

REVISED LAWS OF  
MINNESOTA 94

SUPPLEMENT 1909

CONTAINING

THE AMENDMENTS TO THE REVISED LAWS,  
AND OTHER LAWS OF A GENERAL AND  
PERMANENT NATURE, ENACTED  
BY THE LEGISLATURE IN  
1905, 1907, AND 1909

WITH HISTORICAL AND EXPLANATORY NOTES TO PRIOR STATUTES  
AND FULL AND COMPLETE NOTES OF ALL  
APPLICABLE DECISIONS

COMPILED AND ANNOTATED BY  
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any person within or without this state, purchases, offers, or exposes for sale, sells, has in possession, has in possession with intent to sell, any harmless bird, either living or dead, or any part thereof, in violation of the terms of section thirty-nine [2249—44] of this chapter, shall be guilty of a misdemeanor, and upon conviction thereof punished by a fine of not less than ten nor more than twenty-five dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty days, for each and every bird or any part thereof so caught, taken, killed, shipped or caused to be shipped to any person, either within or without this state, purchased or sold to any one, had in possession, had in possession with intent to sell, offered or exposed for sale, or had in possession or under his control. This section shall not be construed to apply to the keeping or selling of parrots or song birds as domestic pets. ('05 c. 344 § 66)

[2249—]94. **General penalty.**—Any person who violates any provision of this chapter for which a penalty has not been heretofore specifically provided, shall be guilty of a misdemeanor, and be punished by a fine of not less than ten nor more than fifty dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty nor more than sixty days. ('05 c. 344 § 67)

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## CHAPTER 33.

### PUBLIC LIBRARIES.

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#### PUBLIC LIBRARIES AND READING ROOMS.

##### 2255. Establishment and maintenance—Tax.

See note under section [2255—]1.

[2255—]1. **Establishment and maintenance — Tax — Non-residents—How established by vote—Existing libraries.**—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 inhabitants not to exceed one 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 to admit to the benefit of such library persons not residing within the corporate limits of the city or village under such regulations and conditions as it may prescribe. Said board may also contract with the board of county commissioners of the county in which the library is situated, or of adjacent counties, or with the village trustees or governing body of any neighboring town, city or village to loan the books of said library, either singly or in traveling libraries, to the residents of said county, town, city or village, upon such terms as shall be agreed upon in such contract. All such boards or officers are hereby empowered to make contracts for such purposes, and to pay the consideration agreed upon out of the county, town or village treasury. Upon petition of fifty free-holding

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 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. (Laws 1903, c. 173, § 1, as amended by Laws 1905, c. 257, § 1.)

**Historical.**—"An act to amend section 1 of chapter 173, Laws 1903, entitled '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.'" Approved April 18, 1905.

Laws 1903, c. 173, was repealed by R. L. § 5546; the provisions of section 1 thereof being incorporated in sections 2255, 2256, 2260 and 2263. So far as the amended section above set forth differs from the Revised Laws, it is to be construed, by virtue of section 5504, as amendatory or supplementary.

**2256. When established by vote—Existing libraries.**

See section next preceding, and note thereunder.

**2260. Non-residents.**

See section [2255—] 1, and note thereunder.

**2263. Gifts, etc.—Contracts.**

See sections [2255—] 1 and [2263—] 1, and notes thereunder.

**[2263—]1. Gifts to villages or cities having less than 50,000 inhabitants—Site—Tax.**—That whenever any incorporated city or village in this state having a population of less than fifty thousand shall receive from any person, company or corporation a proposition to build, erect or construct a public library building, or to give or donate a sum of money for the purpose of the construction and erection of such public library building, the erection or construction of which public library building, or the donation of which sum of money for such purpose, is conditioned upon the securing by such city or village of a site for such public library building, as an annual tax or appropriation by such city or village for the maintenance of such library; that said city or village and the councils and governing bodies thereof be and they hereby are authorized to secure and take title to such tracts or parcels of land as they deem necessary and suitable for the site of such public library building, and by ordinance or ordinances, to be passed and enacted as other ordinances of said village or city are required to be passed and enacted, to pledge such city or village and the governing bodies thereof to annually thereafter levy and appropriate for the purpose of maintenance of such public library a sum not exceeding two mills on the dollar of and on all the taxable property of such city or village. All ordinances so enacted pledging such city or village to whom such proposition for the erection of a public library building, or the donation of money therefor shall be made to the annual appropriation of a sum of money not exceeding two mills on the dollar on the taxable property of such city or village, be and the same are hereby authorized, legalized and validated, anything in the

laws or statutes of the State of Minnesota, or the special laws or statutes under which any of such cities or villages are incorporated, to the contrary notwithstanding. And the city council or governing body of such incorporated city or village is hereby authorized and empowered to levy such tax for the support of such library property, not to exceed in any one year two mills on the dollar on all the taxable property of such city or village for the maintenance of such library. (Laws 1901, c. 93, § 1, as amended by Laws 1905, c. 241, § 1.)

**Historical.**—"An act to amend section 1 of chapter 93 of the General Laws 1901, entitled 'An act to authorize cities and villages having a population of less than fifty thousand to accept proposed donations for public libraries, and authorizing such cities or villages to secure sites therefor and otherwise comply with the terms of said proposed donation, and to levy taxes therefor, and to pass control of such sites to the library board of such city or village.'" Approved April 18, 1905.

Laws 1901, c. 93, was repealed by R. L. § 5544, the provisions of section 1 thereof being incorporated in part in section 2263. So far as the amended section above set forth differs from said section 2263, it is to be construed, by virtue of section 5504, as amendatory or supplementary.

[2264—]1. **Certain deposits after termination of action to be paid over for law library.**—That all balances of any deposits made with the clerk of any district court as security for the fees of such clerk in any action or proceeding pending therein, in counties of two hundred and twenty-five thousand inhabitants or more, after the termination of such action or proceeding and which has not been or shall not be repaid or returned to the party to such action or proceeding depositing the same, or in compliance with his order directing the disposition thereof within three years after the termination of such action or proceeding, shall become and be the property of any bar association or any individual or corporation, if any such there be, by whom or by which a law library shall have been installed pursuant to chapter seven, General Laws of 1903, and shall by the clerk of any such court be paid over to such individual or corporation so installing such library pursuant to such act, for the maintenance thereof, on the first Monday in June, 1905, or as soon thereafter as conveniently may be. ('05 c. 108 § 1)

**Historical.**—"An act for the benefit and maintenance of certain law libraries in counties of two hundred and twenty-five thousand inhabitants or more." Approved April 5, 1907.

Laws 1903, c. 7, was repealed by R. L. § 5546, the provisions of section 1 thereof being incorporated in section 2264.

[2264—]2. **Same—When action deemed terminated.**—For the purpose of this act an action or proceeding shall be deemed terminated when no step shall have been taken to prosecute said action or proceeding for a period of three years after such action accrues. ('05 c. 108 § 2)

[2264—]3. **Law libraries in counties having 100,000 inhabitants.**—In any county now or hereafter having a population of one hundred thousand or over, the county board or other body in charge of the court house of such county, or the construction thereof, is hereby authorized to provide rooms therein for the use of law libraries, and such county board or other body in charge of such court house may install such libraries therein by purchase, leasing or securing the same from an individual or association upon such terms and conditions as to them shall be deemed for the interest of the people. ('07 c. 77 § 1)

**Historical.**—"An act to provide for the installation and care of law libraries in courthouses in counties having a population of one hundred thousand or over." Approved March 28, 1907.