

## CHAPTER 173.

S. F. No. 517.

*An act to establish and provide for the maintenance of public libraries and reading rooms; to create a board of library directors and prescribe their powers and duties, and to repeal certain acts inconsistent herewith.*

Public  
libraries  
and reading  
rooms.

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

SECTION 1. That the city council of any incorporated city, or village council of any incorporated village, shall have power to establish and maintain a public library and reading room, or either of them, for the use and benefit of the inhabitants of such city, or village, and, by ordinance, to set apart for the use and benefit of such library, real estate or other public property belonging to the municipality, and may levy a tax not exceeding two mills on the dollar annually, and in cities of over twenty thousand (20,000) inhabitants not to exceed one (1) mill on the dollar annually on all the taxable property in the city; such tax to be levied and collected, in like manner, with other general taxes of said city or village, and to be known as "library fund." And the board of directors in this chapter provided for shall have power, in their discretion, to admit to the benefit of such library persons not residing within the corporate limits of the city or village, and they shall execute a contract in writing in the form of a bond, to the village or city council, to be approved by the board of directors, conditioned to make good all damages or loss of books issued to them, with sufficient sureties, and covenanting that the person so receiving the benefits of the library shall at all times conform to all the laws, rules and regulations governing the said library. And such non-resident patrons shall pay for such privileges such sums and at such times as may be by the directors prescribed, into the city or village treasury, for the use of the said library. Upon petition of fifty freeholding citizens in any such city or village the council of any such city or village shall submit the question of the establishment of such public library or reading room to the legal voters of such city or village at the next annual election held therein, and if a two-thirds majority of the votes cast on such question at such election are in favor of the establishment of such public library or reading

City and  
village  
council  
may levy  
tax for  
establishing  
and main-  
taining.

Non-resident  
may be ad-  
mitted the  
use of,  
condition.

Petition to  
council.

Question  
to be sub-  
mitted to vo-  
ters.

Library and  
reading room  
heretofore  
established  
confirmed.

room, then the council of such city or village shall establish the same and shall annually thereafter levy for the maintenance of such public library or reading room a tax not to exceed the rate hereinbefore provided. Whenever any council has heretofore established a library or reading room, and, by ordinance, set apart property for its use and benefit, its action is hereby confirmed. That any public library or reading room or public library and reading room which has heretofore been established in any city or village under any law of this state, and is being maintained as such by any such city or village is hereby confirmed and continued in existence and shall hereafter be maintained and operated under the provisions of this act.

Board of  
directors.

SEC. 2. When any city or village council shall have decided to establish and maintain a public library and reading room, or either of them, under this act, the mayor of such city or president of such village council shall, with the approval of the city or village council, proceed to appoint a board of nine directors for the same, chosen from the the citizens at large with reference to their fitness for such office, and not more than one member of the city or village council shall be at any time a member of said board.

Term of  
office.

SEC. 3. Said directors shall hold office, one-third thereof for one year, one-third thereof for two years and one-third thereof for three years from the third Saturday of July following their appointment, the term for which each member is appointed to be specified by the appointing power; and annually thereafter the mayor of such city or president of such village shall, before the third Saturday of July in each year, appoint as before three directors to take the place of the retiring directors, who shall hold office for three years and until their successors are appointed and qualified. Such mayor or president may, by and with the consent of the council, remove any director for misconduct or neglect of duty.

Removal  
from office.

Vacancies.

SEC. 4. Vacancies in the board of directors occasioned by removals, resignations, death or otherwise shall be reported to the city or village council and be filled in like manner as original appointments, but appointments to fill vacancies shall be for the unexpired term. No director shall receive any compensation as such.

Organization.

SEC. 5. Said directors shall, immediately after ap-

pointment, meet and organize by the election of one of their number president, and another of their number secretary, and by the election of such officers as they may deem necessary. And said secretary, before entering upon the duties of his office, shall be required to give bond, with sureties, to the satisfaction of and in an amount to be fixed by said directors.

They shall make and adopt such by-laws, rules and regulations for their own guidance, and for the government of the library and reading room, or either of them, as may be expedient, not inconsistent with this act.

Make rules,  
etc.

They shall have the exclusive control of the expenditure of all moneys collected and placed to the credit of the library fund and of the construction of any library building, and of the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose:

Exclusive  
control.

*Provided*, that all moneys received for such library shall be paid by the county treasurer to the treasurer of said city or village who shall deposit the same to the credit of the library fund, and shall be kept separate and apart from other money of said city or village, and shall be paid out only upon the properly authenticated vouchers of the library board.

County treasurer to transfer moneys to city or village treasurer.

Said board shall have the power to lease and provide appropriate rooms for the use of said library; shall have power to appoint a suitable librarian and necessary assistants, and fix their compensation, and shall also have power to remove such appointees, and shall in general carry out the spirit and intent of this act. Said board shall have the power, when approved by such city or village council, to purchase ground and erect thereon a suitable building for the use of said library.

Provision  
for rooms.

Librarian and  
assistants.

Said board, with the consent of the common council, or other governing body of any such city or village, duly expressed by resolution or ordinance, may accept any conveyance, gift, grant, donation, devise or bequest for library purposes, or for the establishment, maintenance or enlargement of an art gallery or museum in connection with such library which may be given, granted, conveyed, donated, devised or bequeathed by any person, company or corporation to any such city or village for library purposes, and may enter into any agreement with any such person, company or corporation, or with his or

Gifts, grants,  
etc.

their legal representatives, affecting such gift, grant, donation, bequest or devise as may be proposed or imposed concerning the same, subject, however, to the limitations in this act contained, and any such agreement shall have the full and binding effect of a contract between such person, company or corporation and such city or village.

SEC. 6. Directors of all such public libraries and reading rooms now in office, by virtue of election or appointment under existing laws, shall continue in office until the expiration of the terms for which they were so elected or appointed, but their successors in office shall be appointed upon expiration of their respective terms of office under the provisions of this act, and any vacancies occurring prior to the expiration of the regular terms of such directors now in office shall be filled as provided for in this act.

SEC. 7. Said board of directors shall make on or before the 31st day of December, in each year, a report to the city or village council stating the amount received during the past year from taxes and all other sources, the amount expended and for what purposes, the number of books on hand, the number purchased, the number loaned, and such other information as they may deem of interest; and shall send one copy of such report to the Minnesota State Public Library commission.

SEC. 8. Any and all property given, granted, conveyed, donated, devised or bequeathed to, and any and all property purchased or acquired by any such city or village for the purposes of libraries or reading rooms shall vest in and be held in the name of the city or village in which such library or reading room is situated, and any conveyance, grant, donation, devise, bequest or gift made to or in the name of any library or library board shall be deemed and considered as having been made directly to such city or village for libraries and reading rooms.

SEC. 9. Every library and reading room established under the provisions of this act shall be forever free to the use of the inhabitants of the city or village wherein the same is located, subject to such reasonable rules and regulations as the library board may adopt.

SEC. 10. All acts and parts of acts inconsistent with the terms of this act are hereby repealed; *provided, however*, that nothing in this act shall be construed to in any manner repeal any of the provisions of chapter 93 of the

Directors  
now in of-  
fice to con-  
tinue to end  
of term  
elected for.

Report.

Title to prop-  
erty in  
name of city  
or village.

Free use.

Ch. 83, 1901,  
not repealed.

Laws of Minnesota for the year 1901, or to in any manner abrogate or impair any acts, contracts or proceedings taken or entered into under or pursuant to the terms of said chapter 93, and *provided, further*, that the provisions of this act shall not apply to cities of a population of over fifty thousand (50,000) inhabitants, and all provisions of law with reference to cities of over fifty thousand (50,000) population shall be and remain the same as if this act had not been passed.

Does not apply to cities of over 50,000 population.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

## CHAPTER 174.

S. F. No. 392.

*An act to amend section 45 of chapter 4 of the Laws of Minnesota for 1893, as amended by chapter 136 of the Laws of Minnesota for 1895, relating to the regulation of elections.*

Elections.

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

SECTION 1. That section 45 of chapter 4 of the laws of Minnesota for 1893, as amended by chapter 136 of the laws of 1895, be amended so as to read as follows:

Sec. 45. The secretary of state and county auditors and city clerks shall respectively place upon the several ballots printed by them the name of each candidate for office who shall have been nominated as hereinbefore provided, and whose certificate of nomination has been presented within the time specified, and on payment of the fee prescribed by law, which shall be as follows:

Names of candidates on ballot

For each name tendered to be placed upon the white ballot, fifty dollars, to be received by the secretary of state and by him paid into the state treasury.

Fees:  
State ballot: \$50.

For each name tendered to be placed on the red ballot, five dollars, to be received by the city clerk and by him paid into the city treasury; *provided, however*, that in incorporated cities of three thousand inhabitants or less, only two dollars need be paid for each name tendered to be placed upon said red ballot.

City ballot: \$5.

For each name tendered to be placed upon the blue ballot, ten dollars, to be received by the county auditor and by him paid into the county treasury.

In cities of 3,000 or less: \$2.

County ballot: \$10.