

Articles of agreement made and concluded this twenty ninth day of December in the year of our Lord, One thousand and Eight hundred & thirty eight between Elliott T. Lane of the Borough of Mercersburg, in the County of Franklin of the one part, & James Buchanan of the City of Lancaster of the other part, Witnesseth, Whereas the said James Buchanan has received from his sister Jane Lane, the wife of Elliott T. Lane, the sum of Twelve hundred dollars derived from the estate of her father James Buchanan deceased & her brother the late George W. Buchanan; and he has also received from James Dickey, Executor of the last will & testament of Elisabeth Buchanan, the mother of the said Jane Lane, the sum of seven hundred & twenty four dollars & 37 cents, for the sole & separate use of the said Jane Lane, independently of her said husband, according to the provisions of the said Will. And whereas the said Elliott T. Lane & Jane his wife have this day conveyed to the said James Buchanan in fee the one undivided third part of a certain plantation or tract of land, situate in Peters Township, in the said County of Franklin, containing Two hundred & forty seven acres & forty three perches neat measure, which said plantation was assigned to her, together with her sister Harriett Henry & her brother the Rev. Edward Y. Buchanan by the Orphans Court of Franklin County as a part of her late father[']s estate, for which said undivided third part of the said plantation the said James Buchanan has agreed to pay the sum of Four Thousand, one hundred & twenty one dollars & 14 cents, all of which will more fully appear by a reference to the said Deed. Now this Agreement witnesseth that the said Elliott T. Lane, upon his own suggestion, & for & in consideration of the sum of one dollar to him in hand paid by the said James Buchanan, the receipt of which is hereby acknowledged, doth hereby covenant & agree with the said James Buchanan, that the three several sums of money before mentioned, amounting to the sum of Six Thousand & forty five dollars & fifty one cents shall remain in the hands & possession of the said James Buchanan as a trustee for the sole & separate use of his wife the said Jane Lane as [effectually?] to all intents & purposes as though she were a femme sole who is hereby authorised [sic] to receive the principal of the said sum & the interest thereof at any time she may deem proper & her receipt shall be a sufficient discharge for the same. And the said Elliott T. Lane covenants & agrees with the said James Buchanan, that his said wife Jane, notwithstanding her coverture, may dispose of the said sum or any part thereof by last will & testament attested by two subscribing witnesses & signed by herself, in any manner she may think proper, & the said James Buchanan covenants that he will pay over the said sum or any part thereof according to the provisions of the said will. And should the said Jane make no last will & testament, then the said sum of money after her decease is to be distributed equally among her four children, to wit James B. Lane, Elliott E. Lane, Mary Elisabeth Lane, & Harriett Rebecca Lane, to the first his share immediately with the interest then due, & to the other three as they respectively attain the age of twenty one: but the said James Buchanan is hereby authorised to make advances to each of them of such part of the principal, together with the accruing interest as he may deem proper for their maintenance & education. Given under our hands & seals, the day & year first above written.

Signed, Sealed & delivered  
In presence of

Elliott T. Lane (seal)



LancasterHistory

James Buchanan (seal)

James B. Lane  
Alexander Speer witness to  
the signing & by Elliott T. Lane

---

[second page]

Pennsylvania  
Franklin County

Personally appeared before me the subscriber a Justice of the peace in and for said County, Elliott T. Lane and James Buchanan the parties to the foregoing agreement and respectively acknowledged the same to be their act and deeds and as such desired that it might be recorded according to law.

Given under my hands and seal at the borough of Mercersburg this fourteenth day of March one thousand eight hundred and thirty-nine.

Alexander Speer (seal)

Cover of document:

57

Agreement between  
Elliott T. Lane  
and  
James Buchanan  
Concerning Jane B. Lane's Money

Dec. 29, 1838

Entered for Recording 15th  
March 1839

State Tax .50  
Recorder 1.25



LancasterHistory

1.75  
paid

Pennsylvania

Franklin County Sct. 3 Entered for Recording in the Office for recording of Deeds  
etc in & for said County 15th March A.D. 1839 - and recorded in Records Book vol. 17 -  
page 565.

In testimony whereof, I have hereunto set my hand &  
Affixed the seal of said Office at Chambersburg this 25th March 1839 -

Henry Ruby, Rec.

Transcribed by Barbara Graeter 5/16/05

mss1995\_291\_1838\_Agreement\_between\_Elliott\_Lane\_and\_James\_Buchanan



Lancaster**History**