



May 19, 2024

---

## Chapter V - Court System

---

Dear Reader:

The following document was created from the CTAS website ([ctas.tennessee.edu](http://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](http://www.ctas.tennessee.edu)

<b>Chapter V - Court System .....</b>	<b>. 3</b>
<b>General Sessions Court .....</b>	<b>. 3</b>
<b>Private Acts of 1939 Chapter 390 .....</b>	<b>. 3</b>
<b>Private Acts of 1941 Chapter 264 .....</b>	<b>. 5</b>
<b>Court System - Historical Notes .....</b>	<b>. 6</b>

# Chapter V - Court System

## General Sessions Court

### Private Acts of 1939 Chapter 390

**SECTION 1.** That there is hereby created and established a court in and for Trousdale County, Tennessee, which shall be designated Court of General Sessions of Trousdale County, Tennessee. Said county shall provide a court room at Hartsville, dockets, furnishings and necessary supplies for the equipment and maintenance of said court, and pay for same out of the ordinary funds of said county.

**SECTION 2.** That the Court of General Sessions is hereby vested with all the jurisdiction and shall exercise the authority conferred by the Legislature upon Justices of the Peace in Civil and Criminal cases, suits and actions; and the Justices of the Peace of said county are hereby divested all such jurisdiction and authority, but any Justice of the Peace elected for any district except the district in which Hartsville is situated, may issue criminal and search warrants against and accept appearance bonds from any person charged with an offense committed in the district for which such Justice of the Peace was elected, and may issue civil process on any cause of action heretofore triable in his district, such warrants and process to be returnable to and triable by said Court of General Sessions. The authority of said Justices of the Peace in their capacity as members of the Quarterly Court or in the performance of the rites of matrimony is in no wise affected by this Act.

**SECTION 3.** That before the issuance of any warrant in a civil case, the plaintiff shall secure the costs by executing a cost bond with good security in the sum of \$25.00, or by making a cash cost deposit of not less than \$2.50 or 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 4.** That the rules of pleading and practice, forms of writs and process, stay of and appeals from judgments in civil cases of said Court shall be same as of Justices of the Peace, except no appeal shall be granted from a judgment dismissing a suit or judgment which does not exceed the amount of \$50.00, exclusive of interest and cost; however, a new trial of said excepted cases may be had and with as full rights as if on appeal to the Circuit Court, provided a petition for a writ of certiorari showing merit and sworn to has been filed with the Circuit Court within ten days from the date of the judgment complained of, and the writ has been granted. No execution shall issue during said period of ten days unless said writ has been previously denied.

**SECTION 5.** 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 other compensation of the sheriff, his deputies, constables, Game Wardens and State Highway Patrolmen, Game Wardens and other officers, for services to said court, and the fines and forfeitures adjudged by it shall be handled, accounted for and disbursed as required by law.

**SECTION 6.** That separate dockets shall be kept in said court 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 the 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 7.** That there shall be one Judge for said Court, with the same qualifications as provided by the constitution of the State of Tennessee for Judges of inferior courts, and the oath and terms of office of said Judge shall be the same as that prescribed for circuit judges and chancellors.

As amended by: Private Acts of 1945, Chapter 10

**SECTION 8.** That the compensation of said judge shall be Nine Hundred (\$900.00) Dollars per annum, payable in equal monthly installments, on the first day of each month. It shall be paid out of the ordinary funds of the county, and shall not be increased or diminished during the time for which said Judge is elected. Said Judge may practice his profession in the other courts of the State so long as it does not interfere with his duties as Judge of the Court of General Sessions. Provided, further, however, he shall not give advice nor render any legal services in connection with any matter coming within the jurisdiction of his Court.

**SECTION 9.** That for the purpose of carrying out the provisions of this Act L. E. McKlusky is hereby

appointed Judge of the Court of General Sessions for Trousdale County, Tennessee, to serve until the regular election in August, 1940, and until his successor has been elected and qualified. His successor shall be elected by the qualified voters of the county at the election for judicial and other civil officers on the first Thursday of August, 1940, and shall hold said office from the 1st day of September, 1940, until the 1st day of September, 1942, or until his successor is qualified. His successor shall be elected every eight years at such election for the term provided by law for judges of inferior courts.

**SECTION 10.** That if the Judge of said court fails to attend, cannot preside in a pending cause, 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 a judge, and when elected shall have the same authority as a regular judge to hold the court for the occasion.

**SECTION 11.** 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.

**SECTION 12.** That the Clerk of the Circuit and Criminal Courts of said county shall act as Clerk of said Court of General Sessions, and when acting as Clerk of said court, shall be designated "Clerk of Court of General Sessions of Trousdale County". The fees, commissions and emoluments of said Court of General Sessions shall accrue to said county. The Clerk of said court shall receive as compensation for his services the sum of Six Hundred (\$600.00) Dollars per annum payable in equal monthly installments, on the first of each month, out of the ordinary funds of said county, and shall pay to said county monthly all fees, commissions and emoluments of said Court of General Sessions.

While receiving compensation for acting as Clerk of this Court of General Sessions the clerk shall receive no compensation for services rendered in any other Court by reason of judgment over cases arising in this Court of General Sessions; and should any such compensation by this Section excluded be paid said Clerk the county chairman issuing warrant for same shall be personally liable to the county for the amount thereof. Provided, further, that the books and records of the Clerk of the Court of General Sessions of Trousdale County shall be audited by the County Audit Commission quarterly and a detailed report made to the County Court at each quarterly session of said County Court.

The Clerk of said Court and his deputies shall have concurrent authority with the judge to issue warrants and other processes and writs, other than those which the law requires shall be issued only by a judicial officer.

As amended by: Private Acts of 1947, Chapter 464

**SECTION 13.** That the Sheriff of said county, or any deputy sheriff or constable thereof, shall serve legal processes, writs and papers issued by said court with the same authority as provided by law in the other inferior courts.

**SECTION 14.** 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 15.** That all of the 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 become 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 which have been completed shall be turned over to said county, as provided by law.

**SECTION 16.** That said court 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 17.** That the Judge of the Court of General Sessions of Trousdale County is hereby given inquisitorial powers in all misdemeanor cases and shall have the authority to go into the facts of all cases brought before him and upon investigation thereof, if, in his opinion, the facts are not sufficient to convict, he shall have the authority to dispose of the same. The Judge of said Court is hereby vested with and shall have interchangeable and concurrent jurisdiction with the Chancery, Circuit, and Criminal Courts to grant fiats and writs of injunction, attachment, and other such action in which fiats are necessary.

As amended by: Private Acts of 1947, Chapter 464

**SECTION 18.** That the Legislature expressly declares that each section, subsection, paragraph and provision of this Act is several, and that should any portion of this Act be held unconstitutional or invalid, the same shall not effect the remainder of this Act, but such unconstitutional or invalid portion shall be elided, and the Legislature declares that it would have enacted this Act with such unconstitutional or invalid portions elided therefrom.

**SECTION 19.** That all laws or parts of laws in conflict with the provisions of this Act be and they hereby are repealed.

**SECTION 20.** That this Act shall take effect immediately after its passage, the public welfare requiring it.  
Passed: March 9, 1939.

**COMPILER'S NOTE:** See Gregory v. Trousdale County, 193 Tenn. 57, 242 S.W.2d 80 (1951), in which this Act was challenged by the former Clerk of the Circuit and General Sessions Courts of Trousdale County.

## Private Acts of 1941 Chapter 264

**SECTION 1.** That the Court of General Sessions for Trousdale County, Tennessee, is hereby vested with jurisdiction to try and determine and render final judgment in all misdemeanor cases brought before said Court by warrant or information wherein the person charged with such misdemeanor offense enters a plea of guilty or requests a trial upon the merits, and expressly waives an indictment, presentment and a Grand Jury investigation, and a jury trial. In such cases the trial shall proceed before the Judge and without a jury. The final judgment of such court may be appealed to the Criminal Court of Trousdale County, where such appeal shall be tried by a Judge of such court without a jury, and without indictment or presentment.

**SECTION 2.** That it shall be the mandatory duty of the Judge of the Court of General Sessions when a defendant is brought before such court upon arraignment or trial, to advise such defendant of his constitutional right to the aid of counsel, the right to be tried only upon presentment or indictment by a Grand Jury, the right to make a statement in reference to the accusation or the right to waive such statement, and the right to a trial by jury. Upon the defendant agreeing in writing to waive the right to be put to trial only by presentment or indictment by a Grand Jury and the right to be tried by a jury of his peers, such courts may proceed to hear and determine said case as is provided in Section 1 hereof. Said waiver shall be written or attached to the warrant substantially in words and figures as follows:  
The defendant \_\_\_\_\_ pleads \_\_\_\_\_ guilty to the offense of \_\_\_\_\_ and waives his right to be tried only by indictment or presentment preferred by a Grand Jury, and likewise waives trial by a jury of his peers.

**SECTION 3.** That the Clerk of the Criminal and/or Circuit Court of Trousdale County shall act as clerk of said Court of General Sessions in all criminal cases and when acting in such capacity shall be designated "Clerk of Court of General Sessions of Trousdale County." Said Clerk is hereby authorized to perform the duties of the respective parts of said Court of General Sessions in Criminal cases.

As amended by: Private Acts of 1943, Chapter 230

**SECTION 4.** That in all trials provided by this Act and finally determined in the Court of General Sessions Court, the costs and fees incident to such trial shall be the same as those provided by law for Justices of the Peace and shall be assessed, taxed and certified as now provided by law.

The fees and other compensation of the Sheriff, his Deputies, Constables, Game Warden and State Highway Patrolmen for the execution of writs and process of said Court and for attendance and mileage of witnesses shall be the same in said Court as those provided by law of the Courts of Justice of the Peace.

Said Costs, fees and mileage of witnesses, the fees, commissions and emoluments of the Sheriff, his Deputies, Constables, State Highway Patrolmen, Game Warden, and other officers, for services to said Court, and the fines and forfeitures adjudged by it shall be handled, accounted for and disbursed as required by law.

As amended by: Private Acts of 1943, Chapter 230

**SECTION 5.** That in all cases where defendants should be bound over to the Grand Jury of Trousdale County by the Judge of the City of Hartsville such defendant shall be forthwith brought before the Court of General Sessions upon any State's Warrant outstanding, or any State's Warrant or information filed against them, and there arraigned as if such cases originate in the Court of General Sessions as is provided for in Section 1 and 2 of this Act.

**SECTION 6.** That no warrant or information charging a person with an offense against the laws of the State shall be delivered to any peace officer for the arrest of such person until after an entry in the Misdemeanor Docket has been made by the Clerk showing the names of the person or persons accused, the prosecutor, the officer to whom to be delivered and his signature upon said docket showing receipt of such process. All of such warrants, information, dockets and other records of said Court of General Sessions shall be available to the District Attorney- General for any legal purpose.

**SECTION 7.** That all bail bonds, recognizance bonds and appearance bonds of persons charged with

misdeemeanors for their appearance for arraignment or trial in said Court of General Sessions shall be taken by the Clerk of the Criminal and/or Circuit Court.

**SECTION 8.** That the Legislature expressly declares that each section, paragraph and provision of this Act is severable, and that should any portion of the Act be held unconstitutional or invalid the same shall not affect the remainder of this Act, but such unconstitutional and invalid portion shall be elided, and the Legislature declares that it would have enacted this Act with such unconstitutional and invalid parts elided therefrom.

**SECTION 9.** That all laws or parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

**SECTION 10.** That this Act shall take effect thirty days after its passage, the public welfare requiring it.  
Passed: February 7, 1941.

**COMPILER'S NOTE:** See Gregory v. Trousdale County, 193 Tenn. 57, 242 S.W.2d 80 (1951), and the rehearing of that same case in 194 Tenn. 670, 254 S.W.2d 753 (1953).

## Court System - Historical Notes

### **Board of Jury Commissioners - Jurors**

The following act once affected jurors or boards of jury commissioners in Trousdale County, but is no longer operative.

1. Private Acts of 1955, Chapter 109, created a three member Board of Jury Commissioners for Trousdale County who would be elected by the people for two year terms. The necessary qualifications were specified in the Act. Lloyd J. Donly, Jack A. Key and Hubert Winn were named as the first Board until their successors could be elected. The Clerk of the Circuit Court would serve as Clerk of the Board. The Board would select the names of not less than 300 resident citizens who would comprise the jury list. Between 25 and 20 days before the start of the court term the Board would unlock the jury box and the names of the jurors for that term would be drawn from the box. The Jury Commissioners would receive \$50 per annum compensation plus the same per diem and mileage for each day's service. This Act was rejected by the voters of Trousdale County and consequently never became an effective law because of the Home Rule provisions of the State Constitution.

### **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Trousdale 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 1870, Chapter 32, divided the State into twelve Chancery Districts assigning to the 6th District the Counties of Wilson, Sumner, Robertson, Montgomery, Stewart, Cheatham and Trousdale, if established.
2. Public Acts of 1870, Chapter 47, established a schedule for the terms of the Chancery Courts for every county in the State. Trousdale County would begin the terms of the Chancery Court on the third Monday in February and August.
3. Public Acts of 1873, Chapter 12, repealed that part of Public Acts of 1870, Chapter 47, concerning the opening dates of the terms of the Chancery Court for all the counties in the 6th Chancery Division. The terms of the Trousdale Chancery Court would now begin on the first Monday in February and August at Hartsville.
4. Public Acts of 1877, Chapter 47, reset the terms of the Chancery Courts in the 6th Chancery Division shifting Trousdale County to the fourth Monday in January and June at Hartsville.
5. Public Acts of 1879, Chapter 36, rescheduled the terms of the Chancery Courts in the 6th Chancery Division but Trousdale County's Chancery Court would continue to meet on the fourth Monday in January and June.
6. Public Acts of 1883, Chapter 31, amended Public Acts of 1879, Chapter 36, by rearranging the schedule of the Chancery Court terms in the 6th Chancery Division moving Trousdale County to the third Monday in January and June at Hartsville.
7. Acts of 1885 (Ex. Sess.), Chapter 20, reorganized the entire lower court system in the State of Tennessee in which eleven Chancery Divisions were formed. The 8th Chancery Division had in it the Counties of Sumner, Robertson, Montgomery, Wilson, Stewart, Houston, Cheatham,

Humphreys, and Trousdale whose courts would continue to convene on the third Monday in January and June.

8. Public Acts of 1899, Chapter 427, was a major overhaul of the lower judicial organization in Tennessee. There were ten Chancery Divisions formed of which the Fourth Division was made up of the Counties of Cumberland, Pickett, Overton, Clay, Jackson, Putnam, White, DeKalb, Smith, Macon, Van Buren, Cannon, and Trousdale whose courts would convene at Hartsville on the second Monday in January and July.
9. Private Acts of 1903, Chapter 97, stated that the Chancery Courts in the Fourth Chancery Division would be held as directed in this Act. The Chancery Courts in Trousdale County would begin its terms on the second Tuesday in January and July.
10. Private Acts of 1905, Chapter 120, changed the schedule of opening dates for Chancery Court terms in the Fourth Chancery Division. Trousdale County would call the Chancery Court to meet on the first Tuesday after the second Monday in January and July.
11. Private Acts of 1911, Chapter 507, changed some of the court dates for the Chancery Courts of the counties in the Fourth Chancery Division but Trousdale's Court would continue to meet on the first Tuesday after the second Monday in January and July.
12. Private Acts of 1927, Chapter 40, rearranged the Chancery Court terms for Trousdale, Smith, Macon and Pickett Counties in the Fourth Chancery Division scheduling Trousdale to begin on the second Monday in January and July.
13. Public Acts of 1969, Chapter 198, provided that the Seventeenth Chancery Division be created to serve Wilson, Sumner, Macon, Smith and Trousdale Counties. This act was superseded by the general law codified at T.C.A. 16-2-506.

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

The reference list below contains acts which once applied to the clerk and master in Trousdale County. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1915, Chapter 190, stated that in Trousdale County the Clerk and Master of the Chancery Court shall receive \$600 per year as salary, but he must file a sworn, itemized statement with the County Judge, or Chairman, each Quarter showing the total amount of fees collected in the office. If the fees did not equal the salary, the County would pay the difference each quarter, but if the fees exceeded the salary, the Clerk and Master could retain the excess.
2. Private Acts of 1917, Chapter 104, amended Private Acts of 1915, Chapter 190, by adding a provision which did not require the Clerk and Master to account for the fees received for transcripts, for commissions on the sale of lands, and for their compensation as receivers and special commissioners, when the Clerk and Master filed the report of fees with the County Judge, or Chairman.
3. Private Acts of 1917, Chapter 305, declared that, in Trousdale County, women over the age of 21 years shall be eligible to the office of Deputy Clerk and Master with all the duties and responsibilities now conferred by law upon that position.
4. Private Acts of 1923, Chapter 597, fixed the amount of the ex-officio or supplemental salary of the Sheriff, the Circuit Court Clerk, and the Clerk and Master of Trousdale County. The Clerk and Master would be paid \$360 per year over and above and in addition to all the fees of the office, the above amount being payable quarterly out of the regular county funds. This Act was repealed by Private Acts of 1933, Chapter 447.
5. Private Acts of 1925, Chapter 386, fixed the salary of the Clerk and Master of Trousdale County at \$750 per year which amount would be paid quarterly out of the regular county funds on a warrant drawn by the County Judge or Chairman. This salary would be in addition to the fees collected in the office. This Act was also repealed by Private Acts of 1933, Chapter 447.
6. Private Acts of 1933, Chapter 444, authorized the Quarterly Court of Trousdale County to supplement the ex-officio salaries of the Sheriff, the Circuit Court Clerk, and the Clerk and Master whose salary supplement shall not exceed \$750 per year.
7. Private Acts of 1945, Chapter 180, was the authority for the Quarterly Court of Trousdale County to set the salary of the Clerk and Master in an amount not to exceed \$1,000 per year. The fees and the commissions shall continue to be the fees and commissions of the office which the Clerk and Master would retain.

### **Circuit Court**

The following acts were once applicable to the circuit court of Trousdale 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. Public Acts of 1870-71, Chapter 76, attached Trousdale County to the Seventh Judicial Circuit whose Judge would hold the Trousdale County Circuit Court at Hartsville on the first Monday in January, May and September. This Act was repealed by Public Acts of 1879, Chapter 184.
2. Public Acts of 1873, Chapter 22, Section 5, detached Trousdale County from the Seventh Judicial Circuit and attached it to the Fifth Judicial Circuit, changing the terms of Court to begin on the fourth Monday in January, May and September. The Judge of that Circuit would hold the Court and the Attorney-General of that Circuit would prosecute the cases in Trousdale County.
3. Public Acts of 1875, Chapter 137, Section 6, provided that after June 1, 1875, the Circuit Court of Trousdale County would begin its terms on the fourth Monday of April, August, and December.
4. Public Acts of 1877, Chapter 26, stated that the term of the Circuit Court in Trousdale County which began on the fourth Monday in December shall hereafter begin on the third Monday in December and all process shall be made to conform to that date.
5. Public Acts of 1879, Chapter 184, stated that since some question had been raised about the constitutionality of Public Acts of 1873, Chapter 22, this Act was passed so as to remove any doubt. Trousdale County was hereby attached to the Fifth Judicial Circuit and court would be held on the fourth Monday of April and August and the third Monday of December.
6. Public Acts of 1881, Chapter 92, rearranged the terms of Court for the Circuit Courts of the 5th Judicial Circuit which included the counties of DeKalb, Smith, Jackson, Clay, Putnam, White, and Trousdale whose Courts would convene on the first Tuesday after the fourth Monday in April and August, and on the first Tuesday after the third Monday in December.
7. Acts of 1885 (Ex. Sess.), Chapter 20, constituted a major reorganization of the lower judicial structure in Tennessee in which fourteen judicial circuits were formed. The Fifth Circuit was composed of the counties of Pickett, Fentress, Cumberland, Putnam, Overton, Clay, Jackson, Smith, Macon and Trousdale where the Circuit Court would start on the first Tuesday after the third Monday in March, July and November.
8. Public Acts of 1887, Chapter 12, rescheduled the dates for opening the terms of the Circuit courts in the 5th Judicial Circuit moving Trousdale County to the fourth Monday in March, July and November.
9. Acts of 1891 (Ex. Sess.), Chapter 3, changed the dates for the terms of the Circuit Courts in the 5th Judicial Circuit including Trousdale County whose courts would commence on the second Monday after the fourth Monday in March, July and November.
10. Public Acts of 1897, Chapter 43, Section 6, amended Acts of 1885 (Ex. Sess.), Chapter 43, to reschedule the times for holding court in the Fifth Judicial Circuit. Trousdale County's Circuit Court would meet on the third Monday in April, July and November.
11. Private Acts of 1897, Chapter 294, amended Public Acts of 1897, Chapter 43, to reset the terms of the Circuit Courts of the Counties in the 5th Judicial Circuit listing them as Putnam, White, Overton, Pickett, Clay, Jackson, Macon, Smith, Cumberland, and Trousdale whose court would meet on the second Monday after the fourth Monday in March, July, and November.
12. Acts of 1899, Chapter 83, amended Private Acts of 1897, Chapter 294, to change the dates for the terms of the Circuit Court in Trousdale County to the third Monday in March, and the second Monday after the fourth Monday in July and November.
13. Acts of 1899, Chapter 357, amended Private Acts of 1897, Chapter 294, by changing the terms of the Circuit Courts in Macon, Smith, and Trousdale Counties. Trousdale would start the Circuit Court terms on the third Monday in March, and the fourth Monday in July and November.
14. Public Acts of 1899, Chapter 427, reorganized the lower court system in Tennessee into fourteen Judicial Circuits. The Fifth Judicial Circuit contained the counties of Pickett, Cumberland, Putnam, Overton, Clay, Jackson, Smith, Trousdale, White, and Macon. The Circuit Court would begin in Trousdale County on the second Monday after the fourth Monday in March, July and November.
15. Private Acts of 1901, Chapter 324, fixed the terms of the Circuit Court for all the counties in the 5th Judicial Circuit. Trousdale was changed to the fourth Monday in March, July and November.
16. Private Acts of 1907, Chapter 122, stated that the Circuit Courts for the counties of the 5th Judicial Circuit would be held as scheduled in this Act. Trousdale County was scheduled for the fourth Monday in March, July and November.
17. Public Acts of 1967, Chapter 10, removed Jackson, Smith, Macon, Trousdale and Wilson Counties

from the Fifth Judicial Circuit for civil jurisdiction purposes and placed these counties in a new Twenty-fifth Judicial Circuit with a new circuit judge. This act was superseded by the general law codified at T.C.A. 16-2-506

### **Circuit Court - Clerk**

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

1. Private Acts of 1919, Chapter 206, provided that the Circuit Court Clerk of Trousdale County shall receive \$600 as his annual salary provided a sworn, itemized statement showing all the fees collected by the office is filed quarterly with the County Judge, or Chairman. Fees for transcripts and commissions received on sales of land and while serving as a receiver were exempted. If the fees were less than the salary, the county would pay the difference to the Clerk. If the fees exceeded the salary, the Clerk would pay the excess to the County.
2. Private Acts of 1923, Chapter 597, set the ex-officio or supplementary salaries for the Sheriff, the Clerk and Master, and the Circuit Court Clerk of Trousdale County. The Circuit Court Clerk would receive, in addition to all the fees and commissions of the office, the sum of \$240 per year, payable quarterly. This Act was repealed by Private Acts of 1933, Chapter 447.
3. Private Acts of 1931, Chapter 107, Pages 244, fixed the ex-officio salary of the Circuit Court Clerk of Trousdale County at \$600 per year which would be paid quarterly out of regular County funds on the warrant of the County Judge, or Chairman. This salary was in addition to and over and above all the fees and emoluments of the office. This Act was repealed by Private Acts of 1933, Chapter 447.
4. Private Acts of 1933, Chapter 444, allowed the Quarterly Court of Trousdale County in their discretion to supplement the ex-officio salaries of the Sheriff, the Clerk and Master, and the Circuit Court Clerk but the salary supplement of the Circuit Court Clerk could not exceed \$840 per year.
5. Private Acts of 1945, Chapter 66, was the authority for the Quarterly Court to fix the salary of the Circuit and Criminal Court Clerks in an amount not to exceed \$125 per month. All the fees of the office would be paid over to the general fund of the County, it being the intention of this Act that the Clerk only be compensated by the salary fixed in the Act.

### **Criminal Court**

The following acts once pertained to the Trousdale County Criminal Court, but are no longer current law.

1. Private Acts of 1907, Chapter 85, created the Criminal Court of the Fifth Judicial Circuit in the following counties: White, Putnam, Cumberland, Overton, Pickett, Clay, Jackson, Macon, Trousdale, and Smith. Court would be held in Trousdale County on the fourth Monday in March, July and November. The Circuit Court Clerk would serve as Clerk of the Criminal Court. The Judge of this Court would also hold the Circuit Courts in Pickett, Macon and Trousdale counties.
2. Private Acts of 1909, Chapter 547, amended Private Acts of 1907, Chapter 85, to reset the terms for the Criminal Courts in Trousdale and Smith Counties. Trousdale Criminal Court would meet on the first Monday after the fourth Monday in March, July and November.
3. Private Acts of 1911, Chapter 648, amended Private Acts of 1907, Chapter 85, so as to change the opening dates for Smith and Trousdale counties. The Criminal Court in Trousdale County would meet on the fourth Monday in March and November and the first Monday in August.
4. Public Acts of 1978, Chapter 798, created a criminal court for the Twenty-Fifth Judicial Circuit, designating judges and other officials of the criminal court for Division II of the Fifth Judicial Circuit as the judges and officials of the criminal court of the Twenty-fifth Judicial Circuit. This act was superseded by the general law codified at T.C.A. 16-2-506.

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

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

1. Private Acts of 1907, Chapter 381, created the office of Assistant Attorney- General in the Fifth Judicial Circuit who would serve at the pleasure of and in accordance with the assignments of the District Attorney. The Assistant Attorney General would be at least 25 years of age, learned in the law, and would be paid a salary of \$1,800 per year. This Act was repealed by Private Acts of 1919, Chapter 166, page 396.

### **General Sessions**

The following acts once affected the general sessions court of Trousdale County, but are no longer in effect and are included herein for reference purposes.

1. Private Acts of 1961, Chapter 52, created and established the office of Night Judge for the General Sessions Court of Trousdale County, who would be subject to call and be able to perform all the duties of the General Sessions Judge at night and after the regular hours of the Court. The regular Judge would be permitted to serve as the Night Judge and he would be compensated at the rate of \$35 per month for this extra duty. This Act was not approved by the Quarterly Court of Trousdale County and never became an effective law.
2. Private Acts of 1974, Chapter 368, would have transferred all the jurisdiction of the County Judge in juvenile and probate matters to the Court of General Sessions of Trousdale County. This Act was not approved by the Quarterly County Court and never took effect.

---

**Source URL:** <https://www.ctas.tennessee.edu/private-acts/chapter-v-court-system-35>