

GORDON W. MOTHERSHED, \* IN THE CIRCUIT COURT OF  
 COMPLAINANT \* BALDWIN COUNTY, ALABAMA.  
 VS \* IN EQUITY  
 GASPARD L. WEEKLEY \* CASE NO. 4671  
 RESPONDENT

Comes the Complainant, Gordon L. Mothershed, humbly complaining against Gaspard L. Weekley, respectfully shows unto your Honor as follows:

FIRST: That your Complainant, Gordon W. Mothershed, is over the age of twenty-one years, and a resident of Baldwin County, Alabama; that the defendant, the said Gaspard L. Weekley, is over the age of twenty-one years and his address is as follows: Gaspard L. Weekley, Perdido, Alabama.

SECOND: That the complainant is the owner of and in the peaceable possession of the following described lands situated in the County of Baldwin, State of Alabama, to-wit:

North Half of Southeast Quarter of Section 8, Township 1 North, Range 4 East, being 20 acres more or less, and situate in Baldwin County, Alabama.

THIRD: That the said Gaspard L. Weekley claims or is reputed to claim some right, title, claim, or interest in, lien or encumbrance upon the above described lands, or some part thereof, and the Complainant calls upon him to set forth and specify his right, title, claim, interest in, lien or encumbrance upon the said lands, or any part thereof, and to show how and by what instrument or instruments the same is derived or created.

FOURTH: That there is no suit pending to enforce or test the validity of the complainant's title to the said lands, or to enforce or test the validity of the defendant's right, title, claim, interest in, lien, or encumbrance upon the said lands, or any part thereof.

WHEREFORE, Your Complainant prays this Honorable Court take jurisdiction of the cause made by this bill of complaint and make the said Gaspard L. Weekley party defendant hereto, and by appropriate process require him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing of this cause this Honorable Court will make and enter an order and decree adjudging and decreeing that the said

defendant, Gaspard L. Weekley, has no right, title, claim, interest in, lien or encumbrance upon the said lands, or any part thereof, and that the title to the said lands be quieted and established in this complainant as against the said defendant; and that the said defendant be forever enjoined from asserting or attempting to assert, or from claiming or attempting to claim any right, title or interest in, lien or encumbrance upon the said lands, or any part thereof.

Your complaint further prays for such other, further or different relief as in equity and good conscience he may be entitled to receive in the premises, etc.,.

THOMPSON & WHITE

By: Mary Thompson White  
Solicitors for Complainant

STATE OF ALABAMA  
BALDWIN COUNTY

Before me, Cornice B. Jindal, a Notary Public, in and for said County in said State, personally appeared Mary Thompson White ~~C. LeNair Thompson~~; who upon oath deposes and says that he is the agent of, and the attorney for the complainant in the above styled cause and is therefore duly authorized to make this oath; that in the belief of the affiant, the defendant named in the foregoing bill of complaint is over the age of twenty-one years and a resident of the State of Alabama, Baldwin County; and that all other matters and facts stated in the foregoing Bill of Complaint are to his knowledge true; that he is informed as to the facts stated upon information and belief and verily believes and so states that the same are true.

Mary Thompson White

Sworn to and subscribed before me, a Notary Public, on this 4th day of August, 1959.

Cornice B. Jindal  
Notary Public, Baldwin County, Alabama.

FILED

8-4-59

ALICE L. DUCK, CLERK  
REGISTER

no. 4671

I hereby accept service thru  
4th day of August 1959

Harold S. Wellesley

FILED

AUG 4 1959

ALICE J. DUCK, CLERK  
REGISTERED

THE STATE OF ALABAMA,  
Baldwin County

No. 4671 Circuit Court, In Equity.

GORDON W. MOTHERSHED

Complainant

Vs.

GASPARD L. WEEKLEY

Defendant

Motion is hereby made for a Decree Pro Confesso against GASPARD L. WEEKLEY

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 9<sup>th</sup> day of MAY 1960

Thompson & White  
By Mary Thompson White  
Solicitor.

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

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, In Equity

Vs.

Motion for Decree Pro Confesso on  
Personal Service

Filed *May 9* 19*60*

*Alice J. Black*  
Register.

Recorded in \_\_\_\_\_ Record

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Register.

GORDON W. MOTHERSHED  
Complainant,  
Vs.  
GASPARD L. WEEKLEY  
Respondent.



In the Circuit Court.  
In Equity No. 4671.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent \_\_\_\_\_

GASPARD L. WEEKLEY

by ~~the Sheriff of~~ acceptance of service ~~County~~, on the 4th day of August

1959

And it further appears to the Register, that the said \_\_\_\_\_

GASPARD L. WEEKLEY

\_\_\_\_\_, the Respondent—, having to the date hereof,

failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of THOMPSON & WHITE Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said \_\_\_\_\_

GASPARD L. WEEKLEY

This 4th day of MAY, 1960.

Alice J. Duck  
Register.

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

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**CIRCUIT COURT OF  
BALDWIN COUNTY,  
ALABAMA.  
IN EQUITY**

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Complainant,

Vs.

Respondent.

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**DECREE PRO CONFESSO ON  
PERSONAL SERVICE.**

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Issued this 9 day of May,  
1960.

Alice J. Luck  
Register.

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GORDON W. MOTHERSHED	X	IN THE CIRCUIT COURT OF
COMPLAINANT	X	BALDWIN COUNTY, ALABAMA
VS	X	IN EQUITY.
GASPARD L. WEEKLEY	X	CASE NO. 4671
RESPONDENT	X	

This cause coming on to be heard was submitted for decree on the pleadings and decree pro confesso as noted and, it appearing to the Court that notice was given the Respondent, Gaspard L. Weekley, by personal service, and that the said Respondent has not pleaded, demurred or answered to the Bill of Complaint within the time prescribed by law; NOW, upon consideration thereof, the Court is of the opinion that the Complainant Gordon W. Mothershed, is entitled to the relief prayed.

It is therefore ORDERED, ADJUDGED and DECREED that the defendant, Gaspard L. Weekley, has no estate or interest in or encumbrance on the following described land or any part thereof, to-wit:

North Half of Southeast Quarter of Section 8, Township 1 North, Range 4 East, being 20 acres more or less, and situate in Baldwin County, Alabama.

AND IT IS FURTHER ADJUDGED AND DECREED that the full fee simple title to said land as against said defendant, Gaspard L. Weekley, is vested absolutely in the Complainant, Gordon W. Mothershed.

IT IS FURTHER ORDERED that the Register of this Court, within thirty days from the rendition of this decree, file same in the office of the Probate Judge of Baldwin County, Alabama, for record therein and the cost thereof be taxed as part of the costs of this cause.

IT IS FURTHER ORDERED that Complainant pay the costs of this cause for which execution may issue.

Done at Bay Minette, Alabama, this 30th day of May, 1960.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in above stated cause, which said decree is on file and entered in my office.

WITNESS MY HAND AND SEAL THIS THE 30 day of May, 1960

*Alice J. Duck*  
 Register of Circuit Court, in Equity

Hubert M. Hall

Judge.

STATE OF ALABAMA, BALDWIN COUNTY

Filed 6-22-1960 10:00pm

Recorded filed book 293 page 221

*W. R. [Signature]*  
 Judge of Probate



GORDON W. MOTHERSHED	X	IN THE CIRCUIT COURT OF
COMPLAINANT	X	BALDWIN COUNTY, ALABAMA
VS	X	IN EQUITY.
GASPARD L. WEEKLEY	X	CASE NO. 4671
RESPONDENT	X	

This cause coming on to be heard was submitted for decree on the pleadings and decree pro confesso as noted and, it appearing to the Court that notice was given the Respondent, Gaspard L. Weekley, by personal service, and that the said Respondent has not pleaded, demurred or answered to the Bill of Complaint within the time prescribed by law; NOW, upon consideration thereof, the Court is of the opinion that the Complainant Gordon W. Mothershed, is entitled to the relief prayed.

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IT IS FURTHER ORDERED that Complainant pay the costs of this cause for which execution may issue.

Done at Bay Minette, Alabama, this 30<sup>th</sup> day of May, 1960.

Hubert M. Stall  
Judge.

4671

FILED

MAY 30 1960

ALICE J. DUCK, CLERK  
REGISTER