



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Law Enforcement - Historical Notes

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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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# Law Enforcement - Historical Notes

## **Jails and Prisoners**

The following acts once affected jails and prisoners in Warren County, but are no longer operative. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Acts of 1819, Chapter 21, authorized the County Courts of Warren and Overton Counties to lay and collect a tax on all taxable property to enable them to build or repair the jails in their counties without regard to the state tax, and could continue to do so until a sufficient amount was raised for that purpose.
2. Acts of 1820 (2nd Sess.), Chapter 122, recited that the representation had been made to the General Assembly that a number of citizens would be injured if the county Jail were built on the public square, and therefore, the Quarterly County Court was authorized to levy a tax to acquire a lot off the public square; however, if this were not possible, the jail would be built on the square with the least amount of damage possible.
3. Private Acts of 1973, Chapter 98, changed the name of the Warren County Workhouse to the "Warren County Penal Farm", and authority was given to house State prisoners. This Act was repealed by Private Acts of 1980, Chapter 214.

## **Sheriff**

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

1. Private Acts of 1819, Chapter 72, required the Sheriff of Warren County to advertise all lands and properties, and the Ranger of Warren County to advertise all strays, which were being sold under execution, in the newspapers in Nashville and Murfreesboro.
2. Acts of 1820, Chapter 148, made it lawful for the sheriff of Warren, Jackson, Bledsoe and Marion Counties to advertise all lands to be sold by them, as execution for taxes, in the Sparta Gazette; and, also authorized the rangers to advertise all strays.
3. Acts of 1821, Chapter 180, authorized the Sheriff and the Ranger of Warren, Jackson, Bledsoe, and Marion Counties to advertise the sale of goods under execution in the newspapers at Sparta, Tennessee, as well as in other papers of the area.
4. Acts of 1837-38, Chapter 61, stated, that, if the Sheriff of Cannon, Jackson, White or Warren Counties failed to hold the election as required by the 18th Section of the Act creating DeKalb County, then it would be held on Tuesday, January 30, 1838, and, if it could not be held on that date, then at the earliest practical date, after having given at least ten days' notice of the impending election.
5. Private Acts of 1945, Chapter 408, provided that the Sheriff of Warren County should be paid by the County the sum of \$75 monthly over and above all other remuneration as compensation for patrol work and safety activities for the county. This Act was to remain in force only for the duration of the war and twelve months thereafter.

## **Militia**

Those acts once affecting Warren 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, Chapter 89, organized the state militia, and was among the first of many militia laws to follow. It decreed that Overton, White, Warren, and Franklin counties would constitute the Seventh Brigade.
2. Acts of 1819, Chapter 68, was a revision and amendment of previous militia laws. The militia of Warren County composed the 29th and 55th regiments. The 29th regiment was to hold muster on the first Saturday of October; the 55th regiment was to hold muster on the second Saturday of October.
3. Acts of 1825, Chapter 69, declared, that, inter alia, the Warren County militia would make up the 29th and the 55th Regiments of the 8th Brigade, and would hold regimental musters on the first and second Saturdays in October of each year, respectively.
4. Acts of 1831, Chapter 26, exempted all people living on Cumberland Mountain in Warren County from all military matters unless they were called into actual active service.
5. Acts of 1832, Chapter 127, altered the time holding regimental muster in the Eighth Brigade. The 29th regiment was to hold muster on the second Thursday in October; and the 55th regiment on

the Friday following.

6. Acts of 1833, Chapter 28, authorized each regiment of militia in the county to vote for field officers at the several precincts in their respective regiments, and repealed the act authorizing said elections to be held at the different battalion must grounds in said regiments. The elections, however, were to be held for only one day in each regiment, and the polls to be compared on the following day.
7. Acts of 1835-36, Chapter 221, was an Act to divide the Militia of the State into companies, battalions, regiments, brigades and divisions, and to prescribe the times and modes of electing officers. The militia of Warren County was to compose the 42nd and 43rd regiments, and the counties of Warren, Cannon, Coffee and Franklin would constitute the tenth brigade. The third division would be comprised of the 10th, 11th, 12th, 13th and 17th brigades.
8. Acts of 1837-38, Chapter 157, provided that the county drill for the 10th Brigade in Warren County would be held on the first Friday and Saturday in September of each year.

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