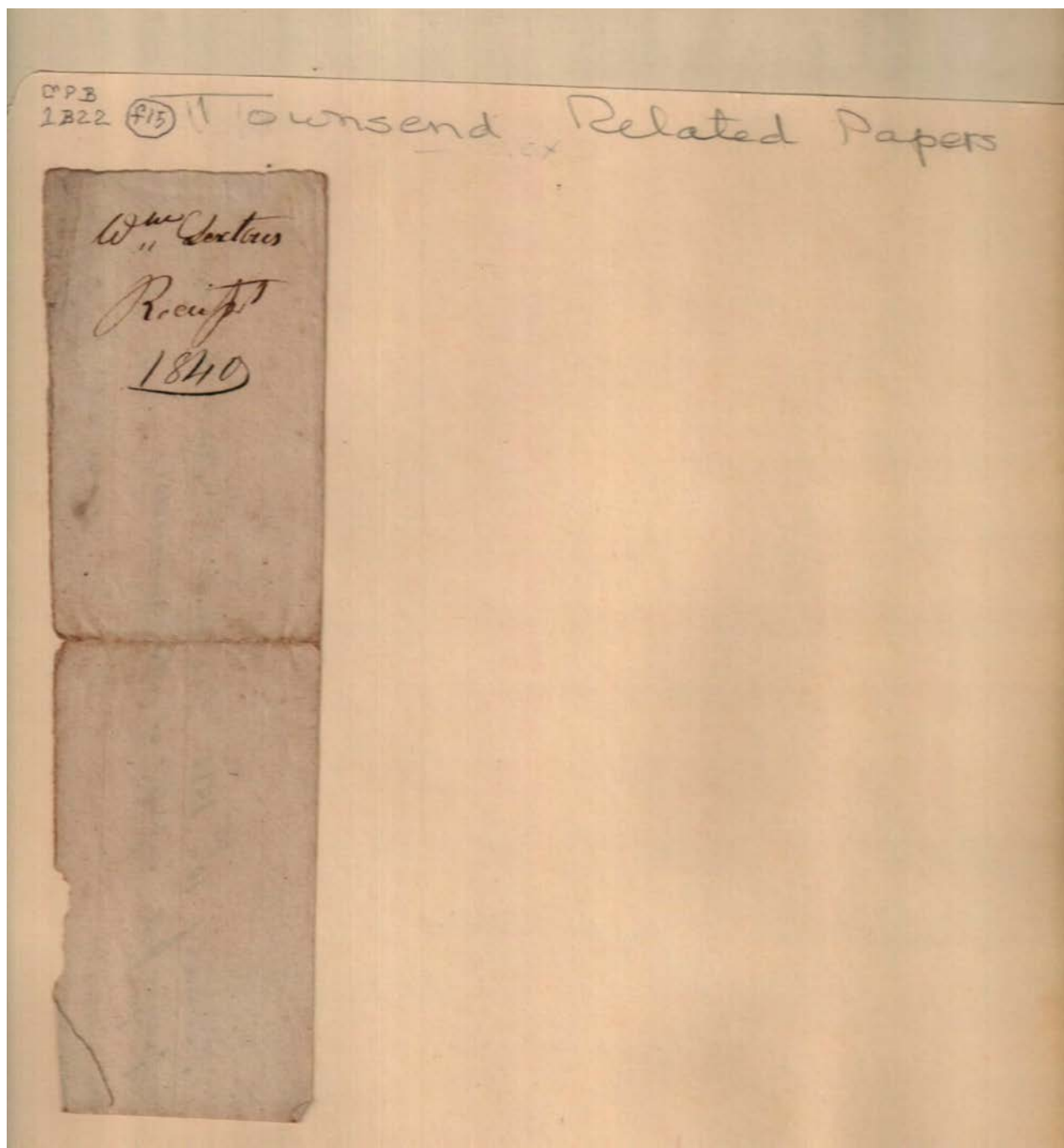


Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 1 r01b22-15-000-0152 [Contents](#) [Index](#) [About](#)



Names:

Sexton, William

Types:

receipt

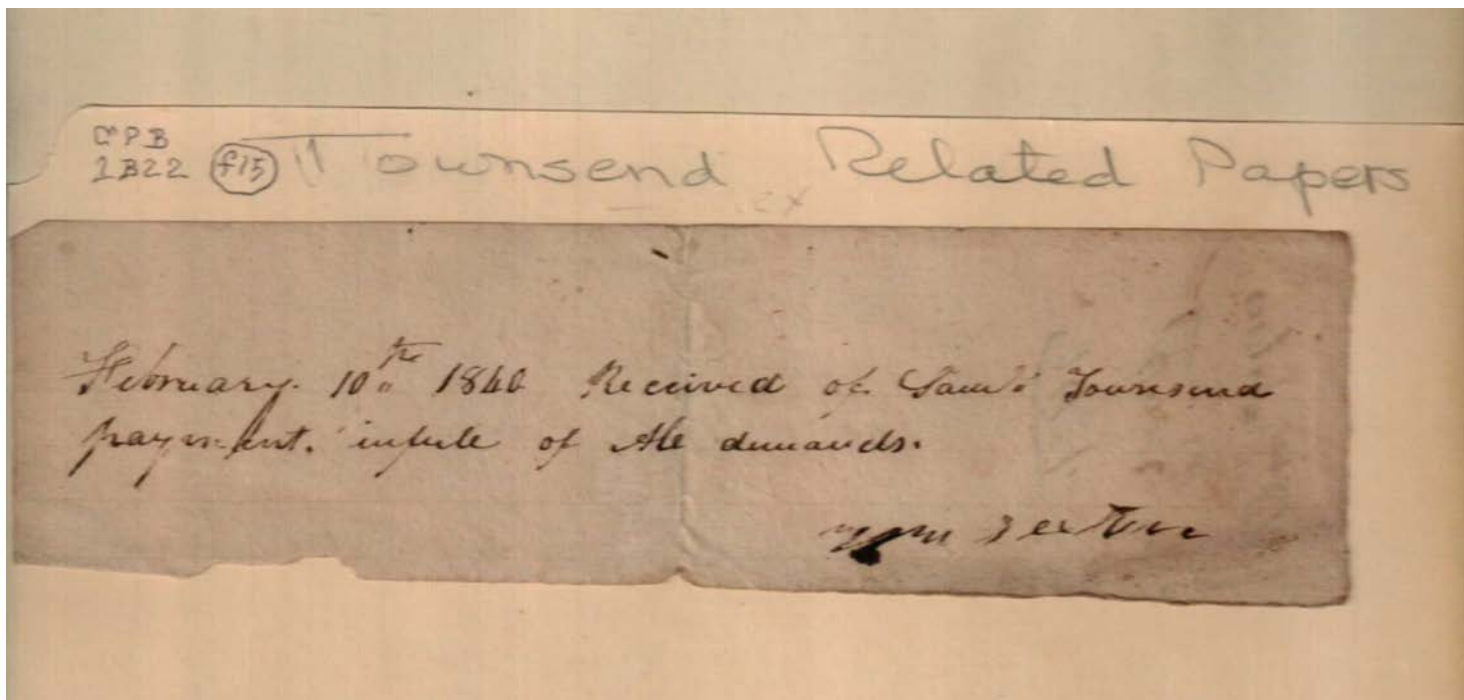
Dates:

1840

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 2 r01b22-15-000-0153 [Contents](#) [Index](#) [About](#)



Names:

Sexton, William

Townsend, Samuel

Types:

receipt

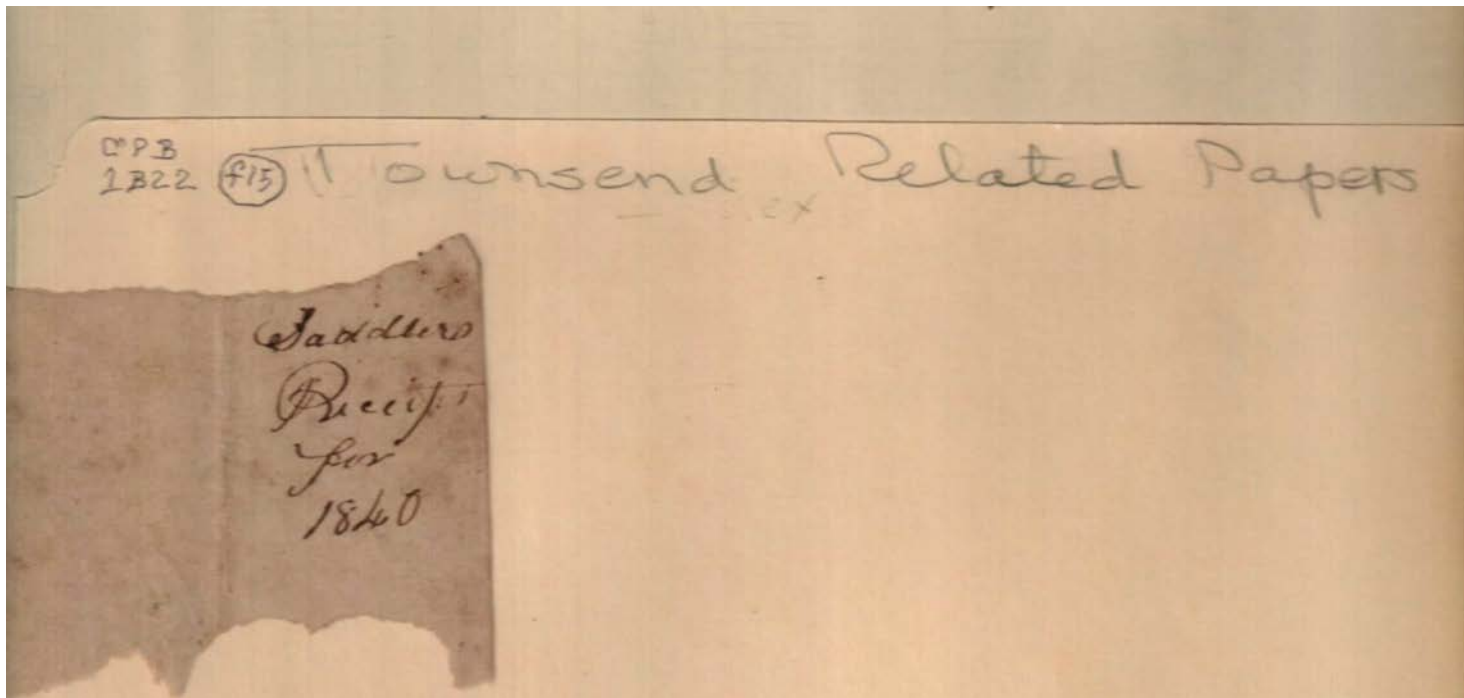
Dates:

Feb 10, 1840

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 3 r01b22-15-000-0154 [Contents](#) [Index](#) [About](#)



Names:

Saddler,

Types:

receipt

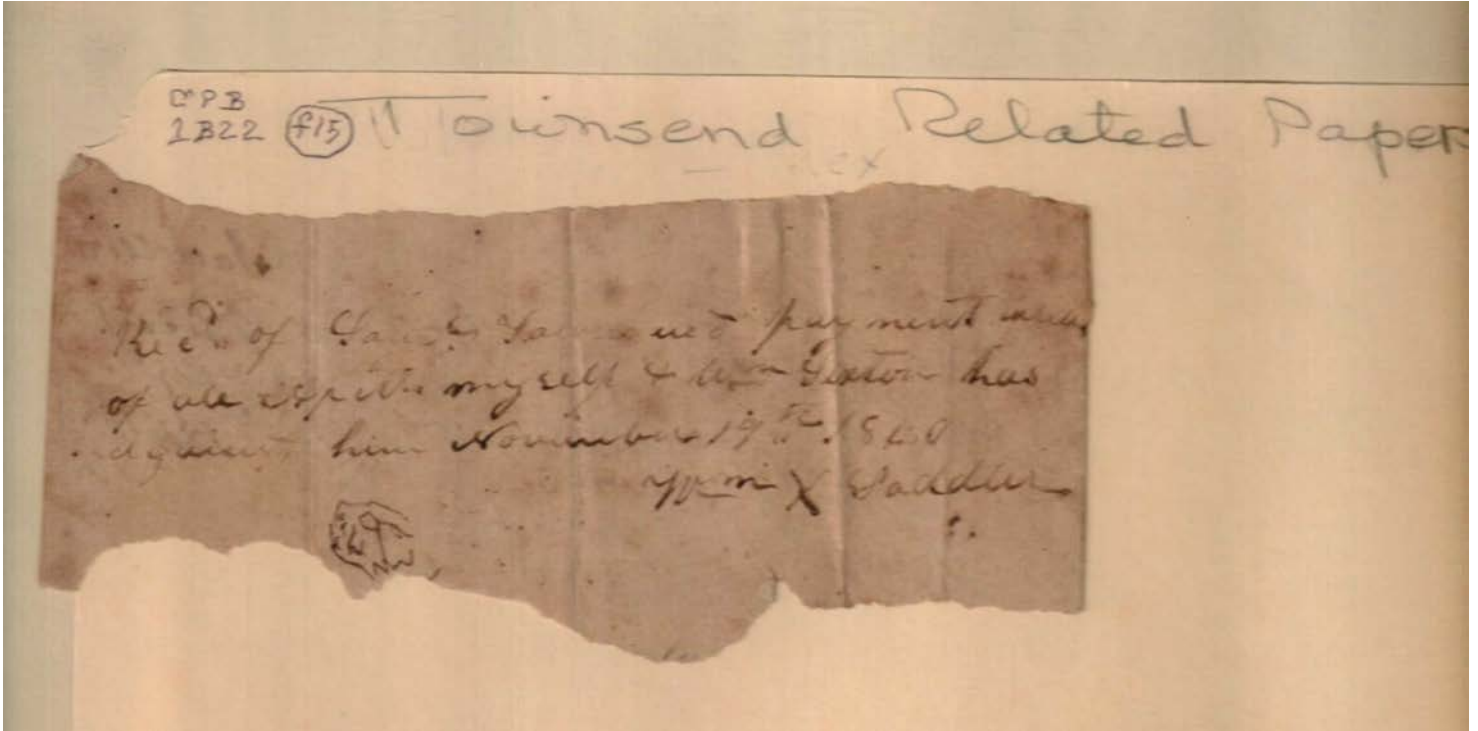
Dates:

1840

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 4 r01b22-15-000-0155 [Contents](#) [Index](#) [About](#)



Names:

Saddler, William

Sexton, William

Townsend, Samuel

Types:

receipt

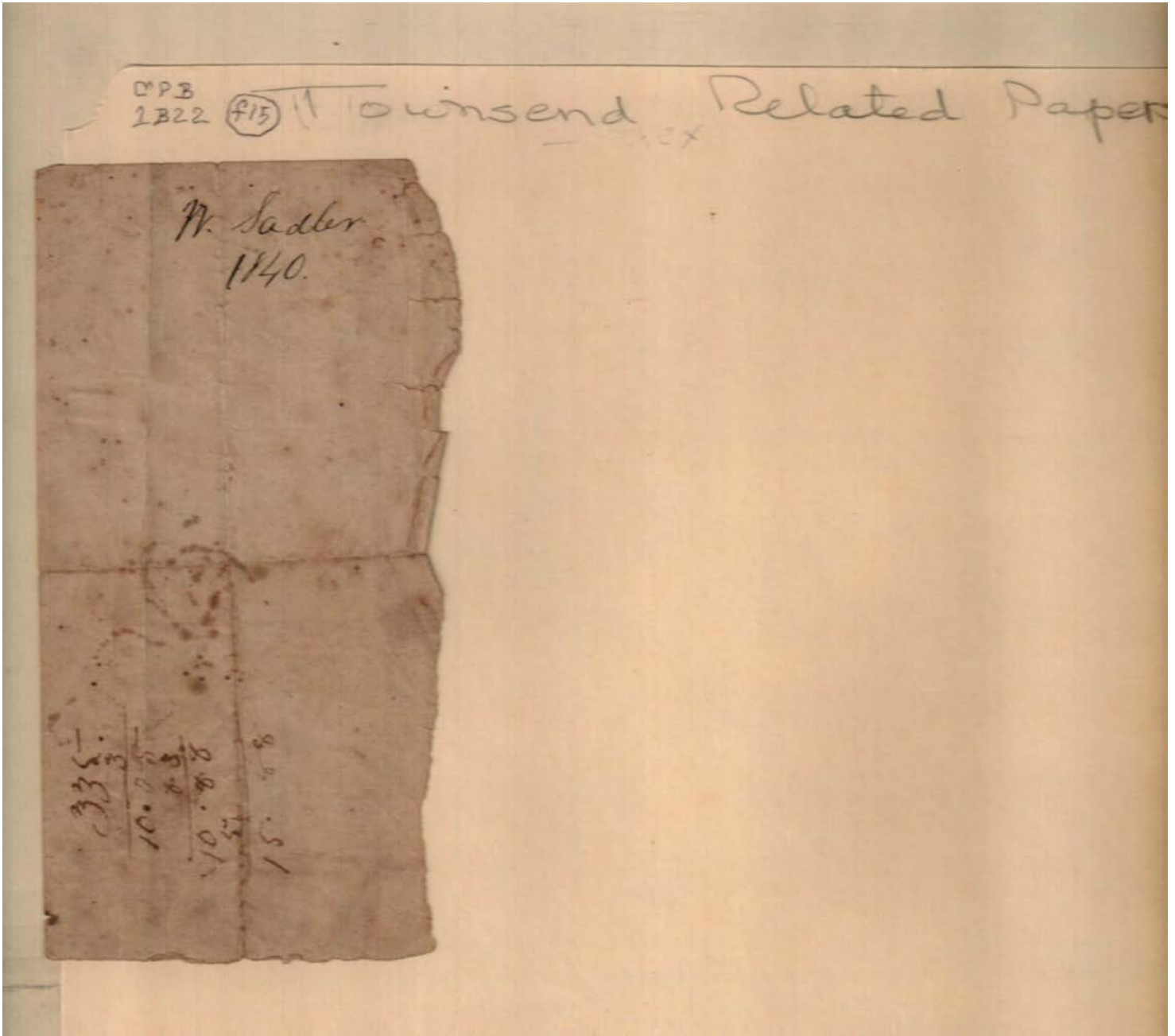
Dates:

Nov 19, 1840

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 5 r01b22-15-000-0156 [Contents](#) [Index](#) [About](#)



Names:

Sadler, W.

Types:

account

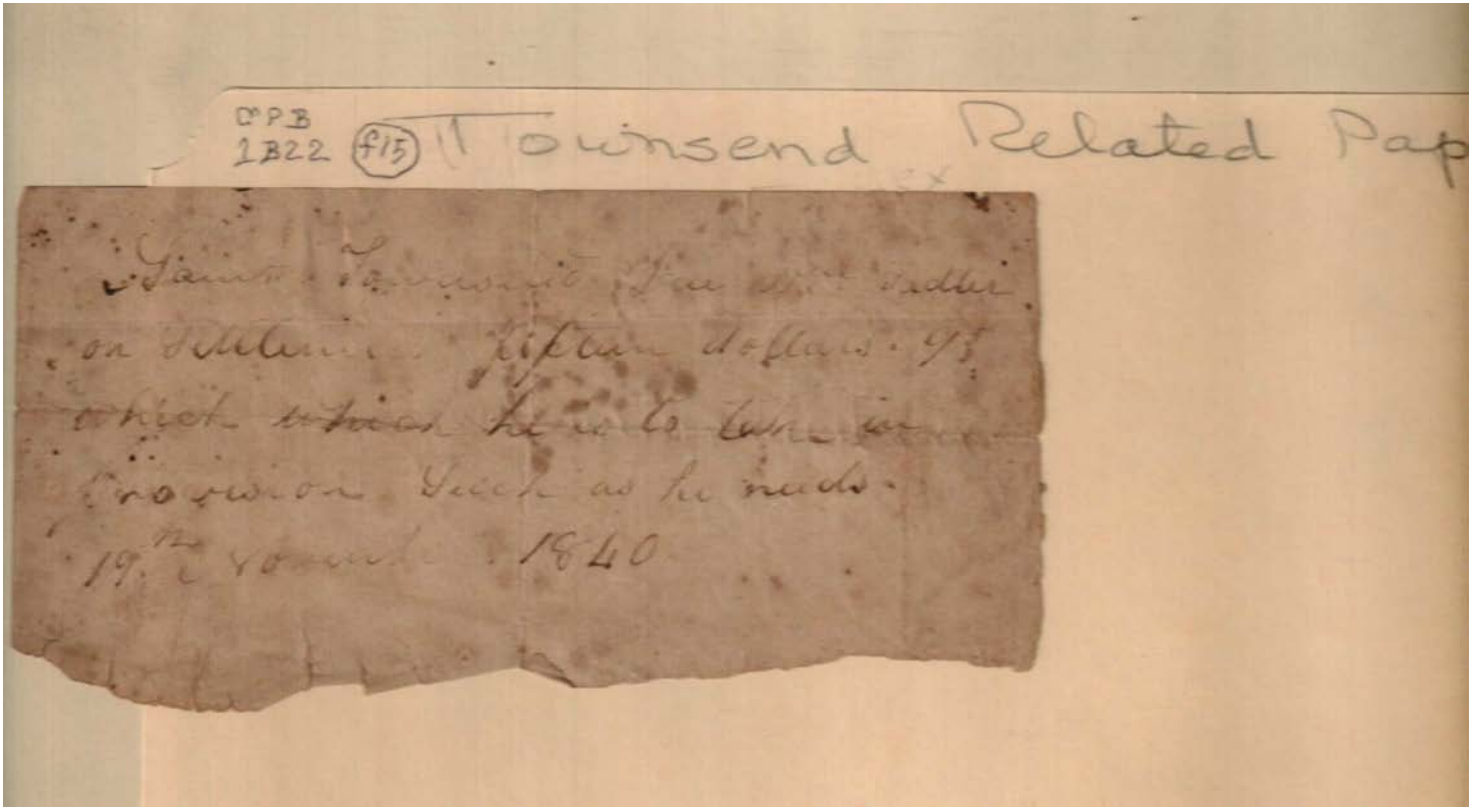
Dates:

1840

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 6 r01b22-15-000-0157 [Contents](#) [Index](#) [About](#)



Names:

Sadler, William

Townsend, Samuel

Types:

account

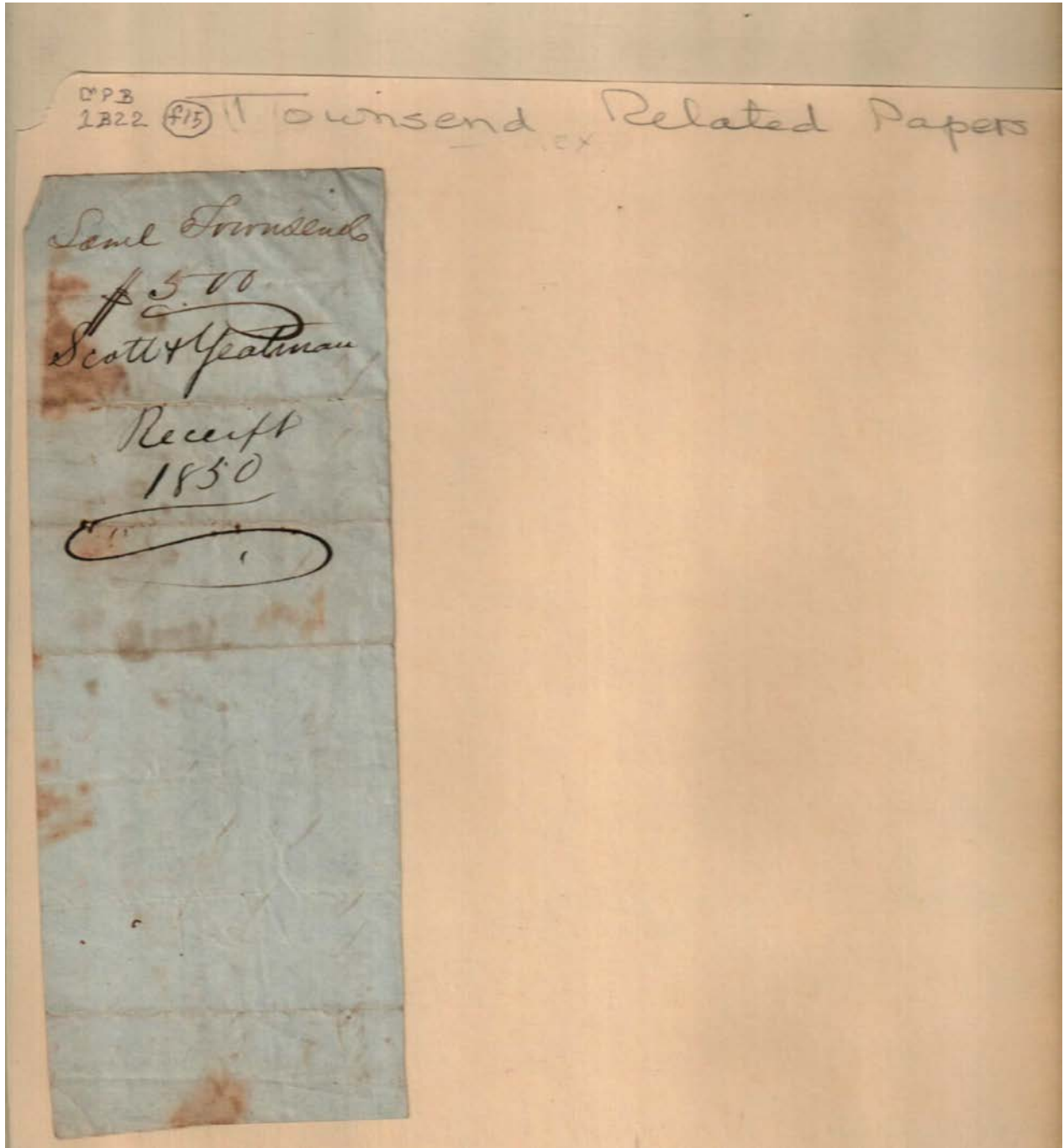
Dates:

Nov 19, 1840

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 7 r01b22-15-000-0158 [Contents](#) [Index](#) [About](#)



Names:

Scott & Yeatman

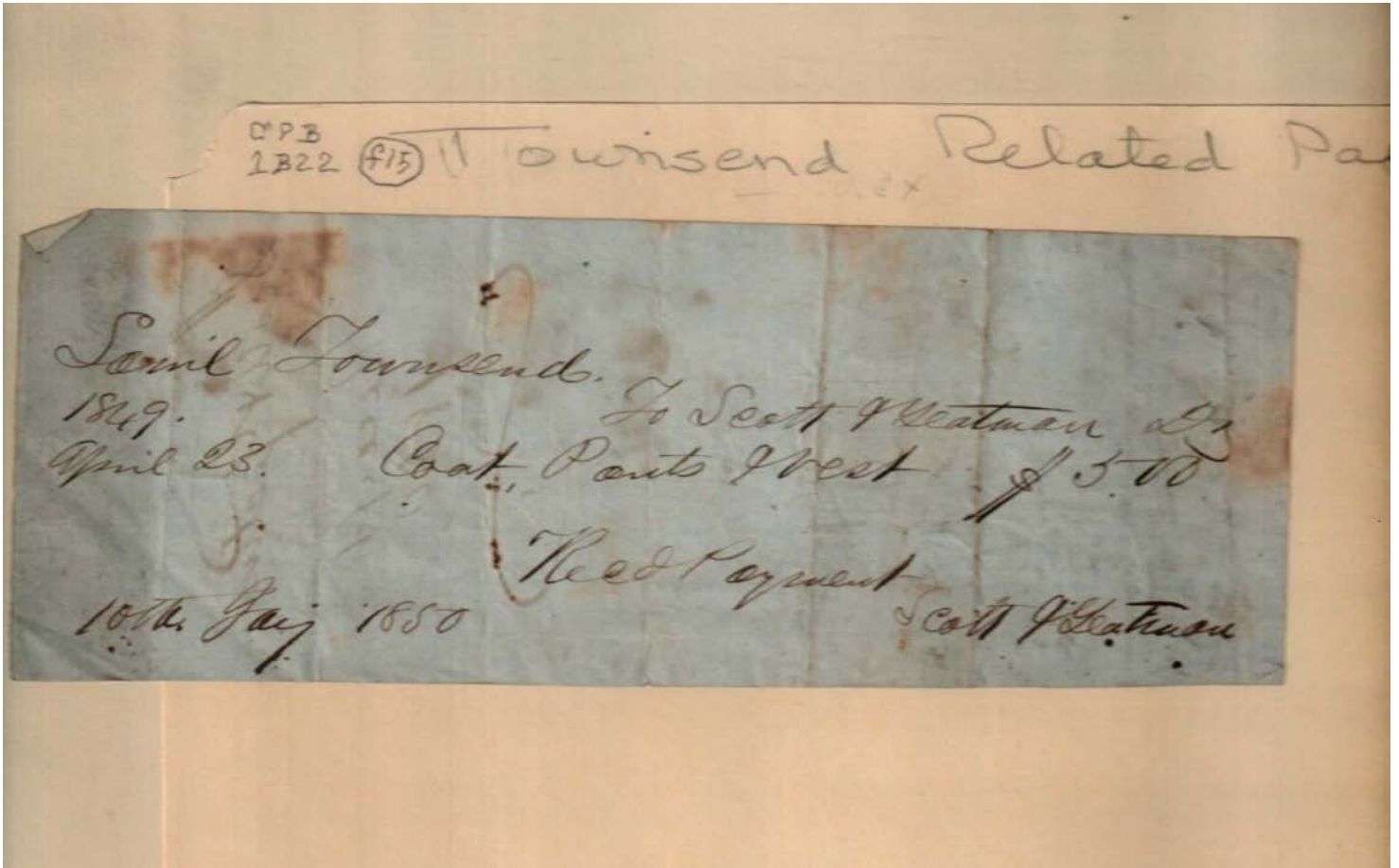
Townsend, Samuel

Types:

receipt

Dates:

1850



Names:

Scott & Yeatman

Townsend, Samuel

Types:

receipt

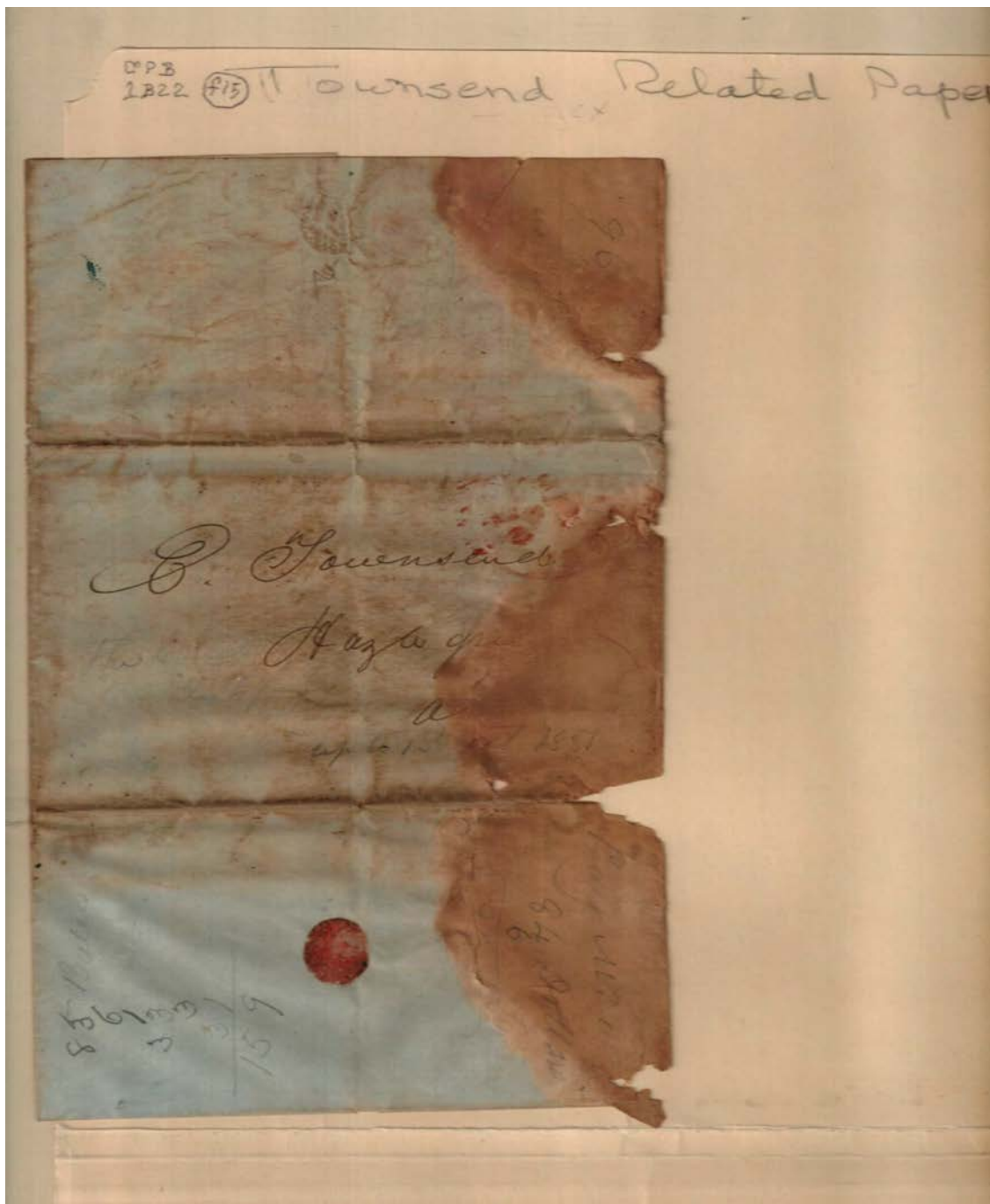
Dates:

Jan 10, 1850

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 9 r01b22-15-000-0160 [Contents](#) [Index](#) [About](#)



Names:

Townsend, P

Places:

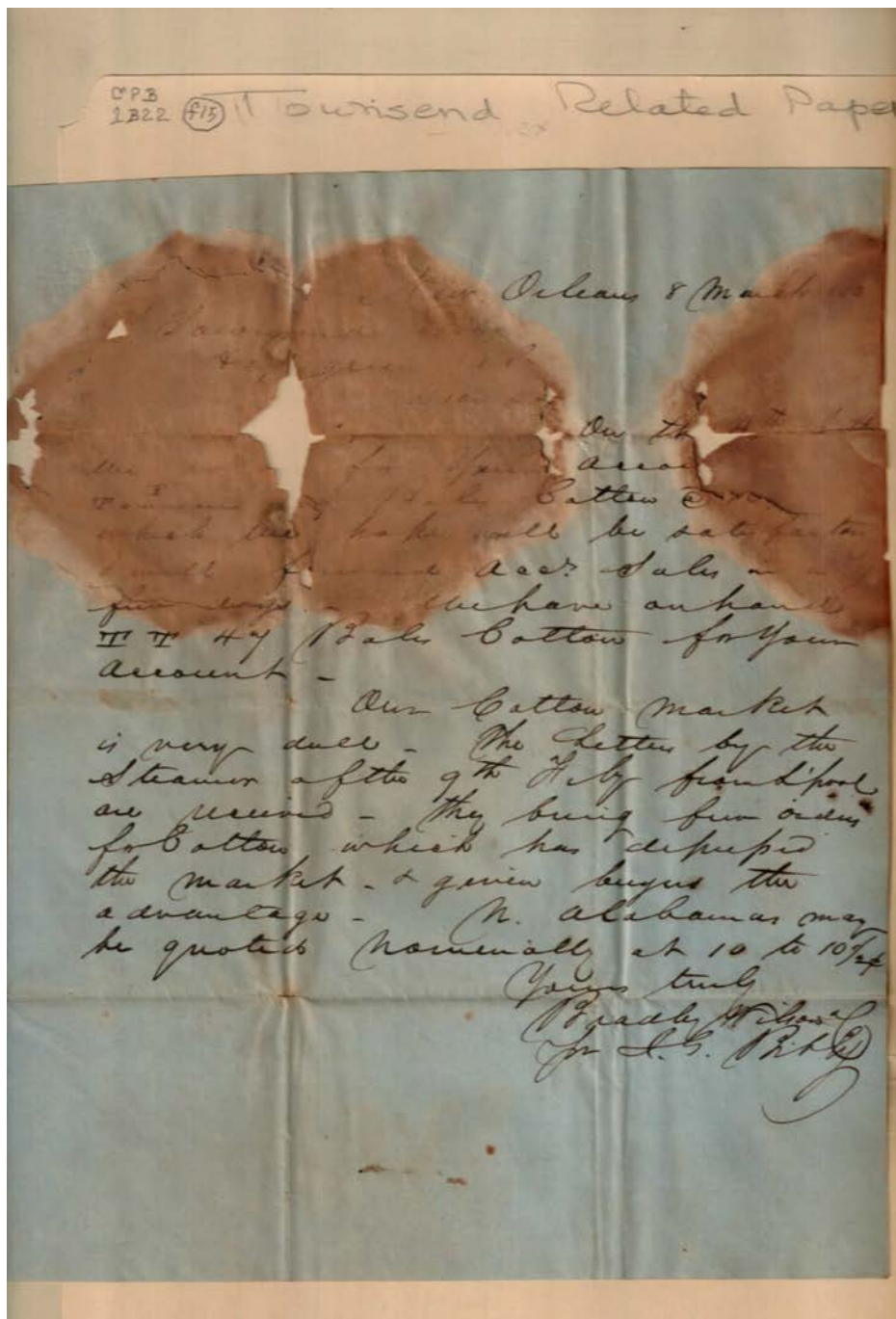
Hazle Green, AL

Types:

envelope

Dates:

1851



Names:

Bradley, Wilson &
Co.

Townsend,

Places:

Hazle Green, AL

New Orleans, LA

Types:

correspondence

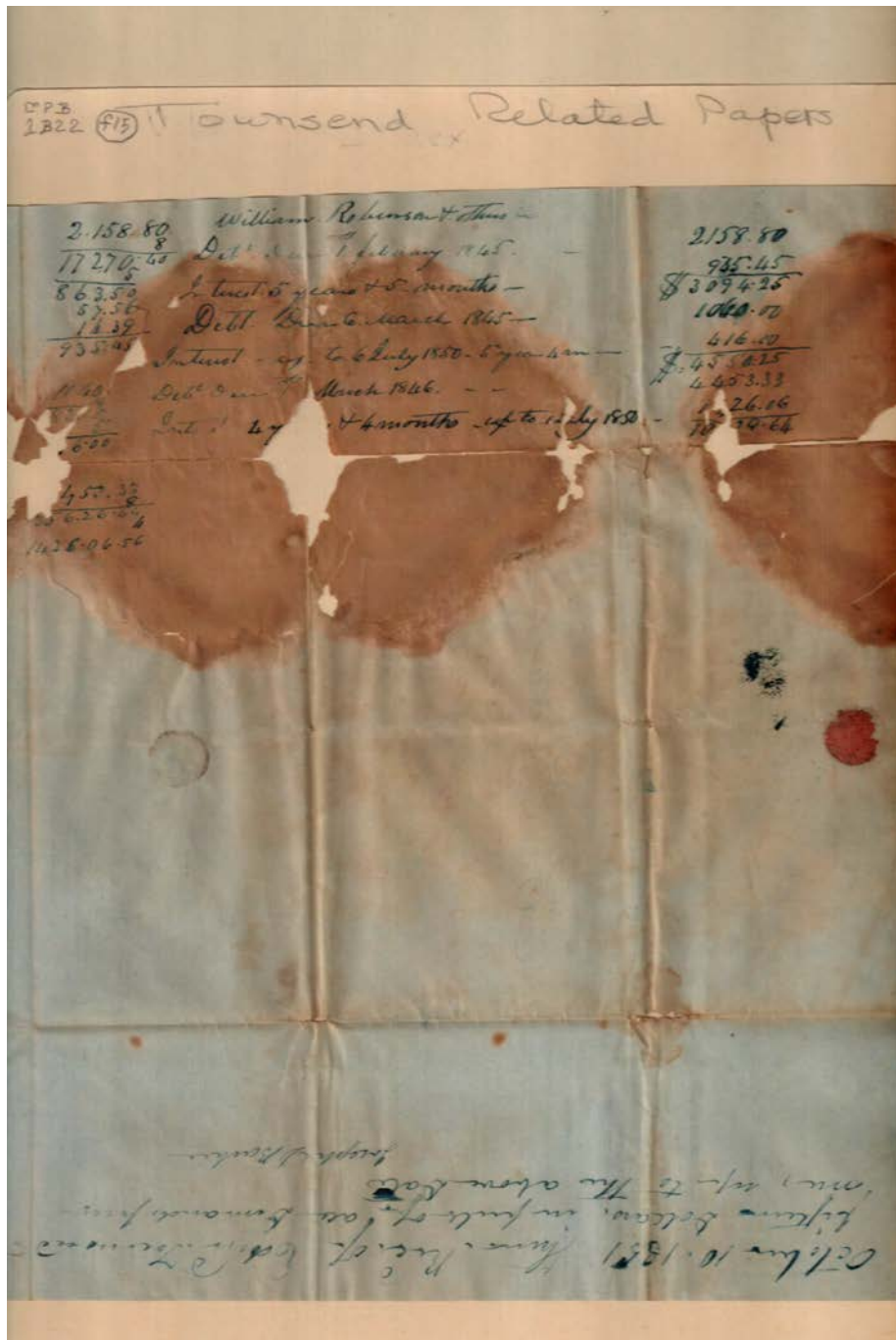
Dates:

March 8, 1850

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 11 r01b22-15-000-0162 [Contents](#) [Index](#) [About](#)



Names:

Barbee, Joseph S.

Robinson, William

Types:

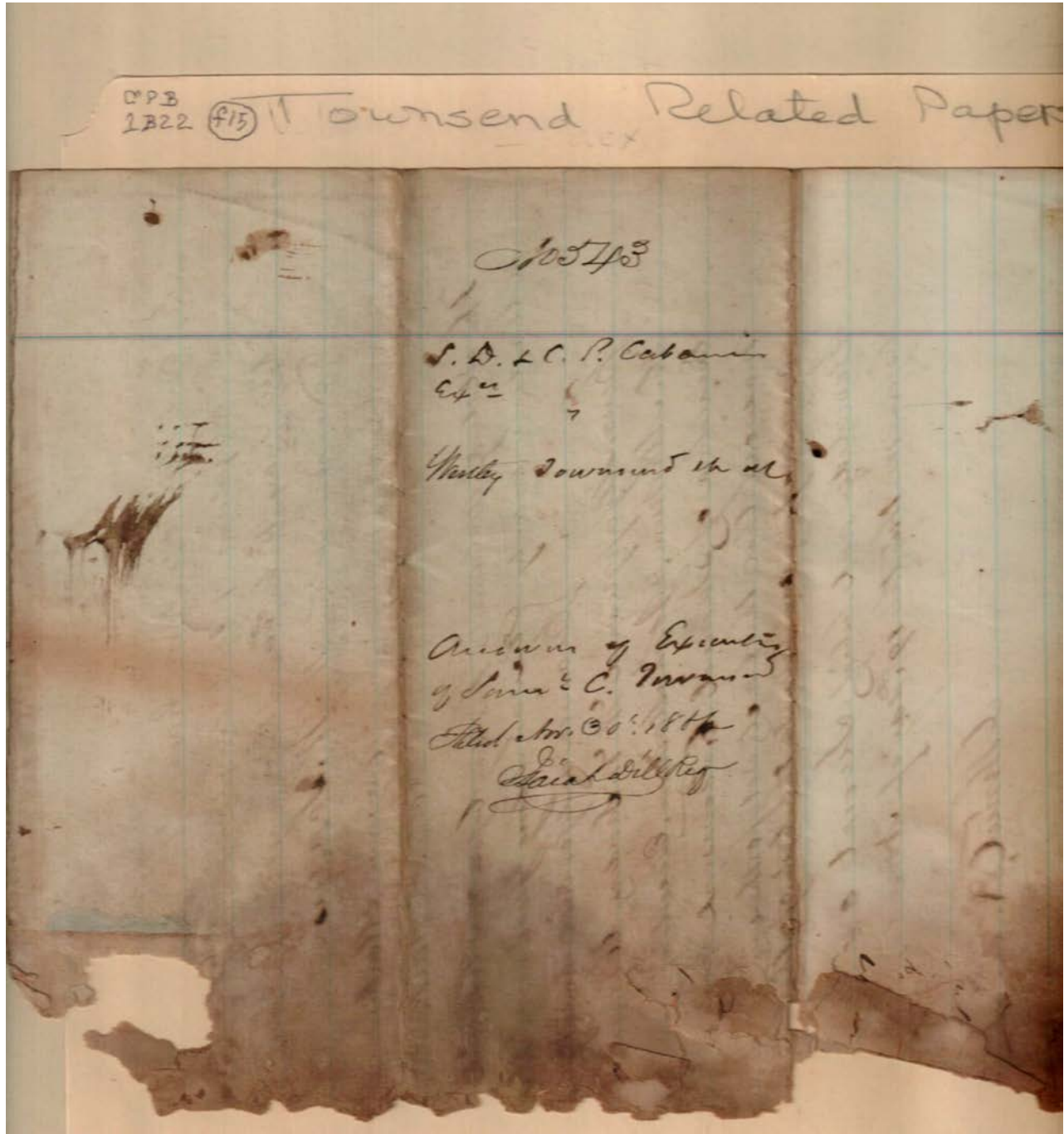
account

receipt

Dates:

1845-1850

Oct 10, 1851



case #543

Names:

Cabaniss, C. P.

Cabaniss, S. D.

Townsend, Samuel C.

Townsend, Westley

Places:

Madison Co., AL

Types:

chancery court

Dates:

Nov 30, 1866

CP 3
1822 (915) Townsend Related Papers

The joint and legal answers of William Sanders, executor, and Virginia Markum, executrix of the last will of Samuel B. Townsend, deceased, and John Markum, husband of the said Virginia Markum, executors of the said will, to the bill of complaint of Septimus D. Cabaniss and Charles P. Cabaniss, executors of the last will of Samuel B. Townsend, deceased, Complainants.

These defendants answering to themselves in each of them all benefits and advantages of which they may be had a large number of many years, uncertainties and some confusion in the said Complainants' bill of complaint contained, for answer to the said bill of complaint and full parts thereof the said defendants are advised in a more full and necessary for them a copy of the said bill of complaint, they these defendants solemnly answering, say

First. These defendants, answering the first paragraph of Complainants' bill, say that they believe it to be true that the said Septimus D. Cabaniss and Charles P. Cabaniss, executors of the last will of Samuel B. Townsend, deceased, are

0.723

case #543

Names:

Cabaniss, Charles P.

Cabaniss, Septimus
D.

Markum, John
Markum, Virginia

Sanders, William
Townsend, Samuel C.

Places:

Madison Co., AL

Types:

chancery court

CPB
1822 (15) Townsend Related Paper

file of complaint in this court against
the parties and for this purpose it
is this paragraph of Complacant's
bill.

Second, and three defendants further answering
admits the facts set forth in the second
paragraph of Complacant's said bill.

Third, and three defendants further answering
say that they have been informed and believe
it to be true that said Charles P. Cabaniss
has been qualified as the executor of the
estate of Samuel C. Townsend as executor of
Samuel Townsend.

Fourth, and three defendants further answering
say that they are informed and believe it to
be true as alleged in the fourth paragraph of
Complacant's said bill that an account
was ordered to be taken in reference to
the unsettled accounts between Samuel
and Samuel C., and that said account
yet remains to be taken. And three defendants
with a view to facilitate the execution of
said order, file herewith a statement of
the claim of Samuel C. Townsend against
Samuel Townsend, together with the vouchers
upon which it is based, marked

case #543

Names:

Cabaniss, Charles P.

Townsend, Samuel

Townsend, Samuel C.

Places:

Madison Co., AL

Types:

chancery court

CPB
1822 (15) Townsend Related Papers

A, which they may be considered
a portion of their answer - In reference
to the payments on the notes of Levi
Donaldson, mentioned in this paragraph
of complaint, the defendants say
that they know nothing of said payments
and can form no belief concerning the
same and pray that complainant may
be held to strict proof of the allegations
contained in this paragraph

And these defendants further
answering say that in reference
to purchases of personal property alleged
to have been made by Samuel C. Townsend,
as set forth in the
paragraph of complaint, and that
the defendants are wholly ignorant and
can form no belief concerning the
same and pray that complainant may
be held to strict proof of such and
every purchase so alleged to have
been made by their testator

These defendants, further answering said
fifth paragraph, say that they believe
it to be true that Samuel C. Townsend
in several bills received for calls
contains accounts belonging to

NO. 723

case #543

Names:

Donaldson, Levi

Townsend, Samuel

Townsend, Samuel C.

Places:

Madison Co., AL

Types:

chancery court

CPB
LB22 (15) Townsend Related Papers

of Samuel Townsend, and then
a statement of the action of said
C. Townsend in reference thereto, the
the amount collected and the debts paid
by him as such executor, which said
statement, together with the vouchers
connected therewith and the balance of
accounts which he was unable to
collect, they file herewith marked
exhibit B. which they pray may be
taken in proof of his true account
and the disbursements therein set out,
to be entered to the credit of their
in any accounts which may be
between the estate of Samuel
Samuel C. Townsend

List. And these defendants further aver,
and that they know nothing and cannot
set forth as to being or otherwise concerning
the allegations contained in the preceding
paragraphs of complainant's bill,
but, in so far as they may affect the
interest of these defendants or the estate
of their testator, they pray that said
complainant may be held to
strict proof of the facts alleged.

case #543

Names:

Townsend, Samuel

Townsend, Samuel C.

Places:

Madison Co., AL

Types:

chancery court

CPB
1822 (15) Townsend Related Papers

and their respective heirs, for the
the allegation of said complainants, said
said may be here discharged with their
reasonable costs. W. W. Sanders

John Markum
John Markum

The State of Alabama This day before me Edward
Madison County Clerk an acting Justice of the
Peace in and for said County
personally appeared W. W. Sanders, Virginia
J. Markum, John Markum, Executors and
Executrix of Samuel C. Townsend,
and made oath that the facts set forth in
said paragraphs are true to the best of their
knowledge and belief. Sworn to and
before me this 19th day of November.

Edward Rice

case #543

Names:

Markum, John

Markum, Virginia

Sanders, W. W.

Townsend, Samuel C.

Places:

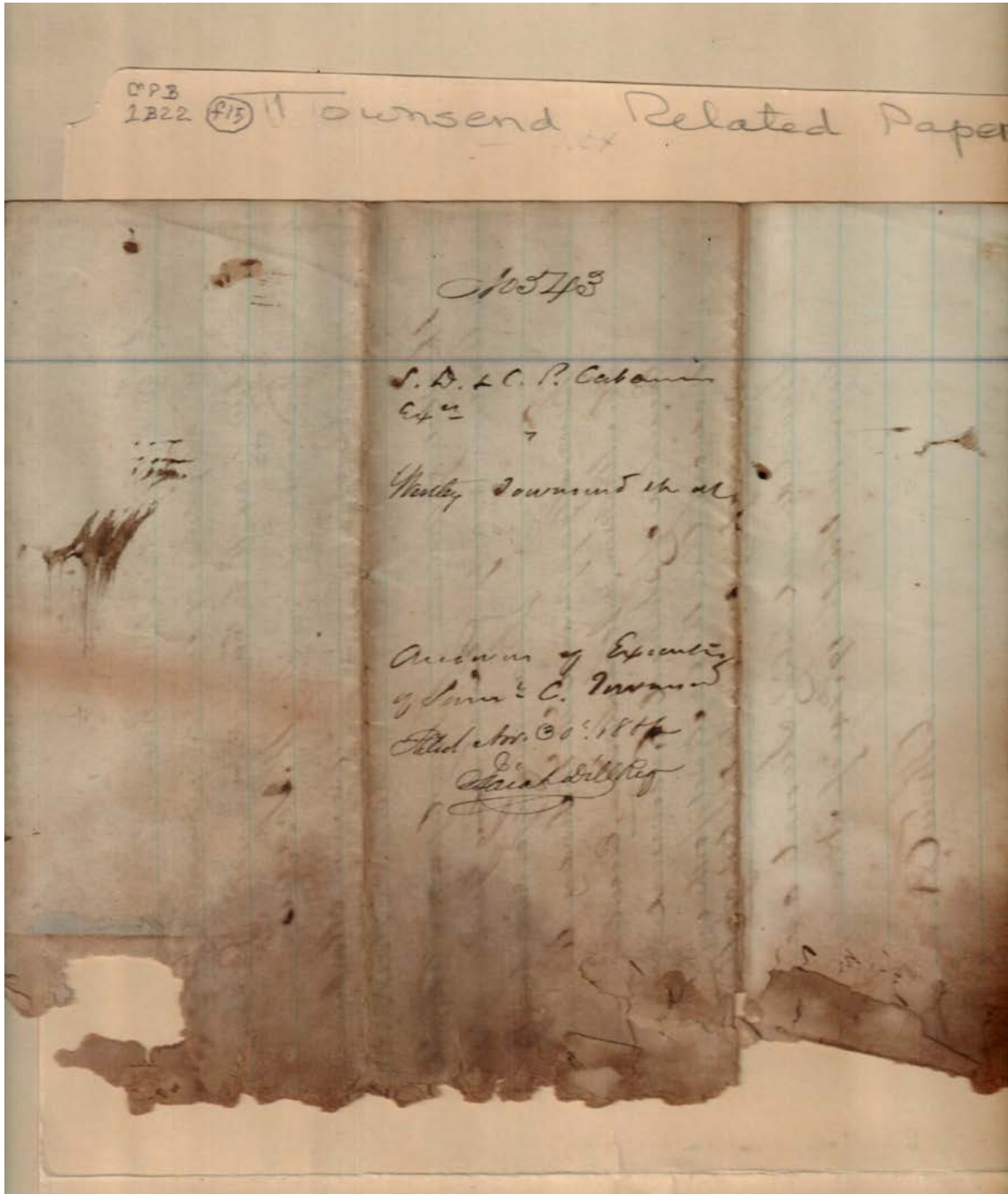
Madison Co., AL

Types:

chancery court

Dates:

Nov 19



case #543

Names:

Cabaniss, C. P.

Cabaniss, S. D.

Townsend, Samuel C.

Townsend, Westley

Places:

Madison Co., AL

Types:

chancery court

Dates:

Nov 30, 1866

MPB
1822 (15) Townsend Related Papers

copy

Know all men by these presents that
We John E Townsend and Samuel C
Townsend of the county of Madison and
State of Alabama are held and firmly
bound unto Samuel Townsend of said
County and State in the penal sum of
Eighty Thousand dollars, for the payment
of which well and truly to be made to
the said Samuel Townsend his executors
administrators and assigns we bind our-
selves our executors and administrators
jointly and severally firmly by these
presents. Witness our hands and seals
this 25th day of August ~~1855~~ 1856

The condition of the above obli-
gation is such, that whereas the said
Samuel Townsend and John E Townsend
as Executors of the will of Edmund
Townsend late of said County of Madison
deceased have heretofore executed a
joint bond in the Court of Probate of
said County of Madison with sureties
for the faithful performance of their
duties as such Executors: and whereas
also the said Samuel Townsend has
heretofore as executor as aforesaid filed
his Bill of Complaint against the
said John E Townsend in the Chancery

case #543

Names:

Townsend, Edmund

Townsend, John E.

Townsend, Samuel

Townsend, Samuel C.

Places:

Madison Co., AL

Types:

bond

Dates:

Aug 25, 1856

CPB
1822 (15) Townsend Related Paper

court of the 29th Chancery District of Alabama and thereby prayed and obtained an attachment against the estate of the said John E. Townsend which suit is pending in said Chancery Court and whereas it has been agreed between the said John E. Townsend and Samuel Townsend that said suit in Chancery shall be dismissed and that each party shall pay one half of the costs of said suit; and in consideration of said agreement upon the part of said Samuel Townsend, the said John E. Townsend hath agreed together with the said Samuel C. Townsend as his surety that they the said John E. Townsend and Samuel C. Townsend will indemnify and save harmless the said Samuel Townsend against any liability which may be found against him the said Samuel Townsend as the co-executor with said John E. Townsend and co-obligor with him in said executor's bond on the settlement of said John E. Townsend's administration of said estate as executor as aforesaid - on account of any moneys or any other assets of said estate which shall have come to the hands of the said John E. Townsend and shall

case #543

Names:

Townsend, John E.

Townsend, Samuel

Townsend, Samuel C.

Places:

Madison Co., AL

Types:

bond

Dates:

Aug 25, 1856

DPB
1822 (17) Townsend Related Paper

not have been properly administered or other
derogation committed by the said John E
Townsend as well as for the individual
purchases made by the said John E Town-
send at the sale of the Estate of Edmund
Townsend dead.

Now therefore if upon the settlement
of the administration of the said John E
Townsend of the Estate of Edmund Townsend
dead as Co-Executor as aforesaid, he shall
well and truly account for all of the as-
sets of said estate which shall have come to
his hands as Executor as aforesaid and with
which he shall be charged and pay any
balance that may be found upon such
settlement to be in his hands or shall be
found against him on such settlement to
the parties entitled thereto, so that said
Samuel Townsend his Executors and ad-
ministrators shall be discharged from all
liability for said John E Townsend
(except as hereinafter stated) on account
of his liability for said John E Townsend
as Co-Executor as aforesaid or Co-obligor on
their said Executor's bond then the above obli-
gation is to be void, but otherwise it is to
remain in full force and effect. It is under-
stood & agreed however between the parties

case #543

Names:

Townsend, Edmund

Townsend, John E.

Townsend, Samuel

Places:

Madison Co., AL

Types:

bond

Dates:

Aug 25, 1856

CPB
1822 (15) Townsend Related Papers

hence that the said Samuel C. Townsend doth not by this obligation become bound for any liability of the said John E. Townsend or of said Samuel Townsend on account of any property real or personal purchased by Samuel & John E. Townsend as partners or joint purchasers at the sales of the estate of said Edmund Townsend deceased, the said Samuel Townsend claiming a partners lien on said partnership property for the partnership debt & relying upon that.

In testimony whereof the said John E. Townsend and Samuel C. Townsend have hereunto set their hands and seals the day & year above written

John E. Townsend (seal)
Samuel C. Townsend (seal)

(The words "our hands & seals this 25th day of August 1856" interlined before signing)

John E. Townsend (seal)
Samuel C. Townsend (seal)

1874
Tad Albury Sr.
Wesley Townsend
J.W.
Exp. dit. A. L.
N.O.
Filed June 22, 1868
John E. Townsend

case #543

Names:

Cabaniss, S. D.
Townsend, Edmund

Townsend, John E.
Townsend, Samuel

Townsend, Samuel C.
Townsend, Wesley

Places:

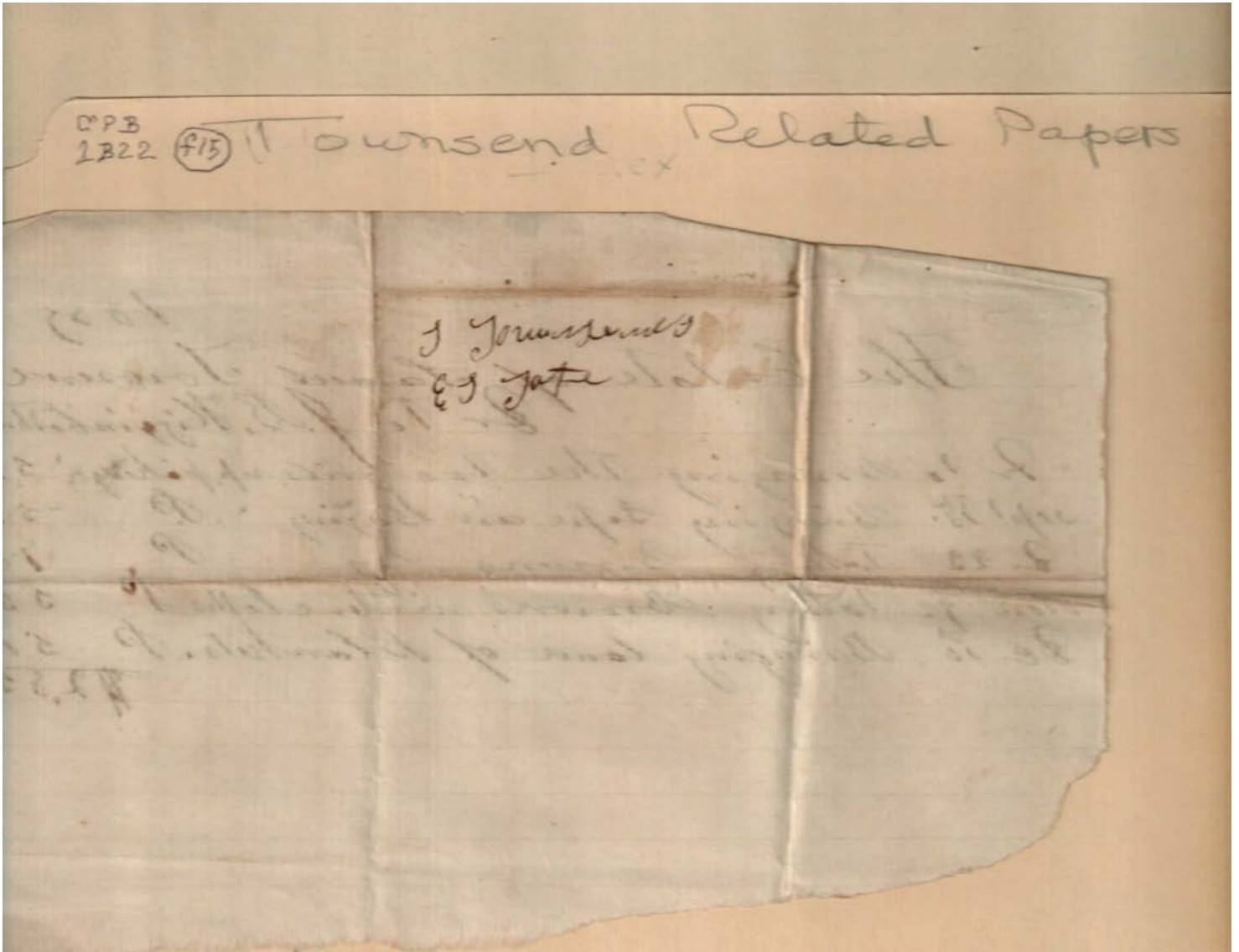
Madison Co., AL

Types:

bond chancery court

Dates:

Aug 25, 1856 June 22, 1868



Names:

Tate, E. S.

Townsend, T.

Types:

memo

CPB
1822 (915) Townsend Related Papers

1855

The Estate of Samuel Townsend

Dr To J. B. Higginbotham

To	Bringing the two girls up. paid	55
Sept 13 th	Bringing Cape an Bazin	P 55
2. 22	Taking Browns by	P 70
Nov 7 th	Taking Browns winter cloths	P 55
Dec. 10 th	Bringing load of Blankets.	P 50
		<u>\$2.55</u>

Names:

Higginbotham, J. B.

Townsend, Samuel
estate

Types:

account

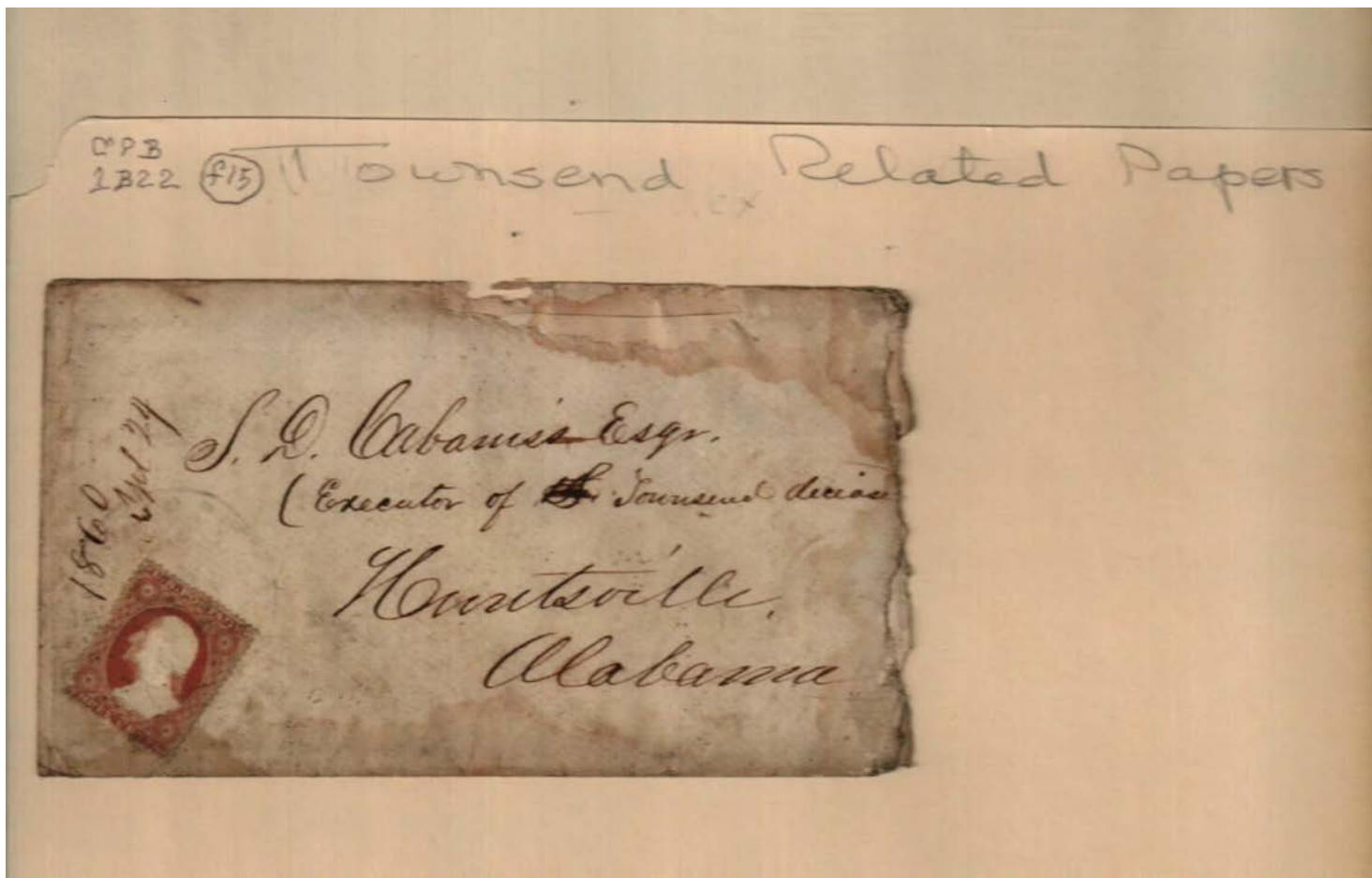
Dates:

1859

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 26 r01b22-15-000-0177 [Contents](#) [Index](#) [About](#)



Names:

Cabaniss, S. D.

Townsend, S.

Places:

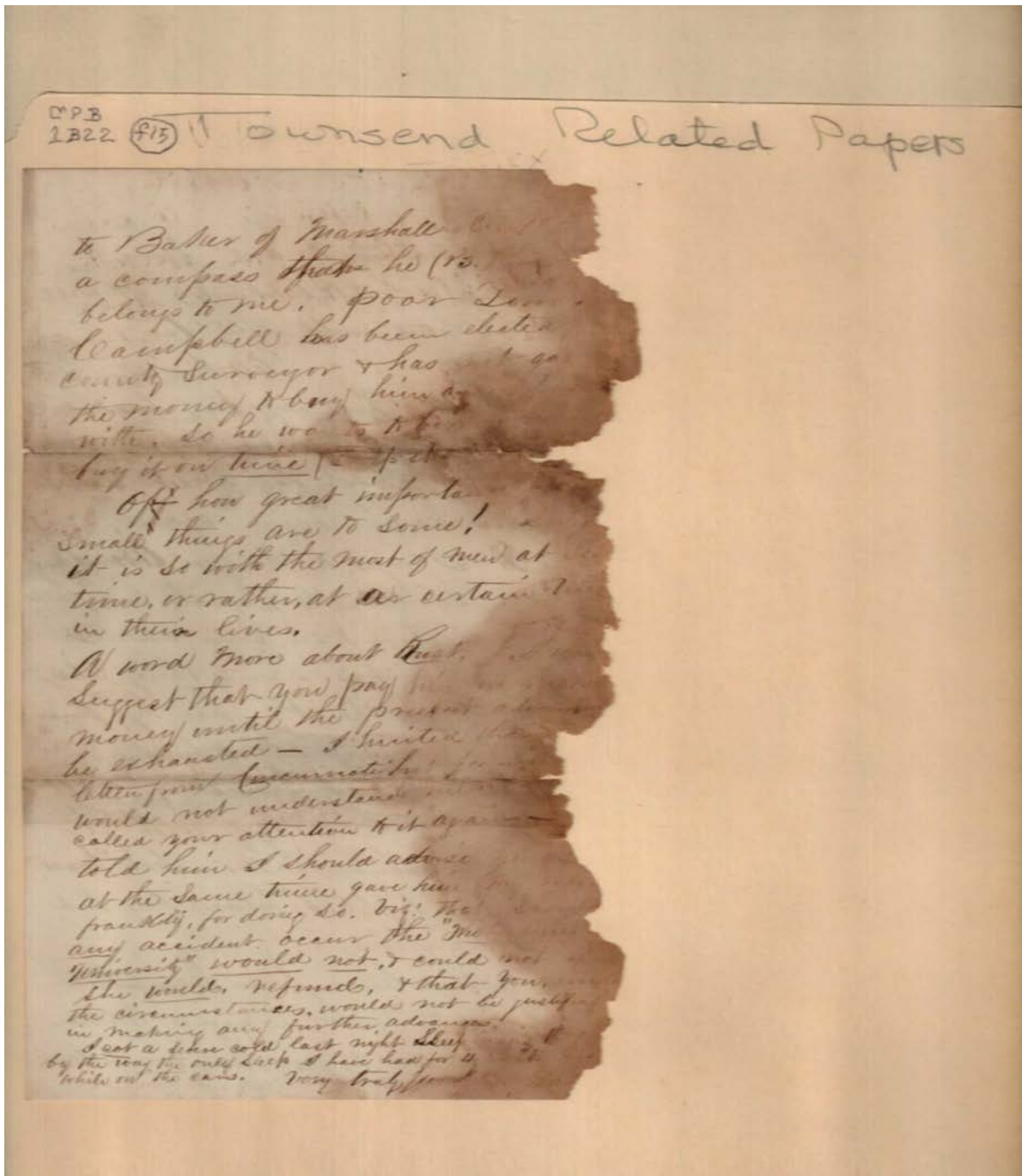
Huntsville, AL

Types:

envelope

Dates:

Sept 24, 1860



Names:

Baker,

Campbell, Tom

Places:

Marshall Co., AL

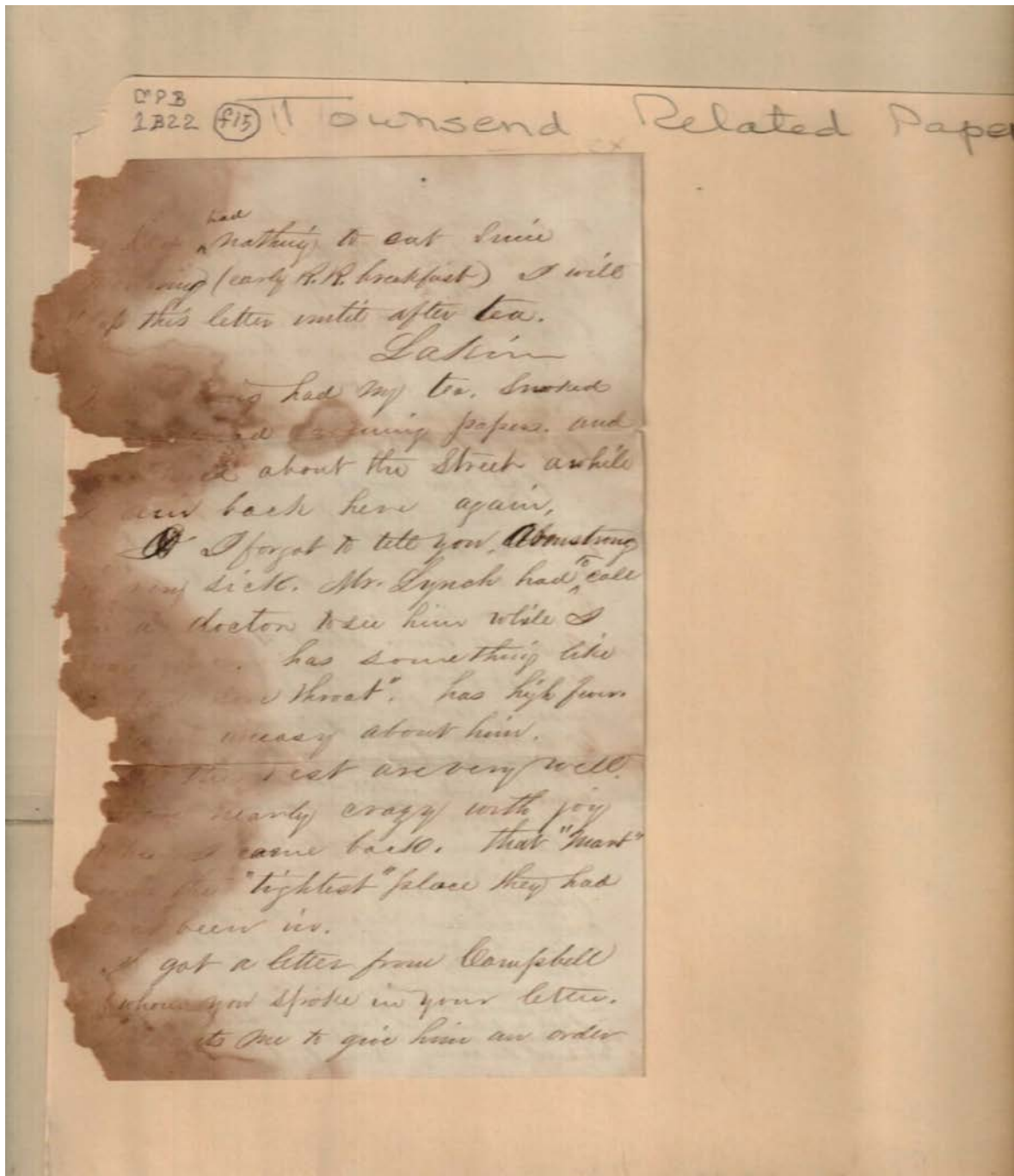
St. Louis, MO

Types:

correspondence

Dates:

March 5, 1860



Names:

Armstrong

Campbell,

Lakin,

Lynch, Mr.

Places:

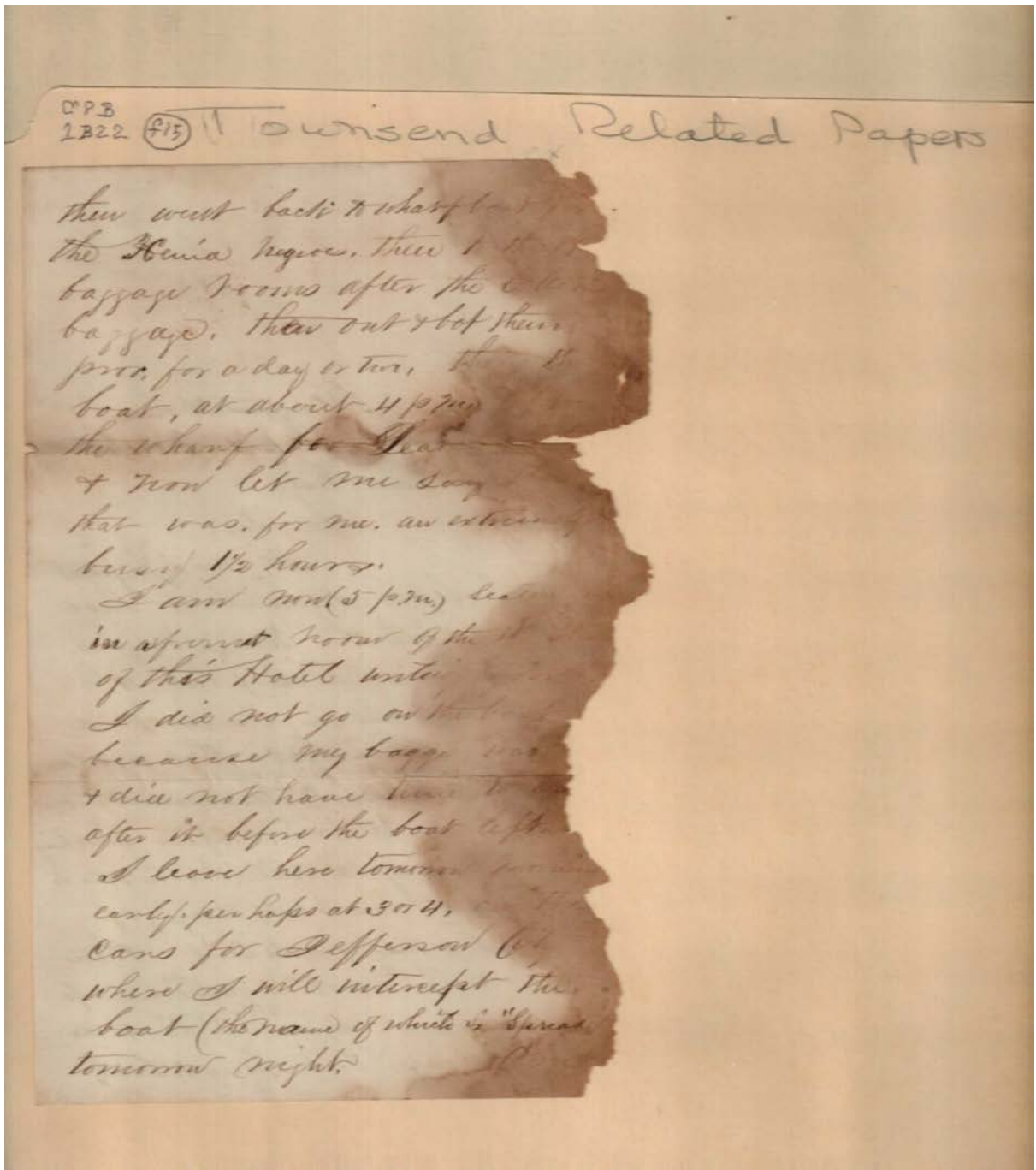
St. Louis, MO

Types:

correspondence

Dates:

March 5, 1860



Places:

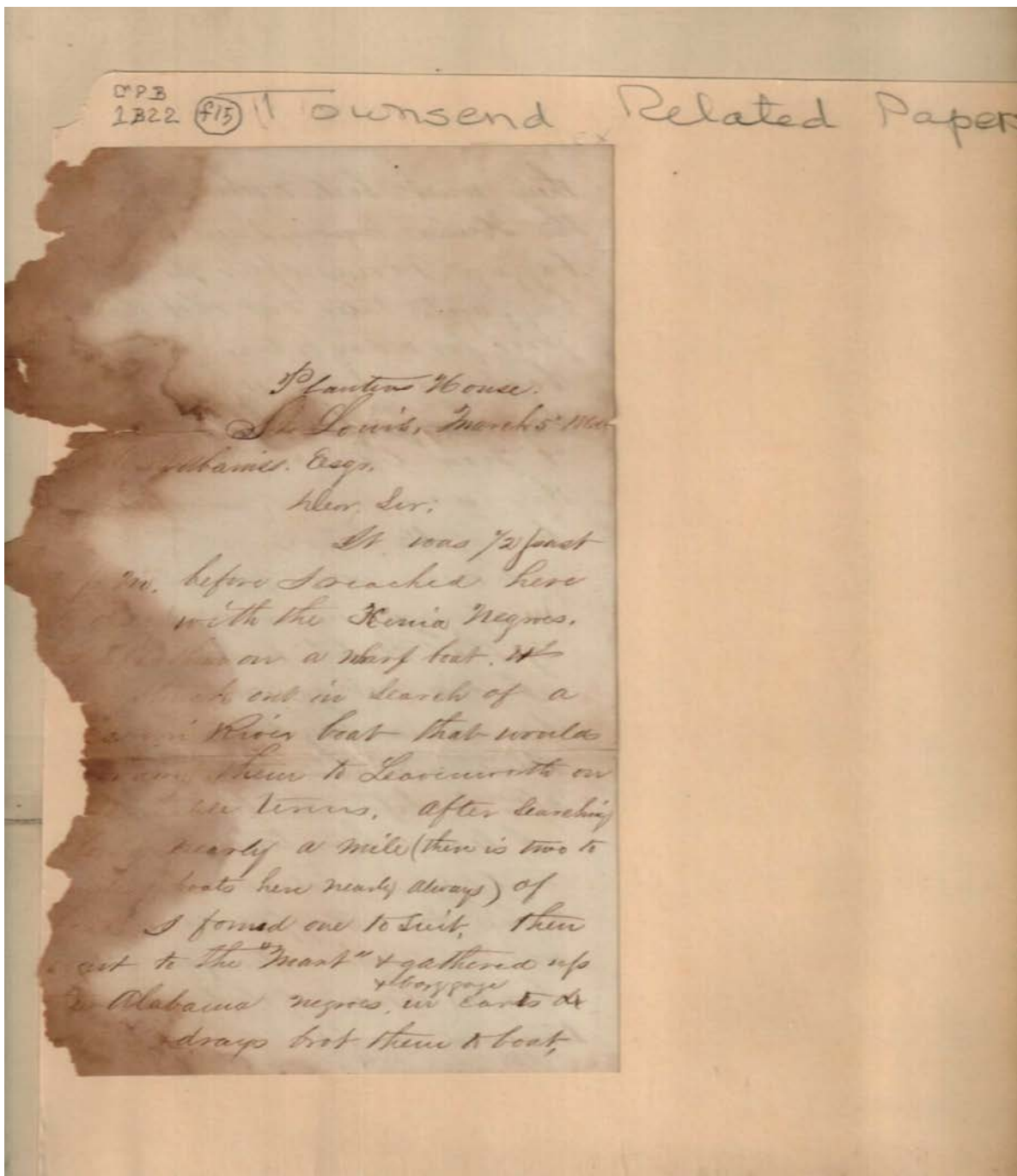
St. Louis, MO

Types:

correspondence

Dates:

March 5, 1860



Names:

Cabaniss, C. P.

Places:

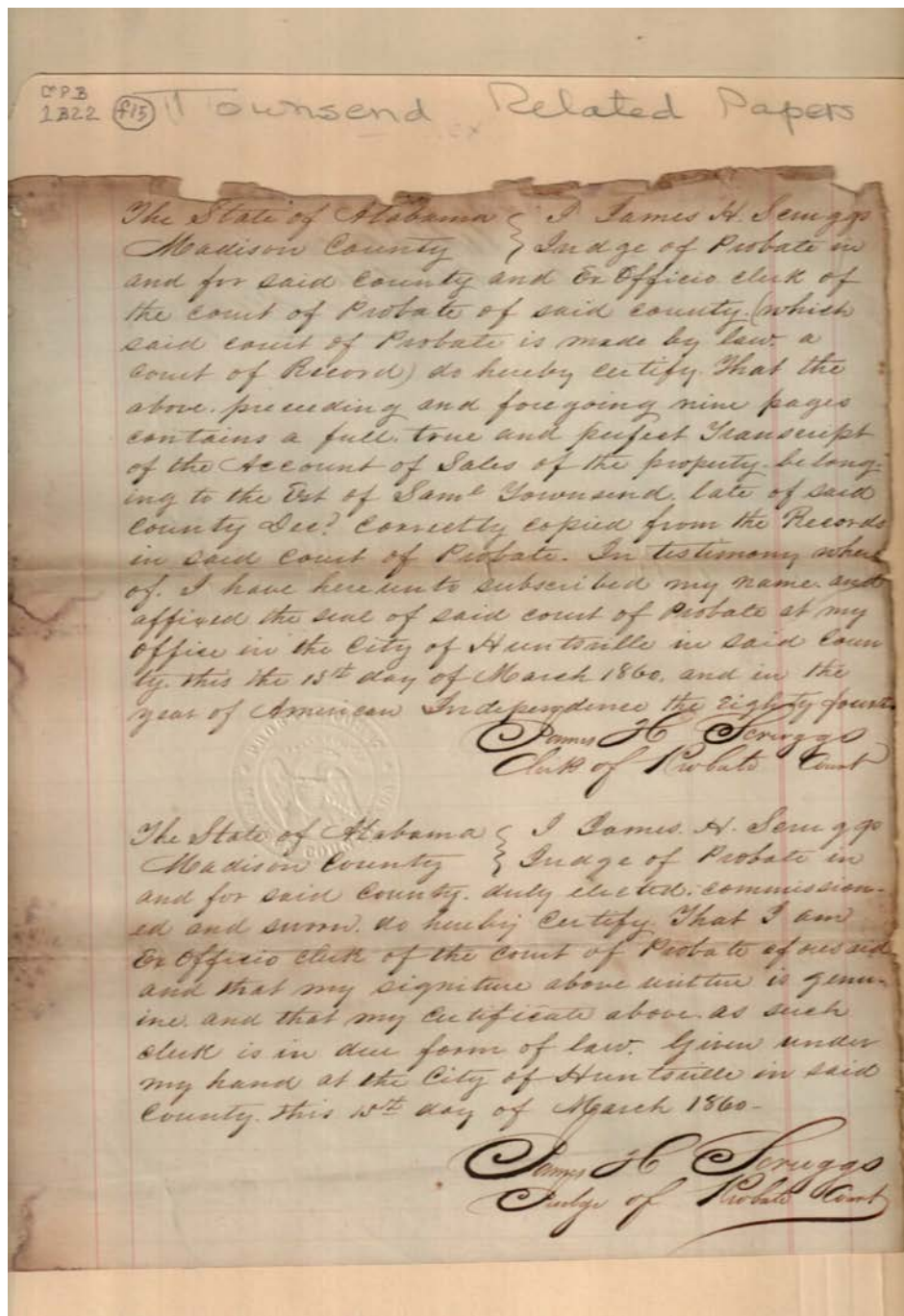
St. Louis, MO

Types:

correspondence

Dates:

March 5, 1860



Names:

Townsend, Samuel

Places:

Madison Co., AL

Types:

probate court

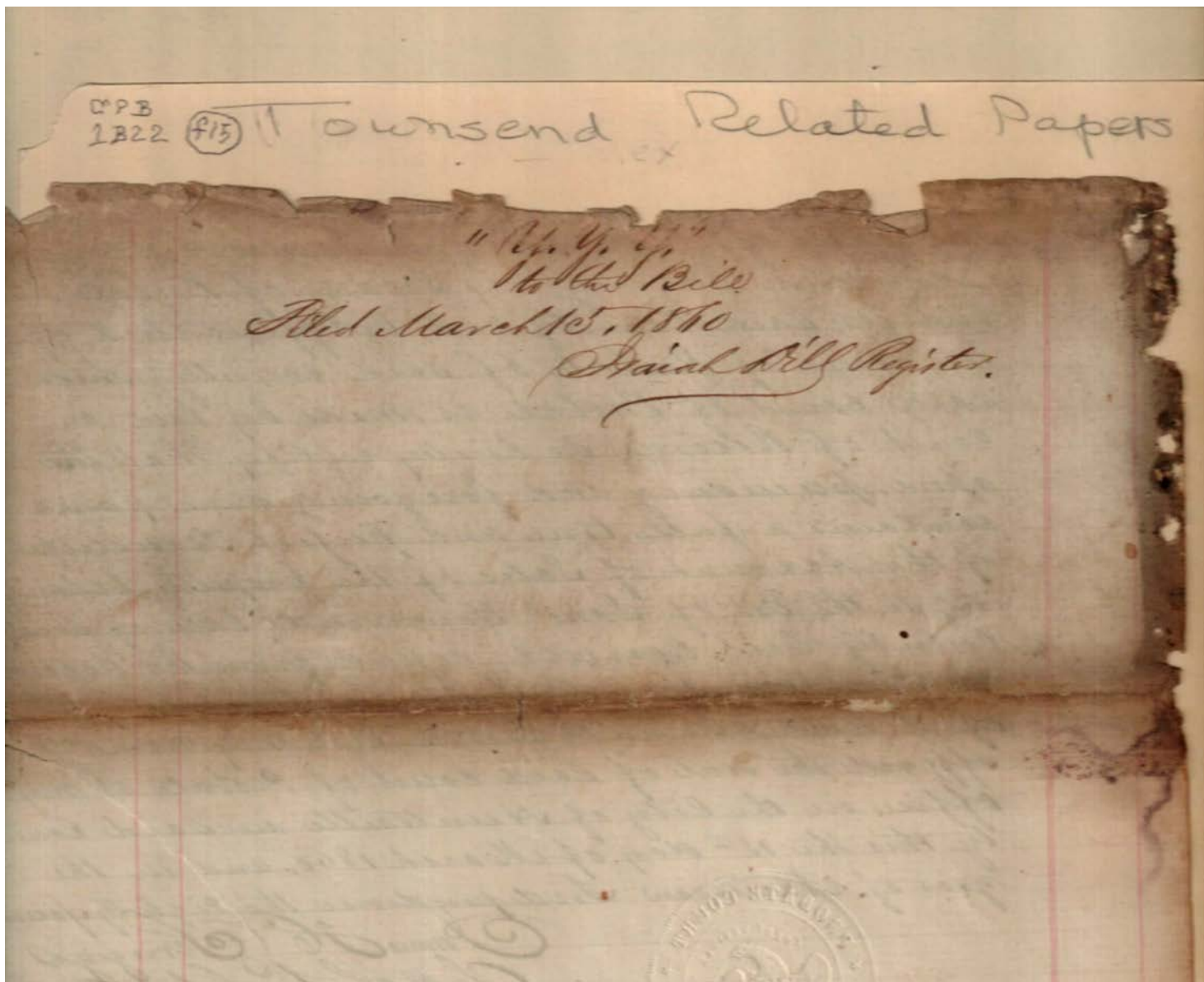
Dates:

Mar 15, 1860

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 32 r01b22-15-000-0183 [Contents](#) [Index](#) [About](#)



Names:

Dill, Isaiah (register)

Places:

Madison Co., AL

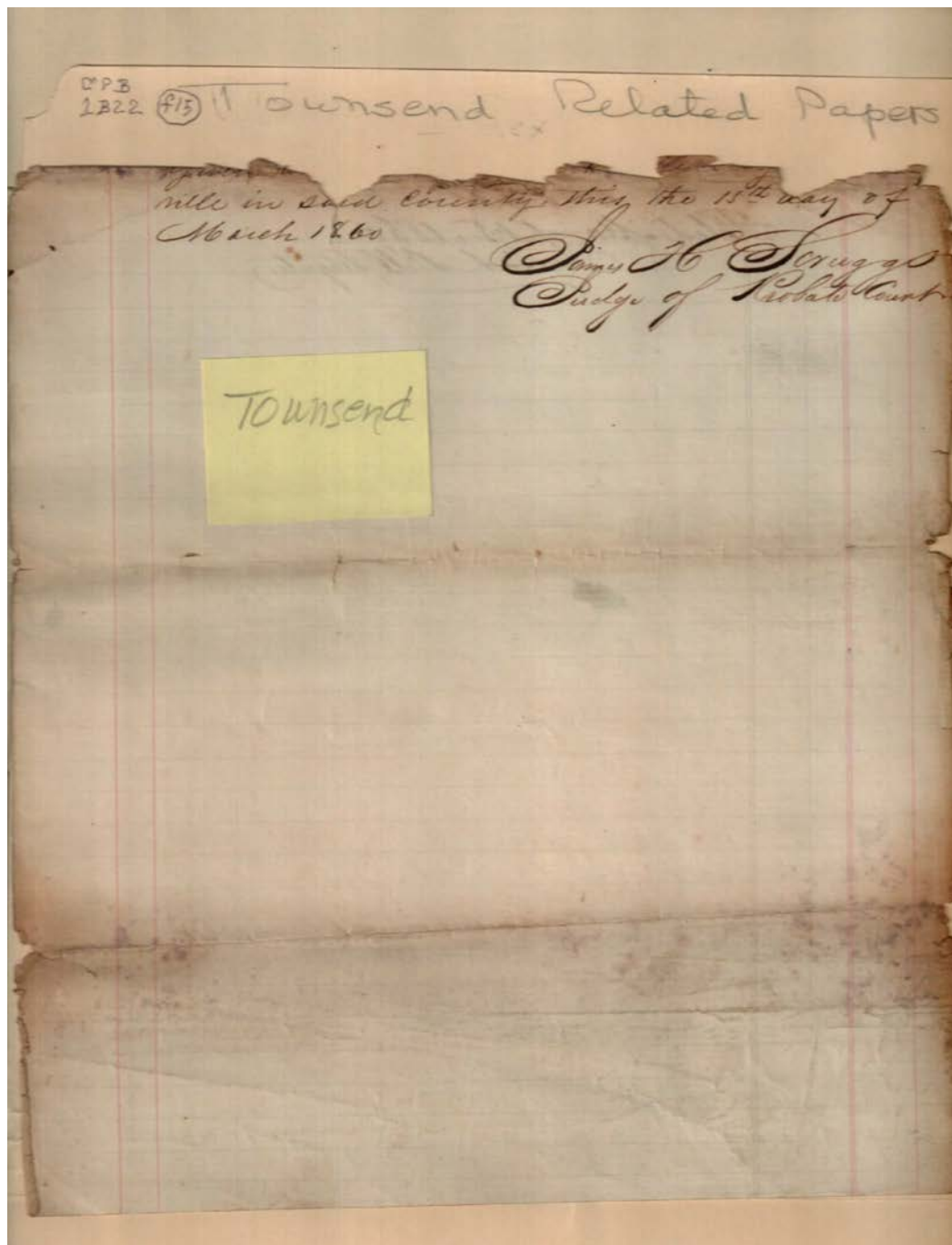
Dates:

Mar 15, 1860

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 33 r01b22-15-000-0184 [Contents](#) [Index](#) [About](#)



Names:

Scruggs, James H.
(probate judge)

Places:

Madison Co., AL

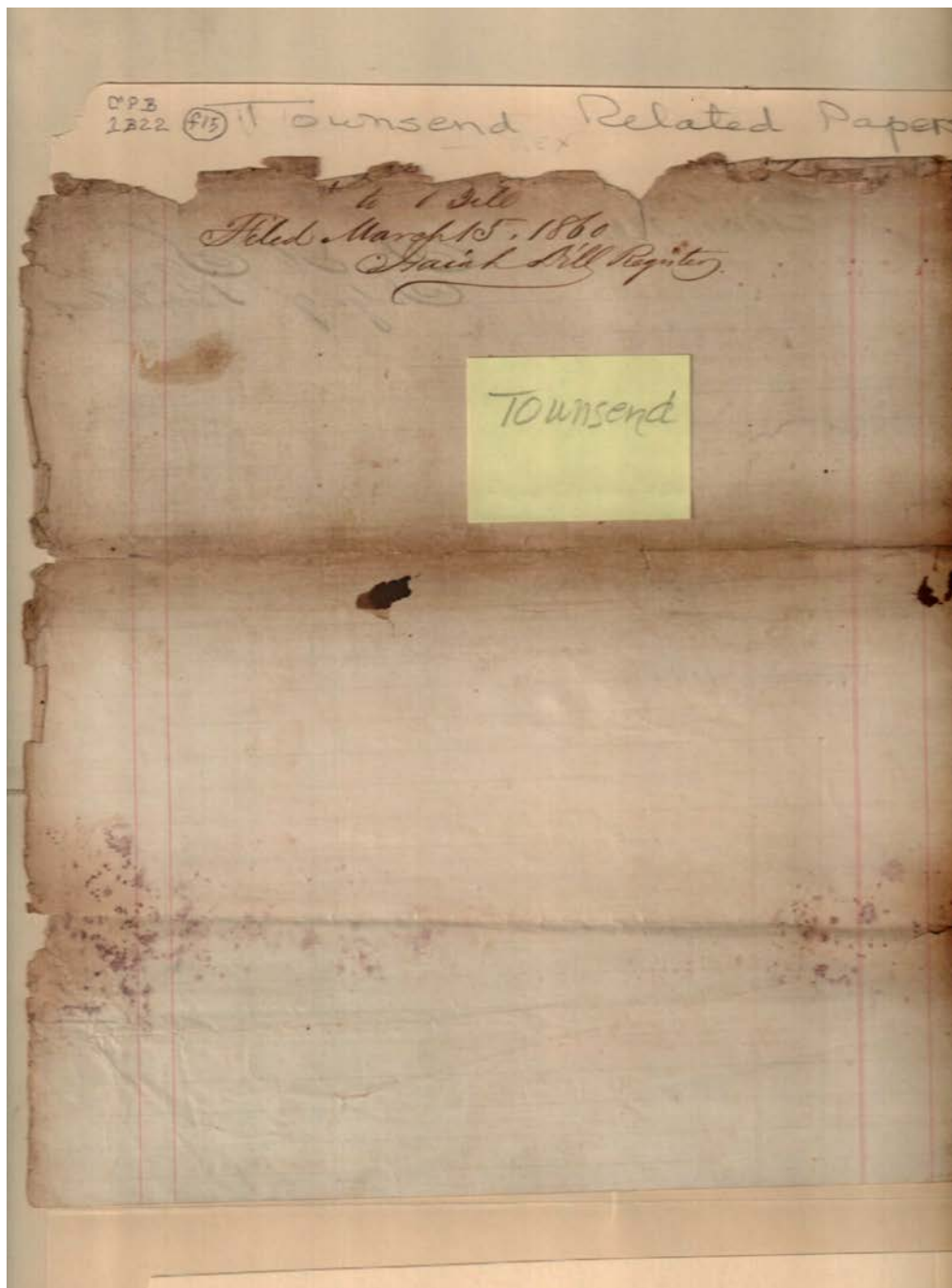
Dates:

Mar 15, 1860

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 34 r01b22-15-000-0185 [Contents](#) [Index](#) [About](#)



Names:

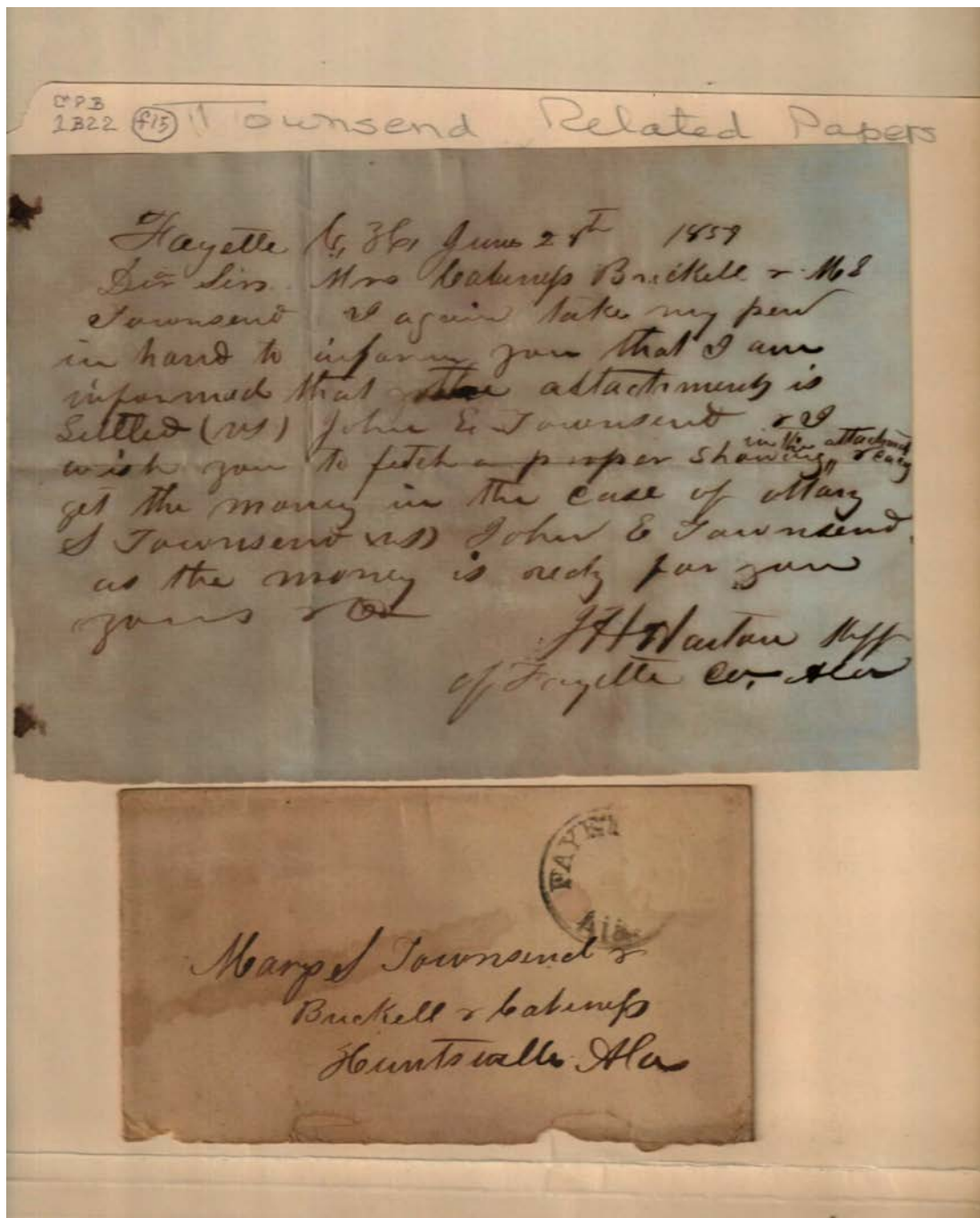
Dill, Isaiah (register)

Places:

Madison Co., AL

Dates:

Mar 15, 1860



Names:

Brickell & Cabaniss
Brickell,

Cabaniss,
Hastan, J. H., shff.

Townsend, John E.
Townsend, M. S.

Townsend, Mary S.

Places:

Fayette Co. AL

Huntsville, AL

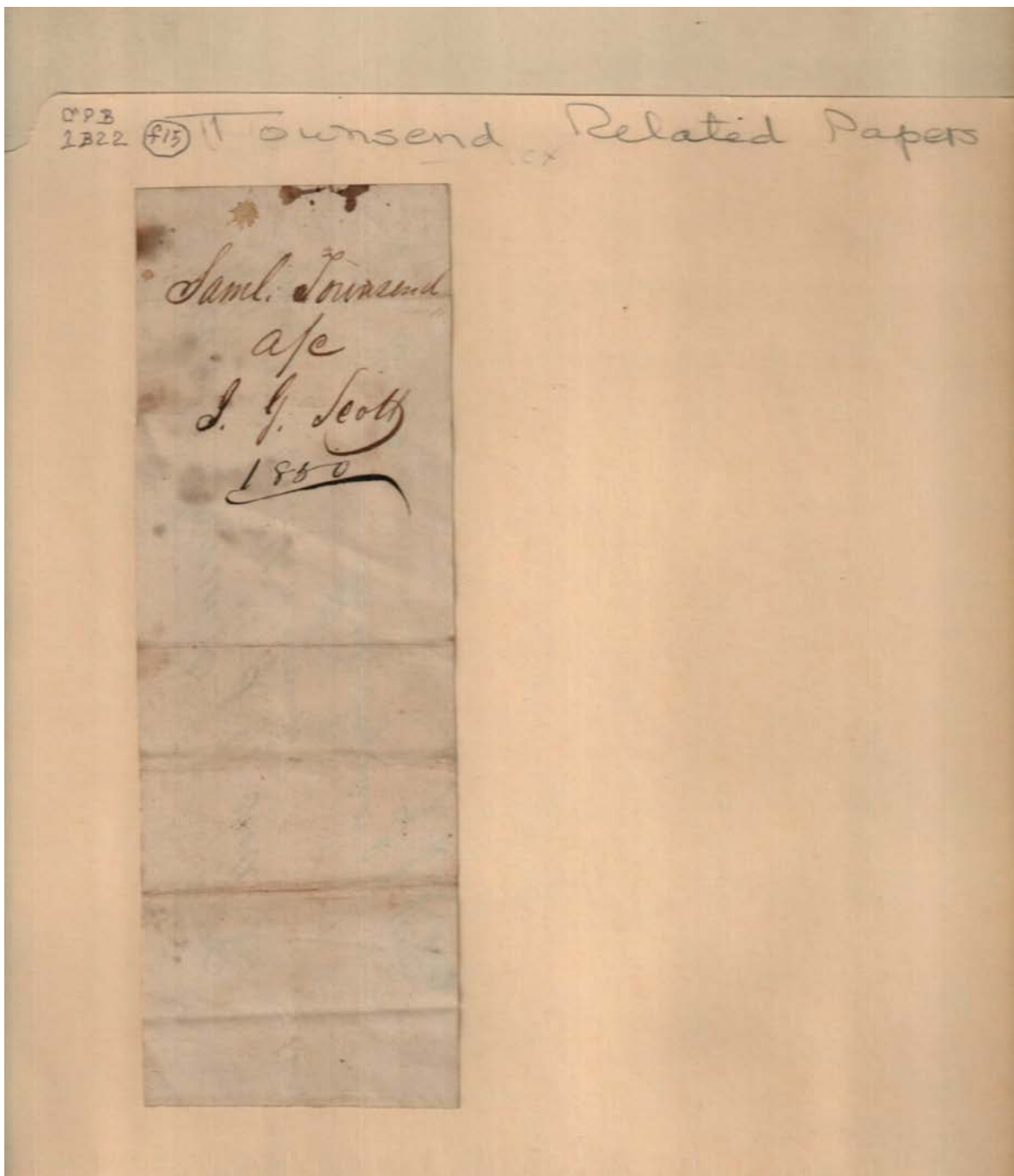
Types:

correspondence

envelope

Dates:

June 28, 1859



Names:

Scott, J. G.

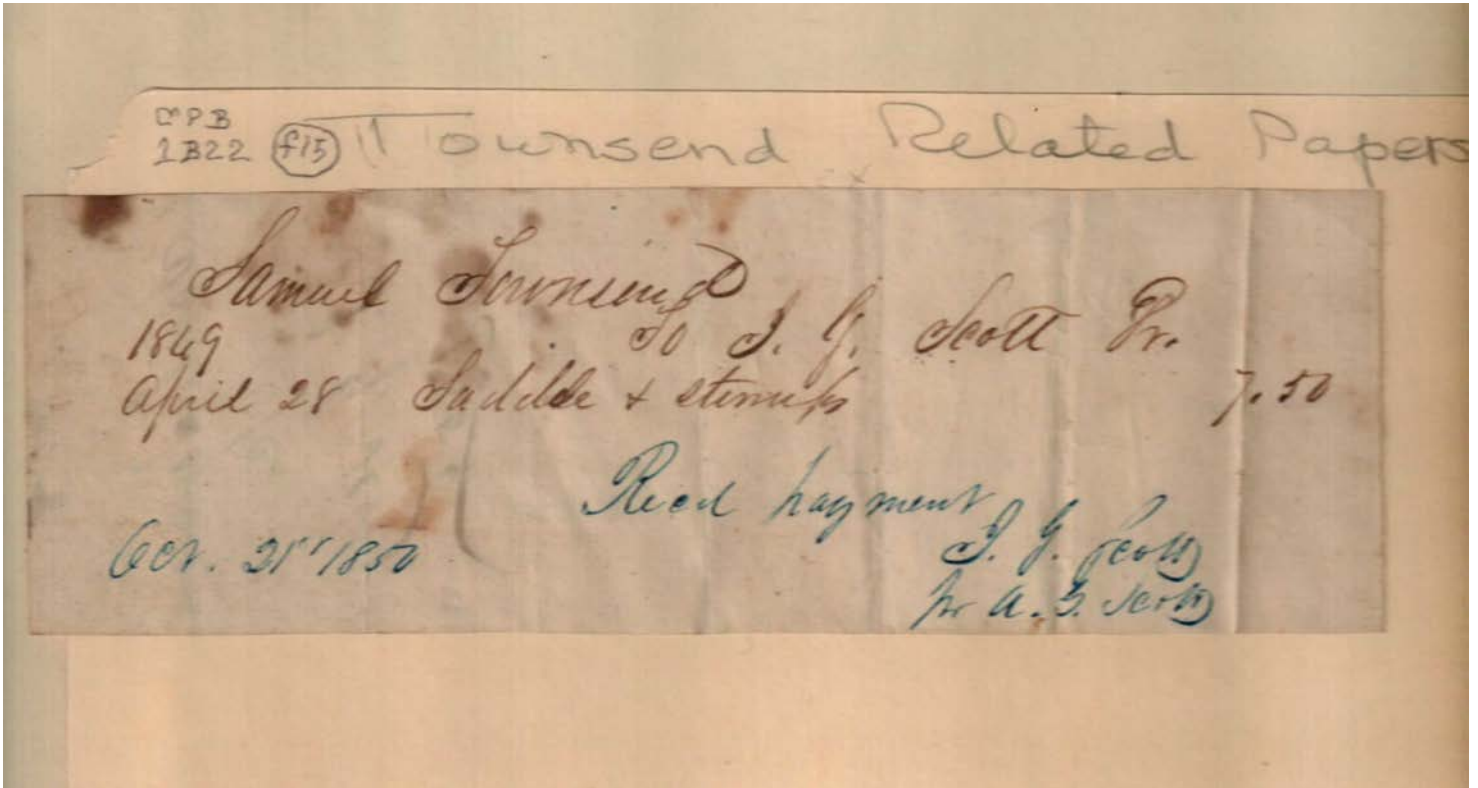
Townsend, Samuel

Types:

account

Dates:

1850



Names:

Scott, J. G.

Scott, M. A. G.

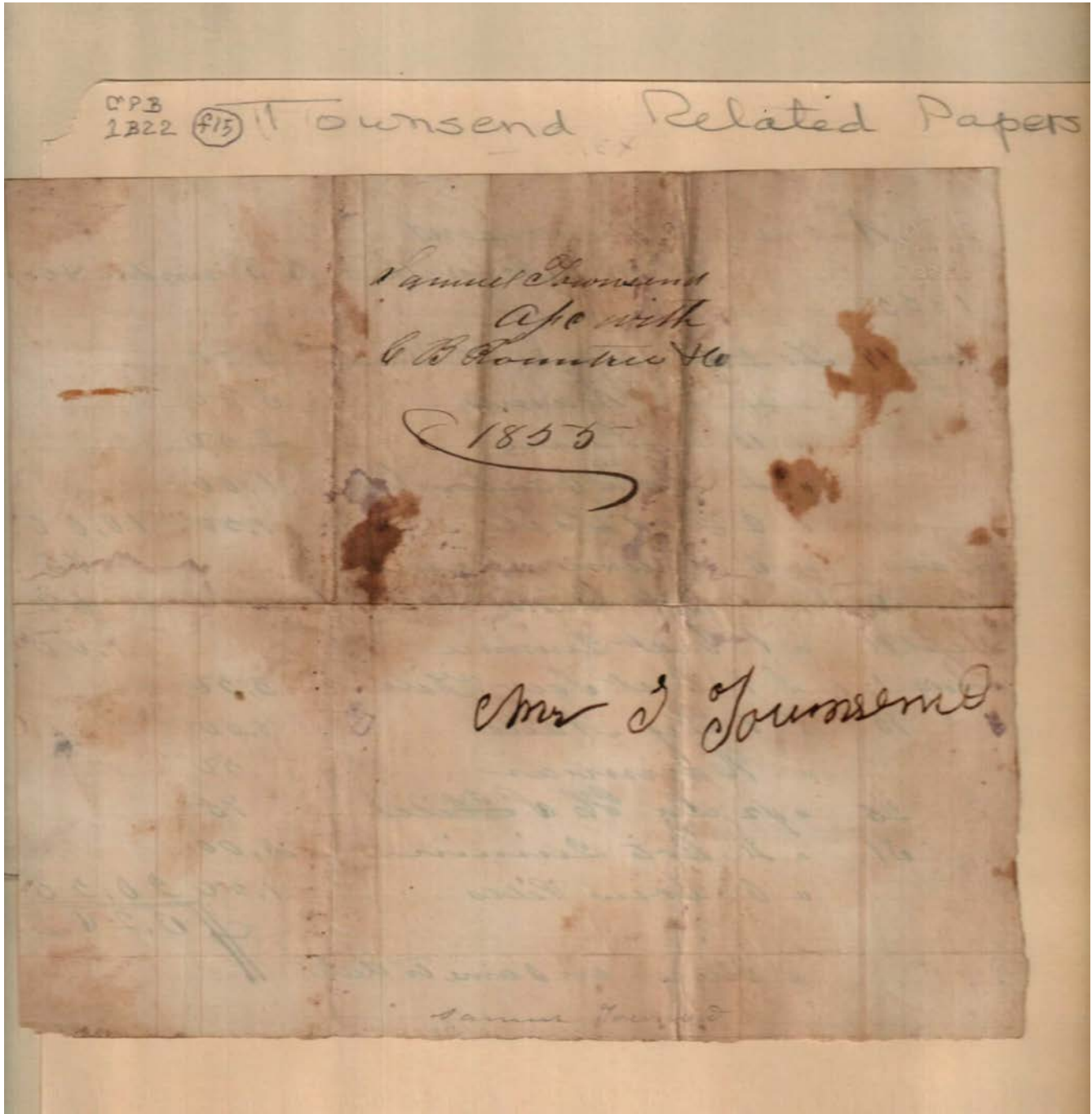
Townsend, Samuel

Types:

receipt

Dates:

Oct 21, 1850



Names:

Rountree, C. B. &
Co.

Townsend, Samuel

Types:

account

Dates:

1850

CPB
1822 (915) Townsend Related Papers

Samuel Townsend
An ac^t with C B Rountree & Co
1853-

July 19	To Dr Trace Chain	2,00	
" 4	" " Names	3,00	
" 10	" " Linn	2,50	
" 4	Botobastor Od	1,00	
" 2	Pad Locks	1,50	10,00
Mar 1	" 5 Quarry Hammers		75
June 2	" 1 Bot Pastor Od		62
Sept 31	" 1 Vial Linn		1,00
Aug 1	1/2 bot Saw File	5,50	
15	" 1 Key Nails	8,00	
	" Hammer	50	
25	" 1/2 Dr H & Files	75	
31	" 4 Bot Linn	4,00	
	" 6 Box Files	1,50	20,25
			<u>3,202</u>
	" Interest on same to date		

Names:

Rountree, C. B. &
Co.

Townsend, Samuel

Types:

account

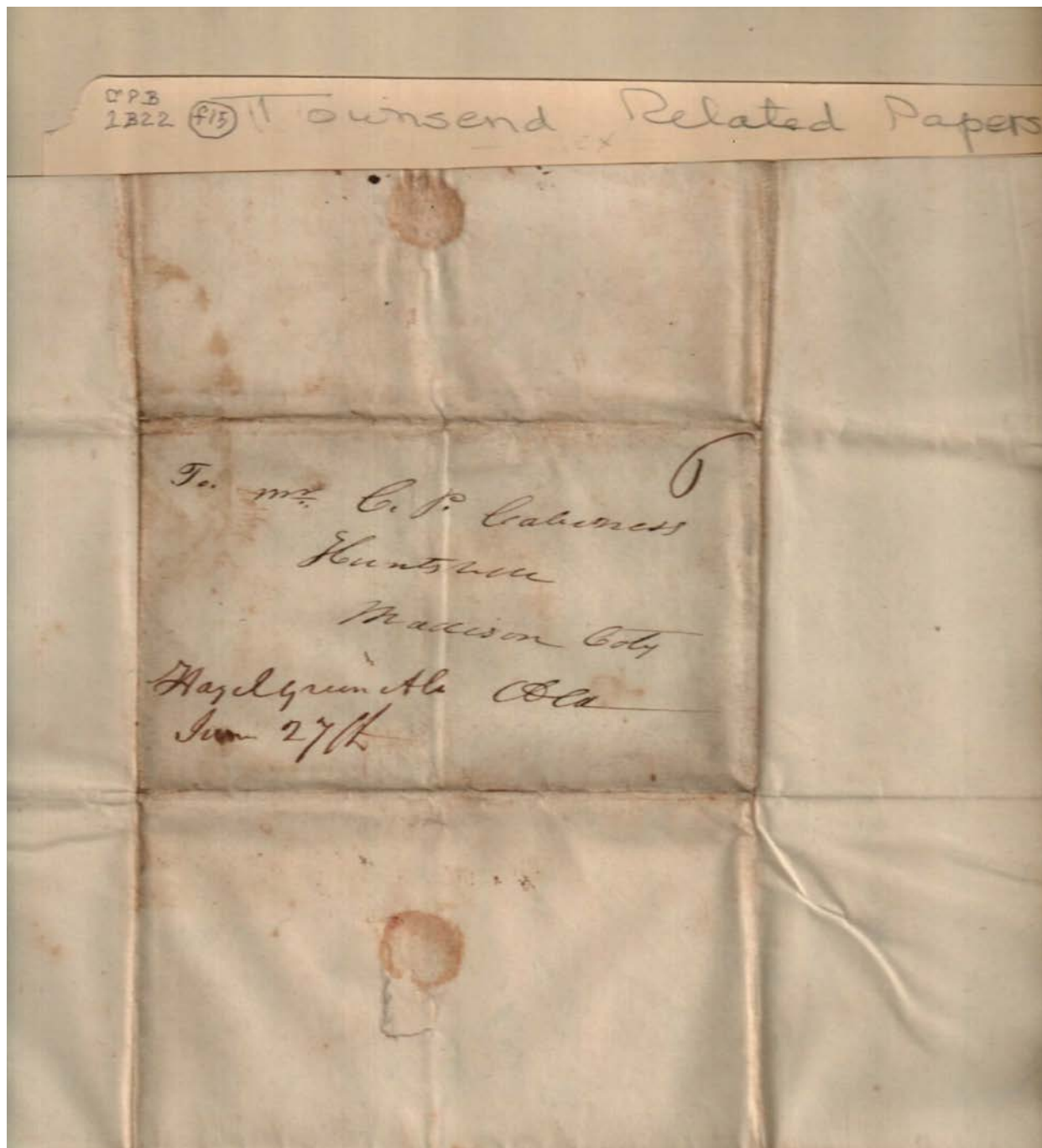
Dates:

1855

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

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Names:

Cabaniss, C. P.

Places:

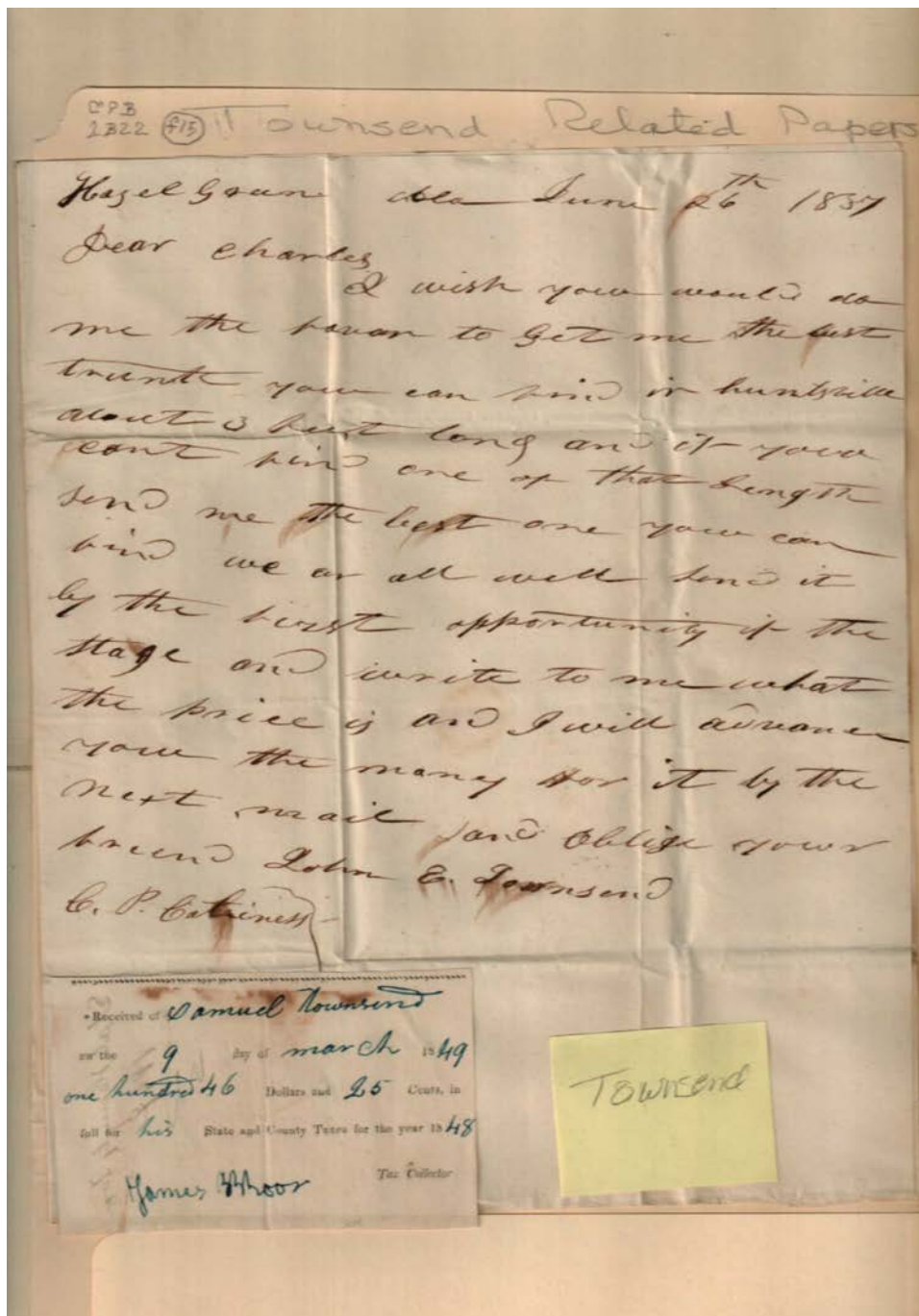
Huntsville, AL

Types:

envelope

Dates:

June 27, 1857



Names:

Cabaniss, Charles P.

Townsend, John E.

Townsend, Samuel

Places:

Hazel Green, AL

Madison Co., AL

Types:

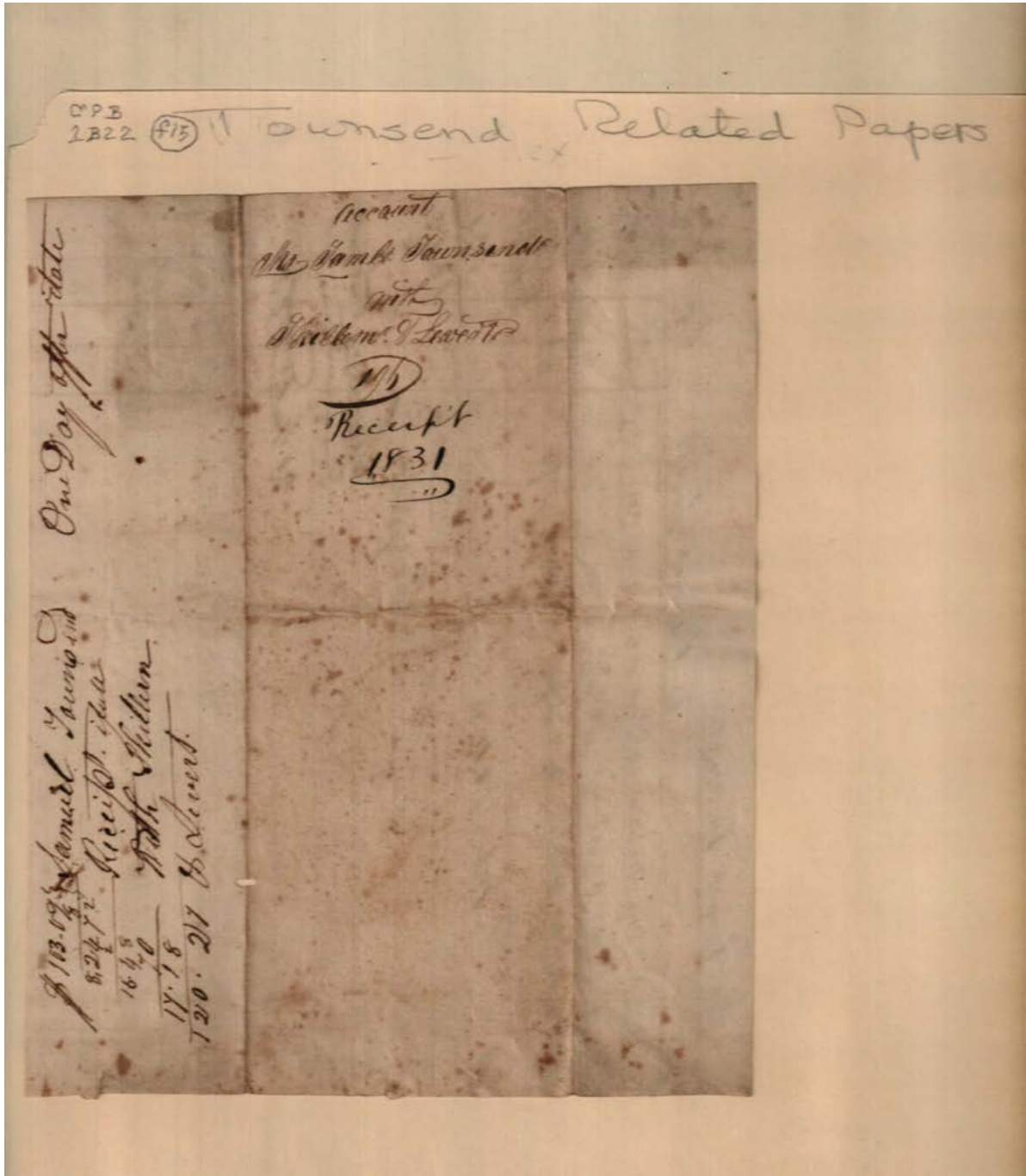
correspondence

tax

Dates:

June 27, 1857

Mar 9, 1849



Names:

Levert, H.

Skillern, Levert &
Co.

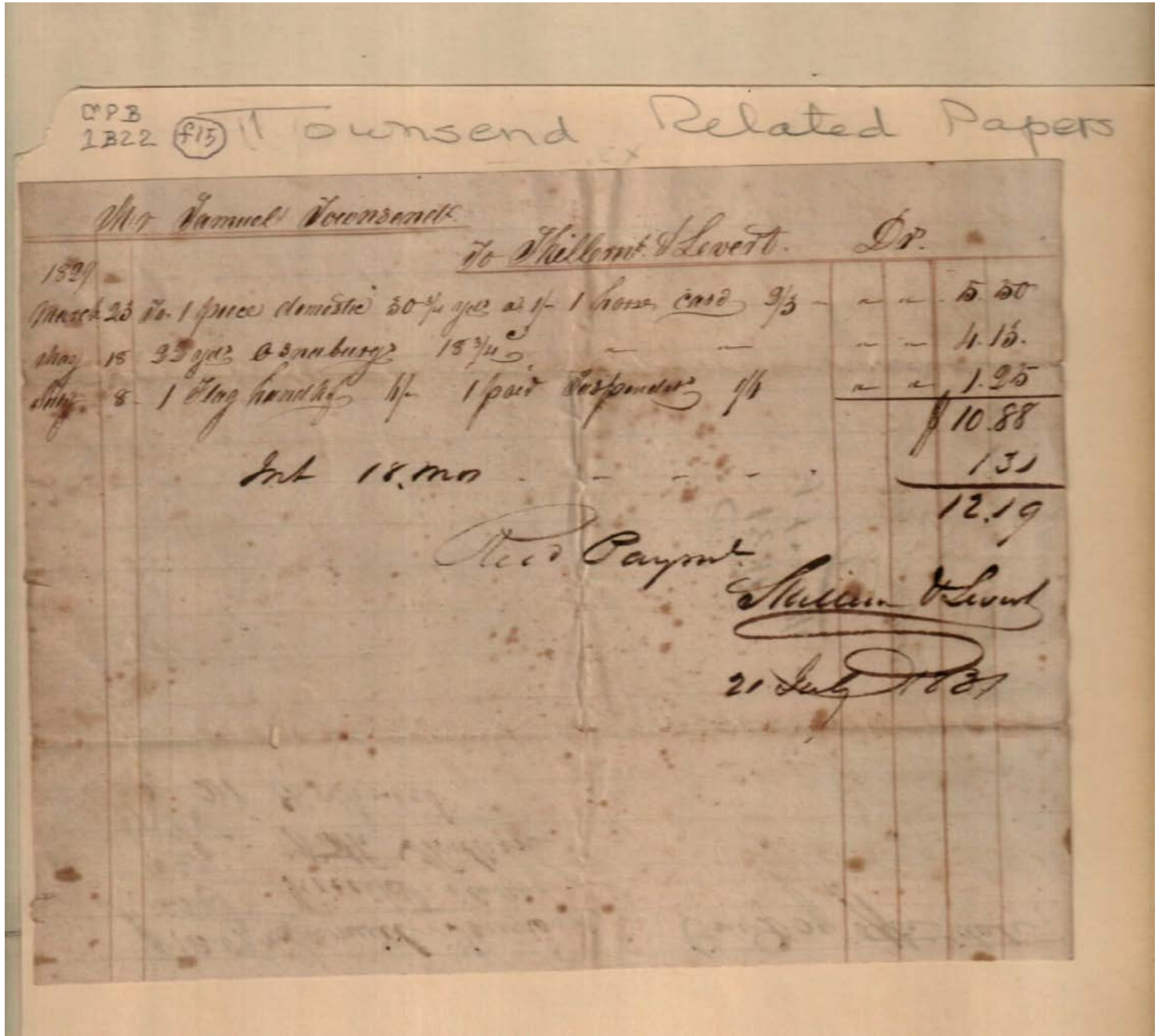
Skillern, Ruth
Townsend, Samuel

Types:

receipt

Dates:

1831



Names:

Skillern & Levert

Townsend, Samuel

Types:

receipt

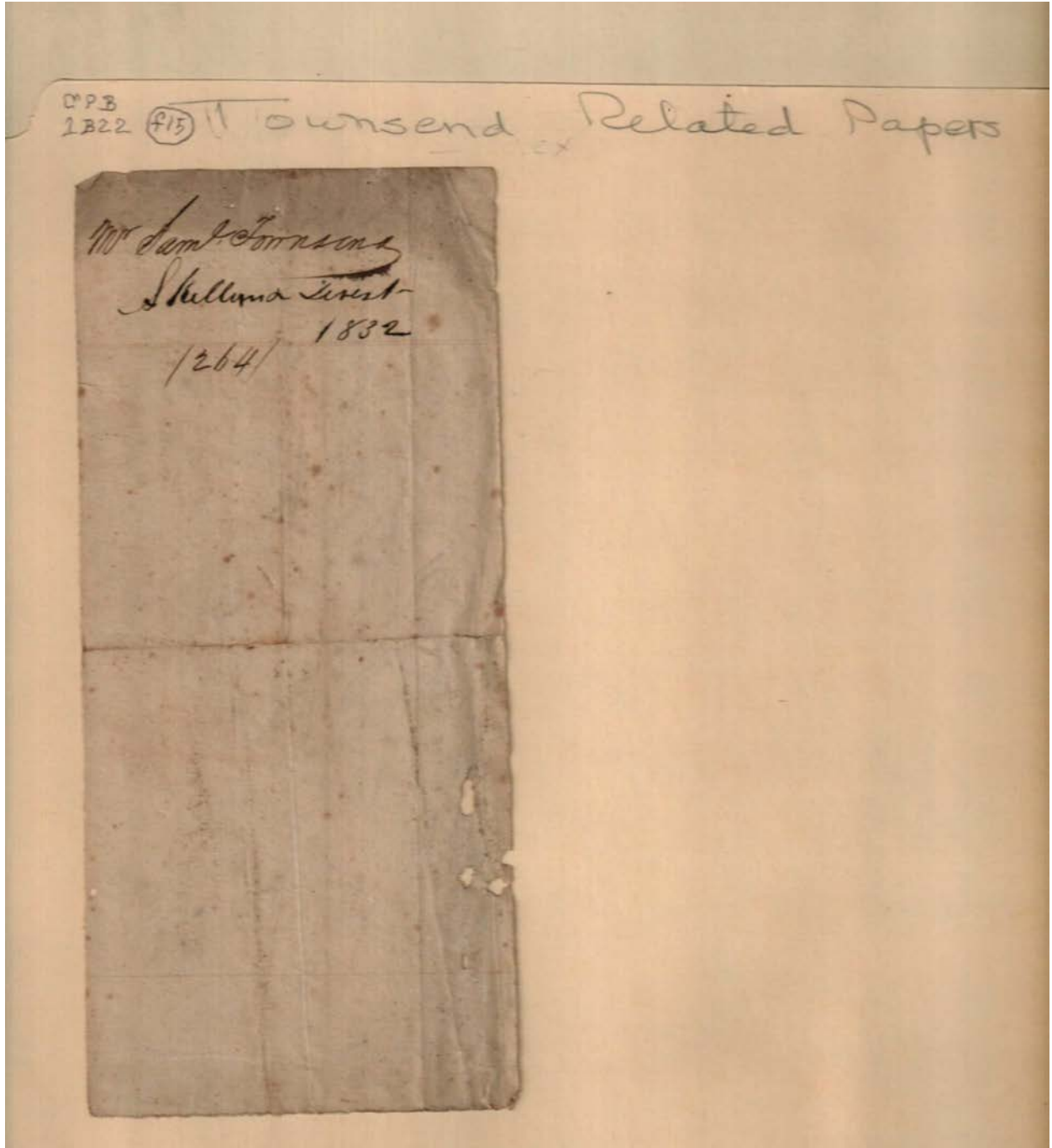
Dates:

July 21, 1831

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 44 r01b22-15-000-0195 [Contents](#) [Index](#) [About](#)



Names:

Skillern & Levert

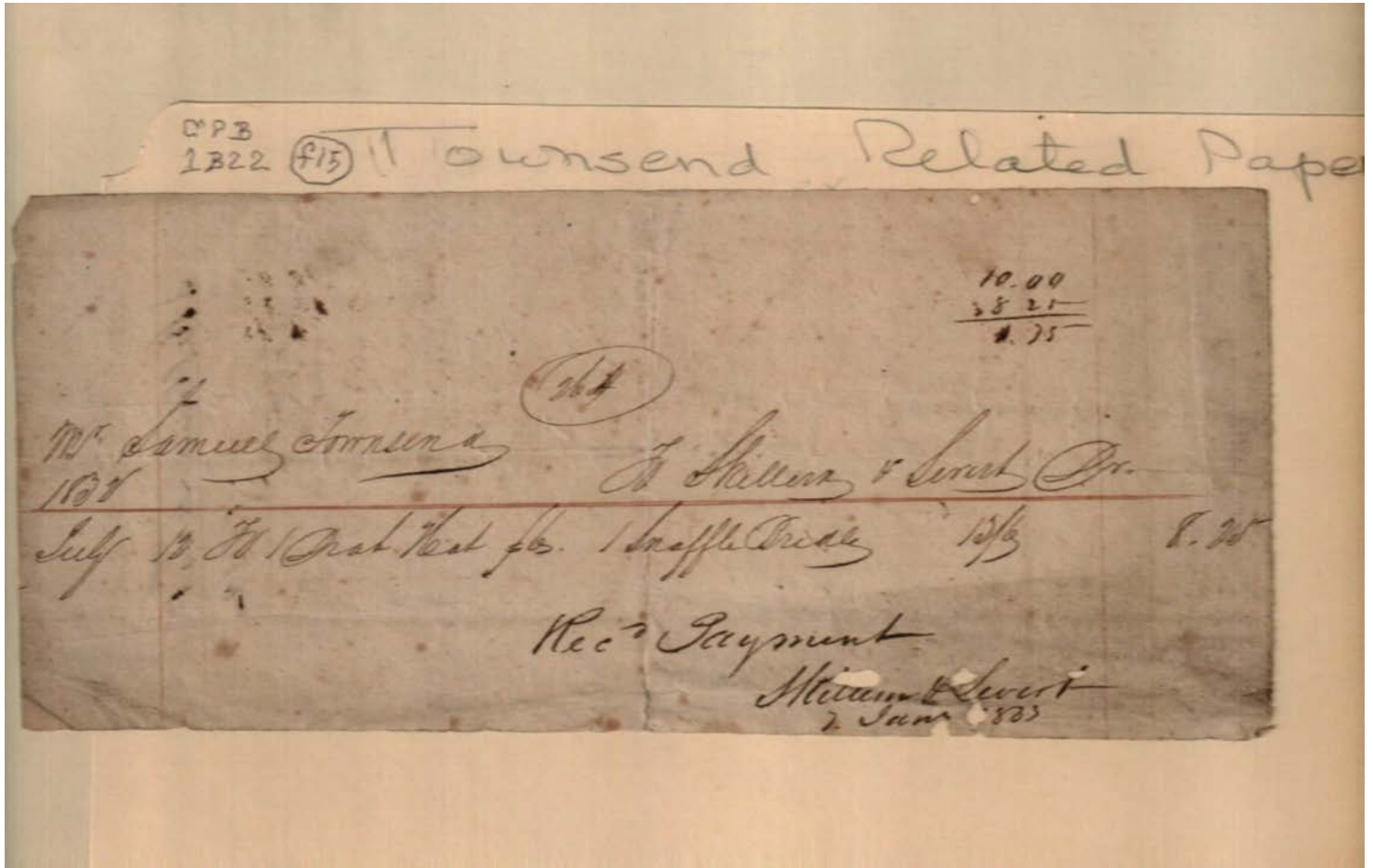
Townsend, Samuel

Types:

account

Dates:

1832



Names:

Skillern & Levert

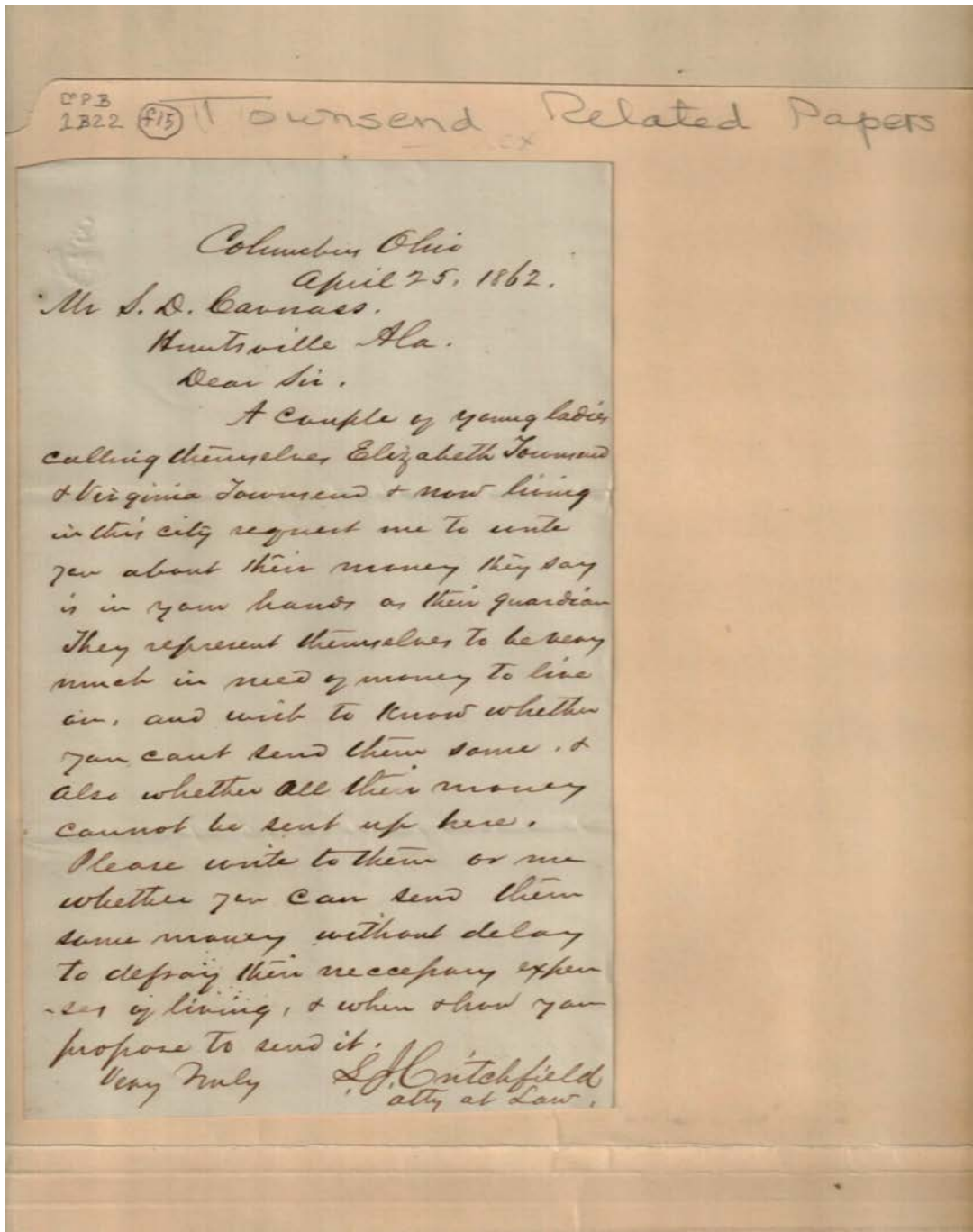
Townsend, Samuel

Types:

receipt

Dates:

June 7, 1833



Names:

Cabaniss, S. D.

Critchfield, S. J.

Townsend, Elizabeth

Townsend, Virginia

Places:

Columbus, Ohio

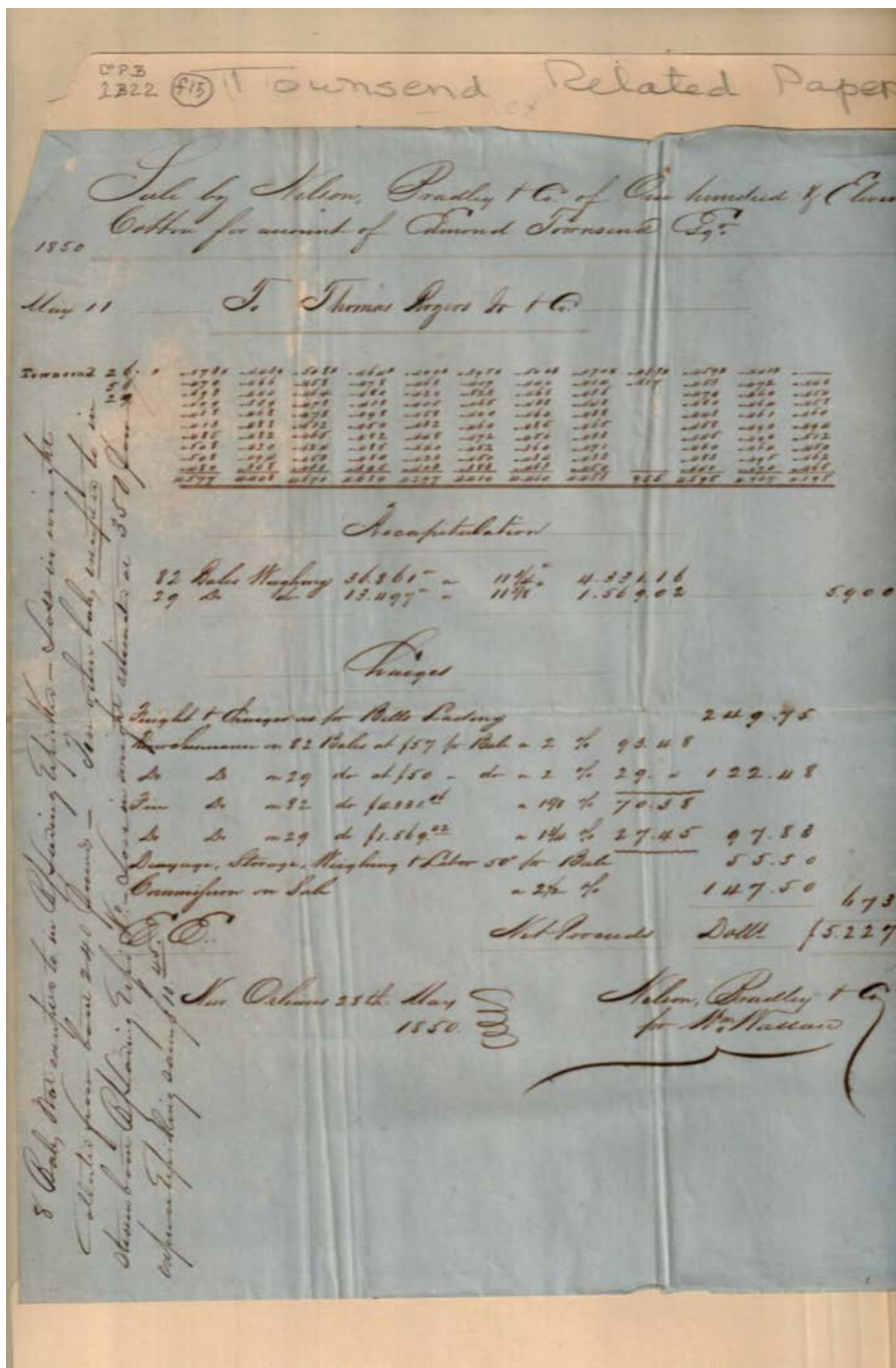
Huntsville, AL

Types:

correspondence

Dates:

Apr 25, 1862



Names:

Nelson, Bradley & Co.

Rogers, Thomas, Jr. & Co.

Townsend, Edmond

Places:

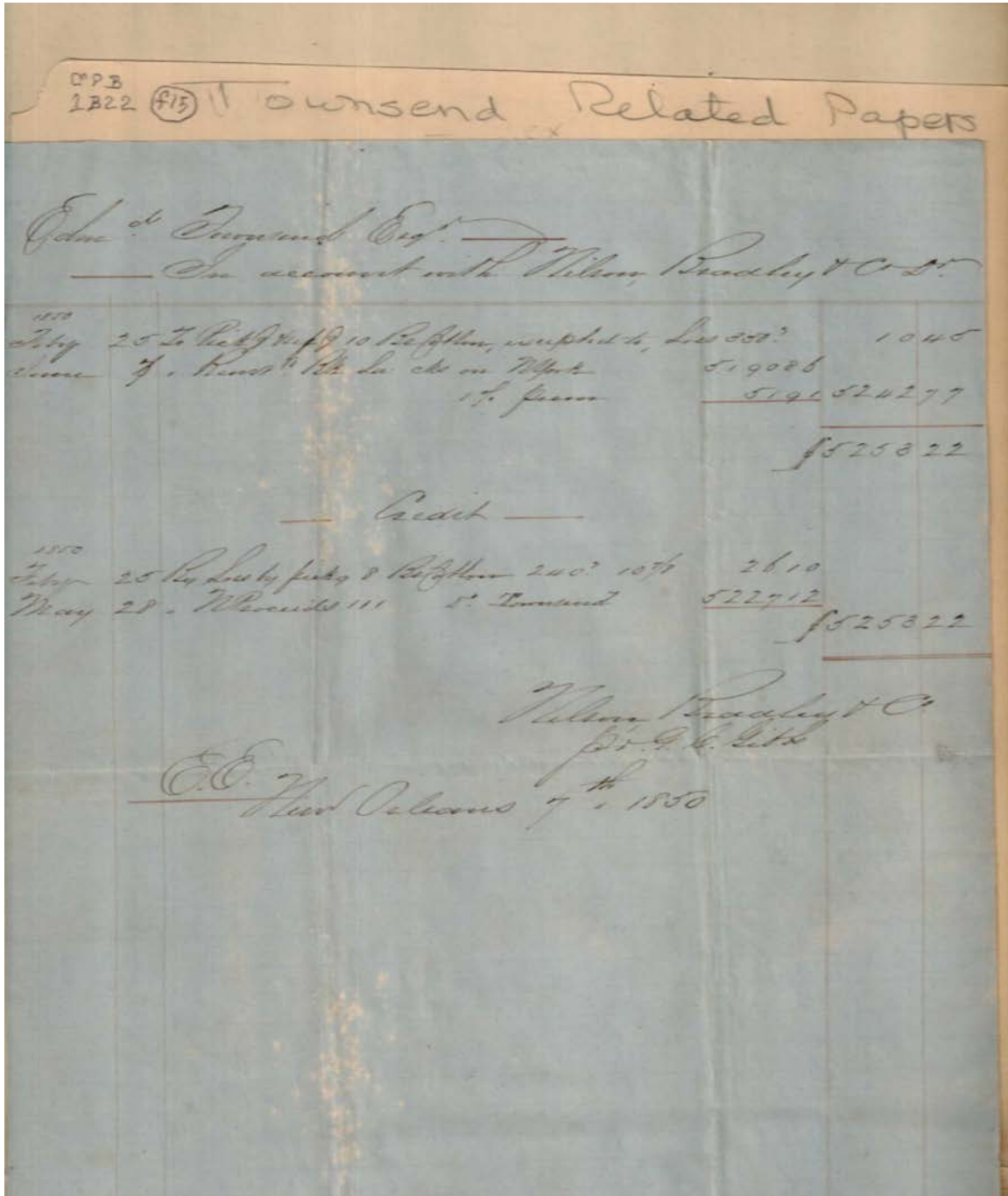
New Orleans, LA

Types:

account

Dates:

1850



Names:

Nelson, Bradley & Co.

Townsend, Edmond

Places:

New Orleans, LA

Types:

account

Dates:

1850

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

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Names:

Townsend, Edmond

Places:

Hazle Green, AL

Types:

envelope

Dates:

1850

CPB
1222 (915) Townsend Related Paper

New Orleans 29th Jan'y 1850

E. Townsend Esq
Hazle Green Ala

Dear Sir

The news by
the 'Alecto' for Jan'y 15 Bales
Cotton and by the 'Charlotte' 26 Bales
all which shall have attention
On the 15th Inst. we sold 1
37 Bales of your Cotton @ 10 $\frac{1}{2}$ ¢
which we hope will be satisfactory
& will render account of sales in a
few days - We have the Lpool
accounts to the 12th Inst. they report
an advance of a $\frac{1}{4}$? - our prices
remain the same as before these
accounts were received - but our
market is rather quiet, and factors
are firm in their demands - both
Alabamas are generally worth 10 $\frac{1}{2}$ ¢
to 11 cents.

Yours truly
Bradley Wilson &
Co.

Names:

Bradley, Wilson &
Co.

Townsend, E.

Places:

Hazle Green, AL

New Orleans, LA

Types:

correspondence

Dates:

Jan 29, 1850

OPP
1322 (f15) Townsend Related Paper

J. C. Bradley & others
 15000. Due 28. day December 1845. 15000.00
 Interest. 3 years and 8 m^{ts}. — up to 29 Aug. 4400.00
 1849 then credit By ————— 19400.00
 Interest. on the above and up to 1st. April 1850 ————— 5000.00
 then credit By ————— checks ————— 14400.00
 ————— 672.17
 ————— 15072.00
 ————— 5000.00
 \$ 10072.00 —

Joseph C. Bradley & others. By note Due Twelve months
 after. Date. for 10000. with Interest. from 1. April. 1846
 10000.00
 Interest. four years. up to 1 April 1850 ————— 3200.00
 then credit. By Sale for 5000. & J. C. B. 3189.00 ————— 13200.00
 \$ 5000.00

Names:

Bradley, J. C.

Bradley, Joseph C.

Types:

finance report

Dates:

1850



Names:

Barbee, Joseph D.

Townsend, E.

Townsend, Edmund

Places:

Hazle Green, AL

Types:

envelope

receipt

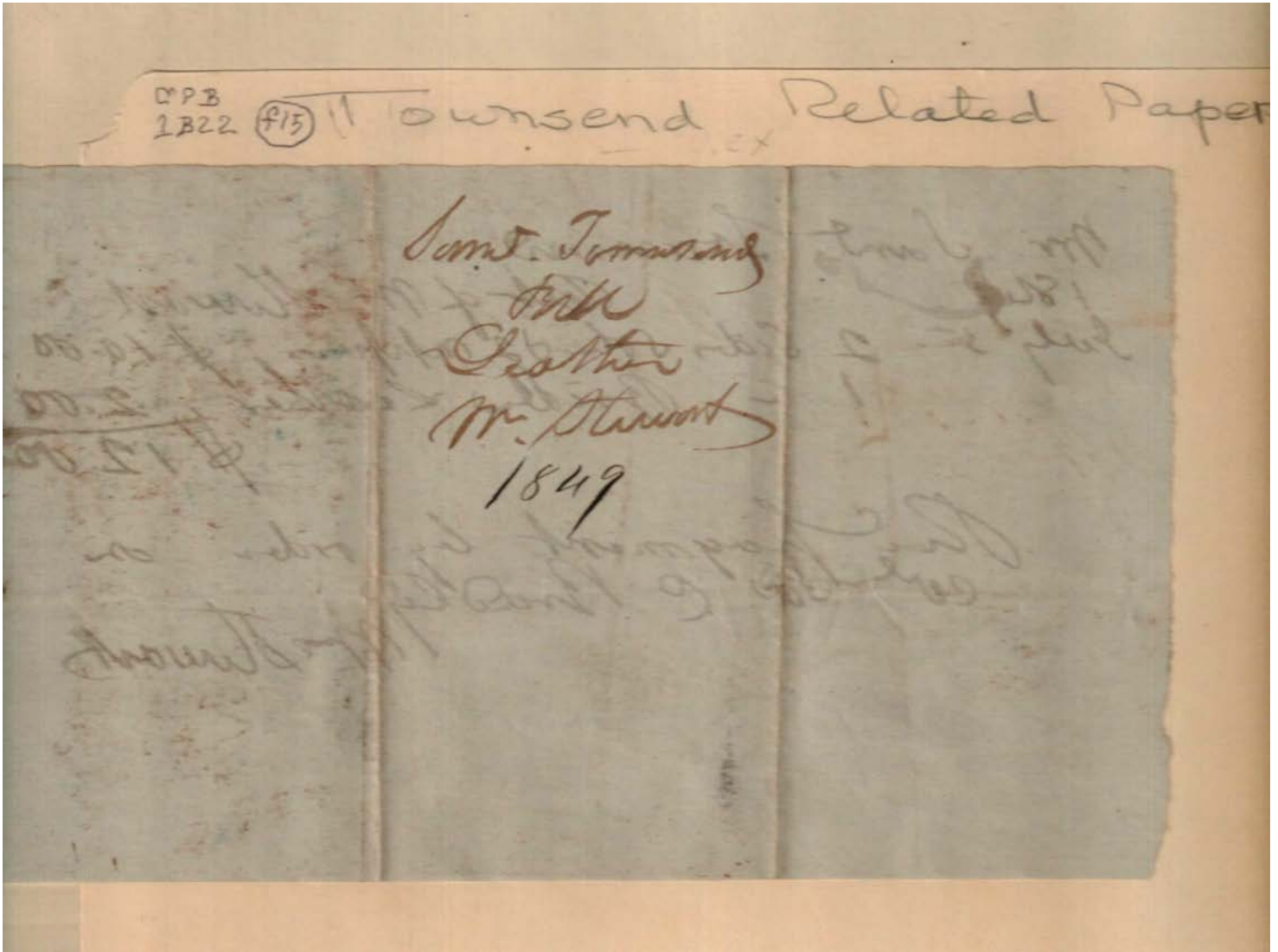
Dates:

Mar 19, 1850

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 53 r01b22-15-000-0204 [Contents](#) [Index](#) [About](#)



Names:

Stewart, William

Townsend, Samuel

Types:

account

Dates:

1849

MPB
1B22 (f15) Townsend Related Paper

Mr. Saml Townsend
1849
July 5. 2 Sides sole & 2 upper. \$10.00
1 - Bridle leather 2.00
\$12.00

Recd payment by order on
col Jos. C. Bradley
Wm Stewart

Names:

Bradley, Joseph C.

Stewart, William

Townsend, Samuel

Types:

receipt

Dates:

July 5, 1849

CPB
1822 (915) Townsend Related Papers

In Chancery 29th District
S. D. Cabaniss June Term 1860
Expt of Documents
Expt of Saml Townsend
vs
Wesley Townsend et al

For orders & decrees
It is then upon evidence
declared that the Expenses of Wesley during his residence
in Ohio shall be charged to the general
trust fund. It is further ordered &
declared that the sum of money expended for
the removal of the papers by the will emancipated
and the Expenses of their support & maintenance
until their final settlement shall also be charged
upon the general trust fund.

It is further ordered
& declared that the girls Elizabeth & Virginia
are entitled to their freedom, & be considered
as legatees of the first class to their share
of the ^{property} of James, & the Executor shall remove & make
distribute said girls as soon as practicable.
It is considered unnecessary
to give any specific directions regarding
the sale of the real or personal property being
to complete settlement, as the will vests them
with discretion & for and for the same
which they will proceed to execute
according to the terms of the will.

It is further ordered
& decreed that the Executor pay to the ^{legatees} legatees
of the second class the legacies given
to them. As soon as the Exor select a
permanent place of residence for them
which they shall do as soon as practicable.

case #543

Names:

Cabaniss, S. D.
Townsend, Elizabeth

Townsend, Samuel C.
Townsend, Virginia

Townsend, Wesley

Places:

29th District

Types:

chancery court

Dates:

June 1860

CPB
1822 (115) Townsend Related Papers

It is further ordered & declared that the Children of the legatee of the George Clay bond since the ~~death of the legatee~~ ^{death of the legatee} take no legacy under Sec 12 of the will In the opinion of the Court the Executors ~~shall~~ ^{are} ~~to~~ ^{is} provide

of the Court ~~shall~~ ^{is} provide James to stock the same or pay out money & provide for the Support & Education of said legatee of the first class at their discretion. But if ~~previously~~ ^{previously} the ~~sum~~ ^{sum} in ~~the~~ ^{the} ~~will~~ ^{will} ~~shall~~ ^{shall} not to exceed the probable income of the distribution share of said legatee.

It is the opinion of the Court that the negroes ~~mentioned~~ ^{mentioned} in the will are not entitled to compensation ~~for their labor~~ ^{for their labor} since the death of Webster.

It is further declared that Madison is not entitled to the Gray man and black cult.

It is further ordered that in the payment of the several legacies in the will they ~~shall~~ ^{shall} retain the tax imposed by the Code upon them which tax they will pay as the law ~~directs~~ ^{directs}.

It is further ordered and declared that Samuel C. Townsend shall be credited upon his Bonds given to his Co Executor for the rent of the plantation share of the negroes ~~mentioned~~ ^{mentioned} to him by the will from the 25th of January 1858. the rent ~~shall~~ ^{shall} be for that year to be credited upon the Bonds ~~mentioned~~ ^{mentioned} from 25th January 1859. & ~~shall~~ ^{shall} the next year upon

case #543

Names:

, Woodson

Townsend, Samuel C.

Places:

29th District

Types:

chancery court

Dates:

June 1860

CPB
1822 (15) Townsend Related Papers

the same Bond if it is not extinguished - if it is
upon the Bond ^{being called for} 25th January 1860, and it is ordered
that it be referred to the Register to ascertain &
report the value of the rents and profits of
said plantation & negroes during that term
in what way the Executor should direct the legal
claim to the Minor legatees of the second class
to make them as productive as is practicable
It is further ordered that
it be referred to the Register to ascertain & report
in what way the necessary trust funds should
be invested in such way as to be most
productive consistent with the safety
of the funds & what advancements
should be made to the legatees of the
first class whether in money or property
and in what way the same should be
advanced or secured to them
It is further ordered
that it be referred to the Register to state &
report an account between Samuel C
Townsend individually & the Testator
Saml Townsend
It is further ordered that
it be referred to the Register to state &
an account between ^{Samuel C} & the state
of their Testator up to the date of his
report charging them with all debts
by Law they are chargeable & give
them credit for all legal disbursements
The Register will report to the next
Term of the Court
June 1860
John Fort
Chancellor

case #543

Names:

Townsend, Samuel

Townsend, Samuel C.

Places:

29th District

Types:

chancery court

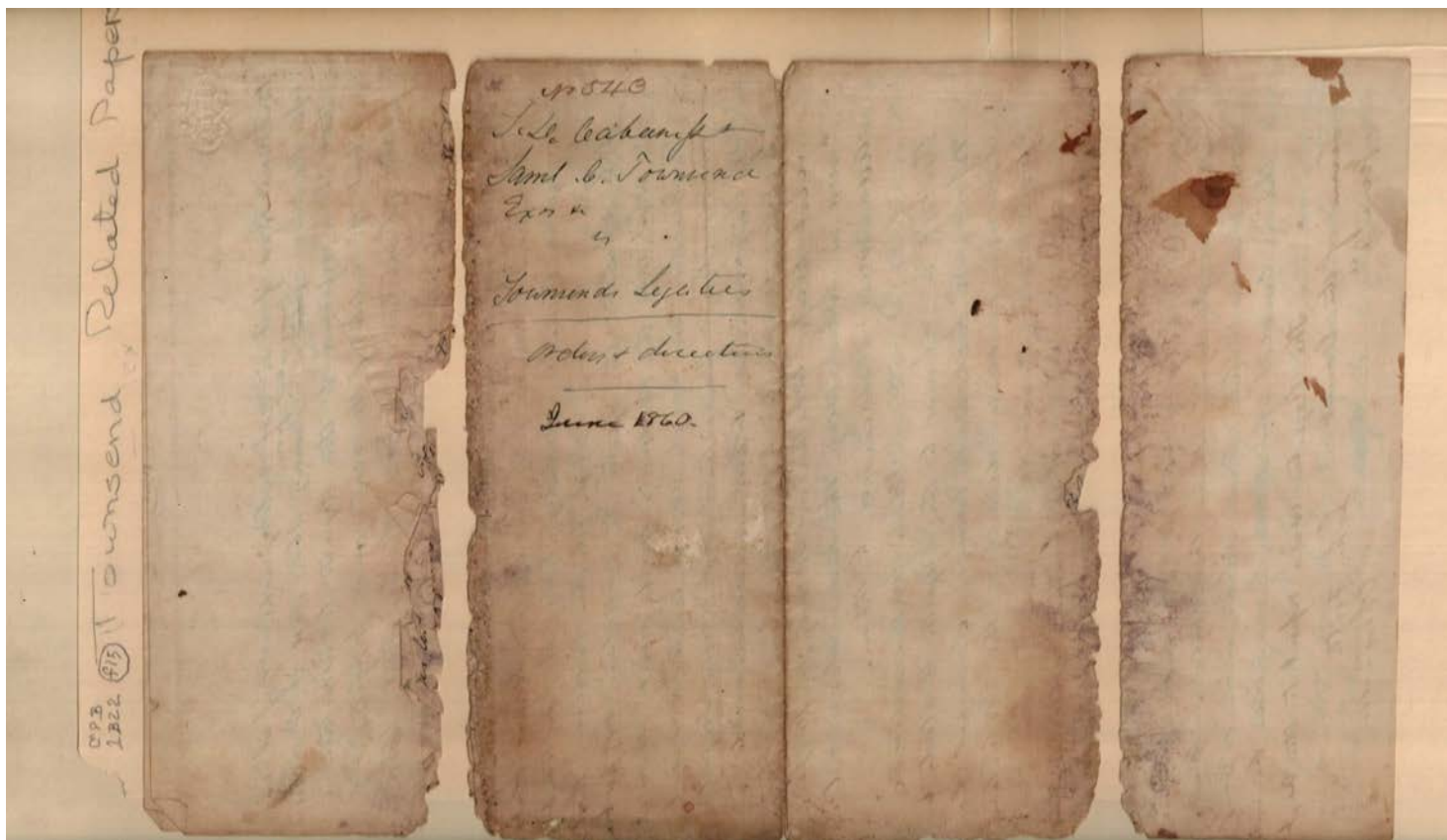
Dates:

June 1860

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

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case #543

Names:

Cabaniss, S. D.

Townsend, Samuel C.

Places:

29th District

Types:

chancery court

Dates:

June 1860

OPB
1822 (15) Townsend Related Papers

In the Honorable John Fells Chancellor of the
Northern Chancery Division of the State of
Alabama, sitting for the County of Madison
being the 29th District at the Court house thereof
Septimus C. Cabaniss & Samuel C.
Townsend executors of the last will and
testament of Samuel Townsend deceased,
bring this their Bill of Complaint against the
parties herein after made defendants, and
thereupon they complain and say,

1. Some time in the latter part of the year 1858
Samuel Townsend a resident citizen of said
Madison District departed this life having
first made and published his last will and
testament with a codicil thereto which was
about the 26th day of January 1858 being
within the Probate Court of the said County then
in session, was both will and codicil duly ad-
mitted to Probate, and recorded in said office
as the one last will and testament of the said
deceased, after having been authenticated in said
Court by some of the heirs at law of said deceased.
2. A copy of the said will and testament as
then probated duly authenticated and
certified of the Judge of said District
has with filed as a part of the
proceedings in said Court, and
to accordingly.
3. By the Order of said Court the complainant
Septimus C. Cabaniss & Samuel C. Townsend were
nominated and appointed as the executors thereof,
who after the said Probate duly qualified as such
in the said Probate Court, and entered into the dis-
charge of their duties as such.

case #543

Names:

Cabaniss, Septimus
D.

Townsend, Samuel
Townsend, Samuel C.

Places:

29th District Madison
Co., AL

Types:

chancery court

CPB
1822 (15) Townsend Related Papers

2

A. Immediately after qualifying as executor, complainant, commenced making preparations to send all the slaves mentioned in the last clause of said will except Elizabeth & Virginia, removed from Alabama to the State of Ohio, where they could be emancipated and lawfully remain until a place of permanent settlement might be selected for them, and that said complainant employed William D. Chaddick of Chautauque Co., N. Y., as agent in February 1857, to said State of Ohio, with power to provide for the reception and maintenance of said slaves, and for that purpose until a place of settlement could be selected for them.

Complainant retained the man servant named Wesley mentioned in said will to go with the said agent (Chaddick) to said State of Ohio, so to be there emancipated, in the year month that appeared, and said Wesley continued in said State of Ohio, until the 4 day of the present month.

But, before complainant could make all the necessary preparations, and cover the remaining portion of said slave, James P. Neeley, his wife Mary and others, a portion of the heirs at law of said testator filed in this Honorable Court against complainant and others, a bill of complaint praying that the said Estate of said will might be set aside and held for nought, and that said Samuel Townsend might be declared to have died intestate. The said suit was pending in this Court until December Term 1857, when upon a hearing thereupon bill, answer and proof the bill was dismissed, and a decree for costs rendered against the complainant therein. In consequence of the pendency of said suit, the other slaves were not

case #543

Names:

(slave), Elizabeth
(slave), Virginia

(slave), Wesley
Chaddick, William D.

Neeley, James P.
Neeley, Mary

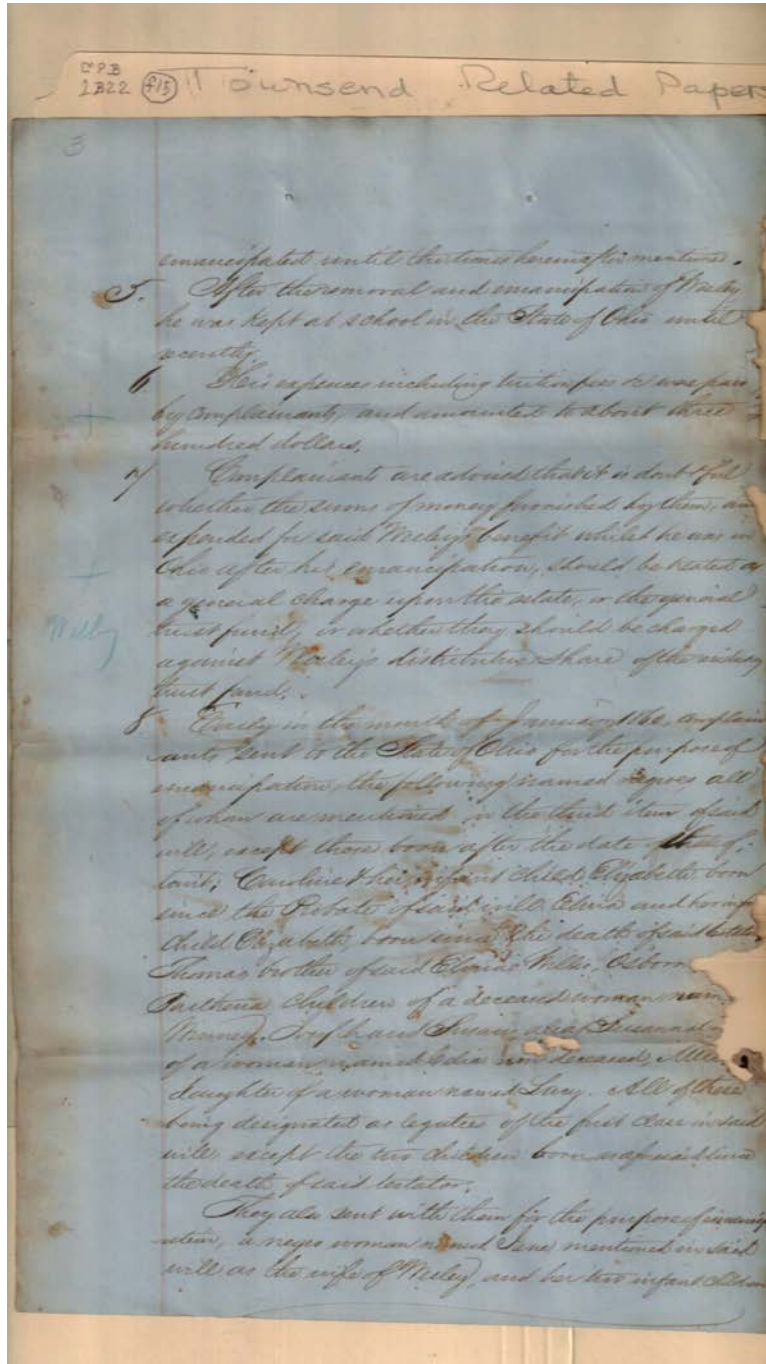
Townsend, Samuel

Places:

29th District Madison
Co., AL

Types:

chancery court



case #543

Names:

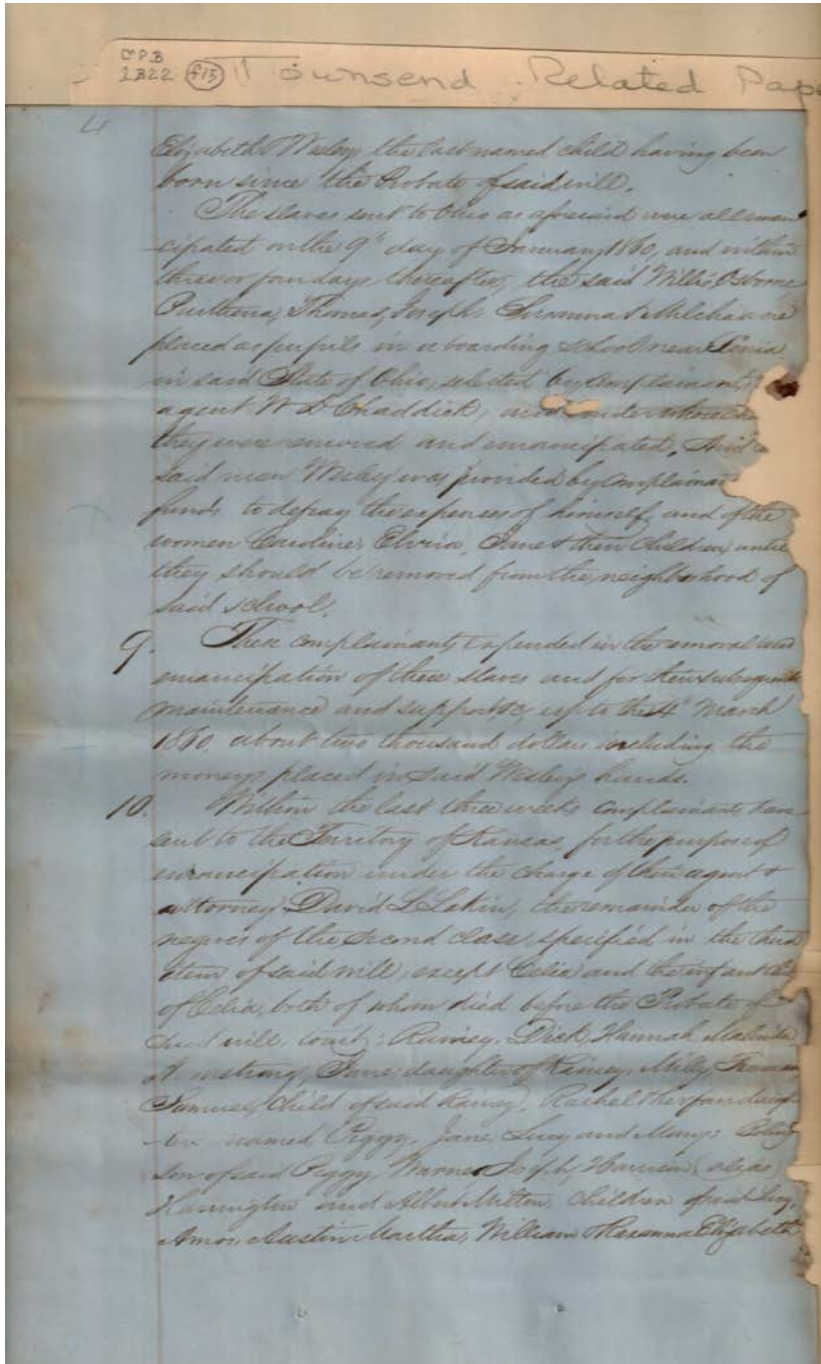
(slave), Caroline	(slave), Joseph	(slave), Parthena	(slave), Winney
(slave), Celia	(slave), Lacy	(slave), Susan (alias	, Wesley
(slave), Elizabeth	(slave), Milcha	Susannah)	
(slave), Elvira	(slave), Miller	(slave), Thomas	
(slave), Jane	(slave), Osborn	(slave), Wesley	

Places:

29th District Madison
Co., AL

Types:

chancery court



case #543

Names:

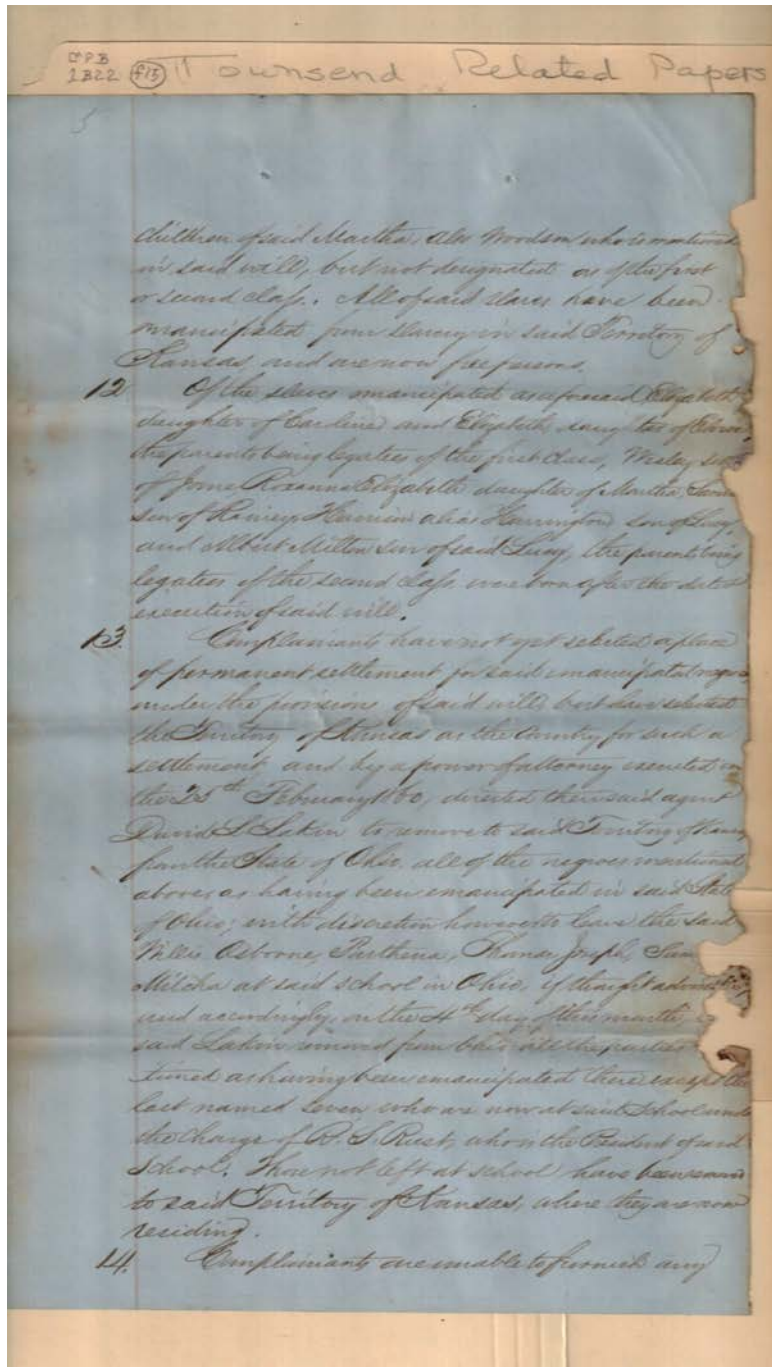
- | | | | |
|------------------------|--------------------|------------------|-----------------|
| (slave), Albert Milton | (slave), Harrison | (slave), Rainey | , Joseph |
| (slave), Amos | (alias Harrington) | (slave), Roxanna | , Milcha |
| (slave), Armstrong | (slave), Jane | (slave), Samuel | , Osborne |
| (slave), Austin | (slave), Joseph | (slave), Thomas | , Parthena |
| (slave), Boling | (slave), Lucy | (slave), Warner | , Susannah |
| (slave), Celia | (slave), Malinda | (slave), Wesley | , Thomas |
| (slave), Dick | (slave), Martha | (slave), William | , Wesley |
| (slave), Elizabeth | (slave), Milly | , Caroline | , Willis |
| (slave), Hannah | (slave), Peggy | , Elvira | Chaddick, W. D. |
| | (slave), Rachel | , Jane | Lakin, David L. |

Places:

29th District Madison
Co., AL

Types:

chancery court



case #543

Names:

(slave), Martha	, Harrison (alias	, Osborne	, Wesley
(slave), Woodson	Harrington)	, Parthena	, Willis
, Albert Milton	, Jane	, Rainey	Lakin, David L.
, Caroline	, Joseph	, Roxanna	Rust, R. S.
, Elizabeth	, Lucy	, Samuel	
, Elvira	, Milcha	, Thomas	

Places:

29th District Madison
Co., AL

Types:

chancery court

CPB
1822 (915) Townsend Related Papers

detailed statement of the expenses of the removal and
manumission of the negroes sent to Kansas Territory
from Alabama, nor of the expenses of the removal
of those taken as aforesaid from Ohio, because they
have not been furnished with the same by
their agent, but they placed in the hands of
their agent for that purpose, the sum of Three
thousand dollars, besides paying \$13 per
Rail Road fare of said slaves from Illinois to
Memphis, and they will also have to provide
for the maintenance and support of said
until a place of settlement shall be selected
for them.

15. Complainants have made arrangements to
keep their said seven minor legatees of the
first class at said School in Ohio until a
place of settlement shall be selected for all the
parties concerned, their being agreed as set out
in Kansas Territory for negroes, as complainants
are informed and believe.

16. The complainants are advised that it may
be made a question, whether the sums of money
expended as aforesaid, for the removal and manumission
of said negroes, and for their support &
maintenance afterwards, and for the education
of said minors and for their support & maintenance,
until their final settlement, should be charged
in part upon the said estate or the annual trust
fund thereof, or upon the legacies or distributive
share of those for whose benefit the said expenses
have been shall hereafter be made.

17. The complainants have complied with the
requirements of the first item of said will, so far
as to have a marble monument erected upon the

case #543

Places:

29th District Madison
Co., AL

Types:

chancery court

CPB
1822 (715) Townsend Related Papers

7

grave of the testator, which had seven hundred dollars; but the Graveland had not as yet been valued as directed.

18. The debt and expenses of said estate are not yet all paid; but it is abundantly shown that as some demands due said estate and some claims against it yet unpaid.

19. At the death of the testator, and at the probate of said will, the tenant Elizabeth and Virginia, included in the legatee of the first class had not been divided between the said John E. Townsend and the said Testator, or the Complamant, as his representative, but were the joint property as specified in the sixth item of said will. There was also one other issue by the same Armstead, who was also the joint property of the said John E. Townsend and the said testator. After the death of the said testator, the said John E. Townsend executed to one Ferdinand L. Hammond as trustee to some certain debts therein named, asked of him on the said Virginia, Elizabeth and her sister. These complamants then, in pursuance of the direction contained in the said sixth item of said will, and under the advice of counsel, filed in this Honorable Court, a bill against the said John E. Townsend and Ferdinand L. Hammond for a partition of the said land named there in, and a partition was decreed accordingly on the 29th day of May 1857. Upon the partition the said girls Elizabeth and Virginia fell to the said complamant, and the said Armstead to the defendant, and the complamant was decreed to pay to equally the partition, the sum of four hundred and fifty dollars, and thus both of the said girls became

case #543

Names:

, Amos
, Armstead

, Elizabeth
, Virginia

Hammond, Ferdinand
L.

Townsend, John E.

Places:

29th District Madison
Co., AL

Types:

chancery court

CPB
1822 (715) Townsend Related Papers

the property of the complainants, as such assets without the purchase of either by them or contemplated in the said will.

20 The complainants have not emancipated or sent off for emancipation either of said girls, but they are both now in their possession in the said Chancery District. But complainants are desirous of emancipating them if they can legally do so under said will.

21 The complainants are advised that it may be made a question, whether both or either of said girls, and if either, which of them, can be treated as a legatee or legatees of the first class as contemplated in said will, or as entitled to a portion and a share of the said residuary trust funds.

22 The complainants now refer to the record of proceedings of the cause last aforesaid to verify the truth of the statements in relation thereto herein contained.

23 The complainants further state that the said testator was a man of large property, consisting of money, three in action, land and negroes, horses, cattle, stock, farming tools, implements, household & kitchen furniture, corn, fodder and such other articles as are usually found on a plantation. An inventory of his property such as aforesaid marked "Exhibit A" No. 10. C. is hereof, and referred to as a part hereof, and referred to as a part hereof. An inventory of slaves marked "Exhibit B" No. 11. C. is also hereof, and referred to as a part hereof, and referred to.

24 Under the power of sale contained in said will the complainants have had two public sales, one on the 3^d of March 1855, on a credit till the first day

case #543

Places:

29th District Madison
Co., AL

Types:

chancery court

PPB
2B22 (15) Townsend Related Papers

9

January 1879, and on the 9 day of March 1880, in a credit till the 1st day of January 1881. An account of the first said sale market Exhibit E. W. is hereto appended as a part hereof, and an account of said second sale market Exhibit F. W. is hereto appended as a part hereof, both of which reference is accordingly made.

10. The said estate did own and possessed two plantations in the said County of Madison and one in the County of Jackson in said State, each of which was in successful operation and was stocked as said Exhibit M. W. C. exhibited, with slaves and all other necessaries to carry on. The crops raised on said plantations not necessary for the use of the same have been sold by the complainants at private sale or shipped to other markets and sold by their consignees. In consequence of the litigation respecting the nature of said will and its validity, the complainants have not broken up said plantations, but have kept up and worked the same, and are now working the same except as herein stated; and the crops and products have been sold or disposed of in the same way. The amount and detail of these private sales and shipments, will be shown by a statement and Exhibit N. W. C. hereto appended as a part hereof and referred to accordingly.

11. The complainants are advised that whether the said plantations shall be kept up longer than the present year or whether the property should be sold as directed by the said will, and if sold what immediate disposition should be made of the proceeds of sale, are questions of great doubt.

case #543

Places:

29th District Madison
Co., AL

Types:

chancery court

CPB
1822 (97) Townsend Related Papers

10

27. Among the said legates of the first or second class have refused to be removed from the State of Alabama, or to be emancipated, and the complainant, having no reason to believe that any will refuse to be removed from the said State of Ohio, to the said Territory of Kansas or to any other place which may be ultimately selected for their permanent settlement, but if any one or more should so refuse, their names become a question, as to what benefits, if any, he or they will be entitled to under the provision of said will.

28. The complainant are advised that it was a question whether the time has arrived for the setting aside of the legacies provided for in the 12th item of said will, and whether the same should now be paid to the adult legates of the said second class. They are further advised that it is a question of great import and much doubt as to what way they should proceed to make them, as production as may be practicable, the legacies set apart for the minor legates of the second class. They are further advised, that it is a question of much doubt and difficulty, as to whether infant children of the legates of the second class, born since the date of said will, or the health of the testator, or the execution of said will, are entitled each to the said legacy of two hundred dollars or not.

29. The complainant are advised that there is great doubt and uncertainty as to how the question with which they are clothed in the 10th item of said will should be exercised, etc.

case #543

Places:

29th District Madison
Co., AL

Types:

chancery court

CPB
1822 (15) Townsend Related Papers

as to how the said trust fund should be invested, so as to yield the greatest amount of interest or profit. Whether it should be loaned in bonds and securities, invested in stocks, or invested in wild lands in said Territory, or what other way. It is also a question of great character, as to a balance amount should be deemed necessary and sufficient for providing for the comfortable maintenance and support of the said legates of the first class; and how the same should be supplied. Whether by paying their board and buying their clothes, or by buying them houses, land, &c. as follows.

30. The complainant is advised that it is also a question of great doubt and difficulty under the direction conferred by the 11th item of said will to determine what amounts should be paid to the said legates of the first class; and when the payments should be made; and under the direction contained in the 11th item of said will how it should be made or secured to them.

31. In consequence of the abolition of said legates except 10 by a formal written of the first or second class, have been kept in bondage and worked upon said plantations until the period of their emancipation or freedom; and they now claim that they are some entitled to hire for their time, or compensation for their labor; and it is a question whether that claim is well founded; or whether their said labor is to be held and treated as the property of said legates.

32. All the debts of the said testator there was unsettled, business and accounts between him

case #543

Places:

29th District Madison
Co., AL

Types:

chancery court

12
1822 (15) Townsend Related Paper

and the complainant Samuel C. Townsend which remain unpaid. The said testator left against the said complainant a check to account of ninety and 25/100 dollars due the 1st of January 1857, against which the said complainant claims an offset, recorded in account. A statement of the offset is Exhibited V.V. in book appended as a part hereof, and referred to accordingly.

33. The said testator also left an account or statement of his claims against the said Samuel C. Townsend, a copy of which marked Exhibit V.V. is here appended as a part hereof and referred to. Against the account the said Samuel C. Townsend claims to be the joint owner with the testator, of two notes on Lord Donaldson in the possession of the testator at the time of his death, for twenty thousand and seventy five dollars each, one due January 1st 1857, and the other January 1st 1858, payable to Elizabeth C. Routt & William Jefferys and endorsed by them in blank. He claims that the money which purchased said notes were advanced by the testator at the time, and has all been refunded to him except the sum of two hundred dollars. He further claims that the sum of four hundred dollars in said Exhibit V.V. included the said balance of two hundred dollars, and the other money advanced by said testator in discharge of certain notes, which they had jointly given said Routt & Jefferys for the purchase of land, and for a cash payment in land, and that there is a further error in said four hundred

case #543

Names:

Donaldson, Levi

Jefferys, William

Routt, Elizabeth E.

Townsend, Samuel C.

Places:

29th District Madison
Co., AL

Types:

chancery court

CPB
1822. (P15) Townsend Related Papers

13

dollars in this. The said John E. Townsend only handed him eighty dollars instead of one hundred as supposed by the said testator.

34. Complainant Samuel Townsend grants as an executor of said will on the 25 day of January 1858, and has not acted since and is not acting as such executor. He has selected who he qualified as such executor to take the goods and the land specified in the 25 item of said will, and the said testator, the property mentioned in said item being worth on January 1858 between fifty and sixty thousand dollars owing to the estate of said Samuel C. But in consequence of the litigation of said will, it was not deemed proper to proceed in proper by complainant to terminate the execution, contained in said 25 item of said will, until after the termination of said litigation, and the removal of said slaves, and the said plantation was kept up and the slaves worked for the benefit of said estate until the 25 day of February 1858, when said Samuel C. Townsend executed his obligation for the payment of said sum of twenty thousand dollars with Parks S. Townsend's obligation of fended as security for the payment thereof and took possession of the said plantation and the negroes specified in said 25 item. A copy of these obligations and contract is herewith filed as a part of record marked Exhibit and referred to accordingly.

35. The said Samuel Townsend understands that he is entitled to the rent of said plantation and the hire of the negroes bequeathed to him

case #543

Names:

Townsend, John E.

Townsend, Parks S.

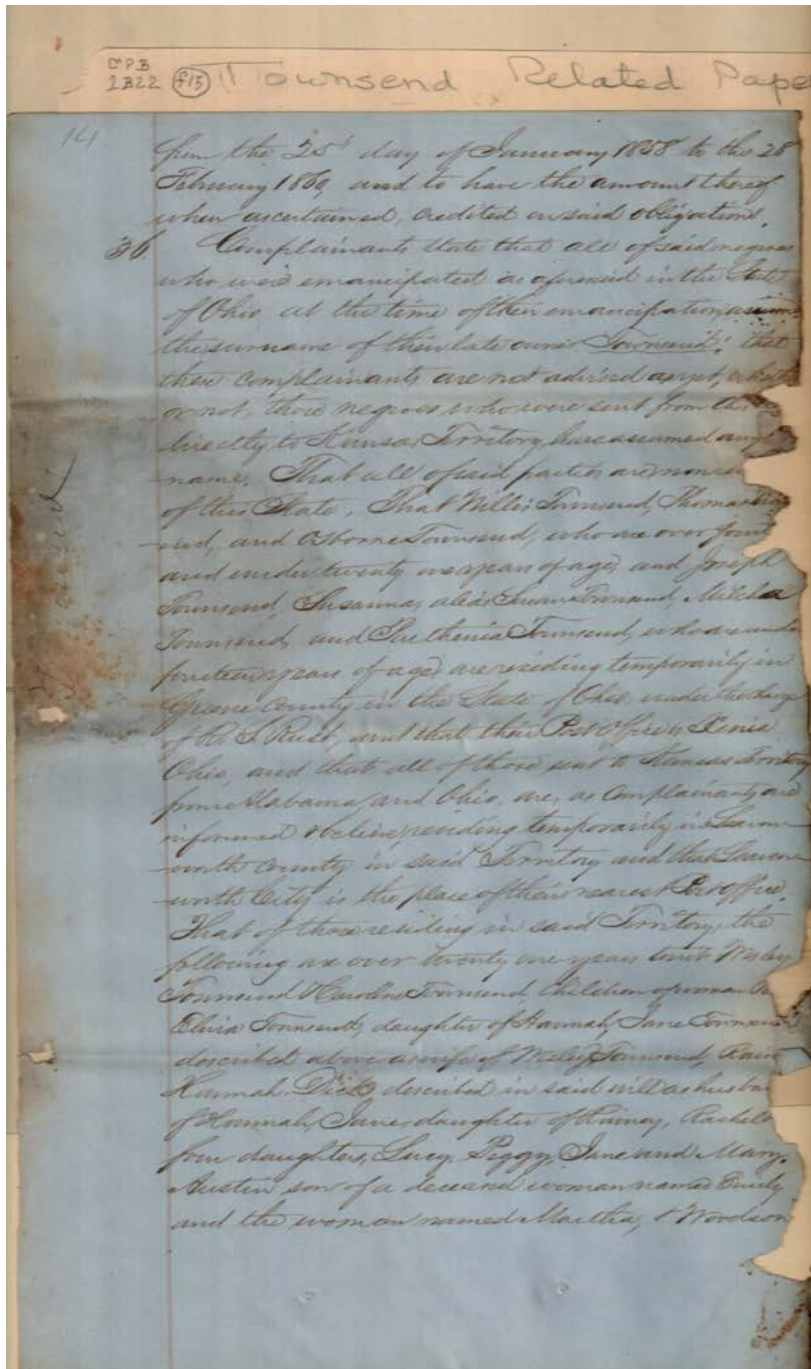
Townsend, Samuel C.

Places:

29th District Madison
Co., AL

Types:

chancery court



case #543

Names:

, Austin
, Dick
, Emily
, Hannah
, Jane
, Lucy

, Martha
, Mary
, Peggy
, Rachel
, Rainey
Rust, R. S.

Townsend, Caroline
Townsend, Elvira
Townsend, Jane
Townsend, Joseph
Townsend, Micha
Townsend, Osborne

Townsend, Parthenia
Townsend, Susanna
(alias Susan)
Townsend, Thomas
Townsend, Wesley
Townsend, Willis

Places:

29th District Madison
Co., AL

Types:

chancery court

CPB
1822 (15) Townsend Related Papers

and the following are under twenty one, and over
fourteen years of age, to wit, Henry & Sylvanus
sons of said deceased woman named Greely;
And the following are under fourteen years of
age, to wit, Elizabeth Townsend, daughter of said
Townsend, Elizabeth Townsend, daughter of said
Elias Townsend, Elizabeth Townsend & Mary Ann
children of said John Townsend, also, son
and deceased woman Ninny, William Tracy,
and Roxana Elizabeth children of said woman called
Joseph Warner, Harriem child Harrington or other
children of said Tracy, Abby Freeman,
Samuel children of said Ninny, Malinda,
and Armstrong, children of said Hannah, and
Poling son of said Peggy.

Complainant, have stated the relation of
said and wife to each among some of the de
because such relation was understood to
them, whilst in a state of slavery and
to identify them; but complainant says
was not legal; and none of them
has since their emancipation
servants, know,
said testator and John Townsend
under the firm name of Samuel
on a March 1857 bought of the estate
Edmund Townsend (of which they were executors)
large plantation, situate in said county of Madison
and comprising about twenty one hundred & sixty
acres, and about sixty slaves or more, together with
such other personal property as was necessary to
enable them to cultivate said plantation and his
partnership in planting existed at the time of the
death of said testator. Said John Townsend, as

case #543

Names:

, Woodson

Places:

29th District Madison
Co., AL

Types:

chancery court

DPB
1822 (15) Townsend Related Paper

7

Tennessee, and in order to collect that distribution
of the testator's liabilities as executor of said
Edmund's estate in Tennessee, and collect a debt
due from the estate of Thomas Townsend deceased,
became necessary for complainant to cause the son
of the testator to be put in possession of the said County
Sheriff, and to qualify as executor thereof in
said State of Tennessee, Complainant, however,
got closed their administration in said State of
Tennessee; but regarding their administration
there as auxiliary to their administration of the
estate in Alabama they have blended the funds
thus far received from Tennessee, with the funds
received under their administration in Alabama.

41. Complainant herewith files an exhibit
marked which contains an account of
the moneys of the estate received by them, and
the moneys paid out by them in the
administration.

It is stated that defendant Woodson
in property, the proceeds
received in the account
of March 1850 as having
Townsend of \$107 and of \$56.
The same was given to him by said defendant
Woodson, and that the said defendant
Woodson, and her heirs claims should be
entitled to the proceeds of the sale of said land
and colt. There is evidence tending to show that said
testator spoke of the same as Woodson's.

42. The complainant charge that in the solution of the
said debts, and questions hereinbefore propounded and
in the exercise of the discretion in many other parties
has largely conferred upon them by the said will there

case #543

Names:

, Woodson

Townsend, Edmund

Townsend, Thomas

Places:

29th District Madison
Co., AL

Types:

chancery court

11
1793
1822 (11) Townsend Related Papers

is too much uncertainty and responsibility for them
to act without the aid and direction of this
Honorable Court.

To the end therefore, that the said defendant
may show why, your Courts should not have the
relief hereby prayed, and may without oath, but
according to the best and utmost of their respective
knowledge, remembrance, information and belief,
make direct and perfect answer, make
the following, as by the note hereunder
is respectively required to be
said pray, that this Court
the said executrix, and
may be administered and first
in its authority & direction,
to pray that their past act as such
may be examined and approved by the
so far as found consistent with good
faith and law, and that the Court will give
its aid & direction in the future management
of said estate, and especially that the Court
will give its aid & direction in regard to all
the debts and questions hereinbefore stated
and in regard to the activist conduct of the
complainant, upon all other questions and
subjects upon which they are required to act,
are vested with a discretion, and pray that
they further pray that they may be able
to make a proper settlement of the said estate
and of the said debts of the said estate, and same
should be until the said estate is finally settled.

They further pray that the state of affairs
between the said testator and the complainant
Samuel C. Townsend may be ascertained and

case #543

Names:

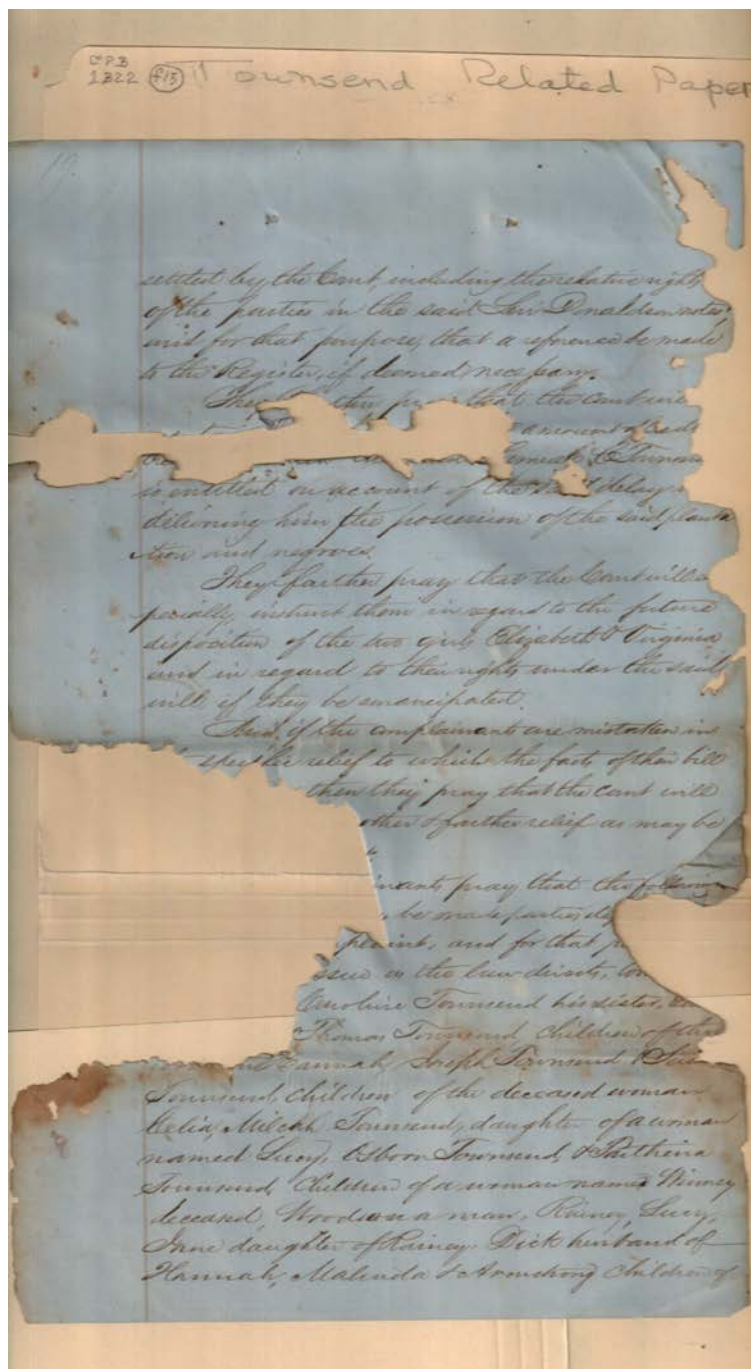
Townsend, Samuel C.

Places:

29th District Madison
Co., AL

Types:

chancery court



case #543

Names:

, Armstrong
, Celia
, Dick
, Elizabeth
, Hannah
, Jane

, Lucy
, Malinda
, Rainey
, Virginia
, Winney
, Woodson

Donaldson, Levi
Townsend, Caroline
Townsend, Joseph
Townsend, Micha
Townsend, Osborne
Townsend, Parthenia

Townsend, Samuel C.
Townsend, Susanna
(alias Susan)
Townsend, Thomas

Places:

29th District Madison
Co., AL

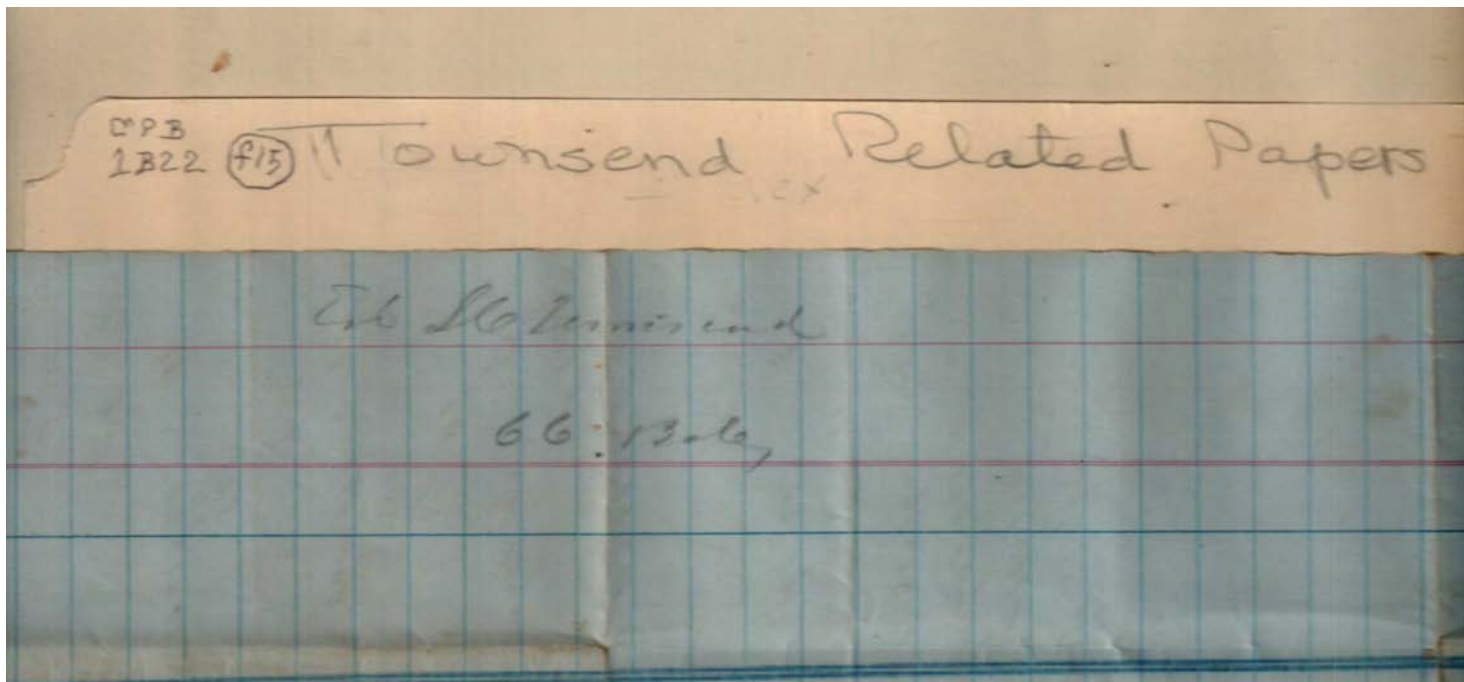
Types:

chancery court

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 78 r01b22-15-000-0229 [Contents](#) [Index](#) [About](#)



Names:

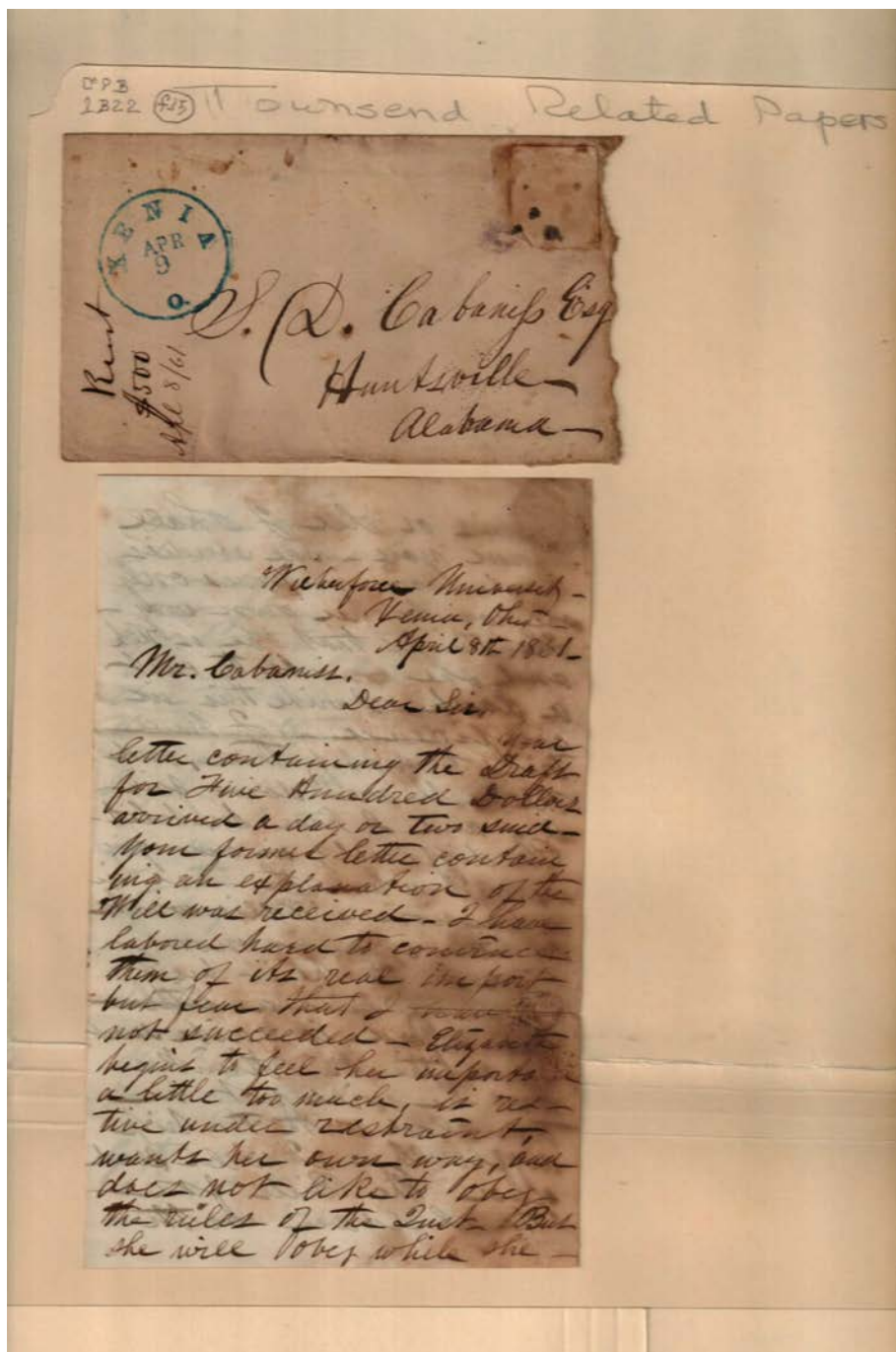
Townsend, S. C.
estate

Types:

memo

Dates:

Jan 1, 1860



Names:

, Elizabeth

Cabaniss, S. D.

Places:

Huntsville, AL

Xenia, Ohio

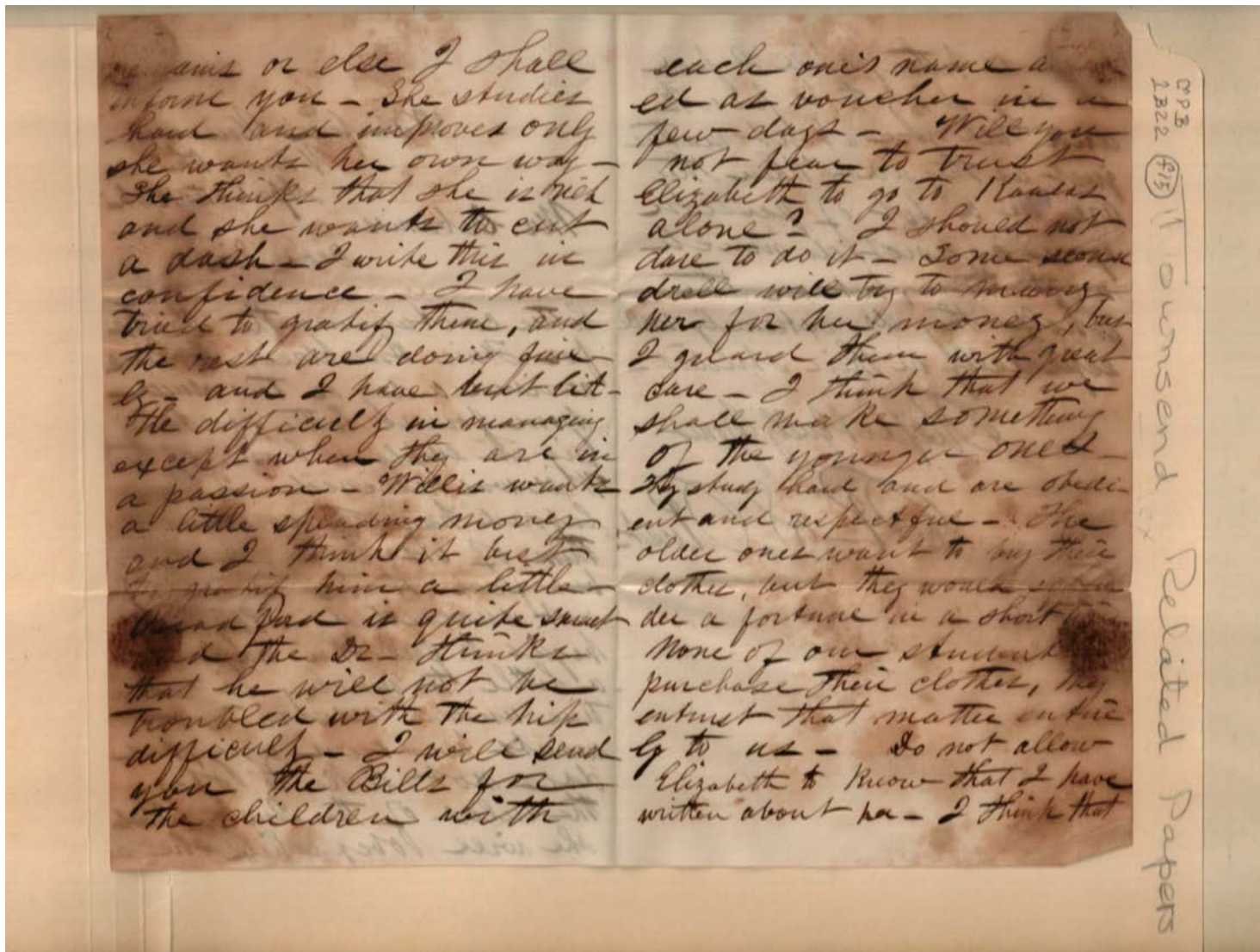
Types:

correspondence

envelope

Dates:

Apr 9, 1861



Names:

, Elizabeth , Willis

Places:

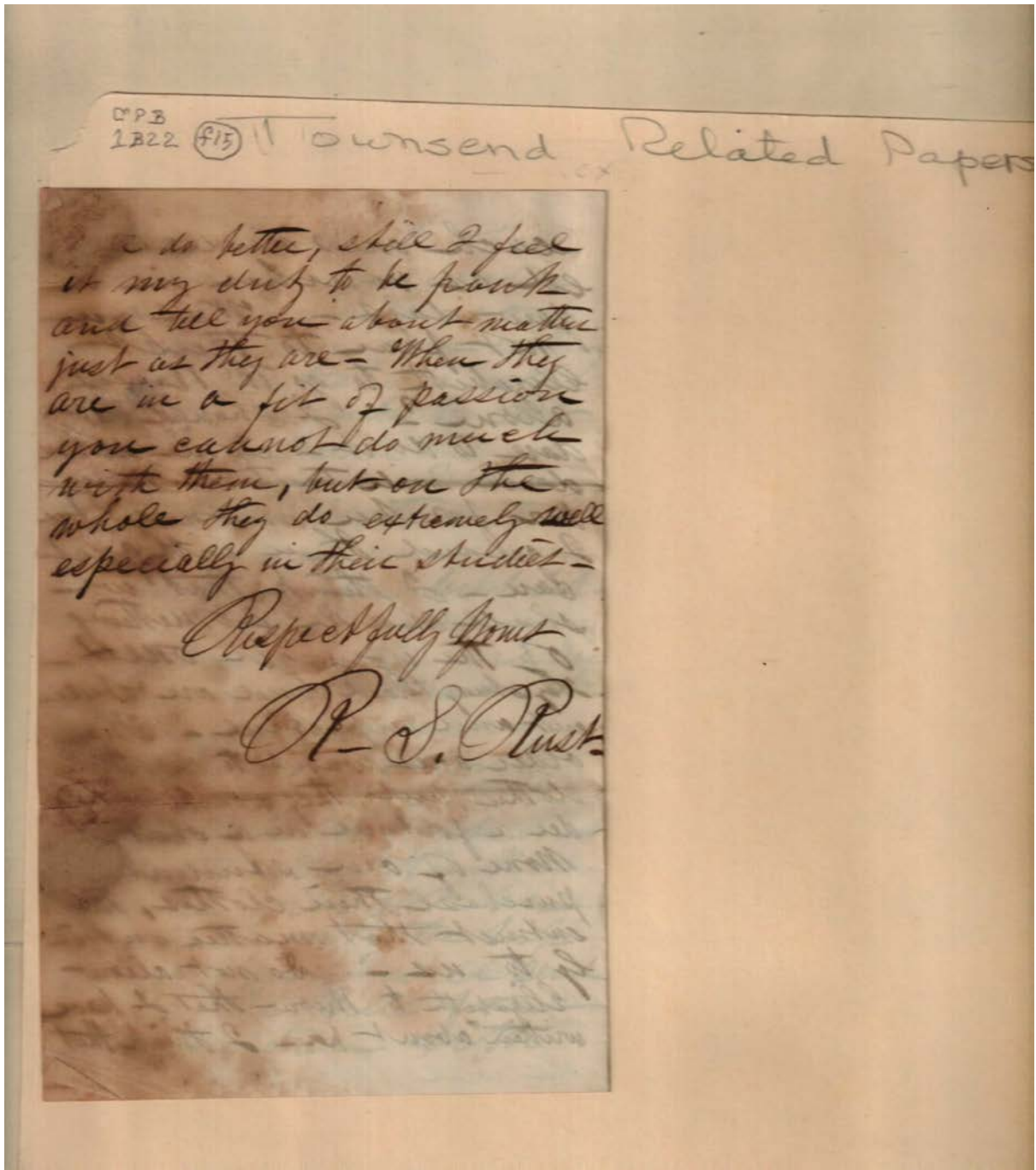
Xenia, Ohio

Types:

correspondence

Dates:

Apr 9, 1861



Names:

Rust, R. S.

Places:

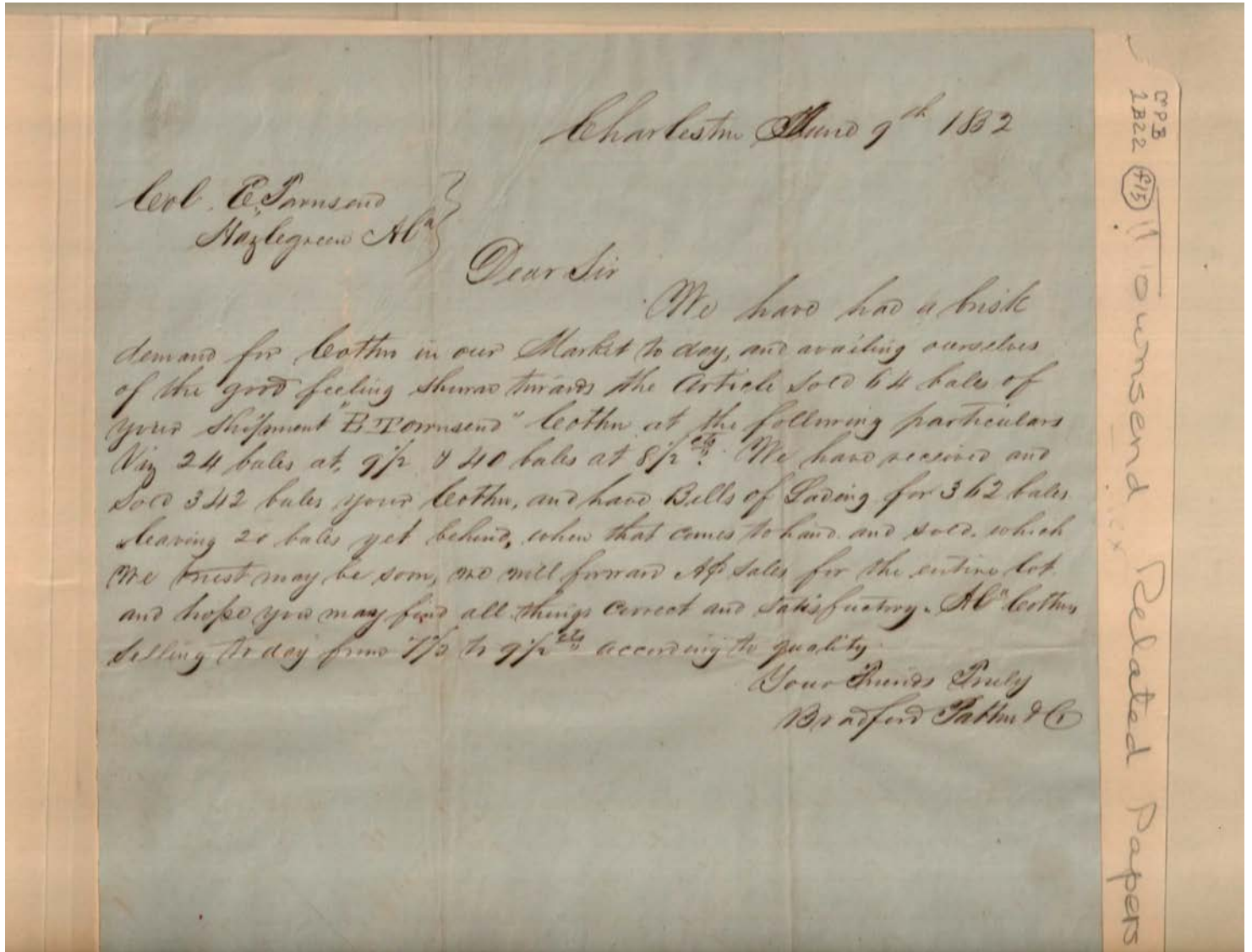
Xenia, Ohio

Types:

correspondence

Dates:

Apr 9, 1861



Names:

Bradford, Patton &
Co.

Townsend, E., Col.
Townsend, P.

Places:

Charleston, SC

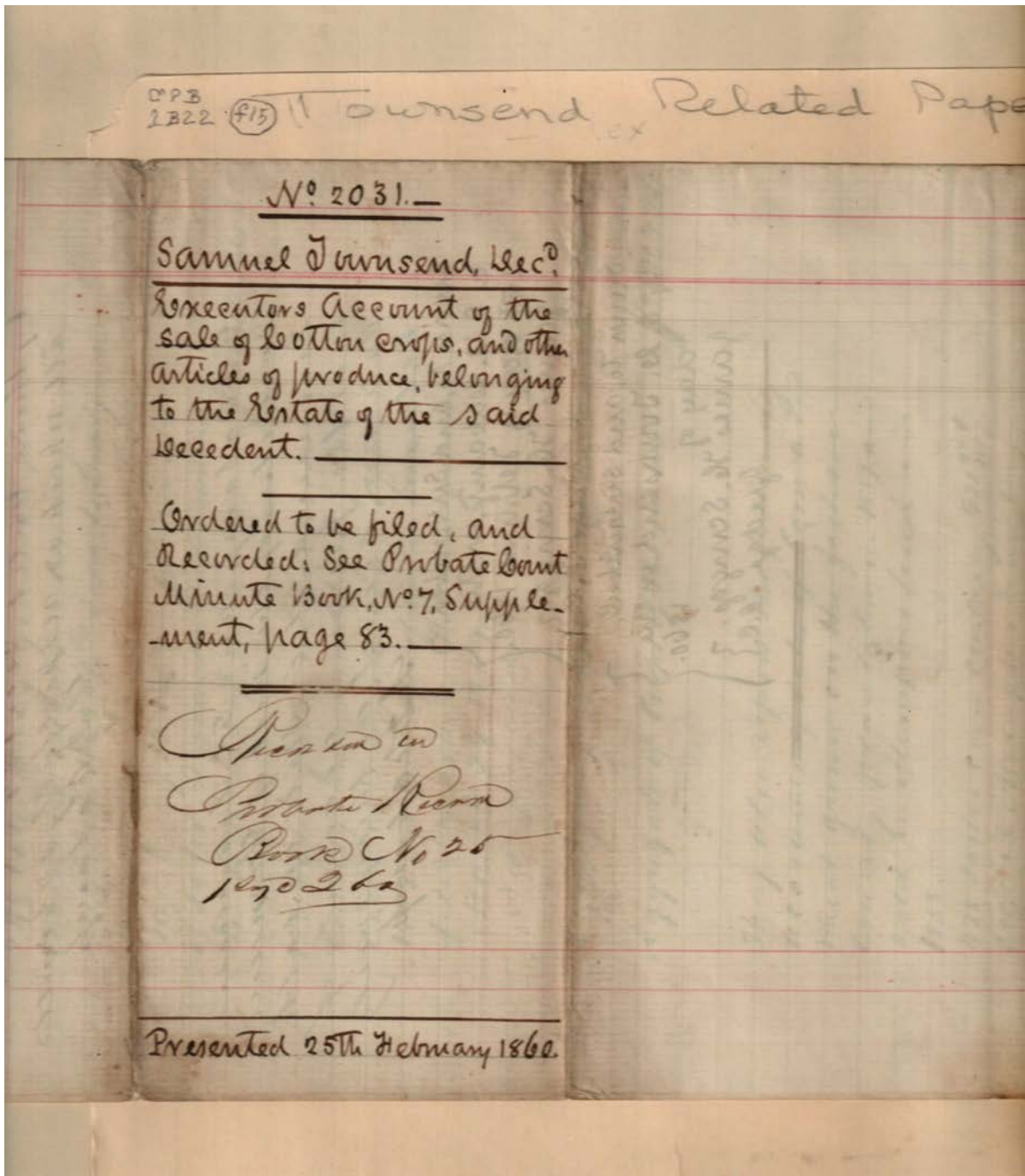
Hazle Green, AL

Types:

correspondence

Dates:

June 9, 1832



Names:

Townsend, Samuel

Places:

Madison Co., AL

Types:

probate court

Dates:

Feb 25, 1860

OPP
2B22 (15) Townsend Related Paper

The undersigned executor of the will of Samuel Townsend deceased report the following sales of Cotton grown upon the plantations of the estate of said testator -

Crop of 1857 grown under the administration of Joseph C. Bradley but sold on behalf of executor 103 bales weighing 47,135^{1/2} lbs sold in St. Orleans La by Bradley Wilson & Co to Greenleaf & Hubbard at 8^{3/4} cents per lb. as per copy 27. 1858 as per copy of sales dated 2nd July 1858 & herewith with file marked A Nett proceeds of sale \$3574 23

1 Bale sold at auction in St. Orleans by Bradley Wilson & Co as per report of sale of April 23. 1858 and herewith file marked B Nett proceeds 13 25

65 Bales sold in Charleston S.C. by Fackler Colcock & Co in June 1858. as per copy of sales of date June 25. 1858 and herewith file marked C. Nett proceeds \$2109 97

44 Bales sold in Charleston S.C. by Fackler Colcock & Co in Decr 1858 & Janry & Aprl 1859 as per copy of sales herewith file marked D. being the crop grown in Jackson County in the year 1857 & herewith Nett proceeds 1680 04

Aggregate proceeds of crop of 1857 \$7402 49

Names:

Bradley, Joseph C.

Bradley, Wilson & Co.

Fackler, Colcock & Co.

Greenleaf & Hubbard
Townsend, Samuel

Types:

probate court

Dates:

1857-1858

PPB
1822 (75) Townsend Related Pap

Amount forwarded \$740249

Crop of 1848.
218 bales of heavy grown on plan-
tations in Madison County,
weighing 115,856¹⁰ sold to Brady
Wilson & Co for acct of Henry Davis
Dec 21st 1859 as per acct
of sales hereunto filed marked
B. Amount of sale \$116,576.00

123 bales grown in Jackson
County and sold by C. J. Col-
cock in July March & April
1859 as per acct of sales hereunto
filed marked B heavy date
March 29 1859
Nett proceeds 5,652.17

Aggregate proceeds of Crops 1858 \$17,349.77

Aggregate of Crops of 1857 & 1858 \$217,522.26

They also report the following
accounts of sales of Corn and
Wheat grown on the Jackson
County plantation in 1857 and
sold in Memphis Tenn in
1858.

478 sacks corn containing 921²²¹⁰⁰⁺
sold in Memphis Tenn by
Simpson Hayes & Co at 65^{cts}
per bu as per acct of sales marked
Exhibit A. Nett proceeds \$397.00

21 sacks containing 33²⁴¹⁰⁰⁺ bu wheat shipped
by mistake to Memphis & sold
by Simpson Hayes & Co Nett proceeds 13.13

Aggregate nett proceeds of Corn Wheat 410.13

Names:

Bradley, Wilson &
Co.

Colcock, C. J.
Davis, Henry & Co.

Simpson, Hayes &
Co.

Types:

probate court

Dates:

1858-1859

UPB
2322 (15) Townsend Related Papers

I hereby report that all of said sales were
for cash - but that the proceeds of
the sales of Round wheat were retained
by them until Decr 1859 -
all which is respectfully submitted
G. D. Cabaniss

G. D. Cabaniss and S. C. Townsend
Executors of the will of Samuel
Townsend did state on oath
that the foregoing accounts of
sales are correct as they truly
believe - G. D. Cabaniss

Sworn To, and Subscribed,
by G. D. Cabaniss, in the
25th day of February 1860.
James H. Scroggs, }
Judge D.C. }

Sworn To, and Subscribed,
by S. C. Townsend, in the
day of 1860.
James H. Scroggs, }
Judge D.C. }

Names:

Cabaniss, S. D.

Townsend, S. C.

Townsend, Samuel

Types:

probate court

Dates:

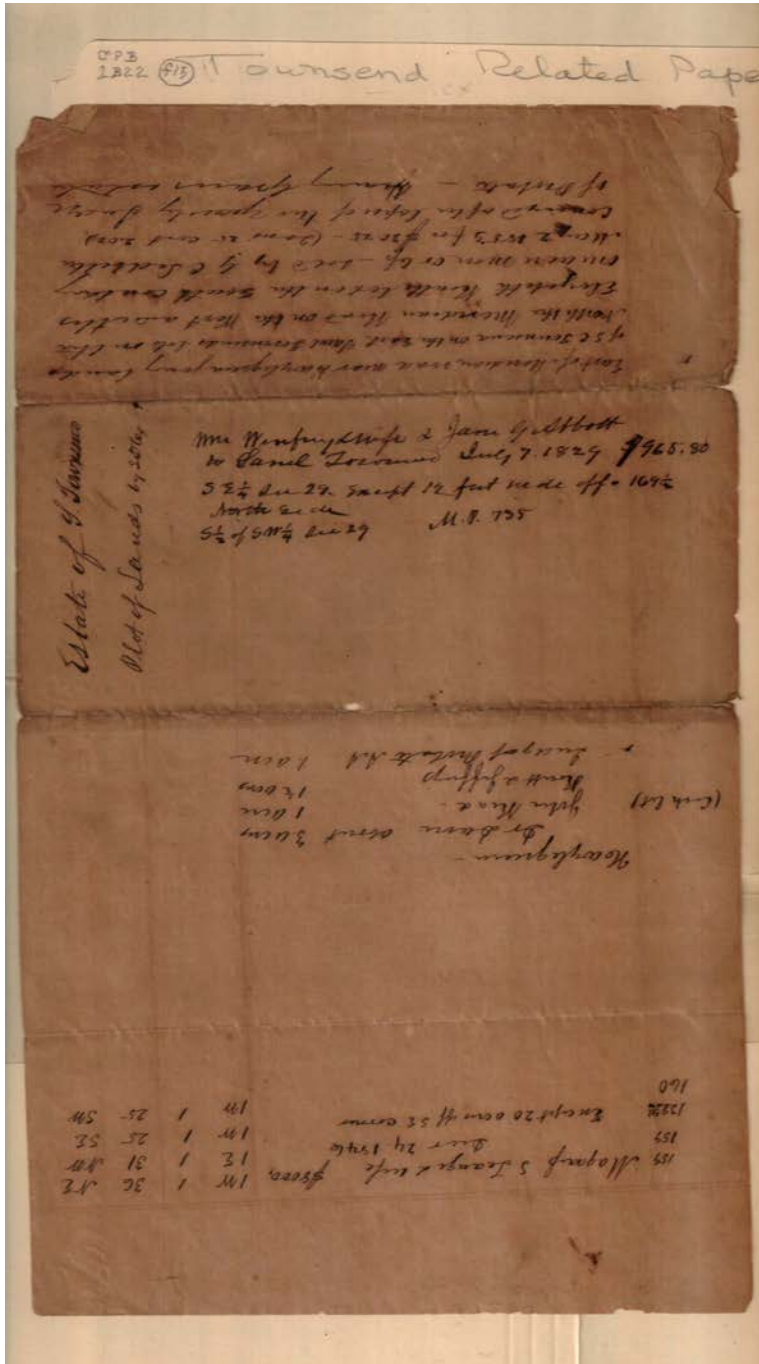
1858-1859

Feb 25, 1860

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Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 87 r01b22-15-000-0238 [Contents](#) [Index](#) [About](#)



Names:

Abbott, Jane G.

Davis, Dr.

Read, John

Routt & Jeffreys

Townsend, S. estate

Townsend, Samuel

Winfrey, William

Places:

Hazle Green, AL

Types:

memo

property description

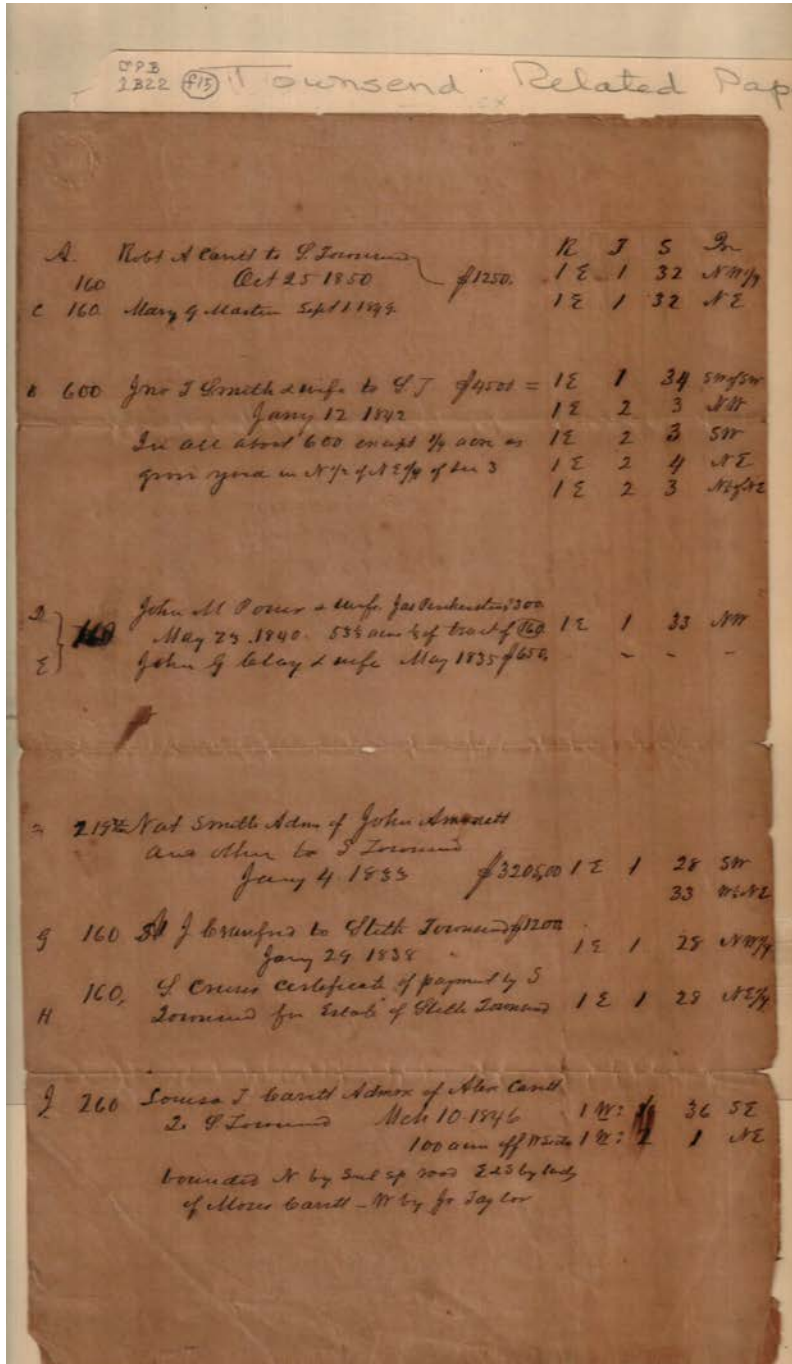
Dates:

July 7, 1829

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 88 r01b22-15-000-0239 [Contents](#) [Index](#) [About](#)



Names:

Amonett, John
 Cavett, Alex
 Cavett, Louisa T.
 Cavett, Moses

Cavett, Robert A.
 Clay, John G.
 Crawford, A. J.
 Cruse, S.

Mastin, Mary G.
 Power, John M.
 Smith, John T.
 Smith, Nat

Taylor, Jo
 Townsend, S.
 Townsend, Stith

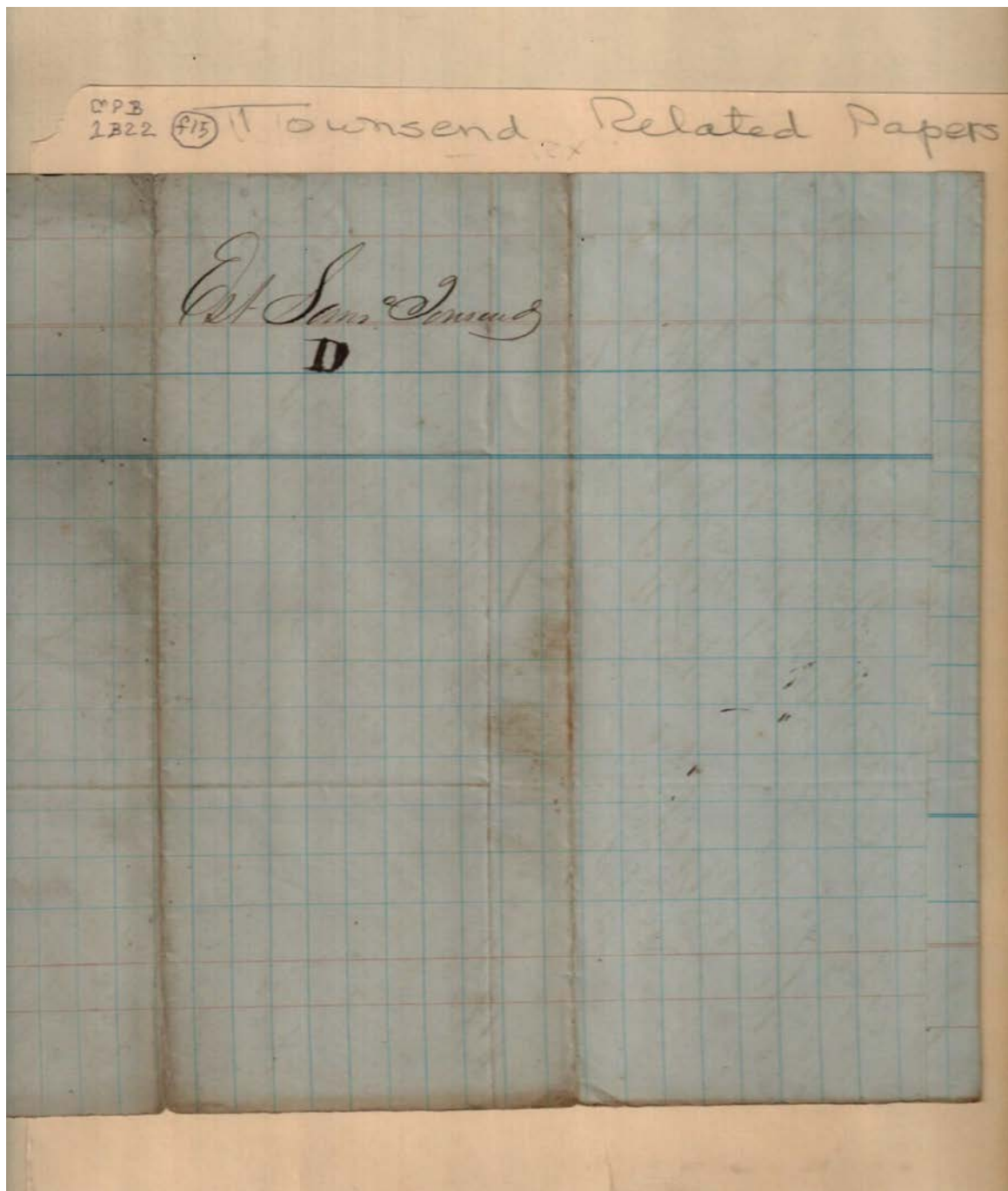
Types:

property description

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

Image 89 r01b22-15-000-0240 [Contents](#) [Index](#) [About](#)



Names:

Townsend, Sam

Types:

memo

OPPB
 2222 (15) Townsend Related Pap
 1140
 Balances of 44 B/Cotton rec'd per R^d by
 C. J. Colcock for acct S. Townsend
 1858
 Mar 20 By B. Gadsden 10
 Townsend 48048383841112222222222222
 8 Highling 3357 @ 11/24 1071.81
 " 244044444444444444444444
 6 Highling 24/85 # 11/24 279.90
 Dec 23896398444444444444444444
 Highling 3017 # 11/24 889.42
 Jan 5 By S. P. Archer
 1 Highling 407 # 10/24 42.74
 Apr 30 By J. T. French
 22 344444444444444444444444444444
 451404444444444444444444444444
 376400
 Highling 9710 @ 9/24 927.15
 1981.82
 Charges
 Freight 1169.46
 Storage 5.30
 Fire Insurance 17.06
 Highling & Storage 27²⁸ 299.21
 Commissions 2/24 147.04 271.28
 Net proceeds 11890.04
 Charles Mar 2 59 S. Colcock
 credited

Names:

Colcock, C. J.

Townsend, S.

Types:

account

Dates:

Mar 2, 1859

DPB
1822 (115) Townsend Related Pap

To the Honorable Chancellor, of the Northern
Chancery Division, State of Alabama, sitting for
the 10th District

The petition of Septimus P. Cabaniss executor of the
last will and testament of Samuel Townsend deceased,
shows unto your Honor: That heretofore on the
3rd day of April 1866, he and one Charles P.
Cabaniss as co-executors, filed in this Court their
original bill of Complaint against one James A.
Boyd, alleging that said Boyd had purchased
of your petitioner and one Samuel C. Townsend,
as executors of said Samuel Townsend, certain
lands in said bill particularly described situate
in said County of Jackson, State of Alabama.
That the purchase money of said lands, by said
Boyd contracted and agreed to be paid was
wholly unpaid. That Complainants had a
lien on said lands for the payment of the pur-
chase money thereof, and praying among other
things that Complainants might be declared
to have a lien on such lands for the payment
of such purchase money. That the equity of
redemption therein of said Boyd might be cut
off and barred said lands sold for the pay-
ment of such purchase money and for general
relief.

On said bill, such proceedings were
had that at the November term 1866, of said

Names:

Boyd, James A.
Cabaniss, Charles P.

Cabaniss, Septimus
D.

Townsend, Samuel
Townsend, Samuel C.

Places:

10th District North
Alabama

Types:

chancery court

Dates:

June 20, 1868

CPB
1822 (15) Townsend Related Pap

Court, a decree was rendered subjecting said lands to sale for the purchase money aforesaid. The amount of such purchase money ascertained, and the lien of Complainants ^{thereon} established. At the commencement of said suit, and the rendition of ~~the~~ decree therein, was a nonresident of the State not personally served with process, and not appearing in said suit. Copy of said decree has not been mailed to said defendant, and such decree has not been executed. Said cause is yet pending in this Court.

Said James A. Boyd resides without the State of Alabama, in the State of Missouri, and has been adjudicated a bankrupt under the act of Congress, entitled "an act to establish a uniform system of bankruptcy throughout the United States." The said Boyd nor his Assignee in bankruptcy have possession of the lands aforesaid. The same are unoccupied except by such persons as are holding without permission from said Boyd or his Assignee. Said lands, the tenements and appurtenances thereto are wasting and deteriorating in value. Said lands are not of sufficient value to pay said purchase money decreed to be a lien thereon. That said lands may be preserved and protected, your petitioner prays your Honor

Names:

Boyd, James A.

Places:

10th District North
Alabama

Types:

chancery court

Dates:

June 20, 1868

OPP
1822 (915) Townsend Related Papers

to appoint a Receiver to take charge and possession of said lands and hold the same until the further order of this Court. That said Receiver be authorized to rent such lands until the further order of this Court to pay all taxes which have or may accrue thereon from the rents received by him. That this petition may be filed in and made a part of said original suit against said Boyd.

Before me P. Ragland Register of the Court of Chancery of the 10th District Northern Division State of Alabama personally appeared S. D. Cabaniss the petitioner who makes oath the facts ~~therein~~ ^{herein} stated are true to the best of his knowledge, information and belief
sworn to and subscribed
before me June 20th 1868 } S. D. Cabaniss.
P. Ragland
Register }

Names:

Boyd,

Cabaniss, S. D.

Places:

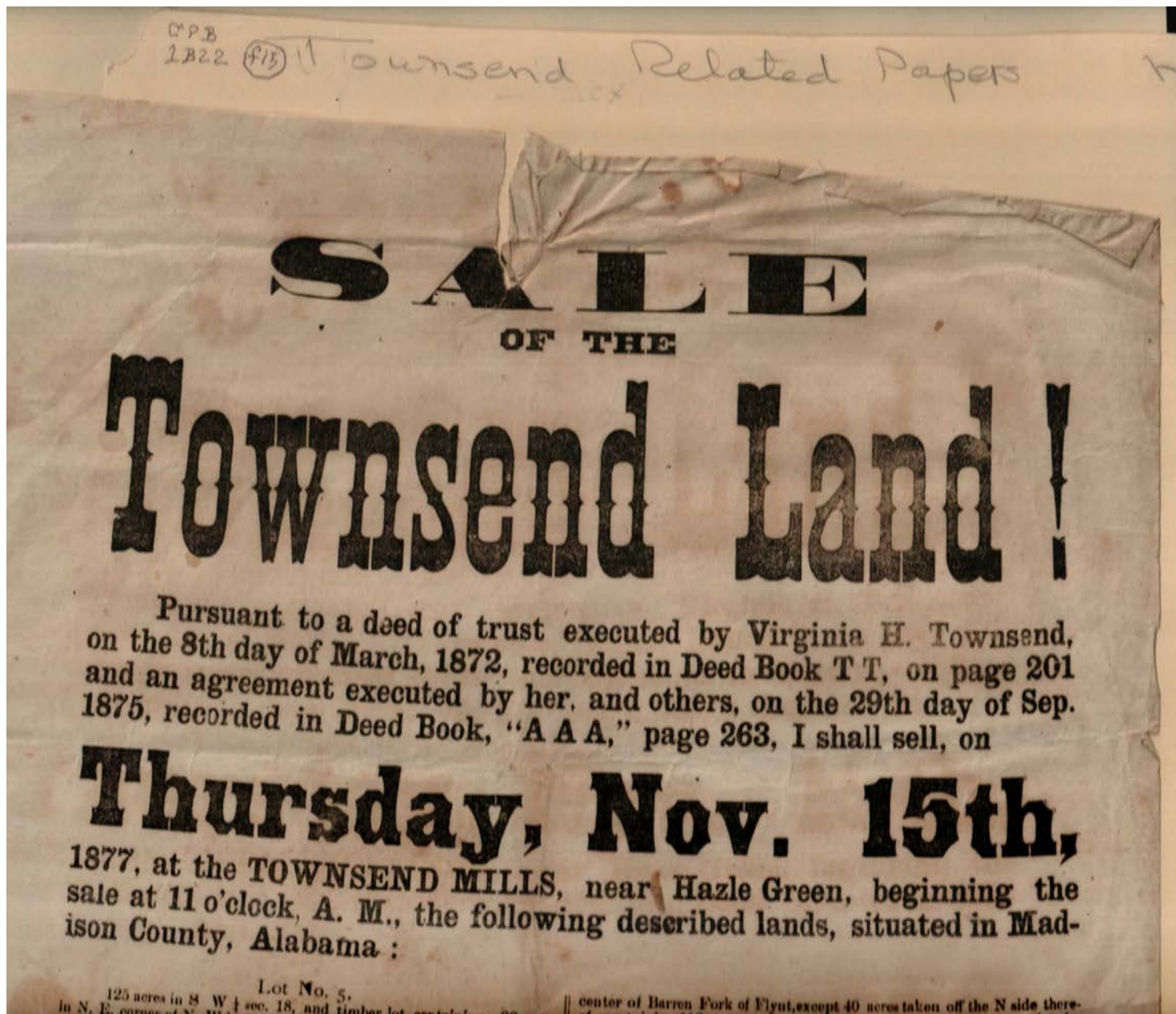
10th District North
Alabama

Types:

chancery court

Dates:

June 20, 1868



Names:

Townsend, Virginia
H.

Places:

Madison Co., AL

Types:

advertisement

Dates:

1877

SALE
OF THE
Townsend Land!

Pursuant to a deed of trust executed by Virginia H. Townsend, on the 8th day of March, 1872, recorded in Deed Book T T, on page 201 and an agreement executed by her, and others, on the 29th day of Sep. 1875, recorded in Deed Book, "A A A," page 263, I shall sell, on

Thursday, Nov. 15th,
1877, at the TOWNSEND MILLS, near Hazle Green, beginning the sale at 11 o'clock, A. M., the following described lands, situated in Madison County, Alabama:

Lot No. 5.
125 acres in S. W. 1/4 sec. 18, and timber lot, containing 20 acres, in N. E. corner of N. W. 1/4 of sec. 18, T. 1 R. 1 E., containing 145 acres, more or less.

Lot No. 7.
All that part of the S. W. 1/4 of sec. 7, T. 1 R. 1 E. which lies east of the Mill Creek road, containing 149 acres, more or less.

Lot No. 8.
All of the E. 1/4 of sec. 18 and of the S. W. 1/4 of sec. 11, T. 1 R. 1 E., which lies north of the center of Mill Creek and west of the Barren Fork of Floyd, containing 122 acres, more or less.

Lot No. 9.
Part of E. 1/4 of sec. 18, supposed to contain 50 acres, more or less, beginning on the S. boundary line of said sec. 18, at a point 40 chains west of the S. W. corner of sec. 17, running thence due north to the center of Mill Creek, thence with the course of said stream to the western boundary of said half section, thence with said half section due South to its intersection with the said southern boundary line of said sec. 18, and thence with said southern boundary line to the beginning; also W. 1/4 of S. E. 1/4 of N. W. 1/4 of sec. 9, T. 1 R. 1 E. containing 20 acres, in all 100 acres, more or less.

Lot No. 9 1/2.
All of that part of the E. 1/4 of sec. 18 not included in lot No. 9, which lies south of the center of said Mill Creek all of it, being East of lot No. 9, containing 74 acres more or less, and with it the E. 1/2 of the N. E. 1/4 of N. W. 1/4 of sec. 9, T. 1 R. 1 E., containing 20 acres, containing in all 94 acres, more or less.

Lot No. 10.
N. E. 1/4 of sec. 10, T. 1 R. 1 E. known as Field House place, containing about 100 acres, to be sold subject to the rights of M. M. Coker and his heirs or assigns in relation to ditch on south part, which are set forth in a conveyance made by D. D. Shelby, trustee of Virginia H. Townsend, to said Coker, which is of record in the Public Court of Madison County, also timber tract known as S. W. 1/4 of N. E. 1/4 of sec. 8, T. 1 R. 1 E., containing about 40 acres, containing in all 200 acres.

Lot No. 11 1/2.
E. 1/2 of S. E. 1/4 of sec. 19, and with it a timber tract of 22 acres, more or less, "marked C" in the N. E. 1/4 of sec. 30 and adjoining lands of Dr. Hatcher, and 1 1/2 IP on the one, and said Hatcher's land on the north, in all 102 acres more or less, subject to right of way of road which may be laid off along the eastern boundary line of said S. E. 1/4 sec. 19.

Lot No. 12.
W. 1/2 of S. W. 1/4 of sec. 20, known as Curry 1/2, subject to right of way on western boundary line; and with it a timber tract, containing about 17 acres in S. W. corner of S. E. 1/4 of sec. 20, marked D. In all about 97 acres.

Lot No. 12 1/2.
E. 1/2 of S. W. 1/4 of sec. 20, T. 1 R. 1 E., containing 40 acres, more or less.

Lot No. 13.
All of the N. W. 1/4 of sec. 20, T. 1 R. 1 E., which lies east of the center of Barren Fork of Floyd, except 40 acres taken off the N. side thereof, containing 112 acres, more or less, subject to right of way on road to be run from Lawrence road along the boundary line between sections 19 and 20, twenty feet in width, also timber tract known as S. E. 1/4 of S. E. 1/4 of S. T. 1 R. 1 E. containing in all 102 acres, more or less.

Lot No. 13 1/2.
40 acres off N. part of the S. W. 1/4 of sec. 20, all to be west of the center of Barren Fork of Floyd River; and all that part of the S. W. 1/4 of sec. 17, which lies W. of the center of the Barren Fork of Floyd River, and south of the center of Mill Creek, containing 40 acres, more or less; and with it the S. W. 1/4 of the N. W. 1/4 of sec. 9, T. 1 R. 1 E., containing 40 acres, the three parcels containing 120 acres, more or less.

Lot No. 14 & 15.
These two lots together, containing 125 acres, more or less, comprising all that part of the S. E. 1/4 of sec. 13, T. 1 R. 1 W., which lies south of east and west line, 3 & 25-100 chains south of said parallel with the southern boundary line of said quarter section—known as the Tate Field; also timber tract known as No. 21, being the W. 1/2 of S. W. 1/4 of sec. 12, T. 1 R. 1 W., containing about 40 acres.

Lot No. 19.
Being the E. 1/2 of S. E. 1/4 of sec. 12, T. 1 R. 1 W., containing 20 acres, more or less.

Lot No. 20.
Being the W. 1/2 of the S. E. 1/4 of sec. 12, T. 1 R. 1 W., containing 20 acres, more or less, to be sold for not less than \$50 dollars per acre.

Lot No. 21.
Being the E. 1/2 of the S. W. 1/4 of sec. 12, T. 1 R. 1 W., containing 20 acres, and to be sold for not less than \$50 dollars per acre.

Lot No. 24.
N. E. 1/4 of S. E. 1/4 of sec. 11, T. 1 R. 1 W., containing 40 acres, numbered 24 and 25.

Lot No. 25.
All that part of S. E. 1/4 of sec. 5, T. 1 R. 1 E., which lies East of Barren Fork of Floyd, containing 40 acres, more or less, numbered 24 on plat.

Lot No. 29.
The N. 1/2 of N. E. 1/4 of sec. 8, T. 1 R. 1 E., containing 20 acres, more or less.

Lot No. 30.
The N. 1/2 of N. W. 1/4 of sec. 9, T. 1 R. 1 E., containing 20 acres, more or less.

Lot No. 31.
All of the S. E. 1/4 of sec. 3, T. 1 R. 1 E., which lies north of the center of the Barren Fork of Floyd, containing 60 acres, more or less.

Lot No. 34.
All of the N. 1/2 of S. E. 1/4 of sec. 3, T. 1 R. 1 E., which lies south and east of the center of Barren Fork of Floyd, containing 20 acres, more or less.

Lot No. 35.
The N. 1/2 of S. E. 1/4 of sec. 32, containing 20 acres, more or less.

TERMS.--The purchase money is to be paid in two equal installments: one-third in cash, and the balance in two equal annual installments, secured by mortgage on the land, one payable in one year, and one in two years after the date of the sale, with interest from the first day of January, 1878. The purchasers must pay expenses of executing and recording deeds and mortgages.

D. D. SHELBY,
Trustee and Assignee of Virginia H. Townsend.

October 9th, 1877.

—O'Neal, printer, Advocate Office.—

Names:

Shelby, D. D.

Townsend, Virginia
H.

Places:

Madison Co., AL

Types:

advertisement

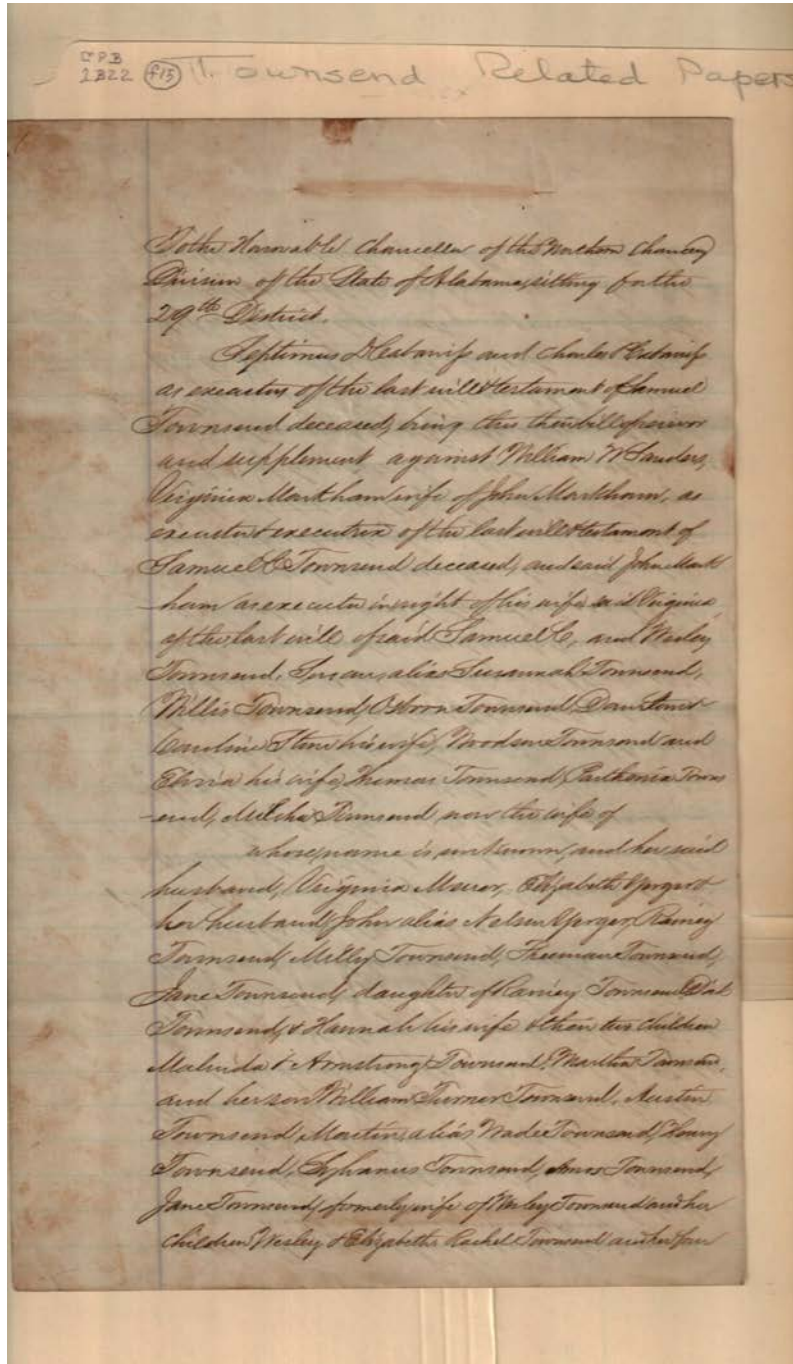
Dates:

1877

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Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

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Names:

Cabaniss, Charles P.
 Cabaniss, Septimus
 D.
 Jones, Dan
 Markum, John
 Markum, Virginia
 Mercer, Virginia
 Sanders, William W.
 Stone, Caroline
 Townsend, Amos

Townsend,
 Armstrong
 Townsend, Austin
 Townsend, Dick
 Townsend, Elizabeth
 Rachel
 Townsend, Elvira
 Townsend, Freeman
 Townsend, Hannah
 Townsend, Henry
 Townsend, Jane

Townsend, Malinda
 Townsend, Martha
 Townsend, Martin
 (alias Wade)
 Townsend, Micha
 Townsend, Milly
 Townsend, Osborn
 Townsend, Parthenia
 Townsend, Rainey
 Townsend, Samuel
 Townsend, Samuel C.

Townsend, Susan
 (alias Susannah)
 Townsend, Sylvanus
 Townsend, Thomas
 Townsend, Wesley
 Townsend, William
 Turner
 Townsend, Willis
 Townsend, Woodson
 Yerger, Elizabeth

Places:

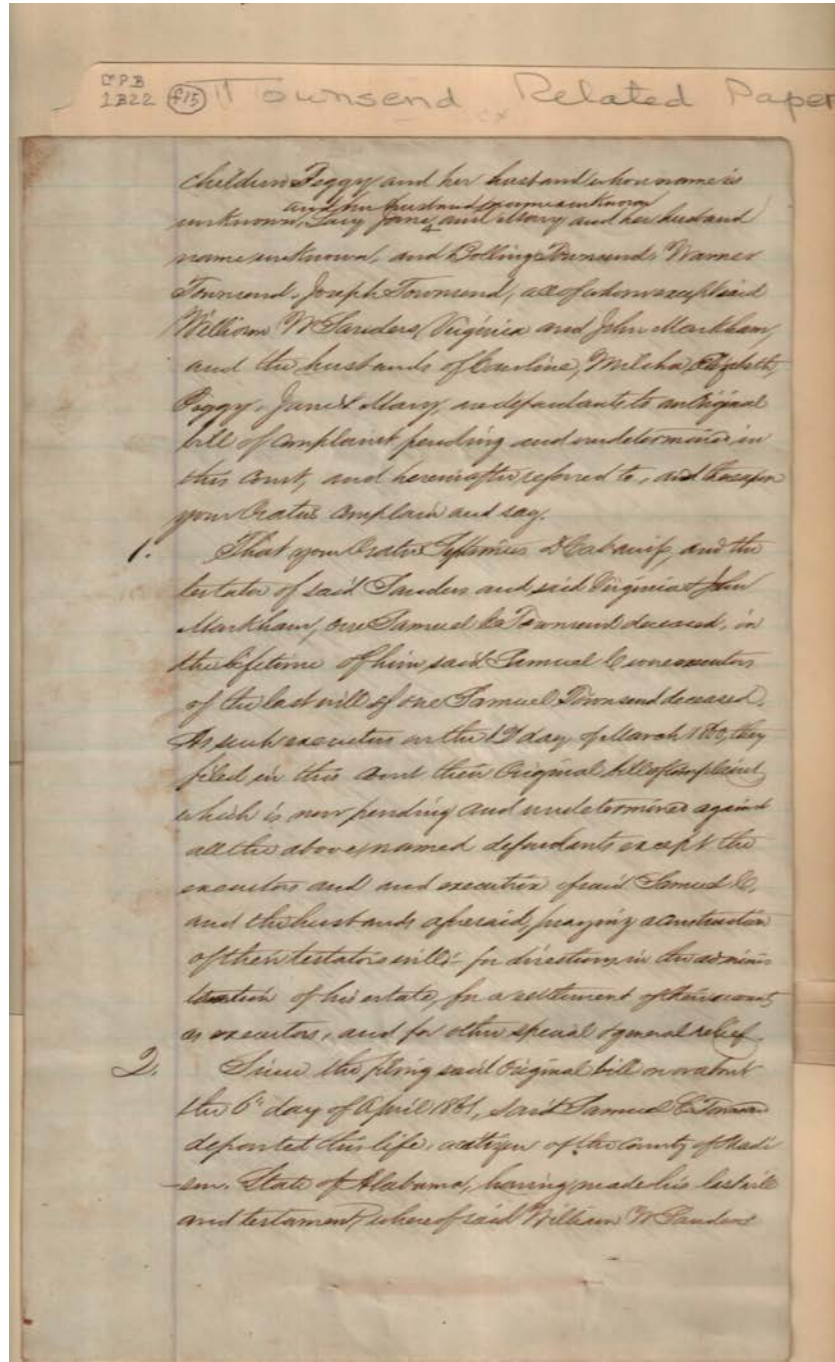
290th District North
Alabama

Types:

chancery court

Dates:

Mar 12, 1866



Names:

, Caroline
 , Elizabeth
 , Jane
 , Lucy Jane
 , Mary

, Milcha
 , Peggy
 Cabaniss, Septimus
 D.
 Markum, John

Markum, Virginia
 Sanders, William W.
 Townsend, Bolling
 Townsend, Joseph
 Townsend, Samuel

Townsend, Samuel C.
 Townsend, Warner

Places:

290th District North
 Alabama

Types:

chancery court

Dates:

Mar 12, 1866

CPB
1822 (15) Townsend Related Papers

and said Virginia Markum, prokominated, and appointed executor and executrix said Virginia being the widow of said Samuel, her said will was by the Court of Probate of said County of Madison duly admitted to Probate, and after testamentary thereon granted to said Frederick Sanders, who qualified and entered on the discharge of the trusts thereof. of Howard Place, Virginia the said John Markum, prokominated, and are now husband and wife.

S. On the 26th day of April 1866, the Court of Probate Charles Sanders qualified as the executor of said Samuel P. as executor of said Samuel Townsend deceased before the Court of Probate of said County of Madison, and after testamentary were granted to him by said Court, a copy of his said qualification duly authenticated is herewith filed, marked A. B. C., and prayed to be taken as part hereof.

H. At the same Term 1866 of this Court in the suit aforesaid, an account was taken to be taken in reference to the unsettled accounts between said Samuel and said Samuel P., alleged and set out in section 32nd of the original bill. Therein account yet remains to be taken. The note of said Levi Donaldson mentioned in the 33rd section of said bill, as due and payable to January 1st 1857 for twenty three hundred and seventy five dollars, was paid by said Donaldson to Joseph C. Bradley

Names:

, Samuel
Bradley, Joseph C.
Cabaniss, Charles P.

Donaldson, Levi
Markum, John
Markum, Virginia

Sanders,
Townsend, Samuel
Townsend, Samuel C.

Places:

290th District North
Alabama

Types:

chancery court

Dates:

Mar 12, 1866

CPB
1822 915 Townsend Related Pap

as special administrator of said Samuel Townsend,
 And on the note of said Donaldson aforesaid in
 said action as due January 21st 1858. and
 the said dollar was paid your brother Septimus
 D. by said Donaldson on the 21st day of April
 1858, which was by him paid to said Samuel
 by his agreeing to a writ for the same amount,
 if it was as contained because he told that
 in his own right. Said Sam on the 29th day
 of March 1861, said Donaldson paid your brother
 Septimus D. the further sum of six hundred
 dollars in said note, the remainder of said note
 is unpaid.

J. The said Samuel C. at the various sales
 made by him and your brother Septimus D. in
 execution, purchased property of their said
 brother for which he made no payment and
 gave no note or bond. On the 9th March 1860
 said Samuel C. purchased personal property to
 the amount of sixteen hundred and twenty two
 and 4/100 dollars, an account whereof marked A. B. 1,
 is herewith filed and prayed to be taken as part
 of this bill. Said sales as made on a credit until
 1st Feb 1861. On the 14th November 1860 he purchased
 personal property to the amount of fifty three dollars
 on a credit until January 1st 1861, bearing interest
 from date, on account whereof marked M. G. is here
 with filed, prayed to be taken as a part of this bill.
 Said Samuel C. also received account due to him

Names:

Cabaniss, Septimus
 D.

Donaldson, Levi
 Townsend, Samuel

Townsend, Samuel C.

Places:

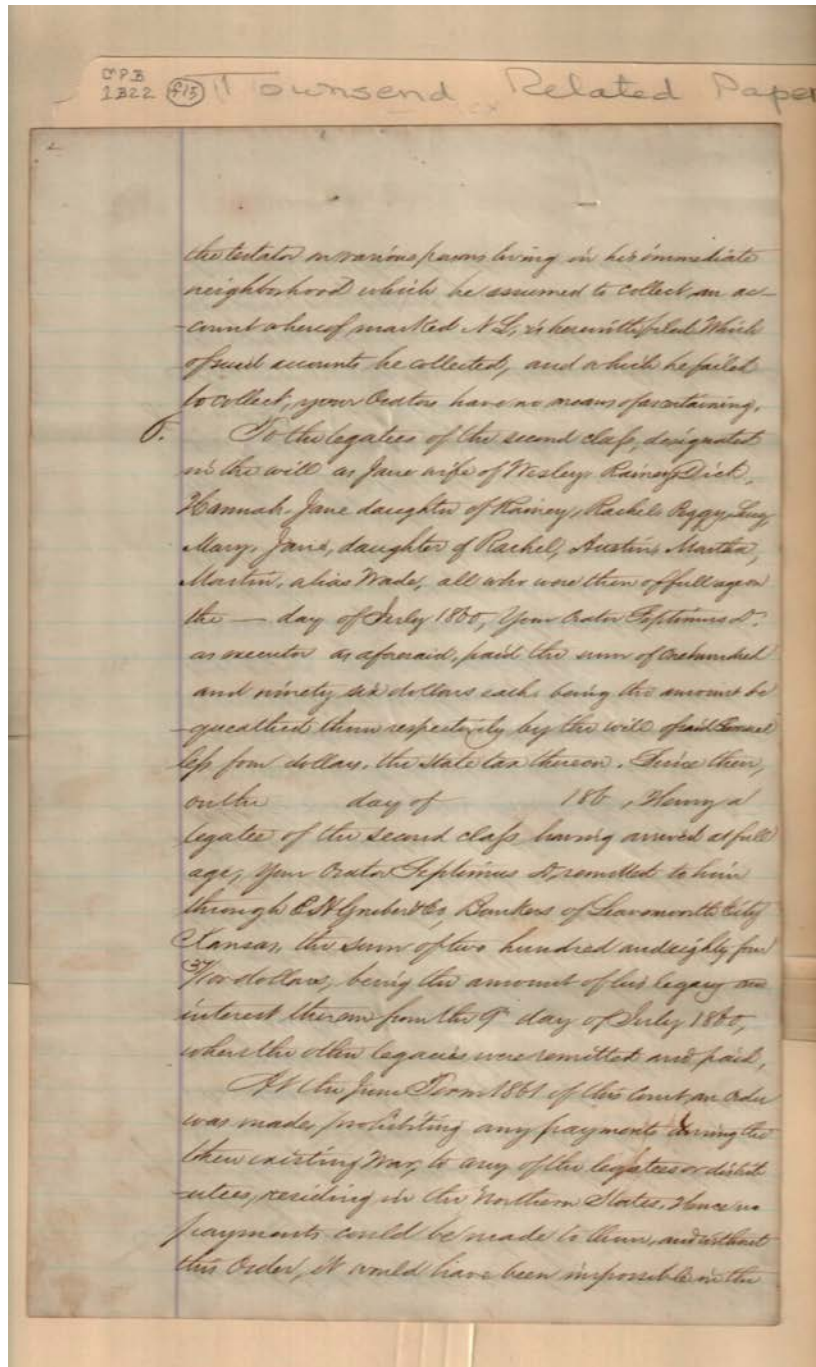
290th District North
 Alabama

Types:

chancery court

Dates:

Mar 12, 1866



Names:

, Austin	, Lucy	, Peggy	Cabaniss, Septimus
, Dick	, Martha	, Rachel	D.
, Hannah	, Martin (alias Wade)	, Rainey	
, Jane	, Mary	, Wesley	

Places:

290th District North
Alabama

Types:

chancery court

Dates:

Mar 12, 1866

CPB
1822 (915) Townsend Related Pa

disturbed state of the country, to have made
them any payments, or held any communication
with them.

7. The defendant Wesley, soon after the defendant
James mentioned as wife of said Wesley, Rainey &
Martha received their legacies of one hundred dollars
nearly six dollars each, borrowed the same of
them, and also the moneys of said Rainey mak-
ing an aggregate of about five hundred dollars
due to Rainey alone. After borrowing said money
he left Thomas, where he and said James Rainey
and Martha then resided, and moved to Ohio,
where he now resides. On the day of
1866. He wrote to your brother Septimus D.,
requesting and directing him to pay the money
so borrowed of said James Rainey & Martha out of
his said Wesley's share of the estate of said
testator. Your brother Septimus D., not desiring
to assume any responsibility, or to be involved
in the transactions of said defendants with
each other, has not made any promise to
apply any portion of the share of said
Wesley to said debt; but is willing to make
such applications if so directed by the Court.

8. Since the last continuance of this cause,
Samuel son of Rainey, Roxanna, daughter of
Martha, one of the children mentioned in
Section 12 of the original bill as having been
born since the death of said Samuel have

Names:

, Elizabeth
, Jane
, Martha

, Rainey
, Roxanna
, Samuel

Cabaniss, Septimus
D.
Townsend, Wesley

Places:

290th District North
Alabama

Types:

chancery court

Dates:

Mar 12, 1866

MPB
2.222 (F15) Townsend Related Paper

departed this life. The court however, heretofore
declined, that said children took no interest
under the will of said testator. Joseph Bradford
Townsend one of the defendants to the original
bill, and one of the legatees of the first def,
has died since the last continuance of the
cause, leaving Susanna his sister his next of
kin and heir at law. Since the filing of the
original bill the defendant Woodson has stand-
ed the defendant Caroline as his wife, and has
married the defendant Elvira, whom he con-
sidered as his wife, and said Caroline has
intermarried with Dan Stone.

The defendant Elizabeth has since the last
continuance, intermarried with and is now the
wife of Nelson alias John Yarger, and resides
at Gaylesburg in the State of Illinois.

The defendant Virginia intermarried with
Peter Mercer, who has since died, and she resides
in Seavonville City, State of Kansas.

The defendant Milcha has intermarried with
Caldwell, whose name is unknown to
your Honor and she and her said husband
reside at Seavonville City at Kansas. And the de-
fendants Peggy, Jane and Mary have married, but
their husbands names are unknown to your
Honor.

Since to the filing of the original bill, the
two girls Eliza & Elizabeth and Virginia, mentioned in

Names:

, Caroline
, Eliza
, Elizabeth
, Elvira
, Jane

, Mary
, Milcha
, Peggy
, Virginia
, Woodson

Caldwell,
Mercer, Peter
Stone, Dan
Townsend, Joseph
Bradford

Townsend, Susanna
Yarger, Nelson (alias
John)

Places:

290th District North
Alabama

Types:

chancery court

Dates:

Mar 12, 1866

C.P.B.
1322 (915)
Townsend Related Paper

sections 19, 20 & 21 of the original bill, by their
 next friend George W. Carmichael, or ^{agent} qualified in
 the Circuit Court of the county of Madison, State
 of Alabama, against your Orator Septimus D.
 Cabaniss, as executor, claiming that they were
 free and not slaves, said suits were dismissed
 at the costs of said plaintiffs on the 25th of
 February, 1866. A transcript of said suits is
 herewith filed, marked N.G., and prayed to
 be taken as part of this bill. The said girls
 were the reputed children of one Edmund Townsend,
 who died in the year 1854 in said county of
 Madison having previously made but with which
 in or after his death duly admitted to Probate in
 the Court of Probate of said county of Madison of
 said will your Orator's testator was one of the
 executors, and with one John C. Townsend, duly
 qualified as executor. The said Edmund did
 seized and possessed of a large real and per-
 sonal estate, worth five hundred thousand
 dollars or more. By said will, said girls
 were made ordinary legatees of said testator,
 and thereby entitled to an estate of the value of
 four hundred thousand dollars or more, said
 Samuel & John C. Townsend as executors of
 said will, filed their bill in this Court for assistance
 in the administration of said estate and for
 construction of the said will of their testator, this
 bill alleges, that said girl Virginia Elizabeth

Names:

Cabaniss, Septimus
D.

Carmichael, George
W.
Townsend, Edmund

Townsend, Elizabeth
(Eliza)
Townsend, John E.

Townsend, Samuel C.
Townsend, Virginia

Places:

290th District North
Alabama

Types:

chancery court

Dates:

Mar 12, 1866

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Townsend Memorabilia - Miscellaneous Townsend documents 1850-1910

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CPB
1222 (97) Townsend Related Papers

in Eliza, one slave, and the property of said
testator at his death. It is not denied that the
legacies and devises in the will of said Edmund
to said girls, were void, and that the property then
devised and bequeathed, should be distributed
as if the testator had died intestate. It is said that
said girls, were not parties, it is said with the
proceedings therein, as prima facie prayed. Whether
said suit for freedom was instituted said John E.
Townsend became involved, upon testator's estate had the
account, as one of the heirs and next of kin of said
Edmund Townsend, about one hundred and fifty
thousand dollars of the said sum bequeathed and
devised as aforesaid to said girls, Virginia and Eliza,
& Elizabeth. The said girls claimed their freedom on
the ground that said Virginia and Elizabeth were
born of a free woman. The suit for freedom was
instituted and prosecuted by men who avowed that
they designed establishing the freedom of said girls
and instituting suit for the recovery of the property
devised and bequeathed to them as aforesaid which
would have involved the estate of said testator
in protracted litigation and probably in great loss.
John Bates Septimus et, and sold Samuel to
employed Robinson Jones & Walker & Brickell attorney
at Law, to defend said suits for freedom. It became
necessary in defending said suits that it should
be shown that the mother of said girls was a slave,
One George W. Cook had borne the name of said

Names:

Cabaniss, Septimus
D.
Cook, George W.

Robinson & Jones
Townsend, Edmund

Townsend, Elizabeth
(Eliza)
Townsend, John E.

Townsend, Samuel C.
Townsend, Virginia
Walker & Brickell

Places:

290th District North
Alabama

Types:

chancery court

Dates:

Mar 12, 1866

U.P.S.
2,222 (15) Townsend Related Paper

of witnesses by whom these facts could be proved. He proposed to furnish the evidence of these facts if the defendants in said suits would pay him two thousand dollars. Acting under the advice and instructions of their attorneys aforesaid, Your Orator Septimus D. Samuel G. as executor, agreed to pay said Cook two thousand dollars if he would furnish the names and residences of credible witnesses and superintend the taking of their depositions. Under this agreement said Cook furnished the names and residences of witnesses, and superintended the taking of said depositions, and said witnesses fully proved the facts, that said girls are slaves. On the filing of said depositions, said suits were dismissed. Said sum of two thousand dollars was paid by your Orator Septimus D. partly to said Cook and partly on garnishments against him and said Samuel G. as executor aforesaid. The fee of said attorneys for defending said suits, were paid.

10. Your Orator Septimus D. heard Samuel G. as executor, employed one David Lakin of the State of Texas, to look up a location for the defendants who had been removed and emancipated, and to superintend their affairs generally. Said Lakin had formerly resided in Alabama, and had been a highly respected for integrity, and bore the same character in Texas. To him there was paid and remitted a various times, to be paid to and

Names:

Cabaniss, Septimus
D.

Cook, George W.
Lakin, David L.

Townsend, Samuel C.

Places:

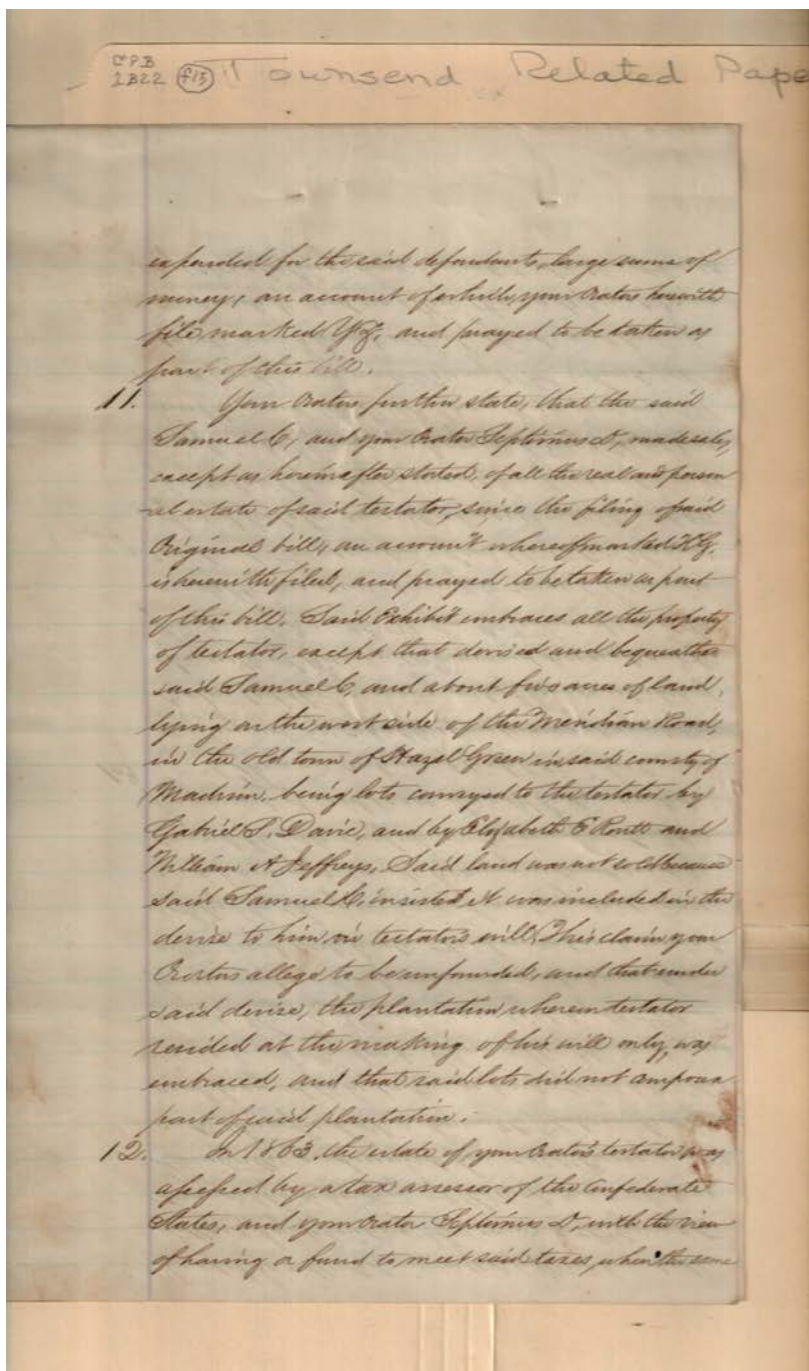
290th District North
Alabama

Types:

chancery court

Dates:

Mar 12, 1866



Names:

Cabaniss, Septimus
D.

Davie, Gabriel S.
Jeffreys, William A.

Routt, Elizabeth E.
Townsend, Samuel C.

Places:

290th District North
Alabama

Types:

chancery court

Dates:

Mar 12, 1866

CPB
1822 (215) Townsend Related Paper

Should be collected, invested fifteen hundred
dollars, by depositing the same with George
Beirne, the depository of the Confederate States
at Mobile, and receive from said Beirne a certi-
ficate thereof which is herewith filed, marked off,
and prayed to be taken as part of this bill, the
same is wholly lost. Soon after the said invest-
ment, Mobile was occupied by the Federal
forces, and no bond was ever received according
with said certificate. Said investment was made
solely for the purpose of meeting said taxes,
and having a fund bearing interest, readily
convertible into Confederate Treasury notes, when
payment of said taxes should be demanded.

13. There are contingent liabilities which may
or may not be capable of enforcement against
said testator, growing out of his executorship of
the will of Edmund Townsend deceased, and his
partnership with John E. Townsend, and their
indebtedness and owing to counsel for services
rendered, the executor of said testator. The assets
of said testator consist almost entirely of debt
for sale of property made by the executor, such
as in 1864 and subsequent years. At political
troubles, and the state of war, commencing in 1864,
and continuing until May 1865, whereby the
courts were almost entirely closed, and business
suspended, and no other than a depreciated amount
of circulating, have prevented collection of the debt.

Names:

Beirne, George

Townsend, Edmund

Townsend, John E.

Places:

290th District North
Alabama

Types:

chancery court

Dates:

Mar 12, 1866

CPB
1822 (15) Townsend Related Paper

The general destruction of property consequent upon the war and the embarrassment prevalent in the country, will prevent the collection of these debts, but to what extent, your creditors cannot yet ascertain.

14. The defendants Wesley Townsend & Susannah, alias Susan Townsend, reside at New Richmond, Ohio, the defendant Wesley is of full age and the defendant Susannah is under 14 years of age. The defendants Willis Townsend and Osborn Townsend are of full age. The defendant Willis resides in Cincinnati Ohio, and Osborn formerly resided in Ohio, but when your creditors last heard from him was in the United States army. The defendant Dan Stone and his wife Caroline, Woodson Stone and his wife Elvira, Thana Townsend, Parthenia Townsend, Malinda formerly Malinda Townsend and her husband whose name is unknown to your creditors, Virginia Mercer, Rainey Townsend, Milly Townsend, Freeman Townsend, Jane Townsend, Dick Townsend, Hannah Townsend, Malinda Townsend, Armstrong Townsend, Rachel Townsend, Peggy daughter of said Rachel, and her husband, whose name is unknown to your creditors, Bolling Townsend, Lucy formerly Lucy Townsend, & her surname is unknown to your creditors, Jane daughter of said Rachel and her husband, whose name is unknown to your creditors, Mary daughter of said Rachel and her husband whose name is unknown to your creditors, Martha

Names:

, Jane
, Mary
, Peggy
Mercer, Virginia
Stone, Caroline
Stone, Dan
Townsend,
Armstrong

Townsend, Bolling
Townsend, Dick
Townsend, Elvira
Townsend, Freeman
Townsend, Hannah
Townsend, Jane
Townsend, Lucy
Townsend, Malinda

Townsend, Martha
Townsend, Micha
Townsend, Milly
Townsend, Osborn
Townsend, Parthenia
Townsend, Rachell
Townsend, Rainey

Townsend, Susannah
(alias Susan)
Townsend, Thomas
Townsend, Wesley
Townsend, Willis
Townsend, Woodson

Places:

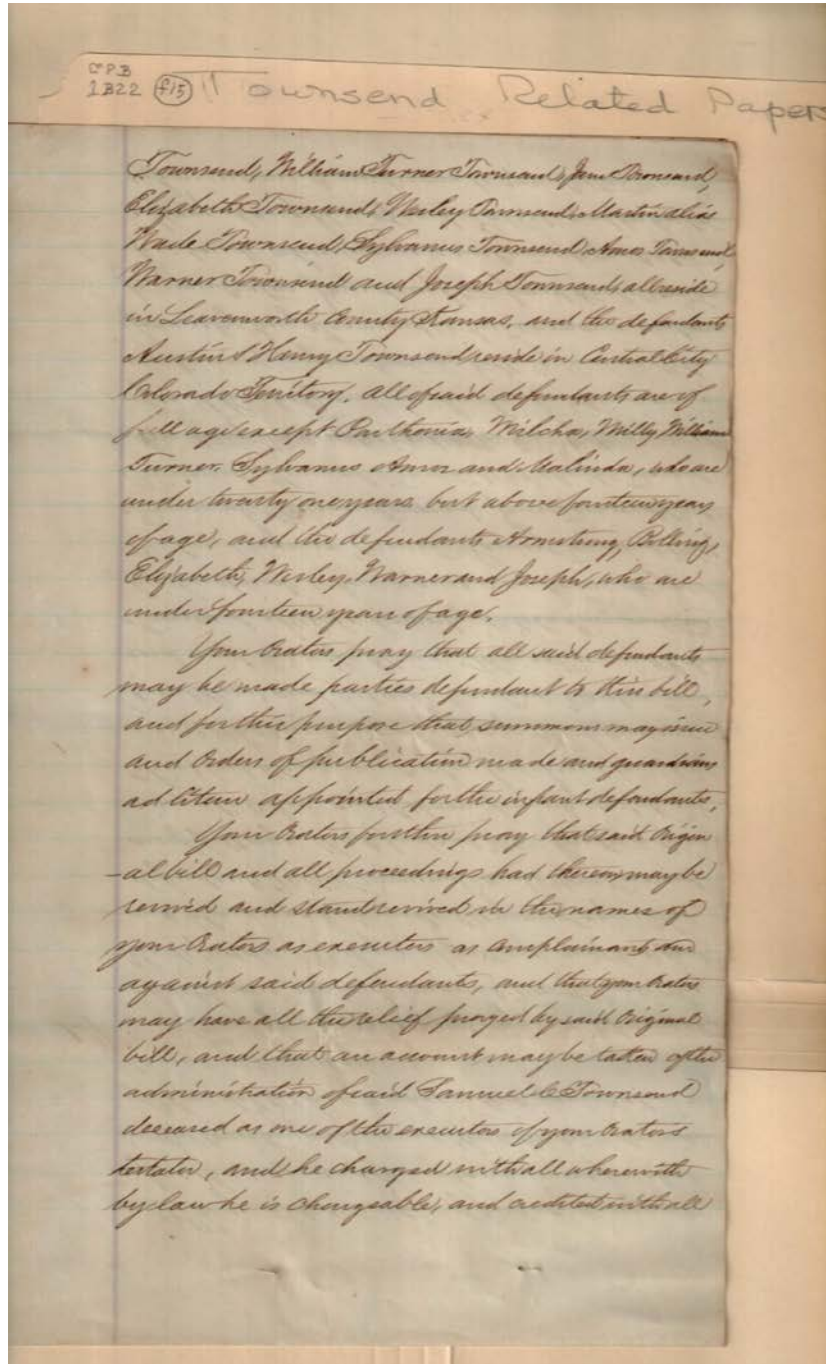
290th District North
Alabama

Types:

chancery court

Dates:

Mar 12, 1866



Names:

Townsend, Amos
 Townsend, Austin
 Townsend, Elizabeth
 Townsend, Henry

Townsend, Jane
 Townsend, Joseph
 Townsend, Martin
 (alias Wade)

Townsend, Samuel C.
 Townsend, Sylvania
 Townsend, Warner
 Townsend, Wesley

Townsend, William
 Turner

Places:

290th District North
 Alabama

Types:

chancery court

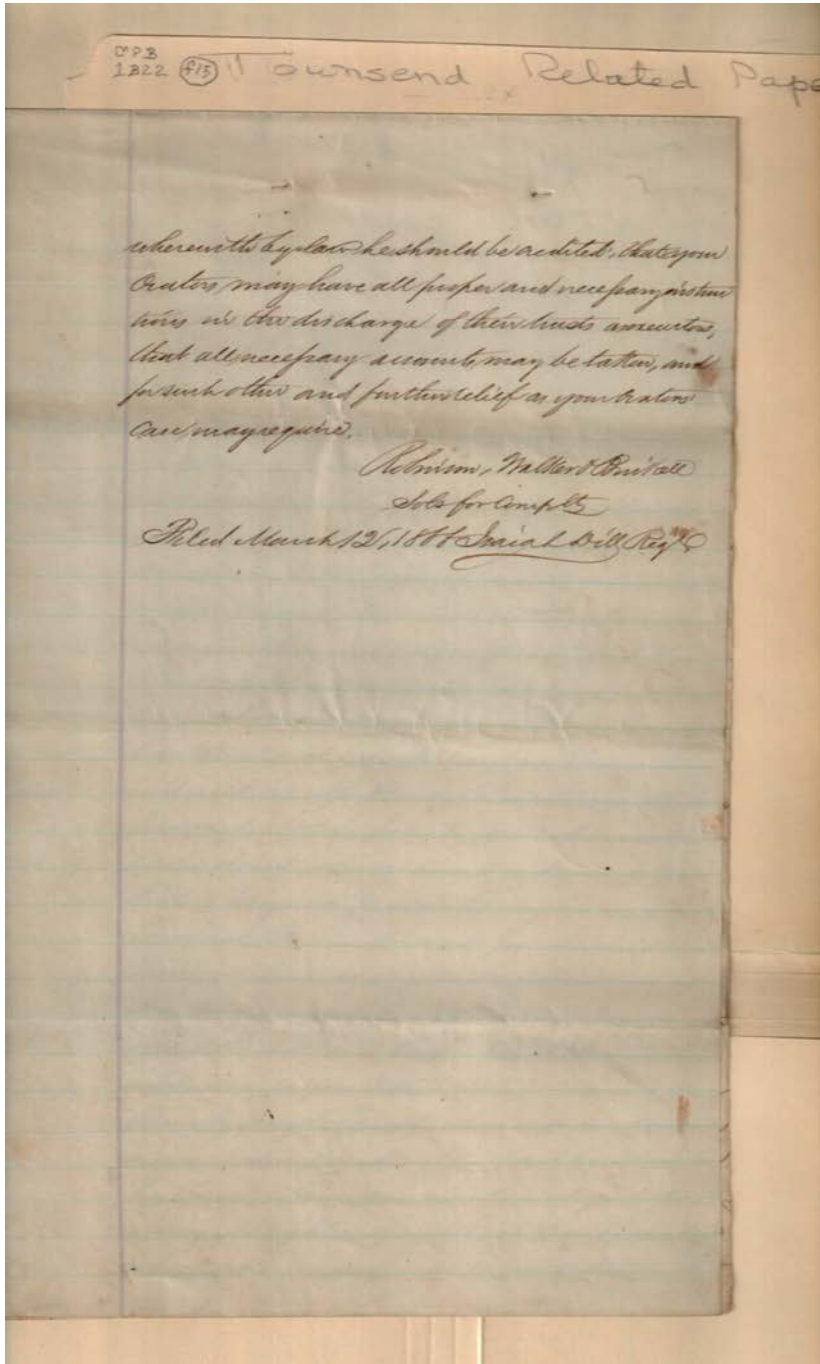
Dates:

Mar 12, 1866

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Names:

Robinson, Walker &
Brickell

Places:

290th District North
Alabama

Types:

chancery court

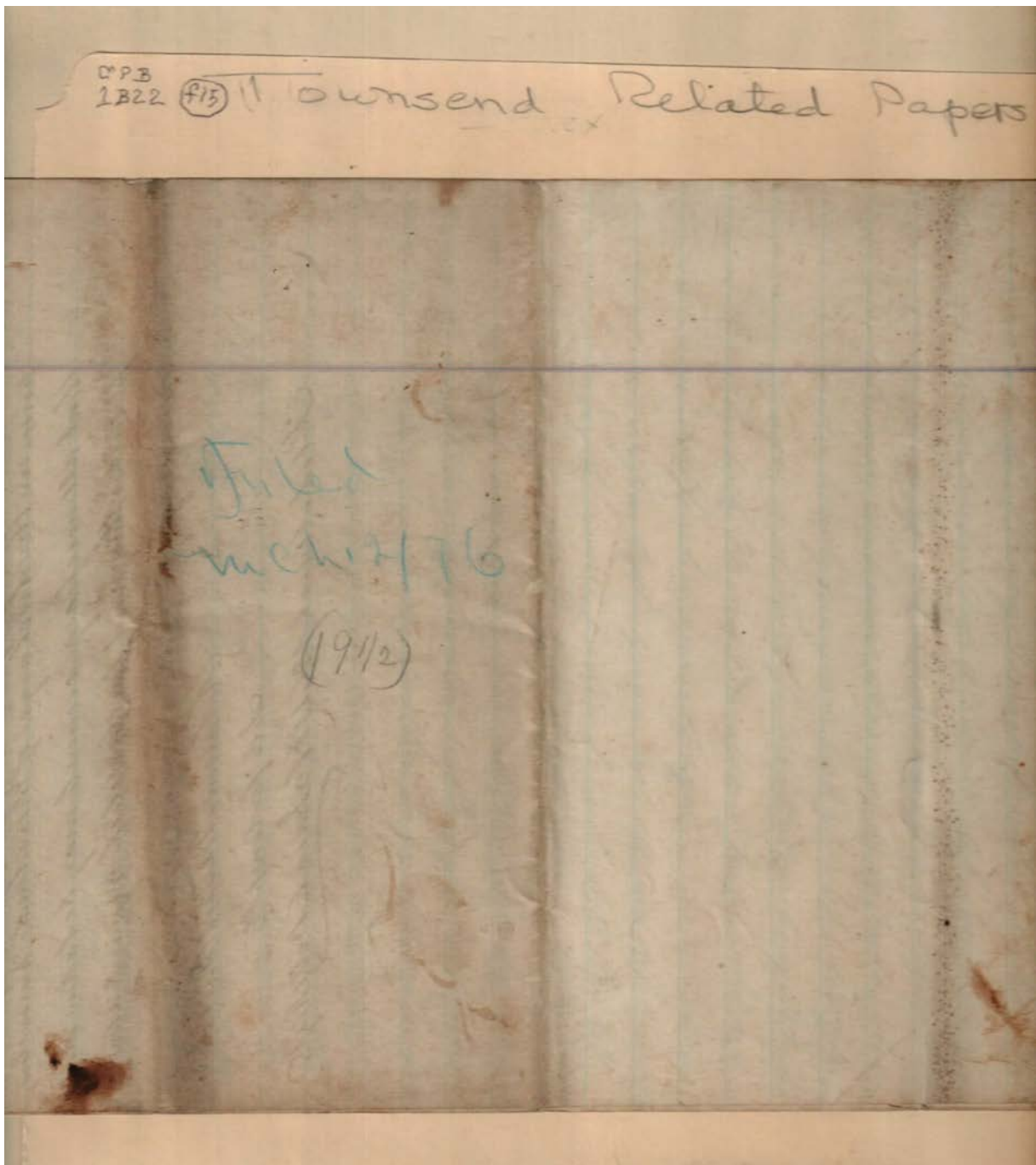
Dates:

Mar 12, 1866

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 22, Folder 15

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Types:

memo

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CPB
2022 (713) Townsend Related Papers

Case No. 2031

[Copy-
original
in Ma Co
Probate files]

ESTATE OF Samuel Townsend

S. D. Cabaniss

Date of Letters: _____ Address: _____

Represented by Attorneys: _____

Dec 5 11
N.C.M.
Administrators
Executors
Guardians

CASE INDEX TO RECORD

DATE			DESCRIPTION	WHERE RECORDED		
DAY	MO.	YEAR		KIND OF BOOK	BOOK NO.	PAGE NO.
19	1	57	Let to re Probate Will	M	4	495
26	1	57	Ord to Probate Will	M	4	497
10	2	57	Ord to Appraise Personalty	M	4	525
25	2	57				
March Term		57	Pet. to Will Will Continued	M	4	551
April Term		57	" " " "	M	4	586
24	11	56	Pet for Probate of Will	M	4	411
19	12	56	Letters of Adm.	M	4	444
12	12	56	Ord to Appraise property	M	4	444
24	12	56	Ord to keep estate together for adm.	M	4	449
9	1	56	Ord to Sell Cotton Crop	M	4	467
May Term		57	Pet. Probate Will Continued	M	5	9
23	6	57	" " " "	M	5	51
July Term		57	" " " "	M	5	67
Aug Term		57	" " " "	M	5	89
Sept Term		57	In re Pet of Probate Will Continued	M	5	132
1	10	57	" " " "	M	5	155

PROBATE COURT OF MADISON COUNTY, ALA.

Case No. 2031

ESTATE OF _____

Date of Letters: _____ Address: _____

Represented by Attorneys: _____

Dec 5 11
N.C.M.
Administrators
Executors
Guardians

CASE INDEX TO RECORD

DATE			DESCRIPTION	WHERE RECORDED		
DAY	MO.	YEAR		KIND OF BOOK	BOOK NO.	PAGE NO.
Nov Term		57	In re Pet. to Probate Will Continued	M	5	229
19	11	57	" " " "	M	5	248
30	11	57	Application & Ord to Perm't to ship Cotton year 1857 - to New Orleans, La.	M	5	261
2	12	57	Order Special Adm. year 1857	M	5	262
Dec. Term		57	In re Probate of Will	M	5	269
18	1	58	In re Probate of Will Jury drawn	M	5	366
19	1	58	In re Probate of Will Jury discharged and New Juror drawn	M	5	366
20	1	58	Will established	M	5	367
25	1	58	Letters Testamentary	M	5	373
25	1	58	Order for Appraisement in Madison Co.	M	5	373
25	1	58	Ord of Appr. in Jackson Co.	M	5	477
24	3	58	Inventory, Appr. of Prop. Jackson Co.	M	5	478
23	11	59	Ord to Admin of F.S.	M	7	438
23	11	59	Ord. Executors for F.S.	M	7	438

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Names:

Cabaniss, S. D.

Townsend, Samuel

Types:

probate court

M.P.B.
1822 (15) Townsend Related Papers

PROBATE COURT OF MADISON COUNTY, ALA.

Case No. 2031

ESTATE OF _____ (Disseid
N.C.M.
Administrator
Executor
Guardian)

Date of Letters _____ Address _____
 Represented by Attorneys _____

CASE INDEX TO RECORD

DATE	DESCRIPTION	WHERE RECORDED		
		KIND OF BOOK	BOOK NO.	PAGE NO.
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" " 60	" " to Special Adm. Cont'd	M	7	587
Jan " 60	Cit. Admrs. Continued	M	7	587
Feb " 60	Cit. to Admrs. to show cause for failure to file accounts & non final set. cont.	M	7	24
March " 60	" " " " " "	M	7	132
April " 60	" " " " " "	M	7	215
Feb Term 60	Cit. to Executors to show cause for failure to make Annual set.	M	7	25
25 2 60	Acc. of Sale of Personal Property	M	7	83
25 2 60	Acc. of Sale of Real Estate of P. Property	M	7	83
April Term 60	Cit. to executors to show Cause for failure to make final settlement.	M	7	215
10 3 60	Ord. to file Acc. of Sales of Sundry	M	7	102
Aug " 60	Cit. to Adm. to file Acct. for F.S. in M.	8	326	
Aug " 60	Cit. to Executors to make annual settlement cont'd.			

PROBATE COURT OF MADISON COUNTY, ALA.

Case No. _____

ESTATE OF _____ (Disseid
N.C.M.
Administrator
Executor
Guardian)

Date of Letters _____ Address _____
 Represented by Attorneys _____

CASE INDEX TO RECORD

DATE	DESCRIPTION	WHERE RECORDED		
		KIND OF BOOK	BOOK NO.	PAGE NO.
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" " 60	" " Executors make set. Cont'd	M	8	450
Nov Term 60	Cit. to Special Adm. Continued	M	8	537
Nov Term 60	Cit. to Executors Continued	M	8	114
June " 60	Cit. to Executors make An. Settle. Cont'd	M	8	114
July Term 60	Cit. Adm. to file Accts & non final set.	M	8	217
May Term 60	Cit. Adm. to file Accts & non final settle.	M	8	47
Jan Term 61	Cit. to Sp. Adm. for Settlement Cont'd	M	9	50-51
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March " 61	Cit. to Ex. for Settlement Cont'd	M	9	140
April " 61	Cit. to Adm. for Settlement Cont'd	M	9	189
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25 4 61	Joint Ex. Conf.	M	9	220-221
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Names:

Townsend, Samuel

Types:

probate court

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Frances Cabaniss Roberts Collection

Preferred Citation: Frances Cabaniss Roberts Collection, Archives and Special Collections, M. Louis Salmon Library, University of Alabama in Huntsville, Huntsville, AL.

Collection Scope and Content: The Collection of 114 Linear ft. includes a total of 156 Archival Boxes. The Frances Cabaniss Roberts collection covers the historical records of the Cabaniss Roberts family. This collection contains extensive correspondence records of the Cabaniss Roberts family circa 1830 to 1930.

Archives/Special Collections Access Restrictions: None

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