

MAINE STATE LEGISLATURE

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Sixty-Sixth Legislature.

HOUSE.

No. 339.

STATE OF MAINE.

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

AN ACT relating to the Auburn Aqueduct Company and the
City of Auburn.

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

SECTION 1. The operation and effect of chapter eighty-
2 two of the Private and Special Laws of this State for the
3 year eighteen hundred and ninety-one, entitled "An Act
4 to supply the City of Auburn with pure water," and
5 approved February nineteenth, eighteen hundred and
6 ninety-one, are hereby wholly suspended until the first
7 day of February, A. D. eighteen hundred and ninety-four.
8 During the year eighteen hundred and ninety-three and
9 until February the first, eighteen hundred and ninety-four,
10 the Auburn Aqueduct Company has authority to con-
11 struct, extend and improve its system of water works

12 under its charter, and the governor of the State, upon
13 the written application of the Auburn Aqueduct Company
14 or the city of Auburn, shall appoint a disinterested and
15 competent civil engineer to inspect the progress of the
16 work of such construction, extension and improvement.
17 Said engineer to be paid by said Aqueduct Company.

SECT. 2. If, prior to February the first, eighteen hun-
2 dred and ninety-four, the Auburn Aqueduct Company
3 shall, at its own expense, so improve its system of water
4 works as to furnish to the city of Auburn an adequate
5 supply of pure water for all the purposes named in its
6 charter, to the acceptance and approval of such engineer
7 appointed by the governor, and if the engineer so
8 appointed shall file in the clerk's office of the city of
9 Auburn and in the office of the secretary of State dupli-
10 cate certificates of such acceptance and approval on his
11 part on or before the first day of February, A. D. eigh-
12 teen hundred and ninety-four, the suspension hereinbe-
13 fore declared, of the provisions of chapter eighty-two of
14 the Private and Special Laws for the year eighteen hun-
15 dred and ninety-one shall become and shall constitute a
16 repeal of the same. If said works are not completed
17 February first, eighteen hundred and ninety-four, but said
18 engineer is satisfied that said work has been prosecuted
19 in good faith and full performance thereof has been pre-
20 vented by inevitable accident or inevitable causes, he
21 may extend the time for the completion of said work for
22 such period as he thinks proper but in no event beyond
23 July first, eighteen hundred and ninety-four.

SECT. 3. Subject to the provisions hereinafter contain-
2 ed, the preceding sections of this act shall not take effect,
3 unless the Auburn Aqueduct Company shall within ten

4 days after the approval of this act, accept in writing the
5 offer made by the city of Auburn under the provisions of
6 section eleven of chapter eighty-two of the Private and
7 Special Laws of eighteen hundred and ninety-one, to
8 purchase its property, franchise, rights and privileges.
9 And said Auburn Aqueduct Company is hereby author-
10 ized to accept said offer with the same effect and upon
11 the same terms, conditions and trusts as it might have
12 accepted the same on or before February ninth, eighteen
13 hundred and ninety-three. And if said company shall
14 accept said offer it shall forthwith cause deeds of transfer
15 and conveyance to be made, to the city or to the trustee
16 designated under said act, and file in the clerk's office of
17 the supreme judicial court for Androscoggin county, for
18 the inspection of the city of Auburn. And if the city of
19 Auburn do not accept the deed as satisfactory within five
20 days after they have notice that the same has been filed
21 with the clerk of courts, the Aqueduct Company shall
22 then have the right to apply to any judge of the supreme
23 court at chambers and said judge, after forty-eight hours
24 notice to the city of Auburn, shall hear the parties and
25 approve or disapprove of the deed forthwith and notify
26 said Aqueduct Company and said city of Auburn or
27 trustee of his decision. Provided that if the judge holds
28 such deed improper, he shall order it reformed by com-
29 pany and upon such reformation being made approve it ;
30 and also provided, that if said city shall not, within
31 ninety days after receiving such notice in writing of such
32 acceptance or notice of approval receive such deeds and
33 pay or cause to be paid within thirty days one hundred
34 thousand dollars of the price named in said offer, the

35 balance to be paid within sixty days thereafter, and such
36 deeds to remain in said clerk's hands as an escrow, then
37 all the other sections of this act shall have the same effect
38 as though this section did not exist.

SECT. 4. All acts and parts of acts inconsistent here-
2 with are hereby repealed.

SECT. 5. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 15, 1893. }

Tabled, pending acceptance of report, by Mr. HIGGINS of Limerick,
and ordered printed.

W. S. COTTON, *Clerk.*