

empty or second hand package which has contained the same or been used therefor, with the intention of using such empty or second hand package, or of the same being used to contain goods, wares, merchandise, article or articles of the same general character as those for which they were first used, and any person who shall use any such empty or second hand package for the purpose aforesaid without the consent in writing of the person whose trade mark was first applied thereto or placed thereon, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$100 and not more than \$500, and the goods, wares, merchandise, article or articles contained on [in] any such second hand package or packages shall be forfeited to the original user of such package or packages whose trade mark was first applied thereto or placed thereon. The violation of any of the above provisions as to each particular article or package shall be held to be a separate offense.

SEC. 2. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force and effect immediately.

Passed the senate March 11, 1895.

Passed the house March 14, 1895.

Approved March 20, 1895.

CHAPTER CXXXIV.

[S. B. No. 114.]

PUBLIC LIBRARIES IN CITIES.

AN ACT authorizing the establishment of public libraries in cities.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That whenever three or more resident tax-payers of any city in this state having a population of five thousand or more people, that is, any city of the first, the second or the third class, or any city of like population ex-

Public li-
brary, how
established.

isting under special legislative charter, shall present to the mayor and council of such city their petition in writing for the establishment of a public library in said city, together with their private agreement to donate to the city, within three months thereafter for the use of such library, one thousand dollars in money or books, the said council may appoint three reputable citizens of said city to act as directors of the public library, except where city charters otherwise provide for the organization and management of public libraries.

Directors
authorized to
receive, what.

SEC. 2. Said directors or authorities mentioned in city charter to manage public libraries are authorized to receive from said petitioners, and from any other persons, donations of money and books for the purpose specified in the preceding section, and to appraise said books; and when they have received such donations to the value of \$1,000, they shall report that fact to the council, stating how much of the donation is in money.

Room
provided.

SEC. 3. Thereupon it shall be the duty of the council to provide, at the expense of the city until the beginning of the next fiscal year of the city, a suitable room and librarian for such public library.

Tax, how
levied.

SEC. 4. The city council of every such city, after the directors have made the report mentioned in the second section of this act, annually at the same time and in the same manner as other city taxes are levied, may levy a tax of not more than one-half mill on the dollar for the support of such library. The money so raised shall be kept as a separate fund, to be known as the library fund, and shall be disbursed for library purposes only.

Warrants,
when drawn.

SEC. 5. It shall be the duty of the officers of the city, who are authorized by law to draw warrants upon the city treasury, to draw upon the library fund such warrants as the directors, or a majority of them, shall direct, that no warrants be drawn against said library fund when there is no money therein.

Term of di-
rectors, how
determined.

SEC. 6. The three directors first appointed shall determine the length of their terms of office by lot, reporting the result thereof to the city council. The term of one thereof shall expire at the same time as that of the mayor

in office at the time of their appointment; the term of a second shall expire one year later, and that of the third two years later than that of the first. Whenever a director's term of office shall expire, it shall be the duty of the council to appoint his successor, who shall hold office for three years.

SEC. 7. Every director, before entering upon the duties of his office, shall file with the city clerk a bond, with sufficient sureties, to be approved by the council, conditional upon the faithful performance of the duties of his office. Such bond shall be in the penal sum of \$2,000, and shall be payable to the city. No director shall receive any compensation for his services. Directors,
bonds of.

SEC. 8. The directors of the public library shall have sole control of the library and shall disburse the money belonging to the library fund. They shall, when the same are not furnished by the city, provide and furnish suitable rooms, and shall appoint all librarians and assistants and fix their compensation. They shall attend to the selection, purchase and preservation of books and other property for the library, and may make rules for its government not in conflict with law. They shall, so far as the funds at their disposal will warrant, keep the library open at reasonable hours throughout the year. They may direct warrants on the treasurer to be drawn, and may expend all money belonging to the library fund, including the donations mentioned in the first and second sections of this act: *Provided*, That if any money or funds be donated to the library, or to the city for it, upon condition that only the income thereof shall be used, the directors shall not expend any part of the principal thereof; but they may invest the principal under the direction and with the approval of the city council: *Provided further*, That the directors shall have no power to create any indebtedness against the city or the library. They shall, on the last Monday preceding the expiration of the term of a director, make an annual report to the mayor and council of the conditions and needs of the library, with a detailed statement of their receipts and expenditures during the year. Directors,
duty of.

SEC. 9. All inhabitants of the city shall enjoy the use

Library, free
access to.

of the library without charge: *Provided, however,* That the directors may exclude from the library rooms disorderly persons, persons who violate the rules established by the directors and persons of bad repute, and may require security for the care and return of books taken from the room.

Passed the senate March 1, 1895.

Passed the house March 13, 1895.

Approved March 20, 1895.

CHAPTER CXXXV.

[S. B. No. 69.]

RELATING TO CORPORATIONS.

AN ACT in relation to corporations and to amend section 2450 of the Code of Washington of 1881, the same being section 1638 of volume 1 of Hill's Annotated Statutes and Codes of Washington.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 2450 of the Code of Washington of 1881, the same being section 1638 of volume 1 of Hill's Annotated Statutes and Codes of Washington, be and the same is hereby amended so as to read as follows: Any two or more persons desirous of forming a corporation for a college, seminary, church, library, or benevolent, temperance, charitable or scientific society, shall make and subscribe written articles of incorporation in triplicate, and acknowledge the same before any officer authorized to take the acknowledgments of deeds, and file one of such articles in the office of the secretary of state, and another in the office of the county auditor of the county in which the principal place [of] business of the corporation is intended to be located, and retain the third in the possession of the corporation. Such articles shall specify —

1. The corporate name and location and chief place of business of such corporation.
2. If a joint stock company, the amount of capital stock,