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Chapter V - Court System

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Chapter V - Court System

District Attorney General

Assistants and Criminal Investigators

Public Acts of 1971 Chapter 138

COMPILER'S NOTE: The following act is a public act of special application and is not codified in Tennessee Code Annotated.

SECTION 1. There is created the office of Assistant District Attorney General for the Fourteenth (14th) Judicial Circuit. The District Attorney General of the Fourteenth (14th) Judicial Circuit is authorized to appoint a suitable person to the office, to serve at the pleasure of the District Attorney General. The person appointed to the office shall be at least twenty-one (21) years of age, shall be learned in the law and shall be licensed to practice law in the State of Tennessee.

SECTION 2. The Assistant Attorney General shall perform such duties and functions as may be assigned and directed by the District Attorney General of the Fourteenth (14th) Judicial Circuit.

SECTION 3. The Assistant District Attorney General for the Fourteenth (14th) Judicial Circuit shall receive an annual salary in equal monthly installments out of the Treasury of the State as is provided by the general law of this State for such Assistants, to wit: Section 8-708, [8-7-201] Tennessee Code Annotated.

SECTION 4. This Act shall take effect from and after July 1, 1971, the public welfare requiring it.

Passed: May 4, 1971.

Criminal Investigator

Public Acts of 1967 Chapter 254

COMPILER'S NOTE: The following act is a public act of special application and is not codified in Tennessee Code Annotated.

SECTION 1. That there is hereby created a Criminal Investigator for the Fourteenth Judicial Circuit of this State. Such Criminal Investigator shall be appointed by the District Attorney General and shall serve at the pleasure of such official. He shall be a licensed attorney or a person experienced in the investigation of crime. His compensation shall be as provided by law and shall be paid in equal monthly installments from the State Treasury. He shall perform such duties and make such investigations as will be assigned to him by the District Attorney General, and he shall have the same power and authority as deputies of the county sheriff.

If the Criminal Investigator is an attorney licensed to practice in this state, he shall receive the same compensation provided by Tennessee Code Annotated, Section 8-7-201(b) for part-time assistant attorneys general and in addition to the duties set out in this section, the District Attorney General may, in his discretion, assign such Investigator to serve as an assistant district attorney for such Circuit.

As amended by: Public Acts of 1980, Chapter 713
Public Acts of 1982, Chapter 859

SECTION 2. That this act shall take effect from and after its passage, the public welfare requiring it.

Passed: May 22, 1967.

Public Acts of 1978 Chapter 848

COMPILER'S NOTE: The following act is a public act of special application and is not codified in Tennessee Code Annotated. The remainder of this Public Act concerned the creation of the Thirty-First Judicial Circuit consisting of Lake and Dyer Counties, therefore, it was omitted.

SECTION 3. The duly elected District Attorney General of this Fourteenth Judicial Circuit shall become the District Attorney General of the Thirty-First Judicial Circuit, to hold office until September 1, 1982, or until his successor is elected and qualified.

SECTION 5. There is hereby created the Office of District Attorney General for the Fourteenth Judicial Circuit. The initial District Attorney General for the Fourteenth Judicial Circuit shall be elected in the

August general election and shall take office on September 1, 1978.

Passed: March 23, 1978

Juvenile Court

Private Acts of 1982 Chapter 326

SECTION 1. As used in this Act, unless the context otherwise requires:

- (a) "Court" means the Juvenile Court of Obion County.
- (b) "Judge" means the Judge of the Juvenile Court of Obion County.
- (c) "Clerk" means the Circuit Court Clerk or Deputy Clerks of Obion County.

As amended by: Private Acts of 1999, Chapter 28

SECTION 2. There is created in Obion County a Juvenile Court to be known and styled as the juvenile court of Obion County. Such court shall be a court of record and shall be presided over by a judge who shall have the qualifications and salary provided by this Act.

SECTION 3. A judge for such court shall, upon the approval of this Act, be appointed who shall be licensed to practice law in this state and who possesses all other qualifications of judges of inferior courts as provided by law. Such person shall serve as judge until September 1, 1982, and until his successor is elected and qualified. At the next regular election of county officials to be held in August, 1982, and every eight (8) years thereafter, a person licensed to practice law in this state who possesses all other qualifications of judges of inferior courts as required by law shall be elected for a term of eight (8) years. Both the appointed and elected judge shall take and subscribe to the same oath of office as that prescribed for Judges of Circuit Courts. In the event the office of judge shall become vacant by reason of death, resignation, retirement, or other reason before the expiration of the term of office or before a successor is elected and qualified, such vacancy shall be filled as provided by law. The Obion County Election Commission shall set a special qualifying deadline for the August, 1982 election if it becomes necessary.

SECTION 4. The Obion County Circuit Court Clerk shall serve as Clerk of the Obion County Juvenile Court and any of such clerk's deputies shall also be deputies for the Juvenile Court created by this act.

As amended by: Private Acts of 1999, Chapter 28

SECTION 5. The Judge and Clerk of such Juvenile Court shall have all of the jurisdiction, powers, duties, and authority of other Juvenile Court Judges and Clerks as provided in Tennessee Code Annotated, Title 37 or any other general law.

SECTION 6. The salary of such judge shall be determined and set by the county legislative body and such body shall also determine whether the judge and other court personnel shall serve on a full-time or part-time basis. The county legislative body shall set such base salary prior to the initial appointment and prior to any election for such position.

SECTION 7. The Juvenile Court Judge shall be allowed to participate in the practice of law in all other courts within the court system and shall not be prohibited from performing any services in any of such courts when such judge is considered a part-time judge by the county legislative body.

SECTION 8. The judge is authorized to make and promulgate rules and regulations for the administration and efficient operation of the court and to fix the times and places at which all persons within the jurisdiction of the court shall have their causes set for disposition.

SECTION 9. The judge shall, pursuant to the laws and regulations of Obion County, appoint such personnel as may be necessary to efficiently carry on the business of the court. All such appointments shall be limited by the total appropriations made for such personnel during each fiscal year.

SECTION 10. The Sheriff of Obion County shall furnish the necessary deputies and special deputies to attend and dispense with the business of the court.

SECTION 11. The county legislative body shall provide the court with facilities adequate and sufficient to allow the court to perform its duties as a Juvenile Court.

SECTION 12. All unfinished and pending matters in the court or courts exercising Juvenile Court jurisdiction prior to the date this Act takes effect shall be transferred to the court created by this Act at the close of business on the day preceding the day this Act becomes effective. On such date all official books, records and other documents pertaining to any matter within the jurisdiction of the Juvenile Court shall be delivered to such court.

SECTION 13. If any question of this Act or the application thereof to any person or circumstance is held

invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

SECTION 14. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Obion County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Obion County legislative body and certified by him to the Secretary of State.

SECTION 15. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 14.

Passed: April 8, 1982.

Private Acts of 2014 Chapter 31

SECTION 1. Chapter 326 of the Private Acts of 1982, as amended by Chapter 28 of the Private Acts of 1999, and any acts amendatory thereto, shall be repealed immediately upon any vacancy occurring in the office of juvenile judge in Obion County. Upon repeal of Chapter 326 of the Private Acts of 1982, the general sessions court of Obion County shall, from that date forward, exercise juvenile court jurisdiction and have all the duties, powers, and authority of a juvenile court as provided in Tennessee Code Annotated, Title 37, or any other general law.

SECTION 2. Upon the repeal of Chapter 326 of the Private Acts of 1982, any general sessions judge elected after the repeal, or for any term of office thereafter, shall receive an annual salary no less than that provided for general sessions judges pursuant to § 16-15-5003, plus any other applicable provisions of general law.

SECTION 3. If any provision of this act, or the application thereof, to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Obion county. Its approval or nonapproval shall be proclaimed by the presiding officer of such legislative body and certified to the secretary of state.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 4.

Passed: March 6, 2014.

Court System - Historical Notes

Board of Jury Commissioners - Jurors

The following acts once affected jurors or boards of jury commissioners in Obion County, but are no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1937, Chapter 394, created a Board of Jury Commissioners for Obion County. The Board was composed of three discreet citizens who were not lawyers, or county officials, and who had no cases pending in court. The County Judge would appoint temporary members to fill any vacancies which might occur. Regular appointments would be made by the Judges of courts of record in the County. The members would serve under oath, serve staggered three year terms and could not succeed themselves. One member would be designated as Chairman. The County Court Clerk would serve as a Clerk to the Board after taking an oath of secrecy. The Board would biennially meet on the second Monday in April and select at least 500 names from the tax rolls, or other public sources, equalizing as near as possible the number chosen from each Civil District. These names would be the jury list for the next two years for all courts. If the list should become depleted, the Board must replenish it using the same methods. All the names, with the initials of the Commissioner choosing that person, would be entered upon a book according to law and this act, and the entire list would be verified by all three members. The names would also be placed on a card of suitable material which would be placed in a box, locked and sealed, and given to the custody of the Clerk who would keep it in a bank safe. Ten to fifteen days before court would open, the box would be unlocked and the required number of cards would be drawn from the box by a child under ten years of age. These names would be reported to the Clerk and also be

entered in a book. Five days before court opened, the Clerk would transmit the list to the Sheriff who would summon the people for jury service. They could be excused from service only by the Judge and only for the reasons expressed in the law. This act was repealed by Private Acts of 1941, Chapter 437, Page 1507.

2. Private Acts of 1947, Chapter 321, created a Board of Jury Commissioners for Obion County with this Act being almost a carbon copy of Private Acts of 1937, Chapter 394 except the Circuit Court Clerk would be the Clerk for the Board instead of the County Court Clerk.

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Obion 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. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1822, Chapter 13, stated that the Chancery Courts in Tennessee would be held by one of the Justices of the Supreme Court of Errors and Appeals at the present places of holding the Supreme Court at least once every year. The Equity Court would be conducted in Rogersville on the first Monday in November, in Knoxville on the third Monday in November, in Charlotte on the fourth Monday in December, in Sparta on the second Monday in December, in Nashville, on the fourth Monday in January, and in Columbia on the second Monday in January. Court times would be for two weeks unless the Dockets were cleared earlier.
2. Acts of 1824 (E.S.), Chapter 14, provided that the Judges of the Supreme Court of Errors and Appeals, which would meet for sessions in Knoxville, Sparta, and Nashville, would also arrange among themselves to hold the Chancery Courts across the State at least twice each year, at Greeneville, Rogersville, Kingston, Carthage, McMinnville, Franklin, Columbia, Charlotte, and at Jackson for all counties west of the Tennessee River, including Obion County, on the second Monday in April and October of each year.
3. Acts of 1825, Chapter 32, required the Justices of the Supreme Court to hold a Chancery Court at Paris in Henry County for the people of the Counties of Perry, Henderson, Carroll, Henry, Weakley, Obion, Gibson, and Dyer. This Court would meet on the third Monday in April and October. The judges would appoint a Clerk and Master for this Court.
4. Acts of 1827, Chapter 79, divided Tennessee into two Chancery Divisions. The Eastern Division consisted of the Courts meeting at Rogersville, Greeneville, Kingston, Carthage, and McMinnville, and the Western Division included the Courts at Franklin, Columbia, Charlotte, Jackson, and Paris. The judges of the Supreme Court were divested of original chancery jurisdiction in this Act.
5. Acts of 1835-36, Chapter 4, formed three Chancery Divisions in Tennessee each of which would be presided over by a Chancellor appointed by the General Assembly. The grand Divisions were further divided into Districts. The Chancellors, who must hold each Court in their area, at least twice annually were appointed for eight year terms. Obion County was in the Western Division and together with Weakley County formed the First District in that Division. Court terms would start in Dresden on the fourth Monday of March and September. The Chancellor would appoint a Clerk and Master for his division to serve a six year term.
6. Acts of 1837-38, Chapter 14 abolished the Chancery Courts then being held at Paris, Dresden, Trenton, Jackson, Lexington, Bolivar, and Clarksville, and established a new Chancery District composed of the Counties of Henry, Weakley, Obion, Dyer, Gibson, Carroll, Benton, Perry, Henderson, and Madison. Court for the new Western District would begin in Huntington on the first Monday in February and August.
7. Acts of 1837-38, Chapter 110, placed the counties of Henry, Weakley and Obion into one Chancery district in the Western Division and provided that Court would be held at Dresden on the third Monday of February and August of each year.
8. Acts of 1853-54, Chapter 54, Section 7, created five Chancery Divisions in the State of Tennessee in which a Chancery Court was designated to be held at Troy in Obion County which would begin its official terms on the first Monday in May and November. The Chancellor would appoint a Clerk and Master for the Court who would be bound by the same rules and regulations to which other clerks and masters were subject.
9. Acts of 1855-56, Chapter 158, Section 3, scheduled the starting dates for the Court terms of every Chancery Court in the Western Division which then contained the counties of Henry, Weakley, Dyer, Gibson, Fayette, Tipton, Hardeman, Lauderdale, Madison, Haywood, and Obion whose Court would meet on the third Monday in January and July.
10. Acts of 1857-58, Chapter 88, divided Tennessee into the Eastern, Middle, Western, the Fourth,

Fifth, and Sixth Chancery Divisions. Obion County was assigned to the Western Division which consisted also of the Counties of Henry, Weakley, Dyer, Madison, Haywood, Hardeman, Fayette, Tipton, Lauderdale, Gibson, and Shelby. In Obion County Chancery Court terms would commence on the third Monday in January and July at Troy.

11. Acts of 1865-66, Chapter 20, in the post Civil War reconstruction period set up the Ninth Chancery Division composed of the Counties of Henry, Weakley, Obion, Dyer, Gibson, Carroll, and Benton. Obion County's Chancery Court would officially begin on the first Monday in January and July.
12. Acts of 1866-67, Chapter 25, Section 3, rearranged the court terms for the Courts in the 9th Chancery Division. The Division was made up of the Counties of Carroll, Benton, Weakley, Dyer, Gibson, Henry, and Obion where the Chancery Court would convene on the third Monday in March and September at Troy.
13. Acts of 1868-69, Chapter 40, Section 10, declared there would be a Chancery Court in Union City in Obion County with equity jurisdiction of all causes in the First, Second, Third, Seventh, Eighth, and Thirteenth Civil Districts of the County. This Court would be called the Chancery Court of Union City and would be constituted as a part of the 9th Chancery Division with the same jurisdictional authority as other Chancery Courts. The Chancellor of the Ninth Chancery Division would preside over the Court on the fourth Monday of April and October. This Section was repealed by Acts of 1891, Chapter 246.
14. Acts of 1870, Chapter 32, in a complete revamping of the lower judicial system of the State provided for twelve Chancery Districts of which the 11th Chancery District was made up of the Counties of Dyer, Obion, Lake, Weakley, Gibson, Etheridge, Carroll, and Henry.
15. Acts of 1870, Chapter 47, scheduled the court terms for every Chancery Court in the State of Tennessee. In Obion County the Court terms would begin on the second Monday in January and July.
16. Acts of 1870, Chapter 82, provided that the Chancery Court at Union City in Obion County would be held by the Chancellor of the 11th Chancery Division on the fourth Monday in May and November.
17. Acts of 1870-71, Chapter 88, named the Counties in the 11th Chancery Division as Henry, Carroll, Weakley, Lake, Dyer, Gibson, and Obion and reset the Court terms for some of them. The Chancery Court of Obion County would meet at Troy on the second Monday in April and October, and at Union City on the fourth Monday in January and July.
18. Acts of 1879, Chapter 117, placed Civil District #4 of Obion County within the jurisdiction of the Circuit and Chancery Courts then being held at Troy and the citizens of that District would enjoy all the rights and privileges and be subject to the same obligations as the other citizens residing within the jurisdictional boundaries of that Court.
19. Acts of 1885 (Ex. Sess.), Chapter 20, entirely reorganized the whole lower judicial structure of the State into eleven Chancery Divisions. The 10th Chancery Division contained the Counties of Fayette, Tipton, Haywood, Lauderdale, Dyer, Obion, Weakley and Gibson. The Court would meet at Troy on the second Monday in April and October and on the fourth Monday in January and July at Union City. This Act was part of the litigation in Flynn v. State, 203 Tenn. 337, 313 S.W.2d 248 (1958).
20. Acts of 1889, Chapter 23, set Court terms in the Tenth Chancery Division in the Counties of Weakley, Fayette, Gibson, Haywood, Tipton, Lauderdale, Dyer, and Obion whose Chancery Courts would commence their terms in Troy on the second Monday in April and October, and in Union City on the fourth Monday in January and July. This Act was repealed by Acts of 1895, Chapter 99.
21. Acts of 1891, Chapter 246, repealed sections of Acts of 1868-69, Chapter 40, which created the Chancery Court at Union City in Obion County, thus abolishing that Court and transferring its cases to the Chancery Court of Obion County.
22. Acts of 1895, Chapter 99, rescheduled the opening dates of the Chancery Court terms of several Counties in the 10th Chancery Division. The Chancery Court of Obion County would continue to meet on the second Monday in April and October at Troy.
23. Acts of 1899, Chapter 427, in a major revision of the lower Court system in Tennessee provided for ten Chancery Divisions. The Ninth Chancery Division contained the Counties of Dyer, Lake, Weakley, Gibson, Lauderdale, Fayette, Haywood, Tipton, and Obion where the Court would meet on the third Monday in January and July.

24. Acts of 1903, Chapter 591, rearranged the Court dates for the Counties in the 9th Chancery Division consisting now of the Counties of Dyer, Weakley, Gibson, Lake, Haywood, Fayette, Lauderdale, Tipton, and Obion whose Court would open the regular terms on the first 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 Obion County. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1915, Chapter 359, provided that in Obion County unmarried females over the age of 21 were eligible to hold the position of Deputy Clerk and Master. Marriage would bring about an immediate forfeiture of the office and disqualify her to continue therein.
2. Private Acts of 1933, Chapter 782, stated that the Clerk and Master of Obion County would not be entitled to be paid more than \$2,500 in annual salary for any one year of his term, all of which was to be paid out of the fees of his office only. The Act expressed the position that it was not the intention of the Legislature to interfere with Sections 10728 through 10747 of the State Code or to change in any way the payment to the Clerk and Master for special services such as being a Trustee or a Receiver. This Act was repealed by Private Acts of 1979, Chapter 81.

Circuit Court

The following acts were once applicable to the circuit court of Obion 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 1823, Chapter 41, organized the 8th Judicial Circuit and the 9th Judicial Circuit assigning the counties of Shelby, Hardeman, McNairy, Wayne, Hardin, Madison, Haywood, Perry, Henderson, Carroll, Henry, Weakley, Dyer, Gibson, and Obion to them. Circuit Court terms in Obion would start on the second Monday in May and November.
2. Acts of 1824 (Ex. Sess.), Chapter 53, stated that the Circuit Courts and County Courts of Obion, Weakley, Dyer and McNairy Counties, could adjourn to more suitable places in their respective counties as best suited their convenience if a majority of the Justices were present and agreed, and each county could adjourn to the County Town whenever the towns could accommodate them.
3. Acts of 1824 (Ex. Sess.), Chapter 102, changed the opening dates for the Circuit Court terms in the counties of the 8th and 9th Judicial Circuits. The Circuit Court would begin its regular terms in Obion County on the third Monday in May and November.
4. Acts of 1825, Chapter 318, rescheduled the opening dates for the Circuit Court terms in the 8th and 9th Judicial Circuits. The 9th Judicial Circuit consisted of the Counties of Perry, Henderson, Carroll, Henry, Weakley, Dyer, Gibson, and Obion where the Circuit Court would meet regularly on the second Monday in April and October.
5. Acts of 1826, Chapter 43, reset the Court terms for the Circuit Courts in the 9th Judicial Circuit, which showed no change in the Counties making up the Circuit, by altering the opening dates of the terms in Obion County to the second Monday in May and November.
6. Acts of 1835-36, Chapter 3, divided the State into three major judicial divisions in each of which the Supreme Court was required to meet at least once each year; at Knoxville for the Eastern Division, at Nashville for the Middle Division, and at Jackson for the Western Division. Obion, and 16 other counties composed the Western Division at that time.
7. Acts of 1835-36, Chapter 5, was the first organization of the lower court system of the State subsequent to the adoption of a new State Constitution. Under this Act the Circuit Courts would conduct three terms in a year rather than two. Eleven Judicial Circuits were formed in Tennessee of which the 9th Judicial Circuit was composed of the Counties of Henry, Weakley, Obion, Dyer, Gibson, Carroll, and Benton. Circuit Court terms would commence on a regular basis in Obion County on the third Monday in February, June and October.
8. Acts of 1837-38, Chapter 116, reorganized the structure of the lower Court system in Tennessee but Obion County was not affected.
9. Acts of 1843-44, Chapter 155, stated that hereafter the Circuit Court of Obion County would meet on the second Monday in March, July, and November, and all process and bonds would be made to conform to those dates.
10. Acts of 1845-46, Chapter 82, Section 4, averred that after next April 1, the Circuit Court of Obion County would open its regular terms on the fourth Monday in February, June, and October.

11. Acts of 1855-56, Chapter 1, created a Common Law Court for the people who lived west of Reelfoot Lake in Obion County. The Court would exercise the same jurisdiction, both civil and criminal, as did the Circuit Court, but its jurisdiction was confined to the part of Obion County lying between Reel Foot Lake and the Mississippi River. Court would be held on the second Monday of July and November at the Masonic Hall near Mrs. Merriweather's. Court would be held by the Judge of the 9th Circuit.
12. Acts of 1855-56, Chapter 160, amended Acts of 1855-56, Chapter 1, to fix the starting dates for the court terms as the second Monday in March, July, and November, and repealed the fourth Section of that Act concerning service of process. Section 5 was changed to direct the Sheriff to hold an election in the area to be affected for the people to select a clerk for the court, who would be entitled to all the benefits granted to other clerks. The County Court was responsible for selecting jurymen to serve in the new Court.
13. Acts of 1857-58, Chapter 13, created the 15th Judicial District consisting of the Counties of Gibson, Obion, Dyer, and Lauderdale, and provided for an election to be held in each county for the election of the Judge and Attorney. They would also be the Judge and Attorney-General for the Court in Madrid Bend in Obion County and be paid the same salary as other people in like positions. The Judge was obligated to appoint a Clerk for the Court west of Reelfoot in case one was not elected. The Court would begin its regular terms on the fourth Monday in February, June, and October, and the Court west of Reelfoot would start on the second Monday in March, July, and November.
14. Acts of 1857-58, Chapter 21, established a schedule of Circuit Court terms for the counties of Lauderdale, Dyer, Gibson, Carroll, Benton, Humphreys, Henry, Weakley, and Obion. Court terms would commence in Obion County at the Court west of Reelfoot Lake on the third Monday in February and October and on the second Monday in June, and the Court at Troy would take up its regular docket on the fourth Monday in February, June and October. The Judges of the 9th and 10th Judicial Circuits would hold the Courts in Gibson, Obion, Dyer, and Lauderdale Counties until the Judge of the 15th Judicial Circuit is elected and qualified.
15. Acts of 1857-58, Chapter 98 which realigned the Courts in the lower judicial system of Tennessee, formed 16 Judicial Circuits in the State. The 16th Judicial Circuit contained the Counties of Lauderdale, Dyer, Gibson, and Obion where the Circuit Court terms remained as they were stated in Acts of 1857-58, Chapter 21.
16. Acts of 1859-60, Chapter 1, stated that the Judge holding the Circuit Court of Obion County west of Reelfoot Lake by an order made in open court and entered upon the Court minutes could change the place of holding Court to the new Masonic Hall, or to any other convenient place in the said neighborhood provided for that purpose. The Judge was further authorized to direct the Sheriff to hold an election whereby the people could determine a permanent place for the holding of the said court west of Reelfoot.
17. Acts of 1859-60, Chapter 62, Section 2, amended Acts of 1859-60, Chapter 1, to change the place of holding the Obion County Circuit Court west of Reelfoot so that the above Act, Chapter 1, would take effect upon the enactment of this Act.
18. Acts of 1867-68, Chapter 38, Section 5, changed the starting dates for the regular terms of the Circuit Courts in Gibson, Dyer, Weakley, and Obion Counties, so that the terms were to begin in Obion County on the first Monday in March, July, and November at Troy, and on the second Monday in January, May, and September, at Tiptonville.
19. Acts of 1868-69, Chapter 40, Section 9, set up a Common Law Court at Union City in Obion County for causes arising in the First, Second, Third, Thirteenth, Seventh and Eighth Civil Districts of the County, which would be recognized as one of the Courts of the 16th Judicial Circuit and be presided over by the Judge thereof. This Court would meet on the third Monday in April, August, and December and its Judge would have all the rights, privileges, jurisdiction, and powers of the Law Court Judge in Humboldt in Gibson County.
20. Acts of 1869-70, Chapter 65, stated that Acts of 1855-56, Chapter 1, which set up a Common Law and Criminal Court west of Reelfoot Lake in Obion County and Acts of 1855-56, Chapter 160, should not be construed so as to deny to the Circuit Court of Obion County at Troy concurrent jurisdiction over all the crimes hereafter committed in the area west of Reelfoot Lake, or which were heretofore committed, unless the court established west of Reelfoot had already acquired jurisdiction by presentment, indictment, or by arrest of the defendant.
21. Acts of 1870, Chapter 31, in its total reorganization of the lower courts in Tennessee created fifteen Judicial Circuits. The 12th Judicial Circuit was composed of the Counties of Benton, Henry, Weakley, Carroll, Etheridge, Obion, Lake, and the Special Court at Union City in Obion County.

22. Acts of 1870, Chapter 46, scheduled the terms for every Circuit Court in the State of Tennessee. In Obion County the Circuit Court was fixed to start regular terms on the first Monday in March, July, and November. At Union City court would start on the third Monday of March, July and November.
23. Acts of 1883, Chapter 98, rearranged the times for holding the Circuit Court at Troy in Obion County so that the Court would convene on the first Monday in March, and the second Monday in July and November. This Act also rescheduled the terms of the Weakley County Circuit Court.
24. Acts of 1885 (Ex. Sess.), Chapter 20, brought about wholesale changes in the lower court structure of the State whereby fourteen regular and one special Judicial Circuits were formed. The 12th Judicial Circuit consisted of the counties of Obion, Weakley, Henry, Carroll, Gibson, Crockett, Haywood, and Benton. The Obion County Circuit Court at Troy would open in regular session on the first Monday in March and the second Monday in July and November, and at Union City the terms would commence on the third Monday in March, July, and November.
25. Acts of 1887, Chapter 94, Section 3, amended Acts of 1885 (Ex. Sess.), Chapter 20, by changing the Circuit Court terms in the 12th Judicial Circuit. At Troy the terms of Circuit Court would start on the first Monday in March and the second Monday in July and November while the Court at Union City would begin on the third Monday in February, June and October.
26. Acts of 1889, Chapter 15, reset the Circuit Court terms in the 12th Judicial Circuit, now made up of the Counties of Carroll, Henry, Weakley, Gibson, Crockett, Haywood, and Obion where the Courts at Troy would be held on the first Monday in March, July, and November and at Union City on the third Monday in February, June, and October.
27. Acts of 1891, Chapter 153, removed Lake County from the 13th Judicial Circuit and assigned it to the 12th, and then changed the Court terms for the Counties in the 12th Circuit. Obion County's Circuit Court terms would open on the first Monday in January, May, and September.
28. Acts of 1891, Chapter 246, abolished the Law and Chancery Court of Union City in Obion County by repealing the pertinent Sections of Acts of 1868-69, Chapter 40. Pending cases would be transferred to the respective Chancery and Circuit Courts of Obion County.
29. Acts of 1899, Chapter 427, in a major revision of the lower State judicial system, organized the State into fourteen regular, and two special, Judicial Circuits of which the counties of Lake, Dyer, Lauderdale, Tipton, Fayette, Weakley, and Obion constituted the 14th Judicial Circuit. Circuit Court terms were set to begin in Obion County on the first Monday in January, May, and September.
30. Acts of 1905, Chapter 304, reset some circuit court terms in the 14th Judicial Circuit but Obion County's terms were not changed.
31. Acts of 1907, Chapter 485, amended Acts of 1905, Chapter 304, by changing the opening dates of Circuit Court terms in Benton, Dyer, Lake, and Weakley Counties in the 14th Judicial Circuit but Obion County's Circuit Court would continue to meet on the first Monday in January, May, and September.
32. Private Acts of 1915, Chapter 536, created a Criminal Court in Obion County which would be located at Union City, granting to it jurisdiction over all offenses as was given to other courts of a criminal nature and as formerly possessed by the Circuit Court. The Circuit Court Clerk would be the Clerk of the Court. This Act prescribed the procedures to be used to select both a Grand Jury and the petit juries for the Court and the Attorney-General would perform in this court as he did in the Circuit Court. The Sheriff was obligated to attend all the Sessions of the Court and wait upon it as required in the Circuit Court. Court terms were to start on the third Monday in every month. The County Judge would preside over this Court without additional compensation in which an Attorney-General pro tem would be appointed if the regular Attorney-General could not serve for any reason. This Act was repealed by Private Acts of 1917, Chapter 1.
33. Private Acts of 1917, Chapter 1, expressly repealed Private Acts of 1915, Chapter 536, and returned the jurisdiction over criminal cases to the Circuit Court of Obion County.
34. Private Acts of 1978, Chapter 164, would have repealed Acts of 1859-60, Chapter 62, but this Act was not approved by Obion County and therefore never became operative law.

Circuit Court - Clerk

The following acts have no current effect, but once applied to the Obion 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. Acts of 1903, Chapter 255, regulated the annual salary of Circuit Court Clerks according to the

county population class in which they served. According to the population figures for the year 1900 upon which the salary schedule was based, the Circuit Court Clerk of Obion County would be paid \$1,000 annually, provided the Clerk filed a sworn, itemized, statement with the County Judge, or Chairman, showing the total amount of fees collected by the office during that year. If the fees collected failed to equal the amount of stipulated salary, the county was requested to make up the difference; but, if the fees exceeded the salary, the Clerk was allowed to keep the excess for himself.

2. Private Acts of 1911, Chapter 675, amended Acts of 1903, Chapter 255, to increase the salary of the Circuit Court Clerks serving in Counties between 25,000 and 30,000 in population, and which also have a Law Court in addition to the Circuit Court, for both of which the Circuit Court Clerk acts as Clerk, from \$1,000 to \$1,500 annually.
3. Private Acts of 1923, Chapter 682, declared that the Circuit Court Clerk of Obion County would receive a salary of \$2,200 annually, payable one-third on each of May 10, September 10, and January 10, of each year, conditioned upon the Clerk filing a sworn, itemized statement of the total amount of fees collected in the office with the County Judge, or Chairman. If the fees were insufficient to pay the salary, the County would pay the difference out of the public treasury. If the fees were more than the salary, the Clerk could not keep the excess.
4. Private Acts of 1931, Chapter 295, recited in the preamble of the Act that the State Attorney-General had been authorized under Public Acts of 1925, Chapter 18, to file condemnation suits in Obion County and Lake County for certain lands adjacent to Reelfoot Lake to become a part of the Game and Fish Preserve; that many of these suits had been filed and prosecuted to the extent of placing an abnormal burden and workload on the Circuit Court Clerks of these two counties for which they were justly and rightly entitled to extra compensation. This Act is the enabling legislation for the Attorney General to pay these clerks a reasonable amount as compensation justly due them which would be taxed as part of the costs in each of the condemnation cases, and the funds on suits already disposed of would be paid by the State out of the funds used in maintaining condemnation cases.
5. Private Acts of 1931, Chapter 318, amended Private Acts of 1923, Chapter 682, so as to raise the annual salary of the Circuit Court Clerk of Obion County from \$2,200 to \$3,000, payable at the rate of \$1,000 every four months, under the same conditions that the Clerk file a sworn, itemized financial statement with the County Judge, or Chairman.
6. Private Acts of 1933, Chapter 781, stated that in Obion County the Clerk of the Circuit Court would not be entitled to receive more than \$2500 as compensation during any one year of their term. This sum would be payable only out of the fees of the office and the General Assembly declared that it was not the intention of the Law to interfere with Section 10728 through 10747 of the Tennessee Code, or with the Circuit Clerk's compensation for special services such as Receiver or Trustee. This Act was repealed by Private Acts of 1979, Chapter 81.
7. Private Acts of 1947, Chapter 553, averred that the Circuit Court Clerk of Obion County would receive a salary of not less than \$3,000 nor more than \$5,000 a year, the same to be fixed by the Quarterly County Court, and which would be paid one-third at a time on January 10, May 10, and September 10. In the event the fees collected did not equal the salary specified herein, the county was obligated to pay the difference if the Clerk filed the sworn, itemized statement, but the excess, if any, would be paid into the county treasury.

District Attorney General - Assistants and Criminal Investigators

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

1. Acts of 1823, Chapter 11, Section 4, established the 16th Solicitorial District which was composed of the Counties of Obion, Gibson, Weakley, and Dyer. A Solicitor for the new District would be elected and given all the authority, powers, duties, and responsibilities as all the other solicitors.
2. Acts of 1835-36, Chapter 28, stated that each Solicitorial District in Tennessee would hereafter coincide with the bounds of the Judicial Circuit.
3. Public Acts of 1967, Chapter 254, was a special public act that created an office or position of Criminal Investigator for the Fourteenth Judicial Circuit.
4. Public Acts of 1971, Chapter 138, was a special public act that created the office of Assistant Attorney General for the Fourteenth Judicial Circuit.
5. Public Acts of 1978, Chapter 848, was a special public act that provided that the District Attorney General elected to the Fourteenth Judicial Circuit would become the District Attorney General for the Thirty-first Judicial Circuit and would hold office until September 1, 1982. The Act further

provided for the election of a new District Attorney General for the Fourteenth Judicial Circuit.

General Sessions Court

The following act once affected the general sessions court of Obion County, but is no longer in effect and is included herein for reference purposes.

1. Private Acts of 1955, Chapter 386, established a Court of General Sessions in Obion County which was given the same jurisdiction as the Justices of the Peace out of whom, all except a very limited amount of judicial power was divested. Arrangements to provide the Court with all necessary supplies and accommodations were contained in this Act. Rules for court procedures were also prescribed in which one had five days to perfect an appeal. This Act named E. H. "Tito" Lannom to serve as the first Judge of the Court until his successor could be elected in 1956. The Judge would be elected for an eight year term. The annual salary of the Judge was \$4800 payable in equal monthly installments out of the County's general fund. A referendum was to be held and the voters approve before this Act became effective.

Juvenile Court

The following acts once affecting juvenile courts in Obion County are included herein for reference purposes.

1. Private Acts of 1981, Chapter 119, created a Juvenile Court for Obion County. A Judge, who would be a licensed attorney, would be elected to an eight year term. The County Clerk would serve as the clerk of this court. The salary of the Judge would be set by the County Legislative Body. This Act was not approved locally and therefore never became operative.
2. Private Acts of 1981, Chapter 158, amended Private Acts of 1981, Chapter 119, to grant the Juvenile Judge the same authority as the Judges of the Circuit and Chancery Courts of Obion County to issue injunctions, restraining order, and fiats for extraordinary process. This Act did not receive local approval and therefore never became operative.
3. Private Acts of 2013, Chapter 24, repealed Chapter 326 of the Private Acts of 1982 relative to the exercise of juvenile court jurisdiction in Obion County. This Act was not approved locally and therefore never became operative.

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