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Chapter II - Animals and Fish

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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

Foxes

Private Acts of 1955 Chapter 204

SECTION 1. That there shall be a closed season upon red foxes at all times, and that red foxes may be chased with dogs at any time of the year except during such periods as may be fixed by the Game and Fish Commission for the protection of the species in all counties of this State having a population of not less than 29,869 and not more than 29,879 inhabitants, according to the Federal Census of 1950, or any subsequent Federal Census.

Should the Game and Fish Commission determine that there is need for an open season on red foxes in any such county or counties, they shall have the power and authority to open same for such a period of time as they may deem necessary and advisable.

SECTION 2. That all laws or parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act shall take effect from and after its passage, public welfare requiring it.

Passed: March 3, 1955.

Livestock Inspector

Private Acts of 1957 Chapter 269

SECTION 1. That in all counties of this State having a population of not less than 29,850 nor more than 29,880, according to the Federal Census of 1950 or any subsequent Federal Census, the Quarterly County Court is hereby authorized to elect for a term of two years at the July term 1957 and every two years thereafter a livestock inspector. It shall be the duty of said livestock inspector to make an inspection and examination of the livestock in said county or counties and to treat such as may be found ailing or sick with the view to promoting the spread of health among livestock and to reduce the danger of infection or contagious diseases. Such Livestock Inspector may contract with the owner or owners of any diseased livestock found by him for the treatment thereof by such inspector, the compensation thereof to be mutually agreed upon between the parties. The said county or counties shall not be liable for the default or negligence of any such livestock inspector where the Quarterly County Court has used reasonable care and caution in the selection thereof, but nothing herein shall exempt such inspector personally for negligence in the performance of his duty.

SECTION 2. That said livestock inspector shall be given the right to vaccinate all animals that may be subject to vaccination by law and to perform such other duties as may be placed upon him by law or the Quarterly County Court. Herbert Lawson is hereby appointed the first livestock inspector to serve in said county or counties and shall occupy said office until August 1, 1957. Provided further, that if a need exists for additional livestock inspectors in such counties, the said Quarterly County Court may appoint as many additional inspectors as they deem necessary for the same terms and subject to the same provisions as set out in Sections 1 and 2 hereof.

SECTION 3. That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the Quarterly County Court of any County to which it may apply on or before the next regular meeting of such Quarterly County Court occurring more than thirty days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse and shall be certified by him to the Secretary of State.

SECTION 4. That all laws or parts of law in conflict with this Act are hereby repealed and that this Act shall effect from and after its passage, the public welfare requiring it.

Passed: March 19, 1957.

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 Putnam 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 1879, Chapter 133, made it unlawful for any person other than citizens of the counties of Cumberland, Fentress, Morgan, Scott, Campbell, Overton, Putnam, White, Roane, Rhea, Bledsoe,

- and Van Buren, to hunt and kill deer, or any species of game for profit in the above named Counties but any and all citizens of the State could lawfully hunt and kill deer for their own use and consumption. A \$50 fine could be levied on first offenders, and \$100 for all subsequent violations, one-half to be paid to the prosecuting party, and one-half to the school funds.
2. Acts of 1887, Chapter 153, repealed Section 2234, and Sections 2238 through 2243, of the State Code, which regulated the taking of fish in many counties of the State, as those Code Sections were applicable to Putnam County, and 37 other counties listed in the Act, except it would still be unlawful in those counties to take any fish by means of explosives, poisons, or seines.
 3. Acts of 1889, Chapter 179, declared it to be contrary to the law for any person who was a non-resident of Tennessee to hunt, shoot, kill, catch, or to carry away, game of any kind in the counties of Scott, Fentress, Pickett, Morgan, Cumberland, Bledsoe, Sequatchie, Van Buren, White, Putnam, Rhea, Clay, Campbell, Henry, Johnson, Carter, Sullivan, Meigs, and Claiborne.
 4. Acts of 1895, Chapter 127, made it unlawful to catch, kill or wound any fish in any of the streams, lakes, rivers or ponds of the State except by rod or line.
 5. Acts of 1897, Chapter 281, amended Acts of 1895, Chapter 127, so as to exclude the Counties of Smith, Putnam, and Weakley from its provisions and limitations except for the killing of fish by poison, dynamite, and other explosives.
 6. Acts of 1899, Chapter 115, declared it to be illegal for any person in Putnam County between February 1 and October 1 of each year to catch, kill, or take by net, trap, box, or snare, or have in one's possession, any wild turkey, partridge, quail, or pheasant. Fines for violators ran from \$5 to \$15 for each offense.
 7. Private Acts of 1915, Chapter 239, made it unlawful for any livestock, such as horses, mules, asses, jennets, cattle, sheep, goats, or hogs to be allowed by their owners, or custodians, to run at large on any public road or on the lands of another person, whether enclosed or not, in Putnam County. Such Acts was termed a misdemeanor and was subject to fines from \$2 to \$10 for each offense. A lien was given to the damaged person to be enforced against the animals causing the same, plus the cost of any care or keeping could be added to the damages. Nothing in this Act would affect the liability of any railroad company imposed by another law.
 8. Private Acts of 1917, Chapter 75, was authority for the Election Commission to hold an election in Putnam County on the question of whether or not to enact a stock law or no fence law for the County. The election would be conducted under the general election laws.
 9. Private Acts of 1919, Chapter 511, made it a misdemeanor in the Counties of Overton, Putnam, Pickett, and Fentress, for the owner, or custodian, of any bulls, or boars, to permit them to run at large after they had reached the age of 8 months and 4 months respectively, unless the same were registered. Violators of this Act could pay fines up to \$20.
 10. Private Acts of 1921, Chapter 95, stated it was lawful to kill quail in Putnam County between December 1 and the following February 1 of each year, and was unlawful for any person to kill them at any other time. The schedule of fines ran from \$2 to \$50.
 11. Private Acts of 1921, Chapter 405, contained the names of a majority of the Counties in the State which were removing themselves from the provisions and penalties of Public Acts of 1919, Chapter 61, a general state law which regulated the care, keeping, registration, and treatment of dogs. Putnam County was numbered among those counties which exempted themselves.
 12. Private Acts of 1921, Chapter 504, rendered it unlawful in Putnam County for any owner, or custodian, of horses, mules, jacks, jennets, asses, cattle, goats, sheep, swine, or geese to permit any of them to run at large. A lien could be enforced against the trespassing animals for damages caused and for the cost of taking them up, caring for them, and feeding them but notice must be sent to the owner if the identity of the owner was known. Fines from \$5 to \$50 could also be levied against the guilty owner, or custodian, which would be placed in the road funds.
 13. Private Acts of 1921, Chapter 602, amended Private Acts of 1921, Chapter 504, by adding a provision that the terms of that Act would not apply to the Third, Fourth, Fifth, Sixth, and Fourteenth Civil Districts of Putnam County. This Act was repealed by Private Acts of 1929, Chapter 755.
 14. Private Acts of 1921, Chapter 875, amended Private Acts of 1921, Chapter 602, by adding a further provision to remove some lands in the Third Civil District from the terms of Private Acts of 1921, Chapter 504. The lands were identified by naming the owners who were James Bartlett, James Bohanan, Thurman Clark, Storm Hitchcock, Stephen McCormick, Nathan Bartlett, Louis Bohanan, Rush Hunter, William Lee, Joseph Bullock, Millard Watson, Joseph Hunter, Thomas Bohanan, Campbell Bohanan, Hop Bohanan, Beecher Hyder, Charlie Huddleston, Abe Walker, and

William Huddleston, and all the lands lying between the above farms and the eastern boundary of the First and Second Civil Districts were also removed from the application of the Act. This Act was repealed by Private Acts of 1929, Chapter 765.

15. Private Acts of 1929, Chapter 755, repealed Private Acts of 1921, Chapter 602, so that Private Acts of 1921, Chapter 504, would be in full force and effect without excluding therefrom any Civil District or any other portion of the county, or counties involved in the administration of that Act.
16. Private Acts of 1929, Chapter 765, repealed Private Acts of 1921, Chapter 875, which excluded certain areas of Putnam County from the provisions of Private Acts of 1921, Chapter 504, so that the terms and conditions of Chapter 504 would have county-wide application with no exceptions.
17. Private Acts of 1931, Chapter 201, made it illegal in Putnam County to take, or catch, fish by means of traps, baskets, nets, seines, gigs, or drag lines between May 15 and November 15. All fish traps must have slats which were no less than 1½" apart and these traps could not be placed in any running stream so as to prevent the free passage of fish. All baskets and nets must have meshes which were one inch, or greater. This Act was repealed by Private Acts of 1931, Chapter 401.
18. Private Acts of 1931, Chapter 402, amended the State laws protecting fish and regulating their catch so that it would hereafter be unlawful in Putnam County from April 15 to June 15 of each year to take, or catch, fish by means of traps, baskets, nets, seines, gigs, and drag lines. Slats in baskets must be at least 1½" apart and the baskets could not be placed so as to interfere with the free passage of fish up and down the stream. Meshes in nets and seines must be a minimum of one inch.
19. Private Acts of 1931, Chapter 631, declared it to be a misdemeanor for any person, other than the owner or owners to take, capture, or kill, or attempt to do so, and fish from the waters of any privately owned lake, reservoir, or pond in Putnam County where the same was done without the express permission of the owner.
20. Private Acts of 1933, Chapter 893, made it lawful for any person to hunt upon his own lands, or upon the lands of another person, during the open seasons, provided that the person hunting obtain a permit from the owner, occupant, or person having legal control of the said lands, without having to obtain a license, or pay any fee to the State. This Act was applicable only to Putnam County.
21. Private Acts of 1949, Chapter 735, was the legislative authority for the Quarterly Court of Putnam County to elect for a term of four years up to four animal inspectors. The selection should be made from the licensed veterinarians in the county. It was the duty of these animal inspectors to inspect the livestock in the County and treat those which might be diseased, and to promote good health among animals and livestock. Compensation for the inspectors was not to exceed \$10 per year. The County was not to be held liable for the default, or negligence, of the inspectors.
22. Private Acts of 1951, Chapter 297, was the authority for the Quarterly Court of Putnam County to elect no more than two additional animal inspectors for a term of one year, who must be veterinarians available in the County. These inspectors were charged with the same duties as the others. All could contract with owners of diseased animals for their treatment, at a compensation to be mutually agreed upon. Official compensation could not exceed \$10 a year. No liability could accrue to the County for the default, or negligence of the inspectors.

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