

Jefferson County Circuit Court
Case Files - Civil

Box

25 Folder 17

November 1869, No. 341

Medley, Mary Elizabeth
Medley, John B.
Williams, Sarah, by her grd
Medley, John B.

vs

Williams, William R

Partition

Heirs of Emanuel Williams; 200
acres in S21 T41 R4E

**ALL OVERSIZED
DOCUMENTS FOR THIS
CASE ARE LOCATED IN:**

Oversized Box: 1

Folder: 13

Number of Items: 1

Mary Elizabeth Medley
& John B. Medley her
husband ^{and}
Sarah ~~Medley~~ ^{Williams} by
her Guardian John B.
Medley Plaintiff

In the Circuit
Court of
Jefferson
Co. Mo.

vs
William R. ~~Medley~~ ^{Williams} Deft

Plaintiffs state that
Emanuel Williams departed this life
intestate several years ago seized in
fee simple of the following described
Real Estate situate in Jefferson
County Missouri, to wit The North
East quarter of section 21 Township
41 of Range 4 East containing
160 acres, and also the North East
qr. of the South East qr. of section
21 Township 41 of Range 4 East
containing 40 acres, and also left
surviving him Mary Elizabeth
Williams his widow and Sarah
Williams ~~Medley~~ ^{Williams} and William R. ~~Medley~~ ^{Williams} his
children heirs at law to whom
said Real Estate descended, that
since the death of said Emanuel the
said Mary Elizabeth his widow
has intermarried with the Plaintiff

John B. Medley, who is now her husband. Plaintiffs also state that said John B. Medley has since the death of said Elemerel been duly appointed guardian of the Person and Property of said infant Sarah Williams by the County Court of said County of Jefferson and has duly qualified as such, and Plaintiffs aver that they and the Defendant are interested in said Real Estate as follows viz, said Mary E. Medley and John B. Medley her husband own the undivided one third part of said Land for and during the natural life of said Mary Elizabeth and the said Sarah Williams and the Defendant each own the undivided one half of said Real Estate subject to the dower interest of said Mary E. & John B. Medley. Plaintiffs also state that the Defendant and also the said Sarah who is joined herein as a co. plaintiff by her said Guardian are minors both being the said Sarah being under

the age of eighteen years and the said
Defendant being under Twenty one years
of age, and Plaintiffs pray the Court to
appoint a guardian ad Litem for said
Defendant to defend his interests herein

And, Plaintiffs pray the Court in
consideration of the premises to adjudge
and Decree that Partition and division
of said Real Estate be made between
the Plaintiffs and Defendant according
to the respective rights of the parties
and that an order of sale of said premises
may be made if the same can not be
divided without great prejudice to
the owners, & for other proper relief

Jos. J. Williams
Atty. for Plaintiffs

Jos. J. Williams on oath says that the
matters & allegations contained
in the foregoing petition are true to
the best of his knowledge and belief

Sworn to and
Subscribed before
me this 20th Sept

1869.

Elias P. Honey. CTS

Jos. J. Williams

John R. Meadley

in
Shade
William H. Williams

Parhite
trigonal

Recd. Sept. 20 1869
C. H. Williams

Cardioid process
William
for 1869.

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } ss.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon

John A. Medley Williams

if he be found in your County, that
he be and appear before the Hon. Judge of our Circuit Court, on the
first day of the next term thereof, to be begun and held at the town of Hillsboro,
within and for the County of Jefferson, on the ~~Sunday~~ Monday after the
fourth Monday of ~~September~~ *September* 1869 next, then and there to answer unto

Mary E. Medley John B. Medley
Sarah J. Medley

upon *their* original petition, a copy whereof is hereunto annexed and
accompanies this writ, and have you then there this writ.

Witness, ELIAS F. HONEY, Clerk of our said Circuit Court,
with the seal thereof hereunto affixed, at office in Hillsboro, this
21st day of *September* A. D. 1869

Elias F. Honey
Clerk Circuit Court.
By L. H. Ayer & Co

The within was Served this 28 Day of September A. D. 1869 in Jefferson County Missouri, by deliv-

ering a copy of the Writ and the within Petition, as furnished to me by the Clerk of the Circuit Court,
to a white member of the Familie, of the within named Defendant Wm
R. Williams at his usual place of abode, over the Age of Sixteen
Years
fees 1.00

Fred Luthmeyer Sheriff
By Fred Vollmar
Deputy

No
341

TO

JEFFERSON CIRCUIT COURT.

Term, 1869

Mary B. Modley et al

vs Edmunds

William
William R. Modley

Original

3136454
182.27

186.992

18.83.144.115.137

Book 6 pages 18, 53, 100, 115, 137, 229, 266.

309.31

13.0
39.0

Mary Elizabeth Medley Et als Plaintiff
against
Wm R. Williams Defendant }

In Jefferson Cir Court
July adj term 1860

Now at This day comes the defendant
by his Guardian Ad litem
W. H. H. Thomas and says that
the matters as stated in the
petition he believes to be
true, defendant further
says that the interests are
correctly set out in said
petition and consents that
an order of Partition be
made in accordance with
said petition

Wm R. Williams
By W. H. H. Thomas
Guardian Ad litem

Medley }
vs } Pontifex
Williams }

Answer
Quor. dinn.
ad litem

Del. July.. 5780
E. H. May. @ 5

State of Missouri In the Circuit Court
County of Jefferson of Jefferson County
Mo.

At its November Adjourned Term for 1869
Begun at and held at Hillsboro on the
first day of February A D 1870

Be it Remembered that on the 5 day
of said Term, Saturday February 5th 1870
the following among other things preceding
of that day were Read and

Mary O Medley versus Partition
vs. Order of sale
William R Medley versus New at this
day comes the parties by their attorneys
To wit the said William R Williams
by his guardian Adlitem W H Thomas
and this Cause coming on to be heard the
Court doth find that said parties
are owners and tenants in common
of the following described Real
Estate, Situate in the County
of Jefferson, and State of Missouri
To wit The North East quarter
of Section No 21 Township No 4
of Range 4 East containing 160 acres
also the North East quarter of the South
East quarter of Section 21 Township

40 Range 4 East Containing 40 acres
and the Court proceeding to adjudge and
settle the rights and interest of said parties
in and to said Real Estate, doth
thereby declare the same to be as follows
to-wit: That the said Mary O Medley
and John B Medley are entitled to
the undivided one third part of
said Land for and during the Natural
Life of said Mary O Medley and that
Sarah Williams and William R Williams
are each entitled to one ~~half~~ undivided
half of said Real Estate, subject
to the Power of Trust of said Mary O
John B Medley. It is therefore ordered
adjudged and decreed by the Court, that
the Sheriff of Jefferson County proceed to
advertise and sell the above described real
Estate at public auction to the highest
bidder, for twenty per cent of the purchase
money in cash at the time of sale and the residue
in twelve months and for the deferred payment
take a bond or note from the purchaser
or purchasers thereof with good and
sufficient security of bearing interest
from date at the rate of ten per cent
per annum and that said sale take place
some time during the sitting of the Circuit Court

for said tenancy, and to be governed by the same
rules and regulations as for sales of Real
estate under Executions notice thereof
being given in the same manner as
prescribed by Law for such sales and
bring the proceeds in to Court to abide the
further order of the Court herein

In Testimony Whereof I Elias P. Hooney
Clerk of the Circuit Court within &
for County and State aforesaid has hereunto
set his hand and the seal of said
Court this the 16th day of
February 1870

Elias P. Hooney Clerk
By L. H. Ayford Deputy

Mary & Medley crabs

to

Mr R Meliaus

Order Sale

4/156

STATE OF MISSOURI, County of Jefferson.

Be it Remembered, That on this 18th day of March 1870, before the undersigned Clerk of the County Court of Jefferson County Mo., came Frank N. Stone, who being by me duly sworn, says the annexed advertisement was published in the Jefferson Democrat, a newspaper printed and published in the County of Jefferson, State of Missouri, of which he is printer, for four weeks, the first insertion being on the 18th day of February, 1870, and the last insertion on the 11th day of March, 1870, as follows, to-wit:

In No. 5,	February 18,	1870.
In No. 6,	"	25, 1870.
In No. 7,	March 4,	1870.
In No. 8,	"	11, 1870.
In No. ,		, 1870.

Frank N. Stone

Sworn to and subscribed before me this 18th day of March, 1870.

Wm. Mullin, Ex. Clerk

Printer's Fee, 10.00 - Received Payment,

Affidavit 25
\$10.25

Frank N. Stone

Sheriff Sale in Partition.

In the Circuit Court of Jefferson county, Mo.
MARY E. MEDLEY, and John B. Medley,
her husband, and Sarah Williams, by her
Guardian, John B. Medley, vs. William R.
Williams.

By virtue and authority of an order made by the
Circuit Court of the county of Jefferson, State of
Missouri, at its November (adjourned) term, A.
D. 1869, I will on the

15th day of March next, 1870,

at the Court House door, in the town of Hillsboro,
between the hours of nine o'clock in the forenoon
and five o'clock in the afternoon of that day, af-
ter for sale at public auction, to the highest bid-
der, the following described land or real estate,
to-wit:

The north east quarter of section twenty-one,
(21) township forty-one (41), of range four east,
containing one hundred and sixty (160) acres;
also, the north east quarter of the south east quar-
ter of section twenty-one (21), township forty-one
(41), of range four east, containing forty (40)
acres.

For the purpose of making partition between
said parties, for which the purchaser will be re-
quired to pay ten per cent. of the purchase mon-
ey in hand at the time of sale, the balance in
twelve months; the purchaser giving his bond,
with approved security, bearing interest at the
rate of six per cent. per annum from date, this
16th day of February, 1870.

5-4t] **FRED. LUTCHMEYER, Sheriff.**

Mary E Medley & John B. Medley
Sarah Williams by Guardian
J. B. Medley
against

William R Williams

In the Jefferson County Circuit Court.

REPORT OF SALE.

To the Hon. Circuit Court of Jefferson County, Missouri:

The undersigned Sheriff of Jefferson County would respectfully report that, in obedience to the annexed order of sale, issued from the office of the Clerk of said Court, that, having previously given not less than twenty days notice of the time, terms and place of sale, and what Real Estate was to be sold, and where situate, as the law directs, by advertisement in the *Jefferson Democrat*, a newspaper, published in said County, a copy of which advertisement is herewith filed and makes part of this report, I did, agreeable with said advertisement, at the Court House door, in Hillsboro, on Tuesday, the fifteenth day of March, A. D. 1870, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon of said day, and during the session of the Circuit Court of said County, at the March term thereof, for the year Eighteen Hundred and seventy

—, expose to sale at public auction, the following described Real Estate, situate in said County, to-wit: the North East quarter of Section Twenty one (21) Township Forty one (41) - Range Four (4) east containing 160 acres also North East quarter of South East quarter of Section Twenty one (21) - Township Forty one (41). Range Four East containing 40 acres and at said sale Sullivan Trazier was then and there the highest and last bidder for the N E q. of Section 21 - Town. 41 - Range 4 east containing 160 acres at the price and sum of Nine hundred & two Dollars (\$902) and the same was stricken off and sold to him at and for that sum, of which sum he has to me in ^{hand} paid ten per cent and has given bond with approved security for the balance as required by terms of sale. - and at said sale Elisha Eaves was then and there the highest and last bidder for the North East quarter of South East quarter Section Twenty one (21) Township Forty one (41) Range Four (4) east containing 40 acres at the price and sum of One hundred Dollars and the same was stricken off and sold to him at and for that sum, of which sum he has to me in hand paid ten per cent and has given bond with approved security for the balance as required by terms of sale.

And this report is respectfully submitted

Frederick L. Lumsden
Sheriff.

No. 277

Jefferson County, - Mo., Feb 26 1870
 William Lloyd
 Sullivan has this day paid to me, the sum

[illegible]

CERTIFICATE OF REDEMPTION (FROM INDIVIDUALS.)

(§ 108, Chapter III Rev. Law, 1866.)

No. _____

COUNTY CLERK'S OFFICE,

_____ Mo., _____ 1870

Whereas, the County Court of the County of _____ in pursuance of Law, did on the _____ day of _____ 1869, render judgment against the following described Real Estate in the County of _____ State of Missouri, to-wit:

ACRES.	100ths.	Parts of Section or No. of Survey.	Section.	Town.	Range.
40		NE 1/4			

for the Taxes, Interest and Costs due thereon, for the year A. D. 1863, upon which said judgment precept was issued for the sale of said real estate, or so much thereof as would pay the Taxes, Interest and Costs due thereon: In pursuance of which the Collector of said county did on the _____ day of _____ 1869, as appears on the "Sale Book" on record in the office of the Clerk of the County Court of said county, expose the same to sale, at which sale _____ became the purchaser thereof for the taxes, as aforesaid: And whereas _____ has this day paid to the County Treasurer the sum of _____ Dollars, being double the amount of the Taxes and Costs on said real estate, for which the same was sold, as appears on the duplicate receipt of said Treasurer, produced and filed by me.

Now, therefore, By virtue of the authority vested in me by law, I _____ Clerk of the County Court, in and for the County and State aforesaid, do hereby grant to the said _____ this Certificate of Redemption for the full amount of Taxes, Interest and Costs, and penalties due upon said real estate for the year 1863

Given under my hand and official seal this _____ day of _____ 1870

_____ Clerk.

CERTIFICATE OF REDEMPTION (FROM INDIVIDUALS.)

(§ 108, Chapter III Rev. Law, 1866.)

No. _____

COUNTY CLERK'S OFFICE,

Hillsboro Mo., Sep 22 1870

Whereas, the County Court of the County of Jefferson in pursuance of Law, did on the 3rd Mon day of July 1869, render judgment against the following described Real Estate in the County of Jefferson State of Missouri, to-wit:

ACRES.	100ths.	Parts of Section or No. of Survey.	Section.	Town.	Range.
160		Ne 1/4	21	41	4

for the Taxes, Interest and Costs due thereon, for the year A. D. 1863, upon which said judgment precept was issued for the sale of said real estate, or so much thereof as would pay the Taxes, Interest and Costs due thereon: In pursuance of which the Collector of said county did on the 1st Mon day of Oct. 1869, as appears on the "Sale Book" on record in the office of the Clerk of the County Court of said county, expose the same to sale, at which sale J. Eaves became the purchaser thereof for the taxes, as aforesaid: And whereas J. Frazier has this day paid to the County Treasurer the sum of four 8 53 ¹⁰⁰ Dollars, being double the amount of the Taxes and Costs on said real estate, for which the same was sold, as appears on the duplicate receipt of said Treasurer, produced and filed by me.

Now, therefore, By virtue of the authority vested in me by law, I J. P. Mullin Clerk of the County Court, in and for the County and State aforesaid, do hereby grant to the said J. Frazier this Certificate of Redemption for the full amount of Taxes, Interest and Costs, and penalties due upon said real estate for the year 1863

Given under my hand and official seal this 22 day of Sept 1870

J. P. Mullin Clerk.

CERTIFICATE OF REDEMPTION (FROM INDIVIDUALS.)

(§ 108, Chapter III Rev. Law, 1866.)

No. _____

COUNTY CLERK'S OFFICE,

Hillsboro Mo., *Sept 22* 1870

Whereas, the County Court of the County of *Jefferson* in pursuance of Law, did on the *30th* day of *July* 1869, render judgment against the following described Real Estate in the County of *Jefferson* State of Missouri, to-wit:

ACRES.	100ths.	Parts of Section or No. of Survey.	Section.	Town.	Range.
<i>100</i>		<i>Key</i>	<i>21</i>	<i>41</i>	<i>4</i>

for the Taxes, Interest and Costs due thereon, for the year A. D. 1868, upon which said judgment precept was issued for the sale of said real estate, or so much thereof as would pay the Taxes, Interest and Costs due thereon: In pursuance of which the Collector of said county did on the *1st* day of *October* 1869, as appears on the "Sale Book" on record in the office of the Clerk of the County Court of said county, expose the same to sale, at which sale *Elisha Caves* became the purchaser thereof for the taxes, as aforesaid: And whereas *S. P. Payne* has this day paid to the County Treasurer the sum of *Twenty three 56* Dollars, being ¹⁰⁰ double the amount of the Taxes and Costs on said real estate, for which the same was sold, as appears on the duplicate receipt of said Treasurer, produced and filed by me.

Now, therefore, By virtue of the authority vested in me by law, I *R. H. McMullen* Clerk of the County Court, in and for the County and State aforesaid, do hereby grant to the said *S. P. Payne* this Certificate of Redemption for the full amount of Taxes, Interest and Costs, and penalties due upon said real estate for the year 1868.

Given under my hand and official seal this *22* day of *Sept* 1870

R. H. McMullen Clerk.

John B. Medley & wife	284.34	106	1 st year =	16.82
William Williams	303.33	112	2 nd " =	15.91
Elizabeth Williams	303.33	118	3 rd " =	15.10
			4 th " =	14.36
		124	5 th " =	13.70
		130	6 th " =	13.10
		136	7 th " =	12.54
		142	8 th " =	12.04
		148	9 th " =	11.57
		154	10 th " =	11.13
		160	11 th " =	10.72
		166	12 th " =	10.30
		172	13 th " =	10.01
		178	14 th " =	9.68
		184	15 th " =	9.37
		190	16 th " =	9.09
		196	17 th " =	8.82
		202	18 th " =	8.56
		208	19 th " =	8.32
		214	20 th " =	8.10
		220	21 st " =	7.97
		226	22 nd " =	7.68
		232	23 rd " =	7.48
		238	24 th " =	7.30
		244	25 th " =	7.12
		250	26 th " =	6.96
		256	27 th " =	6.80
		262	28 th " =	6.64
				284.34

Mary E Meddy mss March 1870
 Mr R Millican } Fur Bill

E & Hony Oak Lp. Pat. 150 b + 50 2.00

Mt + 2 cups 1,20 plus 15. Ans. Gr. w. 25 1.50

mt 35, Dicks 20 Jan 20, lent 25. 1.00

mt 70, Ruls 20, order sale 100 1.90

lpy b + 1.50 Rpt stuff 50 2.00

Fur Bill & Cpy 60. Just 50. 1.10

9.50

Luchtinge Shing - Due 250 2.50

Twice 50, Commission sale, 20.44 20.54

Indifes 200

Str. 25.04

10.25

49.54

W S Boyce, Ind? Correct Record ³⁵ ³⁵ Dec on Rec 1 80 = 1.60
 107.08
158.22

Joe Williams 40

Bill Tho. 15

S. Frazier 39.01

H. H. Thomas

E. Jones 13.07
107.08

Frazier Paid 954.26

10 p ct paid Luckh. 90.20

10.00

1054.46

158.22

896.24

Wicks
5
Merris

Public

Mary E. Medley Et. als. Pla. }
 vs } Partition
 Wm. R. Williams deft }

I The undersigned purchaser of
 Real Estate in the above cause
 asks the court to make the following
 allowance for Taxes

for the Taxes of	1863	\$ 4.55-
" " " "	1868	23.66
" " " "	1869	<u>10.86</u>
		\$ 39.07

S. Frazier
 By W. H. H. Thomas
 his atty ~~for~~

Medley Et al,
vs
Williams

allowance
for S. Frazier

Mary E. Medley Et. als. Plaintiffs }
 vs } Partition
 H^{ms} R. Williams Def. }

I the undersigned purchaser
 of Real Estate in the above cause
 ask the court to make the
 following allowances for
 Taxes on said land paid
 by me

for the Taxes of	1863	\$ 1.48
" " " "	1869	5.69
		<u>\$ 7.17</u>

also for Taxes of 1866	<u>5.84</u>
	\$ 13.01

If the last amt. is allowed I will
 release my claim to NE $\frac{1}{4}$ Section 21
 Township 41 R 4 E. to Sul. Hoagier
 the purchaser of said tract
 E. Eaves

By W H H Thomas
 his atty

Medley Evals,
vs
Williams

allowance for
E. Eaves
