

1793-004

Chancery Papers; Cobb v al vs Cobb's exors

5/1793

Southampton County

other SURNAMES: Kello, Hines

Report of the division
of Col. M. G. G. G.

Apr. 3. 1793 In obedience to a decree of the worshipping court of
Southampton bearing date March Session 1793 We the subscribers
have made partition & division of the slaves undisposed of by the
last will & Testament of John Cobb deced as by the s^d decree directed
to wit To Caum Cobb, James, Moll & Phillis

To Michael Cobb Jacob, Judy & Randolph & Nanny and to pay
pay to Caum Cobb ----- £ 3. 16. 0

To Benjⁿ Cobb ----- 2. 18. 4

To George Blow Cobb ----- " 0. 4

To Jeremiah Cobb Sampson, Charlotte & Judy & Nanny
To pay to Caum Cobb. ----- 9. 11. 0

To Benjⁿ Cobb - Bob, Will & Tempy.

To Thomas Cobb, Hurry, Sarah, Amy, Lucy

To George Blow Cobb - Simon Zilpah & Hannah

In Witness whereof we have hereunto set our hands the day &
year first above written

Charles Briggs

Benjⁿ Rufin

Ben Robery

Cobb's heirs
vs
Cobb's Exors

Intestate
cutary
(decree)

March 1793.

Southampton March Session 1793.

Esam Cobb in his own proper person & Jeremiah Cobb,
Benjamin Cobb, Thomas Cobb, & George Blow Cobb,
by Samuel Kello their guardian and next friend, appointed
by this court for the express purpose of carrying into effect
the premises - - - - - Plffs

against
William Hines and Michael Cobb acting executors of the
last will and testament of John Cobb decd. - - - - - Defs

In Chancery

This cause being docketed by consent was this day heard
on the bill of the complainants, answer of the defendants and ar-
guments of the council. On consideration whereof it is decreed and
ordered that Charles Briggs, Benjamin Stiffin, Thomas Butts,
and Benjamin Kirby or any three of them make partition and
division of the slaves indispos'd of by the last will and testament
of John Cobb decd. equally between the complainants and the
defendant Michael Cobb, and make report thereof to this court in
order to a final decree.

A Copy Teste
Jno: D. Hausmann D.C.

Cobb's heirs

74
Cobb's ex. ors Bill
42
Ans. 53

March 1793 int. done
May 1793 report ret.
A final decree
Cobb

The answer of William Sims & Michael Cobb acting executors
of the last will & testament of John Cobb dec^d to the bill of complaint
of Isaac Cobb, ^{in his person} Jeremiah Cobb, Benjamin Cobb, Thos Cobb, & George Ablow
Cobb by their next friend & guardian by
the court of Chancery appointed) These defendants saving & reserving to themselves
all & all manner of benefit & advantage to the many untold & imperfec-
tions in the complainants bill contained, for answer thereto,
in so much as they are advised to make answer unto, answer &
say, that that it is the s^d John Cobb did depart this life on
or about the time in complainants bill mentioned, & that
he left y^e respondents his exors, & that he did leave
such a clause in his P. will as is in the complainants
bill mentioned. These defendants deny all com-
bination & pray to be hence dismissed with their
reasonable cost in this behalf sustained.

D^d New York the 1st of
1794

To the worshipping The court of Southampton county in chancery,
sitting & assembly, complaining sheweth unto your worships y^e orators
Exum Cobb in his own proper person,
Jeremiah Cobb, Benjamin Cobb, Thomas Cobb, & George Blow Cobb, (by
Saml Kells their guardian & next friend, appointed by
the court for the express purpose of carrying into effect the premises)
that a certain John Cobb, ^{late} of this county departed this life sometime or
or about the day of in the year of our Lord 1749, having
first made & published his last will & testament; & therein amongst
other clauses of his sd will, was the following, to wit, "I desire that
all my negroes except such as are herein after mentioned may be
valued & equally divided amongst my six sons, to wit, Exum Cobb,
Michael Cobb, Jeremiah Cobb, Benjamin Cobb, Tho's Cobb, & George
Blow Cobb, & in case any of my sons should die under the age
of twenty one years, I desire that their dividend may be equally
divided amongst my surviving sons." — Your orators further
shew that they have of tea applied to Michael Cobb & William
Kines the acting exors of the sd John Cobb dec^d. to have the negroes
divided consistent with the sd will. But so it is may it please
your worships that the sd William Kines & Michael Cobb combining
to injure your orators have altogether refused to comply with
y^e orators reasonable request, pretending & giving out in
speeches that there was no such devise in the testator's sd will
as is above set forth &c; — In tender consideration
whereof, & for as much as y^e orators are properly relievable
in this worshipping court, where matters of this nature are
recognizable; — To the end therefore that the sd William Kines
& Michael Cobb may on their corporal oaths full true &
perfect answer make to all & singular the allegations of
this bill, & that as fully & sufficiently as if the same

herein again set forth & repeated; But more especially,
whether your orators are not entitled under the testator's
will to an equal distribution of ^{the} slaves of which he did seized
& possessed, & which were by the D. testator not otherwise dis-
posed of. And whether they are not the heirs of the S^r. John
Lobb. And that your worships may order & decree some
fit & able persons to value the S^r. slaves, & make ^{an} equal
distribution of them consistent with testator's intention, or
make any other or further decree, as may seem just & reasonable
is the prayer of your orators. And they shall ever pray.

J^r D^r Att^r for
the complainants.
C