

No. 4411 Equity

21st R. D. Sub. Had she consulted him, prior to the interview between you and your wife, you are now speaking of?

Ans. I don't recollect; I think she consulted Judge Maulsby before I did, but I'm not certain.

R. D. Testimony
of Jas. A. Oudroff

22d R. D. Sub. What has become of the notes given by you to John Oudroff, to Bunn Gardner and other parties, from whom you purchased land spoken of in the testimony in this cause.

Ans. They are destroyed; I don't know where they are.

23d R. D. Sub. (You have said in your cross examination, that at the time you made the deed to your wife, you still had a small lot, which you afterwards conveyed to your brother; how many acres did it contain, and what was its value, and in consideration of what did you convey it to him?)

(Excepted to)

Ans. Something over thirteen acres, (13 acres;) it was not worth any more than it was sold for, sixty-five dollars, (65⁰⁰.)

To recross interrogatories filed with the Commissioner by the defendant, and herewith returned, the said James A. Oudroff deposes and says:

To the 1st R. D. Sub. (You have stated in your answer to the 6th re-direct interrogatory, that before you went to the office of Judge Maulsby, you had agreed and promised your wife to convey to her the property in question; and in your answer to the 16th re-direct interrogatory, you have stated that you did not agree and promise your wife to convey said property to her, until you can consult Judge Maulsby; did you, or did you not, ever agree to convey said property to your wife, until after you saw Judge Maulsby, and after he had told you that it was your duty to do so?)

Ans. I did not, until I saw Judge Maulsby, and he told me it was his duty to do so.

Whereupon, there being no other witnesses to be examined, the commission was adjourned to the 24th day of March, A. D., 1882; at which time, and at the place aforesaid, I then and there, (due notice having been given to the defendants,) in the presence of the solicitors for the complainants, proceeded to take the following testimony, to wit:

The Complainants filed with the Commissioner, as evidence, "Exhibits N., W., X., Y., and Z.," which are herewith returned by said Commissioner.

Whereupon, there being no witnesses present to be examined, and no further time being required for the production of evidence, the Commissioner closed the said commission, and herewith returns the same under his hand and seal, by the instructions of the Complainants