



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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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,

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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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 Dickson 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 1807, Chapter 8, required every planter to have a sufficient fence about his cleared land in cultivation which would be at least five feet high and close enough to keep hogs out of the fenced area. If trespass occurred through the fence application for damages could be made to any Justice of the Peace who could appoint two disinterested land holders to assess the damages.
2. Acts of 1822, Chapter 83, required that the Ranger of Dickson County advertise the stray to be sold in some newspaper in Nashville. See Section on Law Enforcement.
3. Acts of 1870, Chapter 19, prohibited seining and netting, either with a net or a dip-net, basketing, or trapping, in any stream, pond, or reservoir in the counties of Rutherford, Davidson, Robertson, Montgomery, Cheatham, Williamson, Maury, Stewart, Cannon, Marion, Warren and Dickson. No seine would ever be stretched across the mouth of a stream. Violators could be penalized from \$5 to \$20 for the first offense, and \$20 to \$50 for the subsequent ones, half to go to the informer and half to the State. This Act was repealed by the one following.
4. Acts of 1871, Chapter 9, repealed so much of Section One of Acts of 1870, Chapter 19, above, which related to the protection and preservation of fish in certain named counties as the same was being applied in the counties of Maury, Dickson, Warren, Marion, Benton, Humphreys and Cannon.
5. Acts of 1879, Chapter 198, declared it illegal for any person to take any fish in the waters of the counties of Dickson, Houston, Cheatham, Davidson, Rutherford, Williamson, Shelby, Fayette, Tipton, and Carroll, except by baited hook and line, or trot line. Anyone taking fish in those counties by any other means would be guilty of a misdemeanor and could be fined accordingly. This Act, however, did not apply to private lakes, or ponds, nor to the waters of the Cumberland, Tennessee, and Big Hatchie Rivers. Offenders were subject to fines from \$25 to \$100. This Act was repealed in Item 7, below.
6. Acts of 1881, Chapter 84, amended Acts of 1879, Chapter 198, Item 5, above, so that the waters of the Big Sandy River were also exempted from the application of the Act in Carroll County and the bayous, ponds, and sloughs in the Big Sandy River bottom were taken out of the Act.
7. Acts of 1885, Chapter 133, expressly repealed all portions of Acts of 1879, Chapter 198, Item 5, above, as that Act was applied and enforced in the counties of Dickson, Houston, Cheatham, Williamson, Rutherford, Carroll, Fayette, Shelby and Tipton.
8. Acts of 1899, Chapter 151, made it lawful to catch fish in Dickson County in every way and at all times except by use of poisons, or explosives, or by devices which prevent the easy passage of fish up and down a stream. Meshes of the nets and seines could not be closer than 1 1/2" except on minnow nets. It would be against the law to catch fish in any manner from March 15 to June 1 of each year. This Act was repealed in Item 9.
9. Acts of 1901, Chapter 465, declared it unlawful to catch, kill or wound fish in any of the streams of Dickson County, except with baited hook and line, or rod, but minnows to be used for bait could be caught with nets, and suckers could be taken at any time with a grab hook, and rod and line. This Act did not apply to the Cumberland or Harpeth Rivers in adjoining counties and Acts of 1899, Chapter 151, above, was repealed. Violators could be fined from \$5 to \$20 for each offense.
10. Private Acts of 1903, Chapter 123, rendered it lawful to catch fish in Dickson County in every way and at all times except for minnow nets used to procure bait. No penalties were mentioned for violators of this law.
11. Private Acts of 1917, Chapter 708, amended Public Acts of 1915, Chapter 152, Section 54, a general game and fish law for Tennessee so that this law would not be applicable to Dickson County.
12. Private Acts of 1917, Chapter 709, made it contrary to the law in Dickson County (identified by the use of the 1910 Federal Census) for any person to shoot, kill, or injure, by any means, any quail, partridge, or dove, except within the times specified from November 15 to the following January 15. Squirrels could be killed from June 1 until November 1, and wild ducks, geese, and other migratory birds could be taken at any time of the year as well as rabbits. Unlawful to fish for sale except in navigable waters. Citizens could take fish for their own use and consumption

- with rod and line at any time, or season of the year and by the use of baskets, hoop nets, or with their hands during June, July, August and September. One could not fish upon the lands of another without having first obtained written permission.
13. Private Acts of 1919, Chapter 12, instructed the Election Commission of Dickson County within thirty days after the passage of this Act to open and hold an election in all precincts to ascertain the will and attitude of the people on the question of stock law, or fence law. The election would be held under the regular election laws with the ballot to be marked simply "For" or "Against". The results of the election must be certified and the same transmitted to the delegation representing Dickson County in the General Assembly.
 14. Private Acts of 1919, Chapter 793, made it illegal for the owner, or anyone having the control and management, of cattle and swine to permit male cattle, or bulls, which are six months old, or older, or male swine, which are three months old, or older, to run at large in Dickson County, which was identified by the 1910 Federal Census figures. Any owner, or custodian, willfully violating this act could be fined from \$5 to \$25 for each violation.
 15. Private Acts of 1921, Chapter 149, declared it to be against the law in Cheatham County and Dickson County for any person to hunt, shoot, kill, injure, capture, or take by any means, or methods, any deer except from December 20 until after December 31, of each year. Fines for offenders ran from \$50 to \$200 for each offense.
 16. Private Acts of 1921, Chapter 289, was the authority for the Election Commission of Dickson County to call an election within 30 days from the passage of this Act so that the Will and feelings of the people could be determined on a stock law, or fence law. The ballot would be simply a "For" or "Against" proposal. The Election Commission was responsible for canvassing the vote and reporting the results to the Dickson County legislative delegation in the General Assembly.
 17. Private Acts of 1921, Chapter 405, saw Dickson County included with nearly every other Tennessee County in declaring itself exempt from Public Acts of 1919, Chapter 61, which was a highly regulatory act concerning the care and keeping of dogs across the state and establishing rather severe penalties for violations of the same.
 18. Private Acts of 1921, Chapter 476, was legal authorization for any resident of Cheatham County, or Dickson County, to fish at any time, or season, of the year, for game fish except between May 1 and June 15 of each year. One was allowed to fish for non-game fish at any time and place in the county with hook, rod and line, trot line, net, basket, or in any other manner except to seine, shoot, poison, or use explosives.
 19. Private Acts of 1921, Chapter 503, applied to the Counties of Humphreys, Stewart, Dickson, Houston and Perry. The Act declared it unlawful for any person to shoot, kill, or injure, any quail, partridge, or dove, except within the times fixed by law, which were from November 15 until the following January 15, of each year. Squirrels, rabbits, and migratory birds could be killed at any time. Any person hunting upon the lands of another must first secure the owners, or occupant's, permission to do so. Fines for those disobeying this law were a minimum of \$10 and a maximum of \$25 which would all go into the school fund.
 20. Private Acts of 1921, Chapter 951, amended Public Acts of 1909, Chapter 519, which created the position of Game, Fish and Forrest Commissioner so that the act did not apply to the counties of Humphreys, Stewart, Dickson, Houston and Perry.
 21. Private Acts of 1923, Chapter 128, authorized the Election Commission of Dickson County, Benton County, Decatur County, and Houston County, to hold an election in those counties within ten days after the passage of this act on the question of a Stock Law, or a Fence Law, for those Counties. Ballots were to be counted and the results certified to those delegates in the General Assembly.
 22. Private Acts of 1923, Chapter 508, made it unlawful for the owner, or custodian, of livestock, including horses, mules, cattle, sheep, swine, and goats to permit the same to run at large in Dickson County. The owner of the animals was to be held liable for all damages caused by the trespassing animals which would be a lien on the stock to which could be added the cost of taking them up and caring from them. The trespass was also a misdemeanor for which fines from \$2 to \$10 could be imposed. Nothing in this Act would have any effect on the liability of railroads previously imposed.
 23. Private Acts of 1927, Chapter 642, made it lawful for any person, firm, or corporation, in Dickson County, to hunt, capture, or kill, at any season of the year foxes, mink, or weasels, by the use of a snare, traps, guns, dogs or otherwise.
 24. Private Acts of 1931, Chapter 415, rendered it legal in Dickson County to fish in any of the rivers

and streams which flow through or border on any county with split wooden fish baskets for home use of consumption but not for sale or shipment out of the County. Every person so fishing, however, must comply with all the existing fish and game laws including the obtaining of the consent of the owners whenever necessary. Failure to observe the requirements of this Act could result in the payment of fines from \$5 to \$25 with the jurisdiction to hear and determine the cases being given to the Justices of the Peace.

25. Private Acts of 1931, Chapter 728, applied to Houston County and to Dickson County by the citation of 1930 Federal Census figures. The Act made it lawful for land owners on his own land through which any stream may run to catch fish during open season for his own use by means of a split basket, but must not catch fish for sale or shipment out of the county under this Act. It was further declared to be within the law to kill, or capture, foxes and rabbits at all times in these counties, there being no closed season specified on these animals.
26. Private Acts of 1935, Chapter 784, stated in the preamble that G.C. Redden had ministered to livestock for various ailments and diseases in Dickson County, and there were a large number of stock in the county and no licensed veterinarian to see after them. Redden, not having a certificate, could not charge for his services which were necessary and in demand throughout the county. This Act authorized and permitted Redden to treat, doctor, and administer to livestock in the said county to make a reasonable charge for his services.
27. Private Acts of 1937, Chapter 279, stated in the introduction to the Act that Collom Fry, of Dickson County, had ministered to livestock for various diseases for several years, that there were many head of cattle in the county and only one veterinarian to take care of them. Fry's services were in great demand but he did not have a certificate to practice, therefore this Act authorized Fry to treat, doctor, and to minister to livestock in Dickson County and to make reasonable charges for those services he rendered.

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