

Jno. N. Hartley

#2042

Filed for record the 26 day of July  
A.D. 1945 at 3:15 o'clock P.M.To  
The Public

Fee \$ .80

Pearl E. Shetterly, Recorder

AFFIDAVIT

State of Iowa, County of Madison. )ss:

I, Jno. N. Hartley, of said county and state, being first duly sworn on oath depose and say that I was well and personally acquainted with N. J. Nolan named as grantee in the deeds recorded in Deed Record 60, page 11, Deed Record 65, page 52, and in Deed Record 62, page 613, and named as one of the grantees in the deed recorded in Deed Record 59, page 347, of the records of Madison County, Iowa, and know that he is the same and identical person as the Nicholas J. Nolan who died testate in Madison County, Iowa, on or about Mar. 21, 1924, and whose estate was probated in the District Court of Madison County, Iowa, at #2086 Probate, and Docketed in Probate Docket H, page 357, of the records in the office of the Clerk of said Court.

I further state that I was well and personally acquainted with the Margaret McNamara named as one of the grantees in the above mentioned deed recorded in Deed Record 59, page 347, and know that she is the same and identical person as the Maggie A. McNamara named in the 5th paragraph of the last will and testament of the above named Nicholas J. Nolan, deceased, as the sister of said decedent, and also named in the 7th paragraph of said will.

I further state that the above named Margaret McNamara, who is the same person as Maggie A. McNamara, died intestate in Madison County, Iowa, on or about Apr. 13, 1933, leaving as her only heirs at law her surviving husband, James McNamara, her sons, Frank McNamara, Joseph McNamara, John McNamara, Martin McNamara (who is the same and identical person as Martin P. McNamara), and James N. McNamara (now deceased), and her daughter, Elizabeth Lewis (who is the same and identical person as Elizabeth M. Lewis); that the said

## Miscellaneous Record, No. 24, Madison County, Iowa

Margaret McNamara (or Maggie A. McNamara) left no other child or children, no issue of any deceased child or children, no adopted child or children, and no issue of any adopted child or children; that her estate was not probated in any court, but that all her debts and claims were fully paid, including expense of last illness and burial; and that the above named Joseph McNamara is also known by the name of Joe McNamara.

I further state that the above named James N. McNamara is the same and identical person as the James McNamara named as one of the heirs at law of Maggie A. McNamara, in the Second Amendment to Petition filed Dec. 2, 1938, in the matter of the estate of the above named Nicholas J. Nolan, deceased, and the same and identical person as the James McNamara, Jr., named as one of the defendants in the case of Mary R. Nolan, plaintiff, vs. Maggie A. McNamara, et al, Defendants, #14028 Equity, docketed in Appearance Docket 26, page 282, of the records in the office of the Clerk of the District Court of Madison County, Iowa.

I further state that the above named James N. McNamara is the same and identical person as the Jas. N. McNamara who died intestate in Madison County, Iowa, on or about Oct. 1, 1938, and whose estate is probated in the District Court of Madison County, Iowa, as #4346 Probate, and docketed in Probate Docket "K", page 273, of the records in the office of the Clerk of said court, and that he left as his only heirs at law his widow, Elizabeth McNamara, and his father James McNamara, who is sometimes mentioned as James McNamara Sr., in the proceedings in said estate of Jas. N. McNamara. I further state that the said Elizabeth McNamara, widow of Jas. N. McNamara, is the same and identical person who is erroneously referred to as Margaret McNamara in the Second Amendment to Petition filed Dec. 2, 1938, and in the final report filed June 7, 1944, in the matter of the estate of Nicholas J. Nolan, deceased, as being the widow of said James McNamara (or Jas. N. McNamara), deceased, and that her true and correct name was Elizabeth McNamara, and that she is now intermarried with one W. C. Murphy, and that her name is now Elizabeth Murphy.

I further state that I am in no way interested in the subject matter of this affidavit, but make the same for the purpose of establishing of record the facts above set forth.

Jno. N. Hartley

NOTARIAL

SUBSCRIBED

SEAL

in my presence and SWORN to before me by the above named affiant this 16th day of April, A.D. 1945.

Marguerite Morrissey Notary Public  
in and for Madison County, Iowa.