

1830-007 Chancery Causes: Cartwright Price, admr of Betsy Williamson v al vs George Price's admr v al

Dale of Wright County

Other SURnames: Lightfoot,
JUDKINS, Southall,
ATKINSON

Price Lottus
~ 3/4 dca

Price adv. 4/6

3^d Novemb 1829 Order of
publication decreed & (1829)
deposited at the court house door
at New York for publication
— 24. Nov. 1829 —

May 3^d 1830 final decree
see the decree on minutes & index

Attest

in the County Court of the County of Middlesex
the administrators of the said George
Price, and have received and much
more than sufficient to pay all
the indebtedness due from the
estate of time; it is, but reason and
equity all rights are paid or barred
by the Statute of Limitation or the
prescription of payment, they the
said complainants are entitled to
receive of the said administrators
four shares of the amount in the said
estate, and the said husband
and wife and Sonnet Price or
their representatives are entitled to
the other two shares. but so it is that
it please your worship, notwithstanding
the said complainants
wishes, the said administrators refuse
to pay to them their just proportion
of the said estate. In tender consid-
eration whereof, and for as much
as your complainants are remedi-
less in the premises except by the
aid of this Court, they pray that
the said James Southwell Hopk
Atkinson as a son of George Price,
and the said James Judkins and
Catharine ~~Price~~ his wife and Sonnet
Price who are out of this Court may
be made defendants to this Bill & that
the complainants may be permitted
to proceed against the said absent
defendant in the mode prescribed
by Law in such cases; that the said
James Atkinson and James Southwell

may be made to answer this Bill, and
as the other defendant or defendants
that the said absent defendant is liable
a true and correct account of
the transactions on the estate of
the said Geo. Price, and that they
maybe compelled to distribute the
same in this Court according to
the rights of the parties Plaintiff
and the said absent defendant
and that you will make any
other or further decree in this matter
which may comport with right
and that you will grant such
other and further relief as may
be consistent with justice and in
outpound the said James. It may
be thought that of the said absent

A. Atkinson
also for plaintiff

20th County Court of Ill. of Right sitting in
Chancery, humbly complaining, sheweth
now worshipful your orators and oratrix
Cartright Price in his own right and
administrator of Patsy Williamson
et al. who was the wife of William H.
Williamson and in his life time his
marriage was Patsy Price, a
William Price who is a legal
by the said George Price his next
friends and Committee and
Suzanna Price, that one George
Price of the County of Ill. of Right
did intestate about the year 18 leaving
neither father, mother, brother or sister
or child and no grand father or
grand mother but he left as his
heir at law several children of
William Price who was his full
brother, which children of his brother
William were his nephews and
nieces and were as follows to wit,
your orators Cartright, William, Suzanna
Patsy Williamson et al. "Catharine"
Price who became the wife of one
James Goodkin and Lemuel Price;
that Patsy Williamson is dead &
left several children and your orator
Cartright is the administrator,
the said James Goodkin wife &
Lemuel Price left this state several
years ago to wit years and are
if living, beyond this state but of them
nothing has been heard for years
past and your orators and oratrix

Piges admon:
1 ad: 3 annu
pria totus

to be filed in the
vint of prices or
prices adv. -

This may be signed &
sworn to by the admon:
Agis sent to the
clerk or soon or
convenient.

believe it to be true that as the said
Geo. Price did intestate and without
issue, the children of Mr. Price the only
brother of Geo. Price and the heirs of
them are the heirs of the said Geo.
they are advised that the said Mr. Price's
children were Castrioke Price, Mr. Price,
Susan Price, Lemuel Price Catharine
who married James Jackson and
Elizabeth who married one William B.
Williamson ^{the latter one} ~~who~~ are dead having children
and they are advised that Castrioke
Price is the advisor of Williamson &
of his wife also. That Batho. Lightfoot
instituted an attachment in the County of
Ill. of Wright against the said James Jackson
and the Court of Ill. of Wright pronounced
a judgment in his favor & condemned
as the estate of Jackson in the hands of
you respondents ~~to pay to him~~ the sum of
\$40.90, being one sixth of the whole
estate in their hands as adv. of Geo. Price
they have therefore now in their hands only
\$204.55 which they are willing to
pay to the persons to whom the cl.
may serve it. ~~and~~ having assured
they may leave to be dis. w. to

^{signed}
Jas B. Southard
Joseph Atkinson

Ill. of Wright County Ill. This day came
before the undersigned a justice for said
County Joseph Atkinson & James B.
Southard who made oath that the
plaintiff in the foregoing case is true
so far as they know or believe —
Given under my hand this day
of Nov. 1829 —

J. H. Purdie J. C.

To the County Court of Ill. of Wight sitting
in Chancery - The joint answer of Messrs
B Southall and Joseph Atkinson ^{advers} ~~in~~
of George Prior decd. to the bill of com-
-plaint exhibited in the Court of said
against them by Cartwright Prior to this.
The defendants saving and reserving to
themselves now and at all times here-
-after all and every manner of benefit
and advantage of exception to the
errors and imperfections in the rea-
-soning, for answer say that they
are the administrators of George Prior
late of the County of said - that they have
gone on to administer the estate accor-
-ding to law as they are advised and
have at different periods laid their
account settled by a Com. of the Court of
Ill. of Wight County - that by the last ac-
-count by Com. of the Court of
Ill. of Wight County at November term 1829,
a balance of \$245.45 is found to be
due from them to the estate of Geo.
Prior their intestate - that now suppose
have long wished to pay over the amt
in their hands but some of the parties
who are said to be entitled have been &
now are thought to be out of the state,
some doubt has existed as to the persons
really entitled but they are informed and

Services Acknowledged

Joseph Williamson Administrator

J. B. Smith & Co

Price Paid

to the
city -

Price paid by

Rockwell Co. &
1879

William

The Common Pleas of Virginia, to the Sheriff
of the County Court of Albemarle County,
You are hereby commanded to summon
Joseph Atkinson and James W. Price
administrators of George Price, ~~and~~
James Jackson and Catharine his wife, &
Sennett Price to appear at the Court House
of Albemarle County upon the first day of
the said Court on the first Monday
in November 1823, to answer ^{the said} George
Price, Susanna Price, William Price
who sue by Catharine Price his next
friend and Catharine Price and of
Betsey Williamson decd. of their complaint
in a bill in chancery in the said Court
exhibited against them, ^{the said} defendants
the said defendants shall answer the
said bill within four months hereafter,
the Court will take the same for confessed
and decree the matter thereof
accordingly. and this they shall
do in no wise omit, under the penalty
of \$100- and have then & have this
writ. Witness my hand & seal of the
said Court at the Court House
this 24th day of October 1823 and in the
54th year of the Commonwealth
H. H. H. H. H.

Barthright Price in his own right & as
admirer of Betty Williamson who was
Betty Price, William Price who is a
legitimate by Barthright Price his con-
sanguinity, & Susanna Price, p^{er} p^{er}

James Southall Joseph Atkinson & or
of George Price & or James Judkins &
Catharine his wife and Lemmitt Price

This cause came on to be heard on the
bill of the complainant, the answer
of James Southall and Joseph Atkinson
and exhibits filed and was argued by
counsel on ~~various matters~~ of
and the defendant James Judkins &
Catharine his wife, and Lemmitt Price
against whom the complainant, seem
to have proceeded in the most proper
manner against absent defendant
still failing to appear and file their
answer, the bill of the complainant
is taken as confessed against them, &
the Court are of opinion that the ~~plffs~~
said Barthright Price, Betty Williamson
who was Betty Price, William Price,
Susanna Price, ~~James Judkins~~ Catharine
Judkins who was Catharine Price and
Lemmitt Price being the children of one
William Price who was the only brother
of the intestate George Price, who left no
~~other~~ father, mother, brother or sister or
child, no grandfather or grand mother
and no heir at law save the children
of said W. Price, are entitled to the estate
in the hands of said Atkinson Southall
and the ~~plffs~~ consent to receive the
upward act current of the estate of said

George Price of which exhibit A is a copy
evidenced, ^{which shews \$245.40 to be due to the estate} without refusing the same as given
to a Commissioner, the Ct doth adj. ord. &
decree that the said Atkinson & Southall
now as afore said pay the costs of this
suit, out of the amt in their hands due
said estate ~~and it appearing that they have paid to the~~
~~the said estate the sum of \$405.60~~ ^{the sum of \$405.60}
their hands, the sum of ~~\$405.60~~ \$183.91

It is also adjudged, ordered & decreed that
the said Cartwright prior in his own
right recover of the defendants Southall &
Atkinson \$36.78 — ; that the said Cart-
wright prior as admr. of Betty Williamson,
Wm prior, Susanna prior and Jennett
prior as each recover of the same persons
the sum of \$36.78 — to be paid out
of their own ~~estate~~ proper good & chattels
; & it appearing to the Ct that the said
Jennett prior is not an inhabitant of
state and has no record against her
same, the Ct doth also adj. ord. & decree
that the defendants Southall & Atkinson
deposit the said sum of \$36.78 —
in the Bank of Virginia at Norfolk to the
credit of said Jennett prior. the Ct doth
also adj. ord. and decree that the said
plaintiffs and the defendants Jennett,
before they ~~and then~~ shall have the benefit
of this decree, shall if required by the said
admon^r execute bonds with good security
to said admr. in a penalty equal to double
the amt to which each is entitled the Condition
to refund one proportion of any debts or
demands which may hereafter arise against
said estate, together with the costs attending
the same. And it is further ordered
that the defendants pay the part to
which the S^r W^m prior is entitled ~~decree~~
this order to any person who shall be the
said qualified Commissioner of said S^r W^m prior.

Prin 10th

~ 3/4 Statist

Prin adonoy!

8-

Statement to be filed in the case of
price in prices, ad more &c.

Amount from Southcoast & others
in ad mon. of George. price of
cement reported at Nov. 1829 — $\$245.50$

Amount of which the p^{ts} of the
supdants Geo. Kimbrough & Lemott
are entitled each to $\frac{1}{6} = \$40.90$

Therefore amount Geo. Kimbrough's proportion
attached by B. Lightfoot & Co. & by
C. to be p^d. to him, which has been done
in conformity with said order $\$40.90$

Amount expenses of this suit = $20.59 =$ $\frac{68.49}{783.91}$

Now, to be divided into 5 shares
the sum of $\frac{183.91}{5}$

which entitles each to the net sum
of $\$36.78 \frac{1}{5}$

$$\begin{array}{r} 5 \overline{) 183.94} \\ 36.78 \frac{4}{5} \end{array}$$

$$\begin{array}{r} 5 \\ 10 \\ 1.63 \\ \hline 16.63 \end{array}$$

$$\begin{array}{r} 20.50 \\ 16.63 \\ \hline 3.87 \\ 1.56 \\ \hline 1.31 \end{array}$$

Cartright price in his own
right and as a donor of
Betsey Williamson who
was Betsey price, comprised
by Cartright price his
nephew & Committee
and Susanna price. copy

James Boutwell Hought
Acting on acc. of Jo. price
and James Luskien, & Catha-
rin his wife, and Lemuel
Price - - - Sept. B.

The Sept. James Luskien &
Catharin his wife and
Lemuel price, not having
entered their appearance
and given security, accor-
ding to law & the rules of this
Court; and it appearing
to the satisfaction of the
Court that they are not
inhabitants of this State,
it is ordered, that the said
James Luskien & Catha-
rin his wife & Lemuel
price appear here on the
first Monday in February

next, that his Court say
by answer the complainant
lies; and that a copy of
his order be forthwith
inserted for 2 months
in some news paper
published in Norfolk
and another copy posted
at the front door of the
Court House of this
County -

precis
Layman

in 3rd edn
~~Layman~~
~~precis ad.~~

Handwritten notes in the right margin, including the word "Layman" and other illegible cursive text.

At a Court held for Isle of Wight County, the 2d day of November, 1829,

Cartwright Price, in his own right, and as administrator of Betsey Williamson, who was Betsey Price, and Wm. Price by Cartwright Price, his next friend and Committee, and Susan Price,

Compls.

AGAINST

James B. Southall and Joseph Atkinson, administrators of George Price; and James Judkins and Catharine his wife, and Jennett Price,

Defts.

THE Defendants James Judkins and Catharine his wife, and Jennett Price, not having entered their appearance and given security according to law and the rules of this Court; and it appearing to the satisfaction of this Court that they are not inhabitants of this state; it is ordered that the said James Judkins and Catharine his wife, and Jennett Price, appear here on the first Monday in February next, (that being Court day) and answer the complainants bill; and that a copy of this order be forthwith inserted for two months in some newspaper published in Norfolk, and another copy posted at the front door of the Court House of this county. A copy—Teste,

NATH'L YOUNG, C. J. W. C.

nov 13

12m

In Chancery.

I certify, that the annexed notice, in the case of Price vs Price, has been inserted, for two months successively, in The Universal Beacon, published in Norfolk, commencing the 13th November 1829.

*Wm. G. Shields,
of Shields & Ashburn,
Publishers of The Beacon.*

Sworn to before me, an Alderman of Norfolk Borough, this 20th day of March 1830.

Thos. Williamson

at

Charge for publication \$5. which please collect.

E. J. B.