

with the executor, and devotes the income of what should remain to certain trusts, the last of which is to the increase and extension of the Library.

The codicil directs the application of the whole remainder to the lot and building. How can these provisions be reconciled?

While it seems to us the better opinion that a strict compliance with Dr. Rush's will would not authorize the retention of a fund for the increase and extension of the Library over and above that set apart for the annuities, we think it would be perfectly proper to retain a fund for the payment of taxes on the building, because the payment of taxes is essential to the continued ownership of the property. And a majority of the committee are inclined to go farther, and say that a liberal construction would authorize the retention of a fund for payment of salaries and contingent expenses.

The question of a fund for increase and extension of the Library is, however, one, in our view, of secondary importance, for the following reason:—

From present appearances it is not likely that after the purchase of the lot, erection of the building, providing for annuities, taxes, salaries; and contingent expenses, any considerable surplus would remain.

The amount of Dr. Rush's estate was sworn under	\$1,000,000
Deduct U.S. succession, and State collateral taxes, 11 per cent.	\$110,000
Commissions and expenses of administration	50,000
Annuity fund	150,000
Fund for taxes and maintenance	100,000
Fund for salaries	100,000
Contingent fund	75,000
Cost of lot	130,000
	<hr/> 715,000
Leaves for building and equipment	<hr/> \$285,000