

with any members of the Board, of which you have knowledge.

A. My recollection is, that on the occasion I have alluded to, Mr. Williams stated that there were some small articles, I understood, of furniture, which Dr. Rush had expressed a verbal request should be given to particular individuals. Mr. Williams made this remark, and I don't recollect any reply having been made to it by any member of the Board at that time. I think he said he would like to comply with Dr. Rush's wishes in that respect. There was no resolution on the subject transmitted to the Board, and no objection made. It passed *sub silentio*. Nothing more was said, to the best of my recollection, than what I have stated.

Q. Is it the usage of the Board that when a proposition is before them and no objection is made to it, it is considered as acquiesced in, or is it the custom to take a formal vote?

(Objected to as leading, improper, and irrelevant.)

A. When a resolution is submitted to the Board, a verbal resolution which is not written down, or any course of action in any particular case is suggested, it is not the custom, at the Board, to put these verbal resolutions to vote, and if no objection is made by any of the members present, the assent of the Board has always been taken for granted.

Fourth Meeting, December 8, 1871.

Present—Messrs. McMURTRIE, RAWLE, JUNKIN, JOHNSON, and EXAMINER.

Mr. Whitman's examination continued.

Witness being shown the minute-book of complainant, already in evidence, is asked—

Q. Have you compared this book with the rough minutes, (as to which you testified yesterday that they were habitually read at the meetings of the Directors,) as to the Resolutions

