

Exhibit No.1) which is a certified copy of the deed conveying said farm and which I now read. He paid \$6000. for this property and at the time he purchased it, and as part payment on the same, he Executed a Mortgage to the said Warren K. Damuth, for \$4000., which Mortgage is still due and owing and remains unpaid. I look at Exhibit No.2 filed with the Bill which is a certified copy of the Mortgage and correctly describes the property (said paper herewith filed with the Examiner as evidence marked Exhibit No.2) My brother died intestate leaving surviving him a widow Susan M. Powell and the following children all of whom are infants under the age of 21. Viz:- Luther K. Powell, Clarence R. Powell, Lavinia K. Powell, Alton P. Powell and Charles E. Powell. The said Edward H. Powell did not have sufficient personal property to pay all his debts at the time of his death but they were all discharged excepting a portion of a note he gave to Dr. James K. Waters the balance of which I understand is about two hundred Dollars (\$200.00) The widow, Susan M. Powell, acting on behalf of the children as well as herself, contracted to sell the property mentioned in Exhibit No.1, to Charles Bruce Late and Maurice William Late for the sum of \$6500. payable on or before April 1st, 1916, I consider that the price to be obtained for the property is a fair and reasonable one and I think it would be to the interest benefit and advantage of all the parties, especially the infants, that the said contract of sale be ratified and confirmed by the Court and that the money arising therefrom, after paying the mortgage debt and expenses and the balance due on the Waters note still outstanding and unpaid, be invested for the benefit of said infant children. To General Int? Nothing further. Milton L. Powell.

Joseph C. Gernand a witness of lawful age produced on the part of the Plaintiffs having been first duly sworn and examined deposes and says:-

1. State your name, age and residence and do you know the parties to this cause.  
Ans. Joseph C. Gernand, 50 years, Thurmont, Maryland, I am Postmaster, and I know Susan M. Powell, the widow of Edward H. Powell whom I knew in his lifetime ,
  2. Can you state if Edward H. Powell died seized and possessed of any real estate? If yes, of what did it consist, where was it located?  
Ans. Yes, when he died he owned a farm of about 187 3/4 acres located about a mile and a half North of Ley's Station on the Emmitsburg road which he purchased from Warren K. Damuth, I look at Exhibit No.1 now shown me and find it is a certified of the deed conveying the property and correctly describes the same.
  3. How long have you known this property?  
Ans. I have known it about Forty (40) years.
  4. What is the condition of the buildings on the property as compared to them at the time Mr. Powell purchased it?  
Ans. The buildings are in need of repair as there has been nothing done to them since the time Mr. Powell purchased the property about four years ago.
  5. What do you consider a fair price for this property in its present condition?  
Ans. I consider \$6000. a fair price.
  6. Susan M. Powell, the widow of Edward H. Powell, entered into a contract of sale with Charles Bruce Late and Maurice William Late for the sale of the property mentioned in Exhibit No.1 for the sum of \$6,500, Do you consider this a fair price for the property and do you think it would be to the interest, benefit and advantage of the parties interested, especially the infants of said Edward H. Powell, to have the contract of sale ratified and confirmed by the Circuit Court for Frederick County in Equity?  
Ans. Yes, I do think it would be very much to their interest.
- To the General Int? Nothing further.

Joseph C. Gernand .