

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE

1899.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1899.

teste of the judge, be signed by the register, issued in the name of the assignee, and shall be for the full amount of all unpaid fees, costs, and expenses, in the proceedings, due the officers, assignee, judge and register, and shall run against the body.'

Section 2. This act shall apply to all cases now pending.

Approved March 8, 1899.

Chapter 44.

An Act to amend Chapter eleven of the Public Laws of eighteen hundred and eighty-seven, authorizing cities and towns to accept legacies, devise 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 of eighteen hundred and eighty-seven is hereby amended as follows: by inserting after the word "will" in the fifth line thereof the words 'or by any individual, that he intends to make a conditional gift;'; by striking out the words "conditional gift" in the twelfth and thirteenth lines thereof and inserting the words 'or conditional gift' after the word "bequest" in the thirteenth line thereof; by inserting after the word "bequest" in the fourteenth line thereof the words 'or conditional gift;'; by inserting after the word "testator" in the sixteenth line thereof the words 'or by said individual;'; by inserting after the word "trustees" in the eighteenth line thereof the words 'or individual;'; so that said section, as amended, shall read as follows:

Section 1,
chapter 11,
public laws
1887,
amended.

'Section 1. Whenever the municipal officers of any city or town are notified in writing by the executors of any will, or by the trustees created by virtue of the terms thereof, that a devise or bequest has been made upon conditions by the testator of said will or by any individual, that he intends to make a conditional gift, in behalf of said city or town the municipal officers of said city or town, shall, within sixty days after said notice to them, call a legal meeting of the inhabitants of said city or town qualified to vote upon city or town affairs. Said municipal officers shall give public notice in their warrants, of the objects of said meeting, and such other notice as said municipal officers shall deem proper. At such meeting, the said inhabitants shall vote upon the acceptance of said devise or bequest or conditional gift, and if a majority of the legal voters present, then and there vote to accept said devise or bequest or conditional gift, in accordance with the terms contained in said

Municipal
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ings to
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legacies.

—notice of
object of
meeting
shall be
given.

CHAP. 44

will, and upon the conditions made by the testator or by said individual, said municipal officers of said city or town, shall forthwith notify said executors or trustees, or individual, in writing, of said acceptance by said city or town aforesaid, or the non-acceptance thereof.'

Section 2,
chapter 11,
public laws
1887,
amended.

Section 2. Section two of chapter eleven of the public laws of eighteen hundred and eighty-seven is hereby amended as follows: by inserting after the word "trustees" in the first line thereof the words 'or said individual;'; by inserting after the word "bequest" in the third line thereof the words 'or conditional gift;'; by inserting after the word "bequest" in the fifth line thereof the words 'or conditional gift;'; by inserting after the word "will" in the fifth line thereof the words 'or the terms of said conditional gift;'; by inserting after the word "will" in the eighth line thereof the words 'or said conditional gift;'; by inserting after the word "bequest" in the ninth line thereof the words 'or conditional gift;'; by striking out the word "gift" in the tenth line thereof, and by inserting, after the word "bequest" in the tenth line thereof, the words 'or conditional gift;'; by inserting, after the word "will" in the thirteenth line thereof, the words 'or said conditional gift;'; by striking out the word "gift" in the thirteenth line thereof, and inserting the words 'or conditional gift' after the word "bequest" in the fourteenth line thereof; by striking out the word "gifts" in the fifteenth line thereof and inserting the words 'and gifts' after the word "bequests" in the fifteenth line thereof; by striking out the word "given" in the sixteenth line thereof; by striking out the word "and" the third word in the sixteenth line thereof; and by inserting the words 'or given' after the word "bequeathed" in the sixteenth line thereof; so that said section, as amended, shall read as follows:

Cities and
towns may
raise money
to carry
into effect,
terms of
will.

'Section 2. Whenever the executors or trustees or said individual, under any will have fully discharged their duties respecting the payment, delivery or otherwise of any devise or bequest, or conditional gift, to said city or town; and said city or town have accepted said devise and bequest or conditional gift in accordance with the conditions of said will or the terms of said conditional gift as set forth in section one of this chapter, then said city or town shall perpetually comply, and strictly maintain and keep all the conditions and terms contained in said will or said conditional gift by virtue of which said devise or bequest or conditional gift was so made, and any city or town so accepting said devise or bequest, or conditional gift and receiving the same, or enjoying the benefits therefrom, is hereby authorized to raise money to carry into effect the requirements and terms

of said will or said conditional gift by virtue of which said devise or bequest or conditional gift was so accepted and received. The provisions of this chapter shall apply only to devises and bequests and gifts, devised and bequeathed or given to cities and towns for educational, benevolent and charitable purposes and objects, or for the care, protection, repair and improvement of cemeteries owned by said cities or towns.'

Section 3. This act shall take effect when approved.

Approved March 8, 1899.

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—act shall apply to gifts, etc., for certain purposes.

Chapter 45.

An Act relating to the jurisdiction of the Superior Court for the County of Kennebec.

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

Section 1. Whenever an indictment for murder is found by the grand jury in the superior court for the county of Kennebec, the clerk of said court shall certify and transmit the indictment to the supreme judicial court for said county at the next term thereof, when and where it shall be entered; and said supreme judicial court shall have cognizance and jurisdiction thereof, and proceedings shall be had thereon in the same manner as if the indictment had been found in that court.

Proceedings, when indictment is found in superior court, Kennebec county.

Section 2. All acts and parts of acts inconsistent herewith, are hereby repealed.

Inconsistent acts, repealed.

Section 3. This act shall take effect March thirty-one, eighteen hundred and ninety-nine.

When act shall take effect.

Approved March 8, 1899.

Chapter 46.

An Act to establish a Naval Reserve as a part of the National Guard of the State of Maine.

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

Section 1. There may be allowed, in addition to the national guard of the state of Maine as provided in section twenty-six, chapter two hundred and sixty-six of the laws of eighteen hundred and ninety-three, a naval reserve, to consist in time of peace of not more than one battalion, and in time of war, insurrection, invasion, or imminent danger thereof, of a brigade of not more than two battalions.

Naval reserve established.