

1861-04 Southampton County -

Butler, Milton D. vs. Bulls, James M. et als

Creditors Settlement

Bulls, Mary  
Kello, Samuel  
Stephenson, Wm. A.

~~4~~ 53.

Butler

& { Papers

Dulle Lullie &

1861. May

Butler  
" } Bill  
Buller &c }

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personal property conveyed by deed bearing date December  
27<sup>th</sup> 1853 from James M. Bulls and Mary de his wife  
to Wm B. Stephenson trustee to secure Samuel Wells as security  
for two bonds for the said James M. Bulls payable to Wm B. Ste-  
phenson and after the payment of the debts provided for in  
the said deed, out of proceeds of said sale, that the balance  
if any may be directed to be applied to the payment of the  
judgement obtained before Samuel B. Wells a justice of the  
peace for this County on the 1<sup>st</sup> December 1859, <sup>by your complainant</sup> against the  
said James M. Bulls, for \$45.48 with interest from the 1<sup>st</sup>  
January 1859, subject to a credit of \$3.52 paid Dec 10<sup>th</sup>  
1859 and 40 cents costs - That all proper accounts  
may be taken and that your Honor will decree such  
further and general relief as equity may dictate on the  
nature of his case may require, and he will ever pray

Perlow J. G.

To the Hon. Richard H. Baker Judge of the Circuit  
Court of Southampton County. In Chancery setting -  
Humbly complaining sheweth with your honor, your  
Complainant William D Butler that on the 1<sup>st</sup> day of  
December 1859 he obtained a judgement <sup>against James M Bulls</sup> before Samuel  
B Wells a justice of the peace for the County of Southampton  
for forty five dollars and forty eight cents (\$45.48) with interest  
thereon from the 1<sup>st</sup> of January 1859, and 40 cents costs. Subject  
to a credit of \$3.52 cents paid Dec. 10<sup>th</sup> 1859. That execution of said  
Faciās has issued on the said judgement against the said James  
M Bulls, which has been returned to this office "no effects" -  
all of which appears by copies of said judgement and execution  
which are herewith filed, and prayed to be taken as a part  
of this bill - Your complainant further states that all  
the property which the said James M Bulls is entitled to,  
is an equitable interest in a tract of land lying in this  
County and other personal property conveyed by the said James  
M Bulls and Mary M his wife, by deed bearing date Decem-  
ber 27<sup>th</sup> 1853, and duly recorded in the Clerk's office of the County  
Court of Southampton County to Wm R Stephenson Trustee  
to secure Samuel Wells as security for the said James M  
Bulls in two bonds payable to Wm R Stephenson, a copy of  
which deed is herewith filed and prayed to be taken as a  
part of this bill - Your complainant desires the aid  
of this honorable court in enforcing the sale of the  
said property, and after the payment of the debts provided for  
in the deed of trust, that the balance if any may be applied to  
the payment of your complainant's aforesaid judgement and execu-  
tion - In tender consideration of the premises and inasmuch  
as your complainant is without remedy save in a Court  
of Equity, it is prayed that James M Bulls and Mary M  
his wife, Samuel Wells and Wm R Stephenson may  
be made parties defendants to this bill, and that they  
may be compelled to answer the allegations thereof -  
That your Honor will decree a sale of the land and other

personal property conveyed by deed bearing date December  
27<sup>th</sup> 1853 from James M. Bulls and Mary M. his wife  
to Wm B. Stephenson trustee to secure Samuel Wells as security  
for two bonds for the said James M. Bulls payable to Wm B. Ste-  
phenson and after the payment of the debts provided for in  
the said deed, out of proceeds of said sale, that the balance  
if any may be directed to be applied to the payment of the  
judgement obtained before Samuel B. Wells a justice of the  
peace for this County on the 1<sup>st</sup> December 1859 <sup>by your complaint</sup> against the  
said James M. Bulls for \$45.48 with interest from the 20<sup>th</sup>  
January 1859 subject to a credit of \$3.52 paid Dec 10<sup>th</sup>  
1859 and 40 cents costs - That all proper accounts  
may be taken and that your Honor will decree such  
further and general relief as equity may dictate on the  
nature of his case may require, and so with every prayer

Periton F. G.

Exhibit

Bulls Hulfel

to { D. Grant

Kello's Trust

Alcopy

This Deed made this 27<sup>th</sup> day of December 1853, between James M. Bully & Mary F. his wife of the one part & William R. Stephenson of the other part. Witnesseth that the said James M. Bully & Mary M. his wife do grant unto the said William R. Stephenson, the following property: The tract of Land which the said Bully purchased of William R. Stephenson, containing 66 acres, 2 Beds and furniture, 1 Chest of Drawers, 6 Chairs, 1 Cow & Calf & their increase, 1 Sow & her increase, 1 Cart & wheels, and all my Kitchen furniture and farming utensils, & 1 Gun, In trust to secure Samuel Nello as my security to 2 several bonds, made payable to Wm R. Stephenson, in the sum of fifty Dollars each & bearing date the 20<sup>th</sup> day of December 1853. Witness the following signatures and Seals.

Witness  
 Shugart Linn  
 Eli A. Davis  
 Allen Stephenson

James M. <sup>his</sup> Bully  
 Mary M. Bully  
 Wm R. Stephenson



State of Virginia

Southampton County to wit

we Thos J. Brister and P. J. Holman Justices

of the peace for the County aforesaid do certify that Mary M. Bully the wife of James M. Bully whose name is signed to the writing above, bearing date on the 27<sup>th</sup> day of Decr 1853, personally appeared before us in the County aforesaid and being examined by us privily and apart from her husband and having the writing aforesaid fully explained to her, she the said Mary M. Bully acknowledged the said writing to be her act and declared that she had willingly executed the same, and does not wish to retract it. Given under our hands this 27<sup>th</sup> day of December 1853;

Thos J. Brister J.R.  
 P. J. Holman J.R.

Southampton County, In the Clerk's Office the 16<sup>th</sup> day of January 1831.  
This Deed of Trust was acknowledged by) Wm R. Stephenson, a party  
thereto, & was proved as to James M. Bully, another party thereto, by the oath  
of Shugart Gair and Eli W. Davis two of the Subscribing witnesses thereto  
and together with the certificate of the prior examination and acknowl-  
edgment of Mary M. Bully his wife also a party thereto, admitted to record.

Teste L. R. Edwards, Clerk

Attesty Dated

L. R. Edwards Clerk



Know all men by these presents that we William R. Stephenson &  
Alfred T. Stephenson — are held and firmly bound unto  
the Commonwealth of Virginia in the just and full sum of One hundred  
dollars good and lawful money of Virginia: to the payment whereof well and  
truly to be made we bind ourselves our heirs, Executors and administrators  
jointly and severally firmly by these presents. Sealed with our seals and dated  
this 18 day of June 1860

The condition of the above obligation is such that whereas in a suit in  
Chancery depending in the Circuit Court of Southampton County between Milton D.  
Duller plaintiff and James M. Dulle Sulist & others Defts. by a decree entered in the  
said suit on the 30<sup>th</sup> day of May 1860 the above bound W<sup>m</sup> R. Stephenson was  
appointed Commissioner for certain purposes therein expressed. Now if the said  
W<sup>m</sup> R. Stephenson shall faithfully discharge the duties of his trust under the said  
decree then the above obligation to be void & else to remain in full force and virtue.

Signed Sealed & acknowledged  
before me }

W<sup>m</sup> R. Stephenson (Seal)  
Alfred T. Stephenson (Seal)  
(Seal)

Butler

v. } Sum. ch.

Bulls wife &c

1860 April Rules

Execution

March 21<sup>st</sup> 1860

by delivering each  
of the within named  
parties a copy of  
the within summons

J. W. V. H. K.  
D. S.

Monroe P. B. C.

note

\$45.48

due 1st Jan 1859

# The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *James M. Bulls & Mary M. Bulls his wife,*  
*William R. Stephenson & Saml. H. H. H.*

to appear at the Clerk's office of our Circuit Court of Southampton County, at the Rules to be holden for  
the said Court, on the first Monday in *April - next*, to answer a bill in chancery  
exhibited against *them* in our said Court by

*Milton D. Butler*

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court  
House, this *12<sup>th</sup>* day of *March* 1860, in the *84<sup>th</sup>* year of the  
Commonwealth.

*L. R. Edwards*

**S**

*James M. Bulls*  
MILTON D. BUTLER or order the sum of *Forty five* dollars  
and *45* cents, for value received. Witness *my hand* and seal this *1st*  
day of *January* 185*9*.

*M. D. Butler*  
*A. H. H.*

*James M. Bulls*  
*mark*

SEAL.

SEAL.

The Commonwealth of Virginia,

To *E. F. Army* — A Constable of Southampton County,  
I Command you to Summon *James M. Bulle* to

appear before me, or some other Justice of the Peace, for the County, at *Do Kellos'*  
*Houoon* the *8* day of *December* 185*9*, to answer the complaint of *Abraham*  
*Bulle* of a plea of debt for the non-payment of *forty five Dollars*  
*45/100* due by *Note* and then make due return of this warrant. Given  
under my hand and seal, this *1* day of *December* 185*9*

*S. B. Kellos* J. P.



JUDGMENT IS GRANTED The

*Plaintiff* for the sum of *Forty five*  
*Dollars & 48* and costs, *40¢* with interest from the *1st* day of *June*.  
*100* 185*9* till paid. Given under my hand and seal, this *1st* day of *June*.  
185*9*

*S. B. Kellos*

J. P.



Butler

Ex: with Bill

Bulls of

The Commonwealth of Virginia - To E. F. Drury Constable of Southampton  
County. I command you that of the goods and chattels of James M. Bulls if to be  
found in your District you cause to be made the sum of Forty five dollars  $45 \frac{8}{100}$  cents  
with interest from the 1<sup>st</sup> day of June 1859 till paid which M. D. Butler lately  
recovered before me S. B. Kello a Justice of said County. also 10  $\frac{4}{100}$  cents for costs  
about said Suit: and you make due return of the same within sixty days -  
Given under my hand and Seal this 1<sup>st</sup> day of Decr 1859.

S. B. Kello JP (Seal)

Return d<sup>o</sup> "Rec<sup>d</sup> in part of the within judgment three dollars and fifty two cents -  
Decr 10<sup>th</sup> 1859. E. F. Drury Const:

"No. Effects - E. F. Drury"

Attesty  
Jesse L. R. Edwards Clk

Southampton Clerk's Office }  
March 30. 1860

Butler  
" } Deer  
Bullyx

May term 1861

To be entered

R. H. Butler

Butler  
vs  
Bulls } Deener

This cause this day came on  
again to be heard on the papers formerly  
read, and on motion of the plaintiff  
it is ordered that this cause be dismissed  
at his costs

Bulls  
or  
Bulls } Deers

May Term 1860

To be entered.

A. H. B.

Butler  
" { Term  
Butler

The bill of the complainant having been taken for confessed as to all the defendants upon whom process has been duly served and they still failing to appear plead answer and demur. The cause came on this day to be heard on the bill of the complainant and exhibits therewith filed, and was argued by counsel - on consideration whereof the court doth adjudge order and decree, that unless the defendant James M. Bulls, within sixty days from the date hereof, pay to the plaintiff the sum of \$45.48 with interest thereon from 9<sup>th</sup> day of January 1857, a credit of \$3.52 paid Dec. 10<sup>th</sup> 1857 & be demanded, as well as all the costs expended by the plaintiff in this suit, that Mr. W. P. Stephenson shall proceed to sell for cash to the highest bidder <sup>at public auction</sup> after having given at least twenty days notice of the time and place of sale, the interest in the property both real and personal conveyed by the said James M. Bulls and wife to him as trustee by a deed of trust bearing date December 27<sup>th</sup> 1853 (a copy of which is filed as an exhibit) and after paying the expenses of this decree and said sale, pay the debts incurred by the said deed of trust, and out of the balance, pay the said M. D. Butler the amount specified above, and the balance if any to the said James M. Bulls, and make report of his proceedings under this decree to the court - But the said Mr. W. P. Stephenson shall not proceed to execute this decree until he shall have entered into a bond <sup>with sufficient security</sup> in the clerk's office of this court, <sup>in a penalty of \$100</sup> conditioned for the faithful performance of his trust under this decree.

Butler

w. } Stat: Rules.

Bulls & Wife &

1860 May

Clk

Sty -

Law &

15.68

2 00

16.50

23.68

In Southampton Circuit Court.

Melhor D Butler

against.

James M. Bullo & Mary M. his wife. Samuel Kello & Wm R. Stephenson.

1860 March 12<sup>th</sup> Summons issued

" April R. Sum. ret. Ex. P. Bill filed & Deceit nisi v. dft.

" " (Last Monday) Bill taken for confessed & cause set for hearing.

" May J. Deceit for sale &c

1861 " " Dismissed