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## Chapter II - Animals and Fish

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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

### Deer

#### Public Acts of 1975 Chapter 121

**SECTION 1.** The deer hunting season in Macon County shall be established in accordance with deer hunting seasons established throughout the state by the Wildlife Resources Agency.

**SECTION 2.** Chapter 96 of the Public Acts of 1969 is repealed in its entirety.

Passed: May 5, 1975.

### Foxes

#### Private Acts of 1953 Chapter 312

**SECTION 1.** That it shall be lawful for any person to take or kill, by any means whatsoever foxes of any species in Macon County.

**SECTION 2.** That the Quarterly County Court of such County is hereby authorized to pay a bounty not exceeding \$3.00 in each case, for the taking of foxes in said County. Before such bounty shall be paid, the person claiming the same shall be a resident of Macon County and shall produce the hide of such fox and make affidavit before the County Court Clerk that said fox was taken in said County and that no bounty has been paid thereon before. The false making of such affidavit shall be punishable as perjury. Upon the above conditions being complied with, the Clerk shall distinctly mark such hide in such manner as to prevent its reuse for this purpose and then shall pay to the claimant such bounty as may have been fixed out of county general funds.

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

Passed: March 19, 1953.

#### Private Acts of 1955 Chapter 261

**SECTION 1.** That there shall be a closed season upon red foxes at all times, but that red foxes may be chased with dogs at any time of the year, except as during such periods as may be fixed by the Game and Fish Commission for the protection of the species, in all counties of this State having a population of not less than 13,595 and not more than 13,601, inhabitants, according to the Federal Census of 1950, or any subsequent Federal Census.

Should the Game and Fish Commission determine that there is need for an open season on red foxes in any such county or counties, they shall have the power and authority to open the same for such a period of time as they seem (sic) necessary and advisable.

**SECTION 2.** That it shall be unlawful to kill or trap red foxes in such counties and at any time during the year, except in any such period of time that an open season may be declared by the Game and Fish Commission. Any person violating this Act shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine not less than Ten (\$10.00) Dollars nor more than Fifty (\$50.00) Dollars.

**SECTION 3.** That this Act shall have no effect unless the same shall have been approved by two-thirds vote of Quarterly County Court of any county to which it applies on or before the next regular meeting of such quarterly county court occurring more than thirty days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

**SECTION 4.** That all laws or parts of laws in conflict with this Act, be and the same are hereby repealed, and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 8, 1955.

#### Public Acts of 1976 Chapter 587

**SECTION 1.** Electronic lures shall not be used in fox hunting in Macon County. Any person violating the

provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars (\$50.00).

**SECTION 2.** This act shall take effect on becoming a law, the public welfare requiring it.

Passed: March 17, 1976.

## Minnows

### Private Acts of 1951 Chapter 673

**SECTION 1.** That it shall be unlawful in Trousdale or Macon Counties for any person to catch from the streams of Trousdale and Macon Counties minnows for the purpose of sale.

As amended by: Private Acts of 1957, Chapter 275

**SECTION 2.** That it shall be unlawful in Trousdale or Macon Counties for any person to possess more than one-hundred and fifty (150) minnows, provided, however, that this Act shall not apply to any boat dock operator, fish hatchery operator or other person who possesses or sells minnows not caught in the streams of Trousdale or Macon Counties.

As amended by: Private Acts of 1957, Chapter 275

**SECTION 3.** That violation of this Act shall be a misdemeanor, punishable by a fine not to exceed Twenty-five Dollars (\$25.00).

**SECTION 4.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 16, 1951.

## 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 Macon County. They are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1897, Chapter 283, made it lawful to catch fish in Lincoln, Macon, Meigs, and Carroll Counties in every way and at all times except by the use of explosives and poisons, or by devices which prevent the easy passage of fish up and down the streams of said counties.
2. Private Acts of 1907, Chapter 438, declared it to be unlawful in Union and Macon Counties for live stock such as cattle, horses, mules, hogs, sheep, and goats to be allowed to run at large by their owners same being termed as a misdemeanor and subjecting the violator hereof to a fine of \$2.00 to \$5.00. Any person damaged thereby was given a lien on the trespassing stock and the right to take them up, feed and care for them and add the cost of that to the lien. This Act did not relieve railroads from any of their liability in any way.
3. Private Acts of 1911, Chapter 417, made it lawful for resident citizens of Macon, Wilson, and Trousdale counties to fish by trot line, gigging, bait, or net, the mesh of which shall not be less than one inch, and provided that no fees shall be charged by the Department of Game and Fish to any person in these counties for fishing in such a manner. This act repealed all those portions of Public Chapter 489, Acts of 1907, as they may have conflicts with this act.
4. Private Acts of 1917, Chapter 314, amended Chapter 438, Private Acts of 1907, Item Two, above, by giving the Grand Juries in the involved counties inquisitorial powers overall violations of the provisions of that act, a stock law, and made it the duty of the Judges of the Circuit Courts to charge it specifically to them.
5. Private Acts of 1917, Chapter 401, declared it to be lawful for the resident citizens of Pickett, Fentress, Overton, Clay, Jackson, and Macon Counties to hunt and kill squirrels at any time of the year on all unenclosed land in the said counties and on tillable or enclosed land with the written, or verbal, permission of the owners, without anyone having to procure a license from the State to do so.
6. Private Acts of 1923, Chapter 708, declared it unlawful to catch fish, except with hook and line, in any of the creek waters of Macon County, identified with the 1920 Federal Census figures. The guilty would be punished with fines ranging from \$5.00 to \$25.00 and Grand Jury's would have inquisitorial powers over this act in that county. This act was repealed by the one below.
7. Private Acts of 1925, Chapter 144, expressly repealed in its entirety Chapter 708, Private Acts of 1923, above, which attempted to regulate fishing in the waters of Macon County.

8. Private Acts of 1931, Chapter 396, made it legal after the passage of this act to catch and kill fish in any of the streams of Macon County in any way except by dynamite, explosives, and poisons. All conflicts were repealed.
9. Private Acts of 1935, Chapter 543, declared it to be unlawful to hunt rabbits at any time in Macon County without having a license, including open season which may be declared by the State. The act further declared it to be unlawful to fish from July 15 to August 20, of each year, with a seine, if the meshes of the seine were an inch, or larger.
10. Private Acts of 1935, Chapter 711, authorized M.M. Kirby, who has over ten years experience in the practice of veterinary medicine in Trousdale County, is over 21 years of age, and is of good moral character, to continue the practice in Trousdale and Macon Counties in the same manner and to the same extent as others upon his complying with the conditions of this act. He shall file proof of all the above with the State Board of Medical Examiners who shall thereupon issue him a license and he shall then pay the customary fees for the same.
11. Private Acts of 1937, Chapter 249, also conferred the same right to practice veterinary medicine and surgery in Macon County upon I. L. Roark, who possessed equal qualifications and had similar experiences to Kirby in the act above. The Board would grant him a license and he would pay all the charges therefor as were required in the 1935 act concerning Kirby.
12. Private Acts of 1945, Chapter 292, stated that Oscar Carr, a veterinary surgeon, had accumulated over ten years experience in the practice of the art, was over 21 years of age, had a good moral character and was well qualified, therefore, this act allowed Carr to continue the practice of veterinary medicine and surgery in the same manner in Macon County. Upon receiving proof of the above, the Board of Veterinarian Examiners would issue him a license for which he would pay all lawful charges.
13. Private Acts of 1945, Chapter 294, stated that R.W. Stubblefield has practiced the art of veterinary medicine for a number of years and has over five years experience in surgery in the same field, that he is a person of good moral character, and of lawful age, therefore, he is authorized by this act to practice veterinary medicine and surgery in Macon County in the same manner as others. When he files proof of the above with the State Board of Veterinarian Examiners, they shall issue him a license and he will be obligated to pay the proper fee.
14. Private Acts of 1945, Chapter 573, recited substantially the same averments of character, qualifications, and experience in veterinary medicine about Haley Bransford, of Macon County, and granted him the same right to continue the practice without having to be tested by the Board of Veterinarian Examiners as were the others.
15. Private Acts of 1955, Chapter 159, made it lawful for anyone to take any fish of the sucker family by means of gigs or fish spears in Macon County between January 1 and April 1, of each year. This act was rejected and disapproved by the Quarterly County Court of Macon County and never became a law.
16. Private Acts of 1955, Chapter 160, declared it to be unlawful for any person to take and kill squirrels by firearms in Macon County between June 1 and December 1 of each year but the right shall be restricted to four squirrels per day only. This act was also rejected and disapproved by the Quarterly County Court and consequently never went into effect under the provisions of the Home Rule Amendment to the State Constitution.
17. Public Acts of 1969, Chapter 96, made it lawful to hunt deer with guns in Macon County only during the seven days beginning on the first day of the state season established by the Game and Fish Commission, or on the first day of the first part of any split season, as established by the commission, and ending on the seventh day thereafter. The act did not apply to the season for hunting deer with bow and arrow in Macon County. This act was specifically repealed by Public Acts of 1975, Chapter 121, published herein.

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