

*An ACT for Securing the Parochial Libraries of
this Province.*

BE 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 by the Authority of the same, That the Libraries appointed for the several 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 Imbezlement, and to be accountable for the same to the Governour, Council and Assembly, as often as required.

The Library to be lodged with the Minister,

Who is to pass Receipts, and the Vestry must visit.

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

Penalty.

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 Vestry-Men shall forfeit and pay the Sum of Fourteen Hundred 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 Esloyn, Protection or Wager of Law to 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.

Action of Debt for Imbezlement.

And if it so happen, that the Vestry find any Damage or Imbezlement 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 Vestry-Men of such respective Parish where such Damage and Imbezlement shall happen, who by this Act are Impowered to bring their special Action, without their Principal Vestry-Man.

In Case of Minister's Death or Removal,

The Vestry charged with them.

And in case any Minister, having the Charge of such Library, shall be removed from his Charge, he shall deliver the said Library to the Vestry of the said Parish, and make Satisfaction or Reparation, if any Damage or Waste suffered, before his Departure out of the said Parish, (except by Fire or such unavoidable Accident;) or in case of the Death of any such Minister, having the Charge of such Library, the Vestry of such Parish shall immediately take the said Library into their Custody and Keeping, and pass their Receipt for the same, as above directed; and shall in all Points be answerable for the same, except by Fire or such like Accident, as aforesaid.

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