

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 339

S. P. 626

In Senate, March 13, 1929.

Taken from the table on motion by Senator Slocum of Cumberland and on further motion by same Senator referred to Committee on Military Affairs. 1500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Slocum of Cumberland.

STATE OF MAINE

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

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
2 and loyalty, in testimony of the gratitude of the state of
3 Maine, and in recognition of the splendid services of Maine
4 men in the war with Spain, every soldier, as hereinafter
5 defined, who served during the war at any time from April
6 twenty-fifth, eighteen hundred ninety-eight, to August
7 twelfth, eighteen hundred ninety-eight, inclusive, shall be

8 entitled to receive from the state of Maine, from a fund
9 hereinafter created and called "The Spanish War Soldiers'
10 Bonus Fund," the sum of one hundred dollars; provided,
11 however, that any soldier who has received extra pay from
12 the state under chapter forty of the resolves of eighteen
13 hundred ninety-nine or otherwise shall be entitled to re-
14 ceive only the difference between said sum of one hundred
15 dollars 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
4 military or naval forces of the United States in the war
5 with Spain and who was a resident of the state of Maine
6 at the time he was commissioned, enlisted, inducted, ap-
7 pointed or mustered into the military or naval service of
8 the United States, and who has been or may be given an
9 honorable or ordinary discharge or release from such ser-
10 vice, or who, if still in such service at the time of appli-
11 cation for said bonus, may be given a certificate of good
12 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 thirty-one. 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 neces-
6 sary to establish facts, and approve or disapprove the same.
7 Whenever any such application is approved by said board
8 it shall be the duty of the adjutant general to prepare a
9 voucher and transmit the same to the state auditor; said
10 auditor shall issue his certificate therefor, for the amount
11 stated therein, and the state treasurer shall pay the same
12 upon warrant of the governor and council out of said Span-
13 ish War Soldiers' Bonus Fund.

Sect. 5. For the purpose of carrying out the provisions
2 of this act, the treasurer of state is hereby authorized,
3 with the approval of the governor and council, to issue
4 bonds or notes from time to time as they are needed, to
5 an amount not exceeding in the aggregate two hundred
6 thousand dollars. Such bonds or notes shall be designated
7 "Maine Spanish War Service Loan, Act of Nineteen Hun-
8 dred Twenty-nine," shall mature not more than ten years
9 from the date thereof, and shall bear such rate of interest,
10 and be in such form and on such terms and conditions, other
11 than those herein specified, as the governor and council
12 may determine. Said bonds or notes shall be issued in the
13 name and behalf of the state, and shall be deemed a pledge
14 of the faith and credit of the state. The proceeds of the
15 sale thereof shall be deposited with the state treasurer to

16 the credit of a fund hereby created, which fund shall be
17 known as "The Spanish War Soldiers' Bonus Fund," and
18 from which the payments hereby authorized 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 thirty, and for each and every suc-
6 ceeding 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
14 be made from said fund.

Sect. 7. The Spanish War Soldiers' Bond Board, the state
2 auditor, the adjutant general, and the state treasurer are
3 hereby empowered, with the approval of the governor and
4 council, to employ such assistance and to incur such other
5 expense as may be necessary for the administration and the
6 carrying out of the provisions of this act; and the funds
7 necessary for such administration and carrying out of the
8 provisions of this act shall be expended from said Spanish
9 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
3 sum herein named shall be paid to his dependents, if any,
4 and otherwise to his heirs at law; provided, that if there
5 is more than one dependent, or heir in law, payments shall
6 in either case be made in such proportions as the said Span-
7 ish War Soldiers' Bonus Board shall determine, and in de-
8 termining the order of precedence the following order so
9 far as practicable shall be observed; wife and children,
10 mother or father, brother or sister, other dependents; pro-
11 vided, however, that no right or payment under this act
12 shall be subject to the claims of creditors, capable of assign-
13 ment and no assignment of the same shall be valid or bind-
14 ing, regarded as assets legal or equitable of the estate of
15 the deceased or made the basis for administration thereof.

Sect. 9. This act shall take effect only upon the adoption
2 in September, nineteen hundred twenty-nine, 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 bonus
5 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.