1771-008 SOUTHAMPTON COUNTY CHANCERY PAPERS HATFIELD & wife, pl. vs. COBB and wife, d 1771

other SURNAMES: Cooper,

Hatfield & Co } Bill

Oct 1769.
Decree and to prayer

February 1770 Cont.

April Cont.
May Cont.
July Cont.

Oct. 1770 Cont.

1770 Jany Cont.

1771 July Dismissed

To the worshipfull Court of Southampton sitting in Chancery.

Humbly complaining sheweth unto your Worships your Orator Benjamin Hatfield Junr Lucy his Wife Jn.o Hatfield Adm.r of Elizabeth Hatfield dec.d & Sally Cooper Agnes Cooper and Martha Cooper an Infant by the said Benjamin her next Friend, That they the said Lucy Eliz.a Sally James Ann & Martha were Children of James Cooper late of the s.d County deceased, that the said James in his Lifetime being possessed of divers Negro Slaves and personal Estate made his last Will and Testament in Writing whereby amongst other things he devises all his Negroes with their Increase both present and future to his loving Wife during her Widowhood and after her Marriage or death which ever shall first happen he thereby desires that the whole of them may be set up to sale among his Children and that the highest bidders do pay a Proportionable Part to all the rest of my Children & their Representatives, except to my two Sons Denny Cooper and my Son John Cooper either of them injoying the Manner Plantation - And also desires that his Wife may have the use of all his personal Estate during her Widowhood and if she should marry then it is his desire that the same may be equally divided amongst his Wife and all his Children except his Sons Denny Cooper & John Cooper either of them injoying the Manner Plantation, but if she do not marry then she may injoy the same to her and her Heirs forever - Your Orators further shew unto your Worships that the Widow hath lately intermarried with one

Henry Cobb. whereby [illegible] hath forfeited the said Negros and personal Estate, — And that your Orator have applied to the s.d Henry Cobb. & Wife desiring them to deliver the s.d Negros & personal Estate to your Orator, which they refuse to do — Tender consideration whereof and for as much as your Orator are remediless in the Premises by the Rules of the Common Law, to the End therefore that the s.d Henry Cobb & mary his Wife may full true and perfect Answer make to all and every the Allegations of this Bill as if herein again repeated. And Whether the s.d James Cooper did make such Will as is herein set forth — How many Negros, did the s.d James Cooper die possessed of. What were their Names — and what was the Value of such personall Estate?. And that the s.d Henry Cobb & mary his Wife may be compelled by Decree of this worshipfull Court to deliver the s.d Negro Slaves, and personal Estate to your Orators. And that your Worships will appoint some fit and able Persons to divide the same amongst your Orators pursuant to the said Will. And that your Orators may be further and otherwise relieved in the Premises according to Equity and good Conscience May it Please your Worships &c

Nat
Cobb &
ads
Hatfield

The Answer of Henry Cobb & Mary his Wife. to the Bill of Complaint of Benjamin Hatfield & others Complts. &c

These Defts. answering say that it is true William Cooper was possessed of such Estate, and left such Children as is set forth in the Bill. and that he made such last Will and Testament, as is therein set forth. That at the time of his Death he was possessed of one Negro Man named Tony one Negro Woman named Cherry, and one negro Girl named Dinah, and that since his Death there has been born of the said Slaves. one Negro Boy named George one Negro Boy named Jack one Negro Girl named Silvia & one Negro Girl named Phillis. which said Slaves these Defts acknowledge that they have forfeited their Right to by their Intermarriage, and are willing to deliver them up as this worshipful Court shall direct. That as to the personal Estate. these Defts have settled an Acct. thereof whereby there appears to be a Balance of £100. 2. 4 due to the Estate. which these Defts have also forfeited their Right to, except an equal share thereof and are willing to deliver up the same as what is left of the same to be sold as the Will directs. but these Defts hope to be allowed a reasonable Price for bringing up and maintaining the Children as by an Acct. thereof herewith Annexed. which these Defts refer to and pray may be taken as part of this their answer &c

Sworn to in Court

RK

Hatfield Val v. Cobb. Exr. Chan.

This cause was this day heard on the bill and Ans[r] & the arguments of the council on both sides On Cons[n] whereof it is Ordered & Decreed that the Defendants do Deliver the Slaves in their answer mentioned viz[t] Tomey Chery Dinah George Jack Sylvia & Phillis to Jos[h] Browne & Wm Cooper Exrs of the last Will & Test[t] of Jos[h] Jones dec[d] & also all the personal estate of the said testor to Jos[h] Browne & Ad[r] Jones that they or either of them sell the said Slaves & personal estate at Public Auction to the highest bidder on six months Credit & that the money arising by the Sale thereof be divided in manner following viz[t] the Sum arising by the Sales of the Slaves equally between all the plaintiffs to wit, Benjamin Hatfield in right of Lucy his wife, John Hatfield in right of James Cooper his Son & representative of Elizabeth his wife & Sally Cooper Ann Cooper & Martha Cooper the Sum arising by the Sales of the personal estate equally between the aforesaid Plaintiffs &

the Defendant Henry Cobb in right of Mary his wife as the widow & Relict of the said Wm Cooper dec'd, that they make report of such Sale & division & to this Court. & that the Costs of the equally born by all the Parties

Boatfield Esq
v
Cobb Esq

Chancery
Chancr

Granted

Chadlesbury Oct
July 69
Bridport
April 69
Conr

George the third by the Grace of God of Great Britain France and Ireland King defender of the faith &c To the Sheriff of Southampton county greeting we command you to summon Henry Cook and Mary his wife to appear before our Justices of our said county court at the courthouse on the second Thursday in February next to answer a bill in chancery exhibited against them by Benjamin Blatfield and Lucy his wife James Cooper Sally Cooper Nan Cooper and Martha Cooper an infants by the said Benjamin their next friend and this they shall in no wise omit and have then there this writ witness Richd Bello clerk of our said court at the courthouse the 9th day of January in the ninth year of our reign.

Richd Bello Cl

Hatfield
v
Cobb &c.

Repar

In obidance to a Decree and order of the Court of Southampton Cannty bearing Date the 13th Day of October 1769 To us Jesse Browne and Aborigton Jones Directed to Sell the Slaves of William Cooper Decesd on six Months Credit and the Money arriseing Therefrom To equeally Devide between Benjamin Hatfield in right of Wright of Lucy his wife John Hatfield in right of ~~Elizabeth~~ and as Representives of Elizabeth his Wife James Cooper Sally Cooper Ann Cooper now Charles Woodards wife and Martha Cooper — We Did according to that Decree and order Sell the said Slaves To Wit George a Boy to Sally Cooper for thirty pounds - Jack a Boy to Benj'n Hatfild for Seventeen pounds Sixteen Shillings — Winch Chiny to John Hargrive for fifty Seven — pounds thirteen Shillings Phillis a child to River Barker for Twelve pounds and two pence Silvia a child to Do for Eleaven pounds four Shillings and six pence fellow Dampy to Abraham — Mitchel for thirty two pounds thirteen Shillings. a Mounting in the hole to One hundred and — Sixty one pounds six Shillings and eight pence and have Divided the same equally the Cost taken out among the Several Claimers Here in Mention The personal Estate was not to be had as ~~the time~~ Since the Death of the said William Cooper his — Widdow hath Lived on the same but Henry Cobb Who intermaried with the widdow hath promised and hath almost paid the Claimers Shears according To the Account Currant of that Estate — Given under my hand this 14th Day of February 1771 —

A Jones

Copy

Williams Cooper
Will

246. 6. 27.

Kenny 50
Chris - 61
Wind - 18.

6: 7: 6
15
5: 12: 2

In the Name of God amen I William Cooper of the County of Southampton & Parish Nottoway being at this time of sound mind & memory & calling to mind the mortality of my Body do make & ordain this to be my last will & Testament in manner & form following first I recommend my soul unto the hands of Almighty God who first gave it me nothing doubting but at & shall receive it again through the merits of my Lord & Saviour Jesus Christ ——— Unto my Body I leave it to be buried in a Christian like manner and as to my worldly Estate I give it in the following manner & form

Imprimis I give unto my Son James Cooper & his heirs for ever one half of that Tract or Parcel of Land which I bought of Thos Summerell lying that half which lieth with west on the round Gut

Item I give unto my Son Benj[a] Cooper & his heirs for ever the other half of my said Tract or Parcel of Land bought of Thos Summerell with the Plantation & appurtenances thereon

Item I do leave the Plantation whereon I now live with the improvements thereon unto my loving wife during her Life as also the Land & fishing Place I bought of Nathan Vaspe ———

Item I do give unto my Son Demsy Cooper & his heirs for ever after the Death of his mother the Plantation whereon I now live with the improvements thereon & if my Son Demsy Cooper should die under age the said Plantation shall fall to my Son John Cooper and his heirs forever but if my Son Demsy Cooper should live to come of Age and enjoy the said Land neither of them Demsy Cooper or John Cooper they shall not have no other part of my Estate but if my Son John Cooper should not enjoy the said Land I do give him one negro Girl named Dinah to him & his heirs forever

Item I give unto my son Benj[a] Cooper & his heirs for ever after the Death of his mother the Land & fishing Place which I bought of Nathan Vaspe

Item I give unto my son John Cooper all that part which lieth on the south side of the gum pond from my new survey of Land to him & his heirs forever.

Item I do give unto my Son Demsy Cooper all the other part which lieth on the East side of the said Gum Pond of my new Survey of Land to him and his heirs forever ———

Item I do leave all my negroes with their increase both Priest & future to my loving Wife during her Widowhood and after her marriage or Death which ever shall first happen I then desire that the whole of them may be equally divided among my Children & the negroes I then do pay a proportion

Part to all the rest of my Children & their representative except to my two Sons Demsy Cooper and my son John Cooper either of them enjoying the manner Plantation

Item I desire that my Wife may have the use of all my personal Estate during her Widowhood and if she Should marry then it is my desire that the same may be equally devided among my Wife and all my Children except my son Demsy Cooper & my son John Cooper or either of them enjoying the manner Plantation but if she do not marry that she may enjoy the same & her thereof

Item I desire that my son Demsy Cooper may have as good learning as can be conveniently got for him and that my Estate be answerable for the same I do appoint and constitute my Loving Wife Mary Cooper my Whole & sole Executor of this my last Will & Testament

In Witness whereof I have here unto set my hand & Seal this 9 Day of March 1762 William Cooper (Seal)

Signed Sealed & Delivered in Presence of John Hatsell Matt. Wills & Jonas Wills

At a Court held for the County of Hampton the 12 day of August 1762

This Will was Presented in Court by Mary Cooper the Executrix named in the Will and Proved by oaths of John Hatsell & Matt. Wills witnesses thereto and ordered to be recorded And on the motion of the said Mary who made oath according to Law Certificate was granted her for obtaining a Probate in due form giving Security

Copy Teste

6:7:6
:15
5:12:6

Will
Cooper
Proved
Aug. 12
1762
Recorded

1762

March 12	The Orphans of William Cooper Dec'd			
	Sary Cooper, To Six years Board at 2 £	12	0	0
	Ann Cooper, To Six years Board . 2 £	12	0	0
	Demsey Cooper To Six years Board . 2 £	12	0	0
	Patty Cooper . To Six years Board . 2 £	12	0	0
	John Cooper, To Six years Board — 2 £	12	0	0
		£60	0	0

C. Excp.t Jp.

Acct Curt
Wm Coopers
estate

Recd

For. Col Baker?

An accompt Current of the Estate of William Cooper dec.

Dr.

Paid Mr Secutary 32 lb Tob. a 2		5	4
paid the Clk of Southampton 29 7 lb Tob a 2	2	9	6
Paid John Moore his acct		19	6
Paid Tho. Saunnel his acct	1	14	6
Paid William Pope his acct for Schooling Demsy Cooper by order of his fathers will	1		
Paid Col. Brown his Acct	1	14	3
Paid Joseph Turnpell his Acct	2	2	8
To the appraisement of Negroe Pompy	50		
To the appraisement of Negro Carry	60		
To the appraisement of Negro Child Dinah	18		
Paid the Sheriff Levys Entrance and Tax for the year 1762	2	5	
five p Ct on £118 11 8½ being the Personall Estate	5	18	7½
	116	9	4½
By the appraisement of the Hole Estate	216	6	2½
Errow in casting up the appraisement in the copy		5	6
	216	11	8½
	116	9	4½
Ball. Due £	100	2	4

In obedient to an order of Southampton Court
Barring Date the Ninth day of February 1769
to us Directed we have Examine and Settled the
Estate of William Cooper Deceased and find it as above

Simmons Jones

Henry Briggs