interview none of us sat down. I stated to these gentleman that Dr. Rush had sent me to make a confidential communication to them, that he had bought a lot at the corner of Broad and Christian Streets, 300 feet front by 527 feet deen, for the purpose of erecting a building for the Library, but I did not then say by whom the building was to be erected. Mr. Wharton said, in substance, he thought it was too far down, and perhaps that impression was repeated by Col. Biddle, but I am not sure of that. I then said, as nearly as I can recollect in these very words, "Well, gentlemen, Dr. Rush has given almost the whole of his estate, amounting to nearly a million of dollars, for the purpose of erecting a fire-proof building for the use of the Library on that lot, upon which he has set his heart, and he wants to know whether, under these circumstances, the Library Company will object to the location." Mr. Wharton said that the Committee had no power to bind the Board, but that in his opinion, considering the magnificence of the gift, the Library Company ought not to, or would not (I cannot say which was the expression), make any objection to that site. Col. Biddle assented to Mr. Wharton's opinion. I expressed my satisfaction at this result, and asked them if I might communicate their opinions to Dr. Rush. They said "Certainly," and I left them, took the cars and went up to the Doctor's house, and related to him all that had taken place. He said, "Now I am satisfied."

Q. Please state the circumstances under which the pro-

mise was given alluded to in bill and answer.

A. I think it was about the second day after the interview with Mr. Wharton when I was seated by Dr. Rush's bedside. I think the lot had been the subject of conversation between us, when the Doctor turned to me and said, "Harry, now you will promise me to put the building upon that lot." I said, "Certainly, Doctor, if you desire it, I will promise you that I will put it there and nowhere else." The Doctor merely expressed his satisfaction; I think he

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