

County and State in its issues of November 28, 1924, December 5, 1924, December 12, 1924, and December 19, 1924, and by posting a copy of said notice at the South Door of the Court House in the City of Canton, Mississippi, on the 25th day of November, 1924, where it remained so posted until the date of sale aforesaid, when it was taken down by said commissioner, the proof of publication of said notice of sale, and the posted notice thereof being filed as Exhibits A & B to the Commissioners report filed in this cause; sold the following described land so ordered to be sold by said decree, to wit:-

The following described land being, lying and situated in Madison County, Mississippi, Viz: 30 acres in the SW Corner of the E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 12, Twp. 9, Rg. 4 East, more particularly described as:

Beginning at the S. W. Corner of said E $\frac{1}{2}$ of SW $\frac{1}{4}$ said Sec. 12, and running thence East along the South line of Section Twelve 304 yards, thence North 477.63 yards, thence West 304 yards to the West boundary line of the said E $\frac{1}{2}$ of SW $\frac{1}{4}$ Sec. Twelve, thence South along the West line of said E $\frac{1}{2}$ of SW $\frac{1}{4}$ Sec. Twelve 477.63 yards to the point of beginning; as will appear by reference to the deed of D. J. Mooney to J. F. Mooney of record in Record Book of Deeds Y.Y.Y. on page 499 in the Chancery Clerk's office of said County.

to the highest and best bidder for cash, at the South Door of the Court House in the City of Canton, Mississippi, as provided in said decree, and that at said sale J. W. Broome became the highest and best bidder at and for the sum of \$400.00 cash; and that said price is a fair and reasonable price for said land, and that said sale should be confirmed;

It is, therefore, ordered, adjudged and decreed that said sale be, and the same is hereby confirmed; and the said commissioner shall make a proper deed to the said purchaser at said sale on the payment of said bid, and said commissioner is ordered and directed to pay out of the proceeds of said sale the State and County taxes for 1924 assessed against said property, the costs and expenses of this suit, including his commissioner's fees as provided by law, and unto White & McCool, Solicitors of record for Petitioners in said cause, the sum of \$60.00 for services rendered in said cause, as it appears that said sum is a fair, reasonable and just allowance to said attorneys for their said services.

Said commissioner is further ordered and directed, after the payment of the costs and expenses of this suit, solicitors' fees etc., to divide the balance remaining as follows: one-sixth of said balance to each of the Petitioners, Viz: D. J. Mooney, Elizabeth N. Norman and Mrs Maggie Mooney, and unto the defendants each a one-sixth interest, Viz: Bertha Roberson, Lois Lee Mooney and Frona Mooney; and as it appears that the proceeds of said sale coming to the said Lois Lee Mooney and Frona Mooney, both minors, is considerably less than \$200.00, said commissioner is ordered and directed to pay whatever amount that may be due said minors to their mother, Bertha Roberson, and take her receipt therefor, which shall acquit said commissioner for the payment of the amounts due said minors.

It is further ordered, adjudged and decreed that only the original petition in this cause, the process had upon the defendants, and the report of the commissioner herein shall be made a matter of final record in this cause.

It appears to the Chancellor in vacation from the proof that said Commissioner executed a bond in the sum of Four Hundred Dollars which was approved by the clerk of this Court, as required by said former decree and thereupon the said J. W. Broome paid to him said purchase price of \$400.00 in cash.

Ordered, adjudged and decreed this 7th day of January, 1925.

V. J. Stricker, Chancellor.

No. 8645
A. P. Orrick
Vs

Pauline Orrick et al
FINAL DECREE ORDERING PARTITION OF LAND IN KIND
Filed 11/24-1924, Recorded in Minute
Book 9 page 25.
W. B. Jones, Clerk.

Filed for record the 13th day of
Jan., 1925 at 11:30 A. M.
Recorded the 13th day of June, 1925.

W. B. Jones, Chancery Clerk
A. O. Sutherland, D. C.

This cause coming on to be heard upon original petition, decree pro confesso taken against all of the defendants; namely, Martha S. Orrick, A. P. Orrick, Jr., Cromwell Orrick, Pauline Orrick, James N. Orrick, and Joe Terrell Orrick, and proof taken in open court, and it appearing to the court that all parties in interest are properly before the court and that it will be unnecessary to appoint a guardian ad litem for the minor defendants herein; namely, A. P. Orrick, Jr., Cromwell Orrick, James N. Orrick and Joe Terrell Orrick, or for the non compos defendant herein, Pauline Orrick; and that the land hereinafter described are susceptible of division in kind and that it will be to the best interest of all parties in interest to have said lands divided in kind and the court being fully advised in the premises, is of the opinion that the prayer of said petition should be granted.

It is, therefore, ordered, adjudged and decreed by the Court that A. H. Cauthen, N. J. Law and Charlie Trolie, each of whom it appears is a discreet freeholder of Madison County, Mississippi, and not related by consanguinity or affinity to the parties in this cause, or to any of them, be and they are hereby appointed commissioners of this court to make the partition in kind of the following described lots, or parcels of land, being, lying and situated in the City of Canton, County of Madison, and State of Miss., to wit:-

Lot 18, 20 and 22 on the North side of Semmes Street, according to the map of the City of Canton prepared by George and Dunlap in 1898 and now on file in the Chancery Clerk's office in said county.

The said commissioners are authorized and empowered, if they deem it advisable, to employ a competent surveyor or engineer to assist them in surveying and platting said lands to be divided by them, in kind, as aforesaid.

It is further ordered, adjudged and decreed that the said commissioners shall divide said lands as above described, into as many lots as they shall deem advisable, having due regard to the situation, quantity, quality, and advantages of each lot or lots, and they are hereby authorized and directed to assign, in accordance with Section 3531 of the Mississippi Code of 1906; said lot or lots, unto Martha S. Orrick, A. P. Orrick, Jr. and Cromwell Orrick as will equal in value, as nearly as may be, 275/960 of the value of said property as a whole, and that said fractional part be set aside to said Martha S. Orrick, A. P. Orrick, Jr., and Cromwell Orrick as tenants in common, as their interests now appear, rather than set apart to them separately; and unto Pauline Orrick, such lot or lots as will equal in value as nearly as may be a 60/960 part of the value of the entire property; and unto James N. Orrick and Joe Terrell Orrick as tenants in common, such lot or lots as will equal in value as nearly as may be, a 24/960 part of the value of said entire property; and unto A. P. Orrick, Sr., petitioner herein, such lot or lots as will equal in value and nearly as may be, a 601/960 part of the value of said entire property; and that the several interests of the above named parties would be best preserved and protected by so doing, as it appears that said property is valuable chiefly for residential purposes and may thus be divided into small tracts or lots for that