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Letter to Dillard Gardner regarding the Catawba County Law Library, October 18, 1939

Charles Bagby

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October 18, 1939

Mr. Dillard Gardner
Supreme Court Library
Raleigh, N. C.

Dear Mr. Gardner:

I have received Miss Lucile Elliott's letter of October 14, and I intend to make every effort to be present at the meeting of the Carolina Law Librarians on Friday, October 27.

The plan we have adopted in Catawba County for our Law Library has been working quite satisfactorily. Briefly, the plan is:

1. Finances and Constitutionality.

In an effort to avoid any successful attack on Constitutional grounds, our Act provides that ownership of our libraries vest in Catawba County and that all court officials, all litigants, all law enforcement officials, and any and all officials of Catawba County and the municipalities therein, as well as the lawyers, shall have access to the libraries. A small fee is taxed as a part of the court costs in each case in our superior court and in each case in our recorders' courts. In my opinion, the State License tax on lawyers should be increased to a small extent, and such increase should be disbursed to the counties, in ratio to their population, for the purpose of increasing each county's library fund.

2. Location.

We maintain two libraries, one in the court house at Newton, our county seat, and the other in the municipal building in Hickory, the largest town in the county. Neither the County nor the City charges any rent for library space, as each is anxious for its retained attorneys to have access
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to a modern library and anxious to prevent un-necessary and expensive adjournments of court for the purpose of examination of authorities. Where such arrangements cannot be made, it would probably be well, in smaller communities, either to rent an office or to maintain the library as a part of some lawyer's office.

3. Plan of Administration.

The Clerk of Superior Court is Librarian, has direct charge of the Newton library and supervision over the Hickory library. The City Manager of Hickory has direct charge of the Hickory library. The County Commissioners adopt rules and regulations for the use of each library, and inventories are required to be filed with the Board from time to time.

The Catawba County Bar Association appoints a Library Committee which has charge of the purchase, sale and lending of books. This Committee does not have power to create any debt on the part of the County, and the library funds are disbursed upon checks signed by the Clerk of Superior Court and by the Chairman of the Library Committee. Of course, all fees from costs are deposited in the library fund as collections are made.

As heretofore stated, the working of our plan has been quite satisfactory. We now have in each of our libraries a complete set of North Carolina Reports, U. S. Supreme Court Reports, North Carolina Digest, U. S. Supreme Court Digest, Federal Code Annotated, Nordecai's Law Lectures, Jerome's Criminal Code, the latest edition of Williston on Contracts, Mackintosh on N. C. Practice & Procedure, Lockhart on Evidence, Michie on Automobiles, Vartanian on Corporations, Vartanian on Wills, and Scott on Trusts. In addition, we have at the Newton library A. L. R., the latest edition of Huddy on Automobiles, American Jurisprudence and Corpus Juris Secundum.
In the Hickory library we have the second series of Federal Reporter, with Digest, Corpus Juris and the first 39 volumes of A. L. R.

Our income amounts to approximately $1,000.00 per year and we are making additional purchases from time to time. The judges of our courts, the lawyers, and the people generally of our county are pleased with the working of our plan. Practically no lawyer in the county is now buying any books other than local Codes and Reports.

With warm personal regards,

Sincerely yours,

CHAS. W. BAGBY

CWB/s