#498

(D.J. Ruth) Filed for Record Nov 27th A.D. 1909 at 3.05 o'clock P.M.
to) Affidavit(George Hill Recorder
The Public) By Daisy Hill Deputy. Recording Fee 1.20

State of Iowa Madison County ss :

I, D.J. Ruth, of said County and state, on oath say that I am a son in law of George Hattel who entered from the United States Government the East Half (½) of the South East Quarter (¼) of Section Seventeen (17), and the North East Quarter (¼) of the North East Quarter (¼) of Section Twenty (20), all in Township Seventy five (75) North, of range Twenty six (26), West of the 5th P.M. Iowa; that the spelling of his name in the record of the entry of said land as George Hattle was a clerical error, as his true name was George Hattel, and that the George Hattle who it appears entered said land and the George Hattel to whom the same was patented was one and the same man. That said George Hattel signed said name in both of said ways spelling it as Hattel and as Hattle, and that in all matters connected with the settlement of his estate where the name appears as George Hattel or as George Hattle, one and the same man is referred to. That in the proceedings brought by Margaret Hattel in the Circuit Court of Madison County, Iowa, in the year 1878, to admeasure and set off to her, her distributive share in the above described real estate of which George Hattel died seized, the Maria Hattel named as defendant was the same and identical person as Mariah Hattel named in the registry of heirs of said George Hattel, and is the woman who is now my wife; that John T Cowger named in said proceedings was then the husband of Mary E. Cowger; that Jas R. Mortimer was the husband of Catharine M. Mortimer; that J.M. Huglin was the husband of Sarah Ann Hattel a deceased daughter of said George Hattel. That Francis Hattel one of the heirs at law of said George Hattel died soon after the death of said George Hattel, unmarried, intestate, and without issue leaving his mother the said Margaret Hattel as his sole heir at law. That the Mariah H. Ruth who brought the suit for the partition of a part of said real estate in the District Court of Madison County, Iowa, at the February Term, A.D. 1893 was then my wife, and was the same person as Mariah Hattel or Maria Hattel hereinbefore referred to; that the said Margaret Hattel, widow of said George Hattel had prior to the bringing of said partition suit died intestate, having not married again, and leaving surviving her the same heirs at law as left by said George Hattel except that Francis Hattel had died prior to her death; that the Mary E. Kurns referred to in said partition suit was the same and identical person as Mary E. Huglin referred to in the registry of heirs of said George Hattel; that the Margaret S. Jacobson referred to in said partition suit was the same and identical person as the Margaret S. Huglin referred to in said registry of heirs; that the Nettie E. Weatherhold referred to in said partition suit is the same and identical person as the Antionette or Antonette Huglin referred to in said registry of heirs, and that Bertie Huglin referred to in said partition suit is the same person as Burt Huglin referred to in said registry of heirs; that the Mary E. Couger to whom the original notice was adressed in said partition suit, was the same and identical person as Mary E. Cowger referred to in the petition in said cause, and was the same person who personally receipted for her share of the proceeds of the sale of the property involved in said partition suit, her name being spelled sometimes Mary E. Cowger and sometimes Mary E. Couger.

That in the partition suit brought by Charles Hattel, Joseph Hattel, Mary E. Cowger and John Cowger, at the November Term, 1884, of the Circuit Court of Madison County, Iowa, for the partition of a part of the real estate before described, the plaintiff John Cowger was the husband of the plaintiff Mary E. Cowger; Joseph Ruth, being myself, was the husband of Maria Ruth, formerly Mariah Hattel; James Mortimer was the husband of Catherine M. Mortimer J.H. Kern was the husband of Mary E. Kern, formerly Mary E. Huglin; and that Mary E. Kern was the same and identical person as the M.E. Kern who accepted service of the original

notice in said cause, and that she was the same and identical person as the Mary E. Kurns herein before referred to; that Nettie E. Huglin was the same and identical person as Antonette or Antionette Huglin, and she afterwards became Nettie E. Weatherhold; that Albertus Huglin was the same and identical person as Bertie Huglin or Burt Huglin; in other words, in each of the three proceedings, being the one for admeasurement of dower, and two for partition, in which said real estate was involved, although there have been some slight variations in names, yet the same and identical persons have been referred to, and they all of the heirs at law of both George Hattel deceased and Margaret Hattel his widow, or either of them, have been parties; that all of the said heirs at law of said George Hattel and Margaret Hattel or either of them lived more than two years after attaining their majority; and that they each and all remained of sound mind, without any legal disability of any kind.
That said real estate has always been owned by said George Hattel or some of his family and that wherever in any matter affecting the title to said land the name appears as Hattle the name Hattel is meant.

D.J. Ruth.

Subscribed and sworn to before me and in my presence by the said affiant this 28th day of April A.D. 1909.

W.S. Cooper Notary Public
in and for Madison County, Iowa.

NOTARIAL SEAL

R.M. Wallingford