686, set the salary of the officers serving circuit courts in Hamilton County at \$1,500 annually. This act specifically excluded those officers serving the criminal and chancery courts.
33. Private Acts of 1923, Chapter 112, excluded Hamilton County from the provisions of Public Acts of 1915, Chapter 121, which created the office of divorce proctor in all counties having a population of 100,000 or more according to the Federal Census of 1910, or subsequently.
34. Private Acts of 1925, Chapter 90, specifically repealed Private Acts of 1921, Chapter 161, which transferred cases going to the appellate courts from Knoxville to Nashville for Hamilton County.
35. Private Acts of 1929 (Ex. Sess.), Chapter 62, stipulated that in counties between 115,000 and 116,000 inhabitants census of 1920, or later, all process issued in tax suits pursuant to Public Acts of 1923, Chapter 77, may be made returnable to any term of court coming not more than six months after the issuance of the said process.
36. Public Acts of 1931 (Ex. Sess.), Chapter 38, made a sweeping reorganization of the entire judicial composition. The state was separated into twenty judicial circuits. Hamilton County became the sixth judicial circuit with court terms on the first Monday in January, May and September.
37. Public Acts of 1937, Chapter 206, amended Private Acts of 1929, Chapter 10, so as to provide that rule days of both divisions of the circuit court of Hamilton County shall be the first and third Monday of every month of the year.
38. Private Acts of 1961, Chapter 350, directed the legislative body of Hamilton County to supplement the pay of the judges of the circuit, criminal and chancery courts by \$1,800 per year which would

be paid by the county but this act was rejected by the local governing body and did not become a law.

### **Circuit Court Clerk**

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

1. Acts of 1855-56, Chapter 147, made it lawful for the circuit court clerk of Hamilton County at Harrison to appoint a deputy clerk who resides at Chattanooga who shall have power and authority to perform any and all official acts.
2. Public Acts of 1897, Chapter 124, fixed the salary of various county officials by population class, including the clerk of the circuit court.
3. Acts of 1903, Chapter 255, fixed the salary of the circuit court clerks by county population groupings and it applied to all counties. Hamilton County would pay its circuit court clerk \$2,500 annually.
4. Private Acts of 1915, Chapter 592, costs for criminal subpoenas issued by circuit court clerk for witnesses to appear before the grand juries would be made up by the clerk immediately after final adjournment of the grand jury and certified to the county judge whose duty it was to pay such costs.
5. Private Acts of 1933, Chapter 610, divided the state into four classifications by population and set the salaries of various county officials. This act was repealed by Private Acts of 1935, Chapter 75.
6. Private Acts of 1933, Chapter 772, amended the act above, Chapter 610, by creating a class 2-A into which Hamilton County would fall and among other things, set the salary of all county officials named including the circuit court clerk, at \$4,800 per year.

### **Criminal Court**

The following acts once pertained to the Hamilton 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 1870-71, Chapter 82, noting the rapid growth of Hamilton County and that the law and chancery courts of Chattanooga were merged into the circuit and chancery courts of the county, and noting further the removal of the county seat, and concluding that it was impractical and also injurious to the rights of defendants for the circuit court to transact business on the criminal side of the court, this act conferred jurisdiction of criminal cases under the grade of grand larceny on the county court. The act set up the mechanics for the county judge to try and judge criminal cases limited only by the above. Public Acts of 1871, Chapter 48, repealed this act thus nullifying the criminal jurisdiction conferred therein.
2. Public Acts of 1871, Chapter 48, authorized the clerk of the county court of Hamilton County to make out a transcript of the record in all the criminal causes pending in said court cases and transmit the same together with the original papers to the clerk of the circuit court of Hamilton County, and the fees for the said transcript shall be taxed in the bill of cost respectively. Further, the act authorized the clerk of said court to renew bonds that required parties to appear in said county court of Hamilton and to require said parties to appear at the circuit court of Hamilton County, upon the first day of its next term.
3. Private Acts of 1961, Chapter 350, directed the legislative body of Hamilton County to supplement the pay of the judges of the circuit, criminal and chancery courts by \$1,800 per year which would be paid by the county but this act was rejected by the local governing body and did not become a law.

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

The following acts once affecting Hamilton 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 1897, Chapter 24, permitted the district attorneys in circuits or districts with counties having a population of 50,000 or more, based on the 1890 Federal Census, to employ an assistant at \$1,200 per year. This act was repealed by Private Acts of 1945, Chapter 542.
2. Acts of 1905, Chapter 22, amended Public Acts of 1897, Chapter 24, to pay the assistants to the district attorney, in counties having a population between 60,000 and 70,000, based on the 1900 Federal Census, an annual salary of \$1,800.
3. Private Acts of 1921, Chapter 568, allowed the district attorney in counties with a population



- between 110,000 and 116,000, according to the Federal Census of 1920, to appoint a stenographer for clerical purposes or an officer for the service of process, or both, so long as the total expenditure did not exceed \$1,500 annually. This was left to the discretion of the attorney general. This statute was repealed by Private Acts of 1929, Chapter 769.
4. Private Acts of 1927, Chapter 515, amended the 1897 act and Acts of 1905, Chapter 22, to permit the attorney general in those circuits with counties with a population between 115,000 to 116,000, according to the Federal Census of 1920, to employ a second assistant attorney general at \$1,800 annual salary.
  5. Private Acts of 1929, Chapter 128, directed the county courts of counties with a population between 110,000 to 116,000, according to the Federal Census of 1920, to appropriate and pay to the district attorney general of that county, \$1,000, to the first assistant district attorney, \$1,800, and to the second assistant district attorney, \$1,200 which would be additional compensation to all of them, same to accrue until August 1, 1929, and then paid in a lump sum, and monthly thereafter.
  6. Private Acts of 1929, Chapter 129, allowed the district attorneys for counties with a population between 110,000 to 116,000, according to the Federal Census of 1920, to employ an official investigator to investigate crimes, take statements of witnesses, and otherwise do and perform as the attorney general might direct whose salary would be \$2,100 per year.
  7. Private Acts of 1929, Chapter 769, specifically repealed Private Acts of 1921, Chapter 568, which authorized a stenographer for the district attorney.
  8. Public Acts of 1939, Chapter 14, authorized one criminal investigator to be employed in the sixth judicial circuit.
  9. Private Acts of 1939, Chapter 198, allowed the district attorney in counties with a population between 159,000 to 200,000, according to the Federal Census of 1930, to employ a stenographer to hold office at the will and pleasure of the one appointing and to be paid \$1,350 annually in monthly installments out of county funds upon proper warrants begin draw. This act was repealed by Private Acts of 1967-68, Chapter 160.
  10. Private Acts of 1943, Chapter 124, amended Chapter 198, above, by increasing the salary of the stenographer therein authorized to be employed to \$1,800 per year. This act was also specifically repealed by Private Acts of 1967-68, Chapter 160.
  11. Private Acts of 1947, Chapter 542, amended Private Acts of 1939, Chapter 198, and Private Acts of 1943, Chapter 124, by increasing the salary of the Stenographer to the attorney general to \$2,100 annually, payable semi-monthly, and was repealed by Private Acts of 1967-68, Chapter 160.
  12. Private Acts of 1953, Chapter 112, authorized the county court in counties having a population between 206,000 to 209,000, according to the Federal Census of 1950, in which county there is more than one criminal court to pay all the expenses incidental to the operation of the attorney general's office upon warrant of the county judge drawn on the county trustee.
  13. Private Acts of 1953, Chapter 482, authorized counties of the state with a population between 235,000 to 240,000 according to the Federal Census of 1960, to supplement the compensation paid by the state to the district attorney general, the assistant district attorney and the criminal investigators. This act was amended by the Private Acts of 1959, Chapter 70; Private Acts of 1961, Chapter 363; Private Acts of 1967-68, Chapter 257 and Private Acts of 1969, Chapter 181. These acts amended the compensation which was given to the above mentioned positions. The act was repealed by Private Acts of 1975, Chapter 171.
  14. Private Acts of 1959, Chapter 12, permitted the attorney general to employ a stenographer who would hold office at his will and pleasure, do the work he directed her to do and to pay a salary of not more than \$3,600 annually, payable semi-monthly. This act was specifically repealed by Private Acts of 1967-68, Chapter 176. This act was also repealed by Private Acts of 1975, Chapter 183.
  15. Public Acts of 1959, Chapter 31, created the offices for two criminal investigators for the sixth judicial circuit to be appointed by the attorney general of the circuit at a salary of \$4,800 annually, to serve at his pleasure and perform as he directs, to be paid from the treasury of the state. This act was repealed by Public Acts of 1970, Chapter 573.
  16. Private Acts of 1967-68, Chapter 160, created three positions of secretary-stenographer for the office of the district attorney general for the sixth judicial circuit. This act was amended by Private Acts of 1971, Chapter 148, which removed the \$4,800 a year salary limit for the secretary-stenographer.

17. Public Acts of 1967, Chapter 301, created the offices of two assistant district attorneys general for the sixth judicial circuit.
18. Public Acts of 1970, Chapter 572, created the offices of two additional assistant district attorneys general for the sixth judicial circuit.
19. Public Acts of 1970, Chapter 573, created three positions of criminal investigator for the office of the district attorney general for the sixth judicial circuit of the state. The criminal investigators were appointed by the district attorney general.
20. Public Acts of 1973, Chapter 376, created the office of secretary-file clerk to the office of the district attorney general of the sixth judicial circuit.
21. Private Acts of 1975, Chapter 171, authorized the county council in the sixth judicial circuit to supplement compensation paid by the state to the district attorney general, the assistant attorney general and the criminal investigators. The compensation amounts included: \$5,500 for the district attorney general; \$3,000 for five assistant district attorneys general, each and \$2,400 for three criminal investigators.
22. Private Acts of 1975, Chapter 183, authorized the position of secretary-stenographer for the office of the district attorney general for the sixth judicial circuit.
23. Public Acts of 1976, Chapter 384, authorized the acting criminal investigators of the sixth judicial circuit to have the same authority and powers as deputies of the county sheriffs.
24. Public Acts of 1976, Chapter 509, created an additional office of full-time assistant district attorney general for the sixth judicial circuit.
25. Public Acts of 1977, Chapter 426, created an additional office of criminal investigator for the district attorney general for the sixth judicial circuit.

### **General Sessions Court**

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

1. Private Acts of 1995, Chapter 48, would have amended Private Acts of 1941, Chapter 6, by creating two additional divisions of the general sessions court of Hamilton County, but the act was not approved by local officials.
2. Private Acts of 1996, Chapter 191, duplicated the Private Acts of 1996, Chapter 192, and was not adopted by the Hamilton County Legislative Body.
3. Private Acts of 2004, Chapter 81, relative to the duties of judicial commissioners was an act meant to amend Private Acts of 1996, Chapter 192 (caption of the original act has Private Acts of 1992, Chapter 192). Private Acts of 2004, Chapter 81, would have added a new subsection (5) to Section 3(a), but never received local approval.
4. Private Acts of 2004, Chapter 128, relative to judicial commissioners would have amended Private Acts of 1996, Chapter 192 by deleting Section 3 in its entirety. This act did not receive local approval.

### **Juvenile Court**

The following acts once affecting juvenile courts in Hamilton County are included herein for reference purposes.

1. Private Acts of 1911, Chapter 182, created a juvenile court for Hamilton County, defined its jurisdiction, provided for the appointment of its officers, and fixed their compensation.
2. Private Acts of 1917, Chapter 432, Section 8, was an act which actually amended Chattanooga's city charter, but Section 8 conferred police powers in the city environs upon the probation officers provided for the juvenile court in Section 8 of the 1911 act, above, and granted the officers a salary of \$100 a month from the city.
3. Private Acts of 1929, Chapter 675, created a juvenile and domestic relations court for Hamilton County, defined its jurisdiction which concerned juveniles and divorces, provided for appeals from the court's decisions, its terms, and rules of procedure; defined delinquent and dependent children in the county, and disposition of the courts. Parts of this act were declared unconstitutional by the Supreme Court in Newton v. Hamilton County, 161 Tenn. 634, 33 S.W.2d 419 (1930). The ground was that the act operated discriminately against the residents of Chattanooga tax-wise and must therefore fall.
4. Private Acts of 1935, Chapter 159, amended the above act by providing the judge of the court with a secretary to assist him at a salary of not more than \$125 per month.

5. Private Acts of 1935, Chapter 441, also created a juvenile and domestic relations court under virtually the same terms as the 1929 legislation. A different judge would preside over the court and some minor changes occurred in procedure. The court was given concurrent jurisdiction with the circuit and chancery courts in all cases of divorce.
6. Private Acts of 1945, Chapter 106, created a juvenile court for the Hamilton County but did not confer domestic relations jurisdiction upon this court as had been done in the past. This act created a humane and juvenile court commission, prescribed qualifications of the members, their duties and powers and procedures to be followed, and a self-perpetuating method of filling vacancies thereon. Section 21 of this act was amended by Private Acts of 1945, Chapter 432, requiring the county council to appropriate the money to operate this court. Chapter 489, same year, which is copied in this volume is an exact duplicate of Chapter 106. Chapter 489 has a general repealing clause which would nullify the provisions of the 1935 act relative to the juvenile court functions of the court created therein but makes no mention whatever about the domestic relations portion of the business of that court.
7. Private Acts of 1945, Chapter 432, amended Private Acts of 1945, Chapter 106, Section 21, by requiring the county council of Hamilton County to appropriate not less than \$13,000 in 1945 to operate the juvenile court for that year.
8. Private Acts of 1974, Chapter 338, was superseded by Private Acts of 1982, Chapter 301, which amended the Private Acts of 1945, Chapter 489 (reproduced in full herein).

#### **Secretarial Assistance**

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

1. Private Acts of 1927, Chapter 763, authorized the county court of Hamilton County to appropriate and pay a sum not exceeding \$1,800 per annum to a stenographer for the benefit of the chancellor holding the chancery court for the county.

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