

1837-018

SOUTHAMPTON COUNTY
CHANCERY PAPERS

COBB et al vs. COBB

6/1837

other surnames: Wallace,
Joyner, Edwards,

1185

copy

Lobb & Co

or

Lobb

Bill, answer of decree

1836 Nov. Decree as filed &c

1837 June. Rept not Homfr. &c

To the worshipful, the County Court of Southampton in Chan-
cery sitting: Humbly complaining, Your Petors and Petresses
William Cobb, Lucy Cobb, Samuel Wallace in right of his
wife Courtney Wallace, formerly Courtney Cobb, Joseph Joyner
in right of his wife Elizabeth Joyner, formerly Elizabeth
Cobb, Bennet Edwards admr. of, ~~and in right of his wife~~
Vina Edwards, formerly Vina Cobb, Selvy Arnold Cobb
Henry Cobb, and Laramus Cobb heirs of Redmond Cobb
dec. the two last infants who sue by Perl. Joyner Their next
friend plaintiffs vs. Benjamin Cobb def. show unto your
worships that in the year 1829 Laramus Cobb of this the
County of Southampton departed this life having previously
disposed of his property ^{a copy of which is herewith filed} by will, and leaving the heirs
above enumerated. In the will referred to is the following
clause, "I give and bequeath to my dear beloved wife one
negro woman named Fanny during her life". There in
reference to that slave, the will stops, making no farther
disposition of her - Your complainants represent, that the
wife of the Testator died during the present year, and after
the 1st day of March, wherefore as heirs of Laramus Cobb they
become entitled to the said slave Fanny, and are also entitled
^{of the executor or administrator of the Testator's wife}
to have her, for the said slave, under the statute regulating
emblemments, at the rate of three barrels of Indian corn
the stated compensation. In tender consideration whereof
and in as much as your complainants are without
remedy save by the intervention of this Court, they
humbly pray that Benjamin Cobb may be made def. to this
Bill, and true answer make to the allegations contained
herein, and that your worships would decree a sale of the
said slave Fanny, fit and proper notice of such sale being
given, and appoint a commissioner authorized to sell, ^{the} and
pay over to the heirs of Laramus Cobb their respective pro-
portions of ^{the proceeds of} such sale, having first deducted the expenses
~~incident to it~~ ^{incident to it} the sale, and the obtaining of this decree
and also to collect the hire for the said slave, and pay that
over to the heirs of Laramus Cobb, and that your worships
would grant such other and general relief as
the nature of the case may seem to require, and for
this they ever pray &c. Perpetuo

The answer of Benjamin Cobb left admits the allegations contained in the foregoing Bill and has no objection to the relief prayed for -

William Cobb, Lucy Cobb, Saml. Wallace in right of his wife
Courtney ~~Wallace~~, formerly Courtney Cobb, Joseph Payne in
right of his wife Elizabeth Payne formerly Elizabeth Cobb
Bennet Edwards in ~~right~~ ^{advers} of his wife Vina Edwards formerly
Vina Cobb, Selvy Arnold Cobb, Henry Cobb, and Laramus Cobb
heirs of Richmond Cobb dec, the two last infants by Jesse Payne
their next friend Pltffs in Chancery

vs { Decree

Benjamin Cobb left -

This day this cause came on to be heard upon the Bill answer and exhibits, and was argued by Counsel, whereupon the Court doth adjudge order and decree that the said slave Fanny be advertised for sale from this time until Southampton December Court day, at which time between the hours of ten and four o'clock, she be set up at Jerusalem in front of the Shiffs Office, and sold for cash Virginia money to the highest bidder, and that the proceeds of the sale after depaying the expenses incident to it, and paying ten dollars for the obtaining of this decree be divided among the heirs of Laramus Cobb as follows - to wit, $\frac{1}{7}$ to Saml. Wallace, $\frac{1}{7}$ to Joseph Payne $\frac{1}{7}$ to William Cobb $\frac{1}{7}$ to Lucy Cobb $\frac{1}{7}$ to Bennet Edwards ^{Adm. of his wife}, $\frac{1}{7}$ to Selvy Arnold Cobb, Henry Cobb and Laramus Cobb to be divided equally between them and $\frac{1}{7}$ to Benjamin Cobb, and that also in like manner the money or corn arising from the sale of the said slave Fanny be also distributed, and that James S. Fen be appointed a Commissioner to carry into effect the above decree, and that he report to this court how he has executed the same.

coll of
a } Secrec
coll

Copy

1837 June

Southampton County November Court 1836.

William Cobb, Lucy Cobb, Samuel Wallace in right of his Wife Courtney
Wallace, formerly Courtney Cobb Joseph Joyner in right of his Wife
Elizabeth Joyner formerly Elizabeth Cobb Bennett Edwards administratrix of his
Wife Nina Edwards formerly Nina Cobb Selvy Arnolda Cobb, Henry Cobb
and Lazarus Cobb heirs of Reamond Cobb decd, the two last infants
who sub by Jere. Joyner their next friends
against

Benjamin Cobb

Plff.
Deft. } In Chancery.

This day this cause came on to be heard upon the Bill answer and exhibits, and was argued
by counsel, whereupon the Court adjudge order and decree that the said slave Fanny be adver-
tised for sale from this time until Southampton December Court day, at which time between the hours
of ten and four o'clock, she be set up at Jerusalem in front of the Sheriff's Office, and sold
for cash Virginia Money to the highest bidder, and that the proceeds of the sale after defraying
the expenses incident to it, and paying ten dollars for the obtaining of this decree be divided among
the heirs of Lazarus Cobb as follows to wit $\frac{1}{7}$ to Saml Wallace $\frac{1}{7}$ to Joseph Joyner, $\frac{1}{7}$
to William Cobb $\frac{1}{7}$ to Lucy Cobb $\frac{1}{7}$ to Bennett Edwards administratrix of his Wife, $\frac{1}{7}$ Selvy Arnolda Cobb,
Henry Cobb and Lazarus Cobb to be divided equally between them and $\frac{1}{7}$ to Benjamin Cobb,
and that in like manner the money or corn arising from the hire of the said slave Fanny
be also distributed and that James S. French be appointed Commissioner to carry into
effect the above decree, and that he report to this Court how he has executed the same.

Belks Coats \$2.66
Laws &c - 1000
\$12.66..

Teste L.R. Edwards Clk

According to the provisions of the above decree
a sale of Fanny was effected and twenty five dollars
and ten cents paid to each legatee as his proportion
to the heirs of ~~Lazarus~~ ^{Reamond} Cobb $\frac{1}{7}$ between them only one was
of his age - he was paid, and I have authorized Bernard
and Briggs to allow the mother of the remaining two infants
take up their amount in necessaries, I opening the
payment
James S. French

Thank G Howell, ist
me to see ² negroes



my wife

Recd of James S. French The sum of twenty five
dollars and ten cents each, it being our
proportion for the sale of a negro woman Fanny
belonging to Harriet Cobb's estate

Dec 20. 1836

Yr. frd

Wm. G. Lundy

61

per
Mary Cobb

Mark
William Cobb

Mark
Bryce Cobb

Mark
I recd 20 yrs by W. G. Lundy

General Assembly of Virginia
House of Delegates

Speaker ananias

Tuesday 16th of Feb

Decr. 20. 1836

Mr. James S. French Will

Please pay the amount due me
in right of my wife for the sale
of Negs Woman Fanny, sold under
a decree of the County Court, ^{sold} by you as

commissioner

Yrs. John D. Adley

his
Josiah T. Joyner
m. w. k.

Dec. 23. 1836 Rec. of Jas.
French the sum of Eight
Dollars & 36 Cent in full of
Salvy Cobbs proportion

Jno. M. Gundry

Dec. 24. 1836 gave Henry Cobbe
and Laramus Cobbe brothers of
Salvy Cobbe one dollar each

J. S. French

Henry Cobbs
or on
James S. French

Mr. James S. French

Will pay Mr. Gmley my
proportion of the sale of Negro woman Fanny and this
my word shall be a full discharge for the same

Witness

J. J. G. Barham

Wm
Selvey & Cobb
Mark

Dec. 23. / 1836

Dec 26. 1836 Received of James S. French the
sum of twenty five dollars and ten cents, it being
in full of the amount due me from the sale of
a negro woman Fanny belonging to Laramie's
Coble's estate

Sam, Wallace

Feb 21. 1837. Received of James S. French, the sum of
twenty five dollars and ten cents, it being the amount
due my children from the sale of a negro woman
belonging to Laramie Cobb's estate.

Witness
A. A. Dolbe

Bennett Edwards
appointed guardian of
his children

I Laramus Cobb of the County of Southampton, do make and ordain this my last Will and Testament, in manner and form as follows - viz.

First I give and bequeath to my dear beloved wife one negro woman named Fanny during her life
Second I give to my son William Cobb the land from the flat branch, to the line joining Mr. Pope, Mr. screws and Mrs. Calvert, and the land orchard called the Calvert orchard, the line to run from a certain tree called a sapas tree near the road, thence on to a certain gum as the old line usually run to him and his heirs forever -

Third I give to my daughter Lucy Cobb fifty acres of land next to Mapeburg's Mill. also one feather bed & furniture, one green chest to her and her heirs forever.

Fourth, I give to my daughter Courtney Wallace one bed and furniture -

Fifth. I give to my daughter Elizabeth Cobb one feather bed and furniture, also one negro girl named Sally to her and her heirs forever.

Sixth, I give to my son Benjamin Cobb the balance of my land at my wife's death where I now live, also one feather bed and furniture one horse, one sow and six shoats to him and his heirs forever, and the sixth part of the corn.

Seventh I give to my daughter Vina Edwards one dollar.

I leave two negroes Craven and Bob, and all the balance of my property except the potatoes to be sold to pay my just debts. After my debts, the residue of the money to be equally divided between my three children, and one grand child, which I shall hereafter name. My one son Benjamin Cobb, my two daughters Lucy Cobb and Elizabeth Cobb and my grand daughter Francis B. Wallace.

I appoint Jeremiah Williford Trustee for my grand daughter Wallace to take care of her portion.

I do hereby constitute and appoint Richard Williams my Executor to this my last Will and Testament hereby revoking all other and former wills by me at any time ^{made} made. In witness whereof I have hereunto set my hand and affixed my seal this 22^d day of December one thousand eight hundred and twenty nine

signed, sealed, and declared by the said Testator Lazarus
Cobb as and for his last will and Testament in
the presence of us who have subscribed our names
as witnesses thereto, in the presence of the said tes-
tator -

Witness
Jeremiah ^{his} Joyner
Jeremiah ^{mark} Williford
Burgess ^{my} Joyner
^{mark}

Lazarus ^{his} Cobb ^{seal}
^{mark}

At a Court held for the County of Southampton the 16th day of November 1829.

This last will and Testament of Lazarus Cobb decd was proved by the oaths of
Burgess Joyner, Jeremiah Joyner and Jeremiah Williford the Witnesses thereto and ordered
to be recorded. And at a Court held for the County of Southampton the 21st day
of December 1829. Richard Williams the executor named in the said Will appeared in
Court and refused to take upon himself the burden of the execution thereof. On the
motion of Samuel Kelli who made oath and together with John M. Parley and
James S. French his securities entered into and acknowledged a Bond in the
penalty of Three thousand dollars conditioned as the Law directs Certificate
is granted the said Samuel Kelli for obtaining letters of administration on the
said decedent's Estate with his Will aforesaid annexed in due form

Teste James Rochelle clk

A Copy Teste, S. R. Edwards clk