

Miscellaneous Record, No. 22, Madison County, Iowa

Daniel Swearingen

#3586

Filed for record the 5 day of
Aug. A.D. 1937 at 8:00 o'clock
A.M.

To

Fee \$.90 ✓

The Public

Valda C. Bishop, Recorder

A F F I D A V I TState of Iowa,) ss:
Madison County,)

I, Daniel Swearingen, of said county and state, being first duly sworn on my oath depose and state that I have been a resident of Madison County, Iowa, for more than 21 years last past, and that I am and was well and personally acquainted with all of the persons hereinafter named and know the following facts to be true as I verily believe:-

That the O.A. Scott who is named as grantee in the warranty deed recorded in Deed Rec. "Q" at page 525, of the records of Madison County, Iowa, is the same and identical person as the Alexander O. Scott whose estate was probated in the District Court of said County as #1673 Probate and docketed in Probate Docket "E" at page 197, of the records in the office of the Clerk of said Court/

I further state that I was well and personally acquainted with the widow and all of the heirs at law of said Alexander O. Scott, and know of my own personal knowledge that his widow, Jane K. Scott, died intestate, unmarried, in Madison County, Iowa, about the year 1912, leaving as her heirs at law the same persons named as the children of said Alexander O. Scott, deceased. I further state that the Ed S. Scott named as one of the heirs of said Alexander O. Scott, deceased, is the same and identical person as the Edwin S. Scott, one of the grantors in the warranty deed to Charles Leggett recorded in Deed Rec. 50, page 377, of the records of Madison County, Iowa; that the W.R. Scott, Thos M. Scott, and Esther M. Leggett, named as heirs at law of said Alexander O. Scott deceased, are respectively the same and identical persons as the William R. Scott, Thomas M. Scott, and Esther M. Leggett, grantors in the ^{said} deed to Charles Leggett last above referred to, and that the Rebecca J. Van Hosen named in said deed, is the same and identical person who signed the same and the same person as the Rebecca J. Van Hosen as the Rebecca J. Van Hosen /named as one of the heirs of said Alexander O. Scott, deceased.

I further state that the above named Jane K. Scott, never remarried after the death of her said husband, Alexander O. Scott, that she left no debts at the time of her death and that all her expense of last sickness and burial were fully paid by her heirs, and that her estate was never probated in any court, and that the value thereof did not exceed the sum of \$6,000.00 to my personal knowledge.

I further state that I am well and personally acquainted with Ruth Leggett Johnston, the grantor in the warranty deed recorded in Deed Rec. 58, page 576, of the records of Madison County, Iowa, and know of my own personal knowledge that she is the daughter of Chas. Leggett, the grantee in said deed, and that she is also the same and identical person as the Ruth Leggett named as one of the grantees in the warranty deed recorded in Deed Rec. 53, page 405, of said records, she having intermarried with one Truman Johnston. I further state that I was well and personally acquainted with the Chas. Leggett named as grantee in the two last mentioned deeds, and know of my own personal knowledge that he is the same and identical person as the Charles Leggett named as grantee in the warranty deed recorded in Deed Rec. 50, at page 377, of the records of Madison County, Iowa, and that he died intestate in Madison County, Iowa, on or about Apr. 27, 1927, leaving as his heirs and only heirs at law his widow, Esther M. Leggett, his sons Rex Leggett and Roy Leggett, and his daughter, the aforementioned Ruth Johnston or Ruth Leggett Johnston, who is the same person as the Ruth L. Johnston who executed the warranty deed to A.F. Heinrich on May 27, 1937, conveying the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27-75-26 and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27-75-26. I further state that the said Charles Leggett hereinbefore named, is the same and identical person as the Chas. Leggett who executed the warranty deed recorded in Deed Rec. 54, page 324, of the records of said county, and is also the same and identical person as the Charles Leggett named in the body of said deed and in the certificate of acknowledgment attached thereto, and that at the time of his death he had no unpaid debts or claims, but that the expenses of his last sickness and burial were paid in full by his surviving widow and heirs, and that his estate was never pro-

Miscellaneous Record, No. 22, Madison County, Iowa

beted in any court, and that the value thereof did not exceed the sum of \$18,000.00

I further state that I have been well and intimately acquainted with the title, ownership and occupancy of the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 27-75-26 in Madison County, Iowa, owned by the said Charles Leggett and his wife, at the time of his death, and know of my own personal knowledge that they for more than 20 years last past have been in the actual, open, notorious, continuous, adverse, uninterrupted, exclusive, and peaceable possession, occupancy, and control of said land and every part and parcel thereof under claim of right and color of title, and that no person by the name of W.E. Mack or George Duncan has ever claimed or asserted any right, title, or interest in or to said real estate adverse to the title of said Charles Leggett and Esther M. Leggett to my personal knowledge, since prior to Jan. 1, 1915.

I further state that I am in no way interested in the title to the real estate affected hereby, but make this affidavit at the request of the present owners thereof for the purpose of establishing of record the facts above set forth.

Subscribed in my presence and sworn to before me by the above named affiant this 17th day of July, A.D. 1937.



Daniel Swearingen

I. E. Holmes
Notary Public in and for Madison County, Iowa