

Q. Was it not in immediate connection with a discussion as to the suitability of the lot as a site?

A. I think it was, but not so disjoined from the other as to have no connection with it.

(Objected to as being volunteered and not responsive.)

Q. Your attention has been called to the third section of the twenty-sixth paragraph of the Answer, on page 26. Is there any averment in the Bill of a knowledge by the Library Company, or any of its Directors, of any promise made to Dr. Rush?

(Objected to by Mr. Rawle, as the Bill will speak for itself. Question withdrawn.)

Q. In your answer, after having had this section called to your attention, did you intend to assert that there was any such averment?

A. I did not, as I had then no recollection and have now no recollection as to whether there is or is not such an averment in the Bill.

Q. Did Mr. Williams, at any meeting of the Board of Directors, alluding to certain parol gifts of Dr. Rush's, say, after explaining their nature, that as no one could object to them but the Library Company, if they gave their assent, however informally, he would take their pecuniary responsibility and execute the instructions?

A. I do not remember his putting it in that way, for if the Library Company assented, I do not see that there would be any pecuniary responsibility. I do not think that he said anything that required any action by the Directors at that time or at any time afterwards.

(Objected to, as not responsive.)

Q. Do you remember the substance of the words he did use? If so, please give them.

A. The substance of what he said was an incidental mention of these gifts, and that he was desirous of carrying them into effect, to which I heard no objection.

Q. Was there a word of response?

A. The statement was made as a part of the general con-