



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Chapter II - Animals and Fish

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,

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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Chapter II - Animals and Fish

Foxes

Private Acts of 1951 Chapter 430

SECTION 1. That in counties of this State having a population of not less than 23,565 nor more than 23,575 according to the Federal Census of 1950 or any subsequent Federal Census, it shall be lawful hereinafter to hunt and take foxes throughout the entire year, either red foxes or gray foxes, any other law to the contrary notwithstanding.

SEC. 2. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 8, 1951.

Fish

Private Acts of 1963 Chapter 162

SECTION 1. That it shall be unlawful for any person to engage in grabbling for fish in Bedford County. For the purposes of this Act the word "grabbling" is defined as meaning the taking of fish with the hands from any water in Bedford County.

SECTION 2. That this Act shall have no effect unless the same shall have been approved by a two-thirds (b) vote of the Quarterly County Court of Bedford County on or before the next regular meeting of said Quarterly County Court occurring more than thirty days (30) after its approval by the Governor. Its approval or non-approval shall be proclaimed by the presiding officer of said Quarterly County Court and shall be certified by him to the Secretary of State.

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

Passed: March 15, 1963.

Animals and Fish - Historical Notes

Fish

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

1. Public Acts of 1887, Chapter 130, amended the state game laws to the extent that it would be lawful in Bedford County to trap and net both turkeys and partridges except that partridges must not be trapped or netted between March 1 and September 15, and turkeys must not be netted or trapped from May 1 to September 15, of each year. The fines scheduled for violations were \$2.50 for each partridge and \$5.00 for each turkey netted or trapped out of season.
2. Private Acts of 1897, Chapter 269, declared it to be unlawful for any person to hunt, kill, net, trap, shoot, wound, or capture quail, or partridges, in Bedford County at any time or season of the year for a period of five years after the passage of this Act. It was likewise declared to be unlawful to destroy the nest or eggs of the same during the same time span. Fines ranged from \$5.00 to \$25.00 for the first offense and from \$25.00 to \$50.00 for the second, and subsequent offenses.
3. Private Acts of 1897, Chapter 314, exempted Bedford and Marshall counties from all the provisions of Public Acts of 1895, Chapter 127, a statewide law for the protection of fish, except insofar as that act prohibited the catching, killing, or wounding of fish by the use of poison, or explosives.
4. Private Acts of 1905, Chapter 309, amended Subsection 7, of Section 3, of Laws of 1903, Chapter 169, a statewide game law by making it lawful to kill squirrels in Lincoln and Bedford counties at any season of the year by repealing that portion of the state act as it applied to these two counties.
5. Private Acts of 1913 (Ex. Sess.), Chapter 47, made it unlawful for any person to kill, or take quail in Bedford County, using the 1910 Federal Census figures, from January 1 to December 1, each year. Fines for violation were set from \$5.00 to \$10.00 and all laws in conflict herewith were

repealed.

6. Private Acts of 1917, Chapter 718, made it lawful to catch non-game fish in Bedford County using the 1910 Federal Census figures, by using fishbaskets, if the meshes were no smaller than two inches in size, and also by grabbling with hook and line, but those fish which are designated as game fish by the State of Tennessee when caught in this manner, shall be immediately returned to the water. Failure to comply with this act could lead to fines up to \$50.00 and jail sentences up to six months.
7. Private Acts of 1925, Chapter 108, declared it to be unlawful for any person, firm, or corporation, owning, or having in charge any horses, mules, cattle, sheep, swine, or goats, to wilfully and knowingly, or negligently, permit the same to run at large in Bedford County. The law gave the person damaged a lien on the trespassing stock and the cost of taking up and caring for the invading animals could be added to the lien. Additionally the owner was guilty of a misdemeanor which subjected him to fines from \$5.00 to \$25.00 for each offense.
8. Private Acts of 1925, Chapter 482, amended Public Acts of 1923, Chapter 102, Section 40, by making it unlawful to seine for fish in any stream in Bedford County with a seine whose mesh is larger than one inch during the month of July in each year. This act was repealed by the one following.
9. Private Acts of 1927, Chapter 41, specifically and entirely repealed Private Acts of 1925, Chapter 482, which provided for the seining of fish in the streams of Bedford County.
10. Private Acts of 1927, Chapter 702, provided that any resident owning, keeping, or harboring on the premises any dog over four months old shall pay a license fee of \$1.00 for males and \$3.00 for females but may pay a kennel license fee of \$10.00 and keep up to twelve dogs, or pay \$15.00 and keep unlimited numbers. This act was made to apply to Bedford, Maury, Montgomery, and Wilson counties. The county trustee would collect the license fees and issue metal tags for the dogs which were to be worn on the collar at all times. Replacement tags could be had for twenty-five cents. The trustee was also required to record and keep specified information about the dogs which would be reported to the state along with 25% of the license fee money. Game wardens were directed to take up loose animals and any person having stock injured by these strays would have a lien for damage on the property of the animals owners. See Darnell v. Shapard, 156 Tenn. 545, 3 S.W.2d 661 (1928).
11. Private Acts of 1929, Chapter 31, amended Private Acts of 1927, Chapter 702, above, by striking out the language which made the act applicable to Bedford, Maury, and Montgomery counties, leaving it in force only in Wilson County.
12. Private Acts of 1935, Chapter 267, declared it to be lawful for any person in Bedford County to hunt, take, possess or kill foxes. It was lawful to do so upon the land of another without first having to obtain permission. This privilege is granted only to bona fide residents of the county and to persons owning or controlling land by lease agreements. Fines for non-compliance herewith ranged from \$5.00 to \$50.00.
13. Private Acts of 1935, Chapter 268, made it legal for any resident of Bedford County to hunt, chase, trap, kill, catch, or take any wild animals, wild birds, fowl, or fish, without a license of any kind being required, but one could not do so upon the land of another without first obtaining permission to do so. All non-residents, or non-owners of land, or bona fide lessees, shall pay the annual \$2.00 fee to the county court clerk which funds shall go to the schools. Any person in violation hereof could be fined from \$5.00 to \$50.00 for each offense.
14. Private Acts of 1935, Chapter 269, declared it lawful for all persons, firms, and corporations, in Bedford County to buy and sell the fur of wild animals without the necessity of having to obtain a license.
15. Private Acts of 1957, Chapter 176, amended Section 1, of Private Acts of 1955, Chapter 189, by providing that in all counties where local sportsmen maintain a hatchery for the purpose of stocking or restocking the streams with all species of sucker and red horse fish, it shall be unlawful for any person to snare, or to snatch with a hook, any of the above species of fish in the streams stocked from said hatchery between September 1 and March 1. This act was rejected at the local level and did not become a law.

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