

4. On plaintiff's own showing, his allegation of want of funds to sustain the library is untrue, as by the very codicil he relies on, the testator gives annuities of \$10,400 a year, and the annuity-fund is given to the Library as these fall in.

These annuities are (see *supra*, page 8 *n.*) :—

Anne Knee.....	\$200 a year.
Mrs. Catherine Souder.....	200 "
Thomas Craven.....	600 "
Miss Little and Mrs. Spruill, and the survivor.....	1,800 "
Miss Ritchie.....	1,000 "
Benjamin Rush.....	300 "
Maria Rush.....	300 "
S. Catherine Rush.....	300 "
Richard H. Rush.....	300 "
Mrs. Clark.....	1,800 "
Robert Manners.....	900 "
Julia Manners.....	900 "
Mrs. Biddle.....	1,800 "

\$10,400

Of these annuities, those to Benjamin Rush and Robert and Julia Manners were revoked by the last codicil, dated 12th April, 1869.\*

\* This codicil is also omitted by the plaintiffs, and is here supplied.

"I, James Rush, do make this codicil to my last will and testament. For strong and sufficient reasons I hereby absolutely revoke all legacies, annuities and bequests given in my will and testament, or in any codicil thereto, unto Benjamin Rush, son of my brother, Richard Rush, and Robert and Julia Manners, children of my sister, Mary Manners.

"JAMES RUSH.

"Witness my hand and seal this twelfth day of April, A. D. 1869."

