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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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Chapter II - Animals and Fish

Minnows

Private Acts of 1951 Chapter 673

SECTION 1. That it shall be unlawful in Trousdale or Macon Counties for any person to catch from the streams of Trousdale or Macon Counties minnows for the purpose of sale.

As amended by: Private Acts of 1957, Chapter 275

SECTION 2. That it shall be unlawful in Trousdale or Macon Counties for any person to possess more than one-hundred and fifty (150) minnows. Provided, however, that this Act shall not apply to any boat dock operator, fish hatchery operator or other person who possesses or sells minnows not caught in the streams of Trousdale or Macon Counties.

As amended by: Private Acts of 1957, Chapter 275

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: March 16, 1951.

Rough Fish

Private Acts of 1959 Chapter 187

SECTION 1. That it shall be lawful to gig rough fish in the streams of Trousdale County, Tennessee, and the season in connection with the gigging of said rough fish is hereby declared open.

SECTION 2. That "rough fish" as contemplated by this Act, is hereby defined as being the following fish, to wit, carp, buffalo and high fin suckers.

SECTION 3. That the gigging of rough fish, as authorized under the provisions of this Act, shall only be allowed by any person except when said person shall be wading in the stream or gigging the said fish from the bank of the stream, it being expressly prohibited to gig any of such "rough fish" from any boat or canoe. In addition thereto, all persons who shall gig fish under the provisions of this Act shall have a valid fishing license issued by the State of Tennessee.

SECTION 4. That any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction therefor shall be fined not less than twenty-five dollars (\$25.00), nor more than fifty dollars (\$50.00), for the first offense, and upon conviction for more than one offense said person shall be fined the sum of fifty dollars (\$50.00).

SECTION 5. That the provisions of this Act shall become effective from and after its passage, provided the same shall be approved by a majority of the voters voting in a special election to be held for such purpose. Within sixty days (60) after the approval of this Act by the Governor, it shall be the duty of the Trousdale County Board of Election Commissioners to call a special election to be held in said County and said election shall be held not less than thirty (30) nor more than sixty (60) days from the date of such call for the purpose of approving or rejecting the provisions of this Act. The ballots used in such election shall have printed thereon the provisions of this Act and the voters shall vote for or against its adoption. The vote cast at such election shall be canvassed by the County Board of Election Commissioners on the first Monday occurring five (5) or more days after the date of such election and the results thereof shall be proclaimed by such election commission and certified to the Secretary of State, at Nashville. The qualification of the voters voting in said election shall be the same as now required of voters casting their ballot for members of the General Assembly and all laws applicable to general elections shall apply to the election to be held hereunder, the public welfare requiring it.

Passed: March 12, 1959.

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 Trousdale County. They are included herein for reference purposes.

Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1887, Chapter 153, exempted Trousdale County from the provisions of the general fish law of the State of Tennessee. This Act was repealed by Private Acts of 1905, Chapter 263.
2. Private Acts of 1897, Chapter 296, amended Public Acts of 1895, Chapter 127, so as to make it lawful for any resident of Wilson, Cheatham and Trousdale Counties to catch fish for home consumption in any stream in the county of their residence by any means other than the use of poisons or explosives.
3. Public Acts of 1899, Chapter 337, stated that anyone in Sumner, Trousdale and Robertson County, who catches, kills, injures or pursues any quail, partridge, grouse or pheasant for a period of five years after the passage of this Act is guilty of a misdemeanor and may be fined up to \$25, and/or confined in jail for a period of thirty days, or both. Quail and partridges may be lawfully hunted from November 1 until January 1 with a gun but not on the inclosed lands of another person without first obtaining written permission. The nests and the eggs of the above game birds could not be destroyed or molested.
4. Private Acts of 1905, Chapter 263, provided that hereafter fish shall be taken in Trousdale County only by ordinary hook and line, trot line, snatch hooks, double hooks, and by using the hands. Minnows for bait, however, may be caught with a net. Anyone caught taking fish otherwise than by the manner and means specified above would guilty of a misdemeanor and may be subject to fines from \$25 to \$50. The Grand Jury was given inquisitorial powers concerning this Act and the Judge shall charge its contents to the Grand Jury at each term of Court.
5. Private Acts of 1907, Chapter 115, declared it to be unlawful for livestock, such as cattle, horses, mules, hogs, sheep and goats, to be allowed by their owners or custodians to run at large in Trousdale County. Anyone violating the terms of this Act could be fined from \$2 to \$5 for each offense. A lien was granted to anyone damaged by the trespassing stock, which could be enforced against the stock. The animals could be taken up, fed, and cared for and the cost of these actions added to the lien for damages.
6. Private Acts of 1909, Chapter 502, was applicable to seven counties including Trousdale and defined a lawful fence for those counties. The fence could be made up of four strands of barbed or smooth wire, or a combination of the two, must be fastened to substantial posts no more than 16 feet apart, and eight feet at the corners. The first wire must be 12 inches above the ground, the second 12 inches above the first, the third 12 inches above the second, and the fourth 12 inches above the third, making a fence four feet high. The owners of livestock would be liable for damages done by their animals to lands which are enclosed by the type of fence described above.
7. Private Acts of 1911, Chapter 164, made it unlawful for livestock, such as cattle, horses, mules, hogs, sheep and goats to be allowed by their owners, or custodians, to run at large in Trousdale County, which, if done negligently or deliberately, could subject them to fines from \$2 to \$5. Any damage done by the livestock was declared to be a lien on the trespassing stock and the cost of care and feeding them could be added to the cost of the damages. This Act would in no wise change or modify the responsibility of railroads for killing or damaging stock.
8. Private Acts of 1911, Chapter 417, stated that in Trousdale, Macon and Wilson Counties, resident citizens could fish in any stream in the county by trot line, gigging, bait, net or seine, whose mesh shall not be less than one inch. No license, or fee, to do so shall be paid to the State Department of Fish, Game and Forestry.
9. Private Acts of 1915, Chapter 680, made it unlawful to catch fish in any of the streams in Trousdale County by any means other than hook and line or trot line.
10. Private Acts of 1919, Chapter 227, made it lawful to catch or kill fish in any of the streams of Trousdale County by any means and in any manner except by poisoning or by dynamiting.
11. Private Acts of 1919, Chapter 272, declared it lawful, after the passage of this Act, to catch and kill fish in any of the streams of Trousdale County in any manner except by dynamiting, explosives or poisons.
12. Private Acts of 1921, Chapter 666, placed a \$1 fee on every male dog, and a \$3 fee on every female dog, in Trousdale County, to be collected by the Trustee, or Tax Assessor. Accurate and proper records will be kept and the Tax Assessor shall turn the money he collects over to the Trustee at least annually. The money shall be kept in a "Rural School Fund." Penalties for non-compliance and the manner for collecting and enforcing them were provided in the Act. Any dog which harms, worries, or kills sheep may be killed under the conditions in the Act. Metal tags for the animals would be issued when payment is made. This Act was repealed by Private Acts of 1923, Chapter 67.

13. Private Acts of 1921, Chapter 815, expressly exempted Trousdale County from the provisions of Public Acts of 1919, Chapter 61, which was a statewide Act generally regulating the ownership and harboring of dogs.
14. Private Acts of 1929, Chapter 451, made it unlawful in Trousdale and Wilson Counties for any person to catch or kill for sale, any kind of fish less than seven inches long. It was not unlawful to catch fish for sale by means of trammel nets, baskets, dip nets, but not to include seines, and provide further, that meshes in them should not be less than 1¼ inches when used in the Cumberland River.
15. Private Acts of 1931, Chapter 134, made it lawful to catch fish in Trousdale County in any stream and by any means and manner except by dynamite and poison. It was also declared lawful to catch or kill any game, skunk, fox, or other fur-bearing animals in open season without the payment for a privilege license to hunt. Squirrels, rabbits, and ground hogs could be lawfully killed at any and all times without a license, and no license would be required for any activities related to these. The open and closed seasons on birds and fur-bearing animals not specifically mentioned in the Act would be as set by the State. This Act was repealed by Private Acts of 1933, Chapter 704.
16. Private Acts of 1931, Chapter 137, amended Private Acts of 1929, Chapter 451, so as to remove Wilson County from its provisions.
17. Private Acts of 1931, Chapter 655, declared it to be lawful in Trousdale County to take and catch fish by any means other than dynamite or poison. It was further made lawful to catch or kill any game, skunk, fox, or fur-bearing animal in open season without a license and none would be essential for hunting game of any kind. Open and closed seasons would conform to those declared by the State of Tennessee for birds and fur-bearing animals not specifically mentioned in the Act.
18. Private Acts of 1931 (2nd Ex. Sess.), Chapter 106, made it lawful for any person to hunt, catch or kill foxes in Trousdale County in any manner from November 15 to the following February 15.
19. Private Acts of 1935, Chapter 322, made it lawful for the citizens of Trousdale County to take, kill or capture fish of all kinds under the regulations of this Act without having to pay a fee or to buy a license, but this provision shall apply only to fishing by means of a hook and line, trot line, bank poles, and when using natural bait only. It was also rendered lawful for citizens and their families in Trousdale County to hunt, chase, fish, and to kill wild animals, wild birds, wild fowl, or fish, on their own lands without having to obtain a license. It was further deemed lawful to hunt fur-bearing animals without a license with the written permission of the landowner.
20. Private Acts of 1935, Chapter 711, stated that M. M. Kirby had actual experience in the practice of veterinary medicine and surgery for more than ten years, was over 21 years of age, of good moral character, and he is therefore authorized to continue the practice of the same in Trousdale County, provided he files with the State Board of Veterinary Examiners proof of the above facts. The Board will issue him a license upon the filing of the proof and he shall pay the normal cost thereof.
21. Private Acts of 1945, Chapter 292, recited that Oscar Carr had actual experience of more than ten years in the practice of veterinary surgery and medicine in Macon County. This Act authorizes Carr to continue the said practice in Trousdale and Macon Counties, as before, if he offers proof to the State Board of Veterinary Examiners and pays the required fees.
22. Private Acts of 1945, Chapter 294, recited that R. W. Stubblefield had practiced veterinary medicine and surgery for a number of years, is over 21 years of age, and of good moral character. This Act permits him to continue the said practice in Macon and Trousdale Counties provided he filed proof of the same with the State Board of Veterinary Examiners, who shall issue the license to him for which he shall pay the regular fees.
23. Private Acts of 1955, Chapter 162, amended the general game and fish laws of the State by making it lawful in Trousdale County to chase, capture, or kill any kind of wild fox, (2) to take fish by gig and by the use of light, (3) to kill squirrels during the months of June, July, August, September, October, November and December of each year, (4) to catch fish by means of a basket in any lake or stream, and (5) to take fish and turtles in any stream or lake by using one's hands. This Act was not approved in a referendum election and therefore never became effective.

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