

**ADMINISTRATION: Affidavit insufficient for distribution
under laws of Missouri.**

September 30, 1933



Honorable T. Buynowski
Vice-Consul
1500 N. Dearborn Parkway
Chicago, Illinois

Dear Sir:

The office of the attorney general of Missouri acknowledges receipt of your letter wherein you desire an opinion based on the following facts:

"I am requested by my Home Authorities to obtain for the Polish Ministry of Justice an authoritative opinion, whether the enclosed here affidavit of Augusta M. Lieberman, dated December 10, 1930, is according to the statutes of the State of Missouri sufficient document for distribution of the assets of the estate left by a deceased person, or same is only a motion for issuance of a decree of inheritance by the Court.

It is understood by me fully that it is not your duty as Attorney General for the State of Missouri to render opinions for foreign representatives on question of law or the state, but in the above matter, I have the honor to request you to render the opinion as an act of courtesy.

The enclosed affidavit please send back to me, as I am obliged to return it to my Home Authorities.

Please be assured that my Home Authorities will most gladly reciprocate in cases of similar nature."

Hon. T. Buynowski

-2-

September 30, 1933

The enclosed affidavit appears to be merely to show the surviving heirs of Hermann Liebermann. We cannot ascertain by your letter in what manner this affidavit is to be used. We assume that Hermann Liebermann possessed property or was possibly an heir to an estate in Poland and his widow and son are requesting the distribution of the estate. If such assumption is correct, the enclosed affidavit is not sufficient for distribution to be made on the same. We note that the affiant lives in the state of Kansas and the deceased died in Kansas City, Missouri

We suggest that Augusta M. Liebermann or her son, Sylvan Liebermann, apply to the court in their county for letters of administration on the estate of Hermann Liebermann according to the statutes of the law of Kansas, and if there is an estate in which the heirs of Hermann Liebermann are interested in Poland, the funds could then be paid to the administrator and distribution made according to the laws of Kansas.

The enclosed affidavit is not sufficient and could not be accepted in the courts of Missouri. If we are incorrect in assuming the function or office that the affidavit is to perform, you are at liberty to write this department again, giving more definite facts and we will gladly oblige you with a further opinion.

Yours very truly,

OLLIVER W. NOLEN
Assistant Attorney-General

APPROVED

OWN/fe

ROY McKITTRICK
Attorney-General