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Law Enforcement - Historical Notes

Dear Reader:

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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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Law Enforcement - Historical Notes

Militia

Those acts once affecting Robertson 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 1799, Chapter 1, reorganized the militia of the state by scheduling regimental musters to be held each year at the court house on the Thursday preceding the holding of the last quarter's session of the Court of Pleas and Quarter Sessions.
2. Acts of 1801, Chapter 1, again reorganized the Tennessee militia all across the State. Certain tables of organization were prescribed in greater detail than above and days were set for the regimental drills and musters although the time for company drills was left to the company officers. There would be one regimental drill each year at the court house of the county on the Thursday preceding the holding of court in either September, October or November. The company captain was instructed to hold a muster at least three times each year at such times as the captain would determine.
3. Acts of 1803, Chapter 1, provided for the state militia to be composed of free men and indentured servants between the ages of 18 and 45, with some exceptions being specified, such as judges, ministers, cabinet officers, ferrymen, and justices of the peace. Tables of organization were framed for the entire group which assigned Robertson County as the 23rd Regiment. Battalions would hold one annual muster on the last Thursday in November.
4. Acts of 1815, Chapter 119, was enacted to better establish the militia composed of free men and indentured servants named exceptions. Robertson County's militia was designated as the 23rd Regiment. Regiments consists of two Battalion's composed of at least two companies of 40 privates, 2 musicians, 3 sergeants, 3 corporals, one captain, one lieutenant, and one ensign. This act constituted an entire new enactment of military code for the state. Robertson County was in the 6th Brigade which also included the counties of Stewart, Humphreys, Dickson, Hickman, and Montgomery.
5. Acts of 1819, Chapter 68, amended the militia laws so that Robertson County now had the 23rd and the 62nd Regiments. The 23rd Regiment would hold its muster and drill on the first Saturday in September and the 62nd on the second Saturday in September. This act also included many new sections of military law on internal discipline and courts martial.
6. Acts of 1825, Chapter 69, was the next act to come up with a whole new military code. The qualifications for entry remained as they had been. The tables of organization showed the counties of Robertson, Hickman, Montgomery, Dickson, and Stewart in the 6th Brigade which was a part of the second Division. Robertson's Regiments were still the 23rd which would drill on the first Saturday in September, and the 62nd which would do the same on the last Saturday in September.
7. Acts of 1825, Chapter 86, made it the duty of the Governor to appoint an Inspector General for the units of the Tennessee Militia. Section 7 rearranged the drill times for the units in the 6th Brigade assigning Robertson County to the second Friday and Saturday in July of each year.
8. Acts of 1826, Chapter 18, amended the State Military Code and Militia Law by revising many of the details contained in both organization, equipment, and administration. Section 31 divided the cavalry of the 6th Brigade into two squadrons, one for Robertson County and Montgomery County which would muster at Port Royal and Montgomery on the second Friday in October of each year, and the other Squadron would be for the counties of Stewart, Dickson, and Hickman.
9. Acts of 1827, Chapter 248, rescheduled the county drills for the regiments of the Sixth Brigade. Robertson County's units would meet and drill on the Wednesday and Thursday preceding the last Saturday in September.
10. Acts of 1835-36, Chapter 21, reenacted the entire military code and militia law pursuant to the 1835 Constitution of Tennessee. Indentured servants were not included in the composition of the militia. The State was laid off into Regiments with Robertson County having the 89th and the 90th Regiments. Provisions were made for county, battalion, and regimental musters. Sumner County and Robertson County composed the 14th Brigade.
11. Acts of 1837-38, Chapter 157, amended the new State militia law by scheduling the county drills for every county in the State, and making it compulsory that every officer attend the said drills or be penalized under the terms of this Act. Robertson County's units would drill on the second Friday and Saturday in September of each year. The 14th Brigade included the counties of

Robertson and Montgomery.

12. Acts of 1839-40, Chapter 56, was a rehash of the state military law but the changes in the base law did not affect Robertson County in a special, or local way.

Sheriff

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

1. Acts of 1806, Chapter 43, appointed James Elder, Hugh Bell, John Shelby, Henry Small, and Charles Stuart, as Commissioners, to select a site in Clarksville which would be best for the erection of a court house and prison for the Robertson District. The County Courts were authorized to levy a tax in 1807, and the two succeeding years to defray expenses in accordance with the schedule in the act.
2. Acts of 1809, Chapter 50, named Joseph Woolfolk, of Montgomery County, as a commissioner to succeed Hugh F. Bell, with all the powers heretofore conferred upon the said Bell who had moved from the Robertson District. These commissioners were charged with the responsibility to select the best site in Clarksville for the erection of a court house and prison for the Robertson District.
3. Acts of 1811, Chapter 105, nominated Thomas Johnson, Archer Cheatham, John Hutchison, Isaac Dortch, James Paschall, James Sawyers, and Samuel Hollis, as commissioners to select a site for a jail in Robertson County and to contract to build the same in Springfield under certain terms and conditions. The Quarterly Court could lay a tax in 1812, and in the next two years, in order to pay for the jail, but the amounts involved were not to exceed those specified in the Act. The Contractor would be required to make a performance bond.
4. Acts of 1823, Chapter 86, stated that Adkins Powell, who was rendered infamous by reason of a conviction of the crime of forgery at the April, 1820 term of the circuit court of Robertson County, was restored to all the rights and privileges of citizenship as fully as if the crime and conviction had never occurred.
5. Acts of 1823, Chapter 106, provided that the Sheriff and Ranger of Robertson County could hereafter advertise lands for sale under execution, and the estrays in the custody of the Ranger in some newspaper printed in Nashville. Public Acts of 1978, Chapter 934, gave the Sheriff of the County a four year term and unlimited tenure, and eliminated the position of Ranger.
6. Private Acts of 1925, Chapter 232, stated that in Robertson County when any person was committed to jail, or workhouse, under any workhouse order in default of paying fines and costs, such person would be allowed a credit on said fine, or costs, of \$1 for each day detained in the said jail, or workhouse, whether said person detained in the workhouse worked or not. Sundays would be included the same as any other day.
7. Private Acts of 1929, Chapter 842, declared that, in Robertson County, (identified by the use of the 1920 Federal Census figures) all the Justices of the Peace, and all other state, county or municipal officials having the authority under the law to issue search warrants, would make, keep, and file a copy of the said warrant in their custody which would be subject to the inspection of interested parties and their attorneys. It was made illegal for the officer serving the warrant to charge, alter or modify it in any way. Offenders could be fined \$10 to \$50 and in turn could forfeit \$50 to the aggrieved party. This has been superseded by general law.
8. Private Acts of 1933, Chapter 568, averred that all the Sheriffs of Robertson County would be paid up to \$3,000 in annual salary, provided a sworn, itemized statement was filed with the county judge, or chairman, showing all the fees collected in the office. All fees over and above the \$3,000 would go into the treasury of the county but, if the fees were less than \$3,000, that amount would constitute the annual salary of the Sheriff.
9. Private Acts of 1949, Chapter 687, was an Act which allowed the Quarterly Court of Robertson County to regulate the sale of beer in anticipation of the Home Rule Amendment to the Constitution.

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