

Miscellaneous Record, No. 18, Madison County

#666
 E.E. McCall) Filed for record the 12th day of Jan. A.D. 1915 at 4:20 o'clock P.M.
 to Jeannette E. Beck, Recorder
 The Public) Afft. Fee \$1.70 ✓

State of Iowa, Madison County, ss. I, E.E. McCall a resident of said County and State, being first duly sworn on my oath depose and say that I have been in the abstract business in Winterset, Madison County, Iowa, continuously since the year 1883, and that I am familiar with the public records of said County, and also with the location of the railroads located across said County, and from personal knowledge and also from examination of the records. I know that the Des Moines Winterset and Southwestern Railway now forming a part of the system of the Chicago Rock Island and Pacific Railroad Company is not now, and never was located on any part of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Thirty-one (31) in Township Seventy-six (76) North, of Range Twenty-six (26) West of the 5th P.M., but that such railroad does cross and is now located over the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Thirty (30) in said township and range.

I further state that I have made an investigation of the records with reference to a certain right of way deed executed by Mary A. Morgan as guardian of the persons and property of E.E. Cason, P.C. Cason and D.P. Cason to the said Des Moines Winterset and Southwestern Railroad Company, dated February 22nd, 1871, and recorded on page 2 of Deed Record 5 of the records of said County, the record of which deed shows the same as conveying a strip of land 100 feet wide through the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) and the Northeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) of Section Thirty one (31) in said township and range, and I do not find that the said guardian or her said wards ever had any interest in the said Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Thirty-one (31) in said township and range, but I do find that in 1874 Mary A. Morgan as guardian of Phibe C. Cason and Joshua D. Cason, filed her petition in the Circuit Court of Madison County, Iowa, asking for authority to sell the undivided one-half of 62 acres in the South part of East Half ($\frac{1}{2}$) Southeast Quarter ($\frac{1}{4}$) of Section Thirty (30) and the North Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) of Section Thirty-one (31), except two (2) acres in the Southwest corner thereof, and 15 acres in the North part of the Southeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) and the West part of the South Fractional Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of Section Thirty (30) in said Township and range, containing 162 acres, and alleging that said minors own the undivided one-half interest in said real estate, and I am of the opinion that it was the intention of said guardian in the right of way deed above referred to, to have conveyed a right of way across the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of said Section Thirty (30) in said Township and Range, instead of across the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Thirty-one (31) in said township and range.

This affidavit is made with reference to the title to the East Thirty (30) acres of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Thirty-one (31) in Township Seventy-six (76) North, of Range Twenty-six (26) West of the 5th P.M., and that I have no interest in said real estate of any kind or character.

Subscribed and sworn to before me by the said E.E. McCall this 26th day of December A.D. 1914.
 E.E. McCall,
 Lloyd Talley,
 Notary Public in and for said County.

NOTARIAL
 SEAL