



December 21, 2024

Private Acts of 1943 Chapter 37

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Private Acts of 1943 Chapter 37

SECTION 1. That Chapter 6 of the Private Acts of the General Assembly of the State of Tennessee, for the year 1941, being an Act to create a Court of General Sessions for Hamilton County, Tennessee, and providing its powers and jurisdiction be amended in the following particulars:

SECTION 2. That Section 2 of said Act be amended so as to provide that the jurisdiction and powers of said Court shall be co-extensive with Hamilton County, and shall extend to all claims and demands of whatsoever nature of \$1,000.00 or less in value.

SECTION 3. That Section 6 of said Act be amended so as to provide, that before the commencement of any civil action the plaintiff shall pay to the Clerk of the Civil Division of the Court an amount sufficient to cover the fees for the issuance of the original Summons, Writs of Attachment, Replevin or Unlawful and Forcible Entry and Detainer, Rendition of Judgment and a Fee for the serving of the process, such costs to be estimated by the Clerk of the Court.

When and in the event costs are collected from the defendant the plaintiff or the party to whom entitled shall thereupon be refunded the same; provided, however, that any resident of the State may commence and prosecute an action who is eligible to take and subscribe to the oath provided for poor persons.

SECTION 4. That Section 7 or [sic] said Act be amended so as to provide that any party may appeal from an adverse decision to the Circuit Court of Hamilton County within a period of five days upon complying with the law as now provided for appeals from Justice of the Peace Courts, provided within said time a motion to re-hear may be filed, which shall be heard by the Court as soon as practical, and judgement from which an appeal may be taken within a two day period. No executions shall issue until the expiration of five days from date of original judgment, where no motion for re-hearing has been filed within said time. No execution shall issue where motion for re-hearing has been filed until two days after the action on the motion to re-hear.

Stay of judgment or execution may be entered at any time within five days of the original judgment, and within two days of final action on motion to re-hear.

SECTION 5. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 18, 1943.

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