IN THE CIRCUIT AND PROBATE COURTS FOR DAVIDSON COUNTY, TENNESSEE

OSCAR LEON ROBERTSON,)
)
Complainant)
)
VS.) NO 49823
)
)
RUBY WADE ROBERTSON,)
)
Defendant)

Davidson County DEEDDIV
Recvd: 08/26/02 15:07 11pgs
Fees:57.00 Taxes:0.00
20020826-0103093

ORIGINAL BILL FOR DIVORCE

Comes the complainant and would respectfully show to the Court:

I

The statistical information as required by Section 36-805, Tennessee Code Annotated, as amended, is as follows:

Complainant's name is Oscar Leon Robertson: he resides at 502-36th Avenue North, Nashville, Davidson County, Tennessee; he is a colored person, born on July 13, 1930, in Dickson County, Tennessee and this is his second marriage.

Defendant's full name is Ruby Wade Robertson; she is a resident of Davidson County, Tennessee, residing at 502-36th Ave. North, Nashville, Tennessee; she is a colored person, born on May ___, 1942, in Nashville, Davidson County, Tennessee, and this is her third marriage.

The parties hereto were married on September ___, 1964 at Franklin, Williamson County, Tennessee and there have been no children born to this union.

The parties hereto have both been residents of

the State of Tennessee for more than one whole year next preceding the filing of this bill.

II

Complainant would further show unto the Court that he and the defendant own real estate located at 502-36th Avenue North, Nashville, Tennessee, said real property having been owned by the complainant prior to this marriage. That the complainant and defendant own certain personal property consisting of household furniture and furnishings.

III

Complainant would further show unto the Court that the defendant displayed no interest in the marriage from the beginning. That this lack of interest manifest itself in that the defendant would keep irregular hours, coming and going at all times of the day and night without any explanation to the complainant.

Complainant would further show that the defendant keeps company with other men and on one occasion, complainant saw defendantbeing brought home at 1: 30 A. M. and let out in front of their home. Defendant refuses to account for any of her actions with other men and tell the complainant that he, the complainant, is only a friend to her.

Complainant would show to the Court that he has made every effort to make this marriage a success but that the defendant refuses to accept married life and finally in May 1966 the defendant left the home of the complainant and without cause remained away untill January, 1967 at which time she returned. During this time the complainant did not know where the defendant was or what she was doing and upon her return she refuses to explain or account for this absence, therefore

the complainant left the house.

Therefore complainant charges, in the words of the statute, that the defendant has been guilty of such cruel or inhuman treatment or conduct toward him as renders cohabitation unsafe and improper.

PREMISES CONSIDERED, COMPLAINANT PRAYS:

1. That proper process issue and be served upon the defendant requiring her to appear and answer this bill, but her oath to her answer is waived.

2. That at the hearing of this cause the complainant be granted an absolute divorce from the defendant and be restored to all the rights and privileges of an unmarried person.

3. That all right, title and interest in and to the property described herein be divested out of the defendant and vested in the complainant.

4. That injunction issue restraining the defendant from damanging, destroying an/or selling the furniture and furnishing located at 502-36th Avenue North, Nashville, Tennessee.

5. General relief.

THIS IS THE FIRST APPLICATION FOR EXTRAORDINARY PROCESS IN THIS CAUSE

C. Houston Haggard

Attorney for Complainant

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

I, Oscar Leon Robertson, being first duly sworn, make oath that the facts stated in my foregoing bill are true and correct to the best of my knowledge and belief, that my complainant is not made out of levity, or by collusion with the defendant, but in sincerity and truth for the causes mentioned in the bill and further, that owing to my poverty, I am unable to bear the expenses of executing a bond for costs

and injunction herein, but I am justly entitled to the relief sought.

Oscar Lee Hatter
Complainant

Sworn to and subscribed before me this 9 day of January, 1967.

Paul Lester
NOTARY

My commission expires November 14, 1967

F I A T

TO THE CLERK:

Complainant having signed the Pauper's Oath as prescribed by law, issue the injunction as prayed herein. ~~and issue order requiring defendant to appear before me on the day of _____, 1967, to shaw cause, if anysho may have, why the injunction should not be made permanent.~~ SL SL

This January 11, 1967.

Stratton Luter
JUDGE

IN THE CIRCUIT AND PROBATE COURTS FOR DAVIDSON COUNTY, TENNESSEE

FILED
FEB 3 1967
ALF RUTHERFORD, Clerk
By L. Duncan Deputy

OSCAR LEON ROBERTSON,

Complainant

VS.

NO. 49823

RUBY WADE ROBERTSON,

Defendant

M O T I O N

Comes the complainant and moves the Court to amend his original bill for Divorce hereto filed in this cause by adding at the end of final paragraph of Count I the following sentence:

It is the complainant's belief that the defendant has left the state of Tennessee and her whereabouts is unknown and complainant moves the Court to service of process by publication.

SAGER & SAGER

Attorney for complainant

By Glenn E. Sager
GLENN E. SAGER

N.R. - Bill only

CIRCUIT COURT SUMMONS

STATE OF TENNESSEE

TO THE SHERIFF OF DAVIDSON COUNTY—GREETING:

you are hereby commanded to summon Ruby Wade Robertson

if to be found in your County, to appear before the Judge of our PROBATE Circuit Court, to be held for the County of Davidson, at the Courthouse in the City of Nashville, on the First Monday in Feb. next, then and there to answer Oscar Leon Robertson in this bill for divorce)

Herein fail not, and have you then and there this writ.

Witness, ALF RUTHERFORD, Clerk of our said Court, at office, the First Monday in Jan. A. D., 1967.

ALF RUTHERFORD, Clerk

Sue Woods
DEPUTY CLERK.

Oath on o'Bill

STATE OF TENNESSEE, DAVIDSON COUNTY

Pd. 12.50

I, _____ do solemnly swear that I am a resident of Tennessee and owing to my poverty, I am not able to bear the expense of the action which I am about to commence, and that I am justly entitled to the redress sought, to the best of my belief.

_____

Sworn to and subscribed before me, _____ day of _____, 19___.

ALF RUTHERFORD, Clerk.

_____
DEPUTY CLERK.

IN THE CIRCUIT AND PROBATE COURTS OF DAVIDSON, COUNTY, TENNESSEE

OSCAR LEON ROBERTSON,)
Complainant)
)
VS.) NO. 49823
)
RUBY WADE ROBERTSON,)
Defendant)

ORDER

This cause came on to be heard on motion of the complainant to amend his bill for divorce to allow service by publication on the defendant, before the Honorable Shelton Luton, Judge of the Probate Court for Davidson County, Tennessee on the 9th Day of February, 1967. On statement of counsel and all the record it appears to the satisfaction of the Court that the motion should be granted.

It is therefore, ORDERED, ADJUDGED and DECREED, that the original bill of divorce filed in this cause be and the same is hereby amended by adding the words " by publication" in the first pray after the word defendant and before the word requiring.

Shelton Luton
JUDGE

APPROVED FOR ENTRY:

SAGER & SAGER

By _____, Attorney for Complainant

STATE OF TENNESSEE

To Ruby Wade Robertson

and to Counselors, Attorneys, Solicitors and Agents, and each and every one of them—GREETING:

Whereas, In a certain suit this day instituted in our PROBATE Circuit Court, at Nashville, by Oscar Leon Robertson

Complainant, against Ruby Wade Robertson

Defendant, the Complainant he having obtained from Hon. Shelton Luton fiat for a writ of injunction to issue, to enjoin the defd. Ruby Wade Robertson from damaging, destroying, and/or selling the furniture & furnishing located at 502-36th Avenue North, Nashville, Tenn.

the Complainant he having executed the bond required by said fiat:

We, therefore, in consideration of premises aforesaid, do strictly enjoin and command you, the said Ruby Wade Robertson

and all and every person before mentioned, under the penalty prescribed by law, of your and every of your goods, lands and tenements, to be levied to our use, that you and every of you do absolutely desist from violating this writ.

until hearing of this cause in our said Circuit Court.

Witness, ALF RUTHERFORD, Clerk of our said Court, at office, the first Monday in Jan.

in the year of our Lord, 19 67, and in the 191 year of our independence.

ALF RUTHERFORD, Clerk.

By Sue Woods

Deputy Clerk.

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

OSCAR LEON ROBERTSON,)
Complainant,)
)
VS.) NO.49823
)
RUBY WADE ROBERTSON,)
Defendant,)

O R D E R

This cause came on to be heard on the 7th day of September, 1967 before the Honorable Shelton Luton, Judge of the Probate Court for Davidson County, Tennessee, upon the original petition filed in this cause, the Pro Confesso duly taken, the testimony of witnesses, statements of counsel, and the entire record in this cause, from all of which the Court is of the opinion that the defendant is guilty of such cruel and inhuman treatment toward the Complainant as renders cohabitation unsafe and improper.

It is THEREFORE, ORDERED, ADJUDGED and DECREED, by the Court, that the bonds of matrimony heretofore existing and subsisting between the Complainant, Oscar Leon Robertson, and the Defendant, Ruby Wade Robertson, be and the same are hereby forever and perpetually dissolved. Complainant is granted an absolute divorce from the Defendant.

Shelton Luton
JUDGE

APPROVED FOR ENTRY:
SAGER & SAGER

By Thomas E. Sager, Attorneys For Complainant.

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

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It is THEREFORE, ORDERED, ADJUDGED and DECREED, by the Court, that the bonds of matrimony heretofore existing and subsisting between the Complainant, Oscar Leon Robertson, and the Defendant, Ruby Wade Robertson, be and the same are hereby forever and perpetually dissolved. Complainant is granted an absolute divorce from the Defendant.

Shelton Luton
JUDGE

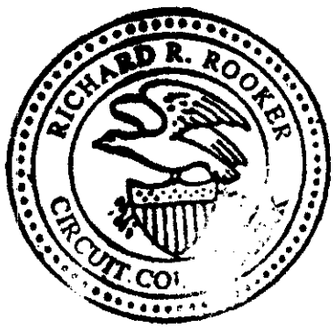
APPROVED FOR ENTRY:
SAGER & SAGER

By Thomas E. Sager, Attorneys For Complainant.

STATE OF TENNESSEE

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 07 day of SEPTEMBER , 1967 , in the Case Number 49823 between ROBERTSON, OSCAR LEON Plaintiff, and ROBERTSON, RUBY C Defendant, as same remains of record in Vol. 10C , Page 1342 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 26 day of AUGUST in the year two thousand two and in the 226th year of American Independence.

SEAL 

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk