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Animals and Fish - 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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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 Lake County. They are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1875, Chapter 17, established closed seasons on deer from February 1 to September 1, on song-birds during the same time, on wild turkey-hens from March 1 to October 1, on any wild turkey from May 1 to September 1, on quail from April 15 to September 1, and also forbid the destruction of the nests or eggs of any of these birds, and the netting or trapping of wild turkeys. A schedule of fines for the violation of these provisions was set up with the money going into the school fund.
2. Private Acts of 1877, Chapter 38, repealed specifically Acts of 1875, Chapter 17, above.
3. Private Acts of 1877, Chapter 145, made it unlawful for any person other than citizens of Obion and Lake Counties to hunt, fish, or kill fowls on Reelfoot Lake for profit, but all citizens could do so when it was for their use and benefit. Fines ranged from \$5.00 to \$100.00 for second and all subsequent violations, one-half to go to the County Trustee and one-half to the person suing for it.
4. Acts of 1903, Chapter 169, may have been the first statewide act regulating game and fish.
5. Acts of 1907, Chapter 185, was a statewide law for game and fish establishing some regulations for licenses, for Game Wardens and their authority to enforce the laws, setting open seasons for quail and deer, and also for squirrels by naming each county. The open season on squirrels in Lake County was from June 1 to March 1. This Act amends and repeals several public and private acts which relate to both counties and the Department of Game, Fish, and Forestry.
6. Private Acts of 1909, Chapter 284, prohibited under penalty of fines ranging from \$5.00 to \$25.00 the running at large of hogs in Lake County. The Sheriff must impound these animals where he has knowledge of the trespass, or when he is notified by the damaged person. The Sheriff may sell the animals under certain conditions to the highest bidder. After deducting his fee of 25 cents per head per day's keeping, and the damages being paid, the remainder of the sale's proceeds would be paid over to the owner. The owner of the hogs could also redeem them at any time before the sale upon payment of the expenses to that date. (The state law on hogs, Chapter 15 of Title 44, has been repealed, and, unless they are included in the term, livestock there is no specific law on this subject at the state level.)
7. Private Acts of 1909, Chapter 502, established a fence law for Lake County allowing the owner of crops or land trespassed upon by another's animals to obtain a lien on the animal(s) committing such trespass. Private Acts of 1977, Chapter 135, made this act inapplicable to Lake County.
8. Private Acts of 1917, Chapter 818, amended Private Acts of 1909, Chapter 284, above, by striking Section 7, and setting a new per diem rate for keeping stray hogs at fifty cents per head for the first day or fraction and Twenty-five cents a head per day thereafter.
9. Private Acts of 1919, Chapter 89, authorized the holding of a referendum in Lake County to ascertain the will of a majority of the voters regarding a stock law for the county. The election would take place on February 15 and the results would be certified to the Legislature by the Election Commission. The ballot would have "For Stock Law," and "Against Stock Law."
10. Private Acts of 1921, Chapter 295, was also enacted to permit a referendum on the question of a stock law under the same conditions as before except a five day limitation was placed upon the certification of the election to the General Assembly by the County Election Commission.
11. Private Acts of 1923, Chapter 359, made it unlawful for the owner as the custodian of livestock, horses, mules, jacks, jennets, cattle, hogs, sheep, and goats to permit them to run at large. The fines for violation ranged from \$5.00 to \$25.00 and each day of running at large would constitute a separate offense. The Sheriff could take up and impound the animals but the owner or custodian could redeem them upon payment of damages, else the Sheriff would advertise and sell to the highest bidder. The officers fee was 50 cents per day for hogs, and \$1.00 a day for the rest of the aforementioned animals. The proceeds of any sale would be distributed as set out previously, to the Sheriff, to the damaged person, and then the balance to the owner, if any. The damaged person was also given a lien against the stock and the owner was made liable in civil suits for trespass. This act was repealed by Private Acts of 1925, Chapter 435.
12. Private Acts of 1923, Chapter 527, amended Private Acts of 1923, Chapter 359, by making the requirements of that law inapplicable to the Sixth Civil District of Lake County.

13. Private Acts of 1925, Chapter 435, expressly repealed Private Acts of 1923, Chapter 359, and its amending act, Private Acts of 1923, Chapter 527.
14. Private Acts of 1949, Chapter 855, prohibited the taking of fish in Lake County other than in Reelfoot Lake and the Mississippi River by means other than by the use of hook and line. This act was repealed in full by Private Acts of 1977, Chapter 156.

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