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Animals and Fish - Historical Notes

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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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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 Haywood 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 203, made it illegal in Haywood County to hunt, capture, kill, shoot, wound, or destroy any partridge, quail, woodcock, pheasant, or wild turkey, from the 15th of February to the 15th of November. It was also unlawful to kill wild turkeys from May 1 to November 1 of each year. It was further prohibited to ship any of the above from the county. To net partridge or quail at any time was forbidden and to kill for profit at any time was unlawful. All violators of any of the above would be fined \$5 to \$25 for the first offense and \$25 to \$50 for subsequent ones.
2. Acts of 1897, Chapter 299, declared it unlawful for any person to catch, kill, or wound any fish in any of the streams, lakes, rivers, or ponds in Haywood, Rutherford and Hardeman Counties by seine, trap, net, gun, grabbing with hands, gig, poison, dynamite, or in any other way except by rod and line, hand line, or trot line. The act did not apply to private ponds or to minnows less than 4½ inches long. A fish gate or dam could not be built across any stream. Violators would be subject to fines ranging from \$50 to \$100 and ten days in jail in the discretion of the Judge for first offenses but if the offense involved poison, or dynamite, the punishment required six months in jail. All money derived from the fines would go into the school funds.
3. Acts of 1899, Chapter 95, amended Acts of 1897, Chapter 299, by removing some of the prohibitions set out in that act as they applied to Hardeman County. Fish traps and seines were legalized if the slats and meshes were at least two inches apart.
4. Private Acts of 1901, Chapter 17, made it unlawful for any owner of hogs, sheep, or goats to permit them to run at large in Haywood County, using population figures of 1900. Any damages caused by trespassing stock would be a lien against the animals. They could also be taken up and cared for until reclaimed by the owner, the cost of which could be added to the lien. The act was called a misdemeanor and violators could be fined from \$2 to \$5 for each offense. This Act was repealed by Private Acts of 1911, Chapter 75.
5. Private Acts of 1901, Chapter 53, declared it to be unlawful for any kind of livestock to run at large in Haywood County. The other terms and conditions relative to the damaged party having a lien on the animals remained the same. The fines for violation were raised to \$5 and \$10. This law was repealed by Private Acts of 1911, Chapter 75.
6. Private Acts of 1903, Chapter 57, amended Acts of 1897, Chapter 203, by changing the date "February 15th" to the "first day of March" which shortened the closed season on birds to that extent.
7. Private Acts of 1903, Chapter 473, made it lawful to fish in any of the streams of Haywood County with barrel nets provided the mesh did not come under two inches and also to fish with wing nets not to exceed ten feet in length.
8. Private Acts of 1905, Chapter 313, declared it unlawful to catch, kill, or wound, fish in Haywood County by any means except rod and line, trot line, or barrel nets whose mesh did not exceed two inches and wings not to exceed ten feet. This act did not apply to private ponds or to minnows up to 4½ inches in length. Dams or any other obstructions, or fish gates or traps, could not be placed across streams. Violators could be fined from \$15 to \$25, and, if poison or dynamite were involved, they could be fined from \$25 to \$100, all money going into the school fund.
9. Private Acts of 1911, Chapter 75, declared it unlawful for the owner of hogs, sheep, goats, cows, horses, mules, or livestock of any kind to permit the same to be at large or on the premises of another in Haywood County. The owner is liable for damages, and the other party may have a lien upon the animals for his damages plus the cost of caring for and feeding the animals until reclaimed by the owner. The act was also a misdemeanor with fines from \$5 to \$20. This act specifically repealed Private Acts of 1901, Chapters 17 and 53, and all other acts in conflict.
10. Private Acts of 1913, Chapter 269, stated that the open season on quail in Haywood County during which time only they could lawfully be killed, shall be during the months of December and January following; the open season on squirrels was set from June 15 to January 1 of each year.
11. Private Acts of 1917, Chapter 595, made it unlawful for any person to hunt, kill, or capture wild ducks and geese in Haywood County except within the time stated in the act which was from December 1 to April 1 of the year following any violation being subject to fines from \$10 to \$25.
12. Private Acts of 1921, Chapter 405, was an act which specifically exempted many counties,

- Haywood among them, from the operations of Public Acts of 1919, Chapter 61, a rather stringent statewide dog law which placed several limitations and restrictions on the care and keeping of canines.
13. Private Acts of 1925, Chapter 89, sets the open season for the shooting of quail in Haywood County from December 10 to March 1 of the following year. Open season for shooting squirrels shall be from July 1 to January 1 of the ensuing year.
 14. Private Acts of 1925, Chapter 460, declared that the rabbit, the common cotton-tailed type, was game and the open season during which they may be lawfully hunted and killed in Fayette, Hardeman, and Haywood Counties was prescribed from November 25 to March 1 of the following year. Fines for violations ranged from \$10 to \$25 but any person, or member of his family, could kill rabbits on their own land at any time if they were a menace to the crops.
 15. Private Acts of 1927, Chapter 181, made it unlawful for any person, firm, or corporation, to take, trap, catch, or kill any wild animals by any means in Haywood County, except cotton-tail rabbits may be killed, bought, sold, shipped, or transported within the State from December 10 to February 14 following. However, one could chase, capture, and kill wild animals at night with dogs from November 15 to February 14, following, and any owner of land, or family, could kill them at any time if the animals were a menace to crops or poultry. The fine was from \$25 to \$50.
 16. Private Acts of 1927, Chapter 182, made it lawful to hunt, take, capture, and kill quail in Haywood County from December 10 to February 14, exclusive. Violators would be fined from \$25 to \$50 and each bird taken or killed, out of season would constitute a separate offense. All laws in conflict were repealed.
 17. Private Acts of 1927, Chapter 188, amended Private Acts of 1925, Chapter 89, Section 2, by striking out "July" and inserting "June" therein, making the open season for shooting squirrels under that act run from June 1 to January 1 of the following year.
 18. Private Acts of 1927, Chapter 607, declared it to be unlawful to allow any dog to run at large during May, June, and August in Haywood County, unless accompanied by its owner, or unless the dog was wearing a well fitted muzzle. Deputy Game Wardens were to enforce this law with one-half of the fine going to them and the rest to the State Game and Fish Department. The act did not apply to dogs in chase or which were being trained. A schedule of fines was provided in the law. This Act was repealed by the one following.
 19. Private Acts of 1929, Chapter 197, specifically repeals Private Acts of 1927, Chapter 607, in its entirety.
 20. Private Acts of 1929, Chapter 336, declared it to be lawful in Haywood County, using population figures of 1920, to take, trap, catch, or kill any wild animals between October 15 of each year through January 15 of the following year. Cottontail rabbits may be killed, bought, sold, shipped, or transported within the State at any time during the year. The same schedule of fines, \$25 to \$50 prevailed.
 21. Private Acts of 1937, Chapter 26, declared that it would not be unlawful hereafter for any person to fish by means of hook and line with natural bait only, without the payment of a license fee in Haywood County.
 22. Private Acts of 1953, Chapter 458, made it lawful in Haywood County for any person to take, capture, and trap coons and bullfrogs at all times of the year but
 23. spotlight hunting of coons was expressly forbidden being punishable as a misdemeanor. This act was repealed by Private Acts of 1955, Chapter 402.
 24. Private Acts of 1953, Chapter 459, made it legal to hunt and kill squirrels in Haywood County between July 15 and August 15 of each year. This act was repealed by Private Acts of 1955, Chapter 401.
 25. Private Acts of 1955, Chapter 401, expressly repealed Private Acts of 1953, Chapter 459.
 26. Private Acts of 1955, Chapter 402, expressly repealed by Private Acts of 1953, Chapter 458.

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