



July 05, 2024

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## Chapter II - Animals and Fish

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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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## Chapter II - Animals and Fish

### Livestock Inspector

#### Private Acts of 1953 Chapter 392

**SECTION 1.** That in all counties of this State having a population of not less than 9,400 nor more than 9,500 according to the Federal Census of 1950 or any subsequent Federal Census, the Quarterly County Court is hereby authorized to elect for a term of two years at the July term 1954 and every two years thereafter a livestock inspector. It shall be the duty of said livestock inspector to make an inspection and examination of the livestock in said county or counties and to treat such as may be found ailing or sick with the view to promoting the spread of health among livestock and to reduce the danger of infection or contagious diseases. Such livestock inspector may contract with the owner or owners of any diseased livestock found by him for the treatment thereof by such inspector, the compensation thereof to be mutually agreed upon between the parties. The said county or counties shall not be liable for the default or negligence of any such livestock inspector where the Quarterly County Court has used reasonable care and caution in the selection thereof, but nothing herein shall exempt such inspector personally for negligence in the performance of his duty.

**SECTION 2.** That said livestock inspector shall be given the right to vaccinate all animals that may be subject to vaccination by law and to perform such other duties as may be placed upon him by law or the Quarterly County Court. Golie Montgomery is hereby appointed the first livestock inspector to serve in said county or counties and shall occupy said office until September 1, 1954.

**SECTION 3.** That all laws or parts of laws in conflict with this law are hereby repealed and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: April 3, 1953.

### Animals and Fish - Historical Notes

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 Decatur 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 1889, Chapter 171, was an act in which Decatur, and several other counties, exempted themselves from the provisions of a general game regulation which declared it unlawful for a person to hunt, trap, or kill, deer for profit but which could be killed for one's own personal use between August 1 and January 1. The same prohibition was also placed on quail, or partridge, being killed for profit, but which could also be legitimately killed for one's own use between November 1 and the following March 1.
2. Private Acts of 1921, Chapter 321, provided for an election to be held in Decatur County to ascertain the will of the people in regard to a stock law. The election would be conducted within ten to fifteen days after notice had been given with ballots to be marked simply "For" or "Against". The Election Commission would canvass the vote and certify the results to the Senator and the Representative representing Decatur County in the General Assembly.
3. Private Acts of 1921, Chapter 405, was an act which exempted nearly every county in the State from the provisions of Public Acts of 1919, Chapter 61, which was a statewide act regulating the care and keeping of dogs in the State.
4. Private Acts of 1923, Chapter 128, was applicable to Benton, Decatur, Dickson, and Houston Counties, making it the duty of the Election Commissions in those counties to hold an election to determine the feeling of a majority of the people on the question of a stock law for those counties. The Ballots would be marked "for" or "against", and the results certified to those representing these counties in the State Legislature.
5. Private Acts of 1925, Chapter 34, provided for another election to be held in Decatur County on the question of a stock law, the same conditions and requirements as before being repeated in this act.
6. Private Acts of 1927, Chapter 45, required that another election be conducted in Decatur County within ten days from the passage of this act to ascertain the will of a majority of the people regarding a stock law for that county. The results would be certified to the delegation in the

General Assembly and would also be published in the Decatur Herald in Decaturville, Tennessee.

7. Private Acts of 1927, Chapter 800, set the open season for the hunting and shooting of squirrels in Decatur County to be from May 1 until August 1, and from October 1 until the following February 1. The open season for shooting and killing quail was fixed to run from December 10 until the following February 20. This act was repealed by the one following.
8. Private Acts of 1931, Chapter 17, repealed Private Acts of 1927, Chapter 800, Item 8, above, in its entirety.
9. Private Acts of 1931, Chapter 449, made it unlawful in Decatur County, identified by the use of the 1930 Federal Census figures, for any owner, or custodian, of horses, mules, cattle, goats, sheep, or swine, to knowingly, or negligently, permit such stock to run at large. Any person damaged could have a lien for that amount on the trespassing stock which could be enforced by attachment. The violation of this act was further declared to be a misdemeanor for which one could be fined from \$5.00 to \$50.00 for each offense.
10. Private Acts of 1931, Chapter 480, declared it to be unlawful for any person, firm, or corporation, to take, catch, or kill, or attempt to do so, any fur, or hair bearing animal by means of box, trap, snare, steel trap, deadfall, or any other device in Decatur County. Violators would be punished by fines from \$10 to \$25 but any landowner, tenant, or farmer may take, catch, or kill fur, or hair bearing animals at any time when the same are a menace to their crops or poultry.
11. Private Acts of 1945, Chapter 484, provided that C. B. Morgan is hereby authorized to practice veterinary surgery in Decatur County without the necessity of obtaining a license from the State Board of Veterinary Examiners but nothing herein shall be construed as authorizing him to prescribe narcotics.
12. Private Acts of 1945, Chapter 485, conferred upon Al Johnson, being duly qualified and of good moral character, the privilege of practicing veterinary surgery in Decatur and adjoining counties without having to obtain a license from the State Board but he also was prohibited from prescribing narcotics.
13. Public Acts of 1974, Chapter 703, amended Section 51-417, Tennessee Code Annotated, by adding a provision that the last portion of the first paragraph, "while having in his possession or under his control any firearm or bow and arrow", and the following two provisos regarding the hunting of deer from a motor vehicle with artificial light at night would not apply to several counties, including Decatur, which were identified by 1970 population figures.

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