1908-22 Southampton County Chancery - Wade, Flora M. etals vs Bradshaw, Laura E. et als

divide estate, after widows dower is allowed; if this not possible, then sell same and divide proceeds to those rightfull owned -

Wade, James R -

Bradshaw, T. H.
Doyle, Carrie T.
" , Mary E.
" , Machie E.
1/3 1/3 1/3

Story, E. Frank -
(G. A. L.)

Wade Et: Ux:
v
" " Bill

Bradshaw Et: Als:

1907- 1st May Rules.
Filed.

TO THE HONORABLE R. R. PRENTIS, JUDGE OF THE

CIRCUIT COURT OF SOUTHAMPTON COUNTY.

Flora M. Wade and James R. Wade,
her husband----------Plaintiffs.

v.

Laura E. Bradshaw, formerly Doyle, and
24. Bradshaw, her husband, Carrie J.,
Mary E. and Zachie E. Doyle, the last two infants--Defendants.

- -

Your complainants, Flora M. Wade and James R. Wade, her husband, respectfully represent that your complainant, Flora M. Wade, was before her marriage Flora M. Doyle the daughter of Zachary Doyle, deceased, who was in his life time seized and possessed of certain real-estate lying in the County of Southampton, near the Quaker Church, upon which he resided, known as the Zachary Doyle Home Place, containing 283 ¾ acres, more or less, and bounded by the lands of A. J. Joyner, Jno. Harris, Mrs. Octavia Wills, Jno. Wellons & J. M. Bradshaw

And being so seized and possessed some time in the year 189___ the said Zachary Doyle died testate, but in the Chancery Cause of Doyle's Guardian against Doyle et als., pending in said Court the said will and testament was declared to be void, because made before the said Zachary Doyle had children living; that at his death there survived him widow, Laura E. Doyle now Laura E. Bradshaw, and four children, namely, your complainant Flora M., who afterwards intermarried with one James R. Wade, Carrie J. Mary E. and Zachie E. Doyle, the last named two of which are infants under the age of twenty-one years.

That the said real-estate is, as they believe, susceptible of partition among the parties entitled thereto; but should

the property not be devisible in kind, complainants believe, and here state, that the interests of those who are entitled to said real-estate, or its proceeds, will be promoted by a sale of the whole of the same, or by an allotment of part and the sale of the residue:

Your complainant further states that the widow of her father, now the wife of J.H. Bradshaw, has never had allotted to her her dower in the said real-estate, but they are advised that she is entitled to same and should have this done.

In consideration whereof, and forasmuch as your complainants are remediless in the premises save by the aid of a court of equity, they pray that the said Laura E. Bradshaw, formerly Doyle, and J.H. Bradshaw, her husband, Carrie J., Mary E. and Zachie E. Doyle may be made parties defendant to this bill and required , but not on their oaths, to answer the same, the oaths being hereby waived, the said adults in their own proper person, and the infants by guardian ad litem; that a proper guardian ad litem be appointed in this cause for said infants, who shall also answerthis bill; that proper process issue; that the said estate be divided between the parties entitled thereto, but after the allotment of the dower to the widow, Laura E. Doyle, or else, if it cannot be so divided, or allotted by any of the methods prescribed by the statute, that it may be sold and the proceeds divided among the adult and infant parties according to their respective rights, the shares of the infants to be held as directed by the statute for such cases made and provided; that all proper orders and decrees may be made, accounts taken, and enquiries directed; and that all such further and other and general relief may be granted your complainants in the premises as the nature of their case may require, or to equity shall seem meet.

Notice is hereby given that the court will be asked to

allow, out of the funds under its control, a reasonable fee for plaintiffs' counsel conducting this cause.

And they will ever pray.

Flora M. Haskwade by
M. Lemore & Pettit Sol.

Flora M. Wade vol
v. Answer of Edw
ad litum
Broadhurst &c

IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY, VIRGINIA:

The answer of Mary E. and Zachie E. Doyle, infants, by E. Frank Story, their guardian ad litem, to a bill in chancery exhibited against them and others in the Circuit Court of Southampton County, Virginia, styled Flora M. Wade and James R. Wade, her husband, vs. Laura E. Bradshaw, formerly Doyle, and T. H. Bradshaw, her husband, Carrie J. Mary E. and Zachie E. Doyle, the last two infants; these respondents for answer to so much of said bill as they are advised it is necessary for them to answer, through their said guardiam ad litem answering say:

That being of tender years, that are advised as to what will be to their best interest, and without denying or admitting the allegations of the complainants bill, they submit their interest to the protection of this Court, and now having fully answered they pray hence to be dismissed, with their reasonable costs in this behalf expended.

Guardian ad Litem for Mary E. and Zachie E. Doyle.

Flora M. Wade vs
v. Pierce
Bradshaw vols.

1907 May 20.
Entrs:—
Robert R. Prentis

Entered on
P. 337.

Flora M. Wade and James R. Wade, her husband.

vs.

Laura E. Bradshaw, formerly Doyle, and T. H. Bradshaw, her husband, Carrie J., Mary E. and Zachie E. Doyle, the last two infants.

This day this cause came on to be heard upon the bill of the complainant filed, the bill taken for confessed as to the adult defendants, and E. Frank Story, is this day adsigned guardian ad litem to defend the interest of the infant defendants, and thereupon the said E. Frank Story, as such guardian ad litem, filed his answer to the complainants bill, to which complainants reply generally, and was argued by counsel:

On consideration whereof, the court doth adjudge, order and decree, that the papers in this cause be referred to one of the Commissioners of this court, who is directed to inquire and report:

(1) Whether or not the land in the bill and proceedings mentioned, can be conveniently partitioned in kind in any of the modes prescribed by the Statute:

(2) Who are the parties in interest and what interest the several parties hold in said real estate:

(3) Whether or not the interest of any party will be violated by a sale of the entire property, and a division of the funds arising therefrom:

(4) The annual and fee-simple value of the said real estate, and whether or not there are any liens or delinquent taxes against the same:

(5) Any other matter deemed pertinent by the Commissioner, or required to be stated by any party in interest.

To the Clerk of the Circuit Court of Southampton County:

Please issue process as follows:

Flora M. Wade and James R. Wade, her husband---------- Plaintiffs.

v.

Laura E. Bradshaw, formerly Doyle, and J. H. Bradshaw, her husband, Carrie J., Mary E. and Zachie E. Doyle, the last two infants----------Defendants.

Summons in Chancery to First May Rules, 1907.

McLemore & Corbitt.
p.q.

Baffle Va
Sept 26/ 04

Mr J. L McLemore
Suffolk Va

Dear Sir
you asked me to
send you some names
that you might select
from to divide that
Zackry Doyle Land
So I will suggest to
following names
J H Camp, S W Davis
Carr Hatfield, J C
Bristow, I think they
would be all O K Especially
Mr Camp & Bristow hope
you will attend to this soon
as pasable
Your Rec:
Jas R. Wade

E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA
BRANCH OFFICE AT FRANKLIN, VIRGINIA

Courtland, Va., October 10, 1907.

IN RE: COMMISSIONER'S REPORT, WADE ET ALS. vs. BRADSHAW ET ALS:

Judge James L. McLemore,

Suffolk, Va.

Dear Mr. Jim:

I enclose herewith commissioner's notice in the above matter, and would thank you to have Mr. and Mrs. Wade acknowledge service, and return to me.

Very truly yours,

E. Frank Story

Enc.

Dic. EFS/RMO:

Petition in hand of parties
named - J. H. C.

Commissioners Report

1908 Janu. 20th filed

We the undersigned Special Commissioners appointed by the Circuit Court of Southampton County in the suit styled Wade et als vs. Bradshaw et als met this 11th day of January 1908. upon the land of Zachariah Doyle deceased and proceeded to lay off and assign to Flora M. Wade one fourth in value of the said land having first deducted from said share one fourth of the present value of the widow's dower in the whole of said property described by boundaries as follows: Starting at a sweet gum tree in the North West Corner of said assign in the line of Jno. Wellons and Zachariah Doyle deceased. down a line of marked trees to the east to a pine tree at the Drake Road. across said road to the South east down a line of marked trees to a pine tree at the Quaker Road. down the Quaker Road to the east to a Catalpa Post in the line of O. Wills deceased. down said line now used as an outlet to the South to a small branch, in said line

thence in a west direction traversing the line of Zachariah Doyle deceased O. Wills deceased and others. to the Quaker Road. across said road in a north west direction traversing the line of Zachariah Doyle deceased and Jno. Wellons to the said Sweet gum tree at the starting point. Said land comprises to the best of our knowledge and belief about forty five acres (45)

We do assign ~~to~~ the remainder of said farm to Carrie J. Doyle Mary E. Doyle and Zachie E. Doyle to be held by them in common subject however to the widow's dower right therein

J. W. Capps
S. H. Davis.
Com's Notices
J. C. Bristow

Tracht et al
vs
Commissioner of Patents
Bradshaw et al
1907 Oct 10 Filed.
B & T. McElmore

COMMISSIONER'S OFFICE,

Courtland, Va., October 9, 1907.

TO THE CIRCUIT COURT OF SOUTHAMPTON COUNTY, VIRGINIA:

The undersigned, a commissioner of the said Court, tp whom has been referred the matter of taking an account and making report thereon to Court, as directed by a decree of the said Court, entered on the 20th day of May, 1907, in the chancery cause therein depending, generally styled, Wade et als. vs. Bradshaw et als., respectfully reports to Court:

That on the 2" day of October, 1907, your said commissioner, in pursuance of the said decree, issued notices against the said parties, plaintiffs and defendants to the said cause, notifying them of the fact that he would, on the 9th day of October, 1907, at his office, in the town of Courtland, Southampton County, Virginia, proceed to take, settle and report to Court, the several matters required to be taken and stated by the aforesaid decree of May 20th, 1907, which said notices have been duly returned, properly executed or acknowledged by the parties in interest, same being herewith filed:

That on the said 9th day of October, 1907, your said commissioner proceeded to take the depositions of S. W. Davis and A. J. Joyner, to aid him in framing the said report, which said depositions are also herewith filed.

That touching the several matters required to be reported by the said decree, your commissioner begs to report further:

(1)

Your commissioner is of the opinion that the land in the bill and proceedings in this cause mentioned and described, cannot be conveniently partitioned in kind, among all of the parties in interest individually, in any of the modes prescribed by

the Statute, without materially damaging the value of the said real estate; but he is of the opinion that the interest of Flora M. Wade may be assigned her in kind without injury to the property. (2)

Laura E. Bradshaw, who was formerly Laura E. Doyle, widow of Zachary Doyle, deceased, is entitled to a dower interest in the real estate in question.

The following parties are entitled to a one-fourth (1/4) each, of the said real estate, subject to the aforesaid dower interest of the said Laura E. Bradshaw, namely: Flora M. Wade, Carrie J. Doyle, Mary E. Doyle and Zachie E. Doyle:

(3)

Your commissioner is of the opinion that the interest of no party will be violated by a sale of the entire property, and a division of the funds arising therefrom:

(4)

The annual value of the said real estate is about One Hundred and Fifty ($150.00) Dollars, and the fee-simple value Four Thousand ($4000.00) Dollars:

Your commissioner does not find any liens of record, binding the said real estate.

Respectfully submitted.

Wm. Shands

COMMISSIONER IN CHANCERY.

COMMISSIONER'S FEE: $15.00:
Due C. Frank Stoyn, by arrangement with Comm. Shands.

****
*
* Wade etc.,
* (
* vs. (Depositions.
* (
* Bradshaw et als.
*
****

The depositions of S. W. Davis and A. J. Joyner, taken before me, William Shands, a commissioner in chancery for the county of Southampton, in the State of Virginia, pursuant to notice hereto annexed, at the office of the said commissioner, in the town of Courtland, Southampton County, Virginia, on the 9th day of October, 1907, to be used by the said commissioner to aid him in framing a report, as required by a decree of the Circuit Court of Southampton County, Virginia, entered in the said cause on the 20th day of May, 1907, pending in the said Circuit Court of Southampton County, Virginia.

Wm. Shands

COMMISSIONER IN CHANCERY.

Present:

Laura M. Bradshaw and T. H. Bradshaw.

Witness S. W. Davis, being first duly sworn, deposes and says:

Q. What is your name, age, residence, occupation and do you know the parties to the suit?

A. S. W. Davis, 53 years of age, reside in Southampton County, Virginia, am a farmer, and I know the parties to the suit.

Q. Are you familiar with the real estate set forth and described in the bill of the complainant (a description here read to witness)?

A. Yes, I live near this farm, go by it very often, and have been over most of the land.

Q. This is a suit brought for the purpose of having a partition of this land among the parties in interest, the names and number of whom you know, please state if in your opinion, this property can be divided among all of them in kind without injurying the value of the farm?

A. No I do not think it possible, without injurying the value of the farm.

Q. What do you think would be a fair fee-simple value for this farm?

A. About $4000.00.

Q. What do you think it would rent for per annum?

A. At least $150.00.

And further this deponent sayeth not.

S. W. Davis.

Witness A. J. Joyner, being first duly sworn deposes and says:

Q. What is your name, age, residence, occupation and do you know the parties to the suit?

A. A. J. Joyner, age 52 years, reside in Southampton County, Virginia, am a farmer, and I know the parties to the suit.

Q. Do you live near the Zachariah Doyle farm?

A. Yes, I live right side of it.

Q. Please state what you think this farm is worth?

A. I think from $4000.00 to $4500.00.

Q. What do you think it would rent for per annum?

A. About $150.00.

Q. The object of this suit is to have a partition of the real estate among the parties in interest, the names and number of whom are known to you. Please state if in your opinion, this farm can be conveniently divided in kind among all of the heirs, without injurying its fee-simple value?

A. I do not see how it is possible for it to be thus divided.

Q. Please state some of your reasons for this opinion?

A. Owing to the peculiar situation of the farm, the open land and the woods land, and the buildings all taken into consideration, I am quite sure it would be impossible to make a just and equitable division among the parties without injury to some who have an interest in the property.

And further this deponent sayeth not.

A J Joyner

STATE OF VIRGINIA, (
(to-wit:
Southampton County, (

I, William Shands, a commissioner in chancery for the circuit court, in and for the county aforesaid, in the State of Virginia, do hereby certify that the foregoing depositions of S. W. Davis and A. J. Joyner, were duly taken, reduced to writing, and signed by the witnesses, respectively, before me, at the time and place therein mentioned, pursuant to the annexed, notice.

Given under my hand this 9th day of October, 1907.

Wm. Shands

COMMISSIONER IN CHANCERY.

WILLIAM SHANDS,
OFFICE OF ~~E. FRANK STORY,~~
Commissioner in Chancery for the Circuit Court of Southampton County, Virginia.

Courtland, Va., October 2, 1907.

TO:

Flora M. Wade and James R. Wade,
her husband,

and

Laura M. Bradshaw, formerly Doyle,
and T. H. Bradshaw, her husband,
Carrie J. Doyle, Mary E. Doyle and Zachie
E. Doyle, the last two infants, ~~by W. I.~~
~~Scherdl, their guardian ad litem.~~

You are hereby notified that I have fixed upon the 9th day of October, 1907, to take and settle, at my office, the following accounts, to-wit:

(1) Whether or not the land in the bill and proceedings mentioned, can be conveniently partitioned in kind in any of the modes prescribed by the Statute:

(2) Who are the parties in interest and what interest the several parties hold in said real estate:

(3) Whether or not the interest of any party will be violated by a sale of the entire property, and a division of the funds arising therefrom:

(4) The annual and fee-simple value of the said real estate, and whether or not there are any liens or delinquent taxes against the same:

(5) Any other matter deemed pertinent by the Commissioner, or required to be stated by any party in interest:

Required to be taken by a decree of the Circuit Court of Southampton County, Virginia, rendered on the 20th day of May, 1907, in a suit in chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of said Court, the day and year first aforesaid.

William Shands.
~~William Shands.~~

COMMISSIONER.

****

Flora M. Wade and James R. Wade, her husband.

vs.

Laura M. Bradshaw, formerly Doyle, and T. H. Bradshaw, her husband, Carrie J. Doyle, Mary E. Doyle and Zachie E. Doyle, the last two infants.

****

This day this cause came on to be heard upon the bill of the complainant filed, the bill taken for confessed as to the adult defendants, and E. Frank Story, is this day assigned guardian ad litem to defend the interest of the infant defendants, and thereupon the said E. Frank Story, as such guardian ad litem, filed his answer to the complainants bill, to which complainants reply generally, and was argued by counsel:

On consideration whereof, the Court doth adjudge, order and decree, that the papers in this cause be referred to one of the Commissioners of this Court, who is directed to inquire and report:

(1) Whether or not the land in the bill and proceedings mentioned, can be conveniently partitioned in kind in any of the modes prescribed by the Statute:

(2) Who are the parties in interest and what interest the several parties hold in said real estate:

(3) Whether or not the interest of any party will be violated by a sale of the entire property, and a division of the funds arising therefrom:

(4) The annual and fee-simple value of the said real estate, and whether or not there are any liens or delinquent taxes against the same:

(5) Any other matter deemed pertinent by the Commissioner, or required to be stated by any party in interest.

A Copy - Teste: B. F. McLemore Clk

Wade et als,
v. DECREE.
Bradshaw et als.

Entered this 24th day of October, 1907.

William R. Hammond, Judge.

Entered C.C.B. Page 401

IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY.

Wade et als,

v. DECREE.

Bradshaw et als.

This day this cause came on again to be heard upon the papers formerly read, and upon the report of William Shands, Commissioner, made in pursuance of a previous decree had herein, filed the _____ day of October, 1907, to which report no exceptions have been taken, and was argued by Counsel.

On consideration whereof, and it appearing to the Court from the said report that Carrie J. Doyle, Mary E. Doyle and Zachie E. Doyle, infants, and Laura E. Bradshaw, widow, desire their entire interest, includihg the widow's dower, laid off together and assigned as a whole to them, and that ~~the said~~ Flora M. Wade is desirous of having hereshare allotted to her, after first deducting from her interest such dower rights as her mother, Laura E. Bradshaw, may be entitled to, and the ~~same~~ said dower rights allotted as aforesaid with the shares of the three infant children, the Court doth adjudge, order and decree that W. E. Camp, S. W. Davis, Leon Hatfield and H. Bristow be and they are hereby appointed Special Commissioners for the purpose, any three of whom may act, and are hereby authorized to go upon the lands of which Zachie Doyle died seized, and more particularly described in the papers of the cause, and lay off and assign to Flora M. Wade one-fourth in value of the said land, having first deducted from said share one-fourth of the present value of the widow's dower in the whole of said property, and the remainder of said farm they allot and assign to

the said Carrie J. Doyle, Mary E. Doyle and Zachie E. Doyle, to be held by them in common, subject, however, to the widow's dower right therein, which dower right in the property thus assigned shall be equal to one-third in value of the entire farm, and is to be held and enjoyed by the said Laura E. Bradshaw during her life and at her death the said property shall be and remain the property of the said three infant children.

1908

Wade et als

v. } Decree

Bradshaw et als

Final Order

Enter this decree

J. T. L.

Jan 31. 1908

Recorded - D. B. # 5-3

Page # 181

Wade, et als,

v.

Bradshaw, et als.

This day this cause came on again to be heard upon the papers formerly read and upon the report of Special Commissioners J. W. Camp, S. W. Davis, Carr Hatfield and J. C. Bristow, the parties named in decree of October 29, 1907, (said report being made in pursuance of said decree) filed on January 20, 1908, reporting partition in kind among the parties entitled thereto of the land in the bill and proceedings mentioned, to which report no exceptions have been taken, and was argued by counsel.

On consideration whereof, the Court doth confirm the said report, and doth adjudge, order and decree that Flora M. Wade for her portion of the real estate of which her father, Zachary Doyle, died seized and stand seized of, shall have, (free from the dower rights of her mother therein), the following property, to-wit:

All of that portion of the said Zachary Doyle farm within the boundaries following; starting at a sweet gum tree in the Northwest corner of said Doyle farm on the line of John Wellons and Zachary Doyle, deceased, running thence down a line of marked trees in an Easterly direction to a pine tree at the Drake Road, thence across said Road Southeasterly down a line of marked trees to a pine tree at the Quaker Road, thence down the Quaker Road Easterly to a catalpa post in the line of O. Wills, deceased, thence down said line (now used as an outlet) Southerly to a small branch in said line, thence in a Westerly direction to the Quaker Road, thence across said Road in a Northwesterly direction to the said sweet gum tree at the

starting point, and is supposed to contain forty-five (45) acres.

All the rest and remainder of said farm shall be and remain the property of Carrie J. Doyle, Mary E. Doyle and Zachie E. Doyle, jointly, to be held by them subject to the dower rights of Mrs. Laura E. Bradshaw, formerly Doyle, therein

The Court doth further adjudge, order and decree that a certified copy of this order, together with said report shall be recorded by the Clerk of this Court in his deed book, and duly indexed in the names of the parties, plaintiffs and defendants.

And nothing further remaining to be done in the cause it is ordered that same be removed from the docket, withleave to any party in interest to reinstate same upon motion within twelve months from the date of this order.

And it is further ordered that the costs of this suit, including $4.00 per day to each of said Commissioners, for their services, be taxed against and paid proportionately by the parties to this suit.

Wade -

F Stat: Costs

Bradshaw -

Summ. 25. 6 Copies @ 13 -

Rets 18. Atty. 10 Docket 18. Rules 1.00

Enter returns .35 - filing bill .15 -

Filing Answer .15 - Comr's Report 15

Copy Order .25 - filing Comr's report .15

3 Decrees @ .36 - Tax Costs .40 - filing

away papers .25.

paid - B.F.M. - Clerk	$ 5.45
" - B.F.M. - Sheriff	$ 3.00
" McLendon Bitt Lawfy	16.50
Jno E. Frank Story - Comr	15.00
	$ 39.92
Comrs. allotting the land - paid same night	4.00
Running Partition drawer & surv't	2.50
	$ 46.42
Atty fee - paid McLemore & Corbitt.	60.
	$ 106.42

Wade

vs. Spain et al

Bradshaw et al

1907 Int: May Rules

Executed May 1st 1907 - by Delivering a copy of the within Summons to each of the within named.

Jno. Bryant Deputy

for

L. L. Gilbert Sheriff

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Laura A. E. Bradshaw and Annie Lee Doyle, and T. H. Bradshaw and Ethel Lassiter Langley, Mamie J. Mears, E. and Zaclare E. Doyle, the last two of whom are

to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court on the 1st Monday in May 1907 next, to answer a Bill in Chancery exhibited against them and in our said Court by Ella A. McWade and James R. Wade, her husband

And this you shall in nowise omit under penalty of law. And have then there this writ.

Witness, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this 24th day of April, 1907, in the 131st year of the Commonwealth.

Teste:

B. F. McLemore, C. C.

Wade &c.
vs. } Sldr: Rules.
Bradshaw et: als:

Flora M. Wade and James R. Wade,
her husband

v

Laura E. Bradshaw, formerly Doyle,
and J. H. Bradshaw, her husband
Carrie J., Mary E., and Zachie E. Doyle.
the last two infants.

1907. April 24th: Process issued to 1st May Rules.
" 1st May Rules: Process returned Executed.
Bill filed.
1907. 2nd May Rules: E. Frank Story appointed
Guardian ad litem to infant
Defendants, Bill Taken
for Confessed as to Adults -
and Cause set for hearing.

Wade Flora M.

v.

Bradshaw Samuel

1908

Executed the day
June 1908 by delivering
a copy of the within
order to - J.M. Leamon
S.W. Davis Comptroller
& J.C. Britton in
person

J.P. Lamar Sheriff

Filed ... day of ... 1908

B.F. Mesmore ... D.C.

Lafayette ... Co. Miss.

EXHIBIT FILED A

VIRGINIA:

IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY:- OCTOBER 29, 1907.

WADE ET ALS,

v.

BRADSHAW ET ALS,

This day this cause came on again to be heard upon the papers formerly read, and upon the report of William Shands, Commissioner made in pursuance of a previous decree had herein, filed the _____ day of October, 1907, to which report no exceptions have been taken, and was argued by counsel.

On consideration whereof, and it appearing to the Court from the said report that Carrie J. Doyle, Mary E. Doyle and Zachie E. Doyle, infants and Laura E. Bradshaw widow, desire their entire interest, including the widow's dower, laid off together and assigned as a whole to them, and that Flora M. Wade is desirous of having her share allotted to her, after first deducting from her interest such dower right as her mother, Laura E. Bradshaw, may be entitled to, and the said dower rights allotted as aforesaid with the shares of the three infants children, the Court doth adjudge, order and decree that J. W. Camp, S. W. Davis, Carr Hatfield and J. C. Bristow be and they are hereby appointed Special Commissioners for the purpose, any three of whom may act, and are hereby authorized to go upon the lands of which Zachie Doyle died seized, and more particularly described in the papers of the cause, and lay off and assign to Flora M. Wade one-fourth in value of the said land having first deducted from said share one-fourth of the present value of the widow's dower in the whole of said property, and the remainder of said land they allott and assign to the said Carrie J. Doyle, Mary E. Doyle and Zachie E. Doyle, to be held by them in common subject, however, to the widow's dower right therein, which dower right in the property thus assigned shall be equal to one-third in value of the entire farm, and is to be held and enjoyed by the said Laura E. Bradshaw during her life and at her death the said property shall be and remain the property of the said three infant children.