

whence the means so to do had been derived, and to perpetuate the memory of Mr. Ridgway.

IX. In the accomplishment of these ends, the testator made his will, and subsequently added three codicils. In the will itself, which was dated the twenty-sixth day of February, A. D. 1860, he devised all his estate, after the payment of certain legacies and annuities, to his brother-in-law, the defendant, (who had been for many years one of the directors of the library,) his heirs and assigns, "In trust, to select and purchase a lot of ground not less than one hundred and fifty feet square, situate between Fourth and Fifteenth and Spruce and Race streets, in the city of Philadelphia, and thereon to erect a fire-proof building sufficiently large to accommodate and contain all the books of the Library Company of Philadelphia, (whose library is now at the corner of Fifth and Library streets,) and to provide for its future extension according to plans, directions and specifications which I shall hereafter make or give; but if I should not make or leave any such plans, directions or specifications, then to erect the same according to his best judgment and to the views which I have expressed to him. It is my wish that this building should be exceedingly substantial, completely fire-proof, without any large, lofty, or merely ornamental halls or lecture-rooms; the whole interior to be divided in such a way as to contain the greatest number of books; to be well lighted, and so arranged as to be of easy and convenient access. And upon this further trust, as soon as this building is completed and ready for occupation, then in trust to convey the same, with the lot of ground whereon it is erected, unto the Library Company of Philadelphia aforesaid, and their successors, for the uses and purposes of their library, and for no other use or purpose whatever."

The will then contained a proviso, that, before such conveyance should be made, the Library Company should, either by an alteration in their charter, or by some other way satisfactory to his executor, bind themselves and their successors to comply with the following express conditions, and any others he might thereafter impose, under which they were to hold the said property and all the bequests and devises therein given to them:—

