
FORTY-SEVENTH LEGISLATURE.

SENATE.

No. 47.

STATE OF MAINE.

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

AN ACT providing for the equalization of municipal war
debts and a limited assumption and reimbursement
thereof by the state.

[As amended by the Senate.]

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 th
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 as 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
2 receive and be reimbursed from the state, two hundred
3 dollars for every man furnished for the military ser-
4 vice of the United States, towards its quota for the
5 term of three years, under the call of the president of
6 July second, eighteen hundred and sixty-two, and all
7 subsequent calls, and in the same proportion for every
8 man so furnished and accepted for any shorter period,
9 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 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. 4. 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 seven millions 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. Said bonds to be dated
8 January first, in the year of our Lord one thousand

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

SECT. 5. 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. 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
5 entitled 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 or were
11 drafted and went after the call of July second, eigh-
12 teen hundred sixty-two, to fill such quotas, or if de-
13 ceased, to their legal representatives. No money or
14 bonds shall be paid to any city, town or plantation for
15 men when it is in evidence that said credit was granted
16 by the state as a gratuity for which they have paid no
17 consideration.

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 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. 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
6 and 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 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. 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 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. 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
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.

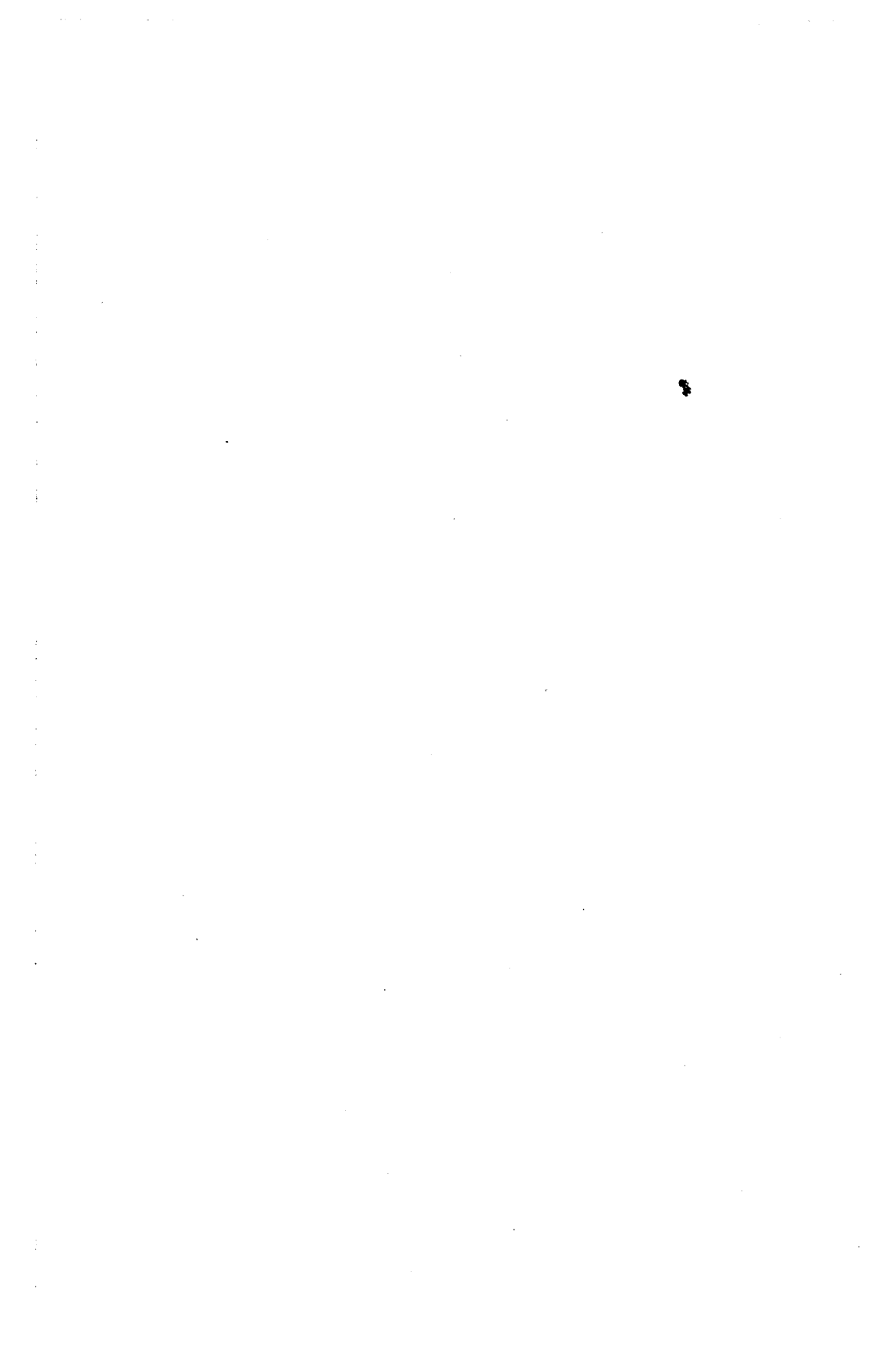
SECT. 14. No payment shall be made to any city,
2 town or plantation, under the provisions of this act,
3 until all sums due to the state from said city, town or
4 plantation shall be fully liquidated.

15 from the state two 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 of
20 three years, and in the same proportion for every
21 man so furnished and accepted for any shorter period ;
22 and the same shall be in full payment for any claim
23 upon the state on account of its " war debts " by any
24 such municipality. A commission appointed by the
25 governor and council shall determine the amount to
26 which each city, town and plantation is entitled ; to
27 be devoted exclusively towards the payment of its
28 corporate debt, if such debt exists. The issue of
29 bonds hereby authorized shall not exceed in the aggre-
30 gate seven million dollars, and this amendment shall
31 not be construed to permit the credit of the state to be
32 directly or indirectly loaned in any other case or for
33 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,
9 so as to authorize the assumption of municipal war
10 debts, by loaning the credit of the state to an amount
11 not exceeding in the aggregate seven million dollars,
12 as proposed by a resolve of the forty-seventh legisla-
13 ture?" And said inhabitants shall vote by ballot on
14 said question; those in favor of said amendment ex-
15 pressing it by the word "YES," and those opposed to
16 the amendment expressing it by the word "No;" and
17 the ballots shall be received, sorted, counted and de-
18 clared in open ward, town and plantation meetings,
19 and lists of the votes shall be made out by the alder-
20 men, selectmen and assessors, and clerks of said cities,
21 towns and plantations, in the same manner as votes
22 for senators, and shall be returned into the office of
23 the secretary of state within twenty days after said
24 election. And the governor and council shall forth-
25 with, after the expiration of said twenty days, exam-
26 ine and count said votes, and if it shall appear that a
27 majority of the inhabitants voting on said question
28 are in favor of the proposed amendment, it shall be-
29 come 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.



STATE OF MAINE.

IN SENATE, February 22, 1868.

On motion of Mr. FARLEY,

Ordered, That instead of the usual number of 350 copies, there be printed 600 copies of Senate Bill No. 11, providing for the equalization of municipal war debts, together with accompanying resolves providing for an amendment of the constitution, as said bill and resolves have been amended by the Senate.

Read and passed.

THOMAS P. CLEAVES, *Secretary*.