

MAINE STATE LEGISLATURE

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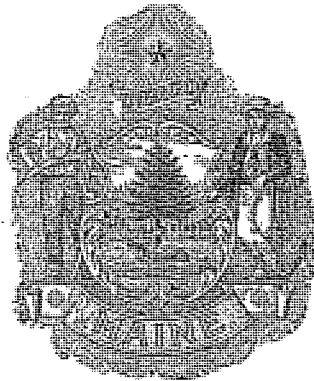
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CHAPTER 3.

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State Library.

Sec. 1. Enumeration of property included in library; expenditures. R. S. c. 3, § 1. All books, documents, pamphlets, manuscripts, records, archives, maps, pictures, and all other works of art, science and literature, and all annual, biennial and special reports of departments, officers and institutions controlled or supported by the state, and all other property appropriate to a general library, if owned by the state, and all books, documents and publications received by any one through purchase, gift, exchange or loan, from any source, for the use of the state, shall constitute the Maine State Library, and shall be in charge and under the general control and management of the librarian. All money appropriated by the legislature for the purchase of books and documents shall be expended by the librarian under the direction of the governor, and all books, documents and other works received by any state official, and designed as a gift or exchange for the use of the state, shall be delivered to the librarian and placed in the library.

Sec. 2. What works shall be kept in the library. R. S. c. 3, § 2. There shall be procured and kept in the library, full and complete sets of digests, law reports, public laws and legislative documents of the United States and of the several states; a full set of English and Canadian law reports, digests and laws; the general works on elementary law and practice; histories of all countries, including those of this state, its counties and towns; works on the arts and sciences with special reference to agriculture, forestry, fishing, ship building and road making; maps, charts, plans and manuscripts, statistical and other publications relating to the financial, social, religious and educational condition of the world and more especially of this state, as fast as means are furnished by the state therefor, and all the printed documents of this state and reports of all departments, offices, institutions and towns, required by law, not distributed by the several departments, shall be kept in the library.

Sec. 3. Trustees of library; rules and regulations. R. S. c. 3, § 3. The state library shall be under the management and control of the governor and council as a board of trustees and they may make such rules and regulations as are necessary for the proper management of the library and the safety of its contents.

Sec. 4. Librarian, how appointed; tenure; bond; assistant. R. S. c. 3,

§ 4. They shall appoint a librarian of the state library, who shall hold office three years unless sooner removed, and give bond to the state for the faithful performance of the duties of his office, in such sum and with such sureties, or with such surety company authorized to do business in the state, as surety, as shall be approved by the governor and council. The librarian shall appoint one assistant who shall perform the duties prescribed by him, and shall give bond to the librarian for the faithful performance of the same.

See c. 117, § 55.

Sec. 5. Library, when to be kept open. R. S. c. 3, § 5. The librarian shall keep the library open every day in the year, Sundays and the usual public holidays excepted, during the usual business hours; and the superintendent of public buildings and his assistants shall see that no one is admitted to the library rooms out of office hours or that any book is taken therefrom, without the consent of the librarian.

Sec. 6. Persons allowed to take books. R. S. c. 3, § 6. Books may be taken from the library by the governor, members of the council and of the legislature, judges of the judicial courts, secretary of state, deputy secretary of state, treasurer of state, adjutant general, attorney general, land agent, reporter of decisions, counsel engaged in the argument of causes before the law court sitting at Augusta, superintendent of public buildings, superintendent of public schools, superintendents of the insane hospitals, chaplains, secretary and assistant secretary of the senate, chaplains, clerk and assistant clerk of the house, and commissioner of agriculture; but this privilege to the members of the legislature and those officially connected therewith, is limited to the time of the session.

Sec. 7. Conditions upon which books may be taken from the library. R. S. c. 3, § 7. Under such rules and regulations as the governor and council may prescribe the librarian may lend books and documents from the state library to any responsible citizen of the state, on written application therefor and on payment of all express and carriage charges; but books and documents in the library for reference and library use only shall not be so loaned.

Sec. 8. Books may be loaned to free library associations; conditions. R. S. c. 3, § 8. On the application of the officers of any free library within the state, or of any association composed of five or more persons residing in a town in the state destitute of a free library, and upon the payment in advance by said free library or association to the librarian of the state library of five cents a volume to cover express and other charges, the librarian may, from books selected and kept for the purpose, loan to such library or association for a period not longer in duration than six months, not exceeding fifty volumes at any one time. Books so loaned are, under such rules as the library commissioners of the state may prescribe, to be in turn loaned free of charge to the patrons of such free library or to the citizens of the town where such association is located.

Sec. 9. Liability of persons receiving books from library; actions, how prosecuted. R. S. c. 3, § 9. Any person or persons, who, on his or their

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own request, or on written application therefor, receive the loan of any books or documents from the state library, shall be responsible for the full value thereof to the librarian, and in case of the loss of or damage to a volume belonging to a set, shall procure a new volume, or be responsible for the value of the set. If any person or persons shall neglect or fail to return any books or documents loaned to them, or shall return the same in an injured or mutilated condition, after due demand and notice, the librarian may maintain an action at law against such person or persons for the full value of such books or documents. Actions to enforce the liability mentioned in this section may be brought by the librarian in his own name in behalf of the state, and in case of his death or removal, the action shall be prosecuted by his successor.

See c. 129, § 26.

Sec. 10. Appointment of library commissioners; tenure and duties. R. S. c. 3, § 10. 1911, c. 37. The governor, with the advice and consent of the council, shall appoint four persons as library commissioners who shall hold their offices for a term of four years each; they shall serve without pay; the commission shall give advice to all school, state institutional, free and public libraries, and to all communities in the state which may propose to establish libraries as to the best means of establishing and administering them; selecting and cataloguing books, and other details of library management; and may send any of its members to aid in organizing such libraries or assist in the improvement of those already established. It may also receive gifts of money, books, or other property which may be used or held in trust for the purpose or purposes given. It may publish lists and circulars of information and may co-operate with other state library commissions and libraries in the publication of documents in order to secure the most economical administration of the work for which it was formed. It may conduct courses or schools of library instruction and hold librarians' institutes in various parts of the state, and co-operate with others in such schools or institutes. It shall select the books to be purchased for traveling libraries and advise the librarian of the state library in reference thereto, and shall perform such other service in behalf of public libraries as it may consider for the best interests of the state.

Sec. 11. State librarian shall be a member and secretary of commission; duties. R. S. c. 3, § 11. The librarian of the state library shall be, ex-officio, a member of the library commission and secretary thereof. He shall purchase the books selected by the library commissioners for traveling libraries, cause the same to be properly catalogued and placed in proper cases for transportation and use, keep accurate accounts of all matters relating to the expenditures of money, the transportation of libraries and such other statistics as the commissioners may require.

Sec. 12. Expenditures. R. S. c. 3, § 12. All expenditures of money shall be made with the sanction of the governor and council, and the commissioners shall make to them a yearly report.

Sec. 13. Special duties of librarian. R. S. c. 3, § 13. In addition to the general duties of his office the librarian of the state library shall solicit and receive all duplicate copies of books and documents, and maintain a bureau

of deposits and exchange with all other libraries and institutions of learning, and shall aid in the establishment of free public libraries in the state by gifts of such books and documents as are published or purchased by the state for distribution.

Sec. 14. Collect and preserve local histories. R. S. c. 3, § 14. He shall collect from time to time, and preserve in the state library copies of the histories of the towns and counties of the state, when published, and all other publications relating to the material, social and religious progress of the state.

Sec. 15. Town and city clerks shall furnish copies of reports to librarian; reports of corporations. R. S. c. 3, § 15. Town clerks of the several towns, city clerks of the several cities, and treasurers of the several counties, shall promptly transmit to the librarian of the state library, copies of all printed reports of said towns, cities and counties, including all printed exhibits of town, city and county expenditures. The directors of all corporations doing business in the state shall transmit to said librarian copies of all printed reports, relating to the affairs of said corporations.

Sec. 16. Appropriation. R. S. c. 3, § 16. Two thousand dollars shall be biennially appropriated for the library, to be expended in purchasing or otherwise procuring such books, maps, charts and works, as are deemed most useful, and in binding and keeping in good condition the works therein.

Sec. 17. Catalogue. R. S. c. 3, § 17. The governor and council shall from time to time cause to be made and printed a catalogue of all books, maps, charts and works in the library, and such as are annually added thereto.

Sec. 18. Report of librarian. R. S. c. 3, § 18. The librarian shall report to the legislature biennially, in January, the receipts and expenditures on account of the library, with a list of all books, maps and charts acquired during the two preceding years, specifying those obtained by purchase, donation and exchange, and those which have been lost or are missing, and shall make suggestions in relation to the improvement of the library.

State Historian.

Sec. 19. Appointment of state historian; duties. 1907, c. 88, § 1. The governor, with the advice and consent of the council, shall appoint a state historian, who shall be a member of the Maine Historical Society and whose duty it shall be to compile historical data of the state and encourage the teaching of the history of the state in the public schools. He shall also encourage the compiling and publishing of town histories, combined with local geography; he shall examine, and when he decides that the material is suitable, approve histories of towns compiled as provided in the following section.

Sec. 20. May approve publication of town history. 1907, c. 88, § 2. Whenever any town shall present to the state historian material, which he considers suitable for publication as a history of the town presenting the same, he may approve the publication of a history with the local geography, which will be suitable for use in the grammar and high school grades of the public schools.

Note. Preservation of records and history of Grand Army of the Republic, Dept. of Maine, P. & S. L. 1909, c. 149; 1911, c. 205.

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Sec. 21. **Board to compile history.** 1907, c. 88, § 4. The superintending school committee and the superintendent of schools, with some citizen of the town to be elected by them, shall constitute a board to compile a history and the local geography of the town in which they reside. Two or more towns may unite in compiling and publishing a history and the local geography of the towns forming the union. The superintendent of schools shall forward two copies of such history to the state library and notify the superintendent of public schools of the title of said history.

Sec. 22. **Towns publishing history shall receive state aid.** 1907, c. 88, § 3. Whenever material for a town history with local geography has been approved by the state historian, and the same has been published by the town, or by a union of towns, and provision has been made for its regular use in the public schools of said town, the treasurer of state shall pay the town so publishing a sum not exceeding one hundred and fifty dollars, provided that the state shall not pay to any town more than one-half of the amount paid by said town for printing and binding the history thereof.

Sec. 23. **Historical sites.** 1909, c. 138. The marking of historical sites, as authorized by the legislature, shall be under the direction of the state historian.

Sec. 24. **Expenses of historian.** 1907, c. 88, § 5. 1909, c. 138. 1911, c. 159. The actual cash expenses of the state historian incurred while in the discharge of his official duties shall be paid from the state treasury, but shall not exceed five hundred dollars a year; any portion of said amount may be expended by the state historian under the direction of the governor and council, in the publication of historical matter and data relating to the history of the state, or in making available by card catalogue, and otherwise, historical materials in the possession of the state.

Distribution of Public Documents.

Sec. 25. **Publications distributed to towns, are the property of the state.** R. S. c. 3, § 19. All Maine reports, statutes, digests, acts and resolves, and other publications, printed or purchased by the state, and hereafter distributed according to law or custom, to the several towns and plantations within the state, shall be and remain the property of the state, and shall be held in trust by such towns or plantations for the sole use of the inhabitants thereof, and for no other purpose.

Sec. 26. **All books furnished any state, county, or town officer, shall be held in trust by such officer.** R. S. c. 3, § 20. All such books and publications as may hereafter be furnished by the state, to any state, county or town officer, shall be and remain the property of the state, and shall be held in trust by said officer, for the sole use of his said office; and at the expiration of his term of office or on his removal therefrom by death, resignation or other cause, such officer, or if he be dead, his legal representatives, shall turn over to his successor in office all of said books and publications so furnished by the state and shall take a receipt therefor.

Sec. 27. How such books shall be marked. R. S. c. 3, § 21. All Maine reports, revised statutes, public laws and digests distributed by the librarian of the state library to the several towns and public officers in the state, shall be plainly marked upon the cover and upon the title page with the following words: "The property of the State of Maine, not to be sold," and shall have a registered number conforming to the list to be made by the librarian. Any town not retaining said volumes, shall not make any requisition upon the librarian for their replacement, and shall forfeit all claim to be supplied with any further state publications.

Sec. 28. State librarian may transmit laws to the several states and any foreign state. R. S. c. 3, § 22. The librarian of the state library, under the direction of the governor, may transmit to each department of the United States, to the several libraries of each state and territory, and to any foreign state, three copies of all the acts and resolves published by order of the legislature, and one copy of all public documents printed and bound by like order, and one copy of the printed decisions of the supreme judicial court.

Sec. 29. Librarian shall distribute books and documents; shall transmit reports to public libraries and schools, and members of the legislature; document room; clerk. R. S. c. 3, § 23. He shall distribute all the reports of the departments and institutions of the state, and all books and documents published or purchased by the state, to such nations, counties, municipalities, corporations, institutions and persons as are or may be by law entitled to receive the same. He shall also supply the chief officers of each state department and institution with such numbers of its reports as the governor and council may order for complimentary and official distribution by said officers. He shall procure such number of each volume of the Maine reports and of the acts and resolves when published, and distribute the same to such corporations, officers, institutions and persons within the state as the legislature may designate. He shall transmit one copy of each published report of each department of the state government to each public library in the state and to such schools and other public institutions therein as may desire the same. He shall also transmit to the legislature and to each member and officer thereof, as soon after the commencement of its session as practicable, one copy of each of the printed reports of each state department. He shall maintain a document department in a room provided for that purpose, in which shall be stored all department reports and the publications of the state intended for distribution, and shall keep an accurate account of all books and documents received, and of every book, document or package sent out from said department. A clerk may be employed who shall perform the duties pertaining to said department under the direction of the librarian.

Sec. 30. Representatives of the press shall be furnished with public documents. 1915, c. 201, § 3. In the distribution of public documents, the librarian shall send to each representative of the press who was on duty at the last preceding session of the legislature, such public documents as are customarily sent to members of the legislature.

State Printing and Binding.

Sec. 31. Governor and council shall determine number of reports not to exceed numbers, as herein provided; distribution. R. S. c. 3, § 24. 1905, c. 138. 1915, c. 318, § 1. The number of copies of the following named reports to be printed hereafter at the expense of the state shall be determined by the governor and council but shall not exceed the following numbers: The report of the commissioner of agriculture, six thousand copies annually; the report of the bank commissioner, two thousand copies annually; the report of the commissioner of the department of labor and industry, four thousand copies biennially; the report of the trustees of juvenile institutions, fifteen hundred copies annually; the report of the warden and inspectors of state prison and jails, fifteen hundred copies annually; the report of the University of Maine, fifteen hundred copies annually; the report of the Maine Agricultural Experiment Station, one thousand copies annually; the report of the registrar of vital statistics, two thousand copies annually; the report of the insurance commissioner, two thousand five hundred copies annually; the report of the public utilities commission, two thousand copies annually; the report of the state superintendent of public schools, four thousand copies on each legislative year, and three thousand five hundred copies on the alternate year; the report of the treasurer of state, three thousand copies on each legislative year, and twenty-five hundred copies on the alternate year; the report of the trustees and officers of the state hospitals, two thousand copies on each legislative year, and one thousand five hundred copies on the alternate year; the report of the board of state assessors, four thousand copies on each legislative year, and three thousand copies on the alternate year; the report of the attorney general, one thousand copies biennially; the report of the land agent and forest commissioner, three thousand copies biennially; the report of the commissioners of inland fisheries and game, three thousand copies annually; the report of the commissioner of sea and shore fisheries, two thousand copies biennially; the report of the state board of health, forty-five hundred copies biennially; the report of the adjutant general, twelve hundred copies annually; the report of the librarian of the state library, one thousand copies biennially; the report of the Bath Military and Naval Orphan Asylum, one thousand copies biennially. Of the above named reports seventy-five copies may be retained by the binder for public documents, and at least six hundred and seventy-five copies shall be delivered to the state librarian, by the binder, for exchange, library use and general distribution, and the balance of the number of each report shall be delivered to the head of the department or institution where it originated and was prepared for publication.

Sec. 32. Number of other reports determined by governor and council. R. S. c. 3, § 25. 1905, c. 138. 1915, c. 318, § 2. The reports, catalogues and compilations of all state departments, commissions and institutions, other than as enumerated in the preceding section, may be printed and bound, but the number and the styles in which the same shall be so printed and bound, at the expense of the state, shall be determined from time to time by the governor and council, who shall also fix the number of the same

which shall be delivered from the bindery or printing office to the librarian of the state library.

Sec. 33. Incidental printing subject to approval of governor and council. R. S. c. 3, § 26. 1905, c. 52. 1915, c. 318, § 3. Each department, institution, commission and board of trustees may have printed at the expense of the state, bulletins and circular letters of inquiry and information, blank books, blanks, stationery and office supplies, required for the conduct of the business of the department at such times and in such numbers as the officer in charge thereof may consider necessary, such requisition for printing to be subject to the approval of the governor and council. Except as provided in this and the preceding section, no reports, catalogues or compilations shall be printed, stitched or bound by any department, commission or institution of the state, at the expense of the state, unless by virtue of special legislative provision therefor.

Sec. 34. Governor and council may contract for state printing on basis of competitive bids; term of contract. 1915, c. 318, § 4. The governor and council may contract, in behalf of the state, on the basis of competitive bids, for the printing of the reports, catalogues, compilations, bulletins and circulars, authorized to be printed under the three preceding sections and for all other miscellaneous printing, now or hereafter authorized by law, for each department of the state government, including the legislative printing. They may, in their discretion, call for bids, and contract separately, for distinct portions of the state printing or state binding, but may reject any and all bids which they do not deem for the interest of the state to accept, and may take such security as they deem necessary for the faithful performance of any contract made under the authority of the three preceding sections. No such contract shall be for a longer time than two years.

Sec. 35. Contracts for stock, electrotypes, etc. 1915, c. 318, § 5. The governor and council may in their discretion contract from time to time, on the basis of competitive bids, for the making or delivery of the paper stock, engravings, electrotypes, dies, lithographs or other plates required in the execution of the state printing. No such contract shall be for a longer time than two years.

Sec. 36. State binding shall be contracted for by governor and council. 1915, c. 318, § 6. The governor and council may contract, in behalf of the state, on the basis of competitive bids, for all the folding, stitching, ruling and binding for every department of the state government, for which the state is held to pay. They may in their discretion call for bids, and contract separately for distinct portions of the state binding, but may reject any and all bids which they do not deem it the interest of the state to accept, and may take such security as they deem necessary, for the faithful performance of any contract made under the authority of the four preceding sections. No such contract shall be for a longer time than two years.

Sec. 37. Superintendent of public printing appointed; qualifications. 1915, c. 318, § 7. To carry out the provisions of the six preceding sections, the state auditor shall appoint a superintendent of public printing, whose appointment shall be approved by the governor and council. He shall be

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an experienced practical book and job printer with a working knowledge of the various grades, sizes and weights of paper stocks, type measurements, classes of composition and method of press work.

Sec. 38. Duties of superintendent of public printing; report. 1915, c. 318, § 8. All state departments, institutions, commissions and boards of trustees requiring printing or bindery work for which the state is properly holden to pay out of any public moneys, shall make requisition for the same to the superintendent of public printing, who shall superintend the execution of all orders upon such requisitions, and examine, correct and approve all bills rendered against the state on account of such orders. He shall keep a correct record of the expenditures hereunder of the several departments, institutions, commissions and boards of trustees through the office of the state auditor, and the same shall always be available for public inspection. He shall also report to the governor and council annually in detail the description, quantity and cost of each item of expenditure relating to the state printing and binding.

Sec. 39. Superintendent shall not be owner of any office handling state work. 1915, c. 318, § 9. No contract authorized by the eight preceding sections shall be awarded to a printing office or bindery in which the superintendent of public printing is owner, partner, stockholder, director, manager or agent, or otherwise financially interested.