

The Bill of Complaint of Luther K. Powell, Clarence R. Powell, Lavinia K. Powell, Alton P. Powell, and Charles E. Powell, Infants, by their mother and next friend, Susan M. Powell, resident of Frederick County, State of Maryland, respectfully represents unto your Honorable Court!--

FIRST. That Edward H. Powell, late of Frederick County, but now deceased, and at the time of his death, seized and possessed of certain real estate situated in Frederick County, State of Maryland, being a farm containing One Hundred and Sixty Seven and three fourths acres of land more or less and being the same which was conveyed to said Edward H. Powell, by Deed from Warren K. Damuth dated April 3rd 1911, and is recorded in Liber H.W.B. No. 296, Folio 292 one of the Land Records for Frederick County, a duly certified Copy of said deed being filed herewith marked Exhibit No. 1 which, together with all other exhibits is hereinafter filed it is prayed may be taken and considered as a part of this Bill of Complaint.

SECOND. That the said Edward H. Powell, being seized as aforesaid, departed this life intestate on or about the 26th day of May 1911, leaving surviving him a widow, the said Susan M. Powell, and the following children, all of whom are infants under the age of twenty one years, viz!- Luther K. Powell, Clarence R. Powell, Lavinia K. Powell, Alton P. Powell, and Charles E. Powell, all of whom live with their mother the said Susan M. Powell in Frederick County, Maryland.

THIRD. That at the time of the purchase of the property mentioned in Exhibit No. 1, by the said Edward H. Powell, there was executed by the said Edward H. Powell and Susan M. Powell his wife as part of the purchase money therefor, a Mortgage, given by them, unto Warren K. Damuth for the sum of Four Thousand Dollars, said Mortgage bearing date April 3rd, 1911, and which has been duly assigned unto Stanley R. Damuth Trustee, a duly certified copy of said mortgage and assignment being filed herewith marked Exhibit No. 2.

FOURTH. That none of the money secured by the aforementioned mortgage, Exhibit No. 2, has been paid and that the whole amount of Four Thousand Dollars is still due and owing.

FIFTH. That the said Susan M. Powell, acting in her own right, and the said Susan M. Powell, acting for the said Luther K. Powell, Clarence R. Powell, Lavinia K. Powell, Alton P. Powell, and Charles E. Powell infant heirs of Edward H. Powell, deceased, and for and on behalf of said infants, has contracted for the sale of the property mentioned in Exhibit No. 1, to Charles Bruce Late and Maurice Wm. Late, at and for the sum of Sixty Five Hundred Dollars (\$6500.00) as will fully appear by an acknowledgement of purchase signed by said Purchasers, which is filed herewith marked Exhibit No. 3.

SIXTH. That the sale made is an advantageous one and it would be to the interest and advantage of said infants for said sale to be ratified and confirmed by your Honorable Court, and a Trustee appointed to convey said land to the said purchaser thereof, clear and discharged of the encumbrances thereon, and the proceeds arising therefrom be applied to the liquidation and payment of the mortgage debt and interest mentioned in Exhibit No. 2, and the balance, if any be distributed among the parties in interest.

TO THE END THEREFORE.

(a) That said sale may be ratified and confirmed by your Honorable Court.

(b) That a Trustee may be appointed to convey all the interests of the parties in this cause in and to the land sold as aforesaid to the purchaser thereof clear and discharged of all liens and encumbrances thereon.

(c) That your Complainants may have such other and further relief as the nature and equity of the said cause may require. May it please your Honors, to grant unto your Complainants the writ of subpoena in the usual form directed against Luther K. Powell, Clarence R. Powell, Lavinia K. Powell, Alton P. Powell and Charles E. Powell, Infants; Susan M. Powell, widow, and Stanley R. Damuth, Trustee, all of whom reside in Frederick County, State of Maryland, commanding them and each of them to be and appear in your Honorable Court on some day certain to be named therein to answer the premises and to abide by and perform such decree as may be passed herein. And as in duty &c.,

Charles C. Waters
Solicitor for Complainants.

Filed February 22nd, 1916.