

either by reverter or gift over. (4) In any event, there was no showing that the appellant proposed such a radical ~~depart~~ment from the conditions stated in the will as to call for a forfeiture.

The appellees contend: (1) The appellant is estopped to assert the invalidity of the devises under which it claimed title, and to assert title by adverse possession. (2) For the same reason it cannot assert title by adverse possession upon condition broken. (3) The corporation took title under valid executory devises, but subject to a condition subsequent. Upon breach of the condition, there was a reverter to the testator's heirs. (4) The closing of the Asylum vested title in the heirs of the testator by operation of law.

It is not disputed that the three devises are in the alternative. The first was to the corporation directly, the second to it by conveyance from the trustees, only if the first devise was invalid, and the third to the descendants of Louis, only if the first and second devises failed, and only to prevent an intestacy.

A primary question is presented as to the nature and validity of the devises to the Asylum. It has been held in a long line of cases in this State, beginning with Dashiell v. Attorney General, 5 H. & J. 392; 6 H. & J. 1, that a devise for charitable uses cannot be sustained or enforced because of the indefiniteness of the beneficiaries, whether the devise is directly to the indefinite objects, or to trustees for their