M I N U T E S, MAY TERM, ON THE TENTH DAY OF AUGUST, 1962

MILDRED WHITE BOYD ) IN THE FOURTH CIRCUIT COURT
OF DAVIDSON COUNTY, TENNESSEE
- V -
ROBERT GERARD BOYD ) No. _____

- FINAL DECREE -

This cause came on to be heard before the Hon. Benson Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee, on Friday, August 10, 1962, upon the original bill filed by the complainant, Mildred White Boyd, and the judgment pro confesso heretofor entered in this cause upon the failure of the defendant, Robert Gerard Boyd, to answer, plead or demur within the time required by law.

From the oral testimony heard in open court by agreement of the parties, statement of counsel, and from the entire record in the cause, the Court was of the opinion that the allegations of the original bill were fully sustained by the evidence, that is, that the defendant, Robert Gerard Boyd, has been guilty of such cruel and inhuman treatment and conduct towards the complainant Mildred White Boyd, as renders it unsafe and improper for her to further cohabit with him and remain under his dominion and control.

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore subsisting between the complainant, Mildred White Boyd, and the defendant, Robert Gerard Boyd, be and they are hereby forever and perpetually dissolved, the complainant, Mildred White Boyd, is decreed an absolute divorce from the defendant, and she is further restored to all the rights and privileges of an unmarried person.

It further appearing to the Court that the complainant and mother, Mildred White Boyd, is a suitable and proper person to have the custody and control of the minor child of these parties, namely, Beth Ellen Boyd, age 17, and further that the parties have agreed that the complaingnt should have the custody of said minor child,

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that the custody of the said Beth Ellen Boyd be and the same is hereby committed to the mother and complainant, Mildred White Boyd, with the right and privilege to the defendant to see and visit said child at reasonable times and places.

It further appearing to the Court that the parties to this cause have heretofore entered into an agreement and settlement of all matters between them with reference to a proper division of their marital estate and alimony and support, a copy of which is included herein, the Court hereby ratifies and approves the same and makes the same a part of the decree:

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## - A G R E E M E N T -

WHEREAS, Mildrew White Boyd and Robert Gerard Boyd are husband and wife, having been lawfully married in Detroit, Michigan, on July 6, 1932, but having been citizens and residents of Davidson County, Tennessee, ever since their marriage; and

WHEREAS, they have for some years been having extreme marital difficulties which have resulted in the said Mildred White Boyd having filed a petition in the Fourth Circuit Court of Davidson County, Tennessee, whereby she seeks an absolute divorce from the said Robert Gerard Boyd, custody of the minor daughter, permanent support and maintenance for said minor child, and her just share in their marital estate; and

WHEREAS, the parties wish to adjust their affairs and enter into a final settlement with regard to the proper division of their marital estate, custody and support of the minor child, and permanent alimony, to be submitted to the Court for approval, ratification and inclusion in any final decree of divorce which the Court may see fit to enter in this cause;

NOW, THEREFORE, it is mutually understood and agreed by and between the said Mildred White Boyd and the said Robert Gerard Boyd, as follows:

(A) All right, title and interest in and to the real estate located at 915 Maplewood Lane, heretofore occupied by the parties and now occupied by the said Mildred White Boyd and certain of her children, now vested in the said Robert Gerard Boyd is to be divested out of the said Robert Gerard Boyd and title to be placed in Mildred White Boyd in fee simple.

(B) Any indebtedness now existing against said real estate is to be liquidated and paid in full by the said Robert Gerard Boyd, to the end that the said Mildred White Boyd may own said real estate in fee simple, free and unencumbered.

(C) Title to the 1959 Ford station wagon automobile which is now in the possession of the said Mildred White Boyd is to be placed in the sole name of the said Mildred White Boyd, and become her property. The said Robert Gerard

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Boyd will pay any indebtedness now due against said automobile so that the said Mildred White Boyd shall own the same absolutely, and free and unencumbered.

(D) All household furniture and personal effects now located in their home are to be made the property of Mildred White Boyd absolutely, and free and unencumbered. The said Robert Gerard Boyd will continue the hospitalization insurance to cover the said Mildred White Boyd and the minor daughter, Beth, and he will pay all premiums necessary to keep said hospitalization insurance in full force and effect.

(E) The said Robert Gerard Boyd will be directed by the Court to pay all of the expenses necessary for a college education for the minor daughter, Beth.

(F) The said Robert Gerard Boyd will pay to the said Mildred White Boyd the sum of One Thousand ($1000.00) Dollars per year, payable Five Hundred ($500.00) Dollars on November 1 of each year hereafter, and Five Hundred ($500.00) Dollars on May 1 of each year, to cover property and car insurance and house repairs and fuel.

(G) In full, final and complete settlement of their marital estate, and in consideration of the release by the said Mildred White Boyd of the said Robert GerardBoyd of any further liability by reason of her interest in their marital estate, and particularly the business owned by the parties, the said Robert Garard Boyd will pay to the said Mildred White Boyd the sum of One Hundred ($100.00) Dollars per week during her lifetime.

(H) The said Robert Gerard Boyd will pay to Jack Norman, solicitor of record for Mildred White Boyd, the sum of Seven Hundred Fifty ($750.00) Dollars in addition to the $250.00 retainer fee, which has heretofore been paid to the said Jack Norman, as attorney fee in full for professional services rendered the said Mildred White Boyd in the above mentbred litigation and in this cause.

It is DISTINCTLY UNDERSTOOD AND AGREED by the parties, that this agreement is solely and alone intended to effect a settlement of their property rights and custody and provision for the minor child, and is in no wise an agreement on the part of either party to apply, or not to apply, for a divorce, nor to deprive either party of defending any action for divorce brought by the other party, and is to be

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effective only in the event the Court sees fit to grant a divorce in the premises mentioned above, and for no other purpose.

This 13 day of June, 1962.

Mildred White Boyd
Mildred White Boyd

Robert Gerard Boyd
Robert Gerard Boyd

Jack Norman, Attorney for Mildred White Boyd

David O. Condra, Atty. for Robert Gerard Boyd

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest in and to the following real estate located in Davidson County, Tennessee, and more particularly described as follows:

Land in Davidson County, Tennessee, being Lots Nos. 1 and 2 of Block "B" on the Plan of Broadmoor, as of record in Book 547, Pages 161 and 162, Register's Office for said county.

Said Lots Nos. 1 and 2 front together 100 feet on the northerly side of Maplewood Avenue and run back between parallel lines with the Westerly margin of Lindell Street, 150 feet to a dead line.

Being the same property conveyed to Mildred W. Boyd by two deeds, one from J. H. Fuqua, Trustee, et al, dated November 22, 1944, filed November 25, 1944, and recorded in Book 1306, Page 619; and the other from Alva Haley, dated May 21, 1945, filed June 20, 1945, and recorded in Book 1320, Page 613, Register's Office for Davidson County, Tennessee.

now vested in the defendant, Robert Gerard Boyd, be and the same is hereby divested out of the said Robert Gerard Boyd and title to said real estate is vested in the complainant, Mildred White Boyd, in fee simple.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court, and the defendant Robert Gerard Boyd is further directed, to, unless he has already done so as the result of the agreement of the parties, within thirty (30) days from the date of the entry of this decree liquidate and pay in full any and every indebtedness against said real estate of every kind and description, it being the purpose of this decree to vest title of this real estate in the complainant in fee simple, and free and unencumbered.

It appearing to the Court that the defendant has already signed the title to the 1959 Ford station wagon automobile, spoken of in the property settlement, and delivered said assignment of the certificate of title to the complainant, no further order is necessary in this regard.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest in and to the household furniture and personal effects now located in the former home of these parties on Maplewood Lane in Davidson County, Tennessee, now vested in the defendant, is hereby divested out of



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the defendant and title to all of said household furniture and personal effects is hereby vested in the complainant, Mildred White Boyd, absolutely.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court, and the defendand is hereby directed, to continue the present hospitalization insurance policies covering the said Mildred White Boyd and the minor daughter, Beth Ellen Boyd; and the defendant will pay all premiums necessary to keep said hospitalization insurance in full force and effect on them.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendant, Robert Gerard Boyd, will, and he is hereby directed by the Court, to pay all necessary expenses for a college education for the minor daughter, Beth Ellen Boyd.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendand, Robert Gerard Boyd, pay, and he is hereby directed to pay, to the said Mildred White Boyd the sum of One Thousand ($1000.00) Dollars per year for the remainder of her natural life, said sum to be payable Five Hundred ($500.00) Dollars on November 1 of each year, and Five Hundred ($500.00) Dollars on May 1 of each year.

As full, final and complete settlement of their marital estate, and in consideration of the release by the said Mildred White Boyd of the said Robert Gerard Boyd of any further liability by reason of her interest in their marital estate, and particularly the business owned by the parties, it is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said Robert Gerard Boyd pay to the said Mildred White Boyd for the remainder of her natural life, the sum of One Hundred ($100.00) Dollars per week.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendand, Robert Gerard Boyd, pay to Jack Norman, Soliciter of record for the complainant, Mildred White Boyd, the sum of Seven Hundred Fifty ($750.00) Dollars as attorney fees for professional services rendered the said Mildred White Boyd in the above mentioned litigation and in this cause, for which execution may issue, if necessary.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendant pay the costs of this cause, for which execution may issue, if necessary.

FOR ENTRY:

Jack Norman, Attorney for Complainant

David O. Condra, Attorney for Defendant

Judge

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Gwendolyn Y. Casteel )
)
vs. No. 38866 )
)
Douglas H. Casteel )

In the Fourth Circuit Court of Davidson County, Tennessee

ORDER

On motion of the Complainant, IT IS ORDERED that this cause be placed back on the trial docket and the order dismissing same is hereby vacated.

D. K. for Entry

, Atty. for Comp.

Judge

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STATE OF TENNESSEE

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I, **RICHARD R. ROOKER**, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the 0 Circuit Court for Davidson County, Tennessee, on the 10 day of AUGUST, 19 62, in the Case Number 39673 between BOYD, MILDRED W Plaintiff, and BOYD, ROBERT G Defendant, as same remains of record in Book 028, Page 0247 of the Minutes of said Court.

**IN TESTIMONY WHEREOF**, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 22 day of JULY in the year one thousand nine hundred and ninety-four and in the 219th year of American Independence.

**RICHARD R. ROOKER**, Clerk,

By _____ Deputy Clerk

SEAL

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FELIX [illegible] REGISTER
DAVIDSON COUNTY, TN.

IDENTIFICATION REFERENCE

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