1821-001 SOUTHAMPTON COUNTY CHANCERY PAPERS BRITT et ux et al vs. COBB'S ADMINISTRATRIX 1/1821

Plat

Bill Exhibited

Vs. Bill &c

Milly Cobb admx

Baker

Janry. 1820 Inst.

Decree granted

Hampton & Co.

To the worshipful court of Southampton County
In Chancery sitting Humbly Complaining shew unto
your worships your Orator, Britton Britt and Timothy his
wife & your Orators Patsy Cobb and Lucy Cobb infant children
of Rinchen Cobb dec'd. suing by the said Britton Britt their
special guardian & next friend, that some during the year
eighteen hundred and nineteen the said Rinchen Cobb
departed this life, having first made & executed his last Will
& Testament an attested copy of which is hereto annexed as
a part of this Bill & the said Rinchen Cobb at the
time of his death was seized & possessed of a tract or parcel
of land containing by estimation two hundred and sixty
or seventy acres, adjoining the lands of John Cosper, Henry
Vaughan and others, together with four valuable negro
slaves, that is to say, Jim, Ned, Nancy & Eleanor. Milly
Cobb, widow & relict of the said Rinchen Cobb has in due
form of law qualified as adm'x. with the will annexed
of the said testator, and at the same time gave up & renounced
all benefit to which she was entitled under or by virtue
of the said last will & testament. Your Complt's state
that in consequence of the premises aforesaid, and of the death
of Riley Cobb, named in the said will, the land &
slaves aforesaid are liable to division among your orators
& the said Milly Cobb as widow & relict as above mentioned.
Your Complainants further state, that the other personal
estate of which the said Rinchen Cobb died possessed, is
not clear sufficient for the payment of his just debts,
and therefore your Complainants suggest to your worships
the propriety of effecting a division of the said slaves with
the use of the surplus funds in the hands of the said adm'x.
without sale or under other circumstances must be proper
in Trade consideration where to the End therefore

that the said Milly Cobb (who is prayed to be made defendant hereto) may upon her corporal oath full & perfect answer make to all & singular the aforesaid allegations & that as perfectly as if the same were severally & each repeated & she thereto interrogated & lastly your Complts pray your worships to decree a division of the tract of land aforesaid allotting to the defendant Milly Cobb one third part thereof as her dower & the remaining two thirds to your Orators whom & shall claim & shall alike, and further may that your worships will decree in the manner a division of the Slaves aforesaid, & that you will make such other & further order & decree in the premises as may seem just & equitable & may it please the Court.

The Answer of Milly Cobb widow & admr. of Kinchen Cobb decd. to the foregoing Bill of Compt. & libelled against her in this worshipful Court. This respondent saving & reserving to herself all manner of benefit & advantage to her at any time hereafter arising for answer thereto or unto such parts thereof as she is advised is material for her to make answer unto she answereth & saith that the allegations in the said Bill contained are true to the best of this respondents knowledge & belief except that she denies that she has any slaves in her hands which are not liable for the payment of debts, & consents that the same may be used for the purpose of effecting a division of the slaves in the Bill mentioned. She denies all fraud &c. & prays to be hence dismissed with her costs in this behalf sustained &c.

(Signed) Mildred + Cobb
her
mark

Britton Britt & Temply his wife Del
vs. Eq.
Milly Cobb widow & admx. of Kinchen Cobb decd.

This cause came on this day to be heard upon the Bill answer by consent of parties and with the assent of the court whereupon the court doth order adjudge & decree that Frederick Cobb, Jesse Parker and Simon Murfree or any two of them, sworn by a justice of the peace, do allot & set apart as the dower of the defendant Milly Cobb one third part of the tract of land of which Kinchen Cobb died possessed, containing by estimation 260 or 270 acres & adjoining the lands of Mr. Cooper Henry Vaughan & others, for & during her natural life, & the remaining two thirds thereof, the said Commrs. or such of them as may act, are directed to divide into three equal parts & allot one of the said parts to each of the infant complts & the remaining part to the compt. Britton Britt in right of his wife Temply & the Court doth further adjudge & decree that the said Commrs. or such of them as may act, do assign & allot to the deft. Milly Cobb for & during her natural life one third part of the following slaves, to wit, Jim, Ned, Harry & Cesar, and that afterwards, they or such of them as may act, do divide the remaining two third parts of the said slaves into three equal shares, and deliver to each of the infant compts. one of the said shares and to the compt. Britton Britt also, one of the said shares and the court believing that there will be difficulty in making division of the sd. slaves in kind, doth further adjudge & decree that the sd. Commrs. or such of them as may act, are authorized & required to demand & receive of the said deft. as admx. as aforesd. so much money as may be necessary

to equalize the shares aforesd. or as may be required for the Purpose of making division as above directed: & make report thereof

Southampton January Court 1820

Brittain Britt and Temperance his wife, Patsey Cobb and Lucy Cobb infant Children of Kinchen Cobb dec'd. & Jesse Parker the said Brittain Britt, their special guardian and next friend ---------- Complainants

against

Polly Cobb widow and administratrix of Kinchen Cobb dec'd. ---------- Defendant

In Chancery

This Cause Came on this day to be heard upon the bill answer by Consent of parties and upon the Agent of the Court, whereupon the Court, doth order adjudge and decree that Frederick Cobb, Jesse Parker and Simon Musgrove, or any two of them, after being by the Surveyor of this County if necessary, do allot and set apart to the defendant Polly Cobb, one third part of the tract of Land of which Kinchen Cobb died possessed, Containing by Estimation two hundred and Sixty or Seventy acres and adjoining the Lands of John Cooper Henry Vaughan and others, for and during her natural life, and the remaining two thirds thereof, the said Commissioners or such of them as may act, are directed to divide into three equal parts, and allot one of the said parts, to each of the infant Complainants and the remaining part to the Complainant Brittain Britt in right of his wife Temperance, and the Court doth further adjudge and decree, that the said Commissioners or such of them as may act, do assign and allot to the defendant Polly Cobb, for and during her natural life, one third part of the following Slaves, to wit Jim, Ned, Harry and Isaac, and that afterwards, they, or such of them as may act, do divide the remaining two third parts, of the said Slaves into three equal shares, and deliver to each of the infant Compls. one of the said shares, and to the Complainant, Brittain Britt also one of the said shares - and the Court believing, that there will be difficulty in making

division of the said Slaves in kind, doth further adjudge and decree that the said Commissioners, or such of them as may act are authorized and required to demand and receive of the said defendant as administrator as aforesaid so much money as may be necessary to equalize the Slaves aforesaid, or as may be required for the purpose of making division as above directed

And it is further decreed and ordered, that the said Commissioners or such them as may act do make a report thereof to the Court in order to a final decree

A Copy teste A. Nicholson D.C.

Brad. Dec
(5)
Bobb Dep. Dec

In obedience to the annexed decree we the under signed
have been on the land of Nicholas Cobb Dec'd & by the
County Surveyor, we have asset and alotted one third part of
the same to Mildred Cobb widow of said Dec'd as appears
by the within plot Lot No 1 containing 67½ acres
Lot No 2 to Britain Pruitt in right of his wife Comfort
containing 66 acres Lot No 3 to James Cobb in right
of his wife Patsey and Lot No 4 to Lucy Cobb containing 82½ acres
Lot No 5 contains 82½ acres

We have also devided the Slaves of said Dec'd Jim Nels Hagy & Lucy
into three parts as nearly as may be to Mildred Cobb
Lucy to Mildred Cobb & to [illegible] Cobb
Jim to Britain Pruitt Valuation [illegible]

Power &c
Cobb admr
Rep'd in
Ch. Y.

January 1821 rec'd & ord. to be
rec'd by Comm'r

In obediance to the anext decree we the under Signers
Hav proceaded to devide the Land of Lunchin Cobb Dec'd in maner as follows
first lot as appears on the within platt
to Mildred Cobb as dower Right Containing by Survey 57 ¼ acres
Lot N.º 2 to Brittan Britt in Right of his wife Temperan
Containing by Survey as appears on the within platt 66 ¼ acres
Lot N.º 3 to James H Edwards in right of his wife Patsey
Containing by Survey as appears on the within platt 82 ¼ acres
Lot N.º 4 to Lucy Cobb Containing by Survey as appears
on the within platt ——— 82 ¼ acres

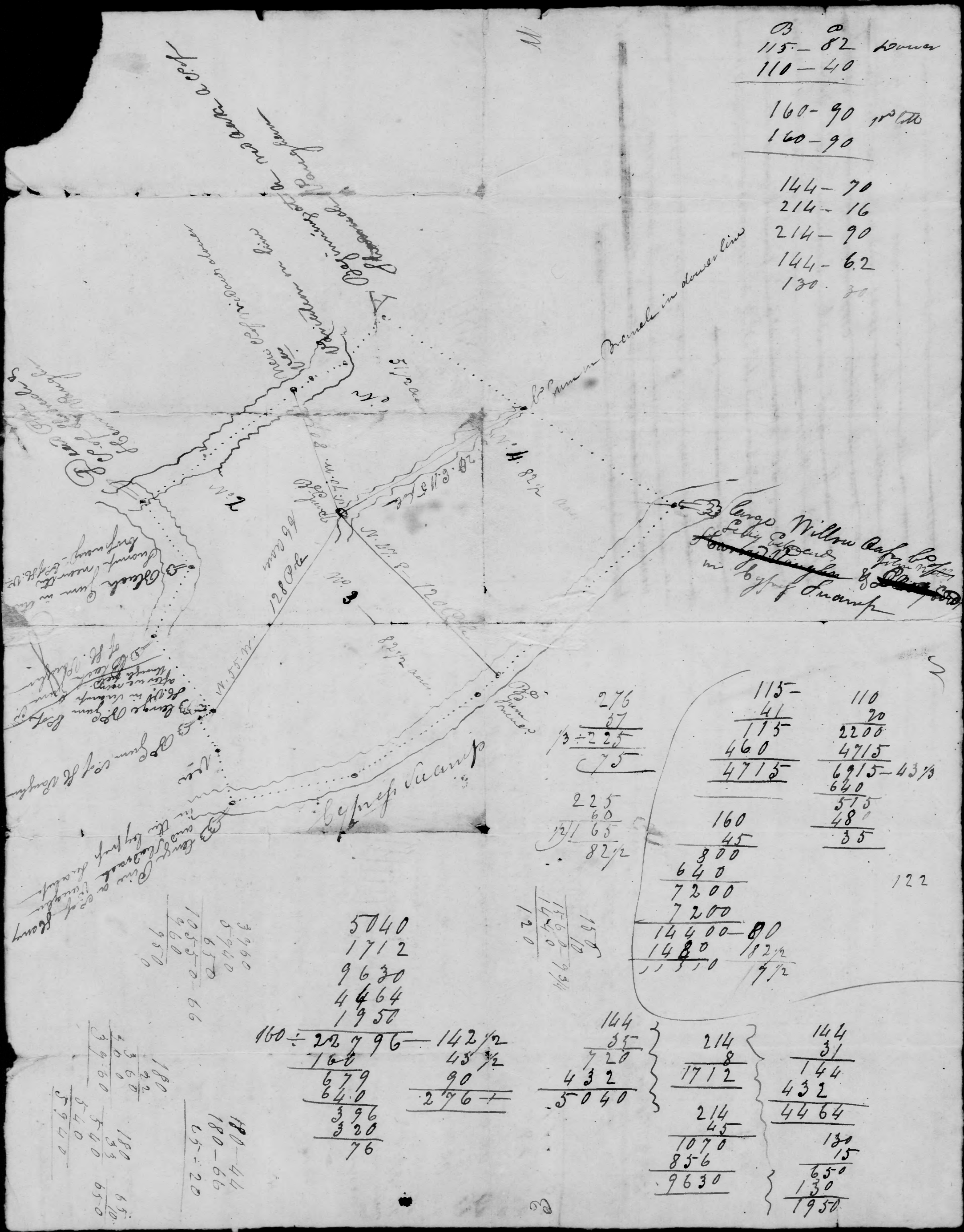
also we the under Signers Hav proceaded to devide the Slaves of
Said Dec'd & mentioned in Said decree, in maner as follows
the Said defendant Mildred Cobb being willing to receave ashear
Equel with the Children in Stid of his third, we devided as follo

Lesar to Mildred Cobb	Valuation ———	$100 ~ 00
and to Receave in	money ———	237 ~ 50
Britten Britt Receav'd	Ned Valuation ———	450 ~ 00
Britten Britt to pay	———	112 ~ 50
Martha Cobb Rec'd	Harry Valuation ———	350 ~ 00
Martha Cobb to pay	———	12 ~ 50
Lucy Cobb Rec'd	Jim Valuation ———	450 ~ 00
Lucy Cobb to pay	———	112 ~ 50

All of Which we the under
Signers Submit to the Honerabb
Court of Southampton, January 15.th 1821

J Hunter
Jedediah his + Cobb
mark

Dett to the
Estate of Lunchen
Cobb Dec'd
246 acres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