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BOOK 9857 PG 479

STATE OF TENNESSEE

I, ALF RUTHERFORD, Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a True Copy *of the* Minutes *and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Bernice McCormick Nevin *Plaintiff, and* Peter Edwin Nevin *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 14th *day of* Novmeber *in the year one thousand nine hundred and* Fifty-Eight *and in the* 183rd *year of American Independence.*

ALF RUTHERFORD, Clerk.

By [signature] *D. C.*

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State of Tennessee, Davidson County

Friday, August 17th 1945 12:00

Bernice McCormick Nevin — As of Record

vs — Minute Book 62

Peter Edwin Nevin — Page 105-6-7

This cause came on to be heard before the Honorable Pyrd Douglas, Judge of the Second Circuit Court of Davidson County, Tennessee, on July 14, 1945, upon the original bill of the complainant, Bernice McCormick Nevin, the judgment pro confesso heretofore entered in this cause, and the oral proof heard by the Court, and after argument of counsel the Court is pleased to find and decreed as follows:

I. That the complainant, Bernice McCormick Nevin, has sustained the allegations and charges made in her original bill, to-wit, that the defendant has been guilty of such cruel and inhuman treatment or conduct towards the complainant, his wife, as renders cohabitation unsafe and improper and renders it unsafe and improper for the complainant to be under the dominion and control of the defendant, all as charged in the original bill.

II. That the parties have by agreement settled all questions of alimony and property rights between the parties, as follows:

"WHEREAS, Bernice McCormick Nevin and Peter Edwin Nevin have been married for twenty years, and

"WHEREAS, there have been born to this union five children,

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four of whom are under sixteen years of age, and

"WHEREAS, it is now apparent that they cannot longer live together as men and wife, and

"WHEREAS, the said Bernice McCormick Nevin is suing the said Peter Edwin Nevin for a divorce, and

"WHEREAS, they wish to settle their property differences,

"NOW, THEREFORE, BE IT UNDERSTOOD AND AGREED between the parties:

"That in mutual consideration of an amicable settlement of their property rights and the question of the custody of the children, it is agreed that the said Bernice McCormick Nevin is not asking for any alimony or support for herself, but the said Peter Edwin Nevin agrees to pay to her, Bernice McCormick Nevin, for the care and support of the minor children, the sum of $60.00 on the 1st and 15th of each month hereafter.

"It is further agreed and understood that all the right, title and interest in and to their home place located at 1219 Lischey Avenue, for which they paid $2500.00 and on which there is owing 47 notes of $29.90 each, now vested in the said Peter Edwin Nevin be divested out of him and vested in the said Mrs. Bernice McCormick Nevin, in order that she will have a home for herself and the children.

"This agreed settlement is to be effective only in the event the Court sees fit to grant a divorce between these parties, and in that event it is to be incorporated in the decree of the Court. Otherwise, it is to be null and void and of no effect. BOOK 9857 PG 480

"This 18 day of June, 1945.

"P.E. Nevin

"Bernice M. Nevin

"Witness:

"Mrs. C.H. Lingner
"1025 5th Avenue North"

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DAVIDSON COUNTY, TN.

III. That the complainant, Bernice McCormick Nevin, is the fit and proper person to have the care, custody and control of the minor children of the parties, as follows: Emma Jean, a girl, age 18; William Edward, a boy, age 16; Thomas Whitfield, a boy, age 13; Patsy Ann, a girl, age 7; and Mary Alice, a girl, age 6, all of whom are now with their mother, the complainant, at 1219 Lischey Ave., Nashville, Davidson County, Tennessee.

It is, therefore, ordered, adjudged and decreed by the Court:

(a) That the bonds of matrimony heretofore subsisting between the complainant, Bernice McCormick Nevin, and the defendant, Peter Edwin Nevin, be and the same are hereby absolutely and perpetually dissolved and she is granted an absolute divorce from the defendant and hereby restored to all the rights and privileges of an unmarried person.

LEGIBILITY OF WRITING ... THIS DOCUMENT WAS ...

(b) That the settlement of alimony and property rights and support for the children between the parties, as set out hereinabove, is ratified and approved by the Court and the Court hereby decreed; BOOK 9857 PG 481

(1) That the defendant, Peter Edwin Nevin, pay to the complainant, Bernice McCormick Nevin, for the care and support of the minor children, as stated herein, the sum of Sixty ($60.00) Dollars on the first of each and every month hereafter, and the sum of Sixty ($60.00) Dollars on the 15th of each and every month hereafter.

(2) All the right, title and interest of the defendant in and to the household furniture and furnishings located at 1219 Lischey Avenue, Nashville, Davidson County, Tenn., be and the same is hereby divested out of him and is hereby vested in the complainant, Bernice McCormick Nevin.

(3) All right, title and interest of the defendant, Peter Edwin Nevin, in and to the house and lot owned by them at City No. 1219 Lischey Avenue, Nashville, Davidson County, Tennessee, as tenants by the entirety, be and the same is hereby divested out of the defendant, Peter Edwin Nevin, and vested in the complainant, Bernice McCormick Nevin, absolutely in fee simple. This property is more particularly described as follows:

> Land in Davidson County, Tennessee, being Lots Nos. 25 and 26 in the Plan of Oakwood Park, as of record in Book 421, Page 12, Register's Office for said County.
>
> Said Lots Nos. 25 and 26 front 30 feet each on the easterly side of North Fourth Street and run back between parallel lines 165 feet to an alley.
>
> Being the same property deeded to Peter Edwin Nevin and wife Bernice Nevin, from Peter Nevin and wife, Mary Nevin, as of record in Book 1097, Page 286, Register's Office for Davidson County, Tennessee.

(c) That the custody and control of the minor children of the parties, to-wit, Emma Jean, William Edward, Thomas Whitfield, Patsy Ann and Mary Alice Nevin be and the same is hereby awarded to the complainant, Bernice McCormick Nevin, with the right and privileges to the defendant to see and visit them at reasonable times and places.

This cause will be retained in Court for future orders as to the maintenance and support of the minor children.

The defendant will pay the costs of this cause, for which let execution issue.

/s/ Byrd Douglas
JUDGE