

ruled these objections, using the following words: "You say it was not founded to promote religion or religious education, but to immortalize the founder, and therefore it was not a charity. If the premises be granted, the conclusion does not follow, because, though it has no stamp of religion, and the selfishness of motive may take away from it the high and abstract quality of a Christian charity, yet it was to be a seat of learning, a university, *a centre from which the rays of educated intelligence were to radiate in all directions*, and if to found a school-house at the cross-roads of a township be a legal charity, though the selfish motive be apparent, much more to found such a university is a legal charity, &c., &c." "No matter that it was not to be a free school; it was to bring the opportunities of education nearer home to the people; and he who cheapens popular education, or tempts a larger number into wisdom's ways, is a public benefactor, and what he does is, in the sense of the statute, a charity."

These are the very purposes for which this library was incorporated. The charter recites: "Whereas, Benjamin Franklin (and others) have, at a great expense, purchased a large and valuable collection of useful books, in order to erect a library for the advancement of knowledge and literature in the city of Philadelphia: Now know ye, that we, being truly sensible of the advantage that may accrue to the people of this province by so useful an undertaking, and being willing to encourage the same, have given and granted, &c., that the said Benjamin Franklin, &c."

And the Legislature has considered this Company a proper trustee in a very similar case, see ante pages 11, 13, for an Act of Assembly of March 31, 1792, constituting the Philadelphia Library Company the Trustees of the Loganian Library.

The will of Dr. Rush looks to the time when the Philadelphia Library Company shall receive a large building, and considerable property to be held on a perpetual trust, to increase the means of learning, for he says in his codicil of April 18, 1867: "In short, let the managers think only of the intrinsic value of