

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

Legal and court documents, 1878 (2 of 4)

Image 1 r01b09-09-000-0155 [Contents](#) [Index](#) [About](#)



**Names:**

Cabaniss, S. D.

Ward,

**Places:**

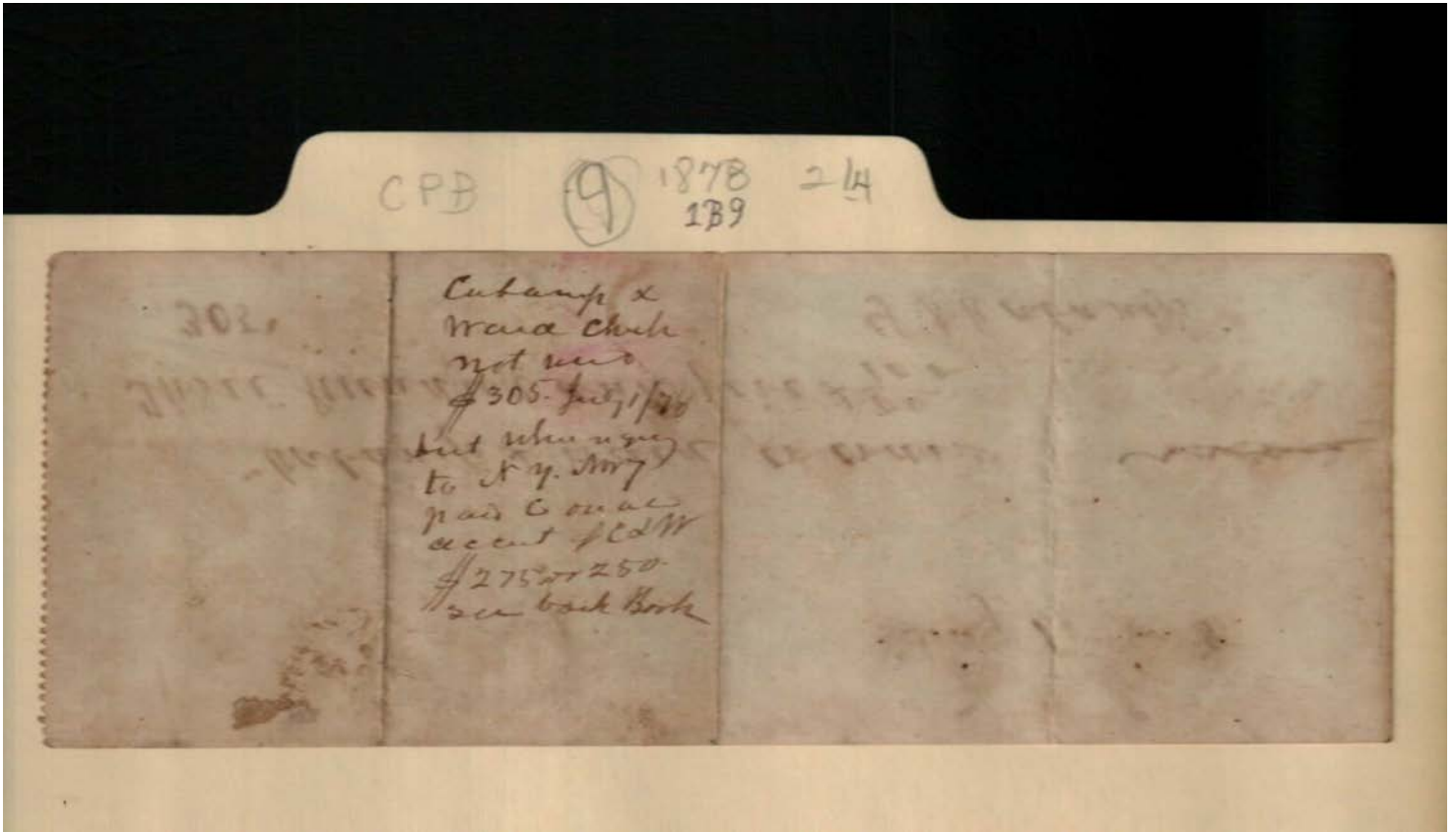
Huntsville, AL

**Types:**

check

**Dates:**

Jul 01, 1878



**Names:**

Cabaniss,

Ward,

**Places:**

Huntsville, AL

**Types:**

memo

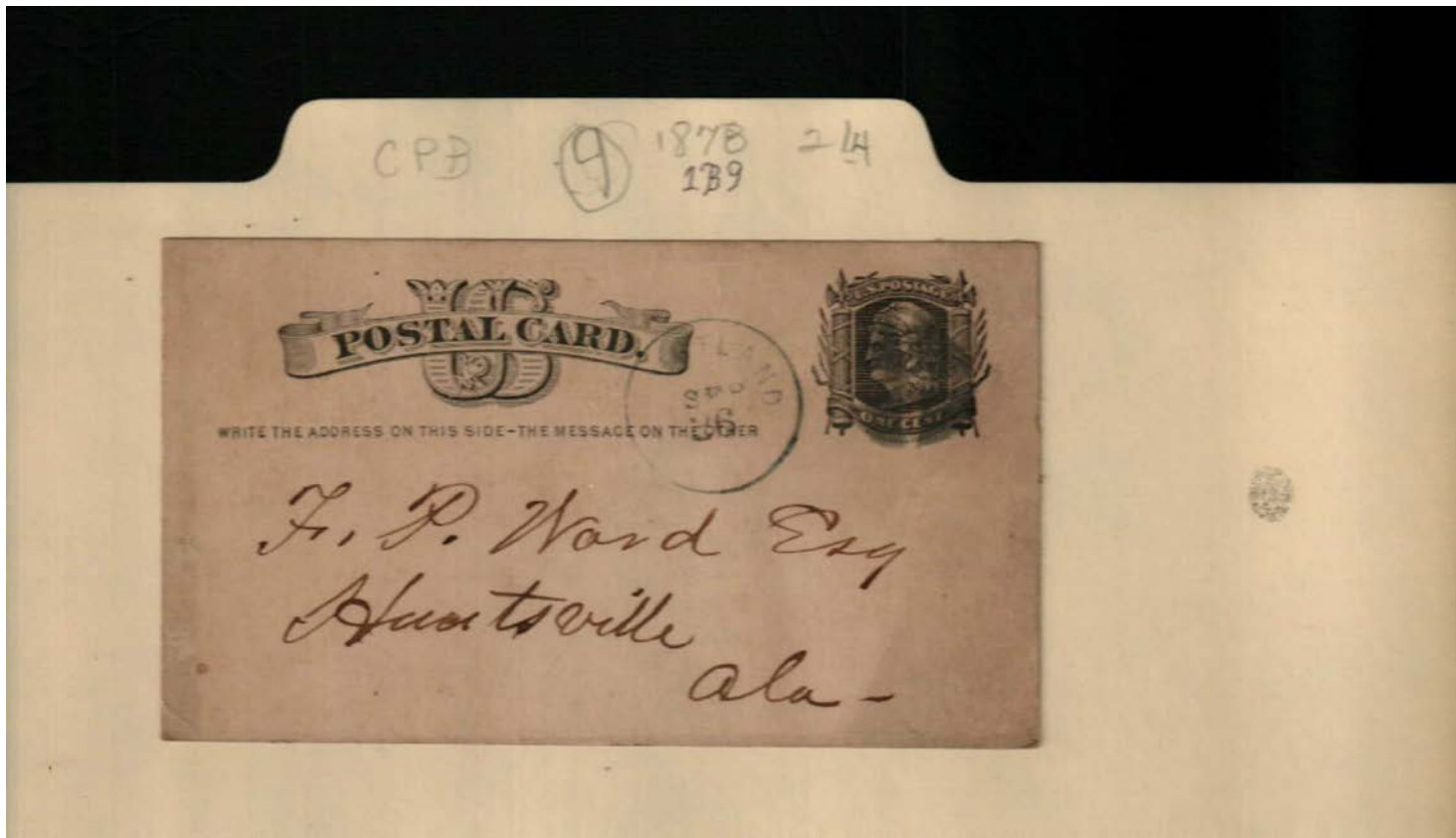
**Dates:**

Jul 01, 1878

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

Legal and court documents, 1878 (2 of 4)

Image 3 r01b09-09-000-0157 [Contents](#) [Index](#) [About](#)

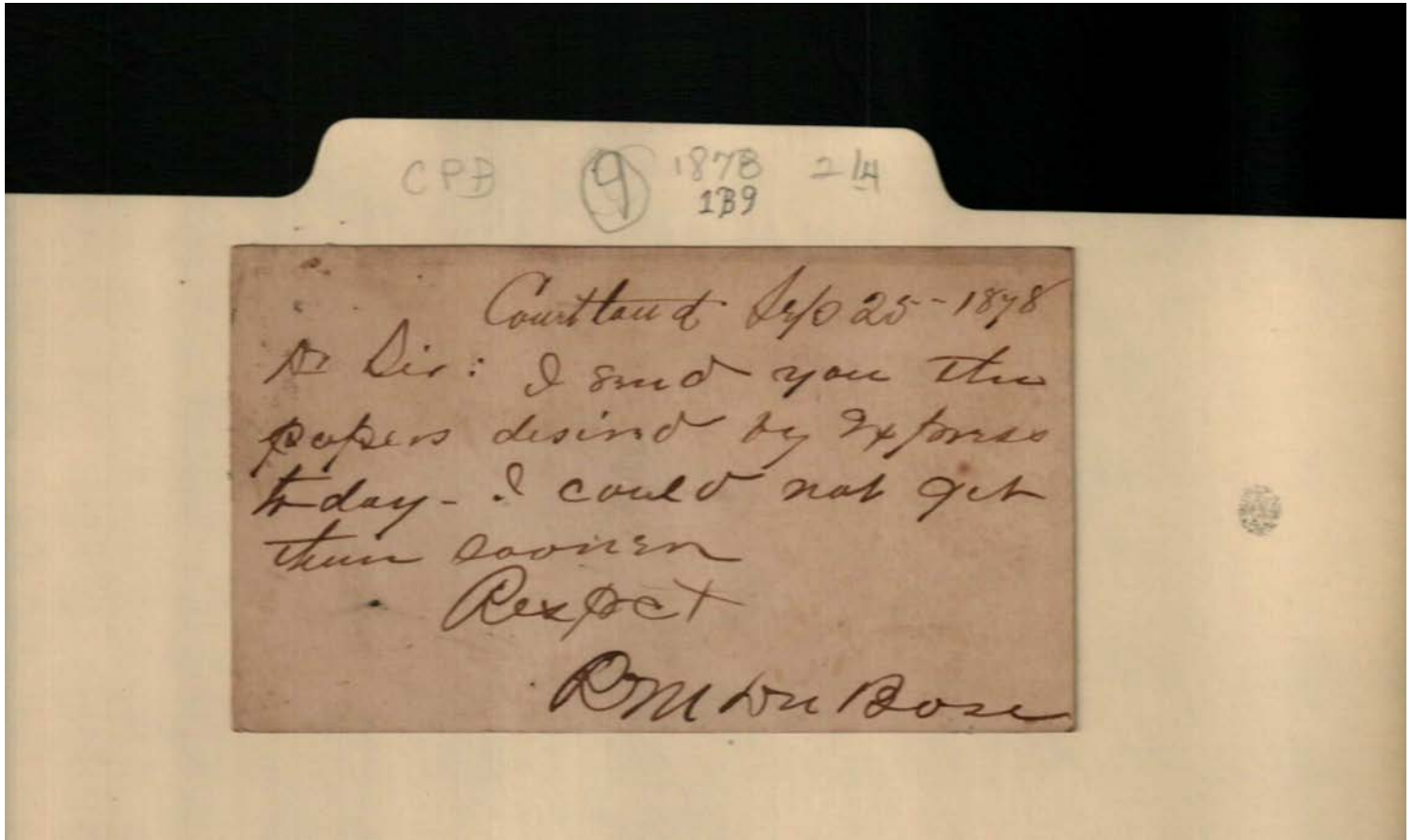


**Names:**

Ward, F. P.

**Types:**

envelope



**Names:**

DuBose, R. M.

**Places:**

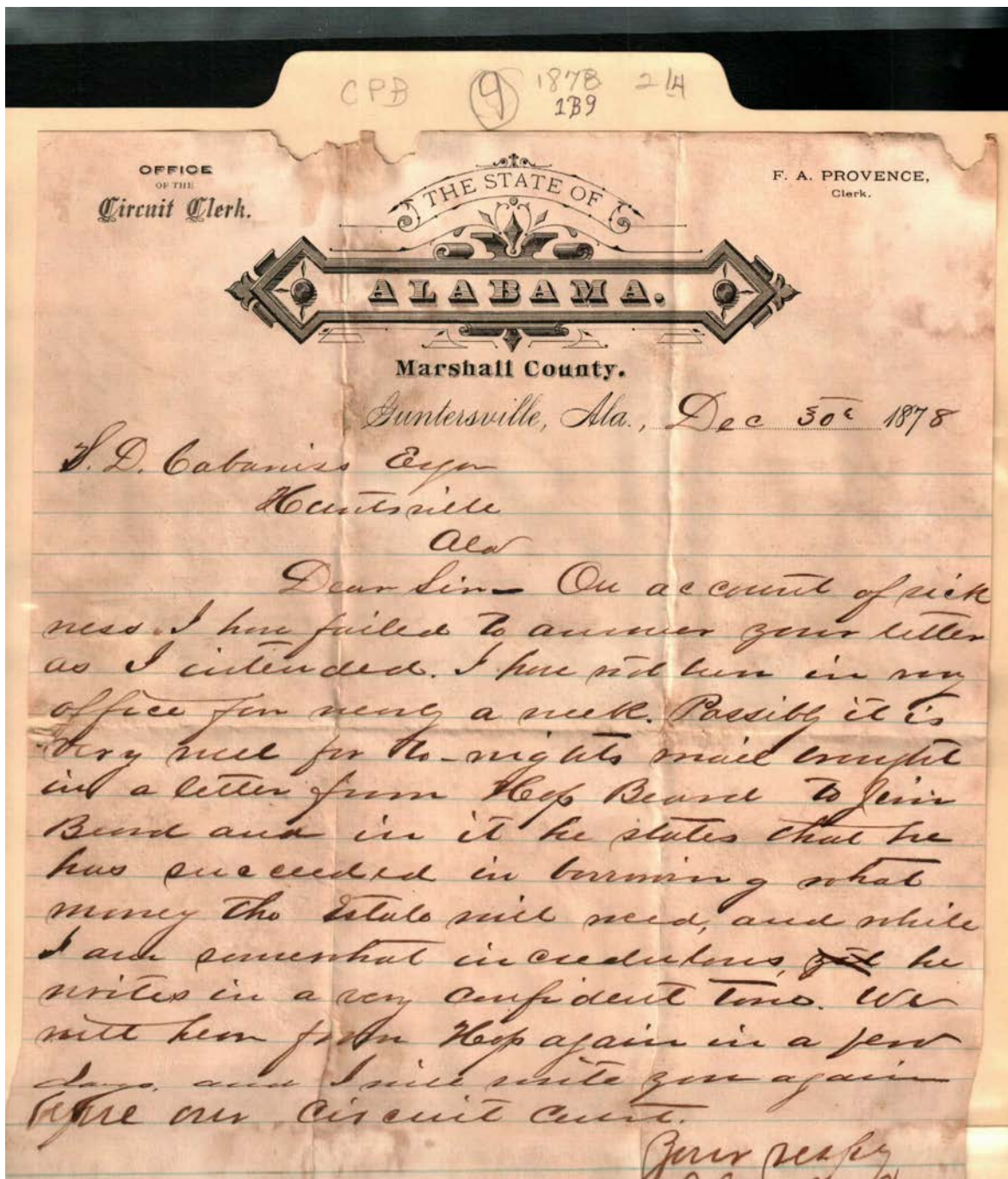
Courtland, AL

**Types:**

correspondence

**Dates:**

Sep 25, 1878



**Names:**

Beard, Jim

Cabaniss, S. D.

Provence, F. A.

**Places:**

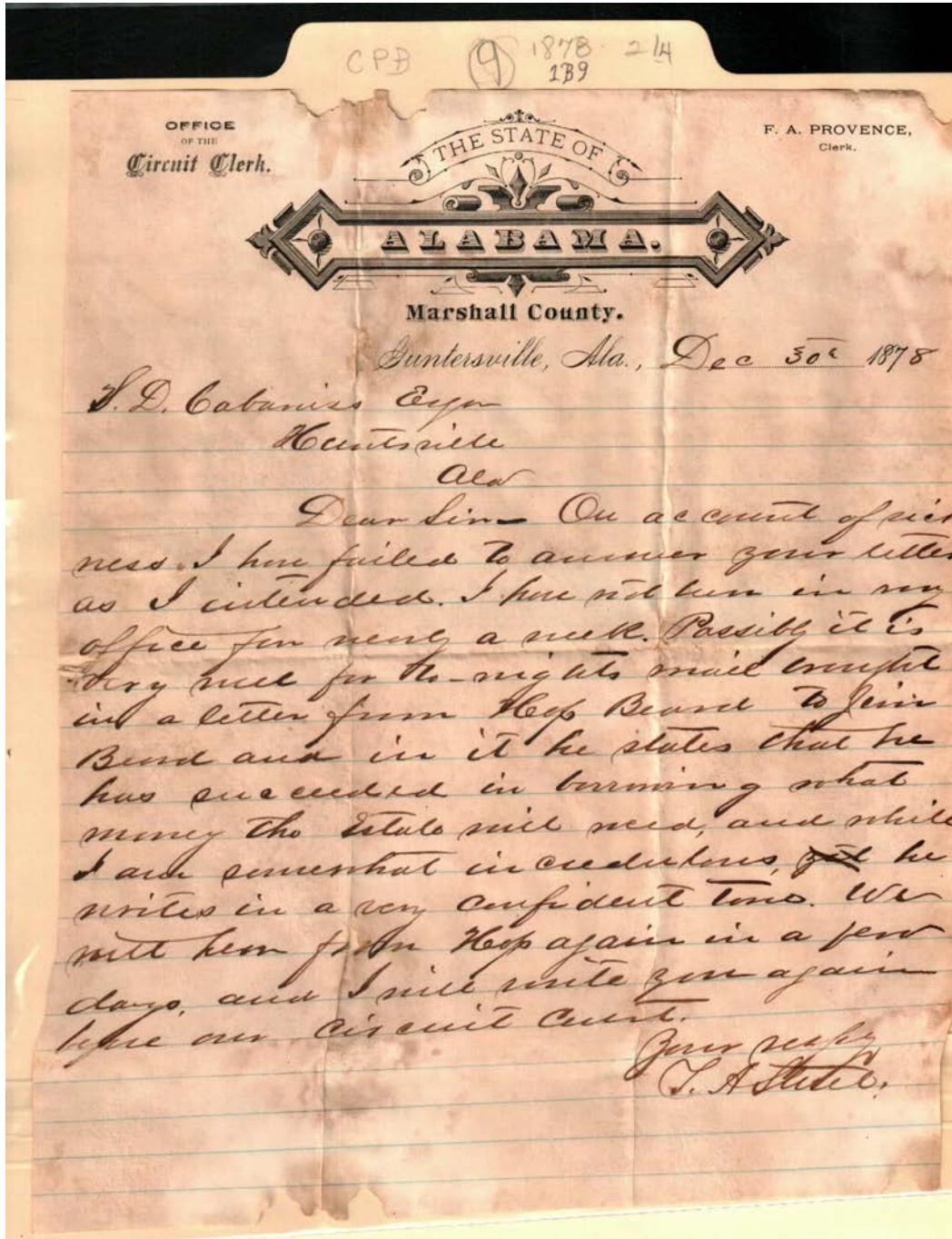
Guntersville, AL

**Types:**

correspondence

**Dates:**

Dec 30, 1878



**Names:**

Beard, Jim

Cabaniss, S. D.

Steele. T. A.

**Places:**

Guntersville, AL

**Types:**

correspondence

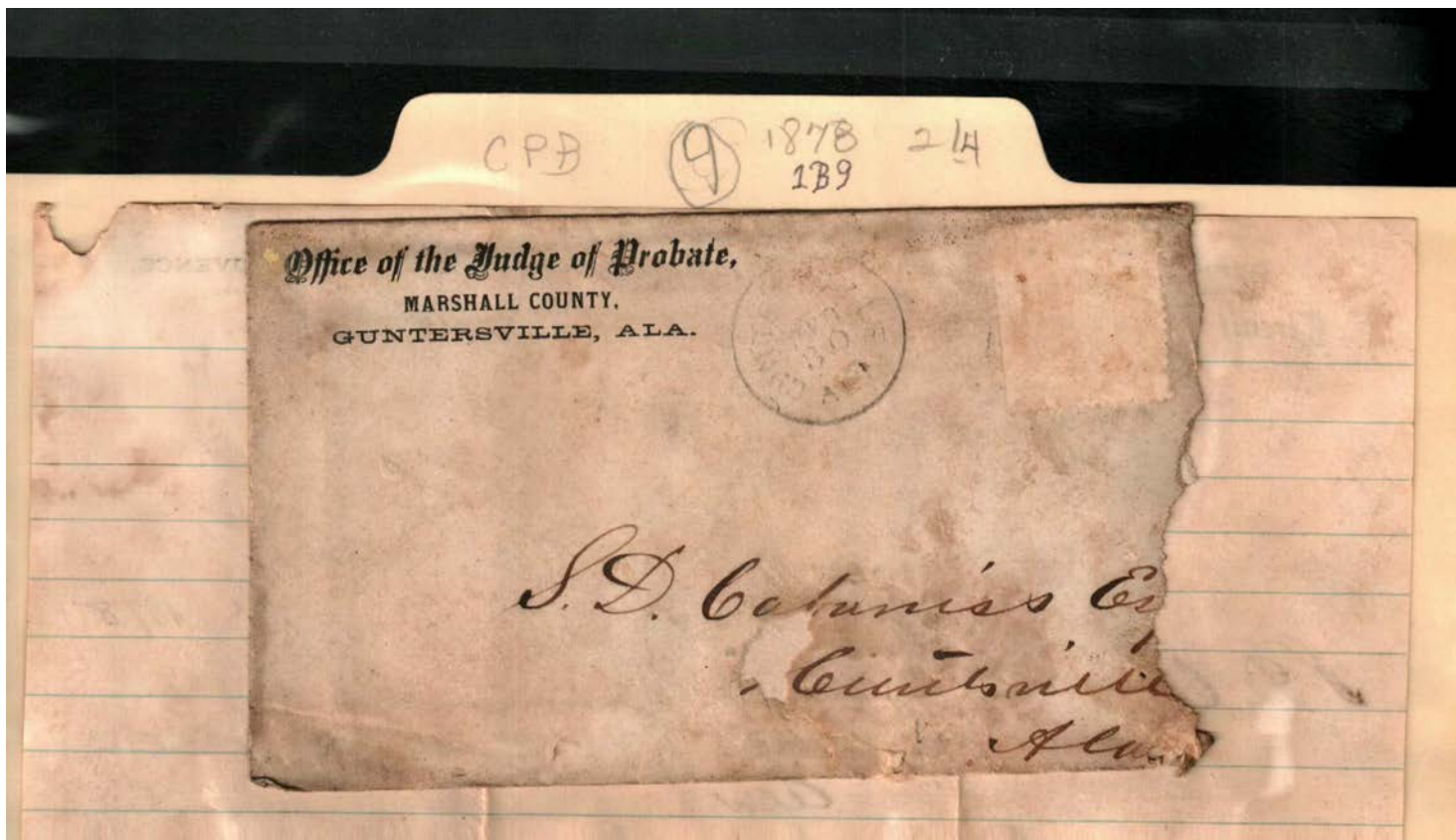
**Dates:**

Dec 30, 1878

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

Legal and court documents, 1878 (2 of 4)

Image 7 r01b09-09-000-0161 [Contents](#) [Index](#) [About](#)



**Names:**

Cabaniss, S. D.

**Places:**

Guntersville, AL

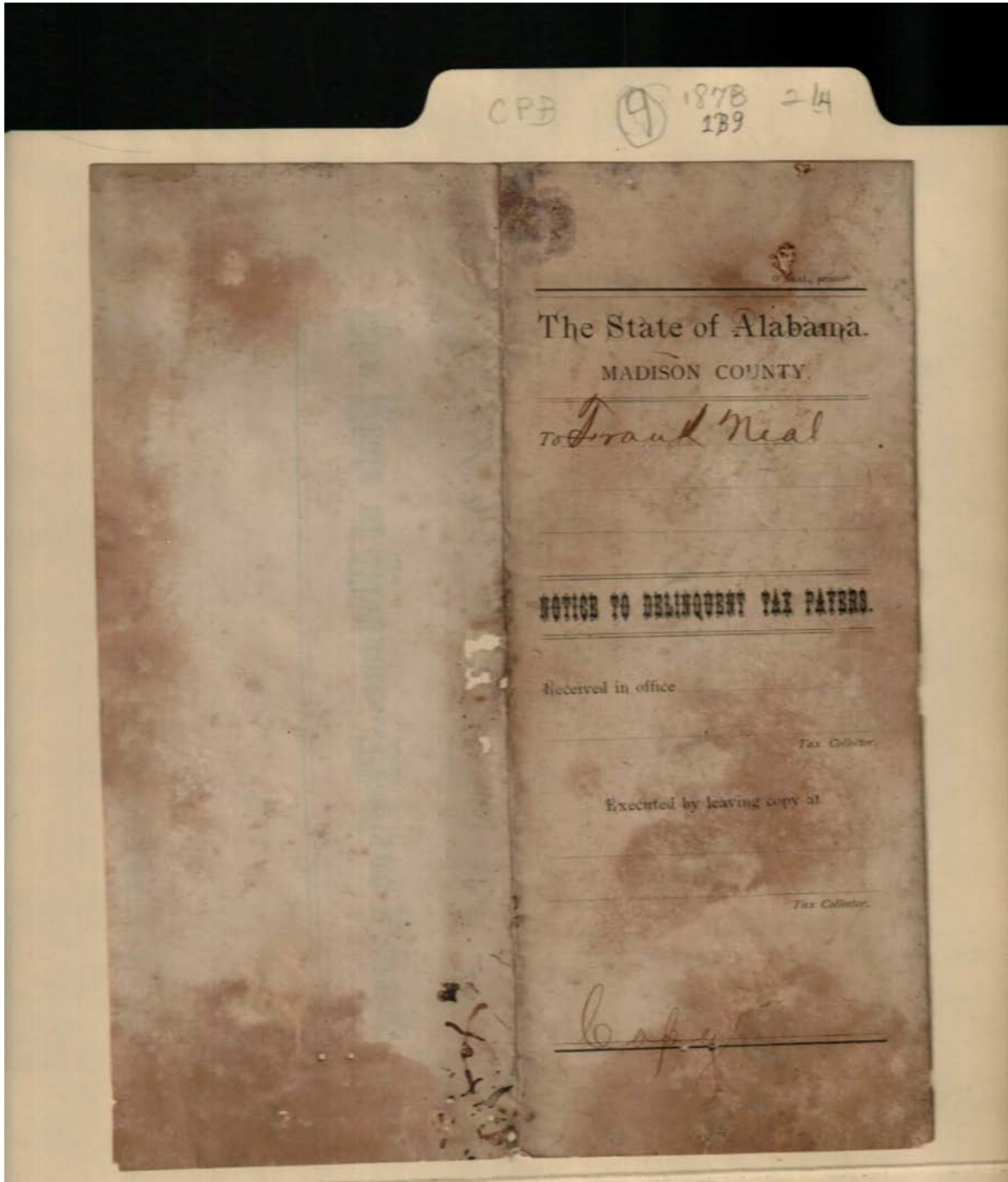
**Types:**

envelope

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

Legal and court documents, 1878 (2 of 4)

Image 8 r01b09-09-000-0162 [Contents](#) [Index](#) [About](#)



**Names:**

Neal, Frank

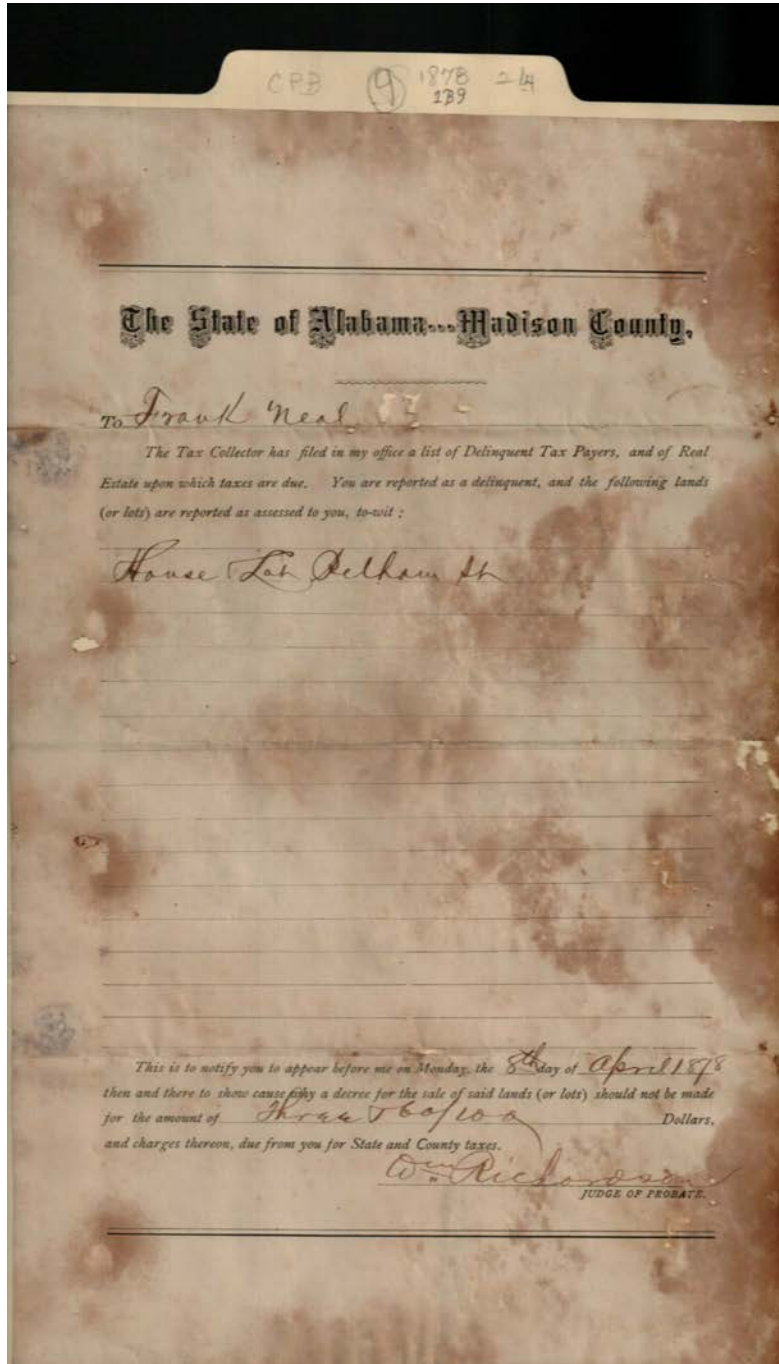
**Places:**

Madison County, AL

**Types:**

summons





**Names:**

Neal, Frank

Richardson, William

**Places:**

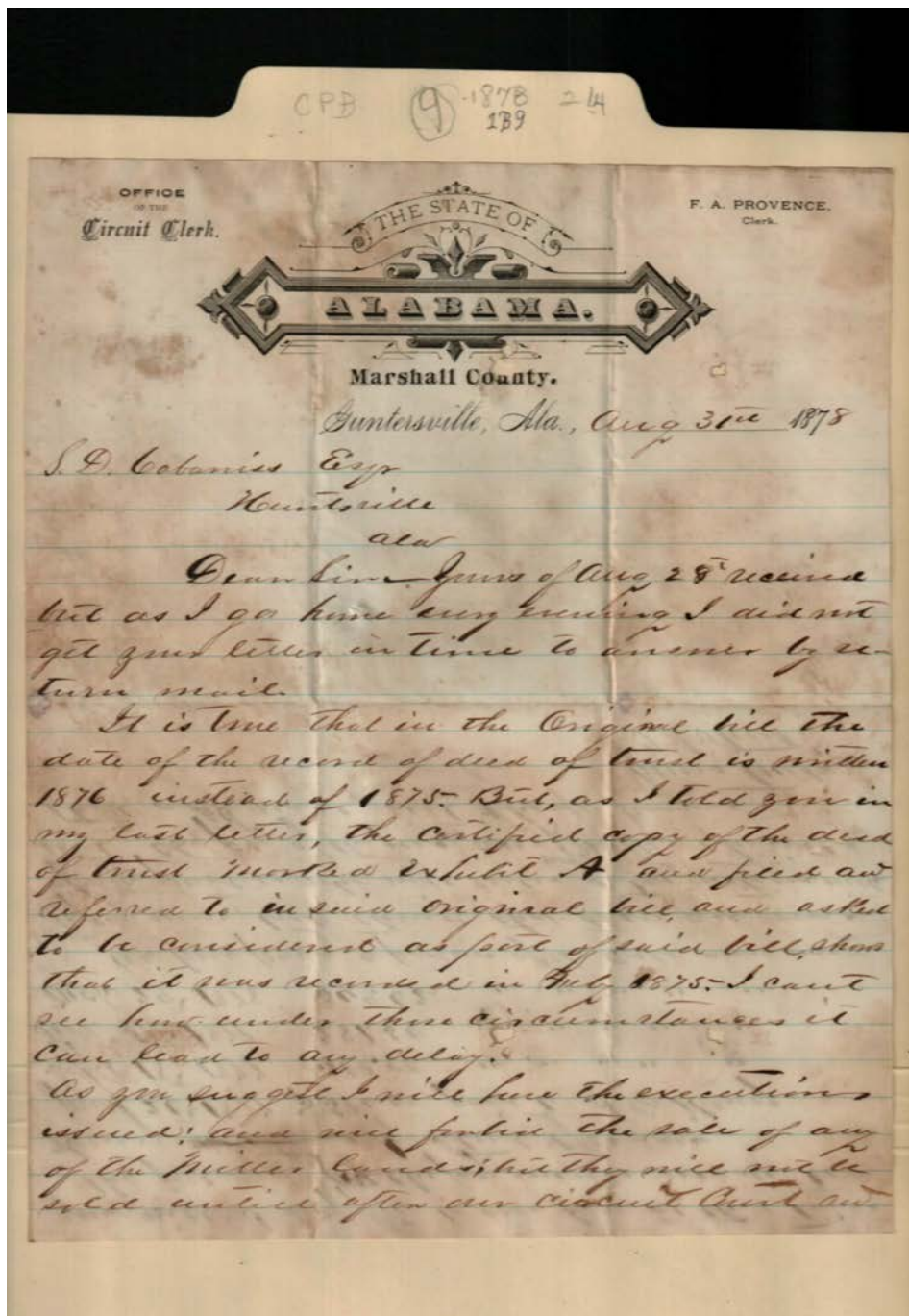
Madison County, AL

**Types:**

summons

**Dates:**

Apr 08, 1878



**Names:**

Cabaniss, S. D.

**Places:**

Guntersville, AL

**Types:**

correspondence

**Dates:**

Aug 31, 1878

CPB 9 1878 214  
139

you will I suppose be over here at that time  
The following are the payments made to  
Henry ~~Street~~ by Street & Jordan

Jan 26 <sup>th</sup> 1877	\$500.00	paid to A.G. Henry
Sept 18 <sup>th</sup> 1877	500.00	" " " " "
Nov 17 <sup>th</sup> 1877	281.80	" " " " "
March 29 <sup>th</sup> 1878	349.62	" " " " "

We have paid a portion of the costs, and may  
have to pay more, but think that there are some  
of the parties who will enter satisfaction with  
out the pay of the fees, and <sup>may</sup> think  
that all will not charge him.

Yours Truly  
T. A. Street

**Names:**

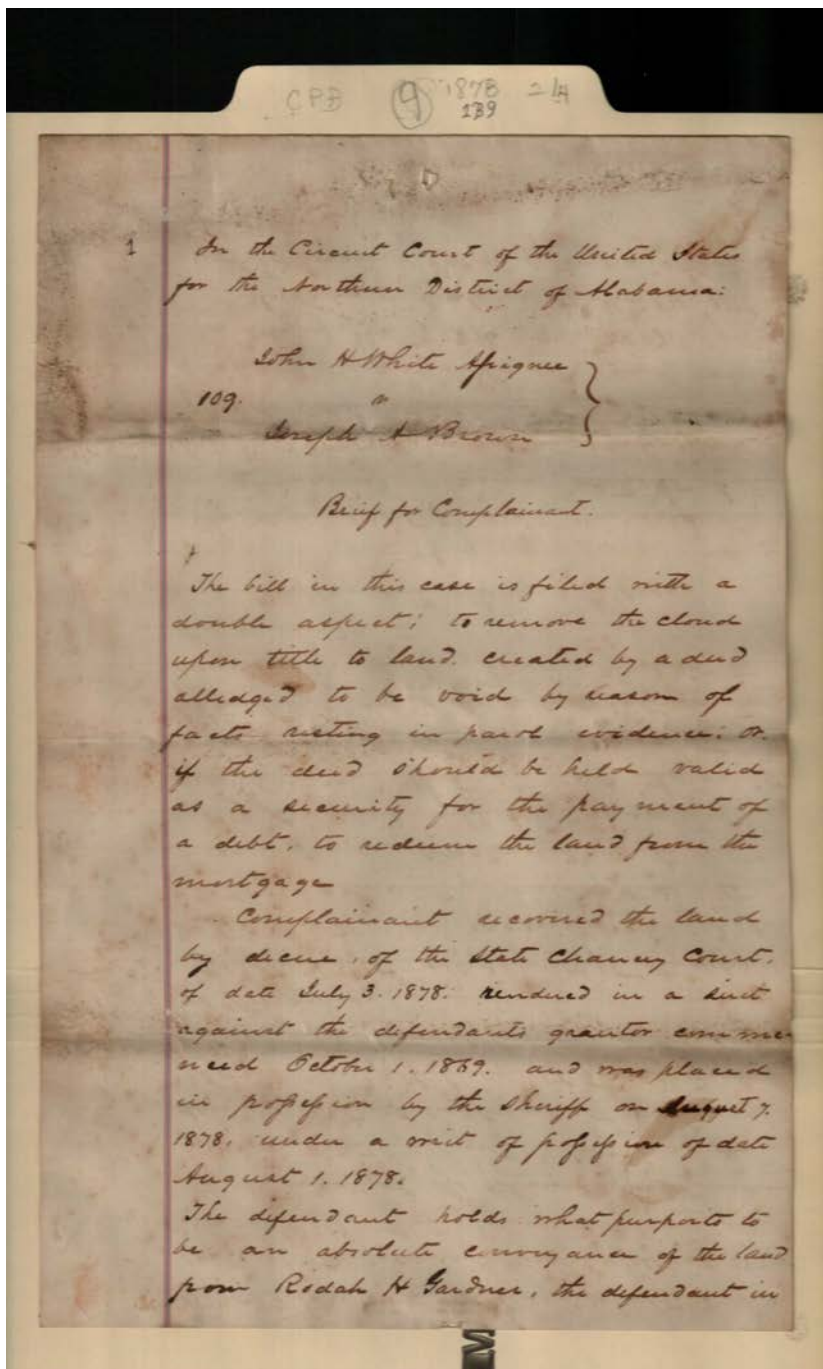
Henry, A. G.

Jordan,

Street, T. A.

**Types:**

correspondence



**Names:**

Brown, Joseph A.

Gardner, Rodah H.

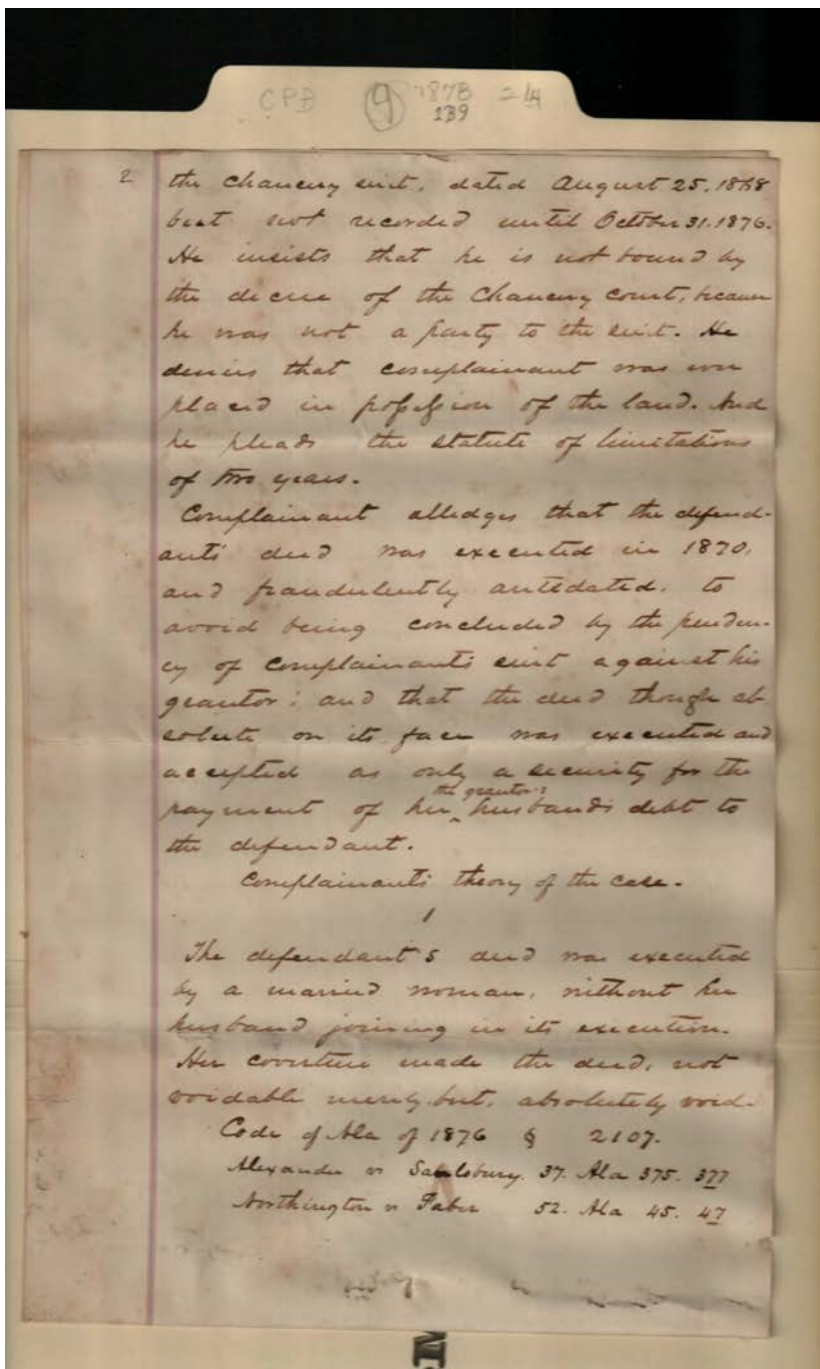
White, John H.

**Places:**

Northern Dist of  
Alabama

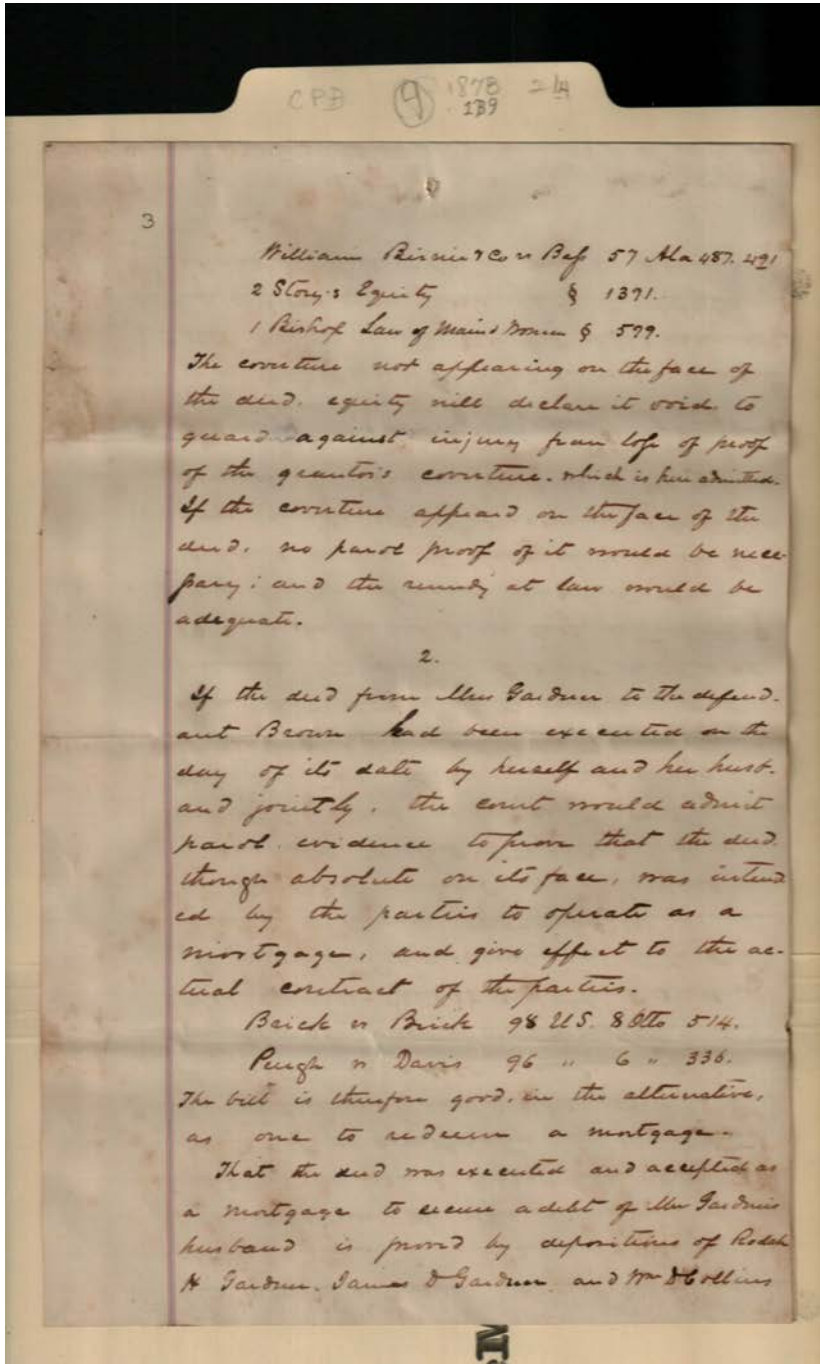
**Types:**

law suit



Types:

law suit



**Names:**

Brown,

Collins, William D.

Gardner, Mrs.

Gardner, Rodah H.

**Types:**

law suit

CPB (9) 1878 2-14  
189

4 and William H Davidson, the last two being subscribers to the deed.

David Gardner the other subscribing witness and the defendant Brown alone deny this.

And it is corroborated by Brown letter to Mrs Gardner of date April 21, 1873, treating the matter as a debt secured, declining further indulgence, and stating the balance due April 25, 1873 to be \$1374.<sup>00</sup>.

It is further corroborated by the fact admitted by Brown that Mrs Gardner remained in possession without any agreement as to amount of rent to be paid. If as he insists it was under contract to refinance instead of redeem, he would have stated the price at which she was to redeem and the payments made that reduced the debt to \$1374.<sup>00</sup> on April 25, 1873. He is asked in Corp interrogatory to give an itemized account of the debt showing the balance due on that day. He files copies of accounts of Brown Wells against Mrs Gardner, closed up to 1860 by Bills receivable and accounts for 1860-1 closed by Bills receivable for \$1273.<sup>54</sup> on which \$407.<sup>20</sup> is credited (Exhibit 5). And his deposition shows that the bills receivable that closed account up to 1860, was paid off by the bill of Exchange endorsed to Charles H Patton, and confirmed by

**Names:**

Brown,  
Davidson, William H.

Gardner, David  
Gardner, Mrs.

Gardner, William D.  
Patton, Charles H.

Wells,

**Types:**

law suit

CPB 1878 21A  
189

5

Brown with Patton adm. Reims. on April 30. 1868 at \$100. on definite by P. Reims.

Supposing for the present the deed to Brown to have been executed about April <sup>25</sup> 1870 instead of Aug 25. 1868. We will ascertain what was due Reims. From the bill receivable of \$1273.<sup>64</sup> that closed up for 1868-70, the payment on it shown by exhibit G \$409.<sup>70</sup> which leave \$864.<sup>44</sup>. Add interest to April 30 1870 \$575.<sup>20</sup>. This makes \$1439.<sup>74</sup>. The bills receivable that closed up before 1860 was paid with the money realized on the bill of exchange endorsed by Brown & Wells to Charles H. Patton for \$2135. (Brown's account 584). Brown compromised this at \$100 on April 30. 1868. Interest on this for 3 years would make it \$116. and this added to the <sup>1439.<sup>74</sup></sup> ~~\$1439.<sup>74</sup>~~ amt due on the other bill Receivable. and it makes Mrs Gardner's indebtedness to Brown on April 30. 1870 \$1555.<sup>74</sup>.

James D. Gardner says the debt was \$1500. Mrs Gardner says about \$1500; she does not remember exactly. and Mr Collins <sup>some</sup> ~~between~~ \$1500 ~~to~~ \$1600.

Now interest on this sum of \$1500.<sup>00</sup> for three years, to April 25. 1873. the date on which the balance due is stated in Brown's letter to Mrs Gardner appended to her deposition and explained by Brown in answer to a Interrogatory.

**Names:**

Bierne, George P.

Brown,

Collins, William D.

Gardner, James D.

Gardner, Mrs.

Gardner, William D.

Patton,

Patton, Charles H.

**Types:**

law suit



CPB 9 1878 2/4  
139

6

Why should Brown omit Mrs. G. what was due  
 on April 25, 1873. and let that over the date  
 of maturity of debt. It was paid three years  
 from April 25, 1870. and every four years/1873.

would be \$350. making the debt \$1850 on  
 April 25, 1873. But \$409 in gold had been  
 paid adding \$76.60 for interest and premium  
 which is less than the year interest due  
 to this credit. and it reduces the debt to  
 \$1374.40 on April 25, 1873.

Brown could not give an itemized statement  
 showing how the balance of \$1374.40 to be  
 due on April 25, 1873 was ascertained,  
 without exposing the nature of his debt  
 and the date of his death, as called for  
 by Crp Interrogatory 9. And he did not see  
 that what he was furnishing would  
 enable complainant to do so.

It is however settled in Alabama  
 that a married woman's mortgage to secure  
 payment of her husband's debt is void.  
 Code § 2107. 37 Ala 375. 52 Ala 45. 57 Ala 487.

3.

That Brown's debt from Mrs Gardner  
 was actually executed in 1870. is proved  
 by one of the subscribing witnesses Wm D  
 Collins who recollects that the mortgage  
 for him to go and retrieve the deed was  
 left at his house with Mrs Lee, who came  
 to live at his house after his wife's death  
 in April 1870; that it was shortly before  
 Wm D Gardner's death which happened in  
 the summer of 1870; and that it was  
 after he had been examined in the matter

**Names:**

Brown,  
Collins, William D.

Gardner, Mrs.  
Gardner, William D.

Lee, Mrs.

**Types:**

law suit

CPB (9) 1878 24  
139

7

of said Gardner's Bankruptcy in Dec 1869.  
 He is corroborated by Mrs Gardner answer to  
 19 interrogatory that her husband lived about  
 18 months after his disease was known to be  
 a cancer and died Aug 29, 1870.  
 He is corroborated by Henry Taylor and William  
 Rutherford who lived with Davidson and  
 then subscribing notes a short time  
 in the year 1870 and during the time  
 went with Davidson to Mrs Gardner's  
 where Collins, <sup>Brown</sup> and David Gardner met  
 them.  
 And he is corroborated by the amount  
 of Brown's debt, which could not  
 have amounted to \$1500 before 1870.  
 nor as small as \$1374.<sup>40</sup> on April 25, 1873  
 if it was \$1500 on Aug 25, 1868.  
 He is contradicted by David Gardner  
 and Davidson, who can mention no  
 circumstances to fix their recollections,  
 and by Brown who swears in his answer  
 that the consideration for the deed was  
 part debt and part money, and in  
 his deposition that it was all debt  
 of over two thousand dollars on Aug 25,  
 1868 and fails to explain the statement  
 in his letter to Mrs Gardner that it was  
 only \$1374.<sup>40</sup> when only \$469 had  
 been paid on it.

**Names:**

Brown,  
 Collins,

Davidson,  
 Gardner,

Gardner, David  
 Gardner, Mrs.

Rutherford, William  
 Taylor, Henry

**Types:**

law suit

CPB 9 1878 24  
139

8. 4

The defendant denies that complainant  
owns or was placed in possession of the land.  
But complainant proves it by the  
return of the sheriff on the writ of possession  
by the depositions of the sheriff John G.  
Thomas, Wm P. Newman and Thomas H.  
Russell. And they are contradicted only  
by Rice the tenant in possession who  
attended to the agent Russell for 1878 and  
tired to contract for 1879.

Defendant offers in evidence the record  
of an action for unlawful detainer  
of the land against Rice. The complaint  
in that record alleges complainant's  
possession and renting to Rice for balance  
of the year 1878.

It is true that a bill in equity can not  
by colourable allegations be made the  
means of answering the purpose of an  
action of ejectment. But in this  
case we prove a fraudulent antedat-  
ing of a deed to avoid being includ-  
ed by the finding of complainant  
suit, and the fraudulent claim of  
an absolute conveyance by what is  
in fact a mortgage.

These are grounds of equity jurisdiction  
if complainant was not in possession.

**Names:**

Newman, William P.

Rice,

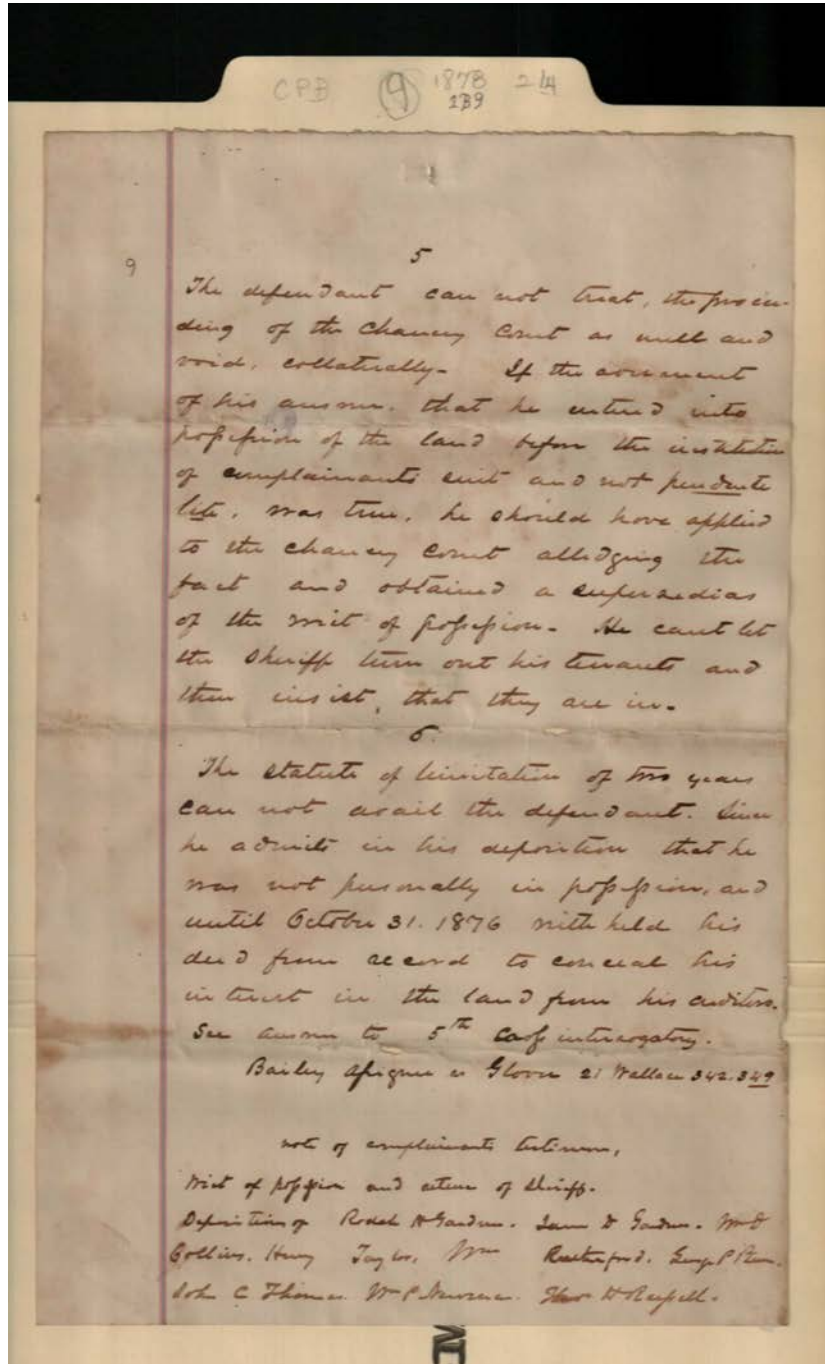
Russell, Thomas H.

Thomas, John G.

(sheriff)

**Types:**

law suit



**Names:**

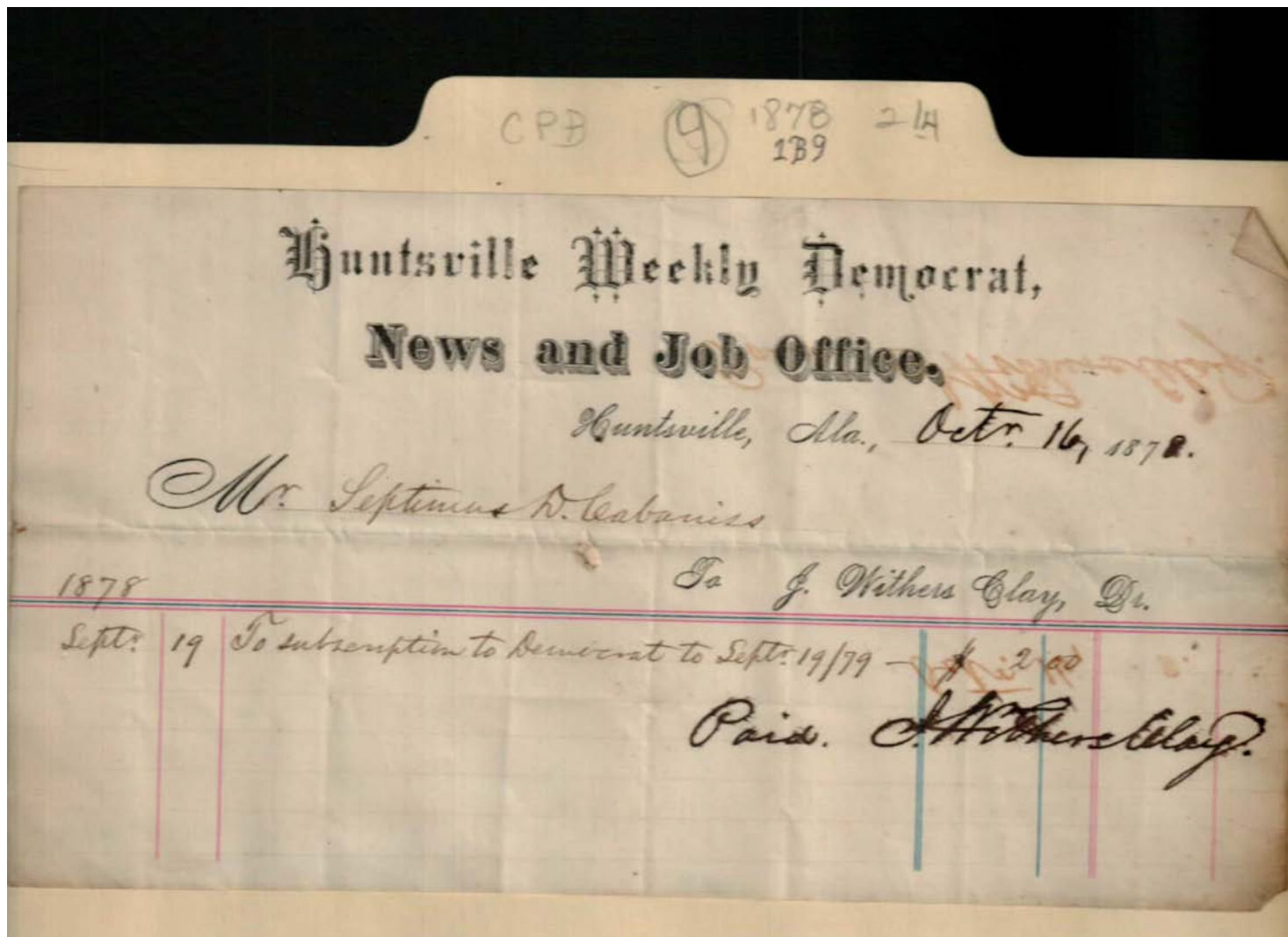
Bierne, George P.  
Collins, William D.  
Gardner, James D.

Gardner, Rodah H.  
Newman, William P.  
Russell, Thomas H.

Rutherford,  
Taylor, William  
Thomas, John G.

**Types:**

law suit



**Names:**

Cabaniss, Septimus  
D.

Clay, J. Withers

**Places:**

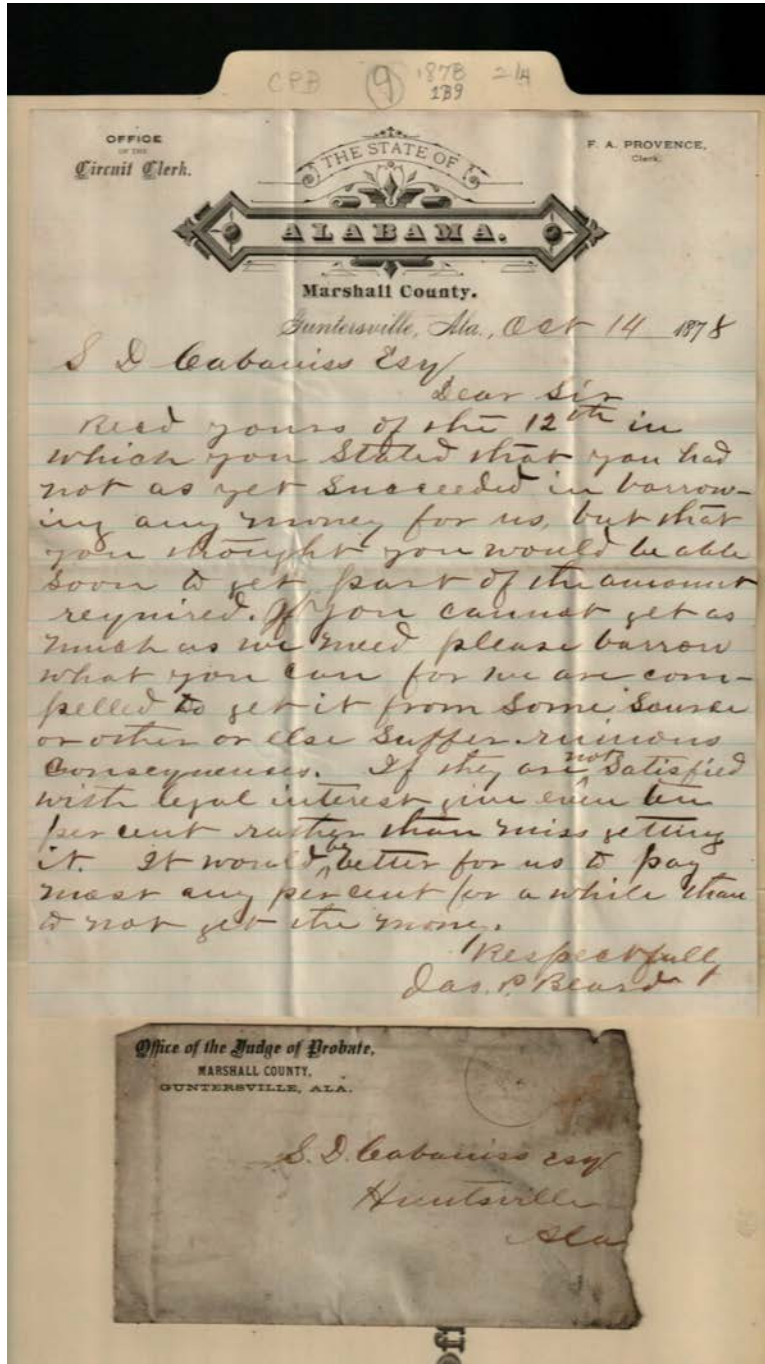
Huntsville, AL

**Types:**

receipt

**Dates:**

Oct 16, 1878



**Names:**

Beard, James P.

Cabaniss, S. D.

Provence, F. A.

**Places:**

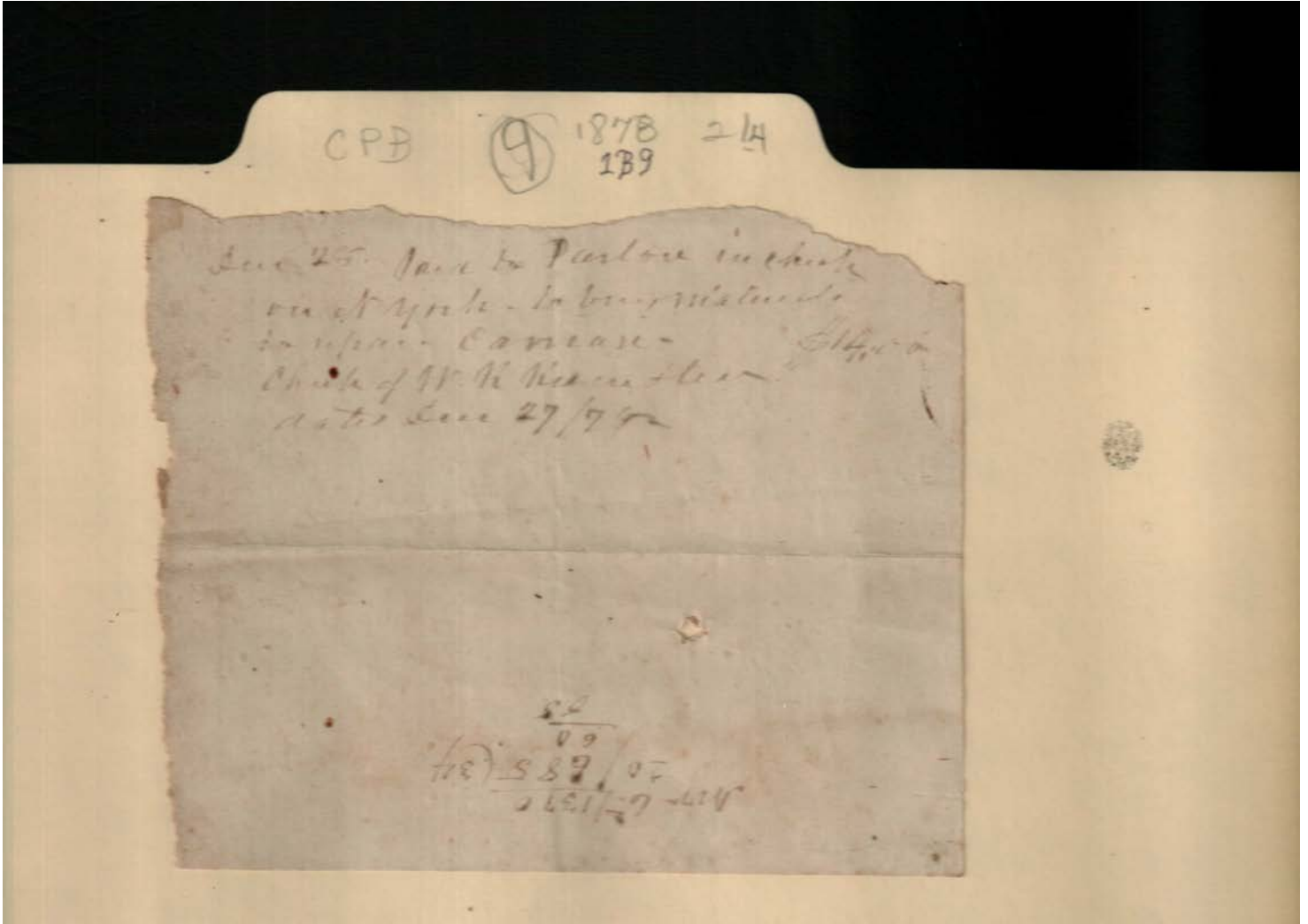
Guntersville, AL

**Types:**

correspondence

**Dates:**

Oct 14, 1878



**Names:**

Patton,

Rison, W. K.

**Types:**

receipt

**Dates:**

Jun 25, 1878

CPB (9) 1878 2/4  
189

(Form 15) **READ THIS RECEIPT.**

## SOUTHERN EXPRESS COMPANY,

EXPRESS FORWARDERS.

**DOMESTIC BILL OF LADING.**

Received of Huntsville 3/2 1878  
Cabaniss & Ward  
1 Pa Valued at — Fifty — Dollars,  
and for which amount the Charges are made by said Company, Marked Thos. J. Rutledge  
Montgomery

Which it is mutually agreed is to be forwarded to our Agency nearest or most convenient to destination only, and there delivered to other parties to complete the transportation.

It is part of the consideration of this contract, and it is agreed, that the said Express Company ARE FORWARDERS ONLY, and are not to be held liable or responsible for any loss or damage to said property while being conveyed by the CARRIERS to whom the same may be by said Express Company consigned, or being from the dangers of Railroads, Ocean or River Navigation, Steam, Fire in Store, Depots, or in Transit, Leakage, Obolage, or from any cause whatever, unless, in every case, the same be proved to have occurred from the fraud or gross negligence of said Express Company, or their servants, unless specially insured by it and as specified on this Receipt, which insurance shall constitute the limit of the liability of the SOUTHERN EXPRESS COMPANY in any event; and if the value of the property above described is not stated by the shipper at the time of shipment, and specified in this receipt, the holder hereof will not demand of the SOUTHERN EXPRESS COMPANY a sum exceeding Fifty Dollars, for the loss of, or damage to, each package herein receipted for. Nor shall the said Company be held responsible for the safety of said property after its arrival at its place of destination.

And if the same is entrusted or delivered to any other Express Company or Agent (which said Southern Express Company are hereby authorized to do) such Company or person so selected shall be regarded exclusively as the agent of the shipper or owner, and, as such, alone liable, and the Southern Express Company shall not be, in any event, responsible for the negligence or non-performance of any such Company or person; and the shipper and owner hereby severally agree that all the stipulations and conditions in this receipt contained, shall extend to and inure to the benefit of each and every Company or person to whom the Southern Express Company may entrust or deliver the above-described property for transportation, and shall define and limit the liability therefor of such other Company or person. In no event shall the Southern Express Company be liable for any loss or damage, unless the claim therefor shall be presented to them in writing at this office, within thirty days after this date, in a statement to which this receipt shall be annexed. All articles of GLASS or contained in Glass, or any of a fragile nature, will be treated at Shipper's risk only, and the shipper agrees that the Company shall not be held responsible for any injury by breakage or otherwise, nor for damage to goods not properly packed and secured for transportation. It is further agreed that said Company shall not, in any event, be liable for any loss, damage, or detention caused by the acts of God, Civil or Military Authority, or by Insurrection or Riot, or the dangers incident to a time of war.

Charge on Value, \_\_\_\_\_ For the Company, Holt  
Freight, Paid, 00¢

Bells & Jones Exchange Co., N. Y.

**Names:**

Cabaniss, Holt, Rutledge, Thomas J. Ward,

**Places:**

Huntsville, AL

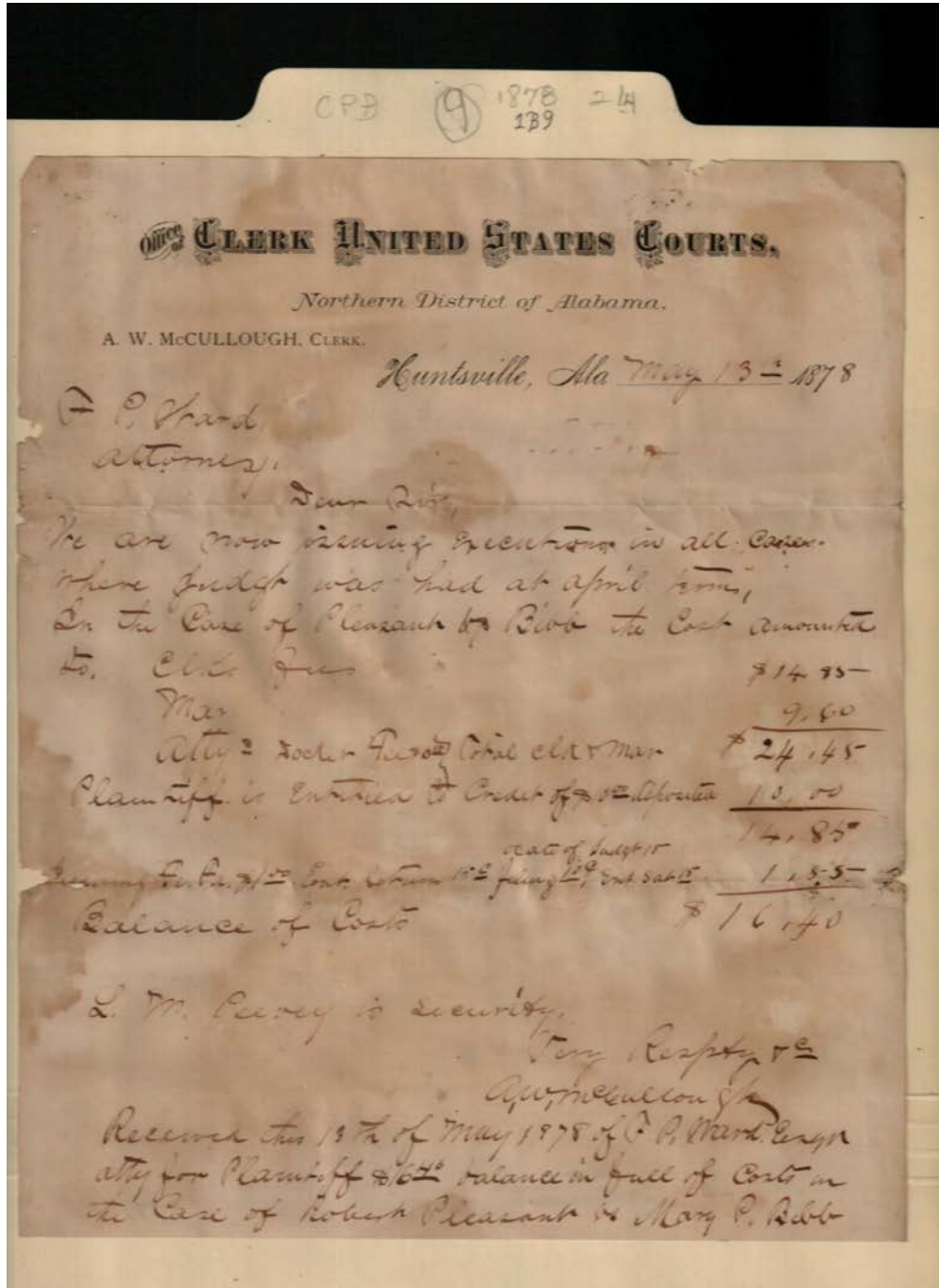
**Types:**

receipt

**Dates:**

Mar 02, 1878





**Names:**

Bibb, Mary P.  
McCullough, A. W.

Peevey L. M.  
Pleasant, Robert

Ward, F. P.

**Places:**

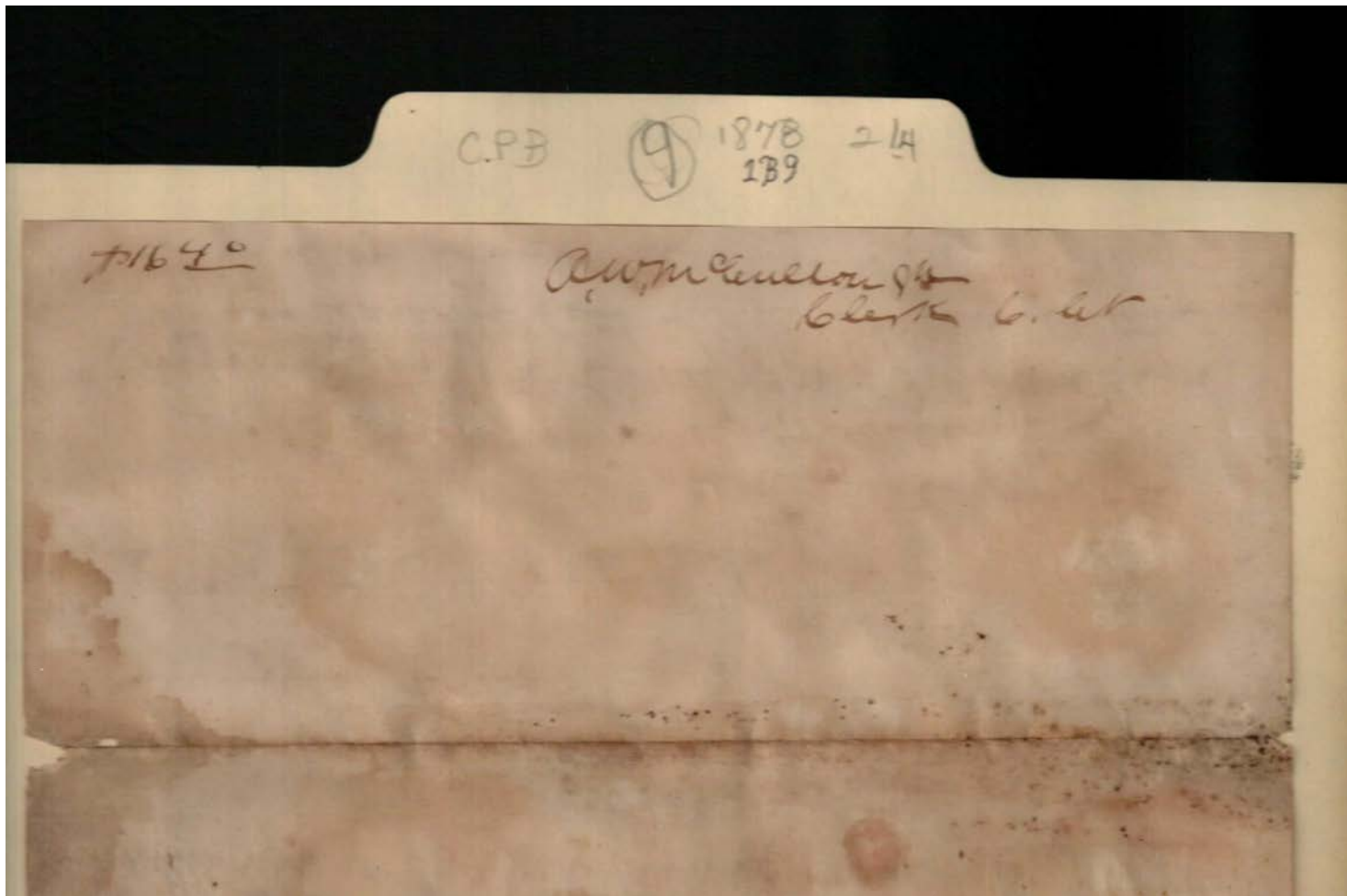
Northern Dist of  
Alabama

**Types:**

correspondence

**Dates:**

May 13, 1878

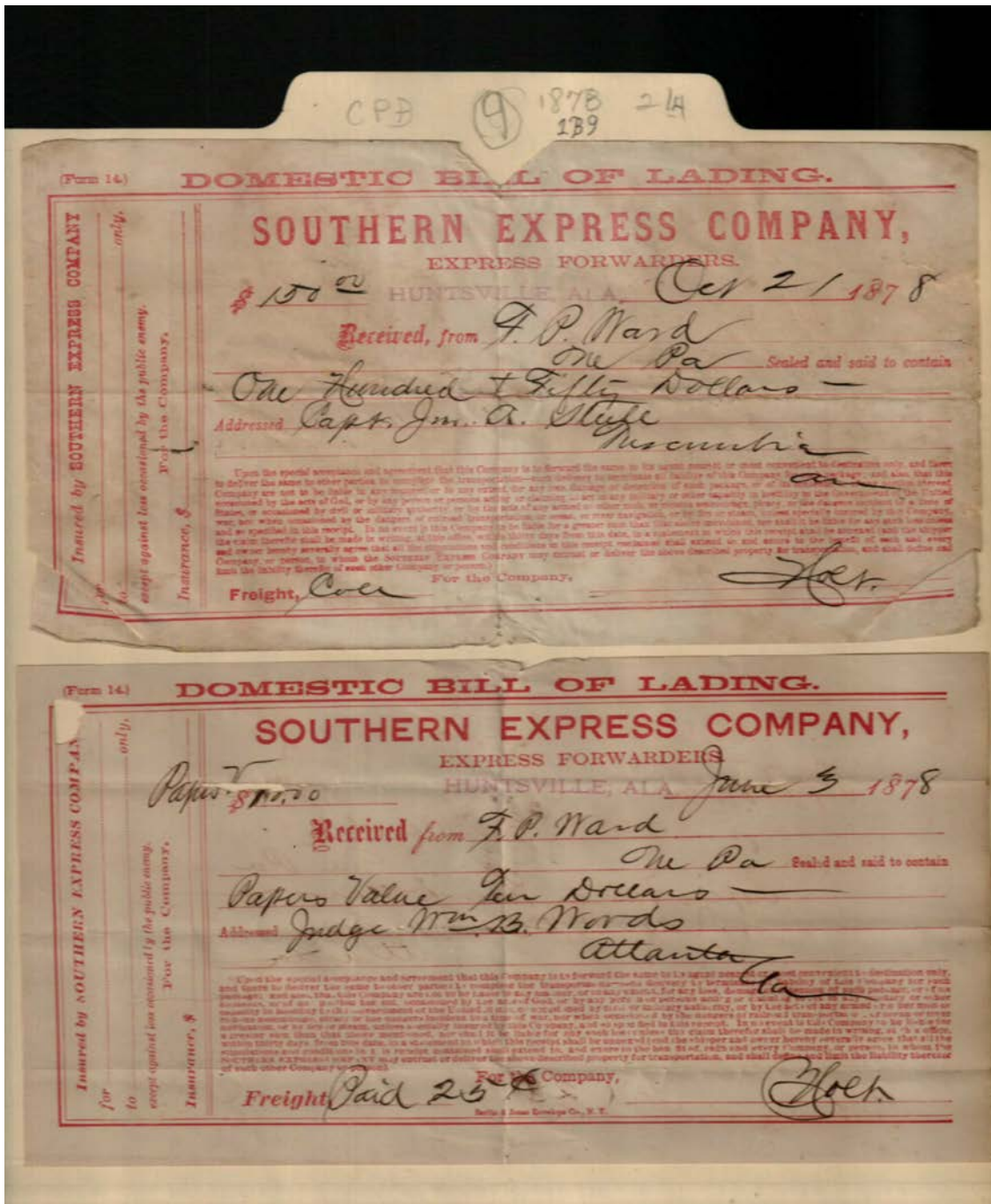


**Names:**

McCullough, A. W.

**Types:**

memo



**Names:**

Holt,

Steele, James A.

Ward, F. P.

Capt.

**Places:**

Huntsville, AL

**Types:**

receipt

**Dates:**

Oct 02, 1878



**Names:**

Cabaniss,

Frazier, P. M. (sheriff)

Steele, M. W.

Ward,

**Places:**

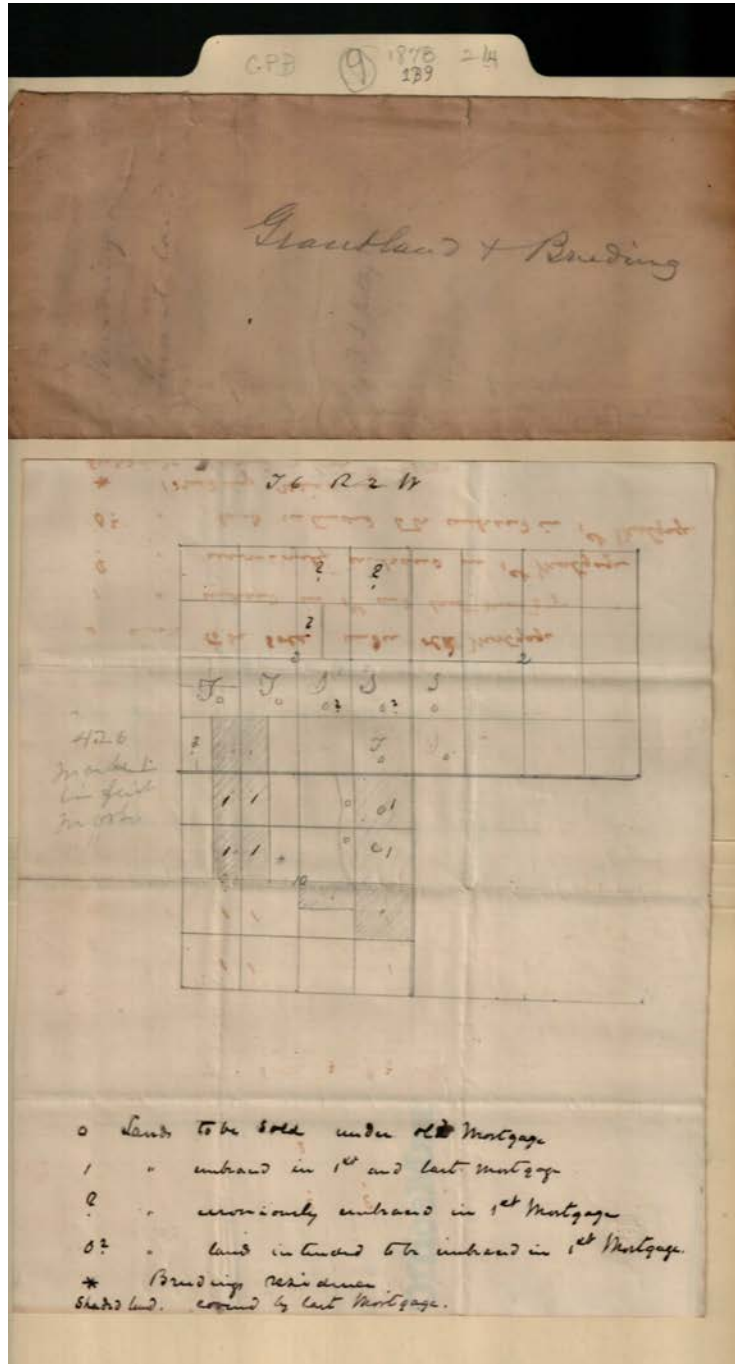
Huntsville, AL

**Types:**

receipt

**Dates:**

Mar 15, 1878



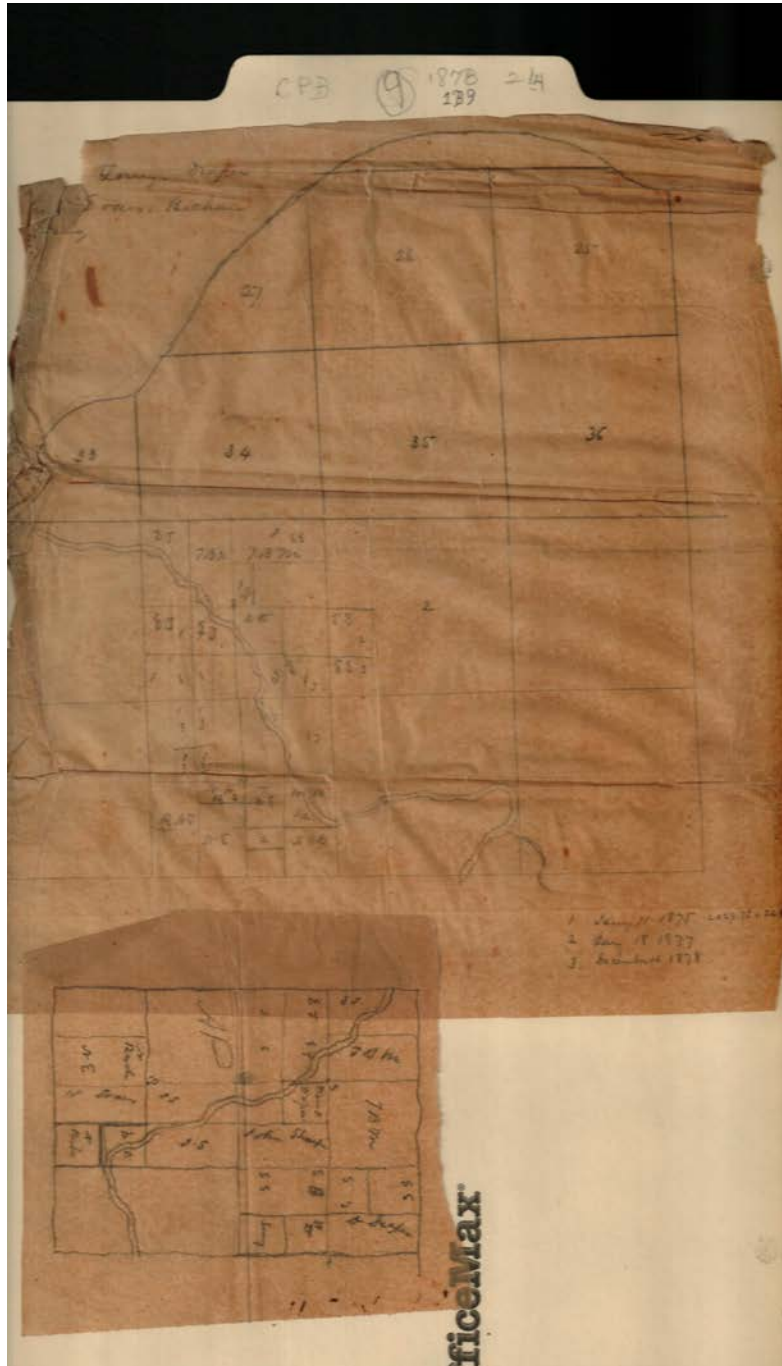
**Names:**

Breeding,

Grantland,

**Types:**

lot plat



**Names:**

Draper,

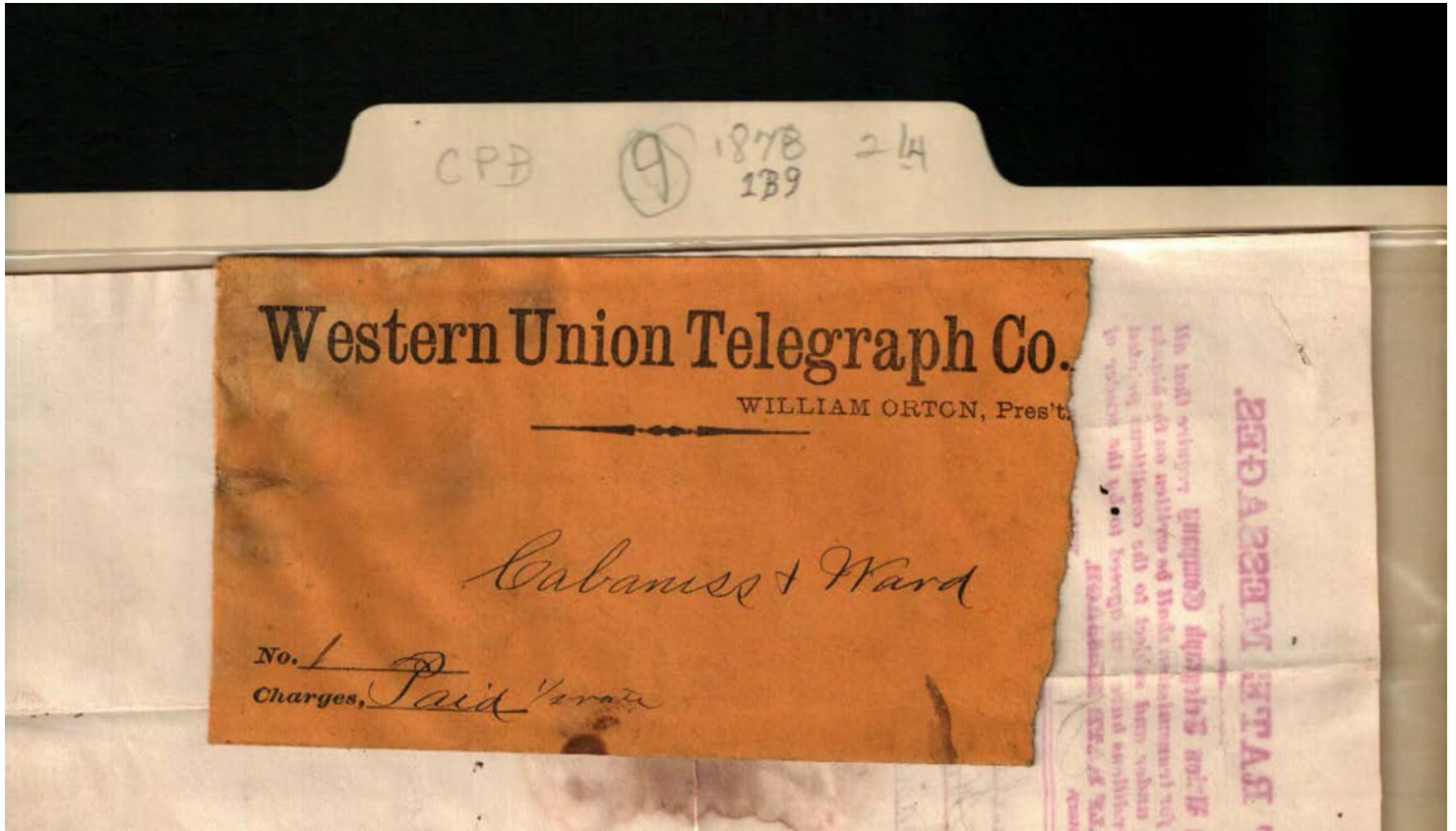
Jones,

Richard,

Terry,

**Types:**

lot plat



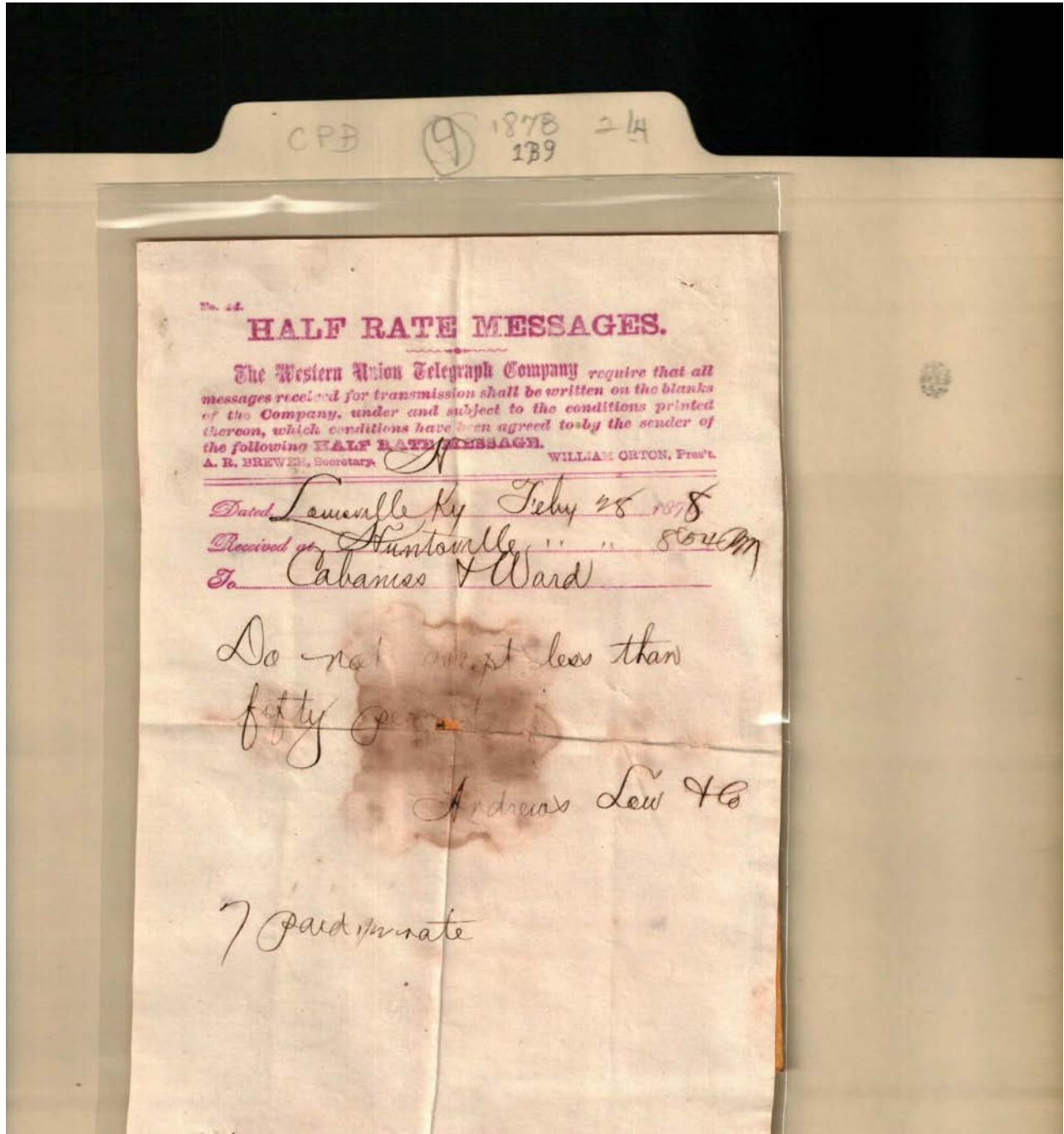
**Names:**

Cabaniss,

Ward,

**Types:**

telegraph



**Names:**

Andrews,

Cabaniss,

Lew,

Ward,

**Places:**

Louisville, KY

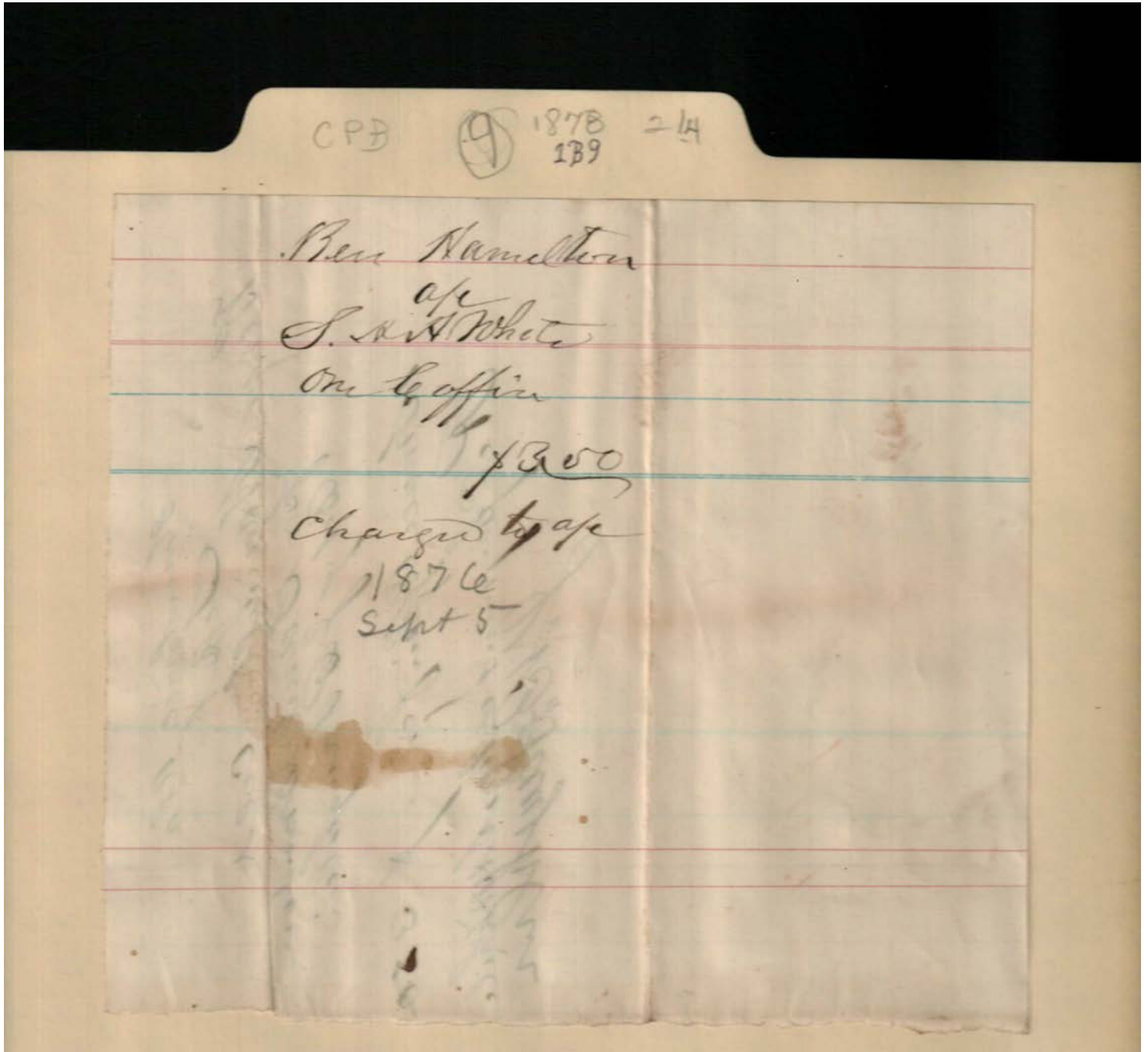
**Types:**

telegraph

**Dates:**

Feb 28, 1878





**Names:**

Hamilton, Ben

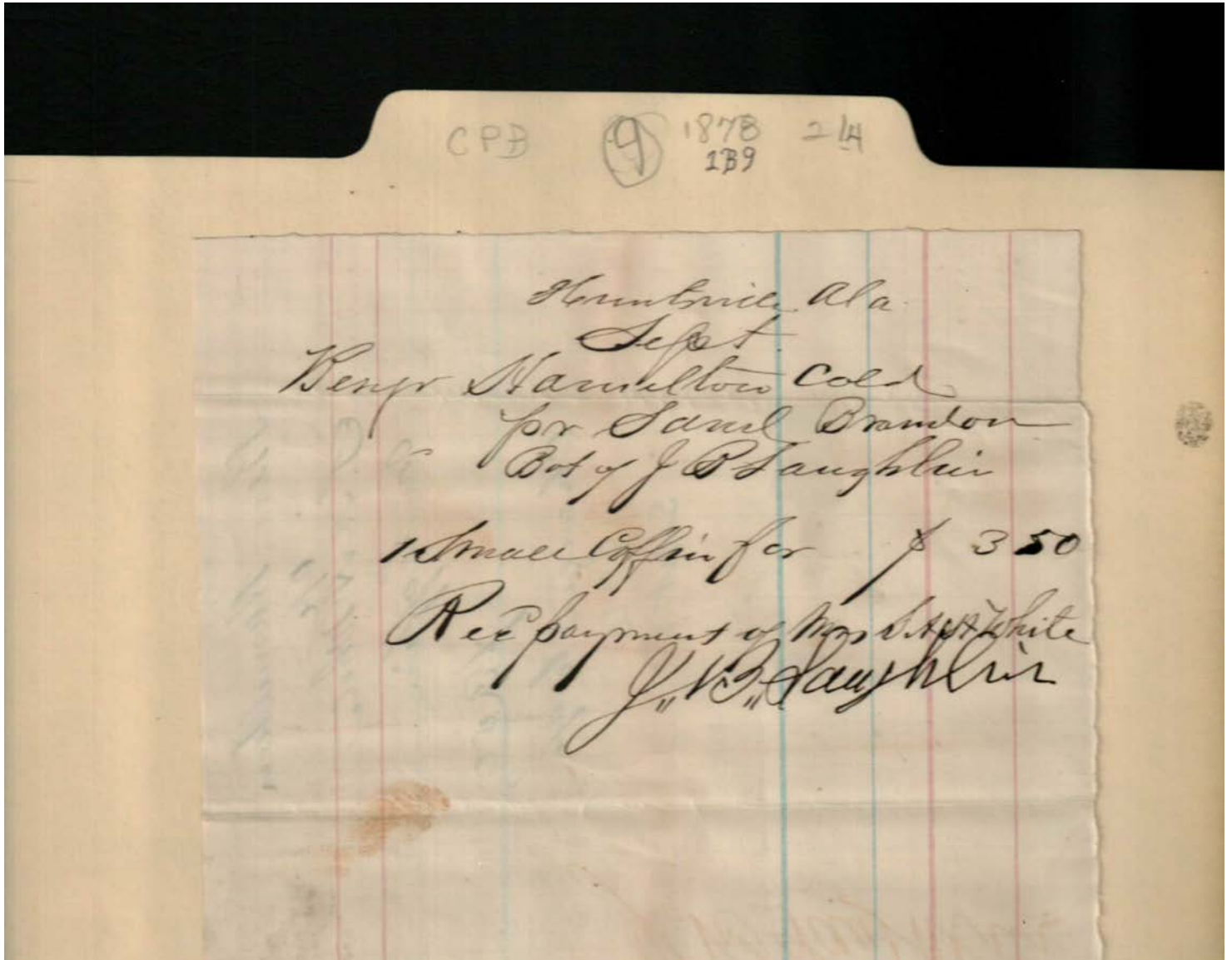
White, S. A. H.

**Types:**

receipt

**Dates:**

Sep 05, 1876



**Names:**

Brandon, Samuel

Hamilton, Benjamin  
(colored)

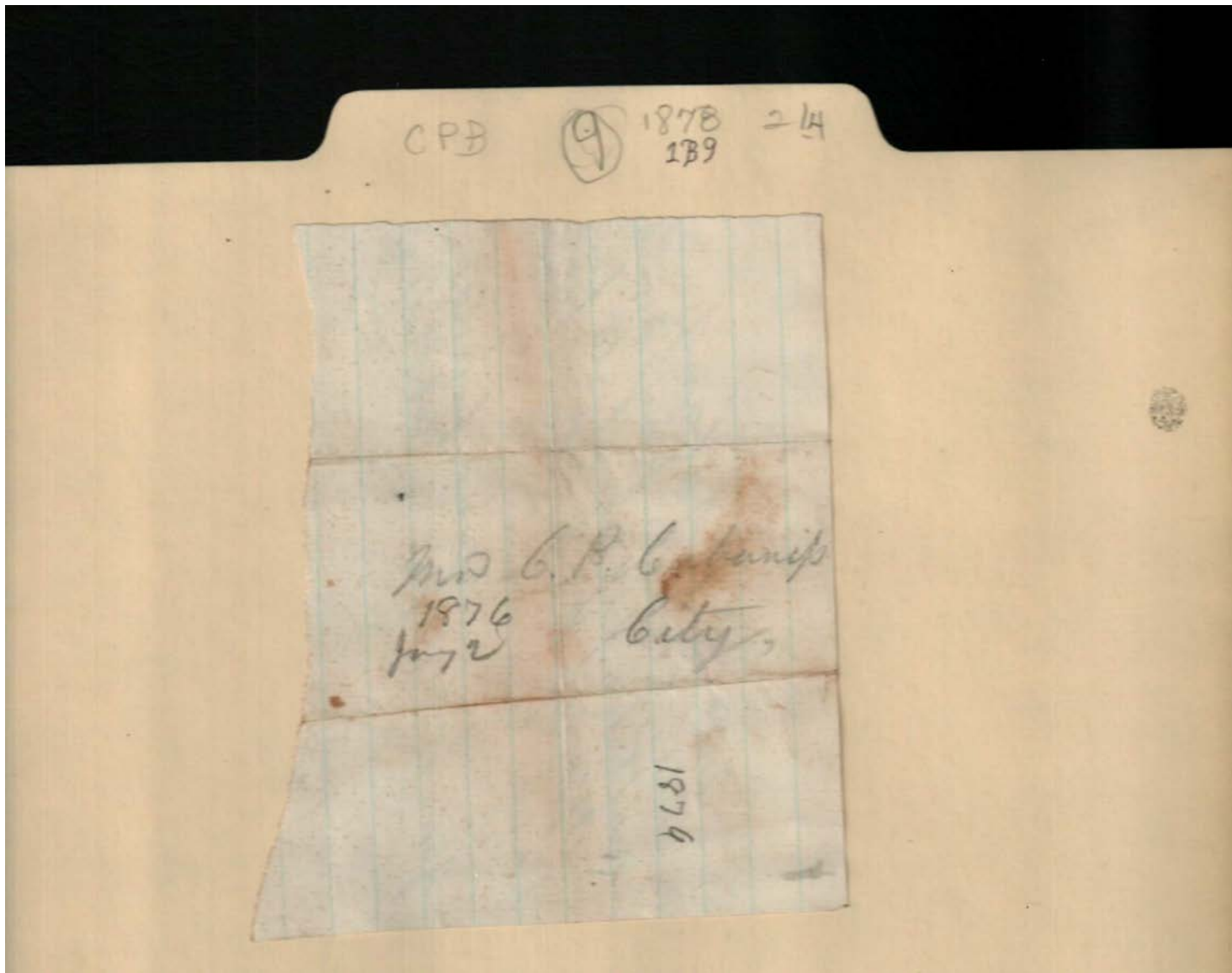
Laughlin, J. B.  
White, S. A. H., Mrs.

**Places:**

Huntsville, AL

**Types:**

receipt



**Names:**

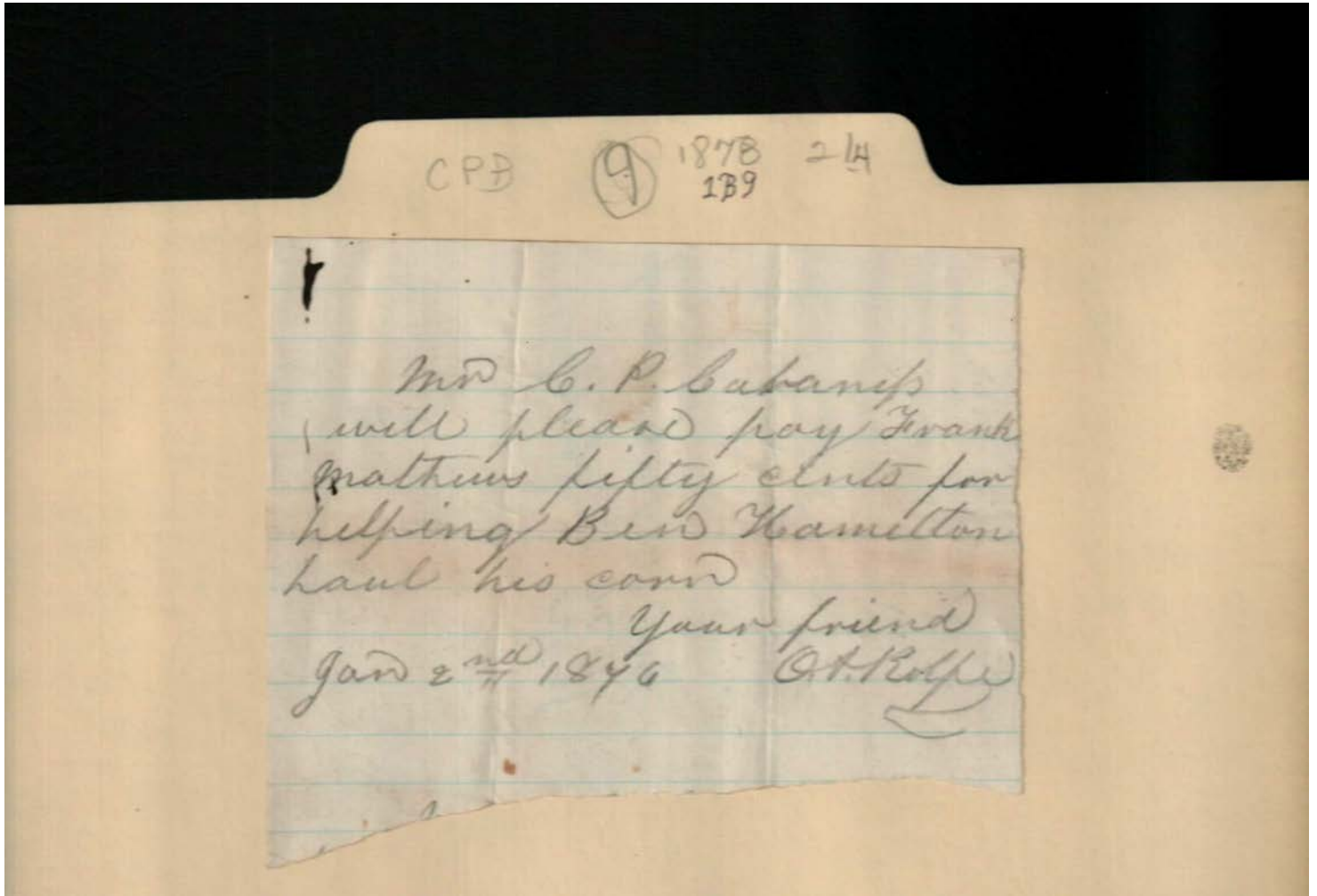
Cabaniss, C. P.

**Types:**

scrap

**Dates:**

Jan 02, 1876



**Names:**

Cabaniss, C. P.

Hamilton, Ben

Matthews, Frank

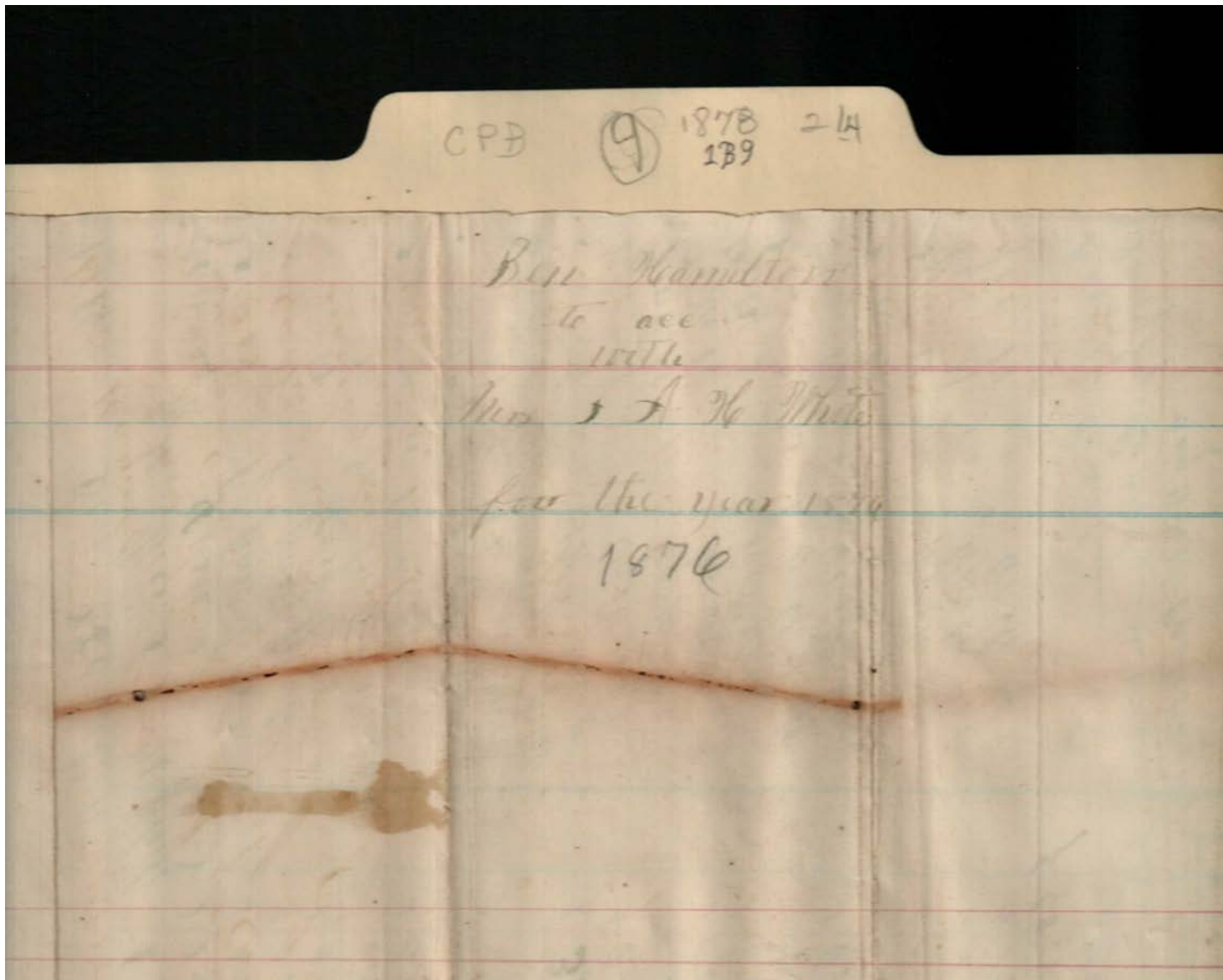
Rolfe, O. A.

**Types:**

receipt

**Dates:**

Jan 02, 1876



**Names:**

Hamilton, Ben

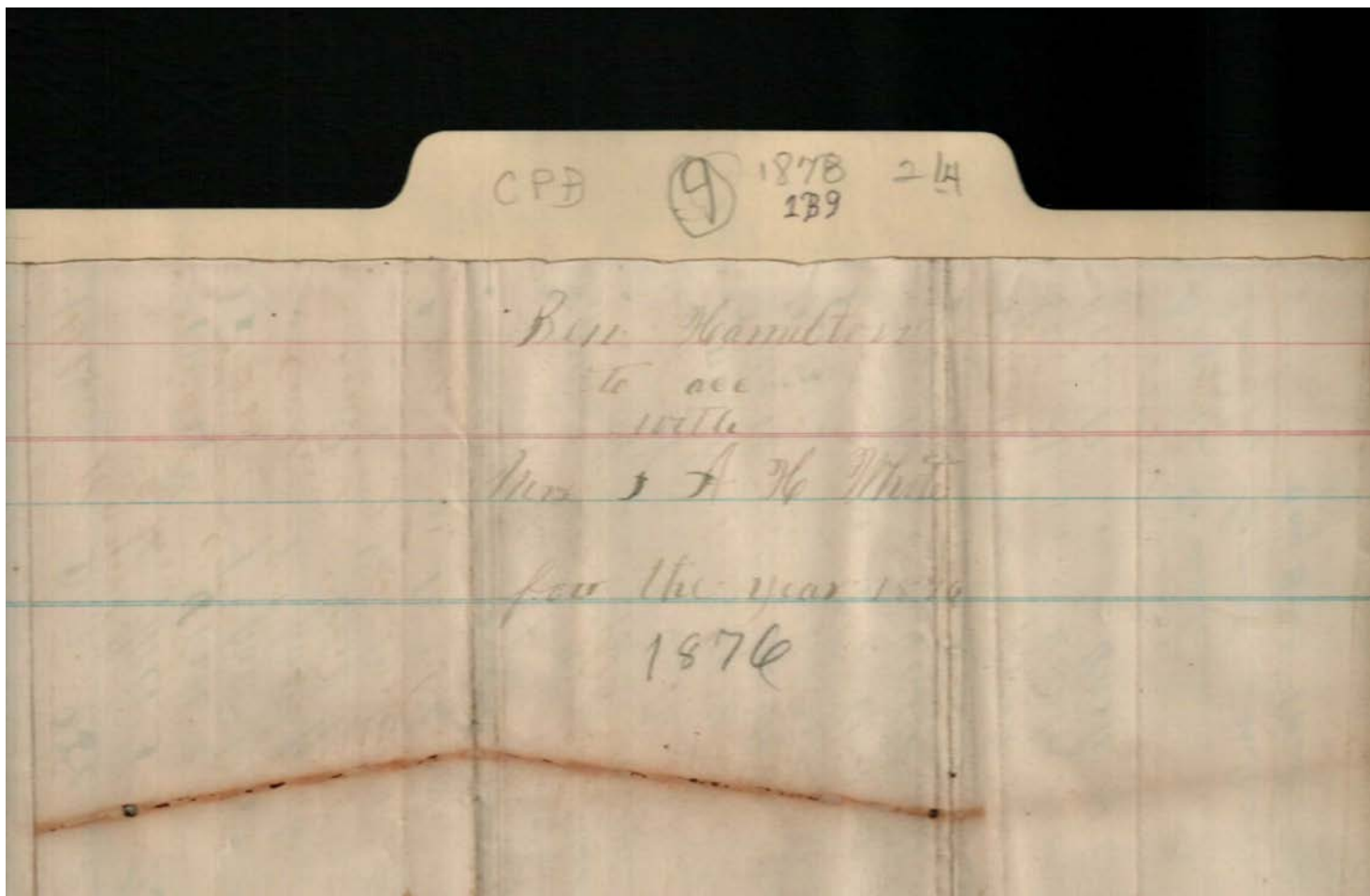
White, S. A. H., Mrs.

**Types:**

memo

**Dates:**

1876



**Names:**

Hamilton, Ben

White, S. A. H., Mrs.

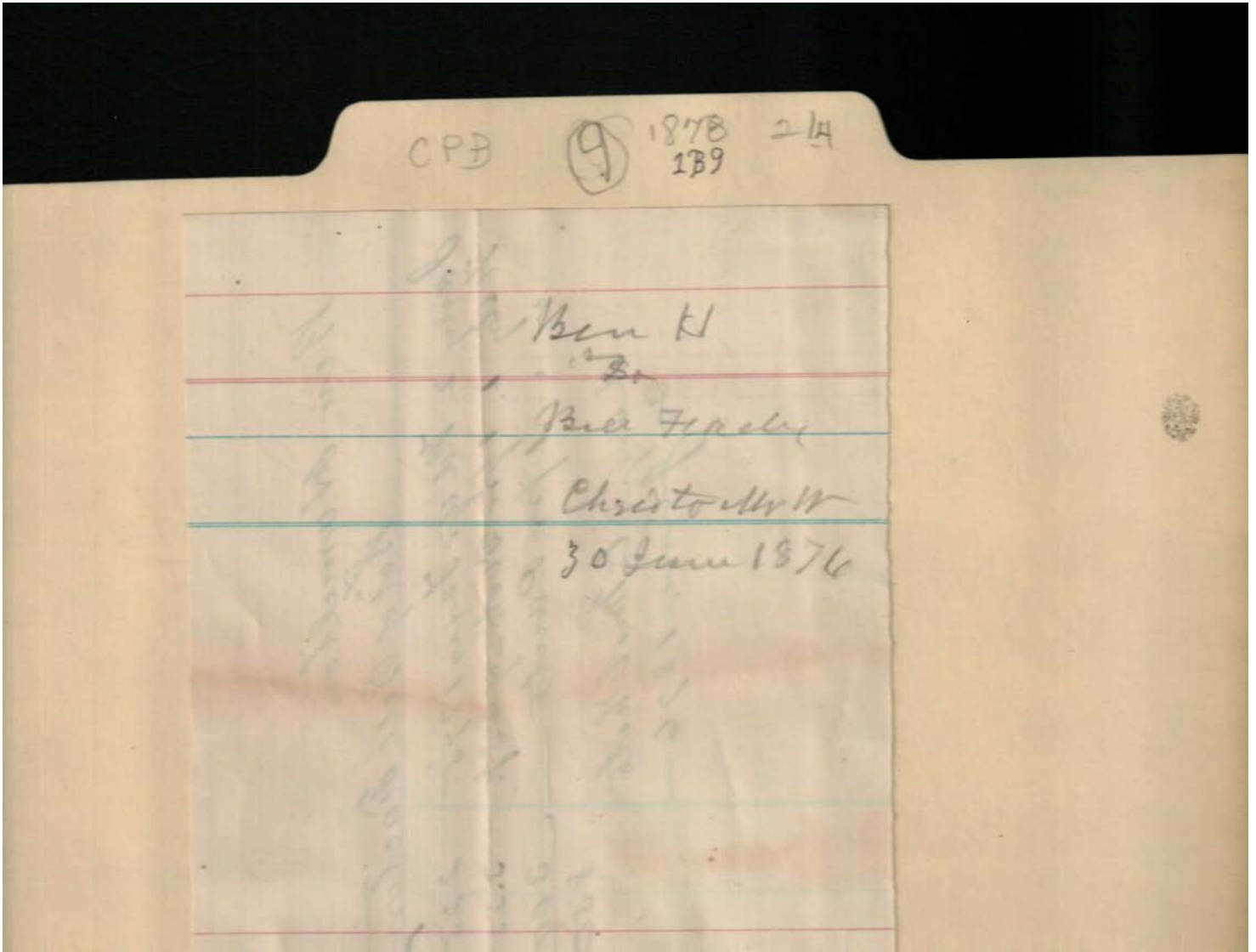
**Types:**

memo

**Dates:**

1876





**Names:**

Christon, W.

Frady, Bill

H., Ben

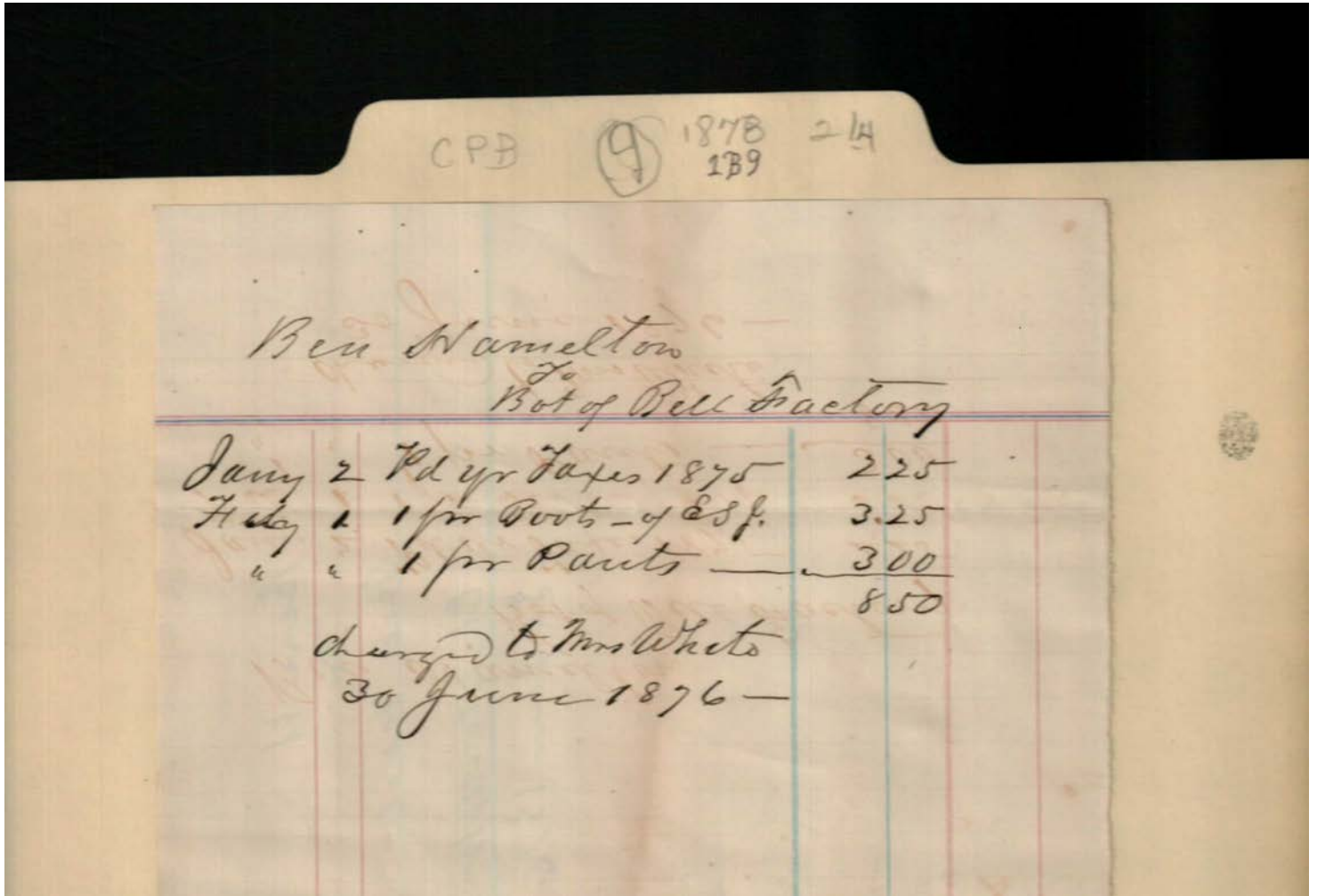
**Types:**

memo

**Dates:**

Jun 30, 1876





**Names:**

Bell Factory

Hamilton, Ben

White, Mrs.

**Types:**

invoice

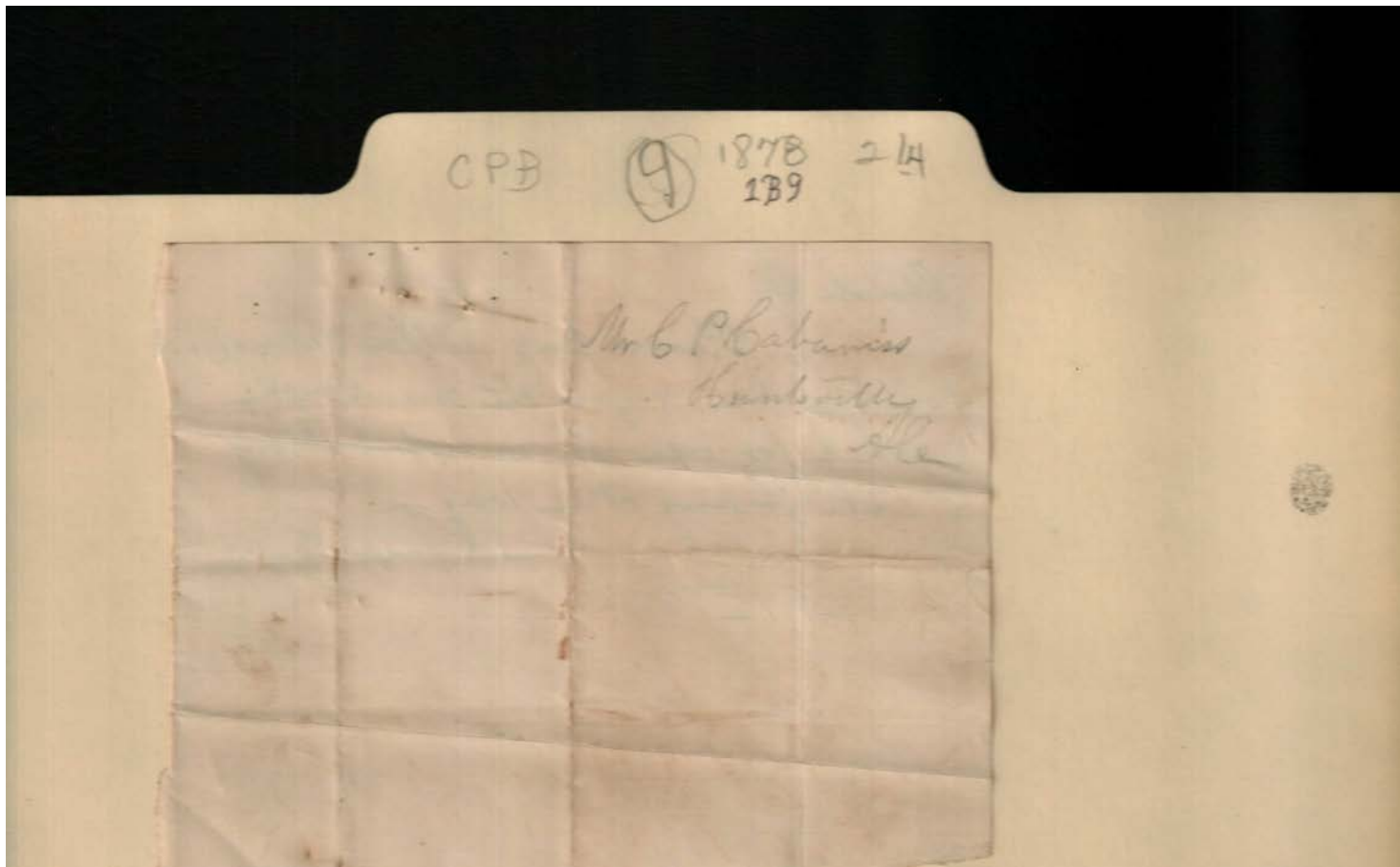
**Dates:**

Jun 30, 1876

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

Legal and court documents, 1878 (2 of 4)

Image 42 r01b09-09-000-0196 [Contents](#) [Index](#) [About](#)



**Names:**

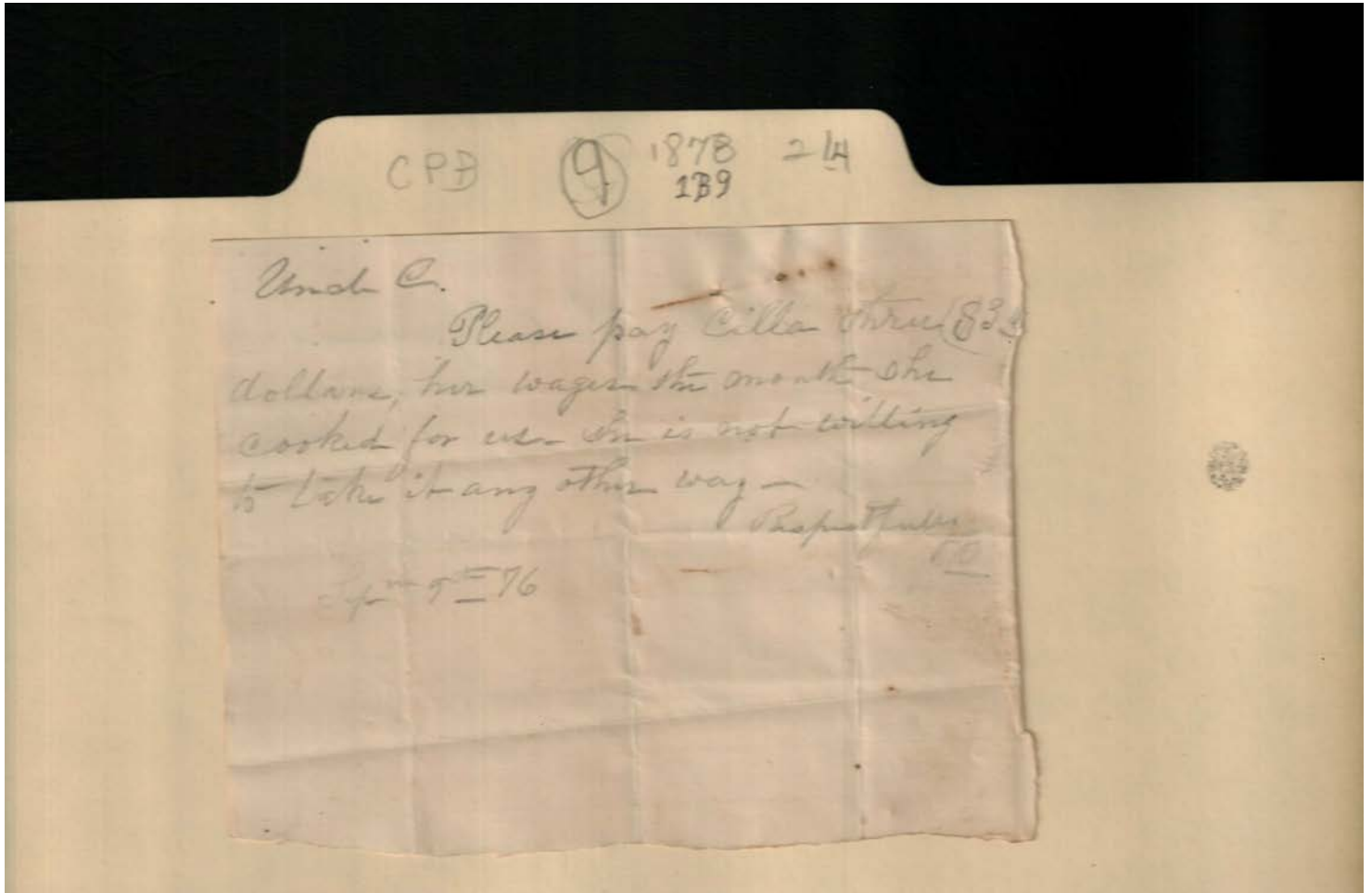
Cabaniss, C. P.

**Places:**

Huntsville, AL

**Types:**

scrap



**Names:**

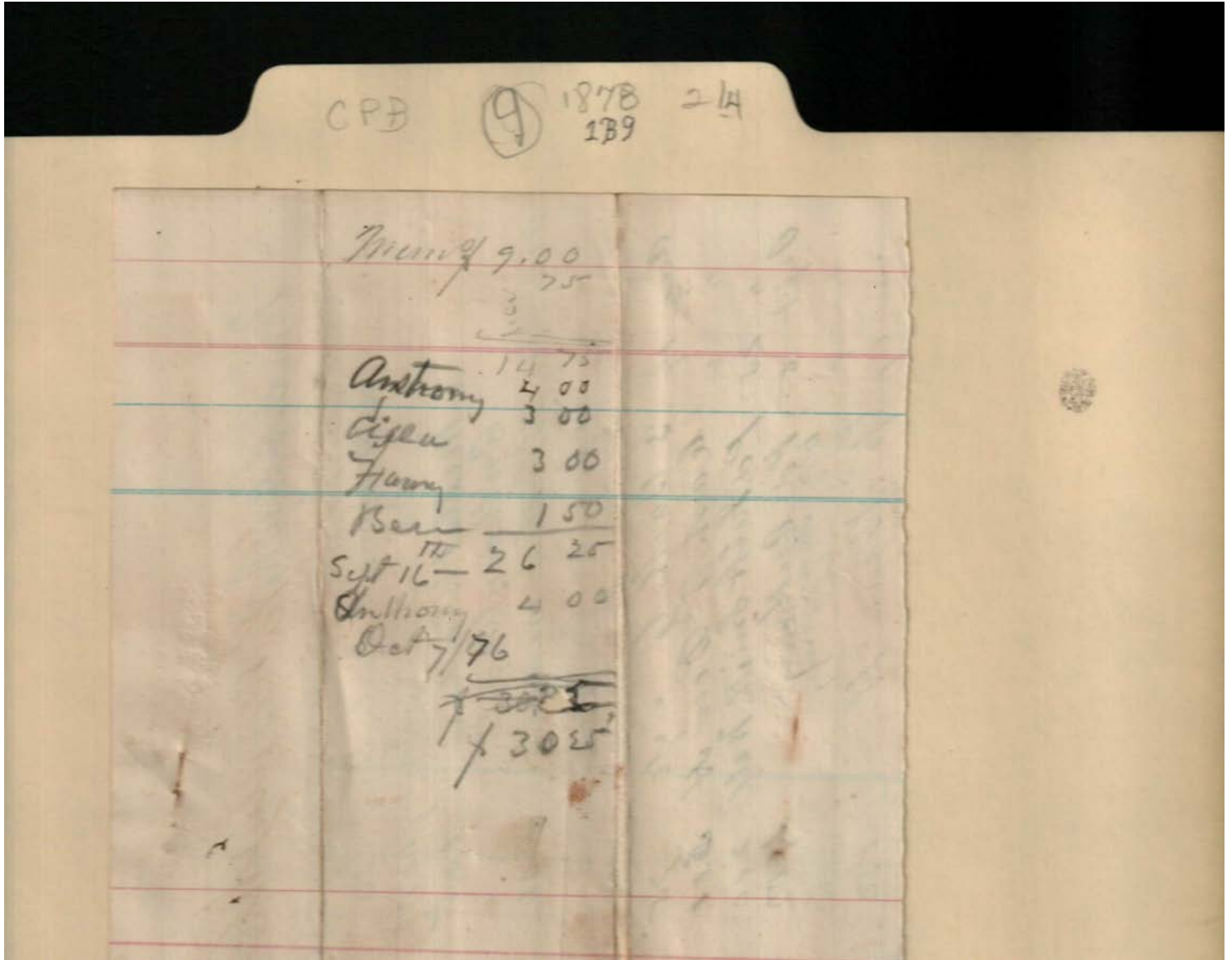
,Cilla

**Types:**

correspondence

**Dates:**

Sep 09, 1876



**Names:**

,Anthony

,Ben

,Cilla

,Harry

**Types:**

list

**Dates:**

Oct 07, 1876

CPB (9) 1878 214  
189

Mrs S. A. H. White

		Pa Shaving 1 Man's Saw	50		
		" do 2 do more	125		
		" Millet Blade	125		
		Anthony Wagon			
Aug	11	5 <sup>th</sup> this month	400		
		1 pr Shaver's Ear	17		
		do Snuff	25	200%	900
Aug	19	3 Baskets	75		
"	4	Leash p Ben H	300		
"	25	Pa Jack Smith Well	200		
Sept	5	Pa Anthony	1400		
		6/8 Canna	300		
"	9	Pa Cilla	300		
"	17	p Ben H	150		
				17	25
				26	25

**Names:**

,Anthony  
,Ben, H.

,Cilla  
Smith, Jack

White, S. A. H., Mrs.

**Types:**

invoice

**Dates:**

Aug 11,

CPD (9) 1878 214  
189

to P Cabaniss  
of 1878  
M C Baldridge  
\$13.50

of ch<sup>o</sup>ts  
Ben Hamilton  
4.50  
Wash Reeves

**Names:**

Baldridge, M. C.

Cabaniss, C. P.

Hamilton, Benjamin

Reaves, Wash

**Types:**

memo

**Dates:**

1878

CPB (9) 1878 214  
1878  
Charles P. Cabaniss  
To M. C. Baldrige  
To Amos Acet Wash Reaves 450  
To Amos Acet Ben Hamilton 900  
1878  
Recd Payment in full Oct 13 1878  
M. C. Baldrige

**Names:**

Baldrige, M. C.

Cabaniss, C. P.

Hamilton, Ben

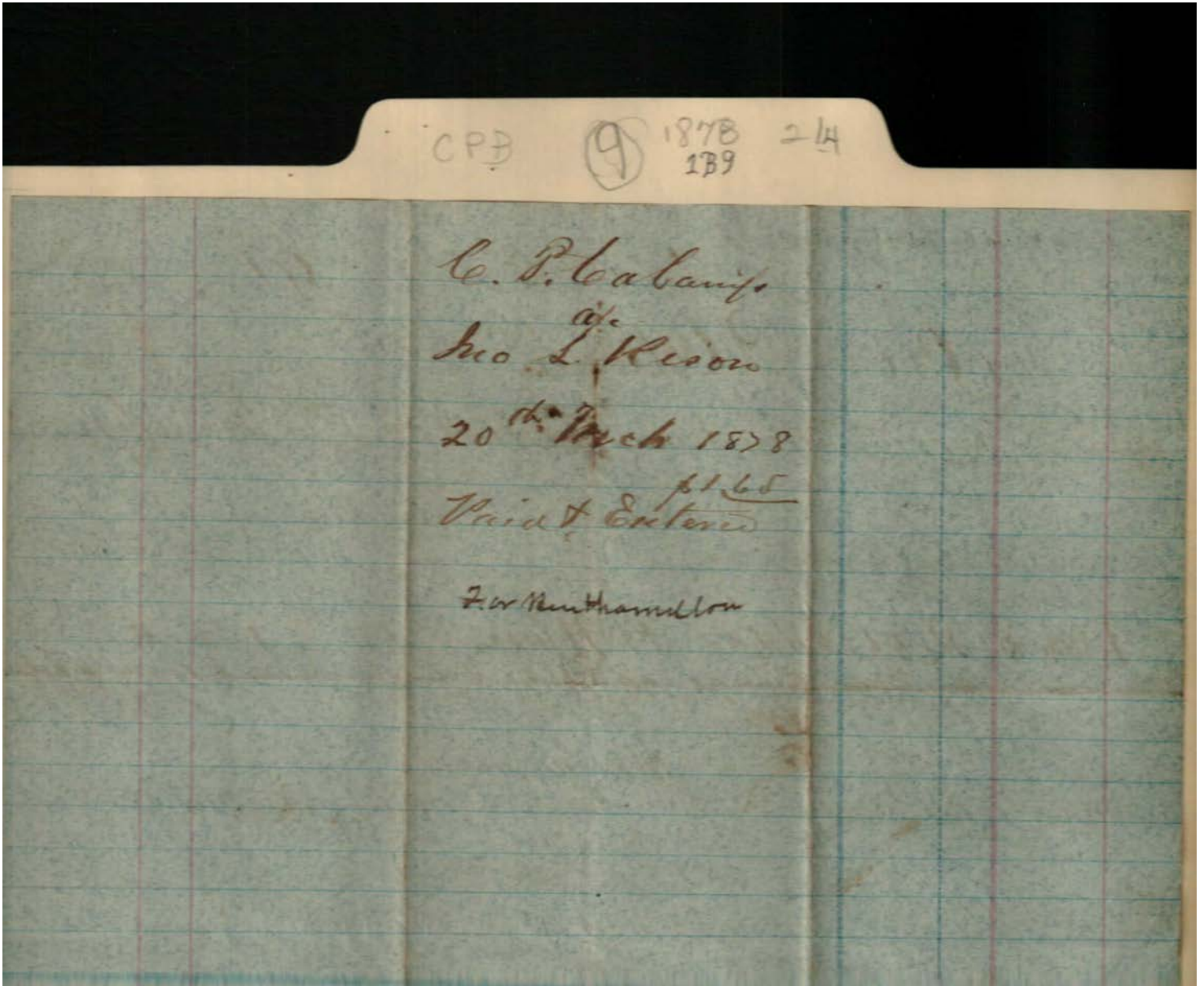
Reaves, Wash

**Types:**

receipt

**Dates:**

Oct 13, 1878



**Names:**

Cabaniss, C. P.

Hamilton, Ben

Rison, John L.

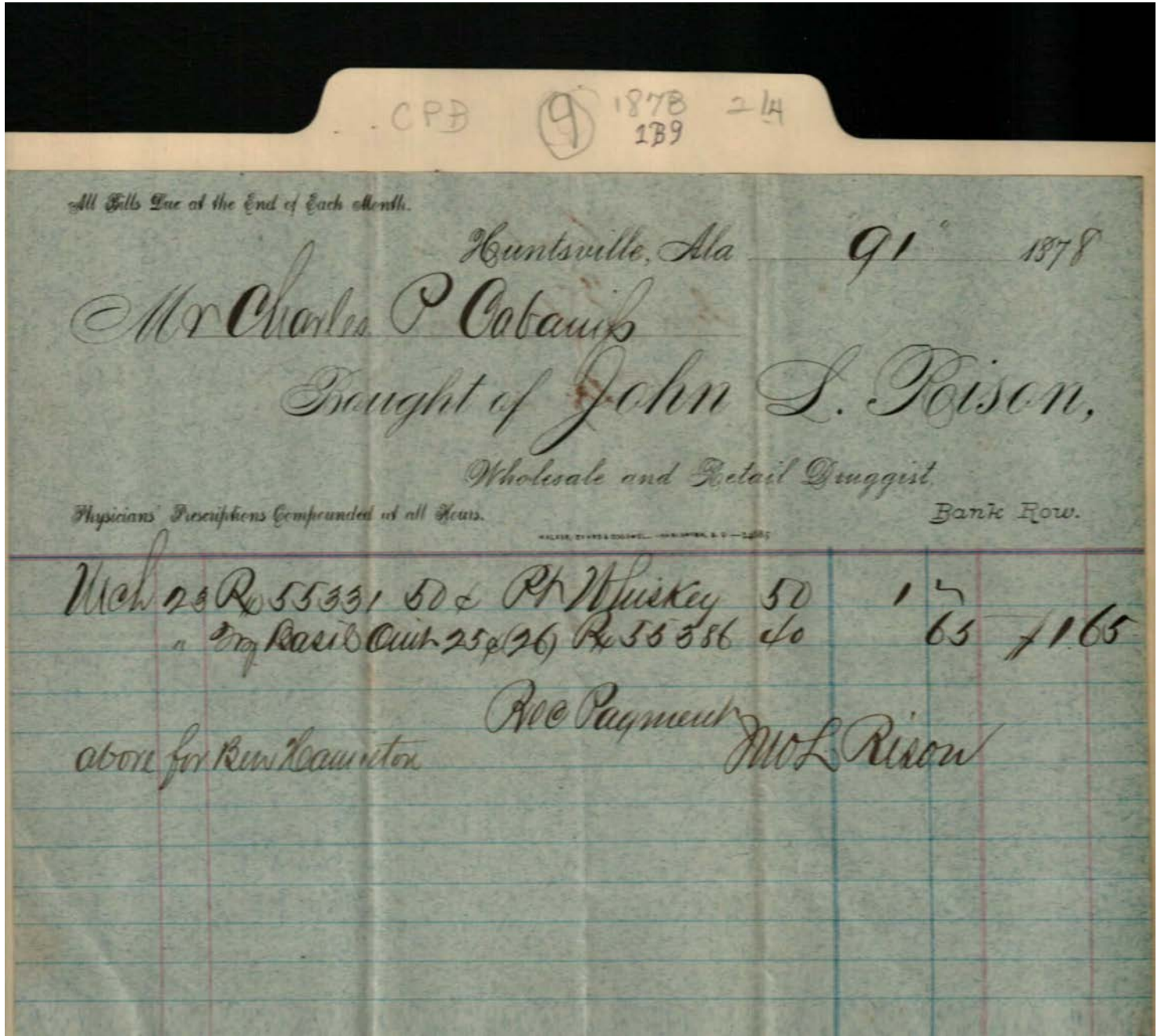
**Types:**

receipt

**Dates:**

Mar 20, 1878





**Names:**

Cabaniss, Charles P.

Hamilton, Ben

Rison, John L.

**Places:**

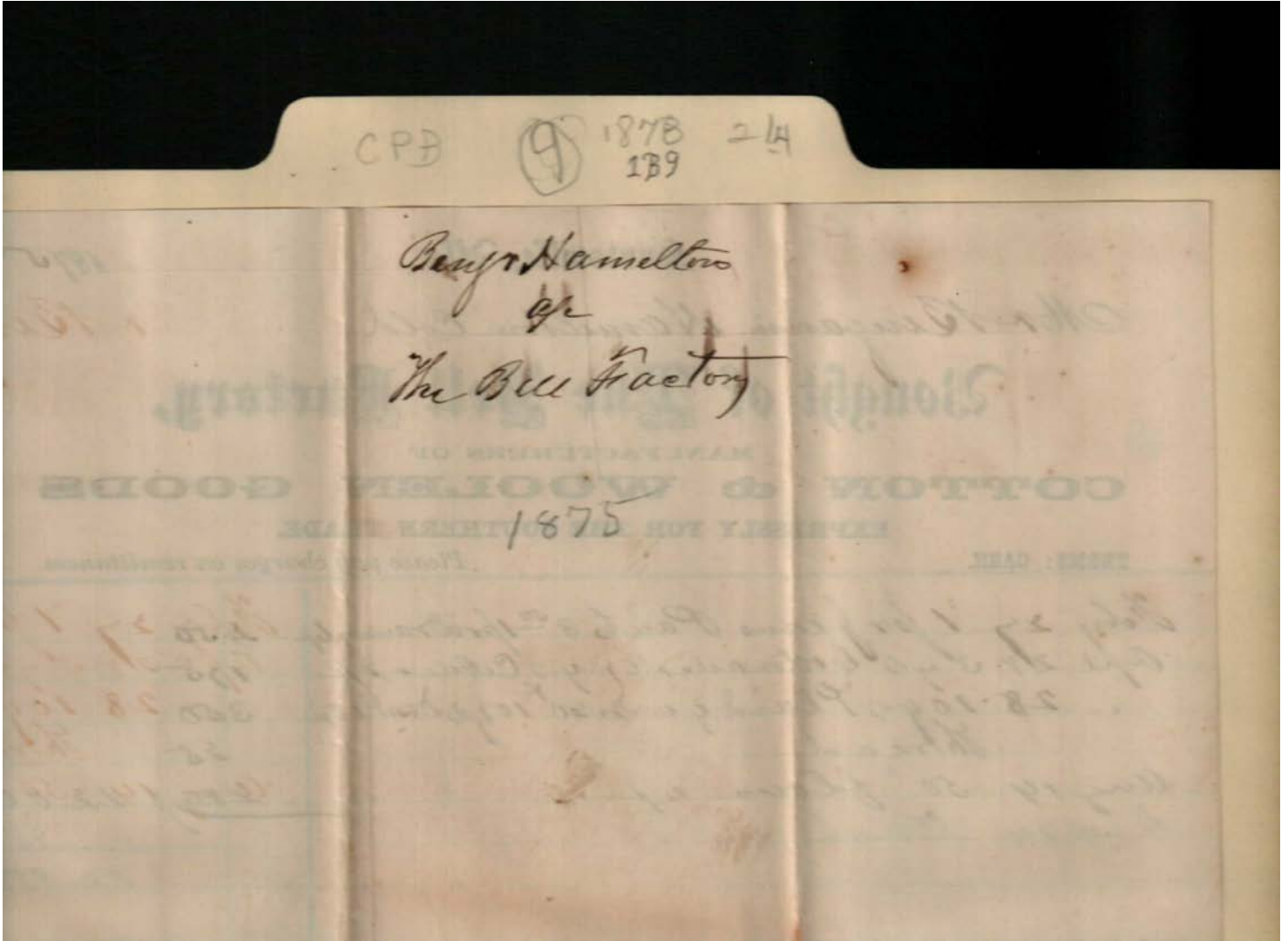
Huntsville, AL

**Types:**

invoice

**Dates:**

Mar 23, 1878



**Names:**

Bell Factory

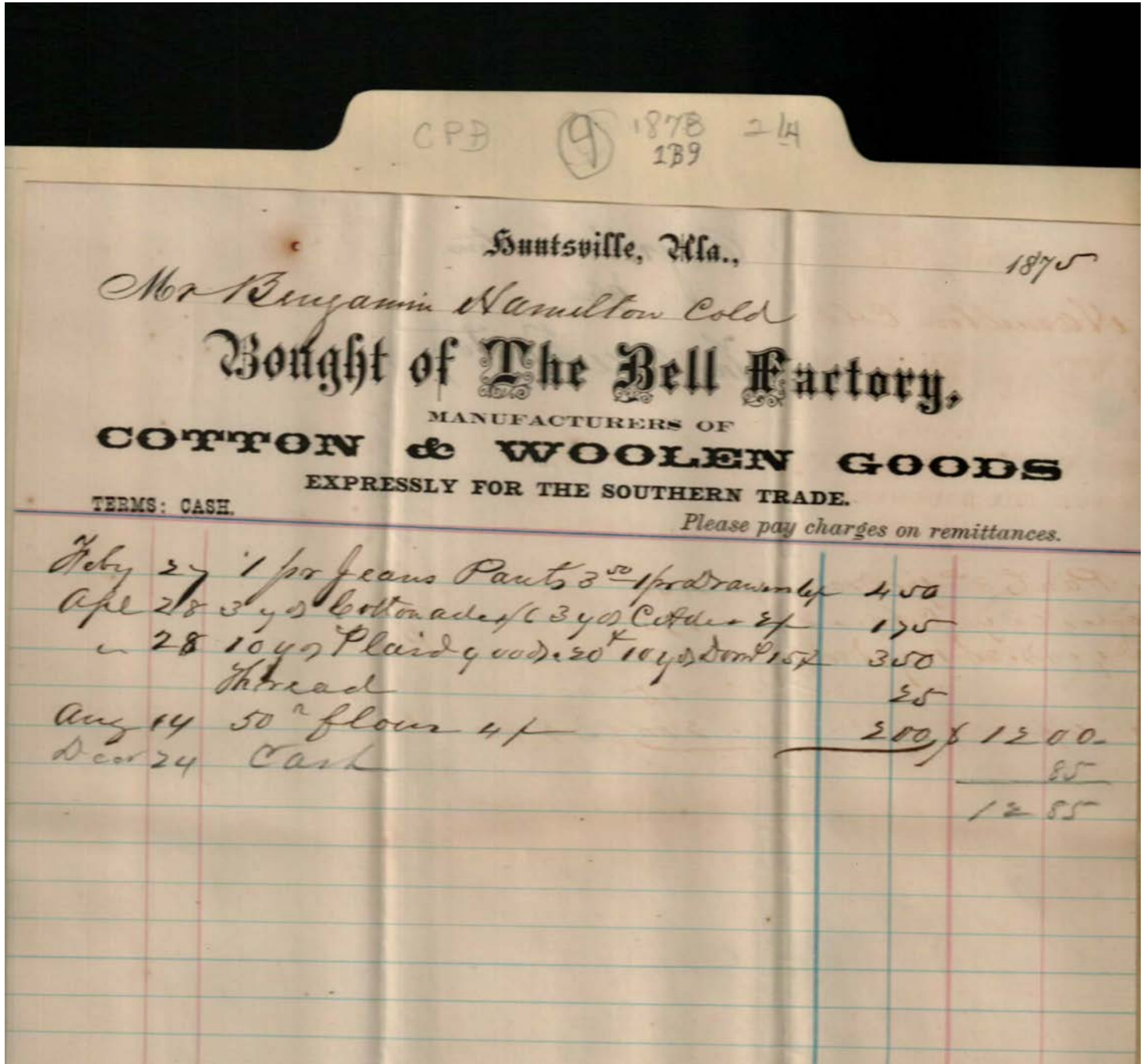
Hamilton, Benjamin

**Types:**

memo

**Dates:**

1875



**Names:**

Bell Factory

Hamilton, Benjamin  
(colored)

**Places:**

Huntsville, AL

**Types:**

invoice

**Dates:**

Dec 24, 1875

CPB (9) 1878 2/14  
189

Ben Hamilton & C. P. Cabaniss  
1875— Port of Darwin & Pully.

Aug.	1	amt of acct 1874	3.50	3.50
	15	Sugar & coffee 1/2. Tobacco 1/2.	2.00	
		1/2 of Calico 1/2. 1 Port Books 5.00	5.50	
		20 1 ply Tobacco.	17	9.69
July	13	Sugar & coffee 1/2 - 10 of Bounties.	3.25	
		Tobacco 3/1 - 2 Stood 10.	70	
	18	Tobacco 1/6	25	4.20
Nov.	1	Sugar 3/1 - 1 Pr Shoes 9/1 -	3.00	
		1 Meat 15/1 - Tobacco 3/1 -	3.00	
		2 Paper 10.00. <sup>30</sup> Tobacco 3/1 -	70	5.70
April	3	Coffee & Sugar 3/1 - flour 1/2 -	1.50	
	14	Sugar & Coffee 1/2 - Tobacco 3/1 -	1.50	3.00
				311.19

**Names:**

Cabaniss, C. P.

Darwin,

Hamilton, Ben

Pully,

**Types:**

invoice

**Dates:**

Jan 01, 1875

CPB      ⑨      1878      214  
189

Ant Brot for			\$2407
May. 8	1 Pr Shun 15/15 Tobacco 40	275.	
	1 " " 15/15	250	525.
June. 1	Tobacco 3/12 Tobacco 3/1	100	
	3 Barb Duck 11.	25	125
			<hr/>
			\$3057
			2506
			<hr/>
			\$557

Due by Oct 1875

Hamilton & Pully

Ben Hamilton

1875

2/34

**Names:**

Darwin,

Hamilton, Ben

Pully,

**Types:**

invoice

**Dates:**

May 08, 1875

$\begin{array}{r} 269 \\ \hline 938 \\ \hline 1913 \\ \hline 502 \end{array}$	$\begin{array}{r} 100 \\ \hline 145 \\ \hline 245 \end{array}$	$\begin{array}{r} 15235 \\ \hline 7717 \end{array}$
<p>Ben Hamilton to acct with Mrs S. A. H. White from the year 1875</p>		
<p>Acct of Ben Hamilton</p>		9124
Acct of Factory Store		1285
Acct of Stewart Pully		3057
1/2 Bagging & Dues		325
for		13841
By 1/2 of 3/4 bale cotton		7717
14 Bales Corn		3200
		10917
Interest on same 12 mos		234
Bal due of 1875		3158
for		
By 1015 fodder		506
45 lbs Cotton seed		366
		866
		2292

**Names:**

Darwin,

Hamilton, Ben

Pully,

White, S. A. H., Mrs.

**Types:**

list

**Dates:**

1875

CPB 9 1878 214  
189

Huntsville Ala - 1875

1875 Ben Hamilton

		to Mrs S. A. H. White Cr		
Jan	11 <sup>th</sup> To 22 <sup>nd</sup>	Bacon	at 15 <sup>¢</sup> for 4	\$ 3 30
"	23 " 58 "	"	" " " "	8 70
Feb	17 " 54 "	"	" " " "	8 70
Mar	29 " 53 "	"	" " " "	7 95
April	15 " 29 <sup>th</sup>	Molasses	at 75 <sup>¢</sup> for 2 <sup>gal</sup>	1 50
"	24 " 58 <sup>th</sup>	Bacon	at 15 <sup>¢</sup>	8 70
May	7 " 27 <sup>th</sup>	Molasses	at 75 <sup>¢</sup>	1 50
"	24 " "	"	" " " "	1 50
June	1 " 45 <sup>th</sup>	Bacon	at 15 <sup>¢</sup>	6 75
"	7 " 3 <sup>rd</sup>	Corn	at 3 <sup>rd</sup> 125 <sup>¢</sup>	4 57 <sup>1/2</sup>
"	17 " 29 <sup>th</sup>	Molasses	at 75 <sup>¢</sup> (standard)	1 50
"	17 " 24 <sup>th</sup>	Bacon	at 15 <sup>¢</sup>	3 60
July	2 " 2 <sup>nd</sup>	Corn	at 3 <sup>rd</sup> 150 <sup>¢</sup>	3 75
"	4 " 5 <sup>th</sup>	Bacon	at 15 <sup>¢</sup>	8 55
"	" " 29 <sup>th</sup>	Molasses	at 75 <sup>¢</sup>	1 50
"	30 " 33 <sup>rd</sup>	Bacon	at 15 <sup>¢</sup>	4 95
"	31 " 2	Coffins		18 00
Aug	17 " 34 <sup>th</sup>	Bacon	at 15 <sup>¢</sup>	5 10
"	31 " 45 <sup>th</sup>	"	" " "	6 75
Sept	19 " 43 <sup>rd</sup>	"	" 18 <sup>¢</sup>	7 74
Credits off				\$ 114 44 <sup>1/2</sup>
22 17				\$ 91 24 <sup>1/2</sup>

1875 Ben Hamilton

		to Mrs S. A. H. White Cr		
Jan	4 <sup>th</sup> To 60 <sup>th</sup>	Cotton seed	at 8 <sup>¢</sup>	4 80
"	" " 28 <sup>th</sup>	Seed cotton	at 24 <sup>¢</sup>	6 37 <sup>1/2</sup>
"	" " "	Cutting wood	two days at 75 <sup>¢</sup>	1 50
"	15 " "	Finishing two days	at 75 <sup>¢</sup>	1 50
Feb	7 " "	"	" " "	1 50
"	" " "	Plowing in orchard	3 days at 75 <sup>¢</sup>	2 25
Oct	" " "	Helping dig potatoes	three days at 75 <sup>¢</sup>	2 25
Total				\$ 25 77 <sup>1/2</sup>

**Names:**

Hamilton, Ben

White, S. A. H., Mrs.

**Places:**

Huntsville, AL

**Types:**

account

**Dates:**

Jan 11, 1875

9 1878 214  
139

This Indenture was made and entered into between  
 C. P. Cabaniss, of the County of Madison and  
 State of Alabama of the first part and Benjamin  
 Hamilton, colored, of said County and State of  
 the second part, this 18<sup>th</sup> day of February 1878  
 to wit, that the said Benjamin  
 Hamilton was rented of Mrs. S. A. H. White about  
 thirty acres of land the current year  
 1878 and agrees to cultivate, well in corn  
 and cotton upon the following conditions, to wit  
 The said Mrs. White is to furnish the said  
 Hamilton, the team (a mule) and necessary  
 utensils to work said crop and furnish  
 the stable and feed for said mule. The said  
 Hamilton is to attend to feeding & carrying  
 the mule and keep him in good condition, but  
 that he is regularly watered when using him  
 & take good care of, & when he furnishes  
 him, & when not in actual use to keep them at  
 his house, & not exposed to the weather after the  
 crop is made & return them in good order to me  
 as far as practicable down & dead timber for  
 fire wood, and not to cut any timber suitable  
 for rails or house logs nor Hickory or cedar  
 at all for that purpose and gather the crop  
 as early as practicable. The said Mrs.  
 White to have one half of all the corn fodder  
 & cotton raised on said land. The said Hamilton  
 is to have the other half of said crop, and one

**Names:**

Cabaniss, C. P.

Hamilton, Benjamin  
(colored)

White, S. A. H.  
White, S. A. H., Mrs.

**Places:**

Madison County, AL

**Types:**

lease

**Dates:**

Feb 18, 1875



CPB 9 1878 24  
189

fourth of an Acre of ground free of rent for a garden spot - Now the said Hamilton being unable to make a crop successfully for want of Means, to purchase his supplies of provisions & clothing Mrs White aforesaid agrees to assist him to the amount of the hundred and Ten dollars worth of supplies during the year as it may be necessary to have it, upon condition that the said Hamilton does not neglect his crop by leaving it to rot, elsewhere, or his kind keep & Now the said Hamilton being willing and desirous of securing the said Mrs White full payment for such advances as she may make him during the said year, hereby sells bargains and conveys to the said Mrs White his entire half of the said crop to be raised on said land, to hold and control until said advances may be paid, and if not paid on or before the 1<sup>st</sup> of July 1876 the said Mrs White through her agent has the right and power hereby granted to sell the same or as much thereof as will pay the said advances. In testimony of all of which I voluntarily sign my name and affix my seal this the day and date above written his

Witness. Benjamin Hamilton  
 O. A. Rolfe

Benjamin Hamilton  
 Mark

O. A. Rolfe

**Names:**

Hamilton, Benjamin

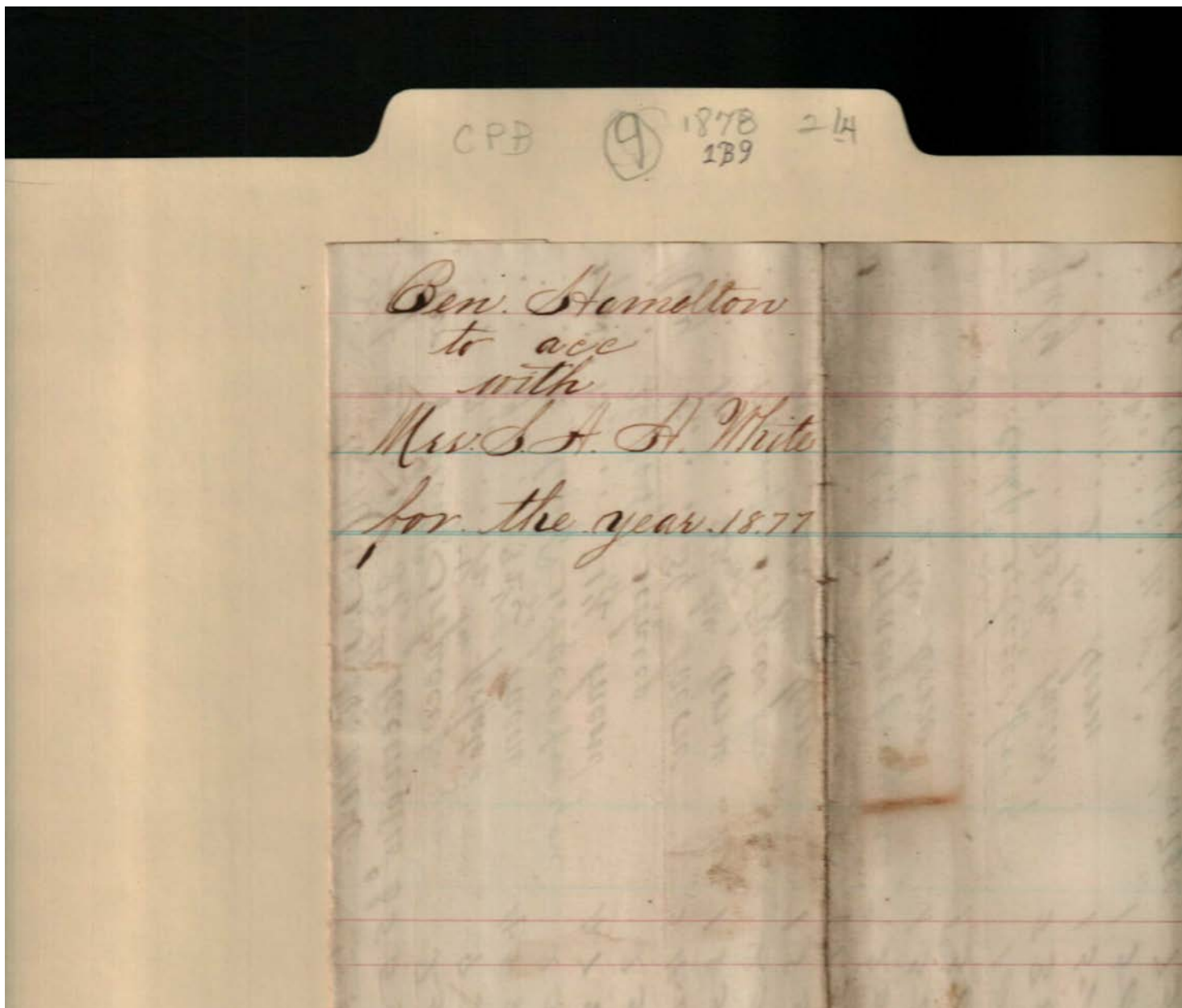
Rolfe, Charles O.

Rolfe, O. A.

White, Mrs.

**Types:**

lease



**Names:**

Hamilton, Ben

White, S. A. H., Mrs.

**Types:**

memo

**Dates:**

1877

CPB 9 1878 24  
187

1877 Ben Hamilton

		to Mrs. S. H. White	
		64	
Feb	22	for 37 <sup>th</sup> faecivatis	85 55 ✓
Mar	8	Cash for you	25 ✓
	3	1/2 bu potatoes	90 ✓
	19	32 <sup>th</sup> faeciv	4 88 ✓
	20	Cash for you	25 ✓
April	12	31 <sup>th</sup> faeciv	4 72 ✓
	24	Cash for you	25 ✓
May	11	34 faeciv	5 40 ✓
	14	2 <sup>th</sup> bu corn	1 85 ✓
	17	Cash for you	25 ✓
	24	2 <sup>th</sup> bu corn	1 85 ✓
June	2	41 <sup>th</sup> faeciv	6 15 ✓
		Cash for you	25 ✓
	7	2 <sup>th</sup> bu corn	1 50 ✓
	23		1 50 ✓
		Cash for you	10 ✓
July	7	35 <sup>th</sup> faeciv	5 32 1/2 ✓
		2 <sup>th</sup> bu corn	1 50 ✓
	24		1 50 ✓
Aug	3	Cash for you	75 ✓
	10	27 faeciv	4 05 ✓
	11	1 <sup>th</sup> bu corn	1 12 1/2 ✓
	23	Cash for you	25 ✓
Sept	1	2 <sup>th</sup> bu corn	1 50 ✓
	4	34 faeciv	4 57 ✓
	12	Cash for you	20 ✓
	17	2 <sup>th</sup> bu corn	1 50 ✓
	28	35 faeciv at 12 <sup>c</sup>	4 38 ✓
			78 30
			62 25
			67 50
			90 00

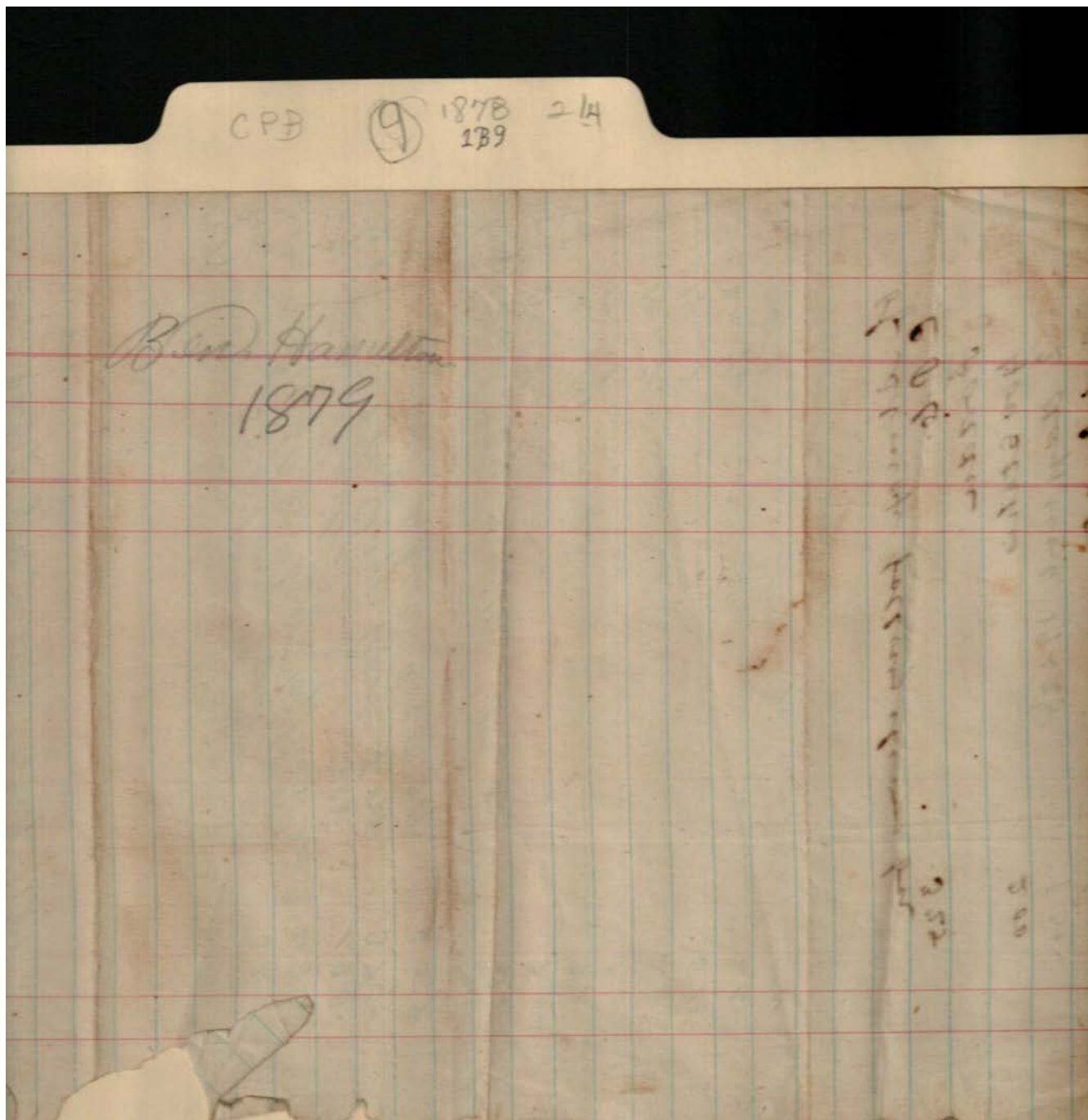
**Names:**

Hamilton, Ben

White, S. A. H., Mrs.

**Types:**

account



**Names:**

Hamilton, Ben

**Types:**

memo

**Dates:**

1879

CPB 9 1878 24  
1879

Ben Hamilton

1878	Apr 21	H. White		
	Apr 25	Ben Conn at 50¢	75	
	.. 25	back of open for 2 days at 50¢	1.50	
1879	Jan	No 350 Ben Thodier at 50¢	32.50	
	Feb	No Stakes split by Ben at 50¢	43.50	
		Bailes .. at 60¢	1.80	
	Aug	7 1/2 days work at 50¢	3.75	
	Oct	11 1/2 .. sub section Oct at 50¢	6.50	
1880				
	Aug 13	1 day work at 50	50	
	.. 14	1/2 .. .. ..	25	
	.. 16	3/4 .. .. ..	37.50	
	.. 17	1 .. .. ..	50	
	.. 18	1/2 .. .. ..	25	
	.. 19	1 .. .. ..	50	
	.. 24	1/2 .. .. ..	25	
	.. 25	1 .. .. ..	50	
			21.75	
			1.75	
			(9.6)	
of Storage following items for				
		C.P.O.	3.25	
		Food		
		400 Stakes	2.00	
		2 days work 19223	1.00	
		2 of credit	6.25	
		Paid by C.P.O. \$100.	1.00	
			<hr/> 5.25	
			14.56	

**Names:**

Hamilton, Ben

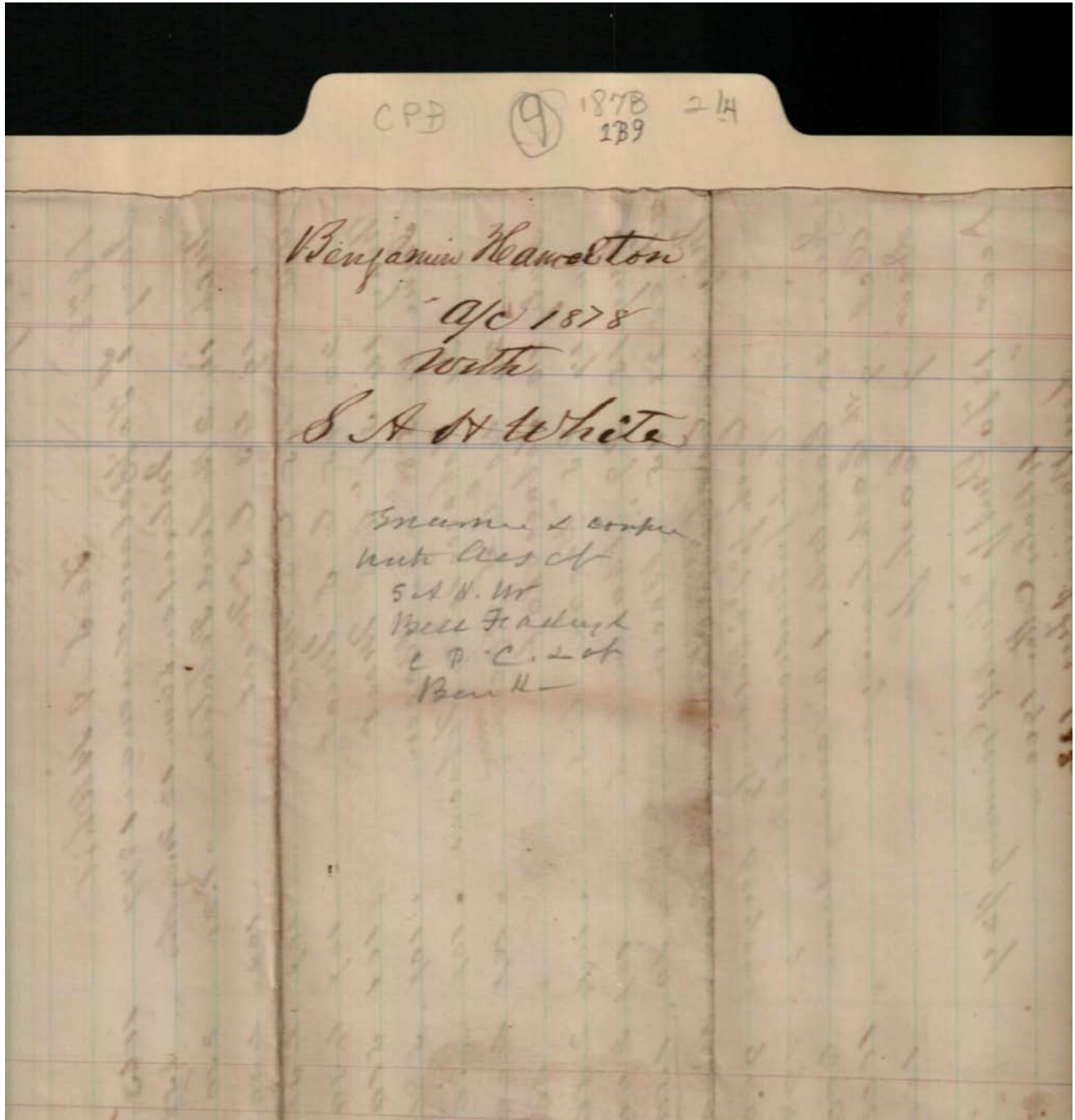
White, S. A. H., Mrs.

**Types:**

account

**Dates:**

Aug 14, 1880



**Names:**

Bell Factory

Hamilton, Benjamin

White, S. A. H.

**Types:**

memo

**Dates:**

1878

CPB 1878 24  
189

45 31  
39 95  
77 36

Madison County Ala 1878  
Benjamin Hamilton

1878		To S. A. H. White	
Jan 1	To Balance on a/c 1877		1063
	Interest on same 12 months		55 11 1/2
Mar 14	2 Bushels Potatoes @ 1.25		2 50
" 19	43 L.S. Meat	10¢	4 30
Apr 3	45 L.S. Meat	10¢	4 50
" 22	45 L.S. Meat	10¢	4 50
May 14	51 " L.S. Meat	10¢	5 10
June 4	58 " " Bacon	10¢	5 80
" 21	Tobacco 10 <sup>th</sup> Tobacco	10¢	20
" 29	40 " L.S. Bacon	10¢	4 00
July 10	Tobacco 10¢		10
" 17	25 " Bacon L.S.	10¢	2 50
Aug 15	29 " Bacon L.S.	10¢	2 90
Nov 23	45 " Bacon "	10	1 50
May 25	Cash paid you advancing same		13 00
" "	Cash paid Dr. Baldridge ben you		9 00
" "	Cash for Medicines advancing		1 98
June 22	Cash Order t advancing same		6 00
Oct 9 <sup>th</sup>	Cash loaning you		10 00
Dec 7	Cash paid "		1 00
Dec 13	To Out of Hewlett Ginning 1/2 of		
" "	4 Bales Cotton 1900 -		
" "	Less Baggings @ 122		
" "	1/2 of which is 1783 294 @ 55/100		4 92
			\$ 94 28
	Or		
" "	By 894 <sup>th</sup> Lint Cotton @ 7¢		6 258
" "	14 <sup>th</sup> day		50¢
" "	3/4 Bush Seed Potatoes over charge		\$ 24 70
			94
	Bal due		\$ 237 6

**Names:**

Baldrige, Dr.

Hamilton, Benjamin

Hewlett,

White, S. A. H.

**Places:**

Madison County, AL

**Types:**

account

**Dates:**

Jan 01, 1878

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 9, Folder 9  
Legal and court documents, 1878 (2 of 4)

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

## Table of Contents

[Image 1](#) (r01b09-09-000-0155)

[Image 2](#) (r01b09-09-000-0156)

[Image 3](#) (r01b09-09-000-0157)

[Image 4](#) (r01b09-09-000-0158)

[Image 5](#) (r01b09-09-000-0159)

[Image 6](#) (r01b09-09-000-0160)

[Image 7](#) (r01b09-09-000-0161)

[Image 8](#) (r01b09-09-000-0162)

[Image 9](#) (r01b09-09-000-0163)

[Image 10](#) (r01b09-09-000-0164)

[Image 11](#) (r01b09-09-000-0165)

[Image 12](#) (r01b09-09-000-0166)

[Image 13](#) (r01b09-09-000-0167)

[Image 14](#) (r01b09-09-000-0168)

[Image 15](#) (r01b09-09-000-0169)

[Image 16](#) (r01b09-09-000-0170)

[Image 17](#) (r01b09-09-000-0171)

[Image 18](#) (r01b09-09-000-0172)

[Image 19](#) (r01b09-09-000-0173)

[Image 20](#) (r01b09-09-000-0174)

[Image 21](#) (r01b09-09-000-0175)

[Image 22](#) (r01b09-09-000-0176)

[Image 23](#) (r01b09-09-000-0177)

[Image 24](#) (r01b09-09-000-0178)

[Image 25](#) (r01b09-09-000-0179)

[Image 26](#) (r01b09-09-000-0180)

[Image 27](#) (r01b09-09-000-0181)

[Image 28](#) (r01b09-09-000-0182)

[Image 29](#) (r01b09-09-000-0183)

[Image 30](#) (r01b09-09-000-0184)

[Image 31](#) (r01b09-09-000-0185)

[Image 32](#) (r01b09-09-000-0186)

[Image 33](#) (r01b09-09-000-0187)

[Image 34](#) (r01b09-09-000-0188)

[Image 35](#) (r01b09-09-000-0189)

[Image 36](#) (r01b09-09-000-0190)

[Image 37](#) (r01b09-09-000-0191)

[Image 38](#) (r01b09-09-000-0192)

[Image 39](#) (r01b09-09-000-0193)

[Image 40](#) (r01b09-09-000-0194)

[Image 41](#) (r01b09-09-000-0195)

[Image 42](#) (r01b09-09-000-0196)

[Image 43](#) (r01b09-09-000-0197)

[Image 44](#) (r01b09-09-000-0198)

[Image 45](#) (r01b09-09-000-0199)

[Image 46](#) (r01b09-09-000-0200)

[Image 47](#) (r01b09-09-000-0201)

[Image 48](#) (r01b09-09-000-0202)

[Image 49](#) (r01b09-09-000-0203)

[Image 50](#) (r01b09-09-000-0204)

[Image 51](#) (r01b09-09-000-0205)

[Image 52](#) (r01b09-09-000-0206)

[Image 53](#) (r01b09-09-000-0207)

[Image 54](#) (r01b09-09-000-0208)

[Image 55](#) (r01b09-09-000-0209)

[Image 56](#) (r01b09-09-000-0210)

[Image 57](#) (r01b09-09-000-0211)

[Image 58](#) (r01b09-09-000-0212)

[Image 59](#) (r01b09-09-000-0213)

[Image 60](#) (r01b09-09-000-0214)

[Image 61](#) (r01b09-09-000-0215)

[Image 62](#) (r01b09-09-000-0216)

[Image 63](#) (r01b09-09-000-0217)

[Table of Contents](#)

[Name & Place Index](#)

[About the Collection](#)



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

Legal and court documents, 1878 (2 of 4)

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

Name & Place Index

,Anthony [44](#), [45](#)  
,Ben, H. [45](#)  
,Ben [44](#)  
,Cilla [43](#), [44](#), [45](#)  
,Harry [44](#)  
Andrews, [32](#)  
Baldridge, Dr. [63](#)  
Baldridge, M. C. [46](#), [47](#)  
Beard, James P. [22](#)  
Beard, Jim [5](#), [6](#)  
Bell Factory [41](#), [50](#), [51](#), [62](#)  
Bibb, Mary P. [25](#)  
Bierne, George P. [16](#), [20](#)  
Brandon, Samuel [34](#)  
Breeding, [29](#)  
Brown, Joseph A. [12](#)  
Brown, [14](#), [15](#), [16](#), [17](#), [18](#)  
Cabaniss, C. P. [35](#), [36](#), [42](#), [46](#), [47](#), [48](#), [52](#), [56](#)  
Cabaniss, Charles P. [49](#)  
Cabaniss, S. D. [1](#), [5](#), [6](#), [7](#), [10](#), [22](#)  
Cabaniss, Septimus D. [21](#)  
Cabaniss, [2](#), [24](#), [28](#), [31](#), [32](#)  
Christon, W. [40](#)  
Clay, J. Withers [21](#)  
Collins, William D. [14](#), [16](#), [17](#), [20](#)  
Collins, [18](#)  
Courtland, AL [4](#)  
Darwin, [52](#), [53](#), [54](#)  
Davidson, William H. [15](#)  
Davidson, [18](#)  
Draper, [30](#)  
DuBose, R. M. [4](#)  
Frady, Bill [40](#)  
Frazier, P. M. (sheriff) [28](#)  
Gardner, David [15](#), [18](#)  
Gardner, James D. [16](#), [20](#)  
Gardner, Mrs. [14](#), [15](#), [16](#), [17](#), [18](#)  
Gardner, Rodah H. [12](#), [14](#), [20](#)  
Gardner, William D. [15](#), [16](#), [17](#)  
Gardner, [18](#)  
Grantland, [29](#)  
Guntersville, AL [5](#), [6](#), [7](#), [10](#), [22](#)  
H., Ben [40](#)  
Hamilton, Benjamin (colored) [34](#), [51](#), [56](#)  
Hamilton, Benjamin [46](#), [50](#), [57](#), [62](#), [63](#)  
Hamilton, Ben [33](#), [36](#), [37](#), [38](#), [39](#), [41](#), [47](#), [48](#), [49](#), [52](#), [53](#),  
[54](#), [55](#), [58](#), [59](#), [60](#), [61](#)  
Henry, A. G. [11](#)  
Hewlett, [63](#)  
Holt, [24](#), [27](#)  
Huntsville, AL [1](#), [2](#), [21](#), [24](#), [27](#), [28](#), [34](#), [42](#), [49](#), [51](#), [55](#)  
Jones, [30](#)  
Jordan, [11](#)  
Laughlin, J. B. [34](#)  
Lee, Mrs. [17](#)  
Lew, [32](#)  
Louisville, KY [32](#)  
Madison County, AL [8](#), [9](#), [56](#), [63](#)  
Matthews, Frank [36](#)  
McCullough, A. W. [25](#), [26](#)  
Neal, Frank [8](#), [9](#)  
Newman, William P. [19](#), [20](#)  
Northern Dist of Alabama [12](#), [25](#)  
Patton, Charles H. [15](#), [16](#)  
Patton, [16](#), [23](#)  
Peevey L. M. [25](#)  
Pleasant, Robert [25](#)  
Provence, F. A. [5](#), [22](#)  
Pully, [52](#), [53](#), [54](#)  
Reaves, Wash [46](#), [47](#)  
Rice, [19](#)  
Richardson, William [9](#)  
Riichard, [30](#)  
Rison, John L. [48](#), [49](#)  
Rison, W. K. [23](#)  
Rolfe, Charles O. [57](#)  
Rolfe, O. A. [36](#), [57](#)  
Russell, Thomas H. [19](#), [20](#)  
Rutherford, William [18](#)  
Rutherford, [20](#)  
Rutledge, Thomas J. [24](#)  
Smith, Jack [45](#)  
Steele, James A. Capt. [27](#)  
Steele, M. W. [28](#)  
Steele. T. A. [6](#)  
Street, T. A. [11](#)  
Taylor, Henry [18](#)  
Taylor, William [20](#)  
Terry, [30](#)  
Thomas, John G. (sheriff) [19](#)  
Thomas, John G. [20](#)  
Ward, F. P. [3](#), [25](#), [27](#)  
Ward, [1](#), [2](#), [24](#), [28](#), [31](#), [32](#)  
Wells, [15](#)  
White, John H. [12](#)  
White, Mrs. [41](#), [57](#)  
White, S. A. H., Mrs. [34](#), [37](#), [38](#), [39](#), [45](#), [54](#), [55](#), [56](#), [58](#),  
[59](#), [61](#)  
White, S. A. H. [33](#), [56](#), [62](#), [63](#)

# 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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