



Parochial Libraries Act 1708

1708 CHAPTER 14 7 Ann

An Act for the better Preservation of Parochial Libraries in England

Modifications etc. (not altering text)

C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)

Reasons for passing this Act.

Whereas in many places in England and Wales the Provision for the Clergy is so mean that the necessary Expence of Books for the better Prosecution of their Studies cannot be defrayed by them And whereas of late Years several charitable and well disposed Persons have by charitable Contributions erected Libraries within several Parishes and Districts in England and Wales but some Provision is wanting to preserve the same and such others as shall be provided in the same Manner from Embezelment

[I.] Parochial Libraries to be preserved.

In every parish or Place where such a Library is or shall be erected the same shall be preserved for such Use and Uses as the same is and shall be given and the Orders and Rules of the Founder or Founders of such Libraries shall be observed and kept.

II Incumbent to enter into Security for the Preservation of Library, &c. Action for Books detained.

^{F1}... and in case any Book or Books belonging to the said Library shall be taken away and detained it shall and may be lawful for the said Incumbent Rector Vicar Minister or Curate for the Time being or any other Person or Persons to bring an Action of Trover and Conversion in the Name of the proper Ordinaries within their respective Jurisdictions whereupon Treble Damages shall be given with full Costs of Suit as if the same were his or their proper Book or Books which Damages shall be applied to the Use and Benefit of the said Library

Status: Point in time view as at 01/04/2005.

Changes to legislation: There are currently no known outstanding effects for the Parochial Libraries Act 1708 (repealed). (See end of Document for details)

Textual Amendments

F1 Words in s. 2 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 6 Group 5

III Power to Ordinary to inquire into State of Libraries, &c.

And it shall and may be lawful to and for the proper Ordinary or his Commissary or Official in his respective Jurisdiction or the Arch Deacon or by his Direction his Official or Surrogate if the said Arch-Deacon be not the Incumbent of the Place where such Library is in his or their respective Visitation to enquire into the State and Condition of the said Libraries and to amend and redress the Grievances and Defects of and concerning the same as to him or them shall seem meet and it shall and may be lawful to and for the proper Ordinary from time to time as often as shall be thought fit to appoint such Person or Persons as he shall think fit to view the State and Condition of such Libraries and the said Ordinaries Arch-Deacons or Officials respectively shall have free Access to the same at such Times as they shall respectively appoint

IV Incumbent to make and sign a Catalogue;

And where any Library is appropriated to the Use of the Minister of any Parish or Place every Rector Vicar Minister or Curate of the same within Six Months after his Institution Induction or Admission shall make or cause to be made a new Catalogue of all Books remaining in or belonging to such Library and shall sign the said Catalogue thereby acknowledging the Custody and Possession of the said Books which said Catalogue so signed shall be delivered to the proper Ordinary within the Time aforesaid to be kept or registred in his Court without any Fee or Reward for the same

V and to deliver the same to Ordinary, within the Time herein mentioned.

^{F2}... and where any Library shall at any Time hereafter be given and appropriated to the Use of any Parish or Place where there shall be an Incumbent Rector Vicar Minister or Curate in Possession such Incumbent Rector Vicar Minister or Curate shall make or cause to be made a Catalogue of all the Books and deliver the same as aforesaid within Six Months after he shall receive such Library

Textual Amendments

F2 Words in s. 5 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 6 Group 5

^{F3}**VI Upon Death or Removal of Rector, Library to be locked, &c. by Churchwarden.**

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Textual Amendments

F3 S. 6 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 6 Group 5

Status: Point in time view as at 01/04/2005.

Changes to legislation: There are currently no known outstanding effects for the Parochial Libraries Act 1708 (repealed). (See end of Document for details)

F⁴VII Proviso for Case where Library used for Public Business.

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Textual Amendments

F4 S. 7 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 6](#) Group 5

VIII Register of Books given, &c, to be kept in Library.

And for the better Preservation of the Books belonging to such Libraries and that the Benefactions given towards the same may appear a Book shall be kept within the said Library for the entring and registering of all such Benefactions and such Books as shall be given towards the same and therein the Minister Rector Vicar or Curate of the said Parish or Place shall enter or cause to be fairly entred such Benefaction and an Account of all such Books as shall from Time to Time be given and by whom given

IX Power to Ordinary to make Rules and Orders concerning Library.

And for the better governing the said Libraries and preserving of the same it shall and may be lawful to and for the proper Ordinary together with the Donor of such Benefaction (if living) and after the Death of such Donor for the proper Ordinary alone to make such other Rules and Orders concerning the same over and above and besides but not contrary to such as the Donor of such Benefaction shall in his Discretion judge fit and necessary which said Orders and Rules so to be made shall from time to time be entred in the said Book or some other Book to be prepared for that Purpose and kept in the said Library

X Books not alienable. If Book lost, Warrant for Search.

And none of the said Books shall in any Case be alienable nor any Book or Books that shall hereafter be given by any Benefactor or Benefactors shall be alienated without the Consent of the proper Ordinary and then only when there is a Duplicate of such Book or Books and ^{F5}...

Textual Amendments

F5 Words in s. 10 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 6](#) Group 5

Modifications etc. (not altering text)

C2 S. 10 excluded by [Faculty Jurisdiction Measure 1964 \(No. 5\)](#), [s. 4\(1\)](#)

C3 S. 10 amended (E.) (1.4.1996) by [S.I. 1996/674](#), [regs. 1\(2\), 2](#), [Sch. Pt. II para. 5\(2\)\(a\)](#)
S. 10 amended (W.) (1.4.1996) by [S.I. 1996/675](#), [arts. 1\(2\), 2](#), [Sch. Pt. II para. 7\(2\)\(a\)](#)

XI Proviso for Library of Riegate.

[^{XI} Provided always That nothing in this Act contained shall extend to a publick Library lately erected in the Parish of Ryegate in the County of Surrey for the Use of the Freeholders Vicar and Inhabitants of the said Parish and of the Gentlemen and Clergymen inhabiting in Parts thereto adjacent the said Library being constituted in another Manner than the Libraries provided for by this Act.]

Status: Point in time view as at 01/04/2005.

Changes to legislation: There are currently no known outstanding effects for the Parochial Libraries Act 1708 (repealed). (See end of Document for details)

Editorial Information

X1 annexed to the Original Act in a separate Schedule.

Status:

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Changes to legislation:

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