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Chapter V - Court System

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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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Chapter V - Court System

General Sessions Court

Private Acts of 1953 Chapter 537

SECTION 1. That there is hereby created a Court of General Sessions for Hickman County. Said Court shall have the jurisdiction in civil and criminal cases conferred by law on Justices of the Peace and Justice of the Peace in said County are hereby divested of all jurisdiction in civil and criminal cases. Provided that any Justices of the Peace of said County may issue criminal and search warrants against and accept appearance bonds from any person charged with an offense committed in said County, but all process issued by Justices of the Peace shall be returnable to said Court of General Sessions. The authority of said Justices of the Peace in their capacity as members of the Quarterly County Court, or in the performance of the rights of matrimony is in no manner impaired by this Act.

Hickman County shall provide a court room and all necessary furnishings and supplies for said Court of General Sessions, to be paid for out of the general funds of said County. The Judge of said Court of General Sessions shall hold Court in the court room so provided, but in his discretion he may hold Court in any part of Hickman County that he deems to be more convenient and accessible to the litigants and witnesses.

SECTION 2. That before the issuance of any warrant in any civil case, the Plaintiff shall secure the costs by executing a cost bond with good security in a sum not less than \$25.00, or by making a cash cost deposit of not less than \$5.00 nor more than \$25.00, or shall take the oath prescribed for poor persons, and on motion, the Court may increase the amount of such bond or deposit.

SECTION 3. That the rules of pleading and practice, form of writs and process, and stay of and appeals from judgments in civil cases of said Court shall be the same as applicable to Justices of the Peace.

SECTION 4. That in all matters the costs and fees of said Court of General Sessions shall be the same as those provided by law for Justices of the Peace. The fees and compensation due for services rendered by said Court of General Sessions shall be paid to the Clerk of said Court and by him accounted for as provided by general law.

SECTION 5. That separate dockets shall be kept for civil and criminal cases. Upon the civil docket shall be entered the style of each case, the date of issuance of the warrant or process, and the return of the process, in brief form, action of the Court on the case, both interlocutory and final orders, judgments, executions, garnishments, lists of the fees of the Court, the Sheriff, his Deputies, Constables, Game Wardens and State Highway Patrolmen for their services, fees of witnesses for attendance, et cetera, and credits for payments upon judgment and upon the costs. All cases shall be indexed and the dockets shall be substantially in the form of those of Justices of the Peace. The criminal docket shall be kept in like manner.

SECTION 6. That there shall be one Judge for said Court who shall possess the same qualifications as required for Judges of inferior courts. The compensation of said Judge shall be \$3,000.00 per year, payable in equal monthly installments out of the general funds of the County. C. B. Murphee shall serve as Judge until the next regular election. At the regular election for county officers in August 1954 the qualified voters of Hickman County shall elect a Judge who shall serve from September 1 following his election until September 1, 1958. At the regular election for judicial officers in August 1958, and every eight years thereafter, the qualified voters of Hickman County shall elect a Judge who shall serve eight years from September 1 following his election.

SECTION 7. That if the Judge of said Court fails to attend, cannot preside in a pending case or for any reason hold court a majority of the Attorneys present in such court may elect one of their number, who has the qualifications of such Judge, and when elected he shall take the same oath and have the same authority as the regular Judge of said court to hold the court and perform all of the duties of such Judge for the occasion.

SECTION 8. That in the case of a vacancy for any cause, the Governor shall have the power to appoint some qualified person to fill such vacancy until the first day of September following the next biennial August election occurring more than thirty days after the vacancy occurs or until his successor is qualified.

SECTION 9. That the Clerk of the Circuit Court of said County shall serve as Clerk of said Court of General Sessions. He and his Deputies shall have concurrent authority with the Judge thereof to issue warrants and other processes and writs, other than those which the law requires to be issued only by a

judicial officer.

SECTION 10. That the Sheriff of said County or any Deputy Sheriff or Constable thereof, shall serve legal process, writs and papers issued from said Court with the same authority as provided by law in regard to Courts of Justices of the Peace.

SECTION 11. That this Act shall in no wise impair the right, title or interest of any Justice of the Peace of said County to any unpaid fees or funds in which he had a right or interest, in any proceedings, judgment or suit, whether said cause is disposed of or pending when this Act becomes effective.

SECTION 12. That all official dockets, records and papers in cases that are undisposed of or pending in the offices of Justices of the Peace of said County at the time this Act becomes effective shall be delivered to said Court of General Sessions. The official dockets, records and papers in possession of Justices of the Peace of said County in cases that have been completed, shall be turned over to said County, as provided by law. The Court of General Sessions shall have authority to hear and determine all undisposed of cases arising in the Courts of Justices of the Peace of said County as if such cases had originated in said Court of General Sessions.

SECTION 13. That none of the provisions contained in this Act shall be construed to prohibit the Judge of said Court of General Sessions from practicing law in the Chancery, Circuit, County, and Appellate Courts of this State, except in cases having their origin in said Court of General Sessions.

SECTION 14. That this Act is declared to be severable and if any provision of the same is held to be unconstitutional such holding shall not affect the remainder of this Act.

SECTION 15. That this Act shall take effect May 1, 1953, the public welfare requiring it.

Passed: April 7, 1953.

Court System - Historical Notes

Board of Jury Commissioners - Jurors

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

1. Acts of 1905, Chapter 461, provided for a four-member board of jury commissioners in Williamson County who would be appointed by the circuit judge, or judges, or the judges having criminal jurisdiction. They must be resident householders, non-attorneys, no state or county official, and have no suit pending in the courts, all of whom would serve four year terms on the board. The members must be sworn by the oath in the act and would select one of their members as chairman, and the circuit court clerk would be the clerk. Biennially on the first Monday in July, or 30 days after, the board would meet and select from the tax rolls, as other public sources, a list of honorable, upright citizens containing one-fifth of the number who voted in the last presidential election, but no more than 4,000 names, nor less than 250 names, who would constitute the jury lists for the next two years. Their names would be entered alphabetically in a book provided by the clerk and the list certified by the board members. Two-fifths of this number would be chosen by the board as grand jurors and their names were to be compiled and certified. Their names would also be placed on cards and the cards deposited in two separate boxes which were to be locked and sealed and not opened except in the presence of the board or the judge. The number of names required by law would be drawn from the box and then placed in second compartment after serving for two weeks as jurors. At least five days before court began the sheriff would summon the jurors who could not be excused except by the judge. Provisions were incorporated for raising special panels of jurors and for replenishing the box if the same should become exhausted. Names of jurors were not to be revealed under any circumstances until they were summoned for duty.
2. Private Acts of 1911, Chapter 642, amended Acts of 1905, Chapter 461, by adding the proper population figures to make Chapter 461 applicable to Hickman County as effectively and in all respects as it had been applied to Williamson County.
3. Private Acts of 1917, Chapter 427, also applied to Williamson County (by the 1910 Federal Census figures) but was also adopted by Hickman County. This act set up a fourmember board of jury commissioners with the same qualifications as before, appointed by the circuit judge. Two were to serve until for two years and two for four years, and then each pair for four-year staggered terms thereafter. They were to select a chairman from among themselves after being sworn in according to the oath in the act and the circuit court clerk, sworn to confidentiality, was to be the secretary. On the first Monday in June, or within 20 days after, they were to select a number of names equal to one-fifth of those voting in the presidential election from the tax rolls of the county, or from

other sources of public information. These would serve as petit jurors for the next two years. Two-fifths of this number was to be chosen as grand jurors. The administrative details corresponded to those mentioned in the 1905 Act, above, insofar as the selection of names and summoning of jurors were concerned.

4. Private Acts of 1923, Chapter 86, made all the provisions of Private Acts of 1917, Chapter 427, above, applicable to Hickman County as fully as if enacted for that county.
5. Public Acts of 1937, Chapter 196, was the legal authority for the Judge of the seventeenth judicial circuit to appoint minute clerks in the counties of his circuit who would hold office for two years. The appointment was to be made at the same time the foreman of the grand jury was appointed, so that their terms would coincide. The minute clerk was to be a member of the grand jury with equal power and authority as other members, and was to keep minutes of meetings and record events as they transpired. The minute clerk was to be paid \$4.00 per day for each day the grand jury was in session out of the county treasury. The judge was to fill any vacancy which might occur.
6. Public Acts of 1939, Chapter 67, amended Public Acts of 1937, Chapter 196, Section 6, by adding a provision which removed Hickman County from the terms and conditions of that act, thus leaving no minute clerk for the grand jury to be appointed in that county.
7. Private Acts of 1949, Chapter 132, provided that in Hickman County, (identified by the use of the 1940 Federal Census figures) the foreman and clerk of the grand jury were to be paid at the rate of \$8.00 per day for time actually spent in the discharge of their duties, and the other jurors, both grand and petit, was to be compensated at \$4.00 per day for each day served. However, no pickup juror would be entitled to compensation unless serving for more than one day.
8. Private Acts of 1953, Chapter 133, provided that in Hickman County, grand juries were to be composed of 13 members who would elect one of their number as foreman. Each foreman so selected was to possess the same qualifications, perform the same duties and receive the same compensation as was provided for the foremen of grand juries under the general law of the state. Each grand jury foreman would hold office for and during the term of court for which he was selected.

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Hickman 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. Public Acts of 1822, Second Session, Chapter 13, directed the judges of the supreme court of Tennessee to hold a court of equity at least once each year at the same places of the supreme court. The chancery court was to be held at Rogersville on the first 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 court terms to last for two weeks unless the dockets were cleared up sooner.
2. Public Acts of 1824, Chapter 14, expanded the supreme court to five judges by adding two more, and established the locations of the court sessions at Knoxville, Sparta, and Nashville. Section 7 made it the duty of the Judges to arrange among themselves to hold the chancery court twice each year also, at Greenville, Rogersville, Kingston, Carthage, McMinnville, Franklin, Columbia, Jackson, and at Charlotte for the counties of Robertson, Montgomery, Dickson, Stewart, Humphreys, and Hickman where the terms could begin on the third Monday in June and December. All clerks would act accordingly on bonds and process.
3. Public Acts of 1827, Chapter 79, divided Tennessee into two chancery divisions, the Eastern Division containing the courts held at Rogersville, Greenville, Kingston, Carthage, and McMinnville, and the Western Division composed of the courts of Franklin, Columbia, Charlotte, Jackson, and Paris.
4. Public Acts of 1835-36, Chapter 4, implemented the 1835 Constitution by organizing the chancery courts of the state into three divisions, each to be presided over by a chancellor instead of a supreme court judge, and each division was further separated into districts. The twelfth district of the Middle Division comprised the counties of Dickson, Humphreys, and Hickman. Rules for chancery procedures were also promulgated in this act which included court terms at Charlotte on the fourth Monday in March and September.
5. Acts of 1837-38, Chapter 14, Section 3, made a separate chancery district out of the counties of Dickson, Humphreys, Hickman, Stewart, Montgomery, and Cumberland whose court would

convene at Charlotte on the fourth Monday in March and September. The chancery courts previously established at Paris, Dresden, Trenton, Jackson, Lexington, Bolivar, and Clarksville were all abolished.

6. Acts of 1851-52, Chapter 178, fixed the terms of court for the chancery courts in every county in the Middle Division of Tennessee. These counties were Wayne, Lawrence, Giles, Marshall, Humphreys, Dickson, Robertson, Maury, Williamson, Stewart, Montgomery, Davidson, and Hickman whose chancery court would open on the first Monday in March and September.
7. Acts of 1851-52, Chapter 345, Section 2, made Hickman County into a separate chancery district whose court would be held by the chancellor of the Middle Division at Centerville on the fourth Monday in April and October of each year. The chancellor would appoint a clerk and master for the new court.
8. Acts of 1853-54, Chapter 54, created the fifth and the sixth chancery division in Tennessee. The sixth chancery division contained the counties of Carroll, Benton, Humphreys, Dickson, Hickman, Perry, Decatur, Henderson, McNairy, Hardin, Wayne, and Lawrence. The chancellor would name a clerk and master for all the counties in the division which didn't have one.
9. Acts of 1855-56, Chapter 112, Section 5, rescheduled the terms of court for the counties in the sixth chancery division. The chancery court would begin its regular terms in Hickman County at Centerville on the second Monday in March and September.
10. Public Acts of 1857-58, Chapter 31, Section 2, repealed the former act which fixed the terms of the chancery court as applied to Hickman County and then established the second Monday in March and September as the dates for opening court terms which were the same dates as before.
11. Public Acts of 1857-58, Chapter 88, divided Tennessee into the Eastern, Middle, Western, fourth, fifth, and sixth chancery divisions. The sixth chancery division was made up of the Counties of Carroll, Henderson, McNairy, Hardin, Wayne, Lawrence, Dickson, Humphreys, Benton, Decatur, Perry, and Hickman whose court would begin its regular terms on the second Monday of March and September at Centerville.
12. Public Acts of 1857-58, Chapter 90, Section 3, provided that court terms for the chancery court of Hickman County would commence on the second Monday in March and September and all conflicts were repealed.
13. Private Acts of 1857-58, Chapter 93, Section 5, stated that the terms of the Hickman County Chancery Court would hereafter start on the fourth Monday in April and the first Monday in November of each year.
14. Private Acts, 1857-58, Chapter 169, Section 2, stated that bills may be filed in the chancery court at Centerville, by or against the citizens of Lewis County.
15. Public Acts of 1866-67, Chapter 4, Section 4, scheduled the chancery court terms for the counties in the fifth chancery district which was composed of the counties of Dickson, Humphreys, Henderson, McNairy, Hardin, Wayne, Lawrence, Decatur, Perry and Hickman where the chancery court terms would begin on the second Monday in March and September.
16. Public Acts of 1867-68, Chapter 64, amended the act which created the fourth chancery division by adding Hickman County and Lawrence County to it. Court terms were then scheduled for the counties of Lawrence, Giles, Maury, Williamson, Marshall, and Hickman whose court was set to open on the second Monday in February and August at Centerville.
17. Public Acts of 1869-70, Chapter 23, attached Lawrence County and Hickman County to the fifth chancery division of the state where the terms of court would commence as now provided by law.
18. Public Acts of 1870, Chapter 32, was a complete realignment of the chancery courts in Tennessee into twelve chancery districts. The ninth chancery district had in it the counties of Benton, Hickman, Henderson, McNairy, Lawrence, Dickson, Humphreys, Decatur, Lewis, Perry, Hardin and Wayne.
19. Public Acts of 1870, Chapter 47, scheduled the terms of chancery court for every county in the state according to chancery divisions. Regular terms of the chancery court in Hickman County would begin on the third Monday in January and July.
20. Public Acts of 1870-71, Chapter 10, reset the chancery court terms in the ninth chancery division scheduling the terms of court in Hickman County to start on the fourth Monday in January and July at Centerville.
21. Public Acts of 1873, Chapter 5, changed court terms for the chancery courts in the ninth chancery division. Terms of court for Hickman County would begin on the first Monday in March and September.

22. Public Acts of 1879, Chapter 88, rescheduled the opening dates for the chancery courts in the ninth chancery division. The ninth division was made up at this time of the counties of Lewis, Perry, Hickman, Decatur, Henderson, McNairy, Hardin, Wayne, Lawrence, Dickson, Humphreys, and Benton. Court terms would open at Centerville in Hickman County on the third Monday in February and August.
23. Public Acts of 1881, Chapter 162, changed the opening dates for the chancery court terms of the counties in the ninth chancery division. Chancery court would begin regular sessions in Hickman County on the first Monday in March and September.
24. Acts of 1885, Extra Session, Chapter 20, was a major reorganization of the lower court system of Tennessee in which eleven chancery divisions were formed. The seventh chancery division contained the counties of Maury, Giles, Lawrence, Lewis, Wayne, Hickman, Hardin, Perry, Decatur, Dickson and Benton. Court terms would begin at Centerville on the first Monday in March and September. This act, and many others, were reviewed by the supreme court in Flynn v. State, 203 Tenn. 341, 313 S.W.2d 249 (1958).
25. Public Acts of 1887, Chapter 5, amended Acts of 1885, Extra Session, Chapter 20, to change the chancery court terms in all the counties of the seventh chancery division which are listed in the act. Hickman County would start on the fourth Monday in February and the first Monday in September.
26. Public Acts of 1899, Chapter 427, was the next massive reorganization of Tennessee's lower judicial system. Ten chancery divisions were created of which the sixth division contained the counties of Sumner, Robertson, Cheatham, Montgomery, Stewart, Houston, Dickson, Humphreys, Hickman and Wilson. Court terms would begin in Hickman County on the first Monday in January and July.
27. Acts of 1903, Chapter 277, rearranged the opening dates for the chancery courts in the counties of Cheatham, Dickson, Houston, and Hickman whose chancery court would meet on the Tuesday after the first Monday in January and July.
28. Acts of 1905, Chapter 286, changed the terms of chancery courts in the sixth chancery division. The chancery court for Hickman County would open its doors in regular session on the first Tuesday after the first Monday in January and July. The sixth chancery division contained the counties of Robertson, Montgomery, Cheatham, Wilson, Dickson, Sumner, Stewart, Houston, Humphreys and Hickman.
29. Acts of 1907, Chapter 144, amended Public Acts of 1899, above, so that the chancery court of Hickman County would begin its terms on the fourth Tuesday in January and July, all process being made to conform to the change.
30. Private Acts of 1913, Extra Session, Chapter 46, fixed the times for holding the chancery court in Hickman County as the fourth Tuesday in January and the Tuesday after the first Monday in July.
31. Private Acts of 1919, Chapter 455, rearranged the times of court for the chancery courts in the sixth chancery division, which was composed of the counties of Cheatham, Dickson, Houston, Montgomery, Robertson, Stewart, Sumner, Wilson, Humphreys, and Hickman. The court in Centerville was to meet on the Tuesday after the first Monday in July and the Tuesday after the fourth Monday in January.
32. Public Acts of 1931, Second Extra Session, Chapter 38, was the last reorganization of the lower court structure of Tennessee to appear in the volumes of private acts. Most changes to follow would be in the form of code amendments. This act formed fourteen chancery divisions across the state, assigning the counties of Montgomery, Robertson, Cheatham, Stewart, Houston, Dickson, Sumner, Humphreys, Wilson, and Hickman to the sixth chancery division. Chancery court terms in Hickman County would continue to open on the Tuesday after the fourth Monday in January, and the Tuesday after the first Monday in July.
33. Public Acts of 1941, Chapter 27, rescheduled the terms of the chancery courts in the sixth chancery division. Hickman County Chancery Court was to convene in Centerville on the fourth Monday in January and July, and the second Monday in April and October.

Chancery Court - Clerk and Master

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

1. Acts of 1909, Chapter 376, fixed the annual salary of the clerk and master of the chancery court of Hickman County, identified by the use of the 1900 Federal Census figures, at \$500, provided a sworn, itemized statement was filed with the county judge, or chairman on January 1 and July 1

of each year showing the correct amount of all the fees collected in the clerk and master's office. If the fees collected were less than the salary, the county would pay the difference to the clerk and master but if the fees exceeded the salary, the clerk and master would retain the excess.

2. Private Acts of 1911, Chapter 480, was almost an exact duplicate of the act in Item 1, above, except that the clerk and master's annual salary was required to be paid in equal payments on January 1 and July 1. All other terms and conditions remained as they were.
3. Private Acts of 1919, Chapter 716, contained the same operational provisions as the two acts, above, but increased the annual salary of the clerk and master from \$500 to \$600.
4. Private Acts of 1945, Chapter 395, amended Private Acts of 1919, Chapter 716, by increasing the annual salary of the clerk and master of Hickman County from \$600 to \$1,200.

Circuit Court

The following acts were once applicable to the circuit court of Hickman 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 1809, First Session, Chapter 49, divided the state into five judicial circuits of which the fifth circuit contained the counties of Montgomery, Dickson, Hickman, Humphreys, Stewart, and Robertson. The circuit courts would hold two terms each year at the courthouse in Hickman County on the second Monday in March and September.
2. Acts of 1817, Chapter 138, established court terms in the fourth, fifth, and sixth judicial circuits. In Hickman County the circuit court terms would begin on the first Monday in March and September.
3. Private Acts of 1819, Chapter 154, rescheduled the terms of the circuit court for several counties in West Tennessee including Hickman whose circuit court would take up its docket on the second Monday in March and September.
4. Private Acts of 1822, Second Session, Chapter 143, ratified all the proceedings of the quarterly court in Hickman County held at Vernon in July, the same as if the court had been authorized to meet there and, provided further that the county court and circuit court would meet and hold court hereafter at the courthouse in Vernon in Hickman County.
5. Public Acts of 1835-36, Chapter 5, formed eleven judicial circuits in Tennessee pursuant to the 1835 Constitution. The seventh circuit included the counties of Dickson, Hickman, Humphreys, Stewart, Montgomery, and Robertson. Court terms would begin in Hickman County on the third Monday in February, June, and October, since the circuit courts would hereafter hold three terms each year instead of two.
6. Acts of 1837-38, Chapter 3, Section 5, created the fourteenth judicial circuit with the counties of Lawrence, Wayne, Hardin, Perry, Carroll, and Benton, and added Hickman County to the eighth judicial circuit where court would meet in Centerville on the second Monday in March, July, and November.
7. Acts of 1837-38, Chapter 116, reorganized term schedules for several counties' circuit courts. Section 4 was concerned with the eighth judicial circuit but Hickman County's schedule was not changed.
8. Acts of 1837-38, Chapter 296, Section 2, declared it the duty of the judge of the seventh judicial circuit to hold the next term of the Hickman County Circuit Court, and it was likewise the responsibility of the attorney-general of that circuit to prosecute the cases in the name of the state.
9. Acts of 1841-42, Chapter 119, Section 4, directed that the next circuit court for Hickman County would be held at the time prescribed by law and thereafter the terms of court would begin on the third Monday in April, August, and December of each year.
10. Acts of 1845-46, Chapter 21, Section 7, rescheduled the court terms for the eighth judicial circuit which now included the counties of Lewis, Giles, Maury, and Hickman whose circuit court would meet on the fourth Monday in March, July, and November.
11. Acts of 1845-46, Chapter 39, made it lawful to hold the circuit court in any house, or building, on the order of the circuit judge, if the courthouse was in disrepair and unavailable. The act also reset the opening dates for circuit court terms in the eighth judicial circuit. Hickman County's Circuit Court would meet in regular session on the fourth Monday in March, July, and November. All the clerks were to govern themselves accordingly.

12. Acts of 1847-48, Chapter 132, Section 3, changed the terms of the circuit court in Hickman County to the third Monday in April, August, and December.
13. Acts of 1849-50, Chapter 9, reset the terms of the circuit court in Marshall County and Hickman County. The circuit court in Hickman County would start its regular terms on the fourth Monday in March, July, and November.
14. Acts of 1849-50, Chapter 205, attached Hickman County to the fourteenth judicial circuit after the passage of this act fixing the court terms to commence on the fourth Monday in February, June, and October. This act would not affect the district of the attorney general of the eighth judicial circuit who would continue to prosecute in the courts of Hickman County.
15. Acts of 1851-52, Chapter 105, changed the circuit court terms in Perry, Wayne, and Hickman counties. The court terms would begin in Hickman on the third Monday in February, June, and October.
16. Public Acts of 1857-58, Chapter 98, divided Tennessee into sixteen judicial circuits of which the twelfth circuit included the counties of Wayne, Lawrence, Hickman, Perry, Decatur, McNairy, and Hardin. Hickman County's Circuit Court would meet on the third Monday of February, June, and October.
17. Public Acts of 1865, Chapter 37, set the times of court for all the counties in the twelfth judicial circuit which were Wayne, Hickman, Perry, Decatur, Henderson, McNairy, and Hardin. Court terms would start in Hickman County on the fourth Monday in April, July, and October.
18. Public Acts of 1865-66, Chapter 14, rearranged the terms of the circuit courts in the twelfth judicial circuit for the counties of Wayne, McNairy, Hardin, Perry, Decatur, and Hickman where the terms were to start on the fourth Monday in March, July, and November.
19. Private Acts of 1865-66, Chapter 129, Section 9, transferred Hickman County from the twelfth judicial circuit to the eleventh judicial circuit and scheduled court terms for the fourth Monday in January, July, and November.
20. Public Acts of 1867-68, Chapter 64, Section 2, changed circuit court terms in the counties of Lewis, Lawrence, and Hickman in the eleventh judicial circuit. Hickman County's Circuit Court would convene on the first Monday in February, July, and November.
21. Public Acts of 1867-68, Chapter 67, Section 2, set the court dates for the circuit court of Hickman County on the first Monday in February, June, and October.
22. Public Acts of 1868-69, Chapter 15, Section 6, added Hickman County and Lewis County to the twelfth judicial circuit scheduling the court terms for Hickman to fall on the first Monday in April, August, and December at Centerville.
23. Public Acts of 1870, Chapter 31, was a total realignment of the circuit courts in Tennessee into fifteen regular, and one special, circuits. The twelfth judicial circuit included the counties of Hardin, Wayne, Lewis, Hickman, Perry, Decatur, Henderson, and McNairy.
24. Public Acts of 1870, Chapter 46, set up the terms of the circuit courts for every county in Tennessee according to the judicial circuits to which they had been assigned. In Hickman County circuit court terms were to begin on the fourth Monday in January, May, and September.
25. Public Acts of 1871, Chapter 17, changed the opening dates for the terms of the circuit courts in the eleventh judicial circuit which included the counties of Wayne, Lewis, Perry, Decatur, Henderson, McNairy, Hardin, and Hickman where the court would convene on the third Monday in January, May, and September.
26. Public Acts of 1871, Chapter 70, changed the opening dates for the terms of the circuit court in Hickman County to the first Monday in February, June, and October.
27. Public Acts of 1875, Chapter 18, changed terms of the circuit court in several of the counties in the eleventh judicial circuit but Hickman County's Circuit Court would continue to meet on the first Monday in February, June and October.
28. Public Acts of 1881, Chapter 83, changed the opening dates of the circuit court terms of all the counties in the eleventh judicial circuit except Hickman.
29. Public Acts of 1881, Extra Session, Chapter 2, set up different times for the courts to meet in the eleventh judicial circuit. Hickman County would open the circuit court on the third Monday in February, June, and October in Centerville. Other counties in the circuit were McNairy, Hardin, Wayne, Lewis, Perry, Decatur, and Henderson.
30. Acts of 1885, Extra Session, Chapter 20, divided Tennessee into fourteen regular, and one special, judicial circuits. The counties of Maury, Giles, Lawrence, Wayne, Hardin, Lewis, and Hickman were

- assigned to the ninth judicial circuit. The courts in Hickman would convene on the first Monday in April, August, and December.
31. Public Acts of 1887, Chapter 54, changed the terms of court in the ninth judicial circuit for the counties of Maury, Lewis, Hardin, Wayne, Lawrence, Giles, and Hickman whose court would meet on the second Monday in February, June, and October.
 32. Acts of 1891, Extra Session, Chapter 20, took Hickman County out of the ninth judicial circuit, Dickson County out of the tenth judicial circuit and joined them with Cheatham County and Williamson County from the seventh judicial circuit to form the new nineteenth judicial circuit. Terms of court would remain as they were then scheduled.
 33. Public Acts of 1895, Chapter 173, set the terms for the circuit courts in Cheatham County and Hickman County whose court would begin its regular terms on the first Monday in February and June and on Tuesday after the first Monday in October. The acts creating, and their amendments, the nineteenth judicial circuit were repealed.
 34. Public Acts of 1899, Chapter 154, abolished the nineteenth judicial circuit which the act stated was composed of the counties of Hickman, Dickson, Cheatham, and Williamson, and repealed all prior laws, and the amendments, which created it.
 35. Public Acts of 1899, Chapter 409, Section 6, attached Cheatham County and Hickman County to the seventh judicial circuit whose judge would hold court in Hickman County on the third Monday in January, May, and September, the judge of the second court being designated as the one to preside.
 36. Public Acts of 1899, Chapter 427, closed out the 19th century with a complete revision of the lower court system in Tennessee. Fourteen judicial circuits were brought about with the counties of Maury, Giles, Lawrence, Wayne, Lewis, Perry, and Hickman being included in the eleventh judicial circuit. Circuit court terms would start in Hickman County on the first Monday in March, July, and November.
 37. Acts of 1903, Chapter 18, scheduled the terms of court for the counties in the eleventh judicial circuit. The circuit court of Hickman County would commence its regular terms on the third Monday in March, the first Monday in September, and the second Monday in December. All outstanding process and bonds were to be made to conform to the above.
 38. Acts of 1907, Chapter 559, created a criminal court in Hickman County whose jurisdiction was co-extensive with the county lines and would exist over all misdemeanors and felonies in the same fashion as formerly existed in the circuit court. The clerk of the circuit court would be the clerk of the criminal court and transfer the records of all pending cases to the new court. The sheriff was required to wait upon the new criminal court and the Judge was authorized to summon jurors. The court would meet on the Wednesday following the first Monday in each month and continue until the docket was cleared. The judge of the county court would be the judge of the criminal court but would not be paid anything for his services, and the county attorney would prosecute in the name of the state. This act was repealed by the Private Acts of 1911, Chapter 438.
 39. Acts of 1909, Chapter 165, amended Acts of 1907, Chapter 559, Section 15, Item 38, above, by making the appeals from the new criminal court go to the supreme court of the state.
 40. Private Acts of 1911, Chapter 438, expressly repealed Acts of 1907, Chapter 559, and directed that all cases pending in that court were to be transferred back to the circuit court of Hickman County.
 41. Public Acts of 1913, Chapter 2, detached Cheatham County from the ninth judicial circuit and Hickman and Lewis counties from the eleventh judicial circuit, and attached all three counties to be a part of the judicial circuit of Williamson County, which was to be known and designated as the seventeenth judicial circuit.
 42. Private Acts of 1919, Chapter 813, altered the times for holding circuit courts in the seventeenth judicial circuit, which included the counties of Williamson, Lewis, Cheatham, Perry, and Hickman. Circuit court terms would start in Hickman County on the first Mondays in March and August and the second Monday in December.
 43. Private Acts of 1929, Chapter 600, stated that after the passage of this act the circuit court in Hickman County in the seventh judicial circuit was to be held on the first Mondays in March, August, and December.
 44. Public Acts of 1931, Second Extra Session, Chapter 26, amended Public Acts of 1931, Chapter 39, so that the terms of the circuit court would start in Hickman County on the first Monday in March,

August, and December as they had done previously.

45. Public Acts of 1931, Second Extra Session, Chapter 38, was the last act of this nature to appear in the volumes of private acts, all future changes taking the form mostly of code amendments. This act formed twenty judicial circuits in the state assigning the counties of Williamson, Lewis, Cheatham, Perry, and Hickman to the seventeenth judicial circuit. This court would hold its regular terms in Hickman County on the first Monday in March and August, and the second Monday in December.
46. Private Acts of 1933, Chapter 405, changed the times for the circuit court to convene in Hickman County on the first Monday in March and on the second Mondays of August and December of each year.
47. Private Acts of 1935, Chapter 505, directed that the regular terms of the circuit court in Hickman County convene on the first Monday in March and August and on the second Monday in November of each year.
48. Public Acts of 1949, Chapter 230, reset the opening dates for the circuit courts in some of the counties in the seventeenth judicial circuit, but did not change Hickman County's terms.
49. Public Acts of 1967, Chapter 7, fixed the times of court for the seventeenth judicial circuit scheduling the circuit court terms for Hickman County to begin on the fourth Monday in February, and the first Monday in August and November.
50. Public Acts of 1974, Chapter 709, created an additional judge for the seventeenth judicial circuit, to more equally distribute the work. The two circuit judges were to preside over two separate divisions. The circuit judge elected to hold Division I was deemed to be the senior circuit judge and the presiding judge of the circuit. The circuit judge of Division II was to have the primary responsibility with the seventeenth judicial circuit for the selection and handling of grand juries, the appointment of foreman thereof and the primary responsibility for disposing of the criminal cases of the district. The primary responsibility of the circuit judge of Division I was for handling all other matters within the jurisdiction of the seventeenth judicial circuit. Either of the circuit judges might sit for the other, as provided by general statute. The presiding judge was to be vested with exclusive authority to make and promulgate rules of the court and to appoint clerks as vacancies occurred in all of the counties of the seventeenth judicial circuit. The additional judge whose office was created was also empowered to appoint a suitable stenographer to assist him, and said secretarial assistant was to be compensated from the treasury of the state.

Circuit Court - Clerk

The following acts have no current effect, but once applied to the Hickman County Circuit Court Clerk. They were repealed, superseded, or never received local approval.

1. Acts of 1843-44, Chapter 89, amended Acts of 1841-42, Chapter 34, by making it the duty of the circuit court clerks in the counties of Lawrence, Hickman, Wayne, Giles, and Maury to examine the books of the entry-takers in those counties on the first Monday in September of each year and report their findings to the state comptroller on or before the 15th day of the same month. Entry-takers were compelled to account to the comptroller on or before the 20th day of the same month.
2. Acts of 1903, Chapter 255, was a salary act applicable statewide, based on population figures, wherein the annual salaries of the clerks of the circuit court were established in accordance with the population class of the county in which the clerk served the public. The act retained the requirement that a sworn, itemized statement had to be filed showing all the fees collected in the office. If the fees were less than the salary the county paid the difference but if they exceeded the salary the clerk could retain the excess as his own. This act concerned circuit court clerks only, and in Hickman County the circuit court clerk would receive \$750 per annum.
3. Private Acts of 1921, Chapter 458, provided that the clerks of the circuit court in Hickman County (identified by the 1920 Federal Census figures) would receive \$1,000 per year as compensation, provided a sworn, itemized statement showing all the fees collected in the office was filed with the county judge or chairman on January 1 and July 1 of each year. The county would pay any insufficiency between the fees and salary and the clerk could keep the overage.
4. Private Acts of 1927, Chapter 19, fixed the salary of the Hickman County Circuit Court Clerk at \$1,000 per year, payable monthly by the county judge or chairman, upon warrants drawn out of the county general funds. The circuit court clerk was to also be allowed to keep all the fees of his office as his own property and as additional compensation.
5. Private Acts of 1931, Chapter 694, seemed to be a reenactment of Private Acts of 1927, Chapter

- 19, above. The annual compensation of the clerk was \$1,000 plus all the fees and emoluments of the office. See *Kyle v. Covley*, 170 Tenn 547, 98 S.W.2d 85 (1936).
6. Private Acts of 1949, Chapter 166, amended Private Acts of 1927, Chapter 19, by increasing the annual salary of the circuit court clerk from \$1,000 to \$1,500.

District Attorney General - Assistants and Criminal Investigators

The following acts once affecting Hickman County are no longer in effect but are listed here for historical purposes.

1. Acts of 1817, Chapter 65, laid off the State of Tennessee into ten solicitorial districts, assigning the counties of Maury, Lawrence, and Hickman to the ninth solicitorial district.
2. Private Acts of 1819, Chapter 154, Section 3, formed a new solicitorial district composed of counties of Hickman, Wayne, Hardin, and Perry. The solicitor general of the new district would be appointed by the joint ballot of both houses of the general assembly.
3. Public Acts of 1835-36, Chapter 28, made each solicitorial district in the State of Tennessee to coincide with and be coextensive with each judicial circuit having criminal jurisdiction.
4. Acts of 1903, Chapter 421, stated in the preamble that the redistricting act of 1899 set the terms of the circuit courts in Hickman County and Montgomery County at the same time and the regular attorney general could not attend both courts and had therefore preferred to attend Montgomery County's Court, and, as a consequence of these circumstances judge John W. Childress had named John H. Cunningham to serve as the attorney general of the Court of Hickman County during that session. This act directed that Cunningham be paid \$150 for his services in this regard.
5. Public Acts of 1971, Chapter 140, was a special public act which created the office of assistant district attorney general for the seventeenth judicial circuit, to be appointed by the district attorney general of said circuit. The act set forth the requirements for the office; stated that its duties and functions were to be assigned and directed by the district attorney general; and, that compensation was to be as provided by general law of the state.
6. Public Acts of 1976, Chapter 512, was a second special public act which created an additional office of full-time assistant district attorney general for the seventeenth judicial circuit, to be appointed by the district attorney general of said circuit. The remainder of the act was essentially the same as the act which created the position initially.
7. Public Acts of 1978, Chapter 726, created the position of criminal investigator for the district attorney general of the seventeenth judicial circuit, to be appointed and directed by said district attorney general, and compensated as provided by general law. The criminal investigator was to have the same powers and authority as deputies of the county sheriffs

Secretarial Assistance

The following acts 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 1949, Chapter 76, amended Public Acts of 1939, Chapter 13, by raising the stenographic expense sum to \$1,200. Said sum was to be paid from the general fund of the state, not otherwise appropriated.
2. Public Acts of 1963, Chapter 279, was a special public act which amended Public Acts of 1939, Chapter 13, above, by setting the annual salary of the stenographer authorized therein at \$3,000.

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