

yearly value or income of the said trust estate, but in such manner that the real and personal property of the company, including such books, pictures, statues and other works of literature and art as now are or shall hereafter be held by them in their own right or on any other or different trusts, shall be in no wise affected thereby, but shall remain and be under their own entire and exclusive control and disposition; and the said company are hereby empowered, after acceptance of this act by the members of the said company, to apply from time to time to the Court of Common Pleas for the City and County of Philadelphia for such further amendments to the charter of the company as may be necessary to carry into effect the conditions and provisions of the said will and codicils in accordance with the directions of this act."

And Whereas, At another meeting of the members of the said party of the second part, duly convened on the twenty-fifth day of May, A. D. 1870, there were duly adopted the following resolutions, to wit:—

"Resolved, That the Library Company of Philadelphia do accept the provisions of the act of General Assembly of the Commonwealth, approved the twenty-third day of February, 1870, entitled an act relative to the Ridgway Branch of the Philadelphia Library.

"Resolved, That the directors be requested to apply to the Court of Common Pleas of Philadelphia County for the following amendments to the charter of the company:—

"PROPOSED AMENDMENTS TO CHARTER OF THE LIBRARY COMPANY OF PHILADELPHIA."

"1. The Library Company of Philadelphia shall hereafter be held and taken to possess all such powers and capacities as may be necessary to enable them to act as trustees under the will of the late Dr. JAMES RUSH, according to the provisions of an act of the General Assembly of the Commonwealth, approved on the twenty-third day of February, one thousand eight hundred and seventy (1870), entitled "An act relative to the Ridgway Branch of the Philadelphia Library.

"2. So long as the Library Company shall act as such trustees, they shall do so under the following limitations and conditions:—

"First.—Not more than one-fourth of the directors of the library shall belong to any one of the learned professions of law, theology or medicine; but this shall not operate so as to exclude from re-election any of those who were members of the board at the time of the death of the said Dr. James Rush.

"Second.—The number of shares in the library shall be limited to those actually issued at the time of the death of Dr. Rush, but the managers by their by-laws shall have the authority to allow any respectable persons depositing an amount and paying an annual sum to be fixed by the board of managers, to have the full and free use of the library as completely as if they were shareholders.

"Third.—The library shall not connect themselves with any other body, corporate or politic.'

"Resolved, That in assuming the administration of this munificent endowment, the Library Company desire to record their high appreciation of the confidence reposed in them by Dr. Rush, and to express on behalf of the community at large a proper acknowledgment of the great benefit which the testator designed for the advancement of literature and science in this city.

"Resolved, That the chairman be requested to communicate to Henry J. Williams, Esq., these resolutions, and to convey to him at the same time the thanks of the Library Company for his long and useful services as a director, and the warm interest he has always taken in their welfare."

And Whereas, In pursuance of the said last-mentioned resolutions the party of the second part did, on the thirty-first day of October, A. D. 1870, present its petition or memorial to the Court of Common Pleas of Philadelphia County, setting forth the said act of the General Assembly and the said resolution last aforesaid, and praying that the said amendments might be allowed to be made to the charter of the said company and form a part thereof, according to the act of the General Assembly aforesaid in such case made and provided; whereupon it was so proceeded that on the tenth day of December, A. D. 1870, it was ordered and decreed by the said court that the same be deemed and taken to be a part of the instrument upon which the said corporation was formed and established, to all intents and purposes as if the same had been originally made part thereof, and that the said amendments be recorded in the office for recording of deeds in and for said county; as in and by the said memorial, amendments and order of the said court, recorded at Philadelphia in Miscellaneous Book J. A. H., No. 1, page 45, &c., will fully appear.

