

brary, but they have been unable to obtain such a detailed statement of his accounts as would enable them to form a satisfactory opinion of their correctness or of the ability with which the financial affairs of the Library have been managed; the Librarian having stated his inability to furnish such a statement as was called for by your Committee.

They have also had under consideration the memorial and remonstrance of the publishers of the Maryland Chancery Decisions in relation to the action of the Librarian in selling copies of the said work belonging to the State, and deposited in the Library, under several acts of Assembly, providing for the purchase of one hundred and ninety copies of said work. The State Librarian justifies himself on the ground that his predecessors have from time to time been in the habit of exchanging surplus copies of the different volumes of reports for other similar works belonging to other States as well as elementary law works, desirable to be obtained for the Library. Your Committee are unable to say what has been the practice performed by the predecessors of the present incumbent. They have no difficulty in saying however, that in their opinion there is no authority of law to justify the Librarian to dispose of so large an amount of the property of the State, as appears by his reply to an order of this House in relation to the sale of books from the Library, as well as his report to the Committees of the Senate and House of Delegates. In this opinion the Governor also fully concurs, after a full investigation of all the acts of Assembly on the subject. The act of 1852, chapter 351, is express in its terms, that the surplus reports of the Court of Appeals shall "be deposited in the State Library subject to the disposition of the General Assembly. By the several acts of Assembly purchasing the Maryland Chancery Decisions, they are deposited in the State Library subject to the provisions of the act of 1852. Neither the reports of the Court of Appeals or the Chancery Decisions can be lawfully sold or exchanged by the Librarian, without express authority for that purpose from the General Assembly. Resolution 53, 1851, confers no power on the Librarian, in the premises. If that resolution is unrepealed by the act of 1852, the power to dispose of surplus copies of reports and other books is not in the Librarian, but by the express terms of the resolution, conferred on the joint committee on the State Library, aside from the want of lawful authority on the part of the State Librarian to sell the works in question, your Committee are compelled to disapprove of it, as an act of injustice to the publishers of said works and in compromise of the implied faith of the State towards them.

Your committee are also informed that the Chancery Decisions have been disposed of in such a way, as to leave a number of broken sets in the Library. This is an act, which must be con-