

C98 (3) 1873 188 3/3

Huntsville Ala;  
May 26. 1873.

Mr Frank Neal,  
Dear Sir:

I have waited, until  
forbearance has ceased to be a  
virtue for parties interested to ar-  
range our fee for representing  
you as admin of your father's  
estate. You all seemed determined  
not to do anything. You know  
I have not received the money.  
I learn you have made a  
conveyance of your interest  
in your father's estate to  
your brothers & sisters. So you  
see this leaves me without  
any remedy except to have  
that conveyance set aside,  
and your interest subjected to  
the payment of our fees. I  
dislike to do this. I have  
taken legal advice on the

**Names:**

Neal, Frank

**Places:**

Huntsville, AL

**Types:**

correspondence

**Dates:**

May 26, 1873

CPB (3) 1873 1B8 3/3

subject & unless something  
is done soon to pay, or  
secure us we will file a bill.  
Let me hear from you  
at your earliest convenience.  
I have never received  
my retainer in the case  
in Circuit Court. If you  
desire my services any  
longer remit me for retainer.  
If not let me know that  
I may understand my  
status. I shall expect now  
a retainer of \$50.00. In con-  
versation with other lawyers  
I am satisfied this is little  
enough, for the case will be  
bitterly litigated, & you must  
know the laborer is worthy of his  
hire.  
Yours respectfully  
John D. Brandon

**Names:**

Brandon, John D.

**Types:**

correspondence

C.P.B. (3) 1873 188 2/3

Huntsville, Ala;  
July 17, 1873.

Mr. Frank Neal

I saw Mr. Neal this morning and asked him what he expected to do. He said he could do nothing unless parties were interested and advised him I did not, but that he had not heard from you on the subject. In your last to me you stated you would have it arranged. I have not heard since. I told you I could not understand the indifference of yourself and other parties to our case in this matter. I am waiting very patiently to hear from you with a view for the amendment

**Names:**

Neal, Frank

**Places:**

Huntsville, AL

**Types:**

correspondence

**Dates:**

Jul 17, 1873

C 98 (3) 1873 188 3/3

Or not an accepted order upon  
Paris, I cannot understand  
your surprise at me wanting  
you to pay, since you are  
yourself before you left  
there to dispose of ~~the~~ paper  
to each of. I propose to  
accept an order on Youcey  
Harrison when accepted for  
the amount, on the faith  
of same paper, & you I am  
surprised at your surprise  
I have not heard from you  
in regard to your wife's suit  
in Circuit Court. You are  
prohibited to attend to this.  
I do not mean to  
file the Bill, I have done,  
James is the primary liable  
but it is your duty - to see it  
arranged. I do not like it as a  
favor, but to her soon. Yours  
John D. Brandon

**Names:**

Brandon, John D.

**Types:**

correspondence

CPB (3) 1873 188 3/3

Huntsville, Ala;  
June 10. 1873.

Mr Frank Neal  
Indianapolis.  
Ind: 3

Dr Sir:

Some two or three weeks since I wrote you a letter in regard to case pending before the Circuit Court here, and also in regard to my fee against you as administrator of your fathers estate for making settlement &c. Not having been returned to me I presume you received it, but I have not received one word from you in reply. As you have not complied with promise to send me my

**Names:**

Neal, Frank

**Places:**

Huntsville, AL

**Types:**

correspondence

**Dates:**

Jun 10, 1873

C.P.B. (3) 1873 188 2/3

retainer in the case of Spigner  
pending in Circuit Court.  
I have upon reflection concluded  
I am not engaged in the  
case and desiring the great  
labour I will have to undergo  
in attending to the case, a  
sufficient reason therefor  
I shall expect you to pay me  
a retainer of \$50.<sup>00</sup> to attend  
to it. If you desire my services,  
let me hear from you im-  
mediately, with \$50. remitted.  
In regard to my fee of \$500.  
I must say I have waited  
on parties interested until for-  
bearance has ceased to be  
a virtue, I have run from  
one side to the other as long  
you ought to expect me  
to do so. I performed the  
services and there is no

Types:

correspondence

C 28 (3) 1873 188 3/3

reason why I should not be  
paid except that parties absti-  
nately refuse to do me the  
justice even to promise  
payment. I can't get Ward  
to do anything without it  
I shall file a bill in Chancery  
and when I do I shall be  
forced to the unpleasant  
duty of asking that Court  
to set aside your deed to  
your brother & sisters for  
fraud. I mean legal fraud  
of course, for what justice  
is there in my sitting still  
any longer. When I go to  
you you say I must exhaust  
remedies against the estate,  
when I go to Ward he says  
it is your debt & you must  
pay it notwithstanding you  
have nothing out of which I

**Names:**

Ward,

**Types:**

correspondence

CPB (3) 1873 1B8 3/3

I can make it, save your  
interest in your father's estate,  
which has been transferred  
since my debt was  
created.

As you know as well as  
I do, that this is no way  
to treat me, & I again give  
you an opportunity of arrang-  
ing this matter, I mean  
all of you, or I must proceed  
at law to do so as unpleas-  
ant as it is, - I mean  
business.

Yours truly  
John Brandon

**Names:**

Brandon, John D.

**Types:**

correspondence



CPB (3) 1873 158 3/3

Indianapolis Ind July 31/73

Mr Cabaniss

Dear Sir

I enclose you three letters from  
J. D. Brandon, I want you to advise me  
what course to pursue & if you cannot set  
for me please suggest some one who can.  
Mr Ward can better put you in regard to  
the business than I can. There is a suit  
pending in Circuit Court against My Wife  
for want of property - which property in  
the drug store I formerly owned. I had  
employed John Brandon & now he has  
acted so strangely & refused to touch it  
until I pay him \$500 in advance when  
he only asked for \$200 at first. I think  
he refused to act for me because he has not  
received his fee representing me as Admr.  
I would willingly pay him myself if I had it  
& ought to the heirs of Est in refunding it to  
me, because his fee in fact & correct I should

**Names:**

Brandon, John D.

Cabaniss,

Ward, Mr.

**Places:**

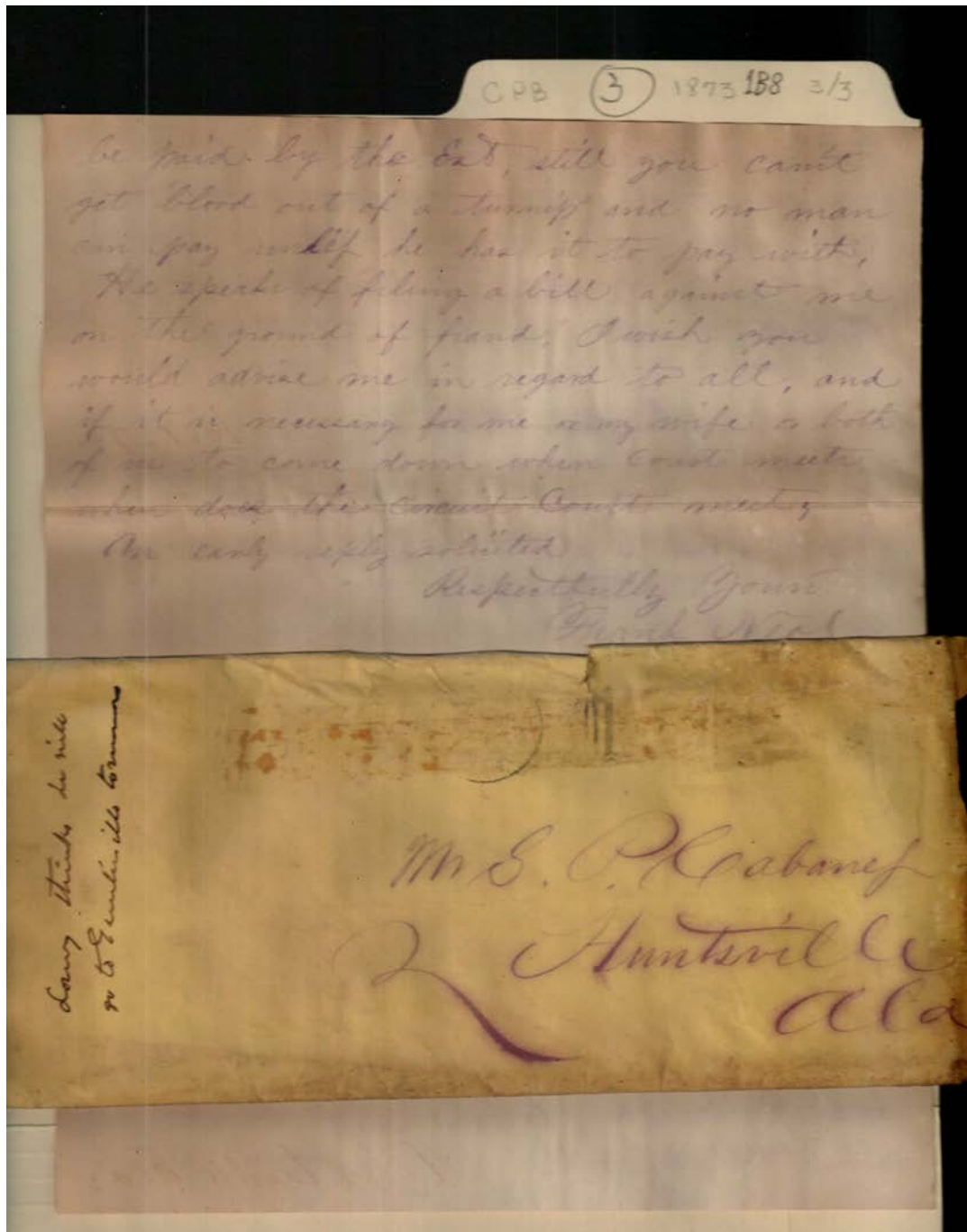
Indianapolis, IN

**Types:**

correspondence

**Dates:**

Jul 31, 1873



**Names:**

Cabaniss, C. P.

Neal, Frank

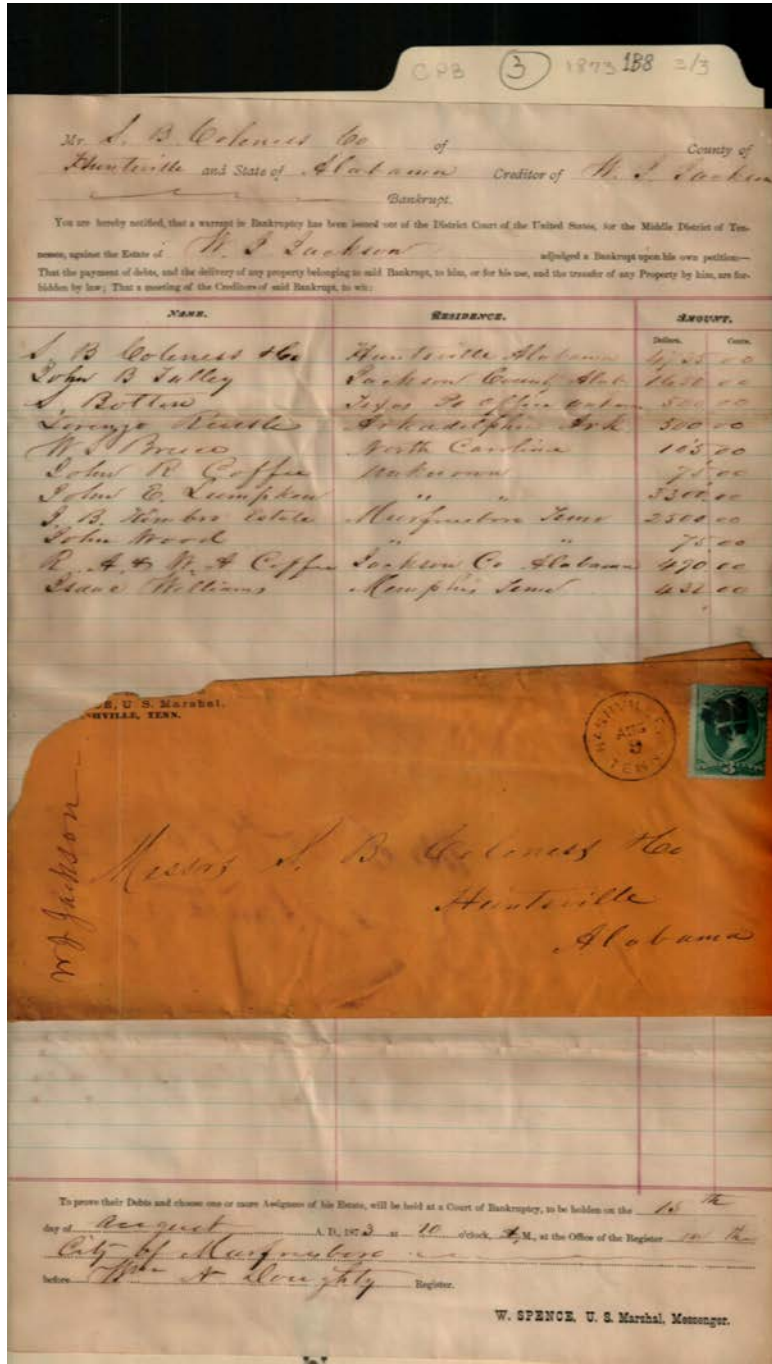
**Types:**

correspondence

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Legal and court documents, 1873 (3 of 3)

Image 11 r01b08-03-000-0079 [Contents](#) [Index](#) [About](#)



**Names:**

- |                 |                     |                  |                 |
|-----------------|---------------------|------------------|-----------------|
| Bottom, S.      | Coffee, W. A.       | Kembro, J. B.    | Talley, John B. |
| Bruce, W. S.    | Coleness, S. B.     | Lumpken, John E. | Williams, Isaac |
| Coffee, John R. | Doughty, William A. | Russel, Lorenzo  | Wood, John      |
| Coffee, R. A.   | Jackson, W. J.      | Spence, W.       |                 |

**Places:**

Huntsville, AL

**Types:**

bankruptcy

**Dates:**

Aug 15, 1873

C.P.B. (3) 1873 188 = 1/3

Maysville Ala Sept 25. 1873

To Larkin A Wortham Son  
of William H Wortham Sr.

To avoid any difficulty  
about the support for myself stipulated  
for in my conveyance to said William  
H Wortham of date June 3. 1867. I propose  
that if you will allow me the control  
and rents of the property and pay me  
the claim of him hundred and eleven  
77<sup>1/2</sup> or dollar against said W<sup>th</sup> Wortham  
estate presented by me to you as the  
administrator thereof. I will accept this  
as a compliance with the provisions of  
said conveyance for my support.

If you think he expended more for  
my support than he received in rents  
and profits of the property. I am willing  
that an account shall be stated by us  
charging his estate with the amount  
he owes me at the date of said deed  
June 3. 1867. with what he collected on  
debts due me from other persons, crops  
and stock sold or appropriated and  
cash loaned with interest on these  
several items and auditing him with  
his expenditures in repairs and for  
my support with interest thereon.

**Names:**

Wortham, Larkin A.

Wortham, William H.

**Places:**

Maysville, AL

**Types:**

correspondence

**Dates:**

Sep 25, 1873

CPB (3) 1873 188 3/3

and the balance to be sustained in any  
form I will accept. whether more or  
less than the \$911.75.

Please give me an early answer  
to this proposition. And if you accept  
the latter proposition we will act today  
for agreeing on the stated account.

Yours Respectfully,  
Cinderlee Hill.

**Names:**

Hill, Cinderlee

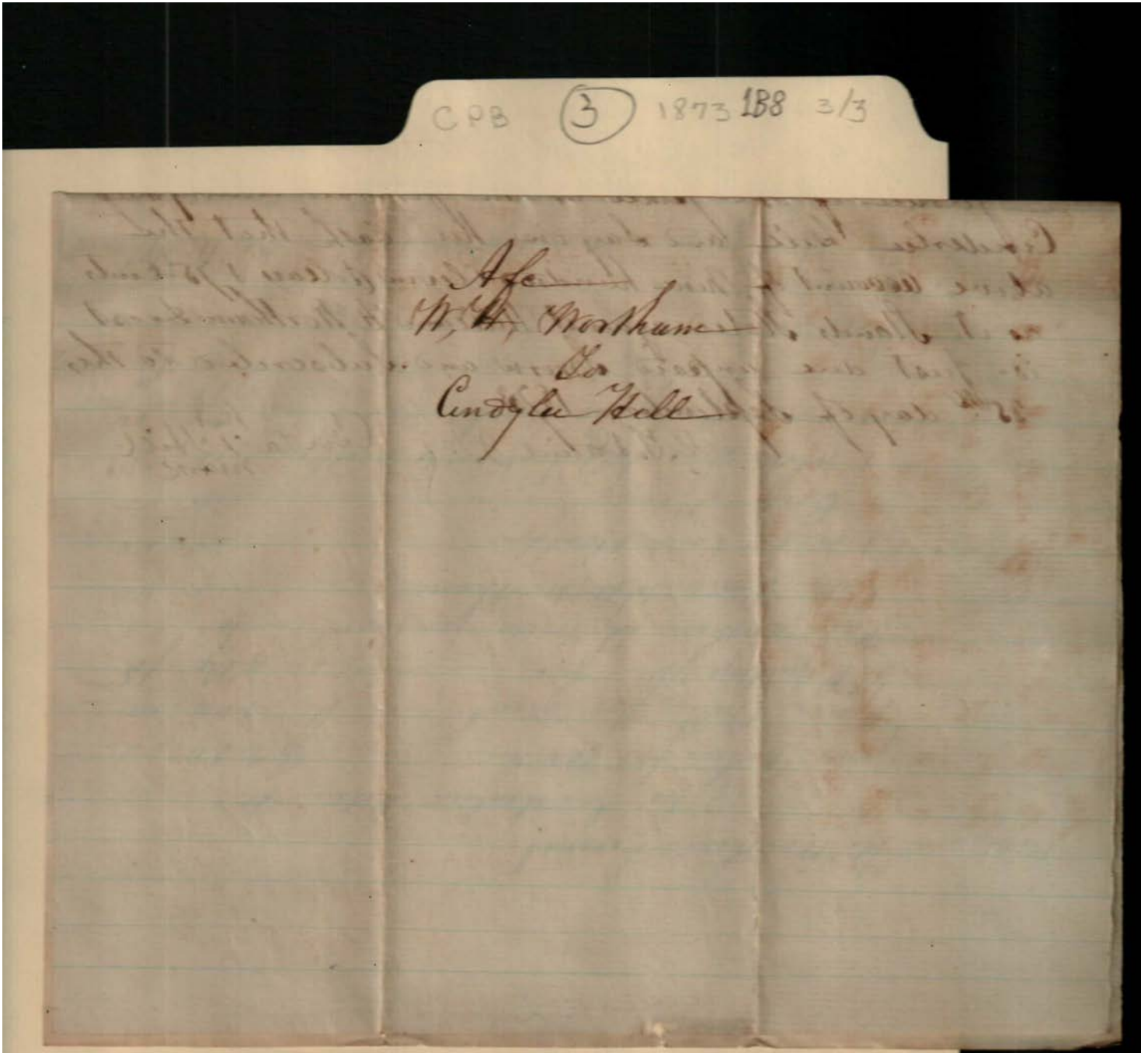
**Types:**

correspondence

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 8, Folder 3

Legal and court documents, 1873 (3 of 3)

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**Names:**

Hill, Cinderlee

Wortham, W. A.

**Types:**

memo

CPB (3) 1873 188 3/3

William H. Wortham Deceit  
 vs Cinderlee Hill Dr

Your Note for pork	\$250.00
Your Note for meat	100.00
H. B. Gurley's Note for	424.75
Paid Wortham by Mills for Corn	48.00
Cash Paid Wm H. Wortham	14.00
1 Milk Cow & Calf	20.00
1 Beef Steer	20.00
1 Milk Sw sold to Vincents Westly	10.00
1 Cow & Calf to Hucks for	20.00
	911.75

State of Alabama  
 Madison County

I personally appear before me W. H. Stande  
 a Justice of the Peace in and for said County  
 Cinderlee Hill and say on the oath that the  
 above account of nine hundred eleven dollars & 75 cents  
 as it stands stated against William H. Wortham Deceit  
 is just due unpaid money and subscribed to this  
 25<sup>th</sup> day of September 1873

W. H. Daniel J.P. } Cinderlee Hill  
 his mark

**Names:**

Daniel, K. T.  
 Gurley, F. B.

Hucks,  
 Westly, Vincents

Wortham, William H.

**Places:**

Madison County, AL

**Types:**

legal report

**Dates:**

Sep 25, 1873

C PB (3) 1873 188 3/3

Children of Wm H Wortham -  
Larkin A Wortham  
John Wortham Kentucky  
Sally H Daniel wife of James E Daniel  
Lucy Coles " Robert Coles -  
grand children -  
Harriet Morrow son's  
Anna " " " " "  
Children of Anna Morrow wife  
of James Morrow - br. & d. -  
Mathew White, only child  
of Harriet White who died in  
the life time of her father W H Wortham  
Shelby, N.C. Tennessee -  
William Odom only child  
of Julia Odom who died in  
the life time of her father W H Wortham -  
Nashville, Tenn.

---

James E Daniel received the lands  
for 1873 at \$125.

**Names:**

Coles, Lucy  
Coles, Robert  
Daniel, James E.  
Daniel, Sally H.

Morrow, Anna  
Morrow, Harriet  
Morrow, James  
Odom, Julia

Odom, William  
White, Harriet  
White, Mathew  
Wortham, John

Wortham, Larkin A.  
Wortham, William H.

**Types:**

legal report

**Dates:**

Sep 25, 1873



C.P.B. (3) 1873 188 3/3

Maysville Ala Oct 20<sup>th</sup> 1873

F. P. Ward Esqr  
Huntsville Ala

I went to see Mr L. A. Wortham last Saturday the 18<sup>th</sup> and called for supplies and such articles as I thought necessary for my comfort and maintainance - viz horse saddle and bridle or money necessary to purchase one, twenty barrels of corn, one hundred pounds of flour, one barrel of Salt, and a sufficiency of <sup>food</sup> Sugar and Coffee, five gallons of Whiskey, two pair shoes, and some winter goods for clothing, I had a list of the articles above enumerated taken and handed to him, He said that I had demanded too much and that he could not furnish me with it as I had called for too much, <sup>said</sup> that he would get himself into a "hobble" with his securities if he advanced

**Names:**

Ward, F. P.

Wortham, L. A.

**Places:**

Maysville, AL

**Types:**

correspondence

**Dates:**

Oct 20, 1873

C9B (3) 1873 188 3/3

me so much as I called for, I told  
him that I needed everything that  
I had demanded; He furnished me on  
Saturday evening with one bushel  
corn meal and some flour, and  
he says that he is a going to give  
up the business that I had troubled  
him so much that he was tired of  
it; and I told him to give it up to  
me and I would be satisfied, I also  
called on him for money to repair the  
place and he told me that he could  
not furnish the money as he did not  
know who would get the benefit of  
it; and he says that he did not under-  
stand the letter that you wrote for me  
that he could not give a dime of the  
nine hundred dollars as he would get  
himself into a "hobble" with his securities  
He then proposed that we should go to  
Huntsville and get our lawyers together and  
let them settle it, I agreed to do this I  
then he refused to go alleging as a

Types:  
correspondence

C.P.B. (3) 1873 1B8 3/3

reason that there was too much  
sickness in Huntsville, that he was  
afraid to go there, I asked him for  
some of the rent corn to feed my  
hogs with as I prefered to make my  
own meat, he said that the rent  
corn was his and that I could not  
get any, he wanted me to sell off  
my hogs and he would furnish me  
with meat, Now I want you to  
write to me <sup>as soon as you can</sup> and advise me what  
I had better do, let me hear from  
you right away if you please,  
Yours Truly  
Cinderlee Hill,

**Names:**

Hill, Cinderlee

**Types:**

correspondence

CPB (3) 1873 188 2/3

To the Chancellor of the Southern  
 Division of Alabama sitting for  
 the 5th District thereof at Huntsville:  
 Cynderlee Hill a resident citizen  
 of said District brings this her bill  
 against Larkin A Wortham as  
 administrator of the estate of William  
 A Wortham deceased, <sup>Larkin A Wortham</sup> James E Daniel  
 and wife Sally H Daniel, Harriet Morrow  
 and Anna Morrow infants under  
 the age of fourteen years under the  
 custody of their father James F Morrow  
 all residing in said District, John  
 Wortham who resides at Petersburg  
 Virginia, Mathew White who resides  
 at Shelbyville Tennessee, William  
 Odom who resides at Buckville Tennessee  
 and Robert Cole and wife Lucy Cole  
 who reside in Marshall County Ala-  
 bama and W Odom who reside at  
 Buckville Tennessee.  
 And thereupon your orator complains  
 and says

**Names:**

Coles, Lucy  
 Coles, Robert  
 Daniel, James E.  
 Daniel, Sally H.

Hill, Cynderlee  
 Morrow, Anna  
 Morrow, Harriet  
 Morrow, James F.

Odom, William  
 White, Mathew  
 Wortham, John  
 Wortham, Larkin A.

Wortham, William H.

**Types:**

correspondence

CPB (3) 1873 188 3/3

2

1 On June 3. 1867 you acting executor executed a deed of conveyance, of which a copy is here with appended marked "Exhibit A" as a part of this bill, under the following circumstances.

She was seized in fee simple, and assigned on, the lands described in said deed. She was possessed of household furniture and stock and had about eight hundred and thirty nine dollars in solvent debts due her. She was a single woman about 40 years of age, without family or relations dependent on her. She needed the attention and protection of some friend and was willing to pay for that attention and protection with all the property she might own at her death. She had known said William H. Wortham for many years, she esteemed him honest and sincere and appreciated his kindness and friendship to her. At his suggestion she executed said conveyance without thinking of the possibility of his becoming insolvent or dying intestate and leaving her unprovided for.

**Names:**

Wortham, William H.

**Types:**

correspondence

C 98 (3) 1873 188 3/3

3

2 Said William H Wortham complied with the stipulations and performed the conditions contained in said deed in a manner as satisfactory to your oratrix during his life, that she turned over to him all surplus of crops, stock and money she acquired.

3 About said William H Wortham died intestate without having made any provision for the support and maintenance of your oratrix, and leaving three children in the said Larkin A Wortham, Sally H Daniel and Lucy Coles and four grand children viz: viz Harriet Morrow and Anna Morrow children of his deceased daughter Anna Morrow, Walter White child of his deceased daughter Harriet White and William Odom child of his deceased daughter Julia Odom, who are his only heirs at law and distributees of his estate.

4 On July 12, 1873 your oratrix at the suggestion of said Larkin A Wortham signed an instrument of writing of which a copy is herewith appended marked Exhibit B as a part of this bill, under the belief that he could withhold all

**Names:**

Coles, Lucy  
Daniel, Sally H.

Morrow, Harriet  
Odom, Julia

Odom, William  
Wortham, Larkin A.

Wortham, William H.

**Types:**

correspondence

CPB (3) 1873 188 3/3

4

means for her support and maintenance and in ignorance of his want of legal authority to bind his father's estate.

5 After the execution of said last mentioned instrument said Larkin A manifested so much failure to provide make a reasonable provision for the support and maintenance of your orator, and manifested so much reluctance to do so that your orator presented to him <sup>in September</sup> as administrator of his said father's estate <sup>in October 1873</sup> her claim against it of which a copy is here with appended marked "Exhibit C" as a part of this bill, and made him a proposition in writing of which a copy is here with appended marked "Exhibit D" as a part of this bill, which he declined to accept. And in October 1873 your orator presented to him a list of the following articles which she needed and desired him to furnish viz: horse saddle and bridle or money to purchase one. thirty bushels of corn, one hundred pounds of flour, one barrel of salt and a sufficient quantity of good sugar and coffee, five gallons of whiskey, two pairs of shoes and some winter goods for clothing. He said she demanded too much and sent her only one bushel of corn meal and some flour. She asked for some of the sent corn

**Names:**

, Larkin A.

**Types:**

correspondence

C.P.B. (3) 1873 1B8 3/3

5

to find her hogs  
on her place, and he said it was his, that  
could not get any, and wanted her to  
sell her hogs and let him purchase her  
meat.

6 said Larkin to claim <sup>and exercise</sup> the right to control  
and rent the land without any consideration  
for your orator's preference ~~of~~ <sup>of</sup> renters or  
tenants.

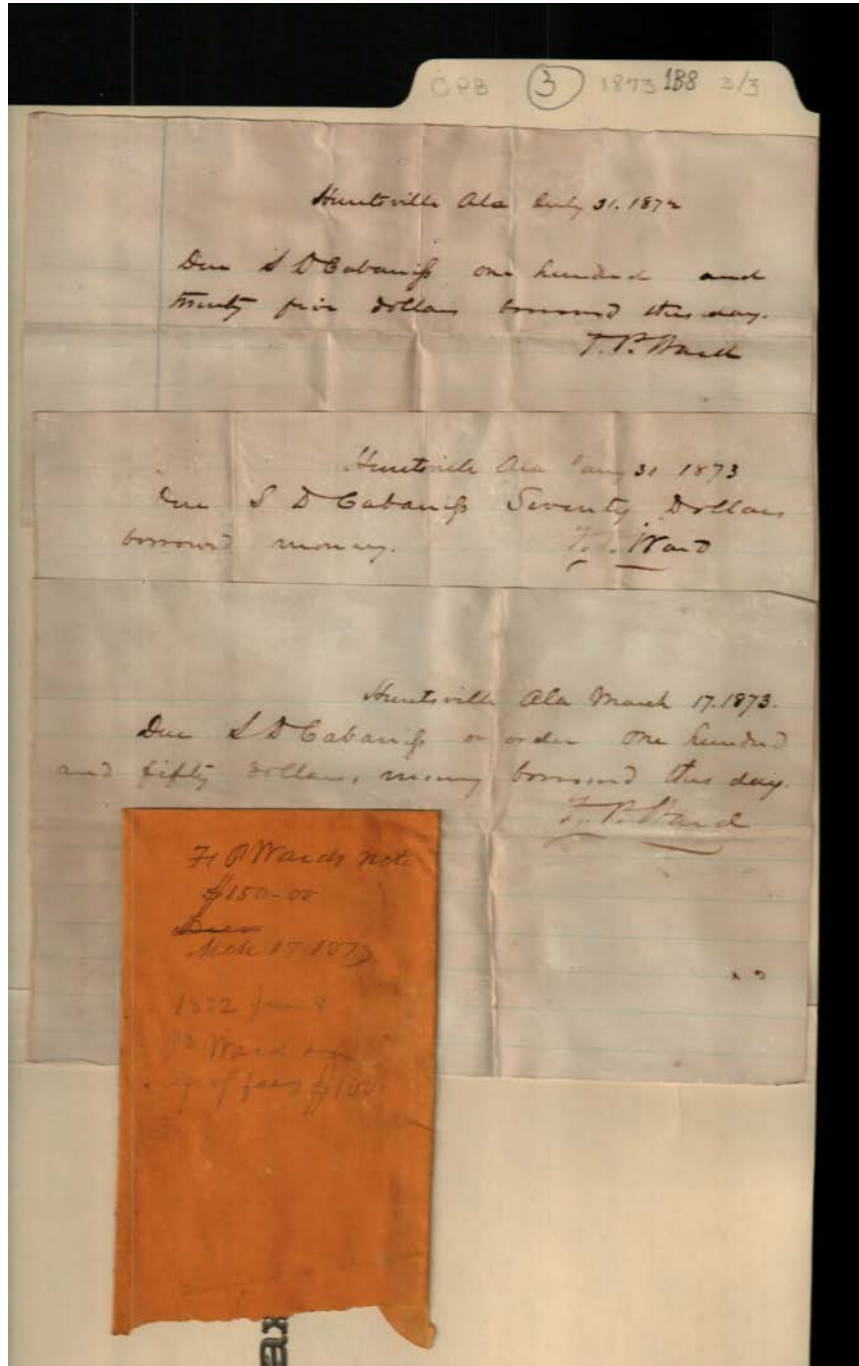
**Names:**

, Larkin A.

**Types:**

correspondence





**Names:**

Cabaniss, S. D.

Ward, F. P.

**Places:**

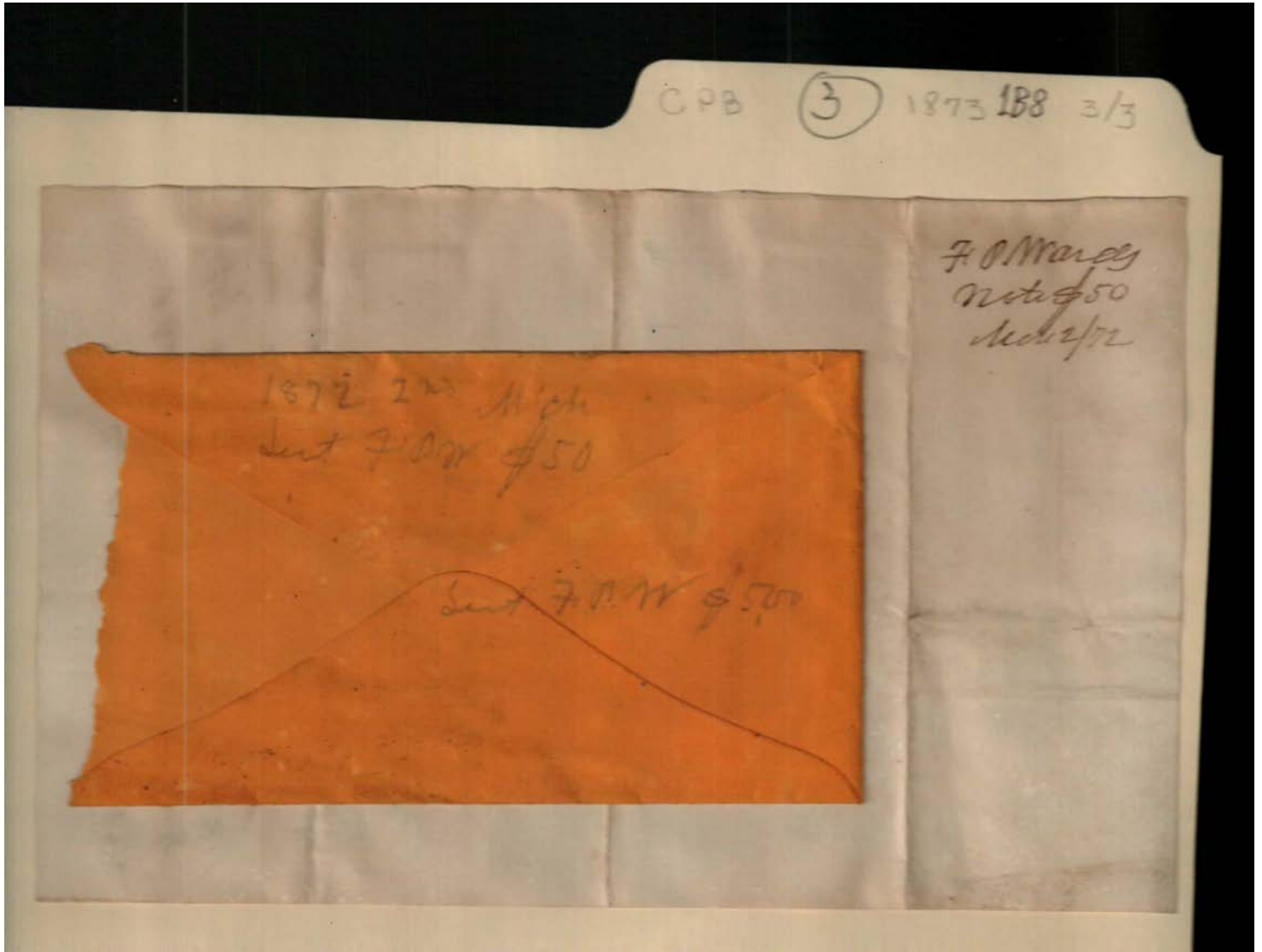
Huntsville, AL

**Types:**

iou

**Dates:**

Jul 31, 1872



**Names:**

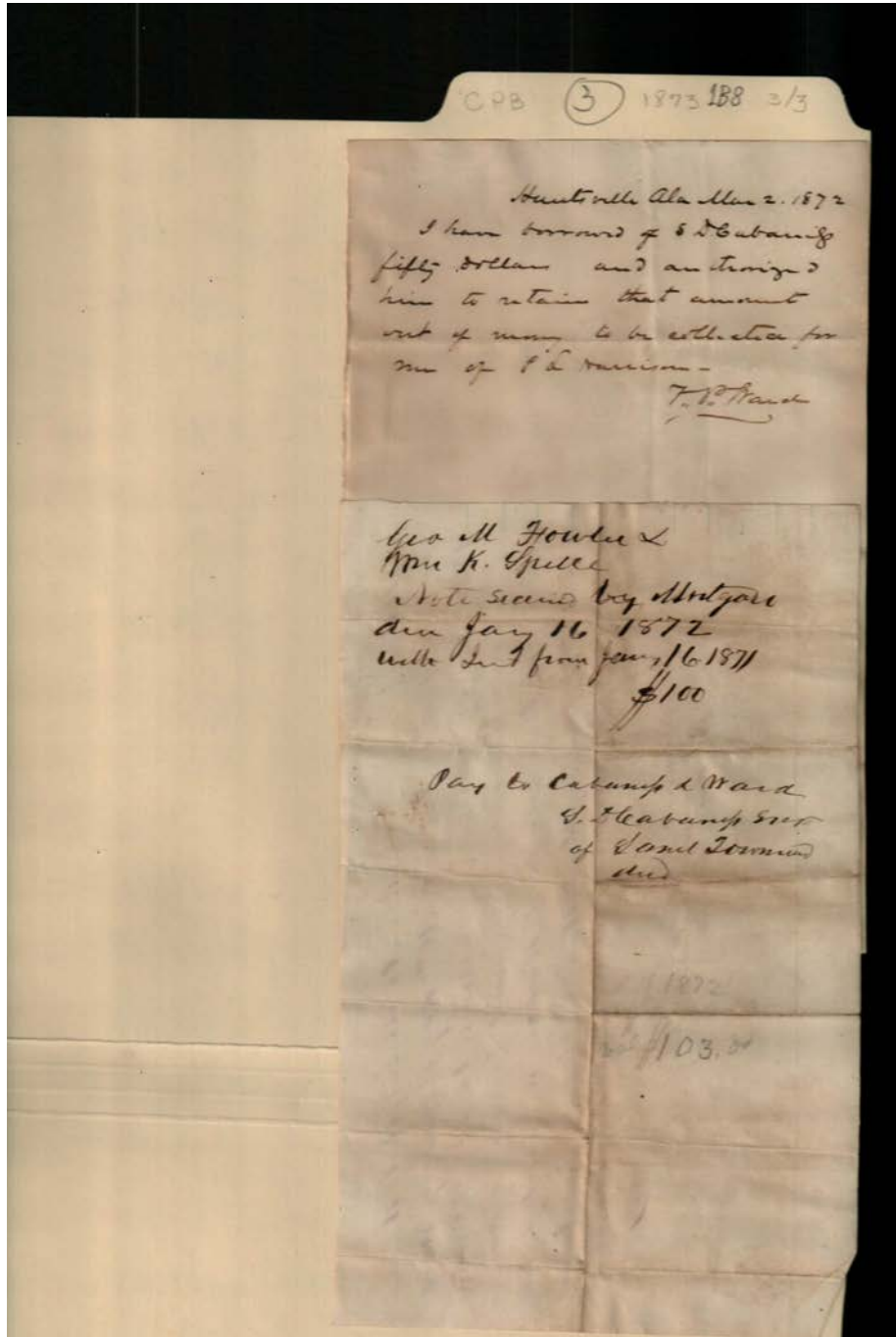
Ward, F. P.

**Types:**

memo

**Dates:**

Mar 12, 1872



**Names:**

Cabaniss, S. D.  
Fowler, George M.

Harrison, P. L.  
Spelle, William K.

Townsend, Samuel  
Ward, F. P.

**Places:**

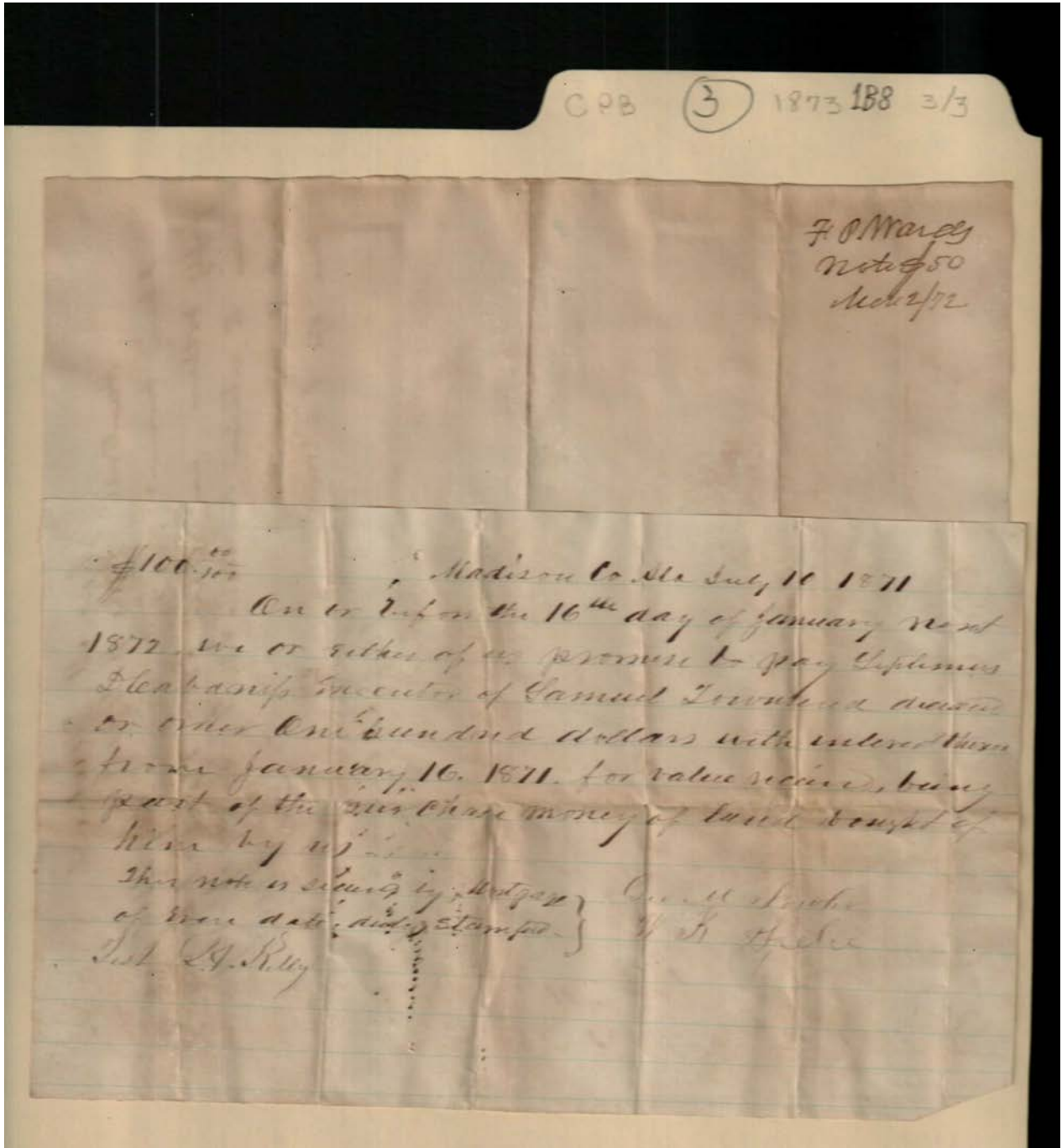
Huntsville, AL

**Types:**

iou

**Dates:**

Mar 02, 1872



**Names:**

Cabaniss, S. D.

Kelly, T. J.

Steele, W. K.

Townsend, Samuel

**Places:**

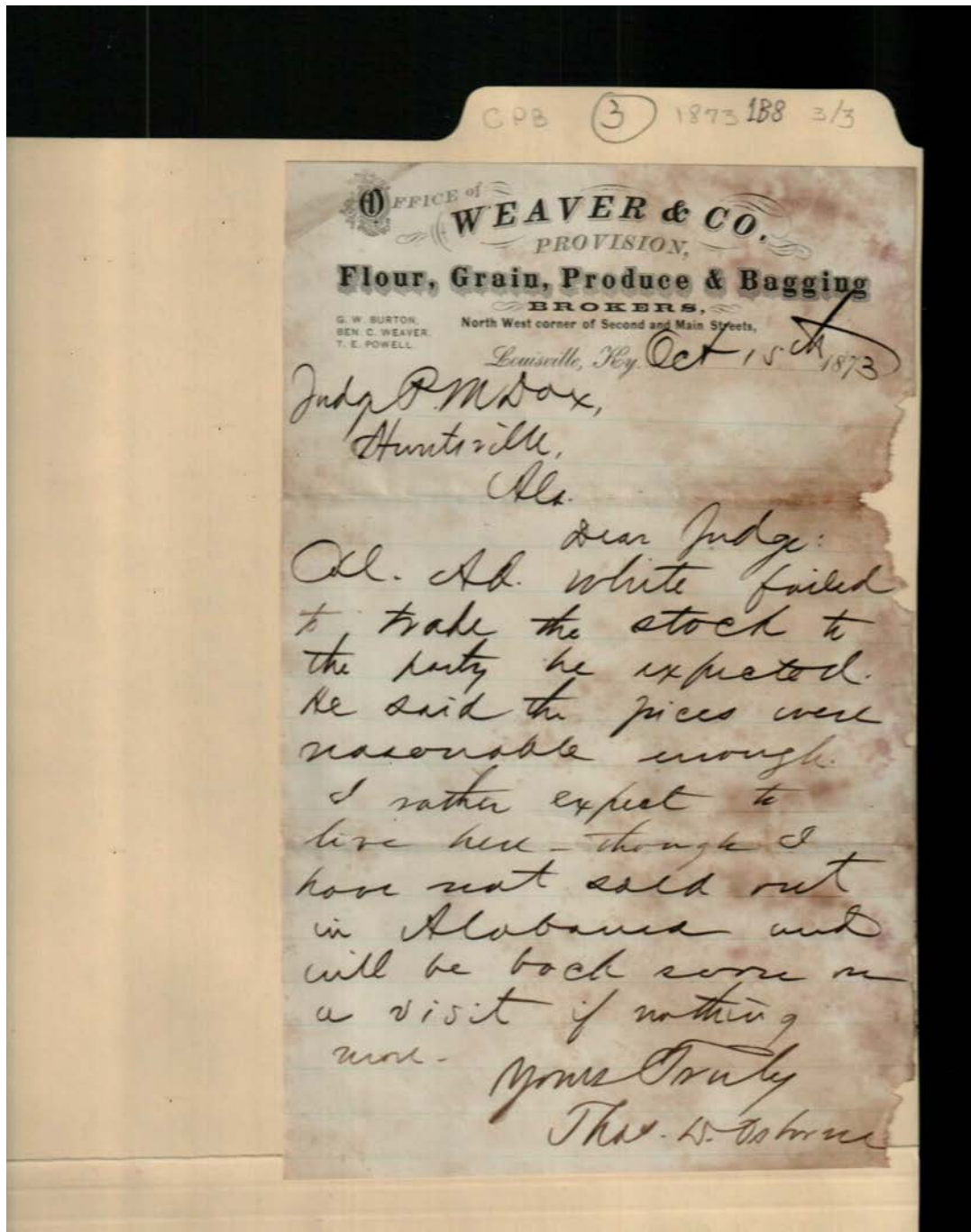
Madison County, AL

**Types:**

iou

**Dates:**

Jul 11, 1871



**Names:**

Burton, G. W.  
Dox, P. M., Judge

Osborne, Thomas D.  
Powell, T. E.

Weaver, Benjamin C.

**Places:**

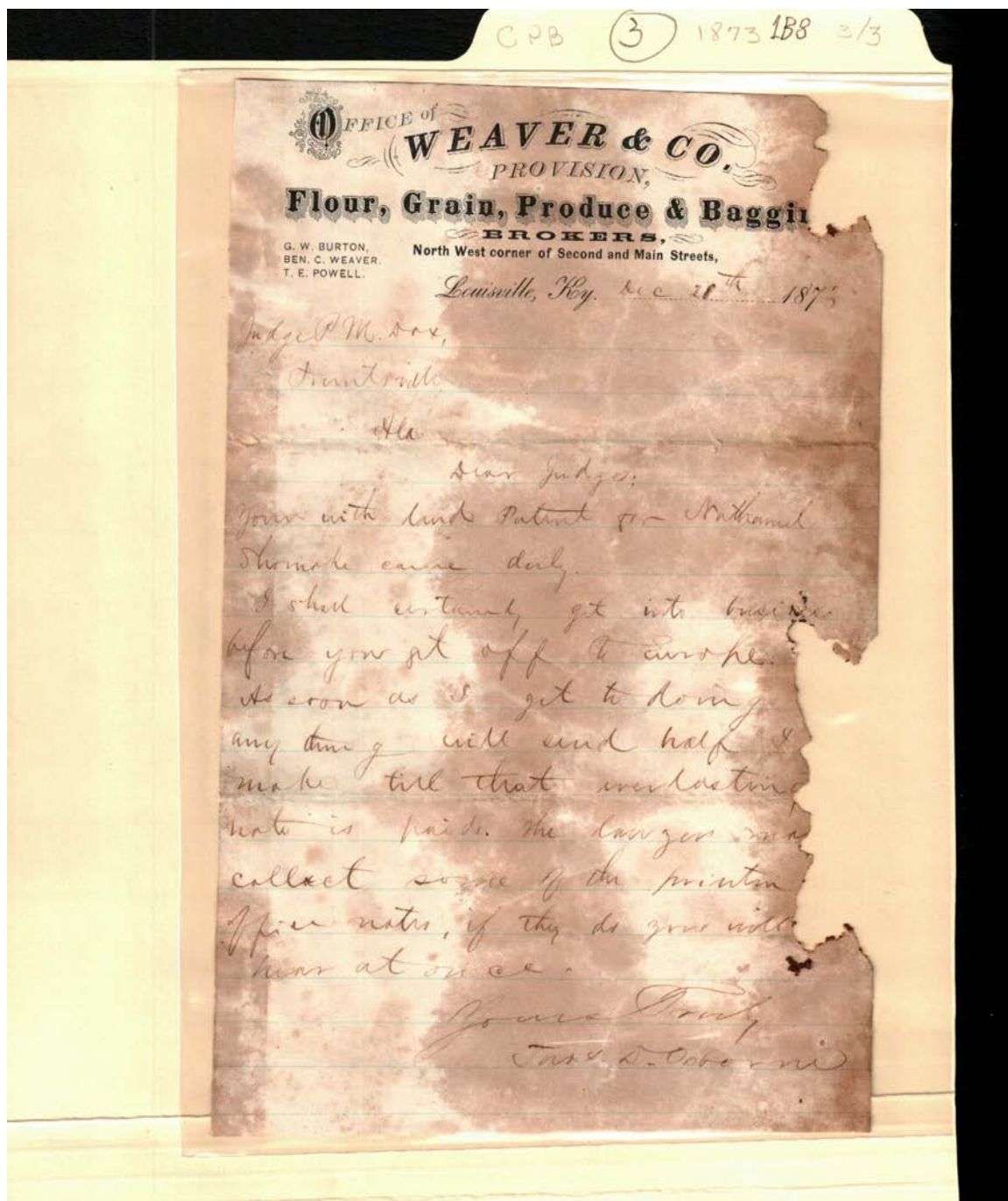
Louisville, KY

**Types:**

correspondence

**Dates:**

Oct 15, 1873



**Names:**

Burton, G. W.  
Dox, P. M., Judge

Osborne, Thomas D.  
Powell, T. E.

Shomake, Nathaniel  
Weaver, Benjamin C.

**Places:**

Louisville, KY

**Types:**

correspondence

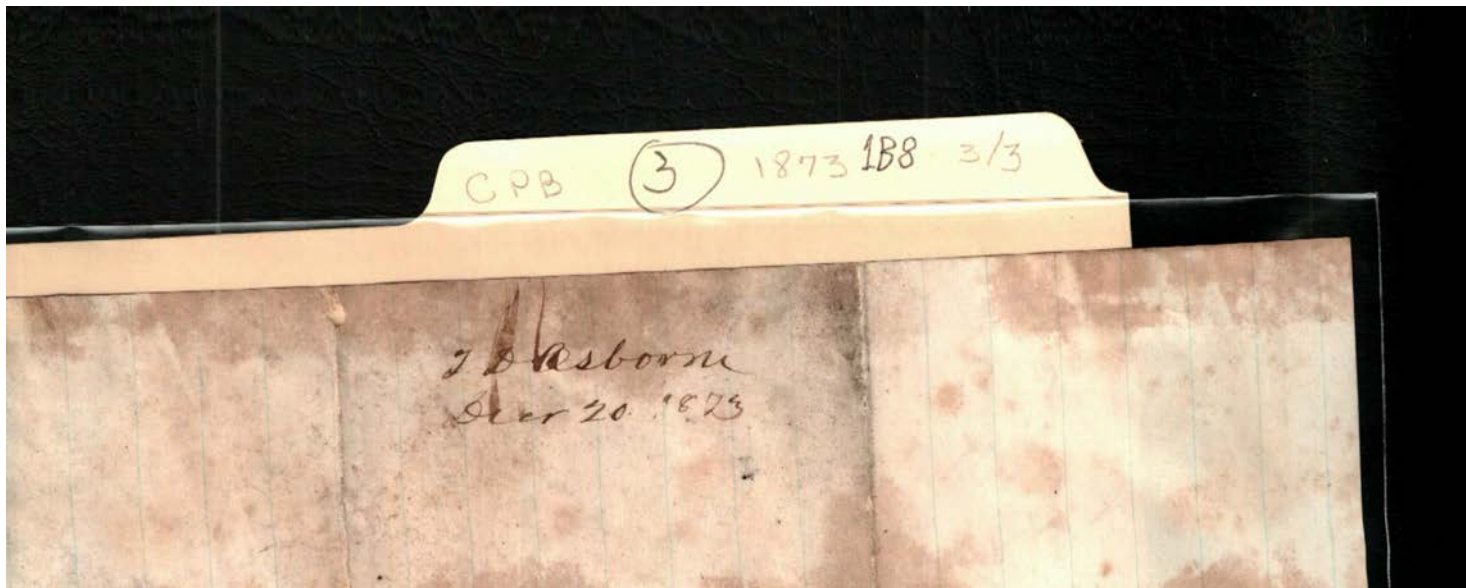
**Dates:**

Dec 28, 1873

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Legal and court documents, 1873 (3 of 3)

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**Names:**

Osborne, T. D.

**Types:**

scrap

**Dates:**

Dec 20, 1873

C.P.B. (3) 1873 1B8 3/3

Office of J. C. WHITE  
GENERAL AGENT  
Warrior & Tennessee Rivers Railroad Co.  
AND REAL ESTATE AGENT.

Tuscumbia  
Tuscumbia, Ala., August 17 1874

C. P. Cabaniss Esq. Dr. Sir

One month ago I signed & sealed a paper not  
sent you the same day - and promised  
to do - I intended the money would come -  
I have been occupied to a considerable extent  
& I would not have been able to do so  
had I not been so - I have undertaken a  
great undertaking in the 'very attitude of  
which, few people can comprehend  
appreciate, I have no money nor in-  
fluence, but I will succeed - Nothing  
can divert me from its prosecution -  
I know I have been called a Vision  
ary dreamer - but only by those who  
have not the brain to originate & grasp  
an enterprise which will do so much to  
develop the mineral wealth of the State & give  
it the power to do so.

**Names:**

Cabaniss, C. P.

White, J. C.

**Places:**

Tuscumbia, AL

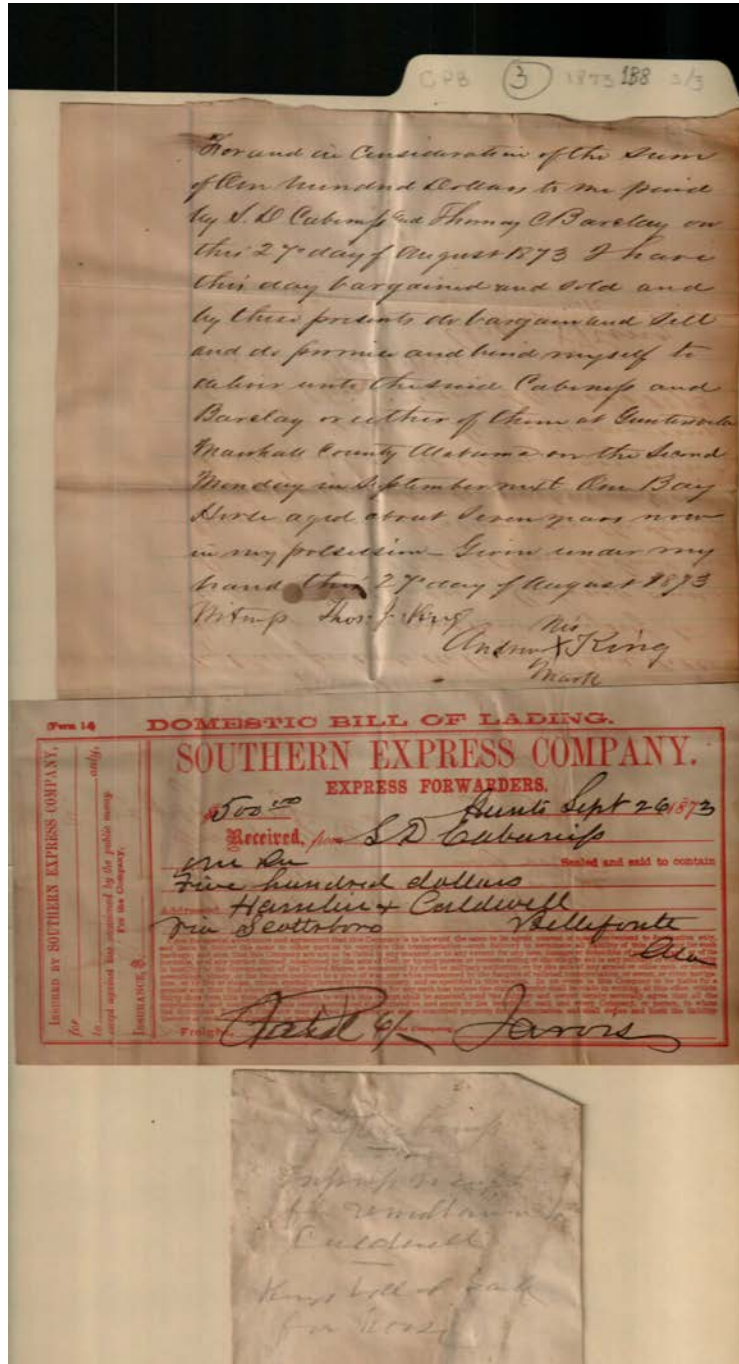
**Types:**

correspondence

**Dates:**

Aug 17, 1874





**Names:**

Barclay, Thomas C.  
Cabaniss, S. D.

Jarvis,  
King, Andrew

King, Thomas J.

**Places:**

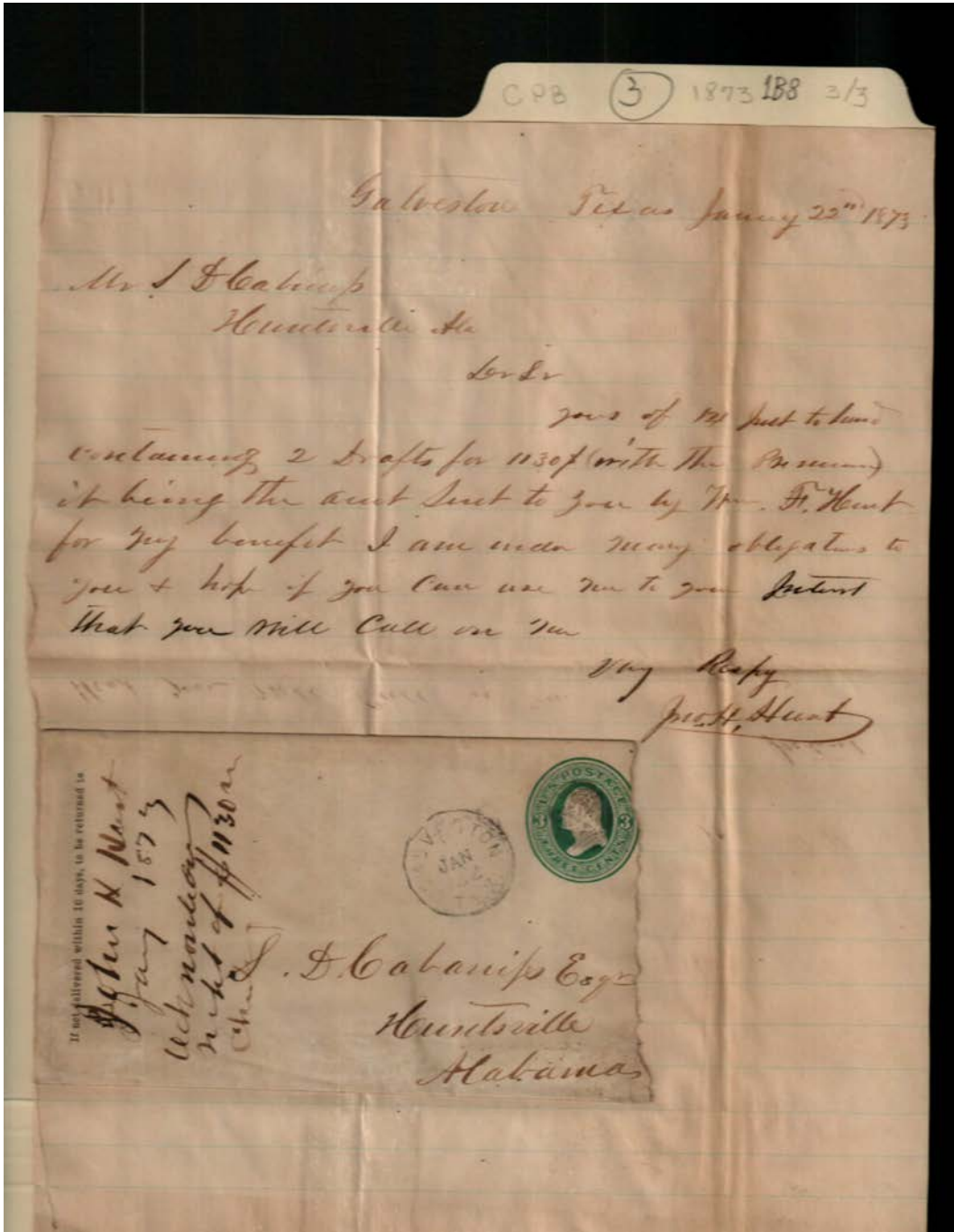
Bellefonte, AL

**Types:**

agreement

**Dates:**

Aug 27, 1873



**Names:**

Cabaniss, S. D.

Hunt, John H.

Hunt, Thomas F.

**Places:**

Galveston, TX

**Types:**


correspondence

**Dates:**

Jan 22, 1873

**Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 8, Folder 3**  
**Legal and court documents, 1873 (3 of 3)**

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 r01b08-03-000-0103

**Names:**

Cabaniss, S. D.

Murrell, H. C.

**Places:**

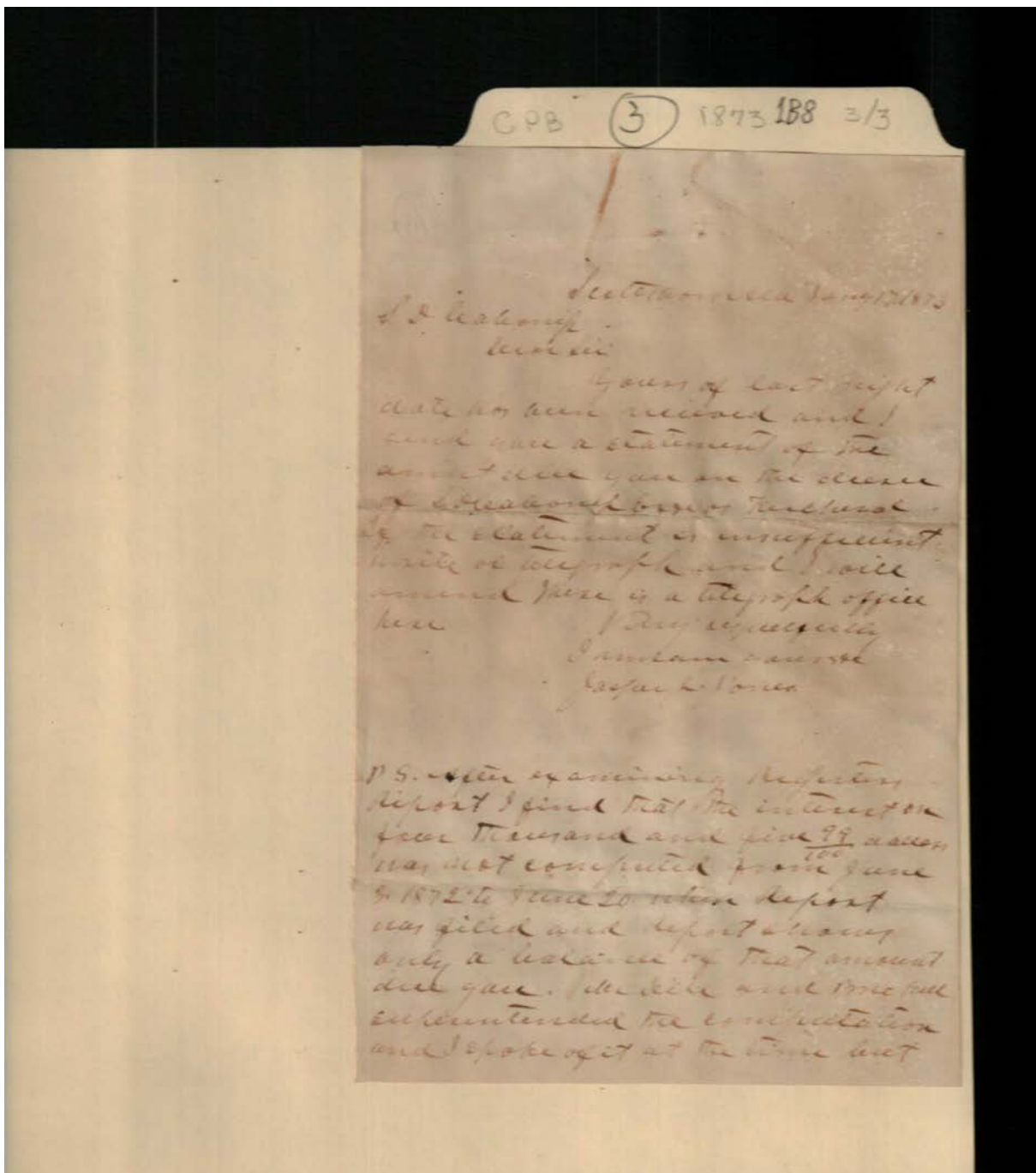
Louisville, KY

**Types:**

receipt

**Dates:**

Nov 14, 1873



**Names:**

Cabaniss, S. D.

Jones, Jasper J.

**Places:**

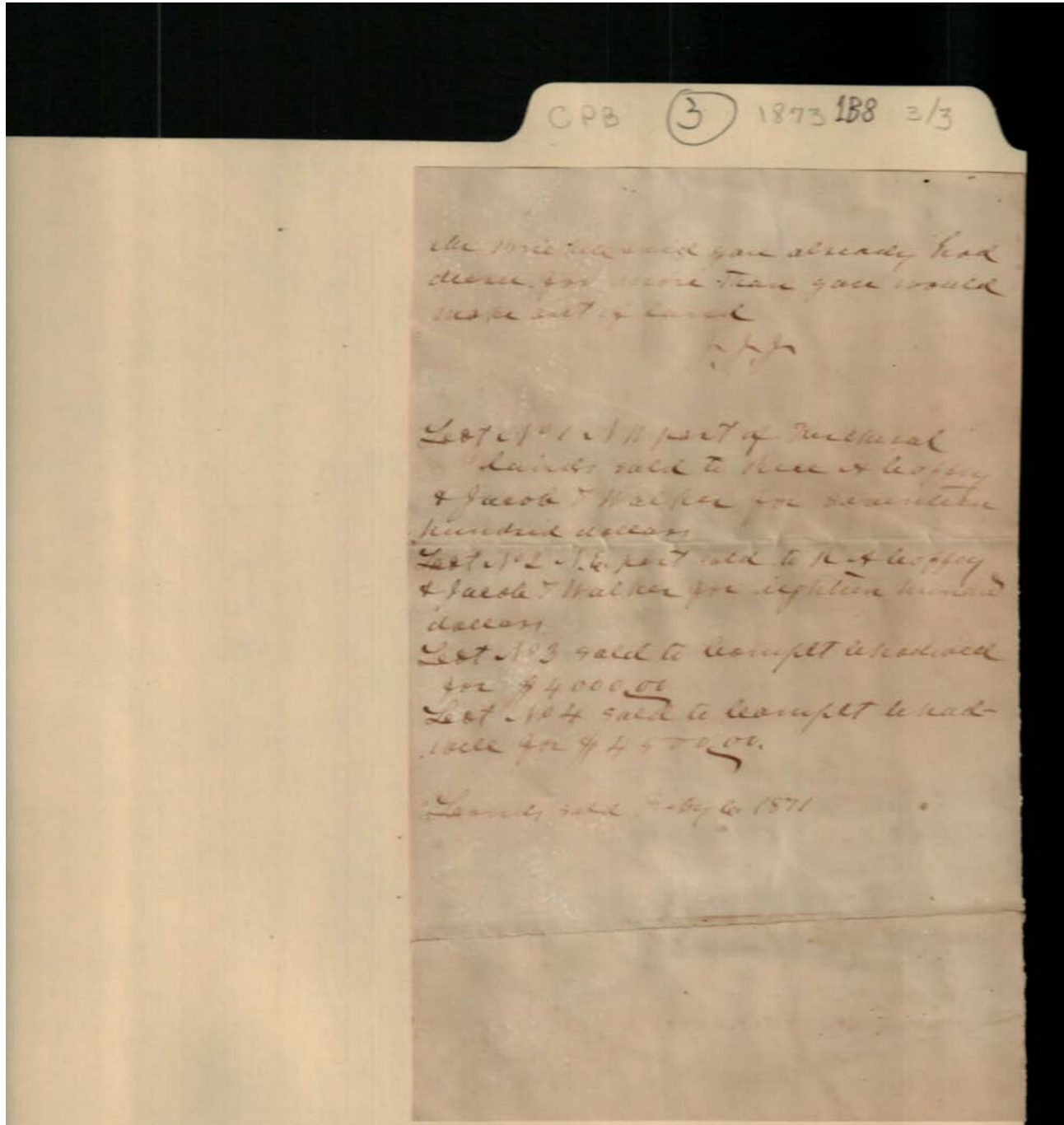
Scottsboro, AL

**Types:**

correspondence

**Dates:**

Jan 17, 1873



**Names:**

Chadwell, Cornsset

Coffey, Rice A.

Jones, Jasper J.

Walker, Jacob T.

**Places:**

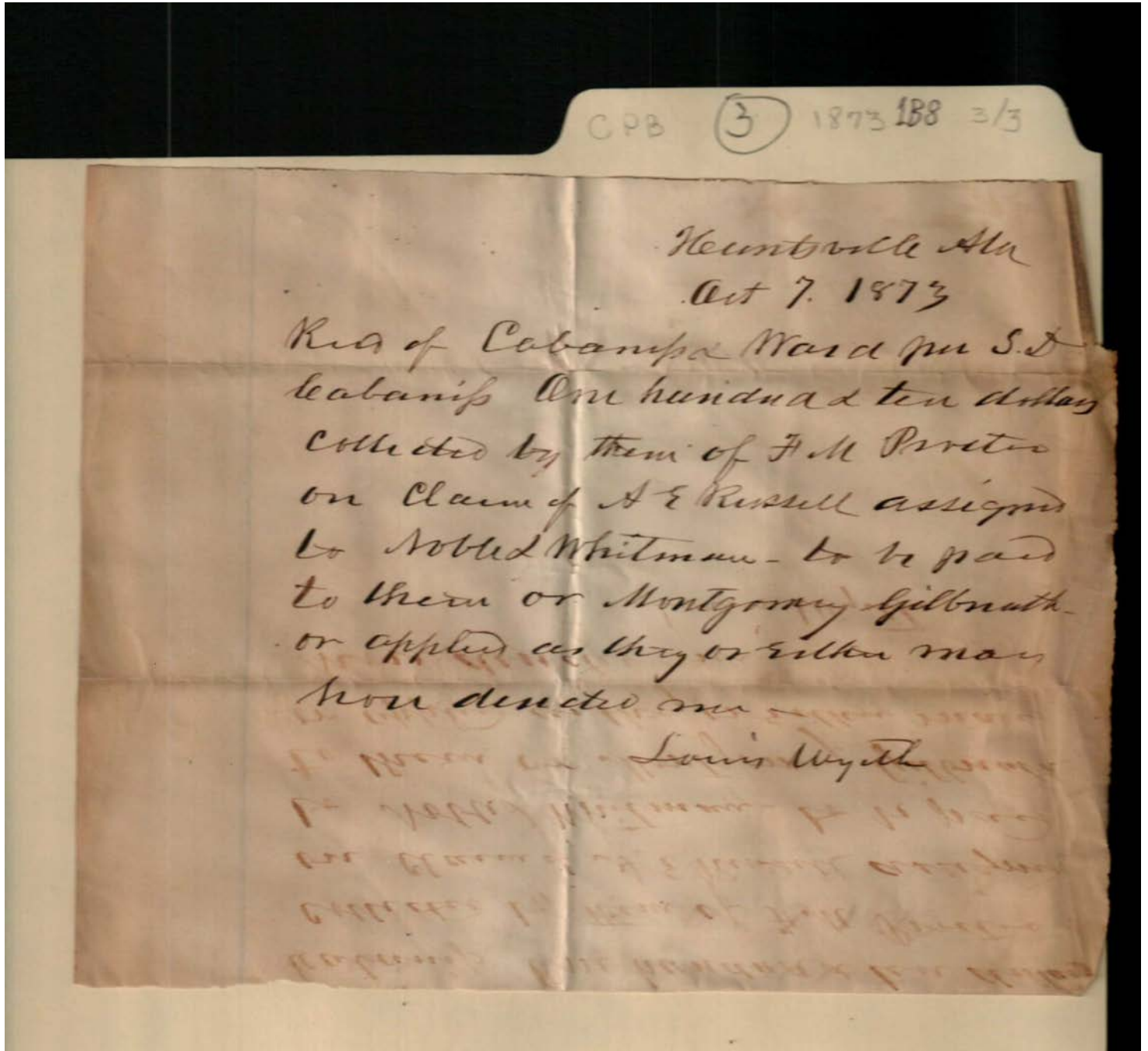
Scottsboro, AL

**Types:**

correspondence

**Dates:**

Jan 17, 1873



**Names:**

Cabaniss, S. D.  
Gilbreath,  
Montgomery

Proctor, F. M.  
Russell, A. E.  
Ward,

Whitman, Noble L.  
Wyeth, Louis

**Places:**

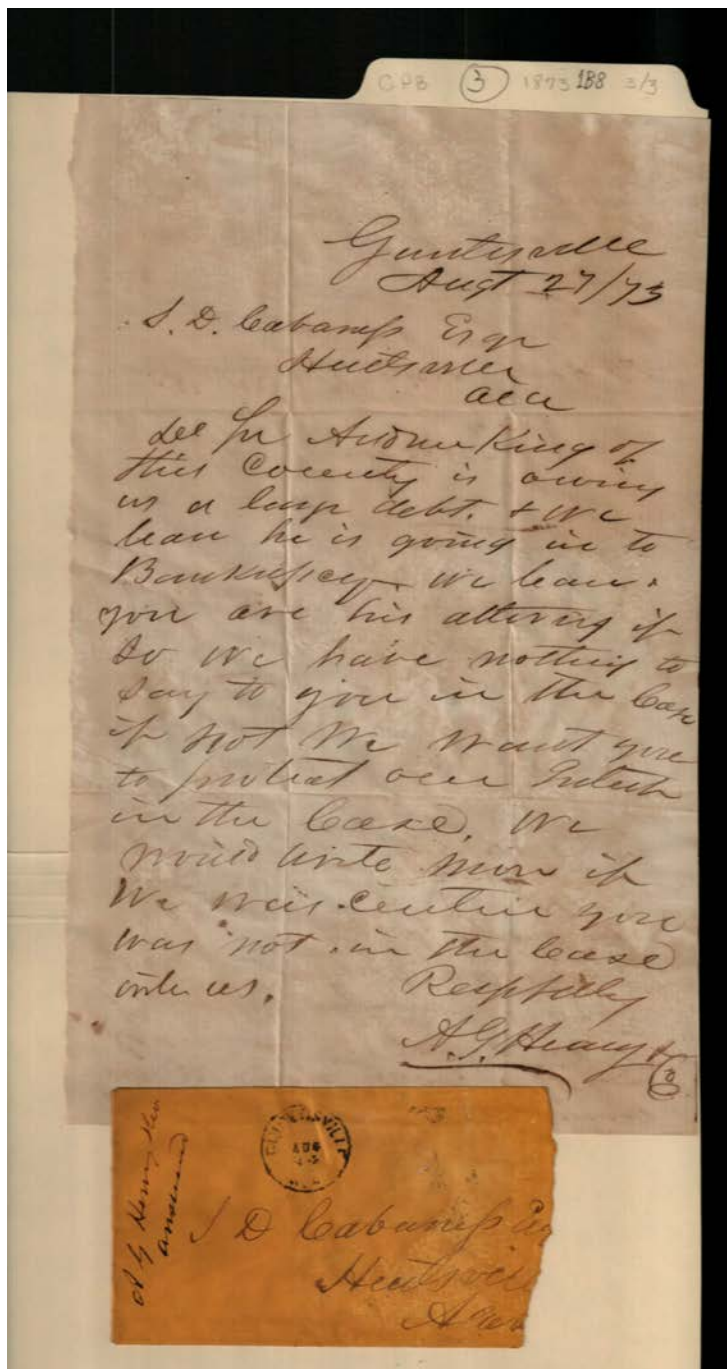
Huntsville, AL

**Types:**

receipt

**Dates:**

Oct 07, 1873



**Names:**

Cabaniss, S. D.

Henry, A. G.

King, Andrew

**Places:**

Guntersville, AL

**Types:**

correspondence

**Dates:**

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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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