

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1857.

PART SECOND.

AUGUSTA:
STEVENS & BLAINE, PRINTERS TO THE STATE.
1857.

THIRTY-SIXTH LEGISLATURE.

SENATE.]

[No. 2.

STATE OF MAINE.

THE Joint Select Committee, to whom was re-committed their report on the "Treasurer's Report," with instructions "to report whether any, and what sums have been drawn out of the Treasury the last year on warrants, beyond appropriations—what sums on warrants, for which no appropriation had been made—and what sum has been paid out of the Treasury since Dec. 31st, 1856, on warrants drawn before that time," have attended to the duty assigned them, and

REPORT:

That they have examined the books of the Treasurer, and the account book of the Governor and Council; and by them it appears there has been drawn out of the Treasury on warrants of the Governor and Council, for services rendered and contracted for in pursuance of law, but over and above the appropriations made for those objects, in the sum of \$4,659 03

There has also been drawn from the Treasury, on warrants of the Governor and Council, for services rendered in pursuance of law, "on appropriations to be made," but for which none had been made, the sum of \$6,150 45

There has also been drawn from the Treasury, on warrants of the Governor and Council, under resolves authorizing the drawing, (which may perhaps be considered as making appropriations,) but which amounts were not included in the appropriation bills for the year, the sum of \$2,695 70

And there has been drawn from the Treasury on warrants of the Governor and Council, for Commissioner at Washington, appointed under a resolve passed March 17th, 1855; in that resolve there is no fixed compensation, nor is there any authority for fixing it, or for auditing or paying the bills, the expenses heretofore having been paid out of the contingent fund of the Governor and Council, the amount drawn, being the sum of \$2,692 74

There has been paid from the Treasury since the 31st December last, on warrants drawn before that time, for bills and claims which were a part of the expenses of 1856, but not charged in the Treasury accounts for that year, the sum of \$48,959 96

There has also been received into the Treasury, since said 31st of December, which also belongs to the accounts of 1856, the sum of \$54,069 73

There was paid out of the Treasury in January, 1856, which belonged to the expenses of 1855, the sum of \$12,169 54 and received in the same month, belonging to the same account, the sum of \$39,638 52

This overlapping of accounts from year to year, is occasioned by the accounts of the Treasurer being made up to the end of the year, and then closed; while the new Treasurer does not take the office for some days after, the accounts going on daily, and therefore the lapsing over seems to be in a great measure unavoidable.

The practice of overdrawing, and drawing "on appropriations to be made," originated some years ago, in a supposed necessity, and has been continued to some extent ever since, the amount being

sometimes small, and sometimes much larger, owing in part, it is supposed, to the appropriations having been reduced, as was the case the last year; all, however, being contrary to the provisions of the Constitution, and against law. The Committee know of no necessity sufficiently urgent to justify a violation of the fundamental laws of the land. And they therefore recommend the passage of a law requiring the Governor and Council in drawing, and the Treasurer in paying warrants, to adhere strictly to the laws—neither making or paying warrants, without an appropriation having been previously made therefor.

D. C. MAGOUN, *per order.*

JANUARY 23, 1857.

STATE OF MAINE.

IN SENATE, Jan. 23, 1857.

ORDERED, That 350 copies of the foregoing Report (from the Joint Select Committee, to whom was recommitted their previous report on Treasurer's accounts, with instructions,) be printed for the use of the Legislature.

ATTEST:

JOS. K. CLARK, *Secretary pro tem.*