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### Examination of Benjamin Williamson, June 15, 1847

Benjamin Williamson

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In Chancery,

In the matter of the trust under  
the last Will and testament of Susan H.  
Neimceicz deceased

Examination of Witnesses taken in pursuance  
of an order of the Court of Chancery bearing date the  
fifteenth day of June eighteen hundred and forty seven

Benjamin Williamson of Elizabeth town in the County of  
Essex, and State of New Jersey, Counselor at law, being  
sworn and examined, doth depose and say, I was acquainted  
with Susan H. Neimceicz late of Union, in the County of  
Essex, and State of New Jersey, that during her life time  
I occasionally transacted business for her, and know that at  
the time of her decease, as well as she was seized and  
possessed of considerable real estate in the State of New Jer-  
sey, as well as of a large personal estate, she died in or  
about the month of May 1833 having made her last Will  
and testament bearing date, on or about the 26 day of  
September 1829. Shortly after her decease Henry J. Wil-  
liams & Anthony Rutgers, two of the Executors named in  
her said Will, proved the same before the Surrogate of the  
County of Essex in this State, and took upon themselves  
the execution thereof, and of the trust therein directed  
Peter A. Jay <sup>who</sup> was also an Executor named in the said  
Will refused to qualify as such and never undertook  
the execution of the said Will, John Nean another Ex-  
ecutor in the said Will a Grandson of the Testatrix  
attained the age of 21 years sometime in, or about, the  
month of March 1835 and shortly thereafter qualified  
as such Executor before the Surrogate of the County of Essex,  
Anthony Rutgers died about June 1836. Since which  
time John Nean has had the transactions of nearly all  
the business connected with the said estate. Peter A.

Jay died, as I am informed and believe, in the month  
of February 1843 - Julia K. Fish, also named as an Ex-  
ecutor, in the said Will has never qualified as such  
and Christene (a Granddaughter of the said Susan N.  
Nevins) is still under the age of twenty one year.  
Ann Nean, Julia Nean (now the wife of Harrington Fish)  
and Christene Nean, the three Grandchildren of the said  
Susan N. Nevins, and named in her will, and  
the persons beneficially interested in the trust then  
created are still living, the said Ann and Julia  
being respectively of full age. I have become ac-  
quainted with the above facts from having transacted  
as a lawyer most of the business of the said Estate  
in New Jersey & since the death of Mr. Rutgers and  
part of it, prior to that time, and I likewise  
acted as Counsel and as Solicitor in the settle-  
ment of the said estate in the Court of Chan-  
cery as the Solicitor for Harrington Fish and  
Julia K. his wife, and Christene A. N. Nean of  
Mrs. Baker her next friend, sometime in or  
about the month of April 1843 I filed a bill  
in the Court of Chancery of the State of New  
Jersey in behalf of the said Harrington Fish and  
wife, and Christene A. N. Nean against Henry J.  
Williams and John Nean surviving Executors of  
the last Will and testament of the  
said Susan N. Nevins and against  
Robert Bird Birch and Sarah A. Birch wife  
of the said Robert as Executors and Charles F.  
Whitman as Executor of the last Will and  
testament of Anthony Rutgers deceased  
for an account of the estate of the said  
Susan N. Nevins, and such proceedings  
were thereupon had, that the cause was re-  
ferred to a Master of the said Court to  
take and state the accounts, and thereupon

both the said Henry J. Williams and the said John  
Kean appeared before the said Master and presented to  
him under oath accounts of all monies, goods, chattels  
debts, evidences of debt and securities for money belong-  
ing to the said estate, which had come to their hands  
respectively, and under their respective control, man-  
agement or knowledge, and to the best of my knowl-  
edge <sup>in information stated</sup> the said Henry J. Williams hath not, since  
the said accounting received any money, goods,  
chattels, debts, or other thing for, or in behalf of the  
said estate. On or about the 11. day of July 1843  
the said Henry J. Williams in pursuance of the  
directions contained in the said Will, appointed six  
respectable persons to make division of the Real  
and personal estate of the said Testatrix as di-  
rected by her Will, and such partition & division  
of all of the said estate, except certain Real estate  
within the State of New York and except also some  
small balances of monies retained for the purpose  
of equalizing the said shares and defraying  
expenses was thereupon made, and the several  
shares granted & conveyed, or settled as directed  
in and by the said Will, and after the settlement  
of the said accounts, the said Henry J. Williams  
paid over to me upon an order from and on  
behalf of the said John Kean his Co. Executor the  
balance of the monies remaining in his hands  
belonging to the Estate as ascertained upon the  
aforesaid accounting before the Master.

I <sup>further</sup> state that to the best of my knowledge  
and belief the only property belonging to the  
said estate and held in

I further state that the said Henry J. Wil-  
liams resides in the City of Philadelphia, and  
that the said John Kean has for a long time

part had the whole management of the estate  
and that I believe all parties interested are willing  
the prayer of the Petition should be granted, as it  
will save much expense and trouble to have the  
estate of Miss Thaw under the control of the  
Trustee

Chancery

Matter of the  
Petition of H.  
J. Williams

of Milwaukee —  
B. R. —

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