

to certain events, and the residue of his personal estate unexpended at his wife's death to the plaintiffs for charitable purposes.

The will is, in its general scope, but a typical one, of many commonly made in this part of the world. Husband and wife, beginning with little or no means, have saved, through a long life of industry, frugality, and other provident habits, enough, and sometimes some to spare, for the "rainy day" of old age; beside bringing up a family; and, adhering to old-fashioned ideas, the savings are all the husband's. His will is made, generally, with the wife's approval: a will making provision ample for her in view of settled habits of frugality and saving: and the rest is given to the varying objects of the man's bounty. I give this testimony from experience in the locality, as a practising solicitor for many years; and treat it as common knowledge.

Although, in this case, the wife lived for nearly nine years after the husband's death, the provision made for her, in the will in question, proved ample; indeed, a large portion of the property, or its proceeds, remained "unexpended" at her death: and it is in regard to that surplus that this litigation is carried on; litigation which is said, by the parties to it, to be necessary to remove doubts as to the meaning of the will. But the widow seems to have had no doubt about its meaning: she made no will: she did only that which, I have no doubt, she knew the will meant: that is, she used as much of the personal property as she needed, and left the rest of it to the operation of her husband's will.

Nor can I very much doubt that, if he or she had been told, or if any ordinary layman were now told, that there is doubt about the meaning of the will, the answer would have been, and would be: "Well, if there is, it would take a Philadelphia lawyer to find it:" and, being obliged to confess a want of the qualification, once so commonly ascribed to that keen-witted, but somewhat mythical, personage, find myself among the doubters of any such doubt.

The will seems to me to be simple and plain. The wife was to have the personal estate as long as she lived, with power to spend as much as she saw fit; and all that remained of it, "unexpended," at her death, was to go to the charity, for the benefit of the souls of the heathen, as well, doubtless, as that of the giver.

The scope of the will is simple: so like what might be expected having regard to the man's circumstances and his general