

duce to the Court, examined by the Court & ordered to

be recorded

Rappahannock Co., Virginia Will Bk B, 1842-1849 (Wills and Estates)
www.virginiapioneers.net

test W. J. Menefee cc

Browning I John D Browning of the County of Rappahannock & State of Vir-
ginia do hereby make my last will and testament, in manner
and following, that is to my:

1st: I having been twice married and received negro slaves
with my first wife & land with my second wife & being aware
I have not the power to will the land, received with my sec-
ond wife and wishing to make all of my children by both
of my wife's equal out of the whole estate now held by my
present wife and my self, including all negroes, lands &
all property received by both marriages up to this date or
what we may hereafter accumulate or receive by or from
either of the estates of my wife's should any arise there-
from before my decease. Including what I have already
given my children who have married and left me or may
give them or any other or others of my children who may
hereafter marry or leave me before my decease which
shall be found charged to them in my book of charges
for that purpose, in my own hand writing or if not my
own writing be established by sufficient evidence & in

my said proved the Court may appoint five more of good judgment and undoubted veracity, to value all of my land and negroes and perishable property:

2ndly I desire that all the perishable part of my estate be immediately sold after my decease, and out of the monies arising therefrom all my just debts be paid; should the perishable part of my property prove insufficient for the above purpose then I desire that my executors hereafter named, may sell some portion of my property which may be selected by the commissioners where it can be done to the best advantage and out of the monies arising therefrom, pay & satisfy such of my just debts as shall remain unpaid out of the sales of the perishable part of my estates.

3dly. After the payment of my debts. I give to my wife Cassandra Browning, one third part of my estate, both real & personal for & during the term of her natural life, and after her decease I give the same to be equally divided among all of my children including my first and my last, & to be enjoyed by them forever.

4thly. Should my wife consent I desire that the same commissioners value the whole of the lands belonging to my wife one hundred forty two and a half acres adjoining Spinale's land & others and her crookedcreek farm to ascertain what the third part the third part is or may be worth I further desire they shall in exchange for that amount

lay off out of my land adjoining her dower where my eldest
ling house in which shall be divided among all of my
children after her decease and I further desire that the
commissioners lay of Henrietta and Emily Sapphronia's land
adjoining my wife's dower, and should there be any remain-
ing of my home tract of land I desire the Commissioners
allot the remainder, as they may judge best & the whole of
my wife's lands including the land above named for Hen-
rietta and Emily Sapphronia, and all of my undivided land
be equally divided among all of my children including
my first set of children and my last set of children, which
last are by her. I further desire that in case I should fail to
educate my two sons John S and Gustavus I which are yet
uneducated as I wish them, I desire that they shall be edu-
cated if they will take it, equal to my eldest son M. S. &
and my youngest daughters yet uneducated, if they will
receive an education they shall have the opportunity to
make them equal with my eldest daughters, and the whole
be paid out of the joint stock belonging to my wife &
myself and the ballance of my wife's and my own estate
to be equally divided among all of my children, after de-
ducting from such one of my children what may be found
charged to them as before stated, to make all of my children
equal. But should my wife refuse to have her land

in my home track of land and have all of ~~my~~ land divided
among ~~my~~ children and my children by my first wife as
before named, which I have no power to will her land, I de-
sire the commissioners shall make the best guess at the
valuation of my wife's land, receiving from the outskirts
to enable them to value the whole estate as before named
and allot to each of my children by my first wife their full
portion of all of my land, negroes, money bonds or the first
named dower excepted, until the decease of my wife, &
the remainder of my land, negroes, money, bonds or if
any be equally divided among my last set of children &
they vote until my wife who is their mother, may see cause
to make them equal with my first children out of her land.
5th. I desire that immediately after the decease of my wife
the whole of ~~her~~ dower, should it be judged best by the com-
missioners, be sold at publick sale, taking care to secure
to secure the payments, and the proceeds equally divided
among all of my children my first & my last.
And lastly. I do hereby constitute, and appoint my son in law Ben-
jamin F. Eastham, executor, to act for my first wife's children
and my son in law Benjamin F. Miller and my son Mark. A. H.
Browning, executors to act for my second wife ~~other~~ children
which are my last children of this my last will & testament
hereby revoking all other or former

Browning, executor to act for my second wife
which are my last children of this my last will & Testament
hereby revoking all other or former wills or testaments by me
heretofore made. In witness whereof I have hereunto set my
hand & affixed my seal this 11 day of October, in the year 1844
Signed, Sealed and declared as & for
the last will & Testament of the above } John D Browning Seal
named John D Browning in presence
of us

George Eastham
James B Eastham
Peller A Hughes

In Rappahannock County Court 13th day of January 1845
This Last will & Testament of John D Browning deceased
was this day produced to the Court, proved by the oaths of the
subscribing witnesses thereto & ordered to be recorded. and on
the motion of Benjamin F Eastham and Benjamin F Miller
two of the executors therein named who made oath thereto &
together with Robert Eastham, Lawson Eastham, Henry Miller & John
Miller their securities entered into & acknowledged their bond in the
penalty of \$25,000 conditioned as the Law directs, certificate is
granted them for obtaining a probat thereof in due form
test

W. J. Munroe cc