Map. 105-G
Par. 324
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BOOK 4249 PAGE 355

LEONARD O'NEAL JL-9 MISC)

) A* 4.50 * 4.50

) IN THE PROBATE COURT OF DAVIDSON

VS.) COUNTY, TENNESSEE

)

RULE NO. ~~47114~~ 47612

MYRTLE (BLACKMAN) O'NEAL)

FELIX A. KNOX REGISTER DAVIDSON COUNTY, TENN. 9 10 21 AM '68

IDENTIF. REFERENCE

A 043377

D E C R E E

This cause came on to be heard on the 9th day of May, 1967, before the Honorable Shelton Luton, Judge of the Probate Court for Davidson County, Tennessee, upon the original bill and amended bill filed by complainant, Leonard O'Neal; the answer to original bill and supplemental answer and cross-bill filed by defendant and cross-complainant, Myrtle (Blackman) O'Neal; answer of complainant and cross-defendant, to supplemental answer and cross-bill of defendant and cross-complainant; however, on account of the defendant and cross-complainant's failure to appear in Court to defend the allegations set forth in her cross-bill, counsel for complainant and cross-defendant was allowed by the Court to proceed with a hearing of the cause, as an un-contested case. This hearing was heard on the aforementioned pleadings; the oral testimony of complainant and cross-defendant and his witnesses; argument of counsel; and upon the entire record, all of which proceedings were held in open Court; from all of which it appears to the satisfaction of the Court, that defendant and cross-complainant's failure to appear and defend the allegations set forth in her cross-bill, justifies a dismissal of the same, and therefore, it is, hereby dismissed; and that complainant and cross-defendant has fully sustained the allegations set forth in his original bill and amended bill, and should be granted the relief sought therein; and that defendant and cross-complainant has been guilty of such cruel and inhuman treatment or conduct towards complainant and cross-defendant, as renders cohabitation with her unsafe and improper.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court, that the bonds of matrimony heretofore subsisting between the complainant

and cross-defendant, and the defendant and cross-complainant, be forever and perpetually dissolved, and that the complainant and cross-defendant be, and he hereby is, granted an absolute divorce from the defendant and cross-complainant, and restored to all of the rights and privileges of an unmarried person.

It is further ordered, adjudged and decreed, that defendant and cross-complainant be, and she is, granted the custody of the minor child of the parties, viz: Gladennia Marthona O'Neal, with the right in the complainant and cross-defendant to visit the said minor child at reasonable times and places; also, that the complainant and cross-defendant be required to pay into the Office of the Circuit Court Clerk, of Davidson County, Tennessee, the sum of $12.50, not later than Saturday of each week, for the support of the said minor child, the said payments to begin on Saturday, May 20, 1967.

It is further ordered, adjudged and decreed, that complainant and cross-defendant shall execute a deed to defendant and cross-complainant for his one-half un-divided interest in certain real estate at 910 Bradford Avenue, Nashville, Davidson County, Tennessee, the said real estate having been purchased by complainant and cross-defendant, and defendant and cross-complainant, as tenents by the entirety, some time on or about April 2, 1964, it being understood that defendant and cross-complainant will assume and agree to pay certain mortgage indebtedness against the said property, as covered by a deed of trust executed by Leonard O'Neal, the complainant and cross-defendant, herein, and Myrtle (Blackman) O'Neal, the defendant and cross-complainant, herein, of record in Book 3736, page 117, Register's Office for Davidson County, Tennessee, and also, that defendant and cross-complainant will assume and agree to pay any other encumbrances against the said property, including taxes, street improvements, etc. A description of the said real estate, is as follows:

> Land in Davidson County, Tennessee, being Lot No. 19 and the easterly 20 feet of Lot No. 20 on the Waldkirch Subdivision of Lots Nos. 8 and 9 of the W. L. B. Lawrence Plan as of record in Book 421, page R90, Register's Office for Davidson County, Tennessee.

Said Lot No. 19 and part of Lot No. 20 front together 70 feet on the northerly side of Bradford (formerly Caroline) Avenue, and run back between parallel lines 160 feet to an alley.

Being the same property conveyed to Leonard O'Neal and wife, Myrtle Blackman O'Neal by deed from Charles E. Eanes and wife. Josephine L. Eanes, of record in Book 3707, page 63, Register's Office for Davidson County, Tennessee.

It is further ordered, adjudged and decreed, that defendant and cross-complainant shall surrender to complainant and cross-defendant, the following household effects which she is now in possession of: 2 floor lamps, 1 white bed-room suite, and 1 air-conditioner; also, that defendant and cross-complainant shall pay to complainant and cross-defendant, the sum of $259.00, this being one half of the amount which complainant and cross-defendant alleges was paid to him by an insurance company, under a group policy, as a result of an illness which he suffered during the year 1964, the total amount of which sum, viz: $518.00, was turned over to defendant and cross-complainant, by complainant and cross-defendant.

It is further ordered, adjudged and decreed, that unless defendant and cross-complainant pays to complainant and cross-defendant the herein stipulated sum within a reasonable length of time, he may withhold the heretofore provided for support payments which he is being ordered to make for the support of the minor child of the parties, until the said $259.00 has been paid to him, or until this amount has been withheld by him from the support payments.

The defendant and cross-complainant will pay the costs of this cause, for which execution may issue.

Walter Leo
JUDGE

John A. Pritchett, Attorney for Complainant and Cross-Defendant.

Russell N. Lazenby
Attorney for Defendant.

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#47612

STATE OF TENNESSEE

Ike Rooker

I, ~~ALF RUTHERFORD~~, Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a correct transcript of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between Leonard O'Neal *Plaintiff, and* Myrtle O'Neal *Defendant, as same remain of record in said Court.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 7th *day of* July *in the year one thousand nine hundred and* 60 *and in the* 193-1 *year of American Independence.*

G. Rooker

~~ALF RUTHERFORD~~, *Clerk.*

By Hugh Moser, Jr. *, D. C.*