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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.

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# Chapter X - Law Enforcement

## Law Enforcement - Historical Notes

### **Militia**

Those acts once affecting Dyer 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 1824, Chapter 40, required the Sheriffs of Weakley, Obion, Dyer, Haywood, Tipton, Hardeman, and McNairy Counties to hold elections in their respective counties so that the officers of the militia units could be chosen. The militia in Dyer County was designated as the 85th Regiment, and the units of all the above counties combined constituted the 13th Brigade. The commissioned officers of the units would meet at Huntingdon in Carroll County to choose a Brigadier General to command the organization.
2. Acts of 1825, Chapter 69, was an entirely new military Code and militia law for the State. The militia would be composed of free men and indentured servants between the ages of 18 and 45. The act contained explicit provisions for the Tables of Organization and for every facet of military life both internal and external. Dyer County's unit was continued as the 85th Regiment and would hold the formal muster and drill annually on the second Saturday in October. The Act included the composition of all basic units and prescribed the duties and responsibilities of all ranks, including the commissioned officers. The units in the counties of Henderson, Carroll, Henry, Weakley, Obion, Dyer, and Gibson combined to form the 13th Brigade.
3. Acts of 1827, Chapter 190, stated that the militia of that part of Dyer County known as Key Corners would hereafter be organized into a 3rd Battalion of the County which would be commanded by a Lieutenant Colonel. Battalion musters for this unit would take place at the house of Henry Rutherford, Esquire, on the first Saturday in April each year. Court martial would likewise be convened and conducted as directed herein.
4. Acts of 1837-38, Chapter 137, fixed the dates for the county drills and musters for every militia unit in the State. Dyer County's militia unit would muster and drill on the Monday and Tuesday following the second Thursday and Friday in September. The 19th Brigade included the militia units of the counties of Obion, Gibson, Weakley, and Dyer.

### **Sheriff**

The following acts have no current effect but are included here for reference purposes since they once applied to the Dyer County Sheriff's Office. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1831, Chapter 152, allowed Joel S. Enloe, the Sheriff of Obion County, and John P. Byrne, the Sheriff of Dyer County, the further time of one year from and after December 31, 1831, for the payment of taxes on all tracts of land reported by them for taxation for the years 1829 and 1830, any law to the contrary notwithstanding.
2. Acts of 1861, Chapter 21, was the legal authority for the Sheriffs of Hawkins, Shelby, and Dyer Counties to appoint two additional deputies to those authorized under the law.
3. Acts of 1867-68, Chapter 63, empowered the Sheriffs of Franklin, Knox, and Dyer Counties to employ another Deputy in addition to those permitted under the general law of the State.
4. Acts of 1901, Chapter 221, recited in the preamble that C. C. Dawson, the Sheriff of Dyer County, had incurred expenses in returning two fugitives to the State, Julius Logan from Missouri, and Tom Moore from Kansas, both of whom were convicted upon their return. Requisition for expenses were refused because Dawson had not secured requisitions from the Governor for the prisoners. This Act validated the expenses and the purpose, and appropriated \$231.55 to be paid to the Sheriff on the voucher of the Comptroller of the State.
5. Private Acts of 1927, Chapter 551, provided that the Sheriff in Dyer County (identified by the 1920 Federal Census figures) would be allowed and paid, in addition to the fees now allowed by law, the sum of \$200 per month, payable on the last day of each calendar month out of the regular county funds on the warrant of the County Judge, or Chairman. This Act was repealed by the one following.
6. Private Acts of 1933, Chapter 549, specifically repealed Private Acts of 1927, Chapter 551, Item 5, above, in its entirety, the same to be effective on September 1, 1934.

7. Private Acts of 1933, Chapter 654, set the salary of the Sheriff in Dyer County at \$3,000 annually starting September 1, 1934. All the fees collected in the office over that amount would be paid into the County Treasury. If the fees collected were less than that amount, the amount collected would be the salary of the Sheriff. To seek the office and accept it and to perform the duties connected with it would be construed as an acceptance of the terms and conditions of this Act and the Sheriff would be estopped to claim any additional pay.
8. Private Acts of 1935, Chapter 314, expressly repealed Private Acts of 1933, Chapter 549, Item 6, above, in its entirety. The repeal would be effective September 1, 1934, it being the intention of this Act to compensate the sheriff of Dyer County after September 1, 1934, as if that Act had never been passed.
9. Private Acts of 1935, Chapter 315, repealed Private Acts of 1933, Chapter 654, Item 7, above, in its entirety and as written.
10. Private Acts of 1935, Chapter 787, stated that hereafter in Dyer County, the Sheriff would be paid, in addition to the fees regularly allowed under the law, the sum of \$200 per month payable on the last calendar day of the month out of the regular funds of the County on the warrant of the County Judge, or Chairman.

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