



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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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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Law Enforcement - Historical Notes

Jails and Prisoners

The following acts once affected jails and prisoners in Maury County, but are no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1809, (Sept. Sess.), Chapter 76, authorized the Commissioners of Columbia to build the jail for Maury County in some convenient part of Columbia on land that was then unsold but not on the public square.
2. Private Acts of 1971, Chapter 198, provided for the election of a five (5) member Jail- Workhouse Committee from among the members of the county commission. Private Acts of 1989, Chapter 54, repealed the Private Acts of 1971, Chapter 198.

Militia

Those acts once affecting Maury 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 1815, Chapter 119, was a new statewide military code for Tennessee. The table of Organization established all of the county units then existing in Tennessee. Maury County had three units which were designated as the 27th, 46th, and 51st Regiments, respectively.
2. Public Acts of 1819, Chapter 68, revised and amended many parts of the State's Militia Law. Maury County retained its 27th, 46th, and 51st Regiments. The 27th Regiment would call and hold its annual Regimental muster and drill on the second Saturday in September, the 46th Regiment would do the same on the third Saturday of September, and the 51st on the fourth Saturday of the same month. The remainder of this long and involved law addressed itself to the details of organization, operation, logistics, and discipline of the entire military structure of the State.
3. Public Acts of 1825, Chapter 69, declared that free men and indentured servants between the ages of eighteen years and forty-five years would constitute the State Militia. Some few exceptions were mentioned. Maury County had the 27th, 46th, 51st, and 93rd Regiments, all assigned to the Fifth Brigade. The 27th Regiment would muster on the third Wednesday in September, the 46th Regiment on the following Saturday. The 51st Regiment was scheduled to meet for its annual drill and inspections on the fourth Wednesday in September, and the 93rd on the following Saturday. Many other changes were made to the military system primarily of a technical, or organizational nature.
4. Public Acts of 1835-36, Chapter 21, was a reorganization of the whole state militia law and units. Maury County's Regiments were numbered as the 77th, 78th, 79th, 80th, and 142nd. A company would be composed of a Captain, one First Lieutenant, one Second Lieutenant, one Ensign, three (3) Sergeants, three (3) corporals, and no less than forty-five (45) privates.
5. Acts of 1837-38, Chapter 156, scheduled county drills and musters for every county militia unit in Tennessee. Maury County would convene and drill its units on the Thursday and Friday following the second Friday in September. Maury, Marshall, and Bedford Counties' units made up the Twelfth Brigade.
6. Acts of 1839-40, Chapter 56, limited membership in the Militia of the State to white, male, inhabitants between the ages of eighteen and forty-five years, with some exceptions specified. The organizational Table did not make any changes in the regiments of Maury County, but fixed a new schedule for musters in the County.

Offenses

The act briefly summarized below fell into this category in Maury County.

1. Private Acts of 1917, Chapter 200, made it unlawful to operate a pool or billiard hall outside municipal boundaries in Maury County. Violation of the act was punishable by a fine of not more than \$50 and by imprisonment in the workhouse for not more than three months or both such fine and imprisonment.

Sheriff

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

1. Acts of 1813, Chapter 54, directed the Sheriff of Maury County to hold an election at the

Courthouse in the Town of Columbia for the purpose of electing five suitable persons to serve as commissioners for the Town.

2. Private Acts of 1823, Chapter 186, permitted the Sheriffs of Knox, Davidson, Maury, Smith, Rutherford, Jefferson, Sumner, and Washington counties to appoint one deputy each in addition to the number then fixed by law. The act was repealed entirely by Private Acts of 1978, Chapter 248.
3. Acts of 1837-38, Chapter 306, allowed the respective sheriffs of Maury, Hawkins, and Monroe Counties to appoint another additional deputy sheriff to assist in the conduct of their offices.
4. Acts of 1851-52, Chapter 367, permitted the Sheriff of Maury County to employ another deputy sheriff in addition to all those previously authorized by law. The act also authorized the boundary line to be run between Maury and Lewis Counties.
5. Private Acts of 1927, Chapter 684, fixed the Sheriff's salary at \$2,500 in Maury County provided he filed a sworn, itemized statement of the fees received in his office. If the fees, excluding prisoner's board and turn key, failed to reach \$2,500, the County would pay him the difference but, if they exceeded that amount, the Sheriff could retain the excess.
6. Private Acts of 1929, Chapter 258, was almost identical to Private Acts of 1929, Chapter 918, below, except the salary was \$2,400 and an error was made in the citation of the act to be repealed.
7. Private Acts of 1929, Chapter 918, repealed Private Acts of 1927, Chapter 684, and provided that the Sheriff be paid \$2,500 in salary, payable monthly by the County Judge on warrants drawn on the general fund, in addition to all the fees and emoluments of his office. The Sheriff was empowered to appoint and remove any deputies he considered essential without approval of County Court. The deputies' salaries were to be paid out of the fees of the office.
8. Private Acts of 1933, Chapter 505, declared that the Sheriff of Maury County would not be entitled to receive more than \$3,000 annually for any year during his term of office and that the act was not to be construed as modifying or interfering with Section 10,728-10,747, Code of Tennessee of 1932.
9. Private Acts of 1939, Chapter 200, authorized the Quarterly Court of Maury County to create the position of Special Investigator of Crime for a term of two years. This official would investigate crimes and submit the evidence thereof to the District Attorney of the State in that County. He would be paid by the County, and any Deputy Sheriff or Constable otherwise qualified would be eligible for the office without resigning their offices. Following the initial two-year term, the Quarterly Court would have the option to fill the position for another term.
10. Private Acts of 1943, Chapter 187, appointed the Maury County Sheriff as the custodian of the County Courthouse, empowering the said custodian to regulate and designate office space in the courthouse for all Judges, Chancellors, and County Officers.
11. Private Acts of 1967-68, Chapter 196, placed the salary of the Sheriff and deputies on the basis of T.C.A. 8-2404 but also gave the deputies tenure after six months employment so that the Sheriff could not discharge them without cause. Any discharge after the six month period would only serve as a suspension until the said action was confirmed by a Board elected by the County Court. The act was not approved locally and did not become law.
12. Private Acts of 1978, Chapter 248, repealed Private Acts of 1823, Chapter 186 .

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