

called for, an edition of five hundred copies of any or all of them, so that they shall always have on hand a number sufficient to supply any demand which may be made for any or either of them at a price not exceeding the cost of publication. I leave additions and corrections in the printer's copies, preparatory to a subsequent edition which I imperatively require to be published exactly as they are left. The original parts of them have been written *without assistance*, and I wish to be alone responsible for all the faults of thought, division, definition and style, and of my corrected orthography, as I consider it.

"Fourth.—In order to insure as far as is in my power the application of the various devises and bequests which I have made for the use and benefit of the Library Company, in accordance with my wishes and directions, I hereby devise, direct, will and declare that the whole and every part of my estate, real and personal, given or devised for the use and benefit of the said Library Company, and all the books and furniture purchased by them with the income and proceeds thereof, shall be taken and held by them (whenever the same by the provisions of my will, or of any codicil thereto, shall come into their possession, and become subject to their control), as trustees, for the uses, objects, trusts and purposes in my will, and any codicil thereto mentioned and expressed; and if the said Library Company shall in any respect violate or omit to comply with any of the provisions, conditions or directions, regulations or restrictions therein contained then I will and direct that the Pennsylvania Company for Insurances on Lives and Granting Annuities shall and may (or, if they omit, neglect or refuse so to do, any citizen of the city of Philadelphia) apply to the proper courts of this Commonwealth to compel the said Library Company to comply with the provisions of my said will and codicils, or to remove them from the said trusts, and transfer the whole real and personal estate aforesaid, including the library building, and all the books and furniture belonging to the Ridgway Branch of the Philadelphia Library, unto the said Pennsylvania Company for Insurances on Lives and Granting Annuities, or if they shall neglect or refuse to accept this trust, to some other trust company of the city of Philadelphia, who shall take and hold the whole of the said estates, real and personal, library building, books, and furniture aforesaid, in trust to collect and receive the whole income thereof, and apply the same to the uses, objects and purposes of my said will and codicils thereof; permitting, however, if in their sole discretion they shall think proper so to do, but not otherwise, the said Philadelphia Library Company to occupy the library building and to take charge of the books, etc., of the Ridgway Branch thereof; provided they shall do so under the absolute direction and control of the new trustees, who shall strictly supervise and entirely control and direct all the expenditures of my estate in relation thereto; and who may at any time, remove them from the said charge, if the Library Company shall not submit and conform to such control and direction."

As in and by the last will and testament and codicils thereto will fully appear.

And Whereas, The said party of the first part has paid the debts of the testator, and has paid and discharged the several legacies by him bequeathed;

And Whereas, Of the several annuities bequeathed by the said testator and not revoked, there are still subsisting and payable only those bequeathed to the following-named persons—that is to say, Catharine Little, Mary Ritchie, Anna Maria Rush, Sarah Catharine Rush, Richard Henry Rush and Julia W. Biddle;

And Whereas, The said party of the first part, in the exercise of the discretion so as aforesaid to him given in and by the said last will and codicils, did select certain premises situate on the east side of Broad street, between Carpenter and Christian streets, in said city, which said premises were conveyed to him, the said party of the first part, by indenture from Charles Smith and others, dated the tenth day of June, A. D. 1869, recorded at Philadelphia in Deed-book J. T. O., No. 245, page 363, &c., on which said lot of ground he, the said party of the first part, has erected a building in accordance with the directions and requirements of the said last will and codicils, which said building is now completed and ready for occupation;

And Whereas, At a meeting of the members, otherwise called shareholders, of the said party of the second part, duly convened on the twentieth day of October, A. D. 1869, there was duly adopted the following resolution, to wit:—

Resolved, That the stockholders of the Library Company of Philadelphia do hereby accept the legacy of Dr. James Rush, according to the terms expressed in his will.

And Whereas, By an act of the General Assembly of the Commonwealth of Pennsylvania, approved the twenty-third day of February, A. D. 1870, entitled "An act relative to the Ridgway Branch of the Philadelphia Library," it was provided as follows:—

"SECTION I. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the Library Company of Philadelphia be and they are hereby authorized to act as trustees for the Ridgway Branch of the Philadelphia Library and the trusts pertaining thereto, under the last will and codicils of James Rush, late of the city of Philadelphia, doctor of medicine, upon the conditions and provisions therein contained, without limitation as to the

