

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

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PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1897.

Chapter 523.

An Act to incorporate the new City Hall Commission of Waterville under the name of the City Hall Commission.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sect. 1. The mayor of the city of Waterville for the time being, W. M. Lincoln, H. R. Dunham, F. C. Thayer and C. F. Johnson, all of Waterville, in the county of Kennebec and state of Maine, and their successors to be hereafter elected in accordance with the provisions of this act, are hereby created a body corporate and politic, by the name of the City Hall Commission, and as such shall have a common seal and power to sue and be sued. The City Hall Commission shall elect a president from among their own number, and shall elect a clerk and such other officers as may be necessary, or which the city council of Waterville may hereafter, by vote, direct. At the first meeting of said incorporators they shall determine and designate two of their number other than said mayor, who shall cease to be members of said City Hall Commission at the expiration of two years therefrom, and two others of their number other than the mayor, who shall cease to be members of said commission at the expiration of four years therefrom. Their successors shall be elected for a term of four years, as provided in section twelve of this act. The city treasurer of the city of Waterville for the time being shall be treasurer, ex-officio, of the City Hall Commission, and shall keep the accounts of the money received and disbursed by him, as treasurer of the city, separate and distinct from those of the money received and disbursed by him as treasurer of said City Hall Commission.

Sect. 2. The powers and duties of said City Hall Commission shall be those heretofore conferred upon the new City Hall Commission by vote of the city council of Waterville, but said City Hall Commission shall have any other powers and perform any other duties which may hereafter from time to time be voted and conferred upon it by the city council of Waterville.

Sect. 3. The City Hall Commission are hereby authorized to issue the bonds of the corporation, to be known as the Waterville City Hall bonds, at such rates and on such times as may be approved by the city council, and for such amount as the city council may approve, not to exceed seventy-five thou-

Corpora-
tion.

—corporate
name.

—seal.

—officers.

—tenure of
members of
commis-
sion.

—tenure of
successors.

—treasur-
er and
duties.

Powers and
duties of
commis-
sion.

May issue
bonds.

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—proceeds, how used.

sand dollars; and the proceeds of the sale of said bonds shall be exclusively used for the purpose of erecting a city building in the city of Waterville, which city building, when completed and properly equipped with heating, lighting, ventilating and sanitary arrangements, shall not exceed the sum of seventy-five thousand dollars.

City may convey to commission in trust, city hall and lot, etc., to secure bonds.

Sect. 4. The city of Waterville is hereby authorized when its city council so votes, to convey to the City Hall Commission, the corporation hereby created, in trust, its present city hall building lot in said Waterville, together with all buildings, additions and improvements existing on said city hall lot at the time of said conveyance, for the sole purpose of securing the payment of the bonds issued under the provisions of section three of this act and for no other purpose. Said City Hall Commission shall hold said property in trust for said purpose and said city hall lot with all improvements made thereon together with all buildings which shall be erected thereon by virtue of the powers of this act, shall be holden for the payment of said bonds and their coupons, which bonds and coupons shall constitute a first lien thereon subject to any existing incumbrances; and said lien shall not be impaired by said city of Waterville or by said City Hall Commission until all said bonds and coupons issued hereunder shall have been paid and said trust discharged.

—Lien on buildings and lot for payment of bonds.

How lien may be enforced.

Sect. 5. In case of default in the payment of any of said bonds or the coupons attached thereto when due, any holder thereof may petition the supreme judicial court for the county of Kennebec by bill in equity for the benefit of himself as well as for the benefit of other holders of said bonds, and said court may enforce said lien by appointment of receiver and by sale of said property, according to the usual practice in equity proceedings.

City authorized to raise money to pay rent, interest on bonds, etc.

Sect. 6. Said city of Waterville is hereby authorized and required to raise annually by taxation such sum or sums as may be necessary to pay all expenses for repairs, insurance and management of said city building, when completed, together with an annual rental of said building in a sum equal to the annual interest on the bonds issued and outstanding under the provisions of section three of this act, and shall be authorized to exempt said trust property from taxation while held in trust according to the provisions of this act.

—may exempt from taxation of.

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Sect. 7. In consideration of the rental as aforesaid, the city of Waterville shall become the tenant of said city building when completed, under such provisions and directions as the city council of Waterville may vote from time to time, with power to sublease or sublet any part or parts of said building and the proceeds of said subleasing or subletting, together with any and all other revenue derived from said city building, shall be invested in a sinking fund, which said city of Waterville is hereby authorized to create; but said sinking fund shall be used for the purchase of the bonds issued under section three of this act, and for no other purpose; provided, however, that said sinking fund, pending the purchase of said bonds, shall be deposited by the city of Waterville in any savings bank in this state, or invested in securities in which savings banks are by law in this state authorized to invest. Said city of Waterville is hereby further authorized and empowered to raise by taxation or other means such other sums from time to time as may be voted by the city council of Waterville to be added to said sinking fund or used in the purchase of any of the bonds or coupons issued under the provisions of section three of this act.

City shall become the tenant, and may let portions of building.

—revenue shall constitute a sinking fund.

—how used.

—how invested.

—city may raise money to be added to sinking fund.

Sect. 8. Bonds issued under the provisions of this act may be purchased and held by savings banks in this state.

Savings banks may hold bonds.

Sect. 9. The city of Waterville may assume the indebtedness represented by said bonds whenever it can constitutionally do so by exchanging its own bonds for the bonds issued under the provisions of this act, and said bonds shall so provide. Bonds so providing shall be deemed negotiable, and whenever all of the indebtedness is thus assumed by exchange of bonds or whenever said bonds and their coupons are all paid by reason of moneys raised as provided in section seven of this act, then, on petition of said city of Waterville, or said City Hall Commission, to the supreme judicial court for the county of Kennebec sitting in equity, said property shall be reconveyed to said city of Waterville in discharge of said trust.

City may assume indebtedness, and issue bonds in exchange for bonds of commission.

—how and when property may be reconveyed to city.

Sect. 10. Said City Hall Commission shall not sell, mortgage or in any way dispose of the property held by them in trust under the provisions of this act except solely for the purposes of the trust provided for by this act.

Commission shall not dispose of property, except for purposes of the trust.

Sect. 11. All duties and powers necessary to be exercised with respect to the erection of said city building and the care of the same after erection, not conferred upon said City Hall Com-

All powers not conferred upon commis-

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mission, shall be vested in city council.

—city liable for all damages.

Vacancies, how filled.

Act shall take effect, when approved by the legal voters of the city.

—meeting, how called and conducted.

mission by any existing ordinance or vote of said city of Waterville or by the provisions of this act, shall be vested in the city council of Waterville. The city of Waterville and not said City Hall Commission shall be liable for all damages which said city would have been liable for in the erection of said building or the proper care of the same, had not the trust herein provided for been created.

Sect. 12. Vacancies occurring in said City Hall Commission shall be filled by the city council of Waterville.

Sect. 13. This act shall take effect whenever approved by a majority vote of the votes cast by the legal voters of the city of Waterville at a meeting of the citizens thereof qualified to vote in city affairs, held in their respective ward rooms to be warned and held in the manner now prescribed by law for holding meetings for municipal elections in said city, the voting at said meetings to be conducted under the Australian system, so called, or secret method of ballot now prescribed by law to be followed in municipal elections in said city. The ballots shall contain under blank spaces the words 'yes' and 'no.' At such meeting the polls shall be opened at eight o'clock in the forenoon and shall be closed at four o'clock in the afternoon. Wardens and clerks of the several wards shall count the ballots thrown in their respective wards, and said clerks shall certify the result of the ballot in their respective wards to the mayor and board of aldermen who shall be in session on the evening of the day on which said meeting is held, and said mayor and aldermen shall determine and announce the result of the ballot in the several wards and the city clerk shall thereupon record such result. The board of registration of said city shall be in session during the day of said meeting and shall determine the qualification of any one claiming the right to vote, if in dispute, but the list of qualified voters used at the annual spring election next preceding the day on which the meeting provided for in this act shall be held, shall be regarded as the list of voters qualified to vote in the meeting held in accordance with the provisions of this act.

Approved March 25, 1897.