

Parochial Libraries.

N<sup>o</sup> 13.

Laws of Maryland, p. 37. 2d Edit. p. 56.

An Act for securing the Parochial Libraries of this Province.

I. **B**E it Enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of Her Majesty's Governour, Council and Assembly of this Province, and the Authority of the same, That the Libraries appointed for the severall and respective Parishes within this Province, shall be and remain in the Hands and Possession of the Minister of the Parish, if there be any Minister actually inducted into, and Incumbent in the said Parish, during his Residence in the said Parish, who is by this Act obliged to keep and preserve the said Library from Waste and Imbezilment, and to be accountable for the same to the Governour, Council and Assembly, as often as required.

Enacted,

That the Parochial Libraries shall be in the Possession of the Minister;

II. And to that Purpose the said Minister shall pass two Receipts for the said Books, inserting what they are, and the Title Page of the same; one Receipt to be, by the Vestry of the Parish, transmitted to the Governour and Council, and the other to remain with the Vestry of the said Parish, to be entred in their Register Book. And the said Vestries are hereby obliged to visit the said Libraries twice in the Year, and inspect the same.

who shall be accountable for the same to the Governour and Council.

And shall pass two Receipts for the Books, one for the Governour, the other for the Vestry;

who are obliged to visit the Libraries twice in the Year.

III. And in case the said Vestries (or at least Four of them of eldest standing) shall not visit the said Libraries twice in the Year, as by this Act is required, the whole Number of Vestrymen shall forfeit and pay the Sum of Fourteen Pounds of Tobacco, one Moiety to her Majesty, her Heirs and Successors, for the Support of Government; the other Moiety to the Informer, or him or them that shall sue for the same, in any Court of Record in this Province, by Action of Debt, Bill, Plaint or Information, wherein no Essoign, Protection or Wager of Law shall be allowed, and the *Onus probandi* shall lie on the part of the Vestry, to make it appear that they have visited the Libraries, as by this Act they are obliged.

Penalty on the Vestries neglecting to visit the Libraries;

How to be disposed,

and recovered.

Onus probandi solis on the Vestries.

IV. And if it so happen, that the Vestry find any Damage or Embezilment thereof, they shall require and cause Satisfaction for the same to be made, by Action of Debt to be brought against the said Minister, his Executors or Administrators, for the full Value of such Books as are or shall be wanting, to be commenced and brought by the Vestryman of such respective Parish where such Damage and Embezilment shall happen, who by this Act are empowered to bring their special Action, without their Principal Vestryman.

In case of Damage or Embezilment, the Vestry empowered to sue the Minister to recover the Value.

V. And