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Chapter II - Animals and Fish

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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Chapter II - Animals and Fish

Coon Dog Training

Private Acts of 1955 Chapter 301

SECTION 1. That a training period for coon dogs of the 30 days next preceding the lawful season for hunting and taking coons shall be permitted in all counties of Tennessee having a population of not less than 9,166 and not more than 9,168.

SECTION 2. 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 nonapproval 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 3. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 10, 1955.

Dog Law

Private Acts of 1921 Chapter 866

SECTION 1. That any person or persons owning, controlling or harboring any dog or dogs that shall chase, maim, worry or kill any sheep, goats, hogs, cattle or other animals, shall be absolutely liable for all damages caused or done by his or their dog, or dogs, and such claim for damages may be enforced as any other claim for damages is enforced in this State. A lien is also hereby declared to exist on any dog or dogs that shall chase, worry, maim or kill any sheep, goats, hogs, cattle or other animal and in favor of the owner of such animal so chased, worried, maimed or killed for all damages sustained; and such lien may be forced by attachment or judgment and execution.

SECTION 2. That any dog that is known to have chased, worried, maimed or killed any sheep, goats, hogs, cattle or other animals unless accompanied by his master, or some other person having reasonable control over him, is hereby declared to be a public nuisance, and may be killed by any person without civil or criminal liabilities therefor; and any person who shall own, keep, or harbor any dog after he knows that such dog has chased, worried, maimed, or killed any sheep, goats, hogs, cattle or other animal, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars and not more than fifty dollars, by any Court having competent jurisdiction thereof.

SECTION 3. That it is hereby declared a misdemeanor for any person owning, controlling or harboring any female dog to permit such female dog to run at large during any period of rutting or when in heat, after he knows such dog to be in heat, and upon conviction thereof shall be fined not less than Ten Dollars and not more than Fifty Dollars by any Court having competent jurisdiction thereof.

SECTION 4. That if any clause, section or part of this Act shall be declared unconstitutional or unauthorized by law, by any court, such decision shall not effect the remaining clauses, sections and parts of this Act, but same shall remain in full force and effect.

SECTION 5. That this Act shall apply to and within all counties of the State of Tennessee which, according to the Federal Census of 1920 of any subsequent Federal Census, have a population of not less than 10,000 inhabitants and not more than 10,070 inhabitants, also a population of not less than 6,200 inhabitants and not more than 6,225 inhabitants.

SECTION 6. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 9, 1921.

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 County. They are included herein for reference purposes. Also

referenced below is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1897, Chapter 296, allowed any Cheatham County resident to catch fish for home consumption in any county stream, by any means except poison or explosive, without a license.
2. Acts of 1901, Chapter 447, was an act to protect ruffed grouse, prairie chickens and pheasants, providing that none could be hunted before November 15, 1908 and after that date, the open season would only be between November 15th and January 15 of each year.
3. Private Acts of 1913, Chapter 273, authorized an election to determine the will of the Cheatham County voters in regard to a stock or fence law.
4. Private Acts of 1915, Chapter 342, was the first stock law for Cheatham County. This act made it unlawful to let livestock run at large, with the owner of such wandering livestock being liable for any damages they might cause, but this law did contain a provision that unfenced land could be used for summer grange, as long as the livestock remained under the care of a herdsman.
5. Private Acts of 1917, Chapter 264, permitted the catching of non-game fish in Cheatham County by means of grab hooks.
6. Private Acts of 1917, Chapter 823, was the next stock law for Cheatham County. This act makes it illegal for horses, mules, donkeys, cattle, sheep, goats, and swine to roam at large, with their owners being subject to a \$10 fine plus liability for all damages caused. This act also contained a proviso allowing summer grange under the care of a herdsman, and it also provided that landowners could pen up trespassing stock but had to feed and water such stock.
7. Private Acts of 1919, Chapter 481, authorized an election within thirty days from the passage of the act to determine the will of the voters on a fence law for Cheatham County.
8. Private Acts of 1921, Chapter 149, was an act to protect deer in Cheatham County. This act set the open season, beginning in 1922, from December 20th to December 31st of each year; with the killing of deer at any other time strictly forbidden.
9. Private Acts of 1921, Chapter 405, exempted Cheatham County from the general dog law of the state of Tennessee.
10. Private Acts of 1921, Chapter 476, made it lawful to fish at any season for game fish in Cheatham County, except between May 1st and June 15th of each year. This act also allowed the catching of non-game fish at any season, as long as such fish were not caught by means of seining, shooting, poisoning, or explosives.
11. Private Acts of 1925, Chapter 613, was apparently enacted in an effort to subdue an overly-large population of the rabbits "commonly called cotton-tail." This act declared them to be game and set the open season on them from November 25th to February 1st of each year.
12. Private Acts of 1925, Chapter 614, made it unlawful to take, kill, wound, or chase deer, with any violation of this act punishable by a fine of at least \$50. This act was repealed by Private Acts of 1929, Chapter 177.
13. Private Acts of 1933, Chapter 292, made it lawful to take, catch or kill white sucker fish and red horse fish by means of grab hooks, at any time or season, in the waters of Cheatham County.
14. Private Acts of 1933, Chapter 379, made it unlawful to take, wound, kill, hunt, or chase deer in Cheatham County at any time, and this act gave the grand jury inquisitorial powers to investigate possible violations of this act.
15. Private Acts of 1935, Chapter 501, was another effort to conserve the deer population of Cheatham County. This act made it unlawful to kill, capture, or wound deer by any means, except a gun fired from the shoulder. This act outlawed dogs in the hunting of deer and also outlawed the killing of dogs entirely. Bucks could be killed, by the method specified above, provided that he had two or more spikes on each antler.

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