

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

HOUSE.

No. 426

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

AN ACT to amend chapter eleven of the public laws of eighteen hundred and eighty-seven, as amended by chapter forty-four of the public laws of eighteen hundred and ninety-nine, 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, as amended by chapter
3 forty-four of the public laws of eighteen hundred and ninety-
4 nine is hereby amended by inserting after the word "affairs"
5 in the ninth line thereof the words, 'provided, however, that
6 in cities the acceptance of such devise, bequest or conditional
7 gift may be by vote of the city council instead of by the
8 inhabitants at a special election, if the municipal officers shall
9 so direct.' By inserting after the word "meeting" in the

10 eleventh line thereof, the words, 'of the inhabitants;' by
11 inserting after the word, "inhabitants" in the thirteenth line
12 thereof, the words 'or the city council at a regular meeting
13 or at a special meeting called for that purpose;' by inserting
14 after the word "voters" in the fourteenth line thereof, the
15 words, 'or of the members of the city council;' so that said
16 section, as amended, shall read as follows:

'Sect. 1. Whenever the municipal officers of any city or
18 town are notified in writing by the executors of any will, or
19 by the trustees created by virtue of the terms thereof, that a
20 devise or bequest has been made upon conditions by the tes-
21 tator of said will; or by an individual that he intends to
22 make a conditional gift, in behalf of said city or town; the
23 municipal officers of said city or town, shall, within sixty
24 days after said notice to them, call a legal meeting of the
25 inhabitants of said city or town qualified to vote upon city
26 or town affairs; provided, however, that in cities the accept-
27 ance of such devise, bequest or conditional gift may be by
28 vote of the city council, instead of by the inhabitants at a
29 special election, if the municipal officers shall so direct. Said
30 municipal officers shall give public notice in their warrants,
31 of the objects of said meeting of the inhabitants, and such
32 other notice as said municipal officers shall deem proper. At
33 such meeting, the said inhabitants, or the city council at a
34 regular meeting, or at a special meeting called for that pur-
35 pose, shall vote upon the acceptance of said devise or bequest
36 or conditional gift, and if a majority of the legal voters, or
37 of the members of the city council, present then and there
38 vote to accept such devise or bequest or conditional gift, in
39 accordance with the terms contained in said will, and upon
40 the conditions made by the testator or by said individual, said
41 municipal officers of said city or town, shall forthwith notify
42 said executors or trustees, or individual, in writing, of said

43 acceptance by said city or town aforesaid, or the nonaccept-
44 ance thereof.'

Sect. 2. Section two of chapter eleven of the public laws
2 of eighteen hundred and eighty-seven, as amended by chapter
3 forty-four of the public laws of eighteen hundred and ninety-
4 nine is hereby amended by adding to said section the words,
5 'or of cemetery lots owned by individuals,' so that said sec-
6 tion, as amended, shall read as follows:

'Sect. 2. Whenever the executors or trustees or said indi-
8 vidual, under any will have fully discharged their duties
9 respecting the payment, delivery or otherwise of any devise
10 or bequest, or conditional gift, to said city or town; and said
11 city or town have accepted said devise or bequest or condi-
12 tional gift in accordance with the conditions of said will or
13 the terms of said conditional gift as set forth in section one
14 of this chapter, then said city or town shall perpetually
15 comply, and strictly maintain and keep all the conditions and
16 terms contained in said will or said conditional gift by virtue
17 of which said devise or bequest or conditional gift was so
18 made, and any city or town so accepting said devise or
19 bequest, or conditional gift and receiving the same, or enjoy-
20 ing the benefits therefrom, is hereby authorized to raise money
21 to carry into effect the requirements and terms of said will
22 or said conditional gift by virtue of which said devise or
23 bequest or conditional gift was so accepted and received. The
24 provisions of this chapter shall apply only to devises and
25 bequests and gifts, devised and bequeathed or given to cities and
26 towns for educational, benevolent and charitable purposes and
27 objects, or for the care, protection, repair and improvement
28 of cemeteries owned by said cities or towns, or of cemetery
29 lots owned by individuals.'

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

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 18, 1903.

Reported by Mr. LITTLEFIELD of Rockland, from Committee on the
Judiciary and ordered printed under joint rules.

W. S. COTTON, *Clerk.*