

Miscellaneous Record, No. 17, Madison County.

Hannah Diggs) Filed for Record Feb. 19th A.D. 1912 at 1.05 o'clock P.M.
 to) Affidavit(
 The Public.) George Hill Recorder,
 By Daisy Hill Deputy.

TO WHOM IT MAY CONCERN:

State of Iowa Madison County SS:

"A" I, Hannah Diggs, first being duly sworn on oath say that I was well and personally acquainted with Elisha Diggs one of the beneficiaries in the Will of Joseph C. Diggs late of Madison County, Iowa, and I say that Elisha Diggs departed from this life on or about March 25, 1908. That he died intestate seized of the following described real estate, to-wit: The East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 5 Township 77 Range 28 West of the 5th P.M. Madison County, Iowa. That he had no personal property of any kind at the time of his death, that his estate has never been administered on, that I do know of my personal knowledge that all debts of Elisha Diggs deceased have been fully paid. I further state that Elisha Diggs deceased was beneficiary and derived said real estate as such beneficiary under and through the Will of Joseph C. Diggs deceased. I further state that Elisha Diggs deceased was an invalid for a number of years prior to his death and that all of his expenses and debts of every kind were paid as directed by the Will of Joseph C. Diggs deceased. Will say that Elisha Diggs deceased was never married and he left surviving him as his only heirs Hannah Diggs, William Diggs and Wilson Diggs, brothers and sister of Elisha Diggs deceased. And I do further say that I know of my personal knowledge that there are no debts of any kind against the estate of Elisha Diggs deceased. I further say that Elisha Diggs mentioned in the Will of Joseph C. Diggs and Elisha W. Diggs as appears in the register of the heirs of Joseph C. Diggs deceased, and Elisha W. Diggs as appears in the list of beneficiaries of the real property of Joseph C. Diggs deceased filed July 17, 1899 in the probate proceedings of said estate, of Joseph C. Diggs, deceased, I do say that Elisha Diggs and Elisha W. Diggs refers to one and the same identical person, and I further say that wherever the name of Elisha Diggs or Elisha W. Diggs appears in any of the records in the probate proceedings, in the matter of the estate of Joseph C. Diggs deceased, or in any of the records or proceedings in probate affecting the title of the southeast quarter (SE $\frac{1}{4}$) of Section 5 Township 77 Range 28 West of the 5th P.M. Iowa, that it refers to one and the same identical person.

"B" I further say that I was well and personally acquainted with one Joseph C. Diggs grantee in a certain Warranty Deed dated March 25, 1871, acknowledged March 25, 1871, recorded in Deed Record 4 page 551 in the records of Madison County, Iowa, conveying the southeast quarter (SE $\frac{1}{4}$) of section 5 Township 77 Range 28 West of the 5th P.M. Madison County, Iowa except a strip of the south side deeded to the C.R.I. & P. R.R., I do say that Joseph C. Diggs grantee, and Joseph C. Diggs who executed Will recorded in Will Book "B" page 399 of the records of Madison County, Iowa and J.C. Diggs mentioned in an agreement of the heirs and beneficiaries of Joseph C. Diggs deceased of the date of August 2, 1899, said Agreement being filed with the records and papers of the probate proceedings of the Will of the said Joseph C. Diggs deceased in the Probate Court of Madison County, Iowa and J.C. Diggs in the annual report of the Executor of the estate of Joseph C. Diggs deceased and recorded in Probate record "S" page 221 Madison County, Iowa, and J.C. Diggs mentioned in the final report of Joseph C. Diggs deceased and J.C. Diggs mentioned in the Order of the District Court of Madison County, Iowa approving the final report of the Executor of the estate of Joseph C. Diggs deceased and in some of the proceedings the name Jos. C. Diggs appears and I do say that Joseph C. Diggs Grantee and J.C. Diggs and Jos. C. Diggs are one and the same identical person. I do further say that wherever the name Joseph C. Diggs, J.C. Diggs or Jos. C. Diggs appears in any of the Probate records or Deed records affecting the title in and to the southeast quarter (SE $\frac{1}{4}$) of Section 5 Township 77 Range 28 West of the 5th P.M. Madison County, Iowa, that it refers to one and the same identical person and that he is one and the same identical person.

"C" I further say that I was well and personally acquainted with Hannah Diggs one of the beneficiaries in the Will of Joseph C. Diggs deceased and that I was well and personally acquainted with Hannah E. Diggs one of the Grantees in a certain Quit Claim Deed dated February 18, 1909 acknowledged on the same date, recorded in Deed records 39 page 417 of the records of Madison County Iowa, conveying the South Half (S $\frac{1}{2}$) of the West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the East Half (E $\frac{1}{2}$) of the West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) except right-of-way all in Section 5 Township 77 Range 28 West of the 5th P.M. Madison County, Iowa.

I do say that Hannah Diggs mentioned in the list of heirs and Hannah Diggs listed as one of the beneficiaries in the Will of Joseph C. Diggs deceased and Hannah E. Diggs mentioned in some of the proceedings in the probate of the Will of Joseph C. Diggs deceased, is one and the same identical person, and wherever the name of Hannah Diggs or Hannah E. Diggs appears in any of the probate proceedings of the Will, or in the settling of the estate of Joseph C. Diggs deceased or as grantee in the conveyance affecting the title in and to the southeast quarter (SE $\frac{1}{4}$) of Section 5 Township 77 Range 28 West of the 5th P.M. Iowa Madison County, that she is one and the same identical person.

"D" I further state that William Diggs mentioned as one of the beneficiaries in the Will of Joseph C. Diggs deceased and Wm. Diggs Grantee in a certain Quit Claim Deed dated February 18, 1909 recorded in Deed Record 39 page 417 of Madison County, Iowa, records and W.M. Diggs mentioned in some of the proceedings in the matter of the estate of Joseph C. Diggs deceased, is one and the same person. I say that wherever the name of William Diggs, Wm. Diggs or W.M. Diggs appears in any of the proceedings of the matter of the estate of Joseph C. Diggs deceased or in any of the conveyances of Deed or in any part thereof affecting the title to the southeast quarter (SE $\frac{1}{4}$) of Section 5 Township 77 Range 28 West of the 5th P.M. Madison County, Iowa, that it refers to one and the same identical person and that his correct name is William Diggs, and the insertion of the letter "M" in said name if so inserted, was an error.

"E" I further say that Wilson Diggs mentioned as one of the beneficiaries in the Will of Joseph C. Diggs deceased that this is his true and correct name Wilson Diggs; that Elwood Diggs mentioned as a beneficiary in the Will of Joseph C. Diggs deceased, and Elwood Diggs mentioned in some of the proceedings, and E.P. Diggs who executed Will, which Will is recorded in Will Book "B" page 423 of the records of Madison County, Iowa, is one and

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the same person. I say that Elwood Diggs and Ellwood Diggs Elwood P. Diggs and E.P. Diggs refers to one and the same identical person and I say that wherever the name of Elwood Diggs, Ellwood Diggs, Elwood P. Diggs or E.P. Diggs appears in any of the proceedings in the matter of the estate of Joseph C. Diggs deceased or in settlement or probating the Will of E.P. Diggs deceased and in any way affecting the title to the southeast quarter (SE $\frac{1}{4}$) of Section 5 Township 77 Range 28 West of the 5th P.M. Madison County, Iowa, that it refers to one and the same identical person. I further say that May E. Diggs and Mary E. Diggs are one and the same identical person and I further say that she had no interest in and to the Southeast Quarter (SE $\frac{1}{4}$) of Section 5 Township 77 Range 28 West of the 5th P.M. Madison County, Iowa, or any part thereof, when she signed the Agreement she was the wife of the said Wilson Diggs but she for a past number of years been divorced from the said Wilson Diggs and she has re-married.

Hannah Diggs.

Subscribed and sworn to before me by Hannah Diggs this 10 day of February 1912.

Harry W. Hill

Notary Public in and for Madison Co.