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# Private Acts of 1931 Chapter 800

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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 1931 Chapter 800

**SECTION 1.** That Cocke County, acting by and through its Quarterly County Court, at any regular or called session thereof, is hereby authorized to issue and sell Forty Thousand (\$40,000.00), Dollars of interest-bearing coupon bonds of said county for the purpose of providing funds to acquire a site, erect thereon, and equip a County Hospital to be known as Cocke County Hospital, and to be operated and controlled by a Board of Trustees hereinafter created.

Said bonds shall mature at such times and in such amounts as the Quarterly County Court may determine, and shall bear interest at not exceeding five and one-half (5½%) per cent per annum, payable semi-annually; and shall be in such form as the resolution of the Quarterly County Court directing their issuance shall prescribe, and they shall have attached to them interest coupons evidencing the semi-annual installments of interest. Said bonds shall be executed by the County Judge or Chairman of the county, and countersigned by the County Court Clerk thereof, with the seal of the county attached thereto, but the coupons may be signed by the lithographed facsimile signatures of said officers.

**SECTION 2.** That said bonds shall not be issued until they shall have first been approved by the qualified voters of Cocke county, in an election called and held by the Election Commissioners of said county, in which the question of their issuance shall be submitted to a vote of the people, and if the majority voting in said election vote therefor, then the Quarterly County Court shall direct their issuance by proper resolution, but if a majority voting in said election vote against said bonds, then the Quarterly County Court shall not have authority to direct their issuance.

In said election the voters participating therein shall possess the same qualifications as are required for voters participating in the General County Elections, and the ballot used in said election shall be printed as follows:

"For Hospital Bonds"

"Against Hospital Bonds"

And the voters participating in said election shall indicate their preference by placing an (X) opposite the printed matter on said ballot, thereby indicating preference.

The returns of said election shall be canvassed by the Election Commissioners of said county on the first Monday following said election, and by them certified to the County Court Clerk of said county.

**SECTION 3.** That said bonds shall not be issued until the Board of Major and Aldermen of the Town of Newport, a municipality within said county, shall have been provided a fund of Twenty Thousand (\$20,000.00) Dollars to supplement that herein provided, to the end that said hospital may be erected and equipped by the co-operation of Cocke County and the Town of Newport.

**SECTION 4.** That said bonds when issued under the provisions of this Act shall be direct general obligations of Cocke County, to the payment of which well and truly to be made according to the tenor and effect thereof, the full faith, credit and taxing power of said county shall be irrevocably pledged; and it shall be the duty of the Quarterly County Court of said county to annually levy and provide for the collection thereof of a sufficient tax over and above all other taxes authorized or limited by law to provide a sinking fund sufficient to pay the interest on said bonds as it falls due, and to retire the said bonds as they mature.

**SECTION 5.** That the following residents and citizens of Cocke County are hereby named and designated to constitute a Board of Trustees for the purpose of having charge of the erection, equipment and operation of said hospital for said county and Town of Newport:

W. B. Stokely, Sr., Y. J. McMahan, M. O. Allen, F. W. Parrott, Roy T. Campbell, C. E. McNabb and Barton Warren.

Said Board of Trustees shall hold office from the date of their qualification for the terms here respectively designated:

M. O. Allen for seven years.

C. E. McNabb for six years.

Roy T. Campbell for five years.

Barton Warren for four years.

W. B. Stokely for three years.

F. W. Parrott for two years.

Y. J. McMahan for one year.

Their successors shall each hold office for a term of seven years, and until their successors are elected and qualified; and the successors of the first three next hereinabove set out shall be elected by the Board of Mayor and Aldermen of the Town of Newport, and the successors of the last four hereinabove set out shall be elected by the Quarterly County Court of Cocke County. Vacancies occurring at any time shall be filled in accordance with the foregoing arrangement.

No person under thirty years of age, and no physician or member of a physician's household, and no non-resident of Cocke County shall be eligible to membership on said Board of Trustees. All members of said board shall serve without compensation.

Before entering upon the discharge of their duties as members of said Board of Trustees, they shall execute such bond jointly and severally as the Quarterly County Court shall by resolution determine, and they shall each take and subscribe to an oath before the County Court Clerk, or County Judge or Chairman, to the effect that they will honestly, faithfully, impartially discharge their duties and correctly account for all money which comes into their hands.

Said building and equipment funds shall be disbursed by vouchers signed by the Chairman and Secretary of said Board of Trustees, countersigned by the County Court Clerk of said county.

It shall be the duty of said board, upon organization, to cause plans to be prepared for said building, and the equipment thereof, and to this end they shall have authority to employ all necessary architects and experts and pay for the services of the same out of the funds hereby provided.

Upon the preparation and adoption of suitable plans and specifications for said building and the equipment thereof said board let the same to contract, either all in one contract or in separate contracts, as it may determine best, and shall require the contractor or contractors to execute bond as required by law, and when said building is completed and equipped said Board of Trustees shall have and exercise complete control over the operation and management of said hospital and shall be and is hereby authorized to provide and prescribe such reasonable rules and regulations with reference to the operation and management of same as may to said board seem fit and proper.

The business management, selection of a qualified hospital executive and the selection of a medical visiting staff and the performance or other duties necessary to the proper conduct of said hospital shall be the duty and responsibility of said Board of Trustees. The title to all property at any time acquired by said hospital, by gift, purchase or condemnation shall be vested in said Board of Trustees.

It shall be within the power of said Board of Trustees to make such regulations and requirements as are necessary and practical, and within the financial ability of said hospital to care for indigent patients coming from Cocke County.

Said Board of Trustees shall make semi-annual reports to the Quarterly County Court of said county, at its January and July terms, giving full, detailed information as to its operations for the preceding period, which report shall be spread upon the minutes of said court.

Members of said Board of Trustees shall be subject to removal from office by the Quarterly County Court for malfeasance, misfeasance or non-feasance, on formal written charges being filed with the Chairman of said County Court, thirty days prior to the meeting of said Quarterly County Court, and service of a copy thereof on such board member.

**SECTION 6.** That the Board of Trustees heretofore named shall have authority to acquire by purchase, gift, or by condemnation under the general statutes of eminent domain, a suitable site in Cocke County for the erection of said hospital, or grounds and buildings suitable to be converted into a hospital. Payment for said real estate shall be made out of the funds provided by this Act.

**SECTION 7.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: June 30, 1931.

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