

No 5226 Equity

4^x Q. Was he present during the entire sale up to the time that Lot No. 4 was put up?

A. I think he was. He might not have been all the time.

5th Q. Did Mr. Rogers confer and consult with him during the entire sale up to the offering of Lot No. 4?

A. I saw them taking together several times.

6th Q. To your knowledge did Mr. Todd object to anything that was up to the time Lot No. 4 was offered?

A. - He did not.

7th Q. Did you, as yet, at or about the beginning of the sale, hear Mr. Rogers state publicly that at the suggestion of Mr. Todd, the property would be offered, differed, differently from the way it was advertised?

A. Yes sir, he did.

8th Q. When Lot No. 4 was put up, where was Mr. Todd?

A. Indeed I can't say where he was, he was there in the crowd somewhere.

9th Q. Who else, besides yourself bid on Lot No. 4.

A. I saw Mr. J. P. Weller bid on it, Mr. G. W. Schaeffer, and I believe Mr. Palmer put me bid on.

10th Q. You say Mrs. Todd authorized you to bid on the property. Did she speak to you on the subject or did Mr. Todd tell you that his wife wanted you to do so?

A. She spoke to me.

11th Q. While the bidding on Lot No. 4 was going on, did you have any conversation with regard to the subject?

A. I did.

12th Q. State it?

A. After I had got to the limit Mrs. Todd gave me \$800. I asked Mr. Todd whether I was to continue on bidding; he said I should.

13th Q. Then all that you bid above \$800. was solely on account of what Mr. Todd told you and above what you were authorized by Mrs. Todd?

A. No sir - Mrs. Todd told me if it went over \$800. Mr. Todd would let me know.

14^x Q. Where was Mr. Todd when you bid \$916.?

A. I think he was standing by the side of me, but immediately started for the house.

15^x Q. Did he say anything to anybody before or at the time he started to the house?

A. I heard him say something to some one as he was walking past the Auctioneer, "Don't bring in any more," but whether or not it was about the sale I don't know, but I suppose it was.

16th Q. The Auctioneer was then crying your bid.

A. - Yes sir -

17^x Q. When you and Mr. Rogers walked away together, where did you go?

A. We started to the house, where Mrs. Todd was, but did not get there.

18^x Q. About how far is it from the place of sale to the house?

A. I suppose about 40 yards -

19^x Q. About how much of this 40 yards had you traversed when you

Testimony

Testimony