

1840-006 SOUTHAMPTON COUNTY
CHANCERY PAPERS

COBB et al vs. COBB'S ADMINISTRATOR
2/1840

Plat

The answer of Harrison Bott to the order of L. Bott
This Respondent saving to himself all benefit of
just exception & for answer, says, that he has no
objection to the decree asked for and
having answered, so far as it is necessary for
him to answer, prays to be here dismissed
with his costs by him expended in this behalf

Wm. H. P. Dyer

1230.
Bott et alias ^{copy}

vs.
L. Bott

1838 Feby. Decree as filed.

1840 Feby. Report ret^d &c.

Martha Cobb et al vs

vs
Harriett Cobb adtr of Josiah Cobb } In Equity -

This day this cause was docketed by leave of Court and consent of parties and came on to be heard on the bill and answer and was argued by Counsel, for consideration whereof the Court doth order, adjudge and decree that, Leonard Cobb, Thomas Harewood & Matthew W Vaughan be appointed commissioners any two of whom may act, that they allot to the widows Martha Cobb. one third of the Lands & negroes the property of her deceased husband, and deliver her the negro specifically bequeathed to her, that they also divide the Lands equally between James and David Cobb. according to value, that they also value said Lands, and allot to Josiah Cobb. negro property according to valuation equal to the one half or value of the Lands. Also divide the rest and residue of the negroes equally between James, David & Josiah the sons of the deceased. That said Commissioners in making said division of Lands, do draw the line according to the terms of the will directing said division, and report their proceedings in the premises to the Court in order to a final decree.

To the Worshipful Court of Southampton in Chancery
Sitting.

Humly complaining shew unto your worships
your complainants Martha Bobb, James Bobb
David Bobb & Josiah Bobb, that Josiah Bobb Esq
departed this life some time since, having made
and published his last will & testament in writing
in his lifetime, which has been duly proved and admitted
to record by the County Court Southampton, that by
said will he bequeathed & devised to Martha Bobb the
widow in addition to the third part of his land & negroes
a negro specifically, which she wishes allotted to her
he also devised his lands to his two sons James &
David equally to be divided between them according
to value directing in said will how the line was to be
drawn, he also directed his said lands to be valued
and his son Josiah to be allotted out of the negroes,
negro property equal to the one half value of the
Land so as to place him on an equality with
the two other sons, and lastly directed the residue
of his slaves to be equally divided between his
three sons. all of which your Comps are
desirous of having done, which can only be
the aid of this worshipful Court sitting in
Chancery. to this end they pray the Court to
appoint two or more commissioners to make
said allotment of slaves & said division according
to the terms of said will. they also pray that
Harrison Bobb atty of Josiah Bobb's said maps
be made a party Defnd & be reqd to answer
this bill, praying the writ of Spem directed
for Commaning & they will ever pray

Prdy for Comps

Cobb

is } Report

Cobb

1840 February 1st

oak stump

beginning at a ^{oak stump} willow stump, the trunk of which is lying on the earth, according to the terms of the Will directing the division, running thence N. 70° E. 140 p. to a sweet gum, thence N. 20° E. 226 p. to a white Oak in Sipe Garmon line, thence S 83° W 45 p. to a gum a Corner of Wm Edwards on Sipe Garmon, thence along said Wm Edwards' line due North 70 p. to a large white Oak, thence N 65° W. 14 p. to a red Oak, thence N 73° W. 74 p. to a gum thence N 25° W. 40 p. to a gum at the depot, thence N. 45° W. 70 p. to the beginning containing 155 acres and designated Lot no. 1 as represented in the annexed plat which was drawn by James Cobb.

Also lot no. 2 as represented in the plat was drawn by David Cobb and is marked and bounded as follows: Beginning at the afore^{oak} willow stump thence N 50° E. 54 p. to a pine, thence N 29° E. 28 p. to a pine, N 75° E. 70 p. to a pine, thence N 86° E. 12 p. to a pine a Corner of Oran Vaughan & Victor Ely, then S 34° E. 46 p. to a white Oak, then S. 28° E. 34 p. to a pine then S 15° E. 46 p. to a pine, thence due South 94 p. to a pine, then S. 21° E. 20 p. to a pine, then S. 9° E. 20 p. to a pine, thence due S. 14 p. to a pine a Corner of Sipe Garmon and Willis W. Lawrence, thence S 83° W. 40 p. to a white Oak James Cobb's Corner, thence along the new dividing line N 20° W. 226 p. to a sweet gum James Cobb's corner, thence S 70° W. 140 p. to the beginning. Containing 135 acres. privilege is also given David to remove the old dwelling house now standing on the lower on his lot should he think proper to do so, but at his own expense.

Your Commissioners then allotted and set apart to the widow, Martha Cobb, as and for her dower for life, the following slaves namely Lena the elder, valued at the sum of \$105.00
Ben valued at 800.00
and Elender valued at 275.00
total valuation \$1180.00
altho' not quite one third in valuation, the widow said she

was satisfied, and desired us to allot no more to her: we then delivered to her the negro girl Lena, the younger, specifically bequeathed to her, and took her receipt for the same.

Your Commissioners then valued each lot of land as represented in the annexed plat, at the sum of \$435.00
and valued the girl, Esther, allotted to Josiah Cobb, at the sum of \$510.00
leaving a balance to be added to the value of the others of \$75.00

Your Commissioners then valued the residue of the slaves as follows:

Venus at	\$525.00
Hannah "	525.00
Peter "	750.00
Abraham "	725.00
balance of Esther valuation	75.00
$\frac{1}{3} \div$	2600.00
one third of which is	\$866.66 $\frac{2}{3}$

we then placed Venus & Hannah in lot no. 1 valued at \$1050.00 which was drawn by David Cobb.
also Peter in lot no. 2 valued at \$750.00 which was drawn by James Cobb.
and Abraham in lot no. 3 valued at \$725.00 which was drawn by Josiah Cobb (or his agent) to which add \$75 makes his valuation \$800.00
consequently we are of the opinion that David Cobb shall pay to James Cobb the sum of \$116.66 $\frac{2}{3}$ on demand and that David Cobb shall pay to Josiah Cobb the sum of \$66.66 $\frac{2}{3}$ on demand; which sums deducted from \$1050. will leave \$866.66 $\frac{2}{3}$ his distributive share.

all which is, respectfully, submitted.

Given under our hands February 28th 1838.

Lena^{his} Cobb
mark
Thos. Harcum
N. H. Vaughan