

Stanley R. Damuth a witness of lawful age produced on part of the Plaintiffs having been first duly sworn and examined deposes and says:-

1. State your name, age, residence and occupation and do you know the parties to this cause?

Ans. Stanley R. Damuth, 36 years, Thurmont, Maryland, I am Cashier of the Citizens Savings Bank, I knew the parties to this cause.

2. State if you knew Edward H. Powell in his lifetime and if he died seized and possessed of any real estate, if yes where was it located and do you hold any lien or incumbrance thereon?

Ans. I knew Edward H. Powell during his lifetime He is dead, he died seized and possessed of a farm of about 187 $\frac{3}{4}$ acres of land located about a mile and a half North of Ley's Station which was formerly owned by my father, It was sold by myself and my Co-Executor to my brother Warren K. Damuth who in turn sold it to Edward H. Powell, Exhibit No. 1 which I now look at correctly describes said property. The said Edward H. Powell and wife executed a mortgage to my brother Warren K. Damuth for \$4,000, to secure part of the purchase money. I am Trustee under the Will of my father of certain moneys and the Mortgage of \$4,000, I hold as said trustee, the same having been assigned to me by my brother. There is due and owing the sum of \$4050, on account of said mortgage and interest up to April 1st 1916. I look at Exhibit No. 2 which is a certified copy of the mortgage and assignment and it correctly describes the same.

3. Mrs. Susan M. Powell has executed a contract of sale with Charles Bruce Late and Maurice William Late for the purchase of the property herein described at and for the sum of \$6500-- Do you consider this a fair price for the property and do you consider said sale to be to the interest benefit and advantage to the parties to this cause, especially the infant children of the late Edward H. Powell?

Ans. Yes I feel it is a fair price for the property and said sale would result to the especial advantage of the said infant children.

To the General Int? Nothing further.

Stanley R. Damuth

Susan M. Powell a witness of lawful age being a party to this cause having been first duly sworn and Examined viva voce deposes & says:-

My name is Susan M. Powell, I am the widow of Edward H. Powell, I am 46 years of age, my husband died on May 26, 1911 He died not leaving any will, He died seized and possessed of a farm of about 187 $\frac{3}{4}$ acres of land situated about a mile and a half North of Ley's Station which he purchased from Warren K. Damuth on which farm there was a mortgage executed by him and myself to secure the payment of the purchase price in the sum of 4,000, which mortgage is still due and owing including interest amounting to \$50, to April 1st 1916, There were five minor children all of whom are living with me Viz:- Luther K. Powell age 20 years, Clarence R. Powell age 18 years, Lavinia K. Powell age 15 years, Alton P. Powell age 12 years, and Charles E. Powell age 6 years, This property costs \$6,000, when purchased, My husband at the time of his death did not leave quite enough personal property to pay all his debts independent of the mortgage indebtedness above referred to, There being a balance due Dr. James K. Waters of \$132.64 on a note with interest myself and children have been compelled to look to the farm for a living It was impossible for me to make any needed repairs and improvements and being located a matter of 10 miles or more away with no one to look after its management for me I considered that the best thing I could do for my self and children was to sell it and I have accordingly entered into a contract of sale with Charles Bruce Late and Maurice William Late for the sale of the aforementioned property at and for the sum of \$6,500, which contract I desire to have the Circuit Court for Frederick County confirm and ratify. I desire out of the proceeds of sale, to liquidate the mortgage and pay the balance due Dr. Waters on his note, I look at said note and file the same with the Examiner. To General Int? Nothing further.

Susan M. Powell

James K. Waters a witness of lawful age produced on the part of the Plaintiff having been first duly sworn and Examined deposes and says:-

1. State your name, age and residence, and Occupation and do you know the parties to this cause?

Ans. James K. Waters, 77 years, Thurmont, Md, I am a physician and I know all the parties to this cause.