

No. 5226 Equity

though I can't remember.

23<sup>rd</sup> Qnt. State whether or not the sale was conducted with promptness or hurriedly.

Ans. On my judgment I thought it was a very slow sale, and great deal of time consumed, more than enough to sell three times that property.

24<sup>th</sup> Qnt. In far as you know and saw, how was the sale conducted as to unfairness or the reverse?

Ans. I thought it was a fair sale, sir.

25<sup>th</sup> Qnt. Were you there when Lot No. 4 was offered? Ans. Yes sir.

26<sup>th</sup> Qnt. Describe what took place as near as you can?

Testimony

Ans. The property was offered, and bid up to something over \$900. = exactly what I don't remember. Then there was a talk, Mr. Rogers and Mr. Todd had some talk. I don't know much about that. I knew it was then knocked down. After it was knocked down, and Mr. Todd had this talk Mr. Rogers had it put up again. Then Mr. Todd said I thought it had already been knocked down. Mr. Rogers said "Mr. Todd I understand you can't comply" Mr. Todd answered hesitatingly well I didn't say so, or something to that effect. Mr. Rogers then said "Well Mr. Todd can you comply?" Mr. Todd then asked for a few minutes while he could go to the house. The auctioneer kept on crying. After a short time Mr. Todd returned and said "If Mr. Rogers wants it let him have it." Then the auctioneer knocked it down, and Mr. Rogers and the auctioneer got into their carriage and left.

27<sup>th</sup> Qnt. About how much time was consumed in making the sale?

Ans. I would suppose from 2 to 2 1/2 hours.

Cross-Examination of Geo. W. Miller

1<sup>st</sup> Qnt. In answer to the 9<sup>th</sup> Qnt. in chief you have stated that Lots 1, 5 & 6 were offered together, and in reply to the 10<sup>th</sup> Qnt. you have stated they were withdrawn? What was the bid at which they were withdrawn?

Ans. I am not certain but I think it was about \$600.00

2<sup>nd</sup> Qnt. Were you a bidder upon the property at the time it was offered then? --- Yes sir

3<sup>rd</sup> Qnt. What amount had you bid?

Ans. My recollection is I stopped about \$500 or \$600.

4<sup>th</sup> Qnt. Whose bid was the highest upon that offer?

Ans. I am not positive but I think it was Mr. Rogers. My impression was that the auctioneer was running it up.

5<sup>th</sup> Qnt. What was it finally knocked down to Mr. Rogers at on the occasion of its being put up the second time, altogether?

Ans. I am not certain but I think \$600.

6<sup>th</sup> Qnt. Did it upon the occasion when first offered bring as much as when offered and knocked down finally?

Ans. It did not. My recollection is that it did not bring as much as \$500 or \$600.

7<sup>th</sup> Qnt. When first offered was the crop included? Ans. Yes sir.

8<sup>th</sup> Qnt. When offered the second time was the crop included or excluded?

Ans. My recollection is that when offered the second time the tenant was evicted.