



December 20, 2024

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## Chapter II - Animals and Fish

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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.

Sincerely,

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## Chapter II - Animals and Fish

### Lawful Fence Defined

### Private Acts of 1933 Chapter 285

**COMPILER'S NOTE:** Parts of this act may have been superseded by Tennessee Code Annotated Section 44-8-102, et seq.

**SECTION 1.** That in all counties in this State having a population of not less than Seventeen Thousand Five Hundred Forty-five (17,545), nor more than Seventeen Thousand Five Hundred Fifty-five (17,555) according to the Federal Census of 1930 or any subsequent Federal Census, the following shall be a lawful fence:

Any enclosure made by stretching not less than four strands of standard smooth or barbed wires tightly between posts set firmly in the ground not more than sixteen (16) feet apart, said wires to be securely fastened to the posts, the topmost wire to be not less than four and one-half feet (4 ½) feet, from the ground, and the bottom wire to be twenty inches (20) from the ground, the next wire from the bottom to be thirty inches (30) from the ground, and the Third wire to be forty inches (40) from the ground, such distances to be as nearly exact as practicable.

**SECTION 2.** That in such counties having a population as described in Section 1 of this Act it shall be unlawful for sheep, goats, swine, and geese to run at large.

**SECTION 3.** That any person violating any of the provisions of this Act shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than \$2.50 nor more than \$10.00.

**SECTION 4.** That any person or persons upon whose land such sheep, goats, swine, or geese shall be found running at large shall have the right to take up and confine them, giving the same reasonably good feed and attention, and shall be entitled to Fifty Cents (.50) per day for each as compensation for feeding and caring for the same, and shall have and is hereby given a lien upon said sheep, goats, swine, or geese to secure such compensation. Upon keeping said sheep, goats, swine or geese confined and caring for them as herein provided, after three (3) days, any person or persons upon whose lands they may have been found running at large may advertise and sell such sheep, goats, swine, or geese by posting five ten-day notices of the time, terms and place of sale, describing in such notice just what is to be sold and the fact that such sheep, goats, swine, or geese had been confined under authority of this act. One of the said notices shall be placed at the courthouse, one at the premises whereon such sheep, goats, swine or geese were found, the other three to be placed at conspicuous public places about the county. The person or persons making such sale may bid at the same and may credit himself with compensation herein provided.

**SECTION 5.** That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby repealed.

**SECTION 6.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 3, 1933.

### Sequatchie Valley Game Protective Association

### Private Acts of 1929 Chapter 907

**SECTION 1.** That the "Sequatchie Valley Game Protective Association," of Marion County, Tennessee, is hereby authorized and empowered to make and prescribe, through its officers and members, rules and regulations as to hunting and fishing on all lands held by it, now, or hereafter, by deed, grant or otherwise, and contained within the following general boundary, to wit:

Beginning at a point near T. H. Martin where the Dixie Highway starts up Cumberland Mountain, thence across Battle Creek Cove and Cumberland Mountain in a southwesterly direction to a point where the Sewanee-Sweeden's Cove old road reaches the top bluff of the mountain; thence with said road to the Sweeden's Cove Road to a curve in said road, about one-- fourth mile above J.C. Raulston's; thence with said road to the Dixie Highway at Ketchall; thence North with the Dixie Highway to the Battle Creek Institute; thence with the meanderings of Cumberland Mountain to a point near John Walker's home; thence with the Dixie Highway to the point of beginning.

Provided, that nothing herein shall be construed as affecting, diminishing or abridging any other provisions

of any game and fish law now in effect, but shall only be in addition thereto.

**SECTION 2.** That any person violating any of the rules and regulations of said association, shall be punished in the same manner as for violation of the Game and Fish Law now in effect in this State.

**SECTION 3.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 11, 1929.

## Animals and Fish - Historical Notes

The following is a listing of acts that at one time affected, but no longer appear to have any effect on, hunting, fishing or animal control in Marion County. They are included herein for reference purposes.

1. Public Acts of 1871, Chapter 9, exempted Marion County from the general fish law which prohibited seining, basketing, trapping or netting.
2. Public Acts of 1897, Chapter 240, allowed Marion County residents to catch fish in any manner except by poison, dynamite, or wing net, except from April 1st to June 1st.
3. Private Acts of 1917, Chapter 419, make it unlawful to allow any bull over seven months or any boar over three months to run at large or on unenclosed lands.
4. Private Acts of 1917, Chapter 686, set the open season on turkey, turkey gobbler, quail, deer and squirrel.
5. Private Acts of 1917, Chapter 696, amended general law to provide that all persons would be permitted to fish in Marion County without a license.
6. Private Acts of 1921, Chapter 405, exempted Marion County from the general dog law of the state.
7. Private Acts of 1929, Chapter 263, authorized an election to ascertain the will of the voters with regard to a stock law.
8. Private Acts of 1929, Chapter 825, made a four-wire fence a lawful fence in Marion County.
9. Private Acts of 1939, Chapter 339, regulated the selection of County Agricultural Extension Committees in counties having a population of note less than 17,500, nor more than 17,600 by the Federal Census of 1930.

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