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# FORTY-SEVENTH LEGISLATURE.

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HOUSE.

No. 125.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT.

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AN ACT providing for a limited equalization of bounties and of municipal war debts.

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WHEREAS, the several cities, towns and planations in  
2 the State of Maine, in responding to the calls of the  
3 president for their quotas of troops during the late war  
4 for the preservation of the national existence, were  
5 called upon to pay large bounties to those of their fel-  
6 low-citizens who enlisted in defence of the men and  
7 property of the nation ; and whereas, in consequence  
8 of these quotas having been furnished on the basis of  
9 population within the military ages, many of the  
10 smaller and poorer towns are unequally burdened by  
11 debts thus incurred for the common defence ; and  
12 whereas, the legislature of Maine, by a resolve ap-

13 proved March twenty-fifth, in the year of our Lord one  
14 thousand eight hundred and sixty-four, recognizing  
15 the justice of equalizing these burdens as far as prac-  
16 ticable, declared that the state should assume some  
17 portion of such debts; and whereas, in equalizing  
18 these burdens, the claims of those patriotic volunteers  
19 who entered the service earliest in the war without  
20 any bounty cannot in justice be overlooked; therefore,

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

SECTION 1. Each city, town and plantation shall re-  
2 ceive and be reimbursed from the state, one hundred  
3 dollars for every man furnished for and mustered into  
4 the military service of the United States, towards its  
5 quota for the term of three years, under the call of  
6 the president of July second, eighteen hundred and  
7 sixty-two, and all subsequent calls, and in the same  
8 proportion for every man so furnished and accepted  
9 for any shorter period, in manner as hereinafter pro-  
10 vided.

SECT. 2. Each honorably discharged soldier who  
2 volunteered in the war of eighteen hundred and sixty-  
3 one, and was mustered into the military service of the  
4 United States in a Maine organization, prior to July  
5 two, eighteen hundred and sixty-two, for a term of

6 not less than two years, and the legal representative  
7 of such soldier who has deceased, shall receive from  
8 the state a bounty of one hundred dollars; *provided*  
9 *however*, that any bounty, state or municipal, hereto-  
10 fore received by such soldier, shall be deducted from  
11 the one hundred dollars bounty herein authorized.

SECT. 3. The governor and council shall appoint a  
2 commission of three persons of ability, who shall be  
3 qualified by oath before the governor and council, and  
4 who shall audit the claims of cities, towns and planta-  
5 tions for reimbursement under this act, with power to  
6 send for persons and papers; and they shall meet at  
7 such place or places as they may find convenient for  
8 the thorough investigation of each of said claims, and  
9 their decision shall be final and without appeal.

SECT. 4. Whenever said commission shall determine  
2 what amount any city, town or plantation is entitled  
3 to be reimbursed under the provisions of this act, they  
4 shall issue a certificate thereof under their hands to  
5 said city, town or plantation; and a duplicate of the  
6 same to the state treasurer; and whenever said certifi-  
7 cate shall be presented to the state treasurer by the  
8 treasurer of said municipality or some duly authorized  
9 agent thereof, then the said treasurer shall issue to said  
10 city, town or plantation the bonds of the state as here-  
11 in provided, with the fractional excess less than one

12 hundred dollars in currency. Or if any city, town or  
13 plantation shall elect to receive the value of its said  
14 bonds in currency, then the said treasurer shall sell  
15 the same on account of said city, town or plantation,  
16 and pay to the same the net proceeds of said sale.

SECT. 5. The said commissioners shall make the  
2 necessary rules and regulations for the settlement of  
3 all claims for bounty arising under the second section  
4 of this act. They shall prepare the forms, regulate  
5 the proof, and prescribe the mode of payment of said  
6 bounty.

SECT. 6. The treasurer of state, with the advice of  
2 the governor, is hereby authorized to procure on the  
3 faith of the state, by issuing the bonds thereof, a loan  
4 or loans of four million dollars, or so much thereof  
5 as may be needed for the payment of such sum as the  
6 cities, towns and plantations may be entitled to be  
7 reimbursed under this act, and for the payment of  
8 the bounties authorized by section second of this act.  
9 Said bonds to be dated January first, in the year of  
10 our Lord one thousand eight hundred and sixty-  
11 nine, reimbursable in twenty years from that date,  
12 and bearing interest at the rate of six per centum a  
13 year, payable, both principal and interest, in Boston,  
14 or at the treasury of Maine, at the option of the  
15 holder; and the treasurer is hereby authorized to

16 issue bonds therefor in sums not less than one hun-  
17 dred dollars each, with coupons for the interest, pay-  
18 able semi-annually. Each bond aforesaid, shall be  
19 signed by the treasurer, countersigned by the governor  
20 and attested by the secretary of state, with the seal  
21 of the state, but the coupons shall be signed by the  
22 treasurer, or by some person duly authorized by him,  
23 or the name of the treasurer may be engraved on said  
24 coupons as the governor and council shall direct. And  
25 the treasurer may advertise for proposals for any or all  
26 of the loans hereinbefore named in such papers as he  
27 shall deem expedient.

SECT. 7. There shall be raised by taxation each  
2 year, commencing with eighteen hundred and sixty-  
3 nine, the interest on such sums as said commission may  
4 find due under the provisions of this act, together with  
5 such a sum for a sinking fund as invested year by year  
6 will meet the payments of said bonds at their maturi-  
7 ty, to be assessed and collected at the same time and  
8 in the same manner as the usual state tax and in addi-  
9 tion thereto; and the sum so raised is hereby pledged  
10 and shall be held as a sinking fund to be invested as  
11 hereinafter provided and applied to the payment of the  
12 principal of the bonds issued by the authority of the  
13 fourth section of this act. The state treasurer, with the  
14 advice of the governor, shall from time to time, as said

15 tax shall be received into the treasury, invest the same  
16 as well as the income of said fund as it shall accrue,  
17 in any of the bonds of this state or the bonds of the  
18 United States; and the proceeds of such investments,  
19 as they fall due and are paid into the treasury, shall  
20 be reinvested in like manner and be held by said  
21 treasurer for the purposes mentioned in said fourth  
22 section of this act. The treasurer shall keep a register  
23 of all the investments made by him as herein provided,  
24 showing the date, amount and number of each bond,  
25 by whom issued and when it will mature; and in his  
26 annual report he shall include an exhibit of the amount  
27 and condition of said sinking fund.

SECT. 8. All payments received by any city, town  
2 or plantation, under the provisions of this act, shall be  
3 deemed as relieving the state from all further claims  
4 on account of their respective "war debts," and the  
5 same shall be applied to the extinguishment of the  
6 indebtedness of said municipalities incurred prior to  
7 the passage of this act and for no other purpose; but  
8 whenever any such municipality shall not be indebted  
9 at such time to the amount it may receive from the  
10 state as herein provided, it shall apply such portion  
11 thereof as may be sufficient for the liquidation of its  
12 indebtedness; and is authorized to make such disposi-  
13 tion of the remainder as such municipality may deter-

14 mine for its corporate purposes ; but in no case shall  
15 the same be divided per capita, or distributed in any  
16 manner among the inhabitants thereof.

SECT. 9. The commissioners shall report their doings  
2 at any time when requested by the governor and coun-  
3 cil, and shall make a final report of all their doings  
4 as soon as may be, during the year one thousand eight  
5 hundred and sixty-nine, to the said governor and  
6 council.

SECT. 10. Said commissioners are authorized to choose  
2 a clerk who shall be by them sworn, and shall keep a  
3 full record of their proceedings. They are also author-  
4 ized to administer oaths and affirmations to municipal  
5 officers and other persons.

SECT. 11. Any person wilfully and corruptly swear-  
2 ing or affirming falsely to any material matter, before  
3 said commissioners or either of them, shall be deemed  
4 guilty of perjury and punished by imprisonment not  
5 less than one nor more than five years ; and any  
6 person procuring another to commit perjury before  
7 said commissioners or either of them shall be punished  
8 in like manner ; and if any person shall wilfully and  
9 corruptly endeavor to incite or procure another to  
10 commit perjury before said commissioners, or either of  
11 them, though it is not committed, he shall be punished  
12 by imprisonment not less than six months nor more

13 than two years. And any person who shall falsely  
14 make, alter, forge or counterfeit any certificate, en-  
15 dorsement or signature of said commissioners, or either  
16 of them, or of their clerk, or with intent to defraud  
17 shall falsely make, alter, forge or counterfeit any pub-  
18 lic record or proceeding, or any paper, writing or doc-  
19 ument filed with or presented to them or either of  
20 them, and any person uttering and publishing as true  
21 any instrument before mentioned, knowing it to be  
22 false, forged or counterfeit, shall be punished by im-  
23 prisonment not less than one nor more than five years.

SECT. 12. To defray the expenses incurred in the  
2 execution of this act, the governor is hereby author-  
3 ized and directed to draw his warrant from time to  
4 time, for said expenditures, provided they are audited  
5 and allowed by the governor and council.

SECT. 13. This act shall be published by the secre-  
2 tary of state in some newspaper in every county where  
3 a newspaper is printed, for three successive weeks  
4 immediately previous to the annual election in Septem-  
5 ber next, with the resolves of this legislature "pro-  
6 viding for an amendment of the constitution so as to  
7 authorize a limited reimbursement of municipal war  
8 expenditures by loaning the credit of the state."

SECT. 14. Sections thirteen and fourteen of this act  
2 shall take effect when the act is approved by the governor,



3 and the remaining sections shall take effect on the first  
4 day of November, eighteen hundred and sixty-eight;  
5 but if it shall not appear by the proclamation of  
6 the governor as provided in the resolves hereinbefore  
7 named, that a majority of the inhabitants voting on  
8 the question proposed in said resolves are in favor of  
9 the amendment proposed therein, and that said amend-  
10 ment has become part of the constitution, then said  
11 sections from one to eleven inclusive of this act shall  
12 be inoperative and void.

SECT. 15. No payment shall be made to any city,  
2 town or plantation, under the provisions of this act,  
3 until all sums due to the state from said city, town or  
4 plantation shall be fully liquidated. Nor shall any  
5 money or bonds be paid to any city, town or planta-  
6 tion, for men or credits granted or assigned to them by  
7 the state as a gratuity, or for which no consideration  
8 was paid.

## STATE OF MAINE.

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RESOLVES providing for an amendment of the constitution so as to authorize a limited equalization of municipal war expenditures and bounties by loaning the credit of the state.

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*Resolved*, Two-thirds of both houses concurring, that  
2 the following be proposed as an amendment of the  
3 constitution of this state, which, when approved and  
4 adopted in the manner provided by the constitution,  
5 shall become a part thereof, viz :

6                                   ARTICLE XIII.

7 The state is authorized to issue bonds payable within  
8 twenty-one years, at a rate of interest not exceeding  
9 six per cent. a year, payable semi-annually, which  
10 bonds or their proceeds shall be devoted to the pur-  
11 poses following and no other; first, towards the  
12 reimbursement of the expenditures incurred by the  
13 cities, towns and plantations of the state for war  
14 purposes during the rebellion, upon the following  
15 basis: Each city, town and plantation shall receive

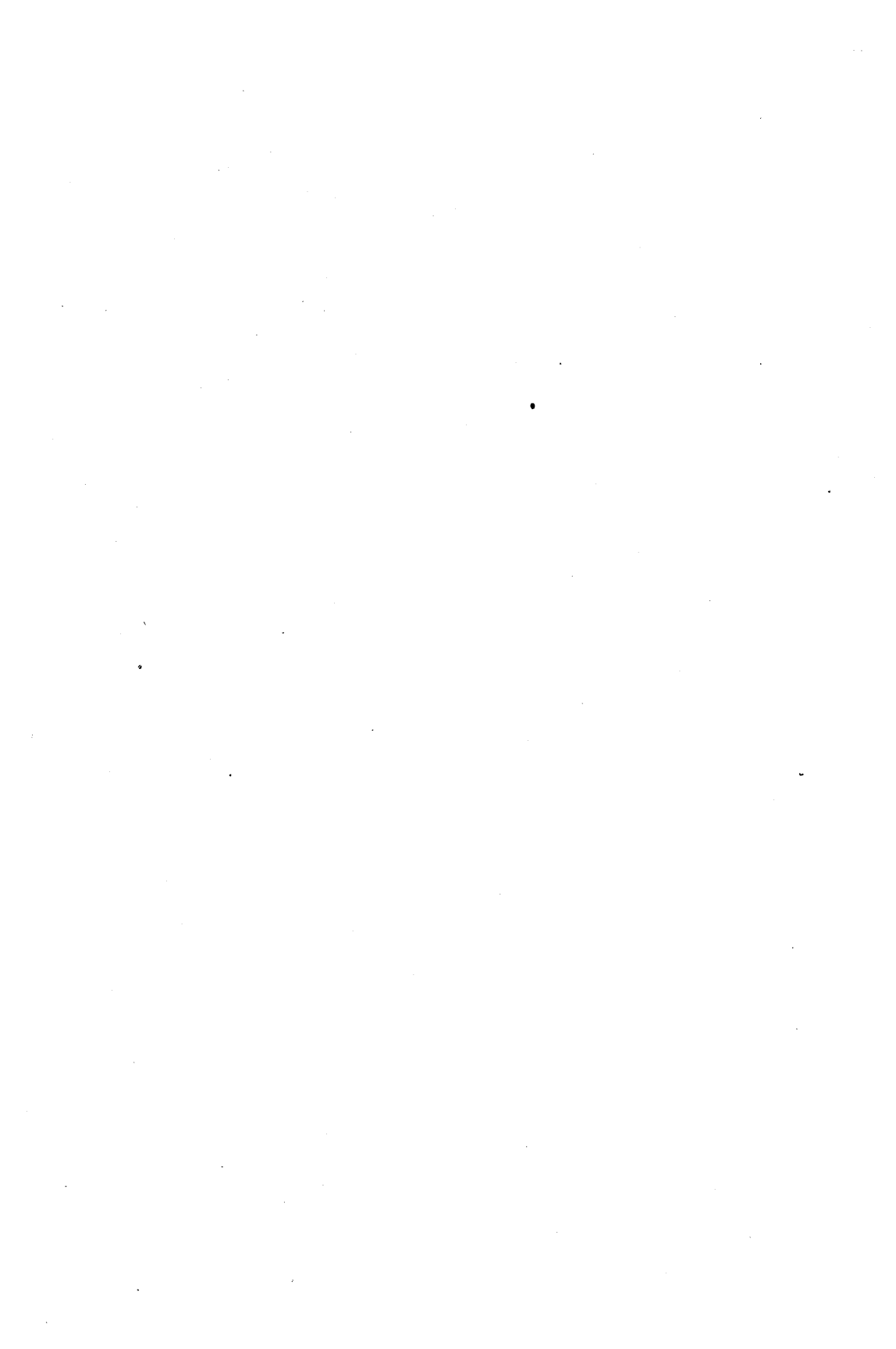
16 from the state one hundred dollars for every man  
17 furnished for the military service of the United  
18 States, under and after the call of July second,  
19 eighteen hundred and sixty-two, and accepted by  
20 the United States towards its quota for the term of  
21 three years, and in the same proportion for every man  
22 so furnished and accepted for any shorter period ;  
23 and the same shall be in full payment for any claim  
24 upon the state on account of its " war debts " by any  
25 such municipality ; and second, to the payment of a  
26 bounty of one hundred dollars to each honorably dis-  
27 charged soldier who volunteered in the war of eighteen  
28 hundred sixty-one, and was mustered into the military  
29 service of the United States in a Maine organization  
30 prior to July two, eighteen hundred sixty-two, for a  
31 term of not less than two years, and to the legal rep-  
32 resentative of such soldier who has deceased ; any  
33 bounty, state or municipal, heretofore received by  
34 such soldier to be deducted from the said one hun-  
35 dred dollars bounty. A commission appointed by the  
36 governor and council shall determine the amount to  
37 which each city, town and plantation is entitled ; to  
38 be devoted exclusively towards the payment of its  
39 corporate debt, if such debt exists. The issue of  
40 bonds hereby authorized shall not exceed in the aggre-  
41 gate four million dollars, and this amendment shall

42 not be construed to permit the credit of the state to be  
43 directly or indirectly loaned in any other case or for  
44 any other purpose.

*Resolved,* That the aldermen of cities, the selectmen  
2 of towns and the assessors of plantations, are hereby  
3 empowered and directed to notify the inhabitants of  
4 their respective cities, towns and plantations, in the  
5 manner prescribed by law, at the next annual meet-  
6 ings in September, to give in their votes on the amend-  
7 ment proposed in the foregoing resolve, and the ques-  
8 tion shall be: "Shall the constitution be amended,  
9 so as to authorize the assumption of municipal war  
10 debts, and the limited equalization of bounties, by  
11 loaning the credit of the state to an amount not  
12 exceeding in the aggregate four million dollars, as  
13 proposed by a resolve of the forty-seventh legisla-  
14 ture?" And said inhabitants shall vote by ballot on  
15 said question; those in favor of said amendment ex-  
16 pressing it by the word "Yes," and those opposed to  
17 the amendment expressing it by the word "No;" and  
18 the ballots shall be received, sorted, counted and de-  
19 clared in open ward, town and plantation meetings,  
20 and lists of the votes shall be made out by the alder-  
21 men, selectmen and assessors, and clerks of said cities,  
22 towns and plantations, in the same manner as votes  
23 for senators, and shall be returned into the office of

24 the secretary of state within twenty days after said  
25 election. And the governor and council shall forth-  
26 with, after the expiration of said twenty days, exam-  
27 ine and count said votes, and if it shall appear that a  
28 majority of the inhabitants voting on said question  
29 are in favor of the proposed amendment, it shall be-  
30 come part of the constitution. And the governor  
31 shall thereupon issue his proclamation making known  
32 the fact.

*Resolved,* That the secretary of state shall prepare  
2 and furnish the several cities, towns and plantations,  
3 blank returns in conformity to the foregoing resolves,  
4 with a copy thereof; also a copy of the question sub-  
5 mitted, printed in large type.



STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES, }  
February 28, 1868. }

By leave, laid on the table by Mr. PLAISTED of Bangor, as a substitute to Senate Document No. 47, and on his motion ordered to be printed.

S. J. CHADBOURNE, *Clerk.*