

The Library cannot be said to be established for the mutual benefit of the shareholders, and of no other person. It has always been free to be used by any civil person in the rooms, and any person who shall deposit the value of the book with the librarian may take it out as a member may. All sums received from the hire of books and the annual dues of members, are for the expenses of maintenance and the increase of the stock of books. The member has no pecuniary advantage over any other person. He may vote for managers, which the non-shareholder may not. The shareholders now number about 1,100, (p. 159, Ex'r Rep). By no possibility can they ever dissolve the corporation and divide its property. The original charter, towards the end of it (ante page 5) has this provision: "Provided always, that for the increase and preservation of the said Library every member of the said company shall and do pay into the hands of the company's treasurer for the time being the sum of ten shillings on the first Monday of May, in every year, forever; and those who neglect so to do, shall pay such greater sum or sums, in lieu thereof, at such times within twelve months then following, as by the laws of said company shall be appointed; and that, in default of these payments, any delinquent shall forfeit his share in the books and estate of the said company, and be no longer a member." This would be fatal to any project of division. At all events, the trust of Dr. Rush's estate for the Ridgway Branch of the Library is one which cannot come to an end.

The fifth specification of demurrer, the master is of opinion, cannot be supported. It is in these words:

"The interference by the Court in favor of a private corporation, such as the complainants are, will be in prejudice of a great charity for the benefit of the public, which the 'Ridgway Library' will be, if endowed under the provisions of Dr. Rush's will, in the event of the refusal or omission of the complainants to accept the devises in their favor."

The propriety of the interference will depend upon the plain-

