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# Education/Schools - Historical Notes

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Sincerely,

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# Education/Schools - Historical Notes

## **Board of Education**

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

1. Acts of 1907, Chapter 236, abolished the office of District Director in the local school systems and placed each system under the management and control of a County Board of Education and a District Board of Advisors. The County Courts of each County were required to divide their Counties into five school districts and to appoint one member of the Board of Education from each of the Districts until their successors could be elected by popular vote. The School Superintendent would serve as the Secretary to the Board. The duties of the Chairman of the Board, the Secretary, and the members were generally enumerated in the Act. A three member Advisory Board would be elected in each Civil District by popular vote, and they were obligated to take and report on a scholastic census in their areas. This Act did not apply to city school systems, and several counties expressly exempted themselves from its terms among which was Obion County.
2. Private Acts of 1953, Chapter 262, created a ten member Board of education in Obion County, one each from the ten school districts which were composed of whole civil districts specified in the Act. The Board members would be appointed by the Quarterly County Court and serve a seven year term. School Districts 2, 4, 6, 7, 8, 9, and 10 were represented by the members of the existing School Board who have been duly elected and qualified. In addition to these members, the following were named to the Board to represent the new Districts: Earl Bryant, District #1; Virgil Roberts, District #3, and Chester Thompson, District #4.
3. Private Acts of 1957, Chapter 376, recited that in Obion County the members of the Board of Education would be paid \$8 per day as compensation for their services in attending the regular and special sessions of the Board, but for no more than three days per month. This Act was not presented to the Obion County Quarterly Court for disposition and consequently never became an effective law under the Home Rule Amendment to the State Constitution.

## **Kenton Special School District**

The acts listed below are the legislative history of the Kenton Special School District and are included herein for reference purposes.

1. Private Acts of 1923, Chapter 480, was the authority for the Board of Directors of the Kenton Special School District located in Obion and Gibson Counties to issue \$7,500 in bonds at an interest rate not to exceed 6%, and to be amortized over a maturity schedule no longer than twenty years from the date of issue, which funds would be used to erect, remodel, improve, or equip a public high school building. The bond issue was subject to prior approval by the voters in a referendum, and, if the bonds were issued, a tax rate of ten cents per \$100 property value would be levied on all taxable property within the District for the year 1923 and thereafter until the bonds were paid. This Act cites Private Acts of 1921, Chapter 463, as the Act which created the Kenton Special School District but this is an error. The reference should have been to Public Acts rather than Private. This Act was repealed by Private Acts of 1941, Chapter 164.
2. Private Acts of 1927, Chapter 539, declared in the preamble to the Act that the Kenton Special School District was created by Private Acts of 1921, Chapter 463, as amended, for Gibson and Obion County, and since Gibson County, by virtue of the passage of Private Acts of 1925, Chapter 467, abolished all the special school districts in Gibson County, some legal questions have arisen concerning the status of the Kenton Special School District. The Act re-establishes the Kenton Special School District out of a part of the 10th Civil District of Gibson County, and a portion of the 8th Civil District of Obion County, giving a detailed description of the area incorporated within the District. The Act named the first members of the six member Board of Directors as Dr. B. R. Baucom, L. R. Phelps, R. B. Gray, C. O. Ramer, L. D. Tanner, and W. E. Wade, all of whom would serve until September 1, 1928, when their successors, elected in August prior thereto, would take over the responsibilities of the Board. All the powers and duties of the Board were prescribed in Section 5. A school tax of 20 cents per \$100 property valuation, a sinking fund tax of ten cents per \$100 property valuation and a poll tax of \$1 on all males between the ages of 21 and 50, were levied to finance, support and maintain the schools in the District. All children between the ages of 6 and 21 could attend the nine month long school free of charge, all others must pay tuition in an amount to be set by the Board.
3. Private Acts of 1941, Chapter 164, amended Private Acts of 1927, Chapter 539, by reducing the property tax levied in that Act on the schools from 20 cents to 5 cents per \$100 property valuation and repealed Private Acts of 1921, Chapter 463, and Private Acts of 1923, Chapter 480.

4. Private Acts of 1945, Chapter 202, amended Private Acts of 1927, Chapter 539, by striking the entire portion of Section 7, which set the tax levied, from the Act.

### **Mason Hall School District**

The private and public acts enumerated below are the legislative history of the Mason Hall School District which was located in portions of both Obion County and Gibson County.

1. Acts of 1909, Chapter 443, created an independent school district out of portions of both Gibson County and Obion County, and which would be named the Mason Hall School District. The area involved in the Mason Hall District was described in the Act. The County Superintendents of Public Instruction of Gibson and Obion Counties would appoint the members of the three member Board of Directors for the district, one to be a resident of Gibson County, and two to be citizens of Obion County. The three Directors would serve until their successors were elected and qualified and they were responsible for the collection and disbursement of all the funds to which the school children of the described area were entitled.
2. Private Acts of 1917, Chapter 711, established the Mason Hall Special School District covering portions of the 8th and the 11th Civil Districts of Obion County, and the 10th and the 24th Civil Districts of Gibson County. The boundaries of the district were described in the Act. The Act provides for a five member Board of Directors to which W. H. Nichols, J. N. Ruddle, Hayman Yarbrough, W. J. Hopper, and W. A. Thompson were named, all of whom were 25 years of age, or older, and residents of the area from which they were named. These people would serve until succeeded by those Directors elected in the August, 1918, elections, three from Obion County, and two from Gibson County. Terms of the Directors were for two years. The powers and responsibilities of the Board were stipulated in the Act. A school tax of 30 cents per \$100 property valuation, on all property, real and personal, and a poll tax of \$1 against all males between the ages of 21 and 50, were levied, the proceeds of which would be used to operate the schools in the District. All resident children between the ages of 6 and 21 could attend the schools free of charge, and the Board was authorized to contract with non-resident students on the subject of tuition fees. This Act was repealed by Private Acts of 1941, Chapter 168.
3. Public Acts of 1920, Chapter 22, established a formula for computing the tax rate for all special school districts in the State. In Section 4, the Mason Hall Special School District was specifically exempted from this Act.
4. Private Acts of 1921, Chapter 840, amended Private Acts of 1917, Chapter 711, in order to reduce the property tax rate from 30 cents to 15 cents per \$100 property valuation. This Act was repealed by Private Acts of 1927, Chapter 367.
5. Private Acts of 1923, Chapter 687, amended Private Acts of 1921, Chapter 840, to raise the property tax rate in the Mason Hall School District from 15 cents to 25 cents per \$100 property valuation. This Act was repealed by Private Acts of 1927, Chapter 367, Page 1049.
6. Private Acts of 1927, Chapter 367, amended Private Acts of 1917, Chapter 711, by lowering the property tax rate from 25 cents to 10 cents per \$100 property valuation. This Act was repealed by Private Acts of 1941, Chapter 168.
7. Private Acts of 1929, Chapter 870, stated in the preamble that the Mason Hall Special School District had been established by Private Acts of 1917, Chapter 711, which District was situated in portions of both Gibson and Obion Counties, and that Private Acts of 1925, Chapter 467, purported to abolish all the Special School Districts in Gibson County, now some questions have arisen as to the effect this action might have had on this particular school district. This Act then proceeds to re-establish the Mason Hall Special School District as described in the Act. J. B. Skinner, Harvey Reeves, L. C. Siler, E. E. Dillon, and Jim Hundley, were named as the first Board of Directors in the new School District. The remainder of this act is practically identical to the language of the 1917 Act even to the extent of restoring the 30 cent property tax rate and the \$1 poll tax on all males between the ages of 21 and 50. The Board was required to meet within 20 days and elect a President and a Secretary-Treasurer.
8. Private Acts of 1941, Chapter 168, amended Private Acts of 1929, Chapter 870, by reducing the property tax rate specified for schools in that act from 30 cents to 5 cents per \$100 property valuation.
9. Private Acts of 1959, Chapter 167, created the Mason Hall Special School District and described its boundaries and termed it a body politic which would be governed by a Board of five Trustees who were to be elected at the regular August election 1960, three of whom would be residents of Obion County, and two must come from Gibson County. Hampton Yarbrough, Alvin Thompson, Haywood Green, Martin Green, and Harry King were nominated in the Act to serve until their

successors on the Board of Trustees could be elected and qualified. Any vacancy would be filled by the remaining members of the Board. The powers and duties of the Board were enumerated and included the authority to contact with the Obion County Board of Education for teachers and facilities, and with State and Federal authorities for funds. A tax rate of 50 cents per \$100 property valuation was levied. The Trustees of each county could would collect the taxes and pay over the funds to the credit of the School treasurer. One-twentieth of the funds was dedicated to defray the costs of administration. The Assessors of Property of each county were obligated to furnish a separate and complete list, or book, of all taxable property lying in this district to the Trustee for collection. This Act after being properly ratified according to the Home Rule Amendment to the State Constitution by the local governing body, was specifically repealed by Private Acts of 1967-68, Chapter 44.

- Public Acts of 1972, Chapter 491, mentioned by way of an introduction that the Mason Hall School District had discontinued operations and that the students were attending other schools in Obion County and Gibson County; that the General Assembly had enacted Private Acts of 1967-68, Chapter 44, which had attempted to abolish the school district but questions about its constitutionality had been raised on various grounds; and that some funds still remained to the credit of the school district. This Act directed that the funds remaining be divided equally between the Boards of Education of Gibson County and Obion County to be expended on the school at Yorkville in Gibson County and on the Kenton School in Obion County. The Trustees had the authority to pay reasonable attorney fees for the funds before turning them over after which the Trustees would be discharged from any further responsibilities. This Act expressly repeals Private Acts of 1959, Chapter 167.

### **Pleasant Valley School District**

The following private act is included for historical purpose.

- Acts of 1909, Chapter 228, created a school district in Obion County, describing the area in the Act, which would be called the "Pleasant Valley Taxing District," and which would exist for the purpose of operating and maintaining a high school or schools. Officers of the District would be three Directors and a Clerk who would be elected by the District voters for a two year term in June, 1909. The powers and duties of the Board are generally enumerated in the Act which also provided free schooling to all children between the ages of 6 and 21 who were residents of the prescribed area. A property tax of 25 cents per \$100 property valuation, and a poll tax of 25 cents were both levied to finance the support and maintenance of the District. If the land of a person was only partially within the District, the Board would decide the amount of taxes to be paid. The efficacy of this Act was made dependent upon the successful outcome of a referendum vote held for that purpose.

### **Poplar Ridge School District**

The private act which had a bearing on the Poplar Ridge School District of Obion County is listed below.

- Private Acts of 1913, Chapter 233, created a special school district out of parts of the 15th Civil District of Obion County and of the 6th and 15th Civil Districts of Dyer County, involving an area which is specifically described in the Act, to be called the "Poplar Ridge School District." E. E. Parks, G. A. Davidson, and P. B. Morris were named as the first Directors to serve until the next general election. The Trustees of Dyer and Obion Counties will set aside and pay to the school district its pro rated share of school funds.

### **Rives Special School District**

The following acts concerned the Rives Special School District of Obion County.

- Private Acts of 1917, Chapter 687, created a Special School District out of part of the Fourth Civil District of Obion County which included the town of Rives. The Act contained a description of the area embraced by the School District. The first five member Board of Directors named in the Act, were J. H. Shore, R. L. Harper, W. W. Agnew, D. H. Woody, and W. E. Warren, who would organize by selecting a President, Secretary and Treasurer. These Directors would serve until September 1, 1918, when their successors, elected by the people in August, 1918, would take office and serve staggered six year terms. The powers and responsibilities of the Board were specified in nine paragraphs in Section 5. To support and maintain the schools, a 40 cent tax rate was levied and a \$1 poll tax assessed against all males, between 21 and 50 years old. Resident children between the ages of 6 and 21 could attend the nine month school free of charge and the Directors could admit non-residents upon charging them tuition fees. The Board would employ only qualified people to work in the schools, would not be paid any compensation, and the Secretary would take a scholastic census for which he would be compensated. This Act was

repealed by Private Acts of 1937, Chapter 541.

2. Public Acts of 1920 (Ex. Sess.), Chapter 22, established a formula for computing the tax rate for all special school districts in the State. In Section 4, the Rives Special School District was specifically exempted from the provisions of this Act.
3. Private Acts of 1935, Chapter 675, amended Private Acts of 1917, Chapter 687, by reducing the school tax levy in the Rives Special School District from forty cents to twenty cents.

### **South Fulton School District**

The following acts concerned the South Fulton School District.

1. Acts of 1905, Chapter 517, established the South Fulton School District in Obion County with a specific description of the area embraced therein, including the old Town of South Fulton. All the funds remaining in the hands of the Treasurer of South Fulton after the settlement of all the debts of the town would become the property of the school district. W. W. Morris, J. T. Futrell, and R. N. Whitehead were named as the first Board of Directors and they would perform the duties of such directors until their successors could be elected and assume office.
2. Private Acts of 1915, Chapter 123, created a South Fulton Special School District, including that city and part of the 16th Civil District of Obion County, as described in the Act. The Mayor and Council were empowered to expand the District in the future, so as to coincide with the city boundaries. The Trustee would apportion to the District its pro rata share of school funds. The Mayor and City Council could levy a tax to support and maintain the schools. The original Board of Education of the City of South Fulton was composed of R. N. Whitehead, S. A. McDade, and J. L. Pickle, but future Boards would be elected by the Mayor and Council for two year terms. The Board members must be at least 30 years of age, of good moral character, and a citizen of the county and district. The Board would take charge and operate the schools making all necessary rules and regulations.
3. Private Acts of 1917, Chapter 819, created a Special High School District embracing School District No. 72 in the 16th Civil District and including the town of South Fulton in Obion County. The Board of Directors would consist of five members, named by the Act as J. L. Pickle, R. N. Whitehead, S. A. McDade, Ed Reams, and H. Latta. Board members must be at least 25 years old, and residents of the District for one year, of good moral character, and possess an elementary school education. They would serve four year terms beginning in 1920 when their successors would be elected by the voters of the District. Their powers and duties were specified in Section 5. The school tax rate was fixed at 20 cents per \$100 of property valuation and a poll tax of \$1 on every male between ages of 21 and 50 was levied. All children between 6 and 21 years of age, residents of the district, would attend the school without charge and the Board was forbidden to employ unqualified people. This Act was repealed by Private Acts of 1939, Chapter 425, Chapter 1282.
4. Private Acts of 1919, Chapter 626, amended Private Acts of 1917, Chapter 819, by expanding the boundaries of the school district and by providing that the County Superintendent of Public Instruction would fill any vacancy on the Board by appointment instead of the other remaining board members doing so. This Act was repealed by Private Acts of 1939, Chapter 425.
5. Public Acts of 1920 (Ex. Sess.), Chapter 22, established a formula for computing the tax rate for all special school districts in the State. In Section 4, the South Fulton Special High School District was specifically exempted from the provisions of this Act.
6. Private Acts of 1920 (Ex. Sess.), Chapter 44, amended Private Acts of 1917, Chapter 819, by reducing the tax rate levy from 20 cents to eight cents per \$100 property valuation. This Act was repealed by Private Acts of 1939, Chapter 425.
7. Private Acts of 1921, Chapter 740, amended Private Acts of 1920 (E.S.), Chapter 44, by changing the school tax rate in the act from eight cents to sixteen cents per \$100 property valuation.
8. Private Acts of 1923, Chapter 541, amended Private Acts of 1921, Chapter 740, by raising the property tax rate for the South Fulton Special School District from 16 cents to 40 cents per \$100 property valuation.
9. Private Acts of 1935, Chapter 250, provided that an election be held within twelve days from the passage of this Act to ascertain the will of the people on whether or not the South Fulton Special High School District should be abolished. Three days after the election, the votes shall be canvassed and the results published in the newspaper. The costs of the election and the publication of results would be paid out of any funds in the hands of the Trustee to the credit of the district.

10. Private Acts of 1939, Chapter 425, expressly repealed Private Acts of 1917, Chapter 819, which created the South Fulton Special High School District. The District will be operated as part of the public school system by the County Board of Education in the same way as other public schools are operated. The Trustee shall collect taxes in the District for the year 1938 and deposit the same to the credit of the District, out of which debts shall be paid, for which warrants will be drawn as before. Any surplus shall be used to improve operation of schools in that area, and after 1938, no other taxes will be levied or collected.

### **Troy Special School District**

The following acts applied to the Troy Special School District.

1. Private Acts of 1911, Chapter 549, stated in the preamble that Obion College was incorporated in 1874 to be located in the town of Troy in Obion County and that James S. Moffatt had deeded to the Trustees of the College certain real estate on which a school building was to be erected. The school building was erected in 1875 and Obion College began its operations. Since that time Public School District No. 35 has been conducted in said college and is now under the direction of the Board of Trustees and the Public School Directors. This Act created and established the Troy High School Taxing District, encompassing the area described in the Act, and prescribed the powers and duties of the Board of Directors. A tax of 25 cents on every \$100 worth of taxable property and a 25 cent poll tax was to be levied.
2. Private Acts of 1917, Chapter 128, created the Troy Special High School District in the 6th Civil District of Obion County which included the town of Troy. The first five member Board of Directors named in the Act were D. H. Burnett, J. W. Pressly, J. W. Brantley, Marion Reeves, and Polk McDonald. Vacancies would be filled by the remaining members of the Board when certain qualifications of residence and character were met. The succeeding Board would be elected by the people for four year terms. The powers of the Board were enumerated. There would be a nine month school attended free by all resident children of the area between 6 and 21 years of age which would be supported by a school tax levy of 30 cents per \$100 property valuation, and a \$1 poll tax on all males between 21 and 50 years of age. The Board would not employ any unqualified teachers and the principal must be a high school graduate and pass the test ordinarily given to principals of schools. This Act was repealed by Private Acts of 1919, Chapter 597.
3. Private Acts of 1919, Chapter 597, repealed Private Acts of 1917, Chapter 128, and revoked all the authority granted thereunder to levy taxes for the year 1919 and succeeding years.
4. Private Acts of 1921, Chapter 391, created the Troy Special High School District in the 6th Civil District including the town of Troy, as described in the Act. The five member Board of Directors named in the Act were Mrs. W. S. Crockett, D. H. Burnett, P. W. Moffat, R. H. Cude, and W. H. Bennett. The provisions of this Act were similar to Private Acts of 1917, Chapter 128, except the tax rate was 40 cents and was extended to both real and personal property, plus the \$1 poll tax on all males, age 21 to 50. The Board could admit nonresident children but they must pay tuition. This Act was repealed by Private Acts of 1927, Chapter 742.
5. Private Acts of 1927, Chapter 742, expressly repealed Private Acts of 1921, Chapter 591, (should have been Chapter 391), except that so much and such part of the taxes now due or levied which are necessary to liquidate the debts of the Special School District shall still be collected by the County Trustee and applied to those debts. The operation of the school hereunder was turned over to the Obion County Board of Education.

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

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

1. Private Acts of 1931 (2nd Ex. Sess.), Chapter 5, declared that the twelve year certificates of qualifications for the Superintendents of County Schools which were issued under the authority of Public Acts of 1911, Chapter 69, would be renewed for an additional twelve years if the holder of the Certificate has served as the Superintendent of some county school system for no less than four years during the term of the certificate.

### **General References**

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

1. Acts of 1829, Chapter 109, Section 2, incorporated Rice Williams, William M. Wilson, John Hutchison, Samuel Nelson, and George A. Wilson, as the Trustees of Obion Academy, who would

- have and exercise full power of control and management over the operations and curriculum of the said academy plus any other power and authority generally granted to other Trustees of educational institutions.
2. Acts of 1831, Chapter 16, Section 25, the counties of Obion, Henry, Carroll, Weakley, Gibson, and Dyer from the provisions of this Act which regulated the appointment of school commissioners in the State and their expenditure of the school funds which came into their custody and control.
  3. Acts of 1845-46, Chapter 193, named James P. Whitbrook, Dr. David Bright, S. W. Cushran, Terrel S. Camp, Samuel D. Henry, and Alfred M. Bedford, as the Trustees for Westbrook Academy located in Obion County, who would have, possess, and could exercise all the power and authority generally incidental to this office, plus the added responsibility of locating the Academy within four miles of the county seat of Obion County. The County Court was vested with the responsibility of appointing successors to the Board of Trustees for two year terms.
  4. Acts of 1847-48, Chapter 22, transferred all the property of every nature then remaining titled to Obion Academy to Westbrook Academy which would automatically succeed to all the rights of the former Academy. The Trustees of Obion Academy must account to the Trustees of the Westbrook Academy for all the assets of the same.
  5. Acts of 1849-50, Chapter 96, Section 4, was the enabling legislation for the Trustees of the Westbrook Academy in Obion County to install a female department in the Institution and until that department should come about, females could be accepted into the School and temporary provisions made to accommodate their needs.
  6. Acts of 1849-50, Chapter 117, Section 4, provided for the Eromathian Society which would be associated with the Westbrook Academy in Obion County. The Act incorporated Rev. F. E. Roberts, Rev. J. Weed, Rev. J. W. Ward, David Bright, W. R. McAlister, J. S. Moffatt, S. W. Cochran, P. R. Nants, S. A. McCollum, E. E. Westbrook, R. H. Harrison, John H. Harrison, William E. Motheral, John Motheral, E. D. Farris, A. S. Hord, R. P. Caldwell, Augustus Moffatt, Merion Adams, B. F. Hutchinson, B. F. King, J. P. Harper, and Elijah Canada as the incorporators and first members the Society.
  7. Acts of 1851-52, Chapter 273, created and incorporated the Belle Forest Collegiate Institute in Obion County with an authorized capital stock of \$100,000 and whose original incorporators were Gabriel Henderson, Charles Talley, Alfred A. Brevard, Samuel C. Debow, George Williamson, William B. Gibbs, David D. Bell, Henry H. Applegate, Lysander Adams, James Thomas, James Nailor, Salathiel Medaris, James B. Hardeman, Everett Vehines, John G. Sevier, J. Osborne, Franklin White, William H. Chawbers, and George W. Gibbs.
  8. Private Acts of 1905, Chapter 184, provided that the metes and bounds description of the several districts in Obion County, as the same existed on January 1, 1903, and which were then shown on the records of the County Court of the County, were made the lawful School Districts of Obion County. If these school districts, as described, were not co-extensive with the present school districts, the County Superintendent of Schools was required to appoint three directors, for each of the Districts hereby established under this Act to serve until their successors were elected in the regular August general election of 1906.
  9. Private Acts of 1935, Chapter 508, made it unlawful in Obion County for any city or any special school district to furnish transportation for, or transportation to, the schools maintained and operated by the said city, or the said special school district to any pupils who lived beyond the geographical limits of the city, or the school district without the consent and approval of the County Board of Education. Any pupil thus transported contrary to this Act would not be counted in the average daily attendance records used in determining the distribution of School funds.

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