



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Private Acts of 1919 Chapter 374

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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Private Acts of 1919 Chapter 374

COMPILER'S NOTE: This act must be read in conjunction with Private Acts of 1957, Chapter 286 (reproduced herein).

SECTION 1. That a Special School District be, and the same is, hereby created and established, embracing all of the Tenth Civil District, portions of the Seventh [sic] Eighth, Eleventh, Twelfth, Fifteenth, Nineteenth, and Twenty-Third Civil Districts of Carroll County, Tennessee, and including the Town of Huntingdon to be known and designated as the "Huntingdon Special School District"; with the following boundaries:

Beginning at a point where the boundary lines of Carroll and Henry Counties meet the boundary lines between the Ninth and Tenth Civil Districts of Carroll County; running thence southwardly along the aforesaid boundary line of the Ninth and Tenth Civil Districts of Carroll County to a point where this line meets the northwest corner of the Twenty-Third Civil District; thence southwestwardly along the boundary between the Ninth and Eleventh Civil Districts to their intersection with Crooked Creek; thence following the south bank of Crooked Creek to its junction with the South Fork of the Obion River (Beaver Creek Drainage Canal); thence following the southwest bank of the Obion River (Beaver Creek Drainage Canal) in a southeastwardly direction to its junction with the Wilson Bridge Branch; thence following the southeast bank of the Wilson Bridge Branch in a southwestwardly direction to its crossing at the Old Wilson Bridge on the New Zion Road; thence following the southwest (right) side of the New Zion Road to its junction with Highway 77; thence following the north (right) side of Highway 77 to a point of intersection with the boundary between the Fifth and Nineteenth Civil District; thence crossing Highway 77 southwardly along the Fifth and Nineteenth Civil District boundary to the Fifth and Eighth Civil District Boundary; thence continuing southwardly along the Fifth and Eighth Civil District boundary to its intersection with the Old Lexington-McLemoresville Road; thence following the southwest (right) side of this road in a southwestwardly direction to its junction with Highway 70; thence southwestwardly along the northwest (right) side of Highway 70 to the Rutherford fork of the Obion River; thence eastwardly to a point of intersection of the boundaries of the Seventh, Twelfth, and Thirteenth Civil Districts, thence eastwardly along the boundary line of the Twelfth and Thirteenth Civil Districts to its junction with the northern boundary of the South Carroll Special School District; thence following the northern boundary of the South Carroll Special School District to its junction with Humble Branch; thence following the east bank of Humble Branch northwardly to its crossing of the Kyle Road; thence following the Northeast (left) side of Kyle Road southeastwardly to a junction with the West Smyrna Road; thence northwardly along the west (left) side of the West Smyrna Road to its junction with the Buena Vista Road; thence eastwardly along the north (left) side of the Buena Vista Road to its junction with the Moore Creek Road; thence northwardly along the west (left) side of the Moore Creek Road to its junction with the Rollen Mill Road; thence westwardly along the south (left) side of the Rollen Mill Road to its junction with the Roberts Road; thence northwardly along the west side of the Moore Creek Road to its junction with Rollen Mill Road; thence westwardly along the South (left) side of the Rollen Mill Road to its junction with the 15th and 16th Civil District line; thence northwestwardly along the 15th and 16th Civil District line to their junction with the 11th Civil District line; thence northwardly along the 11th and 16th Civil District line to the Old U.S. Highway 70; thence westwardly with the 11th and 16th Civil District line to U.S. Rt. 70; thence eastwardly with the 16th and 23rd Civil District line to a point where said line turns north; thence continuing with the 16th and 23rd Civil District line in a northeastwardly direction to a point of intersection of the 17th Civil District; thence northwardly along the 17th and 23rd Civil District to their junction with the 10th Civil District line; thence continuing northwardly along the boundary between the Tenth and Seventeenth Civil Districts to the Henry County Line; thence westwardly along the Henry-Carroll County Line to the point of beginning.

As amended by: Private Acts of 1957, Chapter 286
 Private Acts of 1978, Chapter 255
 Private Acts of 1982, Chapter 193

SECTION 2. That the officers of the said Huntingdon Special School District shall consist of a Board of six members, who, and their successors, shall constitute a body politic and corporate, the majority of whom shall make a quorum for the transaction of business. The first Board shall consist of Neill Wright, S. V. Porter, A. E. Hall, G. W. Parish, E. C. Freeman, and C. M. Watson, each of whom shall be freeholders and having resided for more than one year within the above said boundaries. All vacancies that may occur in this body shall be filled by the Board, such party to serve only until the next regular election thereafter when the qualified voters shall elect his successor, no one being eligible except those who are twenty-five years or more of age and are both freeholders and householders within said boundaries and of good moral character and having at least an elementary school education. Said Board shall organize by electing a President, Secretary and Treasurer, all of whom shall be members of this Board.

SECTION 3. That said Board herein created and their successors in office shall constitute, and are hereby declared the Board of Directors of the Huntingdon Special School District, and by that name may sue and be sued, plead and impleaded, and have continual succession for the purpose hereinafter designated; may have a common seal and make such by-laws and regulations from time to time as they may deem proper herein and as is consistent with the authority herein conferred and the laws of the State of Tennessee for the purpose of carrying into effect the object for which they are created.

SECTION 4. That the officers of said Special School District shall serve a term of six (6) years and until their successors are elected and qualified, two of whom shall be elected every two years on the First Thursday in August in each even year, in an election to be held by the Commissioners of Election for Carroll County, Tennessee, by the qualified voters residing in the said Huntingdon Special School District; provided, the officers now serving shall serve as follows: Warren Carter and Robert L. Dilday until the First Thursday in August, 1952, and until their successors shall be elected and qualified, D. D. Ragland and M. F. Priest, Jr., until the First Thursday in August, 1954 and until their successors shall be elected and qualified, and Frank Taylor and J. Leon Chandler until the First Thursday in August, 1956 and until their successors shall be elected and qualified.

As amended by: Private Acts of 1951, Chapter 692
Private Acts of 1961, Chapter 228

COMPILER'S NOTE: The 1961 amendment amended the 1951 amendment to provide that the election for school board members be held on the first Thursday in August rather than the last Tuesday in September.

SECTION 5. That the powers and duties of said Board of Directors are as above and hereinafter set out to-wit:

- (1) To establish and maintain a public school at Huntingdon, in said district, wherein shall be taught all branches required to be taught in both elementary and high schools of the State, and in which may be established whatever assessor department or departments which may be necessary, in the judgment of the Board, to meet the demands of the patrons.
- (2) To employ competent teachers and as many as they see proper for said school or schools, fix their salaries, and for lawful reasons discharge them.
- (3) To open and close the school or schools and determine the length of term thereof.
- (4) To buy, build and keep in repair school buildings, out buildings and grounds, and any other school buildings or school property that may be included in said Special School District, or that said Board may see fit to erect, buy, and maintain.
- (5) To suspend and dismiss pupils when the occasion and efficiency of said school or schools demand it.
- (6) To use the school funds coming into their hands from whatever source in such a manner as will in their judgment and discretion best promote the interest of said Special School District.
- (7) To order and have taken a census of the children within said district according to the school laws of the State of Tennessee, and report same, properly certified, to the County Superintendent of Public Instruction and to the County Trustee of Carroll County, Tennessee, as soon as practicable after the taking effect of this Act.
- (8) To hold regular meetings at the time and place prescribed by them, and special meetings when called by the President, or by any three of the Board of Directors, four members being necessary to constitute a quorum of said Board.
- (9) To provide and arrange means of transportation for the children living remote from the school building or buildings within said Special School District, and pay for the same out of any school funds that may come into their hands.
- (10) To have full power to lay out and designate the routes and roads over which the means of transportation herein provided for shall pass, and the time thereof, and said transportation shall be to and from the school building or buildings within said Special School District daily while the school or schools are in session.
- (11) To have full power and authority to adopt any rules or by-laws that may be necessary for the management, maintenance and conduct of said school or schools which are not inconsistent with this Act or the general laws of the State; and they may require the payment of reasonable incidental fees to be paid by students of the high school provided for in this Act that may be necessary for the management, maintenance and conduct of said school as a high school and may do and perform any and all other acts that may be necessary and proper to carry into effect, and to accomplish the purposes and intentions of this Act.

(12) Said Board of Directors of said Special School District shall meet in the school building in the Town of Huntingdon, Tennessee, on the third Thursday in each month, at which time, except during the summer months, when school is not in session, the entire faculty shall meet with said Board, and all matters pertaining to said school shall be fully discussed, an inspection made of the premises, and all matters relating to the operation of said school district necessary to be handled shall be handled and a full, [sic] and complete record of the meetings of said Board shall be kept.

(13) Should any member of the Board of Directors absent himself or herself from any regular meeting for as many as three successive meetings, such member shall be deemed to [sic] have vacated the office of a member of the Board of Directors of said Special School District. The remaining members of said School Board shall elect new members to fill said vacancy until the next regular election.

As amended by: Private Acts of 1945, Chapter 145

SECTION 6. That after making the report of the school census as provided by Sub-section 7 of Section 5 of this Act, the County Trustee shall apportion to the said Special School District for the maintenance of said school or schools, its per capita or prorata share of all school funds of the county then or thereafter in his hands according to the proportion which the school population of said Special School District shall bear to that of Carroll County under the school census of 1919, and upon the same basis the County Trustee shall also apportion to said Special School District its per capita or prorata share of the State school fund paid to said county by the State. Such school census shall be taken annually and upon it the funds shall be thus apportioned each year thereafter.

SECTION 7. That for the purpose of supporting and maintaining the school or schools of the said Special School District and for supplementing the school funds for said Districts [sic] so that school terms for said school or schools may be extended and continued nine months each year, if possible, as a free public school, there is hereby assessed for the year 1987 and for each year thereafter a tax limit of three dollars (\$3.00) on every one dollar's (\$100.00) worth of taxable property, both real and personal, situated within the said Huntingdon Special School District for general operation of schools. The basis of assessment of said tax on such property shall be the assessed value as shown by the books of the County Trustee, and all taxes assessed on real estate are a lien upon such real estate. The taxes herein assessed shall become due and be collected at the same time and in the same manner as taxes under the general laws of the State by the County Trustee. The said taxes herein provided for, together with all other school funds received from the County Trustee, shall constitute the school funds for the said Special School District, which funds shall be under the control of said Board of School Directors for the use and benefit of the said Board of Directors [sic] for the use and benefit of said Huntingdon Special School District. No part of said fund shall be paid by the Treasurer of said Special School District except by order of said Board of School Directors and upon warrants properly drawn and signed by the President and Secretary of the said Board of School Directors; provided further, that no personal property of the taxpayers within the said Special School District shall be exempt from levy or execution for their said tax assessments on personalty herein assessed by this Act; and provided that the County Tax Assessor shall prepare a separate complete list of all taxable property, both real and personal, within said School District for the use of the County Trustee in making collection of said taxes. The tax of twelve and one-half mills hereinabove in this Section levied may, to the extent of four mills, be pledged to and used by the Board of School Directors for the payment of bonds and or capital outlay notes of said District issued pursuant to authority for the purposes of constructing, improving and equipping school buildings and additions thereto for said District or purchasing sites in connection therewith. To the extent that said tax is so pledged the proceeds thereof shall be deposited in a fund or funds for the payment of said bonds in accordance with the provisions of the authorizing resolution.

COMPILER'S NOTE: This section was amended in 1987 to change the tax rate set out at the beginning of the paragraph above to not more than \$3 per \$100 property value, but the language at the end of the paragraph referring to the old tax rate of "twelve and one-half mills" was not changed.

The Board of School Directors of the Huntingdon Special School District shall have the authority to set the tax rate lower than that imposed by this Act as amended or any other Act setting a tax rate for the Huntingdon Special School District but shall not have the power to impose a tax in excess of any statutory levy. In order to change the rate of taxation, the Board shall certify on or before September 1 to the county trustee the new special school district tax rate not to exceed the rate imposed by any legislative Act, and the county trustee shall collect only the taxes based on the rates so certified.

As amended by:

Private Acts of 1949, Chapter 712

Private Acts of 1951, Chapter 697

Private Acts of 1959, Chapter 241

Private Acts of 1967-68, Chapter 244

Private Acts of 1975, Chapter 143

Private Acts of 1987, Chapter 12

SECTION 8. That all the children living within the boundaries of the said Huntingdon Special School District shall be entitled to the benefit of the funds arising from the provisions of this Act, and are to be entitled to free tuition in the school or schools operated by said Board of Directors as aforesaid; provided, this shall apply to such children as are between the ages of six and twenty-one years of age. The Board of School Directors for said Special School District shall have power to admit by contract persons over school age or non-residents of the district or county or State upon the payment of such reasonable rates of tuition and under such regulations as the said Board of Directors may prescribe for persons not entitled to admission in the said school or school free of charge. All tuitions shall be paid to the Treasurer of said Board of Directors for the use and benefit of the said Special School District and shall be paid out as other funds collected and received by said School District.

SECTION 9. That the said Board of Directors shall, within ten days after this Act takes effect, meet and elect a President, Secretary and Treasurer. The members of said Board of School Directors shall serve without compensation, except that the Secretary may be allowed and receive lawful compensation for taking the census of the scholastic population of said Special School District or for having the same done each year.

The Secretary of said Board shall keep a true and correct record of all the meetings and business transacted by said Board in a minute book to be provided for such purpose and the Treasurer shall keep a true and correct account of all funds coming into his hands and of all disbursements. The Treasurer shall enter into bond sufficient to cover the school funds belonging to the said Huntingdon Special School District, which shall be fixed by the said Board of Directors, and shall be payable to the State of Tennessee, for the use and benefit of said Special School District and it shall be approved by the President of said Board and filed with the Secretary thereof.

SECTION 10. That said Board shall not employ any Superintendent or principal of the school or schools herein created, who has not had the equivalent of a college education, and shall not employ any teacher or teachers in the high school or elementary department who have not the requisite qualifications for the department in which employed as prescribed by the regulations of the State Board of Education.

SECTION 11. That all laws and parts of laws in conflict with this Act are hereby repealed and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 28, 1919.

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