



County Technical Assistance Service
INSTITUTE for PUBLIC SERVICE

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Chapter X - Law Enforcement

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

Militia

Those acts once affecting Dickson 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 1803, Chapter 1, was a military code and a militia law for the State which made all free men and indentured servants between the ages of 18 and 45 eligible for the militia but naming some exceptions as Judges, ministers, cabinet officers, ferrymen, Justices of the Peace, and others. A Table of Organization in which all county units were included designated the Dickson County unit as the 25th Regiment which would drill and muster with the Battalion on the second Thursday in October of each year.
2. Acts of 1803, Chapter 69, provided that the Sheriff, or a Deputy of Dickson County, and the Sheriff, or a Deputy, of Stewart County, would hold an election on the first Thursday and Friday in June, next, at the place for holding courts to elect the county field officers of the militia. All Justices of the Peace who were acting in Montgomery County prior to the passage of this Act were declared to be Justices of the Peace in the counties where they resided.
3. Acts of 1815, Chapter 119, reenacted the entire military code of the State in order to accommodate the expanding militia units in Tennessee. The eligibility standards were not changed. The Table of Organization in Section 2 established units in all counties assigning Dickson Regiment as the 25th Regiment which would join the Robertson County units to form the 6th Brigade along with Stewart, Humphreys, Hickman and Montgomery Counties. A Regiment consisting of two Battalions composed of at least 2 companies of 40 privates, 2 musicians, 3 Sergeants, 3 corporals, one captain, one Lieutenant, and one Ensign.
4. Acts of 1817, Chapter 168, provided that the Sixth Regiment of calvary would hereafter hold their regimental muster on the Thursday after the second Saturday in October, annually, at the house of Thomas Simmons on Yellow Creek in Dickson County.
5. Acts of 1819, Chapter 68, reconstituted the entire militia law of the State. Male whites between the ages of 21 and 50, and indentured servants were the ones composing the militia with the generally accepted ones being excused. Dickson County had the 25th Regiment which would muster and drill on the second Saturday in October each year.
6. Acts of 1825, Chapter 69, rewrote the militia law of the State providing for free men and indentured servants between the ages of 18 and 45 to compose the state militia. The Sixth Brigade contained the units in the counties of Robertson, Hickman, Montgomery, Dickson and Stewart, which was also a part of the Second Division. Dickson County still had the 25th Regiment which would muster and drill on the second Saturday in October.
7. Acts of 1825, Chapter 86, made it the duty of the Governor to appoint an Inspector General for the State Militia and rearranged the county drill times in some of the counties of the State. In Dickson County the muster and drill would come on the second Monday and Tuesday in June of each year.
8. Acts of 1826, Chapter 18, amended the State Militia Law dealing with several different aspects of the military code, and revising some of the rules dealing with courts martial. The calvary of Dickson County, Stewart County, and Hickman County would make up the Second Squadron which would muster at the house of Alexander Dickson on Yellow Creek in Dickson County on the fourth Friday in September.
9. Acts of 1826, Chapter 36, made it lawful in the elections for all the field officers in the militia of the Counties of Dickson, Jackson, Campbell, Claiborne, Stewart, Marion, Humphreys, and Hardin to be holden at the different places designated by the County Courts of the said counties at the same time as other elections were held.
10. Acts of 1827, Chapter 248, Section 11, reset the times for the county drills for the regiments in the 6th Brigade of the Tennessee Militia. Dickson County's unit would muster for county drills on the first Monday and Tuesday in October of each year.
11. Acts of 1835-36, Chapter 21, was an entirely new militia law and military code for the Tennessee units which was passed pursuant and subsequent to the new 1835 Constitution. The Militia would hereafter be made up of free white men between the ages of 18 and 45. The state was divided

into various regiments, brigades, and divisions, and provisions were included for the orderly assembly of the units and their training. Dickson County had the 96th Regiment and joined Davidson County to form the 16th Brigade.

12. Acts of 1837-38, Chapter 157, Section 3, amended the State Militia Law by scheduling the times for the countywide drills of each unit and making it compulsory under penalty that all officers attending the same. Dickson County would muster on the second Friday and Saturday in September of each year and would be a part of the 16th Brigade with Davidson County.
13. Acts of 1839-40, Chapter 56, page 91, was the next complete militia law which contained all the regulations for the internal discipline of each unit, and the guides for the courts martials were detailed. Drill times were scheduled for all county units through the regimental level. Dickson County had the 96th Regiment.

Sheriff

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

1. Acts of 1806, Chapter 43, named James Elder, Hugh Bell, John Shelby, Henry Small, and Charles Stuart, as Commissioners, to select the best site in Clarksville for the erection of a Court House and prison for the Robertson District which included Dickson County. The respective county courts were given the authority to levy a tax in 1807, and in the two succeeding years on white polls, slaves, land, town lots, merchants, and stud horses in order to defray the expenses of the project.
2. Acts of 1809, Chapter 50, appointed Joseph Woolfalk, of Montgomery County, as a Commissioner to succeed Hugh F. Bell and all the power and authority originally granted to the Commissioners in 1806 Act above. Bell had moved from the Robertson District and was therefore no longer eligible to serve.
3. Acts of 1820, Chapter 117, Section 5, authorized the Sheriff of Dickson County to make all his advertisements arising in his official capacity in some paper printed in Nashville in Davidson County and the Ranger of Dickson County could likewise advertise the estrays to be sold in the same manner.
4. Acts of 1822, Chapter 83, was the legal authority and requirement for the Ranger of Dickson County to advertise in some paper printed in the city of Nashville all the estrays he had picked up which he was required to sell under the law.
5. Acts of 1826, Chapter 140, Section 2, allowed Richard Batson, the Sheriff of Dickson County, the further time of two years to collect the arrearages due him while he was occupying the office of Sheriff in the county, the extension to start on January 1, next.
6. Acts of 1831, Chapter 115, made it legal for the Sheriff of Dickson County in all cases where he is satisfied that sales were made by him, or his predecessor in office, of lands, slaves, or other property, under execution, the records of which might have been lost the destruction of the Court House by the recent violent storm in Dickson County, to execute deeds, or other evidences of title, to the purchasers if the necessity arose, which latter deed would be as lawful, valid, and binding as the original one, or the lost one.
7. Acts of 1833, Chapter 105, allowed William Bishop, the jailer of Dickson County, the sum of \$62.87 for the deeping of James Hales in the common jail of the County on an indictment of grand larceny. The Treasurer of Middle Tennessee was authorized to pay the above amount to Bishop upon his request.
8. Private Acts of 1909, Chapter 214, provided that the sum of \$100 per year, payable quarterly on the same type warrant as the Clerks of the Courts were paid, would be paid to the Sheriff of Dickson County for his necessary services rendered in attending the sessions of the Special Circuit Court and the Chancery Courts held in the town of Dickson.
9. Private Acts of 1919, Chapter 772, amended Private Acts of 1909, Chapter 214, Section 1, above, by increasing the amount to be paid to the Sheriff of Dickson County for attending the special Circuit and Chancery Courts at Dickson from \$100 to \$400 each year, payable quarterly.
10. Private Acts of 1927, Chapter 266, was the legal authority and power for the Quarterly Court of Dickson County (identified by the use of the 1920 Federal population figures) to appropriate to the Sheriff of the County by Resolution as extra compensation a part of all fines collected from defendants for the violation of the prohibition, or anti-liquor laws, by such Quarterly Courts had already acted as stated above, this Act ratified and confirmed their actions.

11. Private Acts of 1929, Chapter 863, amended Private Acts of 1919, Chapter 772, Section One, by increasing the compensation of the Sheriff for waiting upon the special Circuit and Chancery Court in Dickson from \$400 to \$1200 per year, making it the intention of this legislation to cause to be paid to the Sheriff of Dickson County the sum of \$1,200 instead of \$400 as the ex-officio salary of the office.

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