

No 4448 Equity

Ans - They had some talk about it before the old man's death, and previous to the signing of Exhibit 'D'. He didn't like to sign any such paper. I don't know that there was any thing said, in regard to the validity of said paper.

11th Q. Int. - Please state all that was said, with reference to signing said paper?

Ans - I don't pretend to give you any facts that I can think of now.

12th Q. Int. - Why did not the husbands of your sisters sign said paper?

Ans - Father did not ask them to sign it that I know.

13th Q. Int. - Do you know whether he did ask them or not?

Ans - I don't know that he did.

14th Q. Int. - Do you know that he did not?

Ans - Not in my presence.

15th Q. Int. - Had you any conversations with Harriell Barr, and Sarah Barr, her husband, and Sarah Jane McSherry, and Robert McSherry, her husband, previous to the death of the said Eli Homer, about said, and the paper marked "Exhibit 'D'"? If you state all that was said?

Ans - I did have conversations, but I can't recollect what was said. My sister always admitted and never denied these advancements, or that they had signed the paper. As to giving any particulars of the conversations, I can't recollect.

16th Q. Int. - Were not said advancements made by your father, upon the distinct understanding with all of your parties, that it was to be in full of all the interest of your father, and your full sister in his estate, at his death, unless he otherwise provided by last will & testament?

Ans - Yes Sir.

17th Q. Int. - Who were to have the other property, of which your father died seized, and possessed, in the event he died intestate?

Ans - Father intended to give his children equal shares.

18th Q. Int. - Well what children were to get, that which he left at his death, if he died intestate? Name them?

Ans - The younger children, to wit Louisa, Lucinda and Mary Homer, children by his last wife.

19th Q. Int. - Were not said advancements received by your sisters, with the assent of their husbands, provided in the manner testified to by you?

Ans - I would think they did, but I would not say they did, because I am not very clear on that.

20th Q. Int. - Well what is your recollection about it?

Ans - Why, I think so.

21st Q. Int. - Was not Mr. Eli Homer, at the time making a distribution of his property among his children?

Ans - Certainly he was.

22d Q. Int. - Was it known, by your sisters, that your father designed the balance of his property, for his younger children?

Ans - I know from conversations with my sisters, that they calculated that the younger children would get the same portion they did.

23d Q. Int. - Where was that portion to come from?

Ans - As a matter of course out of the property that father owned.

24th Q. Int. - Who wrote the paper signed "X"?

Ans. R. G. McClary, an Attorney in Gettysburg told me he wrote it.

25th Q. Int. - About you know that it is not McClary's hand writing?

Ans. It is to the best of my knowledge, his hand writing. He does my business.