1855-039 SOUTHAMPTON COUNTY CHANCERY PAPERS

WILLIAMSON et al VS. RYLAND'S ADM'R. etal

12/1855

other SURNAMES: Matthews, Highlander, PERSONS, Murfee, Stewart, HARRIS, TURNER

376

Williamson & others.

vs. Bill.

Turner. Answ. &c.

1855. Dec. Decree as pr. decree filed

"

To the worshipful the county court of Southampton. in chancery sitting.

Humbly complaining shew unto your worships, your complainants, David E. Williamson. Martha P. Ryland, David M. Matthews. Wm P. John A. Mary F. Littlebury M & Lucy I and Thomas L and Joseph A Matthews, James M Leighlaman & Martha his wife, Walter, Peter, Laura and Florence Person infants by Jno A Person their next friend, Wm H. George M L. and Mildred P. Williamson, Elizabeth Minter. Charles, James and Walter Stewart infants by Wm H. Williamson their next friend. & Elizabeth F. Williamson That Thomas B. Williamson of this county, died intestate, seized & possessed of a large estate consisting of Land. Slaves & personal chattels That his Land and Slaves. have been sold & divided, among his distributees, your Complainants. But the sale of his chattel estate remains unadministered.

That William E. Ryland qualified as the now and sold all the chattel estate amounting to a large sum, but before he could, from the nature of his trust settle, his transactions, he died, intestate.

That James Harris. then qualified as now. as heir and of the said intestate and he died. Testate,

That Joseph Timm then qualified as now as heir now of the said Thos B. Williamson. as now as heir now. of Wm E Ryland. and as Executor of James Harris,

That. large sums came into the hands of Ryland the first now of wmson. and a account of his transactions has been stated. settled, by James Harris the first administrator of Ryland, a copy of which is here filed as a part of this bill.

That same funds came to the hands of Harris

the second sons of Williamson - but your Complts. are inclined to think not sufficient to pay his expenditures on the estate. and that but little has come to the hands of Lewis the present Adm.

Your complainants, state, that they all the children of Thomas B. Williamson, and related to him in the following degrees, that is your Complt. Elizabeth V. his niece & entitled by Law to one half of whatever may be due on a settlement of the Intestate estate, Maria E. Williams a brother, Martha P. Ryland a sister - each entitled to one fourth of one half - Maria M. Wm P. Littlebury M. John - A, Mary F, Lucy J. George A, and Thomas L.

+ Matthew - Martha Nightsman, wife of James M Nightsman the descendants of

Matthew a sister, and, Walter, Thomas, Laura & Peter Person infant children of another descendant of Mary Matthew - and entitled to one fourth of one half and Wm. George M L. & Mildred P. Williamson and Elizabeth Murphy, and Charles James & Martin Stuart children of James Stuart, the descendants of George M. Conyon a mother of the intestate.

That your complainants have in a friendly manner applied to the sons of Thomas B. Williamson for a full and complete settlement of his estate and payment of what may be due to them, but they have declined, not having as your Complts believe or charge, from any disposition to defraud them of their rights - That they are entitled to have the accounts settled - and the balance paid over to them according to their respective rights.

To Enable Consideration of all which, and to as much as your Complainants are without remedy in the premises except, by a Court of Equity, where matters of this sort are alone cognizable. To the End therefore, that full and complete justice may be done, they may your Worships to make Joseph Lewis, and Louis son of William E. Ryland - of Thomas B. Williamson, and as Exec of James Harris a Defendant to this bill, with apt and proper words to charge him & compel him to answer its allegations fully and unreasingly - That he be required to render accounts of the transactions of Wm E. Ryland and of James Harris, with the estate of Thomas B. Williamson dec. also an account of his own transactions with the same estate - That on a settlement, a decree may be made in favour of the Plaintiffs, for whatever may appear to be due them respectively, and grant such other and further relief, in the premises as Equity may entitle.

May it please the Court to grant a Ch. Mag. p.p.

Miscellaneous

vs.

Treasurer &c.

Answer of Defts.

1855 Dec.

In the worshipful county court of Southampton
in Chancery.

The Answer of Joseph Turner, admr de b n — of
Wm. E. Ryland — admr de b n of Thomas B.
Williamson and Exor of James Harris, to a
bill exhibited in this court against him by
Maria E. Williamson & others.

This defendant saith all benefit of exception
to the said bill — admits, that his intestate William
E. Ryland was the first admr of Thomas B. Williamson
and that a considerable sum came into his
hands, which has not been paid over. That
his testator was the second admr. and he charges
that the estate of Williamson will be found in debt
to Harris, & if so he prays the balance may be paid
out of the assets, if the first admrs hands, before any
distribution is made to the Plaintiffs. He also
admits, that he is the admr de b n of T. B William
-son, but denies that any assets have ever come
to his hands, — and the probability is he will never
receive much.

He also admits that he is the admr of Ryland
and Executor of Harris — and is ready to render
any accounts, which the court may properly
require — and to pay the Plaintiffs any balances that
may be due them, upon the execution of proper re —
-funding bonds, conditioned according to Law.
That he has no disposition to delay the settlements
required by the bill — and this suit is brought at his sug.
-gestion, in vain to hasten the adjustment of the usual
matters involved — which from their complication required
the supervision of a court of Equity & the skill of one of
the Commissioners — & having answered fully to be hereof
discovered — &

Jos: Turner, Admr. de b n

Williamson &c.

vs. } Secure

Lumm &c.

Sec. Co. 1855.

Williamson & others.

vs.

Tunis. &c &c &c

This day this cause was docketed by consent of parties - and by like consent came on to be heard on the bill, answer of the defendant replication thereto - exhibits filed and was argued by counsel. On consideration whereof the Court doth adjudge, order and decree, that Joseph Tunis, master before named do take the following accounts.

1st An account of the transactions of William E. Ryland, as agent of Thomas B. Williamson dec'd - The estate account him with regard to be taken as the basis of settlement;

2d An account of the transactions of James Davis as agent as above, as regards one of the said Williamson

3d An account of his own transactions with the estate of the said Williamson. and

4th An accounts of any payments, which may have been made by either of the aforesaid agents to any of the creditors - who is hereby required to appear, state, settle & report the same to this Court, with any matters specially stated and pertinent by himself or which may be required by either of the parties to be so stated,

The said Master shall notify the parties of the time of taking said accounts, and publication, for four weeks, in some newspaper published in the City of Petersburg, shall be a sufficient notice.

Williamson Geo

vs } Exhibt.

Williamsons adr

The Estate of Thomas B Williamson

In account with William E Ryland admor.

1854			Dr.		Cr.	
Feby	21	By cash found in the house			310	00
"	"	" " " " on a letter from Martha L Donnan to J. B. Williamson			181	00
"	27	By amount of sales of cotton Ryland			327	65
"	28	To paid Wm H. Basdarn auctioneer	10	00	...	
March	7	" " James Blunt Hf. acct	197	79		
"	"	" " Ditto "	2	50		
"	"	By amount of sales of cotton			108	02
"	"	" Cash rec'd of Sam'l Drewry Acct				25
"	25	To paid R Ubanks agent for Richie Hf.	10	00		
Apl	3	" " John Welton acct	8	28		
"	7	" " Chrumbliss & Massenburg "	25	00		
"	"	" " Wm T. Lundy Clerks	5	00		
"	"	" " Wm J. Robinson bond Jp	36	40		
"	"	" " Ditto acct	5	55		
May	15	" " John M Lemon "	2	50		
"	29	" " Kinchen Williams "	3	00		
"	"	" " Johnson D Bland "	1	50		
July	3	" " Jos T. Powell for Mitchell case	50	00		
"	"	" " Joseph Turner Comm.	12	00		
"	"	By cash rec'd of William Sands			12	50
Aug	7	" " " of Thos M Newsom				25
"	"	" " " of J F Branch			20	00
Sept	5	" " " of E B Bland			28	54
"	"	" " " of John Turner			12	00
"	"	To paid Thomas B Worrell acct	15	00		
"	"	" " James H Person "	4	38		
Nov	1	By account of Sales due this day			4760	03
		To Commissions on $5760.24	288	01		
		" Clerks fee retained	1	50		
1855		Amounts carried forward	678	41	5760	24

1855		Amounts brought forward	678	41	5760	24
July	21	By Balance due the estate	5081	83		
			5760	24	5760	24
"	"	By Balance due brought down			5081	83

with interest thereon from this date till paid

Commrs fee $3.00

Charged To James Harris
Adm. de bonis of J. B. Williamson dec'd

Comm.

Respectfully Submitted

Wm W. Cobb Comm

A Copy

Test L R Edwards Clk