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IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

43-2
86 pw

JAMES VERNON SMITH)
vs.) No. 70293
FREIDA MORRIS SMITH)

FINAL DECREE

MAY-3 MISC A* 8.00 * 8.00

This cause came on to be heard before the Honorable Benson Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee, upon the Counter-Plaintiff's Counter claim, testimony of Counter Plaintiff and her corroborating witnesses in open Court, statement of Counsel and the entire record in the cause, from all of which the Court was of the opinion that the evidence sustained the allegations of said counterclaim, to wit: that the Plaintiff, James Vernon Smith, has been guilty of such cruel and inhuman treatment or conduct towards her as would render further cohabitation unsafe and improper.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT:

1. That the Counter Plaintiff, Freida Morris Smith, be and the same is hereby granted an absolute divorce from the Counter Defendant, James Vernon Smith; that the bonds of matrimony heretofore subsisting between the parties be and the same are hereby perpetually dissolved; and that the counter plaintiff be restored to all the rights and privileges of an unmarried person.

2. That the Counter Plaintiff be and the same is hereby granted the exclusive care, custody and control of the minor children of the parties, to wit: Pamela Elaine Smith and Vernon Ray Smith.

3. That all right, title and interest in the Counter Defendant, James Vernon Smith in the following described real property be, and the same is hereby divested out of said James Vernon Smith and vested in fee simple in the Counter Plaintiff, Freida M. Smith:

Land in Davidson County, Tennessee, being Lot No. 71 on the Map of Fairview, Section III, as of record in Book 3700, page 113, Register's Office for said County.
Said Lot fronts 86.4 feet on the northerly side of May Court South and extends back 170.2 feet on the westerly line and 202.7 feet on the easterly line, which is a broken line, to a dead line in the rear on which it measures 37.7 feet.

Being the same property conveyed to James V. Smith and wife, Freida M. Smith, by deed from Jones Lumber Company, Inc., as of record in Book _____, page _____, Register's Office, Davidson County, Tennessee.

4. That all right, title, and interest of the Counter Defendant, James Vernon Smith in and to the 1967 Ford Station Wagon owned by the parties be and the same is hereby divested out of said Counter Defendant, James Vernon Smith and vested in the Counter Plaintiff, Freida Morris Smith and the said Counter Defendant shall pay any indebtedness thereon.

5. That the Counter Defendant, James Vernon Smith be and the same is hereby directed to pay into the Registry of the Court the sum of $150.00 per month for the support and maintenance of the minor children of the parties.

6. That all right, title and interest of the Counter Defendant, James Vernon Smith to the furniture and appliances located in the parties residence, including a tape deck for the stereo therein, be, and the same is hereby divested out of the Counter Defendant James Vernon Smith and vested in the Counter Plaintiff, Freida Morris Smith, in fee.

7. That the Counter Defendant, James Vernon Smith be, and the same is hereby directed to retain the minor children of the parties on a policy of hospitalization until said minor children shall reach their majority.

8. That the Counter Defendant, James Vernon Smith, be, and the same is hereby directed to pay the balance of a note due at his credit union, secured by the furniture and appliances located in the residence previously occupied by the parties.

9. That the Counter Defendant, James Vernon Smith, shall indemnify and hold harmless the Counter Plaintiff Freida Morris Smith from payment of any federal income tax liability.

10. That the Counter Defendant, James Vernon Smith, be, and the same is hereby directed to pay the property taxes on the residence previously occupied by the parties for the years 1970 and 1971, and that the said 1970 taxes be paid on or before February 28, 1974, and the 1971 taxes be paid on or before July 15, 1974.

11. That the Counter Defendant, Jemes Vernon Smith, be and the same is hereby directed to bring to a current status the payment of all indebtedness due on the residence previously occupied by the parties.

12. That the Counter Defendant, James Vernon Smith, be and the same is hereby granted visitation privileges with the minor children of the parties every other week end commencing with the week end beginning February 1, 1974, and, in addition thereto, shall have a one months visitation with said children during their summer vacation.

13. That the Counter Defendant, James Vernon Smith, be and the same is hereby directed to pay into the Registry of the Court the sum of $47.25, being the arrearage due and owing for the support and maintenance of the minor children of the parties, up to and including the date of the hearing.

14. The costs of the cause are taxed against the Counter Defendant, for which and all of the above, execution may issue, if necessary.

Enter this __ day of February, 1974.

/s/ Beacon Trimble
Judge

3-28-74

Approved for Entry:

S. Ralph Gordon

I do hereby certify that I have mailed a copy of the foregoing to Mr. Dennis Wright, 400 Gallatin Road, North, Madison , Tennessee, this 5th day of February, 1974.

S. Ralph Gordon

C 5 2 7 4 4

IDENTIF. REFERENCE

MAY 3 3 25 PM '74

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

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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* true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* JOAN LOUISE SPRAGUE *Plaintiff, and* GERALD MILLETT SPRAGUE *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* 3rd *day of* May *in the year one thousand nine hundred and* seventy-four *and in the* 198th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Gayle Jennings, *D. C.*