



County Technical Assistance Service
INSTITUTE for PUBLIC SERVICE

May 01, 2025

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

Sheriff

Private Acts of 1980 Chapter 305

SECTION 1. Any person elected to or appointed to fill a vacancy for the office of sheriff of Bedford County after the effective date of this Act shall meet the qualifications and requirements as provided in Tennessee Code Annotated, Section 38-1104.

SECTION 2. Any deputy employed by the sheriff of Bedford County after the effective date of this Act shall meet the qualifications and requirements as provided in Tennessee Code Annotated, Section 38-1104.

SECTION 3. This Act shall have no effect unless it is approved by a two-thirds (b) vote of the county legislative body of Bedford County before November 1, 1980. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

SECTION 4. 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 3.

Passed: April 17, 1980.

Law Enforcement - Historical Notes

Militia

Those acts once affecting Bedford County, which related to the militia and to other law enforcement agencies other than the sheriff, are mentioned below in chronological order. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1809 (2nd Sess.), Chapter 44, stated that the regiment of infantry of the Bedford County militia would hold a regimental muster at the courthouse on the second Thursday in October each year at which time their officers would be elected.
2. Acts of 1811, Chapter 93, was a long amendment to the state militia law. It provided that Giles, Lincoln, and Bedford counties would form the fifth brigade of the Tennessee Militia. The second regiment of Bedford County would be the forty-seventh regiment of the state and hold its regular county muster on the third Thursday in October. The remainder of the act was made up of general amendments to the state law.
3. Public Acts of 1815, Chapter 119, amended the general militia law of the state by designating officially all the regiments in the various counties. The two regiments in Bedford County were named the twenty-eighth and the forty-seventh regiment.
4. Public Acts of 1819, Chapter 68, revised and amended the militia laws of the state. The militia of Bedford County composed the twenty-eighth, forty-seventh and fifty-fourth regiments. The twenty-eighth regiment held regimental musters of the fourth Thursday of September, the forty-seventh on the third Thursday of October, and the fifty-fourth on the fourth Thursday of October. These regiments were all part of the tenth brigade.
5. Public Acts of 1825, Chapter 69, was the next militia law for the state. Bedford County composed the twenty-eighth, the forty-seventh, and the fifty-fourth regiment of the tenth brigade. The twenty-eighth regiment would hold its annual muster on the first Thursday after the first Wednesday in October; the forty-seventh would muster annually on the first Wednesday in October and the fifty-fourth on the first Friday after the first Wednesday in October of each and every year.
6. Private Acts of 1827, Chapter 248, altered the time of holding county drills in several counties of the state. Section 3 of the act formed the one hundred and third regiment of Bedford County. Regimental musters were held on the first Saturday after the first Tuesday in October annually. Furthermore, the calvary of Bedford County, which was attached to the tenth brigade, held regimental musters at the town of Shelbyville.
7. Private Acts of 1829-30, Chapter 286, divided the militia of Bedford County into the twentyeighth, the forty-seventh, the fifty-fourth, and one hundred and second, the one hundred and third, and

the one hundred and ninth regiments and established the times for the annual county musters of each organization.

8. Private Acts of 1833, Chapter 176, established the sixteenth brigade in Bedford County.
9. Public Acts of 1835-36, Chapter 21, divided the militia of state into companies, battalion, regiments, brigades and division and prescribed the times and modes of electing officers. Bedford County composed the sixty-fifth, sixty-sixth and sixty-seventh regiments. Furthermore, the counties of Bedford, Marshall and Maury composed the twelfth brigade which composed the third division along with the tenth, eleventh, thirteenth and seventeenth brigades.
10. Acts of 1837-38, Chapter 157, Section 3, amended the state militia law by setting up county drills for the regiments in all the counties in Tennessee. Bedford County was assigned to the twelfth brigade with Marshall and Maury counties and would hold county drills on the second Friday and Saturday in September of each year.
11. Acts of 1839-40, Chapter 56, revised the militia laws of state. The militia of Bedford County composed the sixty-fifth, sixty-sixth, sixty-seventh and one hundred and thirty-ninth regiments, all of which were part of the twelfth brigade.
12. Acts of 1861, Chapter 1, was an overall militia law for the state. The militia of Bedford County was composed of the same regiment and part of the same brigade as set forth by Acts of 1939-40, Chapter 56.

Sheriff

The following acts have no current effect but are included here for reference purposes since they once applied to the Bedford County Sheriff's Office. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1815, Chapter 62, provided that as soon as Benjamin Bradford, sheriff of Bedford County, was ready to settle and pay those sums of money which he has collected as public tax, the treasurer shall give him credit for such sums as might have exceeded the amount for which he was liable and, if that amount is more than he owes, the treasurer shall pay him excess.
2. Acts of 1817, Chapter 89, required the treasurer of West Tennessee to pay \$110.00 to John Warner, sheriff of Bedford County, and his receipt therefor shall be a good voucher in the settling of accounts. The act did not specify the reason for paying the money.
3. Private Acts of 1823, Chapter 171, provided that John Houston, for deputy sheriff of Bedford County, be allowed \$20.50 as full compensation for his services and his expenses in going to and conveying Willie Garrett from the jail in Lincoln County to Bedford County; further, Price C. Steele be allowed the sum of \$15.25 for his services in the same undertaking. The receipt of both men shall be accepted as a good voucher in the payment and discharge of these obligations.
4. Private Acts of 1829-30, Chapter 253, stated that it would not be lawful for the sheriff, after his term, to collect the state and county tax, but when the county court selected their sheriff they shall, at the same time, select a tax collector who shall perform that function under the same regulations as other tax collectors.
5. Public Acts of 1831, Chapter 111, Section 4, required that the sheriff, tax collector, and ranger, of Bedford County, to publish all such advertisements as are required by law to be published in newspapers at Shelbyville.
6. Public Acts of 1835-36, Chapter 2, Section 7, called for the sheriff of Bedford County to hold elections for the election of justices of the peace, constables.
7. Private Acts of 1927, Chapter 714, stated that in order to provide fair and reasonable compensation to sheriffs, deputies and constables in Bedford County, using the 1920 Federal Census figures, all fines collected from the violators of laws pertaining to transferring, possessing, making or selling intoxicating liquors be divided evenly between the officer making the arrest and the county, which would be paid to the office when, and if, the fines were collected but would not be paid when the fines were worked out on the roads. This method of payment would be in lieu of all other compensation in such cases.
8. Private Acts of 1937, Chapter 506, amended Public Acts of 1937, Chapter 154, which was an act to provide for the relief of persons imprisoned who were too poor to pay or secure fines and costs imposed by the judgment of the court, so as to remove Bedford County from the application of any of its provisions.
9. Private Acts of 1949, Chapter 569, stated that the sheriff of Bedford County shall receive as compensation the sum of \$3,000 per year which shall be in the place and stead of all other fees

and emoluments. The sheriff would get, in addition, the sum of \$500 a year as an expense allowance for expenses actually incurred in line of duty. The sheriff must furnish a sworn, itemized account to the county judge every month, and, if the fees, allowances, and income from commissions exceed \$5,000 per year, it is mandatory that the employment of deputies be approved by the chancery court as provided under the general law.

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