

John M. Eskew)
to Afft.
The Public)

Filed for record the 15th day of April A.D. 1920 at 10.15
o'clock A.M.

Hettie E. Winship, Recorder
Fee \$1.40 ✓ # 2478

State of Iowa Madison ^{County} ss: I, John M. Eskew, of said county and state, being first duly sworn, do upon my oath depose and say that I am now and have been a continuous resident of Madison County, Iowa, for 40 years last past; that I am a brother of Alexander Eskew, who died intestate on or about Mar. 21, 1919, seized in fee simple of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10-75-27, and the following described tract, to wit:

Commencing at the Southeast corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3-75-27, running thence West 60 rods thence North 26- $\frac{2}{3}$ rods, thence East 60 rods, thence South 26- $\frac{2}{3}$ rods to the place of beginning, containing 10 acres, more or less, that the total value of the Estate of said Alexander Eskew did not equal \$50,000.00 in value at the time of his death.

That Martha Jesse, Amelia Fudge, and Sarah Kinnaird, named in the Registry of Heirs filed in the estate of said Alexander Eskew, deceased, were sisters of said decedent and me, and that they each died intestate prior to the death of said Alexander Eskew; that said Martha Jesse (being the same person as Martha, or Martha E. Jesse, named in the other proceedings had in connection with the title to said land) left no surviving husband, and as her children and only heirs at law, Ed. Jesse, Charley Jesse (or Chas. Jesse), and John L. Jesse and Ellen Church that the surname of the family of Martha E. Jesse is sometimes spelled Jesse); that she left no other child and no issue of any deceased child, and no adopted children.

That said Amelia Fudge left no surviving husband, but left the following children and only heirs at law, to-wit: John M. Fudge (who died in Winterset, Iowa, on or about Nov. 2, 1919) Creed T. (or Crede) Fudge, William Fudge, and Charlotte Mackrell, who died prior to the death of said Amelia Fudge, leaving no surviving husband, and the following named children as her only heirs at law; Dollie Callahan and James Mackrell, and that said James Mackrell died about 14 years ago at the age of about 15 years, unmarried, intestate and without issue; that she left no other child and no other issue of any deceased child, and no adopted child.

That said Sarah Kinnaird left as her surviving husband, George Kinnaird, who now lives near Barney, Iowa, and that she left as her only child and heir at law, R.L. Kinnaird; that she left no other child, no issue of any deceased child, and no adopted children. That said Alexander Eskew died unmarried leaving no issue of any deceased child and no adopted child surviving him, died leaving only J.M. Eskew (this affiant) Mary Carter, Ellen Garmon, and the heirs of Martha Jesse, Amelia Fudge, Sarah Kinnaird, each Dec'd.

That I am familiar with the proceedings wherein W.H. Deardorff was appointed guardian for said John L. Jesse, insane, the name of said W.H. Deardorff appearing in the order appointing guardian as W.H. Deardorff, and that said W.H. Deardorff was appointed, and is now legally qualified and acting guardian, and that in such proceedings, Leo C. Percival was appointed as guardian ad litem to protect the interest of said John L. Jesse, and as such, filed his answer therein.

That said John M. Fudge, one of the heirs of said Amelia Fudge, above named, is the same and identical person as the J.M. Fudge (or John Milton Fudge, that being his full name) who executed the deed to Mary Fudge, recorded in Deed Rec. 59, page 361, of the records of Madison County, Iowa, wherein he conveyed all his right, title, and interest in and to any and all real estate or interest therein he then had on September 15, 1919, to his wife, Mary Fudge, and the same and identical person as the J.M. or John Milton Fudge, who executed the deed dated Sept. 15, 1919, recorded in Deed Rec. 59, page 361, of said records, wherein he conveyed and transferred to his wife, Mary Fudge, all rights of every kind and nature that he then had in the estate of his uncle, Alexander Eskew.

I further state that John Eskew, the grantee in the warranty deed recorded in Deed Rec.

I further state that John Eskew, the grantee in the warranty deed recorded in Deed Rec "M", page 529, conveying the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10-75-27, was my father; that he died intestate on or about Feb. 22, 1878, seized in fee simple of said 40 acre tract, leaving as his surviving widow, Sarah Eskew, and the following children and only heirs at law, to-wit; Alexander Eskew, Mary Ann Carter, Martha E. Jesse (being the same person as the Martha C. Jessa named in the Registry of Heirs filed in the estate of my father), John M. Eskew (this affiant) Amelia Fudge, Sarah E. Kinnaird, and Ellen F. Eskew; that said John M. Eskew left no other child, no issue of any deceased child, and no adopted children.

That said Sarah Eskew, my mother, died unmarried on or about Sept 25, 1905, leaving the following named children; Alexander Eskew, Mary A. Carter, Martha E. Jesse, Amelia Fudge,

Ellen F. Eskew, intermarried with D. B. Garmon, John M. Eskew, this affiant, and R. L. Kinnaird her grandson who is the same person as Robert L. (or R. L.) Kinnaird herein named the only child and heir at law of Sarah E. Eskew, intermarried with G. H. Kinnaird), as her only heirs at law.

That said Mary Ann Carter, named in the Registry of Heirs of said John Eskew, is the same person as the Mary A. Carter, named in the Registry of Heirs filed in the estate of said Sarah Eskew, and the same and identical person as the Mary A. Carter, who, together with her husband, B. F. Carter, joined in the execution of the warranty deed to Alexander Eskew, recorded in Deed Rec. 44, page 272, of Madison County, Iowa.

That Martha C. Jessa, named in the Registry of Heirs of said John Eskew, is the same and identical person as the Martha E. Jesse, named in the Registry of Heirs of said Sarah Eskew, and the same and identical person as the Martha E. Jesse, who, together with her husband, joined in the execution of said warranty deed; that John M. Eskew, this affiant, was not listed in the Registry of Heirs filed in the estate of said Sarah Eskew, through error.

That said Sarah E. Kinnaird, named in the Registry of Heirs filed in the estate of said John Eskew, died prior to the death of said Sarah Eskew, leaving as her only child and heir at law, the said Robert (or R. L.) Kinnaird, who is the same person as the R. L. Kinnaird, who, together with his wife, Elizabeth Kinnaird, joined in the execution of said deed; that said Sarah E. Kinnaird, left G. H. Kinnaird as her surviving husband, who is the same person as G. H. Kinnaird, who, together with Cynthia Kinnaird, his wife, by a second marriage, joined in the execution of said deed.

That said Ellen F. Eskew, named in the Registry of Heirs filed in the estate of said John Eskew, is the same person as Ellen F. Garmon named in the registry of heirs filed in the estate of said Sarah Eskew, and the same and identical person as Ellen F. Garmon, who, together with her husband, David B., joined in the execution of said deed.

I further state that I was well acquainted with James H. McConnellee, grantee in the warranty deed recorded in Deed Rec. 11, page 436, of the records of Madison County, Iowa, conveying 10 acres in the Southeast corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3-75-27, known as Lot 5 of said 40 acres, and that said James H. McConnellee was the same and identical person as the James H. McConnellee, who, together with his wife, conveyed said 10 acres to Alexander Eskew, by warranty deed recorded in Deed Rec. 16, page 274 of said records.

I further state that I was acquainted with James Hammer grantee in the warranty deed recorded in Deed Rec. "D", page 305 of said record, wherein Henry Cox and wife, conveyed the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10-75-27, and other land; and with the James Hammer, grantee in the Quit Claim Deed recorded in Deed Rec. 2 page 312, of said records, executed by Henry Cox and wife, and conveying the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10-75-27; and with the James Hammer, who, together with his wife, conveyed the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10-75-27, to John Eskew by warranty deed, dated June 8, 1863, and recorded in Deed Rec. "M", page 529 of said records, and that said James Hammer grantee in said deeds, was the same and identical person as James Hammer, said grantor.

Miscellaneous Record, No. 20, Madison County, Iowa.

John M. Eskew

Subscribed in My Presence and Sworn to before me by the above named affiant
this 11 day of February A.D. 1920.

NOTARIAL
SEAL

Harry F. Anderson
Notary Public in and for Madison County, Iowa.