BARBARA [illegible] ANDERSON RABY) IN THE FOURTH CIRCUIT COURT

VS. RULE NO. 55124 BOOK 4978 PAGE 122) FOR

JACK GARNER RABY) DAVIDSON COUNTY, TENNESSEE

142-14
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D E C R E E

This cause came on to be heard the 22nd day of January, 1971, before the Honorable Benson Trimble, Judge, upon complainant's original bill for divorce and other relief, personal service of process on the defendant, an order pro confesso taken against the defendant upon his failure to appear and defend and testimony of witnesses. From all of the foregoing, the Court finds that the allegations of the bill are sustained by the proof, that is to say, that the defendant has been guilty of such cruel and inhuman treatment or conduct toward complainant as renders cohabitation unsafe and improper and unsafe and improper for complainant to be under his dominion and control and that complainant is entitled to an absolute divorce.

IT IS ACCORDINGLY ORDERED, ADJUDGED AND DECREED that the bonds of matrimo subsisting between complainant and defendant be absolutely and perpetually dissolved, that complainant is granted an absolute divorce and she is restored to all the rights and privileges of an unmarried woman.

It further appears to the Court that the complainant is a fit and proper person to have the care and custody of the two minor children of the parties, namely Kimberly Marie Raby and John Mark Raby, and that the defendant is able to provide for the support and maintenance of these minor children.

IT IS ACCORDINGLY ORDERED, ADJUDGED AND DECREED that the care and custody of said minor children is awarded to complainant, with right in the defendant to see, visit and be with said children at reasonable times and places. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant pay for the support and maintenance of these two minor children the sum of One Hundred Eighty ($180.00) Dollars per month, in semi-monthly installments of Ninety ($90.00) Dollars each, on the 10th and 25th days of each month, commencing January 25, 1971, and such payments shall continue until further orders of the Court. All such payments sh be made into the Registery of the Court and shall be disbursed by the Clerk to t complainant for the support and maintenance of said minor children.

The defendant is permanently and perpetually enjoined from coming about th complainant or either of the children when he has been drinking any intoxicating beverages.

It further appears to the Court that the parties own as tenancy by the entireties the following described real estate situated in Davidson County, Tennessee:

> Being Lot No. 26 on the Plan of Westward Winds Subdivision, as of record in Book 3700, page 32, Register's Office for Davidson County, Tennessee.
>
> Being the same property conveyed to Jack G. Raby and wife, Barbara C. Raby, by deed of record in Book 4185, page 516, said Register's Office.

IT IS ORDERED, ADJUDGED AND DECREED that all of the defendant's right, t and interest in and to said real estate and the improvements located thereon, i divested out of the defendant and vested in complainant as an indefeasible inheritance in fee simple forever. Upon application of complainant a writ of possession will issue to place her in possession of said property. All of the defendant's right, title and interest in and to the household furnishings, furniture and appliances located on and about the above described premises, is divested out of the defendant and vested in complainant. All of the defendant' right, title and interest in and to a 1962 Chevrolet automobile, is divested ou of the defendant and vested in complainant, and defendant is directed to execut such title transfer papers as are necessary to change title to said vehicle. T home, household furnishings and effects and automobile are awarded to complainar as alimony in solido.

The defendant will pay all of the costs of this cause, including the sum of One Hundred Fifty ($150.00) Dollars, to Ernest C. Matthews, III, the complainant's solicitor, for his services herein, and for this and all of the foregoing, let execution issue if necessary.

JUDGE

APPROVED FOR ENTRY:

ATTORNEY FOR COMPLAINANT

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MINUTES, JANUARY TERM, ON THE TWENTY-SEVENTH DAY OF JANUARY, 1971.

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IDENTIF. REFERENCE

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DEC 10 10 57 AM '75

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

DEC 10 MISC 8* 6.00 * 6.00

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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 correct transcript of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Barbara Claire Anderson Raby *Plaintiff, and* Jack Garner Raby *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* 10th *day of* December *in the year one thousand nine hundred and* seventy-five *and in the* 200th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Linda Bowe, *D. C.*