

December 20, 2024

# Chapter V - Court System

#### Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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,

The University of Tennessee County Technical Assistance Service 226 Anne Dallas Dudley Boulevard, Suite 400 Nashville, Tennessee 37219 615.532.3555 phone 615.532.3699 fax www.ctas.tennessee.edu

# Table of Contents

Chapter V - Court System	3
Court System - Historical Notes	

# Chapter V - Court System Court System - Historical Notes

## **Board of Jury Comissioners-Jurors**

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

- 1. Acts of 1907, Chapter 589, provided for a three member Board of Jury Commissioners in Wayne County who would be appointed by the Circuit Court Judge at the next term of Court, following the passage of this Act. The members must come from different parts of the county, be a citizen and freeholder, of good moral character, and not have a suit pending. They would be sworn by taking the oath prescribed in the Act. A refusal to serve could result in their being fined up to \$15 for contempt. Each member would serve for one year and be paid \$2 per day for each day actually engaged in the performance of their duties. The members after being sworn would retire and select from the tax rolls, or other sources of public information, the jurors to serve for the next three terms of court. Their names would be entered on separate lists, one for each term of court and also in a book to be kept by the Clerk. These lists would be sealed in envelopes and presented to the Judge. Twenty days before the term of court would open, the Clerk would cause the Sheriff to summon the first 25 names on the list. Provisions are made for special panels and, in case the list becomes exhausted, to replenish it. The Grand Jury would come from the first 25 names selected for that term.
- 2. Private Acts of 1911, Chapter 12, provided for a three member Board of Jury Commissioners who would be appointed by the Circuit Judge holding the Circuit or Criminal Court. The Commissioners must be citizens of the County, freeholders, of good moral character, with no suit pending, and be from different parts of Wayne County. They must appear and take the oath prescribed in the Act, and their refusal to do so could subject them to penalties up to \$15 for contempt of Court. They would serve for one year and be paid \$2 per day for each day actually spent in discharging their obligations hereunder. They would then meet and select from the tax rolls, or other sources of public information, a list of jurors for the next three subsequent terms of court. Their names would be entered in a book to be furnished by the County and presented to the Clerk for safe keeping. Separate lists would be made out for the three terms of Court, each list placed in an envelope, sealed, marked with the particular term of Court and presented to the Judge. Twenty days before the term of Court opens, the Clerk will open the envelope and summon those named on the list as jurors. Provisions are made for special panels, and to replenish panels which may be exhausted, to be summoned. The Judge would decide and direct the number of jurors to be drawn for each term of Court. The Grand Jury would come from the 25 names first drawn.
- 3. Private Acts of 1911, Chapter 662, stated that in Wayne County when any person is summoned as a special juror under the direction or order of a Court, such person shall be paid a per diem allowance of \$1 per day for his attendance whether he serves as a juror or not, but he must be present in the courtroom ready to serve. The County Judge shall issue his warrant in payment of the above per diem allowance.
- 4. Private Acts of 1915, Chapter 187, amended Section 3 of Private Acts of 1911, Chapter 12, by adding a provision that if the Judge during the trial of a civil or criminal case shall see that the business of the Court will be delayed by the process of drawing names and summoning jurors in a special panel, the Judge may direct them to be summoned from bystanders or others as provided by law.

### **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Wayne 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. Acts of 1817, Chapter 174, which was the Act first forming Wayne County, provided that the Courts of the County would be held at the Young Factor's old place on Natchez Trace, until adjourned to another place.
- 2. Acts of 1819, Chapter 19, formed Wayne County again and provided for all the Courts to be held at the home of William Barnett until otherwise provided for by law.
- 3. Acts of 1822, Chapter 13, stated that the Justices of the Supreme Court of Errors and Appeals

- shall arrange among themselves to hold a Court of Equity at least once each year at the following places: At Rogersville on the first Monday in November; at Knoxville on the third Monday in November; at Charlotte on the fourth Monday in December; at Sparta on the second Monday in December; at Nashville on the fourth Monday in January; and at Columbia on the second Monday in January. All Courts would continue for two weeks unless the dockets were completed sooner, except for Nashville which could continue for six weeks.
- 4. Acts of 1824, Chapter 14, declared that the Supreme Court would meet only at Knoxville, Sparta, and Nashville, and that the Justices would schedule meetings so that the Chancery Courts of the State could be held by them at least twice a year at Greeneville, Rogersville, Kingston, Carthage, McMinnville, Franklin, Columbia, Charlotte, and Jackson. The Court at Columbia would hear cases originating in Maury, Bedford, Lincoln, Giles, Lawrence, Wayne, and Hardin Counties, on the first Monday in March and September of each year.
- 5. Acts of 1827, Chapter 79, divided Tennessee into two Chancery Divisions. The First, or Eastern, Division had in it the Courts being held at Rogersville, Greenville, Kingston, Carthage, and McMinnville; and the Second, or Western Division was made up of the courts held at Franklin, Columbia, Charlotte, Jackson, and Paris. The General Assembly would appoint two Chancellors to hold the courts in the new divisions. The Justices of the Supreme Court of Errors and Appeals were divested of original equity jurisdiction.
- 6. Acts of 1829, Chapter 52, formed the 10th Judicial Circuit out of Wayne, Hardin, McNairy, Hardeman, Fayette, and Shelby Counties, and also made this a Chancery District which would meet at Bolivar on the first Monday in May and November. The Judge of the new circuit would appoint a Clerk and Master for this Court.
- 7. Acts of 1831, Chapter 57, Section 2, set up a Chancery Court in Pulaski in Giles County, which would be organized and held for the counties of Giles, Lincoln, Lawrence, Wayne, and Hardin, on the second Monday in April and October.
- 8. Acts of 1833, Chapter 40, bestowed upon the citizens of Wayne and Perry Counties the privilege of filing their Bills in Chancery at Charlotte, in Dickson County, or at Jackson, in Madison County, or at Pulaski, in Giles County, whichever might best suit their convenience.
- 9. Acts of 1835-36, Chapter 4, was the organizational Act for the Chancery Courts subsequent to the adoption of the 1835 Constitution. The Chancery Courts would henceforth be held by three Chancellors to be elected for 8 year terms by the General Assembly. The Chancellor must reside in the Division for which he is appointed. The State was divided into three Divisions and then each Division was further divided into Districts. Wayne and Hardin Counties composed the 10th District of the Middle Division. Court would open in Savannah, in Hardin County, on the second Monday in March and September.
- 10. Acts of 1847-48, Chapter 181, Section 3, established a Chancery Court at Waynesboro, for Wayne County, to meet on the third Monday in June and December. The citizens of Lawrence, Hardin, and Lewis Counties may also file their Chancery suits here, or at Lawrenceburgh, or Savannah, whichever best suited their needs. The Court at Waynesboro was attached to the Middle Chancery Division.
- 11. Acts of 1849-50, Chapter 70, Section 3, reset the time for opening the Chancery Court at Waynesboro to the first Monday in February and August.
- 12. Acts of 1851-52, Chapter 105, Section 2, changed the opening dates for the terms of the Chancery Court for Wayne and Hardin Counties. In Wayne County Chancery Court would begin its semi-annual terms on the third Monday in February and August.
- 13. Acts of 1851-52, Chapter 178, Section 3, established new terms for the Chancery Courts of all the counties in the Middle Division of the State. Wayne County would convene the Chancery Court on the first Monday in February and August.
- 14. Acts of 1853-54, Chapter 54, Section 2, created the Sixth Chancery Division for Tennessee, assigning to it the equity courts of the Counties of Carroll, Benton, Humphreys, Dickson, Hickman, Perry, Decatur, Henderson, McNairy, Hardin, Wayne, and Lawrence. The Chancellor for this Division would be elected by the people.
- 15. Acts of 1853-54, Chapter 55, Section 4, changed the terms of the Chancery Courts for several of the Counties. Wayne County returned to the third Monday in February and August.
- 16. Acts of 1855-56, Chapter 112, Section 5, rearranged the opening dates for the terms of the Chancery Courts in the Sixth Chancery Division. The Courts would meet at Waynesboro in Wayne County on the fourth Monday of February and August.

- 17. Acts of 1857-58, Chapter 88, divided the State into the Eastern, Middle, Western, Fourth, Fifth, and Sixth Chancery Divisions. Wayne County was placed in the Sixth Division along with the counties of Carroll, Henderson, McNairy, Hardin, Lawrence, Hickman, Dickson, Humphreys, Benton, Decatur, and Perry. Court would continue to meet in Wayne County on the fourth Monday in February and August.
- 18. Acts of 1859-60, Chapter 59, Section 8, set the time for opening the Chancery Court of Wayne County on the first Wednesdays after the fourth Mondays in February and August.
- 19. Acts of 1866-67, Chapter 4, Section 4, fixed the dates for the terms of the Chancery Court in the 5th Chancery District which consisted of the counties of Hickman, Dickson, Humphreys, Henderson, McNairy, Hardin, Lawrence, Decatur, Perry, and Wayne. Court would open in Wayne County on the fourth Monday in April and October.
- Acts of 1870, Chapter 32, reorganized the equity courts of the State under a new State
  Constitution into twelve Chancery Districts. The 9th Chancery District contained the counties of
  Benton, Hickman, Henderson, McNairy, Lawrence, Dickson, Humphreys, Decatur, Lewis, Perry,
  Hardin, and Wayne.
- 21. Acts of 1870, Chapter 47, fixed the terms of the Chancery Courts for every county in the State. Wayne County would call the Chancery Court to order on the first Monday in April and October.
- 22. Acts of 1870-71, Chapter 10, reset the opening dates for most of the Chancery Courts in the 9th Chancery Division. Wayne County's Chancery Court would meet on the third Monday in March and September at Waynesboro.
- 23. Acts of 1873, Chapter 5, rearranged the starting days for the Court terms of the counties in the 9th Chancery Division. The Chancery Court of Wayne County would convene at Waynesboro on the fourth Monday in April and October.
- 24. Acts of 1879, Chapter 88, rescheduled the terms of the Chancery Courts of some of the Counties in the 9th Chancery Division but Wayne County remained on the fourth Monday in April and October.
- 25. Acts of 1881, Chapter 162, fixed the Chancery Court terms for several of the Counties in the 9th Chancery Division changing Wayne County's terms to begin on the first Monday in May and November.
- 26. Acts of 1885 (Ex. Sess.), Chapter 20, reorganized the entire lower Judicial structure of the State, creating eleven Chancery Divisions in the process. Wayne County, whose Courts would begin on the first Monday in May and November, was placed in the Seventh Chancery Division which also had in it the Counties of Giles, Lewis, Lawrence, Hickman, Hardin, Perry, Decatur, Dickson, and Benton. This Act was part of the considerations of the Supreme Court in Flynn v. State, 203 Tenn. 337, 313 S.W.2d 248 (1958).
- 27. Acts of 1887, Chapter 5, rescheduled the Chancery Court terms for the counties in the 7th Chancery Division, shifting Wayne County to the first Monday in June and December.
- 28. Acts of 1899, Chapter 427, was a reorganization of the lower Court system, resulting in the formation of ten Chancery Divisions. The 5th Chancery Division was composed of the counties of Rutherford, Bedford, Marshall, Williamson, Lincoln, Lawrence, Giles, Maury, Lewis, and Wayne where the courts would meet on the first Monday in January and July.
- 29. Acts of 1901, Chapter 494, reset the Chancery Court terms for the counties in the 5th Chancery Division changing Wayne County to the second Monday in June and December.
- 30. Private Acts of 1915, Chapter 173, changed the Chancery Court terms in Lewis and in Wayne Counties. Wayne was changed from the second Monday in June and December to the second Monday in May and November.
- 31. Private Acts of 1919, Chapter 761, reset the terms of the Chancery Court in Williamson, Lewis, Perry, and Wayne Counties. Wayne's Courts would meet at Waynesboro on the third Monday in June and the second Monday in November.
- 32. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, was a major overhaul of the lower judicial system of the State. Fourteen Chancery Divisions were formed under this Act plus some special Chancery Divisions. The Chancery Division of the 7th Judicial Circuit would be held by the Circuit Judges of the 17th Circuit. Williamson County, Lewis County, Perry County, and Wayne County were assigned to this special Division. Wayne's Chancery Court would continue to meet on the third Monday in June and the second Monday in November.
- 33. Private Acts of 1937, Chapter 599, provided that the regular terms of the Chancery Court of Wayne County would begin at Waynesboro on the third Monday in June and the fourth Monday in

November of each year.

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

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

- Acts of 1907, Chapter 562, provided that the Clerk and Master of Wayne County would be paid an
  annual salary of \$750, provided a sworn, itemized statement is filed on January 1st of each year
  with the County Judge, or Chairman, showing the total amount of fees collected in that office. If
  the fees do not equal the annual salary, the county shall pay the difference to the Clerk and
  Master out of the regular county funds. If the fees exceed the salary, the Clerk and Master may
  keep the excess as his own.
- 2. Acts of 1909, Chapter 173, amended Acts of 1907, Chapter 562, by reducing the amount of the annual salary from \$750 to \$500, all other terms and conditions to remain as they appeared in that Act.
- 3. Private Acts of 1911, Chapter 8, restored the annual salary of the Clerk and Master of Wayne County to \$750, retaining all the other terms and conditions stated in the 1907 Act.
- 4. Private Acts of 1925, Chapter 550, amended Private Acts of 1911, Chapter 8, by increasing the salary of the Clerk and Master of Wayne County from \$750 to \$100 per year provided all the conditions of the prior Acts are observed.
- 5. Private Acts of 1929, Chapter 683, averred that in Wayne County the Clerk and Master shall be paid an annual salary of \$1,250 provided a sworn, itemized statement is filed with the County Judge, or Chairman, on January 1st, of each year, showing the total amount of fees collected in the office, except that fees received as a special commissioner or Receiver, do not have to be included in the total. If the fees are less than the salary, the county will pay the difference to the Clerk and Master on the warrant of the County Judge, but, if the fees exceed the annual salary, the Clerk and Master shall pay the excess to the County Treasury for the use and benefit of the County.

#### **Circuit Court**

The following acts were once applicable to the circuit court of Wayne County but now have no effect, having been repealed, superseded, or having failed to win local approval.

- 1. Acts of 1817, Chapter 138, made Wayne County a part of the Sixth Judicial Circuit and the 9th Solicitorial District. The Circuit Court be held in Wayne County on the Second Monday of March and September.
- 2. Acts of 1817, Chapter 174, stated that the Circuit Court in Wayne County would be held at Young Factor's old place on Natchez Trace.
- 3. Acts of 1819, Chapter 19, re-established Wayne County and provided that all courts should be holden at the house of William Barnett until otherwise provided for by law.
- 4. Acts of 1819, Chapter 154, placed the Counties of Wayne, Montgomery, Dickson, Hickman, Humphreys, Stewart, Robertson, Hardin, and Perry in the Fifth Judicial Circuit. This Act further set the times for the terms of Court for the Counties fixing Waynes' Circuit Court terms to start on the first Monday in May and November.
- 5. Acts of 1821, Chapter 42, established the 8th Judicial Circuit for Tennessee placing in it the counties of Henry, Carroll, Henderson, Madison, Shelby, Wayne, Hardin, and Perry. The General Assembly would elect a judge for the Circuit. Appeals would be heard at Charlotte.
- 6. Acts of 1821, Chapter 65, provided that appeals and writs of error from the counties of Wayne, Hardin, Perry, Henderson, Madison, and Shelby shall be to the Supreme Court of Errors and Appeals for the Sixth Circuit at Columbia. 7. Acts of 1823, Chapter 41, set the court terms for the 8th and 9th Judicial Circuits. The 8th and 9th Judicial Circuit were composed of the counties of Shelby, Hardeman, McNairy, Wayne, Hardin, Madison, Haywood, Perry, Henderson, Carroll, Henry, Weakley, Obion, Dyer, and Gibson. Wayne County's Circuit Courts would meet on the first Monday in April and November.
- 7. Acts of 1823, Chapter 67, made it the duty and responsibility of the presiding Judge of the 8th Judicial Circuit to hold the Circuit Courts of Wayne County in the town of Waynesboro, the present seat of justice for the county. The Clerk of the Court will transfer the records of all pending cases to the Court at Waynesboro.
- 8. Acts of 1824, Chapter 102, set the terms of the Circuit Courts in the 8th and 9th Judicial Circuits. Wayne's Circuit Courts would call their dockets on the first Monday in May and November.

- 9. Acts of 1829, Chapter 52, formed the Tenth Judicial Circuit of Tennessee out of the counties of Wayne, Hardin, McNairy, Hardeman, Fayette, and Shelby. The Judge of the new Circuit would be elected by the joint ballot of both Houses of the General Assembly.
- 10. Acts of 1835-36, Chapter 5, was a reorganization of the judicial circuits in the State pursuant to the new State Constitution. Circuit Courts were grouped into eleven Judicial Circuits for each of which court would hereafter be held three times annually. The Eleventh Judicial Circuit had in it the counties of Shelby, Fayette, Hardeman, McNairy, Hardin, and Wayne where the terms of court would being on the first Monday in March, July, and November.
- 11. Acts of 1837-38, Chapter 3, Section 5, created the 14th Judicial Circuit of the State of Tennessee which was composed of the counties of Lawrence, Wayne, Hardin, Perry, Carroll, and Benton. Terms of the Circuit Court in Wayne County would begin on the third Monday in March, July, and November.
- 12. Acts of 1837-38, Chapter 116, Section 10, listed the terms of the Circuit Court for all the counties in the 14th Judicial Circuit but Wayne County remained on the third Monday in March, July, and November.
- 13. Acts of 1839-40, Chapter 140, reset the Circuit Court terms in Carroll, Benton, Perry, Hardin, Lawrence, and Wayne Counties where the Circuit Court terms would commence on the first Monday in February, June, and October.
- 14. Acts of 1849-50, Chapter 70, rescheduled the Circuit Court terms for some of the counties in the 14th Judicial Circuit among which was Wayne County whose courts would convene on the fourth Monday in January, May, and September.
- 15. Acts of 1851-52, Chapter 105, reset the term of the Circuit Courts in Wayne, Hickman, and Perry Counties. Wayne County would start the terms of the Circuit Court on the first Monday in February, June, and October.
- Acts of 1853-54, Chapter 125, Section 3, rearranged the starting dates for the terms of the Circuit Courts of Lawrence and Wayne Counties. Wayne's would begin on the fourth Monday in January, May and September at Waynesboro.
- 17. Acts of 1857-58, Chapter 98, organized the lower circuit court system in Tennessee into 16 Judicial Circuits. The 12th Circuit was composed of the counties of Wayne, Lawrence, Hickman, Perry, Decatur, McNairy, and Hardin. Circuit Court terms would begin in Waynesboro on the fourth Monday in January, May, and September.
- 18. Acts of 1865, Chapter 37, named the counties in the 12th Judicial Circuit as Wayne, Hickman, Perry, Decatur, Henderson, McNairy, and Hardin. Court in Wayne County would begin on the fourth Monday in March, June, and September.
- 19. Acts of 1865-66, Chapter 14, scheduled the terms of the Circuit Courts in the 12th Judicial Circuit which now consisted of the counties of McNairy, Hardin, Hickman, Perry, Decatur, and Wayne whose courts would open on the third Monday in March, July, and November.
- 20. Acts of 1866-67, Chapter 40, reset the terms of the Courts in the 12th Judicial Circuit and although Wayne County is listed, the terms of her Circuit Courts remained on the third Monday of March, July and November.
- 21. Acts of 1867-68, Chapter 8, rescheduled the opening dates for the Circuit Court terms in the 12th Judicial Circuit moving Wayne County's Circuit Court terms to the second Monday in March, July, and November.
- 22. Acts of 1870, Chapter 31, reorganized the Circuit Courts of Tennessee into fifteen regular and one special judicial circuits. The 11th Judicial Circuit contained the counties of Hardin, Wayne, Lewis, Hickman, Perry, Decatur, Henderson, and McNairy.
- 23. Acts of 1870, Chapter 46, fixed the terms of the Circuit Courts of every county in the State. Wayne County would begin the terms of the Circuit Court on the second Monday in January, May, and September.
- 24. Acts of 1871, Chapter 17, made some changes in the Circuit Court terms of some of the counties in the 11th Judicial Circuit including Wayne County whose Circuit Courts would start their terms on the first Monday in January, May, and September.
- 25. Acts of 1871, Chapter 70, rescheduled the terms of the Circuit Courts in the 11th Judicial Circuit. Wayne County was moved to the third Monday in January, May, and September.
- 26. Acts of 1875, Chapter 18, made some changes in the opening dates for the Circuit Courts of the 11th Judicial Circuit. Wayne County is listed among them but would continue to open the Circuit

- Courts on the third Monday in January, May, and September.
- 27. Acts of 1881, Chapter 83, changed the court terms for the counties in the 11th Judicial Circuit. Wayne County would convene the Circuit Court on the first Monday in February, June, and October.
- 28. Acts of 1881 (Ex. Sess.), Chapter 2, made some changes in the schedules of the terms of the Circuit Courts in some of the counties of the 11th Judicial Circuit, moving Wayne County's opening dates to the first Monday in February, June and October.
- 29. Acts of 1885 (Ex. Sess.), Chapter 20, was a major revamping of the lower judicial structure of Tennessee forming fourteen Judicial Circuits. The 9th Judicial Circuit Comprised the counties of Maury, Giles, Lawrence, Wayne, Hardin, Lewis, and Hickman. Wayne County's Circuit Court would begin the terms on the first Monday in March, July, and November.
- 30. Acts of 1897, Chapter 322, brought about term changes in the Circuit Courts of Hardin, Lawrence, Giles, Lewis, Maury, and Wayne Counties. Wayne County would open the Circuit Court terms on the fourth Monday in March and December and on the third Monday in September.
- 31. Acts of 1899, Chapter 409, scheduled the Circuit Court terms in the 9th Judicial Circuit. Wayne County being scheduled to begin the terms on the first Monday in March, July, and November.
- 32. Acts of 1901, Chapter 382, created a new 9th Judicial Circuit composed of the counties of Lawrence, Giles, Lewis, Maury, Hardin, and Wayne whose Circuit Courts would meet on the first Monday in April, the third Monday in September, and the fourth Monday in December.
- 33. Acts of 1903, Chapter 18, made some changes in the Court terms of the counties of the 11th Judicial Circuit, naming Wayne County among them. The Circuit Court at Waynesboro would meet on the first Monday in April, the third Monday in September, and the third Monday in December of each year.
- 34. Private Acts of 1923, Chapter 239, reset the opening dates for the Circuit Court of Wayne County to the fourth Monday in March, the second Monday in September, and the second Monday in December.

#### <u>Circuit Court - Clerk</u>

The following acts have no current effect, but once applied to the Wayne County circuit court clerk. They were repealed, superseded, or never received local approval.

- 1. Acts of 1903, Chapter 255, was a general State act fixing the salaries of the Circuit Court Clerks according to the population classification of the county in which they served. The Circuit Court Clerk of Wayne County would have been paid \$500 per year under the terms of this law. The Clerk was required to file an annual, itemized, sworn statement with the County Judge, or Chairman, showing the total amount of fees collected in his office. If the fees were less than the salary, the county would make up the difference to the clerk but, if the fees exceeded the salary, the Clerk was allowed to retain the excess.
- 2. Private Acts of 1915, Chapter 397, provided that the Circuit Court Clerk in Wayne County would be paid an annual salary of \$600, if he filed a sworn, itemized statement as required in the 1903 Act and then the same conditions of payment would prevail. If, the Clerk should leave the office for any reason and there were fees which were due and unpaid, they would become the property of the county when paid.
- 3. Private Acts of 1919, Chapter 614, increased the salary of the Circuit Court Clerk to \$750 per year subject on the very same terms and conditions expressed in the Private Acts of 1915, Chapter 397 concerning the filing of the statement and the leaving of the office.
- 4. Private Acts of 1927, Chapter 189, was a new act which restated all the terms and provisions of the Private Acts of 1919, Chapter 614, concerning the Circuit Court Clerk except his salary is increased to \$1,000 annually.
- 5. Private Acts of 1949, Chapter 897, amended Private Acts of 1927, Chapter 189, by raising the annual salary of the Circuit Court Clerk of Wayne County from \$1,000 to \$1,500.
- 6. Private Acts of 1961, Chapter 88, provided that the circuit court clerk receive \$1,800 per annum as compensation for her duties as clerk of the general session court.

#### <u>District Attorney General - Assistants and Criminal Investigators</u>

The following acts once affecting Wayne County are no longer in effect but are listed here for historical purposes. Also referenced below is an act which repeals prior law without providing new substantive provisions.

- 1. Acts of 1819, Chapter 154, Section 4, established a new Solicitorial District, to be called the 12th Solicitorial District, composed of the counties of Hickman, Wayne, Hardin, and Perry, for which a Solicitor General shall be elected by the joint ballot of both Houses of the General Assembly.
- Acts of 1835-36, Chapter 28, made each Solicitorial District in the State to coincide exactly with each Judicial Circuit. An Attorney-General would be elected by the General Assembly for each District.
- 3. Private Acts of 1911, Chapter 672, created the office of Assistant Attorney- General for Scott County, but is listed as being applicable to Wayne County. This Act, according to our population figures for 1910, does not apply to Wayne County. In any event, this Act was repealed by Private Acts of 1919, Chapter 168.
- 4. Public Acts of 1959, Chapter 271, Public Acts of 1967, Chapter 139, Public Acts of 1973, Chapter 56 and Public Acts of 1977, Chapter 368, each created additional positions for assistant district attorneys general or investigators for the Eleventh Judicial Circuit. Wayne County is now in the Twenty-second Judicial District, according to T.C.A. 16-2-506, which also stipulates the number of judges, assistant district attorneys and investigators for the district.

#### **General Reference**

The following private acts were once a part of the Court System of Wayne County but are no longer effective, having been superseded by State law. Acts of 1829, Chapter 104, Section 8, provided that the residents of Wayne, Hardin, and Perry Counties may take the cases they have on appeal from their courts to the Supreme Court at Huntington, Reynoldsburgh, or Nashville whichever way may best suit their convenience.

- 1. Acts of 1833, Chapter 14, moved the Supreme Court of Errors and Appeals from Reynoldsburgh to Centerville in Hickman County and the Counties of Lawrence, Wayne, Hardin, Humphreys, Hickman, and Perry shall hereafter direct their appeals to the Court at Centerville.
- Acts of 1835-36, Chapter 3, provided that the Supreme Court of Tennessee shall hold at least one session each year at Knoxville, Nashville, and Jackson. Wayne County and 23 other counties constituted the Middle Division whose cases would be heard at Nashville.

Source URL: https://www.ctas.tennessee.edu/private-acts/chapter-v-court-system-26