

Miscellaneous Record, No. 23, Madison County, Iowa

Charles D. Van Werden

#4111

Filed for record the 22 day of June
A.D. 1939 at 2:15 o'clock P.M.
Pearl E. Shetterly, Recorder

To

Fee \$.50

The Public

A F F I D A V I T

State of Iowa, Madison County, ss.

I, Charles D. Van Werden, a resident of said State and County, being sworn, depose and say as follows:

That I am a practicing attorney at law and was the attorney for the plaintiffs in Cause No. 16293 Equity, of the District Court of Madison County, Iowa, and as such attorney, prepared all the papers in said cause of action, and in particular, the decree entered therein on Jan. 30, 1936.

That it was the intention to appoint as one of the three Referees to make partition, one A. F. Harpole; that the Court understood that F. C. Herren, Charles Crow and A. F. Harpole were to be appointed as Referees in said cause of action to make partition of the real estate in controversy, and that the Court intended that said three persons were to act as such Referees. That through inadvertence and oversight the name of the said A. F. Harpole was not filled in

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in said decree when it was signed by the Court, but pursuant to such intention and understanding, commission was issued to each of said three persons as such Referees who qualified and made partition, as shown by the records and files in said cause of action, and the partition made by said three persons acting as such Referees was given full recognition by the Court and fully approved, in its order entered therein on Aug. 28, 1936..

Charles D. Van Werden

Subscribed in my presence and sworn to before me by the said Charles D. Van Werden, this
27th day of April, A.D. 1939.

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

NOTARIAL
SEAL