



County Technical Assistance Service

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Sentence to County Workhouse

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily 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 e-Li material.

Sincerely,

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Sentence to County Workhouse

Reference Number: CTAS-1437

It is the duty of the judges of the circuit or criminal courts, whenever prisoners are convicted of any offense for which they are confined in the workhouse, to sentence such prisoners to the workhouse of the county, portable, movable or stationary, as may be provided and established in the county. T.C.A. § 41-2-103.

In all cases where a person is by law liable to be imprisoned in the county jail for safekeeping or punishment, confinement in the workhouse, if one is provided, may, in the discretion of the court, be substituted. T.C.A. § 41-2-113.

Sentence to Hard Labor

In all cases where a person is by law liable to be imprisoned in the county jail for punishment or for failure to pay a fine, such person shall be sentenced to be confined, and shall be confined at hard labor in the county workhouse until the expiration of the sentence of imprisonment or, subject to the limitations imposed by T.C.A. § 40-24-104 (Nonpayment of Fines), until the fine has been worked out, paid or secured to be paid. T.C.A. § 41-2-111(a).

All persons convicted of a felony, whose imprisonment has been by the jury commuted to imprisonment in the county jail, shall be compelled to work out the term of imprisonment at hard labor in the county workhouse in the county where convicted. T.C.A. § 40-23-105.

Fine Accompanying Sentence to Workhouse

When any person is sentenced to the workhouse, the judge of the court trying the case shall fix the fine in each case against the prisoner at a sum equal to the state and county tax provided by law provided that a greater fine may be entered, in the discretion of the court. T.C.A. § 41-2-112.

Statement of Sentence

A certified statement of the sentence of each prisoner shall be made out on printed blanks provided for the purpose and delivered to the superintendent of the workhouse, and also to the county mayor, by the clerk of the court trying the case, and shall specify:

1. The name of the convict;
2. Date of sentence;
3. Crime for which committed;
4. The term of imprisonment; and
5. The amount of fine and costs; and the superintendent and the county mayor shall enter the amount in a book provided by the county for that purpose.

T.C.A. § 41-2-116(a).

The superintendent shall also keep a record of the age, sex, complexion, color of hair and eyes and nationality of each convict. T.C.A. § 41-2-116(b).

Workhouse Sentence Beginning after Term in Penitentiary

When any convict is sentenced by the courts to serve a sentence in the county workhouse after a term of imprisonment in the penitentiary, the judge of the court shall, in the commitment to the penitentiary, cause this fact to appear, and shall direct the warden of the penitentiary to notify the superintendent of the workhouse of the time when the convict will be discharged. It is the warden's duty to deliver the convict up on the order of the superintendent. T.C.A. § 41-2-117.

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