

149

Miscellaneous Record, No. 19, Madison County

Sankey Smith) Filed for record the 28th day of April A.D. 1917 at 4:06 o'clock P.M.
to)
The Public) Afft. Keannette E. Beck, Recorder.

Fee, \$.50
1967

I, Sankey J. Smith of said County and State being sworn depose and say that I am a son and heir at law of Hattie Smith, deceased, who died in Madison County, Iowa, several years ago.

That she was a widow and unmarried at the time of her death. And this affiant and Lottie Smith are the sole and only heirs at law of Hattie Smith, deceased. That in the settlement of her estate I received as part of my distributive share the promissory note and mortgage executed by John L. Allen and Anna B. Allen dated July 1st, A.D. 1912, for the sum of Four Thousand Dollars due 5 years after the date thereof, bearing interest at the rate of five and one-half per cent per annum, and the following is a stipulation which was entered into and signed by all the heirs of the said Hattie Smith and considered in the settlement of her estate, to-wit: "The parties hereto being the sole and only heirs at law of Hattie Smith, deceased, hereby agree that Lottie Smith will receive as part of her share in the estate of Hattie Smith, deceased the promissory note executed by Martha J. Beardsley and Eddie Beardsley for the sum of Four Thousand Dollars, bearing interest at the rate of 6 per cent per annum, dated April 10th, 1912, due 5 years from the date thereof.

And that Sankey Smith will receive on his share in the estate of Hattie Smith the promissory note ~~executed~~ note executed by John L. Allen and Anna B. Allen, dated July 1st, 1912 for the sum of Four Thousand Dollars, due five years after the date thereof, bearing interest at the rate of 5½ per cent per annum.

That these notes may be distributed at this time in kind as hereinbefore stated and the interest now accumulated on these notes will be adjusted in the settlement of the estate by Lottie Smith being charged with one-half of the difference of the interest on the two notes to this time. And hereafter each of the parties is to own in their own right the note turned over to them. Sankey J. Smith. Lottie Smith.

That said estate was settled in accord with said stipulation and the Allen^{note} and mortgage were turned over to me as part of my share in the said estate and I have been the owner thereof ever since, and said estate is fully settled and no one has any interest in said note and mortgage but myself. Sankey Smith.

Subscribed and sworn to before me and in my presence by the said Sankey J. Smith on this 1st, day of March A.D. 1917.

A.W. Wilkinson
Notary Public in and for Madison County, Iowa.

NOTARIAL
SEAL