

improvement constructed before the collection of such special assessment, and such person or persons shall advance the cost of such improvement and pay the same to the city treasurer for the credit of the permanent improvement fund, such money so advanced to construct such improvement shall not be used or appropriated for any other purpose; and said city council may cause the immediate construction of such improvement and shall, when said special assessments assessed and levied to pay for the same are collected, cause the same to be paid to such person or persons advancing the money for the cost of such improvement.

SEC. 31. By adding to the last end of chapter ten (10) of said charter the following additional section, to-wit:

Sec. 26. No improvement, the cost of which is required to be made by special assessments, shall be ordered in any year later than the twentieth (20th) day of August of that year.

SEC. 32. All acts and parts of acts relating to said charter of the city of Minneapolis conflicting with the provisions of this act are hereby repealed.

SEC. 33. This act shall take effect and be in force from and after its passage.

Approved March 5, 1885.

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## CHAPTER 3.

AN ACT TO AMEND THE CHARTER OF THE CITY OF MINNEAPOLIS.

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

SECTION 1. An act entitled "An act to amend and consolidate the charter of the city of Minneapolis," approved March eight (8) A..D. one thousand eight hundred and eighty-one (1881), is hereby amended by adding to the end of such act the following:

## CHAPTER XII.

SECTION 1. There is hereby created and established in and for the city of Minneapolis a board, which shall be styled "The library board of the city of Minneapolis." Said board shall have full power to establish and maintain in the city of Minneapolis public libraries and reading rooms, galleries of art and museums for the use and benefit of the inhabitants of said city, and for the purpose of so doing it shall have the following powers, that is to say: It may adopt a common

seal, and be capable of suing and being sued, and of taking by gift, grant, purchase, devise, bequest, or otherwise, any real or personal property, and of using, selling, controlling, conveying, and enjoying the same, and of entering into, making, performing, and enforcing contracts. It may make and publish from time to time by-laws for its own guidance, rules and regulations for the government of its agents, servants and employes, and for the government and regulation of the libraries and other collections under its control. It may hire, or erect and maintain, as it shall deem best, buildings suitable for the purposes contemplated by this act; but it shall never erect any building upon land to which it has not the title in fee-simple. It may appoint all necessary agents and employes, fix their compensation, and may remove such appointees. It shall have control of the expenditures of all moneys collected by taxation or otherwise and placed to the credit of the library fund; and shall, in addition to the herein enumerated powers, have full power and authority to undertake and perform every act necessary or proper to carry out the spirit and intent of this act.

SEC. 2. Said library board shall consist of the mayor of the city of Minneapolis, the president of the board of education of the city of Minneapolis, the president of the university of the state of Minnesota, who shall respectively be *ex officio* members thereof, and six (6) other members, who shall be elected from time to time as herein provided, by the legal voters of the city of Minneapolis, and who shall be resident and qualified electors of said city. At the annual city election to be holden on the first (1st) Tuesday of April, A. D. one thousand eight hundred and eighty-six (1886), there shall be elected two (2) library directors, for the term of six (6) years, and thereafter there shall every second (2d) year be elected two (2) library directors for the term of six (6) years from the third (3d) Tuesday in April after their election. In case any library director shall die, resign, remove from the district, or otherwise vacate his office more than one (1) year before the expiration of his term of office, a library director may be chosen at the annual election after such vacancy shall occur to fill the place for the unexpired term of the director so vacating.

SEC. 3. All elections for library directors shall be at the annual city election and as a part of such city election, and such library directors shall be voted for upon a separate ballot, and a separate ballot box shall be provided at each precinct, which shall be kept by the judges to receive the ballots of such persons as are entitled to vote for such library directors. The judges of election shall make returns of the votes cast for library directors, and the city council shall canvass the same as in the case of city officers, and the city clerk shall forthwith notify the persons elected of their election; and in all matters not herein especially provided for touching such election the rules provided for the election of city officers of said city shall apply.

SEC. 4. Every library director, before he shall enter upon the duties of his office, shall take, subscribe and file in the office of the city clerk of said city, an oath or affirmation that he will support the constitution and laws of the state of Minnesota, and discharge the duties of his office to the best of his ability. The officers of the library board of the city of Minneapolis shall consist of a president and secretary, who shall be library directors. The city treasurer shall be

treasurer of the board, and the comptroller shall perform such duties in connection therewith as hereinafter prescribed. The secretary of the board and the city treasurer of the city of Minneapolis shall each, before entering upon the duties of his office, execute and deliver to the library board of the city of Minneapolis, a good and sufficient bond, payable to the library board of the city of Minneapolis, in such sum as shall be fixed upon by the board, and with sureties who shall be freeholders of said city, and shall be approved by the board, and who shall justify in the aggregate to double the amount of the bond, conditioned that the principal in the bond shall well and faithfully perform and discharge all the duties of his office, and pay and turn over to his successor, or to whomsoever the board may direct, all moneys, and every valuable thing which shall come into his hands by virtue of his office, belonging to said board. Such bonds shall be filed for safe keeping with the city comptroller of the city of Minneapolis.

SEC. 5. The president, or, in his absence, a president *pro tempore*, shall preside at all meetings of the board, and sign all orders on the treasurer for all moneys voted to be paid, and shall perform all duties necessary for the transaction of the business of the board, and which are usually performed by the president of a corporation. The secretary, or, in his absence, the secretary *pro tempore*, shall keep a full and fair record of all the proceedings of the board at its meetings, and shall draw and attest all orders drawn upon the treasurer, and keep a record thereof showing the date, number, amount, purpose for which drawn, and name of payee of each order separately. All such orders shall be made payable to the order of the payee therein named, and shall not be paid without his indorsement, either personally or by his authorized agent or attorney. The secretary shall perform such other duties as are usually performed by such officer, or as may be directed by the board, and shall draw no orders on the treasurer except such as have been allowed by the board, by a majority vote of all its members, taken by ayes and nays, and entered on the record of the proceedings of the board. The city comptroller shall keep the regular books of account of the board, in which he shall enter all indebtedness of such board, and which shall at all times show the precise financial condition of said board, the amount of bonds, orders or other evidences of indebtedness outstanding, and the redemption of the same when redeemed, and he shall countersign all bonds, orders or other evidences of indebtedness of said board and keep an exact account thereof, showing to whom and for what purpose issued and the amount of each, and all moneys received or paid out by the city treasurer on account of said board. All claims allowed by the board shall, before they are paid, be audited by the comptroller. The city treasurer shall receive and safely keep all moneys of the board and pay the same only upon orders signed by the president and attested by the secretary of the board and countersigned by the comptroller and properly indorsed by the payee, and shall keep full books, records and vouchers of all his transactions. He shall deposit the moneys of said board as the moneys of the city of Minneapolis, in any banks which shall be designated by the city council of said city as depositories of funds of said city, and the funds while so on deposit in such banks shall for all purposes connected with such deposit be regarded as the money of the city of Minneapolis, and may be recov-

ered as such by said city from said banks, and the sureties of such banks, upon the bonds which said bank shall execute to the said city, but when drawn or recovered from such banks shall be accounted for to its proper fund. And the treasurer shall have the same exemption respecting such funds deposited in such banks as in respect to other funds of said city. The secretary of the board is hereby forbidden from signing or issuing any orders upon the treasurer of said board, except when there is money in the hands of the treasurer to pay the same. The said board shall never issue any bond or promissory note, certificate of indebtedness, or other obligation for the payment of money, except the same shall be made to become due at a date not later than the first day of July then next ensuing, and then for no greater sum than can be paid, when due, out of the regular revenues of the board, for the fiscal year in which such bond, note, certificate, or other obligation of indebtedness is issued.

SEC. 6. Said library board is hereby authorized and empowered to levy upon the taxable property of said city, in each and every year, such taxes as will raise sufficient sums of money as will be required during the succeeding year for the establishment, maintenance and government of the libraries and collections contemplated by this act, and for the payment of all other expenses properly incidental to the same, provided that the aggregate annual levy of such taxes shall never exceed in any one year one-half (½) of one (1) mill on the dollar upon the assessed valuation of said district. The board shall make return of its annual levy of taxes on or before the first (1st) day of November of every year to the county auditor of the county of Hennepin, and such taxes shall be collected and the payment thereof enforced with and in like manner as state and county taxes are collected and the payment thereof enforced; and when collected shall, together with all costs, interest and penalties collected thereon, be paid over by the county treasurer to the city treasurer of the city of Minneapolis as often as said county treasurer is required to make settlement with said city treasurer in respect to city taxes. *Provided, however,* That if for any reason said board shall in any year fail to make return of its annual levy of taxes to the county auditor by the time herein specified, that in such case the rate of taxation determined and fixed by the board of tax levy of Hennepin county as the maximum rate which said library board shall levy for such year, shall be taken to be the rate of taxation determined upon by said library board for such year, and the county auditor shall govern himself accordingly, and any taxes which shall hereafter be extended upon the tax list of Hennepin county by the county auditor of said county, based upon the action of the board of tax levy, said library board having for any reason failed to make a return as herein provided, shall be and remain legal and valid.

SEC. 7. Said library board may purchase real estate for the purposes contemplated by this act, whenever six (6) library directors shall vote to make such purchase, and the board may also sell and convey any of its real estate, but only when five (5) of the library directors shall vote to make such sale. In the case of sale of real estate by the board the deed of conveyance thereof may be executed by the president and secretary officially, having the seal of the board affixed thereto. All votes under this section shall be by yeas and nays, and

recorded in the record of the proceedings of the board. Any person desiring to make donations of money, personal property, real estate, for any of the purposes herein contemplated, shall have the right to vest the title to the money, property or real estate so donated in the board of directors created under this act, to be held and controlled by such board when accepted, according to the terms of the deed, gift, devise or bequest of such property, and as to such property the board shall be held and considered to be special trustees.

SEC. 8. The annual meeting of the board for the election of its officers for the year shall always be on the third Tuesday in April, at such hour and place as the board may by its rules appoint for its regular meetings. But vacancies may be filled whenever they shall happen during the year, and officers shall hold until their successors are elected and qualified, unless they cease to be eligible. The regular meetings of the board shall be fixed by its rules and laws. Special meetings may be called by the president or any two library directors, by written notice, stating the time, place and object of the meeting, to be served personally or by mail, at least twenty-four (24) hours before such meeting. But whenever a majority of all the directors are present at any meeting the same shall be a legal meeting at which any business which could come before a regular meeting may be transacted, irrespective of whether any legal notice was given for such meeting or not.

SEC. 9. Said library board may enter into association with any independent society or other organization owning libraries, or museums, or existing for purposes kindred to those contemplated in this act, upon such terms and conditions as shall best promote the object for which said board is created.

SEC. 10. All libraries and museums established under this act, and, so far as consistent with the preceding section, all collections in any manner under the charge of the library board herein established, shall be forever free to the inhabitants of the city of Minneapolis; always subject, however, to such reasonable rules and regulations as shall be necessary for their effective administration.

SEC. 11. That Thomas Lowry, M. B. Koon, John Atwater, Sven Oftedal, T. B. Walker, E. M. Johnson, together with the mayor of the city of Minneapolis; *ex officio*; the president of the board of education of the city of Minneapolis, *ex officio*; the president of the university of the state of Minnesota, *ex officio*, are hereby appointed and constituted the first directors of the library board of the city of Minneapolis, and the six (6) first above named shall be the elective members of said board and shall hold office, two (2) for one (1) year, two (2) for three (3) years, and two (2) for five (5) years, from the third (3d) Tuesday in April next following the passage of this act; and at their first (1st) regular meeting shall cast lots for such respective terms. The library board herein appointed shall meet at the office of the city clerk of said city of Minneapolis, on Saturday the twenty-first (21st) day of March one thousand eight hundred and eighty-five (1885), or so soon thereafter as practicable, and may then and there effect a temporary organization, and attend to the transaction of any business.

SEC. 12. This act shall take effect and be in force from and after its passage.