

It is also urged, that the time has not yet arrived for the acceptance or refusal of the legacy, but that such election is only required to be made when the Library Building, intended by the Executor to be placed under the care of the Library Company of Philadelphia, is erected and completed. This position was not regarded by the Joint Committee as well founded. It is true that as part of the duties of his office, the Executor is directed to erect a library building, to be placed, when finished, in the care and control of the Company. But if the Library Company of Philadelphia should "omit or decline" the execution of the trusts of the Will, then the Executor is constituted a Trustee to "*found and endow* a Public Library, entirely distinct from the Philadelphia Library, to be named and called the Ridgway Library." The building he would erect for the Ridgway Library, would necessarily be a different one, in cost and extent, from one erected for the Ridgway Branch of the Philadelphia Library. Surely the Executor, having such a double duty to perform, cannot, under such circumstances, be required to expend the bulk of the estate in a building for the occupation of the Philadelphia Library, without knowing whether, when such building is completed, the Philadelphia Library will accept it, and enter into the execution of the trust. The Joint Committee, therefore, were of opinion that the Executor had the legal and moral right at once to know, what position the Philadelphia Library intended to assume, in regard to the acceptance or refusal of the trust, so as to enable him to carry out the alternative duty imposed on him by the Will, in the event of a refusal.

One or two other objections started, may be disposed of in a few words. It is said that under the language of the will, books might be introduced of questionable morality. But as no books can be placed on our shelves, except by the consent and with the approbation of the Directors, the high, social and moral character of these gentlemen, is a guarantee against such an imaginative danger.

There is nothing of practical value in the notion, that the Library Company may incur pecuniary liabilities, in accepting the simple execution of the trusts of the Will. The estate is immense, and will come into our hands free from debts or liabilities. The only obligation the Library Company will assume in accepting this trust, will be the obligation to execute its duties with fidelity. Your Committee therefore advise, that the first four resolutions, submitted to the stockholders, be voted on affirmatively.

The fifth resolution, if adopted, amounts to a rejection of the legacy, and was, it seems to us, so intended. Members, therefore, favorable to accepting the legacy, will of course write, No, opposite the last resolution.

As the vote on the 19th inst. is intended, to bring out the unbiassed opinions of the members, the Directors of the Company and their librarian, decline to take proxies, and those who have already signed proxies to vote at the meetings of the Company, are requested—if not able to go to the polls themselves—to sign the new proxies sent to them, and if in favor of acceptance, to forward the same by mail, to either of the undersigned.

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