

# COURT Definition & Legal Meaning



## Definition & Citations:

In [legislation](#). A [legislative](#) assembly. [Parliament](#) is called in the old books a court of the king, nobility, and commons assembled. Finch, Law, b. 4, c. 1, p. 233; Fleta, lib. 2, c. 2. This meaning of the word has been retained in the titles of some deliberative bodies, such as the general court of Massachusetts, (the [legislature](#).) [In international law](#). The person and suite of the sovereign; the place where the sovereign sojourns with his regal retinue, wherever that may be. The English government is spoken of in diplomacy as the court of St. James, because the palace of St. James is the official palace. [In practice](#). An organ of the government, [belonging to](#) the judicial [department](#), whose function is the [application](#) of the laws to controversies brought before it and the [public administration](#) of justice. White County v. Gwin, 130 Ind. 5G2, 30 N. E. 237, 22 L. II. A. 402. The presence of a [sufficient](#) number of the members of such a body regularly convened in an authorized place at an appointed time, engaged in the full and regular [performance](#) of its functions. Brumley v. State, 20 Ark. 77. A court may be more particularly described as an organized body with defined powers, meeting at certain times and places for the hearing and decision of causes and other matters brought before it. and aided in this, its proper business, by its proper officers, viz., attorneys and counsel to present and manage the business, clerics to record and attest its acts and decisions, and [ministerial](#) officers to execute its commands, and secure due order in its [proceedings](#). Ex parte Gardner, 22 Nev. 280, 39 Pac. 570. The place where justice is judicially administered. Co. Litt. 58a; 3 Bl. Comm. 23. Railroad Co. v. Harden, 113 Ga. 450, 38 S. E. 950. The judge, or the body of judges, presiding over a court. The words "court" and "judge," or "judges," are frequently used in our statutes as synonymous. When used with reference to orders made by the court or judges, they are to be so [understood](#). State v. Caywood, 90 Iowa, 307, 05 N. W. 3S5; Michigan Cent. R. Co. v. Northern Ind. R. Co.. 3 Ind. 239. [Classification](#). Courts may be classified and divided according to several methods, the following being the more usual: Courts o/ record and courts not of record; the former being those whose acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony, and which have power to fine or imprison for contempt. Error lies to their judgments, and they generally possess a seal. Courts not of record are those of inferior dignity, which have no power to fine or

imprison, and in which the proceedings are not enrolled or recorded. 3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher (C. C.) 24 Fed. 481; Ex parte Thistleton, 52 Cal. 225; Thomas v. Robinson, 3 Wend. (X. Y.) 208; Erwin v. U. S. (D. C.) 37 Fed. 488, 2 L. It. A. 229. Superior and inferior courts; the former being courts of general [original jurisdiction](#) in the [first instance](#), and which exercise a control or supervision over a system of lower courts, either by appeal, error, or [certiorari](#); the latter being courts of small or restricted [Jurisdiction](#), and subject to the review or [correction](#) of higher courts. Sometimes the former term is used to denote a [particular](#) group or system of courts of high powers, and all others are called "inferior courts." To constitute a court a [superior court](#) as to any class of actions, within the commonlaw meaning of that term, its jurisdiction of such actions must be unconditional, so that the only thing requisite to enable the court to take [cognizance](#) of them is the [acquisition](#) of jurisdiction of the persons of the parties. Simons v. De Bare, 4 Bosw. (X. Y.) 547. An [inferior court](#) is a court whose judgments or decrees can be reviewed, on appeal or [writ of error](#), by a higher tribunal, whether that tribunal be the circuit or [supreme court](#). Nugent v. State, 18 Ala. 521. [Civil and criminal](#) courts; the former being such as are established for the [adjudication](#) of controversies between subject and subject, or the ascertainment, [enforcement](#), and redress of [private rights](#); the latter, such as are charged with the [administration](#) of the criminal laws, and the [punishment](#) of wrongs to the public. Equity courts and law courts; the former being such as possess the jurisdiction of a [chancellor](#), apply the rules and [principles](#) of chancery law, and follow the procedure in equity; the latter, such as have 110 equitable powers, but [administer](#) justice according to the rules and practice of the [common law](#). As to the division of courts according to their jurisdiction, see JURISDICTION. As to several names or kinds of courts not specifically described in the titles [immediately](#) following, see ARCHIEPiscopal COURT, APPELLATE, [CIRCUIT COURTS](#), [CONSISTORY COURTS](#), COUNTY, [CUSTOMARY](#) COLIST BARON, [ECCLESIASTICAL COURTS](#), [FEDERAL COURTS](#), [IIGU COMMISSION](#) COURT, INSTANCE COURT, JUSTICE COURT, [JUSTICIARY COURT](#), MARITIME COURT, MAYOR'S COURT, MOOT COURT, MUNICIPAL COURT, ORPHANS' COURT, POLICE COURT, [PREROGATIVE COURT](#), PRIZE COURT, [PROBATE COURT](#), SUPERIOR COURTS, SUPREME COURT, and SURROGATE'S COURT. As to [court-hand](#), [court-house](#), court-lands, [court rolls](#), see those titles in their [alphabetical order](#) infra.