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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

Fence Law

Private Acts of 1919 Chapter 795

SECTION 1. That in certain counties having a population of not less than 15,430 nor more than 15,440 inhabitants, under the Federal Census of 1910, or any subsequent Federal Census, Caney Fork River is hereby declared to be a lawful fence.

SECTION 2. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

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

Passed: April 14, 1919.

Gigging

Private Acts of 1955 Chapter 408

SECTION 1. That there shall be an open season each year in DeKalb County for the gigging of rough fish, during the months of May, between sunup and sundown, in all the streams in said County, except Pine Creek.

SECTION 2. That "rough fish" as contemplated by this Act shall be those fish defined as such by the State Division of Game and Fish.

SECTION 3. That all persons who gig fish under the provision of this Act shall have a valid fishing license issued by the State.

SECTION 4. That any person violating the provision of this Act shall be guilty of a misdemeanor and shall be fined not less than \$5.00 nor more than \$25.00 for each such violation.

SECTION 5. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 10, 1955.

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 DeKalb 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 1893, Chapter 59, made it a misdemeanor to hunt, kill or capture wild deer in DeKalb County from December 1st to September 30th of each year.
2. Acts of 1897, Chapter 134, made it lawful to fish in DeKalb County by seine, trap, gig, gun, grabbing with hands or any matter, except poison or explosives, by exempting DeKalb County from the Acts of 1895, Chapter 127. This was repealed by Acts of 1899, Chapter 51.
3. Acts of 1899, Chapter 116, exempted DeKalb County from certain provisions of the Acts of 1895, Chapter 127, by making it lawful to catch fish with a gun, gig or by grabbing with hands.
4. Acts of 1911, Chapter 667, made it lawful to fish with traps, baskets, nets or seines in DeKalb County from May 15 to November 30, provided that the mesh of such devices were at least 1½" apart.
5. Private Acts of 1917, Chapter 627, created an open season for hunting quail and partridges from November 15 to February 1. This Act was repealed by Private Acts of 1921, Chapter 708.
6. Private Acts of 1917, Chapter 726, made it lawful to fish with traps or lines provided that their slats or meshes were at least 1½" apart and no trap occupied the width of a stream or was placed in such a way as to prevent the free passage up the stream. The season was from May 15 to November 30.
7. Private Acts of 1917, Chapter 750, made it a misdemeanor for any person knowingly to permit diseased hogs to run at large or have access to any running water or to fail to burn immediately the corpse of a diseased hog.

8. Private Acts of 1919, Chapter 36, authorized an election to determine the will of the voters on the question of a stock law in DeKalb County.
9. Private Acts of 1919, Chapter 501, created a zone in which stock could not run at large or trespass; the limits of the zone being a one-mile radius of the courthouse.
10. Private Acts of 1921, Chapter 405, exempted DeKalb County from the provisions of the general law (Public Acts of 1919, Chapter 61) regulating the ownership of dogs.
11. Private Acts of 1921, Chapter 708, set the open season on quail and squirrels in DeKalb County from December 1st to December 31st, inclusive.
12. Private Acts of 1923, Chapter 132, authorized an election to determine the will of the voters with reference to a stock law for DeKalb County.
13. Private Acts of 1925, Chapter 240, provided for an election on March 28, 1925 to determine the will of the voters with regard to a stock law.
14. Private Acts of 1925, Chapter 471, was a stock law for DeKalb County which was to take effect on May 31, 1925.
15. Private Acts of 1925 Chapter 519, made it lawful to use traps with slats 1½" apart, or baskets, nets and seines with meshes 1" apart to catch fish in DeKalb County between May 15 and November 15.
16. Private Acts of 1927, Chapter 615, amended Private Acts of 1925, Chapter 519, to change the season from April 15 to November 15.
17. Private Acts of 1929, Chapter 908, made it unlawful for any person, group, firm or corporation to take, ship, or transport more than fifty minnows per day out of DeKalb County.
18. Private Acts of 1939, Chapter 528, made it unlawful to fish from bridges or to kill fish by means of poison or explosives.
19. Private Acts of 1955, Chapter 407, set a daily bag limit of 4 squirrels during the open season of June 10th to June 20th. A valid state hunting license was required and possession of more than eight squirrels was unlawful. This was repealed by Private Acts of 1961, Chapter 136.
20. Private Acts of 1955, Chapter 419, made it lawful to seine for rough fish during July and August in all the streams of DeKalb County, except Pine Creek, Center Hill Lake and Caney Fork River. The mesh of the seine could be not less than 1½ inches. This Act was repealed by Private Acts of 1974, Chapter 332.
21. Private Acts of 1957, Chapter 412, amended Private Acts of 1955, Chapter 419, to decrease the size of the seine mesh to one inch. This Act was repealed by Private Acts of 1974, Chapter 332.
22. Private Acts of 1959, Chapter 314, was an act to protect minnows in DeKalb County by making it unlawful to catch or possess them for purpose of sale. This Act was repealed by Private Acts of 1974, Chapter 211.
23. Private Acts of 1974, Chapter 384, would have created an open season for seining fish during July and August in all the streams of DeKalb County, except Pine Creek, Center Hill Lake, and Caney Fork River, but this Act was not acted upon by the Quarterly County Court and did not become effective.

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