

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 546

H. P. 1013 House of Representatives, Feb. 12, 1931.

Referred to Committee on Military Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Rounds of Portland.

STATE OF MAINE

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

AN ACT To Provide for The Completing 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 loyalty, in testimony of the gratitude of the state of Maine, and in recognition of the splendid services of Maine men in the war with Spain, every soldier, as hereinafter defined, who served during the war at any time from April twenty-fifth, eighteen hundred ninety-eight, to August twelfth, eighteen hundred ninety-eight, inclusive, shall be entitled to receive from the state of Maine, from a fund hereinafter created and called "The Spanish War Soldiers' Bonus Fund," the sum of one hundred dollars; provided, however, that any soldier who has received extra pay from the state under chapter forty of the resolves of eighteen hundred ninety-nine or otherwise shall be entitled to receive only the difference between said sum of one hundred dollars and the amount so paid him.

Sec. 2. The word "soldier" as used in this act shall mean any officer, soldier, sailor, marine, nurse, or any other person regularly enlisted, who has been or is a part of the military or naval forces of the United States in the war with Spain and who was a resident of the state of Maine at the time he was commissioned, enlisted, inducted, appointed or mustered

into the military or naval service of the United States, and who has been or may be given an honorable or ordinary discharge or release from such service, or who, if still in such service at the time of application for said bonus, may be given a certificate of good standing.

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

Sec. 4. There is hereby created a board to be known as "The Spanish War Soldiers' Bonus Board," to consist of the state auditor, the state treasurer, and the adjutant general. It shall be the duty of the said board to examine into such applications and make any other examination necessary to establish facts, and approve or disapprove the same. Whenever any such application is approved by said board it shall be the duty of the adjutant general to prepare a voucher and transmit the same to the state auditor; said auditor shall issue his certificate therefor, for the amount stated therein, and the state treasurer shall pay the same upon warrant of the governor and council out of said Spanish War Soldiers' Bonus Fund.

Sec. 5. For the purpose of carrying out the provisions of this act, the treasurer of state is hereby authorized, with the approval of the governor and council, to issue bonds or notes from time to time as they are needed, to an amount not exceeding in the aggregate two hundred thousand dollars. Such bonds or notes shall be designated "Maine Spanish War Service Loan, Act of Nineteen Hundred Twenty-nine," shall mature not more than ten years from the date thereof, and shall bear such rate of interest, and be in such form and on such terms and conditions, other than those herein specified, as the governor and council may determine. Said bonds or notes shall be issued in the name and behalf of the state, and shall be deemed a pledge of the faith and credit of the state. The proceeds of the sale thereof shall be deposited with the state treasurer to the credit of a fund hereby created, which fund shall be known as "The Spanish War Soldiers' Bonus Fund," and from which the payments hereby authorized shall be made.

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

Sec. 7. The Spanish War Soldiers' Bond Board, the state auditor, the adjutant general, and the state treasurer are hereby empowered, with the approval of the governor and council, to employ such assistance and to incur such other expense as may be necessary for the administration and the carrying out of the provisions of this act; and the funds necessary for such administration and carrying out of the provisions of this act shall be expended from said Spanish War Soldiers' Bonus Fund.

Sec. 8. In the case of the decease of any person who would if alive be entitled to the benefits of this act, the sum herein named shall be paid to his dependents, if any, and otherwise to his heirs at law; provided, that if there is more than one dependent, or heir in law, payments shall in either case be made in such proportions as the said Spanish War Soldiers' Bonus Board shall determine, and in determining the order of precedence the following order so far as practicable shall be observed; wife and children, mother or father, brother or sister, other dependents; provided, however, that no right or payment under this act shall be subject to the claims of creditors, capable of assignment and no assignment of the same shall be valid or binding, regarded as assets legal or equitable of the estate of the deceased or made the basis for administration thereof.

Sec. 9. This act shall take effect only upon the adoption in September, nineteen hundred twenty-nine, of the proposed amendment to article nine of the constitution providing for

the issuing of state bonds for the purpose of paying a bonus to Maine soldiers and sailors in the war with Spain; and in case of such adoption, shall take effect on the day said constitutional amendment becomes effective.