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Law Enforcement - Historical Notes

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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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Jails and Prisoners

The following act once affected jails and prisoners in Lauderdale County, but is no longer operative.

1. Private Acts of 1925, Chapter 456, provided that when any person was committed to the jail or workhouse for failure to pay any fine and/or costs in Lauderdale County, such person would be allowed a credit of \$1 per day for each day of confinement, including Sundays.

Militia

Those acts once affecting Lauderdale 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 is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1835-36, Chapter 21, provided that Lauderdale County would constitute the 134th Regiment, and the counties of Lauderdale, Haywood and Tipton would constitute the 21st Brigade, and provided regular drill and muster times.
2. Acts of 1837-38, Chapter 157, scheduled the county drills for every unit of the State militia. The 21st Brigade was composed of the militia units located in the counties of Lauderdale, Haywood and Tipton. Lauderdale County would hold its county drills on the second Friday and Saturday in September each year. This act was repealed by Public Acts of 1978, Chapter 595.

Sheriff

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

1. Public Acts of 1897, Chapter 124, was a statewide act depriving County Registers, Trustees, County Court Clerks, Circuit Court Clerks, Clerks and Masters, and Sheriffs of their fees and paying them a salary according to population. It is presumed that Lauderdale County's population was just over 20,000, and the Sheriff would be paid \$1,800 annually under the act. This act was declared unconstitutional in Weaver v. Davidson County, 59 S.W. 1105 (Tenn. 1900).
2. Private Acts of 1921, Chapter 734, set the annual salary at \$1,500 for the sheriff in counties having a population of not less than 21,485 nor more than 21,492 according to the 1920 census, to be paid semi-annually on January 1 and July 1 out of the county treasury. The Sheriff was required to file a sworn itemized statement with the County Judge showing the fees collected by his office. If the fees collected were less than the salary, the county would make up the difference. The sheriff was prohibited from donating any portion of the fees collected to the persons from whom they were due. This act was repealed by Private Acts of 1927, Chapter 788. Private Acts of 1921, Chapter 734, applied to counties having a population of not less than 21,485 nor more than 21,492 according to the 1920 census, which would have included Carter County whose 1920 population was 21,488. Although the index to the 1921 private acts volume and a notation in the margin of the act indicate that it applied to Lauderdale County, the census figures in Tennessee Code Annotated indicate that in 1920 Lauderdale County's population was 21,494.
3. Private Acts of 1943, Chapter 379, authorized the Quarterly County Court of Lauderdale County to appropriate up to \$1,200 annually to enable the sheriff to employ assistants. The act stated that economic conditions due to the war had rendered it virtually impossible for the Sheriff to obtain competent assistants out of the fees of the office.
4. Private Acts of 1949, Chapter 147, fixed the compensation of the sheriff of Lauderdale County at \$2,000 per year to be paid quarterly out of the county treasury, which amount was over and above the fees of his office which he was expressly permitted to retain.
5. Private Acts of 1949, Chapter 489, was a senate bill which was almost identical to Private Acts of 1949, Chapter 147, and was passed approximately two months later.

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