

General

Location of originals unknown

Subseries 2C. Rush Bequest, 1783-circa 1930, undated

Scope and Contents

This subseries includes legal documents, deeds, correspondence, and other records related to a significant 1869 bequest from Dr. James Rush to the Library Company.

The records relate to the value of the Rush estate, which was largely invested in Philadelphia real estate, and whether the Library Company could or would accept the bequest. Records relating to the Library Company's operations after accepting the bequest are found in Subseries 2A: Administrative Records.

Rush had left his estate of close to \$1 million to the Library Company under certain conditions, including that the money be used to build a new fire-proof building. See Volumes 110A and 125 for printed copies of the text of the will. Rush's sole executor and brother-in-law Henry J. Williams was empowered to determine where the new building should be built, and he purchased a lot at Broad and Christian Streets for this purpose about a month before Rush's death.

The Library Company directors and shareholders were opposed to that location, which was viewed as inconvenient for most members. A list of shareholders' addresses can be found in Volume 173, and a map of those residences is available in Box 12, Folder 12.

The Library Company eventually accepted the bequest, amending its charter to accept the terms of the bequest, but the bequest prompted multiple lawsuits:

* The Library Company v. Henry J. Williams asked that Williams be disqualified from serving as trustee and that the Rush trust instead be taken over by the court. The decision on appeal was in Williams's favor, allowing him to remain as trustee of the estate.

* Another case, Library Company v. William J. Donohugh, Collector of Delinquent Taxes of the City of Philadelphia, relates to whether the Library Company is a tax-exempt entity. The lawsuit was apparently prompted by questions about whether the new building and its large lot would be subject to taxation, which might force the Library Company to reject the bequest. The decision was in favor of the Library Company, and affirmed on appeal that the Library Company was exempt as an institution of learning.

* A third case, Henry J. Williams v. Library Company of Philadelphia et al, relates to the readiness of the Library Company to accept the conditions imposed by Rush. The lawsuit quantified the assets being transferred to the Library Company and allowed that transfer to proceed.

* A fourth case, Robert Manners et al v. Henry J. Williams and the Library Company of Philadelphia, relates to an heir of Rush attacking the will for generally being impractical. Manners was a nephew of Rush, and his lawsuit argued that the estate should become the property of him and other heirs-at-law. The lawsuit was dismissed with costs, and the appeal was also dismissed at the costs of the appellants.

LCP eventually took ownership of the new Rush-funded building at Broad and Christian Streets, as well as the estate's residual assets left over after construction was complete. The large stone Ridgway