

Of major significance to all of us was the gracious and thoughtful bequest to the town by the late Elizabeth B. Sampson of Kingston of one-third of the residue of her estate. It is conservatively estimated that this bequest to the town will be in excess of \$150,000.00. Inasmuch as said Elizabeth B. Sampson left this legacy to the town without instructions as to how it should be handled, the Board of Selectmen, with welcome assistance from the Planning Board, the Finance Committee, the Town Treasurer, the Town Counsel and other interested citizens, contrived an instrument of trust that has been placed before the Legislature for enactment. It is anticipated that this bill will be enacted in time for your consideration at the annual town meeting on March 19, 1960. Appended to this report is the full transcript of the proposed legislation mentioned herein.

Also the benevolence of Philip Jackson, late of Plymouth, in establishing the Thomas O. and Sarah F. Jackson Scholarship Fund, is deeply appreciated. Said scholarship is to be awarded yearly on a rotation basis between the towns of Plymouth, Kingston and Carver. The full text of this covenant is also appended to our report.

Unfortunately, the town became involved in litigation in an equity suit asking \$11,000.00 in damages for a fire which was claimed to have been started by flying embers from the town dump. Town Counsel Philip S. Cronin vigorously defended for the town in this suit which was tried before a court appointed Master. Decision in the case had not been handed down at the close of the year.

Our continued efforts to have the State audit the accounts of the town annually, as provided in the By-Laws, have not been successful the past two years. However, we have been assured by letter of December 22, 1959 that an audit will be made during the first part of 1960.

Respectfully submitted;

JOHN J. MOORE, *Chairman*

JOHN C. McCANN

WILLIAM A. MacPHAIL

Board of Selectmen

AN ACT ESTABLISHING THE ELIZABETH B. SAMPSON MEMORIAL FUND IN THE TOWN OF KINGSTON AND PROVIDING FOR THE ADMINISTRATION THEREOF

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. There is hereby established in the town of Kingston a fund to be known as the Elizabeth B. Sampson Memorial Fund to be administered by a board of trustees, three in number, consisting of the following town officers who shall serve during their respective terms of office, to wit: - Chairman of the board of selectmen, town treasurer and town moderator. Said trustees shall serve without compensation but shall be entitled to reimbursement for all reasonable expenses incurred in the performance of their duties.

SECTION 2. Said trustees shall receive the bequest given to the town of Kingston under the provisions of clause ten of the will of Elizabeth B. Sampson, Plymouth County Probate docket number 75589, and said trustees shall have the power and duty to invest and reinvest the funds of said bequest in the manner approved by the General Laws in chapter forty-four, section fifty-four, relative to the investment of trust funds. A sum of not more than twenty-five thousand dollars shall first be set aside from the principal of said bequest for the purpose of establishing, under the direction of said trustees, and upon approval at a town meeting, a suitable memorial to said Elizabeth B. Sampson. The trustees shall expend only the net income of the fund established in section one of this act for such municipal and educational purposes as the trustees shall by majority vote determine, subject to approval by majority vote at the annual town meeting.

SECTION 3. Custody of all monies, securities and other property of said fund shall be in a national bank or trust company doing business in the commonwealth and authorized by law to exercise trust powers. Said trustees are authorized to delegate to said bank or trust company their power and duty to invest and reinvest said fund and to make payments to said bank or trust company for services rendered thereby.

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SECTION 4. Upon acceptance of this trust, said trustee shall deliver to the treasurer of the town of Kingston a bond or bonds in an amount to be determined by the commissioner of corporations and taxation and the board of selectmen of said town.

SECTION 5. The provisions of this act shall not be stricken out or amended except by a seven-eighths vote in favor thereof at the annual town meeting.

SECTION 6. The town of Kingston is hereby authorized to deposit with the trustees of the Elizabeth B. Sampson Memorial Fund the bequest given to said town under the will of said Elizabeth B. Sampson.

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WILL OF PHILIP JACKSON COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

PROBATE COURT

At a Probate Court held at Plymouth in and for said County of Plymouth, on the eleventh day of May in the year of our Lord one thousand nine hundred and fifty-nine.

On the petition in equity of The Plymouth National Bank, trustee under the will of Philip Jackson, late of Plymouth aforesaid, petitioner against the inhabitants of the Town of Plymouth, The inhabitants of the Town of Carver, The inhabitants of the Town of Kingston, Hannah W. Jackson, and persons unascertained, respondents, praying for instruction with regard to the proper qualification and order of selection of students to whom scholarships shall become payable under said estate.

It appearing that notice according to the order of the Court has been given to all parties interested; that the Attorney General has filed his answer submitting his rights in the premises to the determination of the Court; that the Town of Plymouth and the Town of Kingston have appeared and are represented by counsel; that said petition has been taken as confessed against those respondents who have not appeared and answered and the guardian ad litem having filed his report.

After hearing and consideration, the Court orders and decrees:

1. The Thomas O. and Sarah F. Jackson scholarship shall be a single scholarship annually awarded to a young man preferably from the secondary school class graduating in such year who intends to continue his studies the following year at Massachusetts Institute of Technology or the University of Massachusetts.

2. The first such annual scholarship which at all times shall be known as "The Thomas O. and Sarah F. Jackson Trust Fund Award" shall be awarded in June 1959 from the income earned for the calendar year 1958 to a young man resident of the Town of