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Chapter X - Law Enforcement

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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Table of Contents

Chapter X - Law Enforcement	3
Law Enforcement - Historical Notes	3

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Law Enforcement - Historical Notes

Jails and Prisoners

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

1. Acts of 1809, First Session, Chapter 66, authorized the Justices in Montgomery County to lay a tax to raise the funds to build a district jail in Clarksville for the Robertson District. The quarterly courts of the counties of Robertson, Dickson, Hickman, Stewart and Humphreys were also given the right to levy a similar tax in the year 1810 to produce their share of the cost of the jail. Many details of the keeping and spending of the money were included in this law.
2. Acts of 1855-56, Chapter 209, Section 3, was the legal authority for the comptroller of the state to issue his warrant to John W. Lane, the Jailor of Hickman County, for \$80.00 which was the amount due Lane for boarding Samuel Tate, a prisoner kept in the jail at Centerville by order of the circuit court of Perry County, which sum was omitted in the compilation of the costs in the case.

Militia

Those acts once affecting Hickman 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 1809, Second Session, Chapter 45, provided that the regiment of infantry in Hickman County would hold regimental musters at the courthouse of the said county on the fourth Thursday in October of each and every year. The musters of the battalions making up the regiment would be held at the same time and place.
2. Acts of 1815, Chapter 119, made all free men and indentured servants between the ages of 18 and 45 eligible for service in the militia of the county and state with the exception of a few in sensitive occupations being excused. Every county was organized into regiments under this sweeping new militia law and military code. The regiment in Hickman County was the thirtysixth and this regiment was combined with those in Dickson County, Stewart County, and Humphreys County to form the sixth brigade.
3. Public Acts of 1819, Chapter 68, rewrote and revised substantially the militia law of the state, leaving the eligibility qualifications to free men and indentured servants between the ages of 18 and 45. The organizational section designated Hickman County's Regiment as the thirtysixth regiment which, as a part of the sixth brigade, would hold the county drill and regimental muster on the third Saturday in September of each year.
4. Public Acts of 1824, Chapter 40, Section 8, stated that the company of volunteer infantry in Hickman County which was known and designated as the Centerville Domestic Blues were authorized to elect their company officers and to become an independent unit. They would be assigned to the thirty-sixth regiment and were allowed to design their own uniforms.
5. Public Acts of 1825, Chapter 69, reenacted the militia law and military code of Tennessee with some changes to accommodate the growing military organizations. Hickman County's Regiment would continue as the thirty-sixth regiment with regimental meetings to occur on the third Saturday in September annually. The sixth brigade was composed of Robertson, Hickman, Montgomery, Dickson, and Stewart counties.
6. Public Acts of 1825, Chapter 86, formed an additional regiment in Rhea County and rescheduled the muster dates for the units in the sixth brigade. Hereafter the thirty-sixth regiment in Hickman County would meet on the Thursday and Friday following the second Monday and Tuesday in June of each year.
7. Public Acts of 1826, Chapter 18, directed that the cavalry of the counties of Dickson, Stewart, and Hickman would make up the second squadron of the sixth brigade and would muster at the home of Alexander Dickson on Yellow Creek in Dickson County on the fourth Friday in September of each year.
8. Private Acts of 1826, Chapter 128, changed the name of the company heretofore known as the Centerville Domestic Blues to the "Houston Guards" and by that name all regulations and laws would be met in the future.
9. Private Acts of 1827, Chapter 248, Section 11, rescheduled the times for county drills and musters in the sixth brigade. Hickman County's Regiment, the thirty-sixth, would muster on the Thursday

- and Friday following the first Monday in October of each year for the county units and the other units would meet on the first Saturday after the first Monday in October of each year.
10. Private Acts of 1829-30, Chapter 74, was the legal authority for William Brown, John Brown, and William Isam, all of Brown's Bend on Duck River in the counties of Perry and Humphreys to perform civil and military duty in Hickman County and they were all exonerated from performing any of the same in the county of their residence.
 11. Private Acts of 1831, Chapter 112, Section 2, provided that the volunteer company in Hickman County now known as the Houston Guards would hereafter be called the Union Guards and by that name they would have all the rights and privileges of any other volunteer company. Thirty people would be a number sufficient to organize and maintain the company.
 12. Public Acts of 1835-36, Chapter 21, was the next substantial revision of the Tennessee Military Code and militia law. All the regiments in the state were designated by number with Hickman County now having the ninety-seventh and ninety-eighth regiments. Hickman County's units combined with the units in the counties of Hardin, Wayne and Lawrence to form the seventeenth brigade. The third division included the tenth, eleventh, twelfth, thirteenth and seventeenth brigades. The above indicated the rapid growth of the state and the militia in it as population pressures moved westward.
 13. Acts of 1837-38, Chapter 157, Section 3, was a lengthy amendment to the militia law dealing primarily with changes in the organizational structure and with the internal discipline of the units composing the expanding military order. The seventeenth brigade contained the counties of Wayne, Hardin, Lawrence and Hickman whose units would continue to hold their musters and drills on the first Friday and Saturday in September of each year. Regimental musters were set for the first Friday and Saturday in October of each year.
 14. Acts of 1839-40, Chapter 56, condensed and revised a goodly portion of the State Military Law. The militia would be composed of free white males between the ages of 18 and 45 with the exception of a few occupations listed therein. All details of organization and equipment were contained in this law. Hickman County's units, the ninety-seventh and ninety-eighth regiments would continue to meet as previously scheduled on the first Friday and Saturday in October of each year.
 15. Acts of 1845-46, Chapter 43, Section 3, rescheduled the dates for the regimental musters of the military units in the seventeenth brigade. The units in Hickman County would hereafter hold their regimental drills on the first Friday and Saturday following the first Monday in October of each year. The other counties in the seventeenth brigade were Wayne, Hardin and Lawrence.
 16. Public Acts of 1861, Chapter 1, was a state wide militia law that assigned the militia in Hickman County as the ninety-seventh and ninety-eighth regiments.

Sheriff

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

1. Acts of 1817, Chapter 126, directed that the ranger of Hickman County after the passage of this act would advertise all the estrays picked up for sale in some newspaper published in the fifth judicial circuit either at Nashville or Columbia, or both.
2. Private Acts of 1820, Second Session, Chapter 27, authorized and required the sheriff of Hickman County to advertise in some newspaper printed in Nashville any lands which were scheduled to be sold under execution or under other processes of the law.
3. Public Acts of 1824, Chapter 59, required and directed the sheriff and the ranger of Hickman County to advertise all executions of lands, and the sale of estrays, in a newspaper printed in the town of Columbia and the act which made the advertising of the same necessary in a newspaper in Nashville were repealed.
4. Private Acts of 1826, Chapter 140, allowed the sheriff of Hickman County two additional years in which to collect taxes which were in arrears and unpaid at the time. William Phillips, the sheriff, could proceed to do so under the same bond and security he now had.
5. Private Acts of 1827, Chapter 117, was the legal authority for the sheriffs of Hickman County and Hardin County to advertise in newspapers printed in Nashville and Columbia all the lands which were required to be advertised while under execution, or for tax sales.
6. Private Acts of 1827, Chapter 135, stated in the introduction that it had been represented to the general assembly on good authority that Gabriel Faulk through mistake had advertised lands to be sold for unpaid delinquent taxes which ad was on Sunday, and that the said taxes remain due and

- unpaid still, this act authorized Faulk, the sheriff and tax collector of Hickman County, to re-advertise the said lands and dispose of the same according to law. a written report of the disposition of the same had to be made to the court of pleas and quarter sessions of the county.
7. Private Acts of 1832, Chapter 25, was the authority for Gabriel Faulks, the late sheriff of Hickman County, to collect in the same manner as other taxes any taxes which might be due and unpaid during the time the said Faulks was the sheriff of Hickman County. The sheriff was directed to make a report of the disposition of all cases arising hereunder to the court of pleas and quarter sessions of Hickman County.
 8. Private Acts of 1949, Chapter 442, was the legal authority for the quarterly court of Hickman County to appropriate no more than \$1,200 per year, payable at the rate of \$100 per month, to be paid to such special deputy sheriff as the sheriff of the county might designate. His duty was to enforce the law, keep the peace and order, and perform such special law enforcement duties as the sheriff or the quarterly county court might require of him. The amount paid to the said deputy was to be in lieu of all fees and commissions.

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