No. 7175 Equity.

Testimony &c.

Mary Lizzie Aubert McDannell then married to Abraham L. McDannel,

4th. State if the said Alfred H. Aubert was seized and possessed of any real estate at the time of his death and if yea what said real estate consisted of?

Ans. He was. What I know of is this place west of town, consisting of first a house and lot containing two acres more or less as devised to him by the last will of his father Jacob Aubert (last will and testament, a certified copy of Jacob Aubert filed with the Examiner and marked Exhibit No. 1) and being the same land that was conveyed to Jacob Aubert by George Staley in the year 1827. (certified copy of said deed filed with Examiner and marked Exhibit No. 2) he was also possessed of a lot containing one acre and seventeen square perches of land purchased by him from Francis T. Lakin and wife in the year 1886, (Certified copy of said deed filed with the Examiner and marked Exhibit No. 3.) I believe these lots to be contiguous and to be situated about 2 or 3 miles west of Frederick in this County.

5th State if said Alfred H. Aubert died leaving a last will and testament

Ans. He did not.

6th State if the said Henrietta Aubert is living or dead and if dead, when did she die?

Ans. She is dead. She died April 16th 1900.

7th Is James B. Aubert living or dead and if dead when did he die?

Ans. He is dead, he died about 7 or 8 years ago. He died since his Father.

8th Did he leave a family surviving him and if so whom?

Ans. He left a widow, Sarah A. R. Aubert and a son Frederick B. Aubert the said son being at this time an infant and under the age of 21 years.

9th Is the said Mary Lizzie McDannel living or dead, and if dead when did he die?

Ans. She is dead, she died in the year 1893.

10th. Did she leave a family surviving her and if so whom?

Ans. She did, her husband, Abraham L. McDannel who died in 1898, two sons Walter H. and Abram S. McDannel and two daughters, Lillian M. and Hannitta S. McDannel all of said children being infant under the age of 21 years.

11th State if the said James B. Aubert and Mary Lizzie McDannel died testate or intestate

Ans. They died intestate.

12th State if the Real Estate as described in the Exhibits 2 and 3 as filed in this cause is susceptible of division among the parties entitled thereto without loss or injury?

Ans. I think not, and I think it would be to the interest and advantage of all the parties in interest that it be sold and the proceeds of such sale divided. I think the property is worth probably one thousand dollars. it is improved with a house and other outbuildings.

To the general interrogatory.

Nothing further.

Elizabeth S. McDannel