

REPORT RE CONSTITUTION OF LIBRARY.

The Library was established on 2nd June 1909 for following purposes according to the declaration filed, namely "To provide suitable reading recreation and entertainment for its members by the provision of books for lending purposes and establishment of a reading room supplied with newspapers journals magazines and other literature for use of the general public."

These purposes have been carried out.

"Membership" of Library is obtained by $\frac{1}{2}$ yearly subscriptions and the approval of the subscriber's name by the Committee of Management or a majority thereof.

Three Trustees were appointed by the Declaration and it is provided that three Trustees shall be elected annually at the Annual Meeting by the members of the Association then and there present except when otherwise provided by declaration.

This is alright as far as we have gone but the question now is, "If the Committee is to make the by-laws according to the declaration who is to elect the Committee and how is it to be elected?"

Secn. 16 of the Act says that the persons signing Declaration the Trustees and the Committee for the time being of the Institution shall be the body corporate but the Act mentions nothing about election of the Committee and this is the only section that refers to them.

The Declaration says that the Committee of Management is to be annually elected but does not say by whom or at what time or how many persons constitute same.

This is provided by a minute passed at the first general meeting.

Now the only way under the Act that a Committee could be appointed is by the Trustees under Section 18 of the Act.

A Committee cannot pass by-laws until it is properly in existence, and this is just what we have been doing, and of course it cannot pass a by-law creating itself.

The resolution providing for the Committee, should be passed by the Trustees, who can never be more than three under our Declaration, and such resolution need not be confirmed by the general meeting.

It is then for the Committee to draw up the by-laws and submit same to the Annual Meeting for approval. Until this is done, such by-laws are of no effect.

The Committee meeting held on the same evening as the first Annual Meeting passed a resolution that the whole of the Management Committee not included in the Fittings Committee draw up the by-laws.

This was alright as far as it goes but of course the Committee as a whole would have to pass them under the Declaration.

The making of by-laws according to the Declaration is vested in the Committee of Management then elected and thereafter annually elected but such by-laws shall be subject to the assent of a majority of members present at the annual meeting.

Coming to the Act of 1908 :

The Library is formed by a Declaration containing several requirements four of which have been properly satisfied by our Declaration.

In relation to requirement "D" which runs :

"The mode in which new members of the corporation are to be admitted and the mode in which by-laws are to be made"

The first portion as to the admission of members is observed but in relation to the by-laws as we have seen that the Committee of Management is to make same and submit to Annual Meeting.

But the Act in Section 18 says that the Trustees may make by-laws.