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## Chapter VI - Education/Schools

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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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<b>Chapter VI - Education/Schools .....</b>	<b>. 3</b>
<b>Education/Schools - Historical Notes .....</b>	<b>. 3</b>

# Chapter VI - Education/Schools

## Education/Schools - Historical Notes

### **Board of Education**

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

1. Private Acts of 1935, Chapter 458, as amended by Private Acts of 1935, Chapter 237 and Private Acts of 1939, Chapter 237, created a county board of education in counties having a population of not less than 13,270 nor more than 13,280 according to the 1930 Federal Census.

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

The acts referenced below once affected the office of superintendent of education in Stewart County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1919, Chapter 185, as amended by Private Acts of 1921, Chapter 239, and Private Acts of 1937, Chapter 851, created the office of superintendent of public instruction for counties having a population of not less than 14,850 nor more than 14,860 according to the last Federal Census. The act provided that the superintendent of public instruction would be elected by qualified voters at the general election of August 1920 and would hold office for a term of four (4) years.

### **General Reference**

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heritage of the educational structure of Stewart County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval.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

1. Acts of 1806, Second Session, Chapter 8, named the county academies, and their trustees, for every county in the state. The act nominated Joseph Gray, Thomas Clinton, Robert Cooper, Joseph B. Nevell, and William Allen, as Trustees, and made them a body corporate and politic of Dover Academy in Stewart County, Tennessee. The act also provided for other rules and regulations pertinent to the corporation.
2. Acts of 1817, Chapter 173, provided that an academy would be established at Dover, in Stewart County, by the name of Washington Academy which would have and enjoy the same corporate powers and privileges as other institutions of like nature. The Stewart County Court was empowered to appoint trustees for the school who would also have and exercise the same rights and prerogatives as other trustees of educational institutions.
3. Private Acts of 1825, Chapter 210, was the legal authority for Cullen Bayless, William Williams, William Bayley, Christopher Clements, and Thomas T. Watson to draft a lottery scheme and superintend the same to raise up to \$1,200 for building an academy at Dover in Stewart County. The commissioners, named above, would abide by all the rules and regulations governing the operation of lotteries.
4. Private Acts of 1825, Chapter 241, appointed Cullen Bayless, William Williams, Christopher C. Clemmons, William Bayley, and Alexander Outlaw, as trustees, and incorporated them as trustees for an academy for Stewart County. They would have the same powers as other trustees.
5. Private Acts of 1827, Chapter 161, appointed Joseph Johnson as an additional trustee for Dover Academy in Stewart County. v Private Acts of 1829-30, Chapter 185, appointed Thomas Bayless as a trustee for Dover Academy in Stewart County in the room and stead of Cullen Bayless, who was removed, and the said Thomas Bayless would have the same powers and authority as the other trustees have.
6. Public Acts of 1832, Chapter 17, directed the president and the Directors of the Bank of Tennessee to pay over to the clerk and treasurer of the common school fund commissioners in Stewart County that portion of the \$60,000 appropriated heretofore for the internal improvement fund in Middle Tennessee to which Stewart County may be entitled by an apportionment agreeable to the free white population of the other counties in Middle Tennessee coming under those provisions.
7. Private Acts of 1832, Chapter 123, made it lawful for the county court of Stewart County at any of its terms to proceed to organize the common schools of the county in the manner directed by

Public Acts of 1829-30, Chapter 107, and the commissioners, the trustees, and all the necessary proceedings for the organization of the common schools of Stewart County may be done at any time.

8. Private Acts of 1833, Chapter 165, authorized the county court of Stewart County, a majority being present, to appoint seven school commissioners who were thereby vested with the right to receive their proper portion of the common school fund. It would be, and was, the duty of the cashier of the Bank of Tennessee to pay over the share of the money to the clerk and treasurer of the commission, once they were selected. The commission has the authority to sue, if necessary, to secure that amount. The sum so paid would, if the county court agreed, be used for the common school fund.
9. Acts of 1837-38, Chapter 32, incorporated Philander Priestly, Jacob Shyrock, John H. Petty, Henry H. Gorin, John Richards, Jesse C. Ingram, and Alexander M. Wall, as the Trustees of the Dover Female Academy with all the rights and privileges attendant upon such legal entities. The trustees could meet when they desired and four of them was a quorum to do business. They were granted the authority to make all rules and regulations for the management and discipline of the school as were consistent with the constitution of the state. Section 3, same act, incorporated John C. Humphreys, William B. Cherry, William R. Lea, J. O. Shackelford, Solomon K. Valentine, Abethel Wallace, and John James, as the trustees for the Dover Male Academy in Stewart County.
10. Acts of 1853-54, Chapter 204, granted all the powers and benefits of corporate institutions to I. E. Rice, S. W. Kelly, A. W. Wall, C. H. Hatcher, J. W. Roberts, Joel Bayliss, C. Dudley, W. C. Cook, and R. T. David, as the Trustees for the Dover Female Academy, who, as a corporate body, were allowed to adopt all the necessary rules, regulations, and by-laws for the internal management and control of the same.
11. Acts of 1859-60, Chapter 104, was the incorporated act which chartered J. W. Wofford, H. J. Scarborough, George T. Williams, A. S. Sexton, and J. E. Rice as the Shady Grove Seminary in Stewart County, and provided the guidelines for the organization of the school and its internal operations. The seminary was declared to be exempt from taxation.
12. Acts of 1907, Chapter 236, created a board of education and a district board of advisors in every county of the state, and abolished the district directors of the schools. County court would divide the county into five, or less, school districts, composed of whole civil districts, from each of which one member of the board of education would be appointed by the court to serve until their successors could be elected at the next general August election in 1908 and take office on September 1, 1908.

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