

**THE AMOS FORTUNE FUND**

**Created:** 1988

**Purpose:** Miscellaneous

**Balance Principal, 31 December 2011:** \$23,086.54

**Balance Income, 31 December 2011:** \$1,998.73

**Total Principal and Income, 31 December 2011:** \$25,085.27

**Total Principal and Interest, 31 December 2010:** \$24,724.90

STATE OF NEW HAMPSHIRE  
CHESHIRE, SS     PROBATE COURT  
TRUSTEES OF TRUST FUNDS  
TOWN OF JAFFREY

v.

ATTORNEY GENERAL  
DIRECTOR OF CHARITABLE TRUSTS  
PETITION FOR CY PRES

NOW COME the duly elected Trustees of Trust Funds for the Town of Jaffrey and state as follows:

- (1) Pursuant to RSA 31:22, the Trustees of Trust Funds for the Town of Jaffrey administer a number of charitable trust funds given to the town for public purposes.
- (2) Under his will dated October 3, 1801, Amos Fortune bequeathed the sum of \$233.00 for the benefit of School House No.8 which long ago was abandoned.
- (3) The Trustees of Trust Funds for the Town of Jaffrey administer the Amos Fortune Fund which has a current value of \$5,261.11 in principal and \$3,339.72 in income.
- (4) The principal value of the fund does not produce income sufficient to fund educational activities at the school and is therefore impracticable to administer.
- (5) RSA 498:4-a states *"If property is or has been given in trust to be applied to a charitable purpose, and said purpose or its application is or becomes impossible, impracticable, or illegal or obsolete or ineffective ... the trust will not fail."*

WHEREFORE, your petitioners pray that this Honorable Court apply the doctrine of cy pres to the Amos Fortune Fund and grant relief as follows:

- (1) Income from the Amos Fortune Fund shall be distributed to the Trustees of the Jaffrey Public Library on an annual basis to be used in providing educational programs on the life and times of Amos Fortune;
- (2) Any unexpended income shall be added to the principal on an annual basis until such time as the principal amount reaches \$10,000.00.
- (3) When the principal amount has reached \$10,000.00 all income shall be paid to the Trustees of the Jaffrey Public Library on an annual basis as described in (1).

Respectfully submitted  
Trustees of Trust Funds  
Town of Jaffrey  
Date: 2 March 1998  
William C. Arthur  
35 Fox Run Lane

P.O. Box 349  
Jaffrey NH 03452  
Edward J. Shea  
129 Gilmore Pond Road  
Jaffrey NH 03452  
Gary Arceci  
232 North Street  
Jaffrey NH 03452

THE STATE OF NEW HAMPSHIRE  
CHESHIRE, SS. COURT OF PROBATE  
NO. 1998-0099 JUNE 9, 1998  
TRUSTEES OF TRUST FUNDS  
TOWN OF JAFFREY  
VS  
ATTORNEY GENERAL  
STATE OF NEW HAMPSHIRE  
- ORDER-

The Court has received the Attorney General's Answer (via Michael S. DeLucia, Director of Charitable Trusts) which admits the allegations (1-5) of the Petition For Cy Pres. Since no issues are in dispute, and the Court regards the relief requested as appropriate, the Court grants the petition and the relief requested thereunder.  
So Ordered.

[signed] Peter S. Espieffs, Judge

REVENUES:

Date	Amount	Source	Details
9/7/11	\$800.00	Jaffrey Historical Society	Booklets (2 @ 8)
7/19/11	\$10.00	Nathan Wiggers	Booklet
5/17/11	\$10.00	Dawnette Hovorka	Booklet
4/15/11	\$88.00	Various	Booklets (4@12; 4 @ 10)
8/30/11	\$12.00	Wendi Davis	Booklet
9/2/10	\$12.40	Lisa Cauwels	Booklet
6/21/10	\$12.00	Romano	Booklet
5/25/10	\$10.00	Millar	Booklet
12/23/09	\$10.00	Sawyer	Booklet
7/16/09	\$10.00	Barlow	Booklet
5/7/09	\$2.00	Various	Booklets (3 @ 10; 1 @ 12)
3/30/09	\$66.00	Forest Hills Middle School	Booklets (3 @ 10; 3 @ 12)
2/5/09	\$10.00	Siochi	Booklet

12/5/08	\$10.00	Vancina	Booklet
3/8/10	\$48.00	Various	Booklets (4 @ 12)
11/6/08	\$12.00	Taylor	Booklet
6/12/08	\$32.00	Various	Booklets (2 @ 10; 1 @ 12)
4/3/08	\$110.00	Various	Booklets (1 @ 20; 3 @ 10; 5 @ 12)
9/7/07	\$15.00	Henry	Booklet?
5/30/07	\$90.40	Various	Booklets (3 @ 10; 4 @ 12; 1 @ 12.40)
3/26/07	\$102.00	Various	Booklets (1 @ 10; 1 @ 12; 1 @ 80)
2/27/07	\$58.40	Various	Booklets (1 @ 10; 1 @ 12; 1 @ 80)
9/22/06	\$82.40	Various	Booklets (6 @ 10; 1 @ 12; 1 @ 10.40)
6/7/06	\$44.00	Various	Booklets (2 @ 10; 2 @ 12)
4/13/06	\$68.00	Various	Booklets (2 @ 10; 4 @ 12)
3/13/06	\$58.40	Various	Booklets (1 @ 10; 3 @ 12; 1 @ 12.40)
2/2/06	\$20.00	Various	Booklets (2 @ 10)
12/14/05	\$100.00	Various	Booklets (10 @ 10)
11/16/05	\$10.00	Dunphy	Booklet
9/29/05	\$42.40	Various	Booklets (3 @ 10; 1 @ 12.40)
6/6/05	\$10.00	Carbonara	Booklet
5/6/05	\$61.00	Various	Booklets (1 @ 10; 3 @ 12; 1 @ 15)
4/6/05	\$132.00	Various	Booklets (6 @ 10; 5 @ 12)
2/16/05	\$54.00	Various	Booklets (3 @ 10; 2 @ 12)
12/3/04	\$22.40	Various	Booklets (1 @ 10; 1 @ 12.40)
10/20/04	\$10.00	Halpin	Booklet
6/5/04	\$42.40	Various	Booklets (3 @ 10; 1 @ 12.40)
7/9/04	\$20.00	Various	Booklets (2 @ 10)
6/1/04	\$10.00	Cranford	Booklet
5/19/04	\$22.00	Various	Booklets (1 @ 10; 1 @ 12)
4/6/04	\$89.40	Various	Booklets (4 @ 10; 2 @ 12; 1 @ 12.40; 1 @ 13)
3/4/04	\$104.80	Various	Booklets (2 @ 10; 5 @ 12; 2 @ 12.40)
12/12/03	\$32.40	Various	Booklets (2 @ 10; 1 @ 12.40)
11/13/02	\$10.00	McGarrahan	Booklet
9/3/03	\$70.00	LaMantia	Packets
8/7/03	\$20.00	Various	Booklets (2 @ 10)
6/3/03	\$12.40	Stephenson	Packets (2)
5/7/03	\$153.00	Various	Booklets (9 @ 10; 1 @ 12; 3 @ 12.40; 1 @ 13.80)
4/7/03	\$149.20	Various	Booklets (4 @ 10; 6 @ 12; 3 @ 12.40)
3/5/03	\$56.40	Various	Booklets (2 @ 10; 2 @ 12; 1 @ 12.40)

12/13/02	\$20.00	Various	Booklets (2 @ 10)
11/7/02	\$22.00	Various	Booklets (1 @ 10; 1 @ 12)
9/30/02	\$117.20	Various	Booklets (8 @ 10; 3 @ 12.40)
8/5/02	\$51.00	Various	Booklets (4 @ 10; 1 @ 11)
6/13/02	\$277.60	Various	Booklets (12 @ 10; 1 @ 10.40; 1 @ 12.40)
5/1/02	\$82.00	Various	Booklets (2 @ 10; 5 @ 12.40)
4/3/02	\$161.40	Various	Booklets (1 @ 10; 11 @ 12.40; 1 @ 15)
3/11/02	\$54.80	Various	Booklets (3 @ 10; 2 @ 12.40)
2/6/02	\$22.40	Various	Booklets (1 @ 10; 1 @ 12.40)
12/14/01	\$54.80	Various	Booklets (3 @ 10; 2 @ 12.40)
10/31/01	\$52.40	Various	Booklets (4 @ 10; 1 @ 12.40)
10/11/01	\$12.40	Courtway	Packet
8/12/01	\$82.00	Various	Booklets (7 @ 10; 1 @ 12)
8/2/01	\$50.00	Various	Booklets (5 @ 10)
6/7/01	\$92.50	Various	not shown
5/8/01	\$328.80	Various	not shown
4/12/01	\$173.90	Various	not shown
3/14/01	\$151.60	Various	not shown
2/13/01	\$130.20	Various	not shown
12/28/00	\$367.80	Various	not shown
12/20/00	\$254.80	Various	not shown
11/5/00	\$350.00	Various	not shown
10/11/00	\$118.90	Various	not shown
6/19/99	\$50.00	Canterbury Childrens Center	Donation
5/7/99	\$100.00	Canterbury Childrens Center	Donation
8/30/94	\$10.00	Desmond Blake Family	Donation
8/4/94	\$5.00	Vanda Hei	Donation
5/18/93	\$100.00	Canterbury Childrens Center	Donation

**TOTAL: \$5,663.30**

OUTLAYS:

Date	Amount	Source	Details
9/30/11	\$2,000.00	Jaffrey Public Library	3 computers etc.
2/23/06	\$299.98	Jaffrey Public Library	Color printer
	\$590.00	Jaffrey Public Library	No purpose given

**TOTAL: \$2,889.98**

Source: Trustees' files at Town Office.