



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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

Table of Contents

Law Enforcement - Historical Notes	3
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Law Enforcement - Historical Notes

Militia

Those acts once affecting Lawrence 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 1817, Chapter 42, which created Lawrence County also made arrangements for the officers of the county militia to be elected. Lawrence County would constitute the fifty-seventh regiment and would be attached to the fifth brigade. The regiment would be further divided into eight companies.
2. Acts of 1819, Chapter 68, was a comprehensive militia law which covered all the phases of military organization. The militia was composed of freemen and indentured servants between the ages of 18 and 45 with some specific occupations being excepted from service, except in the case of insurrection or invasion. The law provided for a military code, tables of organization, disciplinary regulations for internal department, and the procedures for courts martial. Lawrence County's unit was the 57th Regiment, which would be a part of the Fifth Brigade, and hold its regimental drill and muster on the third Saturday in October each year.
3. Acts of 1824, Chapter 40, Section 10, made it lawful for a company of volunteer infantry attached to the 57th Regiment of infantry of the State to hold their company musters in the town of Lawrenceburg and would be hereafter known by the name of the Lawrenceburg Independent Blues and be guided by the same regulations pertinent to the Centerville Domestic Blues in Hickman County.
4. Acts of 1825, Chapter 69, revised and amended the military code and militia law for the State. The qualifications for service were that applicants be free men or indentured servants between the ages of 18 and 45, except for the occupations and professions exempted, as ministers, judges, etc. The Table of Organization identified all the county units in the State. Lawrence County's unit was designated as the 57th Regiment which would hold its annual regimental muster and drill on the Saturday following the muster of the 94th Regiment. The Regiments in the counties of Maury, Giles, and Lawrence formed the Fifth Brigade which was assigned to the Second Division.
5. Acts of 1835-36, Chapter 21, was passed subsequent to the adoption of the new 1835 Constitution and was an entirely new militia law although many provisions of the former laws were incorporated in it. The age limits and qualifications of membership remained as they were and the Table of Organization published laid off the State into regiments. Lawrence County now possessed the 103rd and the 104th Regiments with provisions being included under which county, Battalion, and Regimental drills could be held. The Seventeenth Brigade included the counties of Hickman, Hardin, Wayne and Lawrence and was a part of the Third Division.
6. Acts of 1837-38, Chapter 157, amended the State Militia Law by scheduling the county drills for every county unit and making it compulsory under penalty of the law that all the officers of the county militia units attend the same. Lawrence County was assigned to the 17th Brigade with Hickman County, Wayne County, and Hardin County. The Lawrence County units would conduct their annual drills on the third Friday and Saturday in September of each year. Regimental muster would be held on the fourth Friday and Saturday in October.
7. Acts of 1839-40, Chapter 56, re-enacted the militia law and military code in Tennessee which eliminated indentured servants from membership but retained all the other details of organization as applied to Lawrence County.

Sheriff

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

1. Acts of 1827, Chapter 134, made it the duty of the Sheriff of Lawrence County to pay over to William R. Davis, the Jailor of Giles County, one-half of the State tax collected for Lawrence County until the claims of Davis were paid, and Davis' receipt for the money would be a valid and sufficient voucher for the same.
2. Acts of 1829, Chapter 111, provided that the Sheriff and Ranger of Lawrence County and the Sheriff and Ranger of Wayne County might hereafter advertise in any newspaper printed in Nashville, or in the town of Columbia, in Maury County, at their option.
3. Acts of 1831, Chapter 123, allowed the Sheriff of the Counties of Jackson, Cocke, Monroe, Knox,

- and Lawrence to appoint three Deputies who would be subject to the same rules and regulations as other Deputies. This Act was repealed by Private Acts of 1978, Chapter 248.
4. Acts of 1831, Chapter 130, stated that Nathan Jobe, of Lawrence County, was released and forever discharged from the payment of the balance of the judgment rendered against him in the Circuit Court of Lawrence County upon a forfeited recognizance bond for the appearance in Court of James McMillan for petit larceny, which release would be entered of record on the Execution Docket of the said Court.
 5. Acts of 1832, Chapter 56, released and forever discharged George W. Shackelford, of Lawrence County, from the payment of the balance of a judgment rendered against him in the Circuit Court of that County upon a forfeited recognizance bond for James McMillan on a charge of petit larceny. This Act would be a release which would be entered on the execution docket of the court.
 6. Acts of 1853-54, Chapter 76, allowed the Sheriff of Lawrence County to employ one additional Deputy Sheriff.
 7. Acts of 1855-56, Chapter 209, Section 2, directed the State Comptroller to issue his warrant to William Chaffin, the late Sheriff of Lawrence County, in the sum of \$20 which represented the amount of expense incurred by the Sheriff in conveying Joseph H. Turnfaw from the Jail of Lawrence County to the town of Newburgh in Lewis County.
 8. Private Acts of 1925, Chapter 714, declared that in Lawrence County the Sheriff would receive the sum of \$800 per year as ex-officio fees for his services which sum would be paid quarterly on January 1, April 1, July 1, and October 1 out of the county funds in the hands of the County Trustee, on the warrant of the County Judge, provided, however, that the board of prisoners confined in the County Jail and the turnkey fees would not be a part of the exofficio fees but the Sheriff would be entitled to them also as he now was under the existing law.
 9. Private Acts of 1929, Chapter 200, increases the ex-officio fees of the Sheriff from \$600 to \$1,200. The Act, however, which this Act purports to amend is Private Acts of 1919, Chapter 102, which applies to Hawkins County. (See Shanks v. Hawkins County, 160 Tenn. 148, 22 SW2d 355 (1929), which held that this Act was unconstitutional.)
 10. Private Acts of 1931, Chapter 483, provided that any reputable physician who had as much as three years training in a reputable medical school, or the equivalent thereof, and who has had at least ten years practice in medicine in the State of Tennessee could be the Health Officer or County Jail Physician for Lawrence County. This Act was repealed by Private Acts of 1933, Chapter 333.
 11. Private Acts of 1933, Chapter 670, amended Private Acts of 1925, Chapter 714, by striking out the sum of \$800 as the annual amount of the Ex-officio fees of the Sheriff of Lawrence County and by inserting the sum of \$400 in its place, thus reducing the compensation of the Sheriff by that amount.
 12. Private Acts of 1935 (Ex. Sess.), Chapter 131, provided that hereafter in Lawrence County the Sheriff would be paid the sum of \$800 annually as ex-officio fees for his services, which amount would be paid quarterly in equal amounts in January, April, July, and October, out of county funds in the hands of the County Trustee, on the warrant of the County Judge, or Chairman. This Act would not affect the prisoner's board bill nor the turnkey fees as provided by law, the Sheriff being entitled to take these in addition to the above.
 13. Private Acts of 1947, Chapter 284, amended Private Acts of 1935 (E.S.), Chapter 131, in Section One by increasing the annual ex-officio fee allowance of the Sheriff from \$800 to \$1600, and by adding a provision at the end of the law which repealed all acts in conflict.
 14. Private Acts of 1951, Chapter 28, amended Private Acts of 1935 (Ex. Sess.), Chapter 131, by raising the amount of ex-officio fees to be paid to the Sheriff of Lawrence County from \$1,600 to \$2,400.
 15. Private Acts of 1978, Chapter 166, attempted to repeal Acts of 1831, Chapter 123, but was never ratified due to an error in the bill.

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