within and for Madison County, Iowa.

Jno. N. Hartley To The Public — #2418 — Fee $.80 — Filed for record the 21 day of June A.D. 1943 at 9:35 o'clock A.M. Pearl E. Shetterly, Recorder

Jno. N. Hartley To The Public

AFFIDAVIT AS TO MILITARY OR NAVAL SERVICE

State of Iowa, Madison County, SS:

I, Jno. N. Hartley, being duly sworn, depose and say: that I am a resident of the City of Winterset, Madison County, Iowa, and have been engaged in the practice of law at Winterset, Iowa, for at least 17 years; that I am personally acquainted with the members of the family of John T. Nolan, deceased, late of Madison County, Iowa, and have known all the members of said family from the time of my earliest remembrance; that I know the facts as to whether any of the members of the said Nolan family were in the military or naval service of the United States during the period of time for redemption from sheriff's sale in the case of Federal Farm Mortgage Corporation, a corporation, vs. Lizzie Nolan (also known as Elizabeth Nolan), a widow, et al., No. 17139 Equity, in Madison County, Iowa, District Court, which sheriff's sale was held on December 22, 1941; that the period of redemption from such sale expired on December 22, 1942, and Sheriff's deed was issued in said case to the plaintiff on February 20, 1943; that said defendant Lizzie Nolan (also known as Elizabeth Nolan) a widow, is the widow of said John T. Nolan, deceased, and is a woman at least 65 years of age, and is living in Madison County, Iowa, and has been living in Madison County, Iowa, at all times since the commencement of said action, and is not now, and has never at any time been in the military or naval service of the United States; that the defendant Philip Nolan, single, a party in said suit, is not in the military or naval service of the United States and has not been in the military or naval service of the United States at any time since the commencement of said suit, nor during the period of redemption from said sheriff's sale nor at any time since;

that I have made investigation as to the facts concerning the whereabouts and occupation of said Philip Nolan, and know the facts concerning the same of my own knowledge, and that said Philip Nolan is living in the State of California at the present time and is engaged in work in a defense plant as a civilian, and that he has not been in military or naval service of the United States during any of the times mentioned herein; that said Philip Nolan is at least 39 years of age; that the said Philip Nolan is a son of said John T. Nolan, deceased; that the party named as a defendant in said suit by the name of Joseph Nolan, single, is also a son of said John T. Nolan, deceased, and he is in the military service of the United States; that the defendants Claude M. Lecocq, Edith L. Lecocq, wife of Claude M. Lecocq, William Sumpter, and Mrs. William Sumpter were all residents of Madison County, Iowa, at all times mentioned herein as applying to said suit, and I am personally acquainted with all of said persons, and none of them have been at any time in the military or naval service of the United States; and none of the following defendants in said suit, to wit: Agnes Gertrude Kirby, Seth Walker, F. P. Hartsook, have been in the military or naval service of the United States at any time since the commencement of said suit, and all of them were persons older than the age for military or naval service, and I have known all of said persons personally for many years; that the defendant named as Elizabeth Nolan, as Administratrix with will annexed of the Estate of John T. Nolan, deceased, is the same person as the Lizzie Nolan (also known as Elizabeth Nolan), a widow, hereinbefore referred to; that the defendants named in said suit as State of Iowa; State Board of Social Welfare, State of Iowa; State Board of Social Welfare, Division of Old Age Assistance, State of Iowa; and Madison County, Iowa, are parties which could not be subject to military or naval service; that, in summarizing the statements hereinbefore made, none of the defendants in said suit of Federal Farm Mortgage Corporation, a corporation, vs. Lizzie Nolan (also known as Elizabeth Nolan), a widow, et al., No. 17139 Equity, in Madison County, Iowa, District Court, were at any time in the military or naval service of the United States since the filing of the petition in said suit, up to the expiration of the said period of redemption from sheriff's sale, which period expired on December 22, 1942, nor up to the date of the issuance of the sheriff's deed in said suit, which deed was issued on February 20, 1943, except the said party named as Joseph Nolan, single; that all the facts stated in this affidavit are made on my own, personal/actual knowledge. All of which is true, as I verily believe.

Jno. N. Hartley

NOTARIAL SEAL

Subscribed in my presence and sworn to before me by said Jno. N. Hartley this 18th day of June, 1943.

Daniel J. Gallery Notary Public in and for Madison County, Iowa