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MARY MCCLOUD LAYHEW	)	
COMPLAINANT	)	
	)	
VS:	)	RULE NO. 53318
	)	
RICHARD LEE LAYHEW	)	
DEFENDANT	)	

D E C R E E

This cause came on to be further and finally heard on the 15th day of April, 1969, before the Honorable Benson Trimble, Judge, holding the Fourth Circuit Court in and for Davidson County, Tennessee, on the original bill of the Complainant, the answer of the Defendant and the cross-bill of the Cross-Complainant and the answer of the Cross-Defendant, and the order heretofore heard and upon the testimony of the principals and other witnesses all in open Court, from all of which it appears to the Court:

I

That the following facts are true, that the parties were married in Robertson County, Tennessee, on the 31st day of December, 1951, that to this marriage, six (6) children have been born, namely, Lynda Diane Layhew, age

sixteen (16), Richard Lee Layhew, Jr. age fifteen (15), Ronnie Gene Layhew, age fourteen (14), Lonnie Dean Layhew, age fourteen (14), Jeffery Gordon Layhew, age eleven (11), and Rosemary Layhew, age nine (9).

That the parties own numerous and sundry items of household furniture which are in the possession of Mary McCloud Layhew, that the parties own one (1) 1957 Chevrolet automobile which is in the possession of the Defendant, Richard Lee Layhew.

That the parties were purchasing a certain house and lot in Old Hickory, Tennessee, known as 129 Scenic Drive, which will be more properly described hereinafter.

That the Defendant, Richard Lee Layhew was able bodied and capable of working and that because of the financial conditions, it was necessary for the mother to seek employment and that since the filing of the original petition, the Defendant Richard Lee Layhew sustained an injury and is presently drawing workmans compensation.

It satisfactorily appears to the Court from the proof, that the facts charged in the original petition of Mary McCloud Layhew are true and that they were sufficiently corroborated by the witness for an absolute divorce in that the Defendant, Richard Lee Layhew was guilty of cruel and inhuman treatment and conduct toward the original complainant that rendered cohabitation unsafe and improper, and that the said Complainant gave the Defendant no just cause or excuse for his misconduct and she did not condone the same and the original Defendant having failed to carry the burden of proof as to the allegations in his cross-bill the same is hereby dismissed.

It further appears to the Court that additional action needs to be taken to provide the children of the parties with improved supervision in the future and that the

principal custody of the children should be awarded to Mary McCloud Layhew, for their care, health, welfare, and wellbeing. The original Complainant and the Defendant Richard Lee Layhew should be provided with every reasonable right of visitation with them.

It further appears to the Court that Richard Lee Layhew should pay the Complainant's Soliçitor of Record a reasonable fee.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony subsiding between the Complainant and the Defendant be absolutely and forever dissolved and that the Complainant be vested with all of the rights of an unmarried woman.

That Mary McCloud Layhew shall have the principal custody of the minor children of the parties, namely, Lynda Diane Layhew, Richard Lee Layhew, Jr., Ronnie Gene Layhew, Lonnie Dean Layhew, Jeffery Gordon Layhew, and Rosemary Layhew, and the Defendant, Richard Lee Layhew shall have all reasonable rights of visitation.

That in order to provide for additional supervision for said children, that a special master should be appointed to work with the children in this family group. The Court therefore appoints Mrs. Janice Waldon, as Special Master to work with the family, to see what provision may be made for them and especially Ronnie Layhew.

That the Defendant, Richard Lee Layhew shall be awarded the 1957 automobile of the parties and the same shall become the sole property of the Defendant without claims thereon by the Complainant.

That Richard Lee Layhew shall pay the amount of Twenty One and No/100ths ($21.00) Dollars each week into the Office of the Circuit Clerk of Davidson County, Tennessee,

for the support and maintenance of the six (6) minor children; this amount and order will remain in full force and effect until the Defendant once again resumes employment, after recovery from his present disability, at which time he will pay one half (½) of all sums of money coming into his hands from any source whatsoever, into the Office of the Circuit Clerk of Davidson County, Tennessee to be disbursed to Mary McCloud Layhew, the natural mother of these children so long as they are under her guidance, custody, and control.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that William Fred Durham, the Solicitor of Record for the Complainant has rendered a valuable service in this cause and that the said William Fred Durham should be awarded a judgment in the amount of Two Hundred and No/100ths ($200.00) Dollars against the Defendant Richard Lee Layhew for which execution may issue, if necessary. The cost in this cause will be assessed against the Defendant, Richard Lee Layhew for which execution may issue.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that all of the right, title, and interest of Richard Lee Layhew, Sr. in the following described tract of real property be divested out of and from Richard Lee Layhew, and all of the right, title, and interest shall be and is hereby vested in Mary McCloud Layhew subject to the indebtedness existing against said property in being a certain tract and parcel of land situated in Davidson County, State of Tennessee, and more specifically described as follows to wit:

> Land in Davidson County, Tennessee, being the northwesterly 38.5 feet of Lot No. 69 and the southeasterly 33.3 feet of Lot No. 68 on the unrecorded Map of Scenic View Subdivision and being Lot 1 on the Map of a resubdivision of Lots Nos. 67 to 74 inclusive and described

according to a survey made by James L. Murphy, Jr., Surveyor, dated April 21, 1959.

Beginning at a point in the northeasterly margin of Scenic View Drive, formerly Havron Avenue, 61.5 feet northwest of the southeast corner of Lot No. 69, being the commer corner of Lots "H" and "I" in said resubdivision, said point likewise being 361.5 feet northwest of the intersection of Scenic View Drive and 20 foot public walkway; thence with said Drive north 46 Deg. 29' West 72.3 feet to a point, being the common corner of Lots Nos. "I" and "J"; thence, with the line between Lots "I" and "J", north 43 degrees 59' east 171.98 feet; thence, South 46 degrees 0 east 72.3 feet to the corner of Lots "H" and "I" thence with the line between said Lots, south 43 degrees, 59' west 171.40 feet to the beginning.

Being the same property conveyed to Richard Lee Layhew and Mary McCloud Layhew by Randall Phillips Builders, Inc. by deed of record in Deed Book 3876, Page 184, of the Registers Office Davidson County, Tennessee.

IT IS FURTHER ORDERED, ADJUDGED AND DEGREED that this cause shall be retained in the Court for further orders as may be necessary for the inforcement of the child support and for the necessary orders as may be required to aid or assist the special master for the care, health, and welfare and well being of the minor children.

The household furniture of the parties is hereby vested in Mary McCloud Layhew and all of the right, title, and interest of Richard Lee Layhew, Sr. is divested from him and vested in the Complainant.

BENSON TRIBBLE, JUDGE OF THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

APPROVED FOR ENTRY:

WILLIAM F. DURHAM, SOLICITOR
FOR COMPLAINANT

KARL L. BISHOP, SOLICITOR
FOR DEFENDANT

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IDENTIF. REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

MAY24P MISC A* 12.00 * 12.00

Minute Book 61 B Page 509-513

STATE OF TENNESSEE

I, GEORGE L. ROOKER, *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* MARY MCCLOUD LAYHEW *Plaintiff, and* RICHARD LEE LAYHEW *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* 22nd *day of* May *in the year one thousand nine hundred and* seventy-three *and in the* 197th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Sue Woods *D. C.*