

of her death without issue, the property to go to her sisters, *Mary E. Usilton* and *Ann R. Usilton*.

"Item, I give and bequeath unto my daughter, *Ann R. Usilton*, the sum of four hundred dollars, and one negro girl named *Hester*, and in case she dies without leaving issue, the property to go to *Mary E. Usilton*.

"Item, I give and bequeath unto my daughter, *Mary E. Usilton*, the sum of six hundred dollars and one negro girl named *Ellen*, and in case she dies without leaving issue, the property to go to *Ann R. Usilton*.

"Item, I give and bequeath unto my son, *John Francis Usilton*, the sum of one thousand dollars, and one negro man named *Jack*, and one boy named *Cuff*, one negro woman named *Hannah*, and one negro woman named *Sal* or *Sally*, and one silver watch, an old man named *Ned* he is to support and take care of, and is to hold the farm, and have sufficient time to pay off the legacies, and in case he dies without leaving issue, the property to go to *Joseph L. Usilton*, his brothers and sisters to have a home free of charge with him.

"Item, I give and bequeath unto my son, *Joseph L. Usilton*, the sum of five hundred dollars, and one negro boy named *Bon*, or *Hezekiah*, one negro girl named *Margaret*, and any other property belonging to me not herein named, and in case of his death without leaving issue, the above property to go to *John Francis Usilton*."

This will came before the Chancellor for construction in this case, upon a bill filed by *Lewin Usilton*, as guardian and *prochein amy* of *John Francis Usilton*, asking for a sale of the land devised by the will for payment of the legacies that might be charged thereon, &c.]

THE CHANCELLOR :

Upon reading the will of Francis Usilton, I am of opinion that all the pecuniary legacies, including that to Joseph L. Usilton, are charged upon the real estate devised to John Francis Usilton, and are to be paid, *pari passu*, out of the proceeds of the sales.