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Private Acts of 1949 Chapter 54

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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 1949 Chapter 54

SECTION 1. That House Bill No. 239, Chapter No. 91 of the Private Acts of 1941, the caption of which is fully set forth in the caption of this Act, be and the same is hereby amended as follows:

SECTION 2. That the Court of General Sessions of Warren County, Tennessee, shall have concurrent jurisdiction with Circuit and Chancery Courts in all proceedings for divorces as provided by Sections Nos. 10325 and 10379 of the official Code of the State of Tennessee for the year 1932. An appeal from the judgment of said Court in all divorce matters shall be to the Court of Appeals or to the Supreme Court in the same manner as provided in such cases from the Circuit and Chancery Courts.

SECTION 3. That the Court of General Sessions of Warren County, Tennessee, shall be and is hereby made a Court of Record, and the laws regulating pleading and practice, stay of judgments, writs and processes in civil and criminal cases in Courts of Justice of the Peace, shall apply to the Court of General Sessions of Warren County, Tennessee, and in all other cases to be tried and determined by said Court, having jurisdiction concurrent with the Circuit and Chancery Courts, the pleadings and practices in such cases shall be the same provided by law for such Courts. The said Court, on matters concurrent with the jurisdiction with Circuit and Chancery Courts, shall be opened and held on the First Monday in each month and held from day to day during the month as the business of the Court may require. All processes for divorce cases shall be returnable to the first day of the term, namely the First Monday, and shall have been served on the defendant at least five days before the first day of court. In cases where publication for defendant's appearance is required, the last date of publication shall be at least five days before the first day of court. In the event there is no defense made to the suit during the first three days of the term of court, a pro confesso may be taken against the defendant and the cause set for hearing ex parte. The said Court shall make any and all other such rules of practices, from time to time, as may be deemed expedient, and which such rules as may be made by the Appellate Courts of the State, which may be revised as often as thought proper. Said rules, when made by the Judge of said Court of General Sessions of Warren County, Tennessee, shall be entered upon the Minutes of the Court.

SECTION 4. That Section 8 of said Act be and is hereby amended by striking out the words and figures Nine Hundred (\$900.00) Dollars in lines Nos. 2 and 3 thereof, and inserting in lieu thereof the words and figures as follows: Twenty Four Hundred (\$2,400.00) Dollars".

SECTION 5. That Section 7 of said Chapter 91 of the Private Acts of 1941, of the General Assembly of the State of Tennessee, be and the same is hereby repealed, and in lieu thereof the following is inserted as Section 7 thereof:

"That there shall be one Judge of the said Court of General Sessions of Warren County, Tennessee, who shall be a person licenses to practice law in the State of Tennessee, having been admitted to practice in a Court of Record of the State not less than five years prior to September 1, 1950, and actively engaged in the practice of law at the time of his election, and with all other qualifications and term of office as provided by the Constitution of the State of Tennessee, for inferior Courts, and the oath shall be the same as that prescribed for Circuit Judges and Chancellors."

SECTION 6. That the said Judge of the Court of General Sessions of Warren County, Tennessee, is hereby authorized and empowered to grant fiats authorizing the issuance of injunctions and attachments in all cases conferred on Judges of other Courts and Chancellors in the State of Tennessee.

SECTION 7. That the Legislature expressly declares that each section, subsection, paragraph and provision of this Act is severable, and that should any portion of this Act be held unconstitutional or invalid, the same shall not affect the remainder of this Act, but such unconstitutional or invalid portion shall be elided, and the Legislature declares it would have enacted this Act with such unconstitutional or invalid portions elided therefrom.

SECTION 8. That all laws and parts of laws in conflict with this Act be and are hereby repealed, and that this Act take effect from and after February 1, 1949, except Sections 4 and 5 hereof, which shall take effect from and after September 1, 1950, the public welfare requiring it.

Passed: January 25, 1949.

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