

Miscellaneous Record, No. 22, Madison County, Iowa

Deminick Melroy, et al

#1042

Filed for record the 28 day of
February A.D. 1938 at 1:15
o'clock P.M.To
The Public

Fee \$. 80

Valda C. Bishop Farver, Recorder

A F F I D A V I T

We, Dominick Melroy and Michael Loftus both of Madison County, Iowa, each being duly sworn and each, independently depose and say that we each were acquainted with Martin F. McGlone who died a resident of Madison County, Iowa, on December 31, 1935, and we had known said Martin F. McGlone for at least fifty (50) years prior to his death; that we also knew the father and mother of Martin F. McGlone, and the members of his family; that the father of Martin F. McGlone was Michael McGlone, who died intestate, a resident of Madison County, Iowa, in the year of 1897, leaving surviving, his wife Mary McGlone and as his only children and heirs at law, Joseph McGlone, John McGlone, Martin F. McGlone and James McGlone.

That the said Joseph McGlone died, a resident of Iowa, in the year 1900, leaving no surviving spouse and leaving no children or issue, he having never been married.

That the said Mary McGlone was the mother of Martin F. McGlone, and also of said Joseph McGlone, John McGlone and James McGlone, and that she died in the year 1915, a widow, never having remarried after the death of said Michael McGlone. That her Last Will and Testament was admitted to probate in Madison County, Iowa, District Court, and her estate was administered upon in said court.

That Martin F. McGlone never married. That John McGlone died in the State of California in the year 1932, never having been married. That the whereabouts of James McGlone has been unknown since in the year 1919. That in the year 1919, he visited in Madison County, Iowa, for a brief period of time. At that time he was unmarried. He has never been heard of by anybody in the community where he formerly lived, and has never been seen by anybody belong to that community, and these deponents have never been able to learn anything as to the whereabouts of said James McGlone since he left Madison County, Iowa, in 1919.

That at the time of his death, Martin F. McGlone was in the actual possession of the real estate described as follows:

Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of
Section Fifteen (15) Township Seventy-six (76) North, Range
Twenty-six (26) West of the 5th P.M. Iowa, and

an undivided five-sixth (5/6) interest in the North Half (N $\frac{1}{2}$)
of the Southeast Quarter (SE $\frac{1}{4}$) of Section Nine (9) except four
(4) acres in the Northeast corner thereof, all in Township
Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Iowa.

That he resided on the same and was in control of the same. That during all the period of time since April 22, 1915, the said Martin F. McGlone had been in the actual, open, exclusive, notorious, hostile and adverse possession of all of said real estate under color of title and claim of right, and that during all of said time he received the income from said real estate and paid the taxes thereon, and that no other person or persons have, at any time during said period, made any claims to said real estate, in opposition to the rights of said Martin F. McGlone and further that Michael McGlone, the father of Martin F. McGlone was in the possession and control of all of said real estate at the time of his death, and for many years prior thereto, and that after the death of said Michael McGlone in the year 1897, all of said real estate was in the open, actual, exclusive, notorious, hostile and adverse possession of Mary McGlone, his widow, and Martin F. McGlone, his son, until the death of said Mary McGlone, which occurred on April 22, 1915.

That no other person or persons ever made any claims in conflict with the possession and rights of said Mary McGlone and Mary F. McGlone, except such claims as Joseph McGlone may have made prior to January 17th, 1900, the date when he conveyed all his interest thereon to Martin F. McGlone and except any claim of James McGlone prior to March 6, 1900, the date when he conveyed all his interest therein to Martin F. McGlone, and that after the date of said deed of

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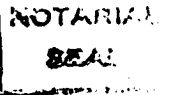
Joseph McGlone and James McGlone, no other person or persons ever made any claims in conflict with the possession and rights of said Mary McGlone and Martin F. McGlone.

That the Martin Francis McGlone referred to in the Last Will and Testament of Mary McGlone is one and the same person as Martin F. McGlone, referred to in this affidavit, he being the son of said Mary McGlone.

That we make this affidavit for the purpose of helping establish the facts stated therein.
Dated this 24th day of February, A.D. 1938.

Dominick Melroy
Michael Loftus

Subscribed and sworn to before me by each of said affiants this 24th day of February,
A.D. 1938.



Lois Martin
Notary Public in and For Madison County,
Iowa.