

No. 4968 Equity

rent out again, it brought its value of \$1300.⁰⁰ If the man wanted it for a home I should think it would be worth a little more probably \$1500.⁰⁰ I don't think it would be worth more than \$1500.⁰⁰ for any purpose in that town. I know nothing of its condition inside since Mrs Simmons sold it. It is not as sightly looking a place as it was when she sold or as when she bought it. At the time of this sale I understood there was a colored family living in the kitchen part. They were the sole occupants of the house as far as I know. The main part of the building I don't think was occupied at all. I know the colored family did not live there last summer but I think they lived there during the winter.

To Cross Interrogatories the said Otto J Keller deposes and says:

I bid on this property for my brothers who wanted it for a home

Signed O J Keller

Charles B Fort a witness of lawful age produced on the part of the Respondent being duly sworn deposes and says: I am the auctioneer who sold this property, and have been an auctioneer for a number of years and have sold a good deal of real and personal property. I think the property brought in and about all it is worth. I don't know that I have any more reasons to give than from the looks of the property and where it is located, I would not give any more for it. I got all I could get for it. I suppose there must have been 150 people present at the sale. It was on the morning of the sale of Geo^t S. Simmons' personal property. To Cross Interrogatories the said Charles B Fort deposes and says:

I was out in the house and I only saw and know the property by its general appearance. I did not examine the property with a view to its general sale. I sold the property on the premises. Mr Jacob Covert was the only bidder besides Otto J Keller the purchaser. When the property was knocked off Mr Keller gave his brother's names as the purchasers who signed the acknowledgment. Mrs Simmons told me it had to bring a certain price I think \$1000.⁰⁰ or \$1200.⁰⁰. When it went up to that or over it, I was to sell the property. I started the property at \$1000.⁰⁰

To Re-Direct Interrogatories the said Charles B Fort deposes and says: Mrs Simmons did not instruct me to sell it as soon as it brought that price and she told me to get all for it that I could

Signed Chas B Fort

John Gooff a witness of lawful age produced on the part of the Respondent being duly sworn deposes and says: I know this property. I live about a mile and a half from Buckeytown. I think it brought near its value from its condition. I mean by "near its value" in and about its value

Signed John Gooff

John A Delashmuth a witness of lawful age produced on the part of the Respondent being duly sworn and examined, deposes and says: I know the property mentioned in this case. I live in Buckeytown and have lived there all my life. I know the value of property generally there. I would think that the property mentioned in this case is worth \$1700.⁰⁰. The reason for my opinion is because that property has been in the market several times in the last 15 years; there have been, I would suppose about \$300.⁰⁰ worth of improvements put there in the last 15 years; and the property has been sold twice in that time for \$1700.⁰⁰ about; and the property has not depreciated more than the improvements put on it, I have heard that Dr Poole rented it to Mr Cornwall for \$120.⁰⁰ per year.

Signed Jas A D Delashmuth

Mettie G Jones a witness of lawful age produced on the part of the Respondent being duly sworn and examined deposes and says: I am the Counsel for Mrs Simmons in this case and the one referred to by her in her testimony. She called on me about the 8th or 9th of February 1884 to prepare a bond and advertise ment for the court's sale which I did and the advertisements put the "News" and mailed for the "Citizen" to copy by her