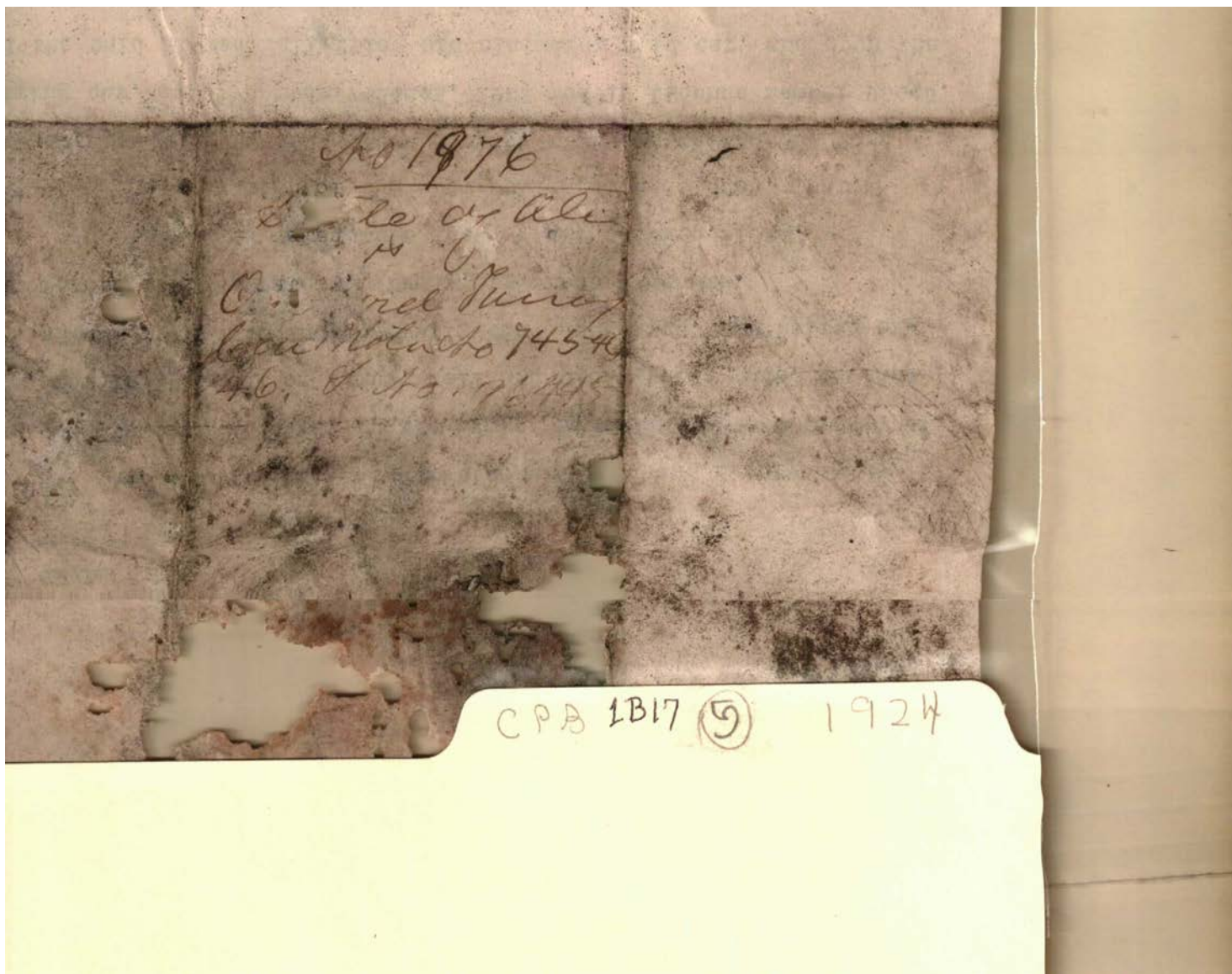


Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 17, Folder 5

Legal and court documents, 1924

Image 1 r01b17-05-000-0083 [Contents](#) [Index](#) [About](#)



Names:

Alabama, State of

Places:

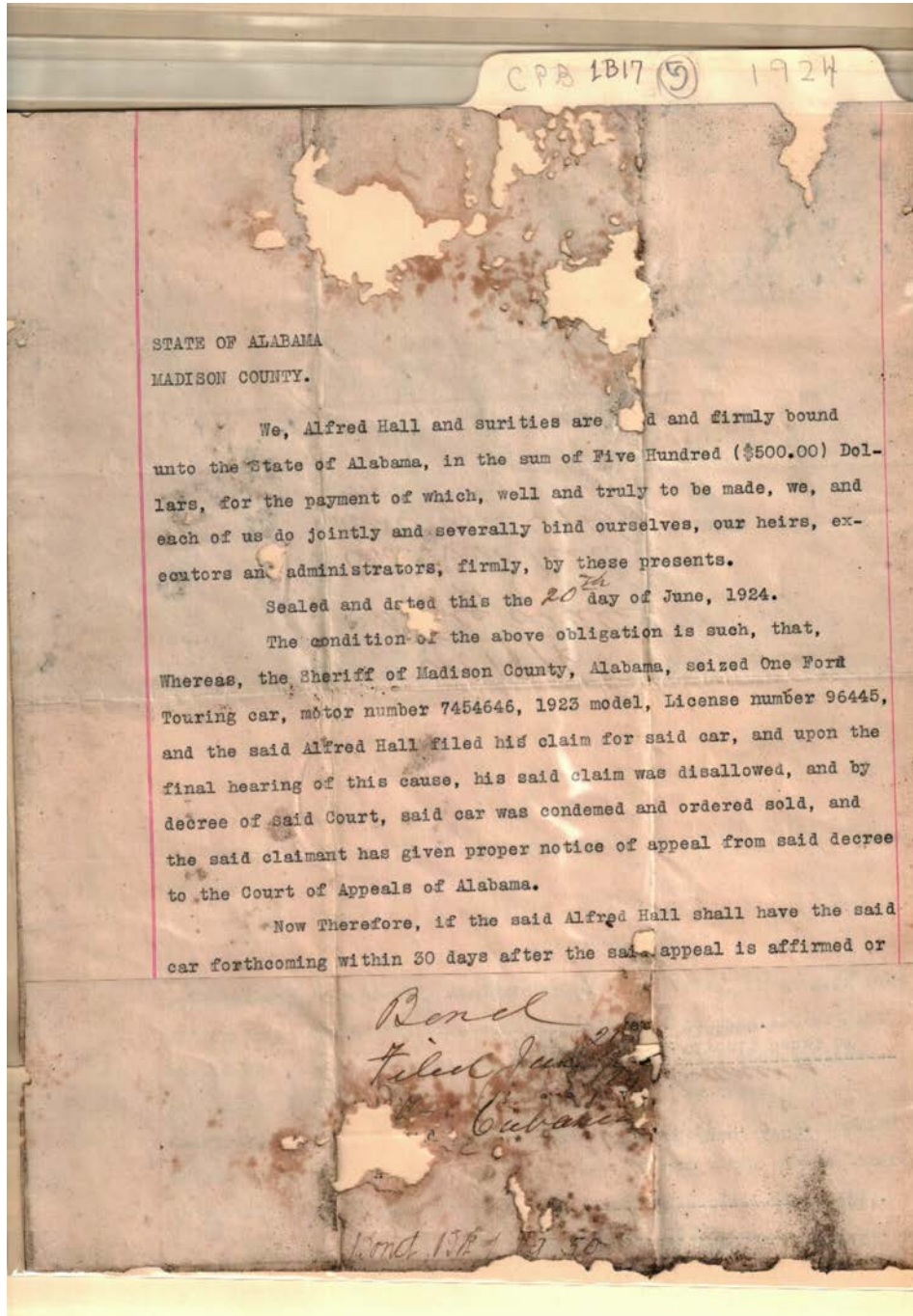
Madison Co., AL

Types:

court document

Dates:

June 20, 1924



Names:

Hall, Alfred

Places:

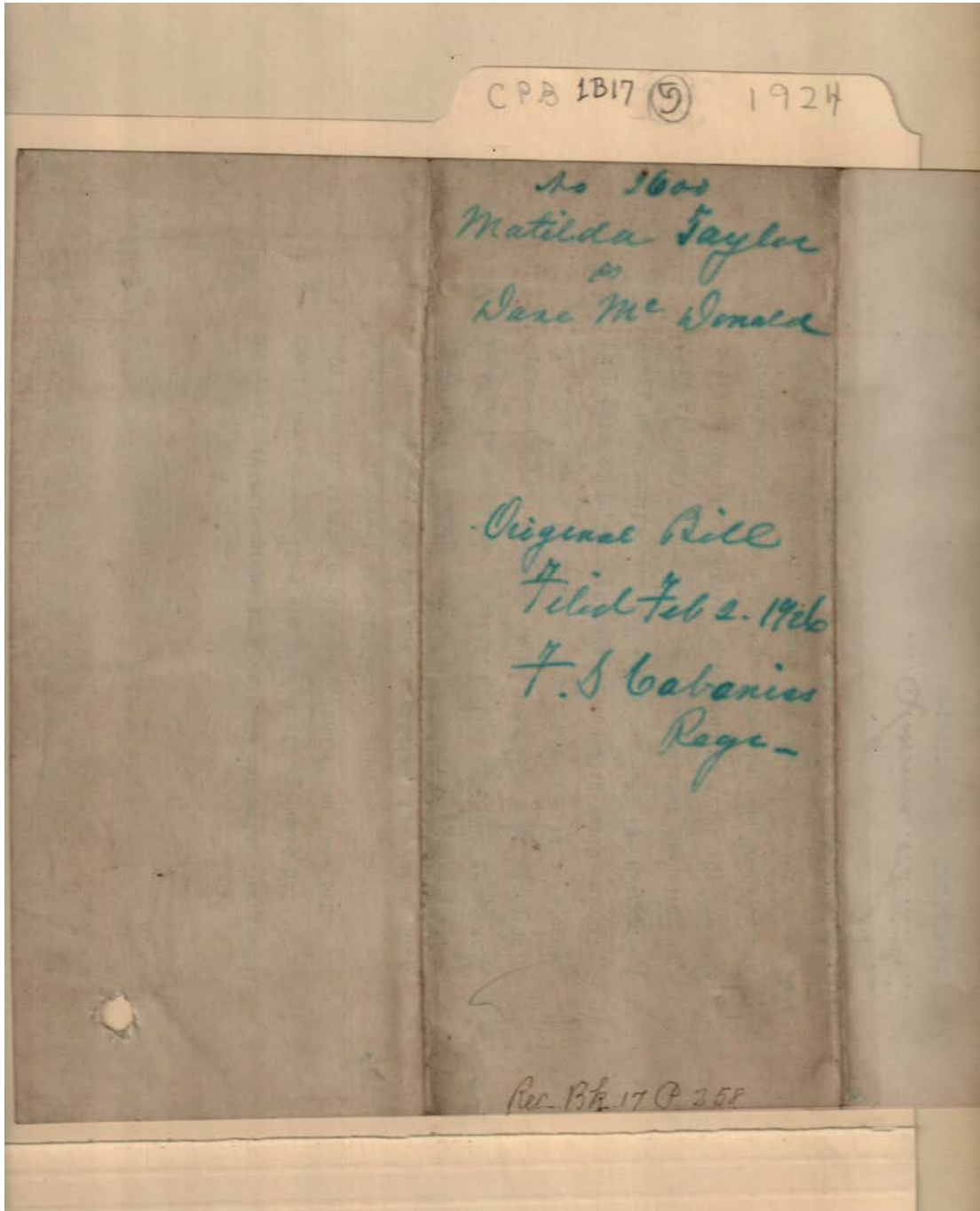
Madison Co., AL

Types:

bond

Dates:

June 20, 1924



Names:

McDonald, Dave

Taylor, Matilda

Places:

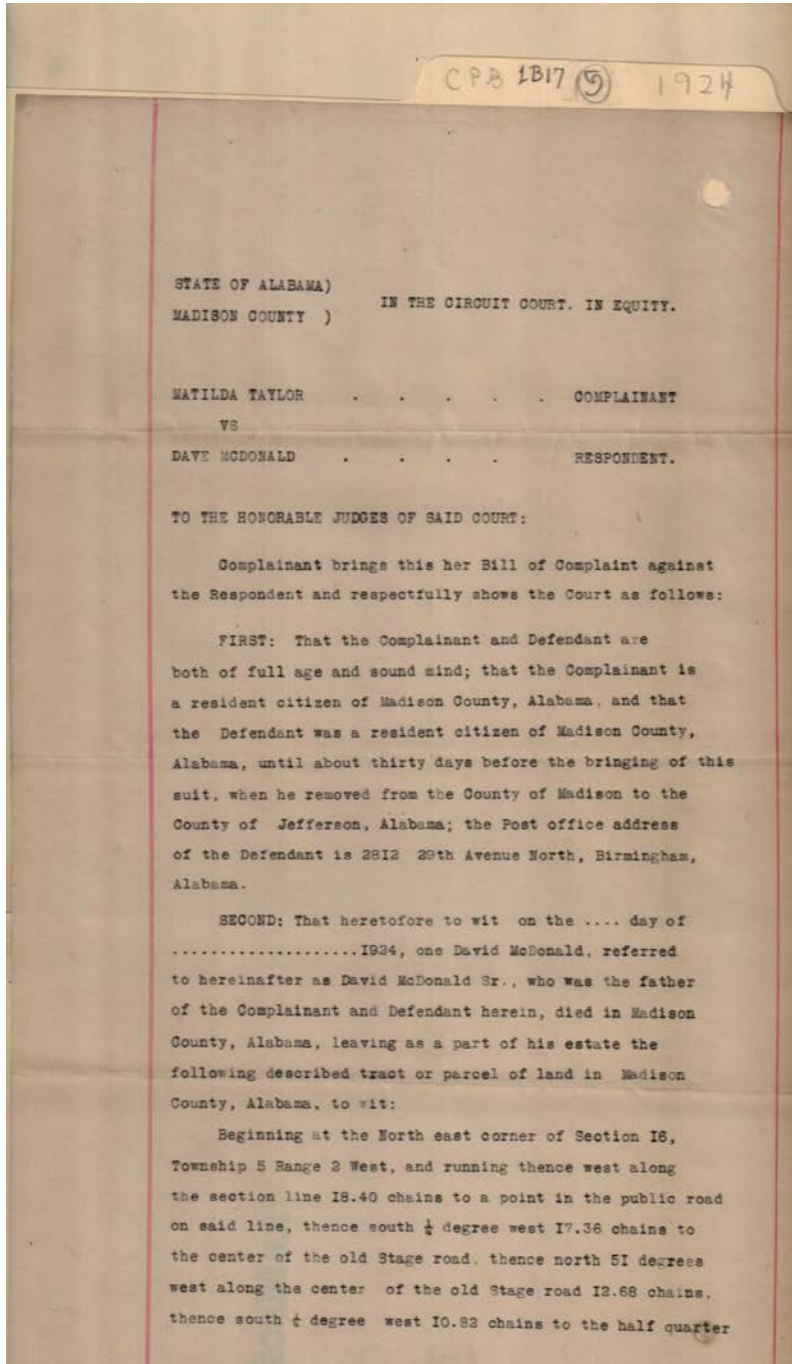
Madison Co., AL

Types:

circuit court

Dates:

Feb 2, 1926



Names:

McDonald, Dave

McDonald, David, Sr.

Taylor, Matilda

Places:

Madison Co., AL

Types:

circuit court

Dates:

Feb 2, 1926

CPB 1B17 (5) 1924

section line running east and west through the center of the north east quarter of said section, thence north 89 $\frac{1}{2}$ degrees east 28.46 chains to the east boundary along the center of Triana road, thence north 1 degree east 20.22 chains to the place of beginning, containing 44.02 acres;

leaving as his heirs at law and next of kin, the Complainant and the Defendant, and one John McDonald, they being the only three surviving children and only heirs at law of the said David McDonald, Sr. deceased.

THIRD: That there were certain debts against the estate of the said David McDonald, Sr. which his heirs at law and next of kin determined to pay off and satisfy by placing a mortgage upon the real estate set out and described in this Bill for the purpose of obtaining sufficient funds to pay off said debts; that for convenience it was agreed that the Complainant and the said John McDonald would execute a conveyance to the said David McDonald to said land, in order that he could borrow money thereon, and execute a mortgage thereon; that accordingly such deed was made and delivered to the said Defendant on or about the 25 day of February 1925, a copy of which deed is hereto attached and made Exhibit A, and prayed to be taken as a part hereof; that said conveyance was made without consideration moving from the Defendant to the said Complainant and the said John McDonald, but as aforesaid, was simply made for convenience of the parties, and in order to expedite the negotiation of a loan thereon; that since the making of said conveyance the said Dave McDonald has failed and refused to carry out the terms of said agreement, and to obtain a loan on said land and so mortgage the same as aforesaid, and has removed from the County of Madison to the County of Jefferson .

That Complainant is advised and believes, and avers upon information and belief that the said conveyance should be set aside and cancelled, and that her title to the

Names:

McDonald, Dave

McDonald, David, Sr.

McDonald, John

Places:

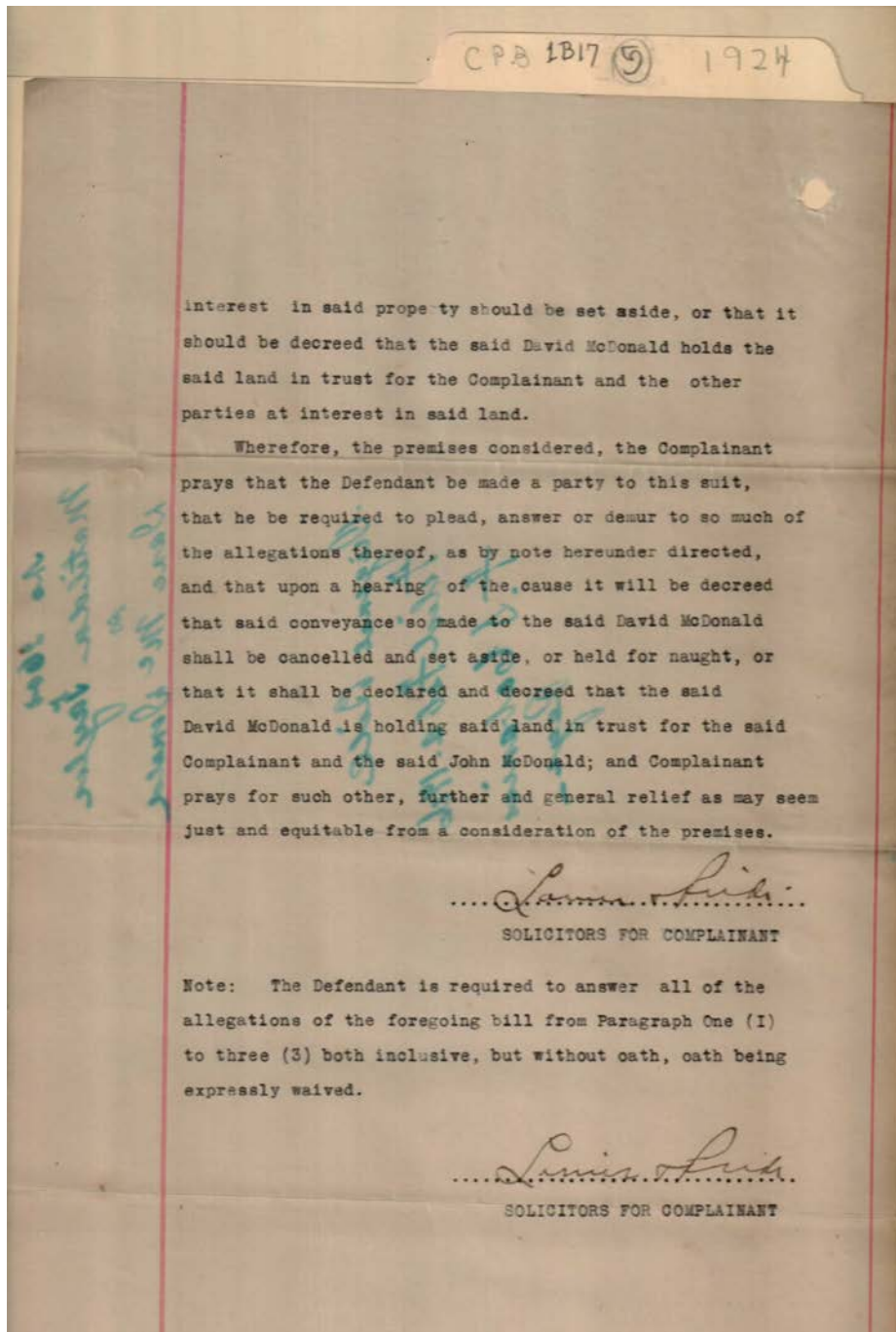
Madison Co., AL

Types:

circuit court

Dates:

Feb 2, 1926



Names:

McDonald, David

McDonald, John

Places:

Madison Co., AL

Types:

circuit court

Dates:

Feb 2, 1926

CPB 1B17 (9) 1924

July 19th 1924

Miss Pearl Burkett,
Special Agent U.S. Census Bureau,
and Recording Clerk of Vital Statistics,
Montgomery, Alabama.

Dear Madam,

Replying to your several communications in regard to information which you wish to obtain for making your report of Divorces to the Census Bureau; I am entitled to a fee for furnishing copies of the records from my office, and do not feel under any obligation to furnish the Census Bureau free of charge. The State health Board pays you a salary and I take for granted that you expect something in the way of compensation from the U.S. Census Bureau. I have for twenty years been furnishing the State health Board vital ~~stats~~ statistics, free, although large appropriations have been made by the State of Alabama, for collecting the information. The provision made for the collection of fifty cent fee for each report, is of no use, illegal, inasmuch as it is in conflict with the law which governs officials the taxation of costs in Divorce cases. The costs are taxed at the discretion of the Judge, and are usually taxed against the defendant, while the provision made by the State health Board for Registers compensation requires the fee of fifty cents to be paid by the Complainant. As a law it has no force whatever, as no provision was made for enforcing the payment of it, and it is very seldom that any one is willing to pay it. I lose hundred of dollars every year on Divorce suits, for the reason that ninety percent of the parties are wage earners or insolvent and it is a farce to issue execution for the costs.

If you realized the amount of time and labor it requires to look up the information you are asking for in more than 100 retired cases, and make a report in each one, for the State health Board, to use for the Census Bureau, you would offer some compensation.

I am sure you do not understand the situation. I wrote to Dr. Perry about the same thing last year. He demanded that I fill out what he calls additional information blanks, which I declined to do without compensation. My official duties keep me occupied from eight to ten hours a day, and I take no vacation whatever. I can only furnish the information you are calling for, by employing someone else to do the work and supervising it, which will take a goodly portion of my time. If the census Bureau will pay me twentyfive cents for each case, I will fill out the blanks.

Otherwise, it is an imposition on the Register's of the different counties to insist upon having these reports made out without paying for the work. of the Circuit Court

Registers are not allowed Ex officio fees as Clerks of the Circuit Court, and we can not collect from the County, the fees for which no allowance is made, as do Circuit Clerks, Sheriffs and Probate Judges.

The Act which imposes a duty and provides no compensation is unjust to say the least.

Yours truly

F. S. CABANISS
REGISTER
MADISON CIRCUIT COURT
MONTGOMERY, ALA.

Names:

Burkett, Pearl, Miss

Cabaniss, F. S.

Perry, Dr.

Places:

Huntsville, AL

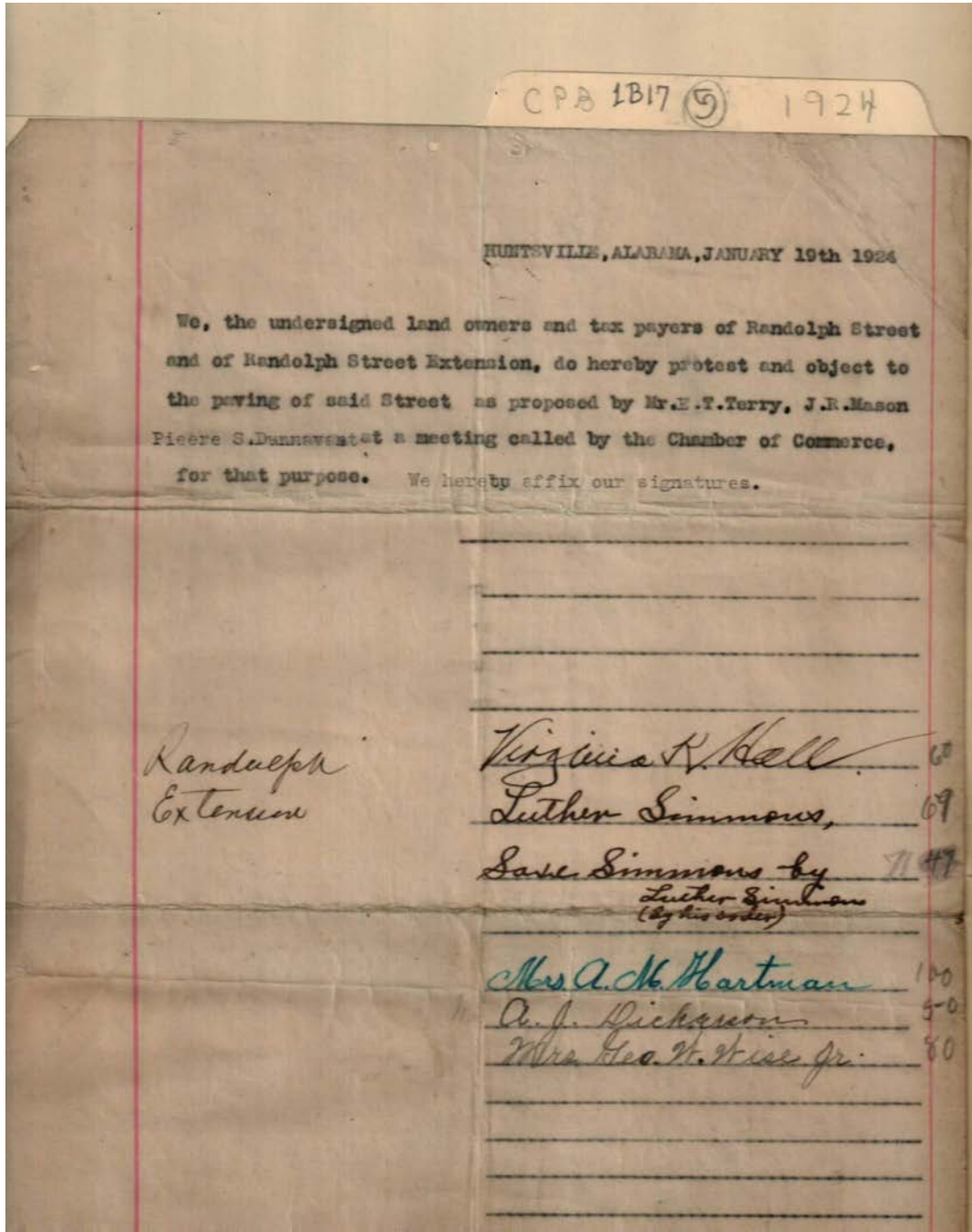
Montgomery, AL

Types:

correspondence

Dates:

July 19, 1924



Names:

Dickerson, A. J.
Dunnivant, P. S.
Hall, Virginia K.

Hartman, A. M., Mrs.
Mason, J. R.
Simmons, Luther

Terry, E. T.
Wise, George W., Jr.,
Mrs.

Places:

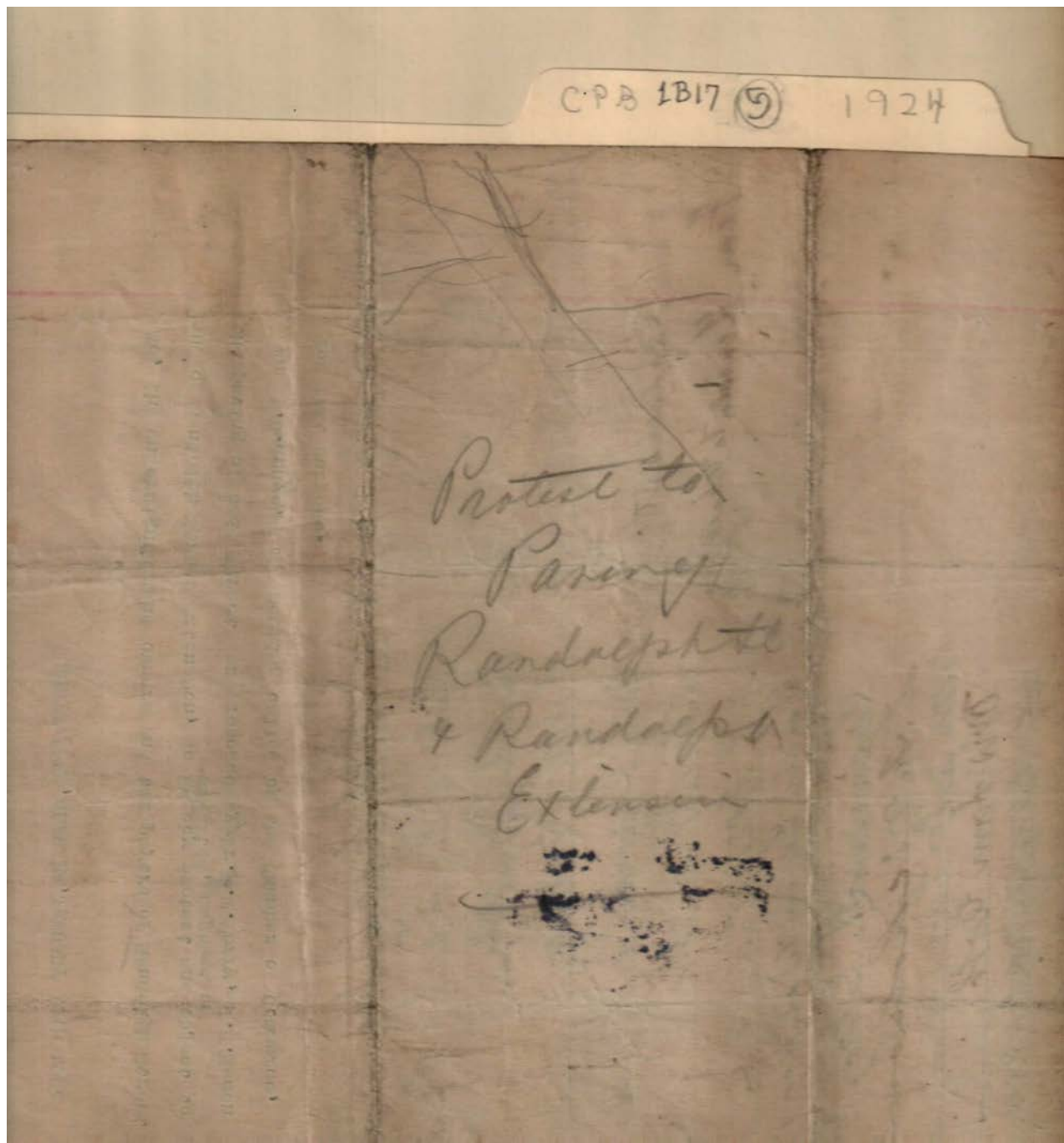
Huntsville, AL

Types:

petition

Dates:

Jan 19, 1924



Places:

Huntsville, AL

Types:

petition

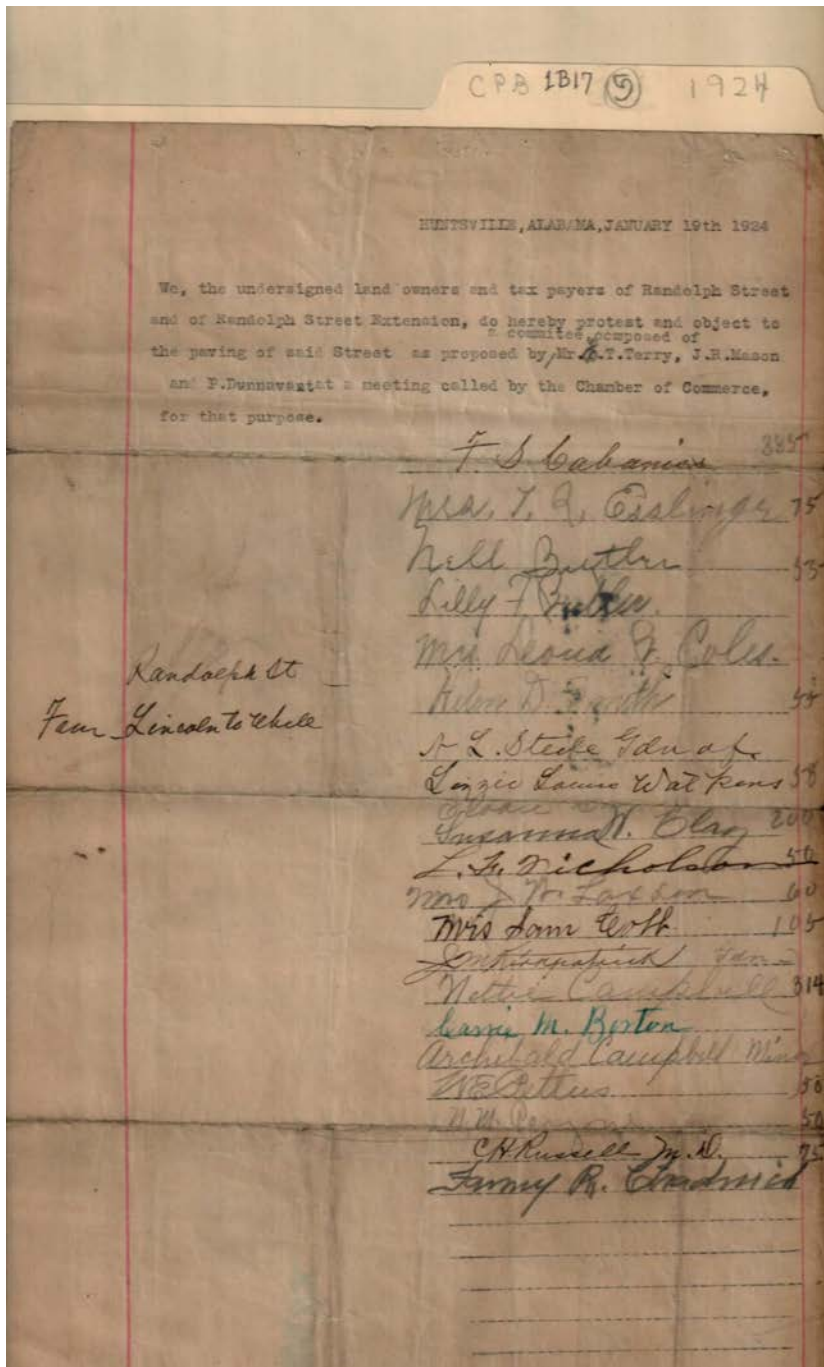
Dates:

Jan 19, 1924

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 17, Folder 5

Legal and court documents, 1924

Image 10 r01b17-05-000-0092 [Contents](#) [Index](#) [About](#)



Names:

Barton, Carrie M.
Butler, Lilly F.
Butler, Nell
Cabaniss, F. S.
Campbell, Archibald
Campbell, Nettie

Chadwick, Fanny R.
Clay, Susannah
Cobb, Sam, Mrs.
Coles, Leona
Dunnivant, P.
Esslinger, J. Q., Mrs.

Kirkpatrick, J. M.
Laxson, J. W., Mrs.
Mason, J. R.
Nicholson, L. F.
Payne, N. M.
Pettus, W. E.

Russell, C. H., M. D.
Smith, Helen D.
Steele, N. L.
Terry, E. T.
Watkins, Lizzie
Louise

Places:

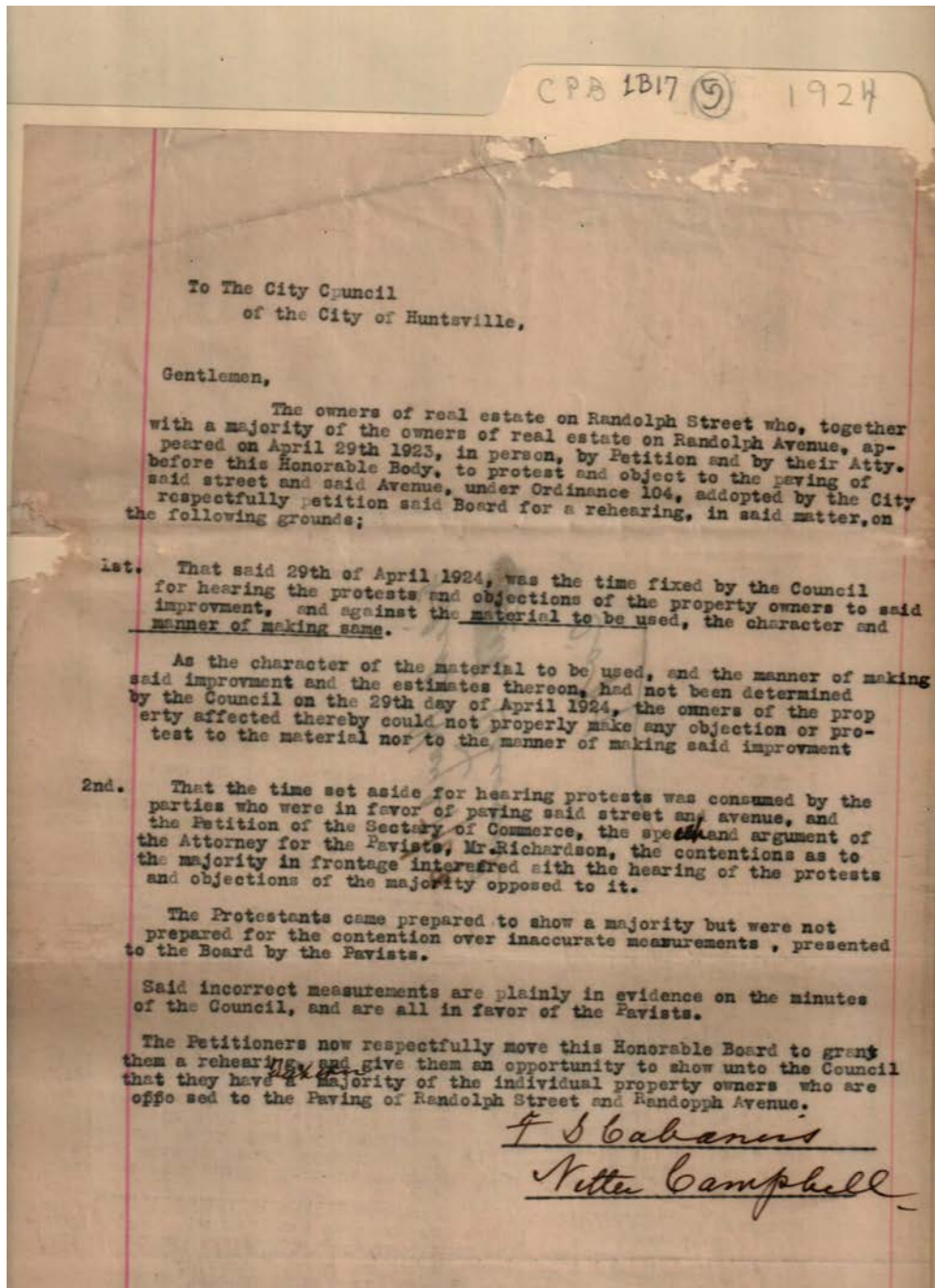
Huntsville, AL

Types:

petition

Dates:

Jan 19, 1924



Names:

Cabaniss, F. S.
Campbell, Nettie

Huntsville City
Council

Richardson, Mr.

Places:

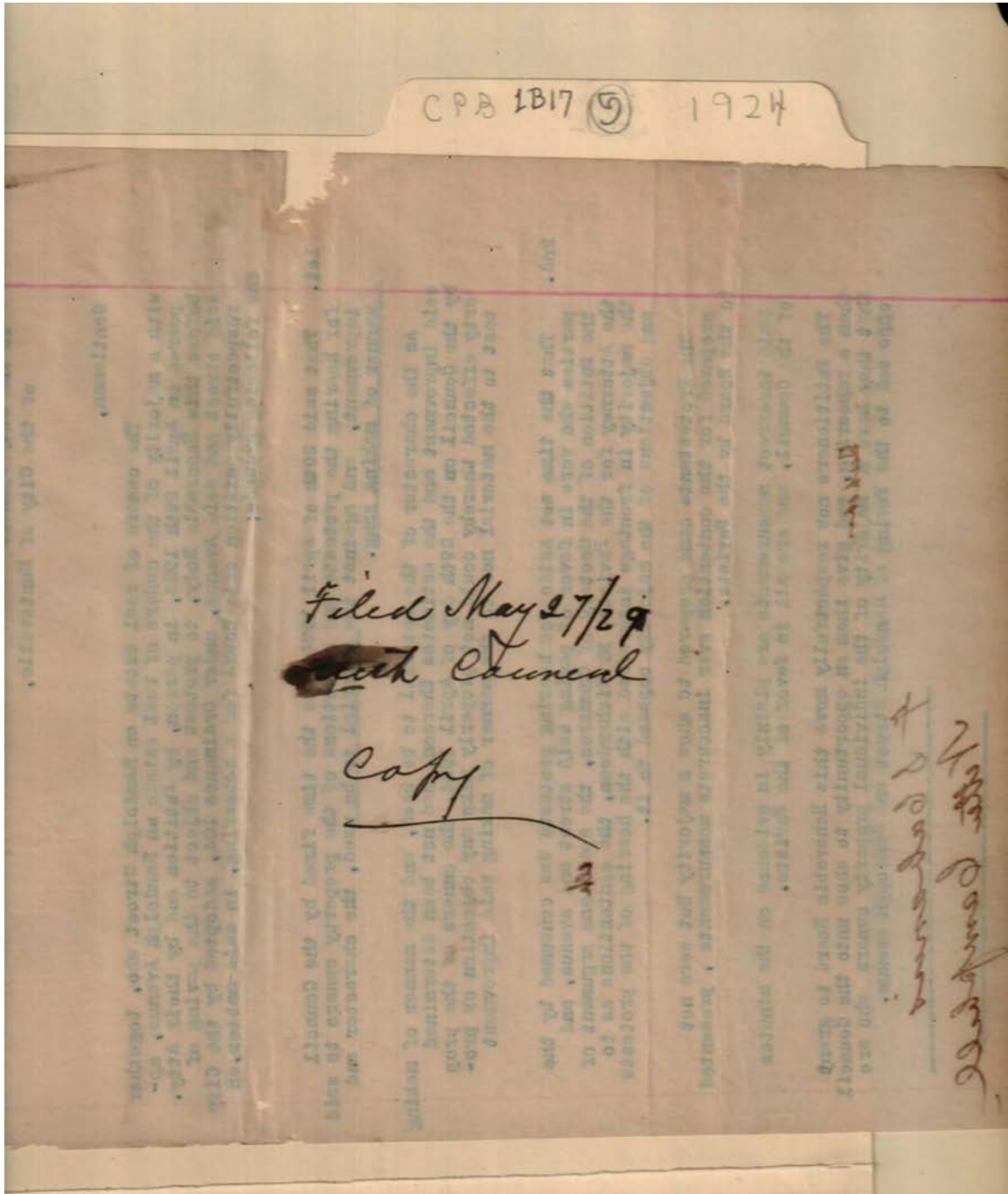
Huntsville, AL

Types:

correspondence

Dates:

1924

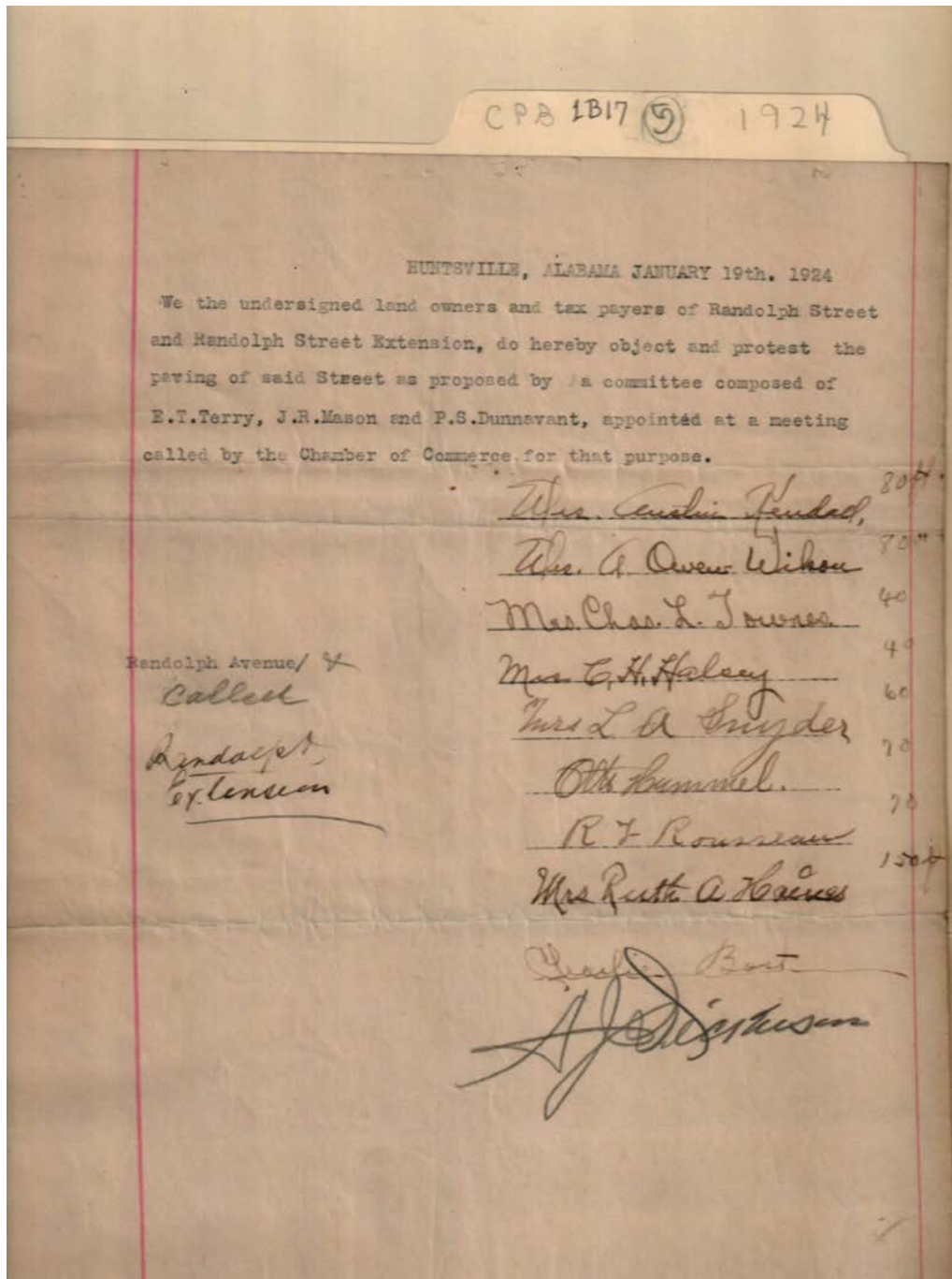


Types:

memo

Dates:

May 27, 1924



Names:

- | | | | |
|-----------------------|-----------------------|---------------------|---------------------|
| Bost, Charlie | Halsey, C. H., Mrs. | Rousseau, R. | Townes, Charles L., |
| Dickinson, A. J. | Hummel, Otto | Snyder, L. A., Mrs. | Mrs. |
| Dunnivant, P. S. | Kendall, Austin, Mrs. | Terry, E. T. | Wilson, A. Owen, |
| Haines, Ruth A., Mrs. | Mason, J. R. | | Mrs. |

Places:

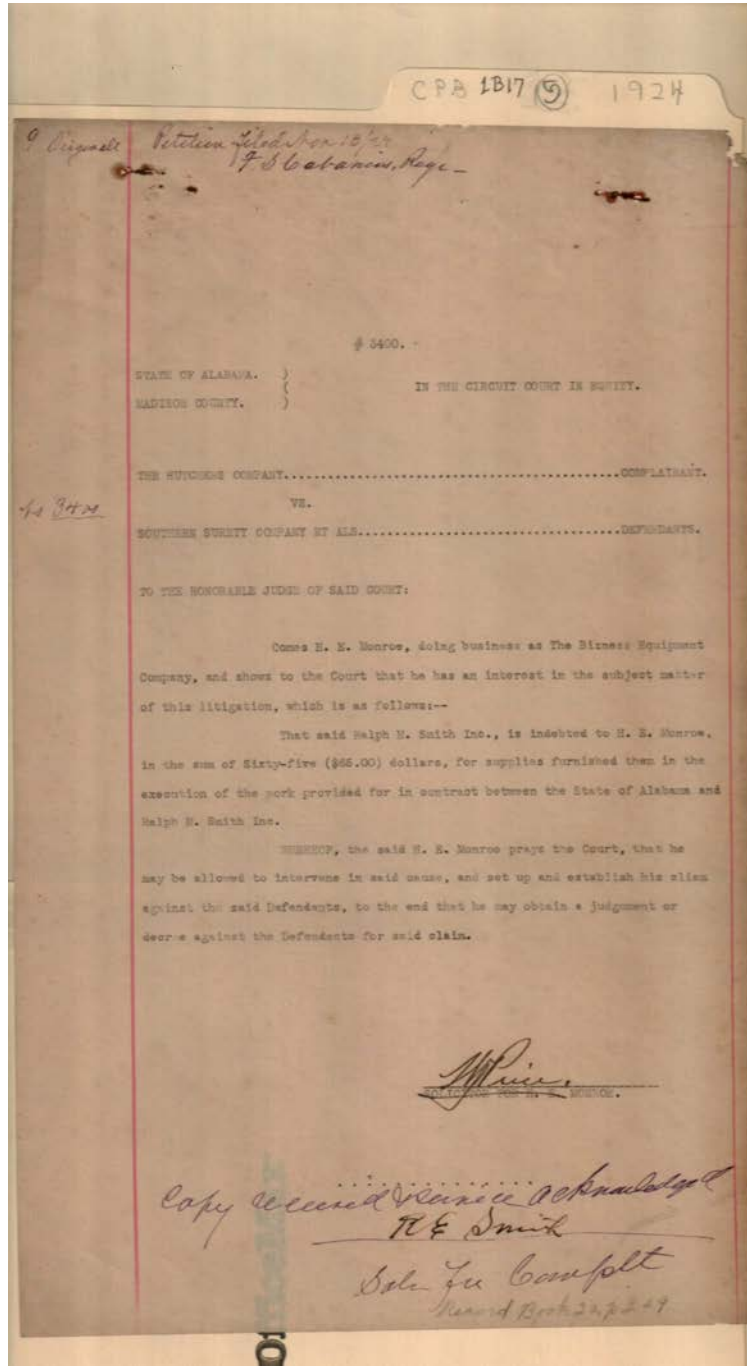
Huntsville, AL

Types:

petition

Dates:

Jan 19, 1924



Names:

Business Equipment Co., The

Hutchens Co., The
Monroe, H. E.

Smith, Ralph M. Inc.
Southern Surety Co.

Places:

Madison Co., AL

Types:

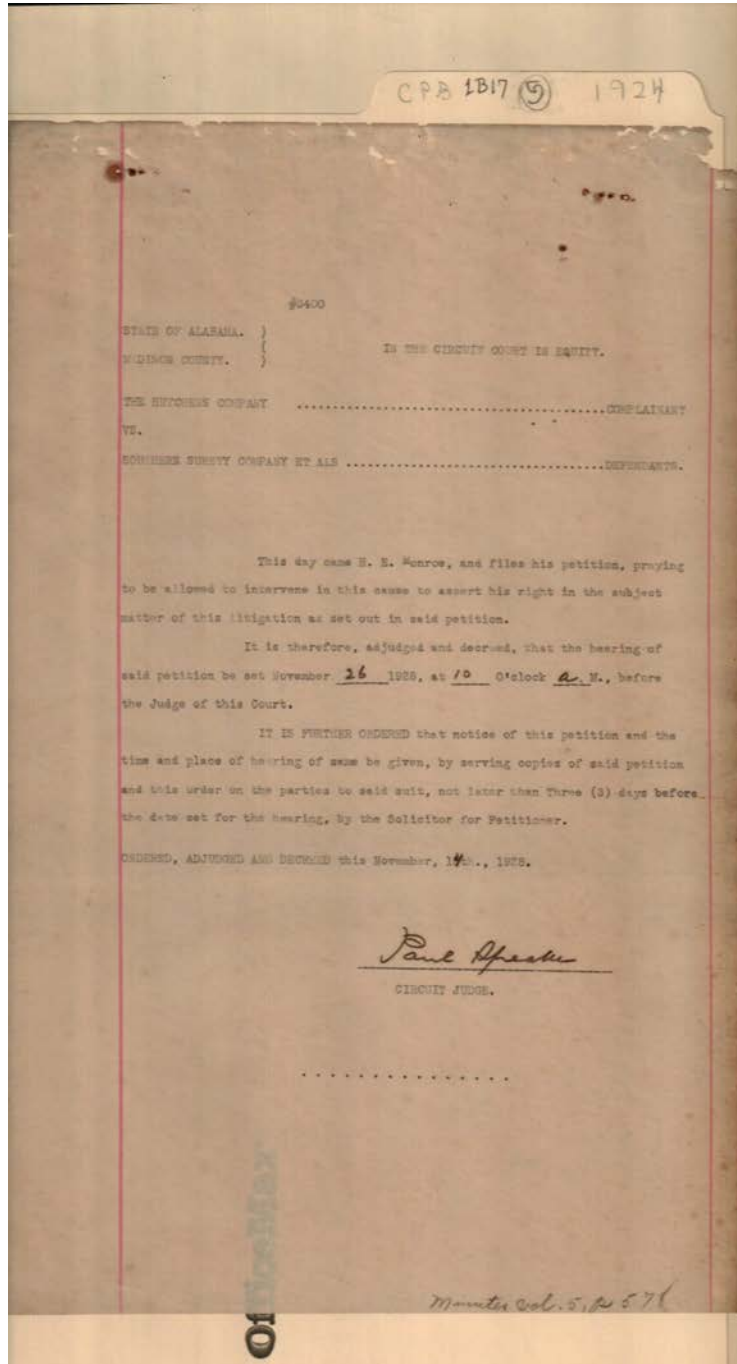
circuit court

Dates:

Nov 13, 1924

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 17, Folder 5
Legal and court documents, 1924

Image 15 r01b17-05-000-0097 [Contents](#) [Index](#) [About](#)



Names:

Hutchens Co., The

Monroe, H. E.

Southern Surety Co.

Places:

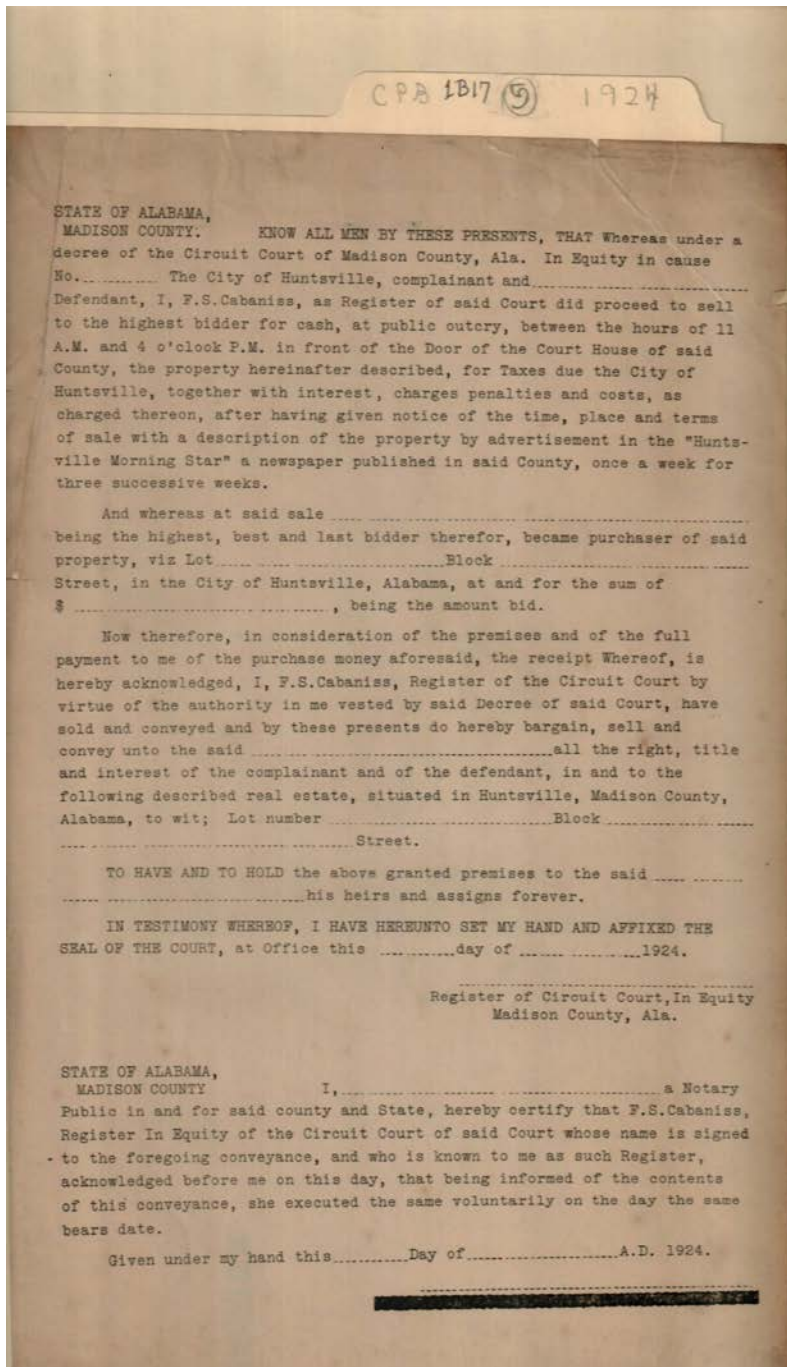
Madison Co., AL

Types:

circuit court

Dates:

Nov 14, 1928

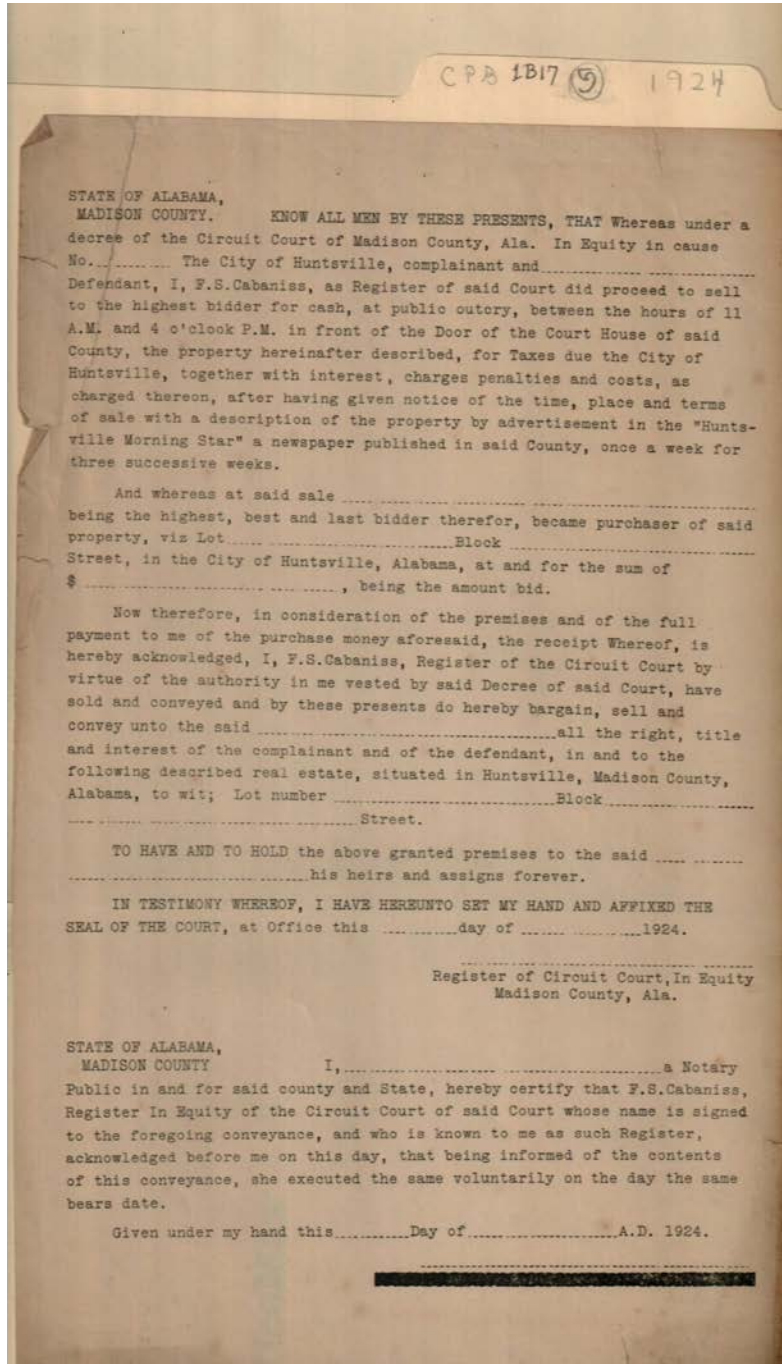


Places:

Madison Co., AL

Types:

blank form

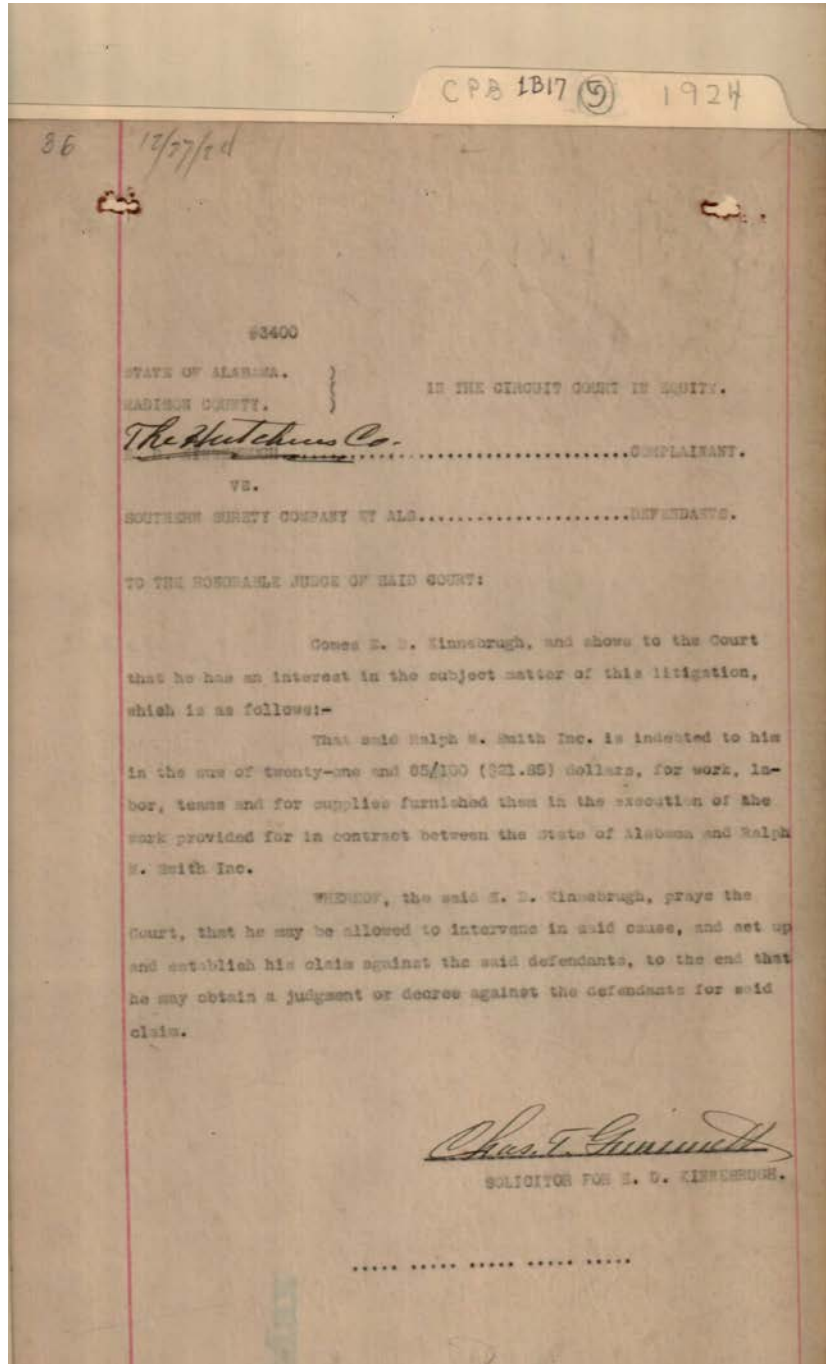


Places:

Madison Co., AL

Types:

blank form



Names:

Hutchens Co., The

Kinnebrugh, E. D.

Smith, Ralph M. Inc.

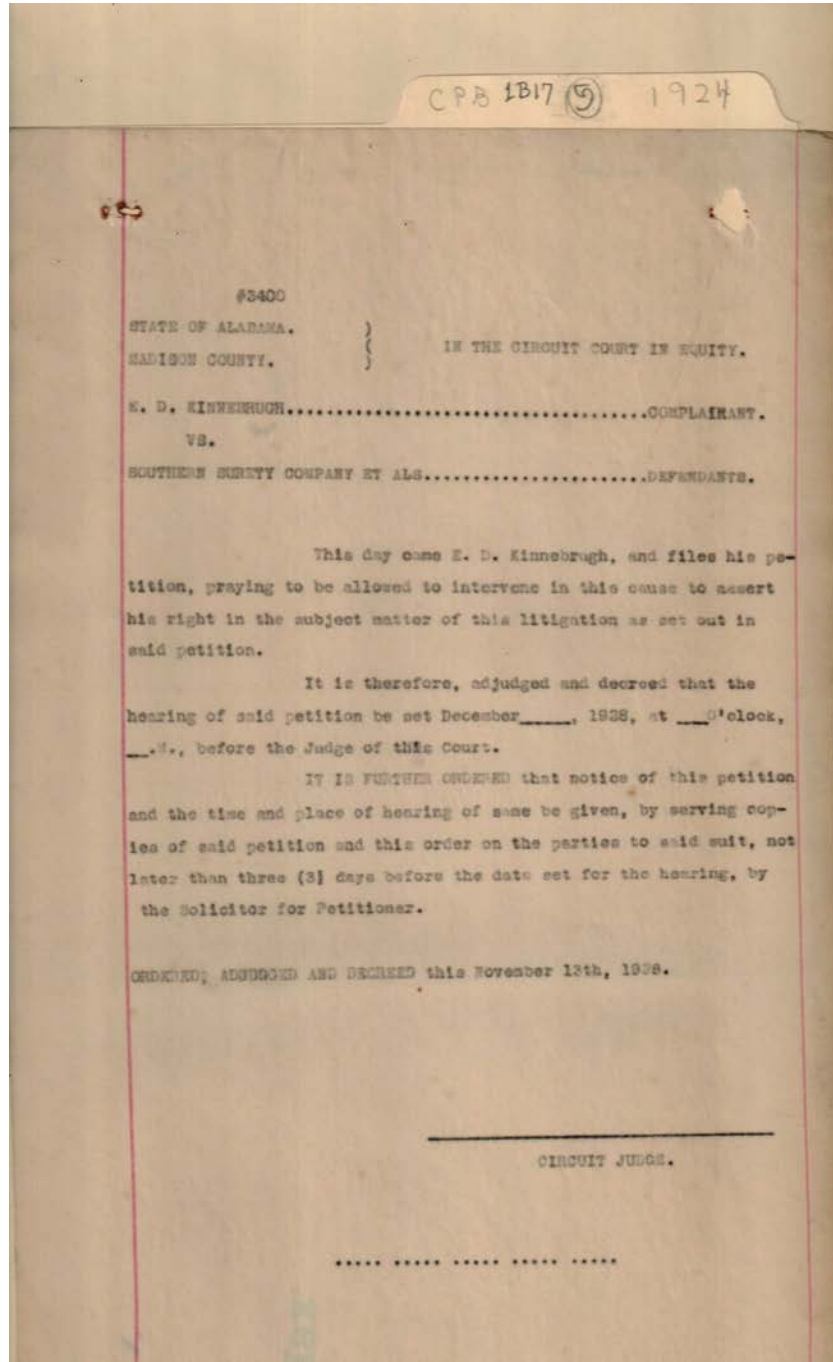
Southern Surety Co.

Places:

Madison Co., AL

Types:

circuit court



Names:

Kinnebrugh, E. D.

Southern Surety Co.

Places:

Madison Co., AL

Types:

circuit court

Dates:

Nov 13, 1928

CPB 1B17 (5) 1924

2

All those certain lands lying east of the right of way of the N. C. & St. L. Railroad in the Southeast quarter of the Northwest quarter of Section 12; the South half of the Northeast quarter of Section 12; and all that tract lying West of the Whitesburg Pike in the Southwest quarter of the Northwest quarter of section 7, all in Township 4 Range 1 West, excepting therefrom Stevens Addition to Cedar Crest Addition to Huntville, Alabama, the same being of record in Plat Book No. 1 Page 122 also excepting therefrom the lands heretofore deeded to Mattie Howell McLaughlin on July 11, 1924, as shown by deed recorded in Deed book 130 page 335, Probate records of Madison County, Alabama, said lands being described as being in Madison County, Alabama, beginning at the Southeast corner of certain lands owned by C. R. Gwyn on Whitesburg Pike, said point being 407 feet east from the center of the West boundary of the Northwest Quarter of Section 7, Township 4 Range 1 East, thence South along the West side of Whitesburg pike 248 feet to a stake, thence West parallel with the South line of said Gwyn land 1000 feet, thence North parallel with Whitesburg pike 248 feet to the line of said C. R. Gwyn, thence East along the South line of the land of C. R. Gwyn 1000 feet to the point of beginning less 25 feet taken evenly off the North side of said tract of land reserved as a right of way or roadway for the benefit of the grantors their heirs and assigns, and the grantee, her heirs and assigns; and also excepting from said tract of land the lands heretofore on the 29 day of September, 1924, deeded to Robert K. Crum as shown by record book 132 page 277, Probate records of Madison County, Alabama, and described as all those parts of the northeast quarter of section 12 Township 4 Range 1 West, and of the Northwest quarter of section 7 Township 4, Range 1 East more particularly described as beginning at a stake on the west margin of Whitesburg pike, which stake is 470 feet east and 248 feet Southward along the West margin of said pike, from the center of the west boundary of the Northwest quarter of said section 7, which stake is also the Southeast corner of the lot heretofore conveyed by Lawrence McLaughlin, thence along the margin of said pike Southwardly 248 feet to a stake, thence west parallel with the quarter section line 1000 feet to a stake, thence Northwardly parallel with Whitesburg Pike 248 feet to the southwest corner of said lot conveyed to McLaughlin.

Names:

Crum, Robert K.

Gwyn, C. R.

McLaughlin, Mattie

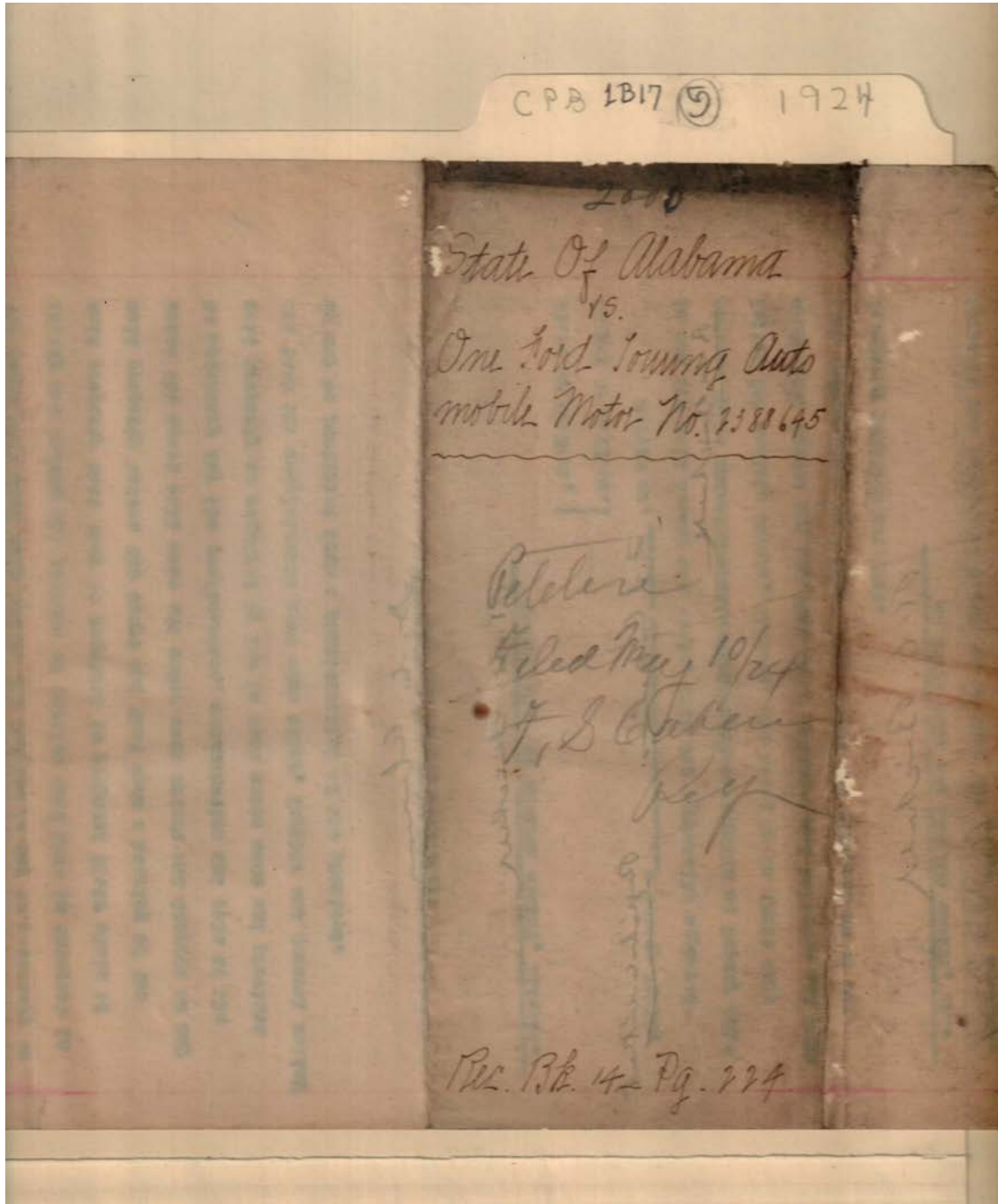
Howell

Places:

Madison Co., AL

Types:

property description



Names:

Alabama, State of

Places:

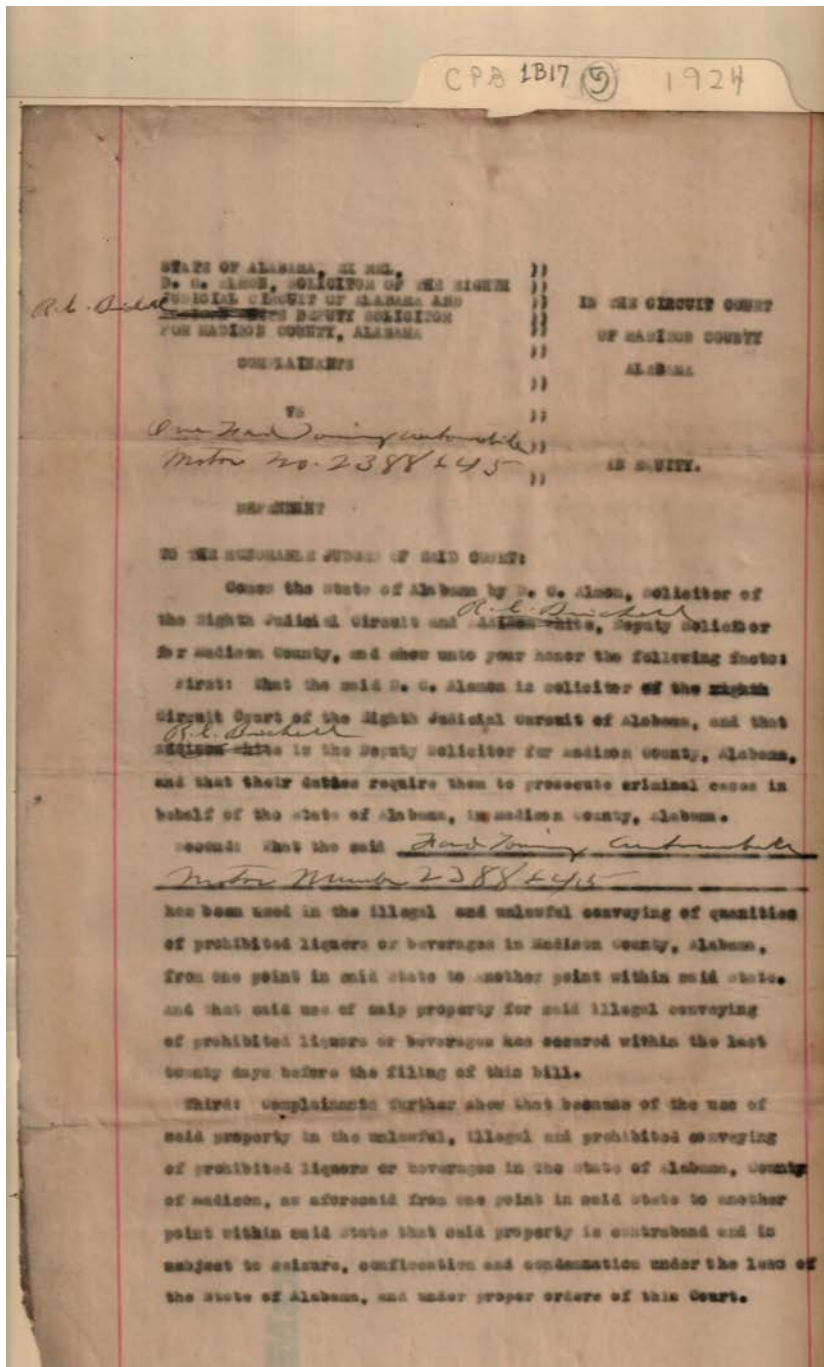
Madison Co., AL

Types:

circuit court

Dates:

May 10, 1924



Names:

Alabama, State of
Almon, D. C.

Brickell, R. C.

Ford Touring
Automobile

Places:

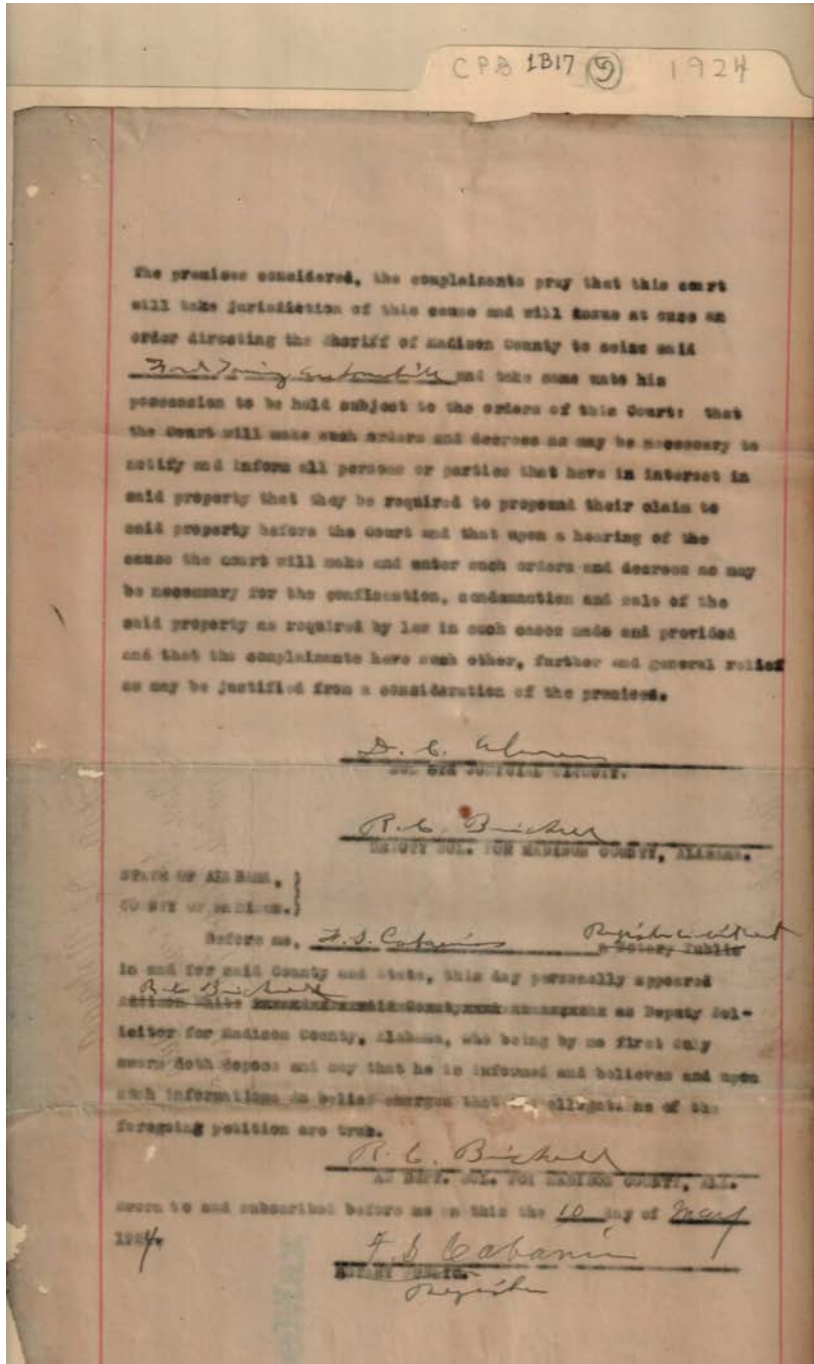
Madison Co., AL

Types:

circuit court

Dates:

May 10, 1924



Names:

Almon, D. C.
Brickell, R. C.

Ford Touring
Automobile

Places:

Madison Co., AL

Types:

circuit court

Dates:

May 10, 1924

CPB 1B17 (9) 1924

7

My car was right behind the car, seized and my lights were turned on, I then on the men. They were good lights. and turned so as to shine on the right hand side of the car. Thrower was not on the right hand side of the car. If he was, he was in front of the car. I never saw anything in his hand. I only saw his motion. I only saw him feeling around in the car. I never heard anything hit the ground. It was about three hours after this that I drove back and found a half gal jar of whiskey near the place where they had stopped. about eight feet from the car in a ditch. I dont know who put that whiskey there, nor how long it had been there. There was no one with me when I drove back. I have know Porter Thrower about 24 years. I live about 22 or 23 miles from where he lives. That far and father since I have known him. I have heard numerous people discuss it. The most I have heard come from Mr. Porter Thrower's own lips. I have talked to several citizens who have come from Gunterville. ~~(I had a conversation with Mr. Porter Thrower, Robert Long, Arthur Smith, I.B. Hide, and several other citizens, but I do not recall their names.)~~ I ask him his name. He told me this since this arrest was made. A Mr. Long who travels out of Gunterville, another man who told me that I dont know his full name. He was travelling selling oil tanks. We talked either at Huntsville or New Hope and that was since the arrest. I.B. Hide, who used to be Sherriff of Marshall said his Character was good for handling whiskey. Arthur Smith of New Hope of ~~Butler Brothers~~ a clerk of Butler Brothers spoke to me frequently ~~pre~~ to the arrest. vious that Porter Thrower had the reputation of hauling whiskey. I dont recall the name of any one else. (I had a conversation with Mr. Mr. Hide last Sunday since the seizure and arrest.) He remarked it is that Porter had been getting back a good while. and that he was not a witness and would not testify for any man that was hauling whiskey. I dont know that Mr. Hide said anything else about Mr. Thrower. I did not smell the odor of whiskey on Thrower on the night of the seizure of the Car. Mr. Thrower did not tell me that he saw the whiskey, but he said he knew that it was in there. He said it did not belong ~~to~~ to him., and he could help their carrying it along without having trouble with it. I knew Mr. Thrower was a taxi driver. He Direct examination. The jar which I spoke of finding afterwards, is a different jar to the

Names:

Butler Brothers
Hide, I. B.

Long,
Smith, Arthur

Thrower, Porter

Places:

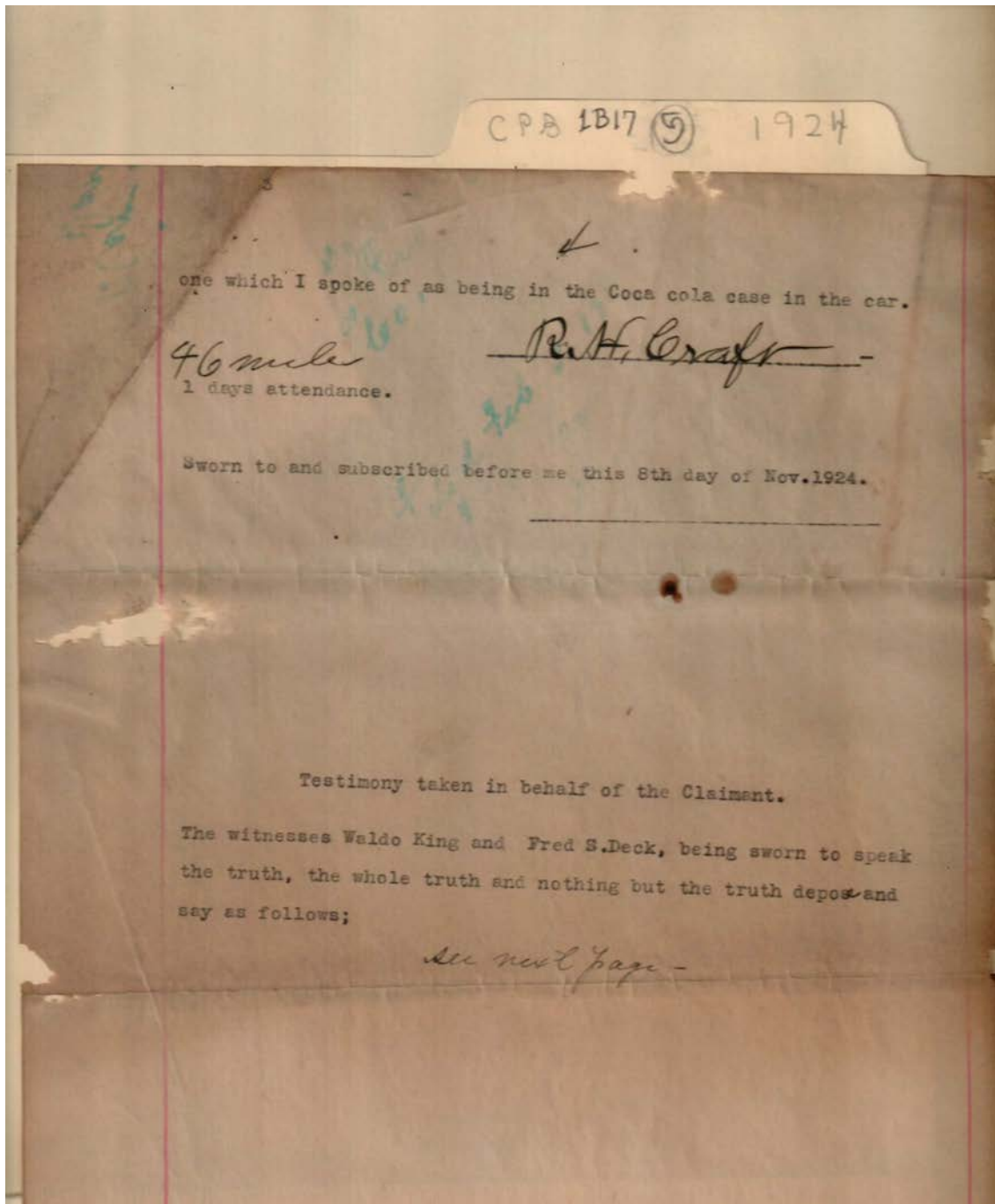
Madison Co., AL

Types:

testimony

Dates:

Nov 8, 1924



Names:

Craft, R. H.

Deck, Fred S.

King, Waldo

Places:

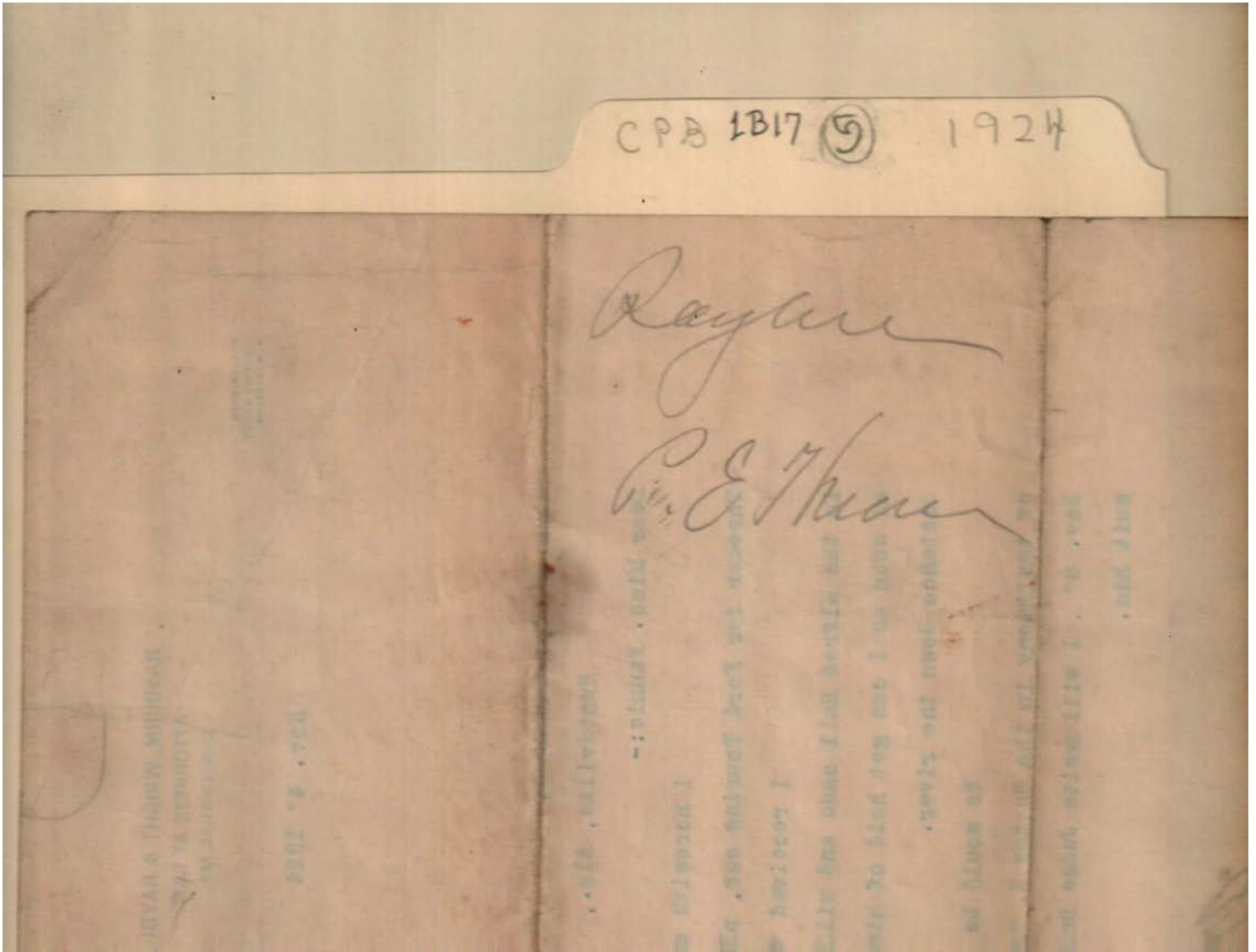
Madison Co., AL

Types:

testimony

Dates:

Nov 8, 1924



Names:

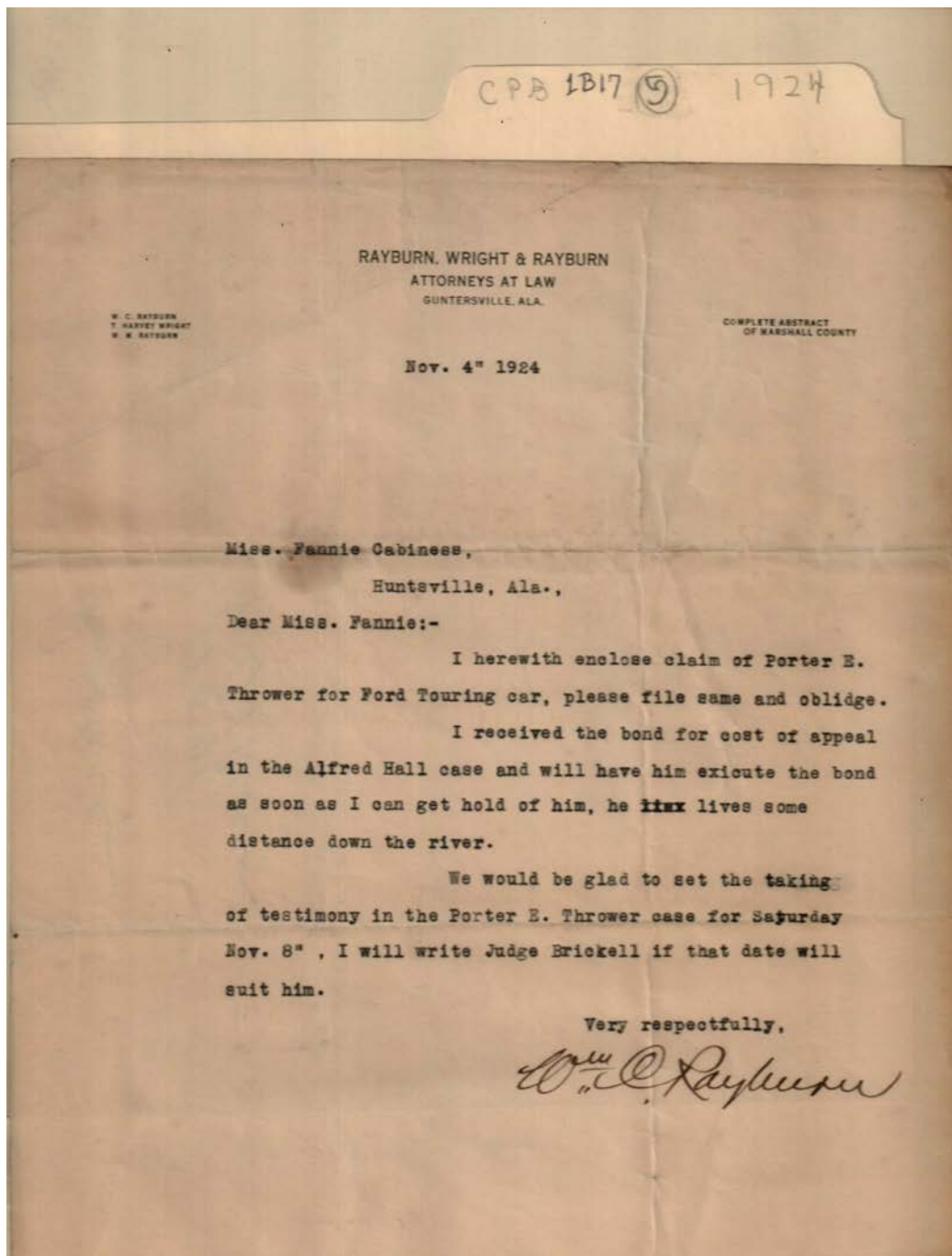
Rayburn,

Types:

memo

Dates:

1924



Names:

Brickell, Judge
Cabaniss, Fannie

Hall, Alfred
Rayburn, William C.

Thrower, Porter E.

Places:

Guntersville, AL

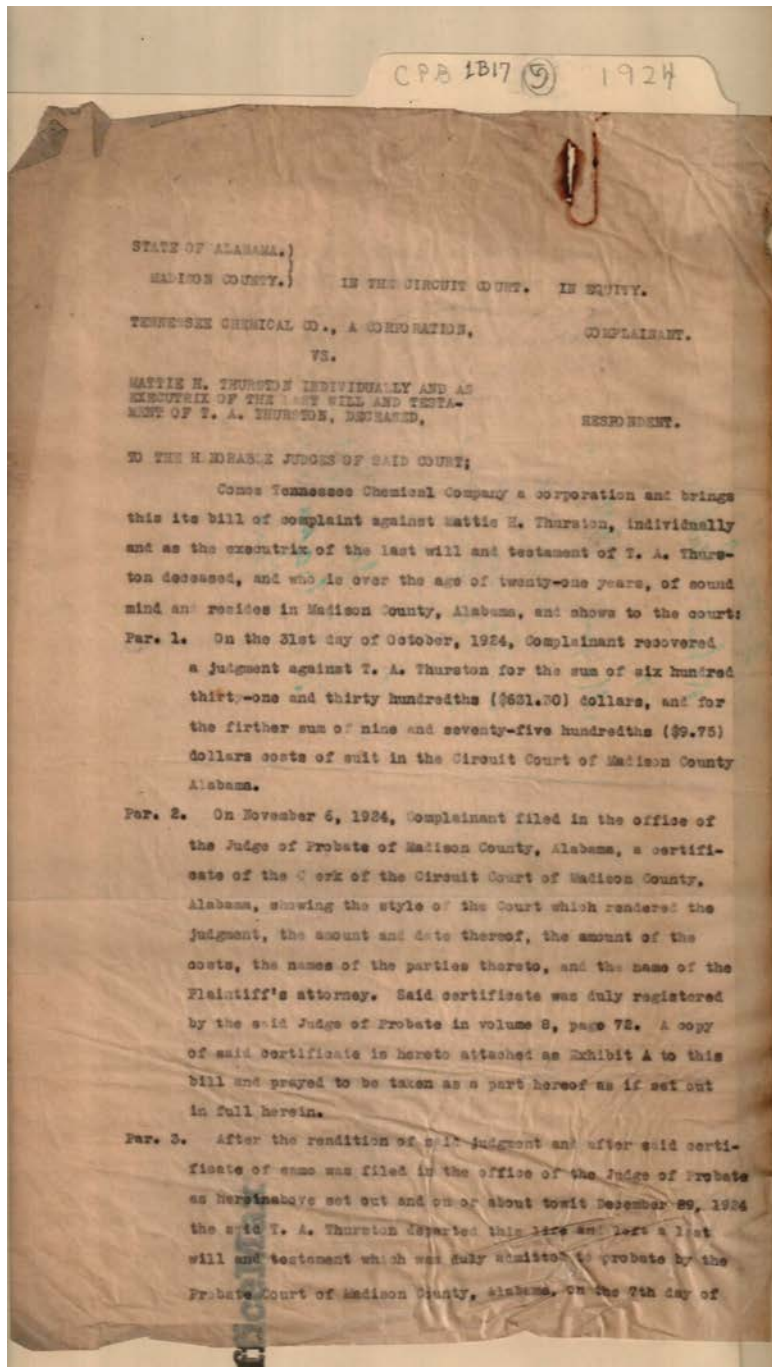
Huntsville, AL

Types:

legal correspondence

Dates:

Nov 4, 1924



Names:

Tennessee Chemical
Co., Inc.

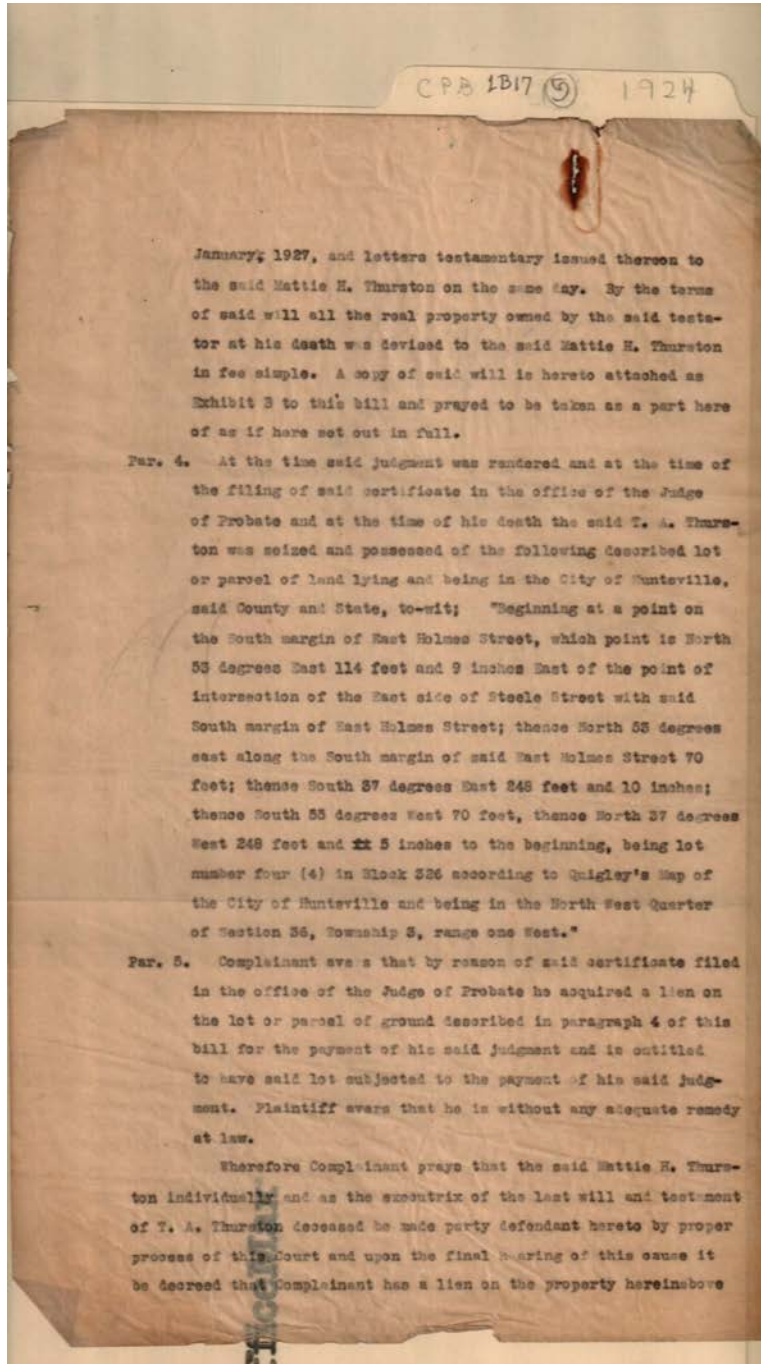
Thurston, Mattie H.
Thurston, T. A.

Places:

Madison Co., AL

Types:

circuit court in equity



Names:

Thurston, Mattie H.

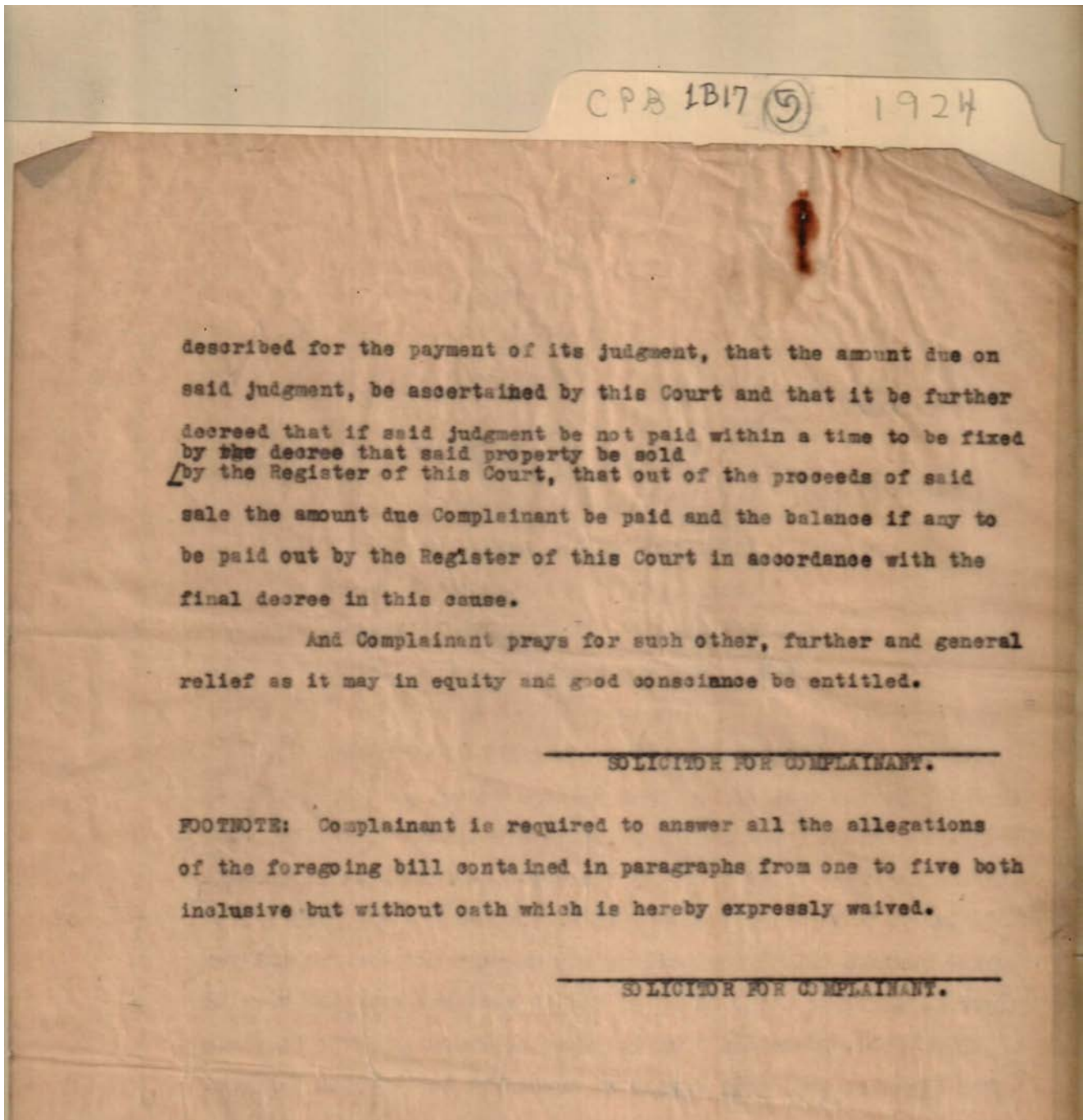
Thurston, T. A.

Places:

Madison Co., AL

Types:

circuit court in equity

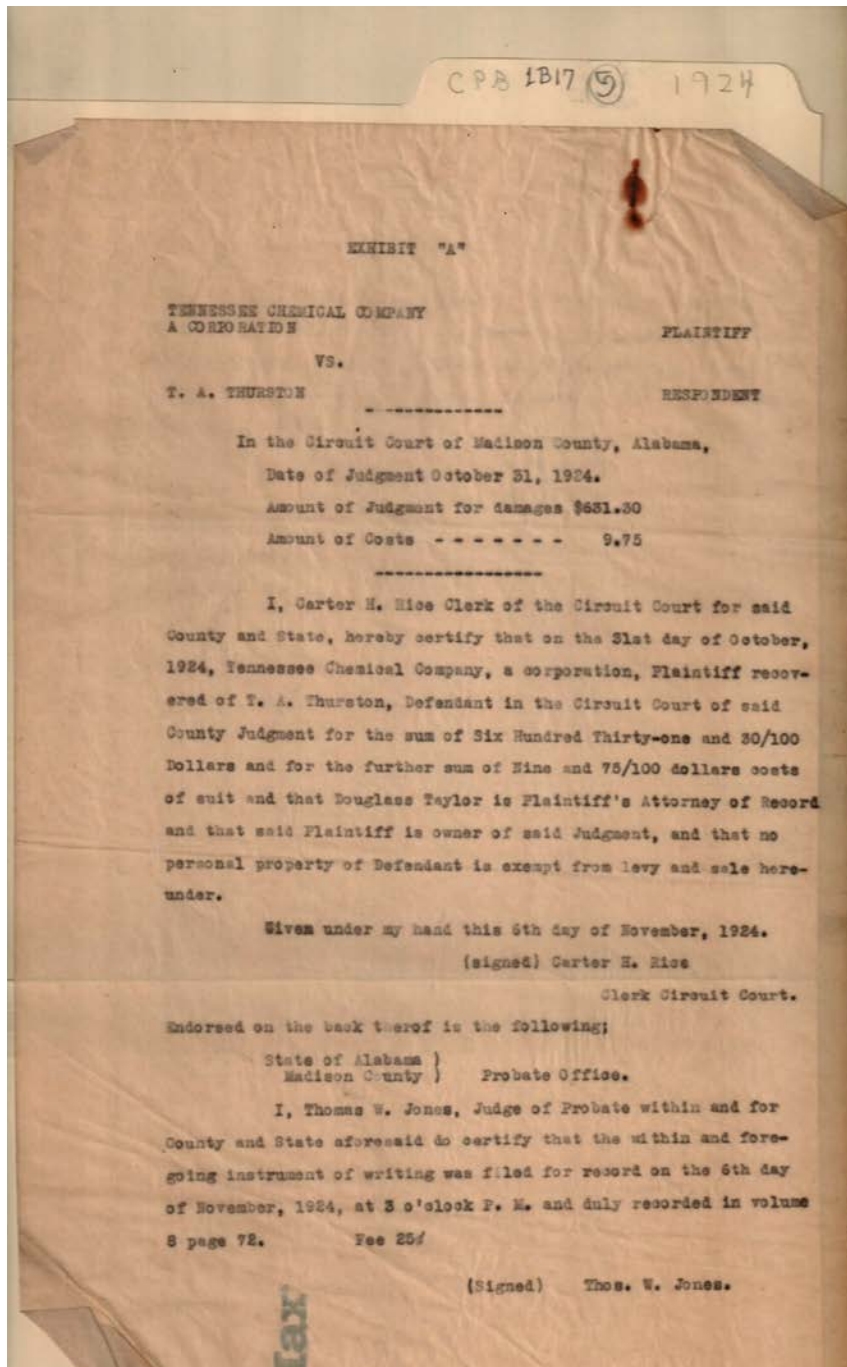


Places:

Madison Co., AL

Types:

circuit court in equity



Names:

Tennessee Chemical
Co., Inc.

Thurston, T. A.

Places:

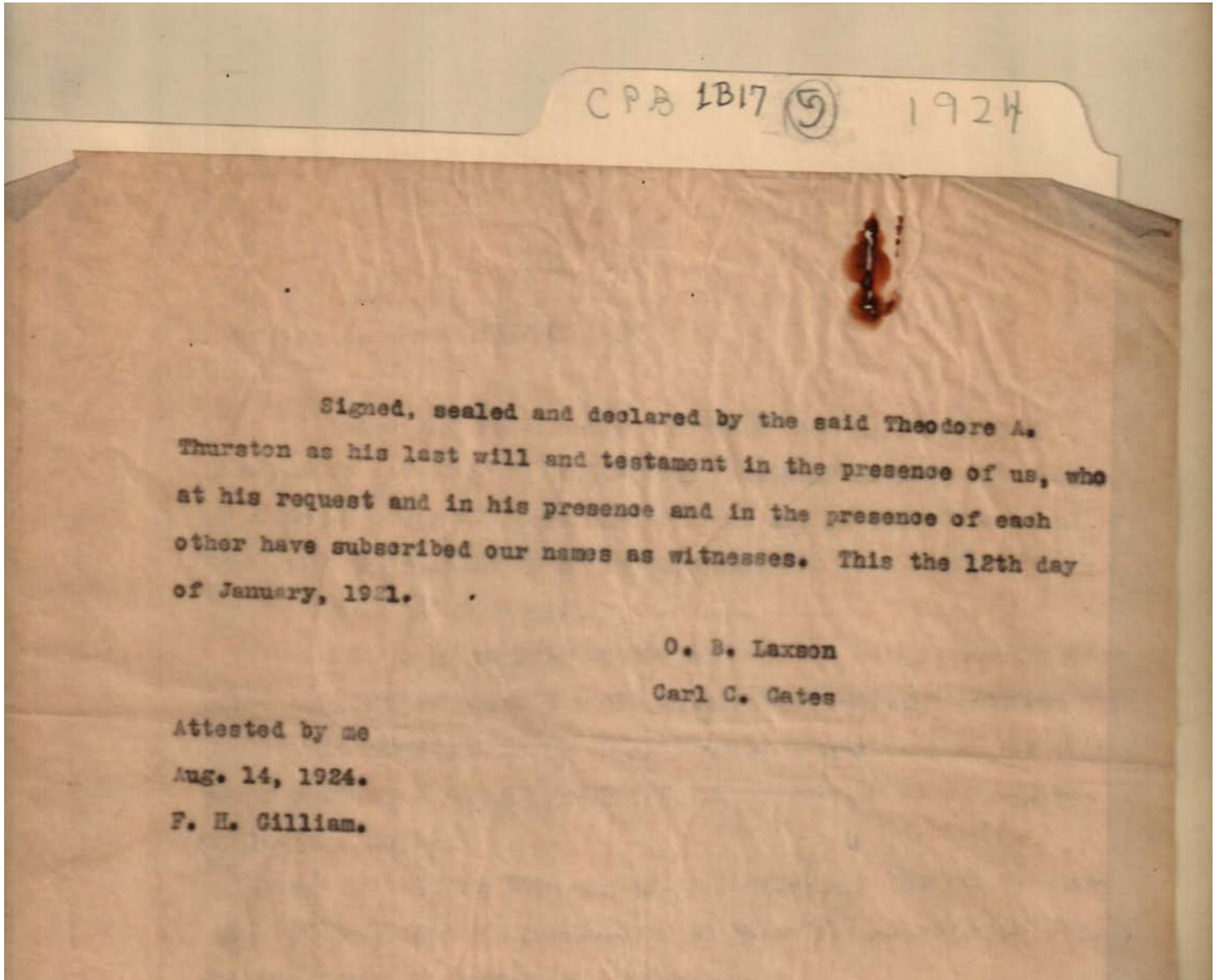
Madison Co., AL

Types:

circuit court in equity

Dates:

Oct 31, 1924



Names:

Gates, Carl C. Thurston, Theodore
Laxson, O. B. A.

Places:

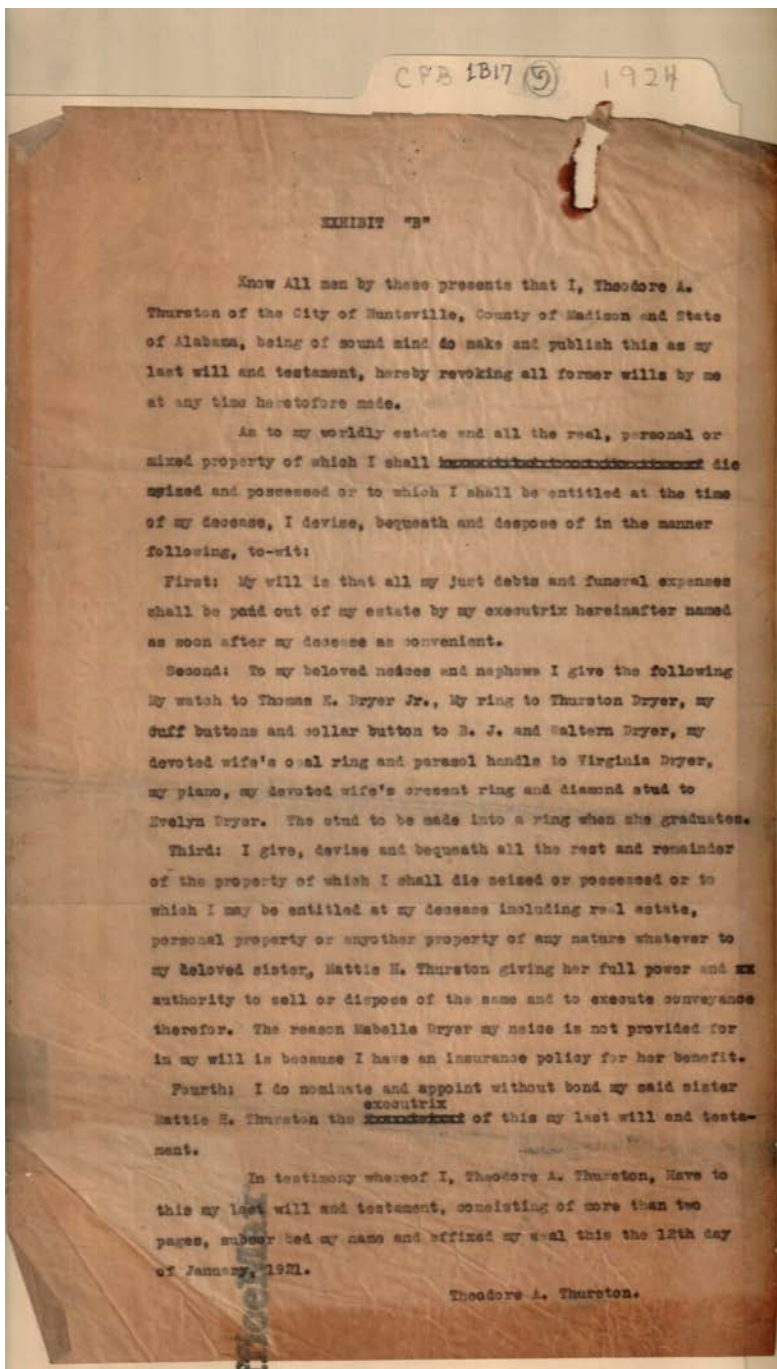
Madison Co., AL

Types:

circuit court in equity

Dates:

Aug 14, 1924



Names:

Dryer, B. J.
Dryer, Evelyn
Dryer, Mabella

Dryer, Thomas E., Jr.
Dryer, Thurston
Dryer, Virginia

Dryer, Waltern
Thurston, Mattie H.

Thurston, Theodore
A.

Places:

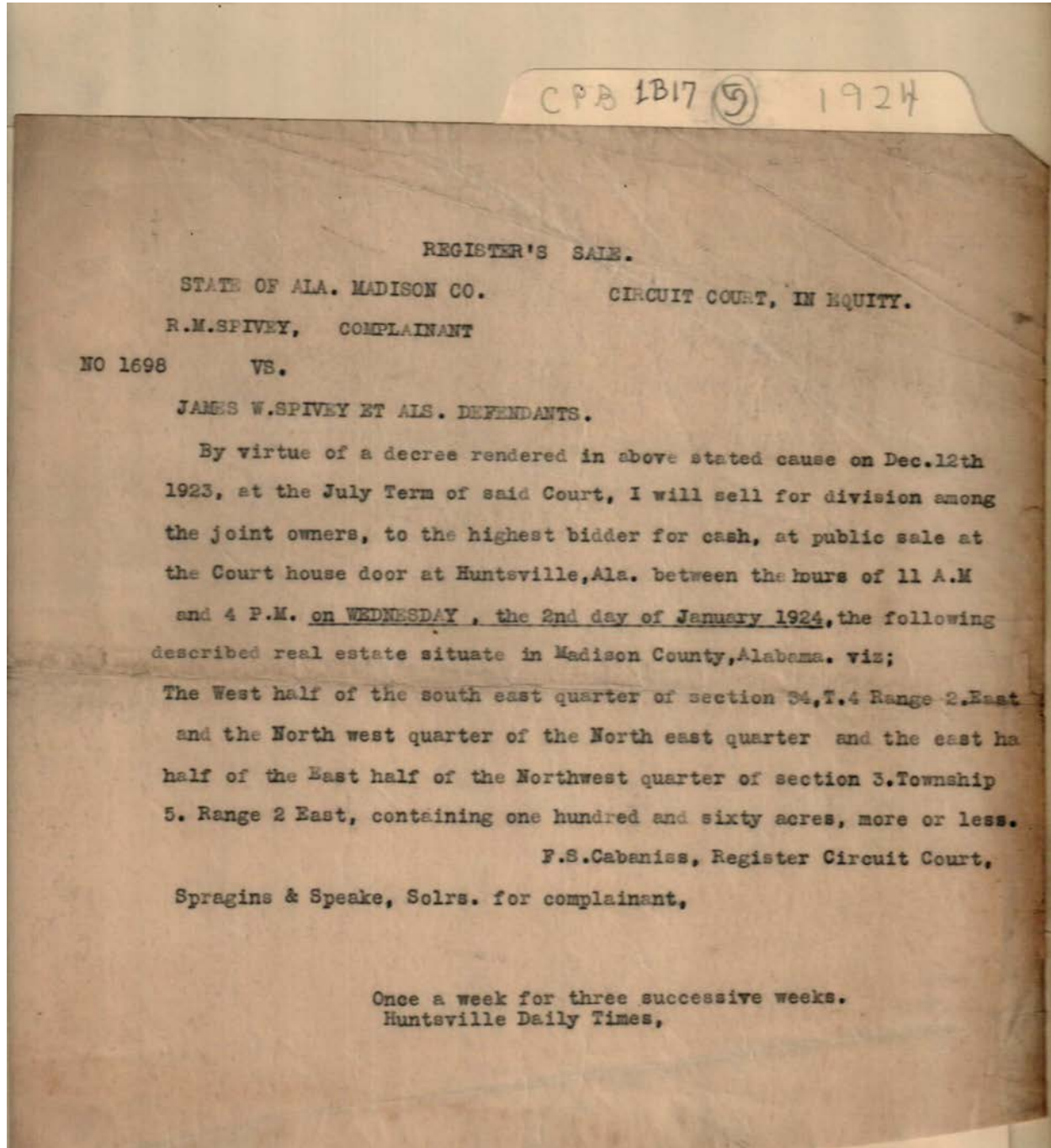
Madison Co., AL

Types:

will

Dates:

Jan 12, 1921



Names:

Cabaniss, F. S.
(Register)

Spivey, James W.
Spivey, R. M.

Places:

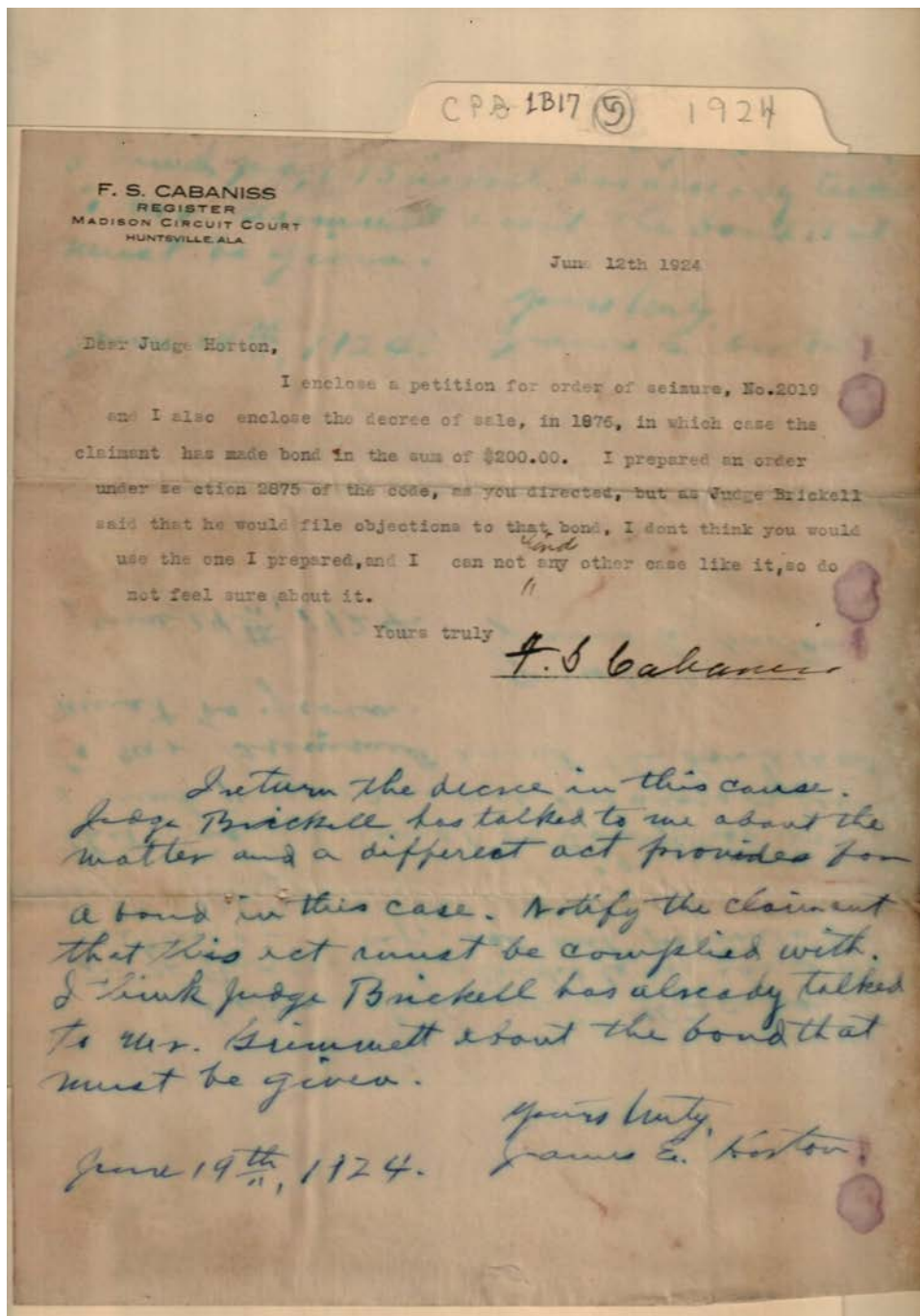
Madison Co., AL

Types:

sale

Dates:

Jan 2, 1924



Names:

Brickell, Judge
Cabaniss, F. S.

Grimmett,
Horton, James E.

Horton, Judge

Places:

Madison Co., AL

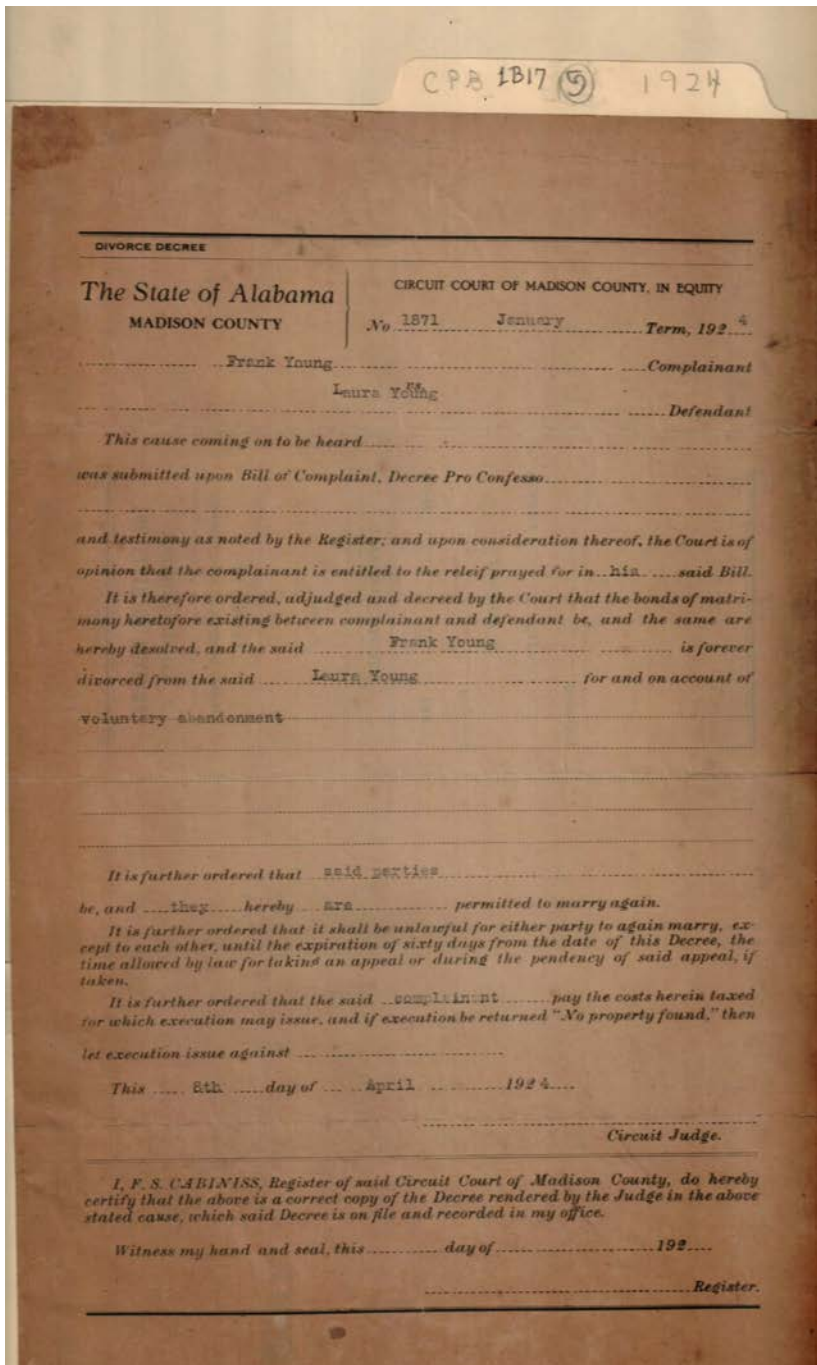
Types:

correspondence

Dates:

Jan 12, 1924

Jan 19, 1924



divorce

Names:

Young, Frank

Young, Laura

Places:

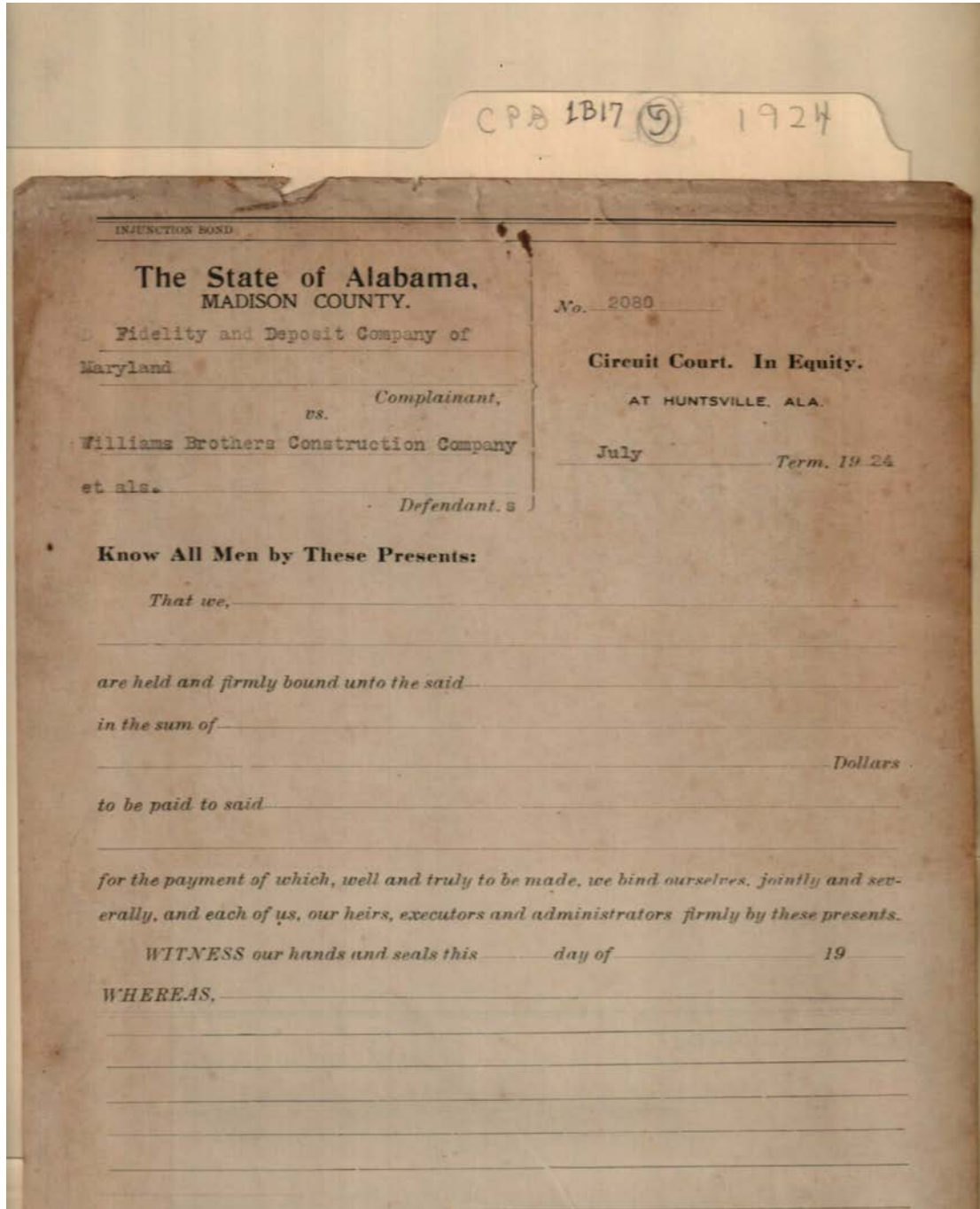
Madison Co., AL

Types:

circuit court in equity

Dates:

Apr 8, 1924



Names:

Fidelity and Deposit
Co. of Maryland

Williams Brothers
Construction Co.

Places:

Madison Co., AL

Types:

circuit court in equity

Dates:

July 1924

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 17, Folder 5
Legal and court documents, 1924

[Contents](#) [Index](#) [About](#)

Table of Contents

[Image 1](#) (r01b17-05-000-0083)

[Image 2](#) (r01b17-05-000-0084)

[Image 3](#) (r01b17-05-000-0085)

[Image 4](#) (r01b17-05-000-0086)

[Image 5](#) (r01b17-05-000-0087)

[Image 6](#) (r01b17-05-000-0088)

[Image 7](#) (r01b17-05-000-0089)

[Image 8](#) (r01b17-05-000-0090)

[Image 9](#) (r01b17-05-000-0091)

[Image 10](#) (r01b17-05-000-0092)

[Image 11](#) (r01b17-05-000-0093)

[Image 12](#) (r01b17-05-000-0094)

[Image 13](#) (r01b17-05-000-0095)

[Image 14](#) (r01b17-05-000-0096)

[Image 15](#) (r01b17-05-000-0097)

[Image 16](#) (r01b17-05-000-0098)

[Image 17](#) (r01b17-05-000-0099)

[Image 18](#) (r01b17-05-000-0100)

[Image 19](#) (r01b17-05-000-0101)

[Image 20](#) (r01b17-05-000-0102)

[Image 21](#) (r01b17-05-000-0103)

[Image 22](#) (r01b17-05-000-0104)

[Image 23](#) (r01b17-05-000-0105)

[Image 24](#) (r01b17-05-000-0106)

[Image 25](#) (r01b17-05-000-0107)

[Image 26](#) (r01b17-05-000-0108)

[Image 27](#) (r01b17-05-000-0109)

[Image 28](#) (r01b17-05-000-0110)

[Image 29](#) (r01b17-05-000-0111)

[Image 30](#) (r01b17-05-000-0112)

[Image 31](#) (r01b17-05-000-0113)

[Image 32](#) (r01b17-05-000-0114)

[Image 33](#) (r01b17-05-000-0115)

[Image 34](#) (r01b17-05-000-0116)

[Image 35](#) (r01b17-05-000-0117)

[Image 36](#) (r01b17-05-000-0118)

[Image 37](#) (r01b17-05-000-0119)

[Table of Contents](#)

[Name & Place Index](#)

[About the Collection](#)

Name & Place Index

- Alabama, State of [1](#), [21](#), [22](#)
Almon, D. C. [22](#), [23](#)
Barton, Carrie M. [10](#)
Bizness Equipment Co., The [14](#)
Bost, Charlie [13](#)
Brickell, Judge [27](#), [35](#)
Brickell, R. C. [22](#), [23](#)
Burkett, Pearl, Miss [7](#)
Butler Brothers [24](#)
Butler, Lilly F. [10](#)
Butler, Nell [10](#)
Cabaniss, F. S. (Register) [34](#)
Cabaniss, F. S. [7](#), [10](#), [11](#), [35](#)
Cabaniss, Fannie [27](#)
Campbell, Archibald [10](#)
Campbell, Nettie [10](#), [11](#)
Chadwick, Fanny R. [10](#)
Clay, Susannah [10](#)
Cobb, Sam, Mrs. [10](#)
Coles, Leona [10](#)
Craft, R. H. [25](#)
Crum, Robert K. [20](#)
Deck, Fred S. [25](#)
Dickerson, A. J. [8](#)
Dickinson, A. J. [13](#)
Dryer, B. J. [33](#)
Dryer, Evelyn [33](#)
Dryer, Mabella [33](#)
Dryer, Thomas E., Jr. [33](#)
Dryer, Thurston [33](#)
Dryer, Virginia [33](#)
Dryer, Waltern [33](#)
Dunnavant, P. S. [8](#), [13](#)
Dunnavant, P. [10](#)
Esslinger, J. Q., Mrs. [10](#)
Fidelity and Deposit Co. of Maryland [37](#)
Ford Touring Automobile [22](#), [23](#)
Gates, Carl C. [32](#)
Grimmett, [35](#)
Guntersville, AL [27](#)
Gwyn, C. R. [20](#)
Haines, Ruth A., Mrs. [13](#)
Hall, Alfred [2](#), [27](#)
Hall, Virginia K. [8](#)
Halsey, C. H., Mrs. [13](#)
Hartman, A. M., Mrs. [8](#)
Hide, I. B. [24](#)
Horton, James E. [35](#)
Horton, Judge [35](#)
Hummel, Otto [13](#)
Huntsville City Council [11](#)
Huntsville, AL [7](#), [8](#), [9](#), [10](#), [11](#), [13](#), [27](#)
Hutchens Co., The [14](#), [15](#), [18](#)
Kendall, Austin, Mrs. [13](#)
King, Waldo [25](#)
Kinnebrugh, E. D. [18](#), [19](#)
Kirkpatrick, J. M. [10](#)
Laxson, J. W., Mrs. [10](#)
Laxson, O. B. [32](#)
Long, [24](#)
Madison Co., AL [1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#),
[20](#), [21](#), [22](#), [23](#), [24](#), [25](#), [28](#), [29](#), [30](#), [31](#), [32](#), [33](#), [34](#), [35](#),
[36](#), [37](#)
Mason, J. R. [8](#), [10](#), [13](#)
McDonald, Dave [3](#), [4](#), [5](#)
McDonald, David, Sr. [4](#), [5](#)
McDonald, David [6](#)
McDonald, John [5](#), [6](#)
McLaughlin, Mattie Howell [20](#)
Monroe, H. E. [14](#), [15](#)
Montgomery, AL [7](#)
Nicholson, L. F. [10](#)
Payne, N. M. [10](#)
Perry, Dr. [7](#)
Pettus, W. E. [10](#)
Rayburn, William C. [27](#)
Rayburn, [26](#)
Richardson, Mr. [11](#)
Rousseau, R. [13](#)
Russell, C. H., M. D. [10](#)
Simmons, Luther [8](#)
Smith, Arthur [24](#)
Smith, Helen D. [10](#)
Smith, Ralph M. Inc. [14](#), [18](#)
Snyder, L. A., Mrs. [13](#)
Southern Surety Co. [14](#), [15](#), [18](#), [19](#)
Spivey, James W. [34](#)
Spivey, R. M. [34](#)
Steele, N. L. [10](#)
Taylor, Matilda [3](#), [4](#)
Tennessee Chemical Co., Inc. [28](#), [31](#)
Terry, E. T. [8](#), [10](#), [13](#)
Thrower, Porter E. [27](#)
Thrower, Porter [24](#)
Thurston, Mattie H. [28](#), [29](#), [33](#)
Thurston, T. A. [28](#), [29](#), [31](#)
Thurston, Theodore A. [32](#), [33](#)
Townes, Charles L., Mrs. [13](#)
Watkins, Lizzie Louise [10](#)
Williams Brothers Construction Co. [37](#)
Wilson, A. Owen, Mrs. [13](#)
Wise, George W., Jr., Mrs. [8](#)
Young, Frank [36](#)
Young, Laura [36](#)

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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