

Miscellaneous Record, No. 23, Madison County, Iowa

W. T. Guiher

#5790

Pearl E. Shetterly Recorder

To

Fee \$.70 ✓

Filed for record the 17 day of November
A.D. 1941 at 9:13 o'clock A.M.

The Public

Pearl E. Shetterly, Recorder

A F F I D A V I T

STATE OF IOWA MADISON COUNTY)SS:

I, W. T. Guiher, being first duly sworn, on oath depose and say:

That I was well and personally acquainted with J. F. Roby who formerly held title to the real estate located in the County of Madison and State of Iowa, described as follows, to-wit:

That part of the South Half of the Northwest Quarter, and that part of the Southwest Quarter of the North-east Quarter lying South of railroad right of way, and the Northwest Quarter of the Southwest Quarter and the West 27½ acres of the Northeast Quarter of the Southwest Quarter of Section Twenty-six, Township Seventy-four North, Range Twenty-six West of the Fifth P.M. and

That I know and hereby affirm that the said J. F. Roby was also known as James F. Roby; and

That he was the husband of one Ella Roby; and

That the said J. F. Roby, or James F. Roby, died on or about the 30 day of June, 1935; and

That I am also well and personally acquainted with F. T. Guiher, Jr., one of the plaintiffs in Equity Case No. 16582 in the District Court of Iowa in and for Madison County, in which

Bertha W. Guiher et al were plaintiffs and Ella Roby et al were defendants;

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That I know and hereby affirm that F. T. Guiher, Jr. is the same individual as Frank T. Guiher named as an heir of F. T. Guiher, deceased, in a certain transcript filed in the office of the Clerk of the District Court of Madison County, Iowa, on July 8, 1939; and

That I was attorney for the plaintiffs in Equity Case No. 16582 above mentioned; and

That at special execution sale held in said cause on July 12, 1937, at 10 o'clock A.M., I tendered a bid in behalf of W. T. Guiher, Surviving Trustee for Nancy A. Guiher under the Last Will and Testament of Jno. A. Guiher, deceased, Bertha W. Guiher, James M. Guiher, Trustee James M. Guiher, Maude F. Guiher (also known as Maude B. Guiher), Mary M. Hutchison, Rebecca T. Warren, Myrtle S. Guiher, Administrator of F. T. Guiher Estate, Myrtle S. Guiher, Ruth Guiher, F. T. Guiher, Jr. and Kathryn E. Guiher (also known as Kathryne E. Guiher); and that the bid was tendered in behalf of said persons was the highest made and that a sheriff's certificate of sale was duly issued to them; and

That all said persons were of full age and competent on the date on which they executed an assignment of said sheriff's certificate of sale to me;

That I was also well and personally acquainted with Jno. A. Guiher whose will appears in Book D on page 312 of the Will Records of Madison County, Iowa; and

That I know and hereby affirm that no child was born to or adopted by the said Jno. A. Guiher on or after the date of said will, to-wit, January 29, 1925; and

That I was also well and personally acquainted with H. B. Guiher, a transcript of whose will was filed in the office of the Clerk of the District Court of Madison County, Iowa, on February 23, 1935; and

That I know and hereby affirm that no child was born to or adopted by the said H. B. Guiher on or after the date of his will, to-wit, November 18, 1928; and

That I am also well and personally acquainted with R. D. Lawrence who now holds record title to the real estate above described; and

That I know and hereby affirm that he is also known as Roy D. Lawrence, and that wherever in connection with the title to said real estate the names Roy D. Lawrence or R. D. Lawrence appear, they refer to the same individual.

NOTARIAL
SEAL

Subscribed and sworn to before me this 12th day of November, A.D. 1941.

W. T. Guiher
W. T. Guiher
Mabel C. Anderson Notary Public
in and for Madison County, Iowa.