

Case File - C.V. 11

June 1860, #25

Turley, John M.  
Turley, Julia

vs

Medley, Joseph  
Medley, Harriet  
Bittick, James  
Bittick, Eliza, et al

### Partition

Heirs of Thomas J. Medley; 33 acres in  
S 12 T 42 R 3 E; other defendants Nathaniel,  
Cynthia Sullens, Thomas, Rhoda Hardy,  
Samuel, Celia B. Pepper, William H., James A.,  
Andrew J., George W., Jesse A. Medley, Sarah,  
Elisha Mayfield

John M. Surley, and  
Julia Surley, his wife } Plaintiffs  
Against

Joseph Medley, and  
Harriet Medley, his wife,  
James Bittick and  
Eliza Bittick his wife,  
Nathaniel Sullens and  
Cynthia Sullens his wife,  
Thomas Hardesty and  
Rhoda Hardesty his wife,  
Samuel Pepper and  
Celia<sup>13</sup> Pepper his wife,  
William H. Medley,<sup>10</sup>  
James A. Medley,<sup>12</sup>  
Andrew J. Medley,<sup>12</sup>  
George W. Medley,<sup>12</sup>  
Jesse A. Medley, and  
Sarah Mayfield, and

Elisha Mayfield, her husband,

In the Circuit  
Court of Jefferson  
County, Missouri.

The Plaintiffs state that Thomas J. Medley, (former husband of the said Julia Surley) died seized in fee of the following Tract of Land, situate in Jefferson County, Missouri, to wit, The South West fractional Quarter, (south of the River) of Section No. Twelve, in Township No. Forty two, North of Range No. Three, East, containing Thirty three acres, and four hundredths of an acre. That the said Thomas J. Medley left no children or their descendants surviving him, therefore his estate descended one half to his widow, and the other half to his Father, Mother, Brothers and Sisters. The defendants herein, who are as follows, - Joseph Medley, the father, Harriet Medley (his mother), Eliza Bittick, (wife

of James Pittick), Cynthia Sullens, (wife of  
Nathaniel Sullens) Rhoda Hardisty, (wife of Thomas  
Hardisty) Belia<sup>B</sup> Pepper (wife of Samuel Pepper)  
and Sarah Mayfield<sup>(wife of Elisha Mayfield)</sup> his sisters, and William H.  
Medley, James A. Medley, Andrew J. Medley,  
George W. Medley, and Jesse A. Medley, his bro-  
thers. Each of whom are entitled to the un-  
divided one twenty fourth part of said Land,  
And the Plaintiffs are entitled to the one  
unmarried half of said Land, - the said Julia  
Turley, widow of said Thomas J. Medley, dec<sup>d</sup>,  
having married the said John M. Turley.

Plaintiffs therefore state that they and  
the Defendants hold said Land as Tenants  
in Common. They therefore ask the Court  
for a decree for a division and partition  
of said Land according to the respective  
rights of the parties interested therein, and  
for a Sale thereof, if it shall appear that  
partition cannot be made without great  
inconvenience to the owners thereof.

} Abner Green  
} Attorney for the plaintiffs

Abner Green, Attorney for the plaintiffs, makes  
oath and says the above petition, and the  
matters therein as stated he believes to be true,

Abner Green  
Atty, for Plaintiffs

Sworn to before me  
April 18th 1860

Elias P. Honey Clerk

In Circuit Court  
Jefferson County

John M. Turkey  
vs.  
Wife.

Joseph Maatey  
vs.  
Wife.

Petition for partition,  
Lot Annunzio  
vs. do. do. do.  
Jeff. Co. — Green for Jeff.

Dated April 18<sup>th</sup> 1860  
C. J. Honey et al

|                    |     |
|--------------------|-----|
| Money paid         | 80  |
| 10 to              | 50  |
| Print & copying    | 120 |
| Ch                 | 25  |
| Wife               | 20  |
| Annunzio           | 25  |
| Money              | 50  |
| Ans of J Turkey    | 25  |
| 20 quins paid      | 100 |
| 20 cents           | 100 |
| 1 Copy from 10 yrs | 120 |
| Defendant's copy   | 50  |
| Cost               | 25  |

John M. Turley and  
Julia Turley his wife Plaintiffs  
against.

Joseph Medley and Harriet Medley his wife  
James Pettick and Eliza Pettick his wife  
Nathaniel Sullens and Cynthia Sullens his wife  
Thomas Hardesty and Rhoda Hardesty his wife  
Samuel Pepper and Celea B. Pepper his wife  
William H. Medley <sup>James A. Medley</sup> Andrew J. Medley  
George H. Medley Jefe A. Medley  
Sarah Mayfield and Elsha Mayfield her husband  
Defendants.

In the Circuit Court of Jefferson  
County Missouri

The Plaintiffs state that Thomas J. Medley  
(former husband of the said Julia Turley) died seiz-  
ed in fee of the following tract of land, situate  
in Jefferson County Missouri: To wit: The South  
West fractional Quarter (South of the River) of  
Section No twelve in Township No Forty two, North  
of range No three east, containing thirty three acres  
and four hundredths of an acre, that said Thomas  
J. Medley left no children or their descendants sur-  
viving him. therefore his estate descended ~~one~~ half  
to his widow and the other half to his father mother  
brothers and sisters, the defendants herein who are  
as follows. Joseph Medley the father Harriet Medley  
(his mother) Eliza Pettick (wife of James Pettick)

Lynthia Sullens (wife of Nathaniel Sullens) Rhoda  
Hardisty (wife of Thomas Hardisty) Celea B Pepper  
(wife of Samuel Pepper) and Sarah Mayfield (wife  
of Elisha Mayfield) his sisters, and William H  
Medley, James A Medley, Andrew J Medley, George  
W Medley and Leffe A Medley his brothers each  
of whom are entitled to the undivided one twenty  
fourth part of said land. And the plaintiffs are  
entitled to the one undivided half of said land  
the said Julia Turley widow of said Thomas J.  
Medley dec<sup>d</sup>, having married the said John M  
Turley. Plaintiffs therefore state that they and  
the defendants hold said land as tenants in  
common, they therefore ask the court, for a decree  
for a division and partition of said land ac-  
cording to the respective rights of the parties in-  
terested therein, and for a sale thereof if it shall  
appear that partition cannot be made with-  
out great prejudice to the owners thereof

Abner Green

Attorney for the Plaintiffs

Abner Green, Attorney for the plaintiffs, makes  
oath and says the above petition and the matters  
therein as stated he believes to be true

Abner Green

Atty for Plaintiffs

Sworn to before me April 18th 1866

Elias D. Hooney Clerk

The State of Missouri, } ss.  
COUNTY OF JEFFERSON.

To the Sheriff of the County of Jefferson--Greeting:

We command you, that you summon Joseph Medley, Harriet Medley her wife  
James Buttick, Eliza Buttick her wife, Nathaniel Sullens, Cynthia Sullens her wife, Tho.  
Hardisty, Rhoda Hardisty her wife, Saml. Pepper, Celia B. Pepper her wife, Sarah  
Mayfield, Eliza Mayfield her husband, Wm. B. Medley, James A. Medley, Andrew  
J. Medley, George N. Medley <sup>and Jesse A. Medley</sup> if they be found in your County, that they  
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 second  
Monday after the fourth Monday of May  
next, then and there to answer unto John W. Surley and  
Julia Surley his wife.

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 hereto affixed, at office  
in Hillsboro, this Nineteenth  
day of April A. D. 1860

Elias F. Honey

Clerk Circuit Court.

I executed the within writ in the County of Jefferson State of Missouri on the 10<sup>th</sup> day of May 1860 on Joseph Medley & Harriet Medley by delivering him A true copy of this writ and annexed petition as furnished me by the clerk and on James Bittick Eliza Bittick & Nathan Sullens Cynthia Sullens & Samuel Peppers helia B Peppers & Elisha Mayfield Sarah Mayfield & Jesse A Medley & William H Medley by reading this writ and annexed petition to each of them Oscar Dover Sheriff Rhoda Hardesty Thomas Hardesty, James A Medley Andrew J Medley, George W Medley not found within my County  
 5 non Esto

No 225  
 1655  
 Jefferson Circuit Court  
 June Term 1860  
 Joe. W. Medley wife  
 vs. Sullens  
 Joseph Medley  
 Samuel Medley  
 James Bittick  
 Eliza Bittick  
 Nathan. Sullens  
 Cynthia Sullens  
 Thomas Hardesty  
 Rhoda Hardesty  
 Saml. Peppers  
 helia B. Peppers  
 Elisha Mayfield  
 Sarah Mayfield  
 Jesse A. Medley  
 William H. Medley  
 Sheriff fee \$14.50

John M. Turley &  
 Julia Turley his wife } In the Circuit  
 Against } Court of  
 Joseph M. Dudley and others } Jefferson  
 County.

Now Comes the defendant  
and for answer to the petition of the  
plaintiffs states that ~~they~~ denies  
that the said Thomas Jefferson Medley  
did seize in fee of the tract of land  
in petition mentioned.

Plaintiff Defendant states that he is the owner of said land that he bought and paid for said land with his own money, that he took a deed for the same in the name of said Thomas J. Mudley in consideration that said Mudley should take care of the said defendant during his life time, that said Thomas J. never lived on said land nor had possession thereof, but that the defendant has cultivated the same up to the time of said Thomas J. Mudley's death, and has done so ever since that said Thomas never took care of the defendant as he agreed to do, but said deed after the deed was made to him as stated above

Defendant therefore says that the  
said plaintiffs are not entitled to  
the one half of said land nor  
any part thereof nor are the said  
other defendants entitled to or interested  
in said land as stated in petition

That he is the owner of whole of  
said land & within the plain app  
nor the other defendants have any  
interest whatever in said land,  
whereupon he asks judgment for costs.  
Defendant further says that he  
has no knowledge or information  
sufficient to form a belief that the  
said Julia Turley ~~was~~ was married  
to the said John M. Turley.

Thomas J. Pipkin  
Attys.

Joseph Medley makes oath and says  
that the foregoing answer and the  
matters therein as stated he believes  
to be true,

Joseph <sup>his</sup> Medley  
mas.

Sworn to before me June 11. 1860

Elias J. Honey Clerk

John W. Linsley Esq  
my  
dear Mr. Linsley

---

dear Mr. Linsley  
Answer

---

Filed June 15th 1860  
Clerk of County  
Clark

Answer to Linsley Esq  
on 4 page 1st.

John M. Turley &  
Julia Turley, his wife  
Against  
Joseph Mealey & others

In the Circuit  
Court Jefferson  
County,

The Plaintiff, by his Attorney  
moves the Court to strike out the  
Answer of Joseph Mealey, filed in  
the above entitled cause, for the  
following reasons;

- 1 - Because said Answer consti-  
tutes no defence to Plaintiff's  
action,
- 2 - All that part of said Answer,  
which sets up a claim of title  
to said Land, in said Joseph Mealey,  
on the ground of his buying the  
land, and having the title to the  
same vested in Thomas J. Mealey  
his son, for the consideration of his  
taking care of the said Father  
during his life, is invalid and  
void in law, as a defence against  
Plaintiff's title as derived from  
said Thomas J. Mealey,
- 3 - After title to said Land was vested  
in Thomas J. Mealey by deed, - a fail-  
ure of the consideration (if such were  
the fact) would not operate to trans-  
fer the title to Joseph Mealey,

Al Green Atty.  
for Plaintiff

John H. Jones  
H Julia & Thelma  
15,

Joseph Mealey  
& others

Prothon to  
Strike out  
at once

Elect June 18<sup>th</sup> 1866

Oliver & Henry  
Clerk

Declined June 20<sup>th</sup> 1866

Book No 4 Page 351

John Mc Surley and Julia Surley his wife. Plaintiffs  
against

Joseph Medley and Harriet Medley his wife,  
James Bittick and Eliza Bittick his wife,  
Nathaniel Sullens and Cynthia Sullens his wife,  
Thomas Hardesty and Rhoda Hardesty his wife,  
Samuel Pepper and Celia B. Pepper his wife  
William H. Medley, <sup>James A. Medley</sup> Andrew J. Medley,  
George W. Medley, Jeph A. Medley,  
Sara Mayfield and Elisha Mayfield her husband  
Defendants.

In the Circuit Court of Jefferson  
County Missouri

The Plaintiffs state that Thomas J. Medley (former husband of the said Julia Surley) died seized in fee of the following tract of land, situate in Jefferson County Missouri to wit; The South West fractional quarter (South of the River) of Section No Twelve, in Township No Forty two, North of range No three East, containing thirty three acres and four hundredths of an acre. That said Thomas J. Medley left no children or their descendants surviving him, therefore his Estate descended one half to his widow and the other half to his Father, Mother, brothers and Sisters the defendants herein, who are as follows, Joseph Medley the father, Harriet Medley (his mother), Eliza Bittick (wife of James Bittick), Cynthia Sullens (wife of Nathaniel Sullens), Rhoda Hardesty (wife of Thom

as Hardisty) Lucia B Pepper (wife of Samuel Pepper) and Sarah Mayfield (wife of Elisha Mayfield) his Sisters, and William H Medley James A Medley, George H Medley, and Jesse A Medley his brothers, each of whom are entitled to the undivided one twenty fourth part of said land) And the plaintiffs are entitled to the one undivided half of said land, the said Julia Turley widow of said Thomas J Medley dec<sup>d</sup> having married the said John M Turley. Plaintiffs therefore state that they and the defendants hold said land as tenants in common, they therefore ask the Court for a decree for a division and partition of said land according to the respective rights of the parties interested therein, and for a sale thereof, if it shall appear that partition cannot be made without great prejudice to the owners thereof

Abner Green

Attorney for Plaintiffs

Abner Green Attorney for the plaintiffs, makes oath and says, the above petition and the matters therein as stated he believes to be true

Abner Green

Atty for Plaintiffs

Sworn to before me April 18th 1860

A true copy of the original petition and affidavit on file in said Cause in my office

In Testimony whereof I here to  
set my hand and affix the  
Seal of said Court at office  
August 14<sup>th</sup> 1860  
Chas D Honey Clerk

The State of Missouri, } ss.  
COUNTY OF JEFFERSON.

*Saint Louis*

Go the Sheriff of the County of ~~Jefferson~~ Greeting:

We command you, that you summon *James A Medley*  
*Andrew J Medley*

if they be found in your County, that they  
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 second  
Monday after the fourth Monday of *November*  
next, then and there to answer unto *John Mc Turkey and*  
*Julia his wife*

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 hereto affixed, at office  
in Hillsboro, this *Tenth*  
day of *September* A. D. 1860

*Elias F. Honey*

Clerk Circuit Court.

Mr Buckley wife

"

James & Mary &  
John J. Buckley

Copy put in for  
first record

A true copy of the writ  
Alfred J. Buckley

The State of Missouri, } ss.  
COUNTY OF JEFFERSON.

*Saint Louis*

To the Sheriff of the County of ~~Jefferson~~ - Greeting:

We command you, that you summon *James A Medley*  
*Andrew J Medley*

if they be found in your County, that they  
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 second  
Monday after the fourth Monday of *November*  
next, then and there to answer unto *John M Durley and*  
*Julia his wife*

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 hereto affixed, at office  
in *Hillsboro*, this *Ten*th  
day of *September* A. D. 1860

*Elias F. Honey*

Clerk Circuit Court.

No

To Jefferson Circuit Court

December Term 1860

John Woodley wife

v. S. Elias Summons

James A. Woodley et al

Long Acknowledged  
over the above  
of the above  
one of the  
and the above

James A. Woodley & Andrew J. Woodley not found  
in my return  
N E 100

John H. Andrews Shk  
Theodore LaBeaume

John M. Turley & Julia Turley } In the Jefferson  
 vs } Circuit Court.  
 Joseph Medley, & William } Dec. 8. 1860,  
 H. Medley & Sam. Pepper et al }

Now at this day <sup>Comey</sup> William  
 Sam. Pepper & Celina B. Pepper  
 H. Medley, for answers to plaintiffs petition  
 states the land in controversy was purchas-  
 ed by Joseph Medley & the purchased money  
 was paid by him but that the deed was  
 taken in the name of J. J. Medley & that  
 these defendants claim no interest in the  
 land and for relinquish all their  
 claim or right or interest to Joseph  
 Medley, one of said defendants.  
 Thomas, atty for Defts.

M. H. Medley states on oath ~~states~~ that  
 he believes the above answer to be  
 true  
 Sworn to & subscribed } W. H. Medley  
 before me this 17<sup>th</sup> day }  
 of Dec. 1860.  
 Elias J. Honey Clerk

J. W. Linley Esq

or

Joseph Medley & Co

---

Shannon & N. H.  
Medley, & Joseph  
& Co. 22. Poplar.

Recd Decr 20th 1860  
Edw & Henry Elk

|                                             |              |                                                        |
|---------------------------------------------|--------------|--------------------------------------------------------|
| John M. Turley and<br>Julia Turley his wife | } Plaintiffs | In the Circuit<br>Court, Jefferson<br>County, Missouri |
| Against                                     |              |                                                        |
| Joseph Medley, and<br>others,               |              |                                                        |

John M. Turley, Plaintiff, makes oath and says that Thomas Wardley, Rhoda Wardley, and George W. Medley, (three of the Defendants in the above entitled Cause) he believes are non-residents of the State of Missouri.

John M. Turley

Subscribed and Sworn to  
before the undersigned Stephen  
Rice Clerk of the Circuit Court  
within and for the County of  
St. Louis and State of Missouri  
this 10<sup>th</sup> day of October 1880

In testimony whereof I here to Sub-  
scribe my name and affix  
the Seal of Said Court at  
Office this day and year aforesaid  
Stephen Rice clk

In Circuit Court

Jefferson County

John M. Jones  
& wife

vs

Joseph Healey &  
others

Affidavit of  
non-malefactors

Filed Decr 18th 1860

THE STATE OF MISSOURI,

COUNTY OF JEFFERSON.

To *Latham Bennett*

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Circuit* Court for the County aforesaid, on the *17th day of June 1861* at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *John W. Darley* is Plaintiff and *Joseph Woodley et al* Defendant on the part of *Plaintiff* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court with the Seal thereof hereto affixed, at office this

*24* day of *May* A. D. 18*61*

*Elias F. Honey*  
Clerk.

Delaware County

June Term 1861

The Wm Dudley wife

vs  
Dr. Wadley orals

for debt

Delaware County