

tified copy of said will as Exhibit "A" and which together with all other exhibits hereinafter produced, it is prayed may be taken and considered as a part of the Bill of Complaint.

3rd. That Your Honorable Court, by a decree passed in No. 8050 Equity, which was a proceeding for the purpose of having your Honorable Court construe the will of Susan A. Wenner mentioned as Exhibit "A" ordered, adjudged and decreed that by the true construction of said last will and testament of Susan A. Wenner, all that portion described on the plat of exchange filed herewith and marked Exhibit "B" which lies below the line AB on said plat with the exception of 2 acres, 1 rood and 18 perches constituting the land occupied by the dwelling-house on said farm and its curtailage, passed to the said Americus A. Wenner and Virginia R. Wenner, residuary legatees under the will of the said Susan A. Wenner.

4th. That Your Honorable Court by the decree passed in 8050 Equity, a certified copy of which is filed herewith and marked Exhibit "C" further, ordered and decreed that by the true construction of said last will and testament of Susan A. Wenner, all that portion of the farm situate in Petersville Election District, of which Susan A. Wenner died, seized and possessed, which lies above the line marked AB and mentioned in paragraph three, together with the piece or parcel of land containin 2 acres, 1 rood and 18 perches, constituting the land occupied by the dwellinghouse on said farm and its curtailage passed to said trustees, Americus A. Wenner and Susan W. Wenner, along with the residue of said farm upon the trusts set forth in said will.

5th. That the said Americus A. Wenner, Susan W. Wenner and Virginia R. Wenner, on the one part, and the said William Waltman Wenner and his four children, all of whom are adults to-wit--Susan Winifred Wenner, William Waltman Wenner, III, George W. J. Wenner and Peter E. Wenner, on the other part, have mutually agreed upon an equal exchange of land as set out on the plat filed herewith, marked Exhibit "B" and indicated on said plat as the portions containing respectively 198,500 Sq. feet of land, surrounded by a brown line; and 204,000 sq. feet of land surrounded by a red line.

It is mutually agreed by the parties hereinbefore mentioned, all of whom are complainants in this Bill of Complaint and all the parties in being and having an interest in the property herein mentioned that the exchange indicated on the plat, Exhibit "B" be consummated under the direction and by the authority of your Honorable Court and that the said Americus A., Susan W. and Virginia R. Wenner shall receive the said 204,000 sq. feet of land indicated on Exhibit "B" as surrounded by a red line and that the said Americus A. and Susan Wenner, trustees under the will of Susan A. Wenner, deceased, shall receive in exchange therefor the 198,000 feet of land as indicated on said plat as surrounded by a brown line, they to hold to same as to ensure in like manner and to have the same parties as indicated by the will of Susan A. Wenner, deceased and to be held by them under the same terms and conditions as the balance of the farm of which the said 204,000 sq. feet surrounded by the red line on Exhibit "B" was a part.

6th. That the exchange herein proposed to be made is fair and equitable, the 198,000 sq. feet tract surrounded by the brown line as indicated on said plat exhibit "B" lying as it does contiguous to the farm house and its curtilage and between the county road and the balance of the farm which constitutes the trust estate devised by the will of Susan A. Wenner, deceased, is more valuable to William W. Wenner and his children, the cestui que trust and remaindermen mentioned in said will, than the said 204,000 Sq. feet tract surrounded by the red line; and it would be to the advantage of said cestui que trust and remaindermen aforesaid that the said 204,000sq. feet tract, indicated as surrounded by the red line, be sold and the proceeds invested in the purchase of the 198,500 sq. feet tract indicated on said plat as surrounded by