

CHARTER OF THE LYNCHBURG PUBLIC LIBRARY

Source:

Charter Book No. 2 Lynchburg Circuit Court

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Virginia:

In the Clerk's Office of the Circuit Court for the City of Lynchburg in the vacation of said Court on Tuesday the 16th day of February 1897 A.D.

Lynchburg Public Library. Ex Parte.

The following order was this day received in said office and entered of record to-wit:

In the Circuit Court for the City of Lynchburg.

In Vacation.

Charter of
Lynchburg Public Library.

Chas. M. Blackford, John W. Craddeck, F.S. Kirkpatrick, Anna L. Jones, and A.R. Long, who desire to form a purely benevolent corporation, with only a nominal capital, this day presented to me S.G. Whittle, Judge of the Circuit Court for the City of Lynchburg, in vacation, a certificate in writing, made, signed, acknowledged and authenticated in conformity with the statute in that case made and provided, and prayed that a charter be granted to them in conformity with the statute in that case made and provided, and prayed that a charter be granted to them in conformity with said certificate, which certificate is in the words and figures following:

Certificate

State of Virginia

City of Lynchburg to-wit:

The undersigned, Chas. M. Blackford, John W. Craddeck

(see next page)

F.S. Kirkpatrick, Anna L. Jones and A.R. Long, desiring to form a purely benevolent corporation with only a nominal capital; and with the privileges, franchises and powers hereinafterwards set forth do make, sign and acknowledge according to law the following certificate: to-wit:

I

That the name of this Corporation shall be the
" Lynchburg Public Library."

II

That the purposes for which the said Corporation is to be formed shall be the establishment and maintenance of a public library in the City of Lynchburg, which shall be for the use of the white people of the said City, subject to such restrictions as may be placed upon such use under the powers granted in this charter.

III

That the Capital stock of said corporation shall be the nominal sum of Five Hundred Dollars, which shall not be divided into shares, but shall be held purely for the aims and purposes for which the Corporation is created.

IV

That the amount of real estate proposed to be held by the said corporation shall be so much as may be necessary for the location and construction of a proper building for its purposes, and such other as may be purchased for an investment of its funds, provided the whole amount shall not exceed in value the sum of \$500,00.00.

V

That the principal office of the said Corporation shall be kept in the City of Lynchburg, in the State of Virginia, where its library building will be located.

VI

That the chief business to be transacted shall be the development and fulfilling of the purposes set forth above.

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VII

That the affairs of this corporation shall be managed by a Board of Governors, who, for the first year and until their successors shall be elected, according to the terms of its charter, shall be:

John W. Craddock	whose residence is Lynchburg, Virginia
R.I. Owen	" " " " "
Max Guggenheimer, Jr.	" " " " "
R.G.H. Kean	" " " " "
N.R. Bowman	" " " " "
A. Coke Smith	" " " " "
R.H.T. Adams	" " " " "
Peter J. Otey	" " " " "
John D. Horsley	" " " " "

E.C. Hamner	whose residence is Lynchburg, Virginia
Geo. M. Jones	" " " Campbell Co., Virginia
J.R. Gilliam	" " " Lynchburg, Virginia
Chas. M. Blackford	" " " " "
F.S. Kirkpatrick	" " " " "
Jacob H. Franklin	" " " " "
N.C. Manson, Jr.	" " " " "
O.B. Barker	" " " " "
C.V. Winfree	" " " " "
F.P. Christian	" " " " "
R.T. Watts	" " " " "
A.R. Long	" " " " "
E.C. Glass	" " " " "
Wm. Hurt	" " " " "
J.P. Pettyjohn	" " " " "
Anna L. Jones	" " " " "
Elizabeth D.L. Lewis	" " " " "

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Maria W. Marye	whose residence is Lynchburg, Virginia
Reberta M. Strother	" " " " "
Mary E. Kinnier	" " " " "
Lillian B. Franklin	" " " " "

Given under our hands this 11th day of February 1897.

Chas. M. Blackford

John W. Craddock

F.S. Kirkpatrick

Anna L. Jones

A.R. Long

State of Virginia }
City of Lynchburg } to-wit:

I, C.S. Hamner a Notary Public in and for the City and State aforesaid, do hereby certify that Chas. M. Blackford, John W. Craddock, F.S. Kirkpatrick, Anna L. Jones, and A.R. Long whose names are signed to the foregoing certificate in writing bearing date on the 11th day of February 1897, personally appeared before me in my said City, and severally made, signed and acknowledged the same.

Given under my hand this 11th day of February 1897:

C.S. Hamner,

Notary Public.

and having duly considered the said application and certificate, it is ordered that the following charter be, and hereby is granted, to-wit:

Charter of Lynchburg Public Library

That John W. Craddock, K.I. Owen, Max Guggenheimer, Jr., K.G.H. Kean, N.R. Bowman, A. Coke Smith, R.H.T. Adams, Peter J. Otey, John D. Hersley, E.C. Hamner, George M. Jones, J.R.

(see next page)

J. R. J

Gilliam, Chas. M. Blackford, F.S. Kirkpatrick, Jacob H. Franklin, N.C. Manson, Jr., O.B. Barker, C.V. Winfree, F.P. Christian, R.T. Watts, A.R. Long, E.C. Glass, Wm. Hurt, J.P. Pettyjohn, Anna L. Jones, Elizabeth D.L. Lewis, Maria W. Marye, Roberta M. Strother, Mary E. Kinnier, and Lillian B. Franklin, and such other persons as may be hereafter associated with them, and their successors, are hereby created a body Corporate under the name and style of the Lynchburg Public Library, and as such and by said name shall have perpetual succession, may sue and be sued, plead and be impleaded, contract and be contracted with, make a common seal and alter the same, and may make all proper by-laws, rules and regulations for the government, for the transaction of its business and for the exercise of its franchises and powers, which shall be in conformity with the laws of the State of Virginia regulating such Corporations. The name above designated may, however, at any time be altered and amended without any amendment to this Charter, by a vote of a majority of all the members of the Board of Governors for which provision is hereinafter made and of two thirds of all the members who may attend the meeting of such Board at which such change of name may be made.

II

That the object and purpose of this Corporation shall be the establishment and maintenance of a public library for the use of the white people of the City of Lynchburg, subject to the restrictions and conditions hereinafterwards set forth, and such as may be hereinafter prescribed, either by an amendment of this charter, or by the by-laws, rules and regulations established by the Board of Governors. But this shall not be construed as preventing the said Board in prescribing the rules and regulations for the government of this Corporation, from imposing such moderate charge for the use of its books or rooms as in its opinion may be advisable provided the revenues so arising shall be applied to the purposes and aims of this Corporation.

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III

That the capital stock of the said Corporation shall be the nominal sum of \$500.00 which shall not be divided into shares, as the property of subscribers, but shall be held by the Corporation purely for the benevolent aims and purposes for which it is created.

IV

That the said corporation shall have power to purchase and hold real estate in the City of Lynchburg for the purpose of building thereon a house suitable for its purposes, and when in its judgment advisable, to sell and convey the same. And it shall further have the right to acquire real or personal property wherever situated, by gift, devise or purchase: to hold the same as an investment, or to sell, convey and assign

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the same: to collect the income therefrom and to do any other act in connection therewith which could be done by a private individual provided always that such property and funds shall be managed, controlled, and used solely for the benefit of this corporation, and for the purpose of developing its aims and widening the scope of its usefulness: but this limitation shall not be construed as in anywise to limit the said corporation in the alienation of its property, or to require purchasers of such property to look to the application of the purchase money by the said corporation or its officers. The total amount of the real estate which may be thus acquired by the said Corporation shall not at anytime exceed in value the sum of Five hundred thousand dollars.

V

That ^{for} the purpose of investing its funds, this Corporation shall have the right to become a stockholder in any other corporation: to lend money at interest and to take bonds or notes as evidence thereof, which may be secured by deed

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of trust or mortgage on real estate, and to do any other act looking to the investment of its means which in the opinion of the Board of Governors will tend to the development of its aims and to the security and increase of its property.

VI

That the said Corporation shall further have the power, for the purpose of carrying out the aims of the organization to borrow money, to issue its bonds or notes therefor, and to secure the payment of the same by deed of trust or mortgage upon all or any part of its real estate, or by the hypothecation of any of the securities in which its funds may be invested. But this power shall not be so construed as to give the said Corporation any authority by hypothecation, deed or chattel, mortgage, to assign the books and papers, or the cases and shelves containing the same for the purposes of borrowing money or securing its debts, but the said books, cases and shelves shall be held by the said corporation as a special trust for the purposes herein before set forth, and shall not be subject to its debts, or to buy under execution for the purpose of enforcing payment of the same.

VII

That the affairs of this Corporation be controlled and managed by a Board of Governors, to consist of the thirty persons named above as corporators, who shall hold office until their successors are respectively elected, as hereinafterwards set forth.

The said Board shall have power to elect one of its number President of the said Corporation, and shall also have power to appoint any other officers and employes which it may deem necessary for the conduct of its affairs, and to adopt such

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by-laws, rules and regulations and system of management as it may deem best for the interests of the institution, the development of its aims and the conduct of its affairs, and it shall especially have the power to delegate to committees of its own number any of its powers herein granted necessary for the management and control of its affairs and to the due administration of the details of its work except in the cases where the exercise of such power is limited to a specific vote of the said Board; and the acts of such committees when within the powers so designated, shall be as binding and of the same force and virtue as if done by the vote of the whole Board.

VIII

That the members of the Board of Governors, as above designated shall hold their said offices until they shall resign, remove beyond the limits of the State, or misfeasance in office, or any other misconduct, by a vote of three fourths of all the members of the said Board, but such eviction shall be by a vote by ballot, taken at a meeting held for the purpose of considering the question of the propriety thereof after reasonable notice.

Vacancies in the said Board created by death, resignation or other cause, shall be filled by the remaining members of the said Board, by ballot, at a meeting called for the purpose: and to elect a member to fill any vacancy shall require the vote of three fourth of the Board present at the meeting, making such election, and a majority of all the members constituting said Board.

IX

That all taxes and assessments which may by law become due from the said Corporation to the Commonwealth of Virginia shall be paid in lawful money of the United States and not in coupons and bonds of the said State.

The Clerk of the Circuit Court for the City of Lynchburg will record the foregoing order and charter, as required by law and certify the same to the Secretary of the Commonwealth as required by the act of assembly in such case made and provided.

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S.G. Whittle

February 13, 1897

Virginia:

In the Clerk's Office of the Circuit Court for the City of
Lynchburg, on the 16th day of February, 1897

The foregoing Charter, pursuant to the order of the Judge
of the said Court, made in vacation, was this day recorded in
said office, and certified to the Secretary of the Commonwealth
as required by law.

Teste: S.G. Wingfield Clerk.