

**Names:**

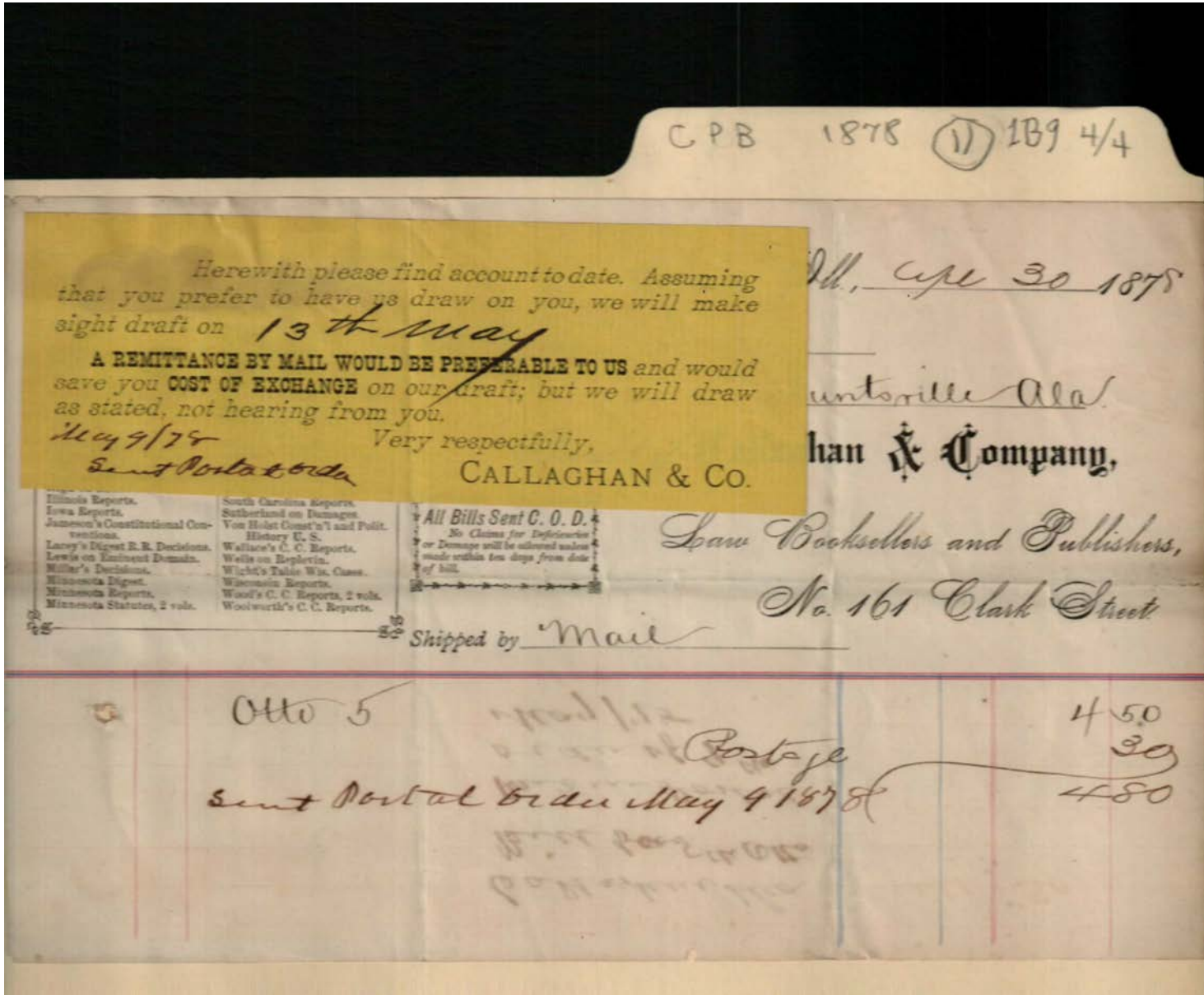
Callaghan,

**Types:**

memo

**Dates:**

May 09, 1878



**Names:**

Callaghan,

**Places:**

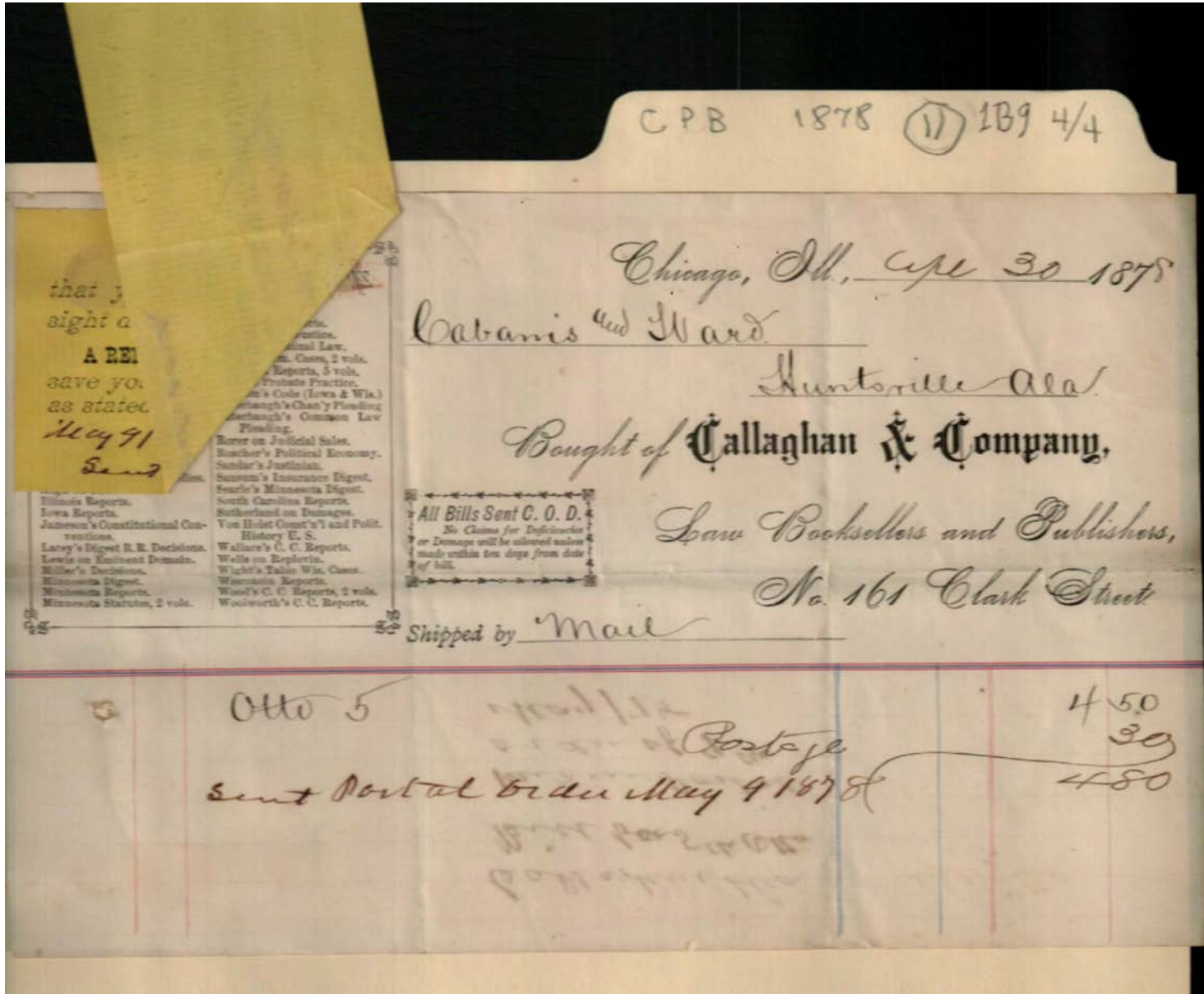
Huntsville, AL

**Types:**

invoice

**Dates:**

May 09, 1878



**Names:**

Cabaniss, Callaghan, Ward,

**Places:**

Chicago, IL

**Types:**

invoice

**Dates:**

Apr 30, 1878

CPB 1878 (1) 189 4/4

Bill Thompson \$125.00  
 ✓ 1866. April 1. Slens & Luntz 125.00  
 Note 1866 Oct 18 John Luntz 25.00  
 " Dec 24 Dr. Harnson 25.00  
 " April 2 \$50.  
 utrowans  
 1867 July 5. Frank Gilbreath net \$25.  
 1860 Jan 4 A. M. Davenport \$25  
 ✓ 1867 Aug 2 B. Luntz 42.50  
 ✓ " " Forbish Gilbreath 41.12  
 Note ✓ 1868 July 25 Henderson Cochran 160.00  
 1869 July 4. Henderson Cochran \$50.00  
 Note 1870. Mich 3 Am. M. 160.00  
 Note 1870 May 20 Rodman Moore 12th man 160.00  
 1870 May 3 Coal 39.60 39.60  
 Net 125.00 39.60 1866. \$275  
 164.06 50.00  
 160.40 41.12  
 160.00 42.50  
 6,094.6 25.00  
 323.22 125.00  
 932.68 323.22  
 307.51 Mich 15.  
 12/24 76.08 April 1 307.51  
 212.06 103  
 1.05 310.54  
 185.00  
 155.54 185.54  
 1.2,37 14,543.22  
 69.07 74.22 19.07  
 12/5,528.6 1.18 125.00  
 46 553 6,707  
 2 185.54 25.00  
 92 192.07 44.07

**Names:**

Cochran,  
 Crutcher, John  
 Davenport, A. M.

Forbish,  
 Gilbreath,  
 Gilbreath, Frank

Harnson, Dr.  
 Henderson  
 Moore, Roland

Thompson, Bill

**Types:**

accounts

**Dates:**

1866

C.P.B. 1878 (11) 1B9 4/4

S. T. MURRAY,  
Solicitor and Barrister,  
New York, N.Y.

The United States of America,  
Northern District

(2)  
Petitioner has no cash for this land but he has  
paid the purchase money therefor - He has a  
title bond from G. Greenwood from whom he  
purchased - value \$1000

(1)  
Order of sale for of land, on St John's petition  
application made day of  
Order granted for sale at Westcott  
in parcels - Order granted ~~24~~ May 16/78

App for Dec 31 Aug 7/78

Sale of lgr lands July 5/74  
all others 15 Nov Nov 73.

**Names:**

Greenwood, G.

Murray, A. F.

St. John,

**Types:**

memo



**Names:**

Borrowe, Vann

Walker, LeRoy P.

**Places:**

New York, NY

**Types:**

insurance

**Dates:**

Aug 11, 1878

C P B 1878 (11) 1B9 4/4



FORM I  
READ THE NOTICE TO POLICY HOLDERS  
ON THE BACK OF THIS RECEIPT.  
THIS RECEIPT IS NOT VALID UNLESS  
COUNTERSIGNED BY A COLLECTING AGENT  
OF THE SOCIETY OR ITS CASHIER.

The Equitable Life Assurance Society  
of the United States.

120 Broadway, New York, 1878

Received *One hundred thirty one* Dollars  
being the *Quarter* Annual Premium due the *11* day of *February* 1878  
No. *29467* on Life of *LeRoy P Walker*  
\$ *131*  
*Vann Borowé*  
Secretary



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No. *29467* on Life of *LeRoy P Walker*  
\$ *131*  
*Vann Borowé*  
Secretary

**Names:**

Borrowe, Vann

Walker, LeRoy P.

**Places:**

New York, NY

**Types:**

insurance

**Dates:**

Feb 11, 1878

C.P.B. 1878 (11) 189 4/4

1 To the Chancellor of the Northern Division  
of the State of Alabama sitting for the  
Eighth District thereof composed of the  
County of Marshall at Cantonville

Francis P Ward as administrator de  
bonis non with the will annexed of the  
estate of Thomas Fearn deceased, a citizen  
of the State of Alabama residing in  
the County of Madison, brings this his  
bill against Robert T Coles as admin-  
istrator of the estate of Robert Fearn  
deceased, Eliza Lee Fearn, Eliza Lee Fearn  
as guardian of Kate Coles Fearn and  
said Kate Coles Fearn an infant one  
the age of fourteen years, under the  
guardianship and custody of her  
mother and guardian said Eliza  
Lee Fearn all residing in Marshall  
County Alabama, and James J Donegan  
who resides in said County of Madison.

And therefore your orator complains  
and says:

1. Said Thomas Fearn departed this life  
in January 1863 being at the time of  
his death an inhabitant of said  
County of Madison, and having prior  
to his death made and published  
his last will and testament which

**Names:**

Coles, Robert T.  
Donegan, James J.

Fearn, Eliza Lee  
Fearn, Kate Coles

Fearn, Robert  
Fearn, Thomas

Ward, Francis P.

**Places:**

Northern Division of  
AL

**Types:**

law suit



C.P.B. 1878 (11) 189 4/4

was duly probated in the Probate Court of said county of Madison on March 9. 1863. Letters testamentary on said will were issued by said Probate Court to Gustave & Martin one of the executors therein named on March 13. 1863. Said Martin resigned his executorship of said will by filing his written resignation thereof in the Probate Court on April 11. 1867. which was by said Probate Court accepted and entered of record. William W. Garth the only other executor nominated in said will failed to apply for letters within thirty days after Probate of said will, and on April 14. 1863 announced his appointment as such executor in said Probate Court which which was entered of record. And on September 19. 1867 your orator was duly appointed and qualified in said Probate Court as administrator de bonis non with the will annexed of the estate of said Thomas Fearn deceased and proper letters of administration issued to him as such administrator.

2. In the year 1857 said Robert Fearn as principal and said Thomas Fearn as surety for said Robert Fearn executed

**Names:**

Fearn, Robert

Fearn, Thomas

Garth, William W.

Martin, Gustavus L.

**Types:**

law suit

C.P.B. 1878 (17) 189 4/4

2

3

this bond dated July 29, 1857, binding them  
 below as joint obligors to Francis LeVert  
 for the payment twelve months after  
 date of eleven hundred and fifty dollars  
 with from July 11, 1857. In the year 1857  
 said LeVert instituted separate suits  
 in the Circuit Court of said county of  
 Madison on said bond against said  
 Robert Fearn and said Gustavus L  
 Mastin as executor of said Thomas  
 Fearn. After said resignation of  
 said Gustavus L Mastin, the suit so  
 instituted against him as such  
 executor was revived against your  
 orator as administrator as of course.  
 Said LeVert died after said revival  
 being at the time of his death an  
 inhabitant of said county of Madison,  
 having prior to his death made  
 and published his last will and  
 testament, which was duly probated  
 in said Probate Court and letters testamen-  
 tary thereon duly issued to Ann Eliza  
 LeVert executrix therein named on  
 January 5, 1870. Both of said suits on  
 said bond were revived in the name  
 of said Ann Eliza LeVert executrix of  
 said Francis LeVert in said Circuit

3

**Names:**

Fearn, Robert  
 Fearn, Thomas

LeVert, Ann Eliza  
 LeVert, Francis J.

Mastin, Gustavus L.

**Types:**

law suit

C.P.B. 1878 (17) 189 4/4

4

court on April 27, 1871, and on that day,  
 April 27, 1871, she as such executrix  
 executed judgments in said Circuit  
 Court against said Robert Fearn and  
 your orator as administrators as afore-  
 said separately and severally for the  
 sum of eleven hundred and fifty  
 dollar debt and eight hundred  
 and ninety six  $\frac{7}{10}$  dollars always  
 besides costs of suit. And executions  
 were issued on both of said judgments.  
 3 said bond was the debt of said Robert  
 Fearn as principal and of said Thomas  
 Fearn as surety for said Robert Fearn.  
 On February 19, 1872 your orator as ad-  
 ministrators as aforesaid paid off  
 said judgment against him in  
 favor of said Ann Eliza LeVert execu-  
 trix as aforesaid amounting with  
 interest and costs to two thousand  
 two hundred and twenty six  $\frac{1}{10}$  of  
 dollars. And therefore Robinson & Walker  
 attorneys of record for said Ann Eliza  
 LeVert executrix as aforesaid signed  
 her said judgment against said  
 Robert Fearn to your orator as admin-  
 istrators of said Thomas Fearn demand  
 which was credited by your orator

4

**Names:**

Fearn, Robert  
 Fearn, Thomas

LeVert, Ann Eliza  
 Robinson,

Walker,

**Types:**

law suit

C P B 1878 (11) 189 4/4

5

with twenty five dollars on August 1, 1874.

4. Said Robert Fearn died intestate in March 1873, being at the time of his death an inhabitant of said county of Madison. And on August 14, 1873, the said Robert T Coles was duly appointed and qualified in the Probate Court of said county of Madison as the administrator of the estate of said Robert Fearn and proper letters of administration issued to him as such administrator by said Probate Court.

5. The real and personal property of the estate of said Robert Fearn is insufficient to pay the debts thereof. Said estate is insolvent and was duly declared insolvent by said Probate Court on October 18, 1873. And said Robert T Coles is still the administrator thereof.

6. Your orator presented his said claim against said estate of Robert Fearn by filing a statement thereof in the office of the Judge of Probate of said County of Madison on September 14, 1874. And your orator filed his said claim against the insolvent estate of said Robert Fearn duly verified

5

**Names:**

Coles, Robert T.

Fearn, Robert

**Types:**

law suit

C.P.B. 1878 (17) 1B9 4/4

6 in the office of the Judge of Probate of said county of Madison on January 30. 1877.

7. On August 7. 1869 said Robert Fearn effected an insurance on his life, and took out a policy thereon, in the Piedmont real estate insurance company for the sum of ten thousand dollars payable at his death to his wife Eliza Lee Fearn and his children. And on July 18. 1870 he surrendered this policy in consideration of the substitution of another from the Piedmont & Arlington Life Insurance Company located and doing business at Richmond Virginia for the like sum of ten thousand dollars payable at his death to his infant daughter the said Kate Coles Fearn.

8. said Robert Fearn paid in annual premiums out of his own means the sum of two hundred and four  $\frac{1}{100}$  dollars on said first named policy, and six hundred and twenty four  $\frac{1}{100}$  dollars on said substituted or last named policy, aggregating the sum of Eight hundred and twenty eight  $\frac{87}{100}$  dollars paid out of his own means in annual premiums

**Names:**

Fearn, Eliza Lee

Fearn, Kate Coles

Fearn, Robert

**Types:**

law suit

C.P.B. 1878 (11) 189 4/4

7

on said petition

9. On March 17. 1873 said Eliza Lee Fearn was appointed guardian of said Kate Coles Fearn in said Probate Court of Madison county in which they then and were before resided, and proper letters of guardianship duly issued to her as such guardian by said Probate Court. And in May 1873 said Eliza Lee Fearn as guardian of said Kate Coles Fearn received in satisfaction payment and discharge of said substituted petition from said Piedmont & Arlington life insurance company the sum of nine thousand five hundred and ninety five 73/100 dollars.

10. On January 21. 1875 said Eliza Lee Fearn found eight thousand dollars of said insurance money to said James J. Donegan taking his note payable to her as such guardian. And on October 31. 1875 said James J. Donegan executed to said Eliza Lee Fearn a mortgage on his residence in Huntville <sup>Madison County</sup> Alabama bounded north by Randolph Street East by an alley south by Maiden Lane and met by the lot of James Robinson to secure the payment of said note on July 21. 1880.

7

la:

**Names:**

Donegan, James J.

Fearn, Eliza Lee

Fearn, Kate Coles

Robinson, James

**Types:**

law suit

C.P.B. 1878 (11) 189 4/4

and the interest thereon semiannually on  
day 21 and July 21 in each year, with  
power of sale in default of payment of  
said note on January 21, 1880 or default  
in any of the semiannual payments of  
interest

11. At the time of effecting said insurance  
and taking out said policies to wit  
on August 7, 1869 and July 18, 1870, and  
at the time of his death in March 1873  
said Robert Fearn was largely indebted  
and was insolvent, and effected  
said insurance and took out said  
policies and paid the annual pre-  
miums thereon with the intent to hinder  
delay and defraud his creditors, and  
without any valuable consideration  
therefor, but as a voluntary gift to his  
said daughter.

12. Said Robert Fearn on August 7, 1869  
and July 18, 1870 when he effected  
said insurance and took out said  
policies, and at the time of his death  
in March 1873 had a wife and  
several children besides said Kate  
Coles Fearn.

13. Your master has no means of obtain-  
ing satisfaction and payment of his

**Names:**

Fearn, Kate Coles

Fearn, Robert

**Types:**

law suit

C.P.B. 1878 (11) 189 4/4

9

said claim against said estate of Robert Fearn except by subjecting said income money to the payment and satisfaction thereof.

It is the end therefore that said defendants may if they can show why your order should not have the relief hereby prayed and may according to the best and interest of their honor and respective knowledge remember information and belief full true direct and perfect answer make to this bill as by the note hereunder written they are respectively required to answer.

Your order prays that the suit of account may be filed against said defendants Robert J. Coles as administrator of the estate of Robert Fearn deceased. Eliza Lee Fearn. Eliza Lee Fearn as guardian of Kate Coles Fearn. Kate Coles Fearn, and James J. Donegan. come answering them to appear and answer the allegations of this bill and abide and perform the order and decree of the Court in the premises. that an account may be taken of what is due your order on his said claim against said estate of Robert Fearn, and its payment decreed out

5

**Names:**

Coles, Robert T.  
Donegan, James J.

Fearn, Eliza Lee  
Fearn, Kate Coles

Fearn, Robert

**Types:**

law suit



C.P.B. 1878 (17) 189 4/4

10 of said insurance money and the property  
mortgaged by said Dougans to secure its  
payments; and for such other and  
further relief as the nature of his case  
requires.

Cabaniss & Ward Attys for  
Complainant

Att. each and all the defendants are  
required to answer all the allegations  
of this bill numbered respectively 1. 2. 3. 4.  
5. 6. 7. 8. 9. 10. 11. 12. 13.

Cabaniss & Ward Attys  
for Complainant.

State of Alabama  
Madison County } Before me Robert H  
Wilson Register in chancery for the  
Fifth District of the Southern Division  
of Alabama personally appeared this  
day Francis P. Ward complainant  
in the foregoing bill who makes oath  
that the defendant Kate Coles Fearn  
is an infant under the age of  
twenty one years and in the belief  
of affiant over the age of fourteen  
years. F. P. Ward  
sworn to and subscribed  
before me this 15. 1878  
R. H. Wilson Reg.

Filed in Office Feb 7. 1878  
S. H. Rayburn Reg.

**Names:**

Cabaniss,  
Donegan,

Fearn, Kate Coles  
Rayburn, S. K

Ward,  
Ward, Francis P.

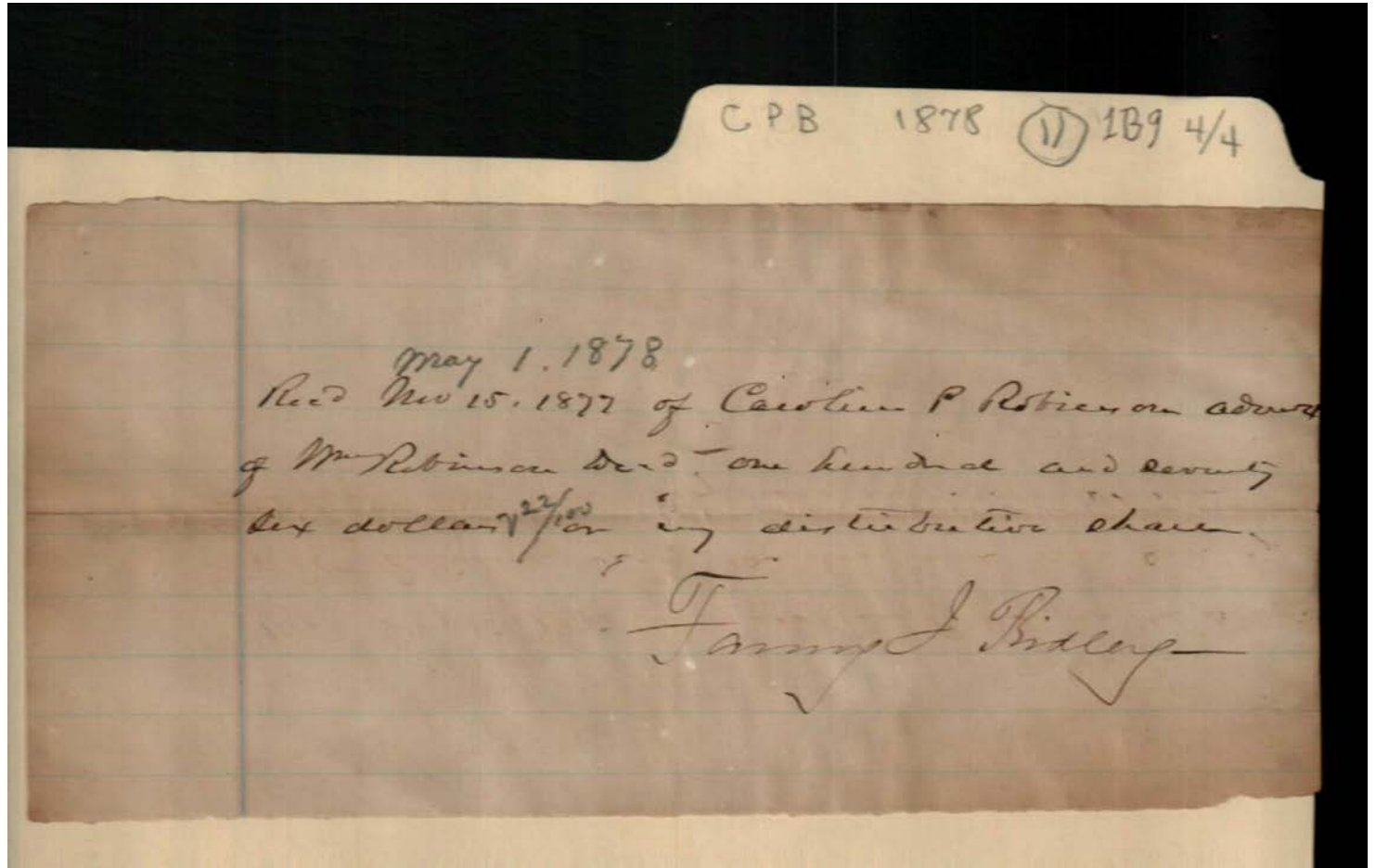
Wilson, Robert H.

**Places:**

Madison County, AL

**Types:**

law suit



**Names:**

Ridley, Fanny J.

Robinson, Caroline P.

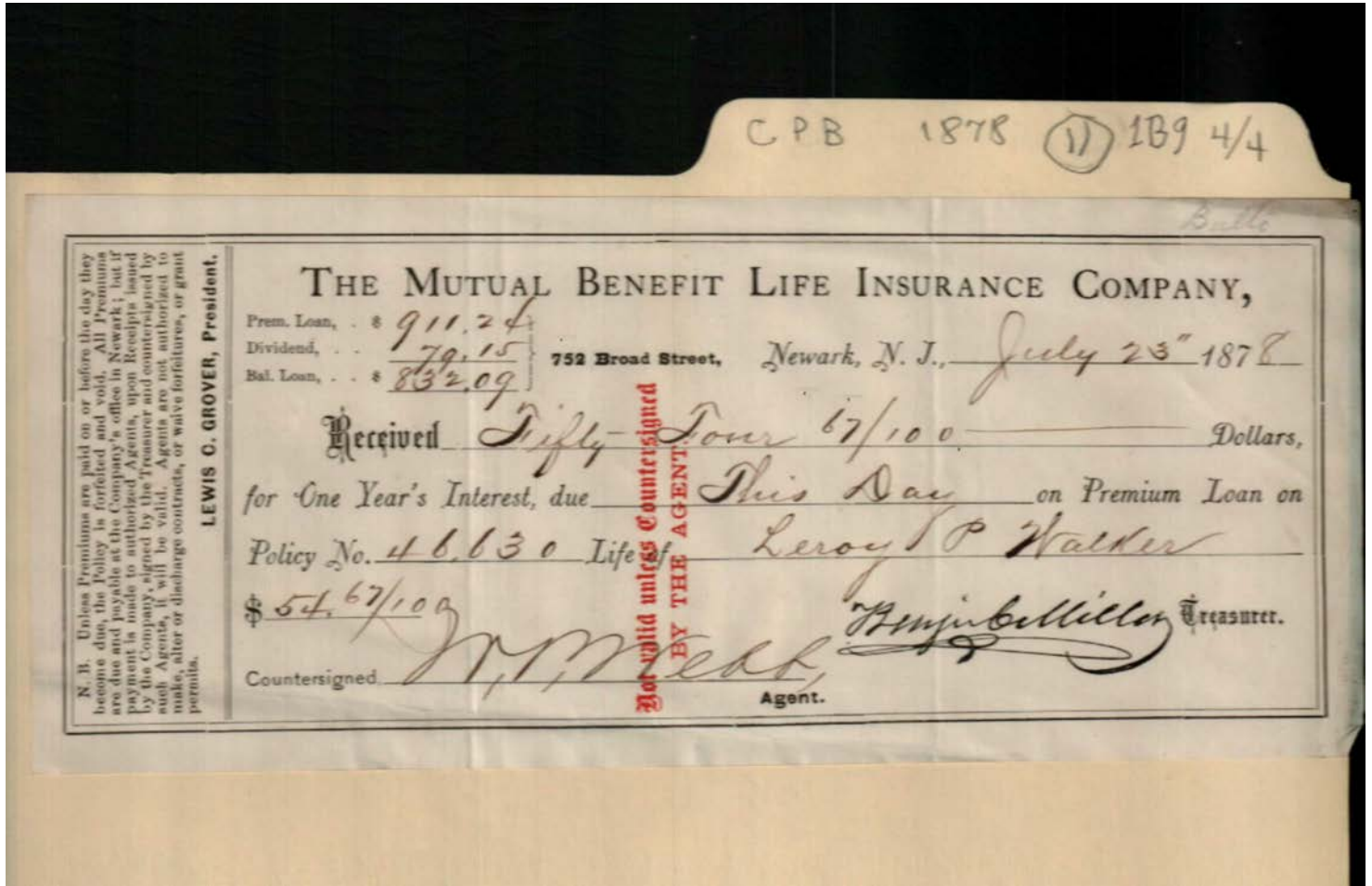
Robinson, William

**Types:**

receipt

**Dates:**

May 01, 1878



**Names:**

Walker, Leroy P.

Webb, W. M.

**Places:**

Newark, NJ

**Types:**

insurance

**Dates:**

Jul 23, 1878

C.P.B. 1878 (11) 189 4/4

Montgomery Ala Jan 17, 1878  
S. D. Cabaniss Esq

No intimation as  
to how the Special Court will decide  
our cases. The agreement for  
the Special Court provided for  
a majority to act as the Court.  
So we will get the cases decided.  
Bradley is Northern Bank and  
Arnett is Bailey - both  
affirmed.

In the last case Mr Mahone  
has desired to be added to  
Benjamin and in turn for  
Mr Arnett. One point was  
that the division was not made  
a party to the proceeding to sell  
in Probate Court.

Superior Court that the reference  
to the will in petition was not

**Names:**

Arnett,  
Bailey,

Bradley,  
Cabaniss, S. D.

Mahone,  
Ward, Benjamin

**Places:**

Montgomery, AL

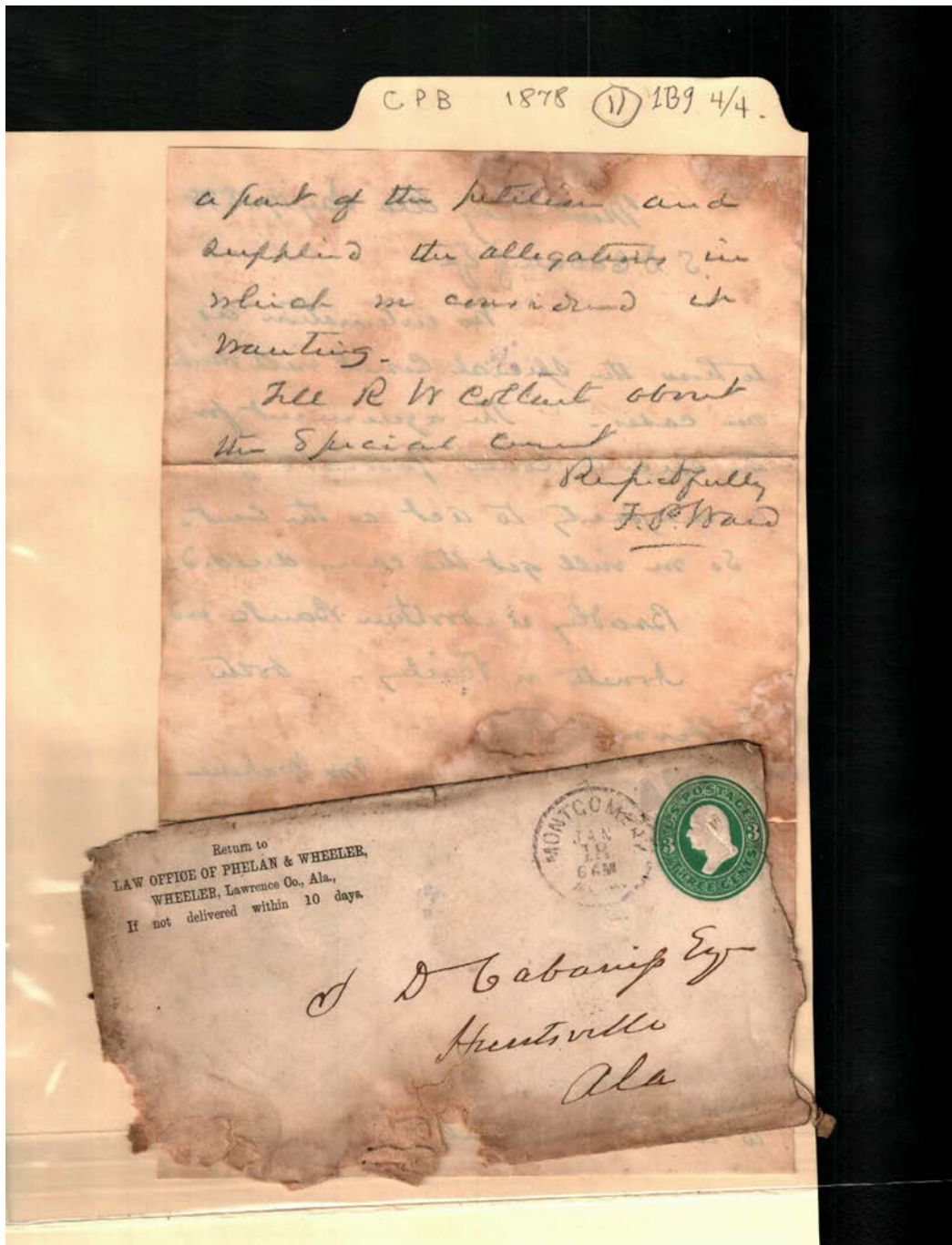
**Types:**

correspondence

legal note

**Dates:**

Jan 17, 1878



**Names:**

Coltart, R. W.

Phelan,

Ward, F. P.

Wheeler,

**Types:**

correspondence

C.P.B. 1878 (1) 189 4/4

R. C. HUNT. J. R. TALLY

Office of  
Hunt and Tally,  
Attorneys at Law,  
Scottsboro, Ala., Dec 20<sup>th</sup> 1878

S. D. Cabaniss Esq  
Duntsville Ala

My dear sir:

If you remember, you asked me when you were here last, if I understood the Exemption Law of Alabama, I confess that I do not, and I write this to get some information from you on that subject.

I have a judgment in the Circuit Court against a party for \$4000<sup>00</sup>. Have caused execution to issue but no levy has been made, because the judgment debtor has filed his schedule of exemption — and in such a case as you are aware, the law provides that no levy shall be made unless the validity of such claim is contested &c.

**Names:**

Cabaniss, S. D.

Hunt,

Tally,

**Places:**

Scottsboro, AL

**Types:**

correspondence

**Dates:**

Dec 20, 1878

C P B 1878 (17) 189 4/4

R. C. HUNT. J. B. TALLY.

Office of  
*Hunt and Tally,*  
Attorneys at Law,  
Scottsboro, Ala., 187

after the levy of the execution,  
the way is proceed is clear.  
In that case the judgment debtor  
is notified by the sheriff as  
provided in sec. 2836.  
But bear in mind that in my  
case, no levy has been made,  
because debts of this kind has  
long since been paid and  
recorded — I could make  
a successful contest if I  
knew how. I wish you would  
be so kind as to let me hear  
from you on receipt of this.  
— I have got no time for  
delay. Yours truly  
R. C. Hunt

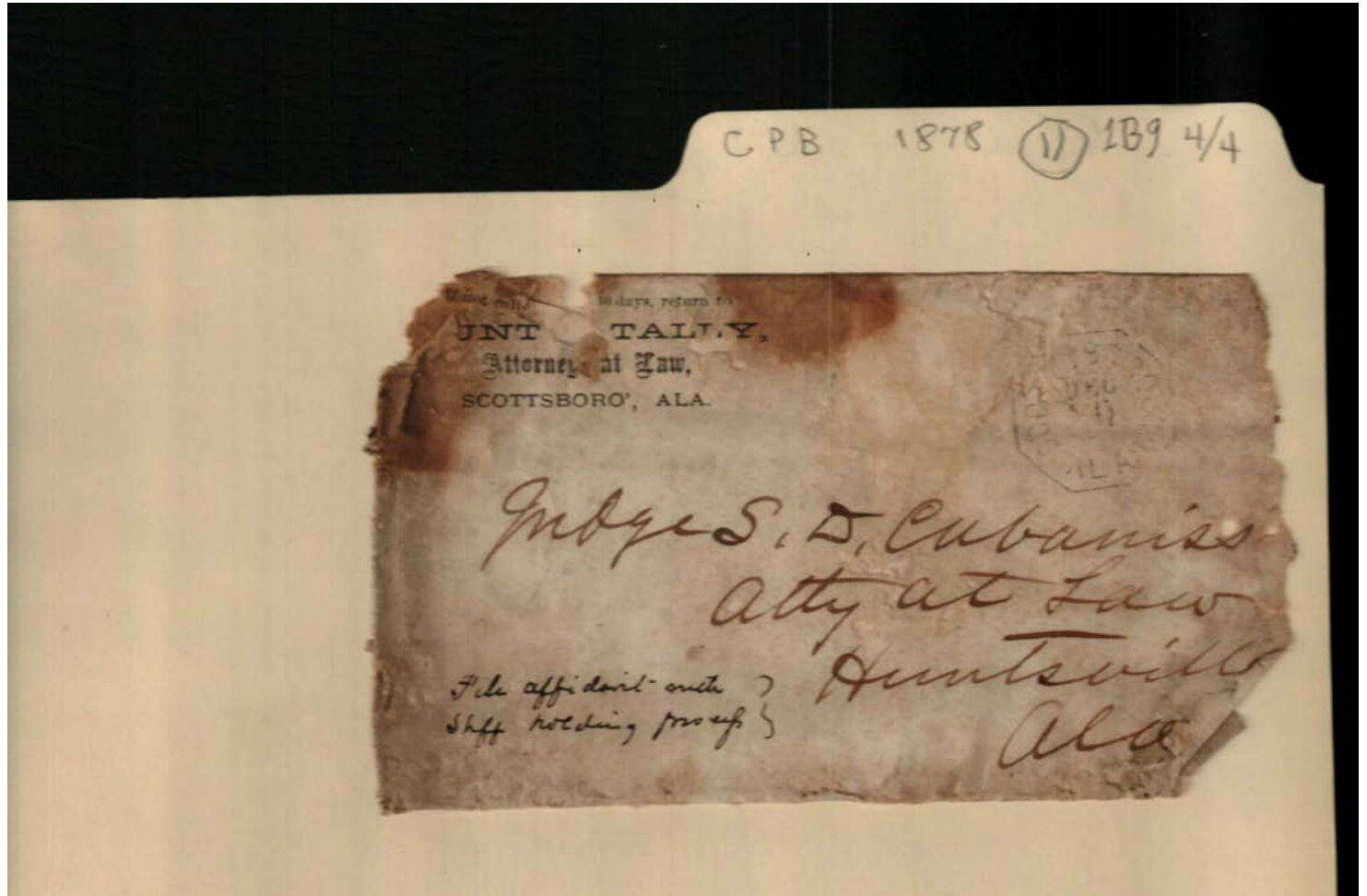
**Names:**

Hunt, R. C.

Tally,

**Types:**

correspondence



**Names:**

Cabaniss, S. D.

Hunt,

Tally,

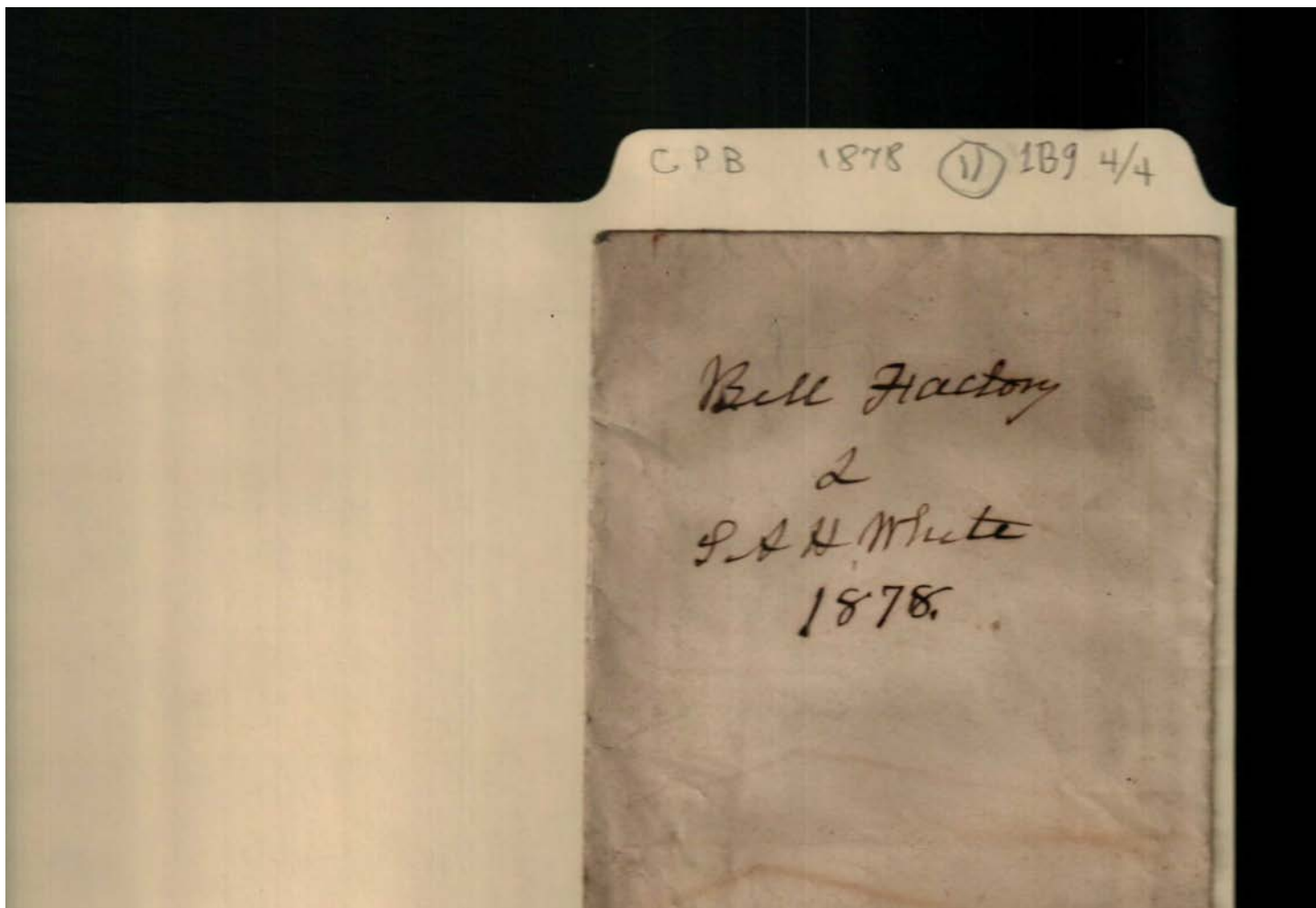
**Places:**

Scottsboro, AL

**Types:**

envelope





**Names:**

Bell Factory

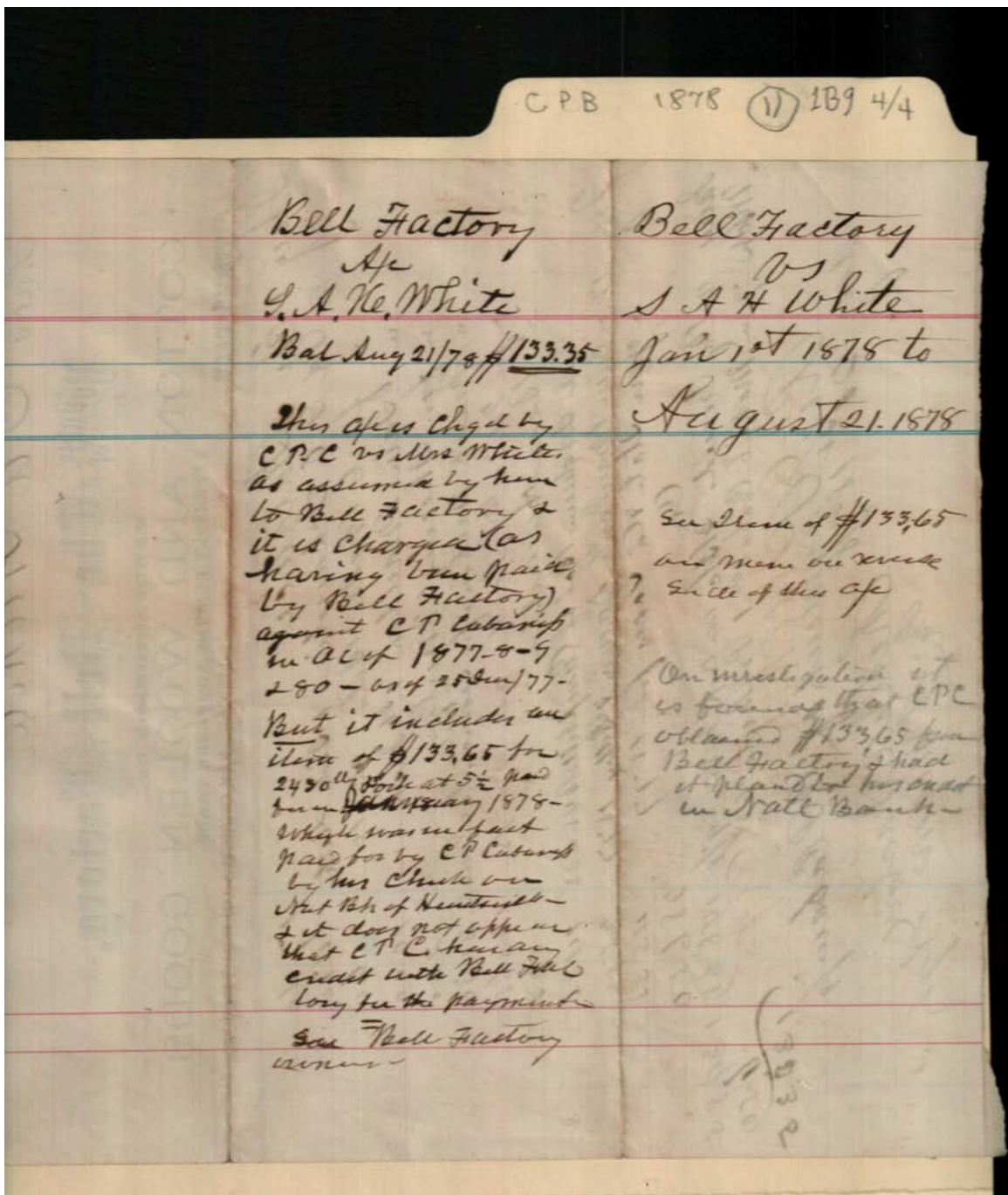
White, S. A. H.

**Types:**

memo

**Dates:**

1878



**Names:**

Bell Factory

Cabaniss, C. P.

White, Mrs.

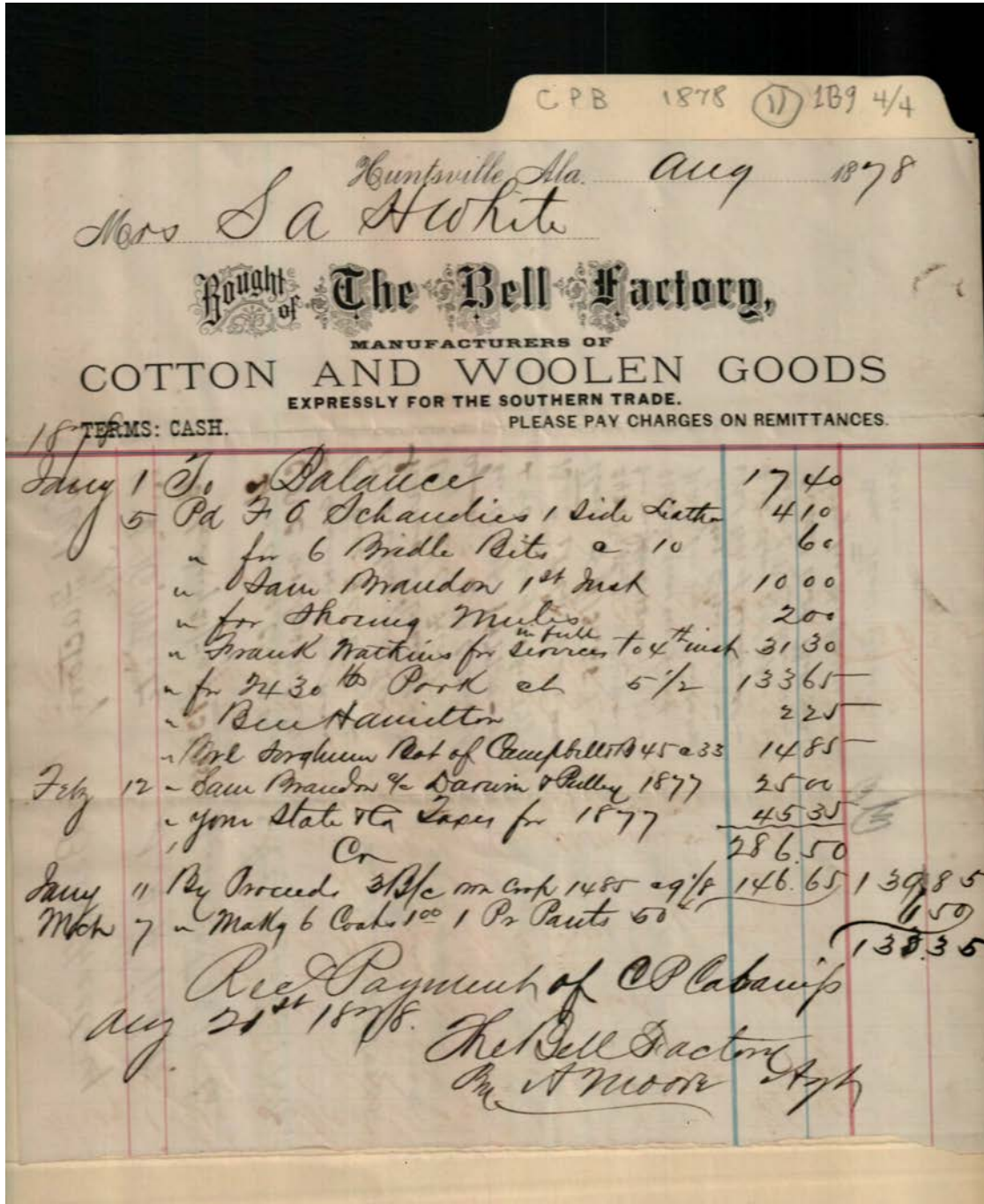
White, S. A. H.

**Types:**

accounts

**Dates:**

Aug 21, 1878



**Names:**

Bell Factory  
Brandon, Sam

Darwin,  
Hamilton, Ben

Moore, A.  
Pully,

Watkins, Frank  
White, S. A. H., Mrs.

**Places:**

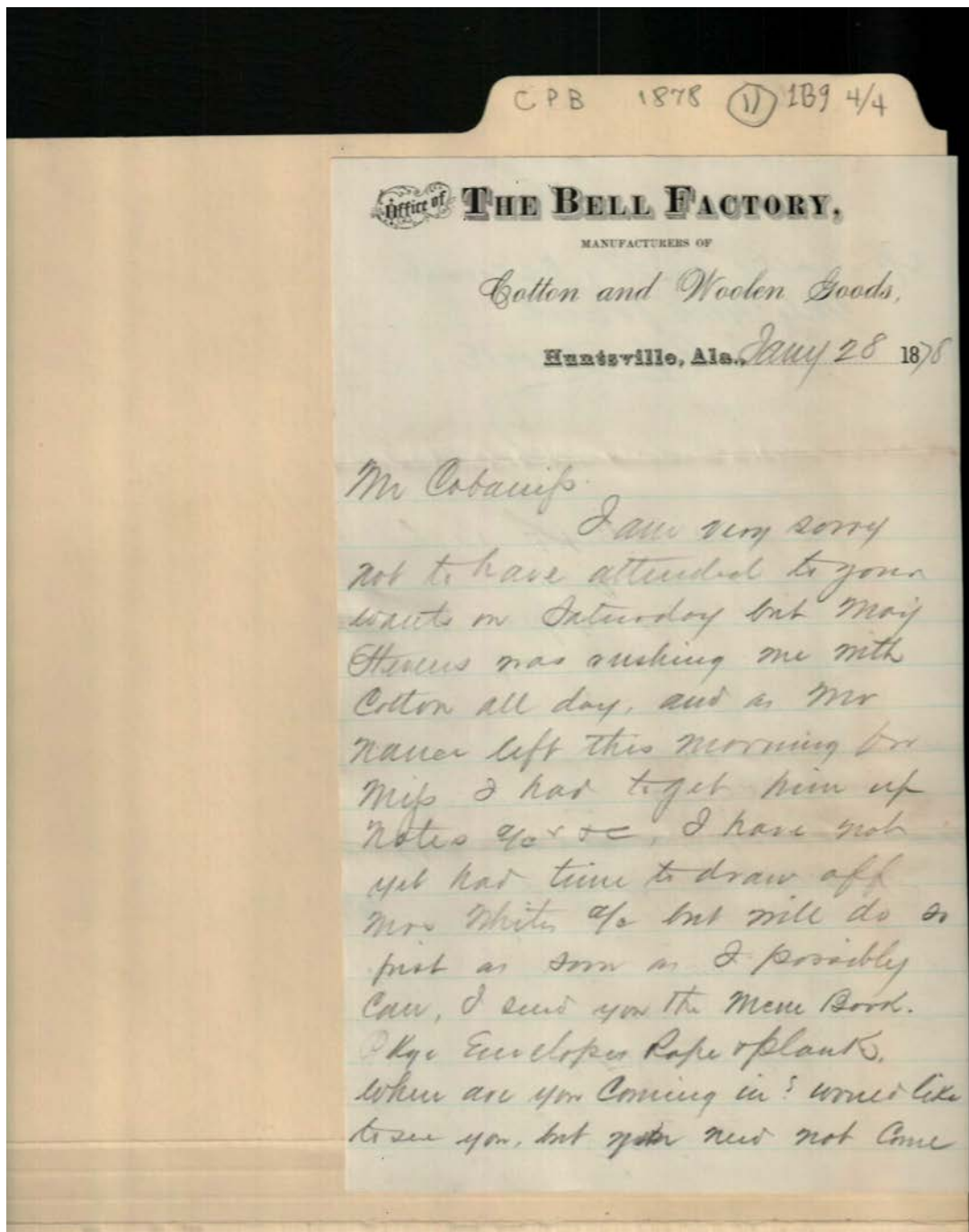
Huntsville, AL

**Types:**

invoice

**Dates:**

Jun 01, 1878



**Names:**

Bell Factory  
Cabaniss,

Ettercus, Mary  
Naner,

White, Mrs.

**Places:**

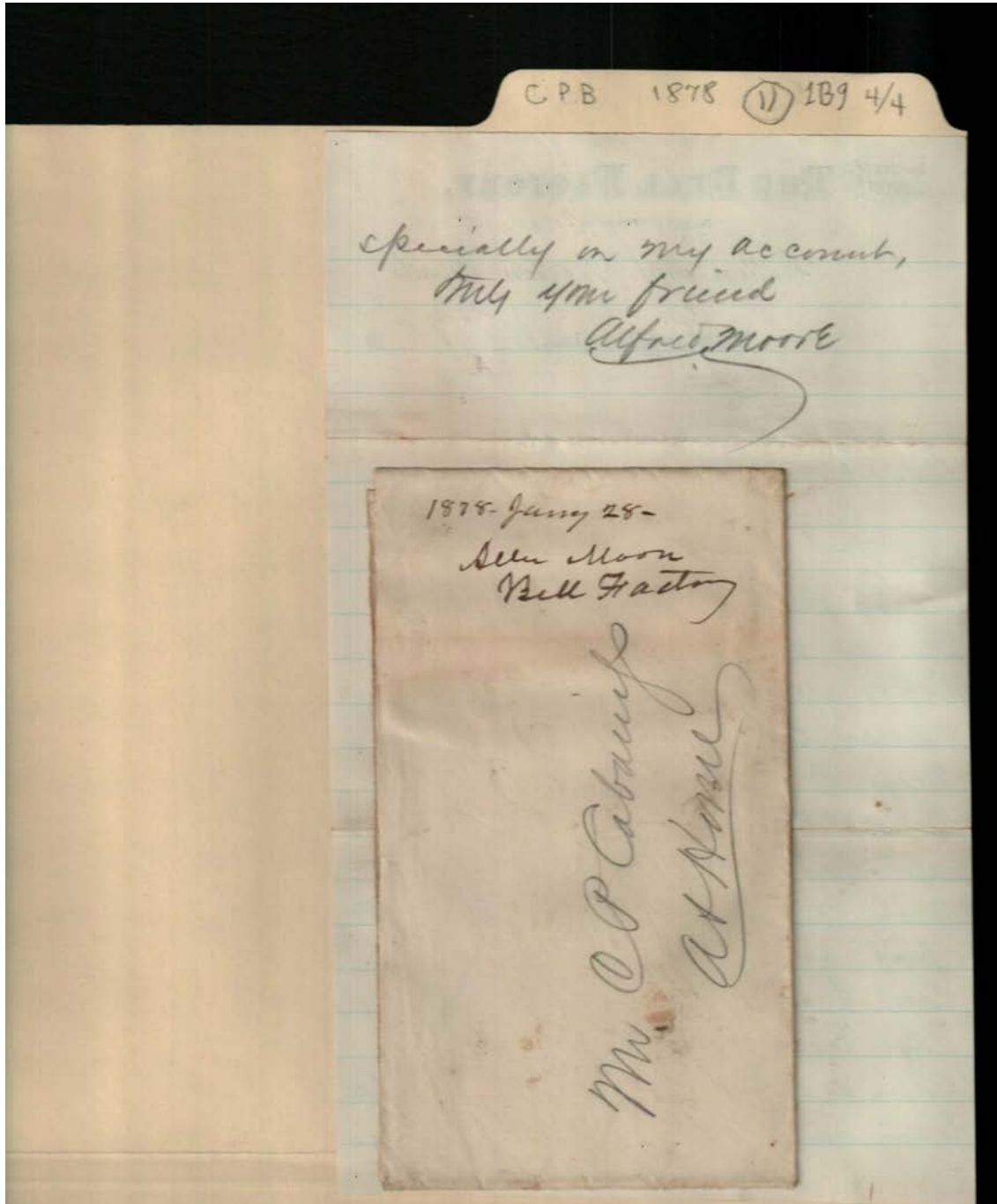
Huntsville, AL

**Types:**

correspondence

**Dates:**

Jan 28, 1878



**Names:**

Bell Factory

Cabaniss, C. P.

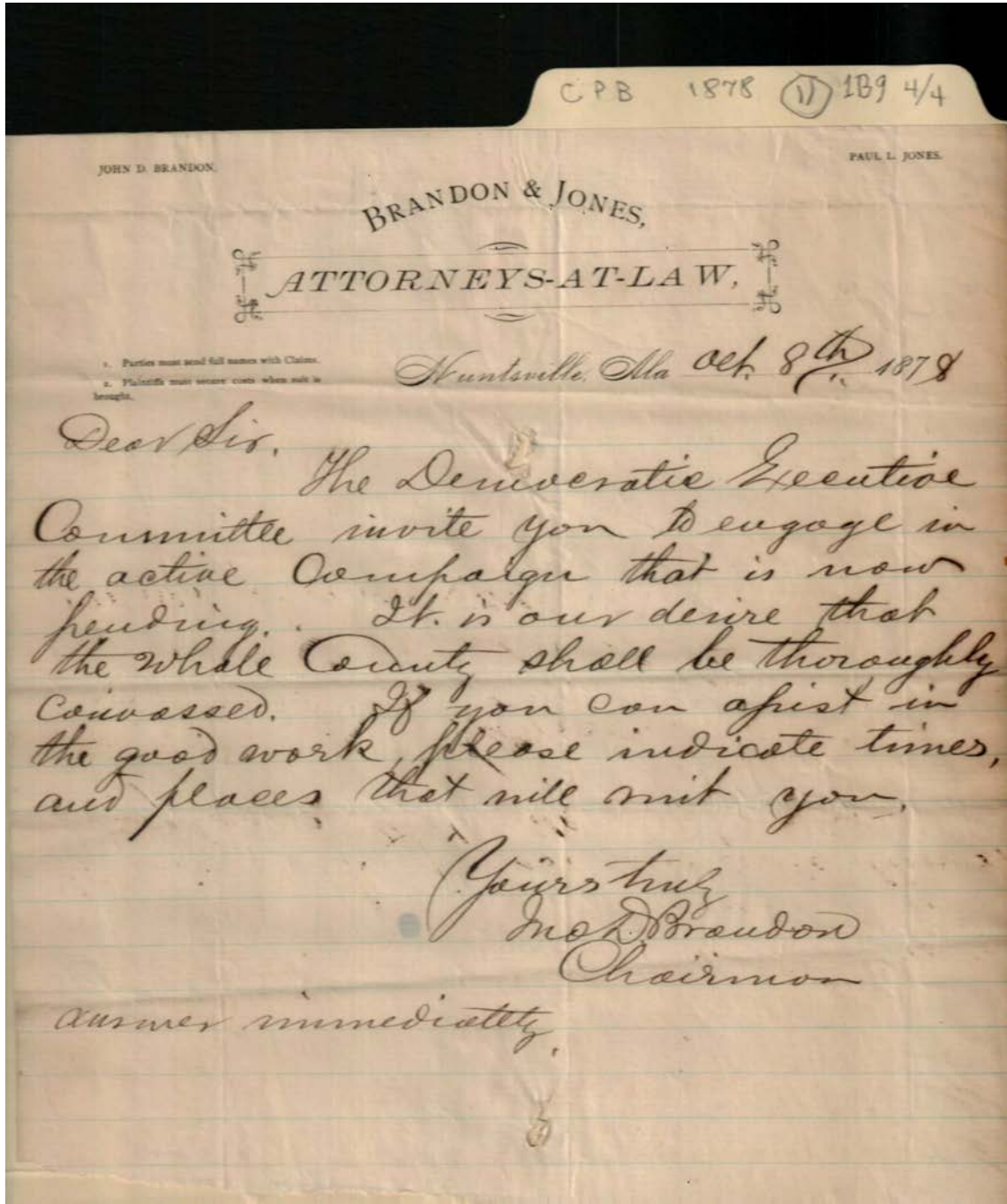
Moore, Alfred

**Types:**

correspondence

**Dates:**

Jan 28, 1878



**Names:**

Brandon, John D.

Jones, Paul L.

**Places:**

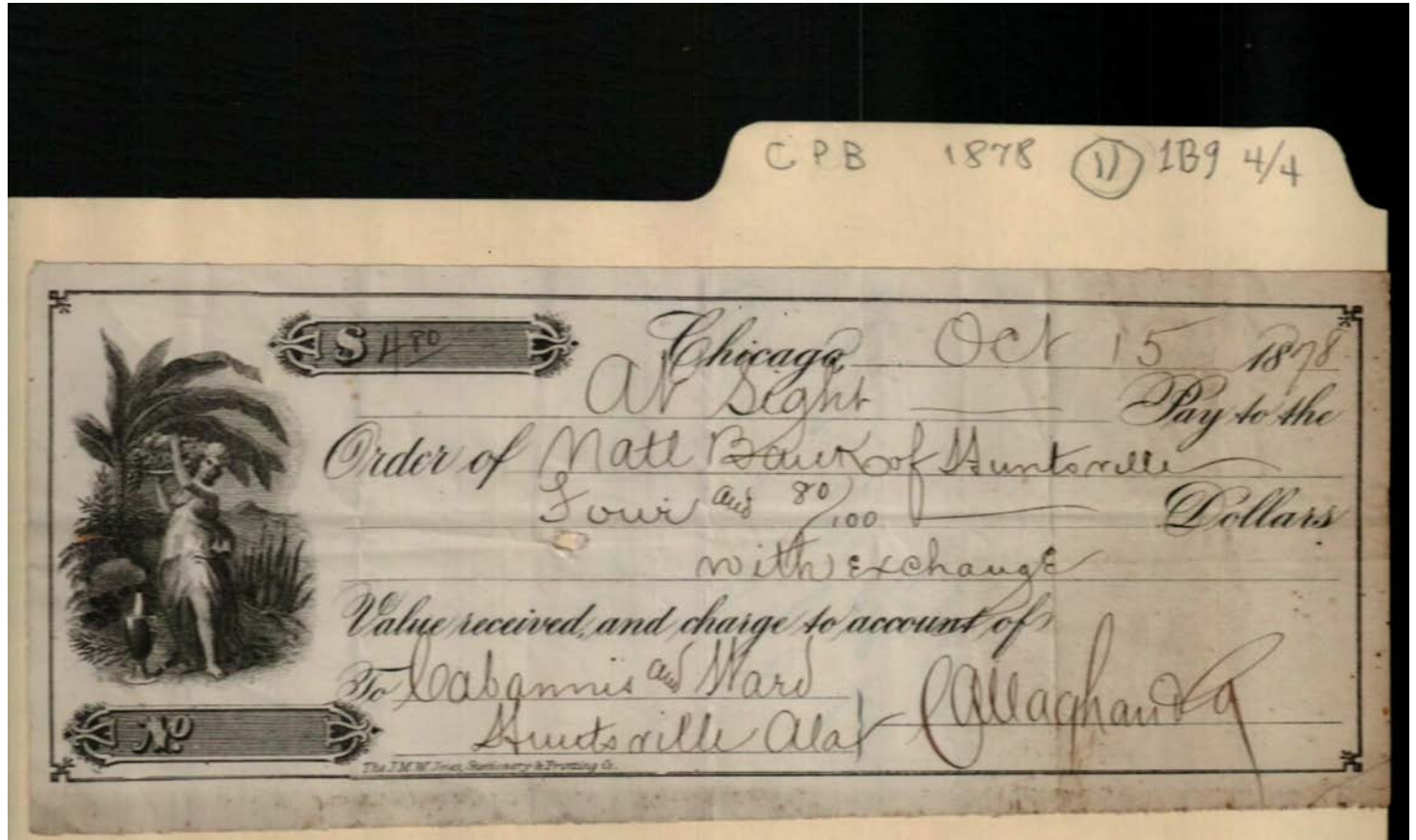
Huntsville, AL

**Types:**

politics

**Dates:**

Oct 08, 1878



**Names:**

Cabaniss,

Callaghan,

Ward,

**Places:**

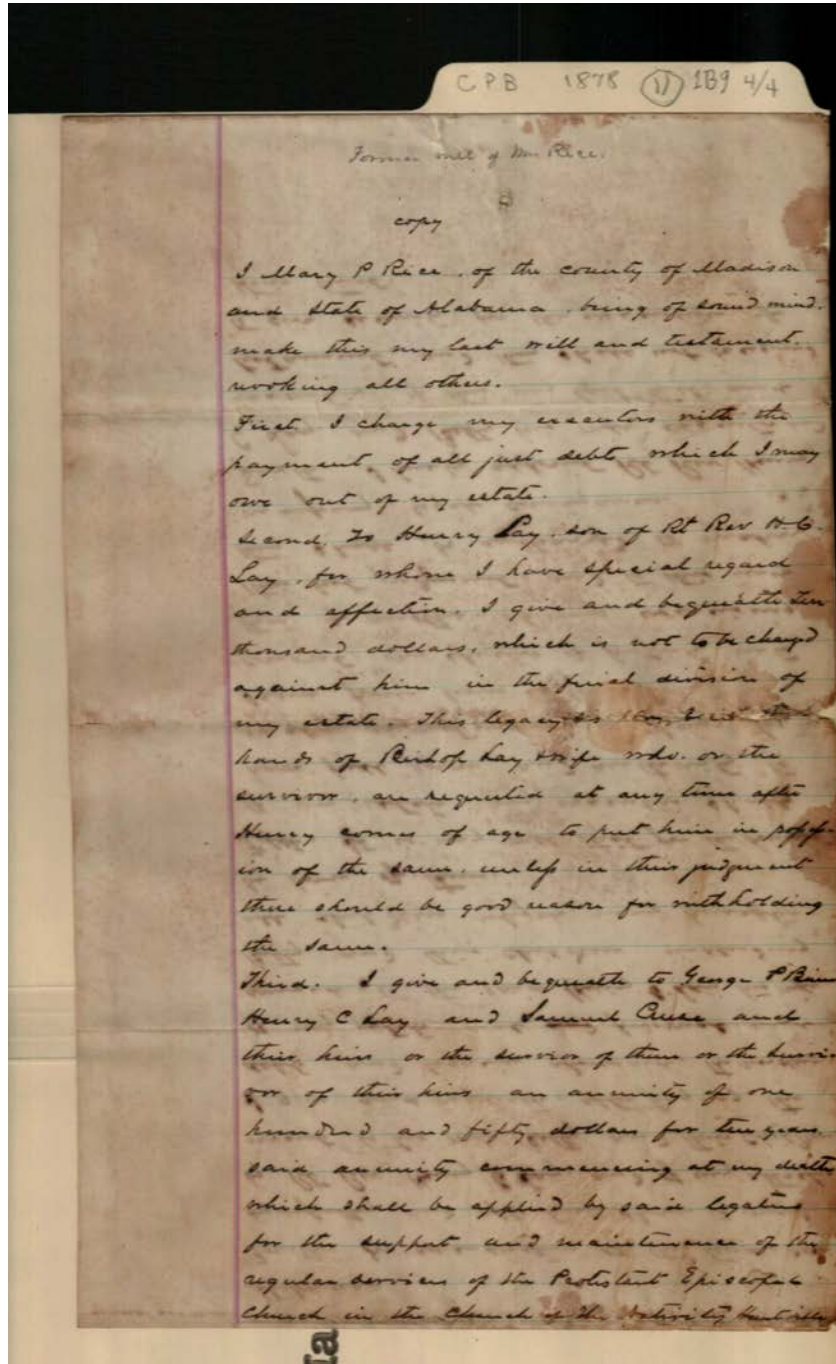
Huntsville, AL

**Types:**

check

**Dates:**

Oct 15, 1878



**Names:**

Bierne, George P.

Cruse, Samuel

Lay, H. G., Bishop

Lay, Henry

Rice, Mary P.

**Places:**

Madison County, AL

**Types:**

will



C.P.B. 1878 (11) 1B9 4/4

Alabama.

Fourth. In consideration of the tender care sympathy and affection shown to me by Rt Rev Henry C Lay, and of my attachment to his wife Betty and their children, I give and bequeath, after paying the debts and legacies aforesaid, the residue of my estate real and personal and mixed to the said Henry C Lay his wife Betty and their children including all children which may hereafter be born of them.

Fifth. It is my will that for the benefit of my estate my executor shall have full power and authority to make investments, change the same from time to time, and to convert one species of property into that of another always exercising their best judgment, and to this end they shall be authorized to make any and every legal conveyance.

Sixth. I hereby appoint Rt Rev Henry C Lay and Betty his wife executors and executrices of this my last will and testament, and they shall not be required to give security for the execution of their trust.

**Names:**

Lay, Betty

Lay, H. G., Rt. Rev

Lay, Henry

**Types:**

will

CPB 1878 (11) 189 4/4

In testimony whereof I have hereunto  
set my hand and ~~and~~ affixed my  
seal this the 4<sup>th</sup> day of October 1862.  
Mary P Rice (seal)

signed sealed and published in the presence  
of S Cruse  
S R Cruse  
W J. McCalley

State of Alabama  
Madison County } I Mary P Rice of the  
County and state aforesaid do hereby  
make this codicil to my last will  
and testament and ordain that it  
shall form a part of the same  
I hereby give and bequeath to my  
executor and executors the sum of  
three hundred dollars in trust to pay  
my faithful servant Malinda the  
indent upon the same from my death  
until they or the survivor of them can  
in part the same suitably in a house  
for the said Malinda which shall  
be conveyed to her for her separate  
use and for the use of her children  
at her death. I do hereby ratify and  
confirm the will heretofore executed by  
me which bears date 4<sup>th</sup> day of October  
1862 and was executed by me in the

**Names:**

,Malinda  
Cruse, S

Cruse, S. R.  
McCalley, W. J.

Rice, Mary P.

**Places:**

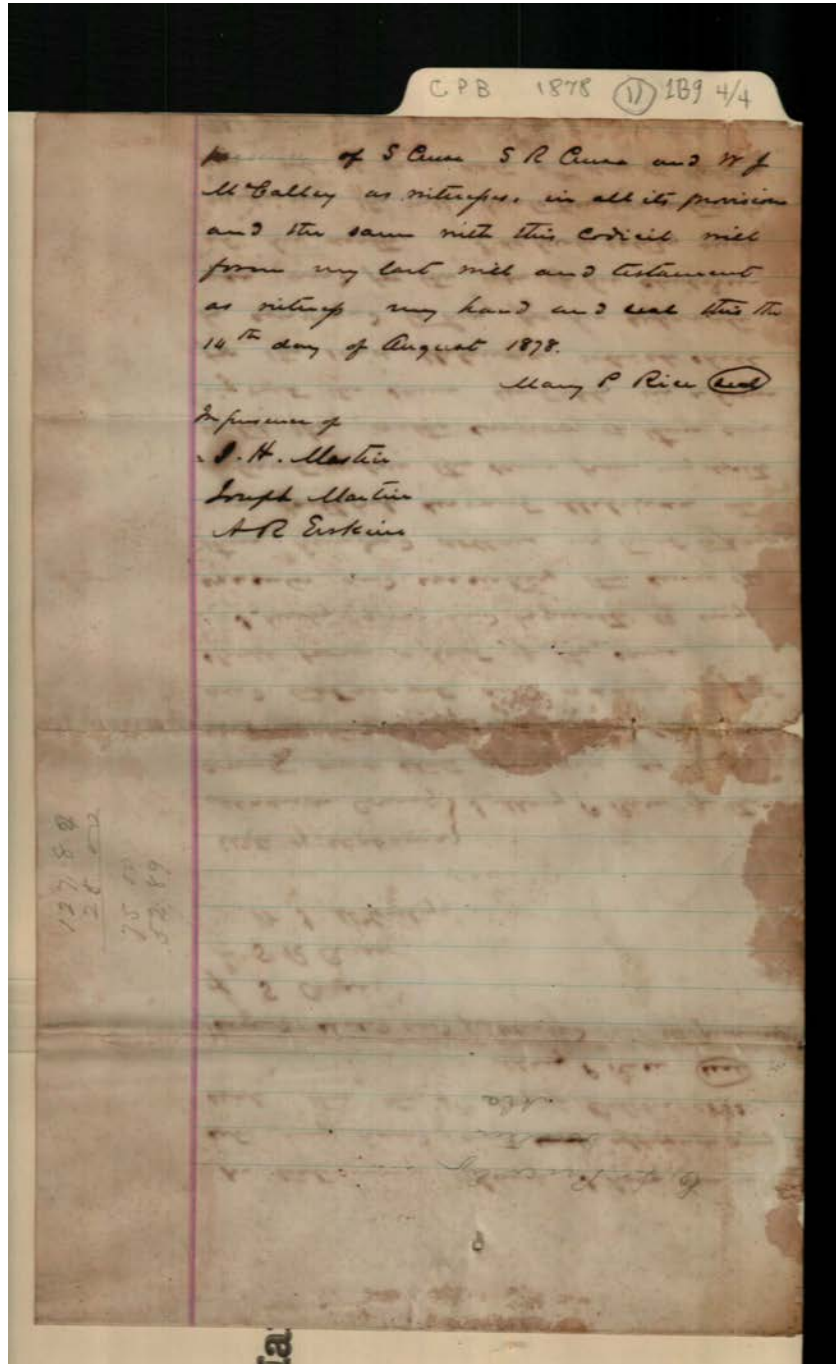
Madison County, AL

**Types:**

will

**Dates:**

Oct 04, 1862



**Names:**

Cruse, S  
Cruse, S. R.

Erskine, A. R.  
Mastin, J. H.

Mastin, Joseph  
McCalley, W. J.

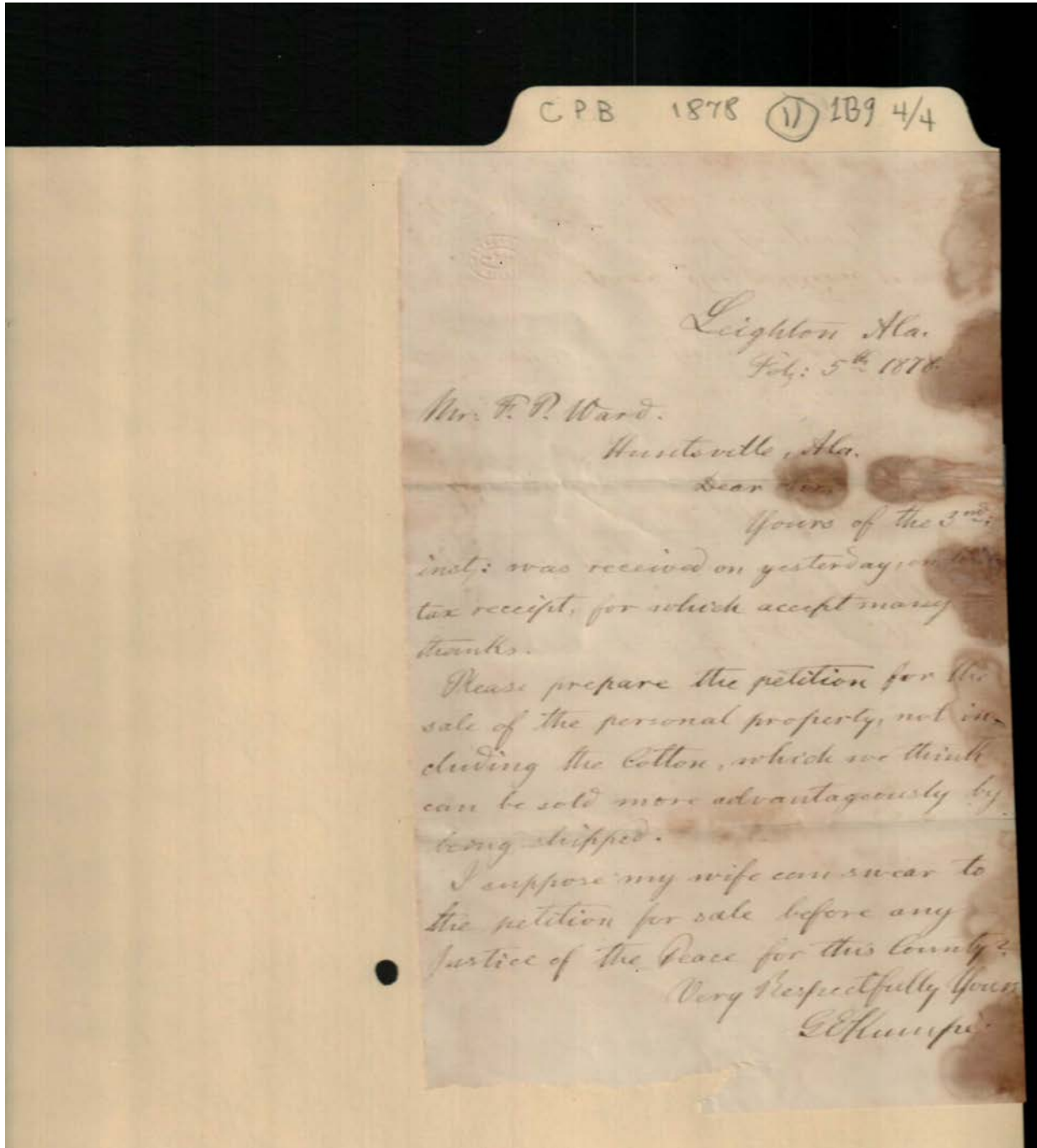
Rice, Mary P.

**Types:**

will

**Dates:**

Aug 14, 1878



**Names:**

Rumpe, G. E.

Ward, F. P.

**Places:**

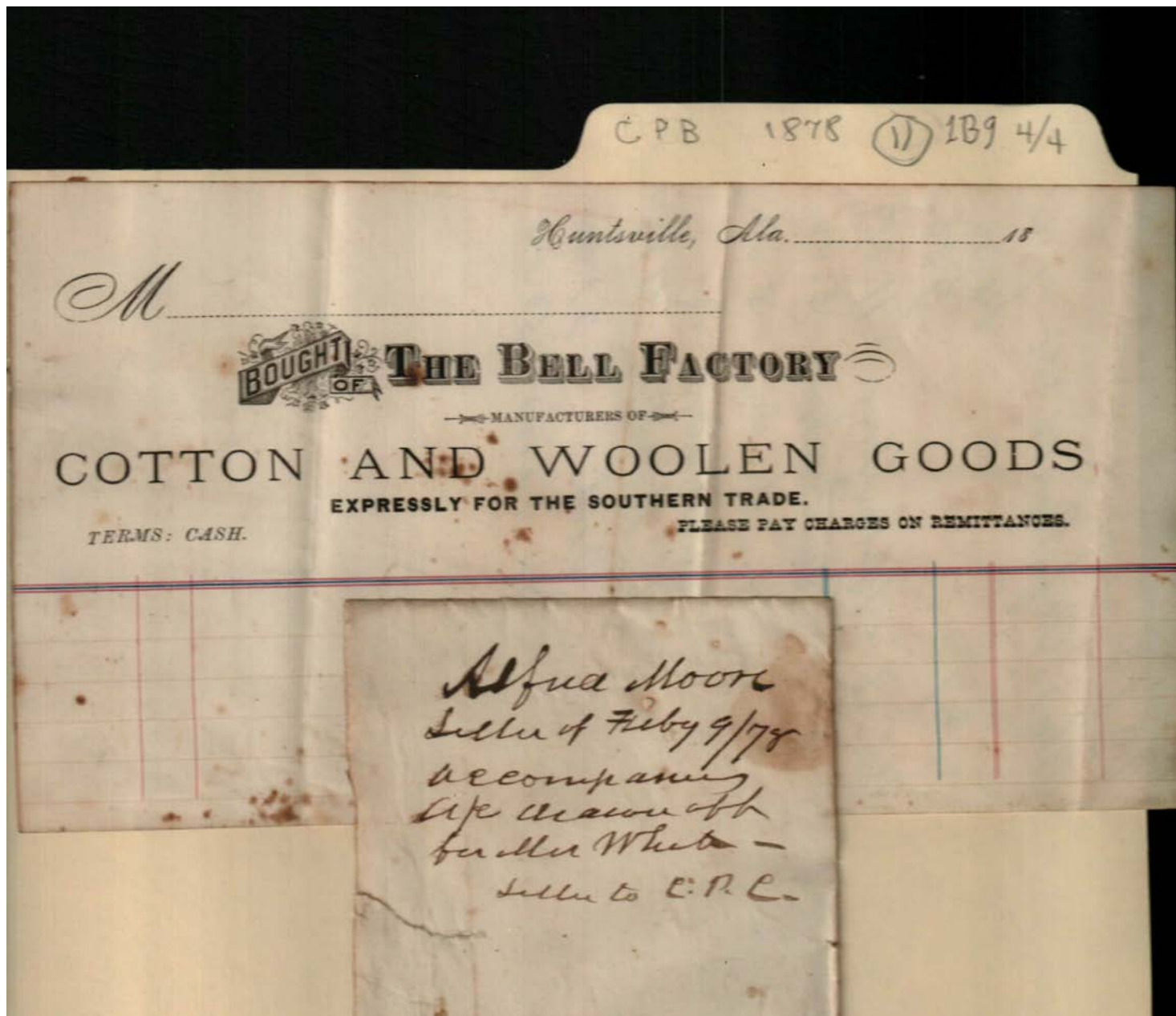
Leighton, AL

**Types:**

correspondence

**Dates:**

Feb 05, 1878



**Names:**

Bell Factory

Cabaniss, C. P.

Moore, Alfred

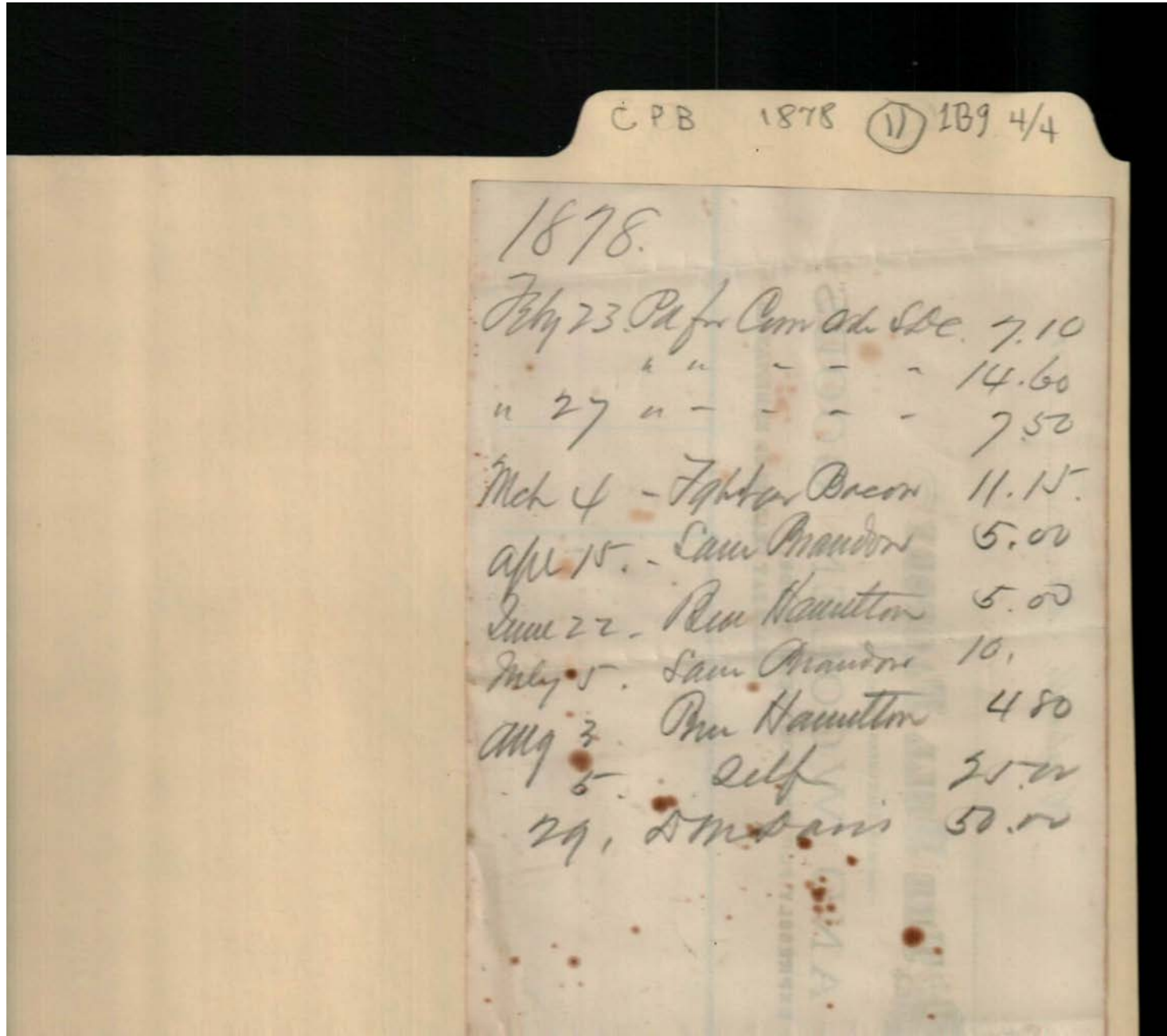
White, Mrs.

**Types:**

memo

**Dates:**

Feb 09, 1878



**Names:**

Brandon, Sam

Davis, D. M.

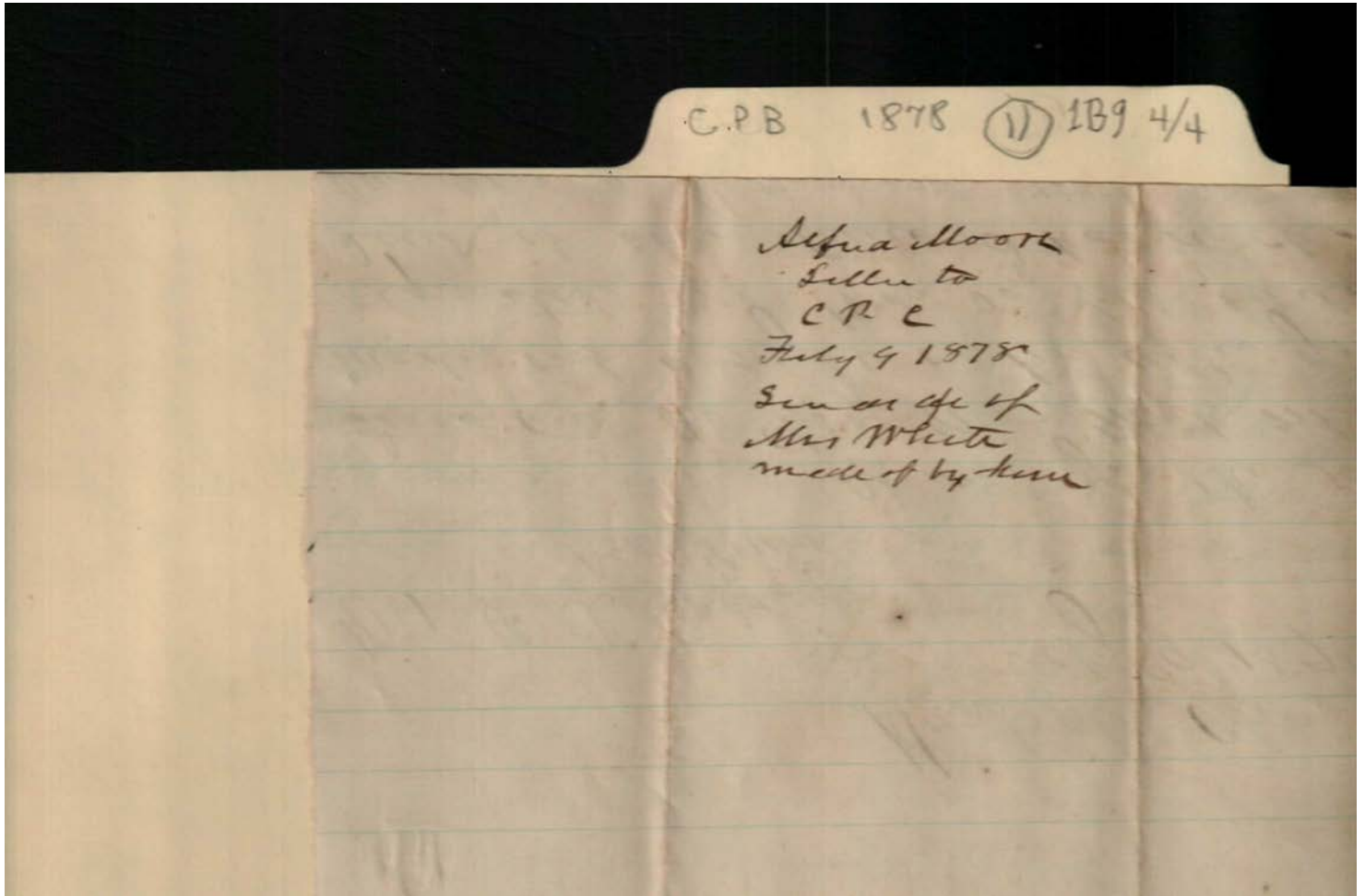
Hamilton, Ben

**Types:**

list

**Dates:**

Feb 23, 1878



**Names:**

Cabaniss, C. P.

Moore, Alfred

White, Mrs.

**Types:**

memo

**Dates:**

Feb 09, 1878

C.P.B. 1878 (11) 189 4/4

Huntsville Ala  
Feb 9<sup>th</sup> 1878.

Mr C. P. Cabaniss  
Dear Friend:

I send you the Paute also  
pens and the etc of Mrs White which I  
made out a night or two after you  
requested me to do so, but failed to  
send it every time I had a chance,  
am very sorry to learn that you are not  
well hope you will not get sick, I am  
getting on first rate now, but must be  
glad to see you, we miss you very much,  
insuip dull, I went down to Corinth yesterday  
morning & bac this, we sent D Baum the 5  
Bales of Admos she is broke on us already,  
nothing of interest to write you.

Truly your friend  
Alfred Moore

**Names:**

Baum, D.

Cabaniss, C. P.

Moore, Alfred

White, Mrs.

**Places:**

Huntsville, AL

**Types:**

correspondence

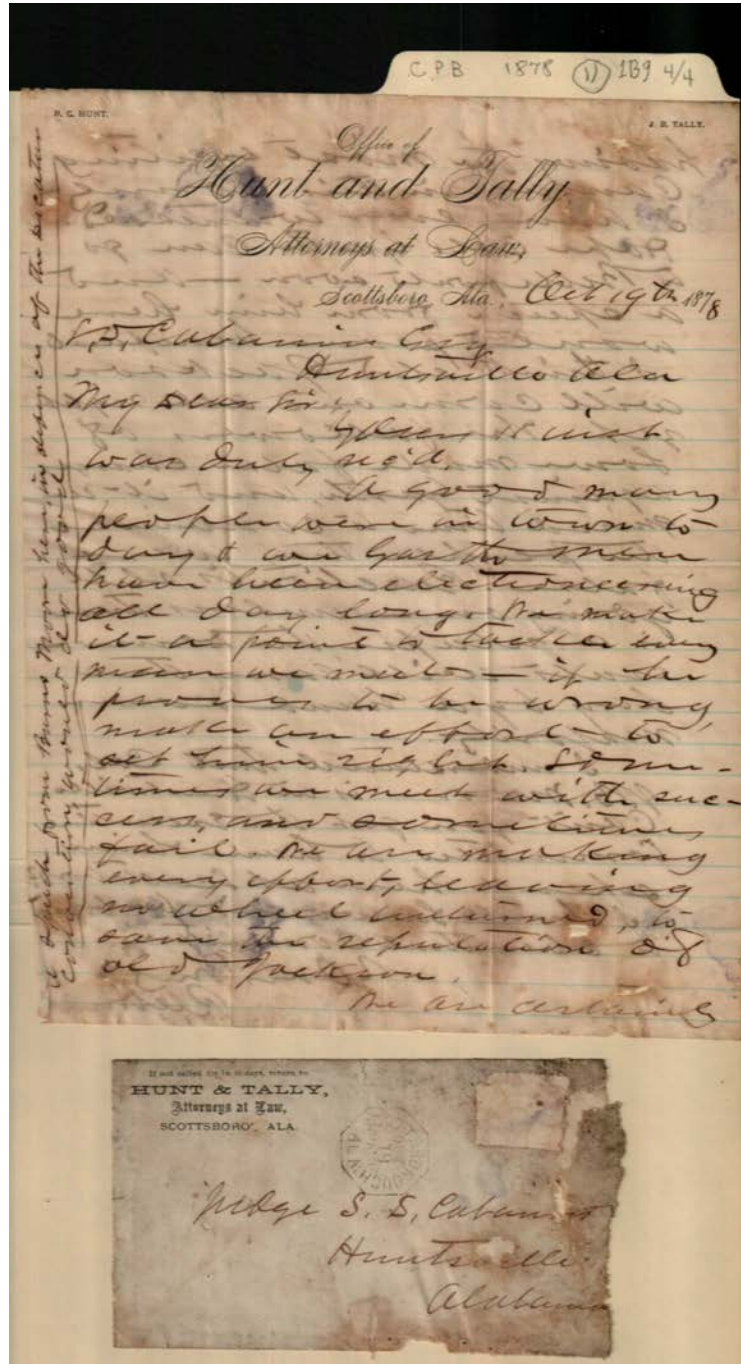
**Dates:**

Feb 09, 1878



Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 9, Folder 11  
Legal and court documents, 1878 (4 of 4)

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**Names:**

Cabaniss, S. D.  
Garth,

Hunt,  
Jackson,

Moore, Burns  
Tally,

**Places:**

Scottsboro, AL

**Types:**

politics

**Dates:**

Oct 19, 1878

C.P.B. 1878 (11) 189 4/4

having the most exciting  
Campaign in this Country  
I never ever witnessed.  
Hope Col. Garth can go  
to Bellefonte soon - and  
a speech from him here  
would prove beneficial.  
I think also Jackson  
will come out all right  
yet. The fellows of  
Lowie made false charges  
against Garth, and it re-  
quired time to convince a  
lot of people that was a  
false Reaction is still  
going on - unless there  
is a rupture the series of  
events will carry the  
day by a hand some  
majority.

I understand that Col.  
B. Moore is in Knoxville.  
Can't you get the Executive  
Committee to have him  
speak here at Scotland?  
I think he would be bound  
to obey that Committee.

Yours truly  
R. C. Heinz

**Names:**

Garth, Col.  
Heinz, R.C.

Jackson,  
Lowe,

Moore, J. B., Col.

**Types:**

politics

C P B 1878 (11) 189 4/4

Scottsboro Ala 28<sup>th</sup> Oct 1878

S. D. Cabaniss

Huntsville Ala Dr. Wm. Harrison

Your proof of the reply I received from  
Wapakville, which dispenses of the "Chicken  
law" very effectually - The Lawe men  
are sanguine arrogant and but little  
short of directly insulting - Dr. Scott  
proclaimed in a crowd today that  
we, the friends of Lawe were raw  
rulers, that we could do nothing to  
prevent the election of Lawe to  
Congress by 2000 votes - They are  
sending out Harrison's certificate  
about the taxes in every direction  
I am having Richardson's certifi-  
cate put in type - A. W. Brooks  
informs me that L. V. Warren at  
Hurleyville, informed him, Brooks that  
Harrison told him Warren, that he  
Harrison had paid Lawe's taxes  
rather than return him on the in

**Names:**

Brooks, A. W.  
Cabaniss, S. D.

Garth,  
Harrison,

Lowe,  
Richardson,

Scott, Dr.  
Warren, L. V.

**Places:**

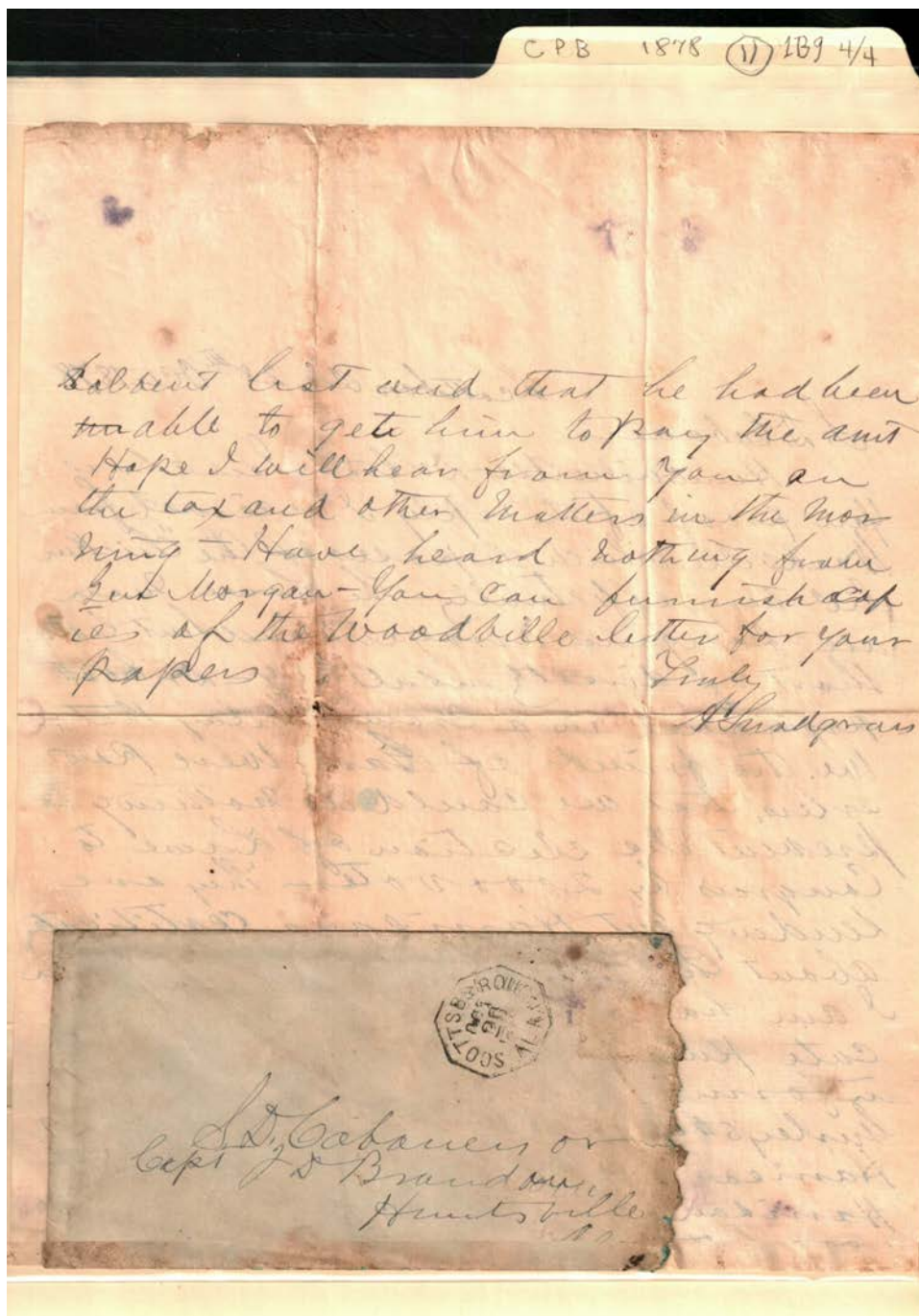
Scottsboro, AL

**Types:**

politics

**Dates:**

Oct 18, 1878



**Names:**

Brandon, J. D.

Cabaniss, S. D.

Morgan, Gen.

Snodgrass, A.

**Types:**

politics

C.P.B. 1878 (1) 1B9 4/4

Scottsboro Ala 31<sup>st</sup> Octo 1878

S. D. Cabaniss

Huntsville Ala - Sir - I want to get out an extra on Saturday and send out to every precinct in this County before the election - We are making the best fight possible here - I will rally and pull until the polls are closed if life and health are spared - Send me the best estimate possible by first mail. The "Viva la Democratie" is a get off of Fausie; She put it in type herself before I saw it - I am expecting all manner of lies and want to get out an extra as late as possible to get them out by Tuesday

Truly A Snodgrass

**Names:**

, Fannie

Cabaniss, S. D.

Snodgrass, A.

**Places:**

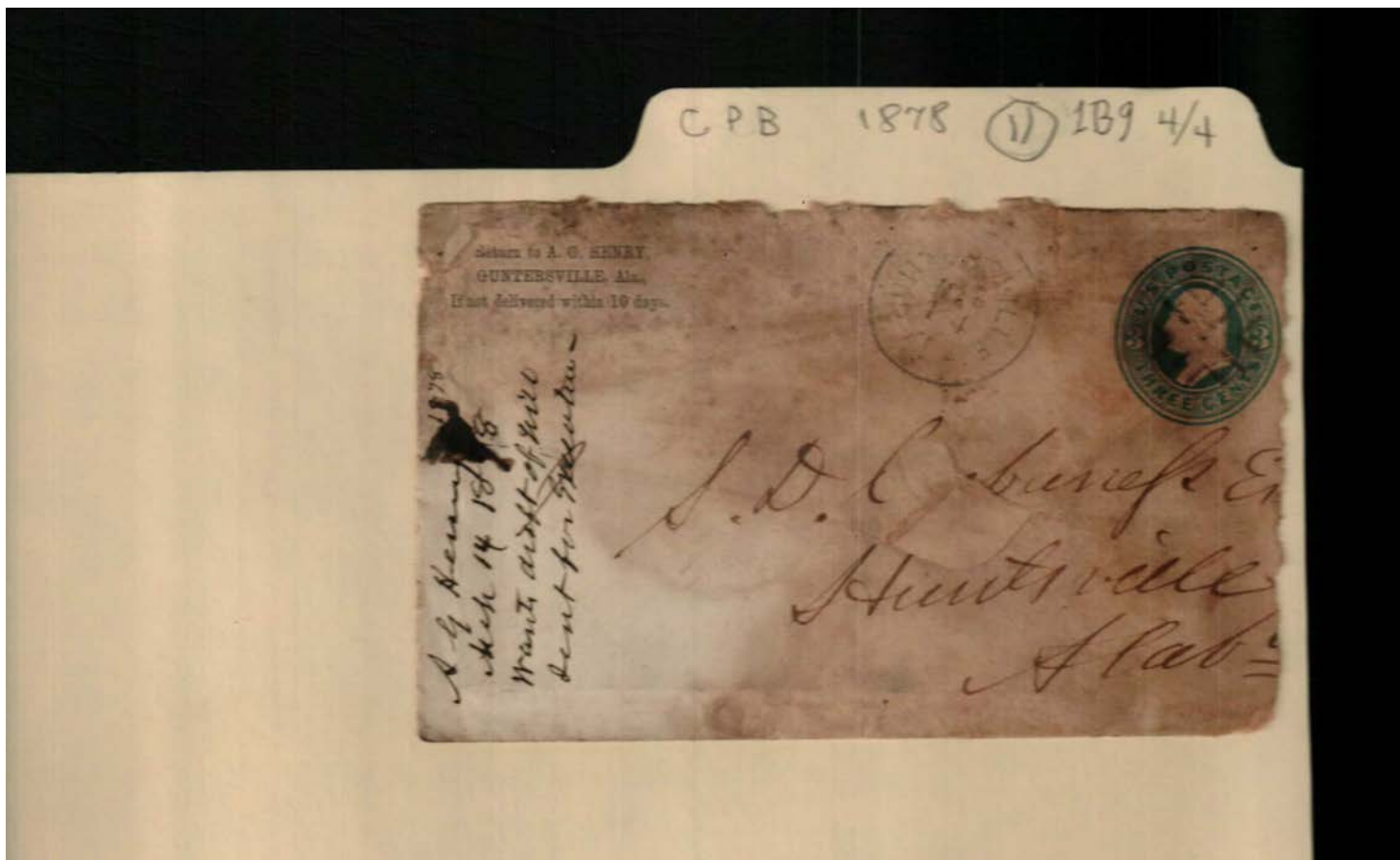
Scottsboro, AL

**Types:**

politics

**Dates:**

Oct 31, 1878



**Names:**

Cabaniss, S. D.

Henry, A. G.

**Places:**

Guntersville, AL

**Types:**

envelope

C P B 1878 (11) 1B9 4/4

Stevenson Ala  
Oct 29 1878

Mr. W. C. Garth  
Huntsville

Dear Sir

What do you think of the political outlook in the district now. We are having some very heavy reports from the end of this county Madison County, the Low and about Scotland are preparing to bet I understand that perhaps will carry this county and beat the negro. Throughout the district, it is not possible. I am still going to believe that he can carry this county, I cannot help but think that it is nothing more than a glass of brag, the negroes in this section is sold for Garth & I do not believe that Low will get a single vote at Madison. I have not been able to get away from home since the Caucuses opened. I know but little how the thing is going outside of this immediate vicinity. What is your information in regard to

**Names:**

Cabaniss, S. D.

Garth,

Lowe,

**Places:**

Stevenson, AL

**Types:**

politics

**Dates:**

Oct 29, 1878

C.P.B. 1878 (11) 189 4/4

The result in the district, it is not possible that Love will be elected, what information have you from the Valley Counties west of the river, we are hearing up here that Love will carry all the Counties west of the river except Morgan, please answer & give me all the data you have I am much interested & I confess that I am somewhat uneasy about the result.

Your friend  
J. B. Mastin

**Names:**

Mastin, J.

**Types:**

politics



C.P.B. 1878 (17) 1B9 4/4

Guntersville Ala  
March 14/78  
S. D. Cabaniss Esqr  
Guntersville  
Ala

Dear Sir I expect to leave  
for the Eastern City about  
1st April + would not  
be at Home at the time  
you mention in your  
letter m<sup>2</sup> to night.  
I would prefer you  
would send my private  
paper over before I  
leave so I could have  
them properly signed  
to give full instructions  
about signing &c  
I will see Miller. My Res  
A. G. Henry

**Names:**

Cabaniss, S. D.

Henry, A. G.

**Places:**

Guntersville, AL

**Types:**

correspondence

**Dates:**

Mar 14, 1878

C P B 1878 (17) 189 4/4

Huntsville also Oct 19<sup>th</sup> 1878

Mr S P Cabaniss

Dear Friend,

As you dont come to town  
 Every Afternoon, I have thought it necessary to write you on a  
 subject of great importance to me - this one in which I hope  
 you will take an interest. As I have been so unusually  
 thrown out business during the day that I should go to  
 work & get employment as soon as possible.

I am corresponding with J. M. Robinson & a large  
 & well regulated Wholesale house in Louisville & it is very  
 important that I forward to these gentlemen letters of  
 recommendation. As you have been so much of me  
 as a "Dissenter", will you be kind enough to write me  
 a letter of recommendation, if you can do so, please  
 sign it as book-keeper at The Bell Factory for about the  
 number years you acted as such, also state about the  
 length of time you knew me as a traveling Salesman.  
 I dont intimate that you should state anything but  
 your honest opinion of me as a Salesman & an honest man.  
 Please write what you think I am worthy of & nothing  
more, write what you can consistently with your

**Names:**

Bell Factory

Cabaniss, S. D.

Robinson, J. M.

**Places:**

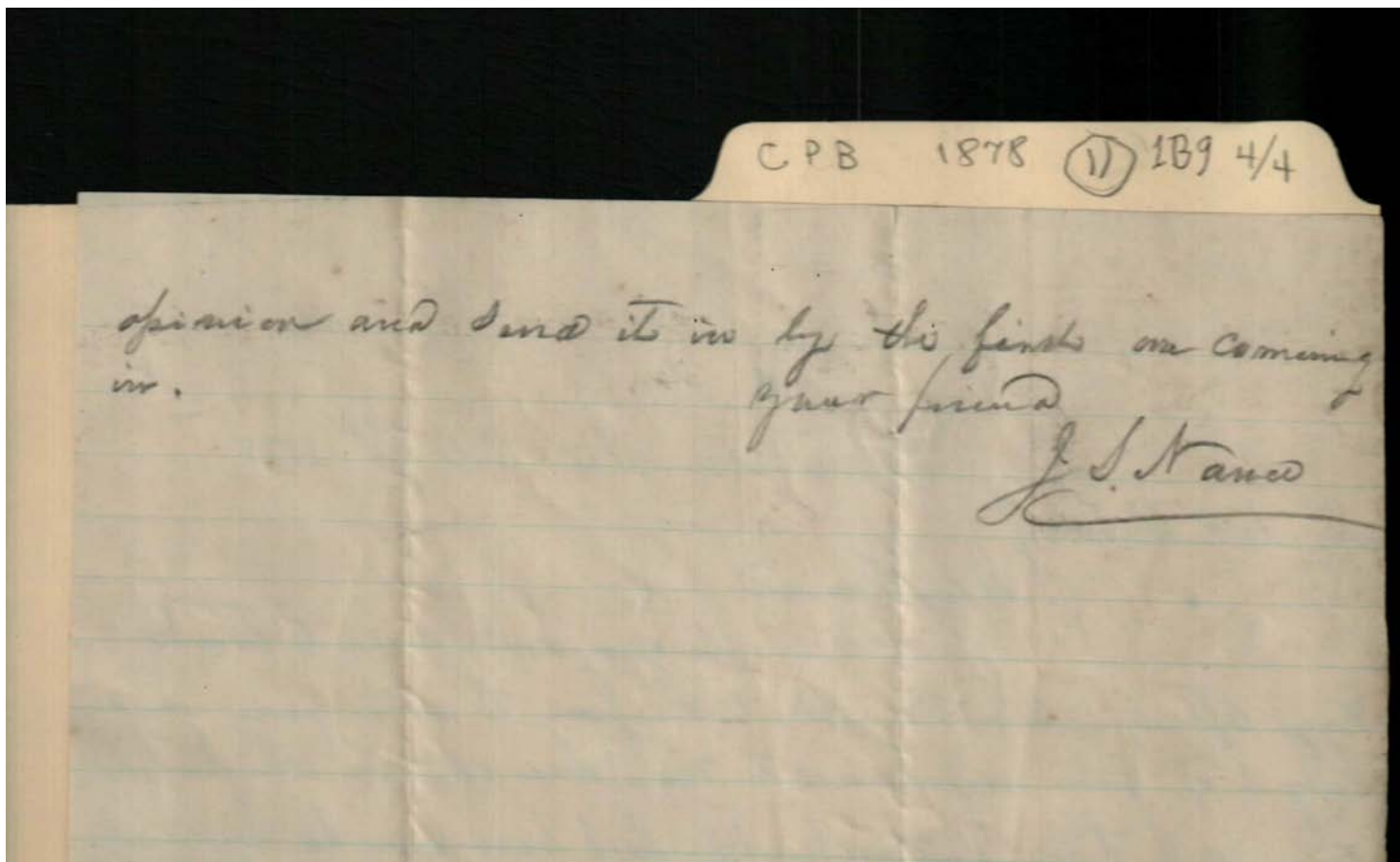
Huntsville, AL

**Types:**

correspondence

**Dates:**

Oct 19, 1878

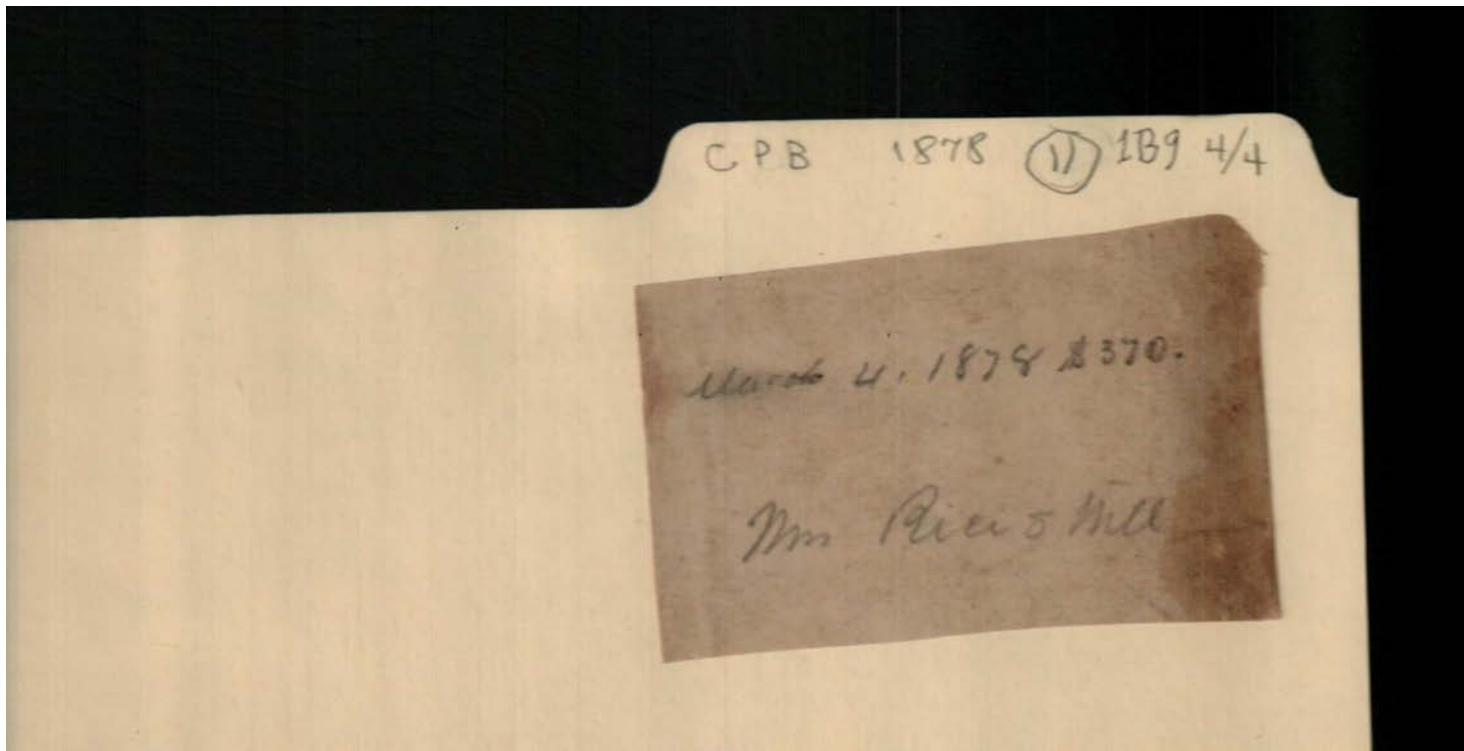


**Names:**

Nance, J. S.

**Types:**

correspondence



**Names:**

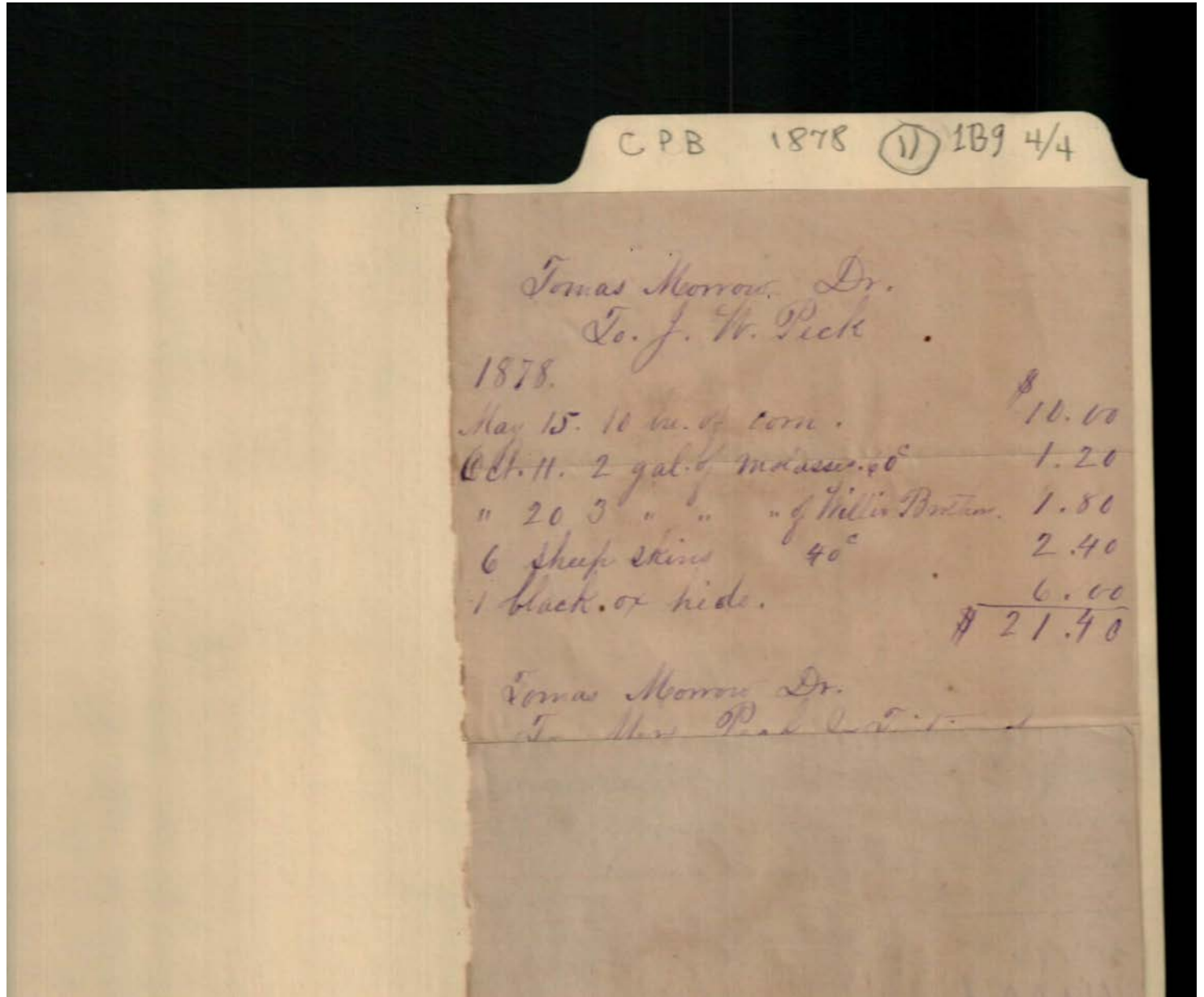
Rice, Mrs.

**Types:**

memo

**Dates:**

Mar 04, 1878



**Names:**

Morrow, Tomas

Peck, J. W.

Willis,

**Types:**

invoice

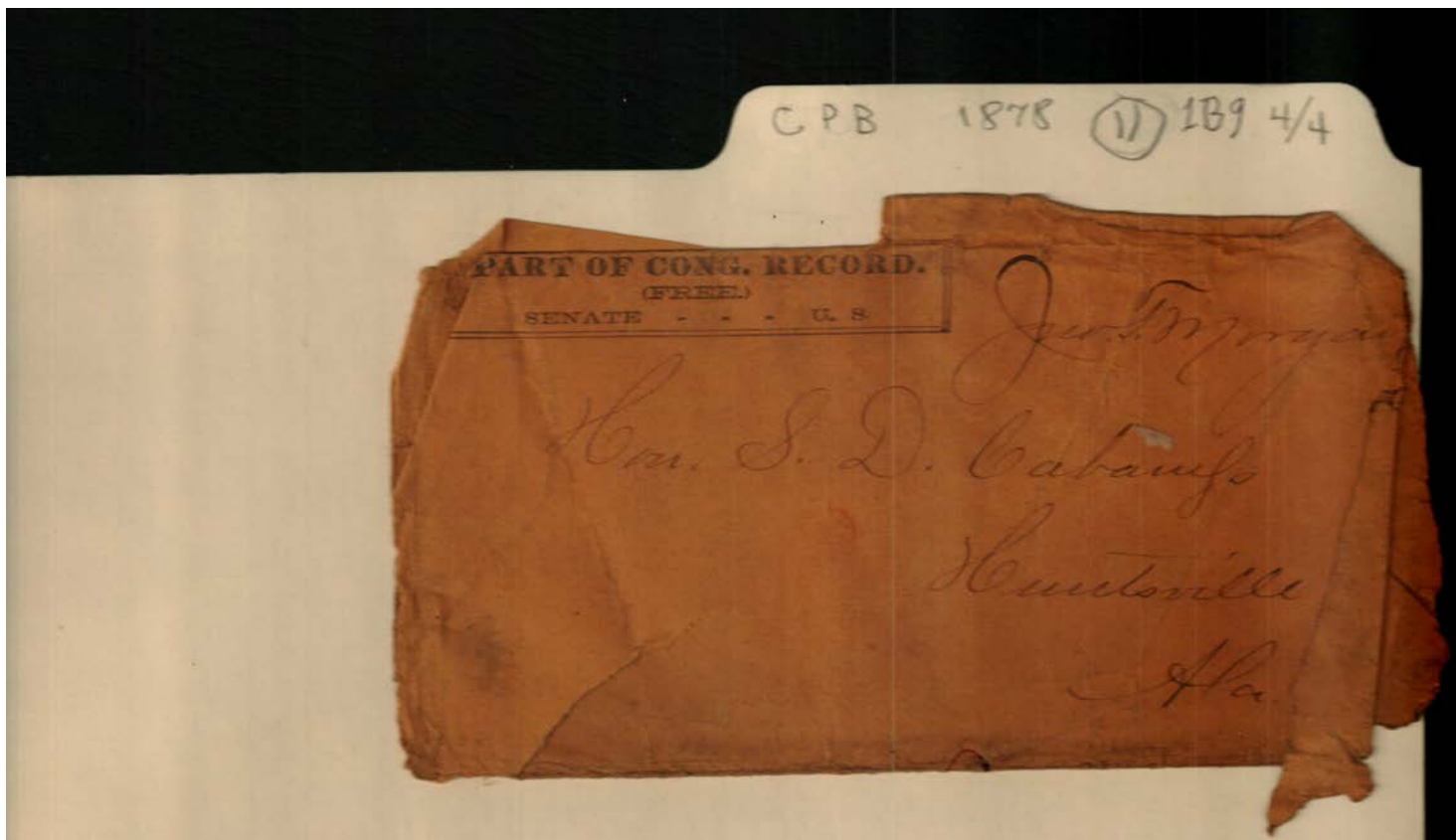
**Dates:**

May 15, 1878

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Legal and court documents, 1878 (4 of 4)

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**Names:**

Cabaniss, S. D.

Morgan, John T.

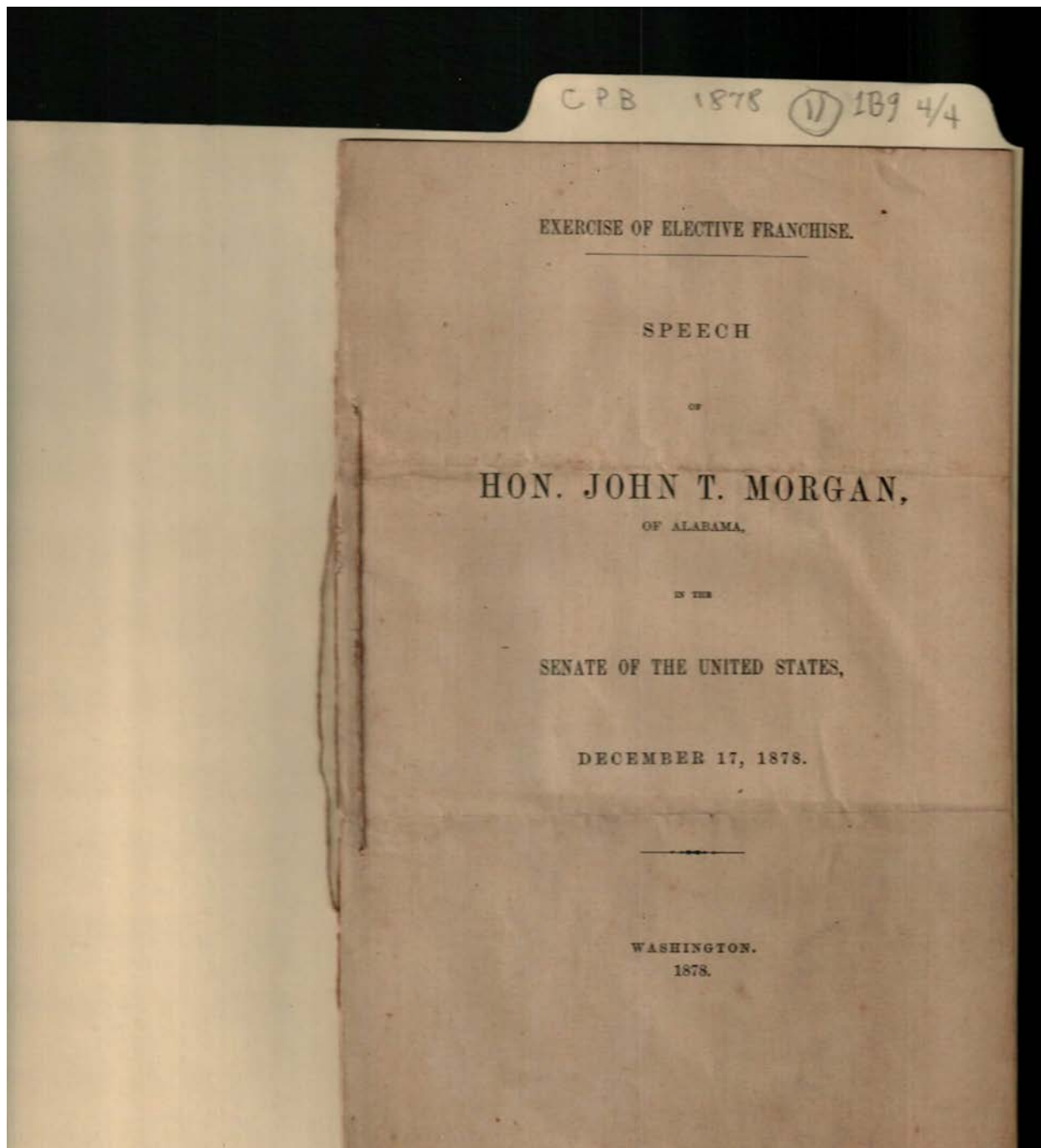
**Types:**

envelope

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 9, Folder 11

Legal and court documents, 1878 (4 of 4)

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**Names:**

Morgan, John T.

**Places:**

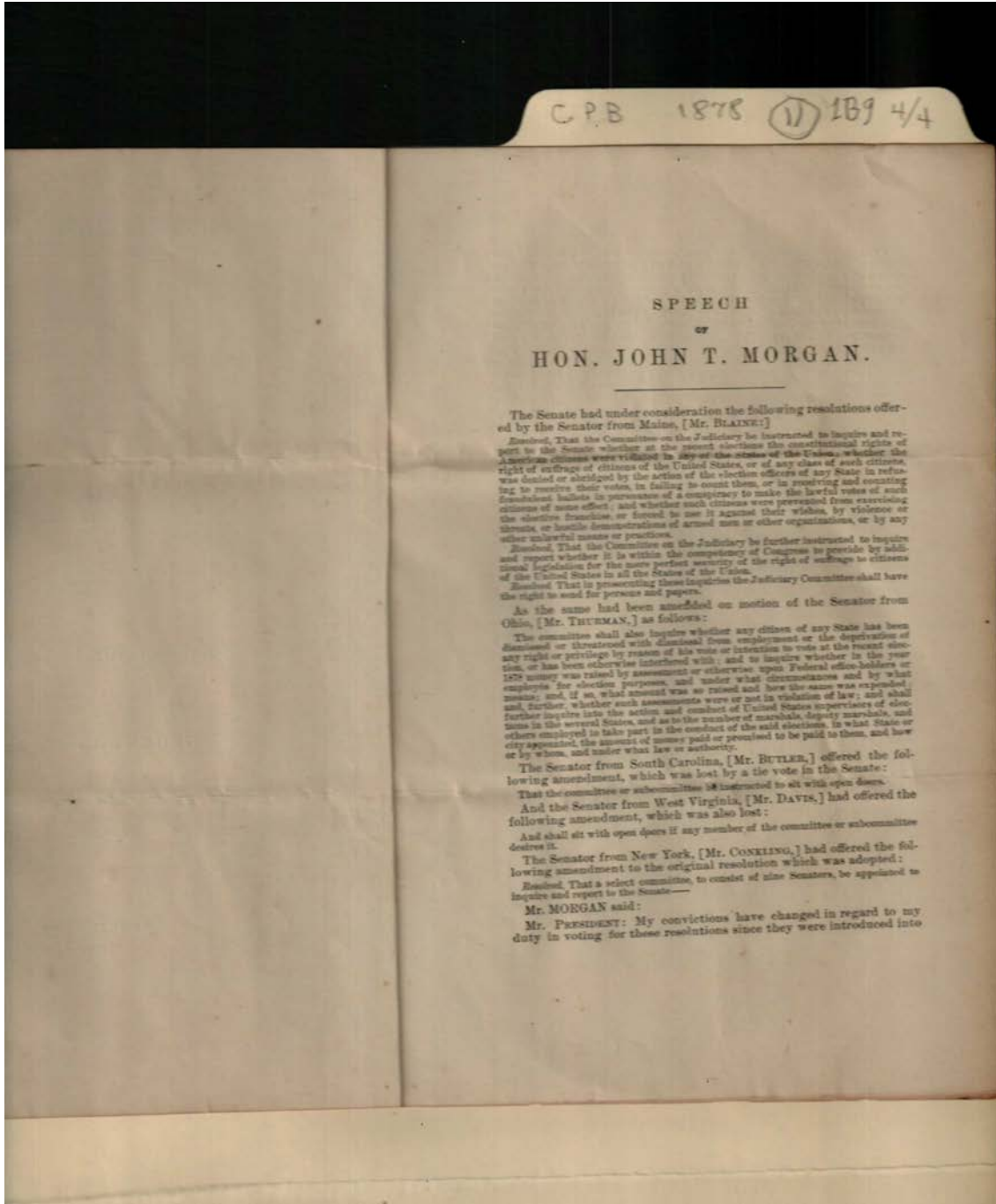
Washington, DC

**Types:**

speech

**Dates:**

Dec 17, 1878



**Names:**

Blaine,  
Butler,

Conkling,  
Davis,

Thurman,

**Types:**

speech



{Printer's error: page numbers 2 and 3 not used, but no text is missing. Sentence continuity is correct from page 1.}

the Senate and since they have been amended on the motion of the Senator from Ohio, and I believe also of the Senator from Maine. When the resolutions were brought into the Senate they were based upon the predicate that there was some necessity for additional legislation in order to improve the laws of the United States so as more effectually to protect the ballot in many of the States of the Union. The framer of the resolutions addressed them to the Judiciary Committee, and in the sequel of the resolutions he provided that a certain investigation should be made, which would result ultimately in the preparation of such additional laws as the Judiciary Committee might see proper to frame with a view of securing fair elections in the United States. That proposition addressed itself to the judgment of the Senate as one worthy in itself of consideration. Although it was believed on this side of the Chamber and by the country at large that that proposition was merely a piece of the machinery of a political adventure, still Senators on this side of the Chamber did not consider that they would be justified in the eyes of the country, particularly those Senators who are from the Southern States, in refusing to have any investigation made which might lead to the establishment of the proposition that there was in fact no demand in this country for additional legislation upon this subject, and so far was the Judiciary Committee itself impressed with this want of necessity that an eminent gentleman who belongs to that committee rose and begged the Senate to excuse that committee from the discharge of this great and important duty, urging as the ground for it that that committee was already smothered with labors and that there was apparently no necessity for imposing upon that committee this additional burden of work.

If it was obvious to the members of the Judiciary Committee, including I believe the honorable Senator from Illinois, [Mr. DAVIS,] that there is nothing to result from these resolutions in the shape of legislation that is worthy of the consideration of the country, why is there any further necessity of pressing this demand upon the attention of the Senate and of the whole country? Has it not become obvious that the whole pretended purpose of these resolutions when they were originally introduced has failed, has been exploded, has gone into thin air? What we are doing now is simply the prosecution of some political adventure here for the purpose of adding the one side or the other in the future political controversies in this land. Not only has the resolution been thus changed so as to take from it every quality and every pretense of its being an honest investigation to improve the law of the land, but the friends of the resolution have imposed upon it a very peculiar complexion in the fact that they have denied to the minority of the Senate the right to have the investigation of this question made openly before the world. We have the singular phenomenon presented to the country that the statutes are to be improved; that they are to be amended so that honest elections can be had throughout the United States, and that that amendment must come through the sanction or at least under the investigation of the Judiciary Committee; and yet after we have

progressed to that extent, gentlemen turn around and strike out "the Judiciary Committee," thus proving by their motion that there was no honest intent to improve the laws, but that the purpose of the movement was simply to aggravate political acrimony in this land.

When the honorable Senator from New York arose for the purpose of offering an amendment whereby a select committee should be employed for this purpose instead of the Judiciary Committee, he declined the chairmanship of that committee, and I suppose now, as a matter of courtesy, as a matter of parliamentary order, the honorable Senator from Maine who offered the resolutions will necessarily be the chairman of the select committee to conduct this investigation.

Mr. BLAINE. He has already declined that publicly.  
Mr. MORGAN. But perhaps the Senate will not excuse the Senator from Maine. I shall not vote to excuse him, for I want to hold him up to his work. I want to see him work out this exploit that he has brought before the country, not to father that which belongs to nobody else.

If we should choose to put the honorable Senator from Maine there notwithstanding his declination, and if it is a duty to the country so very important as he seems to think it is, why does he decline so important a duty? If he has become so much more impressed than all the rest of the world with the necessity of this investigation, this scouring of the country for the purpose of hunting up elements of wrath to throw into the political cauldron, why does he decline to step forward and take the management of the committee? No, sir, he ought to be the chairman of this committee, and no Senator here, it seems to me, with proper self-respect would usurp the dignities of the high position which belongs so eminently to the Senator from Maine. When he gets his committee organized, and is prepared to furlminate upon the next presidential election, he will close the doors for convenience, and subcommittees of the minority working under him will have an opportunity to compel the majority to open the doors and disclose to the world what is going on inside of their secret chambers.

When, therefore, the whole nature of the resolutions was changed and when it was changed by the transfer of this judicial question to a mere political committee selected as it doubtless will be with reference to the recent rule of seven to eight, I felt myself absolved from the necessity of voting for them and even from that stress of situation which seemed at the moment of time to compel me to yield my judgment, which is in opposition to the resolutions, to the unfortunate fact that I did not feel that I had actual liberty of action, being a southern man and from the land that was denounced. But when you add to this the fact that those who are conducting this adventure choose to close the doors of the committee against the light, except that part of it which they might prefer to throw upon the world, then I feel that I am not only exonerated from this pressure but that it is my duty to vote, as I shall do, against the entire resolutions. In doing that I doubt not that I shall separate myself from many of my southern friends.

The great question upon which we are now about to institute an investigation is, how has the South become solid? That seems to be the trouble on the part of the Senator from Maine. He seems to be incapable of appreciating the fact that the South may have become solid, as he calls it, in other words, democratic, through honest changes of political affiliation and by means of honest influences. It is useless for me to volunteer testimony in advance of an investigation. I do not choose to assume the rôle of the Senator from Maine and to

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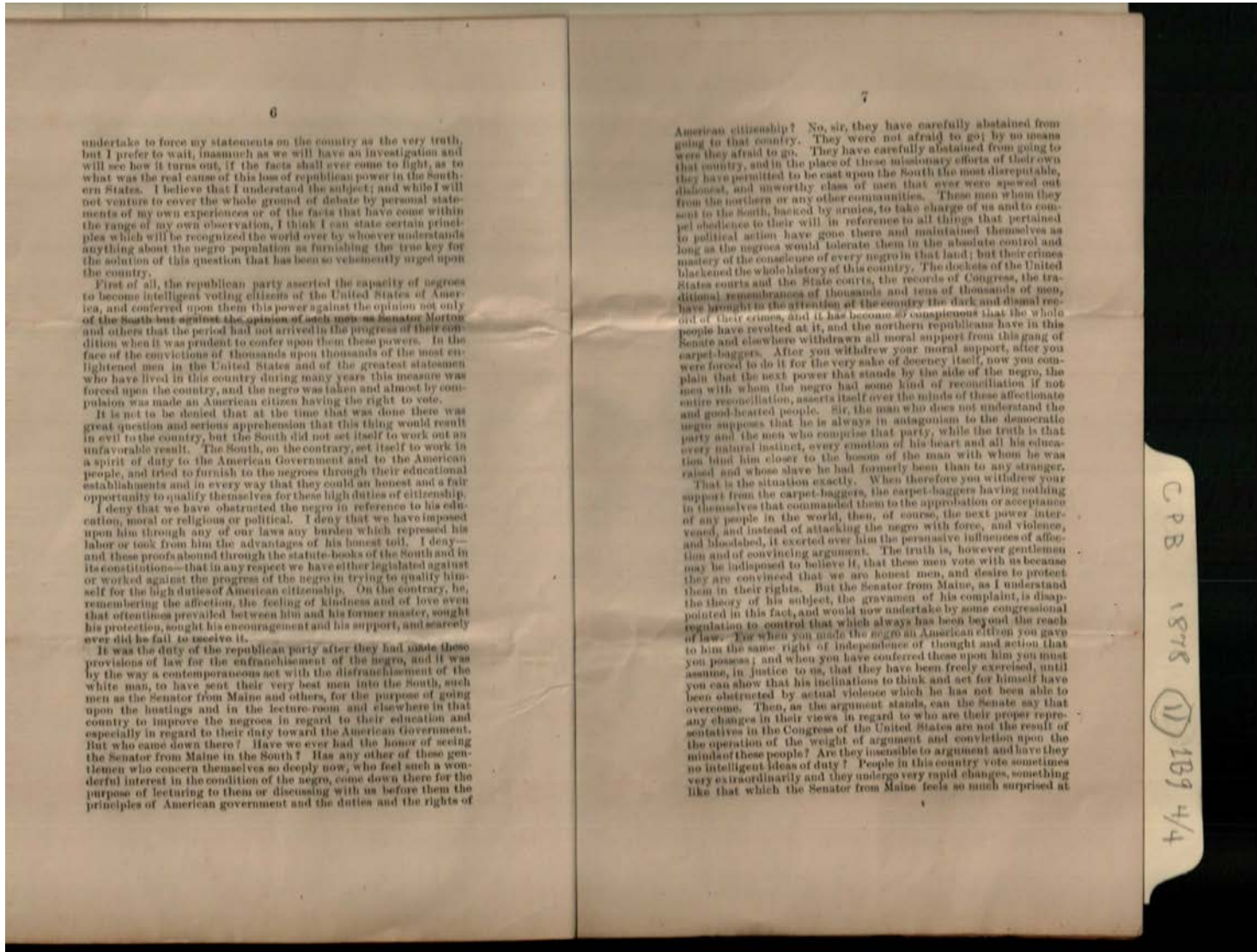
Names:

Davis,

Morgan,

Types:

speech



undertake to force my statements on the country as the very truth, but I prefer to wait, inasmuch as we will have an investigation and will see how it turns out, if the facts shall ever come to light, as to what was the real cause of this loss of republican power in the Southern States. I believe that I understand the subject; and while I will not venture to cover the whole ground of debate by personal statements of my own experiences or of the facts that have come within the range of my own observation, I think I can state certain principles which will be recognized the world over by whoever understands anything about the negro population as furnishing the true key for the solution of this question that has been so vehemently urged upon the country.

First of all, the republican party asserted the capacity of negroes to become intelligent voting citizens of the United States of America, and conferred upon them this power against the opinion not only of the South but against the opinion of such men as Senator Morton and others that the period had not arrived in the progress of their condition when it was prudent to confer upon them these powers. In the face of the convictions of thousands upon thousands of the most enlightened men in the United States and of the greatest statesmen who have lived in this country during many years this measure was forced upon the country, and the negro was taken and almost by compulsion was made an American citizen having the right to vote.

It is not to be denied that at the time that was done there was great question and serious apprehension that this thing would result in evil to the country, but the South did not set itself to work out an unfavorable result. The South, on the contrary, set itself to work in a spirit of duty to the American Government and to the American people, and tried to furnish to the negroes through their educational establishments and in every way that they could an honest and a fair opportunity to qualify themselves for these high duties of citizenship.

I deny that we have obstructed the negro in reference to his education, moral or religious or political. I deny that we have imposed upon him through any of our laws any burden which repressed his labor or took from him the advantages of his honest toil. I deny—and these proofs abound through the statute-books of the South and in its constitutions—that in any respect we have either legislated against or worked against the progress of the negro in trying to qualify himself for the high duties of American citizenship. On the contrary, he, remembering the affection, the feeling of kindness and of love even that oftentimes prevailed between him and his former master, sought his protection, sought his encouragement and his support, and scarcely ever did he fail to receive it.

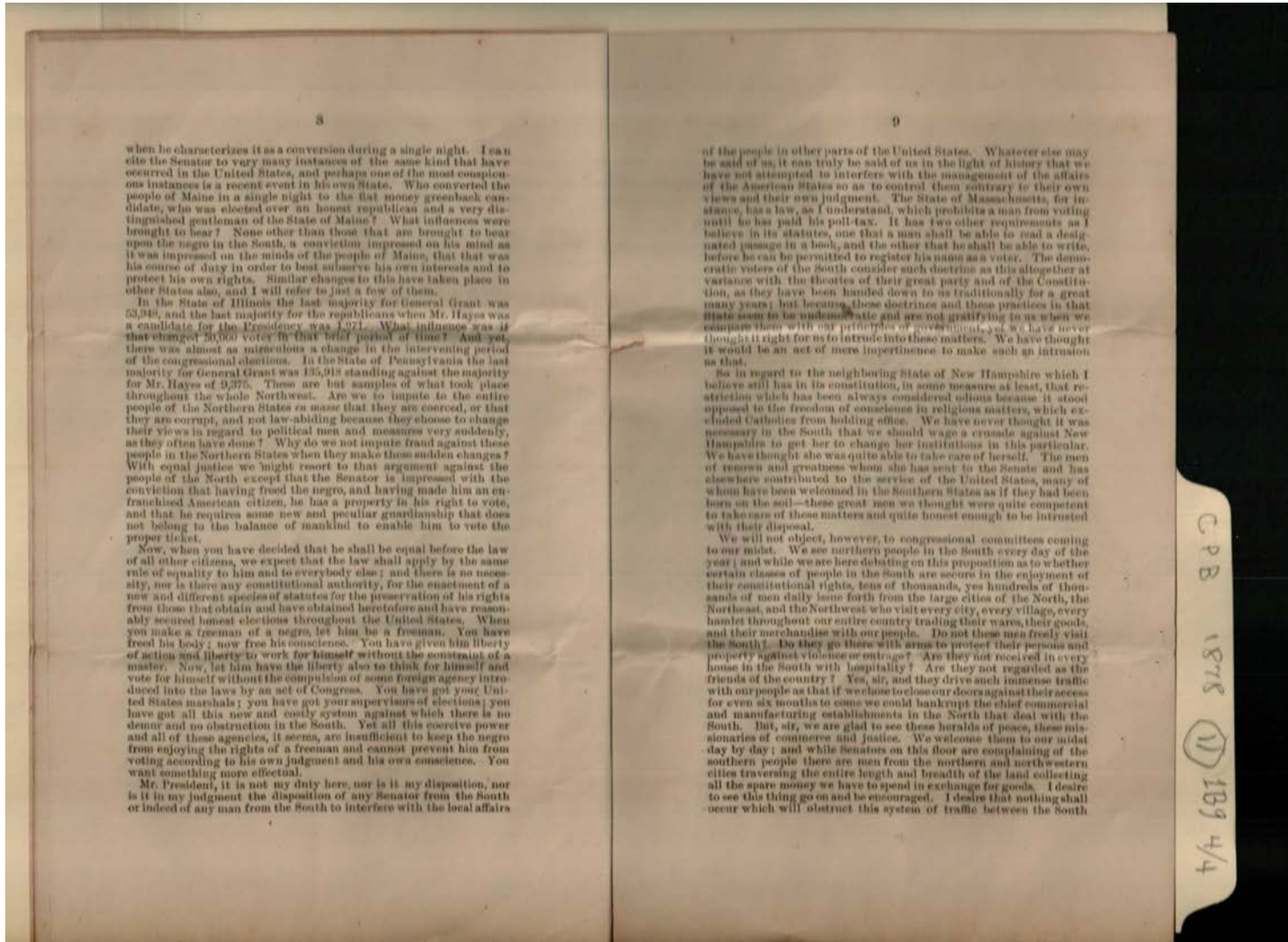
It was the duty of the republican party after they had made these provisions of law for the enfranchisement of the negro, and it was by the way a contemporaneous act with the disfranchisement of the white man, to have sent their very best men into the South, such men as the Senator from Maine and others, for the purpose of going upon the hustings and in the lecture-room and elsewhere in that country to improve the negroes in regard to their education and especially in regard to their duty toward the American Government. But who came down there? Have we ever had the honor of seeing the Senator from Maine in the South? Has any other of these gentlemen who concern themselves so deeply now, who feel such a wonderful interest in the condition of the negro, come down there for the purpose of lecturing to them or discussing with us before them the principles of American government and the duties and the rights of

American citizenship? No, sir, they have carefully abstained from going to that country. They were not afraid to go; by no means were they afraid to go. They have carefully abstained from going to that country, and in the place of these missionary efforts of their own they have permitted to be cast upon the South the most disreputable, dishonest, and unworthy class of men that ever were spewed out from the northern or any other communities. These men whom they sent to the South, backed by armies, to take charge of us and to compel obedience to their will in reference to all things that pertained to political action have gone there and maintained themselves as long as the negroes would tolerate them in the absolute control and mastery of the conscience of every negro in that land; but their crimes blackened the whole history of this country. The dockets of the United States courts and the State courts, the records of Congress, the traditional remembrances of thousands and tens of thousands of men, have brought to the attention of the country the dark and dismal record of their crimes, and it has become so conspicuous that the whole people have revolted at it, and the northern republicans have in this Senate and elsewhere withdrawn all moral support from this gang of carpet-baggers. After you withdrew your moral support, after you were forced to do it for the very sake of decency itself, now you complain that the next power that stands by the side of the negro, the men with whom the negro had some kind of reconciliation if not entire reconciliation, asserts itself over the minds of these affectionate and good-hearted people. Sir, the man who does not understand the negro supposes that he is always in antagonism to the democratic party and the men who comprise that party, while the truth is that every natural instinct, every emotion of his heart and all his education bind him closer to the bosom of the man with whom he was raised and whose slave he had formerly been than to any stranger.

That is the situation exactly. When therefore you withdrew your support from the carpet-baggers, the carpet-baggers having nothing in themselves that commanded them to the approbation or acceptance of any people in the world, then, of course, the next power intervened, and instead of attacking the negro with force, and violence, and bloodshed, it exerted over him the persuasive influences of affection and of convincing argument. The truth is, however gentlemen may be indisposed to believe it, that these men you with us because they are convinced that we are honest men, and desire to protect them in their rights. But the Senator from Maine, as I understand the theory of his subject, the gravamen of his complaint, is disappointed in this fact, and would now undertake by some congressional regulation to control that which always has been beyond the reach of law. For when you made the negro an American citizen you gave to him the same right of independence of thought and action that you possess; and when you have conferred these upon him you must assume, in justice to us, that they have been freely exercised, until you can show that his inclinations to think and act for himself have been obstructed by actual violence which he has not been able to overcome. Then, as the argument stands, can the Senate say that any changes in their views in regard to who are their proper representatives in the Congress of the United States are not the result of the operation of the weight of argument and conviction upon the minds of these people? Are they insensible to argument and have they no intelligent ideas of duty? People in this country vote sometimes very extraordinarily and they undergo very rapid changes, something like that which the Senator from Maine feels so much surprised at

C P B  
1878  
11 189 4/4

Types:  
speech



8  
 when he characterizes it as a conversion during a single night. I can cite the Senator to very many instances of the same kind that have occurred in the United States, and perhaps one of the most conspicuous instances is a recent event in his own State. Who converted the people of Maine in a single night to the flat money greenback candidate, who was elected over an honest republican and a very distinguished gentleman of the State of Maine? What influences were brought to bear? None other than those that are brought to bear upon the negro in the South, a conviction impressed on his mind as it was impressed on the minds of the people of Maine, that that was his course of duty in order to best subserve his own interests and to protect his own rights. Similar changes to this have taken place in other States also, and I will refer to just a few of them.

In the State of Illinois the last majority for General Grant was 53,948, and the last majority for the republicans when Mr. Hayes was a candidate for the Presidency was 1,971. What influence was it that changed 50,000 votes in that brief period of time? And yet, there was almost an instantaneous change in the intervening period of the congressional elections. In the State of Pennsylvania the last majority for General Grant was 135,912 standing against the majority for Mr. Hayes of 9,377. These are but samples of what took place throughout the whole Northwest. Are we to impute to the entire people of the Northern States *en masse* that they are coerced, or that they are corrupt, and not law-abiding because they choose to change their views in regard to political men and measures very suddenly, as they often have done? Why do we not impute fraud against these people in the Northern States when they make these sudden changes? With equal justice we might resort to that argument against the people of the North except that the Senator is impressed with the conviction that having freed the negro, and having made him an enfranchised American citizen, he has a property in his right to vote, and that he requires some new and peculiar guardianship that does not belong to the balance of mankind to enable him to vote the proper ticket.

Now, when you have decided that he shall be equal before the law of all other citizens, we expect that the law shall apply by the same rule of equality to him and to everybody else; and there is no necessity, nor is there any constitutional authority, for the enactment of a new and different species of statutes for the preservation of his rights from those that obtain and have obtained heretofore and have reasonably secured honest elections throughout the United States. When you make a freeman of a negro, let him be a freeman. You have freed his body; now free his conscience. You have given him liberty of action and liberty to work for himself without the constraint of a master. Now, let him have the liberty also to think for himself and vote for himself without the compulsion of some foreign agency introduced into the laws by an act of Congress. You have got your United States marshals; you have got your supervisors of elections; you have got all this new and costly system against which there is no demerit and no obstruction in the South. Yet all this coercive power and all of these agencies, it seems, are insufficient to keep the negro from enjoying the rights of a freeman and cannot prevent him from voting according to his own judgment and his own conscience. You want something more effectual.

Mr. President, it is not my duty here, nor is it my disposition, nor is it in my judgment the disposition of any Senator from the South or indeed of any man from the South to interfere with the local affairs

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 of the people in other parts of the United States. Whatever else may be said of us, it can truly be said of us in the light of history that we have not attempted to interfere with the management of the affairs of the American States so as to control them contrary to their own views and their own judgment. The State of Massachusetts, for instance, has a law, as I understand, which prohibits a man from voting until he has paid his poll-tax. It has two other requirements as I believe in its statutes, one that a man shall be able to read a designated passage in a book, and the other that he shall be able to write, before he can be permitted to register his name as a voter. The democratic voters of the South consider such doctrines as this altogether at variance with the theories of their great party and of the Constitution, as they have been handed down to us traditionally for a great many years; but because these doctrines and these practices in that State seem to be undemocratic and are not gratifying to us when we compare them with our principles of government, yet we have never thought it right for us to intrude into these matters. We have thought it would be an act of mere impertinence to make such an intrusion as that.

So in regard to the neighboring State of New Hampshire which I believe still has in its constitution, in some measure at least, that restriction which has been always considered odious because it stood opposed to the freedom of conscience in religious matters, which excluded Catholics from holding office. We have never thought it was necessary in the South that we should wage a crusade against New Hampshire to get her to change her institutions in this particular. We have thought she was quite able to take care of herself. The men of renown and greatness whom she has sent to the Senate and has elsewhere contributed to the service of the United States, many of whom have been welcomed in the Southern States as if they had been born on the soil—these great men we thought were quite competent to take care of these matters and quite honest enough to be intrusted with their disposal.

We will not object, however, to congressional committees coming to our midst. We see northern people in the South every day of the year; and while we are here debating on this proposition as to whether certain classes of people in the South are secure in the enjoyment of their constitutional rights, tens of thousands, yes hundreds of thousands of men daily issue forth from the large cities of the North, the Northeast, and the Northwest who visit every city, every village, every hamlet throughout our entire country trading their wares, their goods, and their merchandise with our people. Do not these men freely visit the South? Do they go there with arms to protect their persons and property against violence or outrage? Are they not received in every home in the South with hospitality? Are they not regarded as the friends of the country? Yes, sir, and they drive such immense traffic with our people as that if we chose to close our doors against their access for even six months to come we could bankrupt the chief commercial and manufacturing establishments in the North that deal with the South. But, sir, we are glad to see these heralds of peace, these missionaries of commerce and justice. We welcome them to our midst day by day; and while Senators on this floor are complaining of the southern people there are men from the northern and northwestern cities traversing the entire length and breadth of the land collecting all the spare money we have to spend in exchange for goods. I desire to see this thing go on and be encouraged. I desire that nothing shall occur which will obstruct this system of traffic between the South

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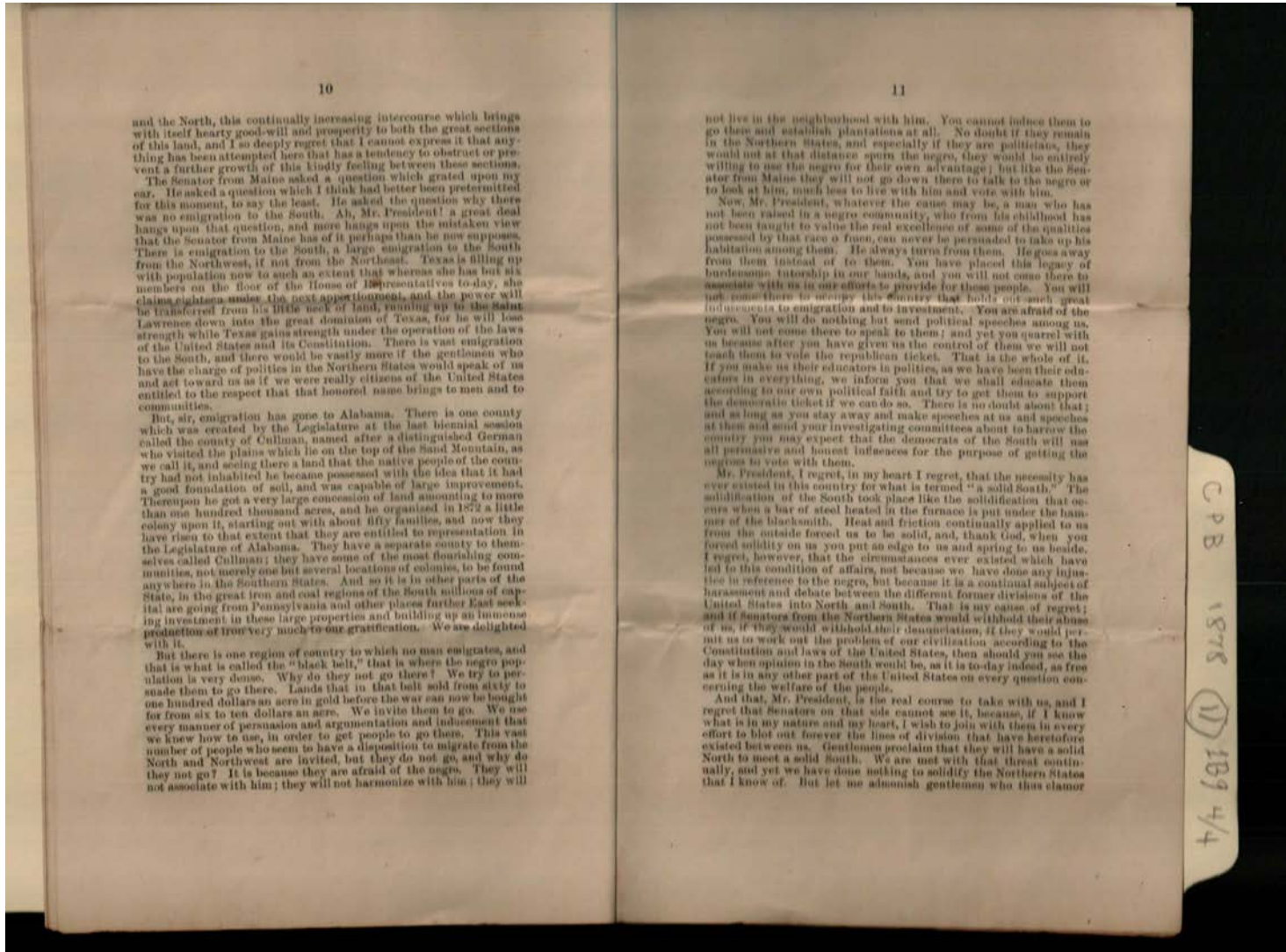
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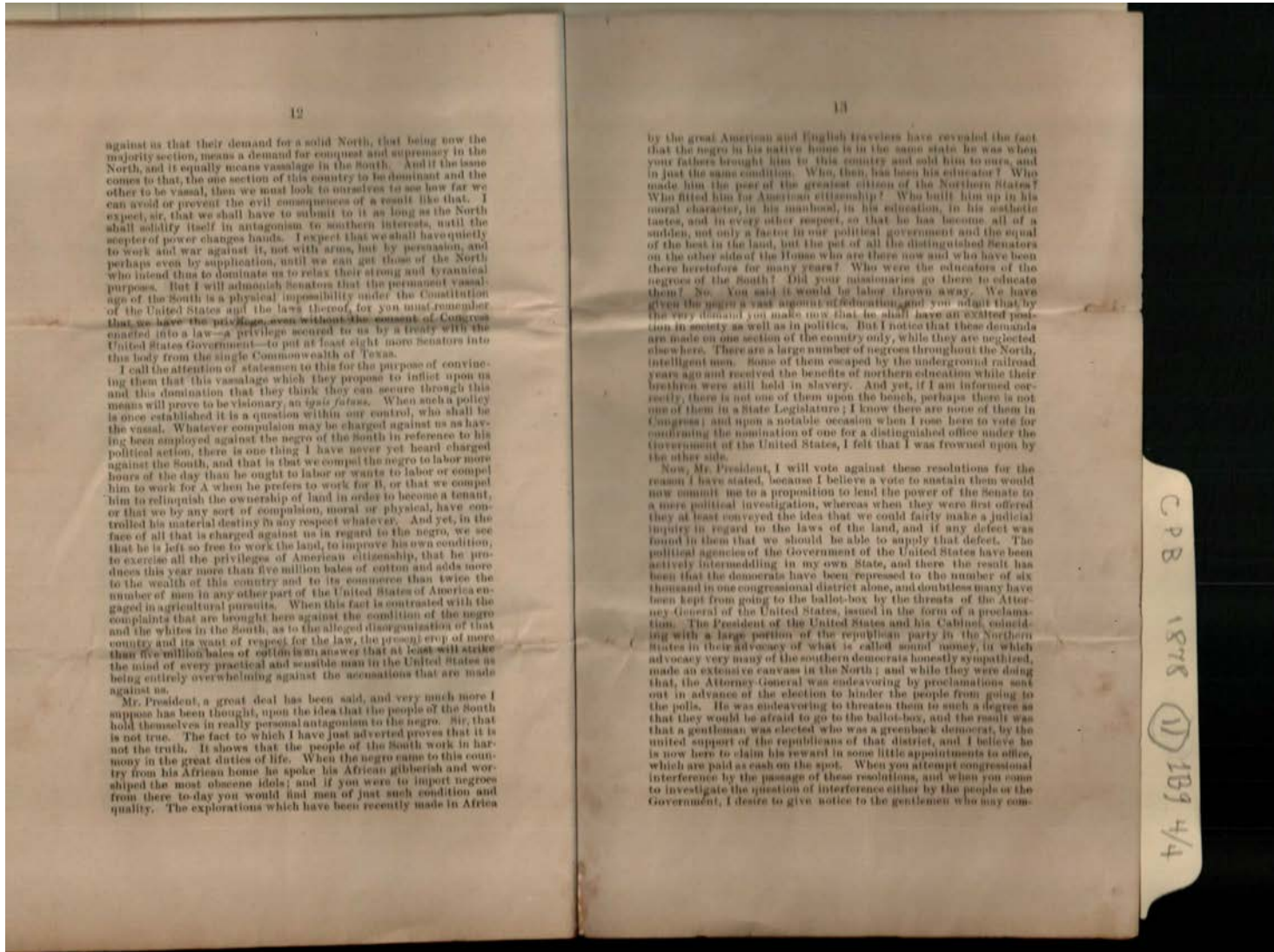
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against us that their demand for a solid North, that being now the majority section, means a demand for conquest and supremacy in the North, and it equally means vassalage in the South. And if the issue comes to that, the one section of this country to be dominant and the other to be vassal; then we must look to ourselves to see how far we can avoid or prevent the evil consequences of a result like that. I expect, sir, that we shall have to submit to it as long as the North shall addify itself in antagonism to southern interests, until the scepter of power changes hands. I expect that we shall have quietly to work and war against it, not with arms, but by persuasion, and perhaps even by supplication, until we can get those of the North who intend thus to dominate us to relax their strong and tyrannical purposes. But I will admonish Senators that the permanent vassalage of the South is a physical impossibility under the Constitution of the United States and the laws thereof, for you must remember that we have the privilege, even without the consent of Congress, of enacting into a law—a privilege secured to us by a treaty with the United States Government—to put at least eight more Senators into this body from the single Commonwealth of Texas.

I call the attention of statesmen to this for the purpose of convincing them that this vassalage which they propose to inflict upon us and this domination that they think they can secure throughly this means will prove to be visionary, an *ignis fatuus*. When such a policy is once established it is a question within our control, who shall be the vassal. Whatever compulsion may be charged against us as having been employed against the negro of the South in reference to his political action, there is one thing I have never yet heard charged against the South, and that is that we compel the negro to labor more hours of the day than he ought to labor for B, or that we compel him to work for A when he prefers to work for B, or that we compel him to relinquish the ownership of land in order to become a tenant, or that we by any sort of compulsion, moral or physical, have controlled his material destiny in any respect whatever. And yet, in the face of all that is charged against us in regard to the negro, we see that he is left so free to work the land, to improve his own condition, to exercise all the privileges of American citizenship, that he produces this year more than five million bales of cotton and adds more to the wealth of this country and to its commerce than twice the number of men in any other part of the United States of America engaged in agricultural pursuits. When this fact is contrasted with the complaints that are brought here against the condition of the negro and the whites in the South, as to the alleged disorganization of that country and its want of respect for the law, the (poor) crop of more than five million bales of cotton is an answer that at least will strike the mind of every practical and sensible man in the United States as being entirely overwhelming against the accusations that are made against us.

Mr. President, a great deal has been said, and very much more I suppose has been thought, upon the idea that the people of the South hold themselves in really personal antagonism to the negro. Sir, that is not true. The fact to which I have just adverted proves that it is not the truth. It shows that the people of the South work in harmony in the great duties of life. When the negro came to this country from his African home he spoke his African gibberish and worshiped the most obscene idols; and if you were to import negroes from there to-day you would find men of just such condition and quality. The explorations which have been recently made in Africa

by the great American and English travelers have revealed the fact that the negro in his native home is in the same state he was when your fathers brought him to this country and sold him to ours, and in just the same condition. Who, then, has been his educator? Who made him the peer of the greatest citizen of the Northern States? Who fitted him for American citizenship? Who built him up in his moral character, in his manhood, in his education, in his aesthetic tastes, and in every other respect, so that he has become all of a sudden, not only a factor in our political government and the equal of the best in the land, but the pet of all the distinguished Senators on the other side of the House who are there now and who have been there heretofore for many years? Who were the educators of the negroes of the South? Did your missionaries go there to educate them? No. You said it would be labor thrown away. We have given the negro a vast amount of education, and you admit that by the very demand you make now that he shall have an exalted position in society as well as in politics. But I notice that these demands are made on one section of the country only, while they are neglected elsewhere. There are a large number of negroes throughout the North, intelligent men. Some of them escaped by the underground railroad years ago and received the benefits of northern education while their brethren were still held in slavery. And yet, if I am informed correctly, there is not one of them upon the bench, perhaps there is not one of them in a State Legislature; I know there are none of them in Congress; and upon a notable occasion when I rose here to vote for confirming the nomination of one for a distinguished office under the Government of the United States, I felt that I was frowned upon by the other side.

Now, Mr. President, I will vote against these resolutions for the reason I have stated, because I believe a vote to sustain them would now commit me to a proposition to lend the power of the Senate to a mere political investigation, whereas when they were first offered they at least conveyed the idea that we could fairly make a judicial inquiry in regard to the laws of the land, and if any defect was found in them that we should be able to supply that defect. The political agencies of the Government of the United States have been actively intermeddling in my own State, and there the result has been that the democrats have been repressed to the number of six thousand in one congressional district alone, and doubtless many have been kept from going to the ballot-box by the threats of the Attorney-General of the United States, issued in the form of a proclamation. The President of the United States and his Cabinet, coinciding with a large portion of the republican party in the Northern States in their advocacy of what is called sound money, in which advocacy very many of the southern democrats honestly sympathized, made an extensive canvass in the North; and while they were doing that, the Attorney-General was endeavoring by proclamations sent out in advance of the election to hinder the people from going to the polls. He was endeavoring to threaten them to such a degree as that they would be afraid to go to the ballot-box, and the result was that a gentleman was elected who was a greenback democrat, by the united support of the republicans of that district, and I believe he is now here to claim his reward in some little appointments to office, which are paid as cash on the spot. When you attempt congressional interference by the passage of these resolutions, and when you come to investigate the question of interference either by the people or the Government, I desire to give notice to the gentlemen who may con-

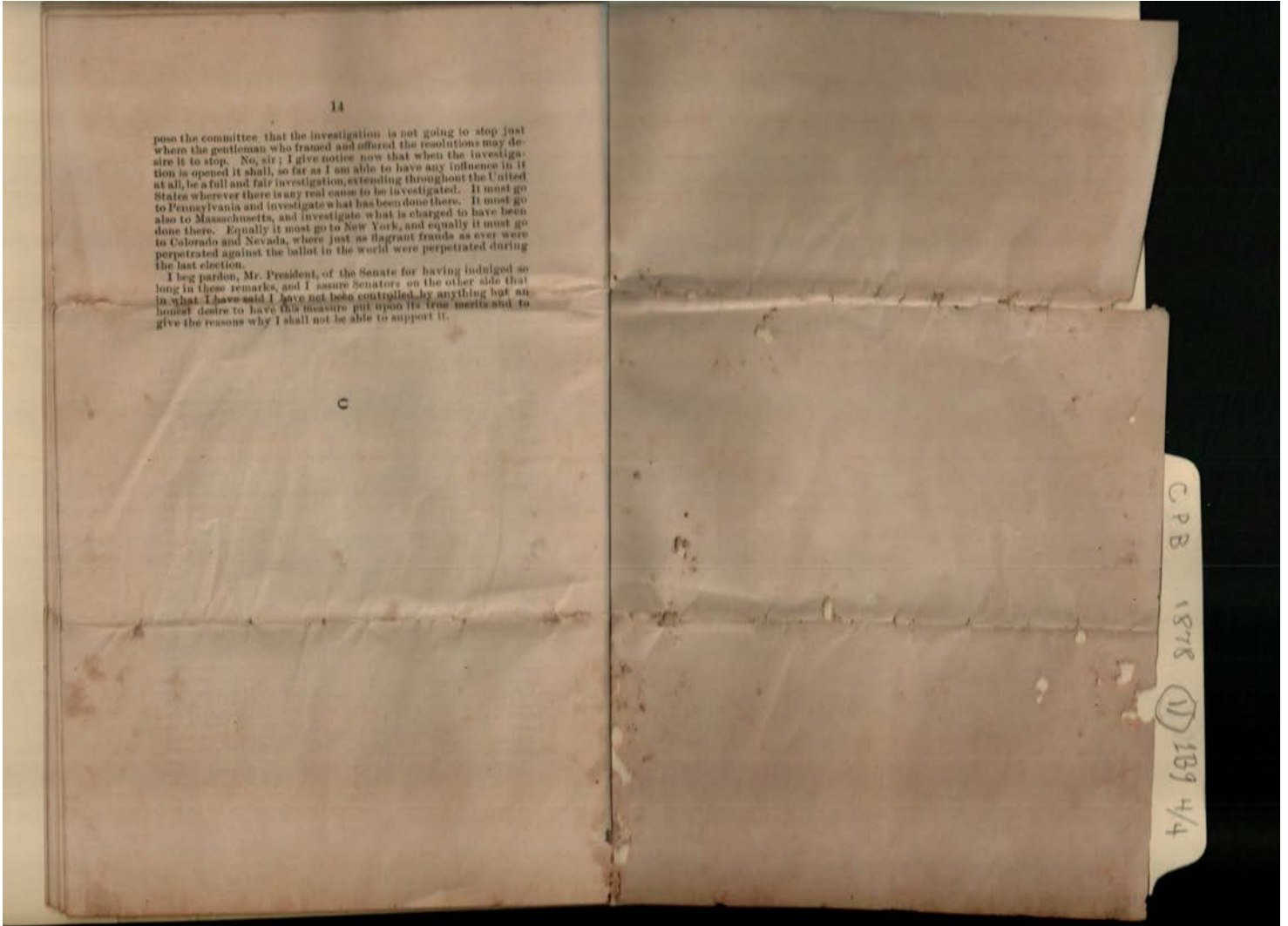
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# Frances Cabaniss Roberts Collection

**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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