

cable, and that it is impossible to execute the same, because no one save the said Henry J. Williams is authorized to execute it, and that no provision is made for the execution thereof after his death. That said alleged Will and Codicils contain numerous provisions, such as the following, to wit, that "*respectable persons depositing an amount and paying an annual sum, to be 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 "*excluded 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 published 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 performance, 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 discretion thus personally vested in the said Henry J. Williams be performed by any other person.

And your orator charges that for this reason the said residue of said estate has become and is the property of your orator and the other heirs-at-law of the said James Rush, deceased, and that the said Henry J. Williams is holder thereof to their use.

X.—And your orator further shows that, to carry out and execute the aforesaid attempted devise for the foundation of the Ridgway Library, as set forth in paragraph VII, of this

