

STATE OF NEW YORK

AN ACT

AN ACT to incorporate the library and reading room of the  
Village of Port Chester in Westchester County.

Passed April 14, 1877

As Amended 1894-1924-1961

L. 1877  
CH. 137  
SEC. 1.  
AMENDED  
L. 1924  
CH. 335

SECTION 1. Robert H. Thomas, Ephraim Sours, John W. Lounsbury, Brockholst Morgan, Ezra F. Mundy, S.M. Hammond, John D. Barnes, Herman L. Marshall, Norton J. Sands, Edward S. Fisher, William P. Sherwood, Josiah N. Wilcox, Amherst Wight, Jr., and Frank M. Osborn, and their successors are hereby created and declared to be a body corporate by the name and style of Port Chester Public Library, and by that name they and their successors shall be capable in law of suing and being sued, and of receiving, holding, improving, conveying and transferring property, and shall be known by such name in all courts and places. They shall have a common seal and may change and alter the same at pleasure.

L. 1877  
CH. 137  
SEC. 2  
AMENDED  
L. 1961  
CH. 599

SECTION 2. The corporation hereby created shall establish and maintain in the village of Port Chester in Westchester county, a library and reading room, which shall be for the use of the inhabitants of said village, and for the inhabitants of the unincorporated area of the Town of Rye residing outside the boundaries of the incorporated area of the said village of Port Chester, subject to such by-laws, restrictions and regulations regarding admissions to the benefits of said corporation as shall

SECTION 2. Continued

be made by the trustees thereof, provided, however, that there shall be no charge whatever for admission to the library of reading room and no payment of money shall be required to entitle any inhabitant of said village or such unincorporated area of the said Town of Rye, to the use, benefit and enjoyment thereof.

SECTION 3. The affairs of said corporation shall be managed and controlled by a board of nineteen trustees. The persons named in the first section hereof and their successors, together with the mayor, ex-officio, of the village of Port Chester in Westchester County and two residents of said village to be designated by the board of trustees of said village, together with the supervisor, ex-officio, of the Town of Rye in Westchester County and one resident of the unincorporated area of the Town of Rye to be designated by the town board of the said Town of Rye, shall be such trustees of the Port Chester Public Library. As to those members of said library board of trustees who are successors to those named in the first section of this act, any vacancies occurring by reason of their death, resignation or neglect to attend the meetings of the board for such length of time as shall be designated in the by-laws of said library board, shall be filled by persons appointed by a majority of the remaining trustees of said library. The members of said library board designated by the board of trustees of the village of Port Chester and the member of said library board designated by the town board of the Town of Rye, shall serve at the pleasure of the board of trustees of said village of Port Chester and the town board of the Town of Rye, respectively. In the event of the death, resignation,

L. 1877  
CH. 137  
SEC. 3  
AMENDED  
L. 1894  
CH. 323

FURTHER  
AMENDED  
L. 1924  
CH. 335

FURTHER  
AMENDED  
L. 1961  
CH. 599  
S.C. 3.  
REPEALED  
NEW SEC. 3  
SUBSTITUTED

SECTION 3. Continued

expiration of term of office of such designees, their successors shall be designated by the trustees of the village of Port Chester or the town board of the Town of Rye, as the case may be.

L. 1877  
CH. 137  
SEC. 4  
AMENDED  
GENERALLY  
1924

FURTHER  
AMENDED  
L. 1961  
CH. 599  
SEC. 4

SECTION 4. The trustees shall have power to receive in the name of the corporation from Jared V. Peck of the Town of Rye, a deed of conveyance of real estate and a transfer of personal property in said village which he has offered as a gift to said corporation for the purposes of a free library and reading room. The said corporation shall hold such real estate in fee simple, and shall be capable of purchasing, taking, receiving and holding such other real and personal estate, as may be granted, sold, conveyed, devised, or bequeathed to said corporation, and may appropriate the income thereof for the purposes of such corporation as expressed in the second section hereof and for no other purpose. The corporation may let or lease, or sell, by approval of a majority of its trustees, without application to any court, such of its real estate, including real estate now owned by it, as may not be actually required for the use of the library and reading room, but the proceeds of the sale of any of its real estate shall be used and applied for or toward the acquisition or purchase of other real estate and the erection of a building or buildings thereon to be used and occupied by said corporation, and the maintenance, enlargement or extension of its facilities, or for any of such purposes, and the trustees shall have no right to contract debts or incur liabilities on behalf of the corporation except such as can be paid out of the income of the real or personal estate thereof, or to expend any sum beyond

SECTION 4. Continued

such income for the purposes of such corporation unless by the terms of any donation or gift of money or property they shall be directed or permitted to do so. The corporation shall have power to contract with the Village of Port Chester and the Town of Rye in Westchester County for grants of money, from time to time, by said Village of Port Chester and Town of Rye, to be received and applied by said corporation for or toward its support and cost of maintenance.

CHARTER  
WAS NOT  
AMENDED  
BY LEGISLA-  
TURE TO ADD  
ASSISTANT  
TREASURER.

ONLY ADDED  
TO BY-LAWS  
BY ACT OF  
TRUSTEES

SECTION 5. The said trustees or a majority of them shall elect from their number a president, vice-president, secretary and treasurer of said corporation, and may elect or appoint a librarian, assistant librarian and such other employees as they may deem necessary, and establish a compensation for their services. They may ordain and establish by-laws for the election of officers, the duration of their term of service, the control and management of the property, affairs and funds of the corporation, the meetings of the board of trustees, the regulation and conduct of business thereof, the duties of officers and trustees, and for the admission of persons to the benefits of the corporation, provided such by-laws shall not be inconsistent with the constitution or laws of this state or of the United States.

L. 1877  
CH. 137  
SEC. 6  
AMENDED  
L. 1961  
CH. 599

SECTION 6. The corporation hereby created, and the books, vouchers and property thereof, shall be subject to the visitation and inspection of the justices of the supreme court of the ninth judicial district, or by any person or persons who shall be appointed by the court for that purpose.

SECTION 7. The said corporation shall possess the general powers conferred by and be subject to the provisions and restrictions of the third title of the eighteenth chapter of the first part of the revised statutes.

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AN ACT

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Amended 1894-1924-1961

SECTION 1. Robert H. Thomas, Ephraim Sours, John W. Lounsbury, Brockholst Morgan, Ezra F. Mundy, S.M. Hammond, John D. Barnes, Herman L. Marshall, Norton J. Sands, Edward S. Fisher, William P. Sherwood, Josiah N. Wilcox, Amherst Wight, Jr., and Frank M. Osborn, and their successors are hereby created and declared to be a body corporate by the name and style of Port Chester Public Library, and by that name they and their successors shall be capable in law of suing and being sued, and of receiving, holding, improving, conveying and transferring property, and shall be known by such name in all courts and places. They shall have a common seal and may change and alter the same at pleasure.

SECTION 2. The corporation hereby created shall establish and maintain in the Village of Port Chester in Westchester County, a library and reading room, which shall be for the use of the inhabitants of said village, and for the inhabitants of the unincorporated area of the Town of Rye residing outside the boundaries of the incorporated area of the said Village of Port Chester, subject to such by-laws, restrictions and regulations regarding admissions to the benefits of said corporation as shall be made by the trustees thereof, provided, however, that there shall be no charge whatever for admission to the library or reading room and no payment of money shall be required to entitle any inhabitant of said village or such unincorporated areas of the said Town of Rye, to the use, benefit and enjoyment thereof.

SECTION 3. The affairs of said corporation shall be managed and controlled by a board of nineteen trustees. The persons named in the first section hereof and their successors, together with the mayor, ex-officio, of the Village of Port Chester in Westchester County and two residents of said village to be designated by the board of trustees of said village, together with the supervisor, ex-officio, of the Town of Rye in Westchester County and one resident of the unincorporated area of the Town of Rye to be designated by the town board of the said Town of Rye, shall be such trustees of the Port Chester Public Library. As to those members of said library board of trustees who are successors to those named in the first section of this act, any vacancies occurring by reason of their death, resignation or neglect to attend the meetings of the board for such length of time as shall be designated in the by-laws of said library board, shall be filled by persons appointed by a majority of the remaining trustees of said library. The members of said library board designated by the board of trustees of the Village of Port Chester

SECTION 3. Continued

and the member of said library board designated by the town board of the Town of Rye, shall serve at the pleasure of the board of trustees of said Village of Port Chester and the town board of the Town of Rye, respectfully. In the event of the death, resignation, expiration of term of office of such designees, their successors shall be designated by the trustees of the Village of Port Chester or the town board of the Town of Rye, as the case may be.

SECTION 4. The trustees shall have power to receive in the name of the corporation from Jared V. Peck of the Town of Rye, a deed of conveyance of real estate and a transfer of personal property in said village which he has offered as a gift to said corporation for the purposes of a free library and reading room. The said corporation shall hold such real estate in fee simple, and shall be capable of purchasing, taking, receiving and holding such other real and personal estate, as may be granted, sold, conveyed, devised, or bequeathed to said corporation, and may appropriate the income thereof for the purposes of such corporation as expressed in the second section hereof and for no other purpose. The corporation may let or lease, or sell, by approval of a majority of its trustees, without application to any court, such of its real estate, including real estate now owned by it, as may not be actually required for the use of the library and reading room, but the proceeds of the sale of any of its real estate shall be used and applied for or toward the acquisition or purchase of other real estate and the erection of a building or buildings thereon to be used and occupied by said corporation, and the maintenance, enlargement or extension of its facilities, or for any of such purposes, and the trustees shall have no right to contract debts or incur liabilities on behalf of the corporation except such as can be paid out of the income of the real or personal estate thereof, or to expend any sum beyond such income for the purposes of such corporation unless by the terms of any donation or gift of money or property they shall be directed or permitted to do so. The corporation shall have power to contract with the Village of Port Chester and the Town of Rye in Westchester County for grants of money, from time to time, by said Village of Port Chester and Town of Rye, to be received and applied by said corporation for or toward its support and cost of maintenance.

SECTION 5. The said trustees or a majority of them shall elect from their number a president, vice-president, secretary and treasurer of said corporation, and may elect or appoint a librarian, assistant librarian and such other employees as they may deem necessary, and establish a compensation for their services. They may ordain and establish by-laws for the election of officers, the duration of their term of service, the control and management of the property, affairs and funds of the corporation, the meetings of the board of trustees, the regulation and conduct of business thereof, the duties of officers and trustees, and for the admission of persons to the benefits of the corporation, provided such by-laws shall not be inconsistent with the constitution or laws of this state or of the United States.

SECTION 6. The corporation hereby created, and the books, vouchers and property thereof, shall be subject to the visitation and inspection of the justices of

SECTION 6. Continued

the supreme court of the ninth judicial district, or by any person or persons who shall be appointed by the court for that purpose.

SECTION 7. The said corporation shall possess the general powers conferred by and be subject to the provisions and restrictions of the third title of the eighteenth chapter of the first part of the revised statutes.



AT A SPECIAL MEETING of the Board of Trustees of  
The Port Chester Public Library, held on July 14th, 1924.

Present: Messrs. Diehl, Tooker, Requa, Schupp, Ryan  
and Lyon.

Mr. Diehl took the chair and Mr. Lyon acted as  
Secretary. The minutes of the last meeting were read and  
on motion approved.

The President reported that by an Act of the Legis-  
lature of the State of New York, being Chapter 335 of the Laws  
of 1924, the name of the corporation had been changed to "The  
Port Chester Public Library."

The President presented to the meeting a resolution  
passed by the Board of Trustees of the Village of Port Chester  
in relation to the maintenance of the Library and on motion  
duly seconded, it was

R e s o l v e d , That the offer of the Village of  
Port Chester, made to Port Chester Public Library, by a resolu-  
tion of the Board of Trustees of said Village of Port Chester  
duly adopted on the 30th day of June, 1924, whereby said Village  
of Port Chester, pursuant to the provisions of section 1118a of  
the Education Law of the State of New York, agreed to appropriate  
and pay to said Port Chester Public Library, annually, such a sum  
as may hereafter be agreed upon by the parties, for and toward the  
maintenance and support of said Port Chester Public Library, under  
conditions in said resolution specified, be, and the same hereby is,  
approved and accepted, and that a certified copy of this resolution  
be filed in the office of the Village Clerk of said Village of Port  
Chester in order to constitute a valid, binding and continuous con-

AN ACT to incorporate the library and reading room of the village of Port Chester in Westchester county.

Passed April 14, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Names of  
corporations  
and  
act of  
incorporation.

SECTION 1. Robert H. Thomas, Ephraim Sours, John W. Lounsbury, Brockholst Morgan, Ezra F. Mundy, S. M. Hammond, John D. Barnes, Herman L. Marshall, Norton J. Sands, Edward S. Fisher, William P. Sherwood, Josiah N. Wilcox, Amherst Wight, Jr., and Frank M. Osborn, and their successors are hereby created and declared to be a body corporate by the name and style of "The Library and Reading Room of the Village of Port Chester," and by that name they and their successors shall be capable in law of suing and being sued, receiving and holding property, and shall be known by such name in all courts and places. They shall have a common seal and may change and alter the same at pleasure.

Library  
and reading  
room  
to be es-  
tablished  
and main-  
tained.

To be free.

SECTION 2. The corporation hereby created shall establish and maintain in the village of Port Chester in Westchester county, a library and reading room, which shall be for the use of the inhabitants of said village, subject to such by-laws, restrictions and regulations regarding admissions to the benefits of said corporation as shall be made by the trustees thereof, provided, however, that there shall be no charge whatever for admission to the library or reading room and no payment of money shall be required to entitle any inhabitant of said village to the use, benefit and enjoyment thereof.

CHAP. 137 - Continued.

Affairs to  
be con-  
trolled by  
board of  
trustees.  
Vacancies.

SECTION 3. The affairs of said corporation shall be managed and controlled by a board of fourteen trustees, and the persons named in the first section hereof and their successors, shall be such trustees. All the vacancies in the board of trustees occurring by death, resignation, removal from the village, or neglect to attend the meetings of the board for such length of time as shall be designated in the by-laws, shall be filled by persons to be appointed by the remaining trustees or a majority of them, except that the rector of the Episcopal church, and the pastors of the Presbyterian, Methodist and Baptist churches of said village, shall always be trustees, and in case of the death, resignation, or removal from the village of either of them, his place in the said board of trustees shall be filled by his successor as rector or pastor of the church with which he was connected.

Rector and  
pastor of  
certain  
churches  
to be  
trustees.

Trustees  
may re-  
ceive for  
the cor-  
poration  
a certain  
gift of real  
and per-  
sonal prop-  
erty, etc.

SECTION 4. The trustees shall have power to receive in the name of the corporation from Jared V. Peck of the town of Rye, a deed of conveyance of real estate and a transfer of personal property in said village which he has offered as a gift to said corporation for the purposes of a free library and reading room. The said corporation shall hold such real estate in fee simple, and shall be capable of taking, receiving and holding the same and such other real and personal estate, as may be granted, sold, conveyed, devised or bequeathed to said corporation, and may hold, use, occupy, possess and enjoy the same and appropriate the income thereof for the purposes of such corporation as expressed in the second section hereof and for no other purpose. The entire value of the real and personal estate of such corporation shall not exceed the sum of one hundred thousand dollars and the clear annual

Value of  
real and  
personal  
property  
held no  
to exceed  
\$70,000.

CHAP. 137 - Continued.

Subject to  
visions  
o. title 3,  
chap. 18,  
part 1, R.S.

SECTION 7. The said corporation shall possess the general powers conferred by and be subject to the provisions and restrictions of the third title of the eighteenth chapter of the first part of the revised statutes.

SECTION 8. This act shall take effect immediately.

CHAP. 137. - SECTION 4. - Continued.

asing of  
real estate.

Contract-  
ing of  
debts, etc.,  
prohibited.

Officers,  
election  
of.

-laws,  
making of,  
etc.

Proviso.

Corpora-  
tion, etc.,  
subject to  
visitation.

income thereof shall not exceed ten thousand dollars. The corporation may let or lease such part of its real estate as may not be actually required for the use of the library and reading room, but the trustees shall have no right to contract debts or incur liabilities on behalf of the corporation except such as can be paid out of the income of the real or personal estate thereof, or to expend any sum beyond such income for the purposes of such corporation unless by the terms of any donation or gift of money or property they shall be directed or permitted to do so.

SECTION 5. The said trustees or a majority of them shall elect from their number a president, vice-president, secretary and treasurer of said corporation, and may elect or appoint a librarian, assistant librarian and such other employees as they may deem necessary, and establish a compensation for their services. They may ordain and establish by-laws for the election of officers, the duration of their term of service, the control and management of the property, affairs and funds of the corporation, the meetings of the board of trustees, the regulation and conduct of the business thereof, the duties of officers and trustees, and for the admission of persons to the benefits of the corporation, provided such by-laws shall not be inconsistent with the constitution or laws of this state or of the United States.

SECTION 6. The corporation hereby created, and the books, vouchers and property thereof, shall be subject to the visitation and inspection of the justices of the supreme court of the second judicial district, or by any person or persons who shall be appointed by the court for that purpose.