

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 14, Folder 6  
Legal and court documents, 1899

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**Names:**

Cabaniss, F. S.  
(Register)

Cooper,  
Fanning, Ernest L.

Fouche & Fouche  
Pence, James W.

**Places:**

Huntsville, AL

New Market, AL

Rome, GA

**Types:**

envelope

legal correspondence

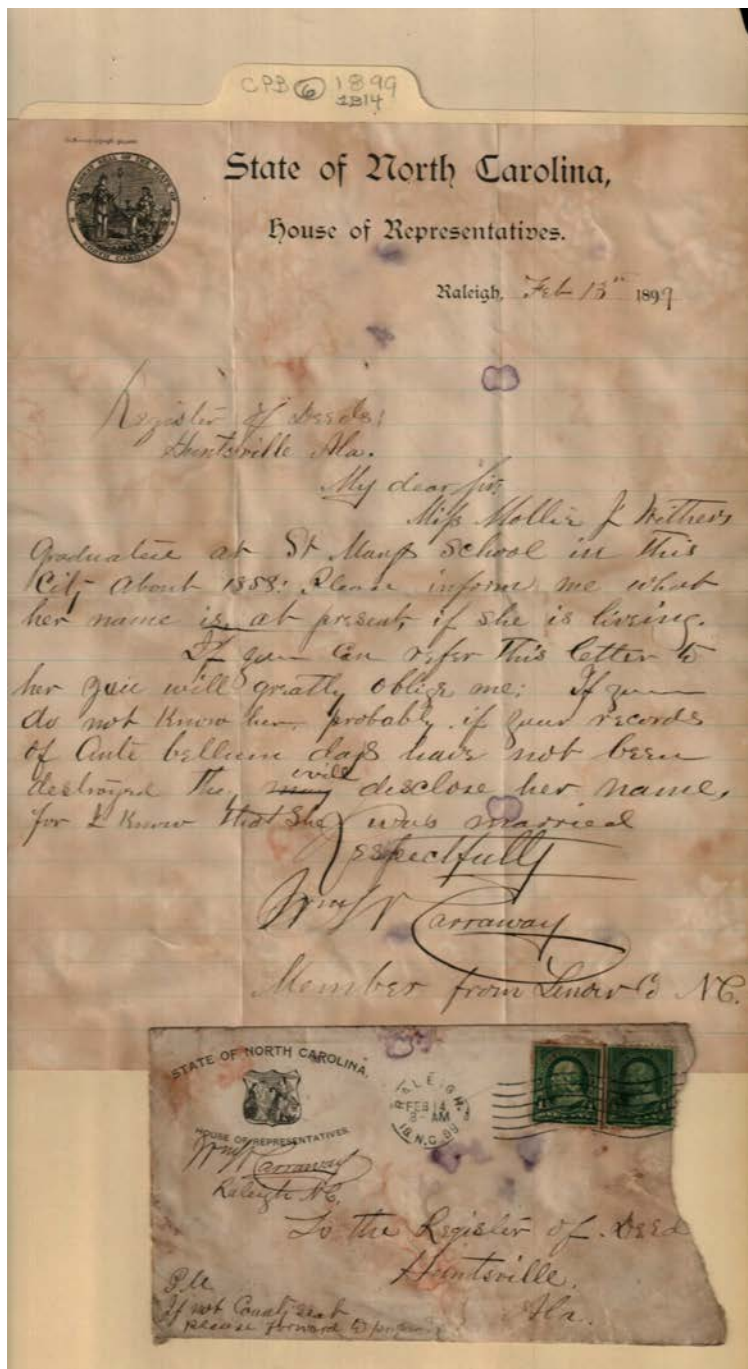
**Dates:**

Jan 23, 1899

July 13, 1899

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 14, Folder 6  
Legal and court documents, 1899

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**Names:**

Carraway, William  
W.

Withers, Mollie J.

**Places:**

Raleigh, NC

**Types:**

correspondence

envelope

**Dates:**

Feb 13, 1899

Feb 14, 1899

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 14, Folder 6

Legal and court documents, 1899

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**Names:**

Cabaniss, Budd

**Places:**

Huntsville, AL

**Types:**

envelope

**Dates:**

Oct 10, 1899

CPB © 1899  
4214

The undersigned reports  
to the Ct. that on the 27<sup>th</sup> day  
of Feb. 1899 Geo. H. Wenden a  
Deed in above entitled cause,  
authorizing & directing James E.  
Windom, heretofore appointed  
Receiver of A. R. & Co. - by deed  
of this Court to sell all public &  
private to the highest bidder  
for cash, after giving ten days  
notice, all notes & debts  
shown in a return held by him as  
such Receiver and to file his  
account & vouchers for a settlement  
of his Administration - as such  
Receiver on or before the 1<sup>st</sup> day of  
June last -

On Friday 15<sup>th</sup> day of Sept. 1899  
was appointed a day in which  
to pass upon said account & vouchers  
& exceptions thereto the hearing  
relating to same & was continued  
until the following day - at which  
time the Register proceeded to  
execute the reference -

The Register begs leave to report that  
she is unable to ascertain the  
exact amount of assets - of said  
defendant that went into the  
hands of Receiver - he having  
filed no Inventory of said assets -  
The Reg. finds on

**Names:**

Campbell, A. R. &  
Co.

Windom, James E.

**Types:**

court costs

**Dates:**

1899



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2314

that it appears from said exhibit  
 as shown by items 9, 10 & 11  
 on 7<sup>th</sup> page - that Chas M. Colley  
 & W. H. Farris were paid for in  
 raising the stock of goods of  
 defendant - and Oscar Goldsmith  
 for appraising the same - &  
 that neither said in nor out  
 an apparent was filed in  
 the Court - nor any schedule  
 showing of what said stock  
 consisted -  
 She further reports that said  
 she disallowed the following  
 items of credit, Item 3, for  
 \$100. & Item 18, \$50. Item 19, \$50  
 being amt paid Lawrence Coop  
 Esq. - atty for Receiver - services  
 rendered Receiver - because  
 no application was made to the  
 Court to fix his compensation  
 for such and services or make  
 such allowance -  
 She also disallows items of credit  
 Item 14, being \$200. & Item 20, \$100. & 21, \$75  
 being amt paid by said Receiver  
 to him self - because the Court  
 has not fixed his allowance  
 for services as Receiver - and  
 no application has been made  
 therefor -  
 Also disallows - Item 22

**Names:**

Cooper, Lawrence

Farris, W. H.

Goldsmith, Oscar

McCalley, Charles

**Types:**

court costs

**Dates:**

1899

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2B14

being an act of Guyon W. W. Atty's for collecting 5 small accts in the fund that the Recm had already employed an Atty to be paid out of said trust funds -

The Register further reports that said acct is irregular and inaccurate and at variance with the returns filed showing payments to creditors of 10 pct dividend as shown by list of credit on said acct - because said returns, which are checks show that the payment of said dividend was made on May 9<sup>th</sup> 1896. & not May 1898 as shown by said acct.

The Regr further reports that Archibald Campbell one of the creditors, mentioned in said deed of assignment, on the day of said reference filed objections to said account - on the ground that the same did not fully set forth the full amount of the indebtedness due him from defendant, it being an acct as presented to the Recm within the time presented by a

**Names:**

Campbell, Archibald

Grayson & Foote

**Types:**

court costs

**Dates:**

1899

CPB 1899  
1314

but it appears from said exhibit  
 as shown by items 9, 10 & 11  
 on 7<sup>th</sup> page - that Chas M. Colby  
 & W. H. Harris were paid for in  
 raising the stack of goods of  
 defendant and Polm. Holdren  
 for appraising the same - &  
 that neither said in nor a  
 nor appraiser was filed in  
 the Court - nor any schedule  
 showing of what said stack  
 consisted -

The further reports that said  
 she disallows the balance of  
 items of credit, Item 3, for  
 \$100 - & Item 18, \$50, Item 19, \$50  
 being amt paid Lawrence Cook  
 Esq. atty for Receiver - services  
 rendered Receiver - because  
 no application was made to the  
 Court to fix <sup>the amt</sup> his compensation  
 for such and services or make  
 such allowance -

She also disallows items of credit  
 Nos. 14, being \$200, & 15, 20, \$100, & 21, \$25  
 being amt paid by said Recn  
 to his self - because the Court  
 has not fixed his allowance  
 for services as Receiver - and  
 no application has been made  
 therefor -

Also disallows - Item 22

**Types:**

court costs

**Dates:**

1899



CPB © 1899  
1814

being annual pd. Empm. Thom.  
Atty's for collecting 5 small acct.  
in the ground that the Recm.  
had already employed an  
Atty to be paid out of said  
trust funds.

The Regist. further reports  
that said acct is irregular  
and inaccurate and at  
variance with the vouchers  
filed showing payments to  
creditors of 10 pct dividend  
as shown by last item of credit  
on said acct - because  
said vouchers, which are  
checks show that the payment  
of said dividend was made  
on May 9<sup>th</sup> 1896. & not May  
1898 as shown by said acct.

The Regr further reports  
that Archibald Campbell  
one of the creditors, mentioned in  
said deed of assignment, on the  
day of said reference filed  
objections to said acct.  
in the ground that the same did  
not fully set forth the full amount  
of the indebtedness due him from  
decedent, it being an acct.  
so presented to the Recm.  
within the time prescribed by a

**Types:**

court costs

**Dates:**

1899



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2B14

It is considered by the Register  
that said objection is well  
taken - no item of said  
account being ~~and that~~  
said Dr. Humphell is  
entitled to the ~~sum~~ ~~10 per~~  
~~cent dividend on the sum~~  
of 21449.<sup>84</sup> instead of  
10 per cent on 18454.<sup>88</sup>  
~~There being a bal. due said~~  
~~Dr. on first dividend -~~

**Types:**

court costs

**Dates:**

1899

CPB © 1899  
2514

3

Regr also report that said  
 Recm as appear for  
 said acct - that said  
 Recm has recm of  
 the assets of A. R. Co  
 & Co the sum of  
 \$6601. 45 - for which he  
 is properly & legally charged  
 & he has paid out  
 expenses in & about  
 debts, cost & expenses  
 incident to said admini-  
 stration the sum of  
 for which he is entitled  
 to credit being in his  
 hands - the sum of  
 \$ - to be distributed  
 among the creditors of said  
 A. R. Co. after  
 the pt costs of Compromit  
 of Recm & his Salaries  
 (When fixed by the Ct) have  
 been deducted therefrom  
 She further reports that in  
 notice of sd ref was given to  
 all parties in & about  
 Co. Esq. appeared for the Recm  
 & R. E. Spragins for the benefit  
 as well as for several other  
 creditors  
 All of which is respectfully  
 submitted

**Names:**

Campbell, A. R. &  
 Co.

Spragins, R. E.

**Types:**

court costs

**Dates:**

1899



**Names:**

Cabaniss, F. S.  
(Register)

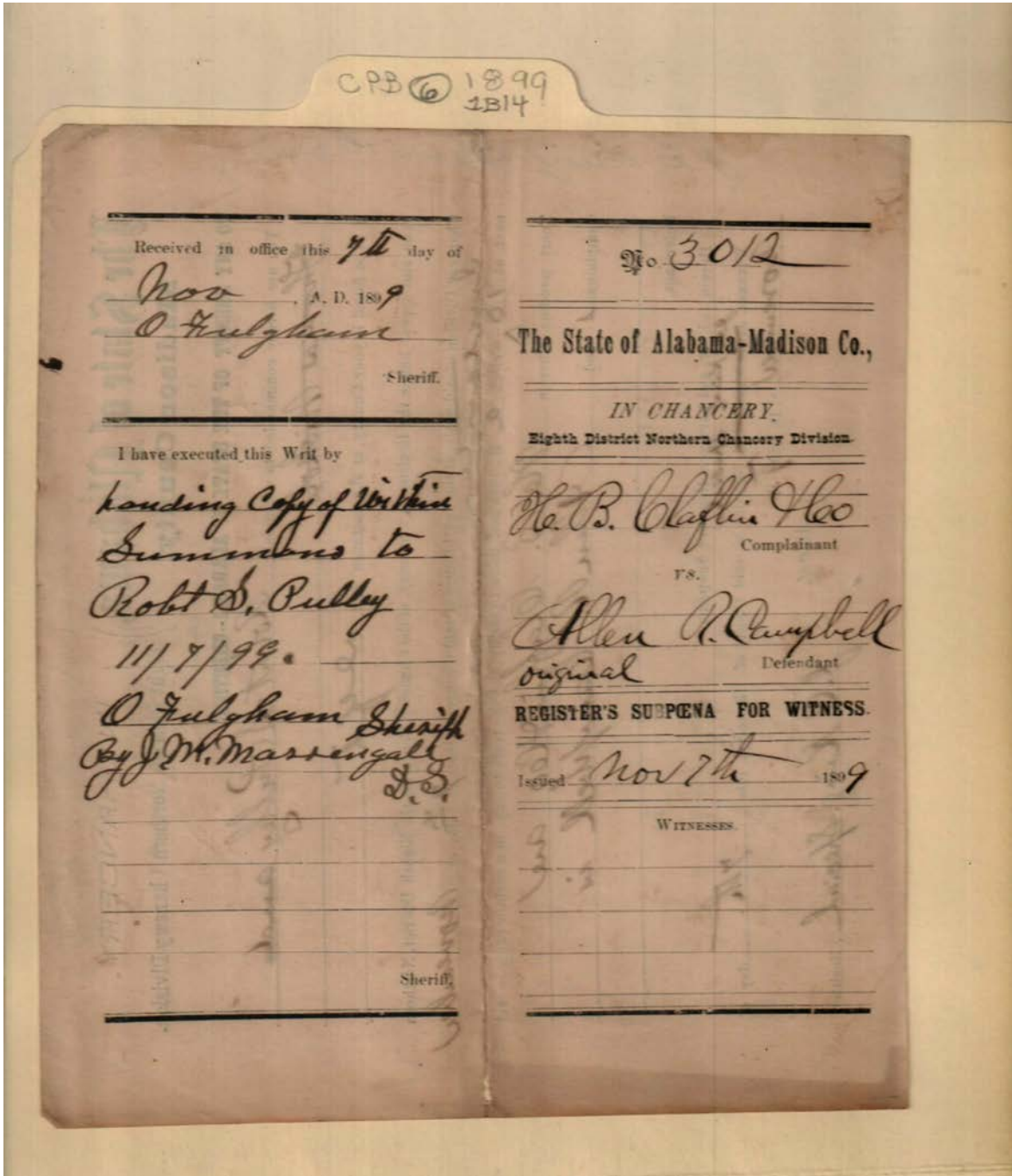
**Types:**

envelope

**Dates:**

Mar 25, 1899





case 3012

**Names:**

Campbell, Allen R.

Claflin, H. B. & Co.

Pulley, Robert S.

**Places:**

Madison Co., AL

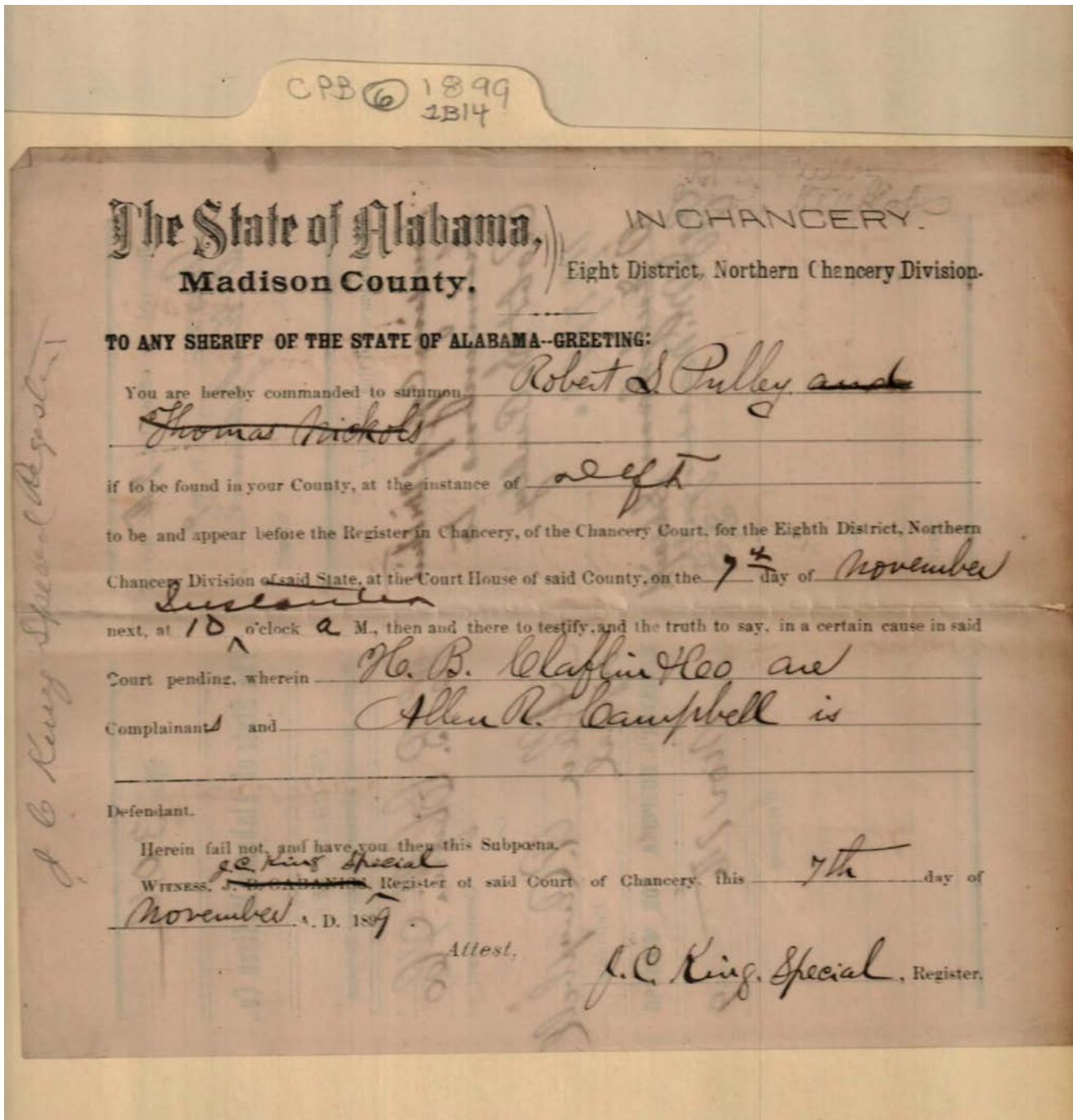
**Types:**

chancery court

**Dates:**

Nov 7, 1899





**Names:**

Campbell, Allen R.

Claflin, H. B. & Co.

Pulley, Robert S.

**Places:**

Madison Co., AL

**Types:**

chancery court

**Dates:**

Nov 7, 1899

CPB 1899  
2B14

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Received in office this \_\_\_\_\_ day of \_\_\_\_\_  
A. D. 189

No. 3012

---

The State of Alabama-Madison Co.,

---

IN CHANCERY.

Eighth District Northern Chancery Division.

---

H. B. Claflin & Co  
Complainant

vs.

Allen R. Campbell  
Defendant

---

REGISTER'S SUBPENA FOR WITNESS.

Issued Nov 7 1899

---

WITNESSES

Thomas Nickols

---

I have executed this Writ by \_\_\_\_\_

Sheriff.

---

Sheriff.

**Names:**

Campbell, Allen R.

Claflin, H. B. & Co.

Nickols, Thomas

**Places:**

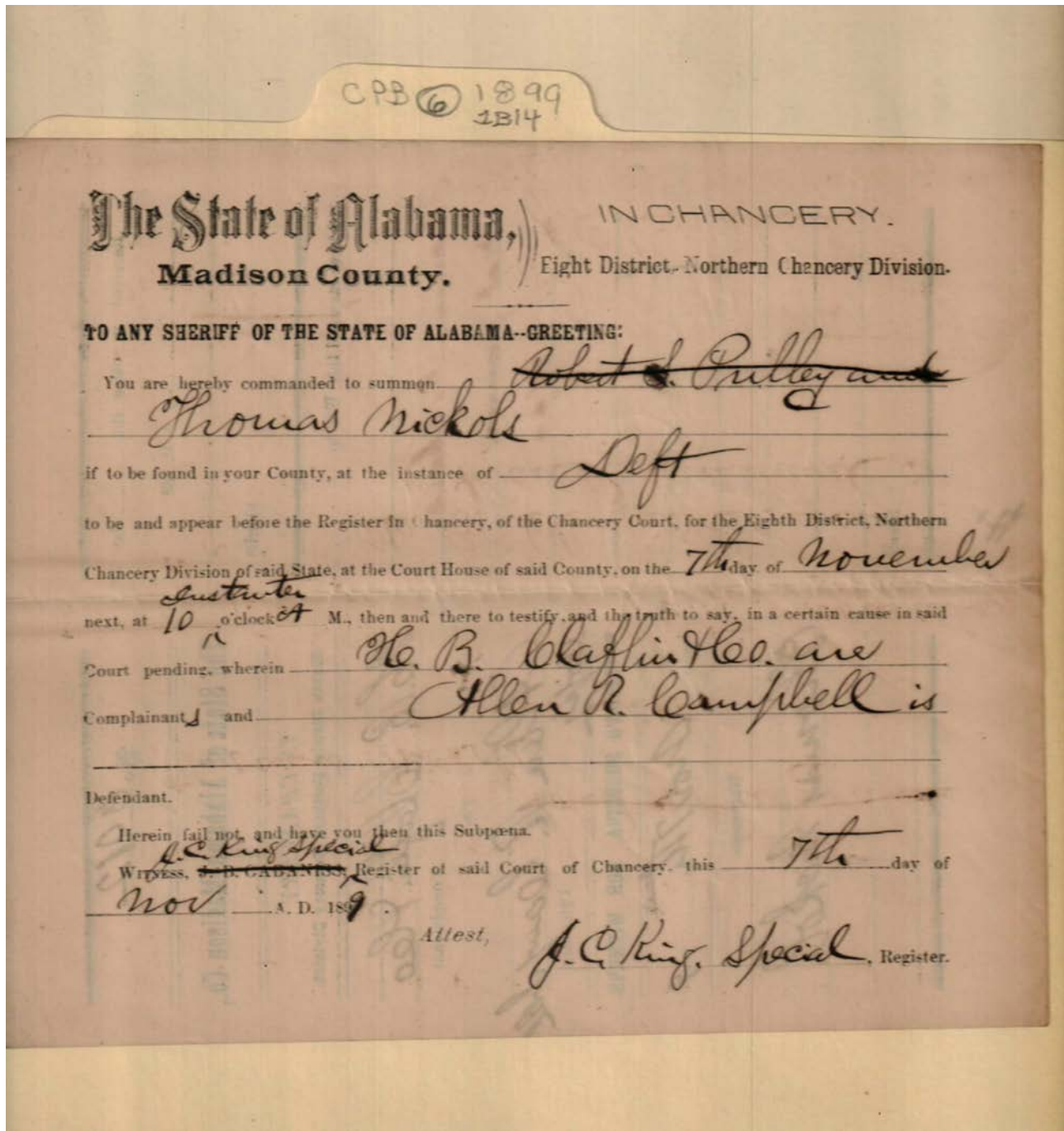
Madison Co., AL

**Types:**

chancery court

**Dates:**

Nov 7, 1899



**Names:**

Campbell, Allen R.

Claflin, H. B. & Co.

Nickols, Thomas

**Places:**

Madison Co., AL

**Types:**

chancery court

**Dates:**

Nov 7, 1899



CPB ⑥ 1899  
1814

# 68

Received in office this 7<sup>th</sup> day of  
Nov A. D. 1899  
O Fulgham  
Sheriff.

I have executed this Writ by  
Thomas Nickols  
Not found  
11/7/99

O Fulgham  
Sheriff.

No. 30/2

The State of Alabama-Madison Co.,  
IN CHANCERY,  
Eighth District Northern Chancery Division.

H. B. Clafin & Co.  
Complainant  
v.s.  
Allen R. Campbell  
Defendant

REGISTER'S SUBPENA FOR WITNESS.  
Original  
Issued Nov 7<sup>th</sup> 1899

WITNESSES

**Names:**

Campbell, Allen R.

Clafin, H. B. & Co.

Nickols, Thomas

**Places:**

Madison Co., AL

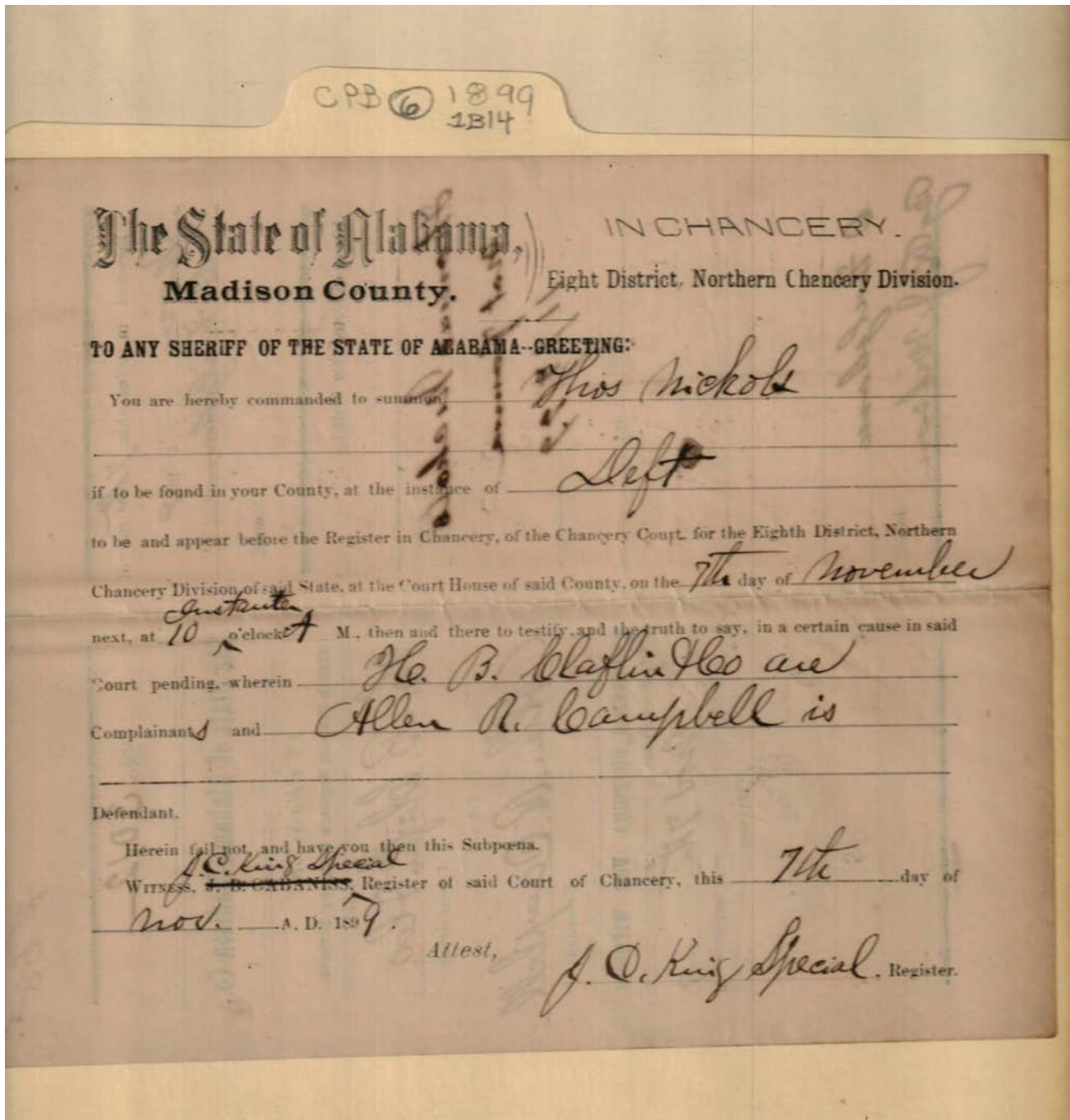
**Types:**

chancery court

**Dates:**

Nov 7, 1899





**Names:**

Campbell, Allen R.

Claflin, H. B. & Co.

Nickols, Thomas

**Places:**

Madison Co., AL

**Types:**

chancery court

**Dates:**

Nov 7, 1899

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2214

In Chancery Eighth District Northern Division of Alabama  
The American Freehold Land Mortgage Company of London Ltd  
1913 vs. Complainant  
David E. Kelly, Henry et al. Defendants

Pursuant to a Decree of Sale rendered on the 16th day of September 1895, in the above titled cause, by the Chancery Court of said District and Division directing the Register of this Court that in default of payment by the defendants of the sum of \$495.<sup>00</sup> Four Hundred and Eighty five Dollars and 00 cents, within 30 days from the rendition of this Decree, to advertise and sell the land herein after described or as much thereof as is necessary to pay said sum of \$495.<sup>00</sup> and the costs of this suit to public auction before the Court Room doors in the City of Huntsville County of Madison State of Alabama to the highest bidder for cash after giving notice of the time place and terms of sale as required by law by advertisement for 30 days in a newspaper published in this County.

That undersigned has to report that pursuant to said Decree of Sale by after giving notice of the time place and terms of sale by advertisement in the Huntsville Argus a newspaper published in this District he did offer for sale at public outcry to the highest bidder for cash on Monday the 18th day of November 1895 the following described land to wit: The E 1/4 of the E 1/4 of Sec 19 and east side of the center of the Spring of the N 1/4 of the N 1/4 of Sec 30 and the north side of the Road back of the N 1/4 of the N 1/4 of Sec 30 and east side of a line south from center of the Spring through the E 1/4 of the E 1/4 of Sec 30

Also the N 1/2 of the N 1/4 of Sec 30 all in Township 30 N 2 West containing 130 acres more or less

That at said sale The American Freehold Land Mortgage

**Names:**

American Freehold  
Land Mortgage Co.

Kelly, David E.

**Places:**

Madison Co., AL

**Types:**

chancery court

**Dates:**

1895

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1814

Company of Loudon Limited became the purchaser of  
said land, it being the highest bidder therefor at the sum  
of Four Hundred and Fifty Dollars \$450.<sup>00</sup> leaving a balance  
still due Complainant of \$42.<sup>05</sup> Forty two dollars and <sup>05</sup>/<sub>100</sub> cents.  
That the terms of sale have not been complied with by  
the purchaser.

**Names:**

American Freehold  
Land Mortgage Co.

**Places:**

Madison Co., AL

**Types:**

chancery court

**Dates:**

1895

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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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**Provenance:** Gift of Johanna Shields on October 28, 2006.



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ALABAMA IN HUNTSVILLE

**The UAH Archives and Special Collections  
M. Louis Salmon Library**