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# Chapter X - Law Enforcement

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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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# Chapter X - Law Enforcement

## Offenses

### Fireworks

#### Private Acts of 1949 Chapter 294

**SECTION 1.** That from and after the effective date of this Act, it shall be unlawful for any person, firm or corporation to possess, store, use, manufacture or sell pyrotechnics, as hereinafter defined, in all counties of this State having a population of not less than 31,130 and not more than 31,135 inhabitants, according to the Federal Census of 1940, or any subsequent Federal Census.

The term "pyrotechnics" as used in this Act shall be held to mean any sparkler, squibb, rocket, firecracker, Roman candle, fire balloon, flashlight composition, fireworks or other similar device or composition used to obtain a visible or audible pyrotechnic display.

**SEC. 2.** That any article or articles of merchandise coming within the definition of "pyrotechnics" as defined in this Act are hereby declared to be contraband, and subject to confiscation whenever found within the boundaries of any county within this State to which this Act is applicable, and it shall be the duty of the Sheriff of any such county, and all peace officers, to seize such article or articles and destroy the same.

**SEC. 3.** That any person guilty of violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$50.00 and not more than \$400.00, or by confinement in the county jail for not less than thirty days and not more than eleven months and twenty-nine days, or by both such fine and imprisonment in the discretion of the Court.

**SEC. 4.** That nothing in this Act shall be construed as applying to persons, firms and corporations conducting public displays of pyrotechnics by contract or arrangement with any State Fair, patriotic assembly or similar public functions, who acquire all articles used in such pyrotechnic displays from points outside the counties in this State to which this Act is applicable, and keep such pyrotechnic articles in their possession at all times during the public gathering, and transport the same out of this county upon the conclusion of the arrangement or contract under which such pyrotechnics are displayed for public entertainment.

**SEC. 5.** That the provisions of this Act are hereby declared to be severable, and if any of its sections, provisions, clauses, or parts be held unconstitutional or void, then the remainder of this Act shall continue in full force and effect, it being the legislative intent now hereby declared, that this Act would have been adopted even if such unconstitutional or void matter had not been included therein.

**SEC. 6.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 23, 1949

## Law Enforcement - Historical Notes

### **Militia**

Those acts once affecting Campbell 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 1807, Chapter 47, assigned Campbell County as the thirty-third regiment of the militia of the state which would make it also a part of the third brigade.
2. Acts of 1809, First Session Chapter 19, declared that the regiment of infantry of Campbell County shall hold a regimental muster at the town of Jacksborough in said county on the third Thursday in November, in each and every year. Furthermore, regimental courts martial were held on the same day.
3. Acts of 1809, First Session, Chapter 89, amended the militia laws of the state. The militia of Campbell county composed the thirty-third regiment and held regimental musters at the place of holding court.
4. Acts of 1815, Chapter 119, was a very lengthy act containing the whole military code for the State

of Tennessee. The act also cited the different organizational units of the state militia. Campbell County was again assigned as the thirty-third regiment in the third brigade.

5. Public Acts of 1819, Chapter 68, revised and amended the militia law of the state. The militia of Campbell County composed the thirty-third regiment and held a regimental muster on the fourth Saturday of October.
6. Public Acts of 1825, Chapter 69, was another military law for the state, giving the organizational structure of the militia. Campbell County remained as the thirty-third regiment and would hold their regimental muster on the first Saturday of October every year until changed.
7. Public Acts of 1833, Chapter 63, Section 5, exempted the two companies commanded by captains Jefreys and Dunkin, in the second battalion of the thirty third regiment of infantry in the county of Campbell, from attending regimental musters.
8. Public Acts of 1835-36, Chapter 21, divided the militia of the state into companies, battalions, regiments, brigades and divisions, and prescribed the times and modes of electing officers. Campbell County was composed of the twenty-fifth regiment.
9. Acts of 1837-38, Chapter 157, Section 3, stated as a part of an amendment to the militia law that the fourth brigade in Campbell County shall have the county muster on the Tuesday and Wednesday following the first Friday and Saturday in September of each year.
10. Acts of 1839-40, Chapter 56, divided the militia of the state into companies, battalions, regiments, brigades and divisions, and prescribed the times and modes of electing officers. Campbell County composed the twenty-fifth regiment and placed in the fourth brigade. The regimental musters for Campbell County were held on the second Thursday in October.
11. Public Acts of 1861, Chapter 1, was an overall militia law which divided the militia of the state into regiments and brigades. The militia of Campbell County was placed in the twenty-fifth regiment which was in the sixth brigade. The time of holding regimental musters was on the second Thursday in October.

### **Offenses**

The acts briefly summarized below fell into this category in Campbell County. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1931, Chapter 475, declared it unlawful to operate any vehicle on the public highways and streets of the county seat of Campbell County, using population figures of the 1930 Federal Census, at a greater speed than 15 miles per hour, and also in that territory lying along the Dixie Highway at or near the Campbell County Bank and Trust Company building south by way of Central High School to the L and N Railroad Station. It would be the duty of the proper officials to post signs declaring this speed limit in the affected areas and fines for the violators were set from \$5.00 to \$25.

### **Sheriff**

The following act has no current effect but is included here for reference purposes since it once applied to the Campbell County Sheriff's office.

1. Private Acts of 1823, Chapter 261, made it the duty and responsibility of the treasurer of East Tennessee to redeem the lands heretofore sold by the sheriff of Campbell County under an execution issued by the state of Tennessee against the estate of Robert Delop for costs, and the land so redeemed shall be exposed for sale after the advertising required by law has been done and the money derived from the said sale shall be placed in the public treasury.

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