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# Education/Schools - Historical Notes

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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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# Education/Schools - Historical Notes

## **Board of Education**

The following acts once affected the board of education in Haywood County but are no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1970, Chapter 286, as amended by Private Acts of 1982, Chapter 274, and all other acts amendatory thereto, was repealed by Private Acts of 1993, Chapter 89.

## **Superintendent or Director of Schools**

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

1. Private Acts of 1925, Chapter 330, amended Private Acts of 1917, Chapter 399, so that whenever a vacancy should occur in the office of County Superintendent of Public Instruction by death or resignation, the County Court shall elect someone to fill out the unexpired term made vacant by the death or resignation. Only five days notice of the filing of the certificate of qualification shall be required. This Act was apparently superseded by Private Acts of 1969, Chapter 59.

## **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Haywood County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval.

1. Acts of 1831, Chapter 39, incorporated the Brownsville Academy in Haywood County as a body corporate and politic, whose vacancies on the Board of Directors would be filled by the County Court. The Act named Hiram Bradford, David Hay, Herndon Harralson, Francis S. Coxe, Simon Turner, Blackburn Coleman, Nicholas T. Perkins, William H. Loving, Allen J. Barbee, Rev. James Smith, James B. Ferguson and James W. Strother, as the first Board of Directors.
2. Acts of 1835-36, Chapter 89, provided that a male academy be incorporated in Wesley in Haywood County under all provisions of law incorporating the Madison and Wesley Female Academies except this Academy at Wesley shall elect only ten trustees.
3. Acts of 1836, Chapter 141, page 268, is almost a duplicate of the above act, except this academy is a female academy with all the rights and privileges as the others. This one was also limited to ten trustees.
4. Acts of 1837-38, Chapter 269, Section One, named Benjamin Lyon, William J. Newbern, Samuel Shackley, Samuel Kirkpatrick, James Bond, Joseph Stokely, Tobias J. Hall, Joshua T. Walker, John Howard, Thomas J. Newbern and John Read as the incorporators of the Union Academy in Haywood County. They were to organize themselves and to exercise all the powers incidental to the operations of corporations in Tennessee.
5. Acts of 1841-42, Chapter 142, incorporated the Brownsville Female Institute for 99 years naming practically the same people as trustees and incorporators as are mentioned in the above act.
6. Acts of 1869-70, Chapter 22, Section One, incorporated the "Haywood County Agricultural, Mechanical, and Horticultural Association," for a period of thirty-three years, with an initial capital of \$3000 which could be increased to \$100,000, at \$25 shares. The Association was empowered, among other things, to hold fairs, exhibitions, to build buildings, to award prizes, and to do other things which would tend to encourage the practice of agriculture, mechanics, and horticulture. The original incorporators, as named in the Act, were David P. Williams, Robert S. Thomas, S. E. Taylor, W. A. Allen, Jasper Carlton, J. A. Nebbett, W. B. Clayborn, W. T. Crune, Ashley Bradford, W. B. Maner, John Allen, R. W. Beers and B. J. Lee.
7. Private Acts of 1897, Chapter 301, transferred all right and title to the Brownsville Public School Building and Grounds, as described in the act from the Trustees of the Old Male Academy, of Brownsville to the school directors and their successors, of the Brownsville School District to have and to hold for school purposes. The latter were then given the authority to use or dispose of the property in any manner they may consider to be in the best interests of the public schools.
8. Public Acts of 1907, Chapter 236, created Board of Education for every county in the State and abolished the office of District Directors. The county would be divided into school districts by the County Court which districts would be composed of whole civil districts. County Court will elect one member of the Board of Education from each school district. The duties of the Chairman, the Secretary, who would be the Superintendent, and of the Board proper, are all enumerated in the Act. Members' compensation would be from \$1.50 to \$3 per day as fixed by the County Court.

There would be an Advisory Board in each District, consisting of three people elected in the district and their duties were catalogued. Some of the counties exempted themselves from the operation of the Act but Haywood County was not among them. See Whitthorne v. Turner, 155 Tenn. 303, 293 S.W. 147 (1927).

9. Private Acts of 1919, Chapter 668, created a special school district within the boundaries of the Third Civil District which would be called the "Stanton School District". The County Public School Board would have exclusive jurisdiction over the expenditure of the funds for this district. A special tax of five mills on the dollar was levied on property within the school district in addition to all other taxes levied. The County Trustee shall collect the tax and be held accountable for the money. The funds shall be used to erect a school building within that district.
10. Private Acts of 1920 (Ex. Sess.), Chapter 30, amended Private Acts of 1919, Chapter 668, above, so as to empower and authorize the County Public School Board of Haywood County to issue school warrants on behalf of the Stanton School District in an amount not to exceed \$12,000, at an interest rate less than 6%, and to mature no longer than ten years from issuance, the proceeds of which would be used to build and equip a school building.
11. Private Acts of 1970, Chapter 273, amended Private Acts of 1943, Chapter 398, which is the charter for the City of Brownsville, by deleting Section 29 thereof in its entirety and inserting a new section which abolished the Brownsville Special School District and transferred all property to the Mayor and aldermen who were granted leave to transfer the same likewise to the Quarterly County Court, or the Haywood County Board of Education for the purpose of operating the schools.

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