

1844-005

SOUTHAMPTON COUNTY
CHANCERY PAPERS

COBB'S ADMR + al VS COBB et al

S/1844

Received of the Clerk of the Circuit Superior Court of - Southampton the sum of One hundred & thirty seven 62 1/2 Dollars in Cash - also Two bonds one of Six hundred & thirty five \$/100. dated May 27. 1843 & due six months after date - Subject to a credit of \$/135 paid March 18. 1844 - the other for \$/150. dated 27 May 1843 and due 6 months after date which are the bonds referred to in the Court Report made May 3rd 1844. & which bonds & money I receive under the decree of the Court made at May Term 1844.

May 20. 1844

Jas. H. Williamson
Commissioner &c.

72 12.

Wells et al

vs 3

Wells et al.

Bill in chancery

1843 Apr. 3. Decree for sale -

" Dec. Court.

1844 May - Decree!

Parker & Worthington

1843 Apr. Decree

Wells et al 3.56

vs 71

Wells et al 5.50

16.66

Law & 75

27.12

To the honorable Richard H. Baker judge of the
arant superior court of law and chancery,
for the county of Southampton, in chancery
sitting,

Humbly complimenting thee unto your
honor your compliments James Cobb ^{senior} owner
of David Cobb deceased, in his own right, and
Ann Eliza Cobb an infant under the age of twenty
one years, who was by David Cobb her guardian
and next friend, that the said David Cobb depas-
sed this life in the year ¹⁸⁴⁰ intestate, and with-
out issue, leaving your compliments James a brother
and Ann Eliza, the only child of another brother
named John, the said John having departed this
life before the said David, and Josiah Cobb one-
ther brother of the said David, who resides out
of this commonwealth and as it is believed
in the State of Alabama, your compliments
further state that the said David, was entitled
to a tract of land in the county of Southampton
containing about 135 acres & supposed to be worth
about \$300, in which Patsy Cobb, as the widow
of Josiah Cobb, from whom the said tract of land
descended to the said David Cobb, was entitled to dower,
and the said David was also supposed at the
time of his death, of two negro women slaves, each
of whom it is believed has two infant children - and
this is all the property belonging to the estate of the
said David, with the exception of a few articles of
personal property of little value -
Your compliments desire to have the said tract
of land sold ^{for distribution} for distribution of the proceeds among
the heirs, subject to the executor's dower, unless she shall
prefer to have it sold out and out, & receive such portion
of the proceeds of sale as may be equal to her dower
or interest - and also that the said slaves may be
sold & the purchase money divided among the heirs
& distributees of the said David, after the payment
of all debts which may be due and owing from
his estate - To the end therefore that Justice

may be done in the premises, and that the sales and
distributions aforesaid may be made, your com-
plaints being that the said Irish both, who
live out of the limits of this commonwealth, and
as well where your complaints pray an or-
der of publication may issue, and the said
Party both may be made defendants thereto with
apt and proper words to charge them, and that
they answer the premises on oath — That your
Honour would be pleased to direct the sales and
distribution sought by this bill to grant such other
further and general relief touching the premises
as equity and justice require, that the common-
wealth, and of right may issue, command-
ing so and your compliments will ever
pray &c

Parker & Wm. J. J.

Cobb

in 3
Cobb

To be put in form
of notes.

RHB

Cobb et al
against
Cobb. et al } ~~This cause came on to be heard this~~
defendant Josiah Cobb. who is out of this county ~~day and was argued by counsel. The~~
and against whom the plff appears to have pro-
ceeded in the mode prescribed by law against absent
& defts still failing to appear and answer on
motion of the plffs the court doth take this bill
for confessed as to their defts: ~~Josiah Cobb~~ and
the cause coming on to be heard on the bill taken
for. ~~confessed and exhibited filed the defts: Josiah~~
~~Cobb still failing to appear and answer the plffs~~
~~more than 2 months, the exhibit was argued by counsel~~
~~the same was taken for confessed.~~ On consider-
ation whereof the court doth adjudge order and
decree that James R. Murphey and Harri-
son Cobb who are hereby appointed special commis-
sioners for that purpose shall proceed to sell
at publick auction on a credit of six months
except so much as shall be sufficient to pay
and satisfy the cost expenses and charges of
carrying this decree into execution which
shall be sold for cash. after giving thirty
days notice of the time and place of sale
at one or more places in the county and also
some publick news papers in the town of
Petersburg the tract of land in this bill
mentioned belonging to David Cobb decd
subject to the ~~will~~ dower of the deft.
Patty Cobb. and also the said slaves in the
said bill mentioned which belonged to the said
Cobb upon the like credit and a notice tak-
ing bond or bonds with good and sufficient
~~sufficient~~ security from the purchaser and
making report to this court of their acting
and doings. And it is likewise ordered and
decreea that the plaintiff James Cobb admr of
David Cobb decd. render before a commissioner
of this Court an account of his transactions
as admr of the said David Cobb decd & that
the said Commr do examine state & settle the same & make

There's
up to the front; ~~with~~ ^{and} ~~in~~ ^{there} ~~there~~ ^{Specifically}
State for

Bob

~ } br. Deen

Bob

In Southampton Circuit Superior Court of law
and Chancery. April the 10th 1843

James Cobb Administrator of David Cobb, deceased, and his
own right, and Ann Eliza Cobb an infant under the age of twenty
one years who sues by Jesse Cobb, her guardian and next friend. *Pltffs.*

Against } In Chancery

Josiah Cobb and Patsy Cobb... Defendants.

The defendant Josiah Cobb who is out of this
County and against whom the plaintiffs appear to have
proceeded in the mode prescribed by law against absent
defendants, and as to the defendant Patsy Cobb on whom
the subpoena appears to have been duly executed. And the said
defendant failing to appear and file her answer, altho two
months have elapsed as well since the plaintiffs filed their
bill as since the service of the subpoena on the said
defendant Patsy Cobb: On motion of the Plaintiffs by their
counsel, their bill is Taken for Confessed. Thereupon this
cause came on to be heard on the bill of the Plaintiffs and
was argued by ^{the plaintiffs} counsel: On consideration whereof the Court
doth adjudge order and decree, that James W. Munroe
and Harrison Cobb who are hereby appointed Special
Commissioners for that purpose do proceed to sell at public
Auction on a credit of six months (receipt for so much
as shall be sufficient to pay and satisfy the costs and
expenses of this suit and of the said sale which shall be in cash)
after giving thirty days previous notice of the time and
place of said sale at one or more public places in this
County and also in some public newspapers published in
the Town of Petersburg, the tract of land in the bill mentioned
belonging to David Cobb deceased at the time of his death
subject however to the Power of the Defendant Patsy Cobb
therein & also the slaves in the said bill mentioned of which the
said David Cobb did dispose and take of the purchaser or
purchasers bond with sufficient security and wholl their
proceedings herein to the Court. And it is further added.

that the Plaintiff James Cobb administrator of David Cobb
deceased do render before a Commissioner of this Court
an account of his administration on his intestate's Estate.
And that the said Commissioner do examine, state and
settle said account and make report thereof to the Court
with any matter specially stated deemed pertinent by
himself or which may be required by either of the parties
to be so stated.

Attest
J. R. Edwards Clk

100th. } now for
v }
100th. } use.

To be entered

R.H.B.

1844 Mary Jones

Cobb's adv.

21

Cobb. J.

This day this cause came on to be
further heard on the papers previously read
and the reports of James Dr. Burges
and Harrison Cobb. also of Wm S Gooden
made in obedience to an order of
this Court pronounced at April
Term 1843. To which reports there
are no exceptions - and the Court
affirming s^d reports with adjudge
order and decree, that W. C. Parker & J. H. Williamson
who is appointed a Court for that
purpose out of the Court return
with the report of Burges & Cobb.
pay to James Cobb the sum of
\$82.05 with interest on \$81.46 per-
centage from Dec. 5. 1843, the prin-
cipal the balance and bring on his
admⁿ account of ~~David Cobb~~ David Cobb & others.
The Court with further adjudge & decree
that the s^d Court foreman to collect the
bonds of the s^d cause - and pay
one fifth of the proceeds, of the sales
of the negroes, to Patsy Cobb in right
of her own interest in said slaves -
that he pay the balance, together with
the said sales, equally to James Cobb.
and Anne Eliza Cobb. - & that the foreman
pay equally the costs of this suit.

Cobb

2 } Bureau

Cobb Jr

Alcopy

At a circuit Superior Court of Law and Chancery held for the County
of Southampton on the 10th day of April 1863

James Cobb administrator of David Cobb deceased on his
own right and Ann Eliza Cobb an infant under the age of twenty
one years who sues by Jesse Cobb her guardian and next friend Plffs
against

Josiah Cobb and Patsy Cobb

Defls

The defendant Josiah Cobb who is out of the country and against whom
the plaintiffs appear to have proceeded in the mode prescribed by law
against absent defendants and as to the defendant Patsy Cobb on whom
the subpoena appears to have been duly executed and the said defen-
dant failing to appear and ~~file~~ her answer altho' two months have
elapsed as well since the plaintiffs filed their bill as since the
service of the subpoena on the said defendant Patsy Cobb on motion
of the plaintiffs by their counsel their bill is taken for confessed
Thereupon this cause came on to be heard on the bill of the plaintiffs
and was argued by the plaintiffs counsel on consideration whereof
the Court doth adjudge order and decree that James W. Murfee
and Harrison Cobb who are hereby appointed special Commissioners
for that purpose; do proceed to sell at public auction on credit
of six months (except for so much as shall be sufficient to pay and
satisfy the costs and expenses of this suit and of the said sale which
shall be paid in cash) after giving thirty days previous notice of the
time and place of said sale at one or more public places in this
county and also in some public newspapers published in the town
of Petersburg the tract of land in the bill mentioned belonging to
David Cobb deceased at the time of his death subject however to the
dower of the defendant Patsy Cobb therein and also the slaves in the
said bill mentioned of which the said David Cobb died possessed
and take of the purchaser or purchasers bond with good and suffici-
ent security and report their proceedings herein to the Court and it
is further ordered that the plaintiff James Cobb administrator
of David Cobb deceased do render before a Commissioner of this court
an account of his administration on his intestates estate and that the
said Commissioner do examine state and settle said account and
make report thereof to the court with any matter specially
stated deemed pertinent by himself on which may be required
by either of the parties to be so stated

Attest Juse. I R Edwards Clk

Pepp coats to mt

Colts. $\$3.56$

Shff 71

Printer. 5.50

Law fee & Tax 17.41
 $\$27.18.$

L.R. Edwards Ck

1856

Cobb &

3 sp^{rs} in lch^s

Cobb &

1842 August Paris.

Excursion on
Patsy Cobb. Frank Cobb
~~not in the list~~
Maffenburg Sch
W L Everett Sch

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon

Josiah Cobb & Patsy Cobb

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in

August - next, to answer a Bill in Chancery exhibited against *them* in the said Court by *James Cobb administrator of David Cobb decd.* and in his own right of *Ann Eliza Cobb* by *Jesse Cobb* her guardian & next friend.

And unless *they* shall answer the said Bill within ~~four~~ months thereafter, the Court will take the same for confessed, and decree accordingly. And this *they* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *19th* day of *July -* 1842, in the *66th* year of the Commonwealth.

L R Edwards Clk

[One Copy to be delivered each Defendant.]

Robt J

is } Br. Pub:

Robt J

Ported at C. House door by
JRE

At Rules holden in the Clerks Office of the Circuit Superior Court of Law & Chancery for the County of Southampton on the first day of August 1842-

James Cobb administrator of David Cobb dec^d and in his own right Yetim Eliza Cobb an infant under the age of twenty one years who sues by Jeph. Cobb her guardian and next friend

against
Isiah Cobb and Patsy Cobb

Plffs:

Defts:

} In Chancery

The defendant Isiah Cobb not having entered his appearance and given security according to the Act of Assembly and the Rules of this Court and it appearing by satisfactory evidence that he is not an inhabitant of this County, it is ordered that the said Defendant do appear here on the first day of October Term next and answer the bill of the plaintiffs and that a copy of this order be forthwith inserted in some newspaper published in the Town of Petersburg for two months successively and posted at the front door of the Courthouse of this County.

Cobb

to { Proof of Pub

Cobb

1843 April 5th

IN CHANCERY—VIRGINIA.—At Rules holden in the Clerk's Office of the Circuit Superior Court of Law and Chancery, for the county of Southampton, on the first day of August, 1842:

James Cobb, Adm'r of David Cobb, dec'd., and in his own right, and Ann Eliza Cobb, an infant under the age of twenty-one years, who sues by Jesse Cobb, her guardian and next friend,

Pltffs.

AGAINST

Josiah Cobb and Patsey Cobb,

Defts.

The defendant, Josiah Cobb, not having entered his appearance and given security according to the Act of Assembly and the rules of the Court, and it appearing by satisfactory evidence that he is not an inhabitant of this Country: It is ordered, that the said defendant do appear here on the first day of October Term next, and answer the bill of the plaintiffs; and that a copy of this order be forthwith inserted in some newspaper published in the Town of Petersburg, for two months successively, and posted at the front door of the Courthouse of this county.

A Copy—Teste,

aug 6 w8w

L R EDWARDS, c c.

TOWN OF PETERSBURG, TO WIT:

Personally appeared before me (an Alderman of said Town) *John D. Harwood* Clerk of the Intelligencer Office, and made oath that the annexed Order of Publication has been published weekly for *Five* weeks, successively. Given under my hand, this *1th* day of *April* 1843.

James B Cogbill Alder

Printers sup 550
Recd. pay mt. of James.
W. Williamson

John W. Byrne
By John D. Harwood.
April 1. 1843.

Costs of David
Catharine's estate
Sh by Court.

Cotts and Cotts
1842 } To Parker & Williamson &
To bring in Chancery Suit of Cotts &
Cotts. in Southampton Court - to sell
land \$ 25-
To order of Publication against
to absent deft. 5.30
\$ 30.30

June 19th 1843.
Rec'd payment in full
of James Murphey - Compt.
Parker & Williamson

Editors
Receipt

1843 - Jas. Murfee Comr. appointed by the court of
Southampton to sell the land of David Cobb-
red to the Editor of the Petersburg In-
telligencer

To advertising sale of S. Land.
80 days - \$225-
Rec'd Payment in full

Sept 17th - 1843 - J. W. Gyman Editor
H.
(Postage) To cash paid for forwarding adven^{ts}. 10
\$2.35

Cable

2 } Com: Report-

Cable &c

1843 December 30th

Estate of David Cobb

in account with James Cobb adm.

D.

Cr:

1842			Dolls	Cts	Dolls	Cts	Int
Decr	31	To amt: paid J. C. Smith for coffin	7	50			
"	"	" " " " Clarke tickets	1	50			
"	"	" " " " do " do	"	87			59
1843							
Feb:	20	" " Tax account	"	64			
May	27	" " For appraising property	3	00			
"	"	To amt: paid James Cobb for keeping					
"	"	negro woman Venus & child	20	00			
"	"	To amt: paid James Cobb for keeping					
"	"	negro woman Hannah & child	20	00			
"	"	amt paid R. H. Beeman medical acct	31	33			
"	"	amt: paid Jeph Cobb as p. receipt:	10	00			
"	"	By amt: of sales due this day				7	50
"	"	By amt: received of Leonard Cobb				8	68
			74	84	16	18	
May	27	Balance due the adm:	78	66			
Oct:	2	paid former Commr: for report	2	00			
"	"	Commission on receipts		80			
Decr	16	Balance due the adm:	81	46			59
		I find a balance due the adm of \$82.05, with Int on \$81.46 part thereof from this day till paid W. S. Goodenough Commr: Commr: has \$2.00, charged to the adm:					

Colb Janus 7th

3.56

Paid by Jas W Murfer one
of the Commissioners

J R Edwards

1850

1842. James Cobb admor David Cobb dec^d. Give his own right. &c Ann Eliza Cobb by James Cobb her guardian &c.

To the Clerk Southampton Circuit Superior Court D^r.

e Aug. Filing bill 15 papers 26 docketing 18 attorney 8. Rule 50. 2 Copies	
order publication 36 continuances at Rules 25 & Cobb &	178
les Entering Rule	50
" J. continuance &c on Court docket	36
4 th 4 th . Entering decree 36 Copy 18. taxing costs 20 copy 18.	92
	<u>356</u>

G. R. Edwards Clk

Ja. Cobb

71

James Cobb ad D. Cobb duo 1c

1842	To ex opa in Chauger	To shift Doton	
	" city	James & Josiah Cobb month	50
			21

W L Everett shift 71

Hon. Rich^d. H. Baker, Judge, of the superior Court of Law
and Chancery for The County of So. Amptown, Sir,

We, the Court, proceeded agreeably to the annexed decree to
sell, at public Auction on the 27th of May, last, upon
a credit of six Months, the tract of land belonging to the
estate of Edward Cobb dec^d. subject to the assent of Mrs. Pat-
sey Cobb to James Cobb for \$150,-
Also the slaves belonging to the said estate, upon
the same terms, except enough to pay the costs
of suit and sale. Conf.

negro woman Venus and her children Madison
and Harriet to Edward Beaton for \$326.-

negro woman Hannah and her children
Abram and Chestine to Edward Beaton for \$375.25
Grop amt. 857.25

Charges &c

Court. on \$300 at 5 p.c.	\$15.-
do. on 857.25 at 2 p.c.	11.14
Paid Parker & Williamson's fee	25.-
" Order of publication	5.50
" Clerk's fee	3.56
" For Advertising & postage	2.35
" Shiff's fee	71
James Cobb's bond with Har-	63.26
riet Cobb security for \$150.-	
Edward Beaton's bond with	
Nathanie Francis and	
Clement Rochelle security for \$35.11	
Cash herewith submitted	2.88 = 792.99
	857.25

Honorable Sir,

It will be seen from the above that we, decreed
all the costs out of the sales of the negroes, which we thought
better, as they were more of a cash article; and that we
reserved too much money to pay expenses, as we could not,

some of the ^{bills of} costs before the array of sales: All of which
is most respectfully submitted.
Oct. 30th 1843

Sam. W. Munger } Coues.
Harrison Coll.

Images Richd. H. Baker,
Sir,

You will much oblige me
by making an order, relieving me from any further
duty in this matter or responsibility; as I am sure
it will not be convenient for me to attend to it in
person any further. I am Yours obt. Servt.

Oct. 30th 1843

Sam. W. Munger

On the 18th March 1844 there was paid by Mr. St. Francis
on E. Beaton's & others, two hundred and fifty fees
at Koro which, herewith submitted are, halved per
Sam. W. Munger Coues.

1844 May 3rd

Report of
Coues? the sale of the
Koro and negroes
belonging to the
State of Koro's Colls.
ADA 1843