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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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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 Polk County. They are included herein for reference purposes.

1. Acts of 1899, Chapter 63, excluded Polk County from the general fishing law with the provision that fish could not be killed by poison, dynamite or other explosives and no trap could be constructed which would prevent the free passage of fish up and down streams.
2. Acts of 1901, Chapter 337, made it unlawful to hunt deer with dogs for five years after the passage of this act, with violators being subject to a fine of not less than \$5.00 nor more than \$25.
3. Acts of 1909, Chapter 402, defined a lawful fence in Polk County as three wires, barbed or smooth, fastened to posts or stays not more than fifteen feet apart with the bottom wire 12" from the ground and the other two wires at distances of 24" and 36" from the ground. This act also included a three plank or board fence in its definition of lawful fence and made it illegal for owners of sheep, goats, swine, geese, or duck to allow their livestock to run at large.
4. Private Acts of 1911, Chapter 136, was the next act defining a lawful fence in Polk County. This one required a four wire fence, with the wires at distances from the ground of 12", 24", 38" and 52", or a four plank or rail fence. This act also prohibited sheep, goats, swine, geese or ducks from running at large. Private Acts of 1911, Chapter 211, is identical to this act. Private Acts of 1915, Chapter 381, was amendatory to Private Acts of 1911, Chapter 136, by exempting certain portions of Polk County from the provisions of the lawful fence requirements.
5. Private Acts of 1917, Chapter 169, made it lawful to gig fish for home consumption in all streams in Monroe and Polk Counties.
6. Private Acts of 1921, Chapter 405, exempted Polk County from the provisions of the General statute regulating the ownership and possession of dogs.
7. Private Acts of 1925, Chapter 130, called for an election to ascertain the will of Polk County voters with regard to a fence law.
8. Private Acts of 1935, Chapter 368, was a fairly comprehensive act which regulated the killing, pursuing and capturing of deer in Polk County. It has been superseded by the general statutes found in Title 51, Chapter 4 of Tennessee Code Annotated, but it is an example of an early effort to protect and preserve the deer population in Polk County.

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