



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,

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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 Hawkins 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 1831, Chapter 132, Section 2, provided that this act, which prevented non-residents from grazing their stock in the counties of Claiborne and Campbell, not affect the counties of Hawkins and Grainger.
2. Public Acts of 1877, Chapter 25, made it unlawful in Hawkins, Robertson, Montgomery, Maury, Gibson, Madison, Stewart, Franklin, Loudon, Monroe, Henry and Crockett counties for any person to take, or catch, fish with seines, nets, traps, gigs, or by any other means than by angling hook and line, or trot line. Anyone damaged by violations or by this law was given a remedy in chancery court by injunction or by attachment. No one was allowed to place a net across any stream, near its mouth, or opposite the mouth, which would prevent the free passage of fish up and down the stream. Public Acts of 1879, Chapter 62, repealed the provisions of the 1877 act insofar as the requirements of that act were applicable to Hawkins County.
3. Public Acts of 1889, Chapter 66, made Public Acts of 1887, Chapter 71, applicable to Hawkins County and made it the duty of the judge to charge the act to the grand jury. The 1887 act declared it to be unlawful to hunt, capture, shoot, kill, or wound partridges, quail, woodcocks, pheasants or wild turkey. To export the same out of the county was a misdemeanor as was the violation of the other provisions which would subject one to fines from \$5.00 to \$25.00 and to jail sentences from ten to twenty days, or both, all in the discretion of the judge.
4. Private Acts of 1897, Chapter 220, declared it unlawful for anyone to hunt, capture, kill, shoot, wound, or destroy any partridge, or quail, in Hawkins County from April 1 until October 1 inclusive. It was further unlawful to take, or capture them with a net, and likewise wrong to export them from the county. The fines for violations ranged from \$10.00 to \$25.00, plus such imprisonment as the judge may mete out.
5. Public Acts of 1899, Chapter 119, made it legal to catch and kill fish in any of the running waters of Hawkins and Sullivan counties by means of a trap, gun, or gig, provided that the slats on the traps were no less than 1½ inches apart and that the use of gun and gig occur only between November 15 and the following March 1. Private Acts of 1901, Chapter 252, amended Chapter 119 so as to permit the taking and killing of fish in Hawkins and Sullivan counties by shooting guns between June 1 and November 15 of each year in addition to all the other times when the same is allowed.
6. Acts of 1903, Chapter 481, made it illegal in Hawkins County, for any owner of a horse, cow, sheep, goat, or hog, or any other livestock, to permit the same to run at large. The owner so doing was liable for the damages caused by the stock on which the person damaged was given a lien which could be enforced as any other lien and the owners could also be fined from \$5.00 to \$15.00 for doing the same.
7. Private Acts of 1915, Chapter 316, made it lawful for any citizen of Hawkins County to take and catch fish from the Tennessee and Holston Rivers, and all other streams, by hook and line, trot line, basket, or net, provided the meshes in the net and the slats in the basket were more than 1½ inches apart. It was unlawful to fish by shooting, baiting, or seining between March 1 and June 15 which was a closed season each year. Owners of land could use fish traps on their own property in streams if navigation of the stream was not obstructed thereby. No fees, or licenses, were to be charged by the state for the above-mentioned activities.
8. Private Acts of 1919, Chapter 194, fixed the open season on quail in Hawkins County to be thereafter from November 15 to the following February 1, and it was unlawful and a misdemeanor to shoot, hunt, or kill quail at any other time.
9. Private Acts of 1919, Chapter 512, classified it as an unlawful act in Hawkins County for any person to shoot, trap, or destroy in any manner any fur-bearing animal, or to otherwise injure the same, from June 15 to November 15 of each year. This act did not apply to chasing foxes with dogs or when any animal was inflicting an injury on, or was a menace to fowls, livestock, and crops. Fines for offenses under this law ranged from \$25.00 to \$100.00.
10. Private Acts of 1925, Chapter 305, made it legal to catch fish in any and all streams of Hawkins County by means of gig and basket and provided penalties for the violation of the provisions of this act.

11. Private Acts of 1927, Chapter 257, declared it legal to hunt, take, trap, snare, shoot, or kill by other means, rabbits, or hares, at any and all seasons of the year but one could not hunt upon the lands of another without first obtaining permission. It was lawful to ship them out of the county as well. The following counties exempted themselves from Section 1 of this act: Hawkins, Davidson, Hamilton, Hardin, Jefferson, Lawrence, Johnson, McNairy, Madison and Sullivan.
12. Private Acts of 1929, Chapter 540, made it lawful in Hawkins County to operate and maintain fish traps in the Holston River whose meshes were not less than 1½ inches apart, or in diameter, but this act shall not be construed as allowing the catching of game fish out of season or to permit the operation of fish traps to take fish to sell.
13. Private Acts of 1933, Chapter 434, established the legality for residents of Hawkins County to take, kill, and capture fish in all seasons of the year and in all the streams of the county without having to obtain a license therefor, provided, however, that the fishing was by hook and line, trot line, or bank poles, and with natural bait. Fish could be giggered from November 1 to February 1 of the following year but not at any other time. All rules and regulations of the game and fish commission not in contradiction of the above shall be in full force and effect in Hawkins County. This act was repealed by Private Acts of 1935, Extra Session, Chapter 107.
14. Private Acts of 1935, Extra Session, Chapter 107, regulated hunting, fishing and trapping in Hawkins County and provided licenses therefor.
15. Private Acts of 1939, Chapter 134, made it legal in Hawkins County for any person residing therein who owned or controlled land by lease, or fee, to take or catch fish in the open season by hook and line, set hook, or casting line without the payment of any license fee but this privilege did not extend to fishing with rod and reel, trot line, or any other means than those enumerated above.
16. Private Acts of 1945, Chapter 302, stated that J. E. Self had practiced veterinary medicine and surgery for over 10 years, was a person of good moral character, over 21 years of age, and a citizen of Hawkins County, and this act authorized Self to continue the practice of veterinary medicine and surgery in Hawkins County as fully as others were doing, provided he filed proof of the above with the board of veterinary examiners who were directed to issue him a license for which he would pay the normal charge. Private Acts of 1945, Chapter 402, was an exact duplicate of Chapter 302.
17. Private Acts of 1972, Chapter 386, would have regulated the training of coon dogs and the taking of raccoons in Hawkins County, however, this act was rejected by the quarterly court and never became effective.

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