

the said will mentioned is untrue in this, that by the very codicil relied on in the bill, the testator expressly dedicates for such purpose a fund of sufficient amount to secure certain annuities, whose aggregate is \$10,400 per annum."

These annuities are omitted in the copy of the will annexed to the bill, and the words "private bequest" inserted; but of course the whole will is considered to be before the court, and the annuities are these:—

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.

If the bill means to allege that the Library Company has no funds of its own, this should have been averred in the bill, and cannot now be assumed to sustain the point made, as it is essential to that point. Moreover, the testator himself (first codicil, clause IV.) expressly refers to the funds of the Library Company.