

1879-07

Southampton County Chancery - Edwards, Luther R. Vs Cobb, Tethro (adm.)

Division of land

Cobb, Tethro
Pretlow, John

Cobb, Henry
Norfleet, J. Walter
" , Cora A.

infants { Cobb, Annie Lee
" , Caroline F.
" , Richard H.

To the Hon George Blaw, -

Judge of the Circuit Court of Southampton County -

Humbly Complaining shew unto your honor
your Orators Luther R. Edwards, Lethro Cobb, in his
own right and John BeFlow junior Trustee in a
Deed of Trust from the said Edwards to the said BeFlow
as Trustee to secure the payment of a certain debt,
and respectfully represent as follows:

That the said Luther R. Edwards and
Henry V. Cobb were jointly seized & possessed of
two certain lots or parcels of land lying in the
town of Franklin in said County, the said Edwards
& Cobb being each entitled to one undivided half
or moiety of the whole of the said two lots -

One of the said two lots was granted & conveyed to
to the said Luther R. Edwards & Henry V. Cobb by Deed
of Bargain & Sale from Richard Barritt & Mary
R. his wife, which said Deed was admitted to record
in the Clerk's office of the County Court of said County, on
the 20th day of August AD 1866, and a copy of the same
is herewith filed (marked A) as part of this Bill.

The other of said two lots so owned by the said Luther
R. Edwards & H. V. Cobb was originally granted and
conveyed by John BeFlow & Evalonia B. his wife, Rob-
ert J. Keely & Elizabeth N. his wife; and W^m Keely,
to A. W. Norfleet and the said Luther R. Edwards and
Henry V. Cobb jointly and equally, that is, one third
of said last-named lot to each of the said last-named
three parties, by Deed of Bargain & Sale admitted to record
in the Clerk's office of County Court of said County,
on the 20th day of February AD 1871, a copy of which

is herewith filed (marked B) as part of this Bill.

Afterwards, to wit, by Deed of Bargain & Sale admitted to record on the 21st day of June AD 1875, the said A. W. Norfleet & Indiana V. his wife granted & conveyed all of their interest in the said last-named lot to the said Luther R. Edwards & Henry V. Cobb. A copy of said Deed is herewith filed (marked C) as part of this Bill.

So that, as you have well observed, the said Luther R. Edwards & Henry V. Cobb are now sole joint owners of the said two lots; that is to say, each one is seized & possessed of an undivided half or moiety of the whole of the said two lots.

The following is a more particular description of the said two lots. To wit: One lot on which the cotton gin is situated, lying between 1st and 2nd Avenues, in the said town of Franklin, running 82 feet on the Avenue and 210 feet on Garden Street; and the other lot, on said Garden Street, and between 2nd and 3rd Avenues, 52 feet on the latter, and 210 feet on said Street.

The said Luther R. Edwards, by Deed of Trust, duly recorded in the Clerk's Office of the County Court of said County, on the 17th day of January AD 1876, a copy of which is herewith filed (marked D) as part of this Bill, granted and conveyed all of his interest in the said Gin-lot to John Rutledge, as Trustee, to secure the payment of a note of one thousand dollars dated December 23rd 1875, which said note is due from the said Edwards to the said Jethro Cobb in his own right.

In the year 1877 the said Henry V. Cobb departed this life intestate, and the said Jethro Cobb has qualified as his Administrator, in the County Court of said County; a certified copy of which said qualification is herewith filed (marked E) as part of this Bill.

The said Henry V. Cobb left, as his only heirs at law, a widow (to whom dower in the real estate of her said husband has been assigned by a proceeding in the County Court of said County, with which the said widow is satisfied) and the four following children, to wit, Cora A. Cobb, (who has intermarried with J. Walter Norfleet) Annie Lee Cobb, Caroline F. Cobb, & Richard H. Cobb, all of said four children being minors.

Your orators are desirous of having a partition of the said two described lots, ~~of which~~ the said children of the said Henry V. Cobb are entitled to one half and the said Luther R. Edwards to the other half - the last-named half being subject to the said Deed of Trust from the said Edwards to the said John Rutledge.

Whether all of the just debts and liabilities of the said Henry V. Cobb have been paid and discharged or not, your orators are not informed.

Your orators therefore, being without remedy save in a Court of Equity as this honorable Court is, humbly pray that the said Jethro Cobb Administrator of the said Henry V. Cobb may be made a party ^{defendant} to this Bill and required to answer its allegations, and especially whether all the just debts and liabilities of the said Henry V. Cobb have been fully paid and discharged - If not so discharged, for what amount the estate of the said H. V. Cobb is still bound and in arrears -

That the said J. Walter Norfleet & Cora A. his wife Annie Lee Cobb, Caroline F. Cobb, & Richard H. Cobb may also be made parties defendant to this Bill (the said minors by some proper person as Guardian ad litem) and required to answer its allegations specially -

that you honor would appoint suitable persons as commissioners to divide the said two lots, in kind, if practicable,

And if not capable of being divided in kind, that the said two
lots may be sold for the purpose of effecting a division —
that you honor would grant such other and general relief,
the Premier's Commission, as Equity may dictate and the nature of
the case may require.

And, as in duty bound, your orators will ever pray &c

J. J. Kinross

Edwards to them

or E

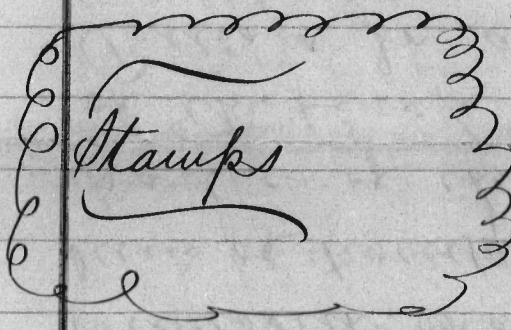
Wells, & Co. to them

Will & Exhibits

1879 April 18th

This deed made this the 10th day of January
eighteen hundred and seventy one between
John Putlow Jr. and Evalina B. his wife
of the County of Southampton State of
Virginia Robert J. Neely and Elizabeth
N. his wife of the City of Portsmouth State
of Virginia and William Neely of the County
of Isle of Wight, State of Virginia, gran-
tors of the first part and A. W. Nor-
fleet, Luther R. Edwards and Henry
V. Cobb of the County of Southampton State
of Virginia grantees of the second part
witnesseth, that in consideration of the
sum of twenty five dollars paid by the
parties of the second part to the parties
of the first part, they the said John
Putlow Jr. and Evalina B. his wife, Robert
J. Neely and Elizabeth N. his wife and
William Neely do grant with general war-
ranty unto the said A. W. Norfleet, Luther
R. Edwards and Henry V. Cobb the following
real property to wit: a certain lot
or parcel of land lying in the village
of Franklin and situated as follows
Commencing on the street running in
the rear of the lot owned formerly by
Dr. Isaac Cox, and now in possession
of Miss Mary A. Leones and running
further westward on the northern
boundary of Samuel B. Putlow's lot on
which stands a blacksmith shop, and
also on the northern boundary of A. W. Nor-
fleet & Co's lot to the Jerusalem road

Commencing at a point on said street thirty feet from the north western corner, and on a line with the western boundary of said A.W. Norfleck & Co's gin lot thence north sixty eight degrees East fifty two & half feet, thence north twenty three degrees west two hundred and nine feet thence South sixty eight degrees west fifty two & half feet, thence South twenty three degrees east two hundred and nine feet to the point of commencement containing by estimation one fourth of an acre, together with all rights, ways and appurtenances thereto belonging, Witness the following signatures and seals

	John Pettlow Jr.	(Seal)
	Evelina B. Pettlow	(Seal)
	Robert J. Neely	(Seal)
	Elizabeth D. Neely	(Seal)
	Wm. Neely	(Seal)

State of Virginia
Southampton County to wit:

I J. D. Bryant a Justice in and for the County aforesaid do hereby certify that this day personally appeared before me in my County, John Pettlow Jr., and William Neely whose names are signed to the writing above bearing date the 10th day of January 1871, and acknowledged the same to be their deed, Given under my hand this 27th day of

January 1871-

J. F. Bryant, J.P.

State of Virginia

County of Southampton to wit:

We Jos. J. Darden and J. F. Bryant justices of the peace and for the aforesaid County do hereby certify that this day personally appeared before us in our County Evalina B. the wife of John Pettow Jr. whose names are signed to the writing on the preceding page bearing date the 10th day of January 1871, and being examined by us privately and apart from her husband, and having the writing aforesaid fully explained to her. She the said Evalina B. acknowledged the said writing to be her act, and declared that she had willingly executed the same, and that she does not wish to retract it. Given under our hands this day of January 1871.

J. J. Darden J. P.
J. F. Bryant J. P.

Virginia

City of Portsmouth to wit:

I C. W. Murdough a notary Public in and for the City aforesaid do certify that Robert J. Neely party to the annexed deed bearing date the 10th day of January 1871, has acknowledged the same before me, in my City aforesaid. And I further certify that Elizabeth N. Neely the wife of the said Robert J. Neely also party to the said annexed deed, personally appeared before me in my said City and being examined by me

privily and apart from her husband and
having the said deed fully explained to
her, she the said Elizabeth N. Neely
acknowledged that she had willingly ex-
ecuted the same and does not wish
to retract it - Given under my hand this
2nd day February 1871.

L. W. Elburough
Notary Public

Southampton County: In the clerk's Office: February 20th 1871
This Deed of Bargain and Sale from William Neely
Robert J. Neely and wife and John Pettoroff
and wife to A. W. Norfleet, Luther R. Edwards
and Henry T. Cobb, was this day received and
together with the certificates thereto annexed
admitted to record, Stamps of the Int. Rev. of
the U. S. to the amount of fifty cents being
affixed thereto and duly cancelled

Teste: James R. Tyler S.C.
A Copy
Teste: J. E. Sebnell S.C.

Edwards & others

vs

Cobb's admors & others

Exhibit

"B"

(Dec 75-4)

This deed made this 8th day of January 1876 between Luther R. Edwards grantor of the first part and Jno. Pullow Jr. Chosewas trustee of the second part (all of the County of Southampton State of Virginia) witnesses that the said Luther R. Edwards grantor aforesaid doth grant unto the said Jno. Pullow Jr. with general warranty the following real estate to wit: a certain parcel or tract of land lying in the aforesaid County of Southampton and bounded as follows - north by Jerusalem & Franklin road. East by said road & the lands of H. V. Cobb. Geo. Camp & the land belonging to said Edwards trustee for Mary A. Beaman. South by the land known as the "Gardner tract" the property of the children of Beverly Dughaw & the land of said Jno. Pullow Jr. & west by the land of said Jos. ~~Thelway~~ Benjamin Comicell. Jno. Williams & R. R. Griffin & the lot belonging to "White free school No 1 in Franklin District" containing by estimation four hundred & forty or less acres. also his the said Edwards interest in a certain lot or parcel of land lying in the village of Franklin & bounded as follows. East by S. B. Pullow's lot South by 1st avenue, west by a boundary parallel with & thirty feet from the eastern boundary of Gardner's tract & north by 2nd avenue. containing by estimation 1/4 acre, it being known as Edwards &

Cobb's Gun lot in trust to secure
the following debts to wit, one note
of one thousand dollars dated Dec
23rd. 1875. Witness the following sig-
natures and seal this 8th day of
January 1876.

Witness,

Luther R. Edwards (Seal)

W. Norfleck

M. H. Moore

Southampton County: In the Clerk's Office.
January 17th 1876.

This Deed of Trust from Luther R. Ed-
wards to Jno. Puttough, trustee for the
benefit of Mary A. Pearson, was this
day received and acknowledged by
said Edwards. (Trustee) as aforesaid
to be his act and deed admitted to record

Teste: L. R. Edwards Secy.

A Copy: n

Teste: T. E. Jubilee D. C.

Edwards to trust
his
Cobb's Gun lot

Exhibit
"A"

(Dec 40 &)

This deed made this 12th day of June 1875
between Alexander W. Norfleet and Indiana
T. his wife grantors of the County of South
ampton State of Virginia of the first part,
and Luther R. Edwards & Henry T. Cobb of the
same County & State grantees of the second
part, witnesseth, that they A.W. Norfleet
& Indiana T. his wife grantors aforesaid
in consideration of the sum of one thou-
and dollars to them paid by said Edw-
ards & Cobb, do grant bargain & sell
with general warranty, their one third
portion or interest, in the following real
property to wit: a certain lot or parcel
of land lying in the aforesaid County & in the
village of Franklin & bounded as follows,
East by main street, South by the Barrett
hotel lot, west by same lot, & north by
C.C. Daughan's lot, it being the lot known
as the store lot formerly belonging to said
A.W. Norfleet & bought by said Norfleet,
Edwards & Cobb as trustees sale of said
Norfleet's property containing by estima-
tion $\frac{3}{16}$ of an acre more or less, Also
one certain lot or parcel of land lying
in the aforesaid village of Franklin &
bounded as follows, to wit: on the South
by first Avenue, on the west by Prettow
Cobb's land on the north by Prettow
Cobb's land & on the East by same
said lot being that purchased by said
Norfleet, Edwards and Cobb from Emily
& Prettow & containing by estimation

one fourth acre, and the said A.W. Norfleet & wife do - arrears their undisputed title to said land & convey all of the rights, ways improvements & appurtenances thereunto belonging - and any inaccuracy in boundary or description shall in no way interfere with this conveyance. The last named lot has a small house on it now occupied and is situated in a northerly direction from Edwards & Cobb's Gin lot. And the said A.W. Norfleet & Indiana T. his wife bind themselves to make any other conveyance of said property mentioned in this deed to give a perfect & undisputed title to same. Witness the following signatures & seals -

A.W. Norfleet (Seal)
I.T. Norfleet (Seal)

Southampton County to wit: J. W. B. Holland
a Justice of the Peace for the County aforesaid in the State of Virginia, do certify that A.W. Norfleet whose name is signed to the writing above bearing date on the 1st day of June 1875 has acknowledged the same before me in my County aforesaid. Given under my hand this 1st day of June 1875.

W. B. Holland J.P.

Southampton County to wit: W. B. Holland
and J. M. Duke Justices of the Peace for

the County aforesaid in the State of Virginia do certify that Indiana T. Norfleet the wife of A. W. Norfleet whose names are signed to the writing on the preceding page, bearing date on the 1st day of June 1875, personally appeared before us in the County and State aforesaid, and being examined by us privily and apart from her husband and having the writing aforesaid fully explained to her, she the said Indiana T. Norfleet acknowledged the writing to be her act and declared that she had willingly executed the same and does not wish to retract it. Given under our hands this 11th day of June 1875

W. B. Holland J. P.
J. W. Duke J. P.

Southampton County - In the Clerk's Office,
June 21st 1875.

This Deed of Bargain and Sale from A. W. Norfleet & wife to Luther R. Edwards and Henry T. Lebb. was this day received and together with the certificates thereto annexed, admitted to record

Teste:

L. R. Edwards C. C.

A Copy in

Teste: J. A. Febrer D. C.

Edwards v. others
vs 3
Cobb's admr. v. others

Exhibit
"A"

(See 504)

This indenture made this 14th day of July
1866. between Richard Barrett and Mary
R. his wife of the County of Southampton
and State of Virginia, of the one part and
Luther R. Edwards and Henry T. Cobb
of the County and State aforesaid of the
other part, Conditioned, That for the con-
sideration of twenty-five dollars paid
to the aforesaid Richard Barrett
and Mary R. ~~Barrett~~ wife, they do bargain
and sell to the aforesaid Luther R.
Edwards and Henry T. Cobb one certain
lot of land lying in the Village of
Franklin Depot in the County and
State aforesaid, Commencing at the
Southwest corner of David B. Puttows
lot, which he purchased of A.W. Crof-
fett having a small piece of Cash
iron buried at said corner and on
the north side of the road or street
leading from the aforesaid village
to Jerusalem, running back with the
said Puttows line 210 feet, thence west
only $52\frac{1}{2}$ feet, thence back to the afo-
said road or street 210 feet, thence
 $52\frac{1}{2}$ feet to the commencement, making
one quarter of an acre of land, to
have and to hold forever the afo-
said R. Barrett and Mary R. his
wife warranting the title generally
Given under our hands and seals this date
and day above written. Richard Barrett (Sd)
Teste, Mary R. Barrett (Sd)

This day personally appeared before me, Jos. G. Crumpler a Justice of the peace in and for the County of Southampton, State of Virginia, Elmary R. Barrett the wife of Richard Barrett whose names are assigned to the within deed, and after being examined by me separately and apart from each other, declared she had willingly done the same and did not wish to retract it, Given under my hand and seal this 17th day of July 1866,
Jos. G. Crumpler J.P.

This is to certify that Richard Barrett whose name is assigned to the within deed personally appeared before me a Justice of Southampton and acknowledged the same Given under my hand and seal this 17th day of July 1866,
Jos. G. Crumpler J.P.

Southampton County, In the Clerk's Office
August 20th 1866.

This Deed of bargain and Sale from Richard Barrett & Elmary R. his wife to Luther R. Edwards & Henry T. Cobb was received (and together with the certificates thereto annexed, of the acknowledgment of the said Richard Barrett and of the privity examination and acknowledgment of Elmary R. his wife before a Justice of the peace

Virginia - Southampton County - Irish

This day personally appeared before me, a Justice of the Peace for said County, in my said County Mr. E. Rawles — and made oath that he executed the within summons on J. Walter Norfleet, by delivering a copy of the same to said Norfleet, on the 7th day of April 1879.

Witness my hand this 7th day of April 1879
A. A. Hollandy J.P.

Examiner & return

73
33
Done in City

Collo & return

1879: April Rules

The Commonwealth of Virginia.

To the Sheriff of Southampton County: Greeting.

We command you to summon ^{John Cobb, Anne A. Cobb dec'd} Walter Norfleet, & Cora & his wife Annie
La Cobb, Caroline J. Cobb, & Richard H. Cobb, the last four minors
by J. W. Norfleet their Guardian ad litem - to be appointed at Rules -
to appear at the Clerks Office of our Circuit Court for South-
ampton County, at the Rules to be holden for the said Court on the first
Monday, on 2 April 1879 to answer, a bill in Chancery
exhibited against them in our said Court by Luther R.
Edwards, Jethra Cobb, & R. Griffin Trustees
John BeHaw Junr, Trustee -

and have then there this Writ: Witness, Littleton R. Edwards, Clerk of
our said Court, at the Court House this 5 day of April 1879
in the 103 year of the Commonwealth. L. R. Edwards C. C.

Service of the within summons acknow-
ledged this 7th day of April 1879.

H. R. Griffin
atly for
Jethro Cobb Adam

Jethro Cobb Adam

The Commonwealth of Virginia.

To the Sheriff of Southampton County: Greeting.

We command you to summon Johns Cobb, adm. W. Cobb, I. Walter
Norfleet & Co. et. his wife, Annie S. Cobb, Caroline J. Cobb & Richard W. Cobb
the last four minors by J. W. Norfleet their Gons. ad litem - to be appointed at Rules
to appear at the Clerks Office of our Circuit Court for South-
ampton County, at the Rules to be holden for the said Court on the first
Monday, on April 1879 to answer, a bill in
Chancery exhibited against them in our said
Court by Littleton R. Edwards, Johns Cobb &
A. B. Griffin Executors John Petham Junr, Trustee -

and have then there this Writ: Witness, Littleton R. Edwards, Clerk of
our said Court, at the Court House this 5 day of April 1879
in the 10 year of the Commonwealth. S. R. Edwards C. C.

Edwards &c

as

Leobbe's work

Answer of J. Walter Nisbet
to them -

The separate Answer of J. Walter Norfleet
to a Bill filed against him ^{others} in the Circuit Court of
Southampton County by Luther R. Edwards ^{others} -

This Respondent for answer to so much of
the Bill of the Complainants as he is advised it is material
for him to answer says -

That he has no objection to a division of
the real estate in the proceedings mentioned, in such
manner as the Court may direct -

And having answered the same, to be hence dismissed,
with his reasonable costs &c.

J. Walter Norfleet
by J. I. Kinard, his Atty

The separate Answer of J. Walter Norfleet
Guardian ad litem to Lora A. Norfleet, Annie Lee
Cobb, Caroline F. Cobb & Richard H. Cobb, minors,
to a Bill filed against them ^{others} in the Circuit Court of
Southampton County, by Luther R. Edwards ^{others} -

This Respondent, for answer to the Complain-
ants' Bill, says, that he submits the interest
of the said minors to the protection of the Court
and having answered the same, to be hence dismissed &c

J. Walter Norfleet
Guardian ad litem &c
by J. I. Kinard, his Atty

Edwards &c

27 3/4

Cobb's adm^r &c

Answer at

H. V. Cobb's adm^r

The separate Answer of Jethro Cobb adm^r of H. V. Cobb
to a Bill filed against him & others in the Circuit Court of
Southampton County, by Luther R. Edwards, Jethro Cobb, and
John DeFlow Trustee.

This Respondent for answer to so much of the
Complainant's Bill as he is advised it is material for him to
answer says, -

That it is true as alleged that he is the Admin-
istrator of the said Henry V. Cobb -

That the estate of the said Henry V. Cobb is still
unsettled, and he has no doubt there are debts still
outstanding against the estate of the said H. V. Cobb, the
amount of which this Respondent is not able to state.

Certainly this Respondent has no objection to any
proceeding for the object of dividing the said real
estate according to law.

And having answered & says to be hence
disimposed, with his reasonable costs &c.

XX X X X X
Jethro Cobb adm^r,
by J. J. Hendon, his Atty -

Luther R. Edwards &c,

B.S

Henry V. Cobb; adm? Father

Report of Lemmings

1879 Oct. 25th

W. H. L. 3

To the Hon. George Blount

~~Judge of the Circuit~~

Judge of the Circuit
Court of Southampton County, Virginia

We the undersigned
Commissioners appointed at the May term of
your Court in the year 1879, for the purpose
of "viewing and dividing in kind" if practica-
ble two lots of land ^{situated} in the Town of
Franklin, Southampton County, belonging jointly
to Luther R. Edwards and Henry V. Cobb,
deceased, beg leave to make the following
report - That we did proceed to view said
lots for the said purpose of dividing them
in kind, and allotting or assigning them in
equal shares unto the said Luther R. Edwards
and to the four minor children of the said
Henry V. Cobb to wit Cora A. Moffatt (formerly
Cobb) Annie Lee Cobb, Caroline F. Cobb &
Richard H. Cobb, the said Luther R. Ed-
wards to be assigned one half of said lots
and the said minor children to be assigned
one-half jointly, and on examination of said

lots we proceeded to value the same, and assigned them as follows: to wit - We fixed the value of a lot of $\frac{1}{4}$ acre lying ^{East} ~~East~~ of Garden Street, and about 30 feet from the same, and fronting 2nd Avenue $52\frac{1}{2}$ feet and extending to 3rd Avenue 210 feet in length, at Five hundred dollars; and we fixed the value, of the lot lying between 1st and 2nd Avenue and on Garden Street, said lot extending on Garden St 210 feet and on 1st and 2nd Avenue $82\frac{1}{2}$ feet, and is known as the "gin-lot," at One thousand three hundred dollars. The first mentioned lot valued at \$500.00 - And that portion of the second mentioned ~~lot~~ is a "gin lot" which fronts on 2nd Avenue, and extends in a southerly direction along Garden St Eighty six feet, thence along a perpendicular to said Garden Street, to the lot owned by Samuel B. Preston, thence, along the said Preston's line, to 2nd Avenue, we valued at \$400.00, we assigned to the said minor children of H. V. Cobb dec'd as to

Lea A. Shoffel (formerly Cobb) Annie Lee Cobb
Caroline F. Cobb & Richard W. Cobb. to be owned
by them jointly. We assigned the remainder of
the said Gen lot including all the buildings
thereon, and valued by us at nine hundred
dollars unto Luther R. Edwards or his
thus assigning an equal half in value to each of said two parties.
Shen of said property. Respectfully submit-
ted.

October 24th 1879 } C. C. Vaughan
J. B. Bryant
Joshua Prentiss

Edwards rocks
vs. 3
Cobb's adm'r rocks

Exhibit

"E"

(In 302)

Southampton County Court
January Term 1877

On the motion of Jethra Cobb, who
made oath according to law, and
together with Luther R. Edwards, R.
B. Griffin & Joshua Prillow, his
Securities (who justified on oath as
to their sufficiency) entered into and
acknowledged a Bond in the penalty
of Seven Thousand dollars, condition
is according to law, which bond
is ordered to be recorded. Certificate
is granted the said Jethra Cobb
for obtaining letters of administra-
tion on the Estate of Henry W. Cobb
de^d in due form.

Attest:
B. E. Gebrell S. C.

Edwards &c
vs
Cobb's adm^r &c

This cause was this day heard on the
Complainant's Bill Exhibit filed therewith, the Answer of
defendants ^{with general replication thereto} & was argued by counsel -

On Consideration whereof the Court doth advise
order, and decree that C. C. Vaughan, J. F. Bryant & Joseph J. Darden, Isaac A. Kitchen & Joshua K. Hower
be and they are hereby appointed ^(any three of whom may act) commissioners for
the purpose herein after stated - To-wit -

That the said Commissioners so acting view and divide
in kind, if practicable, the two lots or parcels of land
in the proceedings mentioned, into two just and equal
shares and apportion or apportion one of the said shares to
Luther R. Edwards and the other share to the four minor
children of Henry V. Cobb deceased, to-wit Cora A. Nor-
fleet (formerly Cobb) Annie Lee Cobb, Caroline F. Cobb
& Richard H. Cobb, the last-named share or half to be
owned by the said minors jointly and in equal portions -

Which said two lots or parcels of land are situated in the
town of Franklin in this County and may be more particu-
larly described as follows to-wit; "One lot on which the cotton-
gin is situated lying between 1st and 2nd Avenues in the said
town of Franklin, running 82 feet on the Avenue and 210 feet
on Garden Street; and the other lot on said Garden Street and
between 2nd and 3rd Avenues, 52 feet on the latter, and 210
feet on said Street."

The said Commissioners so acting if they conclude,
after viewing & examining said lots that a division of the
same in kind is impracticable, and that a sale of

them would be more advantageous to the interest of all the Parties; or a sale of a part and assignment or allotment of the residue, or ~~effect~~ an assignment of both to any Party who is willing to accept the same and pay a just and reasonable sum therefor to the other Parties interested, they shall so report to the Court, stating their reasons for so doing - or for any action they make take

~~And a Commissioner of this Court is ordered to state & report on And the said Luther Cobb administrator of Henry V. Cobb deceased is hereby ordered to have one of the Commissioners of this Court to state and report - 1st an Account of his transactions as Administrator of Henry V. Cobb dec'd - 2nd and a further Account of the debts outstanding against the said Henry V. Cobb's estate - 3rd an Account of the absolute and annual value of all the real estate now belonging to the estate of the said Henry V. Cobb, together with any other matter deemed pertinent by said Commissioner or which may be required by any Party interested to be stated.~~

~~And the said Commissioner of this Court shall further state & report an Account of any liens by judgment, deed of Trust or otherwise which may exist as an encumbrance on the real estate of the said Luther K. Edwards, if any there should be, with their Priorities &c.~~

Edwards &c

107 3

Cobb's adm'r &c

Notes for Deane

To be entered

at May 7th 1879

Geo. H. Blount

Luther R. Edwards others

vs 3 Decree

H. V. Cobb heirs others

Nov. Term 1879
To be entered —

Geo. R. Snow.

Luther R Edward & others

v

3 Decree

Jestro Cobb ~~et al~~ of Henry ~~Cobb~~ dec'd & others

This Cause was this day again heard on the papers formerly read together with the reports of Commissioners B. B. Vaughan, J. F. Bryan and Joshua Pretlow made in pursuance of a ~~former~~ ^{entered at Mex Term 1879} decree of this Court, and filed on the 25th Octo: 1879. To which report, there being no exceptions filed the Court doth hereby confirm the same.

And the Court doth further adjudge order and decree, that the Real Estate assigned to each of the parties shall be held by them as their separate properties, and that the title to the same shall be firm stable and binding -

And nothing further appearing necessary to be done in this suit, it is ordered to be dismissed from dock each party paying his ratable part of the costs

132 132 ch. 117

Edwards Jr

at } State Rules

Cobb's adm'r Jr

1877 November Term

In Southampton Circuit Court

Luther R Edwards, Sethro Cobb in his own right & John Preble for Trustee
Plaintiffs

against
Sethro Cobb administrator of Henry W Cobb dec'd J. Walter Norfleet & Cora &
his wife, Annie, Lee Cobb, Caroline F Cobb & Richard H. Cobb the last four infants.
by Defendants

1879 April 5th Summons issued returnable to April Rules

" " R Summons ret'd. Executed on J. Walton Norfleet & Sethro Cobb as
Bill filed J. W. Norfleet assigned Com and libem to infant Defts
Annie, Lee, Caroline F & Richard H. Cobb - D. Nisw & Defts
J. Walter Norfleet & Cora.

" May " Bill taken for confessed as to Defts. J. W. Norfleet & Cobb as. & cause
set for hearing as to them &c

" " J. Decree for division &c

" Oct 25. Report of Com. filed

" Nov 1 " Confirmed &c