

50. In witness whereof I the said William Hackney have hereunto set my hand and seal the day and year above written -
Signed, Sealed, published and
declared by William Hackney the
Testator at his last will and testa-
ment in presence of us - the word
shop in the thirteenth line on the first
page the word she in the fifth line
and the word, In witness, wherein
the sixth line struck out before
assigning
E. G. Henry
Will Hackney

his
William H. Hackney
mark

May 1822

In the name of God Amen I Benjamin Tyson of the
County of Chatham and State of North Carolina being of
sound and disposing mind and Memory (Blessed be God)
do this the sixth day of April in the year of our Lord one
thousand eight hundred and twenty two make publish and
declare the following to be my last Will and Testament
that is to say, First I hereby nominate and appoint my
beloved Brothers John Tyson & Benjamin Tyson and my friends
Archibald MacRae and William L. Hager Executors of this
my last Will and Testament. - I will and desire to my said
Executors all my land and real Estate of every description
which I now own or which may hereafter come to me either
by purchase or from my father's estate or otherwise (except
the lands where I now live containing by estimation up-
wards of seven hundred and fifty acres) to be sold by them
on such Credit and at such times and in such manner as
they may Judge most advantageous to the interest of my Estate
but in trust that they apply the proceeds of such sales

together with such debts due to me as may be collected (57)
and the proceeds of the Sale of such Articles of my
personal property as are not hereafter reserved for the use of
my family with all other funds in the first place to the pay-
ment of my last debts and charges against my estate and
the surplus (if any) to the purchase of a Negro Girl and a
Negro boy between the ages of twelve and twenty years and
the balance to be vested in Bank Stock by my Executors and
the profits to be applied to the purpose of educating my
Children and for the further purpose of maintaining my family
until one or other of the events herein after mentioned shall
happen - And I also Authorize and empower my said Executors
if they should deem it prudent and to the interest of my
family to sell two or three hundred Acres or a less number of
Acres off the tract of Land wherein I now live which is most
inconvenient to my farm or which in their Judgment can
be best spared and best useful to the plantation, in the
same manner and to be applied to the same purposes as my
other real Estate which I have directed to be sold - And I
hereby Authorize and empower my said Executors to settle or
arrange or make any Compromise they may think proper (so
far as I am interested) of a suit pending in the Court of Equity
in Chatham County with Archibald D. Murphy and Henry
Parrison against me and others hereby declaring that any
such arrangement, Compromise, or Settlement of said suit or
any thing relating thereto shall be binding on my representatives
and also empower my Executors to sell and transfer any part
or all the Bank Stock I now own or am intitled to, or may own
hereafter and again to lay out the same or any part thereof
in the purchase of other Bank Stock at their discretion and
with the consent of my wife to sell any one or more of the
- goes I now own at their discretion to execute Bills of exchange
for the same and to purchase others in their stead and to pay

And any difference in price out of the funds of my estate
and I further authorize and empower my Executors to purchase
that part of a tract of Land now owned by James Ginn and
joining my lands when I live that lies on east side of the
Branch to the Westward of my House if at any time hereafter
it should be for sale on terms which my Executors may think
reasonable and to pay for it out of the funds above created
and to take Recd of Conveyance for said land from the owner
to my son James Linnell Tyson - My will and desire is
that my wife Eliza Ann Tyson have the use of the House
and plantation whereto I now live together with such part
of the woodland belonging to the tract and not disposed of as
herein authorized or directed as she may think proper to take
and also the use of all my Negroes including those directed
to be purchased all my plantation tools of every description
including my Wagon & Carts - All my Horses, Crops, stock
and provision of every description - All my Household and
Kitchen furniture including my Bedstead for the support of
myself and my Children and for their and her Maintenance
during her Widowhood or until my son James L. Tyson
shall arrive at twenty one years of age - with the exception
of my family Bible, my Watch, Shot Gun and Sword and
tall all of which I give and bequeath to my son James L.
Tyson - One Bureau commonly called a chest which I give and
bequeath to my Daughter Sarah Ann Tyson - And one Bed
and furniture which I give and bequeath to each of my said
Children - And on the event of my wife's Marriage or my son
James Arrival at the age of twenty one years which ever may
first happen - My will is that all my Negroes with their in-
crease then belonging to my estate including those directed
to be purchased if then living be valued and that my wife
have one third part thereof according to said valuation to be
hers absolutely to her and her heirs for ever - and that my Ex-
ecutors take the Charge of and hire out the other two thirds of

59
said Negroes for the benefit of my Children - and
that all the Horses and Stock of every description and
all the plantation tools including the Wagon and Carts
(if then fit for service) and all the Crops and provision then
on hand belonging to my Estate be sold in such Order and
on such terms as my Executors may think proper and that my
wife have the one third part of the proceeds thereof to be hers
absolutely and the remaining two thirds thereof to be added
to the fund created from the sale of my real Estate and for
the same purpose And upon either of said events happening
my will and desire is that my wife have the whole of my
Household and Kitchen furniture subject to the exceptions
as aforesaid to be hers absolutely and unconditionally -
I hereby authorize and empower my Executors to have a
chimney built to the west end of my dwelling house a
shed to the south side and a Piazza in front and to com-
plete the rooms in the House not already finished and to
pay the expense thereof out of the funds of my Estate -
It is my will and desire that in all events my wife Eliza Ann
retain possession of the one third part of the land whereto I now
live including the dwelling House and out Houses and one
third part of the plantation as near as may be except such
part of said land as may be sold by my Executors under the
authority hereby vested in them during her natural life
and that the same be laid off and allotted to her when my
son James shall arrive at twenty one years of age or when
my wife shall marry if that event should first happen
and that my Executors take possession of the remaining
two thirds for the benefit of my Children - and that when
my son shall arrive at the said age of twenty one years that
he be put in the possession of the said two thirds which I
hereby give and bequeath to him at such valuation as my Ex-
ecutors may judge the same to be worth and that my

60. Daughter Sarah. I have so much of my personal
Estate according to valuation as shall be equal in value
to the said two thirds and the price of the land directed to be
purchased for my son James if the same should be done pro-
-vided there should be a sufficiency of personal property, but
if not then I give and bequeath to my said Daughter the
whole of my personal property not already disposed of and
no more but if there should be more than sufficient then
my will is that the surplus be equally divided between
my said Children Sarah and John alike and upon the
death of my Wife my will is that my son James have the
remaining one third of my land which I hereby give and
bequeath to him and I hereby revoke all former wills by
me made. In witness whereof I the said Cornelius Tyson
have set my hand and affixed my seal to this my last
Will and Testament the day and year first above written
Signed, Sealed, published & delivered
by Cornelius Tyson the Testator as his
last Will and Testament in presence
of us who were present at the time of
signing & sealing thereof the word
Took in the 13th line of the 3rd page and
the word have in the 16th line of the
same page being previously intimated

Cornelius Tyson 

May 1822

Philip H. H. H.
Henry M. H.
Archibald Tyson