Phil R. Wilkinson — #4998 — Filed for record the 11 day of December A.D. 1946 at 8:24 o'clock A.M.

To
The Public — Fee $ .80 — Pearl E. Shetterly, Recorder

AFFIDAVIT

STATE OF IOWA: MADISON COUNTY: SS

I, Phil R. Wilkinson, of said County and State, being first duly sworn, on my oath depose and say:

That I have been well and personally acquainted with John C. Johnson, who is named as one of the plaintiffs in the case of "Margaret Breen, et al., plaintiffs, vs: R. D. Swisher, et al. defendants," pending in the District Court of Madison County, Iowa, being No. 12135, Equity, as shown by Docket "Y", on page 170, of the records of Madison County, Iowa, and I am well and personally acquainted with John Clarke, who is named as one of the defendants in said partition action, and that my acquaintance with said parties extends over a period of many years.

That I know of my own personal knowledge that the John Johnson referred to in the Certificate of N. F. Reed, Clerk of the United States District Court for the Southern District of Iowa, as being discharged in bankruptcy on May 7, 1930, in bankruptcy proceedings No. 7917-B, filed February 27, 1930, and the John Johnson against whom there is a judgment for $300.00 in the District Court of the United States of America for the Southern District of Iowa, being No. 3078, Criminal, said judgment having been entered December 5, 1923, and the said John Johnson against whom a judgment of $500.00 is shown, being No. 2370 Criminal, entered April 26, 1922, in the District Court of the United States of America for the Southern District of Iowa, and the John Johnson against whom a judgment of $500.00 was entered in said District Court of the United States of America being No. 2374 Criminal, entered October 16, 1924, is not the plaintiff, John C. Johnson, but refers to other persons.

That I know of my own personal knowledge that the said John C. Johnson never filed a petition in bankruptcy, nor was he adjudged a bankrupt, and was never prosecuted for any crime

in the District Court of the United States of America for the Southern District of Iowa, and these defendants do not refer to the plaintiff in said partition action, John C. Johnson.

That I know of my own personal knowledge that the Joseph J. Clark referred to in said Certificate as having been adjudged a bankrupt, or the William J. Clark shown in said Certificate of N. F. Reed, Clerk of the District Court of the United States of America for the Southern District of Iowa, as having been adjudged a bankrupt, or the John H. Clark shown in said Certificate of N. F. Reed as having filed a petition in bankruptcy in the District Court of the United States of America, for the Southern District of Iowa, being No. 5093-B on November 4, 1921, and discharged August 16, 1922, and the John W. Clark having filed a petition in bankruptcy in the District Court of the United States of America, for the Southern District of Iowa, proceedings No. 5892-B, filed August 11, 1934, shown discharged April 12, 1937, do not refer to the defendant John Clarke in the above partition proceedings. That the said John Clarke never filed a petition in bankruptcy in the District Court of the United States of America for the Southern District of Iowa, and the said bankruptcy proceedings refer to persons other than the defendant John Clarke in said partition proceedings.

That none of the judgments or bankruptcy proceedings referred to in said Certificate of N. F. Reed, Clerk of the District Court of the United States of America for the Southern District of Iowa are liens against the real estate involved in said partition proceedings, described as follows, to-wit:-

The Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Three (3), and the North 50 Acres of the West Half (½) of the Northeast Quarter (¼) of Section Ten (10), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M.,

nor do they in any manner effect the title thereto.

That I have no interest in this real estate, but simply make this affidavit to correct any apparent defect in the chain of title to said real estate.

Phil R Wilkinson

Subscribed and sworn to before me and in my presence by the said Phil R. Wilkinson this 7th day of May 1940.

NOTARIAL SEAL

Dorothy D Longenecker Notary Public in and for Madison County, Iowa.

#4996 Filed for record the 11 day of December

NOTARIAL SEAL