

Miscellaneous Record, No. 23, Madison County, Iowa

J. H. Kirby

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Filed for record the 3 day of January
A.D. 1940 at 10:20 o'clock A.M.

To

Fee \$.50

Pearl E. Shetterly, Recorder

The Public

A F F I D A V I T

State of Iowa, Madison County, ss.

I, J. H. Kirby, a resident of said State and County, being sworn, depose and say as follows:

That I am an uncle of the Roy S. Kirby, the defendant in a certain partition proceedings at
No. 14119, Equity, of the District Court of Madison County, Iowa, instituted by Martha Kirk,
as plaintiff,

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That the said Roy S. Kirby, born June 30, 1914, was the surviving child and sole and only heir at law of my brother, G. W. Kirby and his wife, Florence T. Kirby. That on or prior to Sept. 30, 1921, my brother, W. J. Kirby and his wife, Eva M. Kirby, adopted the said Roy S. Kirby, also known as Roy Spokane Kirby, as their son. That on Nov. 28, 1927, the said Roy S. Kirby was residing with the said Eva M. Kirby, who was at that time his natural guardian, his mother by adoption, and the person having his sole custody, care and control, and Roy S. Kirby, being then a minor under fourteen years of age, service of the original notice in said cause of action was, on the last mentioned date, served upon her in that capacity in Spokane County, Washington, as shown by the records in said cause.

That I am in no way interested.

J. H. Kirby

Subscribed in my presence and sworn to before me by the said J. H. Kirby, this 3rd day of
 NOTARIAL
 January, A.D. 1940.
 SEAL

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

J. H. Kirby and

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