WILL HENRY CARNEY,
Plaintiff & Cross-Defendant

VS.

EDNA I. TURNER CARNEY,
Defendant & Cross-Plaintiff

] IN THE SIXTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

NO. 78173

59-14
234
PW

D E C R E E

It appears that the original bill was filed in this cause on April 11, 1975, and personal service was had on the defendant. The cross-bill was filed on April 17, 1975, with immediate service. Answer to the cross-bill was filed on May 7, 1975.

When the cause came on for trial, the plaintiff asked for and was granted permission to withdraw his original bill.

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The cause then came on to be heard before the Honorable James Swiggart, Judge of the Sixth Circuit Court of Davidson County, Tennessee, on July 9, 1975.

From the pleadings in the cause, the testimony of the parties and the supporting witnesses of the cross-plaintiff, the statement of counsel, and from the entire record in the cause, the Court was of the opinion that the allegations of the cross-bill were fully sustained by the evidence and the facts,--that is, that the cross-defendant, Will Henry Carney, has been guilty of such cruel and inhuman treatment of the cross-plaintiff, Edna I. Turner Carney, as to render further cohabitation unsafe and improper.

It is, therefore, ORDERED, ADJUDGED and DECREED that the bonds of matrimony heretofore existing between Edna Irene Turner Carney and Will Henry Carney be, and they are, hereby forever and perpetually dissolved; the said Edna Irene Turner Carney is decreed an absolute divorce from Will Henry Carney, and she is further restored to all the rights and privileges of an unmarried

It further appearing that the plaintiff, Edna Irene Turner Carney, as the mother, is the fit and proper person to have the care and control of the minor daughter of the parties,-- it is, therefore, ORDERED, ADJUDGED and DECREED that the custody of Regina M. Carney be committed to the said Edna Irene Turner Carney, with reasonable visitation rights to the father.

It is further ORDERED, ADJUDGED and DECREED by the Court that Will Henry Carney pay to Edna Irene Turner Carney the sum of One Hundred Fifty and 00/100 ($150.00) Dollars per month for the support and maintenance of said minor child.

It is further ORDERED, ADJUDGED and DECREED that all right, title and interest in and to the real estate occupied by the parties as their home, and located at 3827 Boatner Drive in Davidson County, Tennessee, and more particularly described as follows:

> "Land in Davidson County, Tennessee, being Lot No. 203 on the Plan of Haynes Estates, Section IV, as of record in Book 4300, page 44, R.O.D.C.
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> "Said Lot No. 203 fronts 73 feet 73 feet on the southerly side of Boatman Drive, and runs back between lines, 125.93 feet on the easterly side, and 123.20 feet on the westerly side, to a line at the rear on which it measures 73.05 feet thereon.
>
> "Being the same property conveyed by deed from W. L. Bainbridge Co. unto Will H. Carney and wife, Edna I. Turner Carney, as of record in Book 4430, page 259, R.O.D.C."

now vested in Will Henry Carney is hereby divested out of the said Will Henry Carney, and the title to same is hereby vested in Edna Irene Turner Carney, in fee simple.

It is further ORDERED, ADJUDGED and DECREED that all the household property and personal property located at and in the home at 3827 Boatner Drive, except a reclining chair and the lawn furniture be, and the same is, hereby decreed to Edna Irene Turner Carney as her property.

It appearing to the Court that there exists an obligation by the parties with the Associates Capital Loan Company in the form of a second mortgage on the home real estate, which also covers the household furniture mentioned above, and the automobile now used by the wife, it is, therefore, ORDERED, ADJUDGED and DECREED that the said Will Henry Carney pay and discharge this obligation in its entirety, either in full or by paying the monthly payments promptly as they become due, to the end that this obligation be discharged, and the said Edna Irene Turner Carney be held harmless on the obligation and assured of a clear title to her household furniture, automobile, and the home property to the extent of this mortgage.

It is further ORDERED, ADJUDGED and DECREED that the said Will Henry Carney pay to Jack Norman, Attorney, the sum of Four Hundred and 00/100 ($400.00) Dollars as a reasonable fee for services rendered the cross-plaintiff in this cause. Said sum will be paid at the rate of Fifty and 00/100 ($50.00) Dollars per month, for which execution will issue, if necessary.

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

This cause will be retained in Court for the purpose of the enforcement of the directions given the said Will Henry Carney, and for the welfare of the minor child.

This 11th day of July, 1975.

Enter This 11th Day of July, 1975

James M. Bridgeforth
JUDGE, Sixth Circuit Court

APPROVED FOR ENTRY:

Jack Norman
Jack Norman, Attorney for Edna I. Turner Carney

Theresa Ball, Attorney for Will Henry Carney

I certify that I have mailed a copy of this Decree to the Honorable Theresa Ball, Attorney for Will Henry Carney, at her office at Suite 420, Stahlman Building, Nashville, Tennessee, this July 11th, 1975.

Jack Norman

Jack Norman, Attorney
213 Third Avenue, North
Nashville, Tennessee 37201

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FELIX Z. WILLIAMS REGISTER
DAVIDSON COUNTY, TENN.

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* WILL HENRY CARNEY *Plaintiff, and* EDNA I. TURNER CARNEY *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* 15th. *day of* JULY *in the year one thousand nine hundred and* SEVENTY-FIVE *and in the* 200th. *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Jane Smith, *D. C.*

MINUTE BOOK 160 PAGE 1328