

1928-028
Nansemonia Co (Suffolk) Chancery Causes: Annie F. Shreves, gdn vs Elaine Etheredge, infant
Shreves

In the Circuit Court of Nansemond County, Virginia-

Annie F. Shrivves, Guardian of
Elaine Etheredge Shrivves,-

Order Permitting Guardian to Use Part of the
vs Principal of the Personal Estate of Ward for
her Maintenance, Education and Support-

Elaine Etheredge Shrivves, Ward-

This day appeared Annie F. Shrivves, Guardian of Elaine Etheredge Shrivves, her ward, in open Court filed a petition, with consent of the Court for an order for permission to use a part of the principal of the personal estate of the said ward for her maintenance, education and support, said petition, verified by affidavit, being filed, after legal notice to said ward, and William M. Birdsong, a discreet and competent attorney at law, is appointed Guardian ad Litem to defend the interests of the said ward and infant defendant, and, thereupon, the said Guardian ad Litem filed his answer and the answer of the infant defendant on oath, and the answer of the said infant defendant, being over the age of fourteen years, on oath being now filed.

And then this matter coming on to be heard on the petition, with legal notice to the ward thereto attached, on the said answers and on oral testimony heard in open Court, and was argued by counsel.

On consideration whereof, the Court, being satisfied that it would be judicious and proper that the expenditures prayed for in said petition be made, doth adjudge, order and decree that Annie F. Shrivves, Guardian of Elaine Etheredge Shrivves, her ward, be and she is hereby authorized to expend the sum of Six Hundred (600) Dollars, or so much thereof as she may deem necessary, out of the principal of the personal estate of the said ward, for her maintenance, education and support during the school-term of 1928-1929.

And the said Annie F. Shrivves, Guardian of Elaine Etheredge Shrivves, is hereby directed to pay to Lee Britt, her attorney, the sum of Fifteen Dollars for his legal services in this proceeding and to pay the Clerk of the Court the statutory fee for his services.

And the said Annie F. Shrivves, Guardian & c., shall make report to Court of her acts under this order.

Annie F. Shrivés, Guardian & c.

VS Order-

Elaine Etheredge Shrivés, Ward

Enter this 31st day of July,
1928.

Joe S. McInnere

Judge-

C. O. Bk. 6 Page 212

In the Circuit Court of Nansemond County, Virginia-

Annie F. Shrives, Guardian of
Elaine Etheredge Shrives,-

VS

Elaine Etheredge Shrives-Ward-

The answer of Elaine Etheredge Shrives, infant under the age of twenty-one years, by William M. Birdsong, her Guardian ad Litem assigned to her by the Court to defend her in this proceeding, and the answer of the said William M. Birdsong, Guardian ad Litem of the said infant defendant to a petition exhibited against her by Annie F. Shrives, Guardian of the said Elaine Etheredge Shrives, in the Circuit Court of Nansemond County, Virginia-

For answer to said petition, the said infant defendant by her said Guardian ad Litem answers and says that, being of tender years, she does not know what her true interest is in relation to the subject matter of said petition, and confides the protection of her interest therein to the care of the Court.

And the said Guardian ad Litem of the said infant defendant for answer to said petition answers and says that he knows nothing of the truth or falsity of the allegations of the said petition.

He prays the full protection of the Court for the said infant defendant.

And having fully answered, the defendant prays to be hence dismissed with his costs in this behalf expended & c.

Elaine Etheredge Shrives,

By William M. Birdsong
Guardian ad Litem.

William M. Birdsong
Guardian ad Litem of
Elaine Etheredge Shrives,
Infant Defendant.

State of Virginia, *

City of Suffolk, * To Wit:-

I, J. A. Vincent, a notary public in and for the City of Suffolk, in the State of Virginia, whose term of office expires on the 10th day of September, 1928, do certify that William M. Birdsong, Guardian ad Litem for the infant defendant Elaine Etheredge Shrives, named in the foregoing answer, personally appeared before me in my city aforesaid, this day, and made oath that the facts and allegations therein contained are true, except so far as they are stated to be on information, and that so far as they are stated to be on information he believes them to be true.

Given under my hand this 30th day of July, 1928.

J. A. Vincent
Notary Public.

Annie F. Shrives, Guardian & c.

vs Answer of Guardian ad
Litem-

Elaine Etheredge Shrives, Ward-

Filed July 30, 1928.

J.M.

Annie F. Shrives, Guardian of
Elaine Etheredge Shrives.

Elaine Etheredge Shrives, Ward-

This respondent reserving to herself the benefit of all just exceptions to the said petition, for answer thereto, answers and says:-

And now having fully answered the said petition, this respondent prays to be hence dismissed with her reasonable costs by her in this behalf expended.

Clair E. Theridge Shaver
Infant Defendant.

State of Virginia, *
* To Wit:-
County of Nansemond,*

I, *A. Z. Cukera*, a notary public in and for the County of Nansemond, in the State of Virginia, whose term of office expires on the *14* day of *Aug*, *1930*, do certify that Elaine Etheredge Shrives, the respondent named in the foregoing answer, appeared before me, this day, in my county aforesaid, and made oath that she believes the several statements made in the foregoing answer are true.

Given under my hand this 25th day of July, 1928.

H. L. Cushman
Notary Public.

For Court

Annie F Shrives, Guardian &c.

VS Separate Answer of Ward

Elaine Etheredge Shrives, Ward

Filed July 30, 1928.

J. L. M.

In the Circuit Court of Nansemond County, Virginia-

Annie F. Shriver, Guardian of
Elaine Etheredge Shriver, Ward-

*Petition for Permission to use a Part of
VS *Principal of the Personal Estate of Ward
*for her Maintenance, Education and Support-

Elaine Etheredge Shriver, Ward-

To the Honorable James L. McLeMore, Judge of said Court:--

Your petitioner Annie F. Shriver, Guardian of Elaine Etheredge Shriver, her ward, represents that she was duly appointed and qualified in said Court as the Guardian of the said Elaine Etheredge Shriver, by order entered on the 12th day of March, 1921.

That her ward is over the age of fourteen years, and wishes to attend some well established school to prepare herself for making a living.

That the gross income of her said ward is less than \$75.00 per year, inadequate for the purpose and desire of her said ward.

That it is necessary for such purpose that your petitioner be allowed to expend at least \$600.00 from the principal of her ward's personal estate for her maintenance, education and support during the school terms of 1928-1929.

That this petition has been filed in pursuance of Section 5321 of the Code of Virginia, and after due legal notice to her said ward, as shown by said notice hereto attached.

In consideration whereof, and forasmuch as your petitioner is remediless save in a court of equity, your petitioner prays that her said ward, Elaine Etheredge Shriver, be made a party defendant to this petition, and that a guardian ad litem be appointed to protect the interest of the said ward and infant defendant, that all proper answers be required to be made, and that an order be entered by this Court, after a hearing hereon, permitting and directing your petitioner to use the sum of \$600.00, or as much thereof as may be deemed necessary by her out of the principal of the personal estate of said ward for her maintenance, education and support during the said period; and that your petitioner may have all such further and general relief as the nature of her case may require, or to this Court shall seem meet.

Annie F. Shriver.

Guardian.

State of Virginia, *
* To Wit:--
County of Nansemond, *

I, *H L. Culbreth*, a notary public in and for the County of
Nansemond, in the State of Virginia, whose term of office expires
on the ¹⁴~~24~~ day of ~~July~~ ^{August}, ~~1928~~ ¹⁹³⁰, do certify that Annie F. Shrives,
Guardian of Elaine Etheredge Shrives, personally appeared before
me, this day, in the County of Nansemond, in the State of Virginia,
and made oath that she believes the several statements made in
the petition hereunto annexed are true.

Given under my hand this ~~24~~ day of July, 1928. *My Commission Expires Aug 14*
1930.

H L. Culbreth

Notary Public.

Annie F. Shrives, Guardian &c.
Petition to Use Principal
VS of Personal Estate of
Ward, in part, for her Use
Elaine Etheredge Shrives, Ward-

Filed July 30, 1928.

J. Lm

In the Circuit Court of Nansemond County, Virginia-

Annie F. Sh^erives, Guardian of
Elaine Etheredge Sh^erives, —

* Notice of Petition for Permission to
VS * Use a Part of the Principal of
* Personal Estate of Ward -
Elaine Etheredge Sh^erives, Ward-

To Elaine Etheredge Sh^erives, Ward:-

Take notice that I shall, on the 30th day of July, 1928, at 9.30 A.M., or as soon thereafter as the attention of the Court may be obtained, petition the Circuit Court of Nansemond County, Virginia, for permission to use a part of the principal of the personal estate held by me as guardian for you for your maintenance, education and support.

A copy of said petition is hereto attached and made a part of this notice.

July 24, 1928.

Annie F. Sh^erives

Guardian.

I hereby certify that I have this day received a copy of the foregoing notice with copy of petition attached.

Given under my hand this 24th day of July, 1928.

Elaine Etheredge Sh^erives

Ward.

Annie F. Shrives, Guardian & c.

vs Notice of Petition-

Elaine Etheredge Shrives, Ward

1928 July 31. filed
A.M.