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MILDRED LOUISE MILAM MURPHY	§	
	§	IN THE FOURTH CIRCUIT COURT
	§	
vs.	§	OF DAVIDSON COUNTY, TENNESSEE
	§	
	§	NO. 70747
ROBERT CORNELIUS MURPHY	§	

131-11

11 pw

D E C R E E

This cause came on to be heard this and former days of this Court, the original hearing having been had on December 30, 1974 before the Honorable Willard Hagan, Judge of the 25th Judicial Circuit, sitting by designation by the Honorable Ross Dyer, Chief Justice of the Supreme Court in the place of the Honorable Benson Trimble, Judge holding the Fourth Circuit Court of Davidson County, Tennessee, who recused himself from hearing this case as provided by Section 17-216 T.C.A. upon the original bill for divorce, the answer of the defendant thereto, oral testimony of witnesses heard in open Court, argument of counsel, and the entire record in the cause, after which the matter was taken under advisement and the Court does now find and hold that the allegations contained in the bill of complaint are sustained by the proof, that is, that the defendant has been guilty of such cruel and inhuman treatment or conduct towards the plaintiff as renders further cohabitation unsafe and improper for her to be under his dominion and control.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the bonds of matrimony subsisting between the plaintiff and the defendant be and they hereby are absolutely and porpetually dissolved and the plaintiff, Mildred Louise Milam Murphy, be and she hereby is granted an absolute divorce from the defendant and restored to all the rights and privileges of an unmarried person.

It further appearing to the Court that the plaintiff, Mildred Louise Milam Murphy, is a fit and proper person to have the care, custody and control of the minor child of the parties, Edith Madary Murphy, and it is therefore,

ORDERED, ADJUDGED AND DECREED that the care, custody and control of said minor child is hereby awarded to the plaintiff with the right of the defendant to see and be with her at reasonable times and places.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant, Robert Cornelius Murphy, had paid certain sums as temporary alimony and child support for the month of December, 1974 will beginning on Wednesday, the first day of January, 1975 and each Wednesday thereafter pay to the plaintiff, Mildred Louise Milam Murphy, the sum of $100.00 each week as child support for the minor child of the parties.

It further appearing to the Court that the parties hold as tenants by the entireties and have acquired through their joint efforts property located at 4534 Shy's Hill Road, Nashville, Tennessee the Court does in awarding the plaintiff alimony in solido hereby divest all right, title and interest that the defendant, Robert Cornelius Murphy, has in and to the property owned by the parties at 4534 Shy's Hill Road, Nashville, Davidson County, Tennessee and does hereby vest property in the plaintiff as her sole and separate property. Said property is more particular described as follows:

> Land in Davidson County, Tennessee, being Lot No. 58 on the Plan of Section I, Seven Hills, as of record in Book 2133, Pages 31 and 82, Register's Office for Davidson County, Tennessee.
>
> Beginning at a point on the northeasterly margin of Shy's Hill Road, at the common corner of Lots 57 and 58; thence with the line between said Lots, northeastwardly 398 feet to a point; thence northwardly 266.8 feet to the south line of Lone Oak Heights Subdivision; thence with the line of the same, westwardly 109.9 feet to the common corner

RECORDER'S MEMO
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of Lots 58 and 59; thence with the line between said lots, southwestwardly 500 feet to the margin of Shy's Hill Road; thence with the margin of the same, southeastwardly, along a slight curve, 135 feet to the beginning.

Being the same property conveyed to Robert C. Murphy and wife, Mildred M. Murphy by deed from Norman H. Wensel and wife, Dorothy E. Wensel as of record in Book 3434, Page 373, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any right, title or interest that the defendant has in and to a Comet automobile owned by the parties be and the same hereby is divested out of him and vested in the plaintiff to her sole and separate use. The defendant will execute whatever instruments are necessary to carry out the provisions of this paragraph.

It further appearing to the Court that the parties indicated at the hearing that they could agree upon a division of the household furniture and furnishings the Court does not make any order providing said furniture and personal property and in the event same should be necessary the Court will make such decree.

It further appearing to the Court that J. C. Summers, attorney for the plaintiff, has rendered valuable services to her and the minor child of the parties, the Court does hereby award him a fee of $2,250.00 for his services in this cause.

The defendant, Robert Cornelius Murphy, will pay the costs in this cause for which execution may issue if necessary.

WILLARD HAGAN, JUDGE
Sitting by designation

APPROVED FOR ENTRY:

Attorney for Plaintiff

Attorney for Defendant

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IDENTIF. REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

Mail to:
Mildred Murphy
4534 Shy's Hill Rd.
Nashville, Tenn.

MAR 19 95 MISC A* 8.00 * 8.00

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* MILDRED LOUISE MILAM MURPHY *Plaintiff, and* ROBERT CORNELIUS MURPHY *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* 19th. *day of* MARCH *in the year one thousand nine hundred and* SEVENTY-FIVE *and in the* 199th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By June Smith, *D. C.*

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