

of the Library building proposed to be erected under Dr. Rush's will, in connection with such requisites of a library as by his will he seemed to consider proper?

A. No further than the first impression on my mind after reading his will. I have never had my attention turned to it, nor have I examined the location personally, but the impression of my mind at the time was, that it was a most remarkable and unsuitable location for such a building, and I think I have scarcely thought of it since till within a day or two.

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March 1, 1872.

*Mr. Evans' cross-examination continued.*

Q. As you remember it, what sort of a library is contemplated in Dr. Rush's will, a student's library, or a popular one, such as the Mercantile?

(Objected to, as the construction of Dr. Rush's will is a matter for the Court, and not for the opinions of witnesses.

Mr. Junkin replies, that the witness has been called and examined in order to show that the location at Broad and Christian Streets is an improper one for the Library designed by Dr. Rush, based upon the witness's opinion as a supposed expert in connection with the Mercantile Library. In order, therefore, to ascertain the value of his opinion, it is necessary to know what his view of the character of the Library contemplated by Dr. Rush's will is.)

A. My recollection, at the time this was before the public, was decidedly that the Doctor contemplated this new library as more particularly for students and the better class of readers.

Q. Are not the objections which have weight with your mind against the location at Broad and Christian, very much stronger when applied to a popular library like the Mercantile than to such a library as is contemplated in Dr. Rush's will?