

In the Superior Court: ~~Casswell~~ County

Susan A. Woody,

Lucy P. Green,

Asa J. Green,

John S. Williams

wife Minnie V. Williams.

vs

George F. Leaster & wife

Sallis F. Leaster, of

full age and Willie G.

Leaster, Joseph Leaster,

Jimmie Leaster and

Mattie Leaster, infants

without guardians.

The petition of plain-

tiffs petitioners, Susan A. Woody, Lucy

P. Green, Asa J. Green, John S. Wil-

liams & wife Minnie V. Williams

unsuccessfully show with unto this Honorable
Court;

- 1 That the late Paul Green departed this
life intestate the owner in fee of the
following real property, to wit, a tract
or parcel of land situated in Clinton
Township, Casswell County, North
Carolina, known as the W. F. Smith
Lumberyard Tract, bounded as follows: On
the North by the lands of Jim Davis's
estate, on the East by the lands of

Lawson Esq, and Rob Phelps; on the South
by the lands of Nat. Richmond, and
on the West by the lands Delay & Co, and
containing one hundred and twelve
acres more or less. It being the same
conveyed by W. F. Smith, (at the time of
Milton, N. C. but now of Winston, N. C.)
to the said late Paul Green, the same
however was destroyed before registra-
tion and after the death of said Green
and the said W. F. Smith has received
another and in lieu of the said lost
and to the parties hereto according
to their respective interests as heirs
at law of said Paul Green and -

- 2 That your petitioners Susan A. Wooley, Lucy
P. Green, Asa J. Green and Maria
W. Williams, wife of John L. Williams
are children of said Paul Green, and,
and the respondents, Sallie F. Leaster wife
of Geo. F. Leaster, ^{a grand daughter of said Paul Green,} William G. Leaster, Joseph Leaster,
James Leaster, and Mattie Leaster
are the great grand children of said Paul
Green, the grand children of a son
named William Green, who died
leaving two daughters, one married
with said Geo. F. Leaster and one leaving
children to wit the said William L.

Joseph, James and Mattie, and the other
daughter of William to wit Sallie
F. is now the wife of said Geo. F. Leaster
and said plaintiffs petitioners and the
respondents constitute all the heirs
at law of said Paul Green and
and by virtue of the same

a grand daughter of said Paul Green,
affs. Geo. T. Leavitt, William Leavitt, Joseph Leavitt,
James Leavitt, and Mattie Leavitt
are the great grand children of said Paul
Green, the grand children of a son
named William Green, who died
leaving two daughters, one married
with said Geo. T. Leavitt and one leaving
children to wit the said William G.

Joseph, James and Mattie, and the other
daughter of William to wit Sallie
F. is now the wife of said Geo. T. Leavitt
and said plain life petitioners and the
respondents constituted all the heirs
at law of said Paul Green and
and by virtue thereof said land was
seized up there, and they are now
the owners in fee thereof as tenants
in common in the following in-
trust to wit: Susan A. Hooley, Lucy
P. Green, Asa J. Green and Minnie
W. Williams, wife of John S. Williams
are the owners in fee of one undi-
vided fifth interest each, and the
respondent Sallie F. Leavitt wife of
Geo. T. Leavitt is the owner of a one-
fifth undivided interest in fee and
the respondents William G. Leavitt, Joseph
Leavitt, James Leavitt and Mattie Leavitt
are entitled to one-fourth undivided
interest each in fee.

3 That the said William G. Leavitt, Joseph Leavitt,
James Leavitt and Mattie Leavitt
are infants under the age of twenty
one years and are without guardians,
the youngest being about fourteen.

4 That said land is only valued as 40
acres, and because of the number

of shares into which it should be divided
and the number of the tenants in
common, and its location in the
country, and having been used and
treated as a farm, a tract of land
among the tenants in common
cannot be used ^{without} ~~without~~ material
injury to the interest of all the said
tenants in common or least of
most of them.

That your petitioners desire to have
and enjoy their interests and shares
in said land in severalty.

Wherefore your petitioners pray that the
said land be sold for partition among
the tenants in common according
to their respective interests, and to that
end that this court make such orders
and directions as may be proper
and necessary, and appoint a com-
missioner to sell upon such terms
and at such times and places as will
best serve the interest of both petitioners
and respondents, and that the proceeds
of sale after cost of this proceeding &
selling are paid be divided among
the tenants in common according
to their respective interests in the land
mentioned &c your petitioners again pray.

John Johnston
Att. for Petitioners, also

for Petitioners.

Asa J. Green, one of the plaintiffs
in the foregoing petition being
duly sworn says that the foregoing
petition is true of his own knowl-
edge except as to matters and
things therein stated as in-
formation and belief and as
to them he verily believes it
to be true. ASH J. Green

State of North Carolina

Person County

I, J. C. Bass Clerk
of the Superior Court in and
for said County do hereby certify
that Asa J. Green personally
appeared before me this day
made oath to and subscribed
the foregoing affidavit before
me

Witness my hand and
seal of said Court this
the 19th day of Aug
1890

J. M. C. Pate Secy.

Susan A. Moody
sister
700

Geo J. Pearson
or wife
sister

Service accepted this
Oct 14 1890

At Henderson and
later in W. J. Carter Joseph
Carter James Carter &
Martin Carter

Particulars for 2000
of land for
partitions.