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Chapter X - Law Enforcement

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

Sheriff

Private Acts of 1947 Chapter 833

COMPILER'S NOTE: This Act may have been superseded by T.C.A. 8-20-101 et seq., which prescribes the method for employing deputies.

SECTION 1. That the office of Chief Deputy Sheriff is hereby created and established in all the Counties of the State of Tennessee having a population of not less than 23,580 and not more than 23,600, according to the Federal Census for the year 1940, or any subsequent Federal Census.

SECTION 2. That the Sheriffs in all the Counties coming under the provisions of this Act are hereby authorized to appoint a Chief Deputy Sheriff to assist in the transaction of the business of said Sheriff's office; and the Quarterly County Courts of said Counties shall fix the compensation of such officer not in excess of Seventy-five (\$75.00) Dollars per month.

SECTION 3. That the salary of said Deputy Sheriff in such Counties, when fixed as aforesaid, shall be paid by the County Trustee, out of the County Treasury, upon warrant drawn in favor of said Chief Deputy Sheriff by the Judge or Chairman of the County Courts of said Counties monthly.

SECTION 4. That all laws or parts of laws in conflict with the provisions of this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 14, 1947.

Law Enforcement - Historical Notes

Militia

Those acts once affecting Hardeman County, which related to the militia and to other law enforcement agencies other than the sheriff, are mentioned below in chronological order.

1. Private Acts of 1824, Chapter 40, Page 50, required the Sheriffs of the Counties of Hardeman, Weakley, Obion, Dyer, Haywood, Tipton, and McNairy to hold elections at the proper places in said Counties on the first Thursday and Friday in November to elect field officers for the militia. The Militia of Hardeman County constituted the 81st Regiment and it was a part of the 14th Brigade of the Tennessee Militia. The act scheduled the regimental officers of the Brigade to meet in Jackson in February 1825, to elect brigade offices.
2. Public Acts of 1825, Chapter 69, Page 78, declared that all free men and indentured servants between the ages of 18 and 45 years would constitute the State Militia. Some persons were exempted including judges, ministers of the gospel, grist mill keepers, public ferry men, and mail carriers. The time for muster for Hardeman County's 81st Regiment would be the second Saturday of September of each year. Many changes were made by the act in the military system of a technical or organizational nature.
3. Public Acts of 1835-36, Chapter 21, Page 97, was a reorganization of the whole state militia law and units. Hardeman County's Regiments were numbered as the 124th and 125th. A company would be composed of a Captain, 1 First Lieutenant, 1 2nd Lieutenant, 1 Ensign, 3 Sergeants, 3 corporals, and no less than 45 privates. The 124th and 125th Regiments formed part of the 22nd Brigade which was in the 4th Division. The State had four Divisions.
4. Acts of 1837-38, Chapter 157, Page 223, scheduled county drills and musters for every county militia unit in Tennessee. Hardeman County would convene and drill its units on the first Monday and Tuesday after the first Friday and Saturday in September. Hardeman, McNairy, Fayette, and Shelby Counties' units would compose the 22nd Brigade.
5. Acts of 1839-40, Chapter 56, Page 91, limited membership in the militia of the State to white, male, inhabitants between the ages of 18 and 45, with some exceptions specified. The Organizational Table did not make any changes in the regiments of Hardeman County.
6. Acts of 1841-42, Chapter 187, Page 223, altered the schedule for regimental musters in the 22nd Brigade so that Hardeman County's two regiments would hold muster on the second Thursday and Friday in October.

Sheriff

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

1. Private Acts of 1827, Chapter 135, Page 107, Section 3, provided that the Sheriff of Hardeman County would have the further time of six months, from and after January 1, to obtain his receipts and vouchers from the State and County officers, any law to the contrary notwithstanding.
2. Private Acts of 1831, Chapter 49, Page 37, required the Sheriff of Hardeman County to pay over all the money he had collected as taxes for the navigation of the Hatchie River to West Harriss, Edmund D. Tarver, and James Chisom, who were appointed Commissioners by the act to receive the money and to see to the clearing out of the river for navigation. If the Sheriff refused to pay, the Commissioners were authorized to collect the money from him. If he had already paid the funds, the Commissioners would proceed against the former Commissioners of the project. They would be paid \$1 per day for their services.
3. Private Acts of 1927, Chapter 268, Page 783, provided that the Sheriff in Hardeman County, would be paid a salary of \$1,200 a year, payable monthly out of the County Treasury on the warrant of the County Judge. The Sheriff would also keep all the fees of his office.
4. Private Acts of 1949, Chapter 643, Page 1914, amended Private Acts of 1927, Chapter 268, above, by increasing the annual salary of the Sheriff from \$1,200 to \$2,700 payable under the same conditions as stated in that act.

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