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## Chapter II - Animals and Fish

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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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<b>Chapter II - Animals and Fish .....</b>	<b>. 3</b>
<b>Coon Dogs .....</b>	<b>. 3</b>
<b>Public Acts of 1968 Chapter 612 .....</b>	<b>. 3</b>
<b>Deer Hunting .....</b>	<b>. 3</b>
<b>Private Acts of 1976 Chapter 198 .....</b>	<b>. 3</b>
<b>Hunting on Sundays .....</b>	<b>. 3</b>
<b>Private Acts of 1961 Chapter 312 .....</b>	<b>. 3</b>
<b>Livestock Inspectors .....</b>	<b>. 3</b>
<b>Private Acts of 1951 Chapter 674 .....</b>	<b>. 3</b>
<b>Animals and Fish - Historical Notes .....</b>	<b>. 4</b>

## Chapter II - Animals and Fish

### Coon Dogs

#### Public Acts of 1968 Chapter 612

**SECTION 1.** It is lawful to train coon dogs by chasing raccoons in Grainger County during the thirty (30) days immediately preceding the opening of the season under general laws of the State for hunting raccoons.

**SECTION 2.** This Act shall take effect on becoming a law, the public welfare requiring it.

Passed: March 28, 1968.

### Deer Hunting

#### Private Acts of 1976 Chapter 198

**SECTION 1.** It is a misdemeanor, punishable as provided by general law for any person to hunt deer or other big game in Grainger County unless such person has in his possession at the time written permission from the owner of the land upon which he is hunting to hunt on such land on that particular day.

**SECTION 2.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Grainger County. Its approval or non-approval shall be proclaimed by the presiding officer of the court and certified by him to the Secretary of State.

**SECTION 3.** For the purpose of approving this Act as provided in Section 3, it shall take effect on becoming a law, the public welfare requiring it, but for all other purposes, it shall take effect upon being approved as provided in Section 2.

Passed: January 26, 1976.

### Hunting on Sundays

#### Private Acts of 1961 Chapter 312

**SECTION 1.** That this Act prohibits the use of Firearms for hunting on Sundays in Counties having a population of not more than Twelve Thousand, Five Hundred Fifteen (12,515) and not less than Twelve Thousand, Five Hundred (12,500) according to the Federal Census of 1960 or any subsequent Federal Census. It is hereby declared to be a misdemeanor for any person to use Firearms of any nature for the purpose of hunting on Sundays.

**SECTION 2.** That upon conviction of any person for the use of Firearms on Sundays contrary to the provisions of this Act he shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00).

**SECTION 3.** That the provisions hereof shall have no effect until approved by a two-thirds ( $\frac{2}{3}$ ) vote of the Quarterly County Court of counties hereby affected at a regular meeting of said County Court occurring more than thirty (30) days subsequent to the approval of this Act by the Chief Executive of the State. Its approval or non-approval shall be proclaimed by the presiding Officer of said Quarterly County Court and the action of the Quarterly County Court thereon shall be certified by him to the Secretary of State, at Nashville.

**SECTION 4.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 15, 1961.

### Livestock Inspectors

#### Private Acts of 1951 Chapter 674

**SECTION 1.** That in Counties of this State with a population of not less than 14,355, nor more than 14,358, by the Federal Census of 1940, or any subsequent Federal Census, the Quarterly County Court is

hereby authorized to elect for a term of four years, not exceeding two (2) animal inspectors.

It shall be the duty of such livestock inspectors to make an inspection and examination of the livestock in said counties and to treat such as may be found ailing or sick with the view of promoting the spread of health among such stock and to reduce the danger of infections or contagious diseases. Such animal inspectors may contract with the owner or owners of any diseased livestock found by them for the treatment thereof by such inspectors, the compensation therefor to be mutually agreed upon between the parties. Such livestock inspectors may be compensated by the Quarterly County Court of such counties to which this Act applies in an amount not to exceed \$10.00 per annum for each inspector so appointed.

Elections thereof may be made by the Quarterly County Court at any regular term or called session and the person or persons so elected shall hold office for a period of four (4) years from the date of such election and until their successor shall be duly elected and qualified. The said County shall not be liable for the default or negligence of any such livestock inspectors where the County Court has used care and caution in the selection thereof but nothing herein shall exempt such inspectors personally for the negligence in the performance of their duties.

**SECTION 2.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 15, 1951.

## 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 Grainger County. They are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1826, Chapter 30, gave relief to William Cobb and others who maintained fish traps and dams in the Holstein River from an order of the commissioners appointed by the legislature to oversee navigation. Said order was to remove the traps and dams as obstructions to navigation. This act authorized the empaneling of a jury to determine the question of whether each or all of the dams and traps were obstructions to navigation.
2. Private Acts of 1831, Chapter 132, prevented non-residents of Claiborne and Campbell counties from grazing their stock in said counties. However, the counties of Grainger and Hawkins were exempted from the provisions of this act.
3. Public Acts of 1895, Chapter 159, made it a misdemeanor to: (1) hunt quail or partridge from April 1st to October 1st, (2) hunt quail or partridge with a net, and (3) export from the county, quail or partridge for profit in Grainger County.
4. Private Acts of 1897, Chapter 189, made it unlawful to hunt deer, turkeys, ducks, mocking birds, pheasants, larks, grouse, quails or other species of birds without the consent of the owner of the land whereon the hunting occurred, and further provided that it was unlawful to hunt these same animals and birds between March 1st and October 1st.
5. Acts of 1903, Chapter 215, made it a misdemeanor for the owner to allow his livestock to roam free in the county and gave those damaged by the livestock a lien against the livestock and provided further that owners of land who discovered roaming livestock on their property were allowed to pen the livestock and feed them and have a lien against the livestock to secure their costs. A referendum was provided whereby the people of the county could approve or not approve the act. Apparently the act was not approved as the legislature subsequently passed an act with similar provisions.
6. Acts of 1905, Chapter 175, contained similar provisions to Acts of 1903, Chapter 215, and apparently was designed to achieve the same result as the first act which was not approved by referendum. Acts of 1905, Chapter 175, did not provide for approval by referendum but took effect immediately.
7. Private Acts of 1919, Chapter 357, made it lawful to shoot fish with a gun in Grainger County.
8. Private Acts of 1919, Chapter 460, evidenced a strong legislative intent to protect quails as it flatly prohibited the hunting of quails for two years and thereafter provided for a quail season to run only from December 1 to December 15. This act was repealed by Private Acts of 1921, Chapter 310.
9. Private Acts of 1921, Chapter 405, exempted Grainger County from Public Acts of 1919, Chapter 61, which regulated the ownership of dogs.
10. Private Acts of 1933, Chapter 825, allowed the fishing without a license in Grainger County if the fishing was by the use of a trot line, bank-hook, gig, basket, and net with a one and one half inch

mesh.

11. Private Acts of 1935, Chapter 78, regulated the hunting of quail and doves by setting the quail season from November 20 to December 20, and the dove season from October 20 to December 10 and, also, required persons hunting on land owned by another to have a permit from the owner and a state license. This act was subsequently amended by the Private Acts of 1937, Chapter 137, to change the quail season from November 20 through December 15 to December 1 through December 15.

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