

A. I do not; I speak to the best of my recollection; I did not mention it then.

Q. Was any report ever read in your presence at any meeting of the Board of Directors, directed to the point of any supposed disqualification on your part growing out of any such promise?

A. No, sir.

Q. Was any such report ever made orally in your presence at any such meeting?

A. To my recollection, certainly not.

Q. Do you remember ever hearing read at any such meeting the opinion of counsel set out on page 119 of complainants' testimony?

A. No, sir; by the document you have shown me, it appears that that opinion was read on the 24th of June; I was not present at that meeting, and heard nothing of the opinion till long after.

Q. It is stated by Mr. Wharton on page 31 of complainants' testimony, that at a meeting of the Board of Directors, "there were doubts expressed as to whether the effect of such a promise, if binding, made within a calendar month of Dr. Rush's death, would not be invalid and perhaps affect the whole bequest considered as a charitable one, so as to let in the next of kin of the testator. This, I know, was in Mr. Williams' hearing, or under such circumstances that he must have heard." State whether or not such doubts were expressed in your hearing.

A. I have not the slightest recollection that the effect of my promise was referred to in any way at either of those meetings. I do recollect perfectly that in the course of objections which were made to Dr. Rush's will, it was remarked, not by myself, that I had the right to spend the whole of his estate on the building. I answered in substance that I had that authority, but I didn't intend to waste the estate, but would put up the building as economically as I could in compliance with Dr. Rush's directions, and I hoped that I should be able to save a very con-