

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eightieth Legislature

OF THE

STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eightieth Legislature

1921

[supplied from page 3 of volume]

Chapter 210.

An Act to Consolidate the Library Laws.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Purpose of act. The purpose of this act is to consolidate in one chapter the various provisions of law relating to libraries.

Sec. 2. Governor and council to act as trustees of Maine state library. The Maine state library shall be under the management and control of the governor and council, who shall be known as the trustees of the Maine state library and who shall make such rules and regulations as are necessary for the proper management of the library and the safety of its contents.

Sec. 3. Appointment of librarian and assistant librarian. The governor and council shall appoint a librarian of the Maine state library, who shall serve for five years and give bond to the state for the faithful performance of the duties of his office. The librarian shall appoint an assistant who shall perform the duties prescribed by him, and shall give bond to the librarian for the faithful performance of the same.

Sec. 4. Enumerating some of the works which shall be kept in the library. 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, manufactures, 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 to this state, as fast as means are furnished by the state therefor, and all 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. 5. Library shall be open from 9 A.M. until 4 P.M. The librarian shall keep the library open every day in the year, Sundays and the usual public holidays excepted, from nine in the morning until four in the afternoon; 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. Books may be loaned to responsible citizens of the state.

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Under such rules and regulations as the trustees may prescribe, the librarian may lend books and documents from the library to any responsible citizen of the state, on payment of all carriage charges.

Sec. 7. Traveling libraries may be loaned. When the officers of any library or association or any individual shall apply to the librarian and he is satisfied that the application is justified he may, from books purchased and kept for the purpose, lend such library, association or individual, one or more of the traveling libraries when such are in stock. Books so lent are to be, in turn, lent free of charge to the patrons of such library or to the citizens of the towns where such library, or association or individual is located.

Sec. 8. Persons or organizations responsible for books borrowed. Any person or organization receiving the loan of any books or documents from the Maine 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 organization shall neglect or fail to return any books or documents lent 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 organization 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.

Sec. 9. May maintain bureau of historical research. As a part of the general duties of his office, the librarian shall maintain a bureau of historical research. Under the direction of this bureau the library shall conduct a system of exchange with other libraries and institutions of learning. It shall also have charge of all Maine historical and genealogical work in the library and carry on research work relating to the history of the state.

Sec. 10. Published records of vital statistics may be purchased. Whenever the record of the births, marriages and deaths of any town in the state, previous to the year eighteen hundred and ninety-two, beginning at the very earliest date, shall be collected from church records, church registers, records of clergymen, family bibles, public records and other available sources, and shall be printed and verified in the manner required by the standing committee of the Maine Historical Society, under the editorship of some person selected by said committee, whose services shall be rendered free and without any compensation, and the work shall appear to them to have been prepared with accuracy, the librarian of the state

library shall purchase five hundred copies of such record at a price not exceeding two cents per page; provided, that the written copies of the town records shall become the property of the state, and shall be deposited in the office of the registrar of vital statistics; and provided, further, that not more than three thousand dollars shall be expended by authority of this section in any one year.

Sec. 11. Distribution of published records of vital statistics.

The volumes purchased as aforesaid shall be distributed by the state librarian as follows; one copy to the free public library of each town and city of the state; one copy to each state and territorial library in the United States; one copy to the library of congress; and one copy to each incorporated historical society in the state; one copy to the library of each college in the state; and one copy to each registry of deeds. The remainder shall be placed in the state library for the purpose of exchange.

Sec. 12. May maintain legislative reference bureau. The librarian shall also maintain in the library, a legislative reference bureau which shall collect, arrange and place on file books, pamphlets and other material relating to legislation, shall prepare abstracts of laws in other states, and present such other information as may be useful and necessary to the legislature in the performance of its legislative duties.

Sec. 13. Maine Library Commission abolished. The Maine Library Commission established under section ten, chapter three of the revised statutes is hereby abolished. Under the direction of the librarian a bureau of library extension shall lend traveling libraries and shall carry on all library extension activities such as are enumerated in sections seven and fourteen of this chapter.

Sec. 14. Shall give advice to local libraries; may receive gifts in trust; may conduct schools of library instruction. The Maine State Library 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 cataloging books, and other details of library management, and may send its employees 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 the libraries and commissions of other states in the publication of documents in order to secure the most economical administration of its work. It may conduct courses or schools of library instruction and hold librarians' institutes in various parts of the

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state, and co-operate with others in such schools or institutes. It shall perform such other service in behalf of the public libraries as it may consider for the best interests of the state.

Sec. 15. Shall establish an index bureau. The librarian shall also establish and maintain an index bureau. This bureau shall have charge of all indexing in connection with the work of the library and such other indexing as the legislature and governor and council may direct.

Sec. 16. Shall make a biennial report to the legislature. The librarian shall report to the legislature biennially the receipts and expenditures on account of the library, the number of books, maps and charts acquired during the two preceding years, specifying those obtained by purchase, donation and exchange and shall make in such report, suggestions in relation to the improvement of the library.

Sec. 17. Appropriation authorized. To provide funds for the administration of the library and for the salaries and expenses incident thereto, there shall be appropriated for each fiscal year sums as in the opinion of the legislature shall be deemed sufficient to carry out the provisions of this chapter.

Sec. 18. Salary of librarian. The librarian shall receive an annual salary of twenty-eight hundred dollars.

Sec. 19. Municipal and county reports to be filed with librarian. 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 Maine State Library, copies of all printed reports of said towns, cities and counties, including all printed exhibits of town, city and county expenditures.

Sec. 20. Maine reports, statutes, etc., distributed to municipalities remain property of the state. 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. 21. Books distributed to state, county or town officers shall be turned over to successors in office. 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. 22. Maine reports, statutes, etc., distributed to towns and public officers to be plainly marked as property of state. 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." 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. 23. Acts and resolves may be distributed to United States departments and to state libraries. The librarian of the state library 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 the 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. 24. Distribution of departmental reports; shall maintain document room. He shall distribute 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 may transmit one copy of each published report of each department of the state government to each 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 room, 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.

Sec. 25. Public documents to be sent to representative of press in attendance upon legislature. The librarian shall send to each representative of the press in attendance at legislative sessions such public documents as are customarily sent to members of the legislature.

Sec. 26. Departmental reports to be delivered to librarian by binder. Not more than seventy-five copies of each department report shall be retained by the binder for public documents. At least six hun-

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dred 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. 27. Ten copies of all departmental publications to be delivered to librarian. Ten copies of each periodical, bulletin, pamphlet or leaflet issued by any department or institution of the state shall be deposited in the state library.

Sec. 28. Authorizing towns to establish and maintain free public libraries. Any town may establish a free public library therein, for the use of its inhabitants, and provide suitable rooms therefor, under such regulation for its government as the inhabitants from time to time prescribe; and may appropriate, for the foundation and commencement of such library, a sum not exceeding ten dollars, and for its maintenance and increase annually, a sum not exceeding two dollars for each of its ratable polls in the year next preceding. Any town in which there is a public library may establish and maintain under the general management and control, such branches of the same as the convenience and wants of its citizens seem to demand.

Sec. 29. Authorizing establishment of free public libraries by village corporation. Any village corporation located in a town where no free library exists, may establish a library within its limits for the free use of all its inhabitants and may levy and assess a corporate tax and appropriate therefrom for its maintenance and increase annually a sum not exceeding one dollar for each ratable poll within the limits of such village corporation in the year next preceding. Village libraries established under this section shall be subject to all the duties and entitled to all the privileges prescribed by the laws relating to free public libraries in towns.

Sec. 30. State aid for towns appropriating money for establishment and maintenance of free public libraries. Any town may raise and appropriate annually a sum of money, not exceeding the legal limit established for maintaining free libraries, for the purpose of securing to its inhabitants the free use of a library located in an adjoining town, and shall be entitled to receive from the treasurer of state a sum not less than seven per cent nor more than ten per cent of the amount so raised, appropriated and expended yearly, provided that no town shall receive annually more than five hundred dollars, to be paid on the certificate of its municipal officers returned as provided in section seventy-eight.

Sec. 31. Adjacent towns may unite in establishment and maintenance of libraries; entitled to same benefits as single towns.

Two or more adjacent towns may unite in establishing and maintaining a free public library with branches thereof in each town, for the free use of all the inhabitants of said towns, and may each raise and appropriate for that purpose annually a sum not exceeding the legal limit established for maintaining free libraries, and such towns shall be subject to all duties and entitled to all the benefits prescribed by the laws relating to free libraries.

Sec. 32. Procedure for obtaining state aid for towns maintaining free public libraries.

The municipal officers of any town or city, and the assessors of any village corporation where a free public library is established, shall annually, on the first day of May, certify to the trustees of the Maine State Library, the amount of money appropriated and expended by said town, city or village corporation during the preceding year, for the purchase of books and documents for the use and benefit of such free public library, and for the payment of the running expenses thereof; the trustees may certify as to grade and quality of service performed by the library; and the governor, with the advice and consent of the council, shall draw a warrant on the treasurer of the state for the purchase of books for the use of such library, for a sum not less than seven per cent nor more than ten per cent of the amount expended by said town or village corporation as certified by its municipal officers or assessors, provided that no town shall receive annually more than five hundred dollars.

Sec. 33. Towns may assist libraries controlled by associations provided such association grants free use of books to residents.

Any town or city, in which there is a library owned or controlled by a corporation or association or by trustees may appropriate a sum not exceeding one dollar for each of its ratable polls in the year next preceding to procure from such library the free use of its books for all the inhabitants of the town or city, under such restrictions and regulations as shall insure the safety and good usage of the books; and such library shall then be considered a free public library within the meaning of this chapter, and said town or city shall be entitled to the benefits of the preceding section, provided that any books and documents purchased with said stipend, and all books and documents donated by the state, shall be and remain the property of said municipality.

Sec. 34. In towns maintaining free public libraries state librarian shall transmit to libraries such public documents as town is entitled to; local librarian shall report to state librarian annually list of books purchased with state stipend and list of books received

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from state held in the library; state aid shall be withheld when no report is made, and if report shows that public documents received from state are not retained. In every town and city where a free public library exists, the librarian of the state library shall transmit to such library all laws, Maine reports, and other documents which the town or city is by law entitled to receive from the state, and the same shall be constantly kept in such library for the use and benefit of all the citizens; and the officers of said library, on or before the first day of April of each year, shall send to the librarian of the state library a report containing a list of all books and documents purchased with the state stipend for the preceding year, and of all books and documents received from the state in said library. The aid from the state, hereby provided, shall be withheld from any town, city or village corporation until the report herein required to be made on or before the first day of April of each year, shall have been received by the librarian of the state library. And the same shall also be withheld unless said report shall show that the laws, Maine reports and other documents furnished to said town or city by the state are kept in said library as required by this section.

Sec. 35. Books may be donated to towns to assist in foundation of library. The trustees of the Maine State Library shall donate to any town having no free public library owned or controlled by the town, books purchased for that purpose, not exceeding fifty per cent in value of the books and documents purchased by said town for the purpose of founding a free public library therein; said donation in no case to exceed one hundred dollars, unless in the judgment of the trustees, it would be to the advantage of the library to receive the amount in some other form.

Sec. 36. Towns may accept gifts and devises for library purposes. Any town, as such, may receive, hold and manage devises, bequests or gifts for the establishment, increase or maintenance of a public library therein; and may accept by vote of the legal voters thereof, any land or land and buildings thereon, to be used as a public library or art gallery, or both combined. When any plantation is incorporated into a town, such gifts and the proceeds thereof fully vest in such town.

Sec. 37. Inconsistent statutes repealed. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved April 9, 1921.

Chapter 211.

An Act Relative to Motor Vehicles and the Law of the Road, and to Revise and Amend Chapter Twenty-six of the Revised Statutes and Acts Amendatory thereof and Additional thereto.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Terms defined. As used in this chapter, unless the context otherwise indicates, the word "way" includes all kinds of public ways;