

## HOUSE....No. 418.

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[Proposed Amendments to the Bill to equalize the bounties of the soldiers of the Commonwealth. (House, 360.)]

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### Commonwealth of Massachusetts.

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Mr. BOWERS, of Easton, moves to substitute the following Resolve:—

*Resolved*, That there be appointed a joint special committee, consisting of three on the part of the senate and five on the part of the house, whose duty it shall be to inquire and report to the next legislature the whole number of soldiers and sailors furnished by Massachusetts to the military and naval service of the country; the number that have received bounty from the state or from any city or town; the amount of bounty so paid; and, also, the number that did not receive bounty, with a statement of the time served by them; and, also, to report a plan for the equalization of bounties, and to state what sum of money would be required. And they are authorized to send for persons and papers.

Mr. ALDRICH moves to strike out all after the enacting clause and insert the following:—

- 1 SECT. 1. There shall be paid to each and every
- 2 soldier and non-commissioned officer, excepting those

3 who served as substitutes and those who enlisted in  
4 the invalid or reserved corps, who, as a part of the  
5 quota of this state enlisted for the term of three  
6 years, without any bounty from the Commonwealth,  
7 and was duly mustered into the service of the United  
8 States during the war for the suppression of the  
9 rebellion, and has received or may receive an honor-  
10 able discharge from service, the sum of one hundred  
11 dollars : *provided, however*, that from this sum deduc-  
12 tion shall be made for any and all payments of bounty  
13 or pay heretofore made, or agreed to be made to him  
14 by the Commonwealth, or which has been made to  
15 him by any city or town and re-imbursed to said city  
16 or town by the Commonwealth, under the provisions  
17 of chapter two hundred and eighteen of the acts of  
18 the year one thousand eight hundred and sixty-three.

1     SECT. 2. There shall be paid to each and every  
2 sailor and marine who as a part of the quota of this  
3 state, enlisted for the term of three years without any  
4 bounty from the Commonwealth, in the naval service  
5 of the United States, during the war for the suppres-  
6 sion of the rebellion, and has received or may receive  
7 an honorable discharge from service, the sum of one  
8 hundred dollars : *provided, however*, that from this  
9 sum deduction shall be made for any and all payments  
10 of bounty or pay heretofore made or agreed to be  
11 made to him by the Commonwealth, or which has  
12 been made to him by any city or town, and re-imbursed  
13 to said city or town by the Commonwealth ; and *pro-*  
14 *vided, further*, that all prize money that has been or  
15 may be received by any such sailor by reason of his  
16 connection with said service shall be deducted from

17 the amount he may be entitled to under this bill : and  
18 *provided, also*, that the said sum of one hundred dol-  
19 lars, shall not be paid to any person who, upon being  
20 drafted, enlisted in said naval service, or to any person  
21 who was transferred to such service from the military  
22 service of the United States.

1     SECT. 3. It shall be the duty of the adjutant-  
2 general, under such rules and regulations as may be  
3 prescribed or approved by the governor and council,  
4 to receive the evidence of claims under the provis-  
5 ions of this act, and to examine and decide upon the  
6 same. He shall also prescribe and prepare such  
7 blank forms of affidavits, certificates and other papers  
8 as may be deemed necessary and proper to prevent  
9 frauds in the administration of this act, and shall  
10 require the applicants to make use of such forms and  
11 to conform to all reasonable rules and regulations in  
12 presenting their claims, to the end that no fraud shall  
13 be committed. And when, upon examination of the  
14 required evidence and vouchers, any one shall be  
15 found to be entitled to receive the payment provided  
16 for in the first section of this act, he shall receive a  
17 certificate to that effect from the adjutant-general, in  
18 such form as may be prescribed by him, with the  
19 approval of the governor and council, which certifi-  
20 cate, upon being presented to the treasurer of the  
21 Commonwealth, shall entitle him to receive from the  
22 treasurer, a negotiable certificate of indebtedness,  
23 signed by the treasurer in behalf of the Common-  
24 wealth, and in such form as the treasurer may pre-  
25 scribe, said certificate to be on interest at six per cent.,  
26 payable in three years: *provided, however*, that the

27 treasurer of the Commonwealth, under the direc-  
28 tion of the governor and council, and with their  
29 consent, may borrow, from individuals or insti-  
30 tutions, such sums of money from time to time,  
31 as may be necessary to carry out the provisions of  
32 this act, in whole or in part, if it shall be deemed  
33 advisable to do so; and if any money shall be thus  
34 borrowed, the treasurer shall pay the same in carry-  
35 ing out the provisions of this act, instead of issuing  
36 certificates of indebtedness as heretofore provided,  
37 or in redeeming any certificates which he may have  
38 issued.

1     SECT. 4. Any soldier, sailor or marine who  
2 has bartered, sold, assigned, transferred, loaned,  
3 exchanged, pledged or given away his final discharge  
4 papers, shall not be entitled to receive any pay under  
5 the provisions of this act; and before payment is  
6 made to any soldier, sailor or marine, he shall be  
7 required to make oath or affirmation that his discharge  
8 papers have not been so bartered, sold, assigned, trans-  
9 ferred, loaned, exchanged, pledged or given away.  
10 This additional payment shall be made directly to the  
11 soldier, sailor or marine entitled to the same, or to his  
12 immediate agent or attorney, specially authorized in  
13 writing; and before any payment shall be made to  
14 any agent or attorney, said agent or attorney shall be  
15 required to make oath that he does not hold the dis-  
16 charge papers of his principal, or receive the certifi-  
17 cate of indebtedness by reason of any pledge, transfer  
18 or assignment, directly or indirectly, but for the sole  
19 use and benefit of his principal; and the certificate

20 of indebtedness issued by the treasurer shall be made  
21 payable to the soldier or his order, in all cases, and  
22 not to any agent or attorney.

1     SECT. 5. This additional payment shall not be  
2 made to any soldier, sailor or marine who has ever  
3 deserted from the service, nor to any soldier or sailor  
4 who was a prisoner of war at the time of his enlist-  
5 ment, nor to any soldier, sailor or marine who  
6 has been discharged before the expiration of his  
7 term of service at his own request, or at the request  
8 of parents, guardians or other persons, or account of  
9 minority or for any personal reason, except disability  
10 contracted in the service, or for the purpose of being  
11 promoted.

1     SECT. 6. If any private soldier or non-commis-  
2 sioned officer, sailor or marine while in the service or  
3 while a prisoner in the hands of the enemy, came to  
4 his death, his widow, or if no widow, his minor chil-  
5 dren living at the time the money payable under this  
6 act becomes due, or the certificate of the treasurer  
7 aforesaid is issued, shall be entitled to the same amount  
8 that the soldier, sailor or marine would have been  
9 entitled to if living. If any soldier or non-commis-  
10 sioned officer, sailor or marine has died since obtain-  
11 ing an honorable discharge from the service, the  
12 amount due to him under this act shall be paid to  
13 the persons and in the order named in this section.

1     SECT. 7. All sales, transfers or assignments of  
2 claims for bounties granted by virtue of this act, and  
3 all orders, whether by power of attorney or otherwise,

4 which shall deprive the volunteer or his legal heirs of  
5 the full amount thereof, shall be deemed invalid, and  
6 shall not be recognized in the payment of the same ;  
7 and if any person shall, by purchase, assignment or  
8 order, or other instrument, become possessed of any  
9 claim or claims for said bounty, at less than the full  
10 value and amount thereof, the same shall be deemed  
11 to be forfeited to the Commonwealth.

1     SECT. 8.     This act shall take effect upon its  
2 passage.