

FREE LIBRARIES.

CHAPTER 56.

FOR THE ESTABLISHMENT OF FREE LIBRARIES IN CITIES, VILLAGES AND TOWNSHIPS.

AN ACT For the Establishment of Free Libraries and Reading Rooms in Cities, Villages or Townships in the Territory of Dakota.

Be it Enacted by the Legislative Assembly of the Territory of Dakota:

§ 1. LIBRARY FUND—HOW PROVIDED.] The common council of every city not exceeding in population fifty thousand (50,000) inhabitants, and each village or township board of every village and township containing over five hundred (500) inhabitants, shall have power to establish and maintain a public library and reading room, and for such purpose may annually levy and cause to be collected as other taxes are collected, a tax not exceeding one (1) mill on each dollar of the taxable property of such city, village or township, to constitute the library fund, which fund shall be kept separate and apart from the other money of the city, village or township by the treasurer thereof, and the same shall be used exclusively for such purpose; *Provided*, That no library shall be so established without first submitting it to a vote, and be approved by a majority of the electors of such city, village or township, who shall vote on such question at any annual or general election at which it may be submitted to vote.

§ 2. BOARD OF DIRECTORS—HOW APPOINTED.] For the government of such library and reading room, there shall be a board of five (5) directors appointed from the citizens of such city, village or township, including both males and females, who shall be appointed by the board of education or school board of such city or village, or where there is no incorporated city or village, then by the board of supervisors of such township; and there shall be one (1) member of such board of education, or school board, or board of supervisors, appointed as one of the directors of such library and reading room. Such directors shall hold their office for two (2) years from the first day of July in the year of their appointment, and until their successors are appointed, but upon their first appointment they shall divide themselves at their first meeting by lot into two (2) classes; two (2) of said board to hold

for one (1) year and the remaining three (3) for two (2) years, and their terms shall expire accordingly; and thereafter there shall be appointed in each year the requisite number to fill the vacancies caused by the expiration of the terms of those going out of office in such year. All vacancies shall be immediately reported to and filled by such board of education, school board or board of supervisors, and if for an unexpired term, for the residue of the term only. No compensation whatever shall be paid or allowed any director in such official capacity.

§ 3 DUTIES AND POWERS OF BOARD.] Said directors shall immediately after their appointment, meet and organize, by electing from their number, a president, secretary, and librarian. They shall make and adopt such by-laws, rules and regulations, relating to the duties of officers, and for the management of the library and reading room, as may be expedient, not inconsistent with this act. They shall have the exclusive control of the expenditures of all moneys collected or contributed for the library fund, and the supervision, care and custody of the library property, rooms or buildings, constructed, leased or set apart for that purpose; and such money shall be drawn from the treasury by the proper officers upon the proper authenticated voucher of the board of directors without being otherwise audited. They may with the approval of the board of education or school board, or board of township supervisors, aforesaid, without which, no lease purchase or contract therefor shall be valid, build, lease or purchase an appropriate building, and purchase a site therefor, not however, employing in such purchase or building, more than half the income in any one (1) year.

§ 4. LIBRARY FREE, UNDER RULES ESTABLISHED BY BOARD.] Every library and reading room, established under this chapter, shall be forever free for the use of the inhabitants of the city, village or township where located, always subject to such reasonable rules and regulations as the board of directors may deem necessary to adopt and publish, to render the use of said library and reading room of the greatest benefit; and they may exclude from the use of said library and reading room any and all persons who shall wilfully violate such rules.

§ 5. BOARD TO MAKE ANNUAL REPORT.] The board of directors shall make an annual report to the said board of education, or school board, or board of supervisors, stating the condition of their trust, the various sums of money received from all sources, and how much money has been expended, and for what purpose, the number of books and periodicals on hand, the number added by purchase or gift during the year, the number lost and loaned out, the character and kind of books contained in library, with such other statistics, information and suggestions as they may deem of general interest.

§ 6. DONATIONS—HOW AND TO WHOM MADE.] All persons de-

sirous of making donations of money, books, personal property or real estate for the benefit of such library shall have the right to vest the same in the board of directors, to be held and controlled by such board when accepted for the use of such library and reading room, and as to such property said board shall be held and considered to be special trustees.

§ 7. CITY COUNCIL OR TRUSTEES TO APPROPRIATE FUNDS—WHEN.] To aid and facilitate the organization of a library in any city, village or township, as in this act provided, where the same is required by the people thereof, and where in any city the sum of four hundred (400) dollars or more shall have been donated and deposited with the city treasurer for that purpose; and to any village or township where the sum of one hundred and fifty (150) dollars or more, shall have been donated and deposited with the village or township treasurer, for the benefit of such library, and also where such amount shall, prior to the passage of this act, have been donated and expended for the purchase of a library existing in any such city, village or township, the city council of such city is hereby authorized, and it shall be its duty, to appropriate two hundred (200) dollars from the general fund of such city, for such library, for which amount a warrant shall be drawn on the city treasurer; and the board of trustees of such village or the board of supervisors of such township are hereby authorized, and it shall be their duty, to appropriate (100) dollars from the general fund of such village or township, for such library, for which amount a warrant shall be drawn on such village or township treasurer; *Provided*, That in the case of any library association now existing, it shall first agree to turn over to the library and reading room thus established, all books, periodicals and other property. The treasurer of such city, village or township, shall accept such warrant and apply the proceeds from the sale of the same, to the library fund, which together with the amount donated, shall be held subject to the order of the board of directors for such library; and the payment of such warrants shall be provided for in the next assessment of taxes in such city, village or township, and such library may be organized without submitting the same to a vote as provided in section one (1) of this act.

§ 8. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

§ 9. This act shall take effect from and after its passage and approval.

Approved, March 11, 1887.