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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,

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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 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 This Act was repealed by the one below.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 Private Acts of 1871, Chapter 9, repealed Chapter 19, Private Acts of 1870, above, as the same related to Maury, Dickson, Warren, Marion, Benton, Humphreys, and Cannon Counties.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 This Act was repealed by the one following.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Cannon County from the operations and provisions of Chapter 127, Public Acts of 1895, explained above, and specifically repealed Chapter 345 of Private Acts of 1899 in its entirety.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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