

Miscellaneous Record, No. 18, Madison County

#176

B.L. Thrift.)
to)
The Public) Aff. Filed for recorded the 27th day of Feb A.D. 1913 at 9:45 o'clock
Jeannette E. Beck, Recorder. A.M.

State of Iowa Madison County, SS.

I, B.L. Thrift being first duly sworn on oath depose and say, that I have been a resident of Madison County, Iowa for more than — years last past; that I was well and personally acquainted Joseph R. Newell and with his immediate family, that the said Joseph R. Newell was the owner in fee simple of the following described real estate situated in the County, of Madison and State of Iowa, to-wit:—

The North East Quarter of the North East Quarter, of Section Thirty-four (34) and the North Half of the North West Quarter of Section Thirty-five (35), all in Township Seventy-five (75) North, Range Twenty-eight (28), West of the 5th P.M. Iowa.

I further depose and say, that the Joseph R. Newell named as grantee in a certain Warranty Deed from Samuel Vernon and wife, under date of February 24th, 1869 and recorded in Deed Record 1 at page 400 of the records of Madison County, Iowa, conveying the land above described is the same and identical person as the J.R. Newell who departed this life testate in Madison County, Iowa, on or about the 11th day of November 1887, leaving as his sole and only heirs at law, his widow Martha J. Newell, and the following children, Charles H. Newell, Newton Newell, and Effie May Newell, the latter having since intermarried with one William Newell, that he is the same and identical person as the J.R. Newell, named in the Registry of Heirs in the Estate of Jane Newell, deceased; and the same and identical person as the J.R. Newell named a plaintiff in an action in partition had at the April Term 1877 of the Circuit Court of Madison County, Iowa, wherein Samuel Newell, et al, were defendants; that he is the same and identical person as the J.P. Newell named as grantee in a certain warranty deed executed by Samuel Newell and Eliza Newell, under date of January 20th, 1879 and of record in Deed Record 16 at page 517 of said records, which deed conveys a part of the land above described; and the same and identical person as the J.R. Newell named as grantee in a certain Referee's Deed, dated July 20th, 1879 and recorded in Deed Record 17 page 124 of said records, conveying a part of said land; in other words that wherever the name of Joseph R. Newell or J.R. Newell or ~~J.R. Newell~~ appear in connection with the title to the above described land they refer to and are in fact one, identical and the same person.

I further depose and say, that the Samuel Hamilton who under date of April 25th, 1857 executed a mortgage on the land herein described for the sum of \$780.00 to Cooper & Clark, which mortgage is of record in Deed Record "B" at page 392 of said records, never had any right, title, or interest in the lands described in said mortgage, but that at the date said mortgage was executed the said Samuel Hamilton did own land adjoining the land herein described on the south, and it evidently was his intention to mortgage the land that he owned and not the land herein described.

I further state that the Martha J. Newell the decedent in estate No. 1842 of the Probate Records of Madison County, Iowa, is the same and identical person as the Martha Jane Newell named as devisee in the Last Will and Testament of J.R. Newell, deceased; and that she was the widow of the said J.R. Newell and after his death she never re-married, but departed this life a widow, and that she elected to take under the will of her husband, and retained a life estate in said land until her death, when the same passed to the children of J.R. Newell and Martha Jane Newell namely, Charles H. Newell, Newton Newell, and Effie May Ryan (nee Newell), or their grantees or assignees. I further depose and say, that the Charles H. Newell named in the Registry of Heirs in the estate of J.R. Newell, and the C.H. Newell, who with his wife, Fannie Newell, deeded their interest in said lands to Newton Newell, by deed dated, February 7th, 1908 and record in Deed Record 40 page 145 of the records of said County are one, identical, and the same person. Further this affiant sayeth not.

B.L. Thrift
Subscribed and sworn to before me by the said B.L. Thrift, this 24th day of February A.D. 1913

J.E. Hamilton
Notary Public in and for said County.

NOTARIAL
FEB 27 1913