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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

### **Militia**

Those acts once affecting Weakley 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 1824, Chapter 40, obligated the Sheriffs of Weakley, Obion, Dyer, Haywood, Tipton, Hardeman, and McNairy Counties to hold elections on the first Thursday and Friday in next November to select the field officers of the various militia units in these respective counties. The militia unit in Weakley County was designated as the 82nd Regiment and the militia units of Henderson, Carroll, Henry, Weakley, Obion, Dyer, and Gibson Counties composed the 13th Tennessee Brigade.
2. Acts of 1825, Chapter 69, was a revised militia law for Tennessee requiring service of all free men and indentured servants between the ages of 18 and 45. The Act contained a Table of Organization for all the militia units in the State and constituted a statement of all the regulations pertinent to the management and operation of this force. The counties of Henderson, Carroll, Henry, Obion, Dyer, Gibson, and Weakley were in the 13th Brigade, Weakley County being designated as the 82nd Regiment. The times of the annual muster of all the units were included in the Act. The 82nd Regiment would hold their annual county muster and drill on the fourth Saturday in September.
3. Acts of 1831, Chapter 47, was the authority for the commissioned officers of the 82nd Regiment composed of the militia of Weakley County at their next regimental muster, twothirds of the commissioned officers begin present to lay off and establish a third battalion if the majority of the officers agree, any law to the contrary notwithstanding.
4. Acts of 1835-36, Chapter 21, was an enactment of the Militia Law of Tennessee made subsequent to the 1835 Constitution of the State. The Militia, composed of white males between the ages of 18 and 45, with the exception of some as was stipulated in the Act, was completely reorganized by this Act all across the State. A company was composed of one Captain, one First Lieutenant, one Second Lieutenant, one Ensign, three Sergeants, three Corporals, all of whom would be elected to serve five years, 45 privates, and two musicians. Weakley County had the 117th and the 118th Regiments and was part of the 19th Brigade which had in it the counties of Dyer, Weakley, and Gibson. Weakley County was also part of the 4th Division.
5. Acts of 1837-38, Chapter 157, was an amendment to the State Militia Law which scheduled the dates for the county musters and drills for every militia company in the State. The 19th Brigade, consisting of the units in Obion, Gibson, Dyer and Weakley Counties, would muster on the Thursday and Friday following the first Friday and Saturday in September of each year.
6. Acts of 1847-48, Chapter 142, set up the Regimental musters for the militia outfits in the 19th Brigade, so that the 117th Regiment in Weakley County would hold its county muster on the first Thursday in October and the 118th Regiment would muster on Friday, the next day following.
7. Acts of 1861 (2nd Ex. Sess.), Chapter 3, was the law under which the State of Tennessee raised, organized, and equipped its forces for the Civil War, placing all the armed service units in the State at the time on a war time basis.

### **Offenses**

The act briefly summarized below fell into this category in Weakley County.

1. Private Acts of 1913, Chapter 297, made it unlawful for any person or persons to enter the enclosed grounds of any Fair Association in Weakley County while such association is in session other than through the gates or openings prepared for that purpose and reason, and by paying the regular admission fee. This Act does not to apply to Fair officials, and employees, or those holding complimentary tickets. Violators of this law could be fined from \$5 to \$50.

### **Sheriff**

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

1. Acts of 1831, Chapter 152, granted to Jephtha Gardner, the security for John D. Calvert, the late Sheriff of Weakley County, the further time of one year to settle and pay over the State and

County taxes which now remain due and unpaid by the said Calvert.

2. Private Acts of 1931 (2nd Ex. Sess.), Chapter 4, set the annual salary of the Sheriff of Weakley County at \$3,000, to be paid by the Chairman of the Court as were all county expenses, but the Sheriff may elect to receive the compensation established by Public Acts of 1921, Chapter 101. If the Sheriff elected to be paid as provided by this Act, he would notify the County Chairman to that effect.
3. Private Acts of 1931 (2nd Ex. Sess.), Chapter 17, authorized the Sheriff of Weakley County to appoint one First or Chief Deputy Sheriff who shall be paid \$150 a month salary out of which the Deputy Sheriff, appointed under this Act, shall pay all expenses in connection with the performance of his duties. If the Sheriff elected to be compensated under Public Acts 1921, Chapter 101, then the compensation provided for in this Act would not apply.
4. Private Acts of 1933, Chapter 674, fixed the annual salary of the Sheriff of Weakley County at \$3,500 if the fees, costs, and emoluments of the office amount to that much, but, if the revenue generated in the Sheriff's office is less than the salary mentioned above, the Sheriff's salary shall equal the amount of the fees collected in the office and no more.

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