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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 Obion County. They are included herein for reference purposes.

1. Acts of 1877, Chapter 145, stated that it would be unlawful for any person other than citizens of Obion County and Lake County to hunt, fish, or kill fowls on Reelfoot Lake for profit, but all citizens of Tennessee could hunt, fish, and kill fowls on the said Lake for their own use. Fines for violation of this law ran from \$50 for the first offense to \$100 for each subsequent offense which were recoverable before any Justice of the Peace, one-half going to the person suing, and one-half going to the County Trustee. The Magistrate was also vested with the authority to commit to jail offenders who could not pay the fine.
2. Acts of 1881, Chapter 135, provided that the terms and conditions of an act to encourage the raising of blooded stock in McNairy County, the same being Acts of 1877, Chapter 99, should also apply to Obion County, together with all the privileges and immunities granted therein to the McNairy County Agricultural and Mechanical Society would likewise be given to the Southwest Kentucky and West Tennessee Agricultural and Mechanical Society, at Union City.
3. Acts of 1887, Chapter 153, repealed portions of the Code of Tennessee, as those Sections were applied to Obion County and 37 other Counties so as to allow the catching of fish with a seine in the counties listed but the prohibition against the use of explosives and poisons to catch fish was continued in full force and effect.
4. Acts of 1893, Chapter 43, made it unlawful for any person to place or to keep any fish trap, or fish dam, across any running stream in the counties of Gibson, Obion, Weakley, Carroll, and Montgomery which would prevent the free passage of fish up and down the streams. The penalties were set at no less than \$25 nor more than \$50 for each offense.
5. Acts of 1897, Chapter 183, exempted Obion County from the terms and provisions of Acts of 1895, Chapter 127, a statewide fish law, insofar as that Act prohibited the catching of fish in the ponds, lakes, or streams of the County with nets and traps, provided, however, the nets and traps were not used in such a way as to prevent the free passage of fish up and down the streams.
6. Acts of 1897, Chapter 250, declared it to be contrary to the law for any person or persons to ship from Crockett County, Carroll County, Obion County, or Madison County, any quail or partridges at any season of the year, or kill, catch, or trap any for the purpose of shipment, or which would be carried out of the County in any manner. Fines for violations ranged from \$10 to \$50 while imprisonment terms were placed within the discretion of the Judge.
7. Acts of 1899, Chapter 289, stated that hereafter until the 15th Day of November, 1900, it would be a misdemeanor for any person or persons to kill, or trap, any quail in Obion County. To do so involved the risk of being fined from \$10 to \$50 for each conviction.
8. Acts of 1903, Chapter 128, pronounced it to be illegal for any person to kill or capture any bird in Obion County or Crockett County, except birds of prey, eagles, owls, hawks, and English sparrows, for a period of two years after the passage of this Act. Fines for violations of this act went from \$1 minimum to \$10 maximum for each bird killed or captured, the money to be placed in the education fund.
9. Acts of 1903, Chapter 490, rendered it unlawful for any person to obstruct the free passage of fish in going up or down any running stream, or body of water in Obion County by means of any net, dam, rack, or otherwise. Fines for offenders could be no less than \$10 which money would go to the Trustee to be placed into the common school fund.
10. Acts of 1913, Chapter 63, constituted a stock law for Obion County, making it unlawful for live stock, such as cattle, horses, mules, jacks, jennets, hogs, sheep, and goats, to run at large in Obion County. Any owner, or custodian, who permits the running at large could be fined from \$2 to \$5, and was further declared to be liable in any civil action for damages which might be occasioned thereby, which would constitute a lien on the trespassing animals themselves. The damaged party could take up the animals and care for them and then add this expense to the amount of his damages for which he had a lien. This Act was not to be construed as affecting the liability of any railroad for the killing of or injury to livestock.
11. Private Acts of 1917, Chapter 422, stated that for the next two years immediately following the passage of this Act, it would be against the law to hunt, kill, capture, trap, or destroy in Obion County, any game bird, song bird, or bird of any description, other than hawks, owls, and buzzards, or English sparrows; but, there shall be an open season on doves from August 15 to

September 15, and one on quail from December 1 to January 1, and the open season on migratory birds shall be the same as those established under Federal Regulations. Violators could be fined from \$5 to \$20 for each offense.

12. Private Acts of 1919, Chapter 360, amended Private Acts of 1917, Chapter 422, by changing the open season on quail from December 1 to January 1, to November 15 until January 15, and, further, making the open season on doves run from July 15 until September 15 instead of from August 15 until September 15.
13. Private Acts of 1919, Chapter 727, made it lawful for any person to hunt or kill rabbits in the Civil District in which they reside without first obtaining a license when local and general game laws have otherwise been complied with.
14. Private Acts of 1937, Chapter 333, authorized and directed the State Board of Veterinary Examiners to issue to Raymond E. Wood of Obion County a license to practice veterinary medicine in Obion County's confines.
15. Private Acts of 1945, Chapter 486, recited that Ernest C. Gwaltney took a correspondence course in veterinary medicine and has practiced that profession for over 20 years, that Gwaltney is over 21 years of age, and a person of good moral character, and that veterinary medicine and surgery is sorely needed in Obion County. Therefore, by this Act, the said Ernest C. Gwaltney is authorized and licensed to practice veterinary surgery and medicine and to treat diseases of domestic animals within the confines of Obion County. The official Boards of the State of Tennessee shall recognize Gwaltney as such, and upon the payment of the proper charge therefor, shall issue him a license.

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