

7. In case he shall report that the said defendant is not entitled to receive from the complainant such transfer and conveyance of the said residuary estate, he shall report the form of such decree as shall be necessary to be made in the premises.

As to which, after inquiry, he reports:—

1. The net income of the estate is, and, so far as can be foreseen, will continue to be, largely in excess of the aggregate of the annuities, and, as under the will and codicils these annuities are to be first provided for, and the income must be first applied and appropriated to the payment thereof, the Master sees no reason to doubt, and therefore reports, that the annuities bequeathed by the testator to the other defendants will be sufficiently secured and provided for by a conveyance of the unexpended estate to said Library Company (herein held to be entitled), subject to their payment.

2. Two questions were raised under this second head of inquiry:—

*First.*—As to the conditions to and with which the Library Company must comply and conform; and,

*Second.*—Whether the Library Company should bind itself to make the new building the storehouse for all of its books.

As to the first of these questions; it seems to the Master that the company, by the act of the legislature, passed at its instance, and by the amendments to its charter granted by the court, has done everything required to be done in this way as a prerequisite to entitle it to a conveyance. The other matters mentioned as conditions, to the performance of which it was to bind itself, viz., as to lectures, public orations, or oral addresses, or exhibitions, museum, cabinet, gallery or collection of natural history, statuary,

