

MAINE STATE LEGISLATURE

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March 30, 1944

no.

Mr. R. J. Libby, Education
From Abraham Breitbard, Deputy Attorney General

I have read the extract from the will of George Davenport with which you furnished me, also the letter to you from Mr. Harland A. Ladd, superintendent of schools, dated October 16, 1943. I understand from you that the trustees of the trust in the past have paid over to the superintendent of schools \$2800. annually, which was by him expended in connection with a class maintained for backward pupils in quarters paid for by the City of Bath out of its school funds.

I understand that it would be desirable to have the income from this fund paid by the trustees directly to the City of Bath and disbursed by its treasurer to maintain this class, so that there would be no question that the class was a part of the public schools of the city. If the extract from the will furnished to me is exactly as written in the will, I would say that the trustees could properly pay this income, or part of the principal, as apparently their disposition of this trust is not confined to the income, to the City of Bath, to be used in the same manner as it is now being used, or in any other manner which may be satisfactory to the trustees.

I would also say that it would be proper for the superintendent of schools, on receipt of this money, to turn it over to the City of Bath, as there is no direction in the will that it shall be paid to the superintendent of schools, and by him disbursed.

Abraham Breitbard
Deputy Attorney General

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