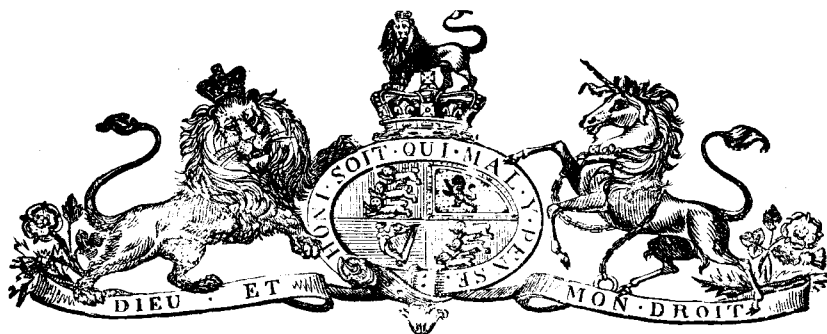


T A S M A N I A.

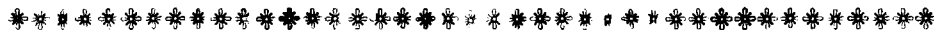


1902.

ANNO SECUNDO

EDWARDI VII. REGIS,

No. 49.



AN ACT to provide for the Endowment and A.D. 1902.
Management of the Tasmanian Public
Library. [20 December, 1902.]

WHEREAS the Trustees of the Tasmanian Public Library, PREAMBLE.
incorporated under the provisions of *The Tasmanian Public Library Act*, have received from *Andrew Carnegie*, Esquire, of *Skibo Castle*, near *Dornoch*, in *Scotland*, an offer to provide the sum of Seven thousand five hundred Pounds for the purpose of erecting in the City of *Hobart* a building in which the Tasmanian Public Library may be maintained, on the following conditions, that is to say :— 34 Vict. No. 27.

- i. That a suitable site therefor shall be provided free of cost by the Municipal Council of the City of *Hobart* :
- ii. That a department for the lending of books free of charge shall be established in connection with the said Library :
- iii. That the income at the disposal of the said Trustees of the Tasmanian Public Library for the maintenance thereof shall not be less than Five hundred and seventy-five Pounds per annum, and shall be permanently assured to the said Trustees, and that the said Municipal Council shall guarantee that the said annual sum shall be duly paid to the said Trustees :

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And whereas the Parliament of *Tasmania* has hitherto made an annual grant of Two hundred and fifty Pounds, and the Municipal Council of the City of *Hobart* an annual grant of Two hundred and sixty-five Pounds to the said Trustees for the purposes of the Tasmanian Public Library :

And whereas the said Trustees are possessed of the sum of Fifteen hundred Pounds, invested on mortgage of real estate, at the rate of Four per cent. per annum :

And whereas the proper maintenance of a Free Library, including the establishment of a Free Lending Department, under the conditions of the offer made by *Andrew Carnegie*, Esquire, cannot be provided for by means of the income hitherto received by the said Trustees :

And whereas it is desirable that the said Trustees should be enabled to comply with the aforesaid conditions, and therefore that an income of not less than Six hundred and sixty Pounds per annum should be secured to the said Trustees for the purposes of the said Library :

And whereas it is expedient to repeal the aforesaid Act, and to enact other provisions in lieu thereof :—

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

Short Title.

1 This Act may be cited as “The Tasmanian Public Library Act, 1902.”

Repeal.
34 Vict. No. 27.

2 *The Tasmanian Public Library Act* is hereby repealed.

Appointment of
Trustees.

3 For the management of the Tasmanian Public Library there shall be Eight Trustees, of whom Four shall be appointed and removed by the Governor, and Four shall be appointed and removed by the Municipal Council of the City of *Hobart*, under conditions of tenure of office to be determined by the Governor and by the said Municipal Council respectively. And if any Trustee, whether appointed under this Section or continuing to hold office as hereinafter provided, shall die, or be removed, or resign, or decline to act, or absent himself from all meetings of the Trustees during a period of Three months without leave of absence from the Trustees previously obtained, his office of Trustee shall thereupon become vacant, and the vacancy shall be filled by appointment by the Governor, or by the Municipal Council, as the case may be. The Trustees holding office under *The Tasmanian Public Library Act*, immediately prior to the coming into operation of this Act, shall continue in office until they shall vacate office from any cause as above specified.

Trustees a
Corporation.

4 The Trustees for the time being shall be a body corporate and politic by the name of “The Trustees of the Tasmanian Public Library ;” and shall by that name have perpetual succession, and a Common Seal, and by the said name shall be capable in law to sue and be sued in all courts, and to take, purchase, and hold real and personal property, and

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to alienate the same for any estate, term, or interest, and to do and suffer all acts as a body corporate and politic, and shall have all the powers usually granted or appertaining to bodies corporate and politic: Provided that it shall not be lawful for the said Trustees to alienate, mortgage, charge, or demise any real estate, or to expend all or any portion of the aforesaid Fifteen hundred Pounds, without the consent of the Governor and of the said Municipal Council previously obtained. But the said Trustees may, without obtaining such consent, release, reconvey, or reassign any real estate which may be vested in them by way of mortgage.

5 From and after the coming into operation of this Act, all moneys, securities for money, books, works of art, specimens, goods, chattels, and effects, previously vested in the Trustees of the Tasmanian Public Library under *The Tasmanian Public Library Act*, shall be vested in the Trustees under this Act; and the said Trustees shall have power and be capable in law to hold the same, and to receive, purchase, hold, and release any other moneys, securities for money, books, works of art, specimens, goods, chattels, and effects, and, with the approval of the Governor and of the said Municipal Council, to sell, exchange, convert into money, and deliver any part of the same, and to make donations of any part thereof. And the said Trustees may invest and re-invest, for the benefit of the Library, any moneys which are held or may be received by them, and may apply the interest and income for the purpose of maintaining such Library in a state of efficiency.

Personal property
vested in the
Trustees.
Power to hold,
purchase, etc.,
personal property.

6 Subject to the provisions of this Act, the Trustees for the time being shall have the entire control, management, and superintendence of the property, affairs and concerns of the Tasmanian Public Library, and shall have full powers to appoint and remove all officers and servants of the Tasmanian Public Library; and in all cases it shall be lawful for the Trustees to act in such manner as shall appear to them in their absolute discretion as best calculated to preserve and promote the objects and interests of the said Library: Provided that the appointment to, or removal from, the office of Librarian shall be subject to the approval of the said Municipal Council.

Powers of control
and management.

7 The Trustees for the time being shall have power from time to time to make such By-laws as they think fit, for the purpose of providing for:—

Power to make
By-laws.

- i. The conduct of their own proceedings:
- ii. The due management of the affairs of the Library:
- iii. The admission or exclusion of the public or any individual to and from the Library or any part thereof:
- iv. The conditions upon which books or manuscripts may be read or borrowed, or copies or extracts made therefrom:

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v. The most effectual use of the books and exhibits for purposes of public education and enjoyment.

And all such By-laws shall be submitted for the approval of the Governor and of the said Municipal Council, and if approved, shall be published by the said Municipal Council in the *Hobart Gazette*, and shall therefrom take effect.

Endowments.

8 By way of permanent endowment of the Tasmanian Public Library there shall be paid by the Treasurer of the State of *Tasmania*, out of the Consolidated Revenue Fund of that State, by Four equal quarterly instalments, payable on the First day of *January, April, July, and October* in each and every year to the said Trustees, towards the maintenance of the Tasmanian Public Library, the sum of Three hundred Pounds, the first instalment thereof to become due and payable on the First day of *January*. One thousand nine hundred and four; and the Municipal Council of the City of *Hobart* is hereby empowered to pay, out of the Municipal Fund, to the said Trustees a like sum of Three hundred Pounds per annum for the same purpose, in equal quarterly instalments, payable upon the dates aforesaid, and to give to *Andrew Carnegie*, Esquire, the guarantee required by him as aforesaid, that is to say, that the income at the disposal of the said Trustees for the maintenance of the said Library shall not be less than Five hundred and seventy-five Pounds per annum: Provided always that nothing herein contained shall be held to debar the said Municipal Council from paying to the said Trustees a larger sum.

Site of Library.

9 It shall be lawful for the Municipal Council of the City of *Hobart* to grant to the said Trustees at a peppercorn rent a lease of any land vested in or occupied by the said Municipal Council as the Governor may approve for such period, not less than Ninety-nine years, as the said Municipal Council may think fit, and also to grant an option of renewal of such lease. And it shall be lawful for the said Trustees to expend the sum agreed to be donated by *Andrew Carnegie*, Esquire, upon the erection of a building for a Library on the land so leased, and in providing the same with suitable fixtures and fittings. And so soon as the building to be erected as aforesaid on such land shall be completed and opened for public use as a Library, the said Trustees shall yield up and surrender to the Municipal Council of the City of *Hobart* the rooms and premises in the *Hobart Town Hall* now held and occupied by them.

Free Lending Department.

10 Within Six months of the opening for public use of the building to be erected as aforesaid as a Library, the said Trustees shall establish a department for the lending of books free of charge, and the said Trustees shall continue to maintain the same.

Annual Report.

11 The said Trustees shall, on or before the Thirty-first day of *March* in each year, report upon the management and condition of the

Tasmanian Public Library.

Library during the previous year to the Chief Secretary and to the said A.D. 1902.
Municipal Council, and such Report shall contain a full account of the
income and expenditure of the Library, duly audited by the Auditor-
General; and a copy of such Report, and of all By-laws and Regula-
tions approved as aforesaid during the previous year, shall be laid each
year before both Houses of Parliament.

12 This Act shall come into operation upon a Proclamation by the Commencement
Governor, which shall not be issued until the Chief Secretary shall of Act.
have reported to him that the Trustees have received the aforesaid sum
of Seven thousand five hundred Pounds from *Andrew Carnegie*,
Esquire.

