

No. 71180 Equity.

1st - That the defendants neither admit nor deny the allegations of the 1st paragraph of said bill and demand full proof of the same.

2nd - That the defendants neither admit nor deny the allegations of the 2nd paragraph of said bill, in so far as said paragraph alleges an indebtedness on the part of the defendant Thos R DeLashmott to the Complainant, and demand full proof of the same. That they admit the execution and recording of the deed mentioned in said paragraph, but say that the property mentioned and described in said deed was the property of the husband of the defendant, Thos R DeLashmott and of the father of the defendant, William R. DeLashmott, in his lifetime, and that her husband gave said property to their said son, William R. DeLashmott, upon an agreement with the said William R. DeLashmott, that he the said William would expend money and labor upon it, that in accordance with said agreement he William expended money and labor upon it, that his said father intended to convey said farm to the said William, but, was taken ill and failed to do so, that the said property was given by Andrew J. DeLashmott to the said William R. DeLashmott during his Andrew J. DeLashmott's lifetime, that prior to said gift, the said Andrew J. DeLashmott had made his last will and testament in which he had named the defendant Thos R DeLashmott, his wife, his sole devise and legatee; and that the said Andrew J. DeLashmott, in his last illness aware of the fact that he had not conveyed said property to the defendant, his son William R. DeLashmott confirming said gift to him of said property, and desiring to make other changes in the disposition of his property, was desirous of revoking said will and of executing a new one, and among other changes to devise said farm to the defendant, William R. DeLashmott; and leaving no portion of his estate to the defendant Thos R DeLashmott, his wife absolutely but to leave her said portion to her in trust for life, to this change of said will and the naming of a trustee, the defendant, Thos R. DeLashmott objected, the said Andrew J. DeLashmott then agreeing to make another will leaving her her said portion in trust for life only, the condition, consideration, understanding and agreement for so doing being, among other things, that the defendant Thos R. DeLashmott would convey by deed the property mentioned in