

CHAPTER 171.

[S. SUB. B. No. 156.]

CREATING STATE LIBRARY COMMISSION, AND RELATING TO MANAGEMENT OF STATE LIBRARY, CUSTODY AND DISTRIBUTION OF PUBLIC DOCUMENTS, ETC.

AN ACT creating a State Library Commission, prescribing its duties, providing for the appointment of a State Librarian and assistants, prescribing their duties and repealing an act entitled "An act to promote and establish the efficiency of free public libraries and for the purpose of establishing a State Library Commission and appropriating two thousand dollars for Traveling Library Fund," approved March 2, 1901; repealing an act entitled "An act providing for the distribution of the public documents of the State of Washington," approved March 6, 1901; repealing an act entitled "An act relating to the State Library, and declaring an emergency," approved March 8, 1893; repealing an act entitled "An act to provide for the publication, distribution and sale of the Supreme Court Reports of the State of Washington, and declaring an emergency," approved February 25, 1891; and amending Section 1 and repealing Sections 3, 4, 5 and 6 of an act entitled "An act to define the duties, and provide for assistance for, and fix the compensation of, the Secretary of State," received by the Governor March 28, 1890; and repealing all other acts or parts of acts in conflict herewith, and declaring an emergency.

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

SECTION 1. A State library commission is hereby created, which shall consist of the Governor, the judges of the Supreme Court and the Attorney General. In addition thereto an advisory board is likewise created which shall consist of the Superintendent of Public Instruction, of two persons appointed by the Governor upon his own initiative, and of two other persons to be appointed by the Governor, one of whom shall be a person recommended by the Washington State Historical Society, and one of whom shall be a person recommended by the State Federation of Women's Clubs. This advisory board shall give advice and counsel to the state library commission and to its librarian with regard to the management and conduct of the historical branch of the State library, and of the free public and traveling departments thereof. The term of office of each

Commission
and Advisory
Board.

member of the advisory board shall be four years. No member thereof shall receive any salary, but actual traveling expenses while engaged in the discharge of their duties shall be paid to them as are other expenses incurred by the State library commission.

Powers and duties of Commission.

SEC. 2. The State library commission shall have full charge and control of the State library and of all its departments. It shall appoint a State librarian, who shall hold office at the pleasure of the commission. The State librarian shall take an oath to be filed in the office of the Secretary of State that he will support the constitution of the United States, the constitution of the State of Washington, and will faithfully discharge his duties, and shall give bond in the sum of two thousand dollars payable to the State, with two or more sureties to be approved by the State library commission, that he will perform his duties as required by law. The State librarian shall appoint two assistant librarians, by and with the advice and consent of the State library commission, who shall qualify in like manner as the librarian, and under his direction and control discharge any and all duties required by him to be discharged. The State library commission shall adopt such rules for the convenient and economical management of the State library in all its departments as they deem fit.

Assistant librarians.

Salary of librarian and assistants.

SEC. 3. The State librarian shall receive an annual salary of fifteen hundred dollars, to be paid monthly, and the State Auditor shall draw warrants on the State Treasurer therefor. The assistant librarians shall each be paid an annual salary of such an amount as shall be fixed by the State library commission, not to exceed the sum of one thousand dollars per annum for each assistant. The State library commission may assign the assistants to different departments of the State library and graduate the salary of each as they shall deem just. The assistants' salary shall be paid at the same time and in the same manner as the salary of the State librarian.

Duties of librarian.

SEC. 4. The State librarian, under the direction and control of the State library commission, shall:

1. Assume charge of the State library and all its branches, provide rooms therefor and adjust and arrange it in such rooms, and also provide such fixtures and fittings as shall be necessary.

2. Purchase all books, reports and maps deemed necessary or proper for the use of the library.

3. Receive and take charge of all books, reports, maps or other documents which may be donated to said library.

4. Provide for the care and repair of the rooms, furniture, fixtures, books, reports and documents of the library.

5. Receive and distribute all public documents which he is required by law to receive and distribute.

6. Act as secretary of the State library commission and advisory board, and under the direction thereof assist in the organization or improvement of the State library or any department thereof.

7. Bi-ennially, not more than thirty days before the meeting of the Legislature, make a report to the State library commission, showing the work which has been done in all the departments of the State library and such other matters as are of interest in connection with the library work. He shall be authorized to make requisitions upon the State printing board for printing said report, and also for such other printing as may be necessary or proper in the discharge of his duties. ^{Bi-ennial report.}

8. Discharge such other duties as he shall by law or the direction of the State library commission be required to discharge. All expenses incurred by him in the discharge of these duties shall be audited and allowed by the State library commission, and when ordered paid by them the State Auditor shall draw his warrant upon the State Treasurer for the amount thereof. ^{Expenses.}

SEC. 5. The State library commission shall have the absolute direction and control of the law department of the State library, the arrangement thereof, and the purchases to be made in connection therewith. The State library commission with the advice and assistance of the advisory board hereinbefore created, shall also have control of the miscellaneous department of the State library, the system of traveling libraries and the State historical department (all of which are declared to be a part of the system of the State library) and shall direct such purchases, receive such donations as may be made, and direct its policy in all particulars. The advisory board shall give particular attention to the building up of a State historical department and a system of traveling libraries, and shall give advice and ^{Control and management.}

counsel to all free libraries in the State, and to all communities which may propose to establish them, as to the best means of establishing and administering such libraries, the selection of good books, cataloguing, and other details of library management.

Office of Com-
mission and
Board.

SEC. 6. The State library commission and the advisory board shall have their office at the office of the State librarian. The State librarian shall act as secretary to the commission and to the advisory board, and as such secretary shall keep a record of the proceedings of the commission and advisory board, accounts of the financial transactions of the commission, and under its direction, and with the advice and assistance of the advisory board, act in organizing or improving free public libraries and in the management of the State library or any department thereof. His expenses as such secretary shall be paid as are other expenses incurred by him.

Duty of
Printing
Board—
executive
documents.

SEC. 7. It shall be the duty of the printing board, or whoever shall have charge of the printing of the public documents of the State of Washington, to deliver such documents, when printed, immediately to the State librarian, who is declared to be the custodian thereof, except that the State printing board shall reserve one hundred copies of the reports of each State officer, which reports said printing board shall arrange in sets and suitably bind such sets in volumes and label the same "WASHINGTON EXECUTIVE DOCUMENTS," and shall further designate on the backs of such volumes the date of the series, the volume number, the reports contained in each volume, followed by dates showing the period covered by each report, and shall then deliver such bound sets to the State librarian. The State librarian shall be charged with all deliveries made to him, and he shall receipt therefor and immediately distribute the same as hereinafter provided, surplus copies to be classified and stored by him in some room assigned for that purpose. Surplus copies of public documents in the custody of any State officer at the time when this act shall take effect shall be delivered by him to the State librarian, who shall receipt therefor.

Surplus
copies.

"Public
Documents"
defined.

SEC. 8. The term "Public Documents" as used in this act, shall include the Supreme Court reports, the Session

Laws, the legislative journals, the reports of the State officers or of any commission or commissions, board or boards of the State, or of any person or persons authorized by law to make such reports.

SEC. 9. The State librarian shall keep a record of all public documents received by him, showing number of each received, the number distributed and to whom, and the number yet on hand, which record shall at all times be open to inspection. On or before the first day of January of each year he shall make a report to the State printing board showing the matters disclosed by such record since the time of making his last report, and shall bi-ennially, in his report as State librarian, report to the Governor in detail the number of volumes and pamphlets received, the number distributed and the number yet on hand, and shall call attention to any shortage or wasteful surplus, and shall make recommendations with relation thereto. The Washington State Library Commission, created by the act approved March 2, 1901, shall surrender to the librarian all books or documents in its possession when this act shall take effect, and the librarian shall receipt therefor and account for the same in the manner hereinbefore provided. He shall be liable on his official bond for all books and documents so received by him.

Librarian's record of public documents.

Bi-ennial report to Governor and Printing Board.

Liability on official bond.

SEC. 9. [10] Upon receipt of the public documents the State librarian shall deposit six copies of each publication in the State library, and shall place forty copies in reserve for the future needs of the library and to replace loss by fire or otherwise sustained by any office or institution named in this section, and shall then distribute as follows:

Six copies of each document to be deposited in library.

1. Of the unbound volumes of reports of the State officers he shall deliver to the officer making the report as many volumes thereof as said officer may require upon the officer making a written requisition therefor showing the names and addresses of persons for whom such reports are intended.

Distribution of reports.

2. Of the bound volumes of the executive documents referred to in section 2 hereof he shall deliver to the Governor's office and to the Governor one copy each; to the Congressional Library, to the University of Washington and to the Agricultural College and School of Science two copies each; to the normal schools of this State, and to the

Distribution of executive documents.

State, territorial, or district library of each state, territory or district one copy each; and one copy each to any foreign state or territory to which the State library commission shall require one to be sent.

Distribution
of Session
Laws.

3. Of the Session Laws he shall deliver to each executive State officer, and to each department presided over by such officer, to each department of the United States government, to each of the senators and representatives in Congress of this State, to each judge of the Supreme Court and to the office of each judge, to each Superior judge of the State, to each United States district judge and each United States circuit judge within this circuit, to each United States district attorney and to each United States marshal, and to each registrar and receiver of the United States land offices within this State, to each prosecuting attorney, to each assistant attorney general, to each normal school of the State, to the Agricultural College and School of Science, to the University of Washington, to the law department of each state, territorial or district library in the United States, to each of the district courts of Alaska, to each province of the Dominion of Canada, to the clerk of the Supreme Court, to the Supreme Court reporter, to each member of the Legislature during the session at which such laws were adopted, one copy. To the clerk of each United States district court within the State, for the use of such court, five copies. To the clerk of each of the other United States district courts, and of each circuit court, within this circuit, for the use of their respective courts, three copies. To the clerk of the Supreme Court of the United States, for the use of such court, ten copies. To the congressional library, and to the law department of the University of Washington, six copies each. To each bar association or public library within the State, three copies. To each county auditor, a sufficient number to supply each county officer and justice of the peace within his respective county with one copy for the official use of such officers, and not otherwise. Such further distribution may be made as the State library commission shall order. The surplus copies thereof shall be sold at the actual cost price with ten per cent. added and the proceeds of such sales shall be paid into the State treasury for the use of the State library fund.

Surplus
copies.

4. Of the Senate and House journals he shall deliver one set to each member of the Legislature during the session of which it is a journal, and to each executive State officer, to each free public library in the State, to each newspaper and magazine furnished free to the State library, to each State, territorial or district library in the United States, and to each province of the Dominion of Canada, one set; three sets shall be delivered to each of the normal schools, to the Agricultural College and School of Science, to the University of Washington, and to the law department of the University of Washington; any sets remaining undisposed of shall be disposed of in the same manner as the surplus copies of the Session Laws.

Distribution
of House and
Senate
Journals.

5. Of the Supreme Court reports, of each volume issued one volume shall be delivered to the law department of each state, territorial or district library, and to the Supreme Court of each state, territory or district of the United States, to each province of the Dominion of Canada sending similar publications to the library of this State, to the clerk and each judge of the Supreme Court of this State, to each of the Superior Court judges, to the Attorney General of the United States, to each United States district attorney within this State, to the Attorney General and to each prosecuting attorney, to each United States district judge and each United States circuit judge within this circuit, to the general library of the University of Washington, to the Agricultural College and School of Science and to each of the normal schools. To the Supreme Court reporter two volumes shall be delivered; to the congressional library and to the Supreme Court of the United States, three volumes each; to the law department of the University of Washington, six volumes; to each bar association or public library within this State, two volumes; to the clerk of the Supreme Court of the State and to each judge thereof (the same to remain the property of said court) one volume. The State library commission may order such further distribution as it shall deem advisable. The State library commission shall order such distribution of bulletins and documents issued by the United States or any department thereof and forward to the State library as it shall deem advisable.

Distribution
of Supreme
Court
Reports.

Amendment.

SEC. 10. [11] Section 1 of an act entitled "An act to define the duties and provide for assistance for, and fix the compensation of, the Secretary of State," received by the Governor March 28, 1890, is hereby amended to read as follows: Section 1. The Secretary of State is charged with the custody:

Duties of
Secretary of
State.

First. Of the seal of the State.

Custodian of
State prop-
erty.

Second. Of all books, records, deeds, parchments, maps and papers required to be kept on deposit in his office pursuant of law:

Third. Of the enrolled copy of the constitution;

Fourth. He is the superintendent and shall have charge of the State capitol and must keep the same, together with all property therein, in good order and repair;

Fifth. He shall provide fuel, lights and stationery for the Senate and House of Representatives, State library, Supreme Court, Supreme Court library and for all State officers having their offices or chambers at the State capital.

SEC. 11. [12] Sections 3, 4, 5 and 6 of the act referred to in the preceding section are hereby repealed.

SEC. 12. [13] An act entitled "An act to promote and establish the efficiency of free public libraries and for the purpose of establishing a State library commission and appropriating two thousand dollars for traveling library fund," approved March 2, 1901; and an act entitled "An act providing for the distribution of the public documents of the State of Washington," approved March 6, 1901, an act entitled "An act relating to the State library, and declaring an emergency," approved March 8, 1893, an act entitled "An act to provide for the publication, distribution and sale of the Supreme Court reports of the State of Washington, and declaring an emergency," approved February 25, 1891, and all other acts and parts of acts in conflict herewith are hereby repealed.

Repeal.

Emergency.

SEC. 13. [14] An emergency exists and this act shall take effect immediately.

Passed the Senate March 5, 1903.

Passed the House March 9, 1903.

Approved by the Governor March 17, 1903.

Note.

(Note by the Secretary of State).—There are fourteen (14) sections in the original enrolled bill, in numbering the sections

in the enrolled bill the number 9 was repeated, hence the following sections read 10, 11, 12 and 13, whereas they should read 10, 11, 12, 13 and 14.

SAM H. NICHOLS,
Secretary of State.

CHAPTER 172.

[H. B. No. 42.]

AMENDING BALLINGER'S CODE RELATIVE TO MANNER OF SELECTING JURORS IN THE SUPERIOR COURTS.

AN ACT amending Section 3 of an act entitled "An act providing for and regulating the selection of jurors in the Superior Courts of the State; and providing for the appointment of Jury Commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be contempt of court and providing for the punishment thereof as such, and repealing all laws and parts of laws in conflict therewith," approved March 16, 1901.

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

SECTION 1. That section 3 of an act entitled "An act providing for and regulating the selection of jurors in the superior courts of the State; and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be contempt of court and providing for the punishment thereof as such; and repealing all laws and parts of laws in conflict therewith," approved March 16, 1901, being section 5945 of Pierce's Code, be and the same is hereby amended to read as follows: Section 3. In open court within *twenty days in counties of the first class, and within ten days in counties of the second, third, fourth, fifth, sixth, seventh, eighth and ninth classes*, the commissioners shall select the names of all the qualified jurors in the county as far as the commissioners may be able to ascertain the same from the latest tax rolls and poll books of the county and deposit the same written on separate slips of paper of uni-

Sec. 5945
Pierce's
Code.

Commis-
sioners to
select jurors.