

Q. You have stated that you were present at but two meetings of the Board since the death of Dr. Rush, and that the minutes of the Board show that those meetings were held on the 3d and the 10th of June. Do you not recollect that at the meeting on June 3d Judge Hare, Mr. McCall, and Mr. Wharton were appointed a Committee to examine the will of Dr. Rush, and report upon the legal and other points involved in accepting the trusts therein created, and to report on the same at an adjourned meeting of the Board, to be held on the following Thursday, the 10th instant?

A. I recollect the appointment of a Committee on the evening of the 3d, on the subject of Dr. Rush's will. I could not state from memory the members of that Committee, nor do I recollect particularly their powers, their duties, nor when they were to report.

Q. Was not the meeting of June 10th held at four o'clock P. M., and was not the reading of the report referred to in the preceding question, one of the first matters brought to the notice of the Board?

A. I suppose, upon reflection, that the meeting must have been held at four o'clock P. M., only because they were always held at that time in the summer; but I have not the slightest recollection of having heard of or seen the report referred to.

Q. You have stated that at that meeting Mr. Wharton remarked that any surplus of the estate, remaining after the erection of the building, would go to the heirs of Dr. Rush. Upon further recollection, please say whether you are positive that that remark came from Mr. Wharton.

A. To the best of my recollection I believe it did, and I was struck with the remark, because it was a perfect novelty to me.

Q. Had Dr. Rush a physician during his last illness?

A. No, sir; he would not permit one to be called. His mind was perfectly clear, and he was convinced he could treat himself better than any other physician could.