



September 01, 2024

Private Acts of 1935 Chapter 303

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

Table of Contents

Private Acts of 1935 Chapter 303	3
---	----------

Private Acts of 1935 Chapter 303

SECTION 1. That a Special School District be and the same is hereby created and established, embracing and being a part of the First, Second, Third, and Fourth Civil Districts of Crockett County, Tennessee, including the Town of Gadsden, to be known and designated as the Gadsden Special School District; with the following boundaries;

Beginning in the Public Road in front of Griggs Store (Mason Grove) runs thence North with said road to Bob Medlin's place, where road intersects the Gadsden and Humphreys School House road; thence West with said road to J. E. McCord's corner; thence North with Mason Grove to Humboldt road, by T. H. Humphreys' home place to Austin Peay Highway; thence Northeast with Austin Peay Highway to the Gadsden and Humboldt old dirt road; thence West with the Gadsden and Humboldt old dirt road, by W. Z. Raines's home place, crossing the Louisville and Nashville Railroad at Pomona; thence on West with said road to where the Collinsworth road intersects with the said Gadsden and Humboldt old dirt road; thence with said Collinsworth road by Collinsworth Cemetery thence following the meanderings of said road, by the Collinsworth old home place, to where said road intersects with the Old Temperance Road; thence South with the Old Temperance road by the Dr. R. O. Williams place, and turning West below the said Williams house, and following an almost straight line West between the boundaries, of Mrs. Tillia Bouldin and Williams, between C. W. Richardson and C. C. Jackson and C. W. Richardson and Mrs. Bettie Hefley to the Poplar Corner road; thence crossing the Poplar Corner road into a road that leads from said road to Salem Church, or Gadsden and Coxville road, and following the meanderings of the above road to said Salem Church; thence North with Gadsden and Coxville road to a by-road; thence West following said by-road, by Robert Arnold's place and following the meanderings of said road to the J. D. Porter farm; thence in a Westerly direction through the field following J. D. Porter's north boundary line, and continuing, to the Coxville and Center Church old dirt road, or near the O. G. Reasons place; thence in a Southerly direction with the meanderings of said road to the Gadsden and Quincy road at Center Church, thence in a Westerly direction with said road to where it intersects with the road that leads from the Peoples Highway to Old Quincy; thence in a Southerly direction with said road to, and on across the Peoples Highway, to the Hopewell School House lot; thence with Northern, Eastern and Southern bounds of said lot to the road; thence following the meanderings of said road past the J. A. Thomas home place to the upper Gadsden and Alamo road; thence South with said road to the turn at L. A. Selph's; thence in an Easterly direction past the J. A. Bailey home place; thence crossing bridge at the turn below J. A. Bailey's place and a straight line across the field to the Northeast corner of Liberty Hall School House lot; thence South with said lot to Gadsden and Alamo road; thence in a Westerly direction to a by-road that leads to Ollie William's home place, and thence following the meanderings of said road to where said road intersects with another at Ollie Williams; thence an Easterly direction, following the meanderings of said road to the Austin Peay Highway, near Doss Leggett's; thence Northeast with said Highway to the dirt road that leads by Tom Perry's home place; thence East with said road just below Tom Perry's place, and at the foot of the hill; thence South crossing the Louisville and Nashville Railroad, and thence South by Mrs. Helon Fewell's farm, and thence continuing South to the Southwest corner of the Old Stephens farm; thence East following the meanderings of said road on by the Pony Williams old home place, and to where said road intersects with the Gadsden and (Negro) Crossroad road; thence South with said road to where Claude Williams farm joins with the Jim Pearson place; thence East with Williams and Pearson boundary line to where they corner with the Nall place; thence North with Williams and Nall boundary line to where they corner with J. C. Humphreys (sic) place; thence east with Nall and Humphreys (sic) boundary line to where they corner with Mrs. Bryant; thence East with Nall and Bryant's boundary line, to road that leads from Gadsden to Highway No. 20; thence North with said road to the Wirt Seminary road; thence East following the meanderings of said road to the turn in front of the Joe Spears (sic) place; thence a Northerly direction with the meanderings of said road, on by the Buckingham place, and on to where said road intersects with the Gadsden and Mason Grove road near Ira, and O. U. Willoughby's home places; thence an Easterly direction back to Griggs (sic) Store, or the place of the beginning.

SECTION 2. That the officers of said Gadsden Special School District shall consist of a Board of seven members who, and their successors shall constitute a body politic and corporate, the majority of whom shall make a quorum for transaction of business. The first Board shall consist of, Dr. F. C. James, E. E. Collinsworth, John Tinsley, S. A. Person, Homer Richardson, J. H. Davis, and D. B. Davis, each of whom shall be freeholders and having resided for more than six months within the above said boundaries. All vacancies that may occur in this body shall be filled by the Board, no one being eligible except those who are twenty-five years or more of age, and are 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 member (sic) 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 "Gadsden Special School District" and by that name may sue and be sued, plead and be 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 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 School District shall serve a term of four years and until their successors are elected and qualified, and that the said school officers shall be elected by the qualified voters residing in the said "Gadsden Special School District"; provided the officers herein named shall serve until the regular August election in 1936, and until their successors shall be elected and qualified.

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 Gadsden, in said district, wherein shall be taught all branches now required to be taught by the elementary and High Schools of the State and in which may be taught a commercial or business course and also a course preparatory for university work, at the discretion of the Board of Directors.
- (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 schools and determine the length thereof.
- (4) To build and keep in repair school buildings, out-buildings, grounds and any other school buildings or school property that may be included in said school district or that said Board may see fit to erect, take over and maintain.
- (5) To use the school funds coming into their hands from whatever source and in such a manner as will in their judgement and discretion best promote the interest of said school district.
- (6) To order and have taken a census of the children within said district according to 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 Crockett County, Tennessee, as soon as practicable after the taking effect of this Act.
- (7) To hold regular meetings at the time and place prescribed by them, and special meetings when called by the President, or by any four of the Board of Directors, four members to constitute a quorum of said Board.
- (8) To hold in trust school property, real and personal, if in the bounds of said school district, and to dispose of same, the real estate by deed and the personal property by either public or private sale, as they in their discretion may see proper, and apply the proceeds for and to the benefit of said school district.

SECTION 6. That after making the report of school census as provided by the Sub-section 6 of Section 5 of this Act, the County Trustee shall apportion to the said district for the maintenance of said school or schools its per capita or pro rata share of all school funds of the county then or thereafter in his hands according to such of the 1934 funds said school districts, which it bears to that of Crockett County, and the County Trustee shall also apportion to said school district its per capita or pro rata share of the State school fund paid to said county by the State. Such school census shall be taken annually, and the funds apportioned each year thereafter as herein provided by this Act.

SECTION 6(a). That the Board of Directors of Gadsden Special School District of Crockett County, Tennessee, be and is hereby fully and further empowered and authorized in its corporate capacity to borrow money and issue, sell and negotiate its negotiable bonds with interest coupons attached in an amount not to exceed Fifty Thousand (\$50,000.00) Dollars, for the purpose of providing funds for the construction or purchase, maintenance, repair and improvement of grounds, equipment and buildings for school purposes within said Special School District.

Interest on such bonds as may be issued hereunder shall be at a rate not to exceed 6% per annum, payable semi-annually, and may be evidenced by negotiable coupons attached to said bonds. The form of such bonds and the coupons attached thereto shall be such as may be prescribed by the Board of Directors of Gadsden Special School District, Crockett County, Tennessee, by proper resolution entered upon its Minutes.

That any bonds issued and sold hereunder shall be payable in such amounts, and at such times and places, and in such manner as shall be directed by the Board of Directors of Gadsden Special School District, Crockett County, Tennessee, that any bonds issued hereunder shall be executed in the name of the Gadsden Special School District, signed by the President of the Board and countersigned by the

Treasurer thereof, and such bonds may be sold in such amounts and at such times and places publicly after due advertisement as the Board of Directors of Gadsden Special School District, Crockett County, Tennessee, may direct by proper resolution.

That the funds derived from the sale hereunder of bonds shall be paid into the hands of the Treasurer of the said Special School District, to be disbursed by him as are other funds of said Special School District provided, however, that there shall be maintained a separate account by said Treasurer designated as "Gadsden Special School District Bond Account" into which the funds from the proceeds from the sale of said bonds shall be deposited and shall only be expended for the purposes mentioned in this Act.

Any bonds or notes issued hereunder shall be exempt from taxation by the State of Tennessee or any county or municipality thereof.

That prior to the issuance of any bonds hereunder, the Board of Directors of the Gadsden Special School District shall request the election commissioners for Crockett County, Tennessee, to call an election in said town to determine whether or not any bonds shall be issued under this Act by said Special School District. Requirement for eligible voters in said election shall be the same requirements as for voters in the election of members of the General Assembly of the State of Tennessee. The form of ballot to be used in said election shall be as prescribed by proper resolution of the Board of Directors of Gadsden Special School District, and a majority of the voters voting in said election shall determine the issues therein.

As amended by: Private Acts of 1951, Chapter 426

SECTION 7. That for the purpose of supporting and maintaining the school or schools of the said school district and for supplementing the school funds for said district so that school terms for said school or schools may be extended and continued for nine months each year if possible, as a free public school, there is hereby assessed for the year 1935 and for each subsequent year thereafter, a tax of eight cents on every One Hundred Dollars (\$100.00) worth of taxable property, both real and personal, situated within said "Gadsden Special School District", and there is also assessed for said purposes one dollar poll tax on all persons who are subject to poll tax in said district between the ages of twenty-one and fifty years of age. The basis of assessment for said tax on such property shall be assessed value as shown by the books of the County Trustee, and taxes assessed on real estate are a lien upon such real estate.

As amended by: Private Acts of 1981, Chapter 96

That in addition to the (8¢) cents tax on every one hundred dollars' worth of taxable property within said Special School District as herein and heretofore assessed, there is hereby levied an additional tax of Eighty Cents (80¢) on every one hundred dollars' worth of taxable property situated within said Gadsden Special School District, for the purpose of creating a fund with which to pay the bonds, interest and coupons, and said tax is hereby levied for the year 1951, and each subsequent year thereafter, until both principal and interest of such bonds shall have been fully paid. And the full faith and credit of the Gadsden Special School District are hereby irrevocably pledged to the payment thereof.

As amended by: Private Acts of 1951, Chapter 426
Private Acts of 1970, Chapter 308
Private Acts of 1981, Chapter 96

The taxes herein assessed shall become due and be collected at the time and in the same manner as taxes under the general laws of the State by the County Trustee.

That the taxes herein provided for operational purposes by the (8¢) cents tax levy, together with all other school funds received from the County Trustee, except for the taxes assessed for the purpose of retiring the bonds herein authorized, shall constitute the school fund for said School District, which funds shall be under the control of said Board of School Directors for the use and benefit of the said "Gadsden Special School District"; and, the taxes herein provided for retiring the bonds herein authorized by the Eighty Cents (80¢) tax levy shall be kept separate from the other funds of said Special School District and shall be disbursed only for the purpose for which they were created.

As amended by: Private Acts of 1951, Chapter 426
Private Acts of 1970, Chapter 308
Private Acts of 1981, Chapter 96

No part of said funds shall be paid out by the Treasurer of said school district except by order of said Board of School Directors and upon warrants properly drawn and signed by the President and the Secretary of said Board of School Directors; provided, further, that no personal property of the taxpayers within said school district shall be exempt from levy or execution for their said tax assessments or personalty and polls herein assessed by this Act; and provided that the County Tax assessor shall prepare a separate and complete list of all taxable property, both real and personal, and all polls within said district for the use of the County Trustee in making collection of said taxes.

SECTION 8. That all children living within the boundaries of said "Gadsden Special School District", shall be entitled to the benefits 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; but no tuition shall be charged any child or children for any course of study that may be taught in any school or schools within said district under supervision of said Board.

The Board of School Directors for said 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 schools free of charge. All tuition shall be paid to the Treasurer of said Board of Directors for the use and benefit of the said school district and shall be paid out as other funds collected and received by said school district.

SECTION 9. That the said Board of School 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 or scholastic population of said school district or for having the same done each year. The Secretary of said Board shall keep a true record of all 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 all disbursements. The Treasurer shall enter into bond sufficient to cover all school funds coming into his hands and belonging to the said "Gadsden 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 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 person or persons as principal of the school or schools herein created who has not had the equivalent of a high school education and passed a satisfactory examination as to same. Said principal shall have general superintendence over all schools in operation under control of said Board of Directors with special reference to the grading and promotion of the pupils thereof. Said Board shall not employ any person or persons as assistant teachers in said school or schools who have not passed a satisfactory examination in the course in which they are to teach under the rules and regulations prescribed for teachers by the State Superintendent of Public Instruction of the State of Tennessee.

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

Passed: March 29, 1935.

Source URL: <https://www.ctas.tennessee.edu/private-acts/private-acts-1935-chapter-303>