



March 31, 2025

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 Scott County. They are included herein for reference purposes. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1879, Chapter 133, made it unlawful for any person other than the residents of Cumberland County, Fentress County, Morgan County, Scott County, Campbell County, Overton County, Putnam County, White County, Roane County, Rhea County, Bledsoe County, and Van Buren County, to hunt and kill deer, or any species of game, for profit, in the above named counties, but any citizen of those counties could hunt and kill deer for their own consumption and use. Anyone could bring suit before any Justice of the Peace, one-half of the recovery going to the Trustee for the school fund and one-half going to the person suing. If not paid, the offender could be sent to jail.
2. Acts of 1889, Chapter 179, declared it to be illegal for any non-resident of the State to hunt, shoot, kill, catch, or carry away, game of any kind in Scott, Fentress, Pickett, Morgan, Cumberland, Bledsoe, Sequatchie, Van Buren, White, Putnam, Rhea, Clay, Campbell, Henry, Johnson, Carter, Sullivan, Meigs, and Claiborne Counties. The fine for violations was set at \$50, one-half to the prosecutor, one-half to the county.
3. Acts of 1893, Chapter 128, amended Acts of 1889, Chapter 179, above, by making it lawful for non-residents of the State to hunt, kill, and catch game in Sullivan County when the same was done at the request of or as the guest of the owners or occupants of land in that county on which the hunting was done.
4. Private Acts of 1895, Chapter 161, made it unlawful for a period of five years after the passage of this act to chase deer with dogs, or hounds, or to shoot, wound, capture, or kill, or to attempt the same, any deer in Anderson, Claiborne, Campbell, Cocke, Morgan, Scott, and Union Counties. The fines for violations ranged from \$5 to \$50 plus any jail term the Judge might impose in his discretion.
5. Acts of 1897, Chapter 280, amended Acts of 1895, Chapter 127, which was a statewide law regulating fishing, so as to permit persons to fish with nets, traps, baskets, and seines in Roane, Scott, Anderson, Morgan, Rhea, and McMinn counties, provided that, no net or seine shall be knit with a less catching capacity than 1½ inches, and no trap shall be constructed so as to prevent the free passage of fish up and down stream.
6. Acts of 1899, Chapter 333, declared it to be unlawful for a period of ten years after the passage of this act for any person to chase deer with dogs, or hounds, or to shoot, wound, capture, or kill, or to attempt the same, in Anderson, Claiborne, Campbell, Cocke, Morgan, Scott, Union, and McNairy Counties, each violator being subject to fines from \$10 to \$50, plus jail sentences in the discretion of the Judge, who also must charge this act to the Grand Jury.
7. Private Acts of 1921, Chapter 394, stated that in addition to those others which had been declared to be lawful fences by public law, the following would be a lawful and accepted fence in Scott County. The fence must be built with good, substantial posts set not more than 20 feet apart with four barbed wires, or rails, attached securely to them, the first wire, or rail, to be from 10 to 15 inches from the ground, the second from 10 to 13 inches from the first, and the others a like distance. It would be lawful to combine the wire and the rails. The act also made it an offense for sheep, goats or swine to run at large.
8. Private Acts of 1921, Chapter 405, listed Scott County among several other counties which exempted themselves from the restrictions and penalties regulating the care, keeping, and ownership of dogs contained in Public Acts of 1919, Chapter 61, the first statewide law regulating dogs.
9. Private Acts of 1923, Chapter 156, amended Private Acts of 1921, Chapter 394, by removing "smooth" wire as a lawful material for building an acceptable fence and by prohibiting the running at large of "goats and swine" rather than "goats, swine and sheep".
10. Private Acts of 1927, Chapter 591, also amended Private Acts of 1921, Chapter 394, by exempting certain portions of Scott County contained in the First, Third, Fourth and Fifth Civil Districts, as described therein, from its provisions and asserting that the law was not to be applied to those areas.
11. Private Acts of 1955, Chapter 83, declared that there shall be a closed season at all times on red foxes in Scott County but they could be chased with dogs at any time of the year except during

the periods which might be fixed by the State Fish and Game Commission, but conceded that the State Fish and Game Commission could declare an open season on red foxes, if they so desired. The act further stated that no local approval was essential to its effectiveness. This act was repealed by the one following.

12. Private Acts of 1961, Chapter 281, repealed, in its entirety, Private Acts of 1955, Chapter 83, which regulated the hunting of red foxes in Scott County.
13. Private Acts of 1976, Chapter 227, created the post of Animal Specialist in Scott County which would be filled by appointment of the County Court for a period of 8 years by a person skilled in the treatment of animal diseases and injuries and who had the facilities to do so. The Animal Specialist would not be compensated by the County out of the general funds but would be allowed to charge reasonable fees for his services. The Act named Bob Roberts to the position. This Act was rejected by the Scott County Quarterly Court and never became an active statute.

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