

MAINE STATE LEGISLATURE

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(NEW DRAFT)

EIGHTIETH LEGISLATURE

SENATE

NO. 219

In Senate, April 5, 1921.

Reported by Mr. Garcelon from Committee on Military Affairs and laid on table to be printed under joint rules.

L. ERNEST THORNTON, Secretary.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT to Provide for the Payment of a Bonus to Maine
Soldiers and Sailors in the War with Spain.

Be it enacted by the People of the State of Maine, as follows:

Section 1. In order to promote the spirit of patriotism and
2 loyalty, in testimony of the gratitude of the State of Maine,
3 and in recognition of the splendid services of Maine men in
4 the war with Spain, every soldier, as hereinafter defined,
5 who served during the war at any time from April twenty-
6 fifth, eighteen hundred ninety-eight, to August twelfth,
7 eighteen hundred ninety-eight, inclusive, shall be entitled to
8 receive from the State of Maine, from a fund hereinafter
9 created and called "The Spanish War Soldiers' Bonus

10 Fund", the sum of one hundred dollars; provided, how-
11 ever, that any soldier who has received extra pay from the
12 state under chapter forty of the resolves of eighteen hun-
13 dred ninety-nine or otherwise shall be entitled to receive
14 only the difference between said sum of one hundred dollars
15 and the amount so paid him.

Sect. 2. The word "soldier" as used in this act shall mean
2 any officer, soldier, sailor, marine, nurse, or any other per-
3 son regularly enlisted, who has been or is a part of the mil-
4 itary or naval forces of the United States in the war with
5 Spain and who was a resident of the State of Maine at the
6 time he was commissioned, enlisted, inducted, appointed or
7 mustered into the military or naval service of the United
8 States, and who has been or may be given an honorable or
9 ordinary discharge or release from such service, or who, if
10 still in such service at the time of application for said bo-
11 nus, may be given a certificate of good standing.

Sect. 3. Applications for such bonus shall be filed with
2 the adjutant general, on forms provided by him, before the
3 first day of January, nineteen hundred twenty-three. Such
4 application shall state facts sufficient to establish the status
5 of such applicant as soldier as defined herein, and shall be
6 duly verified.

Sect. 4. There is hereby created a board to be known as
2 "The Spanish War Soldiers' Bonus Board", to consist of
3 the state auditor, the state treasurer, and the adjutant gen-
4 eral. It shall be the duty of the said board to examine into

5 such applications and make any other examination nec-
6 essary to establish facts, and approve or disapprove the
7 same. Whenever any such application is approved by said
8 board it shall be the duty of the adjutant general to pre-
9 pare a voucher and transmit the same to the state auditor ;
10 said auditor shall issue his certificate therefor, for the
11 amount stated therein, and the state treasurer shall pay the
12 same upon warrant of the governor and council out of said
13 Spanish War Soldiers' Bonus Fund.

Sect. 5. For the purpose of carrying out the provisions of
2 this act, the treasurer of state is hereby authorized, with
3 the approval of the governor and council, to issue bonds or
4 notes from time to time as they are needed, to an amount
5 not exceeding in the aggregate two hundred thousand dol-
6 lars. Such bonds or notes shall be designated "Maine Span-
7 ish War Service Loan, Act of 1921," shall mature not more
8 than ten years from the date thereof, and shall bear such
9 rate of interest, and be in such form and on such terms and
10 conditions, other than those herein specified, as the gover-
11 nor and council may determine. Said bonds, or notes shall
12 be issued in the name and behalf of the state, and shall be
13 deemed a pledge of the faith and credit of the state. The
14 proceeds of the sale thereof shall be deposited with the
15 state treasurer to the credit of a fund hereby created, which
16 fund shall be known as "The Spanish War Soldiers' Bonus
17 Fund", and from which the payments hereby authorized
18 shall be made.

Sect. 6. The amount necessary to pay said bonds or notes
2 as they mature, and the interest as it accrues, shall be raised
3 by state taxes, levied and collected in the same manner as
4 other state taxes are levied and collected. Beginning April
5 first, nineteen hundred twenty-two, and for each and every
6 succeeding year for nine years, there shall be raised a sum
7 sufficient for the redemption of such bonds or notes to an
8 amount not exceeding twenty thousand dollars per year
9 and such additional sum as may be required for the pay-
10 ment of interest on all such bonds or notes outstanding.
11 The sums so levied and collected shall be placed in the said
12 Spanish War Soldiers' Bonus Fund, and redemption of said
13 bonds or notes and payment of the interest thereon shall be
14 made from said fund.

Sect. 7. The Spanish War Soldiers' Bonus Board, the
2 state auditor, the adjutant general, and the state treasurer
3 are hereby empowered, with the approval of the governor
4 and council, to employ such assistance and to incur such
5 other expense as may be necessary for the administration
6 and the carrying out of the provisions of this act; and the
7 funds necessary for such administration and carrying out of
8 the provisions of this act shall be expended from said Span-
9 ish War Soldiers' Bonus Fund.

Sect. 8. In the case of the decease of any person who
2 would if alive be entitled to the benefits of this act, the sum
3 herein named shall be paid to his dependents, if any, and
4 otherwise to his heirs-at-law; provided, that if there is more

5 than one dependent, or heir-at-law, payments shall in either
6 case be made in such proportions as the said Spanish War
7 Soldiers' Bonus Board shall determine, and in determining
8 the order of precedence the following order so far as prac-
9 ticable shall be observed; wife and children, mother or
10 father, brother or sister, other dependents; provided, how-
11 ever, that no right or payment under this act shall be sub-
12 ject to the claims of creditors, capable of assignment and
13 no assignment of the same shall be valid or binding, regard-
14 ed as assets legal or equitable of the estate of the deceased
15 or made the basis for administration thereof.

Sect. 9. This act shall take effect only upon the adoption
2 in September, nineteen hundred twenty-one, of the proposed
3 amendment to article nine of the constitution providing for
4 the issuing of state bonds for the purpose of paying a bo-
5 nus to Maine soldiers and sailors in the war with Spain; and
6 in case of such adoption, shall take effect on the day said
7 constitutional amendment becomes effective.