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SUPREME COURT.

IN EQUITY.

JULY TERM, 1871. No. 1.

THE LIBRARY COMPANY OF PHILADELPHIA

vs.

HENRY J. WILLIAMS.

The Answer of Henry J. Williams, Executor of the Last Will and Testament of James Rush, M.D., to the Bill of Complaint of The Library Company of Philadelphia.

1. James Rush, M.D., of the city of Philadelphia, died on the 26th day of May, 1869, leaving a last Will and Codicils from which extracts have been made in the bill filed. A copy marked "A," hereto annexed, it is prayed, may be taken as a part of this, my answer.

He died seized and possessed of valuable real and personal property, inventoried and appraised, as charged in the bill, at \$1,110,717.

He devised and bequeathed his whole estate to me, his executor (Will, p. 3), in trust, after payment during the respective lives of the beneficiaries, of annuities amounting to about \$8100, to expend the residue in the purchase of a "lot of ground not less than one hundred and fifty feet square, situate between Fourth and Fifteenth, and Spruce and Race Streets in the city of Philadelphia" (Will, p. 4), and in the erection thereon "of a fire-proof building sufficiently large to "accommodate and contain all the books of the Library Company of Philadelphia, and to provide for its future extension "according to plans, directions and specifications which I shall "hereafter make or give; but if I should not make or leave

