

Lewis Thornburg)

to

Affidavit

Filed for Record Sept 27th A.D. 1909 at 3.35 o'clock P.M.

J.E. Hamilton) Affidavit, Filed for Record Sept. 27th A.D. 1909 at 5.45 o'clock P.M.  
to )  
The Public ) Recording 70 George Hill Recorder  
By Daisy Hill Deputy.

State of Iowa Madison County SS:

I, J.E. Hamilton, of said County and State, on oath say that I have been a resident of said County and State for more than 45 years last past; that during said time I have been acquainted with the South Half (½) of the South East Quarter (¼) of Section Thirty Two (32) in Township Seventy five (75) North, of Range Twenty six (26), in said County and State, and with the persons in possession and occupancy thereof and of the adjoining land. That Andrew Hogg to whom Alexander Johnson and wife conveyed said land on or about November 2nd, 1875, the deed being recorded in Deed Record Eleven (11) of said County at page 471 thereof, was the same and identical person as the A.J. Hogg who died in Madison County, Iowa, on or about September 25th 1877, and whose estate was administered upon in said County; that the Rebecca Hogg named in the Registry of heirs of said A.J. Hogg was the same and identical person as the Rebecca Garst who afterwards in the Circuit Court of Madison County, Iowa, at the April Term, 1883, brought suit for the admeasurement of dower, in which proceedings said land was set off to her, and who afterwards and on or about April 9, 1884, with her husband Samuel Garst conveyed said land to James A. Rhyno, the deed being recorded in deed record Twenty Three (23) of said County, at page 459 thereof; that the Sarah J. Hogg, Mary E. Hogg, Eliza A. Hogg, John C. Hogg, Elizabeth E. Hogg, George W. Hogg, Henry A. Hogg, and Dicie L. Hogg, named in the registry of heirs of said A.J. or Andrew Hogg were the same and identical persons as the Sarah J. Dowler Mary Ellen Hogg, Eliza Ann Hogg, John Charles Hogg, Elizabeth Ette Hogg, George W. Hogg, Henry Albert Hogg, and Dicie Lucretia Hogg named as defendants in said suit for the admeasurement of dower. That T.J. Rhyno grantee in a conveyance of a portion of said land from Alex Johnston, or Alexander Johnston and others, dated February 23rd, 1870, and recorded in deed record three (3) of said County at page 391 thereof, was the same and identical person as the T.J. Rhyno, Senior, who on or about February 21st, 1898, conveyed a two acre tract of said land to James W. Rhyno, the deed being recorded in deed record Thirty Eight (38) of said County, at page 174 thereof. That said T.J. Rhyno or T.J. Rhyno, Senior died intestate in Madison County, Iowa, on or about October 21, 1899, leaving no widow surviving, and as his only heirs at law the said James W. Rhyno, and T.J. Rhyno, Jr, his sons, and Della May Shepherd, his adopted daughter. That the writing of the name "Hart Branch" in the conveyance from Alex. Johnston to T.J. Rhyno was a clerical error on the part of the scrivener or recorder; that it was and is "HAY BRANCH", there being no Hart Branch on or near said land, but Hay Branch crossing the same at the place indicated in said conveyance. That P. M. Snyder to whom Walter P. Rhyno conveyed said land on or about May 13th, 1892, and Peter M. Snyder who on or about June 6th, 1893, reconveyed the same to Walter P. Rhyno was one and the same man. That ever since the conveyance of said eighty acre tract of land by J.W. Johnston, administrator of the estate of J.C. Johnston to R.A. Stitt, on or about July 2nd, 1866, the possession of said land has rested in said R.A. Stitt, and the parties claiming by, through, and under him, and that for more than ten years last past R.D. Youmans has been in the actual, open, notorious, and peaceable possession and occupancy of said land, and the right to the possession of all of said land by said R.A. Stitt and his grantees has never been questioned.

J.E. Hamilton.

Subscribed and sworn to before me and in my presence by said affiant this 31 day of July A.D. 1909.

W.E. Cooper Notary Public  
in and for Madison County Iowa.

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