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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

## Law Enforcement - Historical Notes

### **Jails and Prisoners**

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

1. Private Acts of 1907, Chapter 93, established the Workhouse Commission for Wilson County composed of the County Judge or Chairman of the County Court, and the County Court Clerk. The County Court could declare its jail the workhouse or provide a separate workhouse. If the jail was declared a workhouse, the Sheriff would be its Superintendent.
2. Private Acts of 1909, Chapter 464, amended Private Acts of 1907, Chapter 93, to remove the County Court Clerk from the Workhouse Commission and substituted in his place the Sheriff.
3. Private Acts of 1911, Chapter 38, provided that the Workhouse Commission would consist of the Judge or Chairman of the County Court, who would be ex-official Chairman, and the Sheriff.
4. Private Acts of 1927, Chapter 475, abolished the offices of Workhouse Commissioners.

### **Militia**

Those acts once affecting Wilson 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 1803, Chapter 1, was a militia law of the State in which free men and indentured servants between the ages of 18 and 45 would compose the militia. Wilson County's unit would be the 17th Regiment which would hold one Regimental muster annually on the second Thursday in October each year.
2. Acts of 1809, Chapter 89, amended the Militia Laws to assign the counties of Sumner, Wilson, Smith and Jackson to the Fourth Brigade. The Regiments were required to meet annually at the place of holding court in their respective counties.
3. Acts of 1811, Chapter 93, amended the general militia law of the State in several particulars among which was the assignment of the second Regiment in Wilson County as the 42nd Regiment of the State which would hold its annual muster on the second Monday and Tuesday of September each year. The 17th Regiment would hold its muster on the first Thursday and Friday of September.
4. Acts of 1815, Chapter 119, was an entirely new militia law for Tennessee which would still be made up of free men and indentured servants between the ages of 18 and 45. In the Table of Organization, Wilson County's Regiments were still the 17th and the 42nd, and were assigned to the 4th Brigade.
5. Public Acts of 1819, Chapter 68, was a revised State Militia Law. Service requirements remained the same, and Wilson County's 17th Regiment would hold its annual muster on the third Saturday in October each year with the 42nd Regiment doing the same on the fourth Saturday in October, both remaining as part of the Fourth Brigade.
6. Public Acts of 1825, Chapter 69, was a revised militia law for Tennessee. The Table of Organization showed that Wilson County had the 17th Regiment mustering annually on the third Saturday in October, the 42nd which would meet on the fourth Saturday in October each year, and the 72nd which was scheduled to muster on the second Saturday in October. The militia units in Sumner County, Smith County, and Wilson County constituted the Fourth Brigade, and the Fourth, Fifth, Sixth, Eighth, Ninth, and Tenth Brigades composed the Second Division.
7. Public Acts of 1825, Chapter 86, rearranged the dates for some of the county drills and musters for counties in the Middle Tennessee area including Wilson. Wilson County's units were assigned to the Fourth Brigade and the annual muster was set for the second Monday and Tuesday of July each year.
8. Private Acts of 1827, Chapter 123, provided that the 42nd Regiment of Wilson County would hereafter hold its regimental muster on the first Saturday in October each year under the regular rules and orders.
9. Private Acts of 1831, Chapter 75, created a new militia company in Wilson County to be quartered in the area described in the act beginning at Phillip Shore's and running north with Lebanon Road to the second branch of Round Lick Creek which included Elijah Wommack's farm and William

Shank's farm and which line ended at Mount Defiance. The citizens residing in that described area would constitute a part of the 17th Regiment of the Tennessee Militia subject to all rules and regulations then and thereafter to be in force. This Act was repealed by Private Acts of 1831, Chapter 219.

10. Private Acts of 1833, Chapter 153, stated that the cavalry company raised the organized in the 72nd Regiment of the Tennessee Militia in Wilson County was hereby constituted a legal company without having holsters and swords as required by law. This company was authorized to do and perform all the duties of cavalry in the same manner and to the same extent as other cavalry units.
11. Public Acts of 1835-36, Chapter 21, was an entirely new militia law and for the State. The Table of organization revealed that the 57th, 58th, 59th, 60, and 138th Regiments were all assigned to Wilson County, and the combined units in Wilson County and Smith County would make up the 9th Brigade, 2nd Division.
12. Acts of 1837-38, Chapter 157, scheduled the dates for the annual musters and drills for every militia unit in Tennessee. The Ninth Brigade, composed of the units in Wilson Count and Smith County, would hold and conduct their annual drill and muster for Wilson County on the Friday and Saturday following the first Tuesday and Wednesday in September each year.
13. Acts of 1839-40, Chapter 56, rewrote the whole militia law for Tennessee making several changes in regulations and required equipment for both units and individuals. Wilson County contained the 57th, 58th, 59th, 60th and 138th Regiments.

### **Pool Rooms**

1. Private Acts of 1929, Chapter 874, declared it to be unlawful for any person, firm, or corporation to operate, run or conduct, any pool room, or billiard hall, or any place where the two games were played for profit to the owner or owners. Violations were a misdemeanor, punishable by fines from \$25 to \$50, each day being counted as a separate offense.

### **Sheriff**

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

1. Acts of 1815, Chapter 146, recited in its preamble that Thomas Bradley, the Sheriff of Wilson County, had failed to collect taxes on certain lands in the county, so this Act required Bradley to report to the Court of Pleas and Quarter Sessions a list of all such taxes due and unpaid in order for the Court to issue judgment and execution to sell the land when no personal property was present to satisfy the execution.
2. Private Acts of 1820, Chapter 119, stated that the costs of the second prosecution against Charles L. Bennett which was instituted in Wilson County for the murder of William T. Ray, which costs have accrued subsequent to the change of venue in the case, would be paid by the Treasurer of West Tennessee when the same have been duly and properly certified to him.
3. Public Acts of 1824, Chapter 78, permitted the Sheriff of Wilson County to appoint one Deputy Sheriff over and above the number then allowed by law. Section 5 directed Thomas Bradley, the Sheriff, to report to the Court of Please and Quarter Sessions all the lands upon which taxes were due and unpaid so that they might be advertised and sold.
4. Private Acts of 1827, Chapter 73, allowed James Williams, the late Sheriff of Wilson County, and the Sheriffs of Greene County and Williamson County the further time of two years to collect the taxes and public dues which accrued during their terms of office.
5. Private Acts of 1827, Chapter 170, made it lawful after the passage of this act for the Court of Pleas and Quarter Sessions of Wilson County, a majority being present, to make such allowances to Thomas Bradley, the late Sheriff of the County, for vouchers paid by him for claims against the County which have now been lost. Bradley must report under oath the amount of these lost vouchers before payment would be made.
6. Private Acts of 1831, Chapter 165, released James Drennon, of Wilson County, from the payment of a judgment rendered against him in the County Court of Wilson County at the September term in 1831, provided, however, that Drennon pay all the court costs in the case and the tax which was imposed by law upon the litigation.