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MAP 52-16
PAR. 109 m.p

MARGARET HOOVER BIRKLA

VS.

FRANKLIN WILSON BIRKLA

No. 53275

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

DECREE

This cause came on to be heard on this the 18th day of October, 1968, before Honorable Rebecca Thomas, Special Judge, holding the Fourth Circuit Court for Davidson County, Tennessee, on the bill of the complainant, the pro confesso heretofore entered against the defendant, and the oral testimony of the witnesses who appeared and testified in open Court; from all of which, it appearing to the satisfaction of the Court that the facts charged in the bill of the complainant are true, that is, that the defendant has been guilty of such cruel and inhuman treatment and conduct toward the complainant as to render it unsafe and improper for her to cohabit with him and be under his dominion and control, it is, therefore, by the Court ordered, adjudged and decreed that the bonds of matrimony heretofore subsisting between the complainant and the defendant be, and they hereby are, forever set aside, and that complainant be, and she is, granted an absolute divorce from the defendant, and restored to all of the rights and privileges of an unmarried person.

It is further ordered, adjudged and decreed that all of the right, title, and interest, of the defendant, Franklin Wilson Birkla, in and to the home of the parties, which is held as an estate by the entireties, and is described as follows:

> "Land in Davidson County, Tennessee, being Lot No. 81 on the Plan of Marlin Meadows, Section IV, as of record in Book 2133, pages 66 and 67, Register's Office for said County, as conveyed to Franklin W. Birkla and wife, Margaret Hoover Birkla, by deed of record in Book 3466, page 196, said Register's Office.

be and is divested out of said Franklin Wilson Birkla and vested in Margaret Hoover Birkla, thus creating a fee simple title to her of said property, as a part of the alimony to which she is

entitled. Further as alimony, Title to the 1961 Model Chevrolet Bel-Air automobile, bearing Tennessee Title Number 7209139 is vested in the complainant, Margaret Hoover Birkla. And additionally, as alimony, it is by the Court ordered, adjudged and decreed that Margaret Hoover Birkla have and recover a judgment against said Franklin Wilson Birkla for Eight Thousand Dollars, and it is ordered that execution issue for the collection of Three Thousand Dollars of that sum be it not paid in thirty days from the entry of this decree, and that if desired by the defendant he may pay the remaining Five Thousand Dollars of said amount at the rate of Two Hundred Fifty Dollars per month, beginning December 1, 1968. It is by the Court ordered that promptly upon receipt of the Three Thousand Dollars mentioned above complainant will send to defendant, by registered mail, all of the bonds and certificates of stock issued to him, or to them jointly, or deliver them to him by such means as he may designate.

The reasonable fee for services rendered by solicitor of record for complainant is by the Court fixed at One Thousand Dollars, and judgment is given said complainant against the defendant for this amount, the same being ear-marked for her solicitor, and execution will issue if the same be not paid within the usual thirty days.

The Court being satisfied from the proof that the injunction heretofore issued and served on the defendant, enjoining him from doing any physical violence to complainant, or from coming about her or interfering with her in the occupancy of the house decreed to her or the use of the automobile decreed to her, or otherwise, should be continued in full force and effect and made permanent, it is so ordered and decreed.

The costs of the cause are taxed against the defendant, for the collection of which execution may issue.

Robert Thomas
SPECIAL Judge.

Newman Brandon
For Complainant.

I certify that I mailed a carbon copy of this decree to the defendant on Nov. 20, 1968.
Newman Brandon

SARAH D. McKEE

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IDENTIF. REFERENCE

JUN 3 12 03 PM '76

FELIX [illegible] REGISTER
DAVIDSON COUNTY, TENN.

Old Hickory Employees Credit Union
Old Hickory, Tennessee

JUN-3 MISC B* 6.00 * 6.00

Old Hickory Employees Credit Union
OLD HICKORY, TENN. 37138

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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~~ true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Margaret Hoover Birkla *Plaintiff, and* Franklin Wilson Birkla *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* 13th *day of* May *in the year one thousand nine hundred and* "Sevnety-Six *and in the* 200th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Barbara Eddings, *D. C.*