

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Ninth Legislature.

HOUSE.

No. 192.

STATE OF MAINE.

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

AN ACT to amend Chapter eleven of the Public Laws of eighteen
hundred and eighty-seven, authorizing cities and towns to accept
legacies, devises and bequests, and to raise money.

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

Section 1. Section one of chapter eleven of the Public Laws
2 of eighteen hundred and eighty-seven is hereby amended as
3 follows: by inserting after the word "will" in the fifth line
4 thereof the words 'or by any individual, that he intends to
5 make a conditional gift;' by striking out the words "conditional
6 gift" in the twelfth and thirteenth lines thereof and inserting
7 the words 'or conditional gift' after the word "bequest" in the
8 thirteenth line thereof; by inserting after the word "bequest"

9 in the fourteenth line thereof the words 'or conditional gift;'
10 by inserting after the word "testator" in the sixteenth line
11 thereof the words 'or by said individual;' by inserting after
12 the word "trustees" in the eighteenth line thereof the words 'or
13 individual;' so that said section, as amended, shall read as
14 follows :

'Section 1. Whenever the municipal officers of any city or
16 town are notified in writing by the executors of any will, or by
17 the trustees created by virtue of the terms thereof, that a devise
18 or bequest has been made upon conditions by the testator of
19 said will or by any individual, that he intends to make a con-
20 ditional gift, in behalf of said city or town the municipal offi-
21 cers of said city or town, shall, within sixty days after said
22 notice to them, call a legal meeting of the inhabitants of said
23 city or town qualified to vote upon city or town affairs. Said
24 municipal officers shall give public notice in their warrants, of
25 the object of said meeting, and such other notice as said muni-
26 cipal officers shall deem proper. At such meeting, the said
27 inhabitants shall vote upon the acceptance of said devise or
28 bequest or conditional gift, and if a majority of the legal
29 voters present, then and there vote to accept said devise or
30 bequest or conditional gift, in accordance with the terms con-
31 tained in said will, and upon the conditions made by the testa-
32 tor or by said individual, said municipal officers of said city or
33 town, shall forthwith notify said executors or trustees, or in-
34 dividual, in writing, of said acceptance by said city or town
35 aforesaid, or the non-acceptance thereof.'

Sect. 2. Section two of chapter eleven of the Public Laws of
2 1887 is hereby amended as follows : by inserting after the word
3 "trustees" in the first line thereof the words 'or said indi-
4 vidual;' by inserting after the word "bequest" in the third line
5 thereof the words 'or conditional gift;' by inserting after the
6 word "bequest" in the fifth line thereof the words 'or condi-

7 tional gift;’ by inserting after the word “will” in the fifth line
8 thereof the words ‘or the terms of said conditional gift;’ by
9 inserting after the word “will” in the eighth line thereof the
10 words ‘or said conditional gift;’ by inserting, after the word
11 “bequest” in the ninth line thereof the words ‘or conditional
12 gift;’ by striking out the word “gift” in the tenth line thereof,
13 and by inserting, after the word “bequest” in the tenth line
14 thereof, the words ‘or conditional gift;’ by inserting, after the
15 word “will” in the thirteenth line thereof, the words ‘or said
16 conditional gift;’ by striking out the word “gift” in the thir-
17 teenth line thereof, and by inserting the words ‘or conditional
18 gift’ after the word “bequest” in the fourteenth line thereof;
19 by striking out the word “gifts” in the fifteenth line thereof
20 and inserting the words ‘and gifts’ after the word “bequests”
21 in the fifteenth line thereof; by striking out the word “given”
22 in the sixteenth line thereof; by striking out the word “and”
23 the third word in the sixteenth line thereof; and by inserting
24 the words ‘or given’ after the word “bequeathed” in the six-
25 teenth line thereof; so that said section as amended shall read
26 as follows :

‘Sect. 2. Whenever the executors or trustees or said indi-
28 vidual, under any will have fully discharged their duties
29 respecting the payment, delivery or otherwise of any devise or
30 bequest, or conditional gift, to said city or town; and said city
31 or town have accepted said devise and bequest or conditional
32 gift in accordance with the conditions of said will or the terms
33 of said conditional gift as set forth in section one of this chap-
34 ter, then said city or town shall perpetually comply, and strictly
35 maintain and keep all the conditions and terms contained in
36 said will or said conditional gift by virtue of which said devise
37 or bequest or conditional gift was so made, and any city or
38 town so accepting said devise or bequest, or conditional gift,
39 and receiving the same, or enjoying the benefits therefrom, is

40 hereby authorized to raise money to carry into effect the
41 requirements and terms of said will or said conditional gift by
42 virtue of which said devise or bequest or conditional gift was so
43 accepted and received. The provisions of this chapter shall
44 apply only to devises and bequests and gifts, devised and
45 bequeathed or given to cities and towns for educational,
46 benevolent and charitable purposes and objects, or for the care,
47 protection, repair and improvement of cemeteries owned by
48 said cities or towns.'

Sect. 3. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, February 24, 1899.

Reported by Mr. SMITH of Presque Isle, from Committee on Judiciary,
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*