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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

Livestock Inspectors

Private Acts of 1953 Chapter 523

SECTION 1. That in counties of this State with a population of not less than 24,750, nor more than 24,800, by the Federal Census of 1950, or any subsequent Federal Census, the Quarterly County Court is hereby authorized to elect for a term of two years, not exceeding two animal inspectors. It shall be the duty of such livestock inspectors to make an inspection and examination of the livestock in said County and to treat such as may be found ailing or sick with the view to promoting the spread of health among such stock and to reduce the danger of infectious 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 Ten (\$10.00) Dollars per annum for each inspector so appointed.

Elections thereof may be made by the Quarterly County Court at any regular term and the person so elected shall hold office for a period of two years from the date of such election. The said County shall not be liable for the default or negligence of any such livestock inspectors where such 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: April 9, 1953.

Permission to Hunt

Private Acts of 1978 Chapter 196

SECTION 1. No person shall hunt, take, chase, trap, or kill deer, bear, wild hog, or any other species of large mammals that may be introduced or transplanted into this county for hunting, upon the land of another without having first obtained the written permission or approval of the owners of the land, or of the person or persons in charge of such land, and having authority from the owner to give such permission. Such written permission shall be carried by the hunter any time he is hunting big game, as defined by the first sentence of the section, upon the land of another. The provisions of this Act shall not apply to property owned by the State of Tennessee, nor to property in which the State of Tennessee is in charge or in control of said land as a result of a lease or other agreement with the property owner.

SECTION 2. The provisions of this Act may be enforced by any officer or authorized agent of the wildlife resources commission. Any person found hunting big game upon the land or [sic] another who does not have such written permission in his possession shall be subject to a fine not to exceed fifty dollars (\$50.00).

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

SECTION 4. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.

Passed: March 2, 1978.

Animals and Fish - Historical Notes

Animals and Fish

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

1. Acts of 1829, Chapter 23, authorized Siles Williams of Claiborne County to build a fish trap in

Powell River opposite his land, provided he did not obstruct navigation.

2. Private Acts of 1831, Chapter 132, made it illegal for non-residents to graze their cattle in Claiborne County. This act provided for a \$100.00 fine to be assessed against violators.
3. Private Acts of 1868-69, Chapter 26, authorized George P. Brooks to build a fish trap in Powell River, opposite his land provided he did not obstruct navigation.
4. Public Acts of 1889, Chapter 179, made it a misdemeanor for any non-resident of the state to hunt game in Claiborne County.
5. Public Acts of 1895, Chapter 161, provided that it was a misdemeanor to hunt deer in Claiborne County for five years after passage of the act.
6. Private Acts of 1897, Chapter 242, allowed county residents to catch fish by all means except wing net, poison, or dynamite, and prohibited all fishing from April 1 to June 1.
7. Public Acts of 1899, Chapter 170, allowed the residence of Claiborne County to catch fish in any waters, in any way, except by poison, dynamite, wing net or other explosives.
8. Public Acts of 1899, Chapter 333, provided that it was a misdemeanor to hunt deer in Claiborne County for a period of 10 years from passage of the act.
9. Acts of 1903, Chapter 52, prohibited owners of livestock from allowing their stocks to run at large. The owner was responsible for all damage done by his stock and any injured party was given a lien against the livestock.
10. Private Acts of 1915, Chapter 350, authorized residents of Claiborne County to catch fish by line, net, or trap, provided the mesh thereof, was more than 1½".
11. Private Acts of 1919, Chapter 137, made it unlawful for owners to allow their livestock to roam at large, except on unfenced lands in the summer. This act was amended by Private Acts of 1919, Chapter 390, to give the grand jury inquisitorial power over violations of this act.
12. Private Acts of 1919, Chapter 495, made it unlawful for owners of poultry to allow their poultry to roam at large. This act was subsequently repealed by Private Acts of 1921, Chapter 882.
13. Private Acts of 1919, Chapter 503, made it a misdemeanor for a dog owner to allow his dog to roam at large in Claiborne County. This act was subsequently repealed by Private Acts of 1921, Chapter 558.
14. Private Acts of 1921, Chapter 405, exempted Claiborne County from provisions of the general act requiring the licensing of dogs.
15. Private Acts of 1921, Chapter 559, provided that from November 15 through December 31, would be the open season for quails in Claiborne County.
16. Private Acts of 1925, Chapter 305, provided that henceforth it would be lawful to trap fish in Claiborne County, and further provided that it would be lawful to gig fish from November 1st to March 1st.
17. Private Acts of 1927, Chapter 37, provided that partridge and quail would be considered non-game birds in Claiborne County, and this protected them under the general act. This act was subsequently repealed by Private Acts of 1929, Chapter 61.
18. Private Acts of 1935, Chapter 222, regulated the hunting of quail and doves in Claiborne County. This act was subsequently repealed by Private Acts of 1937, Chapter 56.
19. Private Acts of 1945, Chapter 299, authorized W.M. Harris to practice veterinary surgery in Claiborne County.
20. Private Acts of 1953, Chapter 506, allowed the Claiborne County residents to gig rough fish (as defined by the general law) from October 1 to January 31.

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