April Term 1869

Plaine all his property both real and personal, then then belonged or in any wise appertained to him or that might or should at any time thereafter belong to him - to said Lydia Plaine his wife during her widowhood she paying all his debts out of said property and at the termination of her widowhood gave and bequeathed to Martin Diehl, Jacob Saylor Senior, Thomas Ogle and Abraham Wolfe of Martin all the property both real and personal that his said wife Lydia might possess at the termination of her widowhood - to dispose of according to his or their verbal direction should her widowhood terminate in death, but should the said Lydia Marry, the said testator gave and bequeathed to the said Diehl, Saylor, Ogle and Wolfe, three fourths of the property real and personal - possessed at the termination of her widowhood by marriage to be disposed of by said Diehl, Saylor, Ogle and Wolfe - according to the verbal direction of the said Diehl, Saylor, Ogle and Wolfe or Either of them, And the remaining one fourth to the said Lydia Plaine all of which matters will more fully and at large appear by reference to a Copy of said will duly certified and herewith Exhibited Marked Exhibit No. 4 - Your Complainants further state that - Jonathan Plaine by a paper signed and written by him not dated but as your Complainants charge Executed simultaneously with his will declared and set forth the trusts confided by his said will to the said Diehl, Saylor, Ogle and Wolfe in the following words the following lines are left for directing the said Martin Diehl, Jacob Saylor Senior, Thomas Ogle and Abraham Wolfe or either of them in disposing of the property left to them by my will after the termination of Lydia's widowhood, It is understood by the said will, that all the property in her possession at the termination of her widowhood should her widowhood terminate in death is left to the said Diehl, -

April Term 1869

Saylor, Ogle and Wolfe, which I wish them or either of them to divide in the following manner, one fourth of said property to be equally divided between my brothers and sisters children and their surviving heirs - And one fourth between Lydia's brothers and sister's children and their surviving heirs - And the remaining two fourths to be by them or either of them appropriated to and for the use of the Poor, as they or either of them with the consultation of our society may or shall think best consistent with the principles of the Gospel, having first in consideration our needy brethren of the household of faith, but should her widowhood terminate in marriage as observed in said will, then the said Diehl, Saylor, Ogle and Wolfe have but three fourths of said property to dispose of in the following manner one fourth to be divided between my brothers and sisters children and their surviving heirs as aforesaid and the remaining two fourths to be disposed of among the poor as aforesaid stated and the one fourth Lydia is to possess wholly as stated in the will. N.B. I wish the said Diehl, Saylor, Ogle and Wolfe or either of them to pay themselves sufficiently for their loss, time trouble and labour.

By the wish and request of your unworthy brother in Christ

Jonathan Plaine

It is also my desire and wish that the above named persons or person shall not hurry the settling of the estate at the termination of Lydia's widowhood to the disadvantage of any individual but Endeavor to arrange things to the best advantage and especially for those who are or may be immediately and particularly interested. Which paper has the following Endorsement in the handwriting of the said Jonathan Plaine "this paper with the contents is not to go to Court, but to be kept at home in the hands of the Executrix or Diehl, Saylor, Ogle or Wolfe", all of which matters will more fully appear reference being had to the said declaration of Trusts, written and signed by the said —