

#1036  
James Bertholf)  
to ) Affidavit  
The Public )  
Filed for Record July 13th A.D. 1911 at 8.30 o'clock A.M.  
George Hill Recorder.  
By Daisy Hill Deputy.

State of Iowa Madison County SS:

I, James Bertholf, a resident of said County and State being first duly sworn, on my oath depose and say that I am a brother of George T. Bertholf, who died in said County, intestate, on or about February 19th, 1870; that the said George T. Bertholf died unmarried and without issue; that he was survived by his parents Andrew H. Bertholf and Electa Bertholf; that the said George T. Bertholf at the time of his decease was the owner of Lot Five (5) in Block Eight (8) of Laughridge and Cassidy's Addition to Winterset, Iowa, having acquired title thereto by conveyance from C.D. Bevington and wife, dated May 17th, 1856, in which conveyance the name of the said George T. Bertholf is incorrectly shown, his name appearing in the record of said conveyance at page 108 of Deed Record E, as I.T. Bertholf. That I well and personally know that the said George T. Bertholf was the owner of said Lot at the time of his decease, and in full and undisputed possession thereof, and that the grantee named in the aforesaid conveyance was intended for and was in fact, the said George T. Bertholf. That the said Andrew H. Bertholf died testate on or about July 15th, 1878; he was survived by his widow, the said Electa Bertholf, and the following named children: A.M. Bertholf, Zach Bertholf, James Bertholf (this affiant), W.H. Bertholf, J.M. Bertholf, Rebecca Kiggins, and L.M. Bertholf; that he was also survived by Samuel M. Demarr and Alex W. Demarr, his children and children of his deceased daughter Esther J. Demarr, who died prior to the death of the said Andrew H. Bertholf; that the Andrew H. Bertholf named in the Registry of Heirs filed in the estate of said Andrew H. Bertholf, deceased, was the son of Zachariah Bertholf, the son of the said Andrew H. Bertholf. That I well and personally know that the above described lot was one of the lots referred to in the last will and testament of the said Andrew H. Bertholf, in the clause in said will which recites as follows:- "Also two lots in Winterset that descended to me by the death of my son George T. Bertholf. I desire they shall be sold and the proceeds divided the same as the land last above described and the personal property". That the bequest of \$300.00 mentioned in the last will and testament of the said Andrew H. Bertholf to his grandson, Andrew H. Bertholf, son of Zachariah Bertholf, was long since fully paid to the said Andrew H. Bertholf as provided in said last will and testament. That the said Electa Bertholf died, intestate, on or about June 15th, 1883; that she never remarried after the death of the said Andrew H. Bertholf and was a widow at the time of her decease; that she was survived by the same children and grandchildren as those of Andrew H. Bertholf mentioned above, with the exception that her said grandson, Samuel M. Demarr, had died prior to her decease, he having died on or about May 11th, 1881. That the said Samuel M. Demarr was a minor at the time of his decease, and died unmarried and without issue, and was survived by his father L.H. Demarr. That in the various conveyances from the children and heirs of the said Andrew H. Bertholf and Electa Bertholf, deceased, of the above described lot, wherein said lot is described as being in "Laughridge & Cassidy's" Addition, or "Laughridge & Cassidy's" Addition, or "Loughridge & Cassidy's" Addition, to the Town of Winterset, Iowa, I personally know that it was intended in the various conveyances made by such heirs to convey the above described lot, and that the variations made in the name of said addition as shown in such conveyances, are merely clerical errors on the part of the person preparing said conveyances for signature, and that such conveyances did, in fact, convey the various interests of the said heirs at law of the said decedents in the above described lot as recited therein. That the said A.M. Bertholf above mentioned as the son of Andrew H. and Electa Bertholf, is the same and identical person as Alexander M. Bertholf, who died testate on or about January 23rd, 1902. That I have no interest in the above described lot of any character whatever, and that I make these statements from personal knowledge.

James Bertholf.

Subscribed and sworn to before me by the said James Bertholf this 5th day of June A.D. 1911

NOTARIAL  
SEAL

Lloyd Talley.  
Notary Public in and for said County.