



March 31, 2025

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# Education/Schools - Historical Notes

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Sincerely,

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# Education/Schools - Historical Notes

## **Special School Districts - Bradford Special School District**

1. Private Acts of 1925, Chapter 467, purported to abolish all special school districts in Gibson County and transfer control over all schools in those districts to the Gibson County Board of Education. The act purported to repeal all laws creating special school districts except those parts levying a tax to pay outstanding bonds and debt, and declared all outstanding bonds and indebtedness of the special school districts to be valid and binding obligations of those districts. The act enumerated those districts in which taxes were retained and referenced the acts authorizing such taxes. Private Acts of 1939, Chapter 548, amended Private Acts of 1925, Chapter 467, to provide that any monies remaining after payment of all bond indebtedness was to be spent by the County Board of Education for the use of schools in the special school district. Private Acts of 1925, Chapter 467, was declared unconstitutional by the Tennessee Supreme Court in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948). Private Acts of 1925, Chapter 467, as it related to Bradford Special School District, was repealed by Private Acts of 1992, Chapter 251 (reproduced hereinabove).
2. The constitutionality of Private Acts of 1975, Chapter 95 (reproduced hereinabove), was challenged in *Partee v. Pierce*, 553 S.W.2d 602 (Tenn. App. 1977). Private Acts of 1977, Chapter 126, renewed the authority for the \$1,600,000 bond issue in the event that the act was finally declared invalid. Private Acts of 1975, Chapter 95, withstood constitutional challenge in *Partee v. Pierce*, 553 S.W.2d 602 (Tenn. App. 1977). The court elided section 5 of the act which required approval of the act by local referendum, and found that section 4 requiring such approval for the issuance of school bonds was constitutional. Both Sections 4 and 5 of the act were deleted by Private Acts of 1980, Chapter 270.
3. In *Partee v. Pierce*, 589 S.W.2d 919 (Tenn. App. 1979), a second attempt to block the bond issue and resultant taxes, Bradford Special School District was held to have been in continuous existence since its inception in 1917, and that the District never transferred administration of the school system to the Gibson County Board of Education.
4. Private Acts of 1980, Chapter 270, for which no approval was required, amended Private Acts of 1975, Chapter 95 (reproduced above), by reducing the amount of bond authorization from \$1,600,000 to \$800,000, increasing the allowable interest rate from 8% to 10%, authorizing the issuance of bond anticipation notes, reducing the allowable tax rate from \$1.75 to \$1.15 per \$100, and by deleting Sections 4 and 5. Sections 4 and 5 provided for referendum approval of the act and of the issuance of the bonds. The bond issue had been approved by local referendum.
5. Private Acts of 1984, Chapter 240, amended Private Acts of 1917, Chapter 153 (reproduced hereinabove). Section 2 of the 1984 act, which required approval of the voters in the district before the act became effective, was declared unconstitutional by the Tennessee Supreme Court in *Gibson Coughly School District v. Palmer*, 691 S.W.2d 544 (Tenn. 1985), but the court elided the section requiring local approval and the act remained effective.

## **Special School Districts - Gibson County Special School District**

1. Acts of 1907, Chapter 288, created "Gibson School District" out of a portion of the 18th Civil District of Gibson County.
2. Private Acts of 1917, Chapter 392, created "Gibson County Special School District" out of a portion of the 2nd and 18th Civil Districts, including the town of Gibson. A school tax of 500 on every \$100 of taxable property was assessed.
3. Public Acts of 1920 (Ex. Sess.), Chapter 22, was enacted to change the tax rate in areas where the legislature had levied a specific tax rate for specific purposes in a limited territory, including special school districts. The act exempted Private Acts of 1917, Chapter 392 (Gibson Special School District) from its provisions.
4. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 200 on every \$100 of taxable property within Gibson County Special School District. This act was later held unconstitutional in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).

## **Special School Districts - Kenton Special School District**

1. Acts of 1905, Chapter 293, established Kenton High School District No. 32, in the Tenth Civil District of Gibson County.

2. Private Acts of 1921, Chapter 463, is referenced in later amendatory acts as being House Bill 1062, passed March 24, 1921, and approved March 28, 1921, creating the Kenton Special School District. However, Private Acts of 1921, Chapter 463, is an act relative to fishing with baskets for suckers and carp in Warren and Grundy Counties. Our research has revealed no act which was passed in 1921 relative to the Kenton Special School District. The elusive 1921 act was amended by Private Acts of 1923, Chapter 480, to authorize the issuance of interest-bearing coupon bonds by the Kenton Special School District in the amount of \$7,500. Both of these acts were repealed by Private Acts of 1941, Chapter 164. (The status of the law on suckers and carp in Warren and Grundy Counties remains uncertain.)
3. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 150 on every \$100 of taxable property within Kenton Special School District. This act was later held unconstitutional in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).
4. Private Acts of 1927, Chapter 539, re-established the Kenton Special School District after the attempted abolition of all special school districts in Gibson County by Private Acts of 1925, Chapter 467, assumed the indebtedness of the \$7,500 school bonds which had been issued, and set the tax rate at 200 on every \$100 of taxable property, with an additional 100 tax to pay principal and interest on the bonds. When (sic) the school bonds had been fully retired, the 1927 act was amended by Private Acts of 1937, Chapter 412, to eliminate the special tax which had been imposed to pay the principal and interest on the school bonds. The 1927 act was further amended by Private Acts of 1941, Chapter 164, to reduce the tax rate from 200 to 50 on every \$100 of taxable property. All school taxes within the District were eliminated when Section 7 of the 1927 act was deleted in its entirety by Private Acts of 1945, Chapter 202.

#### **Special School Districts - Milan Special School District**

1. There were two attempts to re-establish the Milan Special School District since the passage of the original act in 1945. Private Acts of 1957, Chapter 372, and Private Acts of 1967-68, Chapter 400, failed to gain local approval and never took effect. However, Private Acts of 1994, Chapter 136, purported to repeal Section 6 of Private Acts of 1957, Chapter 372, as amended by Private Acts of 1981, Chapter 182, and any other act amendatory thereto; Section 9 of Private Acts of 1957, Chapter 372, as amended by any other act amendatory thereto; and Sections 6 and 9 of Private Acts of 1967, Chapter 400, as amended by any other act amendatory thereto, are repealed.
2. Private Acts of 1981, Chapter 82, amended Private Acts of 1945, Chapter 504, Section I (reproduced hereinabove), to raise the tax rate. The act required a referendum election to make the act operational, and it was not approved. In the context of special school districts, the practice of conditioning the effectiveness of an act or the imposition of a tax upon popular vote of those subject to the law has been declared unconstitutional in *Gibson County Special School District v. Palmer*, 691 S.W.2d 544 (Tenn. 1985). Private Acts of 1981, Chapter 182, removed the referendum requirement from the earlier 1981 amendment, making it effective upon its approval in the legislature.

#### **Special School Districts - School Districts Which No Longer Exist**

The following special school districts have been established in Gibson County at one time, but no longer exist. Those special school districts which were not taxing districts as of 1925 were abolished by Public Acts of 1925, Chapter 115, T.C.A. § 49-2-501. The following summaries indicate with an asterisk (\*) those districts which had no taxing authority and were abolished by the 1925 act. A few special school districts were specifically abolished by repeal of the act under which they were created. The other districts no longer exist by virtue of consolidation, merger, or subsequent abolition under Public Acts of 1982, Chapter 907 or other general school laws found in Title 49 of the Tennessee Code Annotated.

#### **BELL'S CHAPEL SPECIAL SCHOOL DISTRICT**

1. Private Acts of 1917, Chapter 771, established Bell's Chapel Special School District out of parts of the 8th, 9th, 10th, 21st and 24th Civil Districts. The tax rate was 15¢ on every \$100 of taxable property and 50¢ poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 8, amended 1917 act to lower the property tax rate to 10¢ .
3. Private Acts of 1923, Chapter 497, amended 1917 act to change the boundary, and raise the property tax rate to 15¢ and the poll tax to \$1.

#### **BRAZIL SPECIAL SCHOOL DISTRICT**

1. Private Acts of 1919, Chapter 112, established Brazil Special School District out of part of the 5th Civil District including the town of Brazil. The tax rate was 50¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 74, amended the 1917 act to extend the boundary and lower the property tax rate to 25¢.
3. Private Acts of 1920 (Ex. Sess.), Chapter 75, authorized the issuance of \$20,000 of school bonds.
4. Private Acts of 1921, Chapter 177, amended the 1919 act to lower the property tax rate to 12½¢.
5. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 100 on property in the Brazil Special School District to pay the outstanding indebtedness. This act was later held unconstitutional by the Tennessee Supreme Court in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).

#### BRICK HILL SCHOOL DISTRICT

1. \* Private Acts of 1915, Chapter 473, established "Brick Hill School District, No. \_" in the 15th Civil District of Gibson County. No tax.

#### CEDAR GROVE SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 328, created Cedar Grove Special School District out of part of the 23rd Civil District. The tax rate was 100 on every \$100 of taxable property and \$1 poll tax.

#### CENTERVILLE SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 596, created Centerville School District out of part of the 1st Civil District. Section 6 of the act purported to grant taxing powers to the district, but the Governor approved the act "upon the idea that Section 6 may be may be elided as invalid leaving a valid school district.
2. Private Acts of 1919, Chapter 706, was the Senate version of the earlier act, and with no appreciable changes, Centerville School District was created again. Section 6 was the same in both acts. The Governor again approved the act, with the understanding that Section 6 was unconstitutional and should be elided.
3. Private Acts of 1920 (Ex. Sess.), Chapter 7, amended Private Acts of 1919, Chapter 706, to amend the boundary and to set the tax rate at 20¢ on every \$100 of taxable property.

Portions of Centerville School District at one time overlapped portions of Medina Special School District. See *Edwards v. Davis*, 244 S.W. 359 (Tenn. 1922).

#### CENTRAL ACADEMY SPECIAL SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 461, created Central Academy Special School District out of part of the 8th and 24th Civil Districts of Gibson County. The tax rate was 25¢ on every \$100 of taxable property and \$1 poll tax.
2. Public Acts of 1920 (Ex. Sess.), Chapter 22, exempted Central Academy Special School District from this general tax act which reduced tax rates proportionally with new assessments.

#### CENTRAL HIGH SCHOOL DISTRICT NO. 26

1. \* Acts of 1905, Chapter 78, established Central High School District No. 26 in part of the 6th Civil District of Gibson County. No tax.

#### CENTRAL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 556, created Central Special School District out of part of the 6th Civil District of Gibson County. The tax rate was 50¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 99, amended the 1917 act to lower the property tax rate to 200.
3. Private Acts of 1923, Chapter 587, repealed Private Acts of 1917, Chapter 556 (Central Special School District) and Private Acts of 1919, Chapter 356 (Eaton Center Special School District), and created the Spring Hill Special School District.

#### CENTRAL VIEW SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 893, created Central View Special School District out of a part of the 14th and 23rd Civil Districts. The tax rate was 20¢ on every \$100 of taxable property and \$1 poll tax.

#### CHINA GROVE SCHOOL DISTRICT

1. \* Acts of 1907, Chapter 275, created China Grove School District out of parts of the 19th and 23rd Civil Districts of Gibson County. No tax.

#### CHINA GROVE SPECIAL SCHOOL DISTRICT

1. Private Acts of 1915, Chapter 489, created China Grove Special School District out of parts of the 19th and 23rd Civil Districts of Gibson County. No tax. This act contained a general repealer clause, which may have repealed the 1907 act creating China Grove School District.
2. Private Acts of 1921, Chapter 167, amended the 1915 act to assess a tax of 20¢ on every \$100 of taxable property and \$1 poll tax.
3. Private Acts of 1923, Chapter 673, amended the 1915 act to more definitely fix the boundary.

#### CONCORD SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 285, created the Concord School District in the 12th Civil District of Gibson County. The tax rate was 40¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 39, amended the 1919 act to lower the property tax rate to 10¢.

#### COOL SPRINGS SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 787, created the Cool Springs School District out of parts of the 8th and 24th Civil Districts of Gibson County. No tax.
2. Private Acts of 1919, Chapter 148, amended the 1917 act to assess a tax of 25¢ on every \$100 of taxable property and \$1 poll tax.
3. Public Acts of 1920 (Ex. Sess.), Chapter 22, exempted Cool Springs School District from the general tax act which reduced tax rates proportionally with new assessments.

#### DAVIDSON CHAPEL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 744, created the Davidson Chapel Special School District in the 12th Civil District of Gibson County. The tax rate was 40¢ on every \$100 of taxable property and \$1 poll tax. The act also authorized the Directors to receive private contributions for the use of the school district.
2. Private Acts of 1920 (Ex. Sess.), Chapter 11, amended the 1919 act to lower the property tax rate to 10¢.

#### DYER SPECIAL SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 806, created the Dyer Special School District out of parts of the 9th, 11th and 21st Civil Districts, including the town of Dyer. The tax rate was 40¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 55, amended the 1917 act to lower the property tax rate to 30¢.
3. Private Acts of 1921, Chapter 216, amended the 1917 act to change the boundary.
4. Private Acts of 1925, Chapter 467, was enacted in an attempt to abolish all special school districts in Gibson County. This act was later held unconstitutional in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).
5. Private Acts of 1935 (Ex. Sess.), Chapter 135, re-created the Dyer Special School District in the 21st and parts of the 7th, 8th, 9th and 11th Civil Districts, including the town of Dyer. The act authorized the issuance of no more than \$75,000 school bonds, contingent upon local voter approval. The tax rate was 17¢ on every \$100 of taxable property and \$1 poll tax. This act was repealed by Private Acts of 1937, Chapter 756.
6. Private Acts of 1937, Chapter 852, re-created Dyer Special School District in 21st and parts of the 6th, 7th, 9th, 11th and 23rd Civil Districts, including the Town of Dyer. The act authorized the issuance of \$50,000 school bonds, contingent upon local voter approval, and levied a tax of 20¢ on every \$100 of taxable property.
7. Private Acts of 1937 (3rd Ex. Sess.), Chapter 3, amended the 1937 act to change the tax rate to 26¢.
8. Private Acts of 1967-68, Chapter 110, made amendments to the powers of the Board of Trustees, the tax provisions and the Administrative Fund provisions. Although the Secretary of State notes that this act was "rejected or disapproved," the act contained no requirement of local approval.

9. Private Acts of 1970, Chapter 327, amended the 1937 act to lower the tax rate to 13¢.
10. The Dyer Special School District no longer operates schools in Gibson County. Private Acts of 1988, Chapter 212, which is reproduced in its entirety in this compilation, provides for the transfer of the assets of Dyer Special School District to the Gibson County Special School District.

EATON CENTER SCHOOL DISTRICT

1. \* Private Acts of 1915, Chapter 280, created the Eaton Center School District out of parts of the 5th and 6th Civil Districts of Gibson County. No tax.

EATON CENTER SPECIAL SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 356, created the Eaton Center Special School District out of parts of the 5th and 6th Civil Districts of Gibson County. The tax rate was 35¢ on every \$100 of taxable property and \$1 poll tax. Contains general repealer clause.
2. Private Acts of 1923, Chapter 587, repealed Private Acts of 1919, Chapter 356 (Eaton Center Special School District) and Private Acts of 1917, Chapter 556 (Central Special School District), and created the Spring Hill Special School District.

EDISON-FRUITLAND SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 952, created the Edison-Fruitland Special School District out of the entire 20th and parts of the 3rd and 25th Civil Districts of Gibson County. The tax rate was 25¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1923, Chapter 189, repealed the 1921 act.

FRUITLAND HIGH SCHOOL DISTRICT NO. 34

1. \* Acts of 1905, Chapter 330, created the Fruitland High School District No. 34 in the 20th District of Gibson County. No tax.

GIBSON SCHOOL DISTRICT

1. \* Acts of 1907, Chapter 288, created "Gibson School District" out of a portion of the 18th Civil District of Gibson County. No tax.

HIGH SCHOOL DISTRICT NO. 29

1. \* Acts of 1905, Chapter 245, created High School District No. 29 in the 14th Civil District of Gibson County. No tax.
2. \* Private Acts of 1915, Chapter 514, created High School District No. 29 in the 14th Civil District of Gibson County. No tax. Contains general repealer clause.

HOPE HILL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 467, created the Hope Hill Special School District in part of the 1st Civil District in Gibson County. The tax rate was 20¢ on every \$100 of taxable property and \$1 poll tax. Authorized private contributions.
2. Private Acts of 1923, Chapter 170, repealed Private Acts of 1921, Chapter 467.

HOPEWELL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1913, Chapter 216, created Hopewell School District in the 8th Civil District of Gibson County. No tax.
2. Private Acts of 1921, Chapter 548, amended the 1913 act to assess a tax of 15¢ on every \$100 of taxable property and \$1 poll tax.

KENTON HIGH SCHOOL DISTRICT NO. 32

1. \* Acts of 1905, Chapter 293, created Kenton High School District No. 32 in the 10th Civil District of Gibson County. No tax.

LANEVIEW COLLEGE DISTRICT NO. 28

1. \* Acts of 1905, Chapter 168, created Laneview College District No. 28 in the 11th District of Gibson County. No tax.

LANEVIEW SPECIAL SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 462, created the Laneview Special School District out of parts of the 7th, 11th and 12th Civil Districts of Gibson County. The tax rate was 40¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 107, amended the 1917 act to lower the property tax rate to 20¢.

3. Private Acts of 1921, Chapter 436, amended the 1917 act to change the boundary line.
4. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 10¢ on property in the Laneview Special School District. This act was later held unconstitutional by the Tennessee Supreme Court in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).

LONOKE SCHOOL DISTRICT NO. 33

1. Acts of 1907, Chapter 57, created the "Lonoke School District No. 33" in the 19th Civil District of Gibson County. No tax.
2. \* Private Acts of 1911, Chapter 665, created the "Lonoke School District No. 33" in the 19th Civil District of Gibson County. No tax. It appears that these are the same school districts, but subsequent acts refer only to the 1907 act. Contains general repealer clause.
3. Private Acts of 1920 (Ex. Sess.), Chapter 47, amended Acts of 1907, Chapter 57, to change the boundary line, to authorize the issuance of \$16,000 of school bonds, and to assess a tax of 15¢ on every \$100 of taxable property and \$1 poll tax.
4. Private Acts of 1921, Chapter 845, amended the 1920 act to reduce the amount of the bonds to \$12,000.

MASON HALL SCHOOL DISTRICT

1. \* Acts of 1907, Chapter 147, created an independent school district out of parts of the counties of Gibson and Obion, to be known as "Mason Hall." No tax.
2. \* Acts of 1909, Chapter 443, again created an independent school district out of parts of the counties of Gibson and Obion, to be known as "Mason Hall." No tax. No repealer clause.
3. \* Private Acts of 1913, Chapter 186, again created an independent school district out of parts of the counties of Gibson and Obion, to be known as "Mason Hall." No tax. No repealer clause.
4. Private Acts of 1917, Chapter 711, created a special school district out of part of the 8th and 11th Civil Districts of Obion County and part of the 10th and 24th Civil Districts of Gibson County, to be known as the "Mason Hall Special School District." The tax rate was 30¢ on every \$100 of taxable property and \$1 poll tax. Contains general repealer clause.
5. Public Acts of 1920 (Ex. Sess.), Chapter 22, exempted the Mason Hall Special School District (as created by the 1917 act) from the general tax act which reduced tax rates proportionally with new assessments.
6. Private Acts of 1921, Chapter 840, amended the 1917 act to lower the property tax rate to 15¢.
7. Private Acts of 1923, Chapter 687, amended the 1917 act to raise the property tax rate to 25¢.
8. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 10¢ on property in the Mason Hall Special School District. This act was later held unconstitutional by the Tennessee Supreme Court in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).
9. Private Acts of 1927, Chapter 367, amended the 1917 act to lower the property tax rate to 10¢.
10. Private Acts of 1929, Chapter 870, re-created the Mason Hall Special School District after the 1925 private act purported to abolish all special school districts in Gibson County. The tax rate was 30¢ on every \$100 of taxable property and \$1 poll tax. The act contained a general repealer clause.
11. Private Acts of 1941, Chapter 168, amended the 1929 act to lower the tax rate to 5¢. This act also specifically repealed Private Acts of 1917, Chapter 711, and Private Acts of 1927, Chapter 367.
12. Private Acts of 1959, Chapter 167, created Mason Hall Special School District in parts of Gibson and Obion Counties. The tax rate was 50¢ on every \$100 of taxable property. The act required approval by 2/3 vote of the Quarterly County Courts in Gibson and Obion Counties, unless the courts determined that Article 11, Section 9 of the Tennessee Constitution did not require such approval. The act also made provisions for a referendum if the courts interpreted the new constitutional provision to require such approval.
13. Private Acts of 1967-68, Chapter 44, repealed Private Acts of 1959, Chapter 167, but the act provided that it would have no effect unless it received approval by 2/3 vote of the Quarterly County Court of Gibson County (does not mention Obion). The Secretary of State noted that the act was properly ratified and approved. The constitutionality of this act appears to have been later questioned.



- Public Acts of 1972, Chapter 491, abolished Mason Hall Special School District, distributed all remaining funds to the Boards of Education of Gibson and Obion Counties, and again repealed Private Acts of 1959, Chapter 167 in the event the first attempt was not effective.

MEDINA SPECIAL SCHOOL DISTRICT

- Private Acts of 1920 (Ex. Sess.), Chapter 83, created Medina Special School District out of part of the 1st and 2nd Civil Districts of Gibson County, including the city of Medina. The tax rate was 40¢ on every \$100 of taxable property and \$1 poll tax.
- Private Acts of 1921, Chapter 334, amended the 1920 act to lower the property tax rate to 20¢.
- In 1922, the Tennessee Supreme Court declared the 1920 act unconstitutional in *Edwards v Davis*, 244 S.W. 359 (Tenn. 1922). The court also noted that portions of Centerville School District overlapped portions of Medina Special School District, but that fact did not render the act unconstitutional.
- Private Acts of 1923, Chapter 325, repealed the 1920 act, abolishing the school district.
- Private Acts of 1957, Chapter 333, re-created Medina Special School District out of the 1st and part of the 2nd and 13th Civil Districts of Gibson County. The act authorized a \$75,000 bond issue, and set the tax rate at \$1 on every \$100 of taxable property. The act required approval of the bonds by referendum in the school district.

MOORE'S CHAPEL SPECIAL SCHOOL DISTRICT

- Private Acts of 1919, Chapter 126, created Moore's Chapel Special School District out of part of the 12th Civil District of Gibson County. The tax rate was \$1 on every \$100 of taxable property and \$1 poll tax.
- Private Acts of 1920 (Ex. Sess.), Chapter 13, amended the 1919 act to lower the property tax rate to 35¢.

MORELLA SPECIAL SCHOOL DISTRICT

- Private Acts of 1921, Chapter 549, created Morella Special School District out of part of the 10th Civil District of Gibson County. The tax rate was 10¢ on every \$100 of taxable property and \$1 poll tax.

NEBOVILLE SPECIAL SCHOOL DISTRICT

- Private Acts of 1917, Chapter 236, created Neboville Special School District in part of the 8th Civil District of Gibson County, including the town of Neboville. The tax rate was 15¢ on every \$100 of taxable property; no poll tax.
- Private Acts of 1919, Chapter 773, amended the 1917 act to raise the tax rate to 30¢ and to add \$1 poll tax. This act was repealed by Private Acts of 1921, Chapter 204.
- Public Acts of 1920 (Ex. Sess.), Chapter 22, exempted Neboville Special School District from this general tax act which reduced tax rates proportionally with new assessments.
- Private Acts of 1921, Chapter 479, directed the election commission to hold an election to determine whether the voters in Neboville Special School District were in favor of a special tax for school bonds.
- Private Acts of 1923, Chapter 379, authorized Neboville Special School District to issue \$6,000 school bonds, conditioned upon approval by referendum in the school district, and levied a special tax of 20¢ on every \$100 of taxable property to pay principal and interest on the bonds.
- Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 20¢ on property in the Neboville Special School District to pay the outstanding bond indebtedness. This act was later held unconstitutional by the Tennessee Supreme Court in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).
- Private Acts of 1949, Chapter 330, repealed Private Acts of 1917, Chapter 236, abolishing the school district.

NORTHERN'S SPECIAL SCHOOL DISTRICT

- Private Acts of 1923, Chapter 64, created Northern's Special School District in part of the 9th Civil District of Gibson County, including Northern's School House. The tax rate was 20¢ on every \$100 of taxable property and \$1 poll tax.

OAK GROVE SPECIAL SCHOOL DISTRICT

- Private Acts of 1921, Chapter 369, created Oak Grove Special School District out of parts of the

14th and 23rd Civil Districts of Gibson County. The tax rate was 15¢ on every \$100 of taxable property and \$1 poll tax.

2. Private Acts of 1923, Chapter 120, amended the 1921 act to change the boundary.

#### OAK HILL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1923, Chapter 79, created Oak Hill Special School District in part of the 19th Civil District of Gibson County. The tax rate was 10¢ on every \$100 of taxable property; no poll tax.

#### PLEASANT HILL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 631, created Pleasant Hill Special School District in part of the 2nd Civil District of Gibson County. The tax rate was 25¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1923, Chapter 373, repealed Private Acts of 1921, Chapter 631.

#### RUTHERFORD SPECIAL SCHOOL DISTRICT

1. Private Acts of 1947, Chapter 749, created Rutherford Special School District to include the town of Rutherford and surrounding areas. The act authorized up to \$50,000 school bonds, contingent upon voter approval, and imposed a tax of 30¢ on every \$100 of taxable property. No poll tax.
2. Private Acts of 1949, Chapter 698, amended the 1947 act to change provisions relating to the Board of Trustees, to raise the authorized amount of bonds to \$75,000 and to raise the tax rate to 50¢.
3. Private Acts of 1977, Chapter 25, amended the 1947 act with regard to the Board of Trustees, the school bonds, the tax provisions, and changed the boundary. This act contains an obvious typographical error by placing the amendatory language of Section 3, naming the trustees, in Section 2. The act was not to become effective until it received approval of the voters within the school district. This act was amended by Private Acts of 1977, Chapter 148, to make the act effective upon passage rather than submit it to a referendum vote. Chapter 148 contains a typographical error inasmuch as it purports to amend Private Acts of 1925, Chapter 25, rather than Chapter 25 of the 1977 act.
4. Private Acts of 1977, Chapter 148, amended Private Acts of 1977, Chapter 25, to reduce the face amount for each bond.
5. Private Acts of 1980, Chapter 340, amended the 1947 act to change the powers of the Board of Trustees, to change the boundary, and to change the tax rate to "not more than" 50¢. The effectiveness of this act was conditioned upon local ratification by the voters within the school district. The notation of the Secretary of State indicates that no local action was taken, and the act is not in force. However, the Tennessee Supreme Court has since held that the effectiveness of an act cannot constitutionally be conditioned upon local voter approval within a special school district. In *Gibson County Special School District v. Palmer*, 691 S.W.2d 544 (Tenn. 1985), the court applied the doctrine of elision to strike the local referendum requirement.
6. Private Acts of 1983, Chapter 62, amended Private Acts of 1949, Chapter 698, as previously amended, to lower the tax rate to "not more than" 35¢.

#### SCHOOL DISTRICT NO. 27

1. \* Acts of 1907, Chapter 55, created "School District No. 27 of Gibson County, Tenn." out of part of the 9th and 10th Civil Districts. No tax.

#### SCHOOL DISTRICT NO. 30

1. \* Acts of 1905, Chapter 243, created School District No. 30 in the 8th Civil District of Gibson County. No tax.

#### SCHOOL DISTRICT NO. 35

1. \* Acts of 1907, Chapter 60, created School District No. 35 in part of the 8th and 9th Civil Districts of Gibson County. No tax.

#### SCHOOL DISTRICT NO. 53

1. \* Acts of 1901, Chapter 425, created School District No. 53. No tax.

#### SPECIAL SCHOOL DISTRICT IN NINTH AND TENTH CIVIL DISTRICTS

1. \* Private Acts of 1917, Chapter 551, created a special school district to be known as "Special School District No. \_\_\_\_\_ of Gibson County, Tennessee" out of part of the 9th and 10th Civil Districts. No tax.

#### SPECIAL SCHOOL DISTRICT FOR TWENTY-SECOND CIVIL DISTRICT

1. \* Private Acts of 1917, Chapter 550, made the 22nd Civil District of Gibson County a special school district, to be designated "a Special School District". No tax.

#### SPRING HILL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1923, Chapter 587, created "Spring Hill" Special School District out of part of the 5th and 6th Civil Districts of Gibson County. The tax rate was 25¢ on every \$100 of taxable property and \$1 poll tax.

#### SPRINGHILL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1951, Chapter 505, created "Springhill" Special School District out of the 6th and part of the 16th Civil Districts of Gibson County. The act authorized the issuance of \$80,000 school bonds, subject to approval by referendum in the school district. The tax rate was 60¢ on every \$100 of taxable property. No general repealer clause, leaving the status of Spring Hill Special School District created in 1923 unclear.

#### UNION ACADEMY DISTRICT NO. 68

1. \* Acts of 1905, Chapter 133, created Union Academy District No. 68 in the 21st Civil District of Gibson County. No tax.

#### UNION ACADEMY SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 229, created the Union Academy Special School District in part of the 21st Civil District of Gibson County. The tax rate was 15¢ on every \$100 of taxable property and \$1 poll tax.

#### UNION CENTRAL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1915, Chapter 625, created Union Central Special School District in the 12th and 13th Civil Districts of Gibson County. No tax.
2. Private Acts of 1919, Chapter 701, amended the 1915 act to assess a school tax of 30¢ on every \$100 of taxable property and \$1 poll tax to support and maintain the schools.
3. Private Acts of 1920 (Ex. Sess.), Chapter 12, amended Private Acts of 1919, Chapter 701, to change the property tax rate to 10¢.
4. Private Acts of 1921, Chapter 703, amended Private Acts of 1919, Chapter 701, to change the property tax rate to 20¢.
5. Private Acts of 1923, Chapter 16, amended Private Acts of 1915, Chapter 625, to fix the property tax rate at 35¢.

#### UNION GROVE AND PORTER'S GROVE SCHOOL DISTRICT

1. \* Acts of 1901, Chapter 473, created Union Grove and Porter's Grove School District out of parts of Gibson and Crockett Counties. No tax.

#### WALNUT GROVE SPECIAL SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 355, created Walnut Grove Special School District out of parts of the 6th and 16th Civil Districts. The tax rate was 25¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 98, amended the 1919 act to lower the property tax rate to 12¢.
3. Private Acts of 1921, Chapter 617, created (another) Walnut Grove Special School District in the 15th Civil District of Gibson County. The tax rate was 10¢ on every \$100 of taxable property; no poll tax.

#### WEST SPECIAL SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 497, created West Special School District out of part of the 1st Civil District of Gibson County, including the village of West. The tax rate was 50¢ on every \$100 of taxable property and \$1 poll tax.
2. Public Acts of 1920 (Ex. Sess.), Chapter 22, exempted West Special School District from this general tax act which reduced tax rates proportionally with new assessments.

#### WHITE HALL SPECIAL SCHOOL DISTRICT

1. \* Private Acts of 1917, Chapter 731, created White Hall Special School District out of part of the 12th Civil District of Gibson County. No tax.

#### YORKVILLE SPECIAL SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 322, established "Yorkville Special School District" out of part of the

8th Civil District of Gibson County, including the town of Yorkville. The act authorized a \$10,000 school bond issue, and assessed a tax of 40¢ on every \$100 of taxable property within the district and a \$1 poll tax to pay off the bonds. This act was amended by Private Acts of 1919, Chapter 714, to change the boundary.

2. Public Acts of 1920 (Ex. Sess.), Chapter 22, exempted Yorkville Special School District from this general tax act which reduced tax rates proportionally with new assessments.
3. Private Acts of 1921, Chapter 646, authorized the Yorkville Special School District to issue \$7,500 of school bonds.
4. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 20¢ on property in the Yorkville Special School District to pay the outstanding bond indebtedness. This act was later held unconstitutional by the Tennessee Supreme Court in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).
5. Private Acts of 1931, Chapter 65, authorized the issuance of \$2,000 of school bonds which had been authorized by Private Acts of 1917, Chapter 322, but which had not been issued. A tax of 40¢ on every \$100 of taxable property within the school district was levied for the years 1934-1937.
6. Private Acts of 1931, Chapter 490, authorized the issuance of \$2,000 of school bonds which had been authorized by Private Acts of 1917, Chapter 322, but which had not been issued. A tax of 5¢ on every \$100 of taxable property within the school district was levied for the years 1931-1933, and 25¢ for the years 1934-1937.
7. Private Acts of 1931, Chapter 577, appointed members of the board of directors for the Yorkville Special School District after some of the last board had died, to serve until their successors had been elected.
8. Private Acts of 1939, Chapter 164, authorized a \$2,000 school bond issue.
9. Private Acts of 1947, Chapter 687, created "Yorkville Special School District" which included the town of Yorkville and certain adjoining areas. The act made no reference to the prior school district or the act creating it. The act authorized the issuance of \$75,000 of school bonds, contingent upon approval of a majority of the voters within the school district. A tax of 30¢ on every \$100 of taxable property was levied.
10. Private Acts of 1949, Chapter 331, repealed both acts which had created Yorkville Special School District (Private Acts of 1917, Chapter 322, and Private Acts of 1947, Chapter 687). The 1949 act contains a typographical error in that it refers to "Chapter 627" instead of "Chapter 687" as being the 1947 act creating Yorkville Special School District.
11. Private Acts of 1949, Chapter 796, created Yorkville Special School District. The act authorized a \$75,000 school bond issue conditioned upon approval of a majority of the voters within the district, and levied a tax of 45¢/\$100 of taxable property.
12. Private Acts of 1953, Chapter 157, created Yorkville Special School District out of the entire 8th Civil District of Gibson County. The act authorized the issuance of up to \$45,000 school bonds, and imposed a tax of 45¢/\$100, conditioned upon approval by referendum in the district.

#### ZION SPECIAL SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 563, created Zion Special School District out of part of the 2nd Civil District of Gibson County. The tax rate was 40¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 9, amended the 1919 act to lower the property tax rate to 20¢.
3. Private Acts of 1921, Chapter 345, amended the 1919 act to change the boundary.

\* Asterisks denote those Special School Districts which were not taxing districts and were abolished by Public Acts of 1925, Chapter 115.

#### **Board of Education**

The following acts once affected the board of education in Gibson County but are no longer operative.

1. Acts of 1907, Chapter 236, abolished the office of District Director and created a County Board of Education in each county in Tennessee, with the exception of certain specified counties which were exempted from the act. Gibson County was not exempt.

2. Private Acts of 1915, Chapter 375, exempted Gibson County from the provisions of Acts of 1907, Chapter 236.
3. Private Acts of 1933, Chapter 335, validated a contract which the Gibson County Board of Education had made with C. S. McMinn and authorized the Board to compensate him for his year's service as a teacher, even though he had not been certified to teach in Tennessee.

### **Superintendent or Director of Schools**

The acts referenced below once affected the office of superintendent of education in Gibson County, but are no longer operative.

1. Public Acts of 1895, Chapter 155, made it a misdemeanor in counties with a population over 30,000 for a county superintendent of public instruction to teach in public schools. The act was superseded by T.C.A. § 49-2-301(g), which makes it a misdemeanor for any superintendent to be a teacher or principal in any school.
2. Private Acts of 1933, Chapter 80, as amended by Private Acts of 1941, Chapter 73, provided for a county superintendent of public instruction to be elected by qualified voters every four years.

### **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Gibson County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1829, Chapter 109, incorporated Trenton Academy as the county academy for Gibson County.
2. Private Acts of 1831, Chapter 16, incorporated Trenton Female Academy.
3. Private Acts of 1915, Chapter 324, provided for the apportionment of school funds among school districts in Gibson County in proportion to scholastic population.
4. Private Acts of 1923, Chapter 500, provided for the distribution of elementary school funds on the basis of scholastic population.
5. Private Acts of 1931, Chapter 459, abolished the office of attendance officer in Gibson County and placed the duties of executing warrants and other process issued under the compulsory school attendance law in the sheriff, his deputies and the county constables. This act was repealed by Private Acts of 1935, Chapter 764. The position of attendance teacher is now governed by T.C.A. § 49-6-3006.

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