

Wenner who died about 1898 and it devises certain parcels of real estate situated near the town of Brunswick. I knew this property very well and knew that it has been the desire of the parties to this cause that the exchange proposed to be made by this proceeding be ratified. If the proposed change is consummated, it will permit the opening of a new street and additional building lots in this section of the town.

I look at Exhibit "B" a plat of this proposed exchange and from this it can be readily seen what is proposed. The piece or parcel of land surrounded by a brown line which is at present the property of Americus A. Susan and Virginia Wenner, lies adjacent to the farm house occupied by William Waltman Wenner and between the Wenner farm and the County road and is more valuable to William Waltman Wenner and his children than the piece for which it is proposed to be exchanged. It would permit the opening of a new street through this part of the property to connect with Brunswick street and thus open up as a building proposition quite a valuable piece of property. The portion surrounded by a red line lies adjacent to the development of Americus A., Susan W. and Virginia R. Wenner and is valuable to them in order to complete their "lay out."

In my judgment the exchange is particularly advantageous to all parties concerned and one which they all have agreed upon for five or six years.

I further believe it would be advantageous to all the parties concerned and particularly to those having an interest in the trust estate created by the will of Susan A. Wenner that the piece or parcel of land surrounded by a red line which is a portion of the farm so devised be sold and the proceeds invested in the purchase of the piece or parcel of land indicated on said plat Exhibit "B" as surrounded by a brown line and to be held by the trustees named in Susan Wenner's will as to enure in like manner and for the use and benefit of the same parties as the parcel of land containing 204,000 square feet surrounded by a red line does at the present time.

I believe that \$500.00 is a fair and reasonable price for the right of way across the Wenner farm, a part of which is shown on the Plat Exhibit "B". This right of way follows a small stream and crosses the land which is not very valuable. It would be advantageous to the Wenner estate to accept this price of \$500.00 for the right of way in my judgment.

To the general interrogatory. A. Nothing further.

William H. Van Meter.

William C. Humm, a witness of lawful age being produced on the part of the Plaintiffs, deposes and says as follows--

My name is William C. Humm. I am thirty years of age and reside near Frederick. I am a civil engineer and made the plat filed with this Bill of Complaint, being Exhibit B. I knew all the parties to this cause with the exception of the son of William Waltman Wenner Jr., who is at present living in the West. I look at Exhibit A which is now handed me. It is a certified copy of the last will and testament of Susan^A Wenner, deceased, and by its terms devises the real estate which is sought to be exchanged by this Bill of Complaint. I am thoroughly familiar with the Wenner farm which lies on the out-skirts of the town of Brunswick, having made a number of surveys there. I laid off the Wenner Addition to Brunswick for Americus A., Susan W. and Virginia R. Wenner and recently made a survey crossing this farm for the Brunswick and Frederick Railroad Company and done at the time this Bill of Complaint was contemplated. At the request of William Waltman Wenner I made a survey showing the different parcels of land which the parties to this cause desired to exchange. As I said above, Mr. William Waltman Wenner recently requested me to make a survey and plat showing the parcels of land which they desired to exchange.