

Commissioners were fully qualified as such Commissioners before entering upon the discharge of their duties, and that they, and each of them were, and are, discreet male free-holders of the County of Madison, and over the age of 21, and not related to any of the parties to this suit, by consanguinity or affinity, and before entering upon the discharge of their duties they were each duly sworn, according to Law, and that they did in all things observe, obey and conform to the Decree of this Court in this case heretofore rendered, and to the statutes of this State in such cases provided.

It is therefore, ordered, adjudged and decreed that said Report is in all things approved; and that the division of said land into shares and the allotment of said shares to the said Eliza S. Cheek and William Lott Cheek, is hereby approved, ratified and conformed.

And the Cause coming on further to be heard upon the Decrees of this Court, and said Commissioners Report, and the Court being fully advised in the premises, does now order adjudge and decree that the lands described in the Original Bill in this cause (also set out above in this Decree) heretofore held and owned in common by the parties hereto, shall henceforth be held and owned as follows:

The said Eliza S. Cheek shall henceforth have and hold in her individual right and in severalty and in entirety the following described lands, lying in Madison County, Mississippi, to-wit:

$SE\frac{1}{4}$	Sec. 25, T. 10, R. 4, E.
less a Roadway 30' wide off of S. End, E. to the Public Road	160.44 acres.
$W\frac{1}{2} W\frac{1}{2}$	Sec. 30, T. 10, R. 5, E.
less 30' off of the S. end of that part West of the Public Road	159.625 acres.
$E\frac{1}{2} NW\frac{1}{4} & W\frac{1}{2} SW\frac{1}{4}$	Sec. 6, T. 9, R. 5 E.
	195.2 acres.
TOTAL:	515.265 acres.

Also a perpetual easement of user, running with $SE\frac{1}{4}$, Sec. 25, Twp. 10, R. 4, East, over a Roadway 30' wide off of South end, said $SE\frac{1}{4}$, Sec. 25, T. 10, R. 4, East.

That said William Lott Cheek shall henceforth have and hold in his individual right and in severalty and in entirety the following described lands, lying in Madison County, Mississippi, to-wit:

$E\frac{1}{2} SW\frac{1}{4} & SW\frac{1}{2} SW\frac{1}{4}$; also 30' off of South end of $SE\frac{1}{4}$	Sec. 25, T. 10, R. 4, E.
	120.53 acres.
$NW\frac{1}{2}$	Sec. 36, T. 10, R. 4, E.
	160.00 acres.
$W\frac{1}{2} SW\frac{1}{4} & SE\frac{1}{2} SW\frac{1}{4}$	Sec. 22, T. 10, R. 5, E.
	120.54 acres.
30' off of S. end of that part of $W\frac{1}{2} W\frac{1}{2}$ lying West of Public Road.	Sec. 30, T. 10, R. 5, E.
66.12 acres off West Side $NE\frac{1}{4}$	Sec. 6, T. 9, R. 5, E.
	66.12 acres
Total:-	466.99 acres.

Also

A Roadway 8' wide off of the E. side $W\frac{1}{2} SW\frac{1}{4}$ Sec. 36, T. 10, R. 4 E., reserved by Elizabeth J. Cheek in her conveyance of certain lands to L.P. Johnson, Dec. 2, 1907, as shown in Record Book RRR, page 35.

That each of said parties shall henceforth have and hold the lands above allotted to him or her, free from and divested of all title, claim and demand of the other party thereto, together with all the structures now thereon, and with all the appurtenances thereunto appertaining.

And it further appearing to the Court that Petitioners owe an indebtedness, approximating \$1400.00, secured by a Trust Deed on the lands herein partitioned to Tip Ray, Trustee, to secure the Isidor Hesdorffer the payment of said indebtedness, which Trust Deed was executed on the 18th day of October, 1917, and is of record in Book A.S. page 307, and each of the parties to this suit owe 1/2 of said indebtedness; it is, therefore, ordered, adjudged and decreed that 1/2 of said indebtedness be assumed by each party to this Cause, and that the same be hereafter a lien on each parties' share in entirety, taken under this Partition, and that a liquidation of 1/2 of said debt by either party shall effectually cancel the lien on his or her part.

And it further appearing that the said William Lott Cheek has executed a Deed of Trust to A.K. Foot, Trustee, on his 1/2 interest in the lands partitioned, to secure an indebtedness described therein, which deed of Trust is of record in Book B.H. page 204; it is, therefore, ordered, adjudged and decreed that said Trust Deed shall be a lien in entirety on the share allotted to the said William Lott Cheek.

It is further ordered, adjudged and decreed that A.K. Foot, Attorney of Record in this cause, shall be paid for his services herein, the sum of \$150.00 to be taxed in the costs of this Cause, and to be a lien pro rata upon the respective shares herein allotted to the parties to the suit.

It is further ordered, adjudged and decreed that the Commissioners making this partition shall be allotted the sum of \$5.00 each for their services, all of which shall

*All attorney's fees and court costs
in this cause
will be borne
by the parties
in equal shares
1/2/16-2-11 in circuit court*