

No 4858 Equity

7th Cross Inter

You say Mr Still did not want the property, did you and Mr Levy have to urge him to permit you to bid for it?

7th Ans. I think we did in the latter part of the bidding

8th Cross Inter

When my bid during the latter part of your bidding, was a forced bid for Mr Still?

8th Ans. No one made by us during the entire sale for Mr Still, was a forced bid. Mr Still was not desirous of obtaining the property during the latter part of the bidding; but was willing to take it at any bid that we made if the same was knocked down to him.

9th Cross Inter

How long was the Auctioneer actually engaged in making the sale thereof of the mortgaged premises?

9th Ans. I don't think, Sir, he was over 15 or 20 minutes including the reading of the advertisement and all.

10th Cross Inter

When did the sale commence, at what hour?

10th Ans. The sale according to my recollection was to commence at 10 O'clock, according to the advertisement; but did not in fact commence till 20 minutes or more after 10.

11th Cross Inter

What sort of day was the day of sale, was it fair or otherwise?

11th Ans. Otherwise. It had been raining and was rough and raw.

12th Cross Inter

How many persons were at the sale?

12th Ans. I should judge from 12 to 20.

Charles J. S. Levy Esqr a witness of lawful age produced on the part of the Exceptant being duly sworn and Examined to Interrogatories filed with the Commissioners, by the Exceptant and herewith returned, deposes and says to the

1st Inter

State whether you were present at the sale of the real estate mentioned in the proceedings in this Cause?

1st Ans. I was.

2^d Inter

State in brief capacity you were present and what was done?

2nd Ans: I was present as one of the attorneys of Daniel G. Still Agent of Eric E. Still and the Exceptant in this Cause. The sale was advertised to take place at 10 O'clock. Mr Maulsby and myself reached there a few minutes before 10. Mr Walter Saunders was the Auctioneer and he and Dr Moeller came to the place of sale, according to my recollection either at 10.25 or 10.35. I pulled out my watch at the time but can not now remember which, but it was one of those two. After the sale bill was read and some statements made by the Auctioneer in regard to a certain road and some fencing the first bid put upon the property was by Dr Moeller and was \$40.⁰⁰ per acre. After consultation, between Mr Maulsby Mr Still and myself, Mr Maulsby authorized by Mr Still, bid \$45.⁰⁰ per acre and the bidding proceeded alternately between Dr Moeller and Mr Maulsby authorized by Mr Still until the bid of \$58.⁰⁰ was reached which was Mr Maulsby's bid. During the progress of the bidding on several occasions I observed a disposition on the part of the Auctioneer to knock the property down speedily and always when upon Dr Moeller's bid. Both Mr Maulsby and myself called his attention to his apparent speediness and requested time to deliberate a moment and notice before the property was knocked down. Some times Mr Maulsby calling his attention