

337

BERTHA L. CAMERON, et als,

Plaintiffs,

VS.

RUTH Y. MOORER, Individually and  
as Executrix of the Last Will and  
Testament of Henry D. Moorner,  
Deceased,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW. NUMBER \_\_\_\_\_.

DEMURRER.

Come the Plaintiffs in the above entitled cause and demur to the pleading filed herein by Defendants on the 29th day of January, 1937, and for grounds therefor set down and assign, separately and severally to said pleading and to each paragraph thereof, separately and severally, the following:

1. Because the said plea or pleading is not under oath as required by law.
2. Because the Defendants did not at the time of filing said plea or pleading make affidavit thereto as required by law.
3. Because the said plea or pleading is not verified by affidavit nor under oath as required by law.

J. B. Blackburn  
Attorney for Plaintiffs.

RECORDED

*Book 8.247*

DEMURRER.

BERTHA L. CAMERON, et als,

Plaintiffs,

VS.

RUTH Y. MOORER, Individually  
and as Executrix of the Last  
Will and Testament of Henry D.  
Moorer, Deceased,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

NUMBER 337.

*Filed June 30, 1935  
R.S. Duck, Clerk*

BALDWIN COUNTY

You are hereby commanded to summon Ruth Y. Moorcr, Individually and as Executrix of the Last Will and Testament of Henry D. Moorcr, 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 same, then and there to answer the complaint of Bertha L. Cameron, A. H. Lambert, Anice L. Davis, Mae Belle L. Galloway, Bruce A. Lambert, Janie L. Durden, Hilda L. Van Hook, Ethel L. Rankin, Grace M. Griffin, Louise M. Davis, Carl Marshall, Clifford Marshall, Conrad Marshall and Mae Lambert, and Elizabeth Lambert, Georgia Lambert, Robert Lambert, Joyce Lambert and Sandos D. Lambert, by Bertha L. Cameron, as Next Friend.

Robert L. Luck

• • • • •

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NO. 337.

VS.

Defendants.

Plaintiffs claim of the Defendants the following personal property, to-wit: The deed from E. A. Moore and wife to

A. C. Lambert conveying the Northwest Quarter of Northwest Quarter of Section 28, Township 3 South Range 3 East, with other property, in Baldwin County, Alabama, with the value of the hire or use thereof during the detention to-wit, from January 1, 1937.

J. T. T. Shablin  
Attorney for Plaintiffs.

Executed Jan. 19 1937  
by serving copy of within Summons and  
Complaint on

*Ruth Y. Moorer and  
taking into my possession  
the within mortgaged property*

*W. H. McQueen* Sheriff

*B. C. Blackburn* Deputy Sheriff

SUMMONS AND COMPLAINT.

BERTHA L. CAMERON, et als,

Plaintiffs,

VS.

RUTH Y. MOORER, Individually  
and as Executrix of the Last  
Will and Testament of Henry  
D. Moorer, Deceased,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NO. 337.

*Filed January 19 1937  
Robert L. Dean - Clerk*

J. B. BLACKBURN  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

STATE OF ALABAMA  
BALDWIN COUNTY

To the Sheriff of said County:

Whereas, the Plaintiffs in the within stated cause have made affidavit  
and given bond as required by law you are hereby required to take the property  
mentioned in Complaint into your possession unless the Defendants give bond  
payable to the Plaintiffs with sufficient surety in double the amount of the  
value of the property, with condition that if the Defendants are cast in the  
suit they will, within thirty days thereafter, deliver the property to the  
Plaintiffs and pay all damages and costs which may accrue from the detention  
thereof.

*Robert L. Dean*  
Circuit Clerk.

BERTHA L. CAMERON, et al,  
Plaintiffs,

VS.

RUTH Y. MOORER, INDIVIDUALLY,  
AND AS EXECUTRIX OF THE LAST  
WILL AND TESTAMENT OF HENRY  
D. MOORER, Deceased,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NO. 337.

STATE OF ALABAMA

MONROE COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared Bertha L. Cameron, who, after being by me first duly and legally sworn, deposes and says: That she is one of the Plaintiffs in the above entitled cause and that the property sued for in the Complaint in the above entitled cause, to-wit: The deed from E. A. Moore and wife to A. C. Lambert, conveying the Northwest Quarter of the Northwest Quarter of Section 28, Township 3 South Range 3 East, with other property, in Baldwin County, Alabama, belongs to the said Plaintiffs in the said cause.

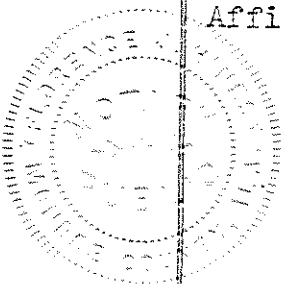
Bertha L. Cameron

Sworn to and subscribed before me  
this 14 day of January, 1937.

Florence J. Hines

Notary Public, Monroe County, Alabama.

Affix Seal.



DETINUE BOND.

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS: That we, Bertha L. Cameron, Grace M. Griffin, Louise M. Davis, Carl Marshall, Clifford Marshall, Conrad Marshall, Janie L. Durden, Arthur H. Lambert, Anice L. Davis, Mae Belle L. Galloway, Mae Lambert, Bruce A. Lambert, Hilda L. Van Hook and Ethel Lambert; and Elizabeth Lambert, Georgia Lambert, Robert Lambert, Joyce Lambert, and Santos D. Lambert, Minors, by Bertha L. Cameron as their next friend, as Principals, and A. A. Davis and J. L. Dennis as Sureties, are held and firmly bound unto Ruth Y. Moorner, Individually and as Executrix of the Last Will and Testament of Henry D. Moorner, Deceased, in the sum of Twenty-five Dollars (\$25.00) for the payment of which we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated the 14 day of January, 1937.

The condition of the above obligation is such that, whereas, the above named Principals, as Plaintiffs have on the 19th day of January, 1937, sued out from the office of the Clerk of the Circuit Court of Baldwin County, Alabama, a writ of detinue returnable to the said Circuit Court against the said Ruth Y. Moorner, Individually and as Executrix of the Last Will and Testament of Henry D. Moorner, Deceased, for the recovery of the following described property, to-wit: Deed from E. A. Moore and wife to A. C. Lambert, conveying the Northwest Quarter of the Northwest Quarter of Section 28, Township 3 South Range 3 East, with other property, in Baldwin County, Alabama.

Now, if the said Plaintiffs shall fail in said suit and shall pay to the said Ruth Y. Moorner, Individually and as Executrix

of the Last Will and Testament of Henry D. Moorer, Deceased, the Defendant in the said Writ, all such costs and damages as she may sustain by the wrongful suing out thereof, then this obligation to be void, otherwise to remain in full force and effect.

Bertha L Cameron (SEAL)

Or. H. Lambert (SEAL)

Anice L Davis (SEAL)

Maebelle L Hallway (SEAL)

Bruce A Lambert (SEAL)

Janie L Lurden (SEAL)

Hilda L Van Hook (SEAL)

Ertel L Rankin (SEAL)

Grace M Griffin (SEAL)

Louise M Davis (SEAL)

Carl Marshall (SEAL)

Clifford Marshall (SEAL)

Louise Marshall (SEAL)

\_\_\_\_\_ (SEAL)

and

ELIZABETH LAMBERT, (SEAL)  
GEORGIA LAMBERT, (SEAL)  
ROBERT LAMBERT, (SEAL)  
JOYCE LAMBERT, (SEAL)  
SANDOS D. LAMBERT, (SEAL)

By Bertha L Cameron  
As Next Friend.  
As Principals.

A. A. Davis (SEAL)

J. D. Dennis (SEAL)  
As Sureties.



I, L. A. Hixon, Clerk of the Circuit Court,  
Monroe County, Alabama, hereby certify that the above and foregoing  
instrument is a good and solvent bond and that I would approve it  
if the same were submitted to me in this county.

Dated at Monroeville, Alabama, this 14<sup>th</sup> day of January,  
1937.

L. A. Hixon  
Circuit Clerk, Monroe County, Ala-  
bama.

Taken and approved on this the 19<sup>th</sup> day  
of January, 1937.

Robert L. Dyer  
Circuit Clerk, Baldwin County, Alabama.

*Duck*  
RECORDED  
8-16

DETINUE AFFIDAVIT AND BOND.

BERTHA L. CAMERON, et al,  
Plaintiffs,

VS.

RUTH Y. MOORER, Individually and  
as Executrix of the Last Will and  
Testament of Henry D. Moorer,  
Deceased,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW, NO. 337.

*Filed January 19 1937*  
*Robert Duck*  
*Clerk*

J. B. BLACKBURN  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

337

REPLEVY BOND OF PLAINTIFF.

STATE OF ALABAMA  
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS: That we, Bertha L. Cameron, Grace M. Griffin, Louise M. Davis, Carl Marshall, Clifford Marshall, Conrad Marshall, Janie L. Durden, Arthur H. Lambert, Anice L. Davis, Mae Belle L. Galloway, Mae Lambert, Bruce A. Lambert, Hilda L. Van Hook and Ethel Lambert; and Elizabeth Lambert, Georgia Lambert, Robert Lambert, Joyce Lambert and Sandos D. Lambert, Minors, by Bertha L. Cameron as their next friend, as Principals, and

A.A. Davis

and

J. D. Dennis

as Sureties, are held and firmly bound unto Ruth Y. Moorner, Individually and as Executrix of the Last Will and Testament of Henry D. Moorner, Deceased, in the sum of \$ 100<sup>00</sup>/<sub>xx</sub>, for the payment of which well and truly to be made, we, jointly and severally bind ourselves, our heirs, executors and administrators,

Sealed with our seals and dated this the 28th day of January, 1937.

The condition of the above obligation is such that whereas, the said Bertha L. Cameron, Grace M. Griffin, Louise M. Davis, Carl Marshall, Clifford Marshall, Conrad Marshall, Janie L. Durden, Arthur H. Lambert, Anice L. Davis, Mae Belle L. Galloway, Mae Lambert, Bruce A. Lambert, Hilda L. Van Hook and Ethel Lambert; and Elizabeth Lambert, Georgia Lambert, Robert Lambert, Joyce Lambert, and Sandos D. Lambert, Minors, by Bertha L. Cameron, as their next friend, did on the 19th day of January, 1937, issue out of the Circuit Court of Baldwin County, Alabama, a writ of detinue directed to any sheriff of the State of Alabama, commanding him to take into his possession the following property, to-wit: Deed from E. A. Moore and wife to A. C. Lambert conveying the Northwest Quarter of the Northwest Quarter of Section 28, Township 3 South Range 3 East, with other property in Baldwin County, Alabama, which said writ was placed in the hands of M. H. Wilkins, Sheriff of

Baldwin County, Alabama, on the 19th day of January, 1937, and executed by him on the 19th day of January, 1937, by taking into his possession the following property, to-wit: Deed from E. A. Moore and wife to A. C. Lambert, dated June 30, 1926, which conveys the Northwest Quarter of the Northwest Quarter of Section 28, Township 3 South Range 3 East, with other property in Baldwin County, Alabama; and,

WHEREAS, the said Ruth Y. Moorer, Individually and as Executrix of the Last Will and Testament of Henry D. Moorer, Deceased, has failed and neglected for the space of five days from the execution of said writ to give bond and take possession of said property as authorized by law.

NOW, if the said Plaintiffs, upon their failing in said suit, shall deliver the said property to the Defendant within thirty days after judgment and pay damages for the detention of the property and costs of suit, then this obligation to be void, otherwise to remain in full force and effect.

Bernard J. Cameron (SEAL)

Grace M. Griffin (SEAL)

Louise M. Davis (SEAL)

Carl Marshall (SEAL)

Clifford Marshall (SEAL)

Conrad Marshall (SEAL)

Amice L. Davis (SEAL)

C. L. Lambert (SEAL)

Brace A. Lambert (SEAL)

Max Belle J. Gallows (SEAL)

Jessie L. Lumbert (SEAL)

Mae Lambert (SE)

Hilda L. Vanhook (SE)

Esther Lambert Rankin (SE)

n (SE)

and

ELIZABETH LAMBERT, (SEAL)

GEORGIA LAMBERT, (SEAL)

ROBERT LAMBERT, (SEAL)

JOYCE LAMBERT, (SEAL)

SANDOS D. LAMBERT, (SEAL)

By Bessie L. Cameron

As Next Friend.

As Principals.

A. A. Davis (SEA)

J. D. Dennis (SEA)  
As Sureties.

The above and foregoing instrument constitutes a good and solvent bond and if the same were presented to me as Sheriff of Monroe County, Alabama, I would approve it.

J. D. Dennis  
Sheriff, Monroe County, Alabama.

Taken and approved this 29th  
day of January, 1937.

M. A. Williams  
Sheriff, Baldwin County, Alabama.

RECORDED  
Duck  
8-18

REPLEVY BOND OF PLAINTIFF.

BERTHA CAMERON, et als,

Plaintiffs,

VS.

RUTH Y. MOORER, INDIVIDUALLY,  
AND AS EXECUTRIX OF THE LAST  
WILL AND TESTAMENT OF HENRY D.  
MOORER, Deceased,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. \_\_\_\_.

Filed January 29, 1937  
R. S. Duck, Clerk.

J. B. BLACKBURN  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

April 1, 1940

Judge Ben D. Turner  
Merchant's National Bank Building  
Mobile, Alabama

Dear Ben:

I am in receipt of your letter of March 28 regarding the execution issued out of the Baldwin County Court against Mrs. Ruth Y. Moorer individually for costs.

I agree with you that Mrs. Moorer should not be taxed with these costs in her individual capacity. When I made the bench notes copied in your letter I was not advised as to the separate defenses interposed by Mrs. Moorer.

I will be in Bay Minette most of next week and I hope we can make some satisfactory adjustment of the matter. In the meantime I will write Ramsey Stewart asking him to hold up levy of the execution until after next week.

With regards, I am,

Yours very truly,

FWH/vh  
CC/ Ramsey Stewart

F. W. Hare, Judge  
Twenty-First Judicial Circuit

Dear Ramsey:

The above explains itself -  
Will see you next week -

Your friend,  
F. W. Hare

MCORVEY, McLEOD, TURNER & ROGERS  
ATTORNEYS AT LAW  
NINTH FLOOR, MERCHANTS NATIONAL BANK BUILDING  
MOBILE, ALABAMA

GESSNER T. MCORVEY  
WILLIAM McLEOD  
BEN D. TURNER  
C. M. A. ROGERS  
C. A. L. JOHNSTONE, JR.  
R. F. ADAMS

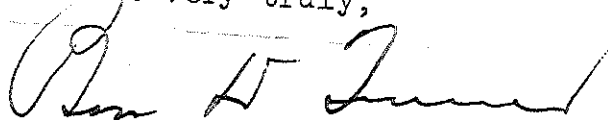
March 28, 1940

Mr. Ramsey Stuart, Sheriff,  
Baldwin County,  
Bay Minette, Alabama.

Dear Sir:

I am handing you herewith copy of letter to Judge  
Hare. I will appreciate your holding up the levy of execution  
in this matter until I hear from Judge Hare.

Yours very truly,



BDT:R  
Enc.



COPY

MCCORVEY, MCLEOD, TURNER & ROGERS  
ATTORNEYS AT LAW  
NINTH FLOOR, MERCHANTS NATIONAL BANK BUILDING  
MOBILE, ALABAMA

GESSNER T. MCCORVEY  
WILLIAM MCLEOD  
BEN D. TURNER  
C. M. A. ROGERS  
C. A. L. JOHNSTONE, JR.  
R. F. ADAMS

March 28th, 1940

Judge Francis Hare,  
Monroeville, Alabama.

Dear Judge:

I am advised by the Sheriff of Baldwin County, Alabama, that he holds execution against Mrs. Ruth Y. Moorner, individually, for costs in the case of Bertha L. Cameron, et als., against "Ruth Y. Moorner, individually and as Executrix of the last will and testament of Henry D. Moorner, deceased."

The suit was in detinue to recover "the deed from E. A. Moore and wife to A. C. Lambert, conveying the Northwest Quarter of Northwest Quarter of Section 28, Township 3 South, Range 3 East, with other property in Baldwin County, Alabama, with the value of the hire or use thereof during the detention, to-wit, from January 1st, 1937." The complaint was filed by Mr. J. E. Blackburn.

When Mrs. Moorner was served with process, I filed for her an answer, copy of which is herewith enclosed.

Upon receipt of the Sheriff's letter I did not recall all of the facts, and I wrote a letter to Mr. John Beebe, and in reply thereto he has written me as per letter copy of which is herewith enclosed. From this letter I find that your docket entry - I do not know the language of the judgment itself - reads as follows: "1-29-40 Judgment nil dicit for plaintiff for property sued for possession of property in defendant admitted and cost taxed against defendant."

You will observe that in Mrs. Moorner's answer as an individual, she disclaimed any title to or possession of the deed, but in her plea as Executrix she admits that the deed was delivered to Henry Moorner, that it has not been called for, but tenders the deed to the court and prays instructions as to what she, as Executrix, should do with said deed.

My recollection is that at the time I filed this answer, I discussed the matter of costs with Mr. Blackburn, and it was my understanding that in no event would any costs be taxed against Mrs. Marshburn individually. I hope Mr. Blackburn remembers it as I do, and am confident that he will.

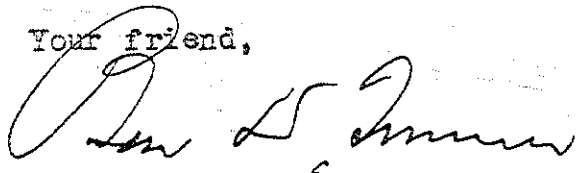
It seems, however, that the Sheriff is seeking to collect this money out of Mrs. Moorner individually. In view of the fact that she as an individual never had the deed, and that she expressly denies holding it or having it in her individual capacity, I feel confident that it was not your Honor's intention to tax any of the cost against her individually. I doubt if your judgment entry, construed in connection with the pleading, would support a judgment against Mrs. Moorner, individually, even if the Clerk has written such judgment.

I am sending a copy of this letter to the Sheriff and asking him to withhold the levy of the execution until I can hear from you in regard to the matter. I feel that the plea of Mrs. Moorner as an individual, in which she denies possession and which is on file is sufficient basis upon which to ask your Honor to amend the judgment nunc pro tunc so as to make it clear that no cost is taxed against Mrs. Moorner as an individual.

I am sending copy of this letter to Mr. Blackburn, with the request that he write you whether or not we are in accord as to what happened in connection with this matter, and if Mr. Blackburn is willing that the matter be handled informally, we will appreciate your taking such action as will clarify the present judgment.

With kindest personal regards, I am,

Your friend,



BDT:R

Copies to

Mr. J. B. Blackburn,

Mr. J. P. Beebe,

Mr. Ramsey Stuart, Sheriff.

February 19, 1940.

Mrs. Ruth Y. Moorer,  
Tuscaloosa, Alabama.

Bertha L. Camerson, et al. v.  
IN RE; Ruth Y. Moorer, Adm.

Dear Madam:

I have execution in my hands, issued out of the  
Circuit Clerk's office, against you, in the above styled cause,  
for costs in the sum of \$26.40.

Please let me have check covering same, so that  
you may avoid any additional costs.

Thanking you for your promptness, I am,

Yours very truly,

W. R. STUART,  
Sheriff.

WRS:t

The State of Alabama,

No. 337

CIRCUIT COURT

Baldwin County.

January

Term, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

YOU ARE HEREBY COMMANDED, That of the goods and chattels, lands and tenements of Ruth M. Moorer, individually, and as executrix of last will & testament of Henry S. Moore, Deceased, Defendant, you cause to be made the sum of Twenty-six and 40/100 DOLLARS, which Bertha L. Cameron et als Plaintiff,

recovered of defendant on the 29th day of January, 1940, by the Judgment of our Circuit Court held for the County of Baldwin, besides the sum of as DOLLARS, costs of suit, and have the same to render to the said R. S. Duck, and make return of this Writ and the execution thereof, according to law.

Interest from \_\_\_\_\_, 19\_\_\_\_, to \_\_\_\_\_, 19\_\_\_\_.

Witness, my hand this 13th day of February, 1940

R. S. Duck, Clerk

CLERK'S FEES		AMOUNT	SHERIFF'S FEES		AMOUNT
Issuing <u>1</u> Summons and Complaint	\$1.25	<u>1.25</u>	Serving and Returning Summons	\$1.50	<u>1.50</u>
Issuing <u>1</u> copies of same	.30	<u>.30</u>	Serving and Returning Writs	1.30	<u>1.30</u>
Issuing Branch Summons and Complaint	1.25		Serving and Returning Subpoenas for Wit.	.65	
Issuing copies of same	.30		Levying Attachment	3.00	<u>3.00</u>
Entering Sheriff's Return or copy of above	.20	<u>.20</u>	Entering and Returning Attachment	.25	<u>.25</u>
Docketing Cause	.25	<u>.25</u>	Summoning and Returning Garnishee	1.50	
Entering Appearances	.20	<u>.20</u>	Serving and Returning Sci. Fas. Notices	1.50	
Filing <u>6</u> Pleas Demurrers	.10	<u>.60</u>	Impanelling Jury	.75	
Affidavits, Certified	.25		Collecting Cost, Execution	1.50	<u>1.50</u>
Commissions to take Depositions	.75		Taking and Approving Replevin Bonds	1.00	<u>1.00</u>
copies of Interrogatories			Claim Bonds	1.00	
Notices of Filing Interrogatories	.50		Garnishment Bonds	.75	
Filing Packages of Depositions	.10		Forthcoming Bonds	1.00	
Inclosing Packages of Depositions	.10		Bail Bonds	1.00	
Orders in Court	.30		Detinue Bond	1.00	
<u>5</u> Continuances	.10	<u>.50</u>	Writ of Possession	5.00	
Issuing Subpoenas for Witnesses	.30		Making Deed	5.00	
Trial and Incidents	.75	<u>.75</u>	Collecting Money on Execution		
Entering Judgment	.30	<u>.30</u>	Writ of Restitution	2.00	
Issuing Execution	.50	<u>.50</u>	Sheriff's Commissions		
Entering Sheriff's Return of Execution	.20	<u>.20</u>	Sheriff's Deed		
Issuing Certiorari Sci. Fas.	.75		Seizing Personal Property in Detinue	3.00	
Filing Certiorari, etc.	.15		<u>Put on ex</u>		<u>.25</u>
Issuing Notices	.75		Former Sheriff's Fees		
Issuing copies of same	.50		TOTAL SHERIFF'S FEES		<u>10.30</u>
Taking Bonds	.75		WAIVER NO WAIVER		
Filing <u>2</u> Bonds	.10	<u>.20</u>	RECAPITULATION		
Issuing Attachment Writ and taking Bond	1.00	<u>1.00</u>	Judgment for for		
Filing Attachments	.10	<u>.10</u>	Interest from		
Summons of Garnishee	.50		Damages		
Swearing and Ent. Answer of Garnishee			Clerk's Fees		<u>13.10</u>
Complete Record, 15c per 100 words		<u>5.25</u>	Sheriff's Fees <u>Wilkins</u>		<u>8.55</u>
Transcript to Supreme Court			<u>Stuart</u>		<u>1.75</u>
Certificate of Appeal to Supreme Court	.75		Justice of Peace Fees		
Notices of Appeal	.75		Witness Fees in Justice of Peace Court		
Appeal Bond	.75		Constable's Fees		
Certificate of Judgment	.50		Commissioner's Fees		
Witness Certificates	.25		Commissioner's Residence		
			Printer's Fees		
			Garnishee's Fees		
			Witness Fees in Circuit Court		
			Former Clerk's Fees		
			Trial Tax		<u>3.00</u>
TOTAL CLERK'S FEES		<u>13.10</u>	TOTAL FEES		<u>26.40</u>

The State of Alabama,  
Baldwin COUNTY.

CIRCUIT COURT.

Bertha L. Cameron  
et al

Plaintiff

Ruth Y. Moore  
and et al

Defendant

CIVIL EXECUTION FOR COSTS  
AGAINST DEFENDANT

Judgment for \_\_\_\_\_ for \$ \_\_\_\_\_

Interest from \_\_\_\_\_, 19\_\_\_\_,

to \_\_\_\_\_, 19\_\_\_\_, \$ \_\_\_\_\_

Damages \_\_\_\_\_ \$ \_\_\_\_\_

Costs \_\_\_\_\_ \$ 26.40

Total \_\_\_\_\_ \$ \_\_\_\_\_

Civil Fee Book \_\_\_\_\_ Page \_\_\_\_\_

Execution Docket \_\_\_\_\_ Page \_\_\_\_\_

Filed \_\_\_\_\_, 19\_\_\_\_

J. B. Blackburn  
Plaintiff's Attorney

(R. D. Fisher)  
Defendant's Attorney

Feb 12/1940

COLLECT COSTS FROM  
DEFENDANT

The State of Alabama,  
\_\_\_\_\_ COUNTY.

I hereby certify that the within Judgment and costs in  
this case are correct, and there was a waiver of exemp-  
tion as to personal property under the Constitution and  
Laws of Alabama.

This \_\_\_\_\_ day of \_\_\_\_\_,

of \_\_\_\_\_, 19\_\_\_\_

Clerk.

Received in Office

February 13<sup>th</sup>, 1940  
W. R. Stuart  
Sheriff.

Sheriff's Execution Docket, page \_\_\_\_\_

Sheriff's Fee Book, page \_\_\_\_\_

Order on Docket &  
Changed and Collection  
Returned uncollected  
W. R. Stuart  
Sheriff

The State of Alabama, }  
\_\_\_\_\_ COUNTY.

By virtue of the within Execution, I have, at \_\_\_\_\_  
levied \_\_\_\_\_

\_\_\_\_\_ o'clock \_\_\_\_\_ M., this \_\_\_\_\_

\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Sheriff.

PLAINTIFF'S WITNESSES

AMOUNT

DEFENDANT'S WITNESSES

TOTAL

Bertha L. Cameron, A.H. Lambert, Anice L. Davis, Mae Belle L. Galloway, Bruce A. Lambert, Janie L. Durden, Hilda L. Van Hook, Ethel L. Rankin, Grace M. Griffin, Louise M. Davis, Carl Marshall, Clifford Marshall, Conrad Marshall and Mae Lambert, and Elizabeth Lambert, Georgia Lambert, Robert Lambert, Joyce Lambert and Sandos D. Lambert, by Bertha L. Cameron, as Next Friend,

Plaintiffs,

Vs.

Ruth Y. Moorer, Individually and as Executrix of the Last Will and Testament of Henry D. Moorer, Deceased,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

No. \_\_\_\_\_

Comes Ruth Y. Moorer, individually and as Executrix of the last will and testament of Henry D. Moorer, Deceased, and for answer to the complaint in this cause says:

1. The said Ruth Y. Moorer, individually, disclaims any title to or possession of the deed sued for.

2. The said Ruth Y. Moorer, as Executrix of the last will and testament of Henry D. Moorer, Deceased, for answer to the complaint, respectfully shows to the Court that heretofore Leola Lambert, the widow of A. C. Lambert, Deceased, delivered the deed sued for to the said Henry D. Moorer, now deceased, with instructions that he would hold said deed until called for by her. Said deed was never called for by the said Leola Lambert during her lifetime, and she is now advised by Major Steadman, the surviving husband of the said Leola Lambert, that he claims some right, title and interest in and to said deed. This defendant, as Executrix of the last will and testament of Henry D. Moorer, Deceased, claims no right, title and interest in said deed, and submits herself to the jurisdiction of this Court as to what disposition she should make of said deed and hereby tenders said deed to the Court, praying that she may be directed as to what disposition should be made thereof.

This defendant prays that the costs of this cause be taxed against the plaintiffs, or in event the said Major Lambert or any other person should appear as claimant herein, that said costs be taxed against the claimant, and in no event against this defendant, as she has no interest therein, either individually nor as Executrix aforesaid, but abides the decision of this Court.

Ruth Y. Moorer  
Individually and as Executrix of the  
Estate of Henry D. Moorer, Deceased.

007  
RECORDED  
8-19  
Answer of Ruth Y.  
Moore.

Filed January 29, 1937  
R. S. Duck, Register.

McCORVEY, McLEOD, TURNER & ROGERS

ATTORNEYS AT LAW

NINTH FLOOR, MERCHANTS NATIONAL BANK BUILDING

MOBILE, ALABAMA



Mr. Ramsey Stuart, Sheriff,  
Baldwin County,  
Bay Minette, Alabama.



$$\begin{array}{r} 168 \\ 128 \\ \hline 138 \\ 128 \\ \hline 10 \end{array}$$

$$\begin{array}{r} 348 \\ 333 \\ \hline 15 \end{array}$$

$$\begin{array}{r} 4500 \\ 1500 \\ \hline 3000 \end{array}$$

$$\begin{array}{r} 263 \\ 18 \\ \hline 281 \end{array}$$

$$\begin{array}{r} 25 \\ 43 \\ \hline 68 \end{array}$$