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# FORTY-SEVENTH LEGISLATURE.

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SENATE.

No. 11.

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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 the equalization of municipal war debts and a limited assumption and reimbursement thereof by the state.

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WHEREAS, the several cities, towns and plantations 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 the  
15 justice of equalizing these burdens so far as practica-  
16 ble, declared that the state should assume some portion  
17 of such debts ; 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 from the state one hundred dollars for every man  
3 furnished for the military service of the United States  
4 towards its quota for the term of three years under the  
5 call of the president of July second, eighteen hundred  
6 and sixty-two, and all subsequent calls, and in the  
7 same proportion for every man so furnished and ac-  
8 cepted for any shorter period ; and for every man fur-  
9 nished and accepted before said call of July second,  
10 eighteen hundred and sixty-two, for the term of three  
11 years, to whom one hundred dollars or more of munic-  
12 ipal bounty was paid during the war, one hundred dol-  
13 lars shall be reimbursed by the state to the municipal-  
14 ity which paid it, in manner as hereinafter provided.

SECT. 2. 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. 3. 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 whenever said cer-  
6 tificate shall be presented to the state treasurer by some  
7 duly authorized agent thereof, then the said treasurer  
8 shall issue to said city, town or plantation the bonds of  
9 the state, as herein provided, with the fractional excess  
10 less than one hundred dollars in currency. Or if any  
11 city, town or plantation shall elect to receive the value  
12 of its said bonds in currency, then the said treasurer  
13 shall sell the same on account of said city, town or  
14 plantation, and pay to the same the net proceeds of  
15 said sale.

SECT. 4. The treasurer of state, with the advice of  
2 the governor, is hereby authorized to procure on the  
3 faith of the state, a loan or loans of three million five  
4 hundred thousand dollars, or so much thereof as may  
5 be needed for the payment of such sum as the cities,  
6 towns and plantations may be entitled to be reimbursed

7 under this act. Said bonds to be dated January first,  
8 in the year of our Lord one thousand eight hundred  
9 and sixty-nine, reimbursable in twenty years from that  
10 date, and bearing interest at the rate of six per cent.  
11 a year, payable both principal and interest in Boston ;  
12 and the treasurer is hereby authorized to issue bonds  
13 therefor in sums not less than one hundred dollars each,  
14 with coupons for the interest, payable semi-annually.  
15 Each bond aforesaid, shall be signed by the treasurer,  
16 countersigned by the governor and attested by the  
17 secretary of state, with the seal of the state, but the  
18 coupons shall be signed by the treasurer, or by some  
19 person duly authorized by him, or the name of the  
20 treasurer may be engraved on said coupons as the gov-  
21 ernor and council shall direct. And the treasurer may  
22 advertise for proposals for any or all of the loans here-  
23 inbefore named in such papers as he shall deem expe-  
24 dient.

SECT. 5. There shall be raised by taxation each  
2 year, commencing with eighteen hundred and sixty-  
3 nine, a sum equal to two mills on every dollar of the  
4 present state valuation, to be assessed and collected at  
5 the same time and in the same manner as the usual  
6 state tax and in addition thereto ; and the sum so  
7 raised is hereby pledged and shall be held as a sinking  
8 fund to be invested as hereinafter provided and applied

9 to the payment of the principal of the bonds issued by  
10 the authority of the fourth section of this act. The  
11 state treasurer, with the advice of the governor, shall  
12 from time to time, as said tax shall be received into  
13 the treasury, invest the same, as well as the income of  
14 said fund as it shall accrue, in any of the bonds of this  
15 state or the bonds of the United States; and the pro-  
16 ceeds of such investments, as they fall due and are  
17 paid into the treasury, shall be reinvested in like man-  
18 ner and be held by said treasurer for the purposes  
19 mentioned in said fourth section of this act. The  
20 treasurer shall keep a register of all the investments  
21 made by him as herein provided, showing the date,  
22 amount and number of each bond, by whom issued and  
23 when it will mature; and in his annual report he shall  
24 include an exhibit of the amount and condition of said  
25 sinking fund.

SECT. 6. No towns or plantations which furnished  
2 their quotas as aforesaid without the payment of any  
3 bounty or by the payment of a less aggregate bounty  
4 than the sum reimbursable under this act, shall be en-  
5 titled to receive the certificate provided by section  
6 third, until they shall have furnished the commission  
7 with a certified copy of a vote of such towns or plan-  
8 tations appropriating the sum to which they would be  
9 entitled or the surplus of the same above the amount

10 actually paid out, to the soldiers who enlisted to fill  
11 such quotas or their legal representatives.

SECT. 7. 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 de-  
14 termine.

SECT. 8. The commissioners shall report their doings  
2 at any time when requested by the governor and  
3 council, and shall make a final report of all their do-  
4 ings as soon as may be, during the year one thousand  
5 eight hundred and sixty-nine, to the said governor and  
6 council.

SECT. 9. 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. 10. 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 pun-  
8 ished in like manner; and if any person shall wil-  
9 fully and corruptly endeavor to incite or procure  
10 another to commit perjury before said commission-  
11 ers, or either of them, though it is not committed,  
12 he shall be punished by imprisonment not less than six  
13 months nor more than two years. And any person  
14 who shall falsely make, alter, forge or counterfeit any  
15 certificate, endorsement or signature of said commis-  
16 sioners, or either of them, or of their clerk, or with  
17 intent to defraud shall falsely make, alter, forge or  
18 counterfeit any public record or proceeding, or any  
19 paper, writing or document filed with or presented to  
20 them or either of them, and any person uttering and  
21 publishing as true any instrument before mentioned,  
22 knowing it to be false, forged or counterfeit, shall be  
23 punished by imprisonment not less than one nor more  
24 than five years.

SECT. 11. 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. 12. 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 immediatly 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. 13. Sections twelve and thirteen of this act  
2 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 the  
6 governor as provided in the resolves herein before  
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.

## STATE OF MAINE.

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RESOLVES providing for an amendment of the constitution so as to authorize a limited reimbursement of municipal war expenditures 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 XI.

7 The state is authorized to issue bonds payable with-  
8 in twenty-one years, at a rate of interest not exceed-  
9 ing six per cent. a year, payable semi-annually, which  
10 bonds or their proceeds shall be devoted solely towards  
11 the reimbursement of the expenditures incurred by  
12 the cities, towns and plantations of the state for war  
13 purposes during the rebellion, upon the following  
14 basis: Each city, town and plantation shall receive  
15 from the state one hundred dollars for every man  
16 furnished for the military service of the United

17 States under and after the call of July second,  
18 eighteen hundred and sixty-two, and accepted by  
19 the United States towards its quota for the term  
20 of three years, and in the same proportion for every  
21 man so furnished and accepted for any shorter period;  
22 and for every man furnished and accepted before said  
23 call, for the term of three years, to whom one hun-  
24 dred dollars or more of municipal bounty was paid  
25 during the war, one hundred dollars shall be reim-  
26 bursed by the state to the municipality which paid it.  
27 A commission appointed by the governor and council  
28 shall determine the amount to which each city, town  
29 and plantation is entitled; to be devoted exclusively  
30 towards the payment of its corporate debt, if such debt  
31 exists. The issue of bonds hereby authorized shall  
32 not exceed in the aggregate three million five hundred  
33 thousand dollars, and this amendment shall not be  
34 construed to permit the credit of the state to be  
35 directly or indirectly loaned in any other case or for  
36 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 their 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 so  
9 as to authorize the assumption of municipal war debts  
10 by loaning the credit of the state to an amount not  
11 exceeding in the aggregate three million five hundred  
12 thousand dollars, as proposed by a resolve of the forty-  
13 seventh legislature ?" And said inhabitants shall vote  
14 by ballot on said question, those in favor of said  
15 amendment expressing it by the word "YES," and  
16 those opposed to the amendment expressing it by the  
17 word "No" ; and the ballots shall be received, sorted,  
18 counted and declared in open ward, town and planta-  
19 tion meetings, and lists of the votes shall be made out  
20 by the aldermen, selectmen and assessors, and clerks  
21 of said cities, towns and plantations, in the same man-  
22 ner as votes for senators, and shall be returned into the  
23 office of the secretary of state within twenty days after  
24 said election. And the governor and council shall  
25 forthwith, after the expiration of said twenty days,  
26 examine and count said votes, and if it shall appear  
27 that a majority of the inhabitants voting on said ques-  
28 tion are in favor of the proposed amendment, it shall  
29 become part of the constitution. And the governor  
30 shall thereupon issue his proclamation, making known  
31 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.

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## STATE OF MAINE.

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IN SENATE, February 5, 1868.

Reported by Mr. STETSON, from the Joint Select Committee on Assumption of Municipal War Debts; bill and resolves each read once, and on motion of the same Senator laid on the table and five hundred copies ordered to be printed.

THOMAS P. CLEAVES, *Secretary*.