IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

MARION K. SMITH )
)
VS. )
)
ROBERT EDWARD SMITH )

RULE NO. 41214

Minute Book 1
Page 226

D E C R E E

This cause came on to be finally heard on the 14th day of June, 1963, before the Honorable Shelton Luton, Judge of the Probate Court of Davidson County, Tennessee, upon the complainant's original bill, defendant's answer and cross bill, upon complainant's answer to said cross bill, upon the testimony of witnesses in open Court, argument of counsel and upon the entire record. From all of which the Court finds that the allegations of the complainant's original bill are sustained by the proof, that is, that the defendant has been guilty of such cruel and inhuman treatment or conduct towards the complainant as makes further cohabitation unsafe and improper and for her to be under the dominion and control of the defendant.

Accordingly, it is the judgment of the Court that the complainant have an absolute divorce from the defendant.

The Court further finds that the parties are the owners of two pieces of real estate both of which are heavily encumbered, that is, one located at 3419 McGavock Pike and the other located at 325 McGavock Pike; and that the parties have also accumulated considerable household furniture and fixtures located in the house located at 3419 McGavock Pike at the time of the hearing; and further that the parties are the parents of three children, viz., Deborah Kay Smith, age 12, Cynthia Lynne Smith, age 8, and Marion Kimbrough Smith, age 2, who are in the care and custody of the complainant. The Court further finds that they are the owners of a station wagon and a truck to which reference was made at the hearing. That the defendant was the owner of certain tools of his trade which were in his custody and possession. That the complainant was the owner of one diamond ring and a wedding band which, at the time of the hearing, had not been located by her.