

## Miscellaneous Record, No. 18, Madison County

Notary Public in and for Madison County, Iowa.

FILE

J.E.Tidrick) Filed for record the 20<sup>th</sup> day of Feb A.D.1914 at 5:01 o'clock P.M.  
to Jeannette E.Beck.Recorder.  
The Public ) Afft.

AUDITED  
D. F. R.

State of Iowa Madison County, SS. I, J.E.Tidrick, of said County and State, being first duly sworn, do, upon my oath, depose and say:--That for more than fifteen years last past I have been a practicing attorney at law in Winterset, Iowa, that in March A.D.1904 or the last day of February in said year, W.S.Whedon, the then cashier of the First National Bank of Winterset, Iowa, placed in my hands for suit the note for \$150. made by J.W. Forney and wife L.B. Forney, to Martha A. Sturman, dated October 14th 1892, and secured by mortgage on 24 acres off the East side of SE 1/4 NW 1/4 20-76-27, at that time the said W.S. Whedon informed me that said bank was the owner of said note, upon which there was a balance due, that the other note for \$150.00 secured by the said mortgage had been delivered to J.W. Forney, having been paid in full, that Mr. Forney had been making small payments on the notes and the payments credited on the back of the notes and that at one time he paid enough to pay one in full and a credit on the other and that by a mistake in the bank the note coming due last had been delivered to him and the credit placed on the first note, being the one he handed to me for suit, that I drew an original notice commencing suit on the said note and placed the same in the hands of J.A. Dockstader, then Sheriff of Madison County, Iowa, on the 3rd day of March A.D.1904, that I have a distinct recollection of this transaction as the notice was given to the Sheriff only to stop the bar of the statute of limitations and he was insistent upon instructions as to serving same which I refused to give as I did not wish to put the expense on Mr. Forney who had promised to come in any pay the note and a small balance on a judgment in favor of Howell & Merrell in Judgment Docket "N" at Page 247 of the District Court records of said County: and I further depose and say that on the 4th day of March, A.D. 1904 the said J.W. Forney did come in and pay the said note in full and at the same time paid to S.D. Alexander, assignee of said judgment, the balance due on said judgment. That all statements herein made are of

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my own personal knowledge except the dates March 3rd and March 4th, 1904 which I have taken from the Sheriff's record of processes received and served and from the Clerk's docket where the satisfaction of said judgment is made on March 4th, 1904 in my handwriting and signed by said S.D. Alexander. That I have no interest in making this affidavit except to establish the fact herein set forth.

Further deponent sayeth not. J.E. Tidrick.

Subscribed in my presence and sworn to before me by the above named affiant this 15th day of February, A.D. 1914.

Carl R. Meyer

Notary Public in and for Madison County, Iowa.

