

Library.

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An act to regulate the state library.

Approved April 10, 1846. R. S. 818.

1. That there shall be elected tri-annually by the senate and general assembly, in joint meeting, a state librarian, who shall hold his office for the term of three years and until a successor is chosen and qualified to serve; and said librarian shall, before he enters upon the duties of his said office, enter into bond to the state of New Jersey, with two good and sufficient sureties, being freeholders in the said state, in the penal sum of one thousand dollars, to be approved by one of the justices of the supreme court, conditioned that if he shall well and truly execute the office of state librarian, and in all things touching and concerning said office, shall well and truly, faithfully and impartially, perform the same, as well with respect to all persons whatsoever concerned, as to the said state of New Jersey, and at the expiration of his said office shall deliver all the books, pamphlets, records and papers remaining in the said library, or appertaining thereto, to his successor in office, then the said obligation to be void, otherwise to be and remain in full force and virtue; and shall also take an oath or affirmation, before one of the said justices, that he will well, truly, faithfully, and impartially execute all the duties of state librarian agreeably to law, according to the best of his skill and understanding; which said bond and affidavit shall be filed in the office of secretary of state, there to remain of record. Oath.

2. That the library shall be kept open, in the state house, at all times during the session of the legislature and of the courts of this state, and of the United States, which sit at Trenton (Sundays excepted) in each day, from nine o'clock in the morning until six o'clock in the evening, and shall be for the use of the members of the legislature, the secretary and clerks of the respective houses, the officers of the executive department of the state government, judges of the district and circuit courts of the United States, district attorney, chancellor, judges of the supreme court and of the court of errors and appeals of this state, adjutant and quartermaster generals, attorneys of the supreme court, and all other persons who have been, or may be at any time entitled by law to the use of books from such library, when any of them shall be at the seat of government. Persons entitled to use of library.

3. That it is further made the duty of the librarian, with the advice and consent of the governor, treasurer, and secretary of state, or any two of them, to prescribe, from time to time, such rules and regulations for the government of the library as they shall think proper, and a copy of such rules shall at all times be set up in a conspicuous place in the library for inspection; and all fines and forfeitures accruing under and by virtue of such by-laws, shall be recoverable by action of debt, to be brought by the treasurer, before any court having jurisdiction of the amount, in the name of the state of New Jersey, for the use of the state library; and in all such trials, the librarian shall be a competent witness, and his entries, to be made as hereinafter directed, shall be *prima facie* evidence of the delivery of the book or books, and the date of such delivery. (See *Sec. 16*). Librarian to make rules, etc.

- To make entry of books loaned. 4. That the librarian shall arrange the books in proper order, and preserve them from being injured by moths, moulding, or otherwise, as far as practicable; he shall keep proper books, in which he shall make an entry of all books taken out, designating the name of the person taking the same, and also of the books returned; he shall also keep an accurate catalogue of books belonging to the library, alphabetically arranged, and shall, in the month of January, annually, report to the legislature a full and complete statement of the condition of the library, naming the books lost and destroyed, if any there be, and the cost of such works, and the name or names of the individuals to whom they were charged, together with the fines assessed and collected under the rules and regulations to be prescribed as aforesaid; he shall also keep an account of the manner in which moneys appropriated for the improvement of the library shall be expended.
- Annual expenditure for increase of library. 5. That there shall be expended annually, by the librarian, under the direction of the governor, secretary of state, and treasurer, or any two of them, the sum of two hundred and fifty dollars for the increase of the state library; out of this fund he shall procure the binding of one copy of each volume of the laws and reports of other states and territories sent to this state, and also of ten copies of the laws and joint resolutions passed at each session of the legislature, ten copies of each of the journals of the senate and general assembly, five copies of the chancery reports, five copies of the supreme court reports, one copy of the bills of each house, and such other books as may require binding or rebinding. (See *Sec. 8*).
- Bills not passed to be deposited in library. 6. That it shall be the duty of the secretary of the senate and clerk of the general assembly to deliver to the librarian, immediately after the final action of both houses, each and every bill and joint resolution lost upon its final passage; and at the close of each session, they shall also deliver to the librarian all bills laid on the table and unacted upon, together with those indefinitely postponed or postponed to the next sitting of the legislature.
- [*Sec. 7* supplied by *Sec. 13 post*].
- Committee of legislature to examine annually. 7. *Sec. 8*. That there shall be appointed annually, a joint committee of the legislature, whose duty it shall be to examine into the condition of the library, order any repairs that may be necessary, and recommend additions and improvements to the same, by exchange, purchase, or otherwise; they shall also report to the legislature the manner in which the money appropriated for the enlargement of the library has been expended, and whatever else they think proper to make the same useful.

P. L. 1849, p.

Librarian to cause certain volumes to be bound, &c.

Supplement.

Approved March 1, 1849.

8. *SEC. 1*. That hereafter it shall be the duty of the state librarian, annually, to cause twenty copies of the laws and joint resolutions, passed at each session of the legislature, twenty copies of each of the journals of the senate and general assembly, ten copies of the chancery reports, and ten copies of the supreme court reports, to be bound and placed in the library for the use of the state.

P. L. 1855, p. 498.

Duty of librarian to take charge of law library.

Supplement.

Approved March 29, 1855.

9. *SEC. 1*. It shall be the duty of the state librarian to take charge of the law library belonging to the law society of New Jersey, whenever the possession of the same shall be delivered to him by said society, and also to remove to said library the several volumes of reports and statute laws which are now in said state library, or may hereafter be procured by the state, or such of them as the commissioners of the library shall think necessary and proper; and the whole law library, thus united, shall be known as the law library of New Jersey, and shall be for the use of the legislature, the court and bar of New Jersey, and such persons as are by law entitled to the use of the books of the state library, and the same

shall be under the control and direction of the same persons as the state library is now or shall be hereafter.

10. SEC. 2. Hereafter the commissioners of the library shall be the governor, secretary of state, treasurer, chancellor, and chief justice; the concurrence of any three of them shall be necessary to the performance of any act required to be done by the act to which this is a supplement, by the governor, secretary of state, treasurer, or any two of them.

11. SEC. 3. The appropriation by the fifth section of the act to which this is a supplement, shall be expended exclusively in the purchase of useful books and the enlargement of the library. (See COURTS, *Sec.* 67).

Supplement.

Approved March 17, 1870. P. L. 1870, p. 32.

12. SEC. 1. That the sum of seven hundred and fifty dollars be and is hereby appropriated annually to the state library, to be expended for the furnishing of useful books, under the direction of the commissioners, reprinting the catalogues and other necessary purposes.

Supplement.

Approved April 4, 1873. P. L. 1873, p. 158.

13. SEC. 1. That the state librarian shall be entitled to receive an annual salary of fifteen hundred dollars.

An act authorizing the secretary of state to insure the state library.

Approved March 22, 1860. P. L. 1860, p. 664.

14. SEC. 1. The secretary of state be and hereby is authorized to effect an insurance against fire on the state library, in a sum not exceeding fifteen thousand dollars, which insurance shall be effected by insuring in three or more different insurance companies, in a sum not exceeding five thousand dollars each.

15. SEC. 2. It shall be the duty of the treasurer and he is hereby authorized to pay such premium or premiums as shall be necessary to effect such insurances, upon certificate of the secretary of state, that such insurance or insurances have been effected.

An act relating to the commissioners of the state library.

Approved April 5, 1866. P. L. 1866, p. 960.

16. SEC. 1. The commissioners of the state library, or a majority of them, shall from time to time prescribe such rules for the government of the library as they may think proper, and a copy of such rules shall at all times be set up in a conspicuous place in the library for inspection, and all fines and forfeitures accruing under or by virtue of such rules, shall be sued for and recovered in the court by the officers and in the manner prescribed in the third section of the act entitled "An act to regulate the state library," approved April tenth, eighteen hundred and forty-six, and the librarian shall in all things be subject to the control and direction of the said commissioners.

17. SEC. 2. Said commissioners, or a majority of them, shall have full power and authority to sell or exchange all or any duplicate volume or documents now or hereafter the property of said library, to sell or otherwise dispose of all books which in their judgment should be excluded therefrom, and all moneys to be received from such sales shall be paid into the treasury for the benefit of said library.

[Sec. 3 executed].

An act relative to the exchange of books published under the authority of the state of New Jersey.

Approved March 24, 1864. P. L. 1864, p. 425.

[Sec. 1 executed].

18. SEC. 2. It shall be the duty of the treasurer of this state hereafter, upon the receipt of any judicial reports, statutes, digests, laws or public documents, published by or under the authority of this state or the legislature thereof, or of which the state has become a purchaser, to deliver to the state librarian as many copies of each of said publications as shall be

necessary to furnish one copy thereof to the executive of each state and territory within the United States; and it shall thereupon be the duty of the state librarian, upon the receipt of the same, to distribute and forward to the executive of each state and territory within the United States, one copy of each report, annual law, digest, statute or other public document published as aforesaid.

An act to improve the state library.

Approved March 13, 1872.

P. L. 1872, p. 36.

Additional appropriation for state library.

19. SEC. 1. That the additional sum of two thousand dollars be appropriated annually for five years for the improvement of the state library; the same to be drawn from the treasury of the state from time to time by the commissioners of the state library, and expended under their direction in the purchase of books.

Liens.

I. AGAINST SHIPS, STEAMBOATS, ETC.

1. Certain debts to be a lien on vessels.
2. Lien may be enforced by warrant.
3. Application for, what to specify.
4. To whom warrant to be issued and what to command.
5. How warrant executed and returned.
6. No other warrant to issue till first superseded.
7. Notice of issuing of warrant to be published.
8. What notice to contain.
9. Any creditor may deliver to officer an account of his demand.
10. Liens to cease unless delivered in time limited.
11. Owner, consignee, etc., may apply for order to discharge warrant.
12. Person applying for order to give bond.
13. Warrant discharged on delivery of bond.
14. Bond for common benefit of attaching creditors.
15. Declaration in suit upon bond; what to be stated and averred.
16. Defendant's plea.
17. When verdict or judgment is for \$20 or upwards, plaintiff to have execution, etc.
18. If for less than \$20, judgment entered against plaintiff. Costs.
19. When officer to direct sheriff, &c., to proceed to sell vessel, etc.
20. If claims can be satisfied by sale of tackle, vessel not to be sold.
21. Sheriff or constable to proceed to sell vessel, etc., within twenty days after order.
22. Return of sale. Proceeds.
23. Notice of distribution of proceeds.
24. Distribution, how made.
25. In case of contest, objections to be filed.
26. Parties may agree upon referees.
27. In case of refusal of parties to select referees, officer to name.
28. Referees, how selected.

29. Officer to certify selection.
30. Certificate to be filed. Rule to be entered.
31. Powers and duties of referees.
32. Report of referees.
33. Parties may except to report, etc.
34. Upon confirmation of report, distribution to be made.
35. When distribution made sheriff to pay over proceeds of sale.
36. Distribution to be made pro rata, if proceeds insufficient to pay all liens.
37. Proceedings to be filed with county clerk within thirty days after distribution made.
38. Sheriff or other officer may be attached for disobedience of order.
39. No lien to be enforced against vessels seized under process out of United States courts.
40. Proceedings when vessels have been run down or run afoul of.
41. Officer may issue warrant; when.
42. Warrant to issue in twenty days or lien cease.
43. Act to apply to all vessels. Record of proceedings. Fees and costs.
44. Debts amounting to fifty dollars for work done, materials, etc., preferred to all liens except wages.
45. Part of former act repealed.

II. AGAINST GOODS, ETC., BY COMMON CARRIERS.

46. When unclaimed goods and merchandise may be sold by order of judge or commissioner.
47. Fees of judge, commissioner or other officer.
48. Proceeds of sale, how appropriated.
49. Unclaimed freight may be collected from several depots and sold at one place.
50. Order of sale, by whom to be made.
51. Common carriers may sell unclaimed freight.
52. Sale of perishable goods.
53. Proceeds of sale, how disposed of.

I. Against ships, steamboats, etc.

An act for the collection of demands against ships, steamboats and other vessels.

P. L. 1857, p. 382.

Certain debts to be a lien on vessels.

Approved March 20, 1857.

1. Whenever a debt shall be contracted by the master, owner, agent, or consignee of any ship or vessel, within this state, for either of the following purposes:

1. On account of any work done, or materials or articles furnished in this state, for or towards the building, repairing, fitting, furnishing, or equipping such ship or vessel.