

No 4858 Equity

to the fact and making the request and sometimes I did. When the property reached \$58.⁰⁰ Mr W^m H Still came there. Dr Miller then bid \$58.⁰⁰. The auctioneer was then about to knock the property down very hastily and we called upon him to give a moments time to confer with W^m H Still whom we believed came there for the purpose of bidding and so informed the auctioneer, W^m H Still then bid \$58.⁵⁰ Dr Miller bid \$58.⁷⁵. By authority of Daniel G Still according to the best of my recollection, I bid \$59.⁰⁰ Dr Miller bid \$59.²⁵. Mr Casper Ransburg who had just arrived bid \$59.⁰⁰. As Mr Ransburg had put in this bid without any consultation with Mr Maulsby and myself and as he was a new bidder Mr Maulsby and I stopped aside to confer with each other. Whilst we were aside conferring with each other the auctioneer announced \$59.⁷⁵ as being bid upon the property and almost immediately knocked the property down. I am satisfied that after the last bid he did not dwell two minutes, and I was utterly surprised at the property being knocked down so hastily. Mr Maulsby and myself immediately remonstrated with him for knocking the property down so hastily and insisted that he had not given bidders a fair opportunity to bid further, upon the property. He replied that he was willing to set the property up again if Dr Miller was willing and this Dr Miller refused to permit him to do. Mr Maulsby then stated to him and the auctioneer that Casper Ransburg intended to bid further on the property and was willing, if necessary to bid as much as \$62.⁰⁰ or \$63.⁰⁰ per acre. My recollection is \$62.⁰⁰, but Dr Miller refused to permit the auctioneer to accept any further bids. The auctioneer further stated when we first remonstrated with him that he had another sale to attend to and that he had spent as much time over that as he meant to. The auctioneer dwelt upon the last bid for a very much less length of time than any sale of real estate that I have ever attended anywhere

3rd Inter

State whether the bids made by Mr Maulsby and yourself in behalf of Mr Daniel G Still were made bona fide?

3rd Ans. Yes Sir. Mr Maulsby and myself had agreed with Mr Still that if he became the purchaser of the property we would furnish him with a large portion of the purchase money

To Cross Interrogatories filed with the Commissioner by the Counsel for the Respondent and herewith returned, the said Charles V Henry Esq deposes and says to the

1st Cross Inter

You say you put the last bid made on the property for Mr Still. Had Mr Still then reached the limit to which he intended to go for the property?

1st Ans. To my knowledge he had no limit and always represented the property to be worth more than the bid which he authorized Mr Maulsby to put upon it.

2nd Cross Inter

Was he at that time willing to bid one cent additional to what had already been bid for him?

2nd Ans. That I dont know.

3rd Cross Inter

You and Mr Maulsby were to furnish the money for him. How much had you agreed to furnish him?

3rd Ans. I dont think any specified sum was named but we were to furnish the larger part if he became the purchaser, and the property had been valued of as worth from 9 to 10 thousand dollars.

4th Cross Inter

Had Dr Miller any Counsel at the sale to advise him, to your knowledge

4th Ans. None.

5th Cross Inter.

Who was present at the conversation between Mr Maulsby and yourself at the straw pile?

5th Ans. No one, to the best of my recollection.