

ARTICLES OF ASSOCIATION.

THE first day of July, in the year of our Lord, one thousand seven hundred and thirty-one, and in the fifth year of the reign of George the Second, by the grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, &c., We, whose names are hereunto subscribed with our seals affixed, for the advancement of knowledge and literature in the city of Philadelphia, in the province of Pennsylvania, having put together several sums of money for a joint stock for the purchasing a collection of valuable books for composing a library in the said city, of which monies we of the number of the first fifty subscribers have advanced forty shillings apiece; and each of the rest of us the several sums annexed to our names subscribed respectively, do hereby mutually covenant and agree each one for himself, his heirs, executors, and administrators, respectively, to, and with the rest of the subscribers aforesaid, and every of them, their executors, administrators and assigns, by these presents in manner following, to say:—

That the monies so by us collected and advanced, and all other monies to be collected and paid for increase of our said library, or the service thereof, shall from time to time be put into the hands of the person hereinafter named to be our Treasurer, or the hands of some other fit person to be elected for Treasurer, as hereinafter mentioned, for the collecting and purchasing of such books, and for such other services appertaining to the library, as the Committees of Directors of the same library to be constituted as hereinafter mentioned, shall think fit to choose and direct.

That no subscription shall be admitted after the first fifty, nor any person entitled to a share in the books and effects in company, nor received as a member thereof, without first being allowed of and received for such by some of the said Committees of Directors, and without first subscribing his name to this instrument, with the sum of his subscription monies added thereto, and sealing the same with his seal in the presence of two or more sufficient witnesses, and paying into the hands of the Company's Treasurer so much or such a sum of money as (the same being added to the value of the whole collection of books and effects, regard had by the presiding Committee of Directors to loss, wear, and unforeseen accidents which is hereby committed to their care and judgment) will at the time of each subscription render the subscriber's share of equal value with any one of the rest.

That upon the payment of the subscription monies, and all other monies hereafter to be paid for the service of the Library, the party shall receive of the Company's Treasurer a certificate, under his hand and the Company's seal, containing the name of the person, and the sum paid, the time when, and the account or use for which he paid it.

That for the better preservation of a just equality, which it is hereby agreed shall subsist among the parties hereto, no one person shall pay more or other than such a proportion as aforesaid of the value of the Library, and effects, nor shall he be entitled to more than one or an equal share with one of the rest of the parties in Company aforesaid. Nor shall any one, being so entitled, except of a further bargain, sale, or other conveyance or assurance from another. But if any member in partnership aforesaid shall, as executor or administrator of another, or by any other means, come to a plurality of shares in the books and effects aforesaid, he shall immediately, upon receipt of an order from the Committee of Directors, transfer and convey so much thereof as will reduce his part to such an equality as aforesaid at the rate aforesaid, unto some fit person not already entitled to any share, the person to be such as the Committee shall approve of.

That every of our respective executors and administrators shall immediately, upon the receipt of any such order of Committee as aforesaid, also transfer and convey his testator's or decedent's part in Company aforesaid, at the rate aforesaid unto such person as the same Committee shall approve of.

That the number of subscribers shall not exceed one hundred at any one time in the whole. And that no person shall be of the Company, nor have any right or interest in their Library and effects (whether he come in primarily by paying a part of the subscription monies to the Treasurer, or by purchase of another, which any person may do, but not without the allowance of a Committee of Directors at the rate aforesaid) without first subscribing hereunto as aforesaid in person or by proxy legally and sufficiently authorized.

That the Committee's allowance or approbation of each member into partnership shall be signified by their permitting him to subscribe hereunto as aforesaid.

That we, the subscribers hereunto, for the increasing our said Library and the service thereof, shall and will each one of us, our executors or administrators respectively, further advance and pay into the hands of the Treasurer ten shillings a year at the day to be appointed by our Committees annually, and so from time to time, until alienation of our respective parts in Company aforesaid, according to the purport hereof.

But if any subscriber hereto, his executors or administrators, shall neglect to pay any of the sums of ten shillings per annum aforesaid, at the day so to be appointed for the payment thereof, such subscriber, his executors or administrators, shall be admitted by the presiding Committee any time within six months next after the day of payment to pay fifteen shillings in lieu thereof. Which, if such person shall longer neglect, or if any person hav-

ing more than such an equal share as aforesaid shall neglect to comply with the Directors' order for the reduction thereof to an equality with one of the rest by sale as aforesaid, then in every such case the party so neglecting or refusing, his executors, administrators, and assigns, shall from thenceforth forever after be excluded from the said partnership, and from any share, right, or benefit in the Library books or effects aforesaid, and be disabled from making any conveyance thereof afterwards. And the Committee of Directors, causing their Secretary to enter the occasion, the delinquents' share and right in the premises shall become forfeit and devolve upon the Committee of Directors for them to transfer and make over to such person as they shall think fit, the better to keep up the number of the partners at the real value of their shares, to be estimated as aforesaid, and to be paid to the Treasurer for the use of the Library.

That if any subscriber, for the more expeditious raising a stock for the better encouragement of the ends hereby intended, shall be willing to advance his ten shillings per annum beforehand, for a number of years to come, he shall be permitted so to do, and upon proper entry thereof in the Directors' minutes, and a certificate delivered him by the Secretary, he shall be excused until such number of years be expired.

That we, the said subscribers, will be and continue in partnership and hold our library of books and effects thereunto appertaining in common for and during the space of fifty-one years from the day of the date hereof.

That during the same space we will not demand of our Treasurer, hereby nominated, nor of any other person hereafter to be our Treasurer according to this present Constitution, rendition of the monies aforesaid, nor of any monies hereafter to be collected and paid for the common use of the subscribers in Company aforesaid, nor demand or seek to have partition thereof, or of the books and effects to be therewith purchased, but that the same books and effects, and the monies also, after payment thereof to our Treasurer, shall be and remain at all times hereafter, during the continuance of this partnership, the indistinguishable property of all the members of the Company, the subscribers aforesaid, under the order and direction of the Committees of Directors aforesaid, and to and for the several and respective uses, intents, and purposes hereinafter limited and declared, yet subject to the provisos and conditions herein contained, and to no other use, intent, or purpose whatever.

That when, and as often as any of us, the said subscribers, shall be of a Committee of Directors, or the Company's Treasurer, Librarian, or other their officer, in virtue of these presents such of us so to be constituted, if he accept the office, shall be true and faithful in the exercise of his function and in the discharge of the trust committed to him, every one according to the nature and duty of his office; but more especially in preserving to the utmost of his power unto every one of the subscribers in Company his just right and property in and to the said books and effects in common, under the order and rule and subject to the

limitations and restrictions in and by these presents established, limited, and declared.

That for distinction sake, the subscribers in Company aforesaid now and hereafter at all times are and shall be called THE LIBRARY COMPANY OF PHILADELPHIA, and shall have a common seal, with this device, two books open, each encompassed with glory, or beams of light, between which water streaming from above into an urn below, thence issues at many vents into lesser urns, and motto circumscribing the whole, *comunitur bona profundere defun est*, to be securely kept in the Library, under the care of the Directors, whose Secretary upon the annual expiration of their office, or such other person as they shall appoint, shall deliver up the key of its deposit to the succeeding Committee.

That for the better preservation of order and government amongst the present and future subscribers, and in the use, application and management of the monies, books, Library, and effects aforesaid, they, the said subscribers, shall personally, or by proxy, annually attend at the place of election in the said city of Philadelphia on the first Monday of the month of May in every year during the continuance of the partnership aforesaid; and that as many as so meet and appear to be duly qualified shall proceed to the choice of a person of the number of the subscribers hereto to be the Company's Treasurer, and ten other persons of the same subscribers to be a Committee of Directors for the year next ensuing, and so from year to year during the continuance of the partnership aforesaid.

The place of election to be agreed upon by the Directors of the current year, and notified by their Secretary ten days before the day of election by printed advertisements, the electors to choose by written tickets, each containing the names of the ten persons voted Directors, and the name of the person voted Treasurer; and the persons of the Company, the subscribers aforesaid, who shall thereupon appear to have a majority of votes shall be the Company's Treasurer and the Committee of Directors, respectively, for the year next ensuing, which Committee of Directors are hereby directed and empowered to nominate some fit person of the Company to be their Secretary for the ensuing year, who shall preside and collect the votes at the elections aforesaid, and shall faithfully enter in a book to be kept for that purpose the names of the qualified electors, and the number of the names of the candidates according to the tickets.

That it shall and may be lawful to and for the electors aforesaid, when met at any time before the hour of three in the afternoon of the day of election, to appoint persons to assist the Secretary in gathering the votes, and entering and numbering the names of the electors and persons voted for, and other service appertaining to the election, and to appoint and direct any method and rule in proceeding to and making the election, so as they appoint or direct nothing to prejudice the authority of any voter, or infringe the constitution hereby established in any of the branches or parts thereof.

That Benjamin Franklin, Thomas Hopkinson, William Par-

sons, Philip Syng, Thomas Godfrey, Anthony Nicholas, Thomas Cadwalader, John Jones, jr., Robert Grace, and Isaac Penington, they being ten of the subscribers hereto, shall be a Committee of Directors of the Library aforesaid until the first Monday in May, Anno Domini one thousand seven hundred and thirty-two, that being the first time the election is to be made by suffrage as aforesaid, and that until the same day of election William Coleman, jr., another of the said subscribers, shall be the Company's Treasurer, at which time his place of Treasurer is to be supplied by another, if he be not then re-elected, and that Joseph Breintnall, another of the subscribers hereto, shall be the Secretary of them the said first nominated Directors.

That if any person hereby nominated or hereafter to be elected to be of a Committee of Directors shall refuse to act or shall happen to die or depart this province so as to be absent for the space of two months in any of the first ten months of the year for which he is so nominated or to be elected of a Committee as aforesaid, or if within the same year or term of his office he shall be confined by sickness or otherwise rendered incapable of executing the office of a Director according to the true meaning hereof the rest of the Directors as often as occasion shall require in any of the cases aforesaid shall proceed in their duty and office without him; or if they think fit they shall nominate some other suitable person to supply his place of a Director until the then next succeeding election.

That if any person so nominated or to be elected the Company's Treasurer as aforesaid shall absent himself from his office for the space of thirty days, or shall be otherwise rendered incapable, or neglect his office or duty of Treasurer in the judgment of the Committee of Directors for the time being, it shall and may be lawful for the Committee to displace him from any longer continuance in his said office, and the Committee causing their Secretary to make a minute for the purpose, containing their reasons for displacing him; he shall thereupon, and from thenceforth cease to be the Treasurer aforesaid, and shall, upon notice thereof, adjust and settle with the Committee, and pay and deliver the Company's money and effects to such person as the Committee shall order and appoint, and in that case, and so often, and also, if the Treasurer shall depart this life, the Directors shall thereupon nominate another fit person of the Company, the subscribers hereto aforesaid (but not of their own number) to be Treasurer in the stead of him so displaced or deceased, until the next succeeding annual election; but when a new choice is to be made of Treasurer, in any of those cases after the said first Monday in May, one thousand seven hundred and thirty-two, the person who at the then last preceding election had the greatest number of votes next the highest (if alive, willing, and capable), shall be substituted Treasurer to supply the place of such deceased or displaced Treasurer, for which purpose the Secretaries presiding at elections shall preserve the votes.

That every person so chosen to be the Company's Treasurer, immediately upon entering into his office, shall receive of the pre-

ceding Treasurer, his heirs, executors, or administrators, the Company's Cash and Books of Accounts, giving his receipt for the same, and shall enter into an obligation in double the value that doth or probably may come to his hands during the continuance of his office as near as can be estimated by the Committee of Directors unto the same Directors by their proper names and surnames, conditioned that he will once a month or oftener, if required, well and truly adjust, account, and settle with them for, and concerning all monies that are or shall come to his hands belonging to the Library Company of Philadelphia, or the subscribers hereunto, and that he will well and truly deliver up and pay the balance of the monies remaining in his hands, together with the books of accounts concerning the same, and the Company's papers in his keeping, unto his successor, in the said office, or such other person or service as the Committee of Directors for the time being shall order and appoint, and not otherwise, and that he will observe, do, and execute, all other things as the Company's Treasurer aforesaid, according to the sense and true meaning of these presents.

That all officers and servants belonging to the Company other than their Treasurer, shall be in the choice and under the order and direction of the Committees of Directors, who shall be accountable for their fidelity, and may displace them and appoint others as often as they shall think fit, which Committees shall also have the disposal of the monies subscribed and paid to the Treasurer to and for the use and service of the said Library; they shall have the choosing of books for the Library, the renting a house or place for the service of the Library, the furnishing the same with presses, shelves, and other things, necessary and fit, the lending of books, the appointing securities for the return of the books to the Library, and the prices of the loans, the printing and dispersing of catalogues, the admission of new subscribers, under the limitations and conditions hereby established, the settling accounts with the Company's Treasurer, with the payment of house rent, servants, and officer's wages, and all other incident charges belonging to the Company in partnership aforesaid.

Moreover the Committee of Directors are hereby invested with a discretional power to make suitable returns (in behalf of the Company) unto such benefactors as shall honor them by donations or otherwise, and for the more orderly execution of the duty and trust belonging to the said Directors, the Committees of Directors are hereby required to meet once a month at the place where the Library shall be kept, or some other fit place in the said city of Philadelphia, to confer and conclude concerning the matters hereby committed to them. In every of which meetings of the Directors aforesaid seven of their number met shall be a committee or quorum capable to consult, confer, and conclude of and upon all matters appertaining to Committees of Directors according to this Constitution, and whatsoever six of the number so met shall so conclude shall be deemed and taken for, and as the resolution of the Committee of Directors for the time being.

That this present instrument shall be deposited in the Library

for the inspection and perusal of all persons therein concerned, who shall also have recourse to the journals of the Directors, the minutes and entries of their Secretaries, with the Treasurer's accounts and all other books and papers belonging to the Company, and may, if the Directors think fit, take copies thereof, provided always, nevertheless, and it is hereby further agreed, that no monies hereby agreed to be subscribed and paid, shall be paid, nor any covenant or agreement herein contained shall be of any virtue or force, until such time as fifty persons have subscribed forty shillings each as aforesaid, and if the number of subscribers hereto shall not amount to fifty within six months next ensuing the date hereof, then and thereupon this present instrument shall become null and of no effect, anything hereinbefore contained to the contrary notwithstanding; and it is hereby finally concluded and agreed, by and between all the subscribers in Company aforesaid, each one for himself, his heirs, executors, and administrators respectively, that if any Committee of Directors hereby appointed or hereafter to be elected as aforesaid, shall think it needful to apply to the Legislature for the better establishment of the Library and Company aforesaid, and the order and government of the same, or to increase the number of the Company beyond the limitations aforesaid, or to enlarge the time and term of their partnership, or to dissolve the same, and make sale and dispose of or divide their Library and effects, or to make any other alteration in this present Constitution; then in any such case, or in any other case of great concernment to the Company, the Secretary, by the Committee's direction, notifying the occasion, shall publish an advertisement for the purpose in the manner before directed for the annual meetings, to the end that all persons concerned may meet if they think fit, and assist the Committee with their advice, and whatsoever appears to the Committee to be concluded upon as the general sense of the meeting, they shall cause to be minuted and entered by their Secretary, and whatsoever shall be so concluded and entered as aforesaid and reported by the Committee shall be conclusive and binding to all persons therein concerned, so as seven-eighths of their number met in person or by proxy, duly constituted, come to some conclusion or agreement to be minuted as aforesaid.

Provided always, and it is hereby further covenanted and agreed, That if, in the judgment of the Committee, the seven-eighth parts at least of the said meeting or assembly agree not to some definitive sentence about dividing the Company's effects or enlarging the term of their partnership at or near the conclusion of the said fifty-one years, the term of this copartnership, then and in that case only the Committee of Directors shall deliver the said library and effects, in whose hands or custody soever, unto such person or persons as the mayor and commonalty of the city of Philadelphia shall direct, by an order of their council in writing, to the use of the corporation of the said city, as their own proper goods and chattels forever, or to such other use or service as the mayor and commonalty of the city of Philadelphia aforesaid shall think fit to order and appoint.

In witness whereof we, the said partners in company, have in manner aforesaid subscribed our names and affixed our seals unto these presents, the same being contained in two skins of parchment connected together by a label under our common seal aforesaid.

Be it remembered, that the twenty-fourth day of December, in the year of our Lord one thousand seven hundred and thirty-six, before me, William Allen, Esquire, one of the justices of the peace for the city and county of Philadelphia, came Joseph Taylor, of the said city, cordwainer, and Rice Peters, of the same city, shopkeeper, and said that whereas each of the names of them, the said Joseph Taylor and Rice Peters, is twenty times underwritten to the annexed deed or instrument of partnership of the Library Company of Philadelphia, in witness of the sealing and delivery of the said deed by the seventy-two persons whose names are prior to the said witnessing (the name of Charles Willing being the last of the said seventy-two), they, the said Joseph Taylor and Rice Peters, were willing personally to certify the same, and, in pursuance thereof, did further and upon their solemn affirmations severally declare and say that they were present at the said times of sealing and delivery, and did see each of those seventy-two persons seal and as their deed deliver the said annexed deed or instrument; and also that the names of them, the said Joseph Taylor and Rice Peters (so subscribed, each of them, twenty times in witness of such sealing and delivery), are of the handwriting of these affirmants respectively. In testimony whereof I, the said William Allen, have herunto set my hand and seal, the day and year above said.

WILLIAM ALLEN.

ROBT. GRACE,
C. BROCKDEN,
IS. PENINGTON.
W. RAWLE,
ANTH. NICHOLAS,
THOS. CADWALADER,
WM. COLEMAN, JR.,
B. FRANKLIN,
THOS. GODFREY,
HENRY PRATT,
BENJ. PASCHALL,
JOSEPH BREINTNALL,
JAS. MARK,
JOHN JONES, JR.,
JOSEPH WHARTON,
STEPHEN POTTS,
SAM. HALE,
WM. PARSONS,
NICHOLAS CASSELL,

FRAS. RICHARDSON,
WILLIAM MAUGRIDGE,
NICH. REDDISH,
DAVID BUSH,
THOS. HOPKINSON,
PHILIP SYNG, JR.,
JACOB DUCHIE,
EVAN MORGAN,
JOHN LLOYD,
JOSEPH STRETCH,
JAMES FOX,
THOS. EDWARDS,
JOHN PASCHALL,
NICHOLAS SCULL,
THOMAS GREEN,
HUGH ROBERTS,
BENJ. EASTBURN,
GEO. BOON,
THOS. POTTS, JR.,

REES LOYD,
 DAVID FRENCH,
 LOUIS TIMOTHÉE,
 ALEX. PAXTON,
 OWEN OWEN,
 EPH. ANDREWS,
 ISAAC BROWNE,
 JOHN ROBERTS,
 RICHARD STANDLEY,
 JOSA. ROLFE,
 JNO. NICHOL,
 JOHN SOBER,
 CHAS. READ, JR.,
 JNO. TOMKINS,
 EDWARD EVANS,
 DANIEL HARRISON,
 JAMES MORRIS,
 ANTHONY FURNIS,
 J. GROWDON,
 JACOB DURBOROW,
 THOS. SHAW,
 JOHN READ,
 JOSHUA RICHEY,
 ANTHONY BENEZET,
 JAMES HAMILTON,
 WM. PLUMSTED,
 JOHN SYNG,
 JOHN V. BARD,
 JOHN ROBERTS,
 SAML. MORRIS,
 JOHN STAMPER,
 SAM. NORRIS,
 JOHN MIFFLIN,
 JOHN LANGDALE,

ROBT. BOLTON,
 SAML. COATES,
 SAMUEL RHOADES,
 JOSEPH KING,
 ALEX. GRAYDON,
 JAMES MEREWETHER,
 A. MORRIS, JR.,
 TOBIAS GRISCOM,
 CHAS. WILLING,
 ISAAC WILLIAMS,
 WILL ALLEN,
 JOSEPH PETERS,
 RICHARD PETERS,
 THOS. CLAY,
 PHINEHAS BOND,
 JAMES PELLER,
 ISRL. PEMBERTON, JR.,
 EDWARD SCULL,
 ROB. GREENWAY,
 GEORGE EMLÉN,
 WM. CROSTHWAITÉ,
 WM. CALLENDER,
 GEORGE EMLÉN, JR.,
 ISAIAH WARNER,
 TENCH FRANCIS,
 JAMES BINGHAM,
 CHARLES MEREDITH,
 SAMUEL MCCALL,
 AMOS STRETTÉLL,
 BENJ. SHOEMAKER,
 JOSEPH HATTON,
 ANDREW HAMILTON,
 TH. BOND,
 WM. PETERS.