

LAW OFFICES OF
JEWETT & JEWETT
MASONIC TEMPLE
LACONIA, NEW HAMPSHIRE
TELEPHONE 125

P. O. BOX 267

STEPHEN S. JEWETT
(1880-1932)
THEO S. JEWETT

February 15, 1949

Mr. Howard A. Langley
Gilmanton, N. H.

Re: Est. Myrtle M. Marsh, Greenville, N. H.

Dear Mr. Langley:

In connection with the above estate wherein you conferred with me on February 11th, I beg to advise that I have now secured a copy of the will of Mrs. Myrtle M. Marsh, and herewith enclose the same for your files. Under paragraph 11 you will see that she bequeathed the sum of one thousand dollars to the library of Gilmanton Iron Works, New Hampshire, and under paragraph 13 she states, "The residue of my estate to be divided equally between the town of Gilmanton Iron Works and Greenville, New Hampshire."

I assume therefore that the check which you have received will have to be divided between the library in the sum of one thousand dollars and the balance for the town, unless you received two checks.

Then coming to the question as to whether or not you should insert an article in the warrant for the next town meeting, allowing the voters of the town to determine how this money should be used, I took up the matter with the Attorney General at Concord, and herewith quote his reply to me. "It is my judgment that if the bequest is made to the town without any restrictions, the use of the money should be determined in the same way as other funds raised for the town. It would be different if the gift had been made for one of the purposes described in section 19 of Chapter 51 of the Revised Laws. In such cases the town properly administers the fund without consulting the townspeople in meeting assembly."

Inasmuch as this legacy was not left for any specific purpose it would therefore be my opinion that the voters of the town should be consulted as to its expenditure and that you should put an article in the town warrant asking the voters their wishes, the same as you would do for other funds raised for the town.

I have no definite form for an article of this kind, but simply might state in my opinion you could insert an article about like this; "To see if the voters of the town of Gilmanton will vote to use the legacy left to the town of Gilmanton Iron Works by Myrtle M. Marsh for the purpose of erecting an addition to the schoolhouse, or to apply the same for the erection of an addition to the schoolhouse together with other money to be appropriated by the town."

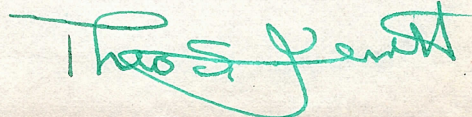
Mr. Howard A. Langley

Feb. 15, 1949

In other words, the amount left by Mrs. Marsh might not be sufficient for a new schoolroom, and you might have to appropriate additional funds to go with it.

I believe this covers the matter, and if there are any further questions you desire to ask me I shall do my best to answer them.

Very truly yours,



Theo S. Jewett

TSJ:J

Executor's Notice to Legatees

State of New Hampshire

County of Hillsborough.

To TOWN of Gilmanton Iron Works in the

County of and State of New Hampshire

You are hereby notified that the subscriber has been appointed Executor
of the Will of Myrtle M. Marsh late of Greenville
in the County of Hillsborough and State of New Hampshire

That in and by said Will, you, the said Town of Gilmanton Iron Works, N.H.
appear to be interested as a legatee.

Dated at Greenville, N.H. this 3rd, day of July A. D. 1937

Mrs. Alice Beausoleil.
Executor

P. O. Address Pleasant Street

Greenville, N.H.

GILMANTON

#4801
Walter H. Ayer
R.F.D. 1
Gilmanton, New Hampshire

#4802
Mrs. Laura Geddes Miller
Box 57 - Province Road
Gilmanton, New Hampshire

Mrs. Frances C.M. Shields #4804
James F. Shields, Cons.
% Nighswander & Lord
507 Main Street
Laconia, New Hampshire

Ernest H. Goodwin, #4808
Gilmanton Iron Works, N.H.

#4809
Fred H. Carlson
R.F.D. #3
Pittsfield, N. H.

Mrs. Carrie M. Leyland #4810
Gilmanton Iron Works
New Hampshire

#4811
Willard M. Bacon
Gilmanton Iron Works, N.H.

#4813
Herbert W. Olmsted
Gilmanton, New Hampshire

#4814
Est. Ernest A. Kinghan
Mrs. Reba Dale Kinghan, Exrx.
307 Pleasant Street
Laconia, New Hampshire

#4815
Harold T. Mitchell
Gilmanton Iron Works, N. H.

#4816
George B. Varney
Gilmanton, New Hampshire

#4817
Richard F. Varney
Gilmanton, New Hampshire

#4818
Mrs. Eleanor T. Small
Gilmanton, New Hampshire