

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

John Summerville)  
to Afft.  
The Public )

Filed for record the 4<sup>th</sup> day of February A.D.1922 at  
10,30 o'clock A.M.

Nettie E. Winship, Recorder  
Winifred Whedon, Deputy  
Fee \$1.80 # 192 ✓

State of Iowa, Madison County SS: I, John Summerville of said County and State upon oath depose and say that I am now past 60 years of age; that I am now and have for 8 years last past been a resident of Winterset, Madison County, Iowa, and that prior to the time I moved to Winterset, Iowa, I always lived within 4½ miles of the following described land owned by J.G. Martin, to-wit:

Commencing 721 feet East of the Northwest corner of the NE¼ NW¼ of Sec. 11 in Twp. 75 Range 26, Being in South Township, Madison County, Iowa, and running thence East 715.06 feet, thence South 1650 feet, thence West 122.2 feet, thence North 68 feet, thence West 593.6 feet, thence North to the Place of Beginning; also

Commencing 122.2 feet East and 66 feet North of the Southwest corner of the NW¼ NE¼ of Sec. 11, in Twp. 75, Range 26, West of the 5th P.M. Iowa, and running thence East 110 feet, thence South 24 rods, thence West 110 feet, thence North to the Place of Beginning; also

The NE¼ SW¼ and the E¼ SE¼ SW¼ of Section 2, in said Township and Range.

I further state that I never heard of any person or persons asserting any claim, title or interest in or to the said land, or any part thereof, adverse to the said J.G. Martin since January 1st, 1895; that the first two tracts above described were acquired by the said J.G. Martin's father, James Martin, in the years 1854 and 1858 as shown by the record of Deeds in the Recorder's Office of Madison County, Iowa, and I know of my own personal knowledge that said first two tracts have been owned by some one or more of the family of said James Martin since prior to the year 1895, and that had any person asserted any claim of right, title or interest in or to any part of the four tracts of land above described since the year 1894, I would have undoubtedly heard of such claim; that the said J.G. Martin is now in peaceable possession of all of the land above described and I never heard his right, or the right of his grantors since the year 1894, to such possession and occupancy questioned.

I further state that I was well and personally acquainted with J.B. Martin, grantee in the Warranty Deed recorded, in Deed Record 46, page 201 of the records of Madison County, Iowa, and the Quit Claim Deed recorded in Deed Record 34 page 550 of said records, and I know of my own personal knowledge that said J.B. Martin was the same and identical person as John B. Martin whose estate was probated in the District Court of Madison County, Iowa, as #2629, Probate, and entered in Probate Docket "G", page 337, his full name being John Boyd Martin.

I further state that James Martin above mentioned died about the year 1865 leaving surviving Mary Ann Martin, his wife, and Martha Jane Martin, Mary Selina I. Martin, John Boyd Martin, James Grant Martin and Sarah Margaret Martin, as his only children and sole and only heirs at law; and that said Mary Ann Martin died about the year 1898 intestate in Madison County, Iowa, leaving no husband surviving, and leaving as her only children and sole and only heirs at law, the children of James Martin above named; that her estate was settled outside of Court and all debts and claims fully paid.

I further state that said Martha Jane Martin named in the Registry of Heirs filed in the estate of said James Martin, deceased, was the same and identical person as Martha J. Scrivner named as one of the grantors in the Quit Claim Deeds recorded in Deed Rec. 39, pages 12, 13 and 28 of the records of Madison County, Iowa, also in Deed Record 55 page 273 and Town Lot Deed Record 22, page 495 of said records, she having intermarried with T.G. Scrivner.

In other words, wherever the names Martha Jane Martin and Martha J. Scrivner appear in

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connection with the title to any of the land owned by said James Martin or John B. Martin, both deceased, they refer to one, the same and identical person.

I further state that said Mary Ann Martin named in said Registry of Heirs was the same and identical person as Mary A. Martin grantee in the Quit Claim Deed recorded in Deed Record 25, page 104 of said records, and the same and identical person as Mary A. Martin grantor in the Warranty Deed, recorded in Deed Record 33, page 83 and in Deed Record 38, page 321 of said records. In other words, wherever the names Mary A. Martin and Mary Ann Martin appear in connection with the title to any of the land herein described they refer to one, the same and identical person.

I further state that Mary Selina I. Martin named in said Registry of Heirs and Mary Selina Martin named on the Probate Docket in the Estate of said James Martin and Mary Selina J. Martin listed as one of the heirs of said James Martin in Registry of Heirs Record, page 37 is one, the same and identical person, and the same and identical person as Mary S. J. Miller, one of the grantors in the Quit Claim Deed recorded in Deed Record 25, page 104, of said records; and the same and identical person as Mary S. I. Martin who is shown in Marriage Record "B", page 152 as having intermarried with Joel W. Miller; and the same and identical person as Mary S. I. Jolley, one of the grantors in the Quit Claim Deed recorded in Deed Record 39, page 20 of said records; and as I am informed and believe the same and identical person as the Mary S. I. King named in the Registry of Heirs filed in the Estate of said John B. Martin, deceased; and the same and identical person as Mary S. I. Jolley grantor in the Warranty Deed recorded in Deed Record 65, page 13 of said records. In other words, wherever the names Mary Selina I. Martin, Mary Selina Martin, Mary Selina J. Martin, Mary S. J. Miller, Mary S. I. Martin and Mary S. I. Jolley appear in connection with the title to any of the land owned by said James Martin or John B. Martin, both deceased, they refer to one, the same, and identical person and as I am informed and believe the same and identical person as Mary S. I. King above mentioned.

I further state that Sarah Margaret Martin named in the Registry of Heirs filed in the Estate of James Martin, deceased, was the same and identical person as Sarah Margaret Pomeroy grantee in the Quit Claim Deed recorded in Deed Record 39, page 20 of said records; and the same and identical person as Sarah M. Pomeroy one of the grantors in the Quit Claim Deed recorded in Deed Record 39, page 13 of said records; and the same and identical person as Sarah M. Pomeroy one of the grantors in the Quit Claim Deed recorded in Deed Record 39, page 28 of said records; and the same and identical person as Sarah Margaret Martin grantee in the Warranty Deed recorded in Deed Record 33, page 83 of said records; and the same and identical person as Sarah Margaret Pomeroy grantee in the Warranty Deed recorded in Deed Record 38, page 321 of said records; and the same and identical person as Sarah Margaret Pomeroy grantee in the Quit Claim Deed recorded in Deed Record 55, page 273 of said records; and the same and identical person as Sarah M. Pomeroy named in the Registry of Heirs filed in the Estate of John B. Martin, deceased; and the same and identical person as the Sarah Margret Pomeroy one of the grantors in the Warranty Deed recorded in Deed Record 62, page 45 of said records. In other words wherever the names Sarah Margaret Martin, Sarah Margaret Pomeroy, Sarah M. Pomeroy & Sarah Margret Pomeroy appear in connection with the title to any of the land owned by said James Martin or John B. Martin, both deceased, they refer to one, the same and identical person.

I further state that James Grant Martin named in the Registry of Heirs filed in the Estate of James Martin, deceased, was the same and identical person as James G. Martin grantor in the Warranty Deed of record in Deed Record 26, page 154 of the records of Madison County, Iowa; and the same and identical person as J. G. Martin grantor in the deeds recorded in Deed Record 39, page 13 and Deed Record 41, page 107 of said records; and the

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same and identical person as J.B. Martin named in the Registry of Heirs filed in the Estate of John B. Martin, deceased; and the same and identical person as J.G. Martin grantee in the deeds recorded in Deed Record 39, page 28 Town Lot Deed Record 22, page 495 & Deed Record 68, page 45; and the same and identical person as James G. Martin grantee in the Warranty Deed recorded in Deed Record 65, page 13 of said records.

I further state that I was well acquainted with Mary Ann Martin and John B. Martin during their lifetime, and that I am well and personally acquainted with J.G. Martin, Mary S. I. Jolley, Sarah M. Pomeroy and Martha J. Scrivner.

I further state that the facts herein stated are made to the best of my knowledge and are true as I verily believe and that the record books and pages of the instruments referred to herein are not known to me from an examination of the record, but as I am informed and believe the same are true and correct.

I further state that I am in no way interested in the title to the land affected hereby but make this affidavit for the purpose of establishing of record the facts herein stated.

John Summerville

Subscribed and Sworn to before me by the above named affiant this 3d day of February  
A.D. 1922.

Harry F. Anderson

Notary Public in and for Madison Co., Iowa

NOTARIAL  
SEAL