

247

AGNES SAUER,
Plaintiff,

-vs-

EDGAR KERSCHNER, as executor
of the last will and testa-
ment of Laura A. Moore, deceased,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

AFFIDAVIT

STATE OF ALABAMA }
BALDWIN COUNTY }

Lloyd A. Magney, being first duly sworn, on his oath deposes
and says:

That he is attorney of record for the plaintiff in the above
entitled cause.

That the defendant, Edgar Kerschner, executor of the last will
and testament of Laura A. Moore, Deceased, is a non-resident of
the State of Alabama, and resides at 106 Elborn Avenue, Dayton,
Ohio.

WHEREFORE, plaintiff asks that service of the summons and
complaint be made upon said defendant by mail as provided by law.

Lloyd A. Magney

Subscribed in my presence and sworn to before me this

3rd day of February, 1936.

Rubert L. Loeck
Clerk of the Circuit Court

RECORDED

Suck
7-451

Sauer

vs

Kirschner, Executor

Affidavit.

Filed this 26th day of Dec 1936
Ruth L. Lister
Clerk of Court

Lloyd Homagney
Attorney for Def.

AGNES SAUER,

Plaintiff,

VS.

EDGAR KERSHNER, as Executor
of the Last Will and Testament
of Laura A. Moore, Deceased,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

DEMURRER.

Now comes the Defendant in the above entitled cause
and for demurrer to the complaint in this cause and to each and
every count thereof separately and severally, says:

1. It does not state a cause of action.

J. B. Blackburn
Attorney for Defendant.

RECORDED

Recd
7-451

DEMURRER.

AGNES SAUER,

Plaintiff,

VS.

EDGAR KERSHNER, as Executor of
the Last Will and Testament of
Laura A. Moore, Deceased,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Filed on this the 12 day of March
1936.

Robert L. Dyer
clerk

STATE OF ALABAMA }
BALDWIN COUNTY }

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Edgar Kerschner, as executor of the last will and testament of Laura A. Moore, deceased, to appear within thirty days from the service of this writ in the Circuit Court, to be held for said County at the place of holding the same, then and there to answer the complaint of Agnes Sauer.

WITNESS my hand this 26th day of February, 1936.

Robert L. Duck

Clerk

AGNES SAUER,

Plaintiff,

-vs-

EDGAR KERSCHNER, as executor
of the last will and testa-
ment of Laura A. Moore, deceased,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

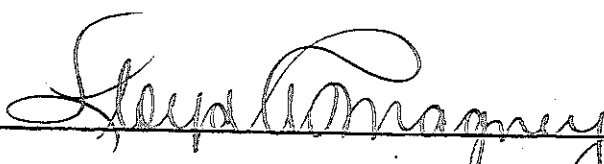
COMPLAINT

Plaintiff claims of the defendant the sum of FIVE HUNDRED & 00/100 (\$500.00) DOLLARS, together with the interest thereon for work and labor done for Laura A. Moore, deceased, by the plaintiff from the first day of April, 1933, to the 9th day of February, 1934, at the request of the said Laura A. Moore.

Plaintiff avers that the last will and testament of the said Laura A. Moore was duly allowed for probate and record by the Probate Court of Baldwin County, Alabama, on September 19th, 1934, and on said date Letters Testamentary were issued by said Court to the Defendant.

That within six months after the issuance of Letters Testamentary to the defendant, plaintiff filed in the office of the Judge of Probate, Baldwin County, Alabama, a verified statement of her claim and account against the estate of the said Laura A. Moore, deceased, as required by law.

That said sum of money with the interest thereon is still
unpaid.


Attorney for Plaintiff

RECORDED

7-450

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

AGNES SAUER,
Plaintiff,

-VS-

EDGAR KERSCHNER, as execu-
tor of the last will and
testament of Laura A. Moore,
Deceased,
Defendant.

SUMMONS AND COMPLAINT

Filed this 36 day Feb 1936
Robert L. Welch
Clerk-Register

LLOYD A. MAGNEY
ATTORNEY AT LAW

The State of Alabama,

CIRCUIT COURT

Baldwin COUNTY.

October

Term, 1946

Agnes Sawyer

No. 241 vs.

Edgar Kerschner

BILL OF COSTS

CLERK'S FEES		@	Amount	SHERIFF'S FEES		@	Amount
1	Issuing..... Summons and Complaint.....	\$1	25	1	Levying..... Attachment.....	\$3	00
2	Issuing..... copies thereof.....	30	30	2	Entering and returning..... Attachment.....	25	
3	Making every copy thereof, when over 200 words, per 100 words.....	15		3	Summoning..... garnishee and return.....	1	50
4	Entering..... Sheriff's return or copy thereof.....	20		4	Serving..... Summons and Return.....	1	50
5	Docketing cause, to be charged but once.....	25	25	5	Serving..... Subpoenas.....	65	
6	Entering Appearance.....	20	20	6	Impaneling jury.....	75	
7	Filing..... pleas, demurrer and other pleadings, for each.....	10	20	7	Making deed.....	2	50
8	Every trial, with or without jury, and its incidents, not including judgments by default or nil dicit.....	75		8	Serving Summons, forcible entry, etc.....	1	50
9	Entering..... Continuance (each).....	10		9	Executing writ of restitution or possession.....	5	00
10	Entering..... judgment, (each).....	30		10	Collecting execution for cost.....	1	50
11	Entering any other order of Court (each).....	30		11	Serving..... Sci. Fa., notices, etc.....	1	50
12	Issuing..... Scire Facias, or notice in the nature thereof (each).....	75		12	Serving any summons not provided for and return.....	1	50
13	Issuing..... Execution or copy thereof (each).....	50		13	Serving..... attachment for contempt.....	1	50
14	Entering return, or copy thereof, for each 100 words, 15 cts; but in no case less than.....	20		14	Taking and approving..... bond.....	1	00
15	Recording award of arbitrators, referees, auditors, etc., for each 100 words.....	15		15	Seizing personal property in detinue.....	3	00
16	Issuing execution or attachment thereon, and entering return.....	1	00	16	Collecting money under execution, 5% first \$200.00; 4% to \$500.00; 3% all over \$500.00.....		
17	Taking bond for certiorari supersedeas, or appeal, or copy thereof and filing same.....	75		17	Selling property attached, same for selling under execution.....		
18	Issuing..... Subpoenas for Witness (each).....	30		18	Former Sheriff's fees.....		
19	Administering an oath, not relating to a trial pending and certifying the same.....	25			Total Sheriff's Fees.....		
20	Issuing..... Attachment and taking bond (each).....	1	00		RECAPITULATION		
21	Filing..... papers in attachment (each).....	10		1	Clerk's Fees.....		5 20
22	Issuing..... Summons for garnishee (each).....	50		2	Clerk's Fees.....		
23	Swearing and taking examination for Garnishee and recording same, for each 100 words 15 cts; but not less than.....	50		3	Sheriff's Fees.....		
24	Order to advertise, or order or survey, or copy thereof.....	50		4	Sheriff's Fees.....		
25	Certificate of Judgment.....	50		5	Witness Fees in Circuit Court.....		
26	Recording each surveyor and surveyor's report or copy thereof, each 100 words 15 cts; but not less than.....	25		6	Justice of the Peace Fees.....		
27	Issuing..... Commission to take depositions, or copy thereof.....	75		7	Witness Fees, in Justice of the Peace Court.....		
28	Making copy of interrogatories accompanying commission.....	50		8	Commissioner's Fees.....		
29	Or for each 100 words,.....	15		9	Commissioner's Residence.....		
30	Filing..... packages of depositions (each).....	10		10	Constable's Fees.....		
31	Indorsing..... package of depositions, opened (each).....	10		11	Garnishee's Fees.....		
32	Issuing..... writ of ad quod damnum or writ in the nature thereof.....	75		12	Printer's Fees.....		
33	Recording the return and inquest thereon.....	50		13	Stenographer's Fees.....		3 00
34	Or for each 100 words.....	15		14	Trial Tax.....		
35	Issuing..... Writ of certiorari, prohibition, mandamus, or writ in the nature thereof.....	75			Total Fees.....		8 20
36	Filing the same and entering return.....	15		15	Judgment.....		
37	Making a complete record of a cause or copy thereof, for each 100 words.....	15	3 00	16	Date.....		
38	Making copy of any paper not herein provided for, for each 100 words.....	15		17	Interest.....		
39	Making each certificate requiring the seal of office, and affixing seal.....	50		18	Damages.....		
40	Taking any bond not otherwise provided for.....	75			Total Judgment.....		
41	Making..... necessary certificates not otherwise provided for (each witness).....	25			Interest and Damages.....		
42	For certifying abstract, in lieu of fees for transcript under section 2851 of the Code.....	5	00		Grand Total.....		3 03
43	Record for Supreme Court, for each 100 words.....	15					
44	Each additional copy thereof, for each 100 words.....	05					
45	Collecting money on judgments wherein said judgment has not been paid within 30 days after rendition, one half the per cent allowed sheriffs for same services for collecting money on execution.....						
	Total Clerk's Fees.....		5 20				

I certify that the within is a true and correct Bill of Costs in the within styled case.

ATTEST:

Clerk Circuit Court

County, Ala.

Received payment, this 21 day of Oct

1936

ATTEST:

Clerk Circuit Court

County, Ala.

No. 247

Page

The State of Alabama,

County

CIRCUIT COURT

Agnes Shaw

vs. Plaintiff

Eugene Kaveline

Defendant

CIVIL COST BILL

Oct Term, 1936

Fee Book

, page

Plaintiff's Attorney.

Defendant's Attorney.

5.20
2.85
8.20