

JUDGE CHESTER K. HART:

Judge Chester K. Hart was born January 26, 1883, near Carthage, Smith County, Tennessee. He was the son of Mrs. Margaret Isabel and William Young Hart, a farmer, bookkeeper and merchant. At the age of 6 he moved to Nashville to live with his grandparents, attending Howard and Trimble Schools before returning to Carthage at the age of 11.

He received his A.B. degree from Joseph W. Allen College at Carthage, and served as deputy clerk and master in the Smith County Chancery Court for a year before returning to Nashville. In 1902 he went to work as a bookkeeper for the Harley Furniture Company; after three years he bought an interest in the firm which he sold in 1909 to enter law school at Cumberland University, receiving his law degree in 1910 from Cumberland where he was a member of Sigma Alpha Epsilon fraternity.

Shortly thereafter he entered the practice of law in Nashville, being associated with Frank Langford; a short time thereafter the law firm of Langford and Hart emerged, which continued until Frank Langford became Judge of the Third Circuit Court of Davidson County, Tennessee.

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While a practicing attorney he specialized in criminal law and figured prominently in the defense of more than 100 murder cases. Of all these murder cases he lost only one - the last - a case he was reluctant to accept. He was a personal friend of former Secretary of State Cordell Hull.

During the days of the Powder Plant many thousands of people moved to Davidson County bringing some undesirable citizens. Crime was on the increase during the prohibition era; sections like the "Western Front" in uptown Nashville, spots north of the Capitol, and others were centers of law violations. The dockets of the single Criminal Court of Davidson County had become heavily congested many cases long awaiting trial. At a special session of the Legislature in 1920 an Act created Division II of the Criminal Court to relieve this condition.

Judge Hart entered the race for Judge of Division II; he centered his campaign upon the theme that "justice delayed was justice denied and that the public as well as the defendants were entitled to speedy trials. This campaign created much public interest; he defeated the incumbent appointed by the Governor until the next general election.

Years before his kinsman, Judge William Hart, had presided as Judge of the Criminal Court. Upon the retirement of Judge J. D. B. DeBow as Judge of Division I of the Criminal Court, in 1926, Judge Hart entered that race winning the election with nominal opposition; and thereafter did not have opposition in office, retiring in 1958 after serving as Judge for 38 years.

Upon assuming the bench, Judge Hart immediately set out to relieve the congested docket; he and Judge DeBow, and later Judge Charles Gilbert, would set heavy daily dockets; following the call trials would promptly begin, and other cases marked "ready" were placed on a standby basis for trials later in the day, or for trial in the other Division should that court conclude its docket. The Judges held long sessions five days a week; the juries at that time were selected for the entire term. When there were lock-up cases the Judges would frequently hold night sessions. Saturday was their day for motions, petitions, or proceedings not requiring a jury, but when a case with jury was held over Friday night they would have jury sessions on Saturday. Judge Hart had assumed the bench as a learned lawyer with extensive trial experience in the criminal law field; he presided over some of Tennessee's most famous trials.

As a result of long hours of court work the Judges of the Criminal Court were able to reduce the docket to a current level. After the Criminal Courts moved to the present Court House, after the Courts of General Sessions were created, the age of juveniles for trial in the Criminal Courts had been raised from 16 to 18 years, and the Legislature had passed laws permitting the waiver of juries on pleas of not guilty, most misdemeanor cases were disposed of in other courts and the Criminal Courts became principally courts for trial of felony cases. Judge Hart and Judge Gilbert then reduced their trial days to five days a week, but at all times kept the docket current, the number of weeks of jury trials depending upon the status of the docket.

Judge Hart took a kindly interest in young attorneys; he favored the appointment of members of the Bar to defend indigents; he would associate a young lawyer with an experienced attorney in major cases. He felt that all attorneys should have some practice and experience in the Criminal Court, and that these appointments gave young lawyers experience and an opportunity to build up a practice.

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While soft of voice, he was firm in his convictions. He administered the law with authority and upheld the court's dignity. While most learned in criminal law at all times beside his gavel on the bench was "Underhill's Rules of Criminal Evidence." He was patient, courteous to all; he loved his people and loved his work; he was modest and unassuming; he was a man of integrity; and there were few citizens who had a wider acquaintance or more well-wishers.

Judge Hart was a member of the Tennessee and Nashville Bar Associations, a 32 degree Mason and Shriner; he was a member of the Elks and Eagles and a member of the Church of Christ. In 1930 he married the former Miss Frances Hays of Glasgow, Kentucky, who predeceased him several years. After his retirement he spent considerable time at his cattle farm near Donelson, and in fishing and riding over the County visiting the many friends he had made during his years of public service.

Judge Hart died December 10, 1968, at the age of 85 years, being survived by his sister, Mrs. Eugenia Hart Brown;

Therefore, Be it resolved by the Nashville Bar Association, at a Memorial Service held the 2nd day of December, 1969, at the Court House:

That the State of Tennessee has lost an excellent citizen, the Nashville Bar an outstanding jurist, and the people of Davidson County a loyal and faithful public servant.

Be it further resolved, That this Resolution be spread upon the Minutes of the Memorial Book of the Nashville Bar Association, and that a copy be sent to his sister, Mrs. Eugenia Hart Brown.

Respectfully submitted,
Tom Ed Murray, Chairman
H. Sanders Anglea
Harry G. Nichol