

MAINE STATE LEGISLATURE

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SEVENTH REVISION

THE
REVISED STATUTES

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CHAPTER 4.

Libraries.

- Sections 1-16 State Library.
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State Library.

Sec. 1. Governor and council to act as trustees of Maine State Library; Maine State Library defined. R. S. c. 3, §§ 1, 3. 1921, c. 210, § 2. 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. 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.

Sec. 2. Appointment of librarian and assistant librarian. R. S. c. 3, § 4. 1921, c. 210, § 3. 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. 3. Enumerating some of the works which shall be kept in the library. R. S. c. 3, § 2. 1921, c. 210, § 4. 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.

See c. 3, §§ 7, 8.

Sec. 4. Admission to library. R. S. c. 3, § 5. 1921, c. 210, § 5. The librarian shall keep the library open from nine in the morning until twelve noon on every day except Sundays and public holidays, and from one-thirty to four in the afternoon on every day except Saturdays, Sundays, and public holidays;

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. 5. Books to be loaned to responsible citizens of state. R. S. c. 3, §§ 6, 7. 1921, c. 210, § 6. 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. 6. Traveling libraries to be loaned. R. S. c. 3, § 8. 1921, c. 210, § 7. 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. 7. Persons or organizations responsible for books borrowed. R. S. c. 3, § 9. 1921, c. 210, § 8. 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.

See c. 139, § 28.

Sec. 8. To maintain bureau of historical research. R. S. c. 3, § 14. 1921, c. 210, § 9. 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. 9. Published records of vital statistics to be purchased. 1921, c. 210, § 10. 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. 10. Distribution of published records of vital statistics. 1921, c. 210, § 11. 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 or sale.

Sec. 11. To maintain legislative reference bureau. 1917, c. 129. 1921, c. 210, § 12. 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. 12. To maintain a bureau of library extension. 1921, c. 210, § 13. 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 six and thirteen of this chapter.

Sec. 13. To give advice to local libraries; to receive gifts in trust; to conduct schools of library instruction. R. S. c. 4, § 82. 1917, c. 125. 1921, c. 210, § 14. 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 cooperate 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 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. 14. To establish an index bureau. R. S. c. 3, § 17. 1921, c. 210, § 15. 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. 15. To make a biennial report to the legislature. R. S. c. 3, § 18. 1921, c. 210, § 16. 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. 16. Municipal and county reports to be filed with librarian. R. S. c. 3, § 15. 1921, c. 210, § 19. 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.

Distribution of Public Documents.

Sec. 17. Maine reports, statutes, etc., distributed to municipalities remain property of state. R. S. c. 3, § 25. 1921, c. 210, § 20. 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. 18. Books distributed to state, county, or town officers to be turned over to successors in office. R. S. c. 3, § 26. 1921, c. 210, § 21. 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. 19. Maine reports, statutes, etc., distributed to towns and public officers to be plainly marked as property of state. R. S. c. 3, § 27. 1921, c. 210, § 22. 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. 20. Maine reports, how distributed. R. S. c. 3, § 28. 1921, c. 210, § 23. 1923, c. 163, § 1. The printed decisions of the supreme judicial court, commonly called Maine reports, which are purchased by the state in accordance with section ninety-four of chapter ninety-one, and its amendments, shall be distributed by the librarian of the Maine state library as follows: one copy shall be sent to each free public library, county law library, college library, town or city in which there is no free public library, county attorney, judge of probate, register of probate, clerk of courts, municipal court, ex-governor, councilor, senator and representative from Maine in the congress of the United States, judge of the supreme judicial court, judge of the superior court, ex-judge of supreme judicial court or a superior court, state or territorial library in the United States, supreme court library of Canada. One copy shall also be sent to the judges of the United States district courts, for the district of Maine, United States district attorney, clerk of the United States district courts and judges of the United States circuit court of appeals for this state, and to the Maine historical society, reporter of decisions, library of congress, Maine state bar association and governor of the state.

Upon request of the administrative officer thereof one copy shall be given to each state department or institution. One copy shall also be sent to each town or city in which there is a free public library if so requested by the selectmen of the town or mayor of the city.

Sec. 21. Revised Statutes and sessions laws, how distributed. 1923, c. 163, § 2. All future compilations or revisions of the statutes and the laws passed by each legislature, which are printed and bound by the state, shall be distributed by the librarian of the Maine state library as follows: one copy shall

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be sent to each county attorney, clerk of courts, county commissioners' court, county law library, sheriff, county treasurer, register of deeds, register of probate, judge of probate, judge of the supreme judicial court, judge of the superior court, municipal court, college library, councilor, free public library, town or city in which there is no free public library, state or territorial library in the United States, supreme court library of Canada, ex-governor, ex-judge of supreme judicial court or a superior court, senator and representative from Maine in the congress of the United States. One copy shall also be sent to the governor of the state, Maine historical society, library of congress, reporter of decisions, Maine state bar association, and to the judges of the United States district courts, United States district attorney, clerk of United States district court, judge of United States circuit court of appeals for this state. One copy of the laws passed by each session of the legislature shall be sent to each member and officer thereof.

Upon request of the administrative officer thereof one copy of any future compilation or revision of the statutes or of the laws passed by any legislature shall be given to each state department or institution. One copy shall also be sent to each town or city in which there is a free public library, if so requested by the selectmen of the town or the mayor of the city.

The remaining copies of the laws shall be held in the library for exchange or sale.

Sec. 22. Distribution of departmental reports; to maintain document room. R. S. c. 3, §§ 29, 30. 1921, c. 210, §§ 24, 25. 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. He 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. 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.

Free Public Libraries.

Sec. 23. Authorizing towns to establish and maintain free public libraries. R. S. c. 4, § 74. 1919, c. 35. 1921, c. 210, § 28. 1925, c. 175, § 1. 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 levy and assess a tax and make appropriation therefrom for the foundation and commencement of such library and for its maintenance and increase annually. Any town in which there is a public library may establish and maintain under the same general management and control such branches of the same as the convenience and wants of its citizens seem to demand.

Sec. 24. Authorizing village corporations to establish free public libraries. R. S. c. 4, § 75. 1917, c. 124. 1921, c. 210, § 29. 1925, c. 175, § 2. 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 make appropriation therefrom for its maintenance and increase annually. 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. 25. Authorizing towns to raise money to secure free use of library in adjoining town; state aid therefor. R. S. c. 4, § 76. 1917, c. 165. 1921, c. 210, § 30. 1925, c. 175, § 3. Any town may raise and appropriate annually a sum of money 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 twenty-seven.

Sec. 26. Adjacent towns may unite in establishment and maintenance of libraries; entitled to same benefits as single towns. R. S. c. 4, § 77. 1921, c. 210, § 31. 1925, c. 175, § 4. 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 make appropriation for that purpose annually, and such towns shall be subject to all duties and entitled to all the benefits prescribed by the laws relating to free libraries.

Sec. 27. Procedure for obtaining state aid for towns maintaining free public libraries. R. S. c. 4, § 78. 1917, c. 212. 1921, c. 210, § 32. 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. 28. Towns may assist libraries controlled by associations provided such association grants free use of books to residents. R. S. c. 4, § 79. 1921, c. 210, § 33. 1925, c. 175, § 5. Any town or city in which there is a library owned or controlled by a corporation or association or by trustees may levy and assess a tax and make appropriation therefrom annually 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. 29. Duty to keep custody of public documents furnished by state librarian; duty to report list of books purchased with state stipend. R. S. c. 4, § 80. 1921, c. 210, § 34. 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

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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. 30. Books may be donated to towns to assist in foundation of library. R. S. c. 4, § 81. 1917, c. 123. 1921, c. 210 § 35. 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. 31. Towns may accept gifts and devises for library purposes. R. S. c. 4, § 83. 1921, c. 210, § 36. 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.