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Senate Bill 1931 NO. 73

Creation of State Dept for Tertiary Commission

# Senate of Maryland

NO. 73.

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MR. MELVIN—Finance.

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By the SENATE, February 10, 1931.

Introduced, read first time and referred to the Committee on Finance.

By order, E. R. CROTHERS, Secretary.

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## A BILL

### ENTITLED

AN ACT to provide for the commemoration of the three hundredth anniversary of the founding of Maryland, and to authorize the creation of a State debt in the aggregate amount of five hundred thousand dollars (\$500,000), the proceeds thereof to be used for paying the costs and expenses incident thereto, and particularly in the acquisition in the name of the State of certain historical sites hereinbelow mentioned, and the construction thereon of certain memorials hereinbelow specified, and the construction and equipment of a "Memorial Hall of Records" on land to be acquired in Annapolis for the housing and preserving of the official and historical records of the Province and State of Maryland and other documents, and for other purposes; and providing generally for the issue and sale of certificates of indebtedness evidencing such loan, and providing that said commemoration, acquisition of sites, construction of memorials, and said Hall of Records shall be under the authority and direction of the "Maryland Tercentenary Commission" appointed by the Governor, and confirmed and authorized by Chapter 470 of the Acts of the General Assembly of Maryland of 1929 and providing for the appointment by the Governor of a standing commission to be known as the "Maryland Tercentenary Memorial Commission," consisting of not more than five citizens of Maryland, one of whom shall be a resident of Saint Mary's County, to take charge of and care for certain of said memorials when completed, to serve without

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pay, and providing for an annual appropriation for their expenses; and providing as incidental to said commemoration for the purchase of eight thousand (8,000) copies of the Enoch Pratt Free Library's historical picture map of Maryland, and providing for the preparation and exhibition of motion pictures of historical scenes, places and events illustrative of life in Maryland.

1 WHEREAS, In view of the approaching Tercentenary of the  
2 founding of Maryland, and the fact that the original settlers  
3 sailed from Cowes, Isle of Wight, England, in the "Ark" and  
4 the "Dove" November 22, 1633, and made their first tempo-  
5 rary landing on or about March 25, 1634, on Saint Clement's  
6 Island, in the Potomac River, Maryland, and at Saint Mary's  
7 City March 27, 1634, they permanently settled and there estab-  
8 lished a free representative government, providing, for the first  
9 time in history, separation of church and State, and securing  
10 to the people of Maryland religious toleration and the right to  
11 worship according to the dictates of their own consciousness;  
12 and

13 WHEREAS, Because the State has never erected at said places  
14 any memorial commemorative of said events, nor any memorial  
15 to the memory of George Calvert, the First Lord Baltimore  
16 and Projector of the Province, nor any to Cecil Calvert, the  
17 Second Lord Baltimore and first Proprietary of the Province,  
18 under whose wise direction said beneficent government was  
19 initiated and maintained, and because no adequate repository  
20 for the preservation of the irreplaceable records made and left  
21 to posterity by the founders of the Province and State has ever  
22 been provided by the State, and because it is the laudable de-  
23 sire of all good citizens of the State that said notable persons  
24 should be specially honored, and said unprecedented events and  
25 achievements should be commemorated; therefore,

1 SECTION 1. *Be it enacted by the General Assembly of*  
2 *Maryland,* That the commemoration of the three hundredth  
3 anniversary of the founding of Maryland shall be duly and  
4 properly celebrated, under the authority and direction of the  
5 Maryland Tercentenary Commission heretofore appointed, as  
6 aforesaid, and that in order to provide therefor, a loan is here-

7 by created to be known as the "Maryland Tercentenary Loan  
 8 of 1931" to the amount of five hundred thousand dollars  
 9 (\$500,000.00). Said loan shall bear date July first, 1931,  
 10 and shall bear interest at a rate to be fixed by the Governor  
 11 of the State, the Comptroller of the Treasury, and the Treas-  
 12 urer of the State constituting the Board of Public Works, or  
 13 a majority of them, not to exceed four and one-half ( $4\frac{1}{2}$ )  
 14 per centum per annum, and said interest shall be paid semi-  
 15 annually, and the said loan and every part thereof, and the  
 16 interest payable thereon shall be and remain exempt from State,  
 17 county and municipal taxation, and the principal amount of  
 18 said loan shall be paid upon the serial annuity plan herein-  
 19 below specified, all within fifteen years after the issuance  
 20 thereof.

1 SEC. 2. *And be it further enacted*, That in issuing the cer-  
 2 tificates of indebtedness for said loan as herein provided in  
 3 Section 1, the Governor, the Comptroller of the Treasury and  
 4 the Treasurer of the State, constituting the Board of Public  
 5 Works, or a majority of them, shall issue said certificates ac-  
 6 cording to what is known as a serial annuity plan, and the  
 7 series as issued shall be lettered, beginning with the letter "A",  
 8 and so on down the alphabet until the said amount of five hun-  
 9 dred thousand dollars (\$500,000.00) shall have been issued,  
 10 so that the entire principal sum shall be redeemable as follows:

10	Series	Amount	Redeemable
11	A	\$28,000	July 1, 1934
12	B	28,000	July 1, 1935
13	C	28,000	July 1, 1936
14	D	32,000	July 1, 1937
15	E	32,000	July 1, 1938
16	F	32,000	July 1, 1939
17	G	36,000	July 1, 1940
18	H	40,000	July 1, 1941
19	I	44,000	July 1, 1942
20	J	48,000	July 1, 1943
21	K	48,000	July 1, 1944
22	L	52,000	July 1, 1945
23	M	52,000	July 1, 1946

1     SEC. 3. *And be it further enacted,* That the Governor,  
2     Comptroller of the Treasury, and Treasurer of the State, con-  
3     stituting the Board of Public Works, or a majority of them,  
4     are hereby authorized and directed to have prepared proper  
5     certificates of indebtedness of the State in good and sufficient  
6     form to aggregate the amount of five hundred thousand dollars  
7     (\$500,000.00) as evidence of such loan; such certificates of  
8     indebtedness shall bear date as of the time of their issue, as  
9     provided in Section 1 of this Act, and may be issued in sums  
10    of one hundred dollars (\$100.00) or any multiples thereof.  
11    Each of said certificates shall be signed by the Treasurer of  
12    the State and countersigned by the Comptroller of the Treas-  
13    ury and shall bear interest at the rate fixed by resolution of the  
14    said Board of Public Works, payable semi-annually, and any  
15    portion or all of said certificates may be registered, or not reg-  
16    istered, and the said certificates, or any portion thereof, shall  
17    have interest coupons attached, or said certificates or any por-  
18    tion thereof shall not have interest coupons attached, all as the  
19    Governor, Comptroller of the Treasury, and Treasurer of the  
20    State constituting the Board of Public Works, or a majority  
21    of them, shall determine.

1     SEC. 4. *And be it further enacted,* That in order to pro-  
2     vide for the selling of the certificates of indebtedness aforesaid,  
3     to be issued under the provisions of this Act, the Governor,  
4     Comptroller of the Treasury, and Treasurer of the State, con-  
5     stituting the Board of Public Works, or a majority of them,  
6     are hereby directed to advertise twice a week for four succes-  
7     sive weeks before the said certificates of indebtedness, or any  
8     part thereof, shall be issued in two newspapers published in  
9     the City of Baltimore, that the Treasurer of this State will be  
10    in readiness at a time within fifteen days after the expiration  
11    of said notice to receive bids at such place or places as may be  
12    named in said respective advertisements for bonds, or certifi-  
13    cates of indebtedness issued under the provisions of this Act,  
14    under such regulations as may be made in the discretion of the  
15    Governor, Comptroller of the Treasury and Treasurer of the  
16    State, constituting the Board of Public Works, or a majority

17 of them; and the accrued interest between the date of the bonds  
18 or certificates of indebtedness and the time of sale and delivery  
19 or any payment for said bonds or certificates of indebtedness  
20 shall be adjusted with the purchaser thereof under such regu-  
21 lations as may be made in the discretion of the Governor,  
22 Comptroller of the Treasury and Treasurer of the State, con-  
23 stituting the Board of Public Works, or a majority of them;  
24 and upon the day mentioned in said advertisement as the day  
25 for opening the bids for the proposals thereby called for they  
26 shall receive such sealed proposals for the purchase of as many  
27 of such bonds or certificates of indebtedness as may be men-  
28 tioned or designated in said advertisement; and on the opening  
29 of such sealed proposals as many of said bonds or certificates  
30 of indebtedness as have been so bid for shall be awarded by  
31 the Governor, Comptroller of the Treasury and Treasurer of  
32 the State, constituting the Board of Public Works, or a  
33 majority of them, to the highest responsible bidder or bidders  
34 therefor for cash, if the prices bid are adequate in the judg-  
35 ment of the Governor, Comptroller of the Treasury and Treas-  
36 urer, or a majority of them, and when two or more bidders  
37 have made the same bid, and such bid is the highest and the  
38 certificates so bid for by the highest responsible bidders are in  
39 excess of the whole amount of certificates so offered for sale,  
40 such bonds or certificates of indebtedness shall be awarded to  
41 such highest responsible bidders, bidding the same price in  
42 a ratable proportion; and if any insufficient price be bid for  
43 them they may be subsequently disposed of under the direction  
44 of the Governor, Comptroller of the Treasury and Treasurer  
45 of the State, constituting the Board of Public Works, or a  
46 majority of them, at a private sale upon the best terms they  
47 can obtain for the same; provided they shall not be sold at  
48 private sale for less than par and accrued interest.

1     SEC. 5. *And be it further enacted,* That the sum of five  
2 thousand dollars (\$5,000.00) or so much thereof as may be  
3 necessary shall be paid by the Treasurer of this State upon the  
4 warrant of the Comptroller of the Treasury out of the pro-  
5 ceeds of the sale of bonds or certificates of indebtedness for the

6 payment of the expense of engraving, printing and other out-  
7 lays connected with the issue of the loan hereby authorized, and  
8 for the payment of the advertising directed by this Act, and all  
9 other incidental expenses connected with the execution of its  
10 provisions in connection with said loan.

1     Sec. 6. *And be it further enacted,* That the actual cash  
2 proceeds of sale of the Certificates of Indebtedness to be issued  
3 under this Act shall be used exclusively for the following pur-  
4 poses, to wit: The Comptroller of the Treasury of the State  
5 shall immediately upon the sale of and payment for said bonds  
6 or certificates of indebtedness first return to and credit the  
7 Treasury with whatever advances of payments may have been  
8 made as provided by Section 5 of this Act. The remainder  
9 of the proceeds of said loan shall thereupon be turned over  
10 to the Treasurer of the State of Maryland, and by him be held  
11 and placed to the credit of the Maryland Tercentenary Com-  
12 mission, subject only to the requisition of the Treasurer of  
13 said Commission, countersigned by its chairman, from time to  
14 time, as and when the same shall become necessary for the  
15 purposes of this Act, but before the Treasurer of the said  
16 Maryland Tercentenary Commission shall proceed to act as  
17 such Treasurer, he shall give to the State of Maryland a bond  
18 for the faithful discharge of his duties under this Act, in such  
19 form and in such penalty as the Governor, the Comptroller of  
20 the Treasury, and Treasurer of the State, constituting the  
21 Board of Public Works, or a majority of them, shall require.  
22 The purposes for which said remainder of said fund may be  
23 withdrawn as aforesaid are as follows, viz: for and in con-  
24 nection with selecting and procuring in the name of the State,  
25 a suitable site at Cowes, Isle of Wight, England, and for  
26 designing, erection thereon and unveiling of a durable me-  
27 morial of stone and/or bronze with appropriate inscription  
28 marking the place from whence the original settlers sailed in  
29 the "Ark" and the "Dove" for the Province of Maryland,  
30 November 22nd, 1633; and for and in connection with the  
31 selection and procuring in the name of the State a suitable  
32 site on Saint Clement's (now Blackiston's) Island, in the  
33 Potomac River, Maryland, and for the designing, erection

34 thereon, and unveiling of a durable and appropriate memorial  
35 of stone and/or bronze or other suitable material with appro-  
36 priate inscription marking the place where the original settlers  
37 first made their temporary landing in Maryland on or about  
38 March 25th, 1634, and for and in connection with the selec-  
39 tion and procuring in the name of the State, a suitable site at  
40 Saint Mary's City, Maryland, and for the designing, erection  
41 thereon and unveiling of a durable and appropriate memorial  
42 of stone and/or bronze or other suitable material, with ap-  
43 propriate inscription thereon marking the traditional place  
44 at Saint Mary's City where the first settlers landed from the  
45 "Ark" and the "Dove," March 27th, 1634, and made their  
46 first permanent settlement, said memorial shall be erected on  
47 said site within the area containing nearly three acres, and  
48 recently donated to the State for said purpose, and to be laid  
49 out and maintained by the State as and for a public park  
50 surrounding said memorial; and for designing, laying out,  
51 and grading said area lying between the western line of the  
52 Church law and Cemetery on the east, and the low water line  
53 of Saint Mary's River on the southwest and the north (the  
54 same being known as Church Point), as a public park, with  
55 shrubbery, trees and flowers, and with such breakwaters, lakes,  
56 drains, water courses, roads or walks and steps as will afford  
57 good and convenient ways through said park, and approach  
58 to said memorial, and to the Leonard Calvert Monument, in  
59 or near said Cemetery, and the granite markers indicating the  
60 site of the first Capitol of Maryland, heretofore erected by  
61 the State; and for the acquisition, by purchase, condemnation  
62 or otherwise of the lot of ground heretofore tendered to the  
63 State located on College Avenue, in the City of Annapolis,  
64 adjacent to the United States Post Office, or in their discre-  
65 tion, to select and acquire in the name of the State a site else-  
66 where, in the vicinity of other public buildings, in Annapolis,  
67 (to be approved by said Board of Public Works or a majority  
68 of them) of adequate dimensions and suitable location and for  
69 the designing, erection thereon and dedication of a durable  
70 modern fireproof building to be known as the "Memorial Hall  
71 of Records" or by such other name as said Maryland Ter-



72 centenary Commission may select, in which shall be gathered,  
73 placed and preserved all ancient and private records of the  
74 Province and State of Maryland from the beginning of the  
75 Province to the adoption of the Federal Constitution, together  
76 with such others of a like character, which the City of Balti-  
77 more and the several counties of the State, and private indi-  
78 viduals may desire or be willing to deposit in said building,  
79 and to provide and supply said building with the best equip-  
80 ment of desks, tables, filing cases, chairs, shelves and stacks,  
81 and other furniture and facilities necessary for and adapted  
82 to said purpose for the use of custodians, clerks, and all per-  
83 sons desiring to examine and use such records, and for the  
84 repair, preservation, handling and safekeeping of the same,  
85 the said building, in addition to the special purposes herein-  
86 before set forth, to be used for such other purposes, as the  
87 Board of Public Works may determine not in conflict with  
88 the purposes hereinbefore mentioned; and as incidental to said  
89 commemoration, and in the discretion of said Commission, to  
90 purchase eight thousand (8,000) copies of a special edition of  
91 a historical picture map of Maryland in five colors (about 27  
92 inches by 40 inches in dimensions) drawn by Edwin L. Tunis,  
93 Artist, and prepared, edited and published by the Enoch Pratt  
94 Free Library, and bearing the imprint of the Maryland Ter-  
95 centenary Commission, showing by pictures and descriptive  
96 language many points of historical interest within the State;  
97 said special edition to be delivered by said publishers to such  
98 proper officials of the schools, colleges, and institutions in the  
99 State of Maryland for distribution among them, as the Mary-  
100 land Tercentenary Commission, in its discretion, may desig-  
101 nate; and in the discretion of the Commission to have pre-  
102 pared for exhibition a series of motion pictures of historical  
103 scenes, places and events pertaining to and illustrative of the  
104 life in the Province and State of Maryland from its founding  
105 to the present time; and for the expense of celebrations in  
106 other places, in the State, and for a survey of the historical  
107 resources of the State, compensation of executive officers and  
108 other employees of the Maryland Tercentenary Commission,

109 and for advertising and general publicity and all other proper  
110 and necessary expenditures incident to carrying out of the  
111 objects and purposes of this Act. Provided, however, that no  
112 member of said Commission shall be paid any salary or other  
113 compensation without the approval of the Governor.

1     SEC. 7. *And be it further enacted,* That if said Commission  
2 cannot from any cause agree with the owner or owners of land  
3 they may deem necessary and proper for the site upon which  
4 to erect said Memorial Hall of Records, as to the price to be  
5 paid for the same, when and if an appropriation is hereafter  
6 made therefor, then the said Commission is hereby authorized  
7 to proceed to condemn in the name of the State the said land  
8 in manner as provided by the Code of Public General Laws  
9 of the State of Maryland, Article 23, title "Corporations," and  
10 all rights, powers and privileges conferred by said Article upon  
11 the corporations therein mentioned relating to the condemna-  
12 tion of land is hereby expressly conferred and vested in said  
13 Commission. And the Comptroller of the State is hereby au-  
14 thorized and directed to draw his warrant on the Treasurer  
15 of the State for the payment of such requisitions to the extent  
16 of this appropriation, as may from time to time be made upon  
17 him by said Commission, said requisitions to be signed by the  
18 Treasurer of the Commission, and countersigned by its Chair-  
19 man, and shall be accompanied by the bill, or estimate of the  
20 expenses and the purposes for which the money so drawn is to  
21 be applied, provided that said Treasurer shall be required by  
22 said Commission to give bond to the State of Maryland in the  
23 usual form of such bonds, with such surety, and in such penalty  
24 as the Commission may prescribe.

1     SEC. 8. *And be it further enacted,* That the Maryland Ter-  
2 centenary Commission is hereby authorized and directed to  
3 ask for bids and enter into contracts in the usual form appli-  
4 cable to the work to be done, and the structures to be erected,  
5 as it may from time to time under the provisions hereof deter-  
6 mine to construct, said contracts to be made in the name of the  
7 Maryland Tercentenary Commission, and to contain the same

8 provisions now required by law and the nature of said struc-  
9 tures.

1     SEC. 9. *And be it further enacted*, That on the completion  
2 of said memorials at Saint Clement's Island and Saint Mary's  
3 City, the Governor shall appoint to serve until the expiration  
4 of his term of office (and thereafter his successors shall appoint  
5 every four years), a Commission to be known as "Maryland  
6 Tercentenary Memorial Commission" to serve without pay and  
7 to be composed of not more than five citizens of the State of  
8 Maryland, in the discretion of the Governor, at least one of  
9 whom shall be a resident of Saint Mary's County, whose duty  
10 it shall be to see that said memorial and site on St. Clement's  
11 Island, and the memorial proposed to be erected at Saint  
12 Mary's City, and the said area of ground or park in which the  
13 same is to be erected and also the Leonard Calvert monument  
14 heretofore erected there, and the site of the old Capitol and its  
15 markers, shall be kept in good order, and appearance, the  
16 reasonable cost thereof to be approved by the Governor not  
17 exceeding twelve hundred dollars (\$1,200.00) per annum, to  
18 be borne by the State of Maryland, and to be provided for in  
19 the annual budget, and shall be drawn on the requisition of the  
20 Treasurer of that Commission, countersigned by the Chairman  
21 thereof, and said Commission shall make a detailed report at  
22 least annually to the Governor of their expenses supported by  
23 vouchers, and of the condition and appearance of said memo-  
24 rials and sites, which they shall personally inspect at least  
25 twice a year.

1     SEC. 10. *And be it further enacted*, That if after securing  
2 all the sites, and the completion of said park, and of the memo-  
3 rials and structures in this Act mentioned and the payment  
4 of the costs of the same, and of all the outlays and expenses  
5 incident to said commemoration provided for in this Act, there  
6 should be any surplus remaining unused to the credit of said  
7 Maryland Tercentenary Commission, or in the hands of the  
8 Treasurer of the State of Maryland, out of the total proceeds  
9 of sales of said bonds, or certificates of indebtedness, said sur-  
10 plus shall be turned back into the general funds of the State

11 of Maryland; and should there be any premium from the pro-  
12 ceeds of sale or sales of said bonds or certificates of indebted-  
13 ness, that likewise shall be turned back into the general funds  
14 of the State of Maryland.

1 SEC. 11. *And be it further enacted,* That this Act shall take  
2 effect on June first, nineteen hundred and thirty-one.