

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Sixty-Eighth Legislature.

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HOUSE.

No. 332.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND NINETY-SEVEN

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AN ACT to incorporate the New City Hall Commission of  
Waterville under the name of the City Hall Commission.

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

Section 1. The mayor of the city of Waterville for the time  
2 being, W. M. Lincoln, H. R. Dunham, F. C. Thayer and  
3 C. F. Johnson, all of Waterville in the county of Kennebec,  
4 and State of Maine, and their successors to be hereafter  
5 elected in accordance with the provisions of this act, are  
6 hereby created a body corporate and politic, by the name  
7 of the City Hall Commission, and as such shall have a com-  
8 mon seal and power to sue and be sued. The City Hall  
9 Commission shall elect a president from among their own

10 number, and shall elect a clerk and such other officers as may  
11 be necessary, or which the city council of Waterville may  
12 hereafter, by vote, direct. At the first meeting of said incor-  
13 porators they shall determine and designate two of their  
14 number other than said mayor who shall cease to be mem-  
15 bers of said City Hall Commission at the expiration of two  
16 years therefrom, and two others of their number other than  
17 the mayor who shall cease to be members of said commis-  
18 sion at the expiration of four years therefrom. Their suc-  
19 cessors shall be elected for a term of four years as provided  
20 in section twelve of this act. The city treasurer of the city  
21 of Waterville for the time being shall be treasurer ex-officio  
22 of the City Hall Commission and shall keep the accounts of  
23 the money received and disbursed by him as treasurer of the  
24 city separate and distinct from those of the money received  
25 and disbursed by him as treasurer of said City Hall Com-  
26 mission.

Sect. 2. The powers and duties of said City Hall Commis-  
2 sion shall be those heretofore conferred upon the New City  
3 Hall Commission by vote of the city council of Waterville,  
4 but said City Hall Commission shall have any other powers  
5 and perform any other duties which may hereafter from time  
6 to time be voted and conferred upon it by the city council of  
7 Waterville.

Sect. 3. The City Hall Commission are hereby authorized  
2 to issue the bonds of the corporation to be known as the  
3 Waterville City Hall bonds, at such rates and on such times  
4 as may be approved by the city council, and for such amount  
5 as the city council may approve, not to exceed seventy-five  
6 thousand dollars; and the proceeds of the sale of said bonds  
7 shall be exclusively used for the purpose of erecting a city

8 building in the city of Waterville, which city building when  
9 completed and properly equipped with heating, lighting,  
10 ventilating and sanitary arrangements, shall not exceed the  
11 sum of seventy-five thousand dollars.

Sect. 4. The city of Waterville is hereby authorized when  
2 its city council so votes, to convey to the City Hall Commis-  
3 sion, the corporation hereby created, in trust, its present city  
4 hall building lot in said Waterville, together with the build-  
5 ings, additions and improvements existing on said city hall lot  
6 at the time of said conveyance, for the sole purpose of securing  
7 the payment of the bonds issued under the provisions of sec-  
8 tion three of this act and for no other purpose. Said City  
9 Hall Commission shall hold said property in trust for said  
10 purpose and said city hall lot with all improvements made  
11 thereon together with all buildings which shall be erected  
12 thereon by virtue of the powers of this act, shall be holden  
13 for the payment of said bonds and their coupons, which  
14 bonds and coupons shall constitute a first lien thereon sub-  
15 ject to any existing incumbrances; and said lien shall not  
16 be impaired by said city of Waterville or by said City Hall  
17 Commission until all said bonds and coupons issued here-  
18 under shall have been paid and said trust discharged.

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

Sect. 6. Said city of Waterville is hereby authorized and  
2 required to raise annually by taxation such sum or sums as

3 may be necessary to pay all expenses for repairs, insurance  
4 and management of said city building, when completed,  
5 together with an annual rental of said building in a sum  
6 equal to the annual interest on the bonds issued and out-  
7 standing under the provisions of section three of this act,  
8 and shall be authorized to exempt said trust property from  
9 taxation while held in trust according to the provisions of  
10 this act.

Sect. 7. In consideration of the rental as aforesaid, the  
2 city of Waterville shall become the tenant of said city build-  
3 ing when completed, under such provisions and directions  
4 as the city council of Waterville may vote from time to time,  
5 with power to sub-lease or sub-let any part or parts of said  
6 building and the proceeds of said sub-leasing or sub-letting,  
7 together with any and all other revenue derived from said  
8 city building, shall be invested in a sinking fund, which said  
9 city of Waterville is hereby authorized to create; but said  
10 sinking fund shall be used for the purchase of the bonds  
11 issued under section three of this act, and for no other pur-  
12 pose; provided, however, that said sinking fund, pending  
13 the purchase of said bonds, shall be deposited by the city of  
14 Waterville in any savings bank in this State, or invested in  
15 securities in which savings banks are by law in this State  
16 authorized to invest. Said city of Waterville is hereby fur-  
17 ther authorized and empowered to raise by taxation or other  
18 means such other sums from time to time as may be voted  
19 by the city council of Waterville to be added to said sinking  
20 fund or used in the purchase of any of the bonds or coupons  
21 issued under the provisions of section three of this act.

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

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.

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.

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 Commission 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

3 city of Waterville at a meeting of the citizens thereof quali-  
4 fied to vote in city affairs held in their respective ward rooms  
5 to be warned and held in the manner now prescribed by law  
6 for holding meetings for municipal elections in said city, the  
7 voting at said meetings to be conducted under the Austral-  
8 ian system, so called, or secret method of ballot now pre-  
9 scribed by law to be followed in municipal elections in said  
10 city. The ballots shall contain under blank spaces the words  
11 "Yes" and "No." At such meeting the polls shall be opened  
12 at eight o'clock in the forenoon and shall be closed at four  
13 o'clock in the afternoon. Wardens and clerks of the several  
14 wards shall count the ballots thrown in their respective wards  
15 and said clerks shall certify the result of the ballot in their  
16 respective wards to the mayor and board of aldermen who  
17 shall be in session on the evening of the day on which said  
18 meeting is held and said mayor and aldermen shall deter-  
19 mine and announce the result of the ballot in the several  
20 wards and the city clerk shall thereupon record such result.  
21 The board of registration of said city shall be in session dur-  
22 ing the day of said meeting and shall determine the qualifi-  
23 cation of any one claiming the right to vote, if in dispute,  
24 but the list of qualified voters used at the annual spring elec-  
25 tion next preceding the day on which the meeting provided  
26 for in this act shall be held, shall be regarded as the list of  
27 voters qualified to vote in the meeting held in accordance  
28 with the provisions of this act.





STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

March 18, 1897.

Reported by Mr. PHILBROOK of Waterville, from Committee on Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*