

No 8984. Equity

married, and to whom?

A. My maiden name was Martha Matilda Rausberg, daughter of William H. Rausberg, late of Frederick County, deceased, who died on or about the 3rd day of June 1880. I was married to Cyrus A. Fout, of Frederick County, in October 1875.

Q. Did your father, William H. Rausberg, die leaving a last will and testament?

A. He did, and I look at the paper herewith shown me, marked "Exhibit A" and which I recognize to be a duly Certified Copy of the last will and testament of my father, William H. Rausberg, and which is dated November 9th, 1875.

Q. Will you please give me the name of your mother, and, if now dead, about what date she died?

A. My mother's name was Catherine Ann Reese but she was named in my father's will as Rebecca C. Rausberg, and she died on March 11th, 1887.

Q. State who acted as trustee for you and in your behalf under the terms of your father's will. Exhibit A.

A. Thomas Cornick and Thomas W. Marshall were originally named in my father's will to be the trustees of the one-half of his estate to administer the same for my benefit for life, and they declined to act and subsequently my husband, Cyrus A. Fout, was appointed the sole trustee in No. 4779 Equity.

Q. What was the trust estate said Cyrus A. Fout held as trustee for you?

A. He held for me, under the order of Court, on partition of my father's land as set forth in said No. 4779 Equity, a tract of land containing 47 Acres, 1 Rod and 39 Square Perches, which land is situated on the North Side of the Turnpike road leading from Frederick to Middletown about one mile West of Frederick, and I look at the paper herewith shown me marked Exhibit J. S. R. No. 1 filed in said Equity, Case and which correctly describes the land mentioned in the proceedings, and which was held in trust for me by my husband, Cyrus A. Fout, as trustee.

Q. How long did your husband, Cyrus A. Fout, hold said real estate as your trustee?

A. From the time of his appointment by the Court, until the time of his death which occurred on the 26th day of March 1903.