

T H E
C H A R T E R,

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B Y E - L A W S,

O F T H E

N E W - Y O R K S O C I E T Y L I B R A R Y ;

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A C A T A L O G U E O F T H E B O O K S

B E L O N G I N G T O T H E S A I D

L I B R A R Y.

N E W - Y O R K :

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GEORGE the THIRD, by the Grace of GOD, of GREAT-BRITAIN, FRANCE, and IRELAND, KING, Defender of the Faith, and so forth.

To all to whom these Presents shall come, Greeting :

WHEREAS our loving Subjects JOHN WATTS, WILLIAM SMITH, ROBERT R. LIVINGSTON, WHITEHEAD HICKS, WILLIAM LIVINGSTON, GOLDSBROW BANYAR, and SAMUEL JONES, of our City of New-York, Esquires; PETER VAN BRUGH LIVINGSTON, and PETER KETELTAS, of our said City of New-York, Merchants; WALTER RUTHERFURD, and DAVID CLARKSON, of our said City of New-York, Gentlemen; and SAMUEL BARD, of our said City of New-York, Physician,---by their humble Petition presented unto our trusty and well-beloved WILLIAM TRYON, Esquire, our Captain-General and Governor in Chief, in and over our Province of New-York, and the Territories depending thereon in AMERICA, Chancellor and Vice-Admiral of the same; and read in our Council for our said Province on the eighth Day of September last; did set forth, That sundry Persons conceiving a public Library would be useful as well as ornamental to our said City of New-York, did in the Year of our Lord One Thousand Seven Hundred and Fifty Four, set on Foot a Subscription in order to promote the Design of erecting one in our said City, and did thereby promise to pay FIVE POUNDS New-York Currency, each, on the first Day of May in the said Year of our Lord One Thousand Seven Hundred and Fifty Four; and TEN SHILLINGS yearly, each, on every first Day of May for ever thereafter, to twelve Trustees to be chosen by the Majority of the Subscribers, or their Assigns, annually, out of the Number of Subscribers thereto, or their Assigns: For which Purpose the said Subscribers did thereby agree to meet constantly on the last Tuesday in April in every Year, at the EXCHANGE in Broad-Street, in our said City of New-York, between the Hours of eleven and twelve. Which Trustees, or the Majority of them, were thereby empowered to dispose of the said Money in purchasing such Books as they should think proper from Time to Time, and in procuring a House or Room to deposit them in; to appoint a Librarian, and allow him a proper Salary for his Care and Attendance

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Attendance of the said Library; to regulate the Terms on which the Books belonging to the said Library should be lent, and to do every Thing they should judge necessary to erect, preserve, ornament and improve the said Library. That the Monies subscribed as aforesaid, amounting to *Six Hundred Pounds*, current Money of *New-York*, together with so much of the annual Payments as could be collected, had been applied according to the Terms of the said Subscription: By which Means the said Library was become very considerable, but would increase much faster, and might be made of greater publick Utility if a Corporation should be formed for that Purpose. And therefore the Petitioners, being the present Trustees of the said Library, humbly prayed our Letters Patent, forming a Corporation for the Purposes aforesaid. Now we taking into our Royal Consideration the beneficial Tendency of such an Institution within our said City, are graciously pleased to grant the said humble Request of our said loving Subjects. KNOW YE THEREFORE, That we of our especial Grace, certain Knowledge and meer Motion, have willed, given, granted ordained, constituted and appointed, and by these Presents, do will, give, grant, ordain, constitute and appoint, That the said JOHN WATTS, WILLIAM SMITH, ROBERT R. LIVINGSTON, WHITEHEAD HICKS, WILLIAM LIVINGSTON, GOLDSBROW BANYAR, SAMUEL JONES, PETER VAN BRUGH LIVINGSTON, PETER KETELTAS, WALTER RUTHERFURD, DAVID CLARKSON, and SAMUEL BARD, JOHN CRUGER, JAMES DUANE, RICHARD MORRIS, PHILIP LIVINGSTON, LAMBERT MOORE, JAMES JAUNCEY, ROBERT R. LIVINGSTON, Jun. HENRY HOLLAND, LEONARD LISPENARD, JOHN MORIN SCOTT, ELIAS DESBROSSES, AUGUSTUS VAN CORTLANDT, RICHARD NICHOLLS, and PETER VAN SCHAACK, all of our said City of *New-York*, Esquires; *George Duncan Ludlow*, of *Queen's County*, Esq; *Robert Livingston*, of the Manor of *Livingston*, in the County of *Albany*, Esq; the Reverend *Samuel Auchmuty*, of our said City of *New-York*, Doctor of Divinity, *John Troup*, of *Jamaica* in *Queen's County*, Esquire; *Abraham Brinckerhoff*, *William Robinson*, *Isaac Low*, *John Hunt*, *Theophylact Bache*, *Gerard W. Beekman*, *Mattathias Gomez*, *William Ludlow*, *Humphrey Jones*, *Gerard G. Beekman*, *David Van Horne*, *Lawrence Reade*, *John Livingston*, *Laurence Kortright*, *John Alsop*, *William Kelly*, *William Walton*, *Peter T. Curtenius*, *Henry Remsen*, Jun. and *Gerrit Abeel*, all of our said City of *New-York*, Merchants; *Guliam*
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Ver Planck, Thomas Barclay, Jun. and Abraham De Peyster, all of our said City of *New-York*, Gentlemen; *John Wiley* and *Joseph Grefswold*, of our said City of *New-York*, Distillers; *Hugh Geine*, of our said City of *New-York*, Printer; *William Brownjohn*, of our said City of *New-York*, Apothecary; *Peter Renaudet*, Surgeon; and *Anne Waddel*, of our said City of *New-York*, Widow: Being such of the Subscribers to the said Library, or their Assigns, as have not only paid the said Sum of *Five Pounds*, but also the said *Ten Shillings* yearly, ever since; and such other Persons as shall be hereafter admitted Members of the Corporation hereby erected, be, and for ever hereafter shall be by Virtue of these Presents, One Body Corporate and Politic in Deed, Fact and Name, by the Name, Stile, and Title of **THE TRUSTEES OF THE NEW-YORK SOCIETY LIBRARY**. And them and their Successors by the same Name, We do by these Presents, really and fully make, erect, create, constitute and declare, One Body Politic and Corporate, in Deed, Fact and Name, for ever; and will, give, grant and ordain, that they and their Successors, **THE TRUSTEES OF THE NEW YORK SOCIETY LIBRARY**, by the same Name, shall and may have perpetual Succession; and shall and may by the same Name, be Persons capable in the Law to sue and be sued, implead and be impleaded, answer and be answered unto, defend, and be defended in all Courts and elsewhere, in all Manner of Actions, Suits, Complaints, Pleas, Causes, Matters and Demands whatsoever, as fully and amply as any other our liege Subjects of our said Province of *New-York*, may or can sue or be sued, implead or be impleaded, defend or be defended by any lawful Ways or Means whatsoever: And that they and their Successors by the same Name, shall for ever hereafter be Persons capable and able in the Law to purchase, take, hold, receive and enjoy to them and their Successors, any Messuages, Tenements, Houses and real Estate whatsoever; and all other Hereditaments of whatsoever Nature, Kind or Quality they be, in Fee-Simple, for Term of Life or Lives, or in any other Manner howsoever; and also any Goods, Chattels, and personal Estate whatsoever; provided always the clear yearly Value of the said real Estate, doth not at any Time exceed the Sum of *One Thousand Pounds* Sterling, lawful Money of our Kingdom of *Great-Britain*, above all Out-goings and Reprises: And that they and their Successors, by the same Name, shall have full Power and Authority to give, grant, sell, lease, demise and dispose of the same real Estate and Hereditaments whatsoever, for Life
or

or Lives, or Years, or for ever; and also all Goods, Chattels and personal Estate whatsoever, at their Will and Pleasure, as they shall judge to be most beneficial and advantageous for the said Library. And that it shall and may be lawful for them and their Successors, for ever hereafter, to have a common Seal to serve for the Causes and Business of them and their Successors; and the same Seal to change, alter, break and make new from Time to Time, at their Will and Pleasure. And our Royal Will and Pleasure is, That when our said Corporation hereby erected, shall have acquired by Subscriptions of the Members, by Donation or otherwise, a proper and convenient Piece of Ground in our said City of *New-York*, and Funds sufficient for that Purpose, that they do erect within our said City of *New-York*, a public Library; which we Will shall for ever hereafter be called by the Name of, **THE NEW-YORK SOCIETY LIBRARY**. And that it shall and may be lawful for our said Corporation, from Time to Time and at all Times hereafter, to erect for their Use and Convenience any other House, Houses or Buildings whatever: And for the better carrying into Execution the Purposes aforesaid, our Royal Will and Pleasure is, and we do hereby for Us, our Heirs and Successors, give and grant unto the Trustees of, **THE NEW-YORK SOCIETY LIBRARY**, and their Successors, for ever, That there shall be for ever hereafter belonging to our said Corporation, twelve Trustees of the said Library and Corporation, who shall conduct and manage the Affairs and Business of the said Library and Corporation, in the Manner herein after directed and appointed. And we do hereby assign, constitute and appoint the aforesaid **JOHN WATTS, WILLIAM SMITH, ROBERT R. LIVINGSTON, WHITEHEAD HICKS, WILLIAM LIVINGSTON, GOLDSBROW BANYAR, SAMUEL JONES, PETER VAN BRUGH LIVINGSTON, PETER KETELTAS, WALTER RUTHERFURD, DAVID CLARKSON, and SAMUEL BARD**, to be the present Trustees of the said Library and Corporation, and who shall hold, possess and enjoy, their said Offices until the last *Tuesday* in *April* now next ensuing; and for keeping up the Succession in the said Offices, our Royal Will and Pleasure is, and we do hereby for us, our Heirs and Successors, establish, direct and require of, and give and grant to the Trustees of, **THE NEW-YORK SOCIETY LIBRARY**, and their Successors for ever, that on the said last *Tuesday* in *April* next ensuing, and yearly and every Year for ever thereafter, on the last *Tuesday* in *April* in every Year, the Members for the Time being,
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of our said Corporation, shall meet at the EXCHANGE in *Broad-Street*, in our said City of *New-York*, or at some other convenient Place in our said City of *New-York*, to be fixed and ascertained by some of the Bye-Laws or Regulations of our said Corporation, and there by the Majority of such of them as shall so meet, shall by Ballot elect and choose twelve of their Members to be Trustees of the said Library and Corporation for the Year ensuing, who shall immediately enter upon their said Offices, and hold, exercise and enjoy the same, from the Time of such Elections for and during the Space of one Year, and until other fit Persons shall be elected and chosen in their Places; and in Case any of the said Persons by these Presents nominated and appointed to be Trustees of the said Library and Corporation, or who shall hereafter be elected and chosen thereto, shall die or remove out of our said City of *New-York* before the Time of their appointed Service shall be expired, or refuse or neglect to act in and execute the said Office, then and in every such Case, Our Royal Will and Pleasure is, and we do hereby give and grant, and direct and require, That the surviving Trustees for the Time being of our said Corporation, shall by Majority of Voices nominate and choose another or others of the Members of our said Corporation, in the Place and Stead of him or them so dying, removing, refusing or neglecting to act, within thirty Days after such Contingency; hereby giving and granting, that such Person and Persons as shall be so chosen and appointed from Time to Time, by the Majority of the surviving Trustees for the Time being of our said Corporation, shall have, hold, exercise and enjoy their said Offices from the Time of such Election and Appointment, until the last *Tuesday* in *April* then next ensuing, and until other or others be legally chosen in his or their Place or Stead, as fully and amply as the Person or Persons in whose Place he or they shall be chosen could or might have done by Virtue of these Presents; and we do hereby will and direct, that this Method shall for ever hereafter be used for filling up all Vacancies in the said Office of Trustees between the annual Elections above directed: And further our Royal Will and Pleasure is, and we do hereby for us, our Heirs and Successors, ordain and appoint, and give and grant to the Trustees of THE *NEW-YORK SOCIETY LIBRARY*, and their Successors, that any one of the Trustees for the Time being, shall and may from Time to Time, as Occasion may require, summon and call together at such Times and Places in our said City of *New-York*, as they shall respectively think proper,

the

the Trustees of the said Library and Corporation for the Time being, giving them at least one Day's Notice thereof. And we do hereby require them to meet accordingly; and give, grant and ordain, That any Seven or more of the said Trustees, being so convened together, shall for ever hereafter be a legal Meeting of the said Corporation; and they, or the major Part of them so met, shall have full Power and Authority to adjourn from Day to Day, or for any other Time, as the Business of our said Corporation may require, and to do, execute, transact, manage and perform in the Name of our said Corporation, all and every Act and Acts, Thing and Things whatsoever, which our said Corporation are or shall by Virtue of these our Letters Patent, be authorized to do, act, transact, manage and perform, in as full and ample Manner, as if all and every the Trustees of our said Corporation were present and consenting thereto: And further, we do hereby for us, our Heirs and Successors, ordain and appoint, and give and grant to the Trustees of THE NEW-YORK SOCIETY LIBRARY, that at any and every such legal Meeting of any Seven or more of the Trustees for the Time being, of our said Corporation, it shall and may be lawful for them in Writing, under the Seal of our said Corporation, to make, frame, constitute, establish and ordain, from Time to Time, and at all Times hereafter, such Laws, Constitutions, Ordinances, Regulations and Statutes, for the better Government of the Officers, Members and Servants, of the said Corporation; for regulating the Terms upon which the Books of the said Library shall be lent out, both to Members and others; for fixing and ascertaining the Places of Meeting of our said Corporation, for the Election of Trustees, and the Places of Meeting of the Trustees; for regulating the Management and Disposition of the Books of the said Library and the Monies, Funds and Effects, belonging to the said Corporation; the transferring Rights in the said Library from one Person to another; and all other the Business and Affairs whatsoever, of our said Corporation, as they or the major Part of them so legally met shall judge best for the general Good of the said Corporation, and for the more effectual promoting, increasing and preserving the said Library; and the same, or any of them, to alter, amend or repeal from Time to Time, as they or the major Part of them so met as aforesaid, shall think proper: Provided such Laws, Constitutions, Regulations, Ordinances and Statutes, be not repugnant to the Laws of that Part of our Kingdom of *Great-Britain* called *England*, nor of our Province of *New-York*.
And

And also at any and every such legal Meeting of any Seven or more of the said Trustees for the Time being, of our said Corporation, it shall and may be lawful for them, or the Majority of them so met as aforesaid, to nominate and appoint one of the Members of the said Corporation to be Treasurer, and one other of the Members of the said Corporation to be Secretary of the said Corporation, and some other fit Person or Persons to be Keeper or Keepers of the said Library, and from Time to Time, to appoint them the said Treasurer, Secretary and Librarian, and each of them, their respective Powers, Authorities, Business, Trusts and Attendances, and to displace and discharge them, or any of them, and to appoint other or others in their Places and Stead. And further, it is our Royal Will and Pleasure, and we do hereby for us, our Heirs and Successors, will and ordain, and give and grant, to the Trustees of the *New-York Society Library*, and their Successors for ever, that it shall and may be lawful, to and for each and every of the Members, for the Time being, of our said Corporation, his and their Executors, Administrators and Assigns, to give, sell, alien, assign, devise or dispose of their respective Rights in the said Library, and that their respective Assigns shall be Members of our said Corporation, and be intitled to all and every the same Rights and Privileges in the said Library, and in our said Corporation, as the Members hereby made, are intitled to, by Virtue of these Presents. *Provided always*, That a Part of a Right in the said Library, shall not intitle the Proprietor or Owner thereof, to any Privilege whatsoever in the said Library or Corporation: And also that all and every the original Subscribers to the said Library, or their Assigns respectively, upon paying to the Treasurer for the Time being, of the said Corporation, for the Use of the said Library, the full Arrears of the yearly Sum of *Ten Shillings*, agreed by the said original Subscription to be paid yearly; that then and from thenceforth, each of the Persons so paying the said Arrears, shall thereupon become Members of the said Corporation, and be intitled to all and every the same Rights and Privileges in the said Library and Corporation, as the Members herein particularly named are intitled to by Virtue of these Presents: And further, That at any and every such legal Meeting of any Seven or more of the Trustees for the Time being, of the said Library, it shall and may be lawful for them, or the major Part of them, so met as aforesaid, to elect and choose by the Majority of their Voices, and in such Manner and Form, and upon such Terms and Conditions as

shall be directed, ordained and established for that Purpose, by any the said Bye-Laws, Statutes, Constitutions, or Ordinances, of the said Corporation; and admit under the Common-Seal of our said Corporation, such and so many Persons to be Members of our said Corporation, as they shall think beneficial to the said Library; which Members so admitted, shall be intitled to, and have, hold and enjoy, all and every and the same Rights and Privileges, as the Members herein particularly named are intitled to by Virtue of these Presents. And likewise, we do will, ordain, direct and require, that each and every of the Members for the Time being, of our said Corporation, shall on the first *Tuesday* in *May* next, and yearly on the first *Tuesday* in *May* in every Year for ever hereafter, pay to the Treasurer for the Time being, of the said Corporation, the Sum of *Ten Shillings* current Money of *New-York*, for the Use of the said Library; and in Case any of the said yearly Sums of *Ten Shillings*, shall at any Time or Times hereafter, be in Arrear and unpaid by the Space of thirty Days next after any of the Days on which the same ought to be paid, that then the Person or Persons from whom the same shall be due and payable, shall thereupon forfeit and be utterly excluded from all his or their Rights and Privileges in and to the said Library and Corporation, but shall at any Time within five Years thereafter, upon Payment of all the Arrears due to the Time of Payment, be restored to his and their respective Rights and Privileges in the said Library and Corporation, as if no such Forfeiture had happened: And Lastly, we do by these Presents for us, our Heirs and Successors, give and grant to the Trustees of the *New-York* SOCIETY LIBRARY, and their Successors, for ever, That this our present Charter shall be deemed, adjudged, and construed in all Cases, most favourably and for the best Benefit and Advantage of our said Corporation; and that this our present Grant being entered on Record, as is herein after expressed, shall be for ever hereafter good and effectual in the Law, according to our Royal Intent and Meaning herein before declared, and without any other Licence, Grant or Confirmation from us, our Heirs or Successors hereafter, by the said Corporation to be had or obtained, notwithstanding any mis-recitals, non-recitals, not-naming, or mis-naming of any the aforesaid Offices, Franchises, Privileges, Immunities, or other the Premises, or any of them, and although no Writ of *ad quod Damnum*, or other Writs, Inquisitions or Precepts, hath been upon this Occasion had, made, issued or prosecuted, any Statute, Act, Ordinance

Ordinance or Provision, or other Matter or Thing to the contrary thereof in any wise notwithstanding. IN TESTIMONY whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed, and the same to be entered on Record in our Secretary's Office, for our said Province of *New-York*, in one of the Books of Patents there remaining. WITNESS our trusty and well-beloved WILLIAM TRYON, Esq; our Captain General and Governor in Chief, in and over our said Province of *New-York*, and the Territories depending thereon in *America*, Chancellor and Vice-Admiral of the same, at our Fort in our City of *New-York*, by and with the Advice and Consent of our Council for our said Province of *New-York*, the ninth Day of *November*, in the Year of our Lord One Thousand Seven Hundred and Seventy-two, and of our Reign the Thirteenth.

CLARKE.

WILLIAM TRYON.

INDORSED.

NEW-YORK, SECRETARY'S OFFICE,
25th November, 1772.

*The within Charter or Letters Patent, are
recorded in this Office in Lib. Patents No. 16,
Page 299, &c.*

GW. BANYAR, D. Secry.



LAWS, ORDINANCES,
AND
REGULATIONS,

Made and established by the TRUSTEES of the NEW-YORK SOCIETY LIBRARY, in Pursuance and by Virtue of the CHARTER granted to them by His Majesty GEORGE the Third, by the Grace of GOD, of GREAT-BRITAIN, FRANCE, and IRELAND, King, Defender of the Faith, &c. under the Great Seal of the Province of *New-York*, bearing Date the Ninth Day of *November*, in the Thirteenth Year of his Reign, and in the Year of our Lord One Thousand Seven Hundred and Seventy Two, at a legal Meeting of the said Trustees at the Tavern kept by SARAH BROCK, in the City of *New-York*, on the Seventh Day of January, in the Year of our Lord One Thousand Seven Hundred and Seventy Three.

P R E S E N T,

JOHN WATTS,
WILLIAM SMITH,
GOLDSBROW BANYAR,
PETER KETELTAS,

PETER VAN BRUGH
LIVINGSTON,
SAMUEL BARD, and
SAMUEL JONES.

Seven of the Trustees named in the said Charter.

I. **B**E IT ORDAINED by the said Trustees, and it is hereby Ordained by the Authority of the same, That it shall and may be lawful, for every Member of the said Corporation, to take and have out of the said Library, one Book and no more at one Time. And that a Folio Volume may be kept and detained, six Weeks; a Quarto, four Weeks; an Octavo, three Weeks; and a Duodecimo, two Weeks: And if any Person shall keep a Book out of the said Library for a longer Time, such Person shall forfeit and pay to the Keeper or Keepers of the said Library for the Time being, for the Use of the said Library, for a Folio, *four Pence*; for a Quarto, *three Pence*; for an Octavo, *two Pence*; and for a Duodecimo, *one Penny*, for every Day such Book shall be kept out of the said Library, above the Time limited as aforesaid; and such Person so keeping any Book out of the said Library, above the Time allowed, as aforesaid, shall not be intitled to take or have any other Book out of the said Library, until the said Forfeitures be paid.

II. AND

II. AND IT IS FURTHER ORDAINED *by the Authority aforesaid*, That every Person who shall loose or damage any Book belonging to the said Library, shall make good the same to the said Library, before he or she have any other Book out of the said Library.

III. AND IT IS FURTHER ORDAINED *by the Authority aforesaid*, That the Keeper or Keepers of the said Library, shall open the said Library and attend the same, from twelve until two o'Clock on every *Monday, Wednesday and Friday*, Holy Days excepted, and shall keep an exact Account of the Books taken out, and of the Time when, and by whom, and when returned, and shall account for and pay to the Treasurer of the said Library for the Time being, when ever thereunto required by him, all Fines and Forfeitures received for detaining Books above the limited Time, or for damaging them.

IV. AND IT IS FURTHER ORDAINED *by the Authority aforesaid*, That if any Person shall at any Time hereafter, claim a Right in the said Library by Purchase or Gift from any Member of the said Corporation, or from the Executors or Administrators of any Member, such Person so claiming such Right, shall not be intitled to have or take any Book out of the said Library, nor to vote for Trustees, until he or she shall have proved his or her Title before the Trustees of the said Library for the Time being, at one of their legal Meetings, and an Entry be made thereof in their Minutes, in Order that it may be known who are the Members of the said Corporation.

V. AND IT IS FURTHER ORDAINED *by the Authority aforesaid*, That there shall always be kept in the Library Room, a List of the Names of all Persons intitled to have or take Books out of the Library, and that the Keeper or Keepers of the said Library, do not at any Time deliver any Book out of the said Library, to or for, or on Account of, any Person whose Name shall not be contained in the said List.

VI. AND IT IS FURTHER ORDAINED *by the Authority aforesaid*, That the Treasurer of the said Library for the Time being, shall on the first *Tuesday of April*, in every Year, lay his Accounts before the Trustees of the said Library, for their Inspection,

VII. AND

VII. AND BE IT FURTHER ORDAINED *by the Authority aforesaid*, That every Person who shall be desirous of being a Member of the said Corporation, shall be admitted upon Payment of *Five Pounds*, to the Treasurer for the Time being, for the Use of the said Library, provided he subscribes before the first Day of *May*, 1774.

VIII. AND BE IT FURTHER ORDAINED *by the Authority aforesaid*, That the Common Seal of this Corporation, be kept by the Secretary for the Time being, and that every Admission of any Person as a Member of this Corporation, be sealed with the said Seal and signed by the Treasurer, and countersigned by the Secretary for the Time being, and that the Secretary put the said Seal to all Admissions, signed by the Treasurer for the Time being, without any other Warrant; but that he do not put the said Seal to any other Writing whatsoever, until the same shall have been signed by at least Seven of the Trustees for the Time being, and the said Seal ordered to be put thereto, at some legal Meeting of the Trustees.





A CATALOGUE, &c.

A

FOLIO.

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QUARTO.

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OCTAVO.

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B

F O L I O.

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C

F O L I O .

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C

Clarendon's

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