



April 02, 2025

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# Court System - Historical Notes

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

1. Acts of 1792, Chapter 1, divided the area which was later to become the State of Tennessee, then a part of North Carolina, into three Districts for the trial of all causes, both civil and criminal, and for the procurement of jurors, in the proper manner, when necessary. These Districts were the District of Washington, the District of Hamilton, and the District of Mero.
2. Acts of 1799, Chapter 40, apportioned the number of jurors which each county in the Mero District would furnish to the Courts of the District. Davidson County would provide ten (10) jurors; Sumner, seven (7); Smith, four (4); Wilson, four (4); Robertson, five (5); Montgomery, five (5); and Williamson, five (5).
3. Acts of 1803, Chapter 73, fixed the number of jurors each county was obligated to send to the District Courts in the Mero District. Sumner County was required to furnish six (6) Jurors.
4. Acts of 1806, Chapter 24, returned Wilson County to the Mero District and fixed the number of jurors to be furnished by each county. Davidson County would supply twelve (12) jurors; Sumner County, eight (8) jurors; Wilson County, six (6) jurors; Williamson County, eight (8) jurors, and Rutherford County, five (5) jurors.
5. Acts of 1817, Chapter 128, made it lawful for the Justices of twenty-one (21) counties, including Sumner, to levy a tax on the taxable property of the county to compensate the juries attending the Courts of these counties.
6. Private Acts of 1819, Chapter 62, was the legal authority for the counties of Davidson, Sumner, Williamson, Giles, Rutherford, Bedford, and Maury to appoint thirty-seven (37) jurors for each county to attend the Circuit Courts and the County Courts. When selected, the jurors were bound to attend. If more jurors should be needed for any reason, the Judge was permitted to select them from the bystanders.
7. Acts of 1824, Chapter 14, provided that the Supreme Court of Tennessee should have two (2) additional Judges who would be elected by the joint ballot of both Houses of the General Assembly. Terms of the Supreme Court would be held only at Knoxville, Nashville, and Jackson from that date forward.
8. Acts of 1835-36, Chapter 3, enacted after the adoption of the 1835 Constitution of the State, set up a three (3) Judge Supreme Court, one from each of the major divisions of the State, who would be appointed by the General Assembly. The Court would hold at least one session each year in each Grand Division of the State, at Knoxville, Nashville, and Jackson. Sumner, and twenty-three (23) other counties, made up the Middle Division of Tennessee.
9. Private Acts of 1927, Chapter 501, stated that in Sumner County, identified by use of the 1920 Federal Census, every regular juror would be entitled to receive \$3 per day for each day's attendance as a juror and such mileage as might be permitted under the law. This Act was repealed by Private Acts of 1974, Chapter 369.
10. Private Acts of 1933, Chapter 14, created a three (3) member Board of Jury Commissioners for Sumner County, identified by use of the 1930 Federal Census, who were required to be freeholders, residents for at least two (2) years, and not a state, county, or city official. The Board was appointed by the Circuit Court Judge for one year terms, and any vacancy filled would be for the unexpired portion. At least three (3) weeks prior to the opening of the Court term, the Board would meet to select at least 750 and no more than 1250 names of honorable citizens from the Civil Districts who would be eligible to serve as jurors. Each name chosen would be placed in alphabetical order on a list in a well bound book furnished by the Clerk and the entire list would be certified by the Commissioners. The names would also be placed on a card which would be put in a box, locked and sealed, and opened only in the presence of the Board or Court. The Board would meet at least two (2) weeks prior to every Court term and have a child under ten (10) years of age draw the number of names specified in an order from the judge who would be the jurors for the upcoming term of Court. Ten (10) days prior to the opening of Court the list selected by the child would be given to the Sheriff who would summon those whose names appeared thereon. No one could be excused except by the judge. Arrangements were also made to call up special panels of jurors and to supply more to venires which were exhausted by

challenge or otherwise. Compensation was \$3 per day for the jurors. This Act was repealed by the one below and by Private Acts of 1974, Chapter 369.

11. Private Acts of 1933, Chapter 535, provided that every regular juror in Sumner County would be entitled to \$2 per day for each days attendance as a juror and would be paid such mileage as provided by law. Section 2 stated that each Foreman of the Grand Jury would be paid \$3 per day. This Act was repealed by Private Acts of 1974, Chapter 369.
12. Private Acts of 1943, Chapter 8, provided that every regular juror, including Grand Jurors, petit jurors, extra and pick-up jurors would receive \$3 per day and mileage, or ferriage, as provided by law. Section 2 fixed the compensation of the Foreman of the Grand Jury at \$4 per day for each day's attendance. This Act was repealed by Private Acts of 1974, Chapter 369.
13. Private Acts of 1943, Chapter 112, expressly repealed Private Acts of 1933, Chapter 14, above. This Act was repealed by Private Acts of 1974, Chapter 369.
14. Private Acts of 1951, Chapter 257, was a new Act for a Board of Jury Commissioners for Sumner County. The three (3) members of the Board were required to be residents of the county who were not state, county, or city officials. The Circuit Judge, the County Judge, and the Chancellor of the Chancery Court would each appoint one member. Terms were for two years. Members could not have a suit pending and seek the appointment. Vacancies would be filled by the Judge making the original appointment. The members would select a Chairman and retire to a room in the Courthouse to discharge their duties. The Board would select at least 750 names as prospective jurors, would have the names typed on a 1" x 3" piece of paper and include the Civil District of the persons residence. The names were placed in the jury box, furnished by the Clerk, when the names were chosen. Fourteen (14) days, or more, before the opening of Court, the Clerk would open the box in the presence of the Court, or the County Judge and Sheriff, and a child, ten (10) years old, or younger, would select thirty-seven (37) names from the box to serve as jurors for that term. The Sheriff would summon them for duty. Provisions were incorporated for exhausted panels and for special venire. No trial judge could excuse the jurors from service, but conditions were set up for purging the lists at intervals when the need should arise. This Act was repealed by Private Acts of 1974, Chapter 369.
15. Private Acts of 1955, Chapter 47, amended Private Acts of 1951, Chapter 257, above, Section 6, by inserting a provision which stated that twelve (12) names be drawn and a foreman appointed by the court under general law, would constitute the Grand Jury. This Act deleted the provision that the presiding Judge would appoint the Foreman of the Grand Jury. This Act was repealed by Private Acts of 1974, Chapter 369.

### **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Sumner 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 1822, Chapter 13, stated that the Chancery Courts of Tennessee would be held by one of the Justices of the Supreme Court at the present places of holding the Supreme Court at least once each year. The Equity Courts would be held at Rogersville on the first Monday in November, at Knoxville, on the third Monday of 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, each term to continue for two weeks unless the docket was completed sooner.
2. Acts of 1824, Chapter 14, required that the Judges of the Supreme Court make the arrangements among themselves to hold the Chancery Courts of the State at least twice each year at the places listed in the Act, which were Greenville, Rogersville, Kingston, McMinnville, Franklin, Columbia, Charlotte, Jackson, and at Carthage for the counties of Overton, Fentress, Jackson, Smith, Sumner, and Wilson, on the third Monday in May and November.
3. Public Acts of 1827, Chapter 79, divided the State into two Chancery Divisions, the Eastern, which had the courts at Rogersville, Greenville, Kingston, Carthage, and McMinnville, and the Western which embraced the Courts at Franklin, Columbia, Charlotte, Jackson, and Paris.
4. Public Acts of 1827, Chapter 88, provided that the Justices of the Supreme Court would hold Chancery Court twice each year at Greenville, Rogersville, Kingston, McMinnville, and at Carthage for the counties of Overton, Jackson, Fentress, Smith, Sumner, and Wilson, on the third Monday in January and July.
5. Public Acts of 1832, Chapter 19, changed the terms of the Chancery Court for several of the

counties in the Eastern District but the Court at Carthage would continue to open on the third Monday in January and July.

6. Acts of 1832, Chapter 21, changed the terms of the Chancery Court at Carthage to the second Monday in January and July.
7. Public Acts of 1835-36, Chapter 4, enacted after the adoption of the 1835 Constitution, separated the State into three Chancery Divisions which were further divided into Districts. Three Chancellors would be appointed by the joint ballot of the General Assembly to preside over the Courts instead of the Supreme Court Justices. These Chancellors would hold Court at least twice each year. Robertson and Sumner County were the 14th District of the Middle Division, whose Court would be held in Gallatin on the second Monday in April and October but suits originating in Robertson County may be filed at Clarksville or at Gallatin.
8. Acts of 1837-38, Chapter 116, changed Court terms for several of the Courts of Equity in the Eastern and Middle Division of the State but no change was made in Sumner County.
9. Acts of 1851-52, Chapter 353, rescheduled the term of the Chancery Court for Sumner County. After the next April term, Chancery Court would be held on the first Monday in October and April of each year.
10. Acts of 1853-54, Chapter 55, set the Chancery Court terms for several of the counties changing Sumner County's Court at Gallatin to the second Monday in March and September.
11. Acts of 1857-58, Chapter 88, was a complete revision of the lower equity judicial system of the State. Sumner County was assigned to the Fourth Division along with the counties of Wilson, Macon, Jackson, Putnam, Smith, Coffee, Franklin, Bedford, Lincoln, DeKalb, Warren, Van Buren, Grundy, Cannon, and Rutherford. The court terms for Sumner County would begin in Gallatin on the second Monday in April and September.
12. Private Acts of 1859-60, Chapter 14, created the Seventh Chancery Division of Tennessee allocating to it the counties of Overton, Jackson, Macon, Sumner, Robertson, Montgomery, Smith, and Stewart. The elected Chancellor would also have the jurisdiction of a Circuit Judge and would hold the Circuit Court of Sumner County on the first Monday of September and second Monday in March. The Chancellor for the new Division would be elected at the next general election.
13. Acts of 1868-69, Chapter 18, provided that the Chancery Court of the Seventh Chancery Division and the Circuit Court of Sumner County would be held at the time and places designated. The Chancery Court at Gallatin would hereafter commence its terms on the third Monday in March and on the first Monday in September of each year.
14. Acts of 1870, Chapter 32, organized the State into twelve Chancery Districts. The Sixth District was made up of the counties of Wilson, Sumner, Robertson, Montgomery, Stewart, Cheatham, and Trousdale.
15. Acts of 1870, Chapter 47, scheduled the opening dates for the terms of the Chancery Court in every county in the State. In Sumner County, the Chancery Court would begin its terms on the fourth Monday in April and September.
16. Acts of 1873, Chapter 12, rescheduled the terms of the Chancery Courts in the Sixth Chancery Division which contained the counties of Houston, Cheatham, Stewart, Trousdale, Robertson, Wilson, Montgomery, and Sumner. The Chancery Court for Sumner County would start its terms on the first Monday in June and the third Monday in December.
17. Acts of 1877, Chapter 47, rearranged the opening dates of the Chancery Court terms in the 6th Chancery Division. The Chancery Court at Gallatin would start on the first Monday in January and June.
18. Acts of 1879, Chapter 36, changed some of the Chancery Court terms in the Sixth Chancery Division but did not change Sumner County.
19. Acts of 1883, Chapter 21, reset the terms of the Chancery Court in the counties of the Sixth Chancery Division. The Division contained the counties of Trousdale, Stewart, Houston, Montgomery, Wilson, Cheatham, Robertson, and Sumner whose Chancery Court would meet at Gallatin on the second Monday in December and the first Monday in June.
20. Acts of 1885 (Ex. Sess.), Chapter 20, was a major reorganization of the lower Court System of the State. Eleven (11) Chancery Divisions were formed and the 8th Chancery Division was composed of the counties of Sumner, Robertson, Montgomery, Wilson, Stewart, Houston, Cheatham, Humphreys, and Trousdale where the Sumner County Courts would convene on the first Monday in June and December in Gallatin. This Act, and nearly every other organizational and jurisdictional Act, was part of the litigation in the case of *Flynn v. State*, 203 Tenn. 341, 313

S.W.2d 249 (1958).

21. Acts of 1899, Chapter 427, completely revised the lower judicial system of Tennessee dividing the State into ten (10) Chancery Divisions. The 6th Chancery Division had in it the counties of Sumner, Robertson, Cheatham, Montgomery, Stewart, Houston, Dickson, Humphreys, Hickman, and Wilson. Chancery Court in Gallatin would start on the first Monday in May and the second Monday in November.
22. Acts of 1905, Chapter 286, revised the schedule of Chancery Court terms in the 6th Chancery Division which retained the counties assigned to it by the 1899 Act above. The Court schedule in Sumner County began on the first Monday in May and the second Monday in November.
23. Private Acts of 1919, Chapter 455, again changed the schedule of Chancery Court terms in the 6th Chancery Division but Sumner County retained the schedule of the first Monday in May and the second Monday in November.
24. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, was a total revision of the lower court structure of the State. This Act was the last Act of this nature appearing in the volumes of private acts. Later Acts became a part of the Tennessee Code Annotated. Fourteen Chancery Divisions were organized in the State. The 6th Division contained the counties of Montgomery, Robertson, Hickman, Cheatham, Stewart, Houston, Dickson, Humphreys, Wilson, and Sumner where the Court terms would begin on the first Monday in May and the second Monday in November.
25. Public Acts of 1941, Chapter 27, altered and increased the number of Chancery Court terms for the counties of the 6th Chancery Division by amending Section 159 of the Tennessee Code. Sumner County's Court terms would begin, in Gallatin, on the first Monday in February, April, June, August, October, and December.

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

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

1. Acts of 1857-58, Chapter 82, made it the duty of the Secretary of State to furnish the Clerks and Masters of Chancery Courts with the reports of the Supreme Court.
2. Private Acts of 1927, Chapter 277, stated that in Sumner County, identified by the use of the 1920 Federal Census figures, the Clerk and Master of the Chancery Court would be paid \$1,800 annually, provided a sworn, itemized statement was filed each quarter with the County Judge, or Chairman, showing all the fees collected by the office. If the fees did not equal the salary, the County must pay the difference to the Clerk and Master. This Act was repealed by Private Acts of 1974, Chapter 369.

### **Circuit Court**

The following acts were once applicable to the circuit court of Sumner 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. Acts of 1786, Chapter 32, which created Sumner County provided that the Courts would be held at the home of James Hamilton until better arrangements could be made. The Court had the authority to adjourn to any other place in the county which was more convenient.
2. Acts of 1806, Chapter 19, divided the Mero District into three separate Districts. Robertson District had the counties of Dickson, Montgomery, Stewart, and Robertson for which two Superior Courts would be held in Clarksville on the first Monday in June and December. The Winchester District was made up of the counties of Jackson, Smith, and Wilson and, for the next four years, or until changed by the General Assembly, would hold its two Superior Court meetings at Carthage on the third Monday of April and October. The remainder of the counties, Davidson, Sumner, Williamson, and Rutherford, would constitute the Mero District which would continue court terms as before.
3. Acts of 1809 (1st Sess.), Chapter 49, formed five (5) Judicial Circuits in the State. The Third Circuit contained the counties of Smith, Warren, Franklin, Sumner, Overton, White, and Jackson. Courts would be held in all circuits twice each year by the five Circuit Judges, appointed by joint ballot of the General Assembly and commissioned by the Governor. The Judges would appoint a Clerk for the Courts in their Circuit. In Sumner County the Circuit Court terms would begin on the second Monday in April and October.
4. Acts of 1812, Chapter 68, rearranged the terms of the Circuit Courts in several of the counties. Sumner County's Circuit Court would start its terms on the second Monday in March and

September of each year.

5. Acts of 1815, Chapter 139, reset the terms of the Circuit Court in Sumner County for the first Monday in April and October in each and every year requiring all process and bonds to be made to conform.
6. Acts of 1817, Chapter 65, created the Sixth Judicial Circuit assigning to it the counties of Lincoln, Giles, Maury, Bedford, and Lawrence. The remainder of the Fourth Judicial Circuit, from which these counties were taken, plus Sumner County would constitute the Fourth Circuit. This Act was repealed by Private Acts of 1974, Chapter 369.
7. Acts of 1817, Chapter 138, rescheduled the terms of the Circuit Courts in the Third, Fourth, Fifth, and Sixth Judicial Circuits. Courts would open in Sumner County on the Second Monday in March and September for two weeks or until the docket was completed.
8. Acts of 1835-36, Chapter 5, was enacted after the adoption of the 1835 Constitution and established the Circuit Courts of Tennessee in eleven (11) Judicial Circuits. Courts would meet for three terms a year instead of two. The Sixth Judicial Circuit was composed of the counties of Williamson, Davidson, and Sumner where the Circuit Court would convene in Gallatin on the first Monday of February, June, and October.
9. Acts of 1853-54, Chapter 52, provided that the Counties of Sumner, Davidson, Rutherford, and Montgomery would elect a Judge to hold the Circuit Court of Sumner County at the times appointed by law and the same Judge would hold the criminal courts of the other three Counties. Davidson, Sumner and Williamson Counties would elect an attorney-general to attend the Circuit Court of Sumner County and the Criminal Court of Davidson County. This Act was repealed by the one following.
10. Acts of 1853-54, Chapter 59, repealed those Sections of Chapter 52, above, concerning the Circuit and Criminal Courts of the counties mentioned.
11. Acts of 1855-56, Chapter 158, stated that the Circuit Court of Sumner County, now being held by the Judge of the Sixth Judicial Circuit, was transferred and would thereafter be held by the Judge of the Criminal Court Circuit composed of the Counties of Rutherford, Montgomery, and Davidson.
12. Public Acts of 1857-58, Chapter 98, completely reorganized the system of Circuit Courts in the State into sixteen (16) Judicial Circuits. The Ninth Judicial Circuit comprised the Counties of Davidson, Williamson, and Sumner, whose Circuit Court terms would begin on the third Monday of February, June, and October, and the Judge of the Criminal Court at Nashville would hold the Circuit Court of Sumner County.
13. Private Acts of 1859-60, Chapter 14, which established the Seventh Chancery Division in Tennessee, also gave the Chancellor the powers of a circuit judge and the responsibility of holding the Circuit Court of Sumner County which would meet on the fourth Monday in February, June, and October.
14. Acts of 1868, Chapter 45, stated that the Circuit Court of Sumner County would be presided over by the Chancellor of that Division as provided by law and causes carried to the Supreme Court from the Circuit Court of Sumner County would be docketed and heard with the business of the Sixth Judicial Circuit. The terms of the Circuit Court in Sumner County would begin on the third Monday in February, June, and October.
15. Acts of 1868-69, Chapter 18, provided that the Circuit Court for Sumner County would be held at Gallatin on the fourth Monday in February, the third Monday in June, and the second Monday in November of each year.
16. Acts of 1870, Chapter 31, reorganized all the Circuit Courts of the State into fifteen (15) regular, and one special, judicial circuits. The Tenth Circuit was made up of the Counties of Robertson, Montgomery, Stewart, Cheatham, Dickson, Humphreys, and Sumner.
17. Acts of 1870, Chapter 46, scheduled the terms of the Circuit Courts for every county in the State. Sumner County began its terms of Circuit Court on the fourth Monday in February, June and October.
18. Acts of 1871, Chapter 149, amended the Act establishing the Law Court of Nashville so that the Judge of the Law Court in Nashville would hold the Circuit Court of Sumner County at the times fixed by law which were the first Monday in January, May, and September. Section 4 provided that the Attorney-General of the Tenth Judicial Circuit would continue to attend the Circuit Court of Sumner County. This Act was repealed by Private Acts of 1974, Chapter 369.
19. Acts of 1877, Chapter 166, provided that the Judge of the Circuit Court of the Tenth Judicial Circuit would hold the Circuit Court of Sumner County in the same manner as prior to the

assignment of it to the Judge of the Law Court at Nashville.

20. Acts of 1885 (Ex. Sess.), Chapter 20, was a complete revision of the lower court system of the State. Fourteen (14) regular and one special Judicial Circuits were established. The Tenth Judicial Circuit contained the counties of Sumner, Robertson, Montgomery (civil cases only), Stewart, Houston, Dickson, and Humphreys. Court would begin, in Gallatin, in Sumner County on the fourth Monday in February, June and October.
21. Acts of 1887, Chapter 14, amended Acts of 1885 (Ex. Sess.), Chapter 20, so that the Circuit Court of Sumner County would meet on the third Monday in February, June, and October, with the requirement that all outstanding bonds and process be made to conform to the changes.
22. Acts of 1889, Chapter 152, changed the time for holding the June term of the Circuit Court of Sumner County from the third Monday to the fourth Monday, all process being conformed accordingly.
23. Acts of 1899, Chapter 427, in its complete reorganization of the lower court system of the state, divided the Circuit Courts into fourteen (14) Judicial Circuits. The Ninth Circuit contained the counties of Robertson, Montgomery, Stewart, Houston, Humphreys, Cheatham, Dickson, and Sumner where the Circuit Court would commence its terms on the second Monday in February, June, and October.
24. Acts of 1903, Chapter 29, reset the terms of the Circuit Courts in the counties of the Ninth Judicial Circuit which were Robertson, Cheatham, Montgomery, Houston, Stewart, Dickson, Humphreys, and Sumner. Circuit Court in Sumner County would begin its term on the second Monday in January, the third Monday in May, and the second Monday in September at Gallatin.
25. Acts of 1909, Chapter 329, rearranged the terms of some of the Circuit Courts in the Ninth Judicial Circuit but the Sumner County Circuit Court continued to meet on the second Monday in January and September, and the third Monday in May.
26. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, was a complete reorganization of the lower court system of Tennessee. This was the last Act on the State Courts appearing in the volumes of Private Acts. Twenty (20) Judicial Circuits were formed. The Ninth Judicial Circuit was composed of the counties of Robertson, Montgomery (civil cases only), Stewart, Houston, Dickson, Humphreys, and Sumner County. In Sumner County the Circuit Court continued to meet on the second Monday in January and September, and the third Monday in May.
27. Public Acts of 1953, Chapter 2, changed the opening dates of the Sumner County Circuit Court to the second Monday in January, May, and September.

#### **Circuit Court - Baliff**

The following acts once affected, or were thought to affect, the office of Bailiff in Sumner County.

1. Private Acts of 1943, Chapter 232, amended Private Acts of 1941, Chapter 350, Section 2, by increasing the compensation of the Bailiff of the Circuit Court from \$3 to \$4 per day.
2. Private Acts of 1953, Chapter 8, is listed in some works of this type as affecting the Bailiff of the Sumner County Circuit Court but this is in error. This Act relates to a public building in Lewis County.

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

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

1. Public Acts of 1857-58, Chapter 82, was the authority for the Secretary of State to furnish the Clerk of the Circuit Court of Sumner County with the reports of the Supreme Court from the first volume of Yerger's Reports. The Comptroller was authorized to pay any charges involved.
2. Acts of 1903, Chapter 255, set up a schedule of annual salaries for Circuit Court Clerks based upon the population of the county in which the Clerk was serving. According to population figures, the Circuit Court Clerk of Sumner County would have been paid \$1,000 annually under the Act. The Clerk was required to file an annual, sworn, itemized statement with the County Judge, or Chairman, showing the amount of fees collected by the office during the year. If the fees were less than the salary, the County would supply the difference but, if the fees exceeded the salary, the Clerk could retain the surplus.
3. Private Acts of 1911, Chapter 675, amended Acts of 1903, Chapter 255, by making the salary of the Circuit Court Clerk of Sumner County reach \$1,500 annually.



4. Private Acts of 1925, Chapter 532, increased the annual salary of the Sumner County Circuit Court Clerk to \$1,800 annually and required the County Judge to supplement the fees of the office up to that amount if the fees were not sufficient. The Clerk was required to file a sworn, itemized statement of the fees collected with the County Judge, or Chairman, on the first Monday in September of each year.
5. Private Acts of 1931, Chapter 796, provided that the Circuit Court Clerk of Sumner County, identified by the 1930 Federal Census, would be paid the sum of \$600 a year as supplemental salary, which would be in addition to all the fees allowed to the said Clerk. This Act was repealed by Private Acts of 1974, Chapter 369.

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

The following acts once affecting Sumner 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. Acts of 1807, Chapter 13, stated that a qualified, suitable, and competent person would be appointed in the manner directed by law and the Constitution as the Attorney-General for the District of Winchester, Robertson, and Mero, as well as for the Districts of Washington and Hamilton.
2. Acts of 1817, Chapter 65, set up ten (10) Solicitorial Districts in Tennessee and assigned the counties of Davidson, Williamson, and Sumner to the Seventh Solicitorial District. This Act was repealed by Private Acts of 1974, Chapter 369.
3. Acts of 1835-36, Chapter 28, enacted immediately after the 1835 Constitution was adopted, made each Solicitorial District coincide with each Judicial Circuit having criminal jurisdiction.
4. Acts of 1867-68, Chapter 45, incorporated Sumner County into the Solicitorial District of the Sixth Judicial Circuit and the Attorney-General for that district would attend the Circuit Court of Sumner County and discharge the duties appertaining to that office.
5. Acts of 1868-69, Chapter 15, appeared to repeal the 1868 Act, above, Chapter 45, which assigned Sumner County to the Attorney General of the Sixth Judicial Circuit but careful study of the Act reveals that it repealed only Section 9 which related to Franklin County.
6. Acts of 1871, Chapter 149, provided that the Attorney-General of the Tenth Judicial Circuit would continue to attend the Circuit Court of Sumner County. This Act was repealed by Private Acts of 1974, Chapter 369.
7. Public Acts of 1929, Chapter 29, created the position of Assistant Attorney General for the Circuit to be appointed by the Attorney General. This Act was repealed by Private Acts of 1974, Chapter 369.
8. Public Acts of 1963, Chapter 358, Public Acts of 1972, Chapter 489, and Public Acts of 1973, Chapter 74, were special Public Acts not codified in the Tennessee Code Annotated. These Acts added two assistant district attorneys and a criminal investigator's position for the Ninth Judicial Circuit (Sumner and Robertson Counties). These Acts were superseded by Public Acts of 1984, Chapter 931 (T.C.A. 16-2-506 and 16-2-508), which placed Sumner County in the Eighteenth Judicial District and established the number of assistant district attorneys and criminal investigators for that Judicial District.
9. Public Acts of 1967, Chapter 65, was the authority for the Attorney General of Sumner County to appoint a deputy whose duties would be to investigate and take statements of witnesses in felony cases, to be a criminal investigator, and perform such other duties as the Attorney General might direct. The deputy, or officer, would make a \$5,000 bond and would be paid as determined by the Quarterly Court. This Act was repealed by Private Acts of 1974, Chapter 369.

### **General Sessions Court**

The following acts once affected the general sessions court of Sumner County, but are no longer in effect and are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1957, Chapter 203, amended Private Acts of 1949, Chapter 481, by extending the jurisdiction of the General Sessions Court to include probate and juvenile matters with the County Court Clerk acting as Clerk in probate cases and the Circuit Court Clerk being designated as the Clerk in juvenile cases. Section 9 was changed by inserting a new Section requiring the General Sessions Judge to be learned in the law, and to devote his full time to the Court, being denied the

- right to practice law in other Courts. After September 1, 1958, the annual salary of the Judge would be \$7,500. An election would be called for the people to ratify the terms of this Act. This Act was rejected and never became effective.
2. Private Acts of 1961, Chapter 92, amended Private Acts of 1949, Chapter 481, by giving juvenile jurisdiction to the General Sessions Court, and Judge, and making the Circuit Court Clerk the Clerk of the Court. This Act was repealed by Private Acts of 1982, Chapter 236, insofar as it was in conflict with that Act.
  3. Private Acts of 1965, Chapter 187, would have amended Private Acts of 1949, Chapter 481, by adding a new Section 3-A, which vested the Judge of the General Sessions Court with concurrent jurisdiction to try, hear, determine, and enforce cases arising under Chapter 10, Title 36 T.C.A., called the Reciprocal Enforcement of Support Act. This Act was rejected by the Quarterly Court and never became an effective law.
  4. Private Acts of 1971, Chapter 184, created the position of Bailiff for the Court of General Sessions and the Juvenile Court of Sumner County who was vested with the same powers and authority as a regular, or special deputy. The duties of the position were enumerated and provision given to the Quarterly Court to fix the pay of the position. This Act was disapproved by the Quarterly Court and never took effect.
  5. Private Acts of 1972, Chapter 355, amended Private Acts of 1949, Chapter 481, Section 13, by rewriting that Section to provide that a Clerk for the General Sessions Court would be elected by the Quarterly Court at its regular April, 1972, Session who would hold the office until his successor was elected. All records of this Court would be transferred as soon as possible. This Act was never acted on and therefore never became an effective law.
  6. Private Acts of 1974, Chapter 297, amended Private Acts of 1949, Chapter 481, as amended, be deleting Section 8, and adding a new section which said there would be one Judge of the General Sessions Court and, in addition to the qualifications established by Article 6, Section 4, of the State Constitution, the Judge must be learned in the law which would be evidenced by a license to practice law in the Courts of this State. The Act would not be effective unless approved by a majority of the voters in a referendum which was required by the Act to be held. This Act was rejected and never became an active law.
  7. Private Acts of 1974, Chapter 298, created the office of Juvenile Court Referee in Sumner County. This Act was repealed by the Private Acts of 1982, Chapter 236.
  8. Private Acts of 1974, Chapter 306, amended Private Acts of 1949, Chapter 481, Section 9, be deleting \$3,600, and inserting \$18,700. Section 2 of Chapter 92, Private Acts of 1961 was amended by striking \$1,800 and inserting \$3,800 as the compensation for being the Juvenile Judge. This Act was repealed by Private Acts of 1982, Chapter 236, insofar as it is inconsistent with that Act.
  9. Private Acts of 1982, Chapter 218, amended Private Acts of 1949, Chapter 481, as amended, to increase the compensation of the judge of General Sessions Court. This Act was rejected or disapproved and did not become law.
  10. Private Acts of 2002, Chapter 111, created an additional general sessions court to be designated as Division III and provided for a judge to serve such court. This act did not receive local approval and never became law.

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