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Chapter XI - Libraries

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Chapter XI - Libraries

Government Library

Private Acts of 1959 Chapter 285

SECTION 1. That a Commission be and the same is hereby created for Dyer County, Tennessee, said Commission to be known as the "Dyer County Governmental Library Commission." Said Commission shall be composed of five members to be appointed, one by the Judge of the Circuit Court, one by the Judge or Chancellor holding the Chancery Court, one by the Judge of the County Court, and two by the President of the Dyer County Bar Association. Said Commissioners are to be appointed for a term of two years or until their successors are appointed, but they shall serve without compensation and shall themselves elect a Chairman and Secretary from their members. In event of vacancy in the office of Commissioner by death, resignation, refusal to serve or otherwise such vacancy shall be filled for the balance of said term of two years by the official, or his successor in office who made the original appointment of said Commissioner.

SECTION 2. That the purpose of said Commission shall be to establish, acquire, maintain and operate a County Governmental Library for the assistance of the Courts, Judges, public officials, attorneys and the public of said County, and the Commission shall have full power and authority to acquire by purchase, gift, loan or otherwise such law books, codes, treatises and other works of law, government, medicine, history or literature that it may deem necessary or beneficial to the Courts, public officials of the State, County or City, members of the Bar and the public for study on questions of law or Government; also in like manner to acquire all furniture and equipment necessary to establish, maintain and operate said County Governmental Library, together with the right to employ and discharge Librarians and assistants, if necessary, and to fix the salary of such employees, and in their discretion to make all reasonable rules and regulations governing the operation and use of said Library; to lease, rent or acquire by any means other than purchase, space in which to house said Library provided space in the Court House or other public building is insufficient, but so long as sufficient space can be given in the Court House or other public buildings of the County, same shall be furnished the Library without charge. All books, furniture, and equipment purchased or acquired, other than by loan, shall become the property of said County. If necessary to provide sufficient operating funds for said Library said Commission is empowered to fix, assess and collect reasonable dues for its use from all persons using the Library except Judges or other public officials.

SECTION 3. That for the purpose of financing said Library, there shall be taxes, as costs, in each suit, Civil, or Criminal in the Court of General Sessions of Dyer County and of each suit, Criminal, Civil or Equitable, now pending or hereafter filed in or arising in any Court of record in said County in which a litigation tax is now charged and collected, the sum of one dollar. The costs taxed in pursuance of this Section shall be collected as other costs in such cases are collected and the same shall be designated "County Governmental Library Tax." On or before the last day of each month the Clerks of the respective Courts shall pay to the County Trustee all amounts collected as County Governmental Library Tax in the preceding calendar month. The sum paid to the County Trustee shall be designated "County Governmental Library Fund," and used only for the purposes set out in this Act. On approval of the majority of the Commission the Chairman and Secretary shall draw warrants on the County Trustee for expenditures of the Commission, indicating on each warrant the fund against which it is drawn, and the County Trustee is hereby authorized and directed to make payment out of said fund upon the presentation of warrants so issued in compliance with the provisions of this Act.

As amended by:

Private Acts of 1965, Chapter 51.

SECTION 4. That all dues, charges and other funds received by said Library Commission directly shall be paid into the office of the County Trustee in a like manner and at like times as money collected hereunder shall be paid by the Clerks of the various Courts to said County Trustee.

SECTION 5. That said Commission shall keep written minutes of its meetings, at which meetings a majority of said Commission then serving shall constitute a quorum for the transaction of business and said Commission shall keep a record of all money received and disbursed, purchases, loans or destruction of books and other property and a proper inventory with reasonable accuracy.

SECTION 6. That if any clause, sentence, paragraph, section or part of this Act shall be held or declared to be unconstitutional and void, it shall not affect the remaining parts of this Act, it being hereby declared to be the legislative intent to have passed the remainder of this Act notwithstanding the part so held to be invalid, if any.

SECTION 7. That this Act shall have no effect unless the same shall have been approved by two-thirds of the Quarterly County Court of Dyer County on or before October 15, 1959. Upon such approval this

Act shall become effective immediately, the Public Welfare requiring it. The approval or lack of approval by October 15, 1959, of this Act shall be proclaimed by the presiding officer of the Quarterly Court of Dyer County and shall be certified by him to the Secretary of State as promptly as is reasonably possible.

Passed: March 16, 1959.

Woman's Club of Dyersburg Library Fund

Private Acts of 1929 Chapter 267

WHEREAS, The Woman's Club of Dyersburg, Tennessee, is now, and has been, attempting to promote, maintain and support a Public Library in Dyer County, said Public Library being managed under the auspices of the said Club and said Library being considered a public benefit to the said County; and

WHEREAS, The County Court of said County has seen fit to make appropriations to the said Woman's Club for use in its Library fund, but has now discontinued said appropriations only on the ground that there might not be proper legal authority for making said appropriation; and

WHEREAS, The said County court of the said County, at its regular January Term, 1929, passed the following resolution;

WHEREAS, The Court saw fit to discontinue its appropriations to the Woman's Club for use in its library fund by reason of lack of legal authority and feeling that it is to the best interest of the citizenship of the County that said appropriations for said work be continued, now therefore:

Be it resolved, By the County Court of Dyer County at an adjourned session of said Court held on this the 14th day of January, 1929, that we request our Floterial Representative, J. S. Riley, and Senator, J. B. Avery, to introduce as soon as possible and have passed an Act authorizing County Court of Dyer County to appropriate the sum of One Hundred Dollars per quarter to the Woman's Club of Dyersburg in aiding and promoting a public library being conducted under the auspices of said Club for the year 1929, and a similar sum each year thereafter so long as the Court sees fit to continue said appropriation, and that the Clerk of this Court furnish said representatives of the General Assembly now in session a copy of this resolution.

The 14th day of January, 1929.

SECTION 1. That Dyer County be, and is, hereby enabled, empowered and authorized to make the appropriation in accordance with the above resolution of the said County Court, One Hundred Dollars to be appropriated quarterly during the year 1929 and during as many years thereafter as the said Court sees fit and proper to continue said appropriation to the Woman's Club of Dyersburg same to be paid out of the general funds of the County for use in its library fund for the purpose of promoting, supporting and maintaining the said public library so managed under the auspices of the said club.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 22, 1929.

Libraries - Historical Notes

The following act once affected libraries in Dyer County but is not operative because it did not receive proper ratification from the local authorities.

1. Private Acts of 1973, Chapter 47, would have amended Private Acts of 1959, Chapter 285, published herein in Section 3 by again raising the amount to be added to the court costs of cases in Dyer County for the support of the Library from \$1.00 to \$2.00. This Act, however, was not approved by the Quarterly Court of Dyer County and consequently never took effect.

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