

Miscellaneous Record, No. 22, Madison County, Iowa

Charlotte D. Thomas,

#308

Filed for record the 23 day of
January A.D. 1937 at 3:30 o'clock
P.M.

To

Fee \$3.80 ✓

Whom it may concern.

Valda C. Bishop, Recorder

Affidavit as to E. 1/4 of
N.E. 1/4. Section 6-77-28, Madison County, Iowa.

State of Iowa, Madison County, ss:

Charlotte D. Thomas, being duly sworn, on oath states:

That she is now and for some years has been a resident of the town of Earlham, in Madison County, Iowa, and is acquainted with the persons and familiar with the matters hereinafter referred to; that her maiden name was Charlotte Diggs, and she is the daughter of Amos P. Diggs and Lizzie Diggs, husband and wife, and a granddaughter of Jane Hadley; that said persons owned the east fractional half of the northeast quarter of Section 6 in Township 77 North, Range 28 West 5th P.M. in Madison County, Iowa, which land is located near the said town of Earlham, Iowa, and well known to her.

That Jane Hadley acquired title to said land in the year 1883, under a chain of title of record in said county, and she and those claiming under her have had open and undisturbed possession and occupancy of said land continuously since 1883 and until the present time, under claim of absolute title thereto, and have exercised all the usual rights of ownership thereof, and had the same enclosed and improved, without adverse claim on the part of any party or person whomsoever.

That Jane Hadley died a widow and intestate in the year 1894, and her estate was administered in said county; that she left as her only heirs at law three daughters named in said probate proceeding as her only heirs; that she never adopted any child, and no other child or issue of any deceased child survived her; that two of her said daughters made conveyances of their interest in said land to said Amos P. Diggs, and his wife Lizzie Diggs (daughter of said Jane Hadley) owned the remainder of said land; that the names A.P. Diggs or Amos P. Diggs refer to one and the same person wherever they occur in connection with the chain of title to said land.

That Amos P. Diggs and Lizzie Diggs, husband and wife, had only three children, to wit: a son, Charles T. Diggs, also known as Charlie Diggs or Charlie T. Diggs, and two daughters; that one of said daughters married and was known as Leota Grosjean, and the other of said daughters

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married and is this affiant Charlotte D. Thomas; that neither of said persons ever adopted any child, and no other children were born to them or either of them.

That said Lizzie Diggs died intestate in the year 1909, leaving surviving her husband, and said three children as her only heirs at law; that her estate was fully settled and distributed and all claims paid.

That said Charles T. Diggs died intestate about September 1916, leaving surviving as his only heirs at law his wife, Maude T. Diggs (also known as Maude Diggs), and four children, viz: four sons named Harlan T. Diggs, Henry Glen Diggs, Clarence Freel Diggs (also known as Freel Diggs), and Frank M. Diggs; that he never adopted any child, and no other child or issue of any deceased child survived him; that his estate was fully settled and all claims paid.

That said Amos P. Diggs never remarried after the death of his said wife, Lizzie Diggs; that he died unmarried and intestate about April 7, 1931, leaving as his only heirs at law two daughters Leota Grosjean and Charlotte D. Thomas, and his four his said/grandsons above named being children of his said son Charles T. Diggs; that no other child and no issue of any deceased child, other than the said four grandsons above referred to, survived him; that his estate was fully settled.

That in the deed conveying said land to said Jane Hadley, in 1883, mention is made of a mortgage to Wm.P.Letner for \$300.00; that this is the balance of a mortgage for \$1300.00; given to said William P. Letner by B.S.Griffin and wife in 1882, recorded in book 14 page 426 of the records of Madison County, and securing two notes, one of \$1000.00 and one of \$300.00 the former note being paid and only the latter note of \$300.00 being unpaid at time of the conveyance to said Jane Hadley, and there is no other mortgage of \$300.00 to said Letner and was not at the date of said deed.

That there had been a mortgage of \$200.00 to George W. Marcellus, which was later released by said mortgagee but he signed his name as Geo.W. Marcellus; that said names in fact refer to one and the same person.

That this affidavit is made at the request of owners of said land, and for the benefit of affiant, to explain the record title and the chain of title to said land, to be recorded for the benefit of said owners (including affiant).

Charlotte D. Thomas

NOTARIAL
SEAL

Subscribed and sworn to before me by Charlotte D. Thomas, this 21st day of August, AD. 1931

Charles D. Van Werden
Notary Public in and for Madison County, Iowa