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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 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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