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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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

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Law Enforcement - Historical Notes

Militia

Those acts once affecting McMinn 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 1821, Chapter 184, provided that the militia of McMinn County would form the Sixty-sixth Tennessee Regiment and would hold their annual muster on the Thursday after the first Tuesday in October.
2. Acts of 1822, Chapter 205, formed a brigade of the militia of Rhea, Bledsoe, Hamilton, Marion, and McMinn Counties and attached this brigade to the First Division.
3. Acts of 1833, Chapter 293, provided that the commissioned and staff officers of the Ninety-fourth Regiment of Tennessee Militia in McMinn County were to attend a regimental court martial on the day before battalion muster each year.

Sheriff

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

1. Acts of 1829-30, Chapter 135, relieved Spencer Beavers, the sheriff of McMinn County, from payment of a judgment against him for taxes not collected in 1828.
2. Acts of 1859-60, Chapter 88, provided that the Sixteenth civil district of McMinn County would be entitled to elect an additional constable, beginning with the next regular election after passage of this act.
3. Private Acts of 1919, Chapter 431, set the annual salary of the sheriff at \$1,500, to be paid from the fees of the office, with any excess fees above this amount going into the county treasury. Private Acts of 1921, Chapter 10, amended the original act by raising the sheriff's salary to \$1,800 per year and releasing him from including in his fee statement the fees his office received from all civil suits in the chancery, circuit, or justice of the peace courts.
4. Private Acts of 1923, Chapter 10, set the salary of the sheriff at \$2,400 annually, in addition to all fees except those received for services in criminal cases.
5. Private Acts of 1925, Chapter 182, authorized the sheriff to hire a janitor to look after the courthouses.
6. Private Acts of 1925, Chapter 183, provided that the sheriff of McMinn County could employ one deputy at an annual salary of \$1,200, with all fees received by the deputy to be paid into the county general fund. This was amended by Private Acts of 1927, Chapter 393, to require the deputy to pay over to the county general fund only those fees received by him for his services in criminal cases.
7. Private Acts of 1927, Chapter 730, regulated the execution and collection of workhouse bonds in McMinn and several surrounding counties, requiring that all workhouse bonds be received, approved and collected by the Criminal Court Clerk. This was amended by Private Acts of 1929, Chapter 720, to provide that all workhouse bonds would contain a clause obligating the sureties to pay a 15% attorney's fee if said bond had to be placed in the hands of an attorney for collection.
8. Private Acts of 1929, Chapter 321, provided that one deputy sheriff in McMinn County would be paid from the county treasury an annual salary of \$1,800 in addition to all fees, both civil and criminal. This act was repealed by Private Acts of 1935, Chapter 197.
9. Private Acts of 1931, Chapter 225, provided that the McMinn County Sheriff could pay one deputy sheriff an annual salary of \$1,800, out of the county treasury. Two years later, this act was amended by Private Acts of 1933, Chapter 308, to lower that salary to \$1,200 per year.
10. Private Acts of 1931, Chapter 227, provided that the sheriff of McMinn County be paid an annual salary of \$3,000 out of the county treasury, in addition to the fees of his office. This act was repealed by Private Acts of 1933, Chapter 642. Private Acts of 1931 (2nd Ex. Sess.), Chapter 4, was almost identical to this act.
11. Private Acts of 1931 (2nd Ex. Sess.), Chapter 17, provided for the appointment of one chief Deputy Sheriff in McMinn County, who would be paid \$150 monthly out of the county treasury.

This officer was required to pay his own expenses from his salary.

12. Private Acts of 1933, Chapter 537, authorized the payment of an annual salary of \$2,000 to the sheriff from the county general funds. The sheriff was to turn over all fees and commissions which he collected to the trustee for deposit in the county's general funds.
13. Private Acts of 1933, Chapter 678, authorized the appointment and election of an additional constable in the Second Civil District of McMinn County, Tennessee.
14. Private Acts of 1935, Chapter 197, expressly repealed Private Acts of 1929, Chapter 321, Item 7, above.
15. Private Acts of 1951, Chapter 393, empowered the County Council in McMinn County to fix the salary of the sheriff at not more than \$5,000 annually and to authorize him to employ not more than five deputies, a chief deputy, a jail cook and a jailor. Under the provisions of this act, the County Council could also make allowances for payment of the office expenses of the county sheriff's department.

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