



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 Shelby 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 1870, Chapter 99, protected deer and squirrel from February 1st to September 1st of each year, and protected most birds, along with their eggs and nests, from hunting and destruction.
2. Public Acts of 1871, Chapter 1, amended Public Acts of 1870, Chapter 108, by adding Shelby County to the provisions of the act which provided for the protection and preservation of game.
3. Public Acts of 1879, Chapter 198, made it unlawful to take fish from the waters of Shelby County except by means of a baited hook and line or a trot line.
4. Public Acts of 1899, Chapter 23, prevented stock from running at large in counties of the state having a population of 59,000 or more, according to the Federal Census of 1890. This act was amended by Public Acts of 1901, Chapter 114, which increased the population size to 72,000 and Private Acts of 1921, Chapter 961, which provided that any person owning land upon which any animal had ran in large, in violation of the provisions of Public Acts of 1899, Chapter 23, had the right to take up and confine such animal and to have a lien upon the animal taken up as compensation for the cost and value of the food and care of the animal so taken up. Furthermore, Private Acts of 1921, Chapter 926, placed the duty of enforcing the fence law in the office of the assessor and collector of dog license taxes.
5. Public Acts of 1899, Chapter 255, was an act to protect quail and partridge in Shelby County. It made trapping or netting them illegal at anytime and forbade killing, capturing, selling or having in possession for sale quail and partridges between November 1st to February 1st of each year.
6. Public Acts of 1899, Chapter 331, made it a misdemeanor for any person to kill or trap quails in Shelby County, after November 15, 1900.
7. Private Acts of 1911, Chapter 369, specified the penalties for shooting or trapping quails in Shelby County - a fine of \$25 for first offenders; thirty days in the county workhouse for the second offense; and a six month term for the third offense.
8. Private Acts of 1915, Chapter 691, made it unlawful from February 1st to September 1st of each year for any person to kill in any manner beaver, muskrat, fox, mink, raccoon, skunk, opossum, or weasel, or to molest their nests or transport them out of the county.
9. Private Acts of 1935, Chapter 823, was the first dog law for Shelby County, containing provisions for their registration, licensing and vaccination. It was amended by Private Acts of 1941, Chapter 424, Private Acts of 1935, Chapter 103 and repealed by Private Acts of 1951, Chapter 384, the current dog law found in this chapter.
10. Private Acts of 1937, Chapter 495, made it a misdemeanor for any person to allow stock to run at large in Shelby County.
11. Private Acts of 1969, Chapter 97, attempted to amend the dog law for Shelby County, Private Acts of 1951, Chapter 384, to require a license fee for all dogs over the age of six months, due on March 1st and delinquent after May 1st. This was not approved by the quarterly county court and never became operative.
12. Public Acts of 1974, Chapter 681, provided for the forfeiture to humane societies of mistreated and neglected animals in all counties of the state with a population of 600,000 or more, according to the Federal Census of 1970. This act was amended by Public Acts of 1978, Chapter 760, which allowed any humane society the right to bring a civil action in any court of law, rather than just in the circuit court.
13. Public Acts of 1974, Chapter 682, provided for the disposition of abandoned animals in all counties with a population of 600,000 or more, according to the Federal Census of 1970.

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