



May 18, 2024

Law Enforcement - Historical Notes

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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Jails and Prisoners

The following acts once affected jails and prisoners in Sullivan County, but are no longer operative.

1. Private Acts of 1831, Chapter 30, directed the treasurer of East Tennessee to pay Montgomery Irvin, a former jailor of Sullivan County, the sum of \$48.12½ for boarding James Havion in the Sullivan County Prison.
2. Private Acts of 1831, Chapter 127, directed the treasurer of East Tennessee to pay Montgomery Irvin, a former jailor of Sullivan County, the sum of \$41.37½, and to William Hartman, a former jailor of Sullivan County, the sum of \$17.50 for the keeping of Wm. Crutchfield in the Sullivan County Jail.
3. Private Acts of 1978, Chapter 279, would have provided a referendum in Sullivan County on the question of the location of a regional prison, however, this act was not ratified by Sullivan County and therefore never took effect.

Militia

Those acts once affecting Sullivan 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 1803, Chapter 1, provided for the establishment and regulation of the militia throughout the state. The militia of Sullivan County composed the second regiment and held regimental musters on the first Thursday in October.
2. Acts of 1815, Chapter 119, provided for the better establishment and regulation of the militia of the state by dividing the militia of the state into regiments and revising the militia laws of the state. The militia of Sullivan County composed the second regiment of the state.
3. Public Acts of 1819, Chapter 68, revised and amended the militia laws of the state. The militia of Sullivan County composed the second regiment and held regimental musters on the second Thursday in the month of October. This act was repealed by Public Acts of 1978, Chapter 595.
4. Public Acts of 1825, Chapter 69, revised and amended the militia laws of the state. The militia of Sullivan County composed the second regiment and held regimental musters on the first Thursday in October.
5. Private Acts of 1827, Chapter 248, set the time for holding the county drills in Sullivan County on the Friday and Saturday after the fourth Monday in September in each year.
6. Private Acts of 1829-30, Chapter 155, provided for an election to determine if the second regiment of Sullivan County should be divided to form an additional regiment.
7. Public Acts of 1835-36, Chapter 21, divided the militia of the state into companies, battalion, regiments, brigade and divisions and prescribed the times and modes of electing officers. The militia of Sullivan County composed the third and fourth regiments, first brigade of the first division.
8. Acts of 1837-38, Chapter 157, placed the militia of Sullivan County in the first brigade and set the time for holding regimental musters on the second Friday and Saturday in September. This act was repealed by Public Acts of 1978, Chapter 595.
9. Acts of 1839-40, Chapter 56, condensed and brought into one view the militia laws of the State of Tennessee. The militia of Sullivan County composed the third and fourth regiments of the first brigade and held musters on the Tuesday after the first Monday in October for the third regiment; the fourth regiment held musters on Wednesday the next day.
10. Private Acts of 1861, Chapter 1, divided the state militia into companies, battalion, regiments, brigade and divisions and prescribed the times and modes of electing officers. The militia of Sullivan County formed the third and fourth regiments of the first brigade and held musters on the Tuesday after the first Monday in October for the third regiment and on Wednesday the next day for the fourth regiment.

Offenses

Some counties in Tennessee have made various activities illegal within their boundaries by the enactment of private legislation. Some of these were billiard playing, operating dance halls, shooting fireworks, and things of a similar nature.

The acts briefly summarized below fell into this category in Sullivan County. Also referenced below are

acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1935, Chapter 554, prohibited, regulated and licensed the sale of beer within 2,000 feet of any church or school in Sullivan County, and prohibited the sale and drinking of beer in any dance hall in said county.
2. Private Acts of 1947, Chapter 618, regulated the possession, storage, use, manufacture, or sale of pyrotechnics in Sullivan County. This act was repealed by Private Acts of 1951, Chapter 305.
3. Private Acts of 1953, Chapter 16, authorized the possession, storage, use, manufacture, transportation or sale of fireworks. This act was repealed by Private Acts of 2010, Chapter 72.
4. Private Acts of 1978, Chapter 191, prohibited beer and alcoholic beverages from being sold, given away or consumed in Sullivan County Parks. This act was duplicated by Private Acts of 1978, Chapter 317.
5. Private Acts of 1985, Chapter 77, would have authorized the possession, use, manufacture and sale of pyrotechnics in Sullivan County, however, this act was not ratified by Sullivan County and therefore never became law.
6. Private Acts of 1985, Chapter 78, made it lawful to possess, store, use and manufacture, transport or sell pyrotechnics in Sullivan County from June 20, 1985, through January 2, 1987.

Sheriff

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

1. Private Acts of 1833, Chapter 111, authorized the Sullivan County Sheriff to appoint a deputy to collect moneys which were due to the estate of Samuel W. Netherland.
2. Acts of 1843-44, Chapter 4, authorized the sheriff of Sullivan County to appoint an additional deputy.

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