



October 31, 2024

Animals and Fish - Historical Notes

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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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 Wayne 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 1873, Chapter 54, stated that no person shall, in Lewis, Lawrence, and Wayne Counties, hunt or kill any deer from the first day of March to the first day of September. The fine was \$10 for each deer killed during that period of time with the fine going into the County Treasury.
2. Acts of 1877, Chapter 57, amended Acts of 1875, Chapter 114, a general law which prohibited a person from taking fish with seines, nets, or traps, in the waters covering the lands of another, and by forbidding the obstruction of streams which would prevent the free passage of fish up and down, by exempting the Counties of Wayne, Smith, Henderson, and Jackson from its provisions.
3. Acts of 1877, Chapter 82, repealed so much of Sections One, Two, and Three of Acts of 1873, Chapter 54, as the same were applied to Lawrence and Wayne Counties.
4. Acts of 1889, Chapter 171, made it unlawful for any person to hunt deer for profit, but declared it legal to kill deer for one's own consumption, between August 1 and January 1, of each year. The same was stated to be applicable to the hunting and killing of quail, or partridges, for profit but one was permitted to hunt, kill, net, trap, and capture the same for one's own use on his own land from November 1 to the first of March. Several counties including Wayne County, exempted themselves from the provisions of this Act.
5. Acts of 1897, Chapter 276, amended Public Acts of 1895, Chapter 127, so as to make it lawful to take fish from any of the streams, lakes, rivers, or ponds, within Wayne, Perry, Humphreys, Marshall, Union, and Campbell Counties by grabbing and by gigging except during the months of March, April, and May.
6. Acts of 1899, Chapter 33, amended Section 1, Acts of 1897, Chapter 276, so as to declare it unlawful to take, or catch, fish in any of the streams, lakes, ponds, or rivers, except the Tennessee River.
7. Acts of 1901, Chapter 297, declared it to be a misdemeanor, punishable by a \$5 to \$10 fine, for any person who is a non-resident of Humphreys, Perry, and Wayne Counties, to hunt or fish on the lands owned by another without first obtaining the written consent or permission of the owner of the land on which the hunting and fishing is done.
8. Acts of 1905, Chapter 212, termed it to be a misdemeanor, subjecting those guilty to fines ranging from \$5 to \$25, for any person, a non-resident of Lawrence, Wayne, or Lewis Counties to hunt, take, or kill game or catch fish, in those counties without the written permission of the owner or the person having control of the land upon which the hunting or fishing is done.
9. Private Acts of 1917, Chapter 720, declared it to be legal for all resident citizens of Wayne County to gig fish in the streams of the County except from May 1 to June 15 of each year. The Act further termed it lawful for resident citizens of Wayne County to hunt and kill squirrels on the unenclosed lands of the said County during the open season without the necessity of having to obtain a license therefor.
10. Private Acts of 1921, Chapter 405, exempted a large number of counties, including Wayne, from the rather rigorous provisions of a general law regulating the care and keeping of dogs, same being Public Acts of 1919, Chapter 61.
11. Private Acts of 1933, Chapter 276, declared it unlawful for any person to kill, wound, hunt, chase, or to permit knowingly a dog to chase deer, or to have a deer in one's possession knowing the same to have been killed in violation of this Act. The same was prohibited also regarding wild turkeys. Violators could be fined from \$100 to \$250 for each offense, and could be imprisoned from 30 days to six months. It was further unlawful for any owner of land, or tenant, or anyone in charge thereof to permit others to hunt and kill wild turkeys or deer on their lands. Any civil officer would be entitled to a fee of \$50 if the person he apprehended violating this law was convicted.
12. Private Acts of 1937, Chapter 664, was the authority for the Quarterly County Court of Wayne County to provide for an election in all the precincts of the county to ascertain the will of a majority of the people with reference to the enactment of a stock law for the county. The ballots would simply be marked, "For" or "Against" the law. The county would bear the cost of the election in the same manner as other election costs are paid.

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