

A. I do not remember any such requests. Mr. Williams was present at several meetings of the Board, at which I was also present. He urged on the Directors the prompt acceptance of Dr. Rush's bequest. The Directors were averse to giving an immediate reply, without consulting the Stockholders, and because they were not sufficiently informed as to the location of the building or the amount of the fund which would be disposable for the increase of the Library. Incidentally, Mr. Williams mentioned that Dr. Rush had expressed a desire, in his last illness, with regard to the disposition of certain articles not mentioned in the will. I did not understand this to be a request requiring an answer from the Directors, but a suggestion looking to a request at a future day, when the Directors should be in a position to give an answer. It was obvious that the Directors could not legally or with propriety, undertake to dispose of property which might never, in any sense, vest in the Library Company. There was, however, a general expression of acquiescence and readiness to facilitate Mr. Williams in that or any other matter to which the power of the Directors might extend.

(Mr. Johnson objects to the whole of the Answer after "certain articles not mentioned in the will," as irresponsible and argumentative, and as conveying the impression of facts left on the mind of the witness, and not a statement of the facts as they occurred.)

Q. The defendant has stated on page 11 of his Answer, "I have been met with dictation and resistance, direct and indirect, and a constant struggle to obtain the control of his estate." Do you know of any such dictation and resistance, and struggle to obtain such control?

A. I should say that the reverse of that statement would be more nearly exact. Resistance there was none, except to the demand for an immediate reply. That resistance implied what was distinctly expressed, privately and in public, an entire willingness to leave the administration of the fund in the meantime to the good sense, the experience and the