

Miscellaneous Record, No. 23, Madison County, Iowa

J.E. & S. M. Hamilton #1146 Filed for record the 20 day of February  
To A.D. 1939 at 8:51 o'clock A.M.  
The Public Fee \$ .50 Pearl E. Shetterly, Recorder.

A F F I D A V I T

State of Iowa, Madison County, ss.

We, J.E.Hamilton and S.M.Hamilton, being sworn, depose and say as follows:

That we are now and for more than 40 years last past, have been residents of Winterset, in Madison County, Iowa, and during all of said period of time, we have been well and personally acquainted with the possession, ownership, occupancy and control of Lot 1, in Block 15, of the Original Town of Winterset, now owned by one Florence E. Andrews. That said real estate was at one time owned by Sophia V. Smith, and that she was the mother of one J. E. Smith, who had been engaged in the grocery business for many years before his taking up residence in California about the year 1928. That to our knowledge, during all of <sup>our</sup> said period of residence, the said Florence E. Andrews and her grantors, immediate and remote, including the said Sophia V. Smith and her heirs, viz: the said J. E. Smith, Harriet E. Morgan (and her heirs, Ethel O. Morgan and Ellesmere E. Morgan), and W. F. Smith, have had and held and enjoyed the uninterrupted, undisputed, absolute, peaceable and adverse possession and ownership, either by inheritance or purchase for value, of the whole of said real estate; and that to our knowledge no person has ever made or asserted or attempted to assert or make any claim of right, title or interest to said real estate adverse to the said Florence E. Andrews or her said grantors.

That we were well and personally acquainted with the said J.E. Smith above mentioned, heir at law of Sophia V. Smith, deceased, and one of the grantors in a deed conveying said real estate to W.F. Smith which is recorded in Deed Record 13, at page 389, of Madison County, Iowa, records, and that he is not the Jack Smith nor the James Smith nor the John Smith, defendants respectively, in Cases Nos. 2472, 3778 and 4113, Criminal, respectively, in which cases judgments were entered on Sept. 20, 1929, June 18, 1929 and Apr. 26, 1932, in Federal Court, according to a certificate of the Clerk of the United States District Court dated June 27, 1936, which is attached to the abstract of title to the above described real estate.

That we are in no way interested.

J. E. Hamilton  
S. M. Hamilton

Subscribed in my presence and sworn to before me by the said J.E. Hamilton and S.M. Hamilton, this 29 day of February, A. D. 1939.

NOTARIAL  
SEAL

H. C. Fosher  
Notary Public within and for Madison County, Iowa

I hereby certify that the above affidavit was filed by the owner in possession of the Lands Mentioned therein. Dated February 20, 1939. Pearl E. Shetterly