



December 20, 2024

Chapter II - Animals and Fish

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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Table of Contents

Chapter II - Animals and Fish 3
Livestock Inspector 3
Private Acts of 1951 Chapter 227 3
Minnows 3
Private Acts of 1951 Chapter 263 3
Running At Large 3
Private Acts of 1931 Chapter 825 3
Red Foxes 4
Private Acts of 1978 Chapter 188 4
Animals and Fish - Historical Notes 4

Chapter II - Animals and Fish

Livestock Inspector

Private Acts of 1951 Chapter 227

SECTION 1. That in counties of this State with a population of not less than 9,870 nor more than 9,890 by the Federal Census of 1940 or any subsequent Federal Census, the Quarterly County Court is hereby authorized to elect for a term of one year, two animal inspectors. In case a licensed veterinarian or licensed veterinarians shall be located in said county, then the Quarterly County Court shall be under the obligation to elect such inspectors from such licensed veterinarians to the extent of the number in said county. It shall be the duty of such livestock inspectors to make an inspection and examination of the live-stock in said county and to treat such as may be found ailing or sick with the view to promoting the spread of health among such stock and to reduce the danger of infections or contagious diseases. Such animal inspectors may contract with the owner or owners of any diseased livestock found by them for the treatment thereof by such inspectors, the compensation therefore to be mutually agreed upon between the parties. Such livestock inspectors may be compensated by the Quarterly County Court of such counties to which this Act applies in an amount not to exceed Ten (\$10.00) Dollars per annum for the inspectors so appointed.

Election thereof may be made by the Quarterly County Court at any regular term and the persons so elected shall hold office for a period of one year from the date of such election. The said county shall be liable for the default or negligence of any such livestock inspectors where such County Court has used special care and caution in the selection thereof, but nothing herein shall exempt such inspectors personally for the negligence in the performance of their duties.

As amended by: Private Acts of 1953, Chapter 235

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 20, 1951.

Minnows

Private Acts of 1951 Chapter 263

SECTION 1. That it shall be unlawful in Cannon County for any person to catch or possess minnows for the purpose of sale, provided same were caught in any stream in Cannon County.

SECTION 2. That it shall be unlawful in Cannon County for any person to possess more than one-hundred and fifty (150) minnows, provided same were caught in any stream in Cannon County.

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: February 27, 1951.

Running At Large

Private Acts of 1931 Chapter 825

COMPILER'S NOTE: The provisions of this act may have been superseded by Tennessee Code Annotated § 44-8-401 et. seq.

SECTION 1. That it shall be unlawful for any owner or any one having the charge or control of horses, mules, asses, cattle, sheep, swine or goats to wilfully, knowingly or negligently permit the same to run at large in counties in Tennessee having a population of not less than 8,934, and not more than 8,936, according to the Federal Census of 1930, or any subsequent Federal Census.

SECTION 2. That the owner or owners of live stock mentioned in Section 1 of this Act shall be liable for all damages done to the property of others by any such livestock when or while running at large in said counties and that those so damaged shall have a lien on the live stock doing the damage, which lien may

be enforced either by attachment or by judgement and execution.

SECTION 3. That any person or persons upon whose land or premises such stock so trespassing, whether said land be held as owner, tenant or lessee, shall have the right to take up and confine such stock, giving the same good and sufficient feed, water and attention, for which he or they shall be entitled to reasonable compensation and they shall have a lien on said live stock for the payment and satisfaction of the same, which lien may be enforced either by attachment or by judgement and execution.

SECTION 4. That any person or persons so taking up or confining any such trespassing live stock shall give notice the same day to the owner or person having the control or charge of such trespassing live stock, if known. If the owner or person having control or charge of such trespassing live stock be unknown the person so taking up and confining said stock shall within twenty-four hours post three notices in three conspicuous public places in the district where said live stock is being confined, giving a description of the stock, the time taken up, the place of confinement or detention and by whom held.

SECTION 5. That any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction be fined not less than \$2.00, nor more than \$25.00.

SECTION 6. That his Act take effect from and after October 15, 1931, the public welfare requiring it.

Passed: June 30, 1931.

Red Foxes

Private Acts of 1978 Chapter 188

COMPILER'S NOTE: This act may have been superseded by Tennessee Code Annotated Title 70. See T.C.A. § 70-4-209.

SECTION 1. It shall be lawful in Cannon County to buy or sell green hides, raw furs, or pelts of a red fox.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Cannon County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 3. For the purpose of approving or rejecting this Act it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon begin approved as provided in Section 2.

Passed: February 20, 1978.

Animals and Fish - Historical Notes

Animals and 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 Cannon 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 1870, Chapter 19, prohibited seining, netting, either with set or a dip net, basketting, or trapping fish in any stream, pond, or reservoir, in Rutherford, Davidson, Robertson, Montgomery, Cheatham, Williamson, Maury, Stewart, Cannon, Marion, Warren, and Dickson Counties. Fines for violators would range from \$5 to \$20 for the first offense and from \$20 to \$50 for the second offense. Nothing in this Act intended to prevent appeals of any nature from being taken. This Act was repealed by the one below.
2. Private Acts of 1871, Chapter 9, repealed Chapter 19, Private Acts of 1870, above, as the same related to Maury, Dickson, Warren, Marion, Benton, Humphreys, and Cannon Counties.
3. Private Acts of 1899, Chapter 345, amended Chapter 127, Acts of 1895, which was a statewide Act making it lawful to take fish except by rod and reel and trotline, so as to give the Grand Jury in Cannon County inquisitorial powers on this law for the protection of fish and made it the duty and responsibility of the presiding Judge of the Circuit, or Criminal, Court to charge this Act to the Grand Jury. This Act was repealed by the one following.
4. Private Acts of 1901, Chapter 372, exempted Cannon County from the operations and provisions of Chapter 127, Public Acts of 1895, explained above, and specifically repealed Chapter 345 of Private Acts of 1899 in its entirety.

5. Acts of 1907, Chapter 489, was a statewide general law regulating fish throughout the State. Section 15 provides that persons may seine for their own use in the streams, when they use nets with meshes no smaller than 1¼ inches, of several counties named in the Act including Cannon County.
6. Private Acts of 1917, Chapter 42, made it unlawful in Cannon County, identified by the use of the 1910 Federal Census figures, for any person to shoot, kill, or injure by any method, any quail, or partridge, except during the times stated in this Act, from November 15 until February 15. Squirrels, rabbits, and all fur-bearing animals, wild ducks, wild geese, wild turkeys, and all migratory game birds may be killed during any time of the year. It was declared unlawful to gig, spear, shoot, or kill any fish in any running stream, or water, with dynamite, or any other explosive. It was lawful to use hook and line and grab hooks, to grapple with the hands, and to use a seine, or wing net, from June 1 until September 1, and no license shall be required to do so. One must have permission to hunt or fish on the lands of another. Fines for violators were set from \$5 to \$50 and would be placed in the school fund.
7. Private Acts of 1919, Chapter 162, was the authority to hold elections in Cannon County on the questions of a "Fence Law" or "No Fence Law," the elections to be held according to the general laws of the State, the returns to be sealed up and directed to the Election Commission. All officers, Judges, and Clerks of the election would serve without compensation.
8. Private Acts of 1921, Chapter 405, was an Act by which many of the Counties, including Cannon, exempted themselves from the provisions of Chapter 61, Public Acts of 1919, which was a rather restrictive and coercive Act regulating the care and keeping of dogs throughout the State.
9. Private Acts of 1925, Chapter 241, provided for an election to be held on Saturday, March 28, 1925, in Cannon County, identified by 1920 population figures, to ascertain the will of the people with reference to a stock law. All the general election laws of the State were to be observed, and the ballots were to be marked "For" or "Against." The results of the election were to be certified to the delegation in the General Assembly representing Cannon County.
10. Private Acts of 1927, Chapter 362, amended Chapter 102, Public Acts of 1925, which was the State Game Law, so as to exempt Cannon County from that portion of Section 28 of the Act, which related to the hunting of squirrels in Cannon County, the citizens being authorized to kill, take, or capture them at any time.
11. Private Acts of 1929, Chapter 244, stated that the Election Commission in Cannon County shall call an election to be held in the said County within thirty days after passage of this Act for the purpose of ascertaining the will of the people with reference to a Stock Law for the County, and the election of a County Superintendent of Public Instruction for the school system. The Election Commission was instructed to canvass the vote and advise the Cannon County delegation in the General Assembly.
12. Private Acts of 1929, Chapter 908, made it unlawful for any person, firm, or corporation, to take, ship, or transport more than 50 minnows per day out of Cannon County on the chance of being fined from \$25 to \$50 for each violation.
13. Private Acts of 1931, Chapter 355, required the Election Commission of Cannon County to hold an election on the second Saturday after the effective date of this Act to ascertain the will of the people with reference to a Stock Law, the ballots being either "For" or "Against." The results of the election were to be certified to the Cannon County representative and Senator in the General Assembly and the expense would be paid as any other election expense.
14. Private Acts of 1933, Chapter 86, made it legal to hunt, chase, or kill, rabbits, squirrels, and gray foxes at and during all seasons of the year in Cannon County. All conflicting Acts were repealed.
15. Private Acts of 1933, Chapter 87, also declared it to be lawful in Cannon County to hunt, or fish, within the geographical boundaries of such counties during the respective open seasons, and in an otherwise lawful manner, without having first to obtain the license required by the Game and Fish Commission of the State and without the necessity of having to pay any kind of fee therefor.
16. Private Acts of 1935, Chapter 772, stated that no license fee of any kind would have to be paid by any person to hunt and fish in Cannon County. All fur-bearing animals, including red foxes, may be lawfully hunted, trapped, and killed from November 1 of each year to February 15, of the year following. It was permitted for one to hunt, trap, and kill rabbits, squirrels, and gray foxes at anytime, it being expressly stated there would be no closed season on them. No minnow was to be taken from any stream for the purpose of sale. Possession of a hide, skin, or pelt of any animal during the closed season on that species would be prima facie evidence of that animal having been killed illegally.

17. Private Acts of 1935, Chapter 773, stated that B. Z. Martin, of Cannon County, had earned a diploma from the Veterinary Science Association, of Canada, and since that time he has been engaged in the practice of veterinary medicine and surgery in Cannon County; that he is a good person of good moral character, and this area and the area surrounding have a pressing need for a veterinarian, therefore, the said Martin is authorized and licensed hereby to practice veterinary medicine and surgery in these areas. The State of Tennessee shall recognize these facts and issue a license to him upon the payment of the cost and application.
18. Private Acts of 1937, Chapter 732, amended Chapter 772, Private Acts of 1935, Item 16, above, by striking the word "including" and adding the word "excluding" while declaring it to be the intent and purpose of this law to place the hunting, chasing, trapping, and killing of red foxes in Cannon County under the provisions of the Public Acts of 1937 only as to the opening and closing of the seasons and not to require the purchase of a license.
19. Private Acts of 1945, Chapter 546, declared that C. H. Allmon, of Cannon County, was a person of good moral character and skilled in the practice of veterinary medicine and surgery, whose services are needed and desired by the people of Cannon County, and adjacent areas to the Ivy Bluff community, and, therefore, the said Allmon is hereby authorized to engage in practice of veterinary medicine and surgery in the above mentioned areas, and a certified copy of this Bill is the only license which shall be required of him.

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