

1827-004

SOUTHAMPTON COUNTY
CHANCERY PAPERS

COBB, WIDOW

VS.

COBB, EXECUTOR of COBB

5/1827

PLAT

other SURNAMES: Goodwyn

1827-004

SOUTHAMPTON COUNTY
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COBB, WIDOW

VS.

COBB, EXECUTOR of COBB

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Colli widow
4 } Bill Ann H
Colli work

Jan 1827

Int. J. Deere

(Deere copied)

To the worshipful the County Court of Southampton sitting
in the Y. Humbly complaining sheweth to your worships
your oratrix Sissanna Cobb widow of Perry^{sr} Cobb dec^d.
That the s^d. decedent has lately departed this life leaving
your oratrix his widow & no child. Having duly published
a will with the provisions of which your oratrix being
dissatisfied, she has in due form of law renounced as
appears by the record thereof her exhibited as a part
of this Bill - That all the personal estate of the testator
is disposed of in his s^d. will of which also an authenti-
cated copy is hereto annexed as an exhibit in this
Cause. That of the land of which the said Perry^{sr} Cobb
died seized a considerable part was held by him in
right of his wife your oratrix and which consequently
survives to her & which she now holds as her dower
in the estate of a certain Rob^t. Goodwyn dec^d. her
former husband - & she therefore now prays the aid
of the Court in having allotted to her dower in that
part of the real estate of the said testator which he
held in fee simple. That this with the exception of
about seventy acres is devised to Jeremiah Cobb, the
executor & even that is embraced in a clause
directing the said executor to sell it & dispose
of the proceeds among certain legatees. That the said
testator also left many slaves, now in possession of
his said executor in which your oratrix has never
received her distributable proportion, & it matters to state
without the intervention of a Court of Chancery.
To the end therefore that the said ~~Jeremiah~~ Cobb as
executor of the said Perry^{sr} Cobb dec^d. & also in his
individual character as devisee of the said
testator may be made defendant hereto,
& required to answer the premises - That
your worships decree the allotment to your
oratrix dower in the s^d. lands & slaves accord-
ing to her just rights under the circum-

stances above detailed & moreover grant her
general relief in the premises &c. May it
please &c.

A. C. C.

Robt's widow & Ch. C. C.

This cause this day came on to
be heard by consent of parties on the Bill, Answer
& exhibits filed and the Court on mature
consideration of the premises doth as judge order
& decree that Thos. Algray, Peter Summons &
Gebula Summons, joined with the assistance of
a competent surveyor to lay off to Susan C.
C. C. which of Benj. C. C. dec. one third part
of the lands of which the said testator dec. seized
in fee simple, & exclusive consequently of the land
heretofore allotted to her as her dower in the
estate of her first husband Robt. Goodwyn dec. and
for the location of which they are referred to a
survey formerly made thereof when the said Susan
C. C. was married of the estate of her said first
husband, which now remains of record in the Clerk's
office of this Court, & the plot of which (or a
copy) the said Commissioners are directed to
take with them in executing the present service,
to be holden by her during her natural life as
her dower in the real estate of the said testator.
That the said Commissioners also lay off and
allot to the said widow one third part in value
of the slaves belonging to the estate of the said
testator to be holden by her in like manner for
her natural life as her distributable propor-
tion of the said slaves, & leave the remaining
two thirds in the hands of the said executor
to be disposed of under the provisions of the said
Will. And the said Commissioners are also
directed in carrying this decree into effect
to do so, as far as may be found practicable.

consistently with the relative rights of the Parties
in such manner as to disturb or affect as
little as possible any of the Specific legacies
or other devises in the said Will contained.

And the said Commissioners having carried
this decree into effect are directed to report
their proceedings in the premises to this Court
in order to a final decree. —

hott answer
273 in chancery
coll

The answer of Jeremiah Cobb as Executor of Benjamin
Cobb deceased and in his own right to a
bill of complaint exhibited in this worship-
ful court by Susanna Cobb widow of
Benjamin Cobb deceased -

This respondent never & at all times,
hereafter seeing & removing to himself
all just exceptions to the said bill, admits
the allegations thereof and respects the
making and publication of a test will
& testament by his testator with the
provisions set forth in the said bill,
his qualification as executor and the urgent
recommutation by the complainant of the
respondent in her favor - he also admits
that the said complainant at the time
of her intermarriage with his testator
was endowed of a portion of the said
real estate ~~in right of~~ ^{as wife of her} first husband
Robert Goodwyn, and is willing that ~~the~~
dower shall be assigned according to the
prayer of the said bill, if in the opinion
of the court she is entitled to dower in the
estate of her first husband, ~~and~~ ^{proportionally} re-
moving to himself all and every claim
for indemnity that he may have, against
Robert Goodwyn the only child and heir
of Robert Goodwyn deceased who on the
24th day of May 1820, executed to the re-
spondent's testator for full consideration
a deed, conveying a ~~part~~ ^{part} of the said real estate in fee
simple to all the said land, including the part

assigned the complement ~~of~~ slaves under
her first husband, and containing a clause
of general warranty — he is also willing
that distribution of the personal estate, shall
be made according to law, & having fully
answered every to be hence ascertained
yth.

Parker & Co.

Cable { Inter
" {
Cable { Deere

Copy

Southampton County June Court 1827

Susanna Cobb relict of Benjamin Cobb
decd - Compt -

against

Jeremiah Cobb Exor of Benjamin Cobb
decd & the said Jeremiah Cobb — Def.

Chancery

This Cause this day came on to be heard by Consent of parties on the bill answer & exhibits filed and the Court on mature consideration of the premises doth adjudge order and decree that Thomas R Gray Peter Simmons & John L Simmons proceed with the assistance of a competent surveyor to lay off To Susanna Cobb relict of Benjamin Cobb decd one third part of the lands of which Benjamin Cobb the testator died seized in fee simple and exclusive Consequently of the land heretofore allotted to her as her dower in the estate of her first husband Robert Goodwyn decd and for the location of which they are referred to a survey formerly made thereof when the said Susanna Cobb was endowed with the estate of her first said husband which now remains of record in the Clarks office of this Court and the plat of which or a copy the said Commissioners are directed to take with them in executing the present service, to be holden by her during her natural life as her dower in the real estate of the said testator That the said Commissioners also lay off and allot to the said widow one third part in value of the Slaves belonging to the estate of the said testator to be holden by her in like manner for her natural life as her distributable proportion of the said Slaves and leave the remaining two thirds in the hand of the said Executor to be disposed of under

provisions of the Said Will; And the Said Commissioners
also directed in carrying this decree into effect to do so
far as may be found practicable consistently with the
rights of the parties in such manner as to disturb or affect
as little as possible any of the Specific ^{legacies} or other devises
in the Said Will Contained and the Said Commissioners
having Carried this decree into effect are directed to report
their proceedings in the premises to this Court in order
for final decree

A Copy Teste

James Rochelle Cg

Cobb & Co. }
M } Rept. in Chy.
Cobb & Co. }

May 1827 Rept. Pet. and
final Decree—

Commissioners Report
of dower in the land
and negroes of the estate
of Benjamin Cobb decd
Jany. 25th 1827

Stake in Sebell's lane

Pine

Pine

Oak

Oak

Black Oak

Oak

Pine

Oak

Small red oak

Sp. of land

Sp. in state

Sp. in common

Sp. of both

Scale. 40. p. to an Inch.

No. 1. 413. Acres.

True Meridian, Magnetic Variation $0^{\circ} 45' 0''$ Easterly.

old pine body.
pine at a path.
large pine near Sebell's road.
pine
White Oak
pine at Little's road.
Oak at D. Butts fence
oak
pine
oak

True Meridian.
Oak cor. in Samson Little's line
Councils field
in branch

Black gum sapling in Butts & Ellis' line
house
White oak
White oak
old oak

No. 2. 79. Acres.

Dower. 45. $\frac{1}{3}$. Acres.

Scale. 20. p. to an Inch.

Gum sapling at the cor. of original dower line.

Land.

Dower.

corner pine
oak

Two dead pines cor. of
William's line
corner Oak in. &
Butts' line

corner of fence
corner of bush in line
Gum

Pine in Williams' lane
Sassafras stump in lane
pine & oak

oak
pine
oak
gum
maple
oak

Black gum sapling in Butts & Ellis' line

White oak

White oak

old oak

Gum

Maple

Black gum cor. of
New Fletcher's
& Cobb's

White oak
a new made
corner.

White oak
of Cobb's fence

White oak
corner

White oak
near
Henceforth

White oak
near

$0^{\circ} 45' 0''$
Easterly

N^o 1. Is a plot of that land belonging to the Est. of Benj. Cobb dec^d lying north of the land assigned to Wth Cobb as dower in the est. of Robt. Goodwyn dec^d. Beginning at a stake in Sebell's lane a corner of the original dower line thence along the S^d lane N. 68. E. 62. p. thence 42. 30. E. 8. 7. p. to a pine. N. 4. E. 15. 2. p. pine N. 1. E. 10. p. oak. N. 1. 30. W. 10. 9. p. oak. N. 15. 30. W. 10. p. black oak. N. 14. 30. W. 8. p. oak. N. 1. 30. E. 47. 2. p. pine. N. 6. E. 13. p. to a large red oak N. 1. E. 9. 4. p. to a red oak cor. of King's Land. N. 28. 30. E. 29. 2. p. to an oak. N. 32. E. 12. 9. p. oak. N. 28. E. 6. p. pine N. 31. E. 17. 3. p. pine. N. 17. E. 14. 4. p. pine N. 22. E. 22. 6. p. pine N. 23. E. 10. p. pine N. 20. E. 13. 6. p. pine N. 18. 30. E. 17. 4. p. black oak. N. 21. E. 19. 6. p. pine N. 22. 30. E. 26. p. pine. N. 21. 13. 6. p. pine. N. 22. E. 18. 4. p. pine. N. 25. E. 16. 5. p. wh. oak. N. 21. E. 12. 9. p. pine at Little's road. N. 21. E. 16. 4. p. oak at D. Butts' E. N. 20. E. 14. p. oak. N. 21. 30. E. 10. p. pine. N. 18. E. 11. p. oak. N. 22. 23. p. to a red oak cor. of Sampson Little's line. S. 10. 30. E. 21. p. oak S. 21. E. 17. 7. p. pine. S. 31. E. 15. p. pine stump in branch. S. 29. 30. E. 8. p. red oak. S. 19. E. 10. 7. p. dead black oak. S. 22. E. 20. p. S. 19. E. 25. 7. p. pine near Sebell's house. S. 14. 30. E. 27. 5. p. pine. S. 19. 30. E. 28. p. post oak. S. 18. E. 6. p. pine in Williams' lane. S. 3. E. 47. 3. p. to a Sapafus stump in S^d lane S. 7. E. 43. 1. p. pine at the mouth of the lane. S. 20. p. S. 12. W. 23. p. to a corner pine. thence S. 85. E. 124. p. to two dead pines and a dead black oak a corner of Williams' line. S. 31. W. 38. p. oak. S. 23. W. 20. 3. p. to a gum sapling a new chopped tree at the corner of the original dower line. thence along the S^d dower line. N. 79. 30. W. 84. p. to the fence. thence. S. 87. W. 287. p. to the stake at the beginning. Containing 41 3/4 Acres.

Dower Line Commencing at a persimon bush in Williams' lane. thence S. 39. 30. W. 116. p. to a stake in a hedge row. thence. S. 15. W. 20. p. to a stake in the field. thence N. 75. W. 9. 6. p. to a persimon tree. thence N. 51. W. 35. 4. p. to a stake at the fence. thence along the S^d fence N. 6. W. 116. p. to the back line.

N^o 2. Is a plot of that tract of land belonging to the est. of Benj. Cobb dec^d called the Ellis tract.

Beginning at an oak a corner of C. Butts & B. Cobb. thence S. 31. W. 18. p. to a pine. S. 39. W. 15. 2. p. gum S. 37. W. 42. 8. p. dead pine. S. 44. W. 9. 4. p. spanish oak. S. 46. W. 36. p. wh. oak. S. 49. W. 15. 6. p. wh. oak. S. 47. W. 13. 4. p. dead maple. S. 43. W. 7. 4. p. to a black gum sapling a cor. of Butts and Ellis. N. 56. 30. W. 28. p. wh. oak. N. 62. W. 15. 4. p. wh. oak. N. 70. W. 26. p. to an oak stump. N. 68. 30. W. 18. p. N. 59. W. 18. 6. p. gum. N. 47. W. 18. p. Maple. N. 48. 30. W. 9. 2. p. to a black gum a corner of Kitchen. B. Cobb. N. 40. E. 20. p. wh. oak new corner. N. 85. E. 16. p. N. 68. E. 16. p. to a white oak corner of Cobb's fence. N. 80. E. 16. p. pine. N. 76. E. 19. 2. p. pine near the rice patch N. 73. E. 20. p. wh. oak. N. 76. 30. E. 16. p. N. 70. E. 18. p. pine N. 76. E. 48. p. wh. oak. S. 80. E. 14. p. dead pine. S. 83. E. 18. p. S. 75. E. 12. p. to the beginning. Containing 9 Acres.

Dower Line Commencing at a pine between the rice patch and the corner of the fence. thence S. 53. E. 105. p. to a sweet gum sapling the back line

Surveyd on the 25th day of Jun^y. 1827.

Geo. H. Gray. Surg. South C.

In obedience to the annexed decree of the Court, the undersigned Commissioners appointed therein, have appraised the negroes belonging to the estate of Benjamin Cobb dec'd amounting in the whole to the sum of three thousand five hundred and forty dollars, and have allotted to Susanna Cobb the widow, the following to wit, Will valued to \$200. Miles \$350. Abram \$350. Fanny \$75. Celia & Chito Martha \$150. which amount to the sum of \$1125. which is less than her proportion by \$55. We have also proceed to assign the said widow her dower in the lands as directed, and after having ascertained the original dower assigned to her as widow of Robert Goodwyn, we find that 413 acres remain of the original tract as formerly laid off in the previous assignment as aforesaid; also the tract which the decedent lately purchased of Michael Ellis containing 79 acres. We enclose the boundaries and plat of said tracts, made out by the County Surveyor, hereto annexed. which is made a part of our report.

Given under our hands and seals this
25th Day of January 1827 -

J. V. Gray Dec.
J. Furmone Dec.
Peter Sumner Dec.
[Signature]