



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Chapter III - Bond Issues

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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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Chapter III - Bond Issues

Bond Issues - Historical Notes

A listing of the acts which authorized various bond issues for Campbell County is included below for reference purposes, although these acts are no longer current. Also referenced below are acts which repeal prior law without providing new substantive provisions.

Courthouse

1. Public Acts of 1885, Chapter 18, allowed the quarterly county court of Campbell County to issue \$12,000 in bonds, at an interest rate not to exceed 6%, and on a maturity schedule not to exceed ten years, the bonds being redeemable in three years, to erect and furnish a courthouse for the county and to pay any bills connected therewith. All the essential details of the issue were mentioned in the act, including the requirements of a tax levy for the sinking fund which the collector of revenue would collect as he did all others.

Debts

1. Public Acts of 1866-67, Chapter 41, permitted Hawkins County, upon the concurrence of two-thirds of the quarterly county court, to issue coupon bonds for the amount of the debts of the county with the provision that the money would not be used to pay any debt which was incurred in aid of the rebellion. Section 2 of this act extended all of its provisions to Grainger, Campbell, Anderson, and Union counties.
2. Private Acts of 1929, Chapter 303, was the authority for the quarterly county court to issue up to \$75,000, in 6%, 25 years, bonds, hearing interest, to pay all the outstanding warrants heretofore issued in reference to elementary and high school obligations. All the essential details were incorporated. The county judge, or chairman, C. C. Guy, E. E. Hill, J. B. Brickley, E. H. Powes, the county superintendent of schools, the county court clerk, and the county attorney, would form a committee to sell the bonds and to disburse the funds in accordance with information on the debts furnished to them by the school officials. These bonds were to be general obligation bonds of the county.
3. Private Acts of 1939, Chapter 395, gave the authority to the quarterly county court to issue up to \$200,000 in 4% bonds which would be used to take up and retire a like amount of the floating indebtedness of Campbell County. The bonds would be payable on the first of February and August of each year until 1963. All essentials were in the law and the county judge and trustee were named to conduct the sale.

Jails

1. Public Acts of 1891, Chapter 54, allowed the quarterly court to issue \$10,000 in 6% bonds, payable in ten years, to erect and furnish a county jail, provided, three-fourths of the members of the court are present when the bonds are voted on. The tax levy requirement and all the essential details of the issue were met.

Parks

1. Private Acts of 1937, Chapter 177, validated and legalized all proceedings which were held in the past by the county court on March 11, 1936, in connection with the proposed purchase of about 5,000 acres of land for park, game preserve, and other public purposes. This act was the authority to purchase the land and to issue \$15,000 in 4%, or less, bonds, said bonds to be due and payable as the court provides. A form of the bond and of the note which would be followed, is incorporated into the act, none of which would be binding against the county unless properly executed.
2. Private Acts of 1937, Chapter 517, allowed the quarterly county court to purchase lands along the Clear Fork River on both sides which would be acceptable to the state forest and game preserve people which land would not exceed the value of \$25,000 for which the county court was authorized to issue bonds at an interest rate not to exceed 5%, and on a maturity schedule not to exceed fifteen years. The bonds would be general obligation bonds and exempt from taxes. All essential details were present.

Roads

1. Private Acts of 1901, Chapter 229, was the authority for the quarterly county court to issue \$100,000 to improve three public roads which were listed and described in the act, at an interest rate not to exceed 6%, and according to a maturity schedule to be fashioned by the court. The court was required to appoint three commissioners to supervise the work who could employ engineers and other experts, if needed. The commissioners must make full and accurate reports accompanied by any maps, charts, or graphs considered essential. The commissioners would submit an estimated cost for each road and the bid figures, to be acceptable, must not exceed the commissioner's estimates. All details and the tax levy were prescribed.
2. Acts of 1907, Chapter 585, permitted the quarterly county court, of Campbell County, to issue \$100,000 in 5%, 30 year bonds, to locate, change, construct, macadamize, and improve six roads, designated in the act which also embodied all the essential details of the issue. Three commissioners to supervise would be named by the court who would also designate one as chairman, and one as secretary, and fix their compensation at a sum no greater that \$600 per year. The duties of the chairman and the secretary were specified. An engineer could be employed at \$5 per day, or less, who would make a survey of these roads and recommendations on what was needed. Macadam, if used, would be twelve feet or less, wide, and no more than one foot thick. Conditions were established under which contracts could be met, which amount could not be more than that allotted to that road.
3. Acts of 1909, Chapter 372, was the authority for the Campbell County Quarterly Court to issue up to \$150,000 in 5%, 30 year bonds, to locate, improve, grade, and macadamize a list of twelve roads designated in the act which contained all the details of the issue and the requirement of a tax levy. The court would elect three commissioners, naming a chairman and a secretary, and setting their compensation at \$600 or less, a year, who would take an oath and make a bond. Specifications on macadam were reduced to ten to twelve feet in width and eight inches in thickness. Bids were to be solicited and contracts awarded to the proper bidder. The court was further authorized to open, close, or change roads.
4. Private Acts of 1911, Chapter 500 allowed the quarterly court to issue \$250,000 in 5%, 30 year, bonds, to locate, grade, bed, and macadamize a roster of seventeen roads designated, with the amounts to be spent on each, in the act, with the provision that, if any funds were left, they would be spent on the five roads named. The court would again appoint three Commissioners under the same requirements previously mentioned, designate a chairman at \$1,200 a year, a secretary at \$600 a year, and the other commissioner would receive \$300 a year, any or all of whom could be removed from office. They could hire an engineer at \$1,200 and an assistant engineer at \$400 but the chairman of the commission would be the ex-officio superintendent of construction. They were also given the same power and authority as former commissions. Private Acts of 1915, Chapter 619, amended Private Acts of 1911, Chapter 500, so as to permit the board of highway commissioners and those elected by the county court to change the location of road number 1 running from Jellico to LaFollette so as to follow the best and most practical route, and the commissioners were given authority to change other roads to bring about the same results, and further to increase the amount allotted to each road, if the funds were available.
5. Private Acts of 1913, Chapter 342, amended Private Acts of 1911, Chapter 500, which authorized a bond issue, by providing that the county court could issue a part of the total bonds allowed under that act without having an obligation to issue the entire \$250,000. The court would also be permitted to designate by resolution the roads on which the work was to be done and the amount allotted to each. The act was further amended by changing some of the routes to be followed by the roads.
6. Private Acts of 1917, Chapter 324, authorized a bond issue by the county court of \$250,000 with an annual rate of 5%, 30 year bonds, furnishing all the essential details of bond legislation and

requiring a tax levy to be made in order to amortize the bonds. The money would be used to locate, grade, bed, and macadamize a list of eight roads named and described and with specified amounts to be spent of each one. If surpluses accrued, they could be used on other roads. The county court will elect a civil engineer who shall be the chairman of the commission, along with the county judge and the county court clerk, who are named as ex-officio members. The engineer could be paid up to \$150 a month, and the county court clerk up to \$50 a month for their services, the clerk acting as secretary. The chairman of the commission will be the superintendent of construction, and may hire up to two assistants, one at \$900 a year, and the other at \$600. The board will have such powers as are set out in the act plus such incidental powers necessary to accomplish the objective.

7. Private Acts of 1915, Chapter 329, allowed the quarterly court to issue \$50,000 in 6%, 30 year, bonds, to repair and improve the six roads named in the act which also had all the essential details of a bond issue included. John Bowman was named as supervisor, who would remain until all the work was completed, at \$60 a month salary, and have supervision over all others on this program. He could employ an engineer and other technical assistance to accomplish the objectives. A special road tax levy of 5 to 10 cents per \$100 property valuation was authorized and required in order to amortize the bonds. Bids were to be solicited and contracts awarded accordingly. Violations of any of the provisions could be punished by fines from \$50 to \$100.
8. Private Acts of 1919, Chapter 438, permitted the quarterly court to issue up to \$100,000 in 5½%, 30 year, bonds to locate, grade, repair, and improve the roads listed in the bill and according to the amount of funds allotted to each. Six roads were named, the details of the issue spelled out, records were to be kept, and a tax levied to repay. A three member highway commission would be elected whose chairman would be paid \$100 a month, its secretary \$50 a month, and the member \$25 a month all of whom would take an oath and execute a bond. An engineer could be retained to map and classify the roads and render other technical assistance. The commission could advertise for bids, award contracts, inspect the work of the contractors, and dispose of petitions to open, close, or change the roads. The commission was further designated as the county's agent to deal with the state.
9. Private Acts of 1919, Chapter 516, was the authority for the Campbell County Quarterly Court to issue up to \$100,000 in 6%, 30 year bonds, to locate, grade, improve, and macadamize the Dixie Highway from the Anderson County line by way of several towns and cities, including Jacksboro, at or near the Walnut Grove Church House to the mouth of Cedar Creek on Power's River (etc.). Three commissioners were to be appointed at compensations of \$100 a month for the chairman, \$50 per month for the secretary, and \$30 per month for the other member while they were actually engaged in their duties as commissioners. The chairman would be the road superintendent to supervise the program and all the powers of the commission are enumerated in the act.
10. Private Acts of 1921, Chapter 198, allowed the quarterly court to issue \$390,000 in 5½%, 30 year bonds, to locate, grade, build, and macadamize certain roads, thirteen in number, spending within the monetary limits specified for each, and issuing the bonds and levying the tax rate as was detailed in this law. Two men would be appointed as a highway commission, one to be chairman at \$150 a month at full time, and the secretary to draw \$100 a month at full time but they would be paid only in proportion to the days actually worked. They could use the county engineer or hire one to map and classify the roads, inspect and supervise all the work of the contractors getting bids, and enforce all the specifications agreed upon. They were also required to take all steps necessary to avail the county of any state or federal assistance.
11. Private Acts of 1921, Chapter 424, was the authority for the county court to issue \$501,000 in 6%, 30 year bonds for the same road purposes previously described. There were 22 roads listed

on which more, or less, work was to be accomplished some of which were the same roads listed in prior acts. Amounts of money to be spent were specified for each one but the court could rearrange these allocations if necessity required it. The three member highway commission, all of whom would be compensated at \$100 per month, plus travel expenses were granted the same rights and charged with the same duties as previous commissions.

12. Private Acts of 1921, Chapter 775, allowed the issuance by the county court of \$20,000 in 6%, 30 year bonds with all the essential details and the tax levy requirement to improve and repair the road from Jacksboro, Venisant Pike, via Noah Shown's and the Cumberland Schoolhouse to the Macedonia Church. The board of highway commissioners authorized to be appointed under Private Acts of 1921, Chapter 424, shall also supervise the work and carry the terms of this act into effect.
13. Private Acts of 1923, Chapter 271, amended Private Acts of 1921, Chapter 424, in Section 6, by increasing the amount of money mentioned there from \$52,000 to \$127,000, the additional money to be used for the construction and completion of a highway beginning at the present grade above Red Ash and running the most practical route by way of Buckeye, or Pioneer, so as to intersect with the pike leading from Elk Valley to Buckeye, or to Pioneer. All the other terms and conditions contained in Chapter 424 were to remain as they were to be followed in the implementation of this act.
14. Private Acts of 1923, Chapter 666, authorized the quarterly court to issue \$45,000 in 5½%, 20 year bonds, allocating \$15,000 each to three roads mentioned in the act which were to be repaired and improved including any bridges which might be involved. A three member highway commission was set up which was composed of Jess L. Rogers, Chairman, Z. O. Baird, secretary, and E. L. Gaylor, who were clothed with the authority to accomplish the objectives of this law. They would be required to take an oath, make bond, and be paid \$100 a month. All other provisions, as hiring an engineer, etc. were similar to those in prior legislation. This act, however, depended on the successful outcome of a referendum held for that purpose.
15. Private Acts of 1927, Chapter 639, permitted, the quarterly court to issue up to \$185,000, in whole or in part, in 6%, 30 year bonds, the details of which were established, which would be spent to locate, grade, build, repair, and maintain a list of some fifteen roads enumerated in the act. There would be a board of highway commissioners composed of J. M. Newport, George Ellison, and J. I. Mauny, who would choose their chairman and secretary, who would take oath and make bond, who would be paid \$5 per day for each day actually served as such, and expenses, who could use the county engineer or employ one as well as other expert advisors, and who would inspect, classify, and map the roads. The commission would also prepare themselves to take advantage of any state or federal aid which might be available to them for the county.
16. Private Acts of 1931, Chapter 593, allowed the county court to issue \$25,000 in 5% bonds, to mature on a ten year schedule, to locate, Jellico-Caryville Road, extending west across the mountain to Nettie Cave Creek and then to the Scott County line. Arrangements would be made with the state for their contribution to the road. The trustee would handle and be accountable for the funds.
17. Private Acts of 1941, Chapter 286, was the basis for the county court to issue \$175,000 in 5%, 30 year, bonds, to pay for the acquisition of rights of way, borrow pits and other accessories for the construction of the highway from La Follette to the Anderson County line. The details are included and a tax levy required to amortize.
18. Private Acts of 1951, Chapter 625, validated and legalized all the prior proceedings of the county court held in connection with the issuance of \$300,000 in road bonds, making them the general obligations of the county, requiring that an additional tax be levied to repay the money, and

adopting all the details contained in the resolution originally enacted for this issue. The county trustee shall handle all the money. This act was declared unconstitutional in Wilson v. Beeler, 193 Tenn. 213, 245 S.W.2d 620 (1951).

Schools

1. Private Acts of 1915, Chapter 334, allowed the quarterly court to issue up to \$75,000 in 5%, 25 year, bonds to purchase property for schools, to purchase high school buildings and grounds, and to provide for facilities which can also be devoted to agricultural, vocational, and mechanical courses. The normal language concerning all bond issues took up the remainder of the act.
2. Private Acts of 1919, Chapter 250, was the authority for the county court to issue interest bearing warrants at an interest rate not to exceed 6% and in any amount of \$5,000, or under, in any one year for the purpose of building and repairing school houses, said warrants to become due at such time as the county court may direct.
3. Private Acts of 1921, Chapter 388, allowed the quarterly county court of Campbell County, using the 1920 Federal Census figures, to issue interest bearing warrants, at a rate not to exceed 6%, and in an amount not to exceed \$25,000 in anyone year, to build and repair high schools in the county. The court would designate when the warrants would mature and would levy an additional tax in each year in an amount sufficient to repay any amount which might be borrowed under the terms of this act.
4. Private Acts of 1921, Chapter 389, amended Private Acts of 1919, Chapter 250, by changing the amount of interest-bearing warrants for the purpose of building and repairing schoolhouses to \$15,000.00.
5. Private Acts of 1925, Chapter 441, recited in the preamble that pursuant to the authority and provisions of Private Acts of 1921, Chapter 388, the county court which issued \$25,000 in interest bearing warrants with which to build a certain school building in La Follette, which is under construction but incomplete because of a lack of funds. This act permitted the issuance of \$10,000 additional bonds, under the same terms and conditions in order to finish the building.
6. Private Acts of 1925, Chapter 559, validated, confirmed, and legalized all the interest bearing county warrants now issued, or hereafter to be issued, by the county court for the purpose of building and repairing elementary and high school buildings and for furnishing the same. This act was also applicable to Obion County.
7. Private Acts of 1925, Chapter 659, was the same identical act mentioned in Item 4, above, except this one was applied only to Campbell County.
8. Private Acts of 1937, Chapter 516, validated, ratified, confirmed, and made legal all the proceedings held by the quarterly court on April 15, 1937, in issuing \$150,000 in school bonds of which \$100,000 was for the schools in La Follette, \$25,000 for those in Caryville, and the remainder of the issue be spent on the rest of the schools. A form of the bond to be issued was contained in the act. There was a building committee appointed for La Follette composed of John McCloud, R. D. Lynch, Frank Thomas, Bill Queener, L. I. Mauny, R. L. Sharp, and W. F. Burnette, and they would elect a chairman and secretary from their own number. For Caryville, the committee consisted of R. L. Gallaher, H. M. Mahoney, and Dewey Lumpkins, and the repair committee was made up of R. L. Lynch, G. R. Deuel, and Andy McCullah.
9. Private Acts of 1947, Chapter 770, provided that, subject to the outcome of a referendum, the quarterly county court of Campbell County was authorized to issue \$1,000,000 in 3% bonds, no maturity schedule, or limit, specified, to construct, repair, alter, or equip, public school buildings with specific allocations being made to various high schools and elementary schools, but the county court was granted the authority to re-allocate the funds as they deemed proper.

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