

“children she should be under the direction of his executors. They were not to have rule in the household—to direct how or where she should live; how the children should be fed and clothed; to what schools they should be sent.”

Here, again, there was an apparent inconsistency in the Will, and the Court held that the estate was vested in the wife, but only because of the impossibility of giving it both to the wife and to the children. This is quite sufficient to show that Paisley's Estate, so much relied on in the Court below, has no application to the present case. Nor is there any other case in Pennsylvania or elsewhere which gives countenance to the idea that “I will” or “I wish” are mere precatory words. They are words expressive of the wishes and intentions of the testator, and they must of necessity be words of authority, unless we undertake to make a new Will for him.

The paper of April 18, 1867, contains these most positive words:—“I will and direct that they (the Library Co.,) *shall*, for the next half century, *publish* every ten years (and earlier and oftener if called for) an edition of 500 copies of any or all of them (his works) so that they *shall always* have on hand a number sufficient to supply any demand which may be made for any or either of them at a price not exceeding the cost of publication. I leave additions and corrections in the printers' copies, preparatory to a subsequent edition which I *imperatively require to be published* exactly as they are left.”

The Court are not left in the dark as to the character and contents of the works which the Company are directed to publish. The bill avers thus:—

“And the plaintiff charges that the works directed by the said Dr. James Rush to be published ‘every ten years, and earlier and of tener, if called for’ in the paper writing dated April 18, 1867, contain infidel and atheistical sentiments, teachings and arguments, and that said works deny the