

**STATE OF COLORADO;
LIBRARIES: THEIR ESTABLISHMENT
AND MANAGEMENT. LIBRARY
LAWS OF COLORADO**

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State of Colorado; Libraries: Their Establishment and Management. Library Laws of Colorado
by Grace Espy Patton

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STATE OF COLORADO

LIBRARIES:

THEIR ESTABLISHMENT AND MANAGEMENT

LIBRARY LAWS OF COLORADO

ISSUED BY

GRACE ESPY PATTON

SUPERINTENDENT OF PUBLIC INSTRUCTION AND EX-OFFICIO
STATE LIBRARIAN



DENVER, COLORADO, OCTOBER 10

1897

GRACE ESPY PATTON
Superintendent of Public Instruction
and *ex-officio* State Librarian

MARY HOLLAND KINKAID
Assistant Superintendent
HATTIE E. STEVENSON
Assistant Librarian
ELLA BRIGGS HOSICK
Clerk

DENVER, COLORADO
THE SMITH-BROOKS PRINTING CO., STATE PRINTERS
1897

Libraries having been recognized as a necessary part of the regular equipment provided for every efficient school, the publication of a pamphlet containing the library laws and timely suggestions regarding the work of collecting books, becomes a pleasant duty devolving upon the Superintendent of Public Instruction of Colorado.

Colorado is foremost in the establishment and maintenance of public schools that are kept up to the highest educational standards. In connection with the development of these schools, there has awakened an enthusiastic interest in libraries. The cities of Colorado are the fortunate possessors of thousands of volumes of good literature, but the cities do not monopolize all the libraries. There are fifteen hundred school districts in the state, and from statistics recently gathered by the Department of Public Instruction, it is fair to estimate that at least one-quarter of the districts have the nucleus of a public library. Answers to inquiries sent out at the end of the last school year show that all the districts are ambitious to own instructive and entertaining books.

The contents of this bulletin will certainly prove helpful to citizens of every county, and it is hoped that hundreds will take advantage of the valuable hints from experienced librarians who have kindly lent assistance in the preparation of these pages.

Part of the text was printed in the April number of *The Colorado School Journal*. Articles not signed were written or compiled by J. C. Dana, librarian of the Denver Public Library.

The Library Laws were compiled by George M. Lee, of the Denver Public Library.

GRACE ESPY PATTON,
Superintendent of Public Instruction.

Denver, Colorado, October 10, 1897.

Library Laws of Colorado.

COMPILED BY GEORGE M. LEE, PUBLIC LIBRARY, DENVER.

Public libraries are exempt from taxation. Section 3766. Constitution Colorado, article X., section 4.—[Mills, 439.

The qualified electors of any district of the third class, when assembled at any regular or special meeting, shall have power to order such tax on taxable property of the district as the meeting shall deem sufficient for the . . . procuring libraries . . . for the schools.—[Mills, 4027.

The board of any district may order the levy of not to exceed one-tenth of one mill, the proceeds of which shall be used exclusively in the purchase of books for a library, to be open to the public, under such rules as the district board may deem needful for the proper care of the said library.—[Mills, 4032.

The establishment and maintenance of a free public library is hereby declared to be a proper and legitimate object of municipal expenditure; and the council or trustees of any city or incorporated town may appropriate money for the formation and maintenance of such a library, open to the free use of all of its inhabitants, under proper regulation; and for the purchase of land and the erection of buildings, or for the hiring of buildings or rooms suitable for that purpose, and for the compensation of the necessary employees: Provided, That the amount appropriated in any one year for the maintenance of such a library shall not exceed one mill upon the dollar upon the assessed valuation

of such city or town. Any such city or incorporated town may receive, hold or dispose of any and all gifts, donations, devises, and bequests that may be made to any such city or incorporated town, for the purpose of establishing, increasing or improving any such public library; and the city or town council thereof may apply the use, profit, proceeds, interests, and rents accruing therefrom in such manner as will best promote the prosperity and utility of such library. Every city or incorporated town in which such a library shall be maintained shall be entitled to receive a copy of the laws, journals, and all other books published by the authority of the state after the establishment of such library, for the use of such library, and the secretary of state is hereby authorized and required to furnish the same from year to year to such city or incorporated town. But no appropriation of money can be made under this section unless the proposition is submitted to a vote of the people at a municipal election of such city or town, in such manner as may be prescribed by ordinance.—[Mills, 4403, paragraph 76.

The clear proceeds for all fines for any breach of any penal ordinance of any city in this state, and for penalties or upon any recognizance in criminal proceedings, may be exclusively applied to the establishment and support of public libraries as hereinafter provided.—[Mills, 2815.

Each member of such library committee shall perform his duties without compensation, and shall before entering upon his duties, give a bond to be approved by the mayor of such city, in the sum of five hundred dollars, conditional for the faithful performance of his duties.—[Mills, 2819.

Such committee and their successors shall have the power to sue and be sued, in the name of the library committee of the city in which they are appointed, in all matters relating to such library or library fund.—[Mills, 2820.

That the common council or board of trustees of any city or town in this state are hereby authorized, if they shall see fit, to apply any part of the fund referred to in section one (Mills, 2815) in aid of any library association organized for the benefit of the public, heretofore or hereafter established; Provided, Such library association will give to the common council or board of trustees such representation upon its board of management as may be requested.—[Mills, 2821.

That the state librarian be, and he is hereby, directed to turn over to the librarian of any free public library in this state, if desired for public use therein, and take the receipt of such librarian therefor, one copy of each and every such book, pamphlet or periodical published by this state as can be spared, now on hand, or which shall be published by the state from time to time hereinafter.—[Mills, 2822.

That the city council of each incorporated city shall have the power to establish and maintain a public library and reading room for the use and benefit of the inhabitants of such city and may levy a tax of not to exceed one mill on the dollar annually, and in cities of over one hundred thousand inhabitants, not to exceed one-half of a mill on a dollar annually on all the taxable property in the city; such tax to be levied and collected in like manner with the general taxes of said city and to be known as the "Library Fund."—[Session Laws, 1893, chapter 115, section 1.

When any city council shall have decided to establish and maintain a public library and reading room, under this act, the mayor of such city shall, with the approval of the city council, proceed to appoint six persons, who, with the mayor of such city, shall constitute a board of directors for the same, the said six persons to be chosen from the citizens at large with reference to their fitness for such office; and not more than one member of the city council shall be at any one time a member of the board.—[Session Laws, 1893, chapter 115, section 2.

Said directors appointed by the mayor shall hold office one-half for one year and one-half for two years from the first of July following their appointment, and at their first regular meeting shall cast lots for the respective terms; and annually thereafter the mayor shall before the first day of July of each year, appoint as before three directors to take the place of the retiring directors, who shall hold office for two years and until their successors are appointed. The mayor may, by and with the consent of the city council, remove any director for misconduct or neglect of duty.—[Session Laws, 1893, chapter 115, section 3.

Vacancies in the board of directors, occasioned by removals, resignations, or otherwise, shall be reported to the city council and be filled in like manner as original appointments, and no director shall receive compensation as such.—[Session Laws, 1893, chapter 115, section 4.

The mayor of said city shall be the president of said board and the said board shall have the power to elect such other officers as they may deem necessary. 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 as may be expedient, not inconsistent with this act. They shall have the exclusive control of the expenditure of all money collected to the credit of the library fund and of the construction of any library building, and of supervision, care and custody of the grounds, rooms or buildings, constructed, leased, or set apart for that purpose; Provided, That all moneys received for such libraries shall be deposited in the treasury of said city to the credit of the library fund and shall be kept separate and apart from other moneys of such city, and drawn upon by the proper officers of said city upon the properly authenticated vouchers of the library board. Said board shall have the power to purchase or lease grounds, to occupy, lease or erect an appropriate building or buildings 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 in establishing and maintaining a public library and reading room.—[Session Laws, 1893, chapter 115, section 5.

Every library and reading room established under this act, shall be forever free to the use of the inhabitants of the city where located, always subject to such reasonable rules and regulations as the library board may adopt in order to render the use of said library and reading room of the greatest benefit to the greatest number; and said board may exclude from the use of said library and reading room any and all persons who shall willfully violate such rules. And said board may extend the privileges and use of such library and reading room to persons residing outside of such city in this state, upon such terms and conditions as said board may from time to time by its regulations prescribe.— [Session Laws, 1893, Chapter 115, section 6.

The said board of directors shall make, on or before the second Monday in March, an annual report to the city council, stating the condition of their trust on the first day of March of that year, the various sums of money received from the library fund and from other sources, and how such moneys have been expended, and for what purposes; the number of books and periodicals on hand, the number added by purchase, gift or otherwise during the year; the number of visitors attending, the number of books loaned out, and the general character and kind of such books; with such statistics, information, and suggestions as they may deem of general interest. All such portions of said report as relate to the receipt and expenditure of money, as well as the number of books on hand, books lost or missing, and books purchased, shall be verified by affidavit.— [Session Laws, 1893, chapter 115, section 7.

The city council of said city shall have power to pass ordinances imposing suitable penalties for the pun-