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Petition of Benjamin Williamson, July 11, 1847

Benjamin Williamson

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Commence five or six lines from the top of the sheet

In Chancery
Before the Vice Chancellor of the First Circuit

In the Matter of the Trust under the
last will & testament of Susan W.
Ainsleeing demand -

Leave two blank lines between the title & the following

William Samuel Johnson of the City of New York, Complainant
at law, being sworn, examined, doth depose & say
as follows: I
~~that~~ he was acquainted with Susan W. Ainsleeing
late of Veris in the County of Essex, State of New
Jersey. That during her life time ~~deposits~~ occa-
sionally transacted business for her, & her own
~~that~~ at the time of her decease ^{as well as} ~~she was in~~ in
about the month of Sept-1829 she was ~~deposited~~
possessed of ~~valuable real estate situated within the~~
~~State of New York~~, & also of a large personal property
That she died ~~in~~ ⁱⁿ about the ^{month} ~~first~~ day of
May 1833, having made her last will & testa-
ment bearing date on or about the 26th day of
September 1829. That shortly after her decease
Henry J. Williams & Anthony Peltzer, two of
the Ex^{rs} named in her s^d will, provided the
same in the proper Court in the ^{County of Essex in the} State of New
Jersey, & took upon themselves the execution thereof
^{as do I was informed, and daily believe} by the trusts therein directed, - That Peter A. Jay
who was also an Ex^r named in the s^d will, refused

to qualify as such Executor, & never (to the best of
~~my~~ ^{my} knowledge (believe) undertook the execution
of the s^d will - ~~and that~~ John Kean, another Ex-
ecutor named in the s^d will, qualified as such Executor in
the office of the surrogate of the County of New York ^{in the fifth month of July 1835} ~~in the fifth month of July 1835~~
~~under the will of the s^d deceased~~, 1835, and undertook the
execution of the s^d will - That ~~deponent~~ was the
agent & Attorney of the s^d Executors, ~~William & Rutgers,~~
~~William & Rutgers, & Kean,~~ ^{about the 28th of June 1833} ~~from that time that~~
~~testamentary proved to them~~, until about the
Month of May 1837 - That the s^d Attorney
Rutgers departed this life ^{on the 24th day} ~~in or about the month~~
of June 1836, & ~~that~~ the s^d Peter A. Jay has also
departed this life, having died ^{I am} ~~as deponent is informed~~
^{in a} ~~about~~ the month of February 1843 - ~~That~~
I have also ~~deponent has~~ ~~never~~ ~~been~~ ~~informed~~, & believe that
Julia K. Fish, (also an Ex^r named in the s^d will) has
never qualified as such - & that Christine Kean
(a grand-daughter of the s^d Susan U. Mincewing) is
still an infant under the age of twenty one year -
~~and that~~ John Kean, Julia Kean, (now the wife of
Hamilton Fish) & Christine Kean, the three grand-
children of the s^d Susan U. Mincewing, & named in
the will, the persons beneficially interested in the
trust therein created, are still living, the s^d John -
Julia, being respectively of full age, ~~the s^d Christine~~
~~being an infant under the age of 21 years.~~

In Chancery
 Before the Vice Chancellor of the first Circuit
 In the Matter of the Trust under the last
 Will & Testament of Susan U. Miners
 deceased

Benjamin Williamson of Elizabeth-town, in the State of New
 Jersey, Counselor at law being duly sworn & examined
 doth depose and say, as follows -
 That ~~he~~ ^{I am} is well acquainted with John Keen of
 Jersey in the State of New Jersey, the grandson of M^{rs} Susan
 U. Miners - ~~That~~ ^{That} the s^d John Keen attained the age of
 twenty one years sometime in or about the month of
 March ~~1843~~ ¹⁸³⁵ & shortly thereafter qualified as one of the Exe-
 cutors of the last will & testament of M^{rs} Susan U. Miners
 only - ~~that their deposition~~, As the Executor for Hamilton
 Dale & Julia R. his wife, & Christine A. W. Keen by Love Bales
 her Guardian next friend, sometime in or about the month
 of April 1843, filed a Bill ~~in Chancery~~ in the Court of
 Chancery in the State of New Jersey, in behalf of the s^d
 Hamilton Dale wife, & Christine A. W. Keen by her
 next friend, against Henry J. Williamson, John Keen
 surviving Executor E^x of the last will & testament of
 M^{rs} Susan U. Miners & against Robert Child
 & Sarah C. ^{his} wife of the said Robert ^{as Executors} and Charles F.
 Johnson as Executors of the last will & testament of Anthony
 Rutgers deceased
 for an account of the Estate of M^{rs} Susan U. Miners -
 That ~~such~~ ^{and} proceedings were thereupon had, that the cause
 was referred to a Master of the Court to take & state the
 s^d accounts. ~~That~~ ^{and} thereupon before the s^d Henry J. Williamson

These provisions to the s^d John Keen's qualifying as such Executor
 & shortly after the decease of M^{rs} Miners, Henry J. Williamson, John
 Keen surviving Executor (and other Executors named in the will) had
 power to take out in the proper Court in the County of Essex in the State
 of New Jersey, a writ of Habeas Corpus to take the s^d John Keen & restore him
 to the possession of the said Estate.

the s^r John Keen appeared before the s^r Master, & presented
within under both accounts purporting to be (being as
~~deposited~~ ^I verily believe) full accounts of all monies,
goods, chattels, debts, & evidences of debt & securities for money
belonging to the s^r Estate, which had come to their hands
respectively, or under their respective control, management
or knowledge - and ~~that~~ ^{my} ~~but~~ ^{of} ~~deposited~~
knowledge, information, & belief the s^r Henry J. Pillsbury
hath not, since such accounting, received any
money, goods, chattels, debts or other thing for or ⁱⁿ behalf
of the s^r Estate -

the year
~~This deposition further states that~~ ^{On or about the 11th day of}
~~July~~ ^{July} ~~about the year 1843~~ the s^r Henry J. Pillsbury, in per-
formance of the directions contained in the s^r Will, appointed
six respectable persons to make division of the real &
personal Estate of the s^r Testator, as directed by her s^r Will
& ~~that~~ ^{except also some small balances of money retained for the purpose} ~~such~~ ^{of equalizing the several shares, & defraying expenses of} ~~partition & division~~ ^{certain real estate within the State of New York,} was then
upon made, the several shares granted & conveyed, &
settled as directed in the s^r Will - And ~~that~~ ^{me} ~~after~~ ^{from} ~~the~~ ^{in behalf of} ~~settlement~~ ^{his co-executor} ~~of the s^r Accounts by the s^r Pillsbury, he~~
the s^r Pillsbury paid over to ~~the s^r John Keen~~ ^{the s^r John Keen} the balance of all the monies re-
maining in his hands belonging to the s^r Estate, as as-
certained upon the a^d-Accounting before the s^r Master -

~~This deposition~~ ^I further states that ~~but~~ ^{my} ~~of~~ ^{of} ~~his~~
knowledge & belief, the only property belonging to the s^r Estate
within the State of New York, held in trust by s^r & undivided
consists of certain land in the town of Morica, in the

County of Franklin :

Deponent further says that ^{he} is acquainted
with the 1st Henry S. Williams, & with Hamilton Fish
& Julia K. his wife, with Christian A. W. Kear - that
the 1st Williams resides in Philadelphia, in the State of
Pennsylvania, the 1st Hamilton Fish M^{rs} & Christian
A. W. Kear ^{reside} in the City State of New York -

In Chancery.
Before the Vice-Chancellor

In the Matter of the Trusts
for the use of the late Sir
J. Pitt Rivers of Susan G.
Annexing &c.

D- depositions of W. S. Johnson
& B. Williams, before the
Master -

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