

## REFERENDUM MEASURE NO. 25

An Act Providing for the Payment of Equalized Compensation to Each Soldier Who Served in the Military or Naval Forces of the United States During the War Between the United States and the German Empire and Its Allies Between the Sixth Day of April, Nineteen Hundred and Seventeen and the Eleventh Day of November, Nineteen Hundred and Eighteen; Authorizing the State of Montana to Become Indebted in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) in Excess of the Constitutional Limit Over and Above Any Bonded Indebtedness Heretofore Incurred or Created and for Which Said State Is Now Obligated; Providing for the Issuance and Sale of Bonds of and in the Name of the State of Montana in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) to Acquire Funds for the Payment of Said Equalized Compensation, Prescribing the Form of Such Bond; Providing for the Creation of a Fund to Pay the Principal and Interest of Said Bonds by Levying a Sufficient Annual Tax to Pay the Principal and Interest Accruing Thereon; Making an Appropriation; Providing Penalties; Providing for the Submission to the Qualified Electors of the State of Montana at the Next General or Special Election the Question of the Issuance of Such Bonds and Describing the Form of the Ballots to Be Used and the Duties of the State Board of Examiners Relative to the Issuance of Such Bonds and the Duties of the Secretary of the State of Montana Relative to the Submission of Said Question to the Qualified Electors of Said State.

To Be Voted Upon at the General Election, November 7, 1922.

Published as Required by Section 105, Revised Codes of 1921, at Helena, Montana.

  
Secretary of State.

The Number and Form in Which the Question Will Appear Upon a Separate Official Ballot at the General Election November 7, 1922 is as follows:

## REFERENDUM MEASURE NO. 25.

### CHAPTER 162.

An Act Providing for the Payment of Equalized Compensation to Each Soldier Who Served in the Military or Naval Forces of the United States During the War Between the United States and the German Empire and Its Allies Between the Sixth Day of April, Nineteen Hundred and Seventeen and the Eleventh Day of November, Nineteen Hundred and Eighteen; Authorizing the State of Montana to Become Indebted in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) in Excess of the Constitutional Limit Over and Above Any Bonded Indebtedness Heretofore Incurred or Created and for Which Said State Is Now Obligated; Providing for the Issuance and Sale of Bonds of and in the Name of the State of Montana in the sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) to Acquire Funds for the Payment of Said Equalized Compensation, Prescribing the Form of Such Bond; Providing for the Creation of a Fund to Pay the Principal and Interest of Said Bonds by Levying a Sufficient Annual Tax to Pay the Principal and Interest Accruing Thereon; Making an Appropriation; Providing Penalties; Providing for the Submission to the Qualified Electors of the State of Montana at the Next General or Special Election the Question of the Issuance of Such Bonds and Describing the Form of the Ballots to Be Used and the Duties of the State Board of Examiners Relative to the Issuance of Such Bonds and the Duties of the Secretary of the State of Montana Relative to the Submission of Said Question to the Qualified Electors of Said State.

☐ "For An Act Entitled: 'An Act Providing for the Payment of Equalized Compensation to Each Soldier Who Served in the Military or Naval Forces of the United States During the War Between the United States and the German Empire and Its Allies Between the Sixth Day of April, Nineteen Hundred and Seventeen and the Eleventh Day of November, Nineteen Hundred and Eighteen; Authorizing the State of Montana to Become Indebted in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) in Excess of the Constitutional Limit Over and Above Any Bonded Indebtedness Heretofore Incurred or Created and for Which Said State Is Now Obligated; Providing for the Issuance and Sale of Bonds of and in the Name of the State of Montana in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) to Acquire Funds for the Payment of Said Equalized Compensation, Etc.'"

☐ "Against An Act Entitled: 'An Act Providing for the Payment of Equalized Compensation to Each Soldier Who Served in the Military or Naval Forces of the United States During the War Between the United States and the German Empire and Its Allies Between the Sixth Day of April, Nineteen Hundred and Seventeen and the Eleventh Day of November, Nineteen Hundred and Eighteen; Authorizing the State of Montana to Become Indebted in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) in Excess of the Constitutional Limit Over and Above Any Bonded Indebtedness Heretofore Incurred or Created and for Which Said State Is Now Obligated; Providing for the Issuance and Sale of Bonds of and in the Name of the State of Montana in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) to Acquire Funds for the Payment of Said Equalized Compensation, Etc.'"

Each elector shall designate a preference for either of the provisions by making an X before the proposition for which such elector desires to vote.

## REFERENDUM MEASURE NO. 25

An Act Providing for the Payment of Equalized Compensation to Each Soldier Who Served in the Military or Naval Forces of the United States During the War Between the United States and the German Empire and Its Allies Between the Sixth Day of April, Nineteen Hundred and Seventeen and the Eleventh Day of November, Nineteen Hundred and Eighteen; Authorizing the State of Montana to Become Indebted in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) in Excess of the Constitutional Limit Over and Above Any Bonded Indebtedness Heretofore Incurred or Created and for Which Said State is Now Obligated; Providing for the Issuance and Sale of Bonds of and in the Name of the State of Montana in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) to Acquire Funds for the Payment of Said Equalized Compensation, Prescribing the Form of Such Bond; Providing for the Creation of a Fund to Pay the Principal and Interest of Said Bonds by Levying a Sufficient Annual Tax to Pay the Principal and Interest Accruing Thereon; Making an Appropriation; Providing Penalties; Providing for the Submission to the Qualified Electors of the State of Montana at the Next General or Special Election the Question of the Issuance of Such Bonds and Describing the Form of the Ballots to Be Used and the Duties of the State Board of Examiners Relative to the Issuance of Such Bonds and the Duties of the Secretary of the State of Montana Relative to the Submission of Said Question to the Qualified Electors of Said State.

**Be it enacted by the Legislative Assembly of the State of Montana:**

Section 1. In order to promote the spirit of patriotism and loyalty, in testimony of the gratitude of the State of Montana, and in recognition of the splendid services of Montana men in the war between the United States and the German Empire and its allies, there shall be paid to each person who was regularly called, enlisted, drafted, inducted or commissioned and who served on active duty in the Army, Navy or Marine Corps of the United States between the sixth day of April, Nineteen Hundred and Seventeen and the Eleventh Day of November, Nineteen Hundred Eighteen for a period longer than two months; and to each person who, being a citizen of the United States at the time of entry therein, served on active duty in the naval, military or air forces of any of the gov-

ernments associated with the United States during the war with the central allied powers between the sixth day of April, Nineteen Hundred Seventeen and the eleventh day of November, Nineteen Hundred Eighteen, for a period longer than two months; and at the time of his call, enlistment, induction, commission or service was a bona fide resident of the State of Montana, the sum of Ten Dollars (\$10.00) for each month or major fraction thereof that such person was in active service, not to exceed however, a total sum of Two Hundred Dollars (\$200.00); provided, that persons who have received extra compensation from any other state, or nation other than the United States for such active service shall not be entitled to compensation under this Act unless the amount of compensation so received is less than they would be entitled to hereunder, in which event they shall receive the difference between the compensation allowable under this Act and the extra compensation already received from such other state or nation, provided, further, that persons who have received greater compensation than the regular pay of the Army, Navy, or Marine Corps and commutation for quarters and subsistence, shall not be entitled to receive compensation under this Act unless the amount of the extra compensation so received is less than they would be entitled to hereunder, in which event they shall receive the difference between the compensation allowable under this Act and such extra compensation. In case of the death of any such person while in such service an equal amount shall be paid to his surviving widow, if not remarried the time compensation is requested, or in case he left no widow and left children, then to his surviving children, or in the event he left no widow or children, then to his surviving parent or parents if actually dependent upon such deceased person for support. Persons of the female sex, or their surviving children or parents, who are in all other respects within the terms of this Act, shall be entitled to compensation thereunder.

Section 2. The word "person" as used in Section 1 of this Act, shall not include persons who, during the period of their service, refused on conscientious, political or other grounds, to subject themselves to full military discipline or unqualified service, or who while in such service, were separated therefrom under circumstances amounting to a dishonorable discharge and who have not subsequently been officially restored to an honorable status, and such person shall not be entitled to the benefits of this Act.

Section 3. All disbursements required by this Act for compensation shall be made upon the presentation of a certificate upon a form to be prescribed by the State Auditor, which certificate shall be duly verified by the claimant under oath and shall set forth the name, residence at the time of entry into the service, date of enlistment, induction or commission, date of discharge or release from active service, if the claimant is not on active duty, a statement that the claimant during the period for which compensation is allowed did not refuse to subject himself to full military discipline and unqualified service and that he has not been separated from the service under circumstances amounting to a dishonorable discharge, and such further information as the State Auditor may require. Such certificate shall be presented to the State Auditor or his representative together with an honorable discharge or release from active service, or in case of its loss a properly authenticated record of service, or in the event that claimant is still in the service a proper authenticated record of all active service performed by claimant, or if the same be presented by the widow, child or parents of a deceased veteran, then with the proper evidence of death, together with a properly authenticated record of service, and the State Auditor shall endorse upon such discharge, release or record of active service was made the basis of the application, and shall return such discharge or release or record of active service to the claimant and shall forthwith draw his warrant in the name of the claimant upon the Veterans' Compensation Fund for an amount equal to Ten Dollars (\$10.00) for each and every month of active service, or major fraction thereof, subsequent to the sixth day of April, Nineteen Hundred Seventeen, not exceeding however a total of Two Hundred Dollars (\$200.00), and the State Treasurer shall pay such warrants from the Veterans' Compensation Fund.

In cases where application for compensation is made by the widow, children or parents of a deceased veteran, such person shall furnish the same information as though the application were made by the deceased veteran, and the State Auditor shall prepare an appropriate form of certificate to cover such cases. Compensation allowed to the children of deceased veterans shall be paid to the guardians of such children, which guardian if appointed by the courts of this state, shall serve without compensation and in the discretion of the court without bond, and it shall be the duty of every county attorney in this state to appear in the courts or render any other necessary legal assistance in behalf of such children in so far as the

provisions of this Act are concerned, without compensation and no public officer shall collect any fees in any proceeding brought in behalf of such children to secure compensation under this Act.

The State Auditor is empowered to make such additional reasonable requirements from applicants as are necessary to prevent fraud or the payment of compensation to persons not entitled thereto.

Section 4. The State Auditor shall furnish free of charge, upon application therefor, the necessary form of certificate to all persons entitled thereto, and may establish at different points within the State of Montana offices at which there shall be kept on file for the use of persons covered by this Act, a sufficient number of forms of certificate so that there may be no delay in the payment of this compensation. The State Auditor may authorize the county auditor or county clerk, or both, of any county of the state to act for him in receiving applications under the provisions of this Act, and shall furnish such person with the proper certificates to enable him to accept such application. The State Auditor is hereby authorized and directed to procure such printing and office supplies and equipment, and to employ such persons as may be necessary in order to properly carry out the provisions of this Act, and all expenses incurred by him in the administration of this Act shall be paid by warrants drawn upon the Veterans' Compensation Fund.

The Adjutant General shall advise with and assist the State Auditor in the performance of the duties of the Auditor under this Act.

Section 5. For the purpose of providing means for the payment of compensation hereunder and for paying the expenses of administration, the State Board of Examiners of the State of Montana, is hereby authorized, empowered and directed to issue, from time to time as may be required for the purpose of this Act, bonds of, and in the name of, the State of Montana, to and in the amount of the sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) in excess of the constitutional limitation of indebtedness of the State of Montana, and over and above any bonded indebtedness of said state heretofore created or incurred for which said state is now obligated. The bonds provided for in this Act shall be issued in denomination of One Thousand Dollars (\$1,000.00) each, and shall bear interest at a rate not exceeding five and one-half per cent ( $5\frac{1}{2}\%$ ) per annum, payable semi-annually on the first days of January and July of each year



at the office of the State Treasurer of the State of Montana, or at some bank in a city outside of the State of Montana designated by the State Treasurer; such bonds shall be dated on the first day of January or the first day of July and shall become due and payable twenty (20) years from their date and be redeemable at the option of the State Board of Examiners at any time after ten (10) years from their date at any interest paying period. The bonds herein referred to shall be in such form as may be prescribed by the Attorney General and approved by the State Board of Examiners, and shall be signed by the members of said board and issued under the great seal of the State of Montana, and shall be registered in the office of the State Treasurer. Said bonds shall have interest coupons attached thereto covering the interest due semi-annually, which coupons shall be executed with facsimile signatures of all the members of the State Board of Examiners, and the signing of said coupons with said facsimile signature shall be recognized as sufficient execution of said coupons on behalf of the State of Montana.

The bonds provided for in this Act shall be disposed of by the State Board of Examiners in such manner as they shall deem for the best interests of the State in carrying out the provisions of this Act; provided, that no bond shall be disposed of for less than its par value.

Bonds issued under the provisions of this Act shall be a legal investment for any of the funds of the State.

Section 6. The money arising from the sale of each issue of bonds shall be deposited in the State Treasury to the credit of a special fund to be known as the "Veterans' Compensation Fund" which shall be used for the payment of the compensation provided in this Act and for paying the expenses of administration thereof. For the purpose of carrying out the provisions of this Act there is hereby appropriated from the Veterans' Compensation Fund the sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) or so much thereof as may be necessary.

Section 7. Authority is hereby given to any person who so desires to assign to the Veterans' Welfare Fund the compensation to which he is entitled under this Act and the Veterans' Welfare Commission of the State of Montana is hereby authorized to expend any such money so received for the amelioration of the conditions of residents of this state who are suffering from physical disability incurred in the military or naval services of the United States at any time between the sixth

day of April, Nineteen Hundred and Seventeen, and the date when they were honorably separated or discharged from the service.

Section 8. All payments or allowances made under this Act shall be exempt from all taxation and from levy and sale on execution.

Section 9. That there shall be levied annually a tax not exceeding one-half mill on the dollar on all property in the State of Montana, subject to taxation, which said tax when collected by the County Treasurers of the counties of the State of Montana shall be by them accounted for and paid into the State Treasury of the State of Montana and to be by the State Treasurer placed in and credited to a fund to be known as the "Veterans' Compensation Bond Retirement Fund" and which fund shall be used exclusively for the payment of the principal and interest accruing on said bonds.

Section 10. No charge made by any agent, notary public or attorney for a service in connection with obtaining the allowance as provided for by this Act shall be recognized by the state and any person who for a consideration discounts or attempts to discount, or for a consideration advances money upon any certificate or certificates issued pursuant to the terms of this Act, shall be guilty of a gross misdemeanor.

Section 11. Any person, who with intent to defraud, subscribes to any false oath or makes any false representation, either in the execution of the certificates provided for by this Act or who with intent to defraud, presents to the State Auditor, or to any other officer of the state, any certificate for the purpose of obtaining funds provided for by this Act which do not in fact belong to such person, or makes any false representation in connection with obtaining any funds under the terms of this Act, shall be guilty of a felony.

Section 12. The legislature may provide additional means for raising moneys for the payment of the interest and principal of said bonds and this Act shall not be deemed to provide an exclusive method for such payment.

Section 13. If any section, subdivision, sentence or clause of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act.

Section 14. This Act shall be submitted to the people of the State of Montana for their approval or rejection at the next election held in the State of Montana, whether such general election be a special election or the general election provided



by law, in accordance with Article V, Section 1 of the Constitution of the State of Montana. Separate ballots shall be used at such special or general election which shall have printed thereon the words: "For An Act Entitled: 'An Act Providing for the Payment of Equalized Compensation to Each Soldier Who Served in the Military or Naval Forces of the United States During the War Between the United States and the German Empire and Its Allies Between the Sixth Day of April, Nineteen Hundred and Seventeen and the Eleventh Day of November, Nineteen Hundred and Eighteen; Authorizing the State of Montana to Become Indebted in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) in Excess of the Constitutional Limit Over and Above Any Bonded Indebtedness Heretofore Incurred or Created and for Which Said State Is Now Obligated; Providing for the Issuance and Sale of Bonds of and in the Name of the State of Montana in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) to Acquire Funds for the Payment of Said Equalized Compensation, Etc.,'" and the words "Against An Act Entitled: 'An Act Providing for the Payment of Equalized Compensation to Each Soldier Who Served in the Military or Naval Forces of the United States During the War Between the United States and the German Empire and Its Allies Between the Sixth Day of April, Nineteen Hundred and Seventeen and the Eleventh Day of November, Nineteen Hundred and Eighteen; Authorizing the State of Montana to Become Indebted in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) in Excess of the Constitutional Limit Over and Above Any Bonded Indebtedness Heretofore Incurred or Created and for Which Said State Is Now Obligated; Providing for the Issuance and Sale of Bonds of and in the Name of the State of Montana in the Sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) to Acquire Funds for the Payment of Said Equalized Compensation, Etc.,'" and each elector shall designate a preference for either of the provisions by making an X before the proposition for which such elector desires to vote. The votes cast for and against the law above proposed shall be canvassed and determined as provided by the general election laws of the State of Montana.

Section 15. This Act shall be in full force and effect from and after its passage; provided, the same shall be ratified by a majority vote of the people of the State of Montana voting at the next election whether general or special, held in the State of Montana.

Approved March 5, 1921.

## PROPOSED PETITION FOR INITIATIVE NO. 26

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"A Bill to Propose by Initiative Petition a Law Entitled: 'An Act To Amend Section 11180 of the Revised Codes of Montana of 1921, relating to wagers, for the purpose of assisting State and County Fairs conducting agricultural and livestock exhibitions.'"

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To Be Voted Upon at the General Election, November 7, 1922.

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Published as Required by Section 105, Revised Codes of 1921, at Helena, Montana.



*E. S. Stinson*  
Secretary of State.

The Number and Form in Which the Question Will Appear  
Upon a Separate Official Ballot at the General Election, Novem-  
ber 7, 1922, is as follows:

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**PROPOSED PETITION FOR INITIATIVE NO. 26.**

"An Act to Amend Section 11180 of the Revised Codes of Mon-  
tana of 1921, relating to wagers, for the purpose of assisting  
State and County Fairs conducting agricultural and livestock  
exhibitions."

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☐ For Initiative Measure No. 26. Providing Assistance for  
Fairs Conducting Agricultural and Live Stock Exhibitions.

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☐ Against Initiative Measure No. 26. Providing Assistance  
for Fairs Conducting Agricultural and Live Stock Exhibi-  
tions.

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Section 104, Revised Codes of 1921:

The manner of voting on measures submitted to the people  
shall be: By marking the ballot with a cross in or on the dia-  
gram opposite and to the left of the proposition for which the  
voter desires to vote.

## PROPOSED PETITION FOR INITIATIVE NO. 26

A Bill to Propose by Initiative Petition a Law Entitled:

"An Act to Amend Section 11180 of the Revised Codes of Montana of 1921, relating to wagers, for the purpose of assisting State and County Fairs conducting agricultural and livestock exhibitions."

### Be It Enacted by the People of Montana:

Section 1. That Section 11180 of the Revised Codes of Montana of 1921 be, and the same is hereby amended to read as follows:

"Section 11180. It shall be unlawful to make or report or record or register any wager upon the result of any contest of speed or skill or endurance of animal, beast or motor vehicle, whether such contest is held within or without the State of Montana, provided however, that the board of directors or other managing agency of the Montana State Fair and boards of directors or managing agencies of all County Fairs held within the State of Montana, and conducting agricultural and livestock exhibitions, may record wagers by use of pari-mutuel machines only, at such Montana State Fair and at County Fairs, during six days of any year, except Sunday, upon contests of speed and skill held within an enclosure conducted by and operated under the control and authority of such boards of directors or managing agencies, and upon the same day that such contest is held; provided further, that a commission of not to exceed six per cent. of the entire amount wagered upon any such contest may be deducted to pay the expenses of such fair where said contests are held."

Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 3. This Act shall be in full force and effect from and after receiving a majority of the votes cast thereon by the electors of this state, a canvas thereof, and proclamation issued by the governor as required by law.