

"fixed by the Board of Managers, are to have the full and
 "free use of the Library;" and further it is provided that
 "'schemers' and 'consequential spendthrifts' are to be ex-
 "cluded from the direction;" and further it is provided that
 "'all of the works of the said James Rush, shall, 'for the
 "'next half century,' be published at intervals of every ten
 "'years, and earlier and oftener, if called for, in editions of
 "'five hundred copies,' and it is in the said alleged Will and
 "Codicils imperatively required that the said editions be pub-
 "lished exactly as they are left." And the said alleged Will
 "and Codicils contain divers other minute, particular, and
 "strict provisions respecting the practical management of the
 "said Library, requiring for their due execution and perform-
 "ance the personal care, skill, taste, judgment and discretion
 "of the said Henry J. Williams. And your orator charges
 "that these and other provisions of said alleged Will and
 "Codicils cannot be performed or enforced after the death
 "of the said Henry J. Williams, by any administrator *de bonis*
 "*non* of the said James Rush, deceased; nor can the discre-
 "tion thus personally vested in the said Henry J. Williams
 "be performed by any other person."

It is too clear for argument that the duties devolved by the
 testator on Mr. Williams, in the clauses of the Will here
 referred to, were required to be performed by him because of
 his personal fitness for their discharge. They are duties
 peculiarly requiring the personal care and discretion of just
 such a man—eminent in his profession and remarkable for the
 exercise of calm and deliberate judgment. This gentleman
 thus fitted for the work, and known by the testator through-
 out a long lifetime to be so fitted, is to determine the many
 delicate and difficult questions thus submitted for his judg-
 ment. He is to decide whether the persons depositing an
 amount and paying an annual sum, are respectable persons.
 He is to determine who are the schemers and spendthrifts