

CHAPTER XVIII.

March 8, 1869. *An Act to provide for a City Library in the City of Winona.*

- SECTION 1. When City Council to elect Trustees of the Winona Library—power of Trustees.
2. Trustees to control and manage the Library—to appoint a Librarian—to fix salary—to provide rooms, etc.
 3. Trustees to make rules and regulations as to terms on which persons shall be admitted to the benefits of the Library—admission fee, what not to exceed—non-residents need not apply.
 4. May impose penalties for violations of the rules of the Library—limitation of fines—how fines and penalties to be collected.
 5. Term of office of Trustees of Library.
 6. Trustees to take oath conditioned for faithful performance of duties, also to give bonds—in what amount.
 7. May require of the Librarian a bond for faithful performance of duties—bond to be filed with the City Recorder.
 8. Duty of City Recorder.
 9. If after the expiration of two weeks persons elected Trustees fail to qualify, duty of Council—vacancy, how filled.
 10. Violation of rules may exclude a person from membership.
 11. Limitation of debt.
 12. For the purpose of maintaining said Library a tax shall be levied and assessed on the taxable property of said city—in what amount.
 13. What sum to be expended annually for the purchase of books.
 14. The question of having a Library to be submitted to the legal voters—how ballots prepared.
 15. How and by whom said ballots to be canvassed.
 16. When tax may not be levied.
 17. All property accumulated under this act to belong to the city.
 18. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The city council of said city shall, at a regular meeting thereof in May, one thousand eight hundred and sixty-nine, elect three persons qualified electors of said city, who shall be styled "The trustees of the

When council to elect trustees of library—power of trustees.

Winona Library," and who shall have the right and power to acquire by gift or purchase, and to hold for the use of the said city, any books, maps, newspapers or periodicals, or any instruments, apparatus or thing whatever that they may deem a necessary part of a city library, or necessary for the convenience or use of such library.

SEC. 2. Said trustees shall have power in all respects to control and manage such library as to them may seem best, and to appoint a librarian, and fix and pay his salary, and to hire, purchase or erect a room or building for the use of the library, and to do any other act or thing by them deemed necessary or proper in organizing, procuring, caring for, managing or maintaining such library.

Duties of trustees.

SEC. 3. They shall also have power to make rules and regulations as to the terms and conditions on which persons shall be admitted to the benefits of the library. *Provided*, That if an admission fee is charged, it shall not exceed two dollars annually for each person. *And provided*, That no person shall be admitted to the benefits of the library, who is not a resident of said city of Winona.

To make rules and fix admission fee, etc.

SEC. 4. The trustees shall have power by rule or by-law, to impose a penalty for any violation of the rules of the library, not exceeding fifty dollars for any one violation, and to sue for and recover such penalty in their name of office. They shall also in their name of office, have power to sue (and) recover for any injury or damage to the library done by any person whatsoever.

Penalty for violation of rules— fines how collected.

SEC. 5. At the first election one of said trustees shall be elected for one year, one for two years, and one for three years, and thereafter one shall be elected annually, and they shall hold their office except as in this section above provided, for the term of three years, or until their successors are elected and qualified, except that a trustee elected to fill a vacancy shall hold for the unexpired term of his predecessor. They shall be elected by a vote of a majority of the members of the city council, at a regular meeting of said council in May. *Provided*, That if the council fails to elect at the time or times above provided, it may elect at any regular meeting thereafter, or it shall be its duty to elect at the earliest date practicable.

Term of office of trustees.

SEC. 6. Said trustees shall before entering upon their office, take an oath faithfully to perform the duties thereof, and file the same in the office of the city recorder, and shall enter into bond to the city of Winona, to be ap-

Trustees to take oath and give bonds—in what amount.

proved by the mayor, and filed with the recorder of the city, in such sum as the city council shall designate, not exceeding two thousand dollars each, for the faithful performance of their duties.

Librarian to give bond—where filed.

SEC. 7. Said trustees may require of the librarian, a bond for the faithful discharge of his duties, in such sum as they shall designate, and with sureties to be approved by them, which bond shall run to the trustees of the Winona library, and be filed with the recorder.

Duty of city recorder.

SEC. 8. The city recorder shall forthwith give notice to any person elected trustee of his election.

Duty of council when trustees fall to qualify—vacancy, how filled.

SEC. 9. If any person elected trustee as aforesaid, neglects to qualify within two weeks after notice of his election, the city council shall at its next regular meeting, if he has not before that time qualified, elect another. And in case the place of any trustee becomes vacant, the city council shall, at the first regular meeting after notice thereof, fill such vacancy by election, or if it fails to do so at its first meeting, then as soon thereafter as practicable.

Penalty for violation of rules.

SEC. 10. The trustees may exclude any person from membership for a violation of any rule of the library.

Limitation of debt.

SEC. 11. The trustees shall not have power to contract any debt exceeding in amount the money belonging to the library in the treasury at the time the debt is contracted.

To levy tax—for what purpose—in what amount.

SEC. 12. The proper officers shall for the year one thousand eight hundred and sixty-nine, and for every year thereafter, levy and assess on the property of said city of Winona and collect a tax of one thousand dollars (in the same manner and at the same time other city taxes are levied and collected,) for the use of said library, which said tax shall be paid over by the city treasurer to the said trustees of the Winona Library, on the written order or draft, and no office shall receive any compensation for collecting, receiving or paying over said tax.

Amount to be expended annually for books.

SEC. 13. At least five hundred dollars of such sum shall be expended annually in the purchase of books (not including newspapers, magazines or periodicals) for the library.

To be submitted to legal voters—ballots how prepared.

SEC. 14. At the annual spring election in said city of Winona in one thousand eight hundred and sixty-nine for the election of city officers, the legally qualified electors shall be permitted to vote for or against a city library. The vote upon the question shall be taken at said election by a ballot separate and distinct from the ballots cast for any other purpose. The ballots shall be deposited in a

separate box and the electors in favor of the library shall have printed or written or partly printed or partly written on their ballots the words "For the Winona Library," and those opposed to the library shall have printed or written or partly printed or partly written on their ballots the words "Against the Winona Library."

SEC. 15. Such ballots shall be received and canvassed at the same time and in the same manner, and be returned to the same officer by the judges of election of the several wards of said city, as ballots for city officers are required by law to be received, canvassed and returned, and the same board that canvasses the vote for city officers shall canvass the vote on this question, and file a certificate of the result in the office of the city recorder.

How and by whom ballots to be canvassed.

SEC. 16. If a majority of those voting on the subject vote "Against the Winona Library," then and in that case no tax shall be levied or collected, or other steps taken under or in pursuance of the provisions of this law.

When tax may not be levied.

SEC. 17. The property acquired and held under this act shall be the property of the city of Winona.

All property to belong to city.

SEC. 18. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved March 3, 1869.