

CHAPTER XLII.

An Act Regulating the State Library.

- SECTION 1. State Librarian—how appointed—term of office.
 2. Duty of Librarian.
 3. To give bond for faithful performance of duty.
 4. To have custody and charge of all books, maps, charts, etc.
 5. Library when to be kept open.
 6. Compensation of Librarian.
 7. Who permitted to remove from the Library any books or other property.
 8. No books or property to be taken from the seat of government.
 9. Penalty for neglect of duty.
 10. Forfeiture if books or other property be taken from the Library by any person not authorized by this Act so to do.
 11. To prepare alphabetical catalogue and report to the legislature.
 12. To cause each book in the Library to be labeled.
 13. Every additional book to be labeled.
 14. Penalty for injuring, defacing, destroying or losing any book or property belonging to the Library.
 15. Who to make rules and regulations for the management of the Library.
 16. Librarian to make report—when.
 17. Who to determine what books shall or shall not remain in the Library for reference.
 18. Fines and forfeitures shall be for the use of the Library.
 19. This Act to be posted in the Library.
 20. Repeal of former acts.

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

State Librarian
—how appointed
—term of office

SECTION 1. That the Library of the State shall be in the care and custody of a librarian appointed by the Governor, by and with the advice and consent of the senate, who shall hold his office for one year, and until his successor is appointed and qualified.

Duty of Librarian

SEC. 2. The State Library shall be kept by him in the room provided for that purpose in the Capitol, at the seat of government, and the librarian shall provide for the safe keeping of the State Library therein, and all things belonging or appertaining thereto, and provide shelves for the arrangement thereof, in such manner as to be easy and convenient of access.

To give bond

SEC. 3. The librarian shall give bond to the State in the sum of two thousand dollars, with one or more sufficient sureties for the faithful performance of his duties for the preservation and safe delivery of all the property committed to his care, to his successor, or to the Governor, and for the faithful paying over all moneys that may come into his hands, from fines, forfeitures, or otherwise,

which bond is to be approved by the Governor, and filed in the office of Secretary of State.

SEC. 4. The librarian shall have the custody and charge of all books, maps, charts, engravings, paintings and all other things properly belonging to the library, or directed to be deposited therein. To have charge of books, maps, etc

SEC. 5. The library shall be kept open during the session of the legislature, and of the supreme court, at the seat of government, from nine to twelve o'clock in the forenoon, and from two to five o'clock in the afternoon, Sundays excepted, and at other times during the afternoon of each Wednesday and Saturday. When library to be kept open

SEC. 6. The compensation of the librarian shall be an annual salary of six hundred dollars. Compensation

SEC. 7. No person shall be permitted to remove from the library any book or other property belonging thereto, except the Governor, the Judges of the Supreme and District Courts, the Judges of the District Court of the United States, the United States District Attorney, the heads of departments of State, the members and officers of the legislature during the session thereof, and attorneys of the supreme court during term time, but no one of said persons shall be allowed to take such books or property from the library without executing a receipt therefor, nor keep the same more than ten days at any one time. Who permitted to take books from the library

SEC. 8. No books or other property shall be removed from the seat of government, and no person shall be entitled to have more than two books from the library at the same time; *Provided*, That during the terms of the supreme court of the State, or the federal court, the judges and attorneys may be permitted to take and use any number of books needed on the trial of causes; *Provided*, Said books shall not be taken from the seat of government, and shall be returned according to law. No books to be taken from the seat of government

SEC. 9. If the librarian shall permit or allow any person not authorized by this Act, to remove a book or other property from the library, he shall be liable to pay a fine of ten dollars for every book or other article so taken, and it shall be the duty of the Governor to direct the strict enforcement of this penalty. Penalty for neglect of duty

SEC. 10. Any person not authorized by this Act so to do, who shall take from the library a book or other property belonging thereto, either with or without the consent

Forfeiture of the librarian, shall forfeit three times the value of such book or property, to be recovered by the librarian in the name and for the use of the State, before any court of competent jurisdiction; *Provided*, That in case of felonious taking, the party or parties guilty, shall be punished in manner now provided by law.

To prepare catalogue SEC. 11. It shall be the duty of the librarian to prepare an alphabetical catalogue of the library, with the number of books as described in the succeeding section, and report the same to the Legislature.

To cause each book to be labeled SEC. 12. It shall be the duty of the librarian, before the next session of the legislature, to cause each book in the library to be labeled with a printed label, to be pasted on the inside of the cover, with the words, "Minnesota State Library," with the number of the volume in the catalogue of said library inscribed in said label, and also to write or stamp the same words at the bottom of the twenty-fifth page of each volume.

Every additional book to be labeled SEC. 13. All books that may be hereafter added to the library, shall be labelled and stamped in the same manner and entered on the catalogue immediately on their receipt and before they can be taken therefrom.

Penalty for injuring or destroying books SEC. 14. Any person injuring, defacing, destroying, or losing a book or other property belonging to the library, shall forfeit twice the value thereof, to be sued for and recovered, as provided for in the tenth section of this Act, or if it shall be one volume of a set, he shall forfeit the full amount of the value of the set, and it shall be the duty of the librarian to prosecute such person upon such loss or injury coming to his knowledge; *Provided*, That if such person shall within a reasonable time replace the book or other article so injured or lost, he shall not be liable to fine or prosecution under this section.

Who to make rules and regulations SEC. 15. The Governor, Secretary of State, and librarian shall adopt such further regulations consistent with the provisions of this Act, as they see fit, for the preservation and management of the library, and may prescribe forfeitures for the breach of such regulations, which regulations and forfeitures being posted one week in the library room, shall have the force and effect of law, and such forfeitures may be recovered by the librarian in the name of the State, before any court having jurisdiction thereof.

SEC. 16. The librarian shall report to the Governor

whenever called on, a list of books and other property missing from the library, and amount of fines and forfeitures imposed and collected, and the amount uncollected, a list of accessions to the library since the last report and all other information in relation to the library that he may call for. He shall also make a full and specific report to the legislature on the first of its session.

SEC. 17. The Governor, Secretary of State, and librarian may determine what books and articles may be taken from the library, and what shall remain in the library for reference.

SEC. 18. All fines and forfeitures shall be for the use of the library, and shall be expended according to the directions of the Governor, Secretary of State and the librarian.

SEC. 19. This Act shall be posted in conspicuous places in the library.

SEC. 20. An act entitled "an act providing for the appointment of librarian and for other purposes," passed February twenty-fifth, one thousand eight hundred and fifty-one, and all other acts amendatory thereto are hereby repealed.

Approved February 15th, A. D. 1861.

CHAPTER XLIII.

An Act Describing the Great Seal of Minnesota.

SECTION 1. Adoption of the Seal heretofore used.
2. Act, when to take effect.

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

SECTION 1. That the seal heretofore used as the seal of this State, shall be the seal thereof.

SEC. 2. This Act shall take effect and be in force from and after its passage.

Approved March 5th, A. D. 1861.