

Josephine B. Wiles et al
To/ Partition Decrees
Mary E. Farr.

Filed for record on the 17th day of December 1923 at 11:30 o'clock A.M.
Recorded on the 17th day of Dec. 1923.
D.C. McCool, Clerk
By Lillian Holliday, D.C.

NO. 8452

EX PARTE JOSEPHINE B. WILES, ET ALS., PETITIONERS:

DECREE FOR PARTITION OF LAND IN KIND:

This cause coming on to be heard upon Original Petition, and proof to be 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 petitioners herein, namely: Sarah Elizabeth Wiles and Fred B. Wiles; and that the lands herein after described are susceptible of division in kind, and that it will be to the best interest of all parties in interest to have said land 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 T.A. McDowell, C. W. Phillips and B.C. Harris, each of whom it appears is a discreet free-holder of Madison County, Mississippi, and not related by consanguinity or affinity to the parties to this cause, or any of them, be, and they are hereby appointed Commissioners of this Court to make partition in kind of the following described lands, situated in Madison County, Mississippi, to-wit:

E $\frac{1}{2}$ of SW $\frac{1}{4}$, & W $\frac{1}{2}$ of SE $\frac{1}{4}$ & W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 3,
and S $\frac{1}{2}$ of Lot No. 2 & all of Lot No. 7 & S $\frac{1}{2}$ of
Lot No. 8 of Sec. 4, and E $\frac{1}{2}$ of NW $\frac{1}{4}$ & W $\frac{1}{2}$ of NE $\frac{1}{4}$
of Sec. 10, all in Twp. 8, Rg. 2 West;

and the said commissioners are authorized and empowered, if they deem it advisable, to employ a competent surveyor to assist them in surveying and platting said lands.

It is further ordered, adjudged and decreed that the said commissioners shall divide said lands above described into two lots or shares, having due regard to the situation, quantity, quality, improvements and advantages of each of the above tracts of land; and they are hereby authorized and directed to assign, in accordance with Section 3531 of the Mississippi Code of 1906, one of said shares or lots unto Josephine B. Wiles, Sarah Elizabeth Wiles and Fred B. Wiles, as it appears to the Court that is is advisable to have the the interests of said parties allotted to them in a body as tenants in common, rather than set apart separately, as it appears that the said Sarah Elizabeth Wiles and Fred B. Wiles are minors of young and tender years living with their mother, Josephine B. Wiles, and that their several interests would be best preserved and protected by so doing; and unto Mary E. Farr one of said two shares or lots in entirety; and the said commissioners are hereby authorized and directed, if they find it necessary to equalize the said lots or shares so assigned, to assess owelty, and if owelty should be assessed, the same shall be a lien, until paid, on the share or lot against which it is assessed.

Said commissioners are hereby ordered and directed to make division of the above described lands, and assign the shares or lots, in accordance with the terms of this decree as soon as practicable; and as soon as they have acted in the premises, to make a full and complete report in writing to the Chancellor in Vacation at the Court in Jackson, Mississippi, on Saturday the 15th day of December 1923, at 10:00 o'clock A.M., and the Chancellor in Vacation at said time and place, may confirm and ratify said partition and assignemtn of shares or lots, and do any and all things requisite and necessary to be done to effect said partition, and grant his final decree in this matter.

Ordered, adjudged and decreed this the 26th day of November, A.D. 1923.

V. J. Stricker, CHANCELLOR.

Lila P. Ewaschuk,
To/ Deed
W. D. Smith

Filed for record on the 19th day of December 1923 at 9:15 o'clock A.M.
Recorded on the 20th day of Dec. 1923.
D.C. McCool, Clerk
By A.O. Sutherland, D.C.

D E E D

WHEREAS, on the 19th day of November, 1923, I did convey by Warranty Deed with H. K. Payne and T. J. Alford, co-owners of the land hereinafter described, certain land in Madison County, Mississippi, to W.D. Smith for the CONSIDERATION cited in said Deed, and which conveyance is duly recorded in Madison County, Mississippi, in Record Book No. 3, page 185, reference being here made thereto; and

WHEREAS, at the time of said conveyance, I was not Twenty-One (21) years of age, but the Courts of Tennessee had removed my Disability of Minority; and