



County Technical Assistance Service
INSTITUTE for PUBLIC SERVICE

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Chapter X - Law Enforcement

Dear Reader:

The following document was created from the CTAS website (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,

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Chapter X - Law Enforcement

Constables

Private Acts of 1976 Chapter 293

SECTION 1. Tennessee Code Annotated, Sections 8-1008, 39-2007, 40-711, 57-214, 57-601 and 59-852, are amended by deleting from each section where they appear the words and figures:

not less than 33,500 nor more than 50,000
and substituting in lieu thereof the following:
not less than 33,500 nor more than 34,000
not less than 35,000 nor more than 50,000

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Williamson County before September 1, 1976. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 3. 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 2.

Passed: March 19, 1976.

Law Enforcement - Historical Notes

Militia

Those acts once affecting Williamson County, which related to the militia and to other law enforcement agencies other than the sheriff, are mentioned below in chronological order.

1. Acts of 1803, Chapter 1, was a new military code for the State which recited that the Militia of the several counties would be composed of free men and indentured servants between the ages of 18 and 45 with some exemptions being expressly made. Williamson County's militia was designated as the 21st Regiment whose annual muster and drill would take place at the Court House in Franklin on the second Thursday in October.
2. Acts of 1811, Chapter 93, was a major amendment to the Militia Law of the State primarily concerned with administrative procedures. The Counties of Davidson, Williamson, and Rutherford would constitute the new 9th Brigade for which a Brigadier General would be elected by the commissioned officers. Williamson now had a second Regiment numbered the 44th Regiment which would hold its annual muster and drill on the third Thursday in September.
3. Acts of 1815, Chapter 119, was an entirely new and revised Militia Law of the State. The Williamson County Regiments were designated the 21st and the 44th and made a part of the Ninth Brigade of the Second Division. The remainder of this act, over fifty pages, covers all phases of the organization and operations of military units composing the State Militia ranging from official uniforms to courts martial.
4. Acts of 1819, Chapter 68, was the next revision of the Militia Law. The units in Williamson County were the 21st and 44th Regiments, which joined the units in Davidson County and Rutherford County to form the Ninth Brigade of the Second Division. The 21st Regiment would muster on the fourth Thursday in September each year and the 44th Regiment would meet for drills and inspection on the first Thursday in October each year.
5. Acts of 1825, Chapter 69, amended the Militia Law so as to affect several of the counties but the status of Williamson County's 21st and 44th Regiments remained as it was with no change.
6. Acts of 1825, Chapter 87, repealed Section 56, Acts of 1815, Chapter 119, which had been revived as it applied to Williamson County by Acts of 1824, Chapter 154, of the Militia Law which related to the camp drills as the same had application to Williamson County.
7. Acts of 1826, Chapter 18, Page 22, Section 28, set up the county drills for the Ninth Brigade. Williamson County's units would meet for drills on the Thursday and Friday following the first Monday and Tuesday in September.

8. Acts of 1835-36, Chapter 21, made up an entirely new Militia Law for the state. The Militia would be composed of white male inhabitants between the ages of 18 and 45. The state was separated into regiments and lower units of organization. Williamson County now had the 81st, 82nd, 83rd, and 84th Regiments whose musters were scheduled according to the Regiment numbers. Rutherford County and Williamson County now constituted the 13th Brigade of the 3rd Division.
9. Acts of 1837-38, Chapter 157, Page 223, provided for the militia to hold a county drill in every county in the state, annually in September. Williamson County's drills were to take place on the second Friday and Saturday in September every year. A regimental muster was required annually in October for each regiment.
10. Acts of 1839-40, Chapter 56, Page 91, reorganized the county units of the State Militia, composed of white males between the ages of 18 and 45. No changes were wrought which affected Williamson County directly. Some Brigade musters were stipulated.
11. Acts of 1861 (Ex. Sess.), Chapter 1, enacted just prior to Tennessee's secession from the Union and started the transition from peace to a war time status, exhibiting considerable tightening in most of the regulations. The 13th Brigade was made up of Rutherford and Williamson County units.

Law Enforcement - Offenses

The acts briefly summarized below fell into this category in Williamson County.

1. Private Acts of 1973, Chapter 46, would have repealed Private Acts of 1951, Chapter 527, but it was not acted upon by local authorities.
2. Private Acts of 1951, Chapter 527, was superseded by a general law of local application, Public Acts of 1985, Chapter 293, which amended T.C.A. §§ 68-22-105 and 68-22-116 regarding fireworks in Williamson County.

Sheriff

The following acts have no current effect but are included here for reference purposes since they once applied to the Williamson County Sheriff's Office.

1. Acts of 1809, Chapter 18, appointed David M. Ewinn, James Hicks, Ewen Cameron, George Hulme, and Richard Steel, as commissioners, to supervise the construction of a jail in Franklin in Williamson County, and whose duty it would be to let a contract to the lowest responsible bidder after having advertised according to the law. The County Court must levy a tax, not to exceed the State tax, to produce the funds to pay for the jail.
2. Acts of 1829, Chapter 54, authorized the securities of George Hulme, the late Sheriff in Williamson County, to collect in the same manner as other taxes are collected, any taxes which may be due and uncollected for and during the time said Hulme was Sheriff.
3. Acts of 1833, Chapter 198, provided that the Judge of the Williamson County Circuit Court would make an order for the costs of the jailor to be taxed in the case of the State versus James Short, which costs have accrued to November 1, 1833. The costs would have to be paid in the same manner as if Short had been tried and acquitted.
4. Private Acts of 1935, Chapter 661, amended Section 10726, William's Code of Tennessee, as it applied to Williamson County by creating a new population class, called 3A, and by assigning Williamson County to the new classification which further provided that the Sheriff of the counties in that group would be paid \$2,500 annually.
5. Private Acts of 1945, Chapter 328, was the authority for the County Court of Williamson County to appropriate up to \$1,200 each year out of the regular funds of the county treasury for the traveling, and other expenses of the Sheriff of the county.
6. Private Acts of 1947, Chapter 643, stated that in Williamson County the Sheriff would be paid the sum of \$4 per day for each day he opens and attends the General Sessions Court, but these payments cannot exceed the sum of \$600 each year. The County

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