

**THE EVOLUTION OF  
THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN AND WESTERN DISTRICTS OF ARKANSAS  
1898 – 2005**

**By  
Judge James G. Mixon**

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In 2004, Bankruptcy Judge James G. Mixon set out to write a scholarly history of the bankruptcy court in Arkansas. He was inspired by an article by Judge Richard Arnold chronicling the history of the district court in Arkansas that was published in the Arkansas Law Review that year. With that article as his benchmark, Judge Mixon took the plunge and enthusiastically immersed himself in the project.

Judge Mixon began by poring over old docket books stored at the bankruptcy courthouse and making frequent visits to the Arkansas History Commission's archives in Little Rock. Later he journeyed to Ft. Worth to the court's archives to research the earliest Arkansas bankruptcy cases and the parties involved. He conducted taped interviews with three bankruptcy veterans who reflected on how the law in Arkansas had changed. His research was thorough and painstaking and, not surprisingly, the information he amassed turned out to be voluminous. Yet he was never overwhelmed and by August of 2005, he had an idea of how to organize the chaos and had written a working draft.

Alas, October 2005 rolled around and with it the "new law" enacted by Congress-the Bankruptcy Abuse Prevention and Consumer Protection Act"-was implemented. In the months prior to October, the court was deluged with new cases filed to avoid the provisions of BAPCPA. At the same time, Judge Mixon's most essential chambers staffer grew ill and unable to function, eventually passing away just as the law came into effect.

It was a time of sadness and confusion. Bankruptcy matters came first and the law review article got shoved to the back burner where it has remained all these years since. Ironically, in early 2014, ten years after he started, Judge Mixon had finally cleared his desk of pressing court business and was once again turning his attention to the article when his own untimely death occurred in March.

This file contains his draft of the article and his research notes. The draft is a diamond in the rough with many obvious holes that Judge Mixon intended to fill in later. He also wanted to pare down some of the less important portions. His half-finished opus awaits a bankruptcy scholar with some time and skill to finish the job. Who will step forward? Only time will tell.

Mardi Blissard  
Law Clerk to James G. Mixon  
September 3, 2014

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1898-2005**

The Bankruptcy Act of 1898<sup>1</sup> was the first permanent bankruptcy law and remained in effect until the passage of the Bankruptcy Reform Act of 1978.<sup>2</sup> The 1898 Act created “courts of bankruptcy” defined as the district courts of the United States.<sup>3</sup> The 1898 Act also created the office of referee.<sup>4</sup> The referee was appointed for two -year terms by the District Court<sup>5</sup>, and the District Court could remove a Referee for any reason including the reason that the Referee’s services were no longer needed.<sup>6</sup> Compensation was \$10.00 per case file in all cases.<sup>7</sup> By 1903 the Referee received \$15.00 per case filed plus \$0.25 for every proof of claim filed and one-half of one percent of all monies disbursed to creditors in asset cases.<sup>8</sup> A Referee could also serve as a Special Master in the same case and receive additional compensation fixed either by local rule of the District Court or by order.<sup>9</sup> In no-asset cases, the Referee’s fee came from the debtor’s filing fee.<sup>10</sup> Referees were forbidden to practice as attorneys in any bankruptcy proceeding although it seemed contemplated that Referees would be permitted to practice in other areas of the law.<sup>11</sup> The Referee was required to take an oath of office similar to the District Judge,<sup>12</sup> but also post a bond not to exceed \$5,000.00 together with two sureties.<sup>13</sup> The Clerks of the Courts of Bankruptcy were the Clerks of the District Court. The duties of the Referee were enumerated by the Bankruptcy Act and are more similar to the duties of a trustee under today’s law.<sup>14</sup>

Decisions by the Referee on contested matters were always subject to review by the

District Court.<sup>15</sup> The typical procedure was discussed by 5 Collier on Bankr. as follows:

“A review should be asked by petition; if from an order, this is the only way. There is no limit set by the statute, but a review must be within a reasonable time; this is usually fixed by a standing rule. It seems that a review can be asked only after the granting of an order, though it would seem that the referee may certify a specific question also. The petition should clearly point out the error complained of, and ask a review. The latter is a matter of right. The referee’s decisions on questions of fact or involving discretion will not ordinarily be interfered with. Findings of fact by the referee are presumed to be correct until the contrary is shown and the burden of proof rests with the persons objecting thereto. If the findings are manifestly erroneous, they may be set aside. The court will not consider for the first time questions not raised below, or issues not presented by the record. But the court may review findings where certain testimony in the case appears to have been overlooked or ignored. The record usually consists of a certificate, prepared and signed by the referee, which should state the question on which the review has been asked and the ruling of the referee, and, either in the certificate or in a schedule annexed to it, give the evidence or a summary of it, and a copy of the order, if any. The practice in the several districts necessarily varies as to the formalities to be observed in seeking a review by the judge of the orders or other proceedings of a referee; in some districts it is held sufficient to get out the substance of the matter in dispute without requiring the filing of formal exceptions to the referee’s findings or rules.”

There were no rules of bankruptcy procedure as such<sup>16</sup>, but practice was governed by the procedural provisions of the Bankruptcy Act itself, and by general orders and forms promulgated by the Supreme Court of the United States<sup>17</sup>, and local general orders.<sup>18</sup>

In 1898, the Eastern District of Arkansas was divided into three divisions, the Eastern (Helena) Division, the Western (Little Rock) Division and the Northern (Batesville) Division.<sup>19</sup> The Western District was divided into the Fort Smith Division and the Texarkana Division.<sup>20</sup>

1. Patrick Callan Dooley

The first case filed in the Western Division of the Eastern District of Arkansas was the case of Joseph Rudolph<sup>21</sup>, by the law firm, Rose, Hemingway & Rose<sup>22</sup>, and the case was

referred by the District Court,<sup>23</sup> to Patrick Callan Dooley as Referee. The petition was handwritten and listed a schedule of creditors and the amount of the claims. All claims were listed as unsecured and incurred in consideration of merchandise sold to the debtor.<sup>24</sup> The debtor claimed Lot 5 in Block 105 in the City of Little Rock as exempt homestead under Arkansas law and set the value at \$1,500.00. Notice of the first meeting was published in the Arkansas Democrat and the Trustee filed a report of no assets on October 24, 1898. The notice of the first meeting stated that the meeting would be held at Dooley's office, Rooms 3 and 5 of the Kahn Building in Little Rock, Arkansas.<sup>25</sup> The Trustee petitioned for the award of \$2.50 for "typewriting and stationary in said case", and the attorney for the Debtor, G. B. Rose, objected on the grounds that the fee was not permitted by law. The Referee then withdrew his request. The Trustee's fee in the case was \$1.50 payable to the debtor before he got his discharge. The debtor petitioned the District Court for his discharge and the discharge was granted by the District Court.<sup>26</sup>

Notices of first meeting of creditors was sent by the Referee (Dooley) and frequently published in the State Republican Newspaper.<sup>27</sup> (Case 466, Arthur Faulk, March 21, 1903, Ft. Worth). The meetings took place at Dooley's office at 16 and 17 Kahn Building, Little Rock, Arkansas.<sup>28</sup> In the Faulk case for instance, which was an asset case which paid 12.5% dividend, Dooley received fees totaling \$54.20, the Trustee received \$109.49 and Attorney Morris M. Cohn received \$125.00.

Patrick Callan Dooley was born near Gort, Ireland on December 25, 1842. He immigrated to the United States in 1850 with his mother and settled in Chesire, Massachusetts. He attended the University of Michigan for four years and graduated from the Law Department

in 1869. He moved first to Little Rock then to Dewitt, Arkansas, and practiced law. He married Matilda Arnold Stoddard and had two daughters, Keo, who became the wife of J. E. England; and Nellie Dooley. He was a member of the Arkansas State Senate in 1872, and he was appointed Judge of the 12<sup>th</sup> Judicial Circuit<sup>29</sup> by Governor Elisha Baxter on April 26, 1873, and served until 1875 when he moved to Little Rock and resumed the practice of law.

He served as Referee from 1898 to 1903 and he was appointed Master in Chancery of the District Court and served in that capacity until his death on September 12, 1910, while on vacation in Chesire, Massachusetts. His home was located at 1208 Louisiana, and was described as “one of the most charming centers of hospitality in the city”.

In a memorial by the Arkansas Bar Association for the year 1911, the association stated in part, “He occupied that position (judge) until 1895, and although he was a Republican at a time when party feelings were extremely bitter, he enjoyed the esteem and confidence of everyone”.

Ebin W. Kimball was appointed as Special Referee in 1903 in a few cases. He was born August 31, 1839, in New Hampshire. He attended “The Latin School” at Salem, Massachusetts, and attended Harvard University. He “read law” in the office of David Roberts. he began practicing law in Salem, Massachusetts, in 1857. He was elected to the Massachusetts Legislature when he was 21. He came to Little Rock in 1874 and practiced law; specializing in litigation concerning county and municipal bonds. He was a staunch Republican and served as Special Judge many times in various courts so much so he was called “Judge”. Goodspeed observed him as follows:

“Judge Kimball is an ideal companion to men who value that sort of refined and strong speech which made Dr. Johnson so attractive. He possesses a quickness of

conception and an aptness of illustration that at once silenced the conversational bore and win admiration from men of keen intelligence. His marked gentleness of manner, and the sympathetic play of his wit, invite friendship and confidence. He never wounds a friend, and there are no dregs of bitterness in the rich draught of his mirth”.

...

“He is one of the most eloquent of ‘after dinner’ speakers, and his response to the toast ‘The Commercial Traveler as a Factor of Civilization,’ at the great banquet of the Traveler’s Protective Association at Little Rock, in 1889, is pronounced one of the most brilliant speeches of his life”.

His daughter, Marion, was the wife of G. B. Rose and his son, Horace Kimbal, was an attorney. Judge Kimbal died in Indiana on January 25, 1923, and was buried in Connerville, Indiana. He was described in his \_\_\_\_\_ (left off).

2. Charles C. Waters, 1903 -

In July of 1903, Charles C. Waters was appointed Referee for the Western Division of the Eastern District of Arkansas by Judge Jacob Treiber and he served until his death in October 1927.<sup>30</sup> Waters is listed in the Little Rock City Directory under the heading “United States” as “United States Referee in Bankruptcy - Charles C. Waters, 110 Faulk Building”.<sup>31</sup> The Referee in Bankruptcy did not have an office in the United States Courthouse and the bankruptcy proceedings were conducted in his office in the Faulk Building. The Arkansas Bar Association remembered him as, “. . . one of the most kindly and honorable of gentlemen; faithful in everything he undertook . . . his life was without stain”. He was described in his obituary as, “a scholarly lawyer being unsurpassed as a cross-examiner. He was noted as a \_\_\_\_\_ conversationalist”.

Charles C. Waters was born in Kentucky in 1844. His family moved to Illinois and in 1862 at age 18, he enlisted in the 91<sup>st</sup> Regiment of Illinois Volunteer Infantry obtaining the rank of Captain. He was stationed in Helena, Arkansas, at the close of the Civil War and decided to stay. He attended Harvard Law School in 1866 and 1867, and returned to Helena and was immediately admitted to the bar January 14, 1868.<sup>32</sup> He was elected to the House of Representatives for Phillips and Monroe County for the year 1871.<sup>33</sup> He was appointed Prosecuting Attorney in 1867 and he was appointed judge of the Criminal Court of Phillips County from 1871 to 1873.<sup>34</sup> In 1876, Waters was appointed United States Attorney for the Eastern District of Arkansas in Little Rock and served until the end of President Benjamin Harrison's term in 1893.<sup>35</sup> He was appointed Standing Master in Chancery for the Federal Court until 1903.

### 3. Powell Clayton, 1923 - 1929

On February 28, 1923, Powell Clayton was appointed as a second Referee for the Western Division of the Eastern District by Jacob Trieber, District Judge.<sup>36</sup> Clayton was born in Jefferson County, Arkansas, in March 1878.<sup>37</sup> His father was John M. Clayton, brother of Powell Clayton, the former reconstruction-era Governor of Arkansas.<sup>38</sup> His father, John Clayton, was murdered in Conway County, Arkansas, on January 19, 1889, in a still unsolved murder while investigating alleged voter fraud when masked men stole the ballot box at Plummerville before the vote could be counted.<sup>39</sup> In 1901, Powell Clayton is listed as a stenographer with the United States District Judge's office, 903 Scott Street.<sup>40</sup> In 1911, Clayton is listed as an Assistant U. S. Attorney and his residence is listed at 1301 Welch.<sup>41</sup> In 1914, Clayton is listed

as a lawyer with an office at 12 Kahn Building, Little Rock, Arkansas.<sup>42</sup> In 1927, Clayton is listed as a pallbearer for Charles Waters, former Referee in Bankruptcy, who died in 1927.<sup>43</sup> After Waters' death, Clayton served as Referee for the Western Division of the Eastern District of Arkansas, and was appointed by Judge John E. Martineau for several two-year terms. However, in 1929, Clayton resigned as Referee upon the appointment of Joe Schneider and Clayton moved to Tulsa, Oklahoma.<sup>44</sup> Clayton became associated with Gary Carroll, former prosecuting attorney in Pulaski County and Merrick H. Whipple to form the firm of Carroll, Whipple and Clayton.<sup>45</sup> From 1930 to 1941, Clayton is shown as an honorary member of the Arkansas Bar Association with his home town listed as Tulsa, Oklahoma. In 1942, he is listed as a resident of Boston, Massachusetts.<sup>46</sup> His date and place of death is unknown.

Clayton was the Referee in the case of Scroggins Mercantile Company, E. H. Dunaway and Joe Dowdy (case 3088 - May 1927 Ft. Worth). The notice of first meeting was published in the Morrilton Democrat. Powell Clayton received \$541.00 for commission, expenses and allowance for filing claims. The petition contained a file stamp by the clerk of the District Court and also stamped by Powell Clayton, Referee.

#### 4. Joe H. Schneider, 1929 - 1937

Joe H. Schneider was appointed Referee in Bankruptcy on September 14, 1929, by District Judge John E. Martneau for a term of two years.<sup>47</sup> Scheider was the former Secretary for Judge Martineau while he was Governor of the State of Arkansas.<sup>48</sup> The article in the Arkansas Gazette stated that Powell Clayton, a Republican, was an aspirant to the office and was the incumbent, and that the appointment of Schneider further “decreases the number of Republicans

among officers of the federal court".<sup>49</sup>

Joe Schneider's office was at 405 W. 3<sup>rd</sup> Street, Room 905-908 in 1931.<sup>50</sup> In 1935, his office was moved to the Federal Building at 600 West Capitol, Room 423, Little Rock, Arkansas,<sup>51</sup> although he was also listed as a lawyer at 221 W. 2<sup>nd</sup> Street, Room 419. His residence was 910 Battery in Little Rock.<sup>52</sup> On July 17, 1933, Schneider sold his office equipment and supplies to the District Court for the Eastern District of Arkansas for \$692.22.<sup>53</sup>

Schneider was born in New Alabama, Indiana in 1881<sup>54</sup>, and died in Little Rock on July 9, 1966. He graduated from the University of Arkansas School of Law. He served as City Attorney for the City of North Little Rock and was campaign manager for Governor Martineau and Governor Homer Adkins. He was a veteran of World War I and World War II. He retired in 1937.

On January 14, 1957, Lee Cazort, Referee, accepted Joe Schneider's resignation as Chapter 13 Standing Trustee.

Book 2:

November 6, 1954 - Lee Cazort was appointed Referee for entire state - six years - \$8,000.00 per year;

December 16, 1954 - Bond for \$5,000.00 approved for Lee Cazort.

Order dated March 13, 1956 - Case 5131 - Lloyd Woodall makes reference to Joe Schneider being a Chapter 7 Trustee.

Order dated January 4, 1957, John F. Pak was appointed permanent Chapter 13 Trustee by Lee Cazort.

5. W. Lee Cazort, 1937 - 1961

On December 1, 1937, W. Lee Cazort, Sr., was appointed Referee for the Western Division of the Eastern District of Arkansas upon the resignation of Joe Schneider.<sup>55</sup> On November 4, 1954, Cazort was appointed the full time Referee for both the Eastern and Western District of Arkansas by District Judge Thomas C. Trimble, Henry J. Lenley and John E. Miller.<sup>56</sup> The appointment made Cazort the first Referee to serve more than one District.<sup>57</sup>

The District Court for the Eastern District of Arkansas had previous to 1954 begun the process of combining the Referee duties from other divisions into one.<sup>58</sup> Lee Cazort was born in 1888 at Lamar, Johnson County, Arkansas.<sup>59</sup> He obtained his law degree from Washington and Lee University in 1910.<sup>60</sup> He served in the Arkansas House of Representatives from 1915 to 1917 and was Speaker of the House in 1917.<sup>61</sup> He ran unsuccessfully for Governor in 1924 and served as Lt. Governor in 1928 and again in 1932 and 1934.<sup>62</sup>

He served as Referee in Bankruptcy until his retirement in 1961.<sup>63</sup> He died October 6, 1967, at the age of 81.<sup>64</sup> Cazort had his office in the Federal Building at 600 West Capitol in Little Rock<sup>65</sup> during his tenure although he never had a courtroom exclusively for bankruptcy matters.<sup>66</sup> He was a past president of the National Association of Referees.<sup>67</sup>

6. Arnold Adams, 1962 - 1982

On January 1, 1962, Arnold N. Adams was appointed Referee for the Eastern and Western Districts of Arkansas with an office in the U. S. Courthouse, 600 West Capitol, Little Rock, Arkansas.<sup>68</sup> Adams was born in 1912 in Batesville, Arkansas, and graduated from the University of Arkansas School of Law in 1939. He practiced law in Mountain Home until 1942 when he served in the Army until 1946.<sup>69</sup>

He practiced law in Harrison, Arkansas, beginning in 1953 until his appointment to Referee. He became acquainted with J. Smith Henley during his years in Harrison who was instrumental in securing his appointment as Referee even though Judge Henley was a Republican and Adams was a Democrat.<sup>70</sup> During Judge Adams' term as Referee he was able to secure a small courtroom on the fourth floor of the courthouse for use as a bankruptcy courtroom.<sup>71</sup> He traveled to all of the divisions in the Eastern and Western Districts of Arkansas to hold court in either the United States District Courtroom or the Magistrate's Courtroom.<sup>72</sup> In 1976, Bankruptcy Referees were renamed Bankruptcy Judges and were required to wear judicial robes while holding Court.<sup>73</sup>

Judge Adams died in office in 1982. When he was appointed Referee in 1962, he presided over a staff of six all of whom were appointed by him. Cases were still filed with the District Clerk for the Eastern District of Arkansas in Little Rock only but were physically delivered to Judge Adams' staff on a daily basis.

7. Charles W. Baker, 1973 - 1984

Charles W. Baker was appointed as a part-time Referee in Bankruptcy in March of 1973. he was supposed to handle one-third of the docket but within a year Judge Adams had a heart attack and Mr. Baker became responsible for the entire state. He would regularly hold court in all 11 divisions in Arkansas. Judge Baker and Leigh Tenney are probably responsible for the successful Chapter 13 program we have today because when the Code was adopted in 1979 he and Tenney toured the state conducting seminars promoting Chapter 13 as the better choice of chapters for individuals. Charles W. Baker was born in Booneville, Missouri, in 1940. He graduated from St. Peter and Paul High School in Booneville and University of Missouri at

Columbus. He graduated with a B.A. in 1962 and graduated from law school in 1965. Baker worked in Kansas City, Missouri for Roger, Field & Gentry until he moved to Little Rock in 1968. He was associated with the firm of Moser, McClelland, Arnold, Owen & McDermott until he became part-time Referee in 1973. He resigned in 1984 and currently is a member of the Rose Law Firm in Little Rock.

HELENA DIVISION (EASTERN) OF THE EASTERN DISTRICT OF ARKANSAS  
1898 - 1980

In 1898, the Helena Division of the Eastern District of Arkansas consisted of the counties of Mississippi, Crittenden, Lee, Phillips, Clay, Craighead, Poinsett, Green, Cross, St. Francis and Monroe. In 1915, Desha and Chicot Counties were added to the Helena Division, and in 1924, the Helena Division lost Clay, Green, Craighead, Poinsett, Poinsett and Crittenden Counties to the newly formed Jonesboro Division of the Eastern District of Arkansas. Also, Chicot County was transferred to the Little Rock Division in that year. Finally, in 1961, the Helena Division lost Desha County to the newly formed Pine Bluff Division.

1. Marshall L. Stephenson, 1898 - 1911

The District Court met at Helena at the U. S. Courthouse and Post Office Building on Cherry Street which was constructed in 1890. The District Judge in 1898 was Judge John A. Williams. The first Referee appointed by the District Court was Marshall L. Stephenson. The first case filed in the Helena Division was the case of Clark and Company and was in involuntary petition filed by several creditors from Memphis. The case was filed on the 31<sup>st</sup> day of October 1898. The Debtor was Clark and Company, a “mercantile firm” composed of Robert Eaton

alone who resided in Luxora, Mississippi County, Arkansas. Marshall Stephenson is listed in the Helena City Directory of 1899 as Referee in Bankruptcy with an office at 517 Ohio Street.

Marshall Stephenson was appointed for two successive terms as Referee in Bankruptcy for the Helena Division by Judge Williams and later Judge Jacob Trieber. Marshall Stephenson was the former law partner of Judge Trieber. The bankruptcy proceedings held before Stephenson were held in his office which was located at 402 ½ Cherry Street and the file Marshall Stephenson kept included a school child's composition book where he entered his orders sometimes in pencil; sometimes in ink and sometimes, typewritten. In 1900, his office was listed as being located at 517 Ohio Street in Helena.

Marshall Stephenson was born in Granville, Illinois on March 29, 1838. He was educated at Granville Academy and graduated in 1858 and commenced the study of law in the law office of Stewart, Edwards & Beavers in Springfield, Illinois. Before he completed his studies, the Civil War broke out and in 1861 he enlisted in the Tenth Illinois Calvary as Captain and later promoted to Major. During the Fall and Winter of 1863 - 1864, he was responsible for raising an infantry of Union troops in North Arkansas. He took part in the battle of Jenkins Ferry in South Arkansas on April 30, 1864, where he was severely wounded.

At the end of the war, he settled in Fort Smith, attended law school in Cincinnati and was admitted to the Arkansas Bar in 1866. He moved to Huntsville, Arkansas, in 1867 and ultimately to Helena in 1871. He served as a State Senator for the Third Senatorial District of Arkansas and was appointed judge in the Fourth Judicial Circuit on July 23, 1868 until he moved to Helena in 1871. In 1872, he was elected Associate Justice of the Arkansas Supreme Court until May 18, 1874, when he resigned to return to practice of law in Helena in partnership with

his brothers and later with Jacob Trieber.

In 1872, he married Ms. Louise Magowan of Battle Creek, Michigan. They had no children and Stephenson was not a member of any church, but according to Goodspeed, “He is always ready to aide any church organization in its good works . . .”. He served as President of the First National Bank and the Guaranty, Loan and Trust Company of Helena.

In July, 1911, he visited Michigan for his annual vacation when he was “stricken down” and died. He was described by his fellow judges on the Supreme Court as, “subscribing to no religious creed, but tolerant of all, he was in every sense a Christian who believed in the luxury of doing good. I have known him to devote days and weeks to the interest of some widow or orphan and take for compensation the simple consciousness of having conferred a deserved favor”. His residence is listed in the Helena City Directory at 806 College Street.

## 2. W. G. Phillips

During the same period Marshall Stephenson was appointed Referee in Bankruptcy on most of the cases, there were occasional cases where W. G. Phillips was appointed Special Referee because of the circumstances were cited as the absence of Marshall Stephenson from the area. Phillips is listed in the 1899 City Directory of Helena with offices at 517 Ohio Street in Helena. Phillips is listed in the 1906 City Directory as having an office at 402 ½ Cherry Street both of which are the same address given for Marshall Stephenson during that year.

## 3. R. B. Campbell, 1911 - 1922

In 1911, when Marshall Stephenson died, Judge Trieber, by Order dated September 27, 1911, appointed Leo J. Mundt for a term to serve as Referee ending June 30, 1912. On October 16, 1911, Leo J. Mundt resigned and Judge Trieber appointed R. B. Campbell as Referee. R. B.

Campbell was appointed again on June 19, 1915, and served as Referee until his death in 1922.

The docket books reflects that between October 1898 and July 30, 1904, 100 cases were filed in the Helena Division. Case No. 100 filed July 30, 1904, showed a Special Referee, Joseph L. Shaw. Case No. 111 was filed July 11, 1905, and G. W. Phillips was appointed Referee. By February 7, 1921, the total number of cases filed in the Helena Division was 389.

The last case in Record Book 2 was dated April 19, 1921, Case No. 407. R. B. Campbell was appointed Referee. From 1898 to 1921, there were 3,202 cases filed in the entire Eastern District of Arkansas for an average of 152 cases per year.

George Bruce Campbell was born July 13, 1876, in Illinois and graduated from Pontiac Illinois High School and Lake Forest College. He studied law in the office of Mr. A. C. Norton at Pontiac and came to Arkansas in 1908, and entered the practice of law in Marianna. After a year in Marianna, he moved to Helena and became a partner with Marshall L. Stephenson. In 1915, after the death of Judge Stephenson, he was appointed Referee in Bankruptcy by Judge Trieber. He was a skilled musician and played the piano and pipe organ and was a very active businessman owning and operating a number of plantations and was a director in several banks. He was purportedly the largest planter in Eastern Arkansas. He married Ms. Mary Greenbaum of Pontiac, Illinois who survives him. Campbell was killed in an accident which was reported by the Helena World on February 21, 1922. The report summarizes that Mr. Campbell was attending to business on one of his plantations about seven miles from Helena when he decided to visit a tenant house some distance from the road. He borrowed a shotgun from one of the employees on the plantation and he was later found dead with a gunshot wound to his back and hip and it was concluded that the gun accidentally discharged as he was attempting to crawl under

a bob-wired fence. He had asked for the shotgun in order to shoot rabbits if any came his way on his visit to his tenant house. He was survived by his wife and his father and siblings, but he had no children. In addition to being a Referee in Bankruptcy at the time of his death, he was also a Master in Chancery for the Eastern District of Arkansas.

He was active in the Republican party and was a Republican party leader in Phillips County.

4. E. C. Horner, 1922 - 1940

Beginning in March 1922, E. C. Horner received the appointment as Referee in Bankruptcy for the Helena Division and received most of the cases thereafter until 1940. His first case was Case No. 460, In the Matter of Edward Rose. E. C. Horner's office is located in the 1909 City Directory of Helena at 507 ½ Cherry Street. The 1920 City Directory of Helena does not list E. C. Horner as an attorney, but as President of West Helena Consolidated Company and Helena Ice Company. The West Helena Consolidated Company is listed as “. . . Electric Street Railway and Real Estate Office at 511 ½ Cherry Street”. The company had offices in both Helena and West Helena. E. C. Horner's residence is listed in the 1920 West Helena City Directory as “Cleburne Av.-ner Sebastian Street”. He is also listed as “Prop. Superior Chair Company”. In the 1936 city directory, E. C. Horner is listed as Referee in Bankruptcy , U. S. Government.

During the Depression beginning in 1929, every bank in Helena and West Helena failed. E. C. Horner filed for personal Chapter 7 bankruptcy on October 17, 1929 (Case No. 639). His Trustee was J. B. Conley who was a Federal Commissioner in Helena and also the Deputy Clerk. The Referee assigned to the case was Powell Clayton of Little Rock. Being a Referee was not a

lucrative undertaking. For instance, in 1932, Sid Redding wrote E. C. Horner a letter enclosing a check for \$245.00 for fees for 16 cases at \$15.00 per case and one case for \$20.00.

E. C. Horner was born in Helena, Arkansas, in 1861, and was the son of the late John J. Horner and Betty Tull Horner. He was an Episcopalian and a Mason. He attended Locust Dale Academy in Virginia and the University of Virginia. He practiced law with his father in Helena and became President of the old bank of Helena. He and his brother, John S. Horner, founded West Helena in 1909, and also pioneered a streetcar line between Helena and West Helena. He was President and Executive Secretary of the Helena Chamber of Commerce of many years and was the founder of the Businessman's League of Helena and was President of Twin City Transit Company.

He married Ms. Lorna Pointer of Memphis in 1899, and their children were Ms. Lorna Horner Morris, Jordell Horner, E. T. Horner and A. P. Horner. He had three brothers, J. A. Horner, J. T. Horner and J. L. Horner. He died February 20, 1944, at his home in West Helena.

Mr. Horner, as did Marshall Stephenson, maintained his file in a children's composition book. He would type orders on regular typing paper and then paste them sideways so at the end of the case, you would open the book and the orders would be in chronological order.

In Case No. 805 of J. J. Johns dated March 26, 1931, the First Meeting of Creditors Notice is a postcard signed by E. C. Horner and orders the first meeting to be held at his office at 1:00 p.m. on April 15, 1931. The notice does not state the address of his office only that it is in Helena, Arkansas.

One of the cases handled by Mr. Horner was Hart Shoe Store, Case No. 999, dated February 28, 1931. Among the accounts payable to Hart Shoe Store, most of which were in the

\$4.00 to \$6.00 to \$10.00 range, was J. C. Holloway who owed \$4.90 (the author's grandfather).

Among other creditors of the debtor was the brother of the Referee, Mr. John Horner, who owed \$10.00 and C. C. Lyford who owed \$9.20.

The transcript of the first meeting indicated that various attorneys attended including A. M. Coates, A. D. Whitehead and John Ike Moore and the transcript reflects that Mr. Horner simply stated, "I think we'll sell all the inventory as soon as possible. The first meeting was very informal. Among the cases under Mr. Horner's responsibility was the case of W. W. Denning, Bankrupt. Mr. Denning operated a furniture store and the final accounting was filed by W. D. Cash, the Trustee, on April 8, 1932, showed the following payments to Mr. Horner:

1.	E. C. Horner's Referee Fees	\$50.00
2.	E. C. Horner's Master Expense	\$10.00
3.	E. C. Horner's Fee for Sale as Master	\$30.00
4.	E. C. Horner - Fee Allowed by U.S. Court as Master	\$ 150.00
5.	E. C. Horner's Balance of Referee Fees	96.50
6.	Distribution to Unsecured Creditors	\$3,166.60
7.	Total Receipts	\$5,915.45

Other individuals filing bankruptcy included E. M. Polk on July 9, 1927; C. L. Polk on January 13, 1928, William Warfield on August 2, 1927; W. H. and J. L. Anderson d/b/a Anderson Cotton Company on November 29, 1927; C. L. Polk on January 13, 1928, Griffin Newburn Company on July 10, 1928. Hart Shoe Store, February 28, 1931. Brown Faulkner Motor Company, March 16, 1931; Abe Goldsmith, March 31, 1931.

Another interesting case presided over by Mr. Horner in 1931, was the matter of Sam Ciener who operated a clothing store on Cherry Street. In that case, Mr. Horner approved a

composition on behalf of Mr. Ciener to pay unsecured creditors \$0.30 on the dollar. Most of the creditors were vendors from out of town, but some of the creditors included local people such as Habibs Restaurant, King Thompson Drug, Helena Steam Laundry, Bradford Printing Company, Tap Horner, S. L. Mundt, F. M. Pardue, Helena Wholesale Dry Goods Company and Rothchild Brothers Hat Company. One letter in the file is from Ozero Brewer of the firm of Brewer and Cracraft dated September 5, 1932, which voted to accept the plan on behalf of “Sam Ciender to his creditors on the claims

of:

F. M. Pardue,	Helena, Ark.
The Bootery, Inc.,	“ ”
E. Levy	“ ”
Tap Horner	“ ”
The Arkmo Lbr. Yards	“ ”
Papa Brothers,	“ ”
Bradfield Printing Co.,	“ ”
Landers Furniture Co.,	“ ”
Helena Steam Laundry	“ ”
Habibs	“ ”
King Thompson Drug Co.,	“ ”
Crescent Jewelry Co.,	“ ”
Seelig L. Mundt,	“ ”

The majority of the creditors accepted the plan and in the file is a check made payable to Habibs Restaurant dated September 24, 1932, drawn on Phillips National Bank in Helena for \$0.60 signed by E. C. Horner. Ciener survived the bankruptcy and was an active and successful businessman well into the 1960's.

During this period of time (1920) typical prices for consumer goods advertised in the Helena World dated July 3, 1920, including “Seniors Mens Suits - \$33.75, Atkins Pork ‘n Beans - \$1.00 a can, 3 lbs. coffee - \$1.00, eggs - \$0.45 a dozen. In 1930, the Helena World advertised

a ten pound bag of sugar for \$0.55, one pound of bacon for \$0.27, a dozen eggs for \$0.30, one pound of potatoes for 1.5 ¢, roast beef for \$0.15 a pound, 1 lb. of coffee - \$0.35, a six-cylinder truck - \$520.00 and a Philco radio was \$68.00. In August 1941, the Helena World advertised cigarettes - 2 packs \$0.35, ten lbs. sugar - \$0.55, 1 lb. of coffee - \$0.28.

Habibs Restaurant was advertising lunch for \$0.39 consisting of fried chicken, potato chips, roll and peach ice cream. Spare ribs for \$0.35 and bacon and eggs, \$0.29.

In a notice filed in the Interstate National Bank of Helena dated July 10, 1930, the following individuals were listed as Trustees in Bankruptcy with balances undistributed. They included B. K. Craycraft, John Ike Moore, Hugo Mundt, Selig L. Mundt, N. B. Norton, P. T. Rabb, E. A. Rolf and A. Straub.

The docket books reflect in the Eastern Division of the Eastern District between 1898 and 1959, 1,054 cases were filed. Other Special Referees appointed between 1898 and 1921 in the Helena Division were Joseph L. Shaw and E. Foster Brown.

In the 1906 city directory, E. C. Horner is listed as attorney (Horner & Horner), 507 ½ Cherry Street. W. G. Phillips at 402 ½ Cherry Street and M. L. Stephenson at 402 ½ Cherry Street. Other individuals appointed as Special Referee from 1898 to 1911 included Jesse M. Vinyard whose office is listed in the 1900 city directory at 403 Cherry Street. J. M. Vinyard is listed at 401 ½ Cherry Street.

On April 19, 1935, the District Judge, John Martineau, entered an Order assigning all of E. C. Horner's cases to Joe Schneider, the Referee in Little Rock, because of Mr. Horner's illness. Thereafter, Mr. Horner resumed his cases until July 5, 1939, when he was assigned his last case - Case No. 973, Herbert S. George.

On February 21, 1940, Judge Martineau accepted the resignation of E. C. Horner as as Referee in Bankruptcy stating, “By reason of a long and faithful service of said Referee, reluctantly [ I ] accept said resignation”. The judge also ordered the Helena Division of the Eastern District bankruptcy matters be merged with the Little Rock Division and jurisdiction was granted to Lee Cazort, Referee in Little Rock. On April 3, 1946, Judge Lemley appointed Cad L. Polk, Jr., as Referee for the Helena Division. However, on June 30, 1947, Judge Lemley ordered all cases then pending before W. D. Murphy, F. C. Mullinix and C. L. Polk referred to Lee Cazort.

On July 1, 1949, by Order of Thomas D. Trimble, United States District Court, Lee Cazort was appointed Referee for the Helena Division for the Eastern District of Arkansas, and on February 10, 1953, by Order of Thomas C. Trimble and Harry J. Lemley, the District Court Clerk’s Office in Helena was closed and the records removed to Little Rock.

#### FORT SMITH DIVISION

In 1898, the Fort Smith Division of the Western District of Arkansas consisted of Benton, Washington, Carroll, Boone, Newton, Madison, Crawford, Franklin, Johnson, Sebastian, Logan, Yell, Scott and Polk Counties. In 1902, Boone, Carroll, Madison and Newton Counties were transferred to the newly created Harrison Division of the Western District. In 1940, Benton and Washington Counties were merged with Madison County to form the Fayetteville Division of the Western District. From 1940 until today, the Fort Smith Division consists of the counties of Crawford, Franklin, Sebastian, Logan, Yell, Scott and Pope.

1. Joseph M. Hill, 1898

The first Referee appointed in the Fort Smith Division was Joseph M. Hill on July 23, 1898. The first case was Louis W. Switzer of Harrison filed September 18, 1898 and Jim Hill was the Referee. On January 17, 1899, Joseph M. Hill resigned as Referee and Edward B. Pierce of Van Buren was appointed Referee. Joseph M. Hill was born in Mecklenberry County, North Carolina. He moved to Arkansas with his parents in 1875 when his father became President of the University of Arkansas at Fayetteville. He attended the University of Arkansas and the State University of Mississippi. He took law courses at Cumberland University in Lebanon, Tennessee, and was admitted to the bar in 1883 at Berryville. He moved to Fort Smith in 1887. In 1904, he was elected Chief Justice of the Arkansas Supreme Court and served until February 1, 1909, when he resigned to re-enter private practice. He was Chief Counsel for the State in the “railroad rates case” which he was before the Supreme Court. He practiced law in the firm of Hill and Brizzolara.

2. Edward B. Pierce, 1900

Edward B. Pierce was born in Kosciusko, Mississippi on August 14, 1868, and he died January 22, 1912. He graduated from the University of Mississippi at Oxford in 1889 and graduated from the Law Department there in 1890 and moved to Van Buren and entered the practice of law with his uncle, Ed D. Pierce.

In January 1900, he entered the practice of law with L. H. Southmayd until he moved to Little Rock. In 1908, he published the Digest of Decisions known as “Pierce’s Digest”. Around 1892, he married Ms. Stella McCorkle of Fort Smith and they had two children, James and Mary

Buford. He went to work for the Choctaw, Oklahoma and Gulf Railway later incorporated by the Rock Island and Pacific Railroad. In March 1904 he was made attorney for the railroad for the State of Arkansas and Louisiana. He later moved to Chicago and held the position of Commerce Counsel for the railroad. He was killed in a train wreck on January 22, 1912 on the Illinois Central Railroad near Kinmundy, Illinois.

3. Labin H. Southmayd, 1900 - 1919

On June 28, 1900, Judge John Rodgers appointed Labin H. Southmayd as Referee for the Fort Smith Division of the Western District of Arkansas. He was re-appointed numerous times from 1900 to 1919. Labin Southmayd was born in Van Buren, Arkansas, on October 6, 1851. He graduated from Middletown Institute in Middletown, Connecticut in 1869. He read law under the Hon. Grandall Wilcox, a prominent attorney of Van Buren and he was admitted to the Arkansas Bar in 1875. He practiced law with Wilcox for two years then for six years he was in practice with B. J. Brown. He also served as Deputy County Clerk under his father. In 1900, he formed a partnership with E. B. Pierce and after Pierce moved to Little Rock, he was appointed Referee in Bankruptcy by Judge Rodgers. He was an active Democrat (Bill Nixon's kind of man); Mayor of Van Buren and Director of Citizens Bank. He married Lou M. England who died in 1894 and he had two children, Mary and Labin H. Southmayd, Jr. He died at Van Buren on October 29, 1919. The bar association described him as "a gentleman of great refinement and charm of manner . . . he was a man of extremely accurate habits and made a Referee in Bankruptcy of unusual ability and efficiency . . .". "So valuable were his services [as Referee] that, though he was appointed as a Democrat, Judge Youmans who belonged to the opposite party was glad to continue him in office."

4. Daniel Hon, 1919 - 1929

Judge Youmans appointed Daniel Hon as Referee in Bankruptcy reciting the death of Labin H. Southmayd. Daniel Hon was born in Scott County, Arkansas, on July 10, 1860, and attended the common schools and the State University at Fayetteville and graduated in 1882. He went to Cumberland School of Law at Lebanon, Tennessee, and graduated with a law degree in 1885 and admitted to the bar. He entered into practice at Waldren, Arkansas, from 1885 to 1906. He served as County and Probate Judge of Scott County from 1888 to 1892 and was the Judge of the 12<sup>th</sup> Judicial Circuit in 1906 until 1914. He moved to Fort Smith in 1907. After retiring as judge, he practiced law in Fort Smith until his death on April 6, 1929. On November 1, 1919, During the 1920's and early 1930's, cases were alternated between A. A. McDonald and Daniel Hon. On April 9, 1929, Judge Youmans entered an Order reciting the death of Daniel Hon on April 5, 1929, and appointed A. A. McDonald as Referee for two years.

5. A. A. McDonald, 1929 - 1936

A. A. McDonald was born in Dayton, Tennessee, and moved to Greenwood, Arkansas in 1891. He married Margaret Taylor of Fayetteville in 1893 and lived a short time in Muskogee, Oklahoma, but returned to Fort Smith in 1898. He served one term as Circuit Clerk and two terms as Prosecuting Attorney. He also served a term as Fort Smith City Attorney, and he died at his home on May 28, 1943.

Mr. McDonald had been an invalid since 1936 when he was struck by an automobile near his home. Mr. McDonald opened his law office in 1898 and was secretary to the late Judge Marion Rutherford. He was active in the Democratic party. He was a member of the First Methodist Church and was a Sunday School teacher for 25 years. He appears as Referee in

Case No. 1042, Standard Land & Gravel filed March 29, 1929.

6. George O. Patterson, 1936 - 1951

George O. Patterson was appointed Referee during the 1930's. George O. Patterson was born in 1902 in Little Rock and was the son of the late George and Suzie Patterson. He graduated from the College of the Ozarks and was a member of the Board of Trustees for 20 years. He attended Washington Lee Law School in Lexington, Virginia. He served as Chancellor of the Ninth District Chancery Court in Clarksville, Arkansas, from 1951 to 1961. Before becoming Chancellor, he was the Clarksville City Attorney and a Deputy Prosecuting Attorney and a Federal Referee in Bankruptcy. He was an Elder in the Presbyterian Church.

7. Thomas Harper

Thomas Harper served as Referee from 1938 to 1942. He died in Ft. Smith, Arkansas, on March 9, 1989, at the age of 80. He also served as a U. S. Commissioner and served as a Special Associate justice on the Arkansas Supreme Court.

8. John Brizzola

John Brizzola appears to be the son of James Brizzola, a prominent Fort Smith attorney. He was born in Virginia and as a child moved to Memphis, Tennessee. He read law in the office of Heiskel, Scott & Heiskel, and later in the office of Chalmers & Turley. He also studied law under General Albert H. Pike and was admitted to the bar of Memphis in 1867. He was a stalwart Republican and became an active factor in local politics and in due time was elected Prosecuting Attorney for the City of Fort Smith. He moved to Fort Smith in 1869. He served four terms as Mayor of Fort Smith and three terms as Postmaster of the city. At one time he was

Assistant U. S. District Attorney for the Western District of Arkansas under Judge Isaac H. Parker. One of his law partners was W. H. H. Clinton, a former U. S. District Attorney (and brother of Powell Clayton). He appears as Referee in 1945 and 1946, and reported that he received no funds from July 1, 1945 to December 31, 1945. He reported to the A.O. in March 1946, that only two cases were filed in his district in 1945. There were only seven cases filed in the entire Western District in 1944; seven in 1945 and five in 1946.

9. Edgar Bethel, 1947 - 1954

On May 20, 19457, Edgar Bethel of Fort Smith was appointed Referee for the Harrison Division as well as all of the other divisions with the Western District of Arkansas.

According to Mrs. Bethel, Edgar Bethel was born in Little Rock in March 1918. He attended public school in Little Rock and attended Hendrix College and graduated from the University of Arkansas School of Law in 1941. In 1941 and 1942, he attended graduate school at the University of Chicago. In 1942 and 1943, he taught at the law school in Fayetteville. In 1943, he joined the United States Army and was discharged in 1945. In 1945, he became Judge John Miller's first law clerk and served in that capacity for 18 months until some time in 1947. In 1947, he was appointed by Judge Miller to be the Referee in Bankruptcy for the entire Western District of Arkansas. He was also at that time engaged in the private practice of law in Ft. Smith with several attorneys over a period of time and he retired from the act of practicing law in the early 1990's.

According to Mrs. Bethel, the fees he received from being the Referee in Bankruptcy were only sufficient to cover the overhead of an office and a secretary and his principle income came from private practice of law.

She described him as a very intellectual individual and that he graduated first in his class at law school and when Robert Lefler took a leave of absence from the university to teach at the New York University School of Law that Edgar Bethel would commute from Ft. Smith to Fayetteville to teach the class that Dr. Lefler was teaching. He also taught regularly as an adjunct professor with the university for several years.

TEXARKANA DIVISION  
1898 - 1980

1. Ambrose H. Sevier, Jr.

On July 28, 1898, District Judge John H. Rogers entered an Order creating the Texarkana Division of the Bankruptcy Court, and appointed Ambrose H. Sevier, Jr., as Referee for two years. The first case was filed October 28, 1898, styled In the Matter of I. M. Graham. The attorney was W. H. Arnold. Ambrose H. Sevier, Jr., served as Referee until February 26, 1908, when he died. Sevier was referred to as Major Sevier by his contemporaries.

He was born in Washington, D.C. in November 1842. He was the son of Ambrose H. Sevier, the first U. S. Senator for Arkansas. Sevier County is named in honor of his father. Ambrose Sevier, Jr., studied at Georgetown University until the outbreak of the Civil War in 1861 when he returned to Little Rock. He obtained the rank of Brigadier General during the war. He was captured by the yankees at the battle of Arkansas Post and held as a prisoner of war until he was exchanged in 1863.

He returned to Little Rock at the end of the war. He was, for a time, the Editor of the Arkansas Gazette. He moved to Lafayette County, Arkansas, and started the practice of law.

In 1894, he moved to Texarkana where he continued his practice of law and in 1898, he was appointed a Referee in Bankruptcy. He was a Democrat.

His family was descended from the old French family, Xavier, who were French Huguenots descended of Henry of Navarre. In 1871, he married Ms. Emma Jean Wright, granddaughter of W. S. Fulton, United States Senator from Arkansas from 1836 to 1841. He is buried in Mount Holly Cemetery in Little Rock.

2. C. B. Moore, 1908 - 1911

3. John F. Simms, 1911 - 1912

4. Gustavos G. Pope, 1913 - 1933

In December 1913, Judge Youmans appointed Gestavos G. Pope (G. G. Pope) as Referee in Bankruptcy, and G. G. Pope served as Referee until 1933. G. G. Pope was born in Kingston, Tennessee, on June 26, 1876. He moved with his family to Arkansas when he was three years old to Newton County, Arkansas, where he was raised on a farm. He obtained a common law school education. He moved to Texarkana in 1900 and attended business college. He entered

the law office of William H. Arnold in Texarkana and studied law and was admitted to the bar in 1902. He opened his own office in Texarkana where he has made his home since 1900. On January 1, 1908, G. G. Pope married Ms. Rosie S. Russell and according to the Centennial History of Arkansas, they were “well known socially in Texarkana and took an active and helpful interest in the Beach Street Baptist Church”. He was mentioned as a candidate to appointment as Federal District Judge when Judge Youman died, but he died suddenly on April 23, 1933, in Texarkana.

5. Willis B. Smith, 1933

6. Alex G. Sanderson, 1940

The next case in Book H is Case No. E-1187, *In the Matter of Urel Cloud, and Others*, under the firm name of Southwest Arkansas Wholesalers of Hope and Edgar B. Bethel was appointed Referee in Bankruptcy on July 11, 1947. Edgar Bethel continued as Referee in Bankruptcy from 1947 until 1954 when Lee Cazort was appointed Referee in Bankruptcy for the entire Eastern and Western Districts of Arkansas.

## HARRISON DIVISION

In 1902, the Harrison Division of the Western District of Arkansas was created. The division when created consisted of Baxter, Marion, Searcy, Boone, Carroll, Madison and Newton Counties. The Harrison Division has remained the same as when it was created in 1902.

### 1. Labin H. Southmayd - 1902

The first case in the Harrison Division, Case No. 1, was filed April 17, 1902, and Judge John H. Rogers appointed Labin Southmayd as Referee for the Harrison Division. Mr. Southmayd was also the Referee for the Ft. Smith Division and is discussed under that section.

### 2. F. M. Garvin, 1903-1919

Subsequently F. M. Garvin was appointed the second Referee. He was first appointed and in 1903 served through 1919. He last appeared as Referee in Case No. 121 which was filed November 5, 1919. F. M. Garvin was born in Evansville, Indiana on January 5, 1860. He spent his early life in Evansville, Indiana, and attended public schools. He graduated from Princeton University in 1879 and was a classmate of President Woodrow Wilson. After Wilson was elected President, Garvin attended a banquet in Wilson's name. Garvin gave the following toast: not to democracy's fairest flower, do we offer tribute tonight, not this mighty man of the hour, the victor in the fight, but we gladly give to a comrade and friend of \_\_\_\_\_ long \_\_\_\_\_, three cheers and a Princeton Tiger, for the boy of '79". He was admitted to the bar, but never practiced law and moved shortly thereafter to Harrison, Arkansas. He engaged in the bankruptcy business and held an interest in several banks. In 1886, he married Ms. McCrump, daughter of the then U.S. Marshall for the Western District of Arkansas and Indian Territory.

He was a Democrat by political persuasion. After Wilson was elected President, Garvin was called upon to give a toast at a party in New York. Garvin also served as Mayor of Harrison in 1888 and again in 1894.

3. James M. Slover, 1920 - 1928

In 1920, James W. Slover of Harrison was appointed as Referee in Bankruptcy. James W. Slover was born near Everton in Boone County on January 20, 1868. His father was born in Madison County in 1848 and had limited education. His father served in the Union Army as a teamster and cook and he was a staunch Republican. James W. Slover served as Postmaster in several points including Harrison, Dugger, Rally Hill and Everton. He was appointed Postmaster in Harrison on February 16, 1910 and again on March 17, 1924.

James W. Slover received his elementary education in the public schools in Harrison and graduated from Peabody College in Nashville in 1893. He entered the government service and was store keeper and gauger for the United States for the next ten years being stationed at various points in the state. There is no evidence he was a lawyer.

4. Andrew L. Kenney, 1928 - 1931.

Andrew L. Kenney was the Referee in Bankruptcy from 1928 to 1931. During that period of time he presided over approximately 32 cases. Andrew L. Kenney was born June 6, 1865, in Camden, New York. He received a college education from the Northern Indiana University at Valparaiso and later engaged in teaching school in Michigan for four years. He studied law in an attorney's office in Michigan and following his admission to the bar, he practiced law in Redding, Michigan for a period of 22 years. He moved to Green Forest,

Arkansas, in 1910 where he remained throughout the rest of his career. He married Clara Woolcott in 1892 and he was a member of the Christian Science Society. Andrew L. Kenney was a Republican and was an active party member. He served as Mayor of Green Forest for a period of four years and “cleaned up the city while acting as Chief Executive. He would give the ‘drunks’ the privilege of attending church while working on the stone pile and each time the culprit attended church, the sum of \$2.50 was taken off his fine”. In 1914, A. L. Kenney was the Republican candidate for Governor but lost to the Democratic candidate, George W. Hays (94,090 to Kenney’s 30,987). Kenney served as Referee from 1928 through 1931 and presided over 32 cases.

5. S. W. Woods, 1935 - 1938

Beginning with Case No. 289 in 1935, S. W. Woods was appointed Referee in Bankruptcy and he presided over cases through the year 1937. S. W. Woods was born in Izard County, Arkansas, in 1867 and died August 14, 1940, in Harrison. He was 82 years old. He practiced law first in Melbourne and later moved to Yellville, Arkansas, where he practiced. S. W. Woods was a member of the Christian Church. He served as Referee from 1935 to 1937 and presided over 25 cases.

6. Ben Henley, 1931 - 1934; 1938 - 1943

Ben Henley was appointed Referee for the Harrison Division for two periods; 1931 - 1934 and 1938 to 1943. He was born October 7, 1907, at St. Joe, Arkansas. He graduated from the first class to graduate from the University of Arkansas School of Law at Fayetteville. He was admitted to the bar before his 20<sup>th</sup> birthday. He attended St. Joe Elementary School and Peabody High School in Fayetteville. He served briefly as Deputy Clerk of the U. S. District

Court for the Western District of Arkansas. In the early years, he practiced law in Harrison with J. M. Shinn and later with his brother, J. Smith Henley, who later became District Judge for the Eastern District of Arkansas and a late member of the Eighth Circuit of Appeals. Ben Henley was a long-time Republican and ran for the United States Senate against J. William Fullbright. He served in the U.S. Navy in 1943 and 1945, and participated in the occupation of Okinawa. He died in 1987 in Harrison. Between 1931 and 1935, he presided over approximately 67 cases; between 1938 and 1943 he presided over 24 cases. His brother, Smith Henley, took over when Ben Henley served in the Navy and in 1944 and 1945, but only presided over three cases. Edgar Bethel took over duties for the entire Western District in 1947.

#### EL DORADO DIVISION

In 1921, the El Dorado Division of the Western District was created. The counties of the El Dorado Division consisted of Columbia, Ouachita, Union, Ashley, Bradley and Calhoun Counties. Court was held in El Dorado. There has been no change to the El Dorado Division since it was created.

1. John Bruce Cox, 1921 - 1931.

The first Referee appointed to the El Dorado Division was John Bruce Cox. Cox was born in Conway, Faulkner County, Arkansas, in 1885, and graduated in Hendrix College in 1902 and the University of Arkansas School of Law in 1904. He practiced law in Little Rock with Henry Hale under the firm name of Hale & Cox, and maintained an office in the Faulk Building. He was a Republican. He was appointed June 30, 1927, by Judge Youmans for a period of two years and reappointed for two years in 1931. Book 1 of the El Dorado Division covered the

period from 1925 to 1930 and contained only 28 cases. No other records exist for the El Dorado Division until the appointment of Edgar Bethel as Referee for the entire Western Division of Arkansas on May 20, 1947.

### BATESVILLE DIVISION

The Batesville Division of the Eastern District of Arkansas was created in 1897. It was officially referred to as the Northern Division. Court was held in Batesville. The Northern Division consisted of Cleburne, Independence, Searcy, Marion, Baxter, Stone, Fulton, IZARD, Sharp, Randolph, Lawrence and Jackson Counties. In 1902, the Harrison Division of the Western District was formed and the counties of Baxter, Marion and Searcy Counties were transferred to the Harrison Division from the Batesville Division.

In 1924, the Batesville Division was further reduced when the Counties of Fulton, Randolph and Lawrence Counties were transferred to the newly formed Jonesboro Division. Finally, in 1940, Fulton County was moved backed to the Batesville Division and the division has not changed since. It consists of Fulton, Sharp, IZARD, Stone, Cleburne, Independence and Jackson Counties.

#### 1. Charles F. Cole, 1908 - 1922

The early Batesville dockets are missing. The first docket entry covers Case Nos. 141 through 507 (1909 - 1953). The first Referee listed is Charles F. Cole. Charles Cole was born in Wayndot County, Ohio, and moved to Arkansas with his parents in 1881. He graduated from Little Rock University in 1894 and read law with an unknown law firm and was admitted to the

bar in 1896. In 1922, he was appointed U. S. Attorney for the Eastern District of Arkansas and held that post until 1930. In 1920 and 1924 he ran for U. S. Senator as a Republican. He served a total of 24 years as Referee in Bankruptcy for the Batesville Division. Mr. Cole's son, Charles F. Cole, Jr., was also active in the Republican party and was the Clerk of the United States District Court from 1960 to 1967.

2. Ira J. Mack

Ira J. Mack appears as a Referee in Bankruptcy in 1922. Ira Mack was born in Jackson County, Arkansas, near the town of Denmark in 1882. He graduated from the public schools of Beebe and graduated from Arkansas College at Batesville. After college in Batesville he accepted employment from Union Pacific Railroad in North Little Rock and attended the Arkansas law school at night and completed his law courses. He entered private practice in Batesville in 1906 in the law office of Gustave Jones. He later formed a partnership with Edwin Boyce, Sr. and John Stayton otherwise known as Boyce, Stayton and Mack. He accepted the appointment of Assistant U. S. Attorney when Charles F. Cole of Batesville was appointed the U. S. Attorney for the Eastern District of Arkansas. He was an active member of the Episcopal Church. He died in June 1938 of a heart attack while appearing in Court before Justice Garfield Rutledge in Newport. He only served as a Referee in a few cases.

3. L. B. Poindexter, 1933 - 1936

Lucas B. Poindexter served as Referee for the Batesville Division from 1933 through 1936 although some other Referee was appointed in 1935. Poindexter was born near Hopkinsville, Kentucky, on September 4, 1866. He moved to Arkansas in 1870 settling in the town of Austin. He graduated from Arkansas College at Batesville in 1887 and thereafter taught

school for five years. He read law in the office of \_\_\_\_\_ and Mack at Pochahontas on and was admitted to the bar in February 1881. He was County Judge of Lawrence County from 1902 to 1908. He moved to Batesville in 1922 and began practicing law. He was a Democrat. He died in November of 1940. He practiced law with Charles W. Cole who also was a former Referee in Bankruptcy.

4. John Joseph McCalab, 1936 - 1942.

J. J. McCalab was first appointed Referee in Bankruptcy in 1936 and served in that capacity through 1942. In 1945, the Court appointed W. D. Murphy, Referee and on July 1, 1947, Lee Cazort took over as Referee. He was engaged in the practice of law with his father, Judge John Bell McCalab by 1920. He was a veteran of World War I, having served overseas. That is all I know right now.

### JONESBORO DIVISION

The Jonesboro Division was created in 1924. The division consisted of Fulton, Randolph, Lawrence, Clay, Green, Craighead, Poinsett, Mississippi and Crittenden Counties. Court was held in Jonesboro. In 1940, the Jonesboro Division was reduced when Fulton County was moved to the Batesville Division.

1. Fred C. Mullinix, 1926 - 1953

The first Referee in the Jonesboro Division was Fred C. Mullinix. He first appeared in Case No. 1035 in 1926. Mullinix served as Referee until succeeded by Lee Cazort in 1953.

Mullinix was born in Rosedale, Mississippi on April 5, 1880. He attended public schools at Rosedale and Willow Springs, Mississippi. He attended the University of Missouri and was admitted to the bar but did not practice law. In 1907, he moved to Jonesboro and engaged in the practice of law. He was known as a specialist in bankruptcy law. He was married twice; first to Miss Anna Gordon of Okoloma, Mississippi and a second time to Miss Jona Marie Robinson of Jonesboro.

#### HOT SPRINGS DIVISION

The Hot Springs Division was created in 1940. The division consisted of Pike, Clark, Garland, Hot Springs and Montgomery and has remained the same. Do not have any records of Referee from 1940 to 1947 when Edgar Bethel was appointed Referee for the entire Western Division of Arkansas. Bethel served from 1947 to 1954.

#### FAYETTEVILLE DIVISION

In 1940, the Fayetteville Division of the Western District was created consisting of the Benton, Washington and Madison Counties. Court was still held in Ft. Smith until a Federal Courthouse was completed in 1973. Business in the Fayetteville Division was not brisk. The first case filed was August 5, 1940, and the Referee was B. Thomas Harper. Suzanne Lighten appears as the Referee in Case No. 5 filed January 10, 1941. Case No. 19 was filed June 17, 1951 and the Referee was Edgar Bethel who had become Referee for the entire Western District of Arkansas from 1947 to 1954. A total of 19 cases were filed from 1940 to 1951.

#### PINE BLUFF DIVISION

The Pine Bluff Division was created in 1961. The division consisted of Grant, Jefferson, Arkansas, Dallas, Cleveland, Lincoln, Desha, Drew and Chicot Counties. Court is held in Pine Bluff. The first Referee in Pine Bluff was Arnold Adams. The Pine Bluff Division has not changed since it was created.

**Addendum to Harrison Division (where to insert will be decided later)**

Andrew Kenney was the Referee in Bankruptcy from 1928 to 1931. During that period of time, he presided over approximately 32 cases. In 1931, beginning with Case No. 221, Ben Henley acted as Referee in Bankruptcy and between 1931 and 1934 Ben Henley presided over approximately 58 cases. Beginning with Case No. 289, in 1935, S. W. Woods was appointed Referee in Bankruptcy and he presided over cases through the year 1937. He presided over approximately 25 cases. Ben Henley resumed services as Referee in 1938 and served as Referee through the year 1943. Between 1935 and 1945, there were several cases assigned to the Conciliation Commissioner which indicated they were former cases filed under Chapter 75. Ben Henley, however, was the Referee over the standard Chapter 7 cases. In 1940, Ben Henley presided over five cases; in 1941 he handled one case; in 1942 he handled four cases and in 1943 he handled two cases.

In 1944, his brother, Jay Smith Henley was appointed Referee in Bankruptcy and served for two years. Smith-Henley handled three cases during his entire tenure of Referee in Bankruptcy.

- 1.
2. 92 Stat. 2449
3. Section 2, 1898 Act (Pg. 9 Collier's)
4. Section 33, 1898 Act (Pg. 879 - under prior bankruptcy legislation which were all repealed, the equivalent office of Referee was referred to as "Registrars". See Section 3, Bankruptcy Act 1867 and "Assignee", Section 3, Bankruptcy Act 1841.
5. Section 34, the Bankruptcy Act.
6. Section 34, the Bankruptcy Act.
7. Section 40, the Bankruptcy Act.
8. Section 40, the Bankruptcy Act.
9. 5 Collier on Bankr. ¶ 40 [Pg. 338].
10. Section 40, Collier's on Bankr. [Pg. 339]
11. Section 39(b)[Pg. 328]
12. Section 15, Bankruptcy Act 1898
13. Section 1(5)(7); Section 51, Bankruptcy Act 1898
14. Section 39, Bankruptcy Act 1898 - these duties included the following:
  1. declare dividends;
  2. examine all schedules of property . . . and cause such as are incomplete or defective to be amended;
  3. \_\_\_\_\_ such information concerning the estate in the process of administration before them as may be requested by the parties in interest.
  4. give notice to creditors as herein provided;
  5. make up records embodying the evidence or the substance thereof as agree upon by the parties in all contested matters arising before them, whenever requested to do so by either of the parties thereto together with their findings therein and transmit them to the judges;
  6. prepare and file the schedules of property . . .
  7. safely keep, perfect and transmit to the clerks the records herein required to be kept by them;

8. transmit to the clerks such papers as may be on file before them;
  9. upon application of any party in interest preserve the evidence taken of the substance thereof as agreed upon by the parties;
  10. whenever their respective offices are in the same cities or towns where the courts of bankruptcy convene, call upon and receive from the clerks all papers filed in courts of bankruptcy which have been referred to them.
15. 5 Collier on Bankr. ¶ 39(5)(7)(8), General Order XXVII
  16. 70 Am. Bankr. Law Journal, 217
  17. Section 30, Bankruptcy Act 1898
  18. 5 Collier on Bankr. ¶ 30 [Pg. 307]
  19. “Structure of the United States Bankruptcy Court of Arkansas”, Ark. Law Rev., Vol. 56, No. 4, Page 728
  20. “Structure of the United States Bankruptcy Court of Arkansas”, Ark. Law Rev., Vol. 56, No. 4, Page 728
  21. Case No. 1, Docket Book B, U.S. District Court, August 2, 1898
  22. Predecessor to the current firm of Rose Law Firm, P.A.
  23. John Williams
  24. National Archives, Ft. Worth, Texas
  25. Docket Book B, Page 12, Case No. 1
  26. Polk City Directory, Little Rock, Arkansas 1909. See also, Polk City Directory, Little Rock, Arkansas 1917
  27. Arkansas Bar Association Memorial, 1927. See also, Lamber v. Gallagher, 1873.
  28. Goodspeed
  29. See, e.g., Dougan v. State, 30 Ark. 41, May Term 1875, Dooley for Defendant; Lavender v. Abbott, 30 Ark. 172, November Term 1875, Appeal from Arkansas Circuit Court, P. C. Dooley, Circuit Judge; O’Bannon v. Ragan, 30 Ark. 181, November Term 1875; Appeal from Arkansas Circuit Court, P.C. Dooley, Circuit Court

- 30.
- 31.
32. Goodspeed; Obituary, Arkansas Gazette, October 28, 197; Who's Who in Little Rock, 1921
33. ????????
34. Order
- 35.
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LAW REVIEW ARTICLE

FOOTNOTES

- 1.
2. 92 Stat. 2449
3. Section 2, 1898 Act (Pg. 9 Collier's)
4. Section 33, 1898 Act (Pg. 879 - under prior bankruptcy legislation which were all repealed, the equivalent office of Referee was referred to as "Registrars". See Section 3, Bankruptcy Act 1867 and "Assignee", See Section 3, Bankruptcy Act 1841.
5. Section 34, the Bankruptcy Act.
6. Section 34, the Bankrupt Act.
7. Section 40, the Bankruptcy Act.
8. Section 40, the Bankruptcy Act; 5 Collier on Bankr. ¶ 40 [Pg. 336 1905].
9. 5 Collier on Bankr. ¶ 40 [Pg. 338]
10. Section 40, Collier's on Bankr. [Pg. 339]
11. Section 39(b)[pg. 328]
12. Section 15, Bankruptcy Act 1898
13. Section 1(5)(7); Section 51 Bankruptcy Act 1898
14. Section 39, Bankruptcy Act 1898 - these duties included the following:
  1. declare dividends;
  2. examine all schedules of property . . . and cause such as are incomplete or defective to be amended;
  3. \_\_\_\_\_ such information concerning the estate in the process of administration before them as may be requested by the parties in interest.
  4. give notice to creditors as herein provided;
  5. make up records embodying the evidence or the substance thereof as agree upon by the parties in all contested matters arising before them, whenever requested to do so by either of the parties thereto together with their findings therein and transmit them to the judges;
  6. prepare and file the schedules of property . . .
  7. safely keep, perfect and transmit to the clerks the records herein

- required to be kept by them;
8. transmit to the clerks such papers as may be on file before them;
  9. upon application of any party in interest preserve the evidence taken of the substance thereof as agreed upon by the parties;
  10. whenever their respective offices are in the same cities or towns where the courts of bankruptcy convene, call upon and receive from the clerks all papers filed in courts of bankruptcy which have been referred to them.
15. 5 Collier on Bankr. ¶ 39(5)(7)(8), General Order XXVII;
  16. 70 Am. Bankr. Law Journal, 217
  17. Section 30, Bankruptcy Act 1898
  18. 5 Collier on Bankr. ¶ 30 [Pg. 307]
  19. “Structure of the United States District Court of Arkansas”, Ark. Law Review, Volume 56, No. 4, Page 728.
  20. “Structure of the United States District Court of Arkansas”, Ark. Law Review, Volume 56, No. 4, Page 728.
  21. Case No. 1, Docket Book B, U.S. District Court, August 2, 1898
  22. John Williams
  23. National Archives, Ft. Worth, Texas
  24. Docket Book B, Page 12, Case No. 1
  25. Docket Book B, United States District Court, Page 723, Case No. 489, July 1, 1903
  26. Polk City Directory, Little Rock, Arkansas 1909. See also, Polk City Directory, Little Rock, Arkansas 1917
  27. Arkansas Bar Association Memorial, 1927. See also, Lambert v. Galaghar, 1873
  28. Goodspeed

29. Goodspeed
30. Goodspeed
31. Goodspeed; Obituary, Arkansas Gazette, October 28, 1927; Who's Who In Little Rock, 1921.
32. ?????????
33. Order dated February 27, 1923, Page 120, Bankruptcy Docket Book E; Arkansas Gazette, February 28, 1923.
34. U.S. Census 1880, Volume 32; Ed - 74; Sheet 5; Line 83; Goodspeed.
35. Polk City Directory (1900-1901) Little Rock, Arkansas
36. Polk City Directory (1911, 1912 and 1913) Little Rock, Arkansas
37. Arkansas Gazette, 1929
38. Arkansas Gazette, October 1927
- 39.
- 40.
- 41.
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- 43.
44. Arkansas Gazette, 1929
- 45.
46. Order dated September 13, 1929, Docket Book \_\_\_\_\_  
Arkansas Gazette, 1929
47. Arkansas Gazette, September 14, 1929.
48. Arkansas Gazette, September 14, 1929.

49. Polk City Directory for 1931
50. Polk City Directory for 1935
51. Polk City Directory for 1935 (Pg. 450)
52. Order dated July 17, 1933; Docket Book \_\_\_\_\_
53. Obituary, Arkansas Gazette, July 10, 1966
54. Order; Docket Book H, December 1, 1937; Arkansas Democrat Gazette
55. Order dated November 6, 1954, Docket Book \_\_\_\_\_
56. Arkansas Gazette, November 3, 1954
57. Order dated July 21, 1947, by judge Trimble transferring cases from Referee W. D. Murphy, Jr., F. C. Mullinex and C. L. Polk to Cazort. Order by Judge Trimble dated February 21, 1940, accepting resignation of E.C. Horner as Referee for the Helena Division and reassigning old Helena cases to Lee Cazort.
58. Arkansas Encyclopedia
59. Arkansas Encyclopedia - Arkansas Gazette, October 7, 1959
60. Arkansas Encyclopedia - Arkansas Gazette, October 7, 1959
61. Arkansas Encyclopedia - Arkansas Gazette, October 7, 1959
62. Arkansas Gazette, December 19, 1961
63. Arkansas Gazette, October 7, 1969
64. Interview: A. L. Tenney
65. Arkansas Gazette, October 7, 1969
66. Arkansas Gazette, December 19, 1961
67. Arkansas Gazette, December 19, 1961
68. Interview: A. L. Tenney, Arkansas Gazette, December 19, 1961

69. Interview: A. L. Tenney
70. Interview: A. L. Tenney
71. Interview: A. L. Tenney

## MEMORANDUM

### **LIST OF RECORD BOOKS IN CHAMBERS**

1. Unnamed book beginning March 18, 1842, and ending May 18, 1847. It is an Orders book of the District Court for the District of Arkansas under the 1868 Act.

#### LITTLE ROCK DIVISION

1. Book named "Bankruptcy Record Book "B" of the Little Rock Division of the Eastern District of Arkansas, beginning with Case No. 1, August 2, 1898 (handwritten) and ending with Case No. 5666, July 24, 1904 (typewritten) is an Orders book of the District Court concerning bankruptcy cases.

2. Book named "Bankruptcy Record C" - Little Rock Division, Eastern District of Arkansas, beginning with Case No. 475, August 2, 1904 and ending with Case No. 1528, August 18, 1913, is an Order book by the District Court concerning bankruptcy cases.

3. Book named as "Bankruptcy Record Book 'D'" - Little Rock Division of the Eastern District of Arkansas, beginning with Case No. 1478, August 21, 1913, and ending with Case No. 2392, March 1, 1922, is an Orders book by the District Court concerning bankruptcy cases.

4. "Bankruptcy Record Book E" - Little Rock Division of the Eastern District of Arkansas, beginning with Case No. 2468, April 3, 1922, and ending with Case No. 3093, April 22, 1927. It is an Orders book of the District Court concerning bankruptcy cases.

5. Book named "Book F" - Little Rock Division of the Eastern District of Arkansas, beginning with Case No. 3047, April 26, 1927, ending with Case No. 4023, April 17, 1933, is an Orders book by the District Court concerning bankruptcy cases.

6. Book named "Book G" - Little Rock Division of the Eastern District of Arkansas, beginning with Case No. 3993, April 29, 1933, ending with Case No. 4521, December 30, 1936, is an Orders book by the District Court concerning bankruptcy cases.

7. Book I - Little Rock Division of the Eastern District of Arkansas, beginning with June 29, 1933, and ending with Case No. 516, April 21, 1959. It is an Orders book in part of the District Court and other Orders are signed by Lee Cazort, Referee.

8. Book named "Book H" - Little Rock Division of the Eastern District of Arkansas, beginning with Case No. 4532, January 4, 1937, ending with Case No. 4803, May 31, 1940, is an Orders book by the District Court concerning bankruptcy cases.

9. Book "Bankruptcy 2" - Little Rock Division of the Eastern District of Arkansas,

beginning July 2, 1954, and ending with Case No. 6301, October 13, 1960. It is an Orders book of the Eastern District of Arkansas.

#### HELENA DIVISION

1. "Bankruptcy Record Book 3" - Helena Division of the Eastern District of Arkansas, beginning with Case No. 409, May 7, 1921 (handwritten) and ending with Case No. 631, June 21, 1926. It is an Orders book of the District Court concerning bankruptcy cases.

2. Book styled, "Bankruptcy Book 4D" for the Eastern District of Arkansas, Helena Division, beginning with Case No. 625, July 3, 1926, and ending with Case No. 1054, March 10, 1959. It is an Orders book by the District Court concerning bankruptcy cases.

3. Book named "Bankruptcy Docket Book" - Helena Division of the Eastern District of Arkansas, beginning with Case No. 1025, October 14, 1953, and ending December 12, 1962. The book was maintained by Referee Lee Cazort then by Referee Arnold Adams.

#### FORT SMITH - HARRISON DIVISIONS

1. Unnamed book beginning with Case No. 1, April 17, 1902, for the United States Bankruptcy Court of the Harrison Division of the Western District of Arkansas, and ending with Case No. 149, February 8, 1928. It is an Orders book of the District Court of the Western District concerning bankruptcy cases.

2. Unnamed Book - Fort Smith/Harrison Division beginning January 11, 1907 - Beginning with Case No. 25 and ending September 28, 1945, Case No. 363. The Book contains docket entries only.

3. Bankruptcy Record of Referee Vol. 8 - Fort Smith Division of the Western District of Arkansas, beginning with Case No. 1393, June 24, 1933, and ending with Case No. 1926, April 4, 1940. It is a docket book and it appears to be maintained in part by the District Court then later maintained by the Referee.

4. "Bankruptcy Docket Book Vol. 3" - Harrison District of the Western Division of Arkansas, beginning with Case No. B-364, October 8, 1947, and ending with Case No. B-374, December 12, 1950. It is a docket book of the District Court.

#### HOT SPRINGS DIVISION

1. Book named "Book H" - appears to be maintained by the Referee and contains cases in the Texarkana Division and the Hot Springs Division, beginning with Case No. B-1160, November 15, 1940 and ending with Case No. 80, December 5, 1962, in Hot Springs. This is a docket book not an Orders book.

#### PINE BLUFF DIVISION

1. Pine Bluff Bankruptcy Docket maintained by the Referee of the Pine Bluff Division, beginning with Case No. PB-61-B-1, September 1961, and ending with Case No. PB-62-B-26, December 14, 1962. It is a docket book by the Referee, Lee Cazort and later, Arnold Adams.

EVOLUTION OF THE BANKRUPTCY COURT  
IN THE EASTERN AND WESTERN DISTRICTS OF ARKANSAS

**HELENA BANKRUPTCY CASES NOS. 1023-H62-B-10**  
**BOOK #1**

	DATE	CASE NO.	CASE NAME	DISTRICT JUDGE	REFEREE	TRUSTEE
1.	12/12/62	H62-B-10		Richard O'Neil Benson	Arnold Adams	
2.	12/01/62		Sylvester Noble		Arnold Adams	Mike Etoch, Jr.
3.	7/11/62	H62-B-8	Thomas Luther Medland		Arnold Adams	Clark Kenny 2 <sup>nd</sup> Trustee: Fletcher Long
4.	5/26/62	H62-B-7	Sydney Eugene Alice, Barton, AR		Arnold Adams	Mike Etoch, Jr. - Helena, AR
5.	5/21/62	H62-B-6	Nathaniel Bailey		Arnold Adams	Mike Etoch, Jr.
6.	5/07/62	H62-B-5	Thomas Bernard Hartley, Forrest City, AR		Arnold Adams	Ms. Mamie N. Wood, Forrest City, AR
7.	3/12/62	H62-B-4	Otis Byran Snyder		Arnold Adams	Mike Etoch
8.	2/03/62	H62-B-3	Charles S. Bowie		Arnold Adams	Mike Etoch
9.	1/17/62	H62-B-2	John D. Clark		Arnold Adams	Harold Wood
10.	1/05/62	H62-B-1	Kelmer Johnson		Arnold Adams	Mamie Wood Trustee in Succession: Harold Sharp
11.	12/01/61	H61-B-10	Lloyd Heagwood, West Helena		Lee Cazort	
12.	11/24/61	H61-B-9	Donald Hudson, West Helena		Lee Cazort	Charles Smith, West Memphis

13.	09/11/61	H61-B-8	Roy Hollenback		Lee Cazort	Charles Smith
14.	08/08/61	H61-B-7	Joseph Franklin Lackey		Lee Cazort	Albert Laser Trustee in Succession: Knox Kenny
15.	08/01/61	H61-B-6	James Thomas Brian		Lee Cazort	G. L. Nicklaus
16.		H61-B-5	J. R. Cottrell, Helena		Lee Cazort	Leo Swafford (Chapter 13) Trustee in Succession: A. L. Tenney
17.	04/10/61	H61-B-4	John Hess, Helena		Lee Cazort	Peter Deisch, Helena
18.	04/05/61	H61-B-3	Morrow Supply Co.		Lee Cazort	W. L. Ward, Marianna
19.	02/02/61	H61-B-2	Manning Jennings Co.		Lee Cazort	Peter Deisch, Helena
20.	01/24/61	H61-B-1	Vernon Taylor		Lee Cazort	G. L. Nicklaus
21.	11/01/60	H60-B-8	John Thomas Smith		Lee Cazort	G.L. Nicklaus
22.	10/26/60	H60-B-7	Augusta Hardwood Flooring Co.	Gordon E. Young - Referred to Referee	Lee Cazort	
23.	09/29/60	H60-B-6	B.L. Ammons Co., Inc.		Lee Cazort	Peter Deisch
24.	08/01/60	H60-B-5	James N. Lamb		Lee Cazort	Leo Swafford
25.	08/01/60	H60-B-4	Phillips Cooperative Gin Co., Inc.		Lee Cazort	Peter Deisch
26.	05/28/60	H60-B-3	James Franklin Gordon and Betty VonKennal Gordan		Lee Cazort	Peter Deisch
27.,	04/19/60	H60-B-2	Doyce Earl Walter		Lee Cazort	Betty McLaughlin, Alexander, AR

28.	03/18/60	H60-B-1	Pauline T. Stanton d/b/a Pauline's, Helena		Lee Cazort	Peter Deisch
29.	11/23/59	H-1060			Lee Cazort, Chapter 13	Leo Swafford
30.		1060	Donald and Jean Davis		Lee Cazort	Leo Swafford
31.	09/21/59	B-1059	Hollis Stevens		Lee Cazort	Fletcher Long (Tell Mardi the TR's fee was \$5.00)
32.	09/11/59	B-1058	Wong Kay		Lee Cazort	Peter Deisch
33.	08/27/59	B-1057	John Edward Pate, Forrest City		Lee Cazort	Peter Deisch (fee \$5.00)
34.	07/20/59	B-1056	Lindzo Turner		Lee Cazort	Peter Deisch
35.	06/01/59	B-1055	Edd Hargrow		Lee Cazort (Chapter 13)	Leo Swafford TR in succession: A. L. Tenney
36.	03/10/59	B-1054	N. O. Pittle		Lee Cazort	Leo Swafford
35.	01/28/59	B-1053	Robert Lee Gimore		Lee Cazort	David Seligman
36.	12/11/58	B-1052	Sidney Polston, West Helena		Lee Cazort (Chapter 13)	Leo Swafford Trustee in Succession: Peter Deisch
37.	08/09/58	B-1051	Thomas E. Hobbs		Lee Cazort	W.G. Hoyle
38.	08/05/58	B-1050	Orin Tickard		Lee Cazort	Peter Deisch Trustee in Succession: John Ike Moore

39.	06/16/58	B-1049	Max Hughes		Lee Cazort	Peter Deisch
40.	04/26/58	B-1048	Elmer Watkins		Lee Cazort	Peter Deisch
41.	04/09/58	B-1047	Mannings Jennings Co.		Lee Cazort	Alvin Soloman  Debtor's Lawyer: J.P. Baker
42.	1/20/58	B-1046	Rufus Grubbs		Not Shown	M. P. Dean
43.	09/13/57	B-1045	Clemmons Brothers, Inc.		Lee Cazort	N. P. Dean, Forrest City
44.	04/02/57	B-1044	Charles Porter Carothers		Lee Cazort	Peter Deisch
45.	01/15/57	B-1043	Jessie Reeves		Lee Cazort	John Mann, Jr. (Fee \$5.00 - no asset case)
46.	01/57	B-1042	Harold Jones		Lee Cazort	Joe Schneider
47	01/02/57	B-1041	Noah Blankenship		Lee Cazort	Harold Sharp
48	11/20/56	B-1040	Carroll Packing and Distributing		Lee Cazort	Peter Deisch
49.	10/31/56	B-1039	Nelson Charles Bobo		Lee Cazort	Peter Deisch
50.	08/09/56	B-1038	Byran Johnson, Jr., MD, McGhee, AR		Lee Cazort	M.B. Seligman, Jr.
51.	03/02/56	B-1037	Fred Zuckerman		Lee Cazort	M. P. Dean
52.	12/20/55	B-1036	Douglas Lewis		Lee Cazort	Joe Schneider
53.	10/27/55	B-1035	A. G. Wolf		Lee Cazort	M. B. Seligman, Jr.

54	10/05/55	B-1034	Arthur Smith		Lee Cazort	Ray Kerr
55.	09/12/55	B-1033	Wallace Fields		Lee Cazort	Peter Deisch
56.	08/15/55	B-1032	Helena Concrete Co.		Lee Cazort	Peter Deisch
57.	04/22/55	B-1031	Miss Lydia Robinson, Helena		Lee Cazort	Peter Deisch
58.	03/22/55	B-1030	Mrs. Lettie Tatum		Lee Cazort	A. E. Smith
59.	12/23/53	B-1029	John Earl Criddle		Lee Cazort	Peter Deisch
60.	12/18/53	B-1028	Claude Jeffries		Lee Cazort	Peter Deisch
61.	12/11/53	B-1027	Marvin Newburn, Marrianna		Lee Cazort	Walter Reddick, Jr.
62.	11/09/53	B-1026	C. L. Houlk		Lee Cazort	Peter Deisch
63.	10/14/53	B-1025	Mrs. Leo Young Willis		Lee Cazort	Peter Desich
64.	10/04/53	B-1024	Nadine Stagg		Lee Cazort	Peter Deisch
65.	09/20/53	B-1023	Marianna Pedigree Seed Co.		Lee Cazort	Peter Deisch

EVOLUTION OF THE BANKRUPTCY COURT  
IN THE EASTERN AND WESTERN DISTRICTS OF ARKANSAS

**HELENA BANKRUPTCY CASES NOS. 1023-H62-B-10**  
**BOOK NO. 2**

	DATE	CASE NO.	CASE NAME	DISTRICT JUDGE	REFEREE	TRUSTEE
1.	7/06/54	5201	Coulson Johnson		Lee Cazort	
2.	07/07/54	5202	Frank Bernard Dalhoff, Little Rock		Lee Cazort	
3.	7/08/54	5203	James Ladd		Lee Cazort	
4.	7/09/54	5204	Samuel McCumpsey		Lee Cazort	
5.	7/13/54	5205	James H. Forgey		Lee Cazort	
6.	7/14/54	5206	John Peterson		Lee Cazort	
7.	8/04/54	5207	Pat Krauss		Lee Cazort	
8.	8/04/54	5208	Ace and Doris Grisham		Lee Cazort	
9.	8/04/54	5209	William Albert Gray		Lee Cazort	
10.	8/09/54	5210	Harold Lee McTyer		Lee Cazort	
11.	08/11/54	5211	Calvin E. Perry		Lee Cazort	
12.	08/27/54	5212	Rose Robinson		Lee Cazort	
13.	09/14/54	5214	Laman Worsham		Lee Cazort	
14.	09/16/54	5215	Julius Richie		Lee Cazort	
15.	09/17/54	5213	Flexiform Reynolds, Inc.	Harry Limley	Lee Cazort	
16.	09/20/54	5216	Leo Cashey		Lee Cazort	
17.	09/22/54	5217	Jack Kavanaugh		Lee Cazort	

18.	09/22/54	5218	Helen Kavanaugh		Lee Cazort	
19.	10/06/54	5219	Russell Perry Moore		Lee Cazort	
20.	10/08/54	5220	Lester Scott		Lee Cazort	
21.	10/12/54	5221	Leon Horn		Lee Cazort	

Order entered November 6, 1954, which recites as follows:

In the Matter of the Appointment of Lee Cazort, Referee in Bankruptcy for the State of Arkansas:

On this 5<sup>th</sup> day of November 1954, there comes on for consideration by the Court the matter of the appointment of Lee Cazort as Referee in Bankruptcy for the State of Arkansas, and the Court being well and sufficiently advised, finds that the pursuant to the provisions of the Bankruptcy Act as amended and the authorization of the Judicial Conference, the United States, said appointment should at this time be made effective January 1, 1955.

It is therefore, considered, ordered and adjudged that Lee Cazort of Little Rock, Arkansas, be and he is hereby appointed as referee in bankruptcy for the Eastern and Western Districts of Arkansas on a full-time basis for a term of six years beginning January 1, 1955, with a salary of \$8,000.00 per annum.

Signed: Thomas C. Trimble  
Chief Judge  
Eastern District of Arkansas

Signed: Harry J. Limley  
Chief Judge  
Western District of Arkansas

Signed: John E. Miller  
U. S. District Judge  
Western District of Arkansas

**BANKRUPTCY RECORD BOOK 3**  
**HELENA DIVISION OF THE EASTERN DISTRICT**

Case No. 409  
May 23, 1921  
A. M. Shalny, Bankrupt  
Handwritten instead of typed  
Referee: R. B. Pampkell, Esq.

Case No. 410  
Order Signed by Jacob Trieber  
Referee: R. B. Campbell, Esq.

Case No. 461  
April 5, 1922  
E. F. Norton, Bankrupt  
Referee: E. C. Horner

Case No. 462  
April 24, 1922  
John Conner  
Referee: E. C. Horner

Book ended June 21, 1926  
Case No. 631

Page 310 - Order dated February 2, 1926 appointing E. C. Horner, Referee in Bankruptcy, for the District of Phillips County and all the counties comprising the Eastern Division of the Eastern District for the term of two years beginning the 23<sup>rd</sup> day of February 1926. Order signed by Jacob Trieber

The sureties on the bond for Mr. E. C. Horner, James T. Horner and J. H. Horner for \$5,000.00

January 16, 1926 - Order entered entitled "Rules of Bankruptcy - Rule XXVI". The order gives the referee a fee of \$5.00 for filing the report required by Rule XXVI and the referee is entitled to a per diem of \$10.00 a day for each day he is necessarily engaged under the order of reference and he is entitled to a \$10.00 fee for each matter specifically referred to him, and it also provides that the fees to be paid by the trustee when the trustee has money.

Case No. 468  
June 5, 1923  
M. J. Etoch, Bankrupt

Judge - Chapter 7 Bankruptcy

Above is all that is handwriting and quite difficult to read

**BOOK D**

July 7, 1926

In all cases, the signing the orders is Jacob Trieber  
Trustee: E. C. Horner

Case No. 637  
December 15, 1926  
In the Matter of Joel Lambert, J. B. Lambert, Lambert Brothers, As a Co-Partnership  
and Individual Bankrupt

Case No. 639  
December 28, 1926  
In the Matter of E. C. Horner, Bankrupt  
Order of Adjudication and Reference: E. C. Horner is adjudged bankrupt  
Referee: Powell Clayton, Esq.

Note: Even after Horner filed bankruptcy, he kept being appointed referee in  
subsequent bankruptcy cases.

Case No. 639  
April 15, 1927  
Order by Jacob Trieber granting the discharge of E. C. Horner

Case No. 660  
In the Matter of W. S. Shackleford Company, Bankrupt  
Order signed by Judge Trieber confirming a composition

Case No. 654  
July 9, 1927  
Order granting E. M. Polk a discharge in bankruptcy.

Case No. 642  
August 2, 1927  
Discharge by Judge Trieber of William Warfield of Helena

Case No. 666  
October 7, 1927  
Order adjudicating Hugh McCain of Arkansas City, AR discharged - signed by  
Frank A. Youmans, Judge

Case No. 680  
October 24, 1927  
Order signed by E. C. Horner, Referee - denying an involuntary petition in bankruptcy

Case No. 644  
November 28, 1927  
In the Matter of J. L. Pratt, Bankrupt  
Order granting discharge signed by Colin Neblett

Case No. 683  
In the Matter of W. H. Anderson and J. L. Anderson d/b/a Anderson Cotton Company  
November 29, 1927 - case referred to W. G. Dinning as Referee in Bankruptcy

Case No. 685  
C. A. Conditt - unsigned

Case No. 695  
January 13, 1928  
In the Matter of C. L. Polk, Bankrupt  
Referee: E. C. Horner

Frank A. Youmans signs all

Case No. 683  
February 16, 1928  
In the Matter of W. H. and J. L. Anderson, Partners d/b/a Anderson Cotton Company  
The petitioning creditors included H. S. Mixon, Jim King, W. S. McClintock, by their attorney, A. D. Whitehead

April 27, 1928  
Order of discharge is entered by John E. Johnny Martineau as new District Judge.

July 10, 1928  
In the Matter of Griffin-Newburn Company, Bankrupt  
Order by Judge Martineau involving objection to the claim of Sally N. Cotter for \$389.00; another claim by Ally N. Cotter (\$6897.28) and objection to claim by Daisy B. Newburn (\$1,815.00).

No. 695  
July 12, 1928  
C. L. Polk of Helena is granted discharge by Judge Martineau

Case No. 740

In the Matter of W. J. Polk  
May 24, 1929  
Adjudged bankrupt

Case No. 623  
August 6, 1929  
In the Matter of Griffin Newburn Company  
Order from Court of Appeals allowing claims mentioned earlier

Case No. 747  
December 18, 1929  
In the Matter of W. W. Dinning is adjudicated bankrupt  
E. C. Horner is trustee

January 10, 1930  
In the Matter of Unclaimed Balances in Bankruptcy Cases on Deposit at the  
Interstate National Bank of Helena  
Trustees:  
B. K. Cracraft  
M. H. Ford  
I. N. Moore  
Hugo Mundt  
Seeling L. Mundt  
N. B. Norton  
B. T. Rabb  
E. A. Rolf  
Fred Seeman  
W. M. Shock  
J. B. Aimma  
A. Straub  
E. E. Williams  
R. H. Willis  
Gilbert Yeager

Case No. 799  
February 28, 1931  
In the Matter of Hart's Shoe Store, Bankrupt  
Referred to E. C. Horner

Case No. 801  
March 16, 1931

In the Matter of Brown-Faulkner Motor Company, Bankrupt  
Referred to E. C. Horner

Case No. 805

March 31, 1931

In the Matter of Abe Goldsmith - adjudicated bankrupt

May 7, 1931

In the Matter of Abe Goldsmith - order confirming composition and is an order of distribution and it orders that the distribution of the deposits shall be "made by the referee in bankruptcy as follows - first, paid to several claims which have priority; second, to pay the cost of this proceeding, third to pay according to the terms of the composition of the civil claims of the general creditors which have been allowed . . .  
Signed by Judge Martineau

Case No. 846

August 9, 1932

In the Matter of Sam Ciener, adjudicated bankrupt

September 15, 1932

In the Matter of Sam Senior

Order approving composition but doesn't say who makes the distribution

Distribution of the deposits being made by E. C. Horner, referee in Bankruptcy,  
1. to pay the several claims that have priority; 2. to pay the cost of proceeding,  
3. to pay claims dated September 14, 1932

Case No. 873(b)

May 5, 1932

In the Matter of C. C. Fogg of Widener, AR, adjudicated bankrupt

E. C. Horner - Referee

Case No. 876

Order of Reference in Absence of Judge dated June 29, 1933 - they refer it to  
E. C. Horner

December 15, 1933

Order Appointing Warren E. Wood of McGhee as a Conciliation Commissioner for Desha County. A whole bunch of appointments which make reference to Section 75 of the Bankruptcy Act of 1933 to do some sort of composition.

Order - On February 24, 1934, appointing E. C. Horner of Helena as referee in bankruptcy for the district of Phillips County - retirement two years from February 24,

1934, signed by John Martineau.

Case No. 907

April 3, 1935

In the Matter of Lula Shaffer - the judge starts appointing O. N. Warren as a referee.

Case No. 930

April 12, 1935

In the Matter of B. M. Gross

Joe H. Schneider is the referee

Order dated April 19, 1935 -

"It appearing to the Court that E. C. Horner, Referee in Bankruptcy to the District of Phillips County is ill and unable to function as such referee; it is therefore, Ordered that all cases pending at this time and all cases filed during his disability be referred to Joe H. Schneider, Referee in Bankruptcy for the District of Pulaski County, said cases to be tried at Little Rock, Arkansas.

Witness my hand this 19<sup>th</sup> day of April, 1935".

Signed John Martineau, Judge

Case No. 922

Order dated May 6, 1935

In the Matter of L. E. Bullard

Appointing Frank Federer as Referee.

Case No. 917

May 21, 1935

In the Matter of J. R. Clark

Referred to O. N. Warren, one of the referees in bankruptcy

Case No. 936

S. G. Brent

September 9, 1935

E. C. Horner, Referee

Case No. 898

December 17, 1935

J. Edward Mayo,

Asking for a composition under Section 75 - referred to C. L. Polk, Jr., one of the referees in bankruptcy.

April 9, 1937

In the Matter of Cypress Creek Drainage District No. 937 is an order signed by

Andrew Miller, judge.

Case No. 959  
July 19, 1937  
In the Matter of Maude Richardson, Debtor  
Proceeding under composition  
Judge is Thomas C. Trimble, Jr.

Case No. 907  
July 23, 1937  
In the Matter of Lula Magness, et al. Bankrupt  
Order signed by Hartsill Ragan

June 14, 1938  
In the Matter of the Appointment of E. C. Horner of Helena, Arkansas,  
as Referee in Bankruptcy for the District of Phillips County - appointing him  
referee for the Eastern Division of the Eastern District of Arkansas for two  
years from February 24, 1938.

No. 951  
In re John W. Naylor  
May 16, 1938  
Mandate from Circuit Court of Appeals (look up)

February 21, 1940  
Order:

“The court having received the resignation of the Honorable E. C. Horner, as referee in bankruptcy for the Eastern Division of the Eastern District of Arkansas, and the Court having by reason of the long and faithful service of the said Referee reluctantly accepted said resignation, and it appearing to the Court that it is for the best interests of the Court, and of counsel and parties, to consolidate the Eastern and Western Divisions of the Eastern District of Arkansas and that Hon. Lee Cazort, Referee in Bankruptcy, shall have jurisdiction over the consolidated Districts; that all cases now pending before the Hon. E. C. Horner be and remain with and be closed by the said Hon. E. C. Horner until the same shall be closed.

It is THEREFORE, ORDERED, that the referee Divisions of the Eastern and Western Divisions of the Eastern District of Arkansas be, and they hereby are, consolidated, and Lee Cazort, Referee in Bankruptcy shall be the Referee in Bankruptcy for the consolidated Division, that all business and cases arising in the consolidated Division shall be referred to him, and that hearings in cases in the consolidated Division may and shall be held at places convenient to parties of interest.

Signed: Thomas C. Trimble  
U. S. District Judge  
February 21, 1940

August 28, 1940

Order signed by Harry J. Lemley, U. S. District Judge as well as Thomas C. Trimble

1941 - Orders signed by Harry J. Lemley

June 30, 1941

In the Matter of Jake August Taylor, Bankrupt

Order of the District Judge reviewing the Referee's order - Referee ordered the trustee to sell property for cash and report the sale to the Referee for approval.

January 6, 1942

In the Matter of the Appointment of Conciliation Commissioner for Lee County

Order for Appointment of Hal B. Mixon one year from March 15, 1943, signed by Harry J. Lemley (cousin Lee's Daddy).

April 3, 1946

Order for Appointment of Referee in Bankruptcy - ordered that C. L. Polk, Jr., is hereby appointed Referee in Bankruptcy for the Eastern Division of said District. Signed by Harry J. Lemley.

June 30, 1947

Order - "On this 30<sup>th</sup> day of June, 1947, it is ordered that all bankruptcy cases now pending before the Referee W. D. Murphy, Jr., F.C. Mullenax and C. L. Polk, be and the same are hereby referred to Lee Cazort, salaried Referee in Bankruptcy, to take such further steps therein as are contemplated by the Act of Congress relating to bankruptcy".

Case No. B-996

May 21, 1949

In the Matter of Lambert H. Green

Order of Adjudication by Referee

Signed by Lee Cazort

July 1, 1949

In the Matter of the Appointment of Referee in Bankruptcy for the Eastern District of Arkansas

Order - "It is ordered by the Court that Lee Cazort (Sr.) of Little Rock, Arkansas, be and he is hereby appointed Referee in Bankruptcy for the Eastern District of Arkansas with

his official residence at Little Rock, Arkansas. This appointment to be in force and effect for a term of six years beginning on the 1<sup>st</sup> day of July, 1949.

Signed by Thomas C. Trimble, U. S. District Judge, Eastern District

Harry J. Lempley, U.S. District Judge, Eastern and Western District

Thereafter, the Orders of Adjudication are signed by Lee Cazort, Referee and the Orders of Reference are being done now by "Grady Miller, Clerk by Lorena W. Connaway, Deputy Clerk" in Helena.

Case No. B-1002

January 9, 1951

In the Matter of Allen Ennis Cox

Discharge of Bankrupt signed by Lee Cazort, Referee

February 10, 1953

Order - "It is Ordered that the office of the United States District Clerk for the Eastern District of Arkansas in Helena, Arkansas, be closed on March 31, 1953, and upon the closing of said office, the clerk of this court remove the records of said office to his office at Little Rock, Arkansas this 10<sup>th</sup> day of February, 1953.

Signed: Thomas C. Trimble

Harry J. Lemley

**LAW REVIEW**

**HELENA DIVISION**  
**RELATIVE VALUE OF ITEMS**

1. From the Helena World, July 3, 1920:  
Advertisement: Seniors Men's Suits \$33.75
2. 1917 Seven-Passenger Studabaker Automobile - \$500.00, July 1920
3. Akins Pork 'n Beans \$1.00
4. Three lbs. coffee \$1.00
5. Eggs \$0.45 a dozen
6. September 1930: Helena World  
10 lb. bag sugar \$0.55  
1 lb. bacon \$0.27  
Ham \$0.27 a lb.  
Eggs \$0.30 a dozen  
1 lb. Potatoes \$0.1 ½ cents  
Roast Beef (1 lb.) \$0.15 a lb.  
Coffee (1 lb.) \$0.35
7. 6 Cyl. Truck \$520.00
8. Philco Radio \$ 68.00
9. August 1941: Helena World  
Cigarettes (2 packs) \$0.35  
Sugar (10 lbs.) \$0.55  
Coffee (1 lb.) \$0.28

Havey's (??) Lunch \$0.39 consisting of fried chicken, potato chips, roll, peach  
ice cream

Spare ribs: \$0.35

Bacon and Eggs \$0.29

**MEMORANDUM**

RE: HELENA DOCKETS

**FORT WORTH**

Book No. \_\_\_\_\_, 1898 - 1903

Book No. \_\_\_\_\_, 1903 - 1923

Book Volume 3, 1926 - 1953

Book No. \_\_\_\_\_, 1940 - 1953

**LITTLE ROCK**

Book 3 1921 - 1926 409 - 631

Book D 1926 - 1959 625 - 1054

Book No. \_\_\_\_\_ 12/12/62 - 9/30/53 (Referee's Book)

## PART II

### HELENA DIVISION

In 1898, when the Bankruptcy Act was passed, the District Court for the Eastern District of Arkansas also sat at Helena, Arkansas.<sup>1</sup> The District was referred to the Eastern Division of the Eastern District of Arkansas and consisted of Mississippi, Crittenden, Lee, Phillips, Clay, Craighead, Poinsett, Green, Cross, Saint Francis and Monroe Counties.<sup>2</sup> As Judge Arnold pointed out, the Eastern Division changed several times; in 1915, Desha and Chicot Counties were moved to the Eastern Division.<sup>3</sup> In 1924, Clay, Green, Craighead, Poinsett, Mississippi and Crittenden Counties were moved from the Eastern Division and also lost Chicot County.<sup>4</sup> Finally, in 1961, Desha County was moved from the Eastern Division.<sup>5</sup>

One of the first Referees in the Helena Division was Marshall L. Stephenson. Marshall Stephenson was a law partner of Jacob Trieber who later became a United States Attorney for the Eastern Division of Arkansas and served as United States District Court for the Eastern District of Arkansas from 1900-1927. Stephenson is listed in Goodspeed as an attorney in Helena in 1890. Stephenson served as Referee from 1898 to 1903 in the case of M. J. Wilkins #60, June 21, 1903. From 1903 to 1921, bankruptcy cases were assigned to Referees W. G. Phillips, Jess N. Vinyard, E. Foster Brown, R. B. Campbell and on February 7, 1921, E. C. Horner was appointed Referee who alternated with R. B. Campbell. Another Referee appointed

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<sup>1</sup>Act of February 20, 1897, Ch 269, 29 Stat. 590.

<sup>2</sup>Act of February 20, 1897, Arnold - Ark.L.Rev. Vol 56, P. 729.

<sup>3</sup>Act of April 12, 1924 - Arnold - Pg. 733

<sup>4</sup>Arnold - Pg. 733

<sup>5</sup>Act of May 1961.

during this period R. B. Pampkell (Case No. 409 - May 23, 1921). In Record Book 3, Helena Division at Page 310, is an Order appointing E. C. Horner Referee for the Eastern Division of the Eastern District for two years beginning February 29, 1926. The Order was signed by Jacob Trieber, District Judge. The \_\_\_\_\_ on his \_\_\_\_\_ were E. C. Horner, James T. Horner and J. H. Horner.

Marshall Stephenson was born in Granville, Illinois on March 29, 1838. He was educated at Greenville Academy in Illinois and studied law in the Office of Stewart, Edwards and Brown at Springfield, Illinois. At the outbreak of the civil war, he enlisted in the Union Army as Captain of Company L of the Tenth Illinois Calvary. He rose to the rank of Major and fought in the battle of Prairie Grove and Jenkins Ferry when he was severely wounded. At the end of the war, he settled in Ft. Smith, Arkansas, attended law school in Cincinnati and was admitted to the Arkansas bar in 1866. In 1867, he moved to Huntsville, Arkansas. In 1871, he moved to Helena, Arkansas, and was appointed Judge of the First Judicial Circuit until 1872 when he was elected as an Associate Justice of the Supreme Court until he resigned in May 1874 and moved back to Helena to practice law with Jacob Trieber. He is listed in the 1906 Helena City Directory with an office at 402 ½ Cherry Street (upstairs), and his residence was 806 College, Helena, Arkansas.

**HELENA DIVISION (EASTERN) OF THE EASTERN DISTRICT OF ARKANSAS**  
**1898 - 1980**

In 1898, the Helena Division of the Eastern District of Arkansas consisted of the counties of Mississippi, Crittenden, Lee, Phillips, Clay, Craighead, Poinsett, Green, Cross, St. Francis and Monroe. In 1915, Desha and Chicot Counties were added to the Helena Division, and in 1924, the Helena Division lost Clay, Green, Craighead, Poinsett, Poinsett and Crittenden Counties to the newly formed Jonesboro Division of the Eastern District of Arkansas. Also, Chicot County was transferred to the Little Rock Division in that year. Finally, in 1961, the Helena Division lost Desha County to the newly formed Pine Bluff Division.

**MARSHALL L. STEPHENSON**

The District Court met at Helena at the U. S. Courthouse and Post Office Building on Cherry Street which was constructed in 1890. The District Judge in 1898 was Judge John A. Williams. The first Referee appointed by the District Court was Marshall L. Stephenson. The first case filed in the Helena Division was the case of Clark and Company and was in involuntary petition filed by several creditors from Memphis. The case was filed on the 31<sup>st</sup> day of October 1898. The Debtor was Clark and Company, a “mercantile firm” composed of Robert Eaton alone who resided in Luxora, Mississippi County, Arkansas. Marshall Stephenson is listed in the Helena City Directory of 1899 as Referee in Bankruptcy with an office at 517 Ohio Street.

Marshall Stephenson was appointed for two successive terms as Referee in Bankruptcy for the Helena Division by Judge Williams and later Judge Jacob Trieber. Marshall Stephenson was the former law partner of Judge Treiber. The bankruptcy proceedings held before

Stephenson were held in his office which was located at 402 ½ Cherry Street and the file Marshall Stephenson kept included a school child's composition book where he entered his orders sometimes in pencil; sometimes in ink and sometimes, typewritten. In 1900, his office was listed as being located at 517 Ohio Street in Helena.

Marshall Stephenson was born in Granville, Illinois on March 29, 1838. He was educated at Granville Academy and graduated in 1858 and commenced the study of law in the law office of Stewart, Edwards & Beavers in Springfield, Illinois. Before he completed his studies, the Civil War broke out and in 1861 he enlisted in the Tenth Illinois Calvary as Captain and later promoted to Major. During the Fall and Winter of 1863 - 1864, he was responsible for raising an infantry of Union troops in North Arkansas. He took part in the battle of Jenkins Ferry in South Arkansas on April 30, 1864, where he was severely wounded.

At the end of the war, he settled in Fort Smith, attended law school in Cincinnati and was admitted to the Arkansas Bar in 1866. He moved to Huntsville, Arkansas, in 1867 and ultimately to Helena in 1871. He served as a State Senator for the Third Senatorial District of Arkansas and was appointed judge in the Fourth Judicial Circuit on July 23, 1868 until he moved to Helena in 1871. In 1872, he was elected Associate Justice of the Arkansas Supreme Court until May 18, 1874, when he resigned to return to practice of law in Helena in partnership with his brothers and later with Jacob Trieber.

In 1872, he married Ms. Louise Magowan of Battle Creek, Michigan. They had no children and Stephenson was not a member of any church, but according to Goodspeed, "He is always ready to aide any church organization in its good works . . .". He served as President of the First National Bank and the Guaranty, Loan and Trust Company of Helena.

In July, 1911, he visited Michigan for his annual vacation when he was “stricken down” and died. He was described by his fellow judges on the Supreme Court as, “subscribing to no religious creed, but tolerant of all, he was in every sense a Christian who believed in the luxury of doing good. I have known him to devote days and weeks to the interest of some widow or orphan and take for compensation the simple consciousness of having conferred a deserved favor”. His residence is listed in the Helena City Directory at 806 College Street.

#### W. G. PHILLIPS

During the same period Marshall Stephenson was appointed Referee in Bankruptcy on most of the cases, there were occasional cases where W. G. Phillips was appointed Special Referee because of the circumstances were cited as the absence of Marshall Stephenson from the area. Phillips is listed in the 1899 City Directory of Helena with offices at 517 Ohio Street in Helena. Phillips is listed in the 1906 City Directory as having an office at 402 ½ Cherry Street both of which are the same address given for Marshall Stephenson during that year.

#### R. B. CAMPBELL

In 1911, when Marshall Stephenson died, Judge Trieber, by Order dated September 27, 1911, appointed Leo J. Mundt for a term to serve as Referee ending June 30, 1912. On October 16, 1911, Leo J. Mundt resigned and Judge Trieber appointed R. B. Campbell as Referee. R. B. Campbell was appointed again on June 19, 1915, and served as Referee until his death in 1922.

The docket books reflects that between October 1898 and July 30, 1904, 100 cases were filed in the Helena Division. Case No. 100 filed July 30, 1904, showed a Special Referee, Joseph L. Shaw. Case No. 111 was filed July 11, 1905, and G. W. Phillips was appointed

Referee. By February 7, 1921, the total number of cases filed in the Helena Division was 389.

The last case in Record Book 2 was dated April 19, 1921, Case No. 407. R. B. Campbell was appointed Referee. From 1898 to 1921, there were 3,202 cases filed in the entire Eastern District of Arkansas for an average of 152 cases per year.

Other Special Referees appointed between 1898 and 1921 in the Helena Division were Joseph L. Shaw and E. Foster Brown.

In the 1906 city directory, E. C. Horner is listed as attorney (Horner & Horner), 507 ½ Cherry Street. W. G. Phillips at 402 ½ Cherry Street and M. L. Stephenson at 402 ½ Cherry Street. Other individuals appointed as Special Referee from 1898 to 1911 included Jesse M. Vineyard whose office is listed in the 1900 city directory at 403 Cherry Street. J. M. Vineyard is listed at 401 ½ Cherry Street.

Bruce Campbell was born July 13, 1876, in Illinois and graduated from Pontiac Illinois High School and Lake Forest College. He studied law in the office of Mr. A. C. Norton at Pontiac and came to Arkansas in 1908, and entered the practice of law in Marianna. After a year in Marianna, he moved to Helena and became a partner with Marshall L. Stephenson. In 1915, after the death of Judge Stephenson, he was appointed Referee in Bankruptcy by Judge Trieber. He was a skilled musician and played the piano and pipe organ and was a very active businessman owning and operating a number of plantations and was a director in several banks. He was purportedly the largest planter in Eastern Arkansas. He married Ms. Mary Greenbaum of Pontiac, Illinois who survives him. Campbell was killed in an accident which was reported by the Helena World on February 21, 1921. The report summarizes that Mr. Campbell was attending to business on one of his plantations about seven miles from Helena when he decided

to visit a tenant house some distance from the road. He borrowed a shotgun from one of the employees on the plantation and he was later found dead with a gunshot wound to his back and hip and it was concluded that the gun accidentally discharged as he was attempting to crawl under a bob-wired fence. He had asked for the shotgun in order to shoot rabbits if any came his way on his visit to his tenant house. He was survived by his wife and his father and siblings, but he had no children. In addition to being a Referee in Bankruptcy at the time of his death, he was also a Master in Chancery for the Eastern District of Arkansas.

He was active in the Republican party and was a Republican party leader in Phillips County.

#### E. C. HORNER

Beginning in March 1922, E. C. Horner received the appointment as Referee in Bankruptcy for the Helena Division and received most of the cases thereafter until 1940. His first case was Case No. 460, In the Matter of Edward Rose. E. C. Horner's office is located in the 1909 City Directory of Helena at 507 ½ Cherry Street. The 1920 City Directory of Helena does not list E. C. Horner as an attorney, but as President of West Helena Consolidated Company and Helena Ice Company. The West Helena Consolidated Company is listed as “. . . Electric Street Railway and Real Estate Office at 511 ½ Cherry Street”. The company had offices in both Helena and West Helena. E. C. Horner's residence is listed in the 1920 West Helena City Directory as “Cleburne Av.-ner Sebastian Street”. He is also listed as “Prop. Superior Chair Company”. In the 1936 city directory, E. C. Horner is listed as Referee in Bankruptcy , U. S. Government.

During the Depression beginning in 1929, every bank in Helena and West Helena failed.

E. C. Horner filed for personal Chapter 7 bankruptcy on October 17, 1929 (Case No. 639). His Trustee was J. B. Conley who was a Federal Commissioner in Helena and also the Deputy Clerk. The Referee assigned to the case was Powell Clayton of Little Rock. Being a Referee was not a lucrative undertaking. For instance, in 1932, Sid Redding wrote E. C. Horner a letter enclosing a check for \$245.00 for fees for 16 cases at \$15.00 per case and one case for \$20.00.

E. C. Horner was born in Helena, Arkansas, in 1861, and was the son of the late John J. Horner and Betty Tull Horner. He was an Episcopalian and a Mason. He attended Locust Dale Academy in Virginia and the University of Virginia. He practiced law with his father in Helena and became President of the old bank of Helena. He and his brother, John S. Horner, founded West Helena in 1909, and also pioneered a streetcar line between Helena and West Helena. He was President and Executive Secretary of the Helena Chamber of Commerce of many years and was the founder of the Businessman's League of Helena and was President of Twin City Transit Company.

He married Ms. Lorna Pointer of Memphis in 1899, and their children were Ms. Lorna Horner Morris, Jordell Horner, E. T. Horner and A. P. Horner. He had three brothers, J. A. Horner, J. T. Horner and J. L. Horner. He died February 20, 1944, at his home in West Helena.

Mr. Horner, as did Marshall Stephenson, maintained his file in a children's composition book. He would type orders on regular typing paper and then paste them sideways so at the end of the case, you would open the book and the orders would be in chronological order.

In Case No. 805 of J. J. Johns dated March 26, 1931, the First Meeting of Creditors Notice is a postcard signed by E. C. Horner and orders the first meeting to be held at his office at 1:00 p.m. on April 15, 1931. The notice does not state the address of his office only that it is in

Helena, Arkansas.

One of the cases handled by Mr. Horner was Hart Shoe Store, Case No. 999, dated February 28, 1931. Among the accounts payable to Hart Shoe Store, most of which were in the \$4.00 to \$6.00 to \$10.00 range, was J. C. Holloway who owed \$4.90 (the author's grandfather). Among other creditors of the debtor was the brother of the Referee, Mr. John Horner, who owed \$10.00 and C. C. Lyford who owed \$9.20.

The transcript of the first meeting indicated that various attorneys attended including A. M. Coates, A. D. Whitehead and John Ike Moore and the transcript reflects that Mr. Horner simply stated, "I think we'll sell all the inventory as soon as possible. The first meeting was very informal. Among the cases under Mr. Horner's responsibility was the case of W. W. Denning, Bankrupt. Mr. Denning operated a furniture store and the final accounting was filed by W. D. Cash, the Trustee, on April 8, 1932, showed the following payments to Mr. Horner:

1.	E. C. Horner's Referee Fees	\$50.00
2.	E. C. Horner's Master Expense	\$10.00
3.	E. C. Horner's Fee for Sale as Master	\$30.00
4,	E. C. Horner - Fee Allowed by U.S. Court as Master	\$ 150.00
5.	E. C. Horner's Balance of Referee Fees	96.50
6.	Distribution to Unsecured Creditors	\$3,166.60
7.	Total Receipts	\$5,915.45

Other individuals receiving a discharge included E. M. Polk on July 9, 1927; William

Warfield on August 2, 1927; W. H. and J. L. Anderson d/b/a Anderson Cotton Company on November 29, 1927; C. L. Polk on January 13, 1928, Griffin Newburn Company on July 10, 1928. Hart Shoe Store, February 28, 1931. Brown Faulkner Motor Company, March 16, 1931; Abe Goldsmith, March 31, 1931.

Another interesting case presided over by Mr. Horner in 1931, was the matter of Sam Ciener who operated a clothing store on Cherry Street. In that case, Mr. Horner approved a composition on behalf of Mr. Ciener to pay unsecured creditors \$0.30 on the dollar. Most of the creditors were vendors from out of town, but some of the creditors included local people such as Habibs Restaurant, King Thompson Drug, Helena Steam Laundry, Bradford Printing Company, Tap Horner, S. L. Mundt, F. M. Pardue, Helena Wholesale Dry Goods Company and Rothchild Brothers Hat Company. One letter in the file is from Ozero Brewer of the firm of Brewer and Cracraft dated September 5, 1932, which voted to accept the plan on behalf of “Sam Ciender to his creditors on the claims

of:

F. M. Pardue,	Helena, Ark.
The Bootery, Inc.,	“ ”
E. Levy	“ ”
Tap Horner	“ ”
The Arkmo Lbr. Yards	“ ”
Papa Brothers,	“ ”
Bradfield Printing Co.,	“ ”
Landers Furniture Co.,	“ ”
Helena Steam Laundry	“ ”
Habibs	“ ”
King Thompson Drug Co.,	“ ”
Crescent Jewelry Co.,	“ ”
Seelig L. Mundt,	“ ”

The majority of the creditors accepted the plan and in the file is a check made payable to Habibs

Restaurant dated September 24, 1932, drawn on Phillips National Bank in Helena for \$0.60 signed by E. C. Horner. Cieners \_\_\_\_\_ the bankruptcy and was not an active and successful \_\_\_\_\_ well into the 1960's. During this period of time (1920) typical prices for consumer goods advertised in the Helena World dated July 3, 1920, including "Seniors Mens Suits - \$33.75, Atkins Pork 'n Beans - \$1.00 a can, 3 lbs. coffee - \$1.00, eggs - \$0.45 a dozen. In 1930, the Helena World advertised a ten pound bag of sugar for \$0.55, one pound of bacon for \$0.27, a dozen eggs for \$0.30, one pound of potatoes for 1.5 ¢, roast beef for \$0.15 a pound, 1 lb. of coffee - \$0.35, a six-cylinder truck - \$520.00 and a Philco radio was \$68.00. In August 1941, the Helena World advertised cigarettes - 2 packs \$0.35, ten lbs. sugar - \$0.55, 1 lb. of coffee - \$0.28.

Habibs Restaurant was advertising lunch for \$0.39 consisting of fried chicken, potato chips, roll and peach ice cream. Spare ribs for \$0.35 and bacon and eggs, \$0.29.

In a notice filed in the Interstate National Bank of Helena dated July 10, 1930, the following individuals were listed as Trustees in Bankruptcy with balances undistributed. They included B. K. Craycraft, John Ike Moore, Hugo Mundt, Selig L. Mundt, N. B. Norton, P. T. Rabb, E. A. Rolf and A. Straub.

The docket books reflect in the Eastern Division of the Eastern District between 1898 and 1959, 1,054 cases were filed.

On April 19, 1935, the District Judge, John Martineau, entered an Order assigning all of E. C. Horner's cases to Joe Schneider, the Referee in Little Rock, because of Mr. Horner's illness.

On February 21, 1940, Judge Martineau accepted the resignation of E. C. Horner as as

Referee in Bankruptcy stating, “By reason of a long and faithful service of said Referee, reluctantly [I] accept said resignation”. The judge also ordered the Helena Division of the Eastern District bankruptcy matters be merged with the Little Rock Division and jurisdiction was granted to Lee Cazort, Referee in Little Rock.

On July 1, 1949, by Order of Thomas D. Trimble, United States District Court, Lee Cazort was appointed Referee for the Helena Division for the Eastern District of Arkansas.

On February 10, 1953, by Order of Thomas C. Trimble and Harry J. Limley, the District Court Clerk’s Office in Helena was closed and the records removed to Little Rock.

**LAW REVIEW  
JONESBORO DIVISION**

**BANKRUPTCY DOCKET BOOK 1  
(Complete With Index)**

Case No. 1  
The Matter of G. P. O'Hara  
Filed: January 10, 1912

Matter was referred to E. F. Brown of Jonesboro as the Referee.

Case No. B33  
George Douglas, Bankrupt  
Jan. 20, 1913

The Referee is Horace Sloan.

On April 23, 1913, the cases go back to E. F. Brown and thereafter.

The last entry in the docket book is Case No. 446, J. H. Margass of Benton, Arkansas,  
and E. F. Brown is still the Trustee - this was filed October 10, 1921.

That is all there is in this book.

NOTE TO ME:        This is a regular docket book and does not contain orders.

## **LAW REVIEW**

### **BANKRUPTCY 3 JONESBORO ORDER DOCKET November 18, 1925 to January 31, 1931**

In November 1925, the District Judge who signed the orders was Jacob Trieber. The first Referee mentioned in Case No. 958, In the Matter of T.C. Rogers, filed November 25, 1925, was F. C. Mullinix. The orders of reference referring the cases to F. C. Mullinix are signed by Sid B. Redding, Clerk then by Bess Mathis, Deputy Clerk.

In Case No. 969, December 10, 1925, the case of W. E. Thoman, the Referee is E. F. Brown, but the next case, Case No. 970, the Referee returns to F. C. Mullinix.

There is an Order dated January 28, 1931, reciting that the American Trust Company of Jonesboro was a depository for bankruptcy estates and that it had been placed in the hands of the Estate Bank Commissioner for liquidation and the court order \_\_\_\_\_ surety for American Trust Company which was New York Indemnity Company to cough up \$8,867.96 to the Clerk.

The last case is Case No. 1540 in the Matter of Laura Yates, January 31, 1931, and the Referee is still Mullinix and that is the end of this book.

**DOCKET BOOK 4**  
**JONESBORO DIVISION (with index)**

January 4, 1929, beginning with Case No. 1450, E. H. Custard, and ending in Case No. 1939, Matter of Nancy K. Dial, February 13, 1936. The last case number is 1940 filed February 13, 1936, and it is Clarece Whitlow.

Beginning with the first case, the Referee is F. C. Mullinix.

Case No. 1798  
July 12, 1934  
Drainage District No. 7 of Poinsett County, Arkansas  
It was not referred to a Referee.

Beginning September 7, 1934, in Case No. 1805, Robert Saunders - some of these matters are referred to the Couciliatory and in this case it was E. C. Pringle and then later the case was referred to Mr. Pringle as Referee. They were called Conciliation Commissioners. Remember, this law was declared unconstitutional on down the line and the Referees got their jobs back.

Case No. 1815  
September 20, 1934  
Mr. Mullinix is back as Referee

This concludes Book 4, and on the last entry, Mr. Mullinix is the Referee.

**BANKRUPTCY RECORD BOOK 2**  
**JUDGMENT BOOK**  
**JONESBORO DIVISION**

The first case is April 2, 1921, in the Matter of Joe Gershon, Case No. 393, and the Referee is E. F. Brown. The District Judge is Jacob Trieber.

There is an Order dated April 10, 1925, in the Matter of the Appointment of E. F. Brown of Jonesboro, Arkansas, as Referee in Bankruptcy for the Jonesboro Division of the Eastern District of Arkansas:

It is ordered by the Court that E. F. Brown, Esquire, of Jonesboro, in the County of Craighead, and District aforesaid be and he is hereby appointed Referee in Bankruptcy for the Jonesboro Division of the Eastern District of Arkansas, the official residence of said Referee to be at Jonesboro, Arkansas. To Have and to hold said office for the term of two years from April 10, 1925.

It is further ordered that said E. F. Brown shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States in the form prescribed by law in the penal sum of \$10,000.00 said bond to be approved by me.

Signed:           Jacob Trieber, U.S. District Judge

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The last case in the book is dated November 18, 1925, Case No. 955 and Mr. E. F. Brown is still the Referee. That is all for this book.

**LAW REVIEW  
JONESBORO DIVISION**

**BANKRUPTCY DOCKET BOOK 6**

The first entry is July 1, 1939 - Matter of W. P. Burrow. F. C. Mullinix is the Referee. The Clerk of Court is Grady Miller. There's an order entered on Tuesday, December 5, 1939, appointing F. C. Mullinix as Referee in Bankruptcy and approving the bond for \$5,000.00. Mullinix is still the Referee in 1942. Mullinix is the Referee in January of 1943. Very few individual bankruptcies in 1942 and 1943. Mostly the docket is referring to a drainage district or two.

F.C. Mullinix was appointed Referee in 1944. Mullinix is the Referee in April, 1945. There is an order dated October 22, 1945, by Thomas C. Trimble, U. S. District Judge appointing Fred C. Mullinix of Jonesboro as Referee in Bankruptcy for the Jonesboro Division for a period of two years from November 22, 1945. A bond of \$5,000.00 is required.

Order:

In the Matter of Bankruptcy Cases Pending . . .

Order Transferring Bankruptcy Cases Filed July 1, 1947

On this 30th day of June, 1947, it is ordered that all bankruptcy cases now pending before Referees, W. S. Murphy, Jr., F. C. Mullinix, and C. L. Polk, be and the same are hereby referred to Lee Cazort, Salary Referee in Bankruptcy, to take such further steps therein as are contemplated by the acts of Congress relating to bankruptcy . . .

Signed:           30th day of June, 1947  
                      Thomas C. Trimble, United States District Judge for the  
                      Eastern District of Arkansas

Thereafter, in the book all matters are referred to Lee Cazort. The last entry in the book is December 21, 1961, The Matter of Carl Garner, Jonesboro 61B-40 so they only had four Referees; E. C. Brown, Mullinex, Lee Cazort and Arnold Adams.

## **LAW REVIEW JONESBORO DIVISION**

The Jonesboro Division was formally created in 1924. However, as pointed out in Judge Richard Arnold's article, Congress had passed legislation requiring the District Court setting in Helena to also set in Jonesboro. The federal court \_\_\_\_\_ in Jonesboro was constructed in 19\_\_\_\_\_. The division consisted of Fulton, Randolph, Lawrence, Clay, Green, Craighead, Poinsett, Mississippi and Crittenden counties. In 1940, the Jonesboro Division was reduced when Fulton County was moved to the Batesville Division. The District Judge presiding over all of the Eastern District of Arkansas from 1900 to 1927 was Jacob Trieber who was from Helena.

Although the District Court started setting in Jonesboro as part of the Helena Division in 1910 and the Jonesboro Division was officially created in 1925, the District Court's Bankruptcy Docket Book commenced with Bankruptcy Case No. 1 on January 10, 1912, with the case of G. P. O'Hara. Judge Trieber referred the case to E. F. Brown as Referee.

E. Foster Brown was born in McNary County, Tennessee, on November 22, 1844. He moved to Arkansas from Virginia with his parents in 1858. He fought with the Confederate Army from 1862 until the end of the war. Thereafter, he studied law and was admitted to the bar of the State of Arkansas in 1871, and began law practice in 1873 at Oak Bluff, Clay County, Arkansas. He was elected as a delegate to the Constitutional Convention of 1874. He served as Prosecuting Attorney for two terms in 1878 and in 1888 he moved to Jonesboro where he practiced law until his death in 1926. E. F. Brown was a Democrat and a Methodist, and was involved in the organization and \_\_\_\_\_ of the Chickasawba Railroad in 1902 from

Jonesboro to Blytheville to the Mississippi River. His name last appeared as Referee in Case No. 955 dated November 18, 1925.

When E. Foster Brown passed away, he was one of the last remaining member of the Constitutional Convention of 1874.

In a paper written for the Arkansas Bar Association in 1927, J. W. House, also a member of the Constitutional Convention of 1874 recalled Referee Brown as follows:

“I can not conclude these personal recollections and reminiscences without referring to my good friend, E. Foster Brown, delegate from Clayton (now Clay) county. He was a unique and prominent figure in the convention from its beginning to its end. He was perhaps the youngest member, but was in a class by himself. He took an active but not an offensive part in most of the discussions. He had a keen sense of humor, and always enjoyed a good joke, but, unlike most men, he enjoyed them most when they involved himself, and he took great pleasure in telling those in which he was made the chief object of ridicule. I remember one which he always enjoyed in telling his friends.

I remember one occasion, when the exemption clauses were under discussion, I had opposed any exemption for a single man, Brown in replying said, among other things, that he could very well understand why his young friend, the delegate from White county, opposed any exemption for young men; that while his friend was a young man, he understood that he was to be married as soon as the convention adjourned and the exemption clauses would not apply to him. I replied to this by saying that I understood the delegate from Clayton county had been engaged to be married, but his girl had gone back on him; hence, his position on the subject.

When the convention took a recess and Brown and myself walked out he said: ‘House, how did you find that out?’ I told him that I had never heard it, but that it was the only reply I could make to get even with him, and he said, ‘Well, it’s all right if you never heard of it.’

He was always a well dressed man; he wore a Prince Albert coat and beaver hat. I said to him on one occasion: ‘Brown, how is it you are a country-raised boy, with limited means and opportunities, that you come here so well dressed?’ He said: ‘Well, House, I will tell you. When I began the campaign I had no idea of being elected, but somehow I succeeded in convincing the people that I was a little better man for the place than the other fellow (and just privately he said, I will say, there wasn’t much choice between us), but, contrary to my expectations,

I was elected. At that time I only had \$85, and with that I bought this suit and hat and had just enough money left to pay my way to Little Rock and about one week's board.'

He was universally popular, not only with the members of the convention, but with all others with whom he was brought in contact; so much so, that Mr. Gleason, who was then running the restaurant at the Capitol Hotel, at that time the best in Little Rock, offered to board him free of charge; but he declined to accept the offer.

He was logical and concise in debate and always commanded respect and attention of his fellow-members. After the convention he was elected to the State Senate, where he maintained the same high standard he enjoyed in the convention. He was then elected prosecuting attorney in his circuit and distinguished himself as an officer of the law. He became a sound lawyer and for several years did an extensive practice at Jonesboro, where he lived, and in the surrounding country. However, later on he turned his attention more to industrial pursuits and has accumulated quite a competency, and is now an honored member of the community where he lives; and it is my wish that he may live for many years longer and that they will bring even more happiness than he has ever enjoyed."

**BANKRUPTCY RECORD BOOK I**

Case No. 393  
June 29, 1933  
In the Matter of M. L. Hulett  
Judge: John E. Martineau

Case No. 412  
October 9, 1961  
In the Matter of Martin T. Burr  
Referee: L. B. Poindexter, Referee for the Northern Division of the Eastern District  
of Arkansas

Order dated September 15, 1933 providing that F. C. Mullinix is assigned to all the cases  
of Referee Poindexter because he is ill. Apparently, he got an "okay" because the later  
files appoint him as referee.

Case No. 427  
January 2, 1935  
In the Matter of Ms. Berta Saffell  
Referee: O. E. Jones

Case No. 446  
April 8, 1935  
In the Matter of T. H. Edmunston  
Referee: Oscar E. Ellis

Case No. 428  
May 1935  
In the Matter of Levi T. Slayden  
Order extending time for docketing the case in Circuit Court of Appeals.

Case No. 453  
May 27, 1935  
In the Matter of R. R. Wray  
Referee: Joe H. Schneider

Case No. 449  
February 19, 1936  
In the Matter of J. P. Davidson  
Referee: J. O. Linn

Case No. 468  
January 11, 1937  
In the Matter of Ransom J. Worel  
Referee: J. J. McCaleb

Order appointing Joe J. McCaleb of Batesville, Arkansas, as referee for the District of Independence County for two years from August 3, 1938.

Order dated December 26, 1940, appointing Joe J. McCaleb of Batesville, referee for a period of two years from August 3, 1940.

Order dated October 17, 1945, appointing W. D. Murphy, Jr., referee for two years from October 16, 1945, by Judge Lenley.

Order entered July 21, 1947:

“It is ordered that all bankruptcy cases now pending before Referees, W. D. Murphy, Jr., F. C. Mullinix and C. L. Polk, being the same are hereby re-referred to Lee Cazort, salaried Referee in bankruptcy, to take such further steps . . .”  
Signed by Thomas E. Trimble, U.S. District Judge

Case No. 500  
Referred to Lee Cazort

Order entered and signed by Judge Trimble and Judge Lenley dated July 1, 1949, appointing Lee Cazort, referee in bankruptcy for the Eastern District of Arkansas with his official residence at Little Rock, Arkansas, this appointment to be in force and effect for a term of six years beginning on the first day of July, 1949, and the order requires to give a bond of \$5,000.00.

Case No. 105  
August 22, 1949 (first time of an order of adjudication of a bankrupt that is signed by Lee Cazort as opposed to the judge).

Case No. 172  
Order entered by Lee Cazort granting a discharge in Alvin Hubert Shoemaker case Page 172.

The references to the referees are made by the Clerk of the Court. Thereafter, the discharges are granted by the referee.

Sometimes subsequent to 1955, there are specific orders of reference by Judge Lenley so it wasn't always consistent, but a consistently amount of adjudications are signed by Lee Cazort as well as the discharges.

First Case is Case No. 393  
1933

Last Case: Case No. 516  
April 21, 1959

**BANKRUPTCY RECORD BOOK 1, PAGE 5**

**Friday, September 15, 1933**

Order Covering Administration of Bankruptcy Matters  
In the Northern Division of the Eastern District of Arkansas

In this matter, L. B. Poindexter, who has heretofore acted as Referee in Bankruptcy for the Northern Division of this District having recovered from his recent illness it is hereby ordered that F.C. Mullinex, Referee in Bankruptcy for the Jonesboro Division of said district to whom bankruptcy matters for the Northern Division were temporarily referred during the illness of Referee Poindexter shall now refer back to Referee Poindexter unfinished bankruptcy business and cases in bankruptcy for further attention by Referee Poindexter in the usual routine following in such matters.

It is further ordered that Referee Mullinex and Referee Poindexter, in the matter of bankruptcy cases docketed in the Northern Division shall make an equitable provision of the fees in such cases as have been handled by both Referees.

Signed:            John E. Martineau, Judge

November 15, 1933

In the Matter of Dora Conine Grosser Company

ORDER

It is ordered by the court that J. J. McCaleb be appointed Special Referee in the above matter with reference to the claim of Cary Evans against the Batesville Insurance Company.

Signed:           John E. Martineau

NOTE TO ME: Thereafter, Poindexter is appointed Referee from June 1933. In case number 427, In re Mrs. Berta Saffell, January 2, 1935, the matter was referred to O. E. Jones, Referee.

ORDER

In the matter of the appointment of L. B. Poindexter, Referee in Bankruptcy, dated January 5, 1935, it is ordered by the court that L. B. Poindexter, Esq., Batesville, County of Independence, and District of \_\_\_\_\_ be and he is hereby appointed Referee in Bankruptcy for the District of Independence County, said District being composed of counties comprising the Northern Division of the Eastern District of Arkansas, the official residence of said Referee to be at Batesville, Arkansas, to have and to hold said office for the term and period of two years from January 5, 1935 . . .

Signed:            John E. Martineau

NOTE TO ME:            Case No. 425, D.F. Lasiter and Emma Lasiter, February 25, 1935, the case was referred to Tom Hutson, Referee in Bankruptcy. Case No. 446, In re T. H. Edmonson, the matter was referred to Oscar E. Ellis, Referee in Bankruptcy. Case no. 433, April 11, 1935, In re Bandy Albert Rogers, the matter was referred to O. E. Jones, Referee in Bankruptcy. Case No. 453, May 27, 1935, was referred to Joe H. Snider, Referee in Bankruptcy. Case No. 449, February 19, 1936, In re J. P. Davidson, was referred to J. O. Lynn, Referee in Bankruptcy. Case No. 462, J. D. Martin, March 19, 1936, referred to J. O. Lynn, Referee in Bankruptcy.

Date: August 6, 1936

In the Matter of the Appointment of Joe J. McCaleb

ORDER

It is ordered by the court that Joe J. McCaleb of Batesville, in the County of Independence in the district aforesaid be and he is hereby appointed Referee in Bankruptcy for the District of Independence County, said district being comprised of counties comprised of the Northern Division of the Eastern District of Arkansas, the official residence of said Referee to be at Batesville, Arkansas, to have and to hold said office for the term and period of two years from August 3, 1936.

Signed: John E. Martineau

NOTE TO ME: Then beginning in January 1937, until I say otherwise, the petitions  
are referred to J. J. McCaleb.

Wednesday, August 3, 1938

In the Matter of the Appointment of Joe J. McCaleb of Batesville, Arkansas, as  
Referee in Bankruptcy for the District of Independence County

ORDER

It is ordered by the court that Joe J. McCaleb of Batesville, in the County of  
Independence and district aforesaid be and he is hereby appointed Referee in Bankruptcy for the  
District of Independence County, said district being comprised of counties comprising of the  
Northern Division of the Eastern District of Arkansas, the official residence of said Referee to be  
at Batesville, Arkansas, to have and to hold said office for the term or period of two years from  
August 3, 1938.

Signed:            Thomas C. Trimble, Judge

December 26, 1940

In the Matter of the Appointment of Joe J. McCaleb of Batesville, Arkansas, as  
Referee in Bankruptcy for the District of Independence County

ORDER

It is ordered by the court that Joe J. McCaleb of Batesville, in the County of  
Independence and district aforesaid be and he is hereby appointed Referee in Bankruptcy for the  
District of Independence County, said district being comprised of counties comprising of the  
Northern Division of the Eastern District of Arkansas, the official residence of said Referee to be  
at Batesville, Arkansas, to have and to hold said office for the term or period of two years from  
August 3, 1940.

Signed:            Thomas C. Trimble, Judge

October 17, 1945

In the Matter of the Appointment of a Referee in Bankruptcy for the  
Northern Division of the Eastern District of Arkansas

ORDER

It is ordered by the court that W. D. Murphy, Jr., who resides at Batesville, Independence County, Arkansas, in the Northern Division of the Eastern District of Arkansas, be and he is hereby appointed Referee in Bankruptcy for the Northern District of said district and he is hereby authorized and empowered to execute and fulfill the duties of the office . . . for a term and period of two years from this date.

Signed: Harry J. Limley, Judge

July 1, 1947

In the Matter of Bankruptcy Cases Pending, Allocation of Filing Fees  
Commissions, Allowances and Expense Funds and Transfers of  
Property

ORDER

On this 30th day of June, 1947, it is Ordered that all bankruptcy cases now pending before Referees, W.D. Murphy, Jr., F. C. Mullinex and C. L. Polk be, and the same are hereby re-referenced to Lee Cazort, salaried Referee in Bankruptcy to take such further steps therein as are contemplated by the acts of Congress relating to bankruptcy.

It is further ordered that an allocation of all filing and other fees, commissions, allowances and of all expense funds due, the then existing Referees for services rendered in the cases pending before them either as Referee, Conciliation Commissioner or Special Master under this act, earned or collected in said causes which are so transferred and referred to the said Lee Cazort shall be divided one-half to each of the said Referees. The balance of such filings, other fees, commissions, allowances and expenses and surpluses shall be conveyed into the Treasury of the United States by the Referees and the Clerk to be deposited to the credit of the respective salary and expense funds.

It is further ordered that all property belonging to the court in the hands of the outgoing Referees shall be transferred to Lee Cazort, salaried Referee in Bankruptcy. This 30th day of June, 1947.

Signed: Thomas C. Trimble  
U.S. District Judge for the Eastern District of Arkansas

NOTE TO ME: The last case (Case No. 516) is dated April 21, 1959 and Lee Cazort is still acting as Referee.

**PINE BLUFF BANKRUPTCY**  
**PB 61 AND PB 62**

Case No. PB 61 B-1  
October 9, 1961  
In the Matter of Audrian Perry  
Referee: Lee Cazort  
Judge: J. Smith Henley

Case No. PB 61 B-4  
October 26, 1961  
In the Matter of William Spurgeon Howell  
Referee: Arnold Adams  
Judge: J. Smith Henley

Case No. PB 61 B-5  
November 3, 1961  
In the Matter of Isaac M. Rutherford, Bankrupt  
Chapter 13  
Referee: Lee Cazort  
Trustee: A. L. Tenney

Last case filed: Case No. PB 61 B-7

7 cases from September to December

Case No. PB 62 B-1  
Judge: Gordon Young  
Referee: Arnold Adams

1962: Total of 26 cases filed in the Pine Bluff Division including Chapter 13

In most of these cases, the same lawyers appear - Wilton Steed from Pine Bluff;  
Brockman & Brockman from Pine Bluff and James Sloan from Little Rock

**LAW REVIEW  
COMMENTS ON BOOK "B"  
WESTERN DIVISION OF WESTERN DISTRICT**

August 2, 1898

No. 1. In re Joseph Rudolph

"Petition In Voluntary Bankruptcy"

Comes the petitioner by Messers Rose Hemingway and Rose his solicitors and files his petition in voluntary bankruptcy which said petition is by the clerk in the absence of the judge referred to the Hon. P. G. Dooley, referee in bankruptcy, for this the District of Little Rock, for his actions.

August 5, 1898

Order signed by John A. Williams - I assume that's the District Judge

Joseph Rudolph received his discharge on Page 12, but there is no date. He petitioned for discharge. Order entered September 21, 1898, designating the Citizens Bank of Little Rock as the depository for bankruptcy money.

Case No. 31

January 2, 1899

In re S. Gaplin before the Hon. John K. Williams, Judge of this Court of Bankruptcy (it would be in this building).

Case No. 3

In re Louis Reininau - report to the Hon. John A. Williams by the Special Master, P.G. Dooley, where he recommends the discharge be granted and then at the last he says, "The Special Master asked for an allowance of \$50.00 as a fee".

Case No. 15

January 23, 1899

In re John Bland

"On this day comes P. G. Dooley who was on December 8, 1898, appointed Special Master in this cause and presents to the Court his report and he applies for a fee as Special Master for \$20.00".

Case No. 24  
In re R. T. Wills  
Application for Discharge  
Petition by W. S. and F.S. McCain, solicitors for the Debtor, and it reflects that the notice was published in the Arkansas Republican, a newspaper, in said District . . .

Page 611  
March 20, 1902  
In the Matter of Letterwood and Reed, Bankrupt  
Order of Reference as to P. C. Dooley, Esq.

Page 613  
In the Matter of J. L. Haynes, Bankrupt  
Order signed by Jacob Trieber setting a hearing on the petition for discharge and it recites that the notice thereof be published in the State Republican, a newspaper printed in said district.

Kimball

Case No. 353  
May 1902  
In re G. H. Richardson, Bankrupt  
“In the Matter of the Intervention of H & C Newman for the Proceeds of 23 Bales of Cotton”  
P. G. Dooley is Special Master and he makes his report for \$20.00 for his service.

Case No. 413  
September 13, 1902  
In the Matter of Richard B. Kendall  
Case referred to Eben. W. Kimball, special referee in bankruptcy

Case No. 417  
October 4, 1902  
In the Matter of J. A. Stone, Bankrupt  
Back to P. C. Dooley, as referee

Case No. 430  
November 20, 1902  
In the Matter of D.C. White,  
R. E. Wiley is appointed Receiver

Case No. 459  
January 29, 1903  
Order Adjudging A. H. Sevier one of the referees in bankruptcy for the Western

District of Arkansas  
Signed by Jacob Trieber

Page 697  
Rule in Bankruptcy dated February 12, 1903

“It is ordered by the Court that the following amendments to the rules in bankruptcy of this Court be made:

That Rule XXIV shall read as follows:

RULE XXIV.

The Referee shall be allowed \$5.00 for his services in preparing and filing in court the report as required by Rule XXVI, and he shall not be required to prepare and file the same until a deposit has been made with him to cover said allowance. When any special matter shall be referred to the referee in any cause to take evidence, or to report upon any specified issue or issues of law or fact for the information and claims made by said acts against his estate and which existed on the 2<sup>nd</sup> day of September 1902 on which day the petition for adjudication was filed by him except such debts as are by law excepted from the operation of a discharge in bankruptcy.

Signed:           Jacob Trieber, Judge.”

## LAW REVIEW

### BOOK E 1922 - 1927

In the Matter of B. M. Harland  
April 3, 1922

Case No. 2468 (I am assuming that is the total number of cases since 1898).  
Referred to Charles C. Waters as Referee by Judge Trieber

No. 2374

In the Matter of W. E. Wilson - Page 6  
Order Referring Specifications In Opposition to Discharge to Referral

“And now to-wit on this 25<sup>th</sup> day of April, 1922, the specifications of objection to the discharge of said bankrupt Murphy Andrews, Trustee of said estate and the American Bank of Commerce and Trust Co. parties interested are referred to Charles C. Waters, referee in Bankruptcy are referred to Charles C. Waters, Esq., as a Special Master, to take the testimony and make report thereof to the court, and of his findings of fact together with recommendations in favor of or against said discharge, said referee to be entitled to receive for his services \$10.00 ten dollars per day for his services for each day actually spent in hearing such reference and preparing his report; such sum to be chargeable in the first instance to the party opposing the discharge; and indemnity may be demanded by the Referee before proceeding with the hearing.”

Page 23 - July 1, 1922

Order Appointing Charles C. Waters, Referee in Bankruptcy for the District of Pulaski County, Arkansas, for a term of two years from July 1, 1922.

No 2283

In the Matter of J. J. West Hardware Company  
Order of the Eighth Circuit - November 6, 1922 (look up)

Page 95

In the Matter of R. E. Cochran, Bankrupt No. 2170  
Order from the Eighth Circuit - October 21, 1922

Page 101

In the Matter of Collier-Reynolds Company, Bankrupt No. 2584  
Look up

Page 120

February 27, 1923

Order Appointing Powell Clayton as Referee for a term of two years from February 26, 1923

Signed by Jacob Trieber

Page 124

The Arkola Company, Bankrupt #2609

Powell Clayton appointed Referee - for right now he is the one drawing the references - 1923

Page 188

November 8, 1923

Case No. 2675

In the Matter of J. L. Burnett

Referee: Charles C. Waters

All the rest of the cases after this going to Powell Clayton

Page 76 (?????)

Yellow Pine Lumber Company, No. 2786 - Pull File

October 19, 1926

In the Matter of England Loan Company - No. 3027

Pull File

Last case is Case No. 3092

April 29, 1926

Powell Clayton - Referee

EVOLUTION OF THE BANKRUPTCY COURT  
IN THE EASTERN AND WESTERN DISTRICTS OF ARKANSAS

**BOOK "F"**

	DATE	BANKRUPT NO.	DEBTOR	DISTRICT JUDGE	REFEREE	TRUSTEE
1.	4/26/27	3047	Anderson and Tarbet Furniture Co.			
2.	4/27/27	3048	W. H. Anderson	Jacob Trieber		
3.	4/26/27	3049				
4.	4/27/27	3088	Scroggins Mercantile Co., a partnership composed of E. H. Dunaway and Joe Dowey and E. H. Dunaway and Joe Dowey, Individually	Jacob Trieber	Powell Clayton	
5.	4/27/27	3026	W. F. McKinney	Jacob Trieber		
6.	5/02/27	3094	Robert Wesley Bonner		Powell Clayton	
7.		3095	Carl Westal	Jacob Trieber	Powell Clayton	
8.	5/2/27	3096	J. L. Taylor	Jacob Trieber	Powell Clayton	
9.	5/23/27	3097	Lucille Gossum	Jacob Trieber		
10.	5/30/27	3098	Sam Waxman	Jacob Trieber		
11.	5/31/27	3099	C. L. Criner	Jacob Trieber	Powell Clayton	
12.	6/11/27	3100	E. E. Simmons	Jacob Trieber	Powell Clayton	

14.	5/19/33	4034	Gordon Walker	John E. Martineau	Joe H. Schneider	
15.	5/22/33	4035	Mrs. C. S. Perry		Joe H. Schneider	
16.	5/22/33	4036	Ted Taylor		Joe H. Schneider	
17.	5/25/33	4005	James E. Collins	John E. Martineau		
18.	5/26/33	3806	J. H. Sanders	John E. Martineau		
19.	2/04/32	3811	S. A. Henson	John E. Martineau		
20.	10/21/32	3952	W. A. Kientz	John E. Martineau		
21.	5/27/33	3978	Otis E. Hamilton	John E. Martineau		
22.	2/23/33	4007	H. M. Williams	John E. Martineau		
23.	4/21/32	3870	H. L. Amster	John E. Martineau		
24.	9/19/31	3700	Paul Turner	John E. Martineau		
25.	3/6/33	4015	George H. Moose	John E. Martineau		
26.	12/19/32	3972	Arthur J. Phillips	John E. Martineau		
27.,	01/10/33	3983	E. R. Keller	John E. Martineau		
28.	07/11/32	3906	F. B. Huie	John E. Martineau		
29.	6/13/32	3896	William James Broach	John E. Martineau		
30.	6/30/33	4038	R. P. Weber	John E. Martineau	Joe H. Schneider	

31.	06/05/33	3973	Roy M. Laseter	John E. Martineau		
32.	06/06/33	3987	A. L. Russell	John E. Martineau		
33.	06/09/33	4013	Robert Lee Taylor	John E. Martineau		
34.	3/10/33	4003	Abraham Jabra	John E. Martineau		
35.	1/27/33	3992	Andrew Edwards	John E. Martineau		
36.	1/16/33	3990	S. S. Summerfield	John E. Martineau		
37.	6/22/33	4042	Beulah McClerkin	John E. Martineau	Joe H. Schneider	
38.	6/26/33	3893	W. W. Sullivan	John E. Martineau		
39.	6/29/33	3797	W. H. Ashley		Joe H. Schneider	
40.	6/30/33	3980	Wilford W. Hoover	John E. Martineau		
41.	4/03/33	4019	Samuel H. Adams	John E. Martineau		
42.	5/29/32	3889	F. E. Allen	John E. Martineau		
43.	7/05/33	4043	Bonnie Plunkett	John E. Martineau	Joe H. Schneider	
44.	7/06/33	4044	W. E. Massey	John E. Martineau	Joe H. Schneider	
45.	7/07/33	3873	R. M. Easter	John E. Martineau		
46.	7/07/33	3618	Cleveland Matthews Hardware Co.	John E. Martineau		

47.	7/07/33	4045	A. Lindenberg	John E. Martineau	Joe H. Schneider	
48.	6/13/32	3894	J. C. Matthews	John E. Martineau		
49.	5/26/32	3888	Arthur J. Delong	John E. Martineau		
50.	1/31/33	3994	N. A. McKinney	John E. Martineau		
51.	1/31/33	3995	Edgar McKinney	John E. Martineau		
52.	1/31/33	3996	N. A. McKinney	John E. Martineau		
53.	1/31/33	3997	Van McKinney	John E. Martineau		
54.	7/08/33	4046	Julia Gunn Duff	John E. Martineau	Joe H. Schneider	
55.	7/11/33	4020	James Pairet	John E. Martineau		
56.	5/01/33	4026	Harry Balesh	John E. Martineau		
57.	4/08/33	4022	Louise Proctor	John E. Martineau		
58.	11/06/31	3720	H. G. Pugh	John E. Martineau		
59.	7/12/33		E. S. Daving	John E. Martineau		G. L. Nicklaus
60.	7/12/33	4047	Lucy Ralph	John E. Martineau	Joe H. Schneider	
61.	7/14/33	4048	Ed L. Lund	John E. Martineau	Joe H. Schneider	
62.	7/14/33	4049	Southwest Dairy Products Co.	John E. Martineau	Joe H. Schneider	

63.		4050	Bracy Brothers			
64.	7/18/33	4051	Silver City Motor Co.	John E. Martineau	Joe H. Schneider	
65.	7/19/33	4052	V. P. Whitley	John E. Martineau	Robert Wadsworth pending election of trustee	
66.	7/25/33	4053	William P. Dale	John E. Martineau	Joe H. Schneider	
67.	7/27/33	4054	Harry D. Brown	John E. Martineau	Joe H. Schneider	
68.	7/31/33	3806	J. H. Sanders	John E. Martineau	Joe H. Schneider	W. L. Hemmingway
69.	5/03/33	4027 (Risen)	J. W. Elrod			
70.	2/24/33	4008	Tommy L. Ross	John E. Martineau		
71.	4/17/33	4023	G. D. Nelson	John E. Martineau		
72.	2/6/33	3998	W. W. Westmoreland	John E. Martineau		
73.	1/3/32	3977	Earnest McConnell	John E. Martineau		
74.	9/30/32	3948	W. F. Hurt	John E. Martineau		
75.	5/16/33	4033	Bird Fletcher	John E. Martineau		
76.	6/21/32	3900	Frank E. Parker	John E. Martineau		
77.	7/11/32	3906	J. P. Deboe	John E. Martineau		

78.	2/15/32	3819	M. O. Moore	John E. Martineau		
79.	4/08/31	3619	Tonya Davis	John E. Martineau		
80.	4/19/33	4024	Thomas M. Noblett	John E. Martineau		
81.	7/31/33	4055	M. S. Pogue	John E. Martineau	Joe H. Schneider	
82.	8/02/33	4056	E. Seltzer	John E. Martineau	Joe H. Schnedier	
83.	8/04/33	4017	J. M. Harris	John E. Martineau		
84.	8/05/33	4050	Bracy Brothers Hardware Co.	John E. Martineau	Joe H. Schneider	
85.		4004	Dave Meyer	John E. Martineau	Joe H. Schneider (appt. Special Master to "ascertain a report of the facts and conclusions of law"	
86.	7/19/33	4052	V. P. Whitley	John E. Martineau	Joe H. Schneider	
87.	8/7/33	4057	Melbourne Moose	John E. Martineau	Joe H. Schneider	
88.	8/9/33	4058	D. F. Noland		Joe H. Schneider	
89.	8/9/33	4059	W. E. Carson	John E. Martineau	Joe H. Schneider	
90.	8/16/33	4060	W. F. Koon	John E. Martineau	Joe H. Schneider	
91.	8/17/33	3897	Victoria Broach	John E. Martineau	Joe H. Schneider	

92.	8/17/33	4061	Arthur Martin	John E. Martineau	Joe H. Schneider	
93.		4062	Ms. Nola Walker	John E. Martineau	Joe H. Schneider	
94.	8/22/33	4064	R. J. Vize	John E. Martineau	Joe H. Schneider	
95.	8/22/33	4063	J. S. Hall	John E. Martineau	Joe H. Schneider	
96.	8/26/33	4065	W. L. Burroughs	John E. Martineau	Joe H. Schneider	
97.	8/28/33	4042	Beulah McClerkin	John E. Martineau		
98.	6/3/33	4038	R. P. Weber	John E. Martineau		
99.	5/12/33	4032	J. J. Livingston	John E. Martineau		
100.	5/10/33	4030	Grace Martin	John E. Martineau		
101.	2/27/33	4011	L. F. Flippen	John E. Martineau		
102.	3/7/32	3831	Lee Apple	John E. Martineau		
103.	8/28/33	4066	E. Edwards	John E. Martineau	Joe H. Schneider	
104.	8/29.33	4067	O. C. Wakenight	John E. Martineau	Joe H. Schneider	
105.	8/30/33	3842	W. T. Dyer	John E. Martineau	Joe H. Schneider	
106.	9/5/33	4068	R. L. Nelson	John E. Martineau	Joe H. Schneider	
107.	9/5/33	4069	Paul Pascal	John E. Martineau	Joe H. Schneider	

108.	9/5/33	4070	G. W. McAllister	John E. Martineau	Joe H. Schneider	
109.	9/6/33	4071	R. H. Thompson	John E. Martineau	Joe H. Schneider	
110.	9/11/33	4072	Pete Stathakis	John E. Martineau	Joe H. Schneider	
111.	9/11/33	4073	Stanley Skinner	John E. Martineau	Joe H. Schneider	
112.	9/19/33	4075	Robert F. Lambeth	John E. Martineau	Joe H. Schneider	
113.	9/21/33	4076	F. C. Switzer	John E. Martineau	Joe H. Schneider	
114.	9/25/33	3975	Herbert Roberts	John E. Martineau	Joe H. Schneider	
115.	9/29/04	4078	L. J. Harold	John E. Martineau	Joe H. Schneider	
116.	9/5/33	4079	Murray W. Johnson	John E. Martineau	Joe H. Schneider	
117.	10/5/33	4080	Fred DeFrance	John E. Martineau	Joe H. Schneider	
118.	10/5/33	4081	J. B. Holland	John E. Martineau	Joe H. Schneider	
119.	10/9/33	4082	W. H. Smith	John E. Martineau	Joe H. Schneider	
120.	10/9/33	4083	Joe Lyons Machinery Co.	John E. Martineau	Joe H. Schneider	
121.	10/9/33	4084	Diamond Batter Co.	John E. Martineau	Joe H. Schneider	
122.	10/0/33	4085 and 4086	Maxwell and Samuel Lyons	John E. Martineau	Joe H. Schneider	
123.	10/10/33	4087	Lane Hotel Co.	John E. Martineau	Joe H. Schneider	

124.	10/13/33	4049	Southwest Dairy Products Co.	John E. Martineau	Joe H. Schneider	
125.	10/16/33	4088	Dolly Shoppe, Inc.	John E. Martineau	Joe H. Schneider	
126.	10/16/33	4089	E. E. Dennis	John E. Martineau	Joe H. Schneider	
127.	10/21/33	4090	T. J. Donahue	John E. Martineau	Joe H. Schneider	
128.	10/21/33	4091	Pfeifer Bros.	John E. Martineau	Joe H. Schneider	
129.	10/25/33	4092	C. J. Shaw	John E. Martineau	Joe H. Schneider	
130.	10/23/33	4093	Elmer W. Wheatley	John E. Martineau	Joe H. Schneider	
140.	10/24/33	4094	A. G. Cook	John E. Martineau	Joe H. Schneider	
141.	10/26/33	4095	Ernest C. King	John E. Martineau	Joe H. Schneider	
142.	10/31/33	4096	W.H. Comstock	John E. Martineau	Joe H. Schneider	
143.	10/31/33	4097	H. L. Williams	John E. Martineau	Joe H. Schneider	
144.	11/01/33	4098	Retail Grocers Ice Co.	John E. Martineau	Joe H. Schneider	
145.	11/07/33	4099	W. M. Bruce, Jr.	John E. Martineau	Joe H. Schneider	
146.	11/09/33	4100	W.O. Scroggin	John E. Martineau	Joe H. Schneider	
147.	11/20/33	4101	J. S. Davenport	John E. Martineau	Joe H. Schneider	
148.	11/20/33	4102	J. W. Trieschmann	John E. Martineau	Joe H. Schneider	

149.	11/25/33	4103	Edward Bradley	John E. Martineau	Joe H. Schneider	
150.	12/01/33	4104	Terry Food Stores, Inc.	John E. Martineau	Joe H. Schneider	
151.	12/13/33	4106	Altman Rodgers Co.	John E. Martineau	Joe H. Schneider	
152.	12/14/33	4107	William L. Hargrove	John E. Martineau	Joe H. Schneider	
153.	12/27/33	4108	Carrie F. Weil	John E. Martineau	Joe H. Schneider	
154.	1/02/34	4109	A. B. Bond	John E. Martineau	Joe H. Schneider	
155.	1/09/34	4110	L. C. Newberry Co.	John E. Martineau	Joe H. Schneider	
156.	1/09/34	4111	W.W. Quinn	John E. Martineau	Joe H. Schneider	
157.	1/17/34	4112	L. C. Wood	John E. Martineau	Joe H. Schneider	
158.	1/19/34	4113	Veazey Grocery Co.	John E. Martineau	Joe H. Schneider	
159.	1/19/34	4105	J. C. Jones	John E. Martineau	Joe H. Schneider	
160.	1/31/34	3732	Palais Royal Store, Inc.	Mandate from 8 <sup>th</sup> Cir. Ct. of App. dated 2/1/33 regarding a preference (JGM - LOOK UP)		
161.	2/1/34	4114	Ed Worden	John E. Martineau	Joe H. Schneider	
162.	2/2/34	3907	W.W. Ezell	John E. Martineau	Joe H. Schneider	

163.	2/3/34	4115	Edward Screeton	John E. Martineau	Joe H. Schneider	
164.	2/6/34	4116	Max Hendrick	John E. Martineau	Joe H. Schneider	
165.	2/9/34	4117	H. Victor Harrison	John E. Martineau	Joe H. Schneider	
166.	2/13/34	4118	Rector L. Williams	John E. Martineau	Joe H. Schneider	
167.	3/2/34	4119	Rollie McCauley	John E. Martineau	Joe H. Schneider	
168.	3/5/34	4120	Isabella Hull	John E. Martineau	Joe H. Schneider	
169.	3/6/34	4121	J. H. Robinette	John E. Martineau	Joe H. Schneider	
170.	3/7/34	4122	Rollin J. Needler	John E. Martineau	Joe H. Schneider	
171.	3/8/34	3924	T. J. Danley	John E. Martineau	Joe H. Schneider	
172.	3/15/34	4123	Charles R. Corbett	John E. Martineau	Joe H. Schneider	
173.	3/16/34	4124	Layton McFall	John E. Martineau	Joe H. Schneider	

ORDER

M. P. Baird, Trustee  
Arkansas Rice Growers Corporation

W. G. Beard, Trustee  
R. S. Hutson and Dons

E. C. Bradley, Trustee  
Community Theatre, Inc.

J. D. Cogbill, Trustee  
H. W. Thomas

C. W. East, Trustee  
Sterling Stores

E. Charles Eichenbaum, Trustee  
United Service Co.

B. N. Florence, Trustee  
Karl Mendel

F. H. Hammett, Trustee  
J. C. Ladd

Harry Hanf, Trustee  
Joi I. Coles

Harry Hanf, Trustee  
L. K. Duncan and Son

Everard Hinshaw, Trustee  
Roy Laseter

J. H. Lawhorn, Trustee  
E. L. Irvine

F. D. Majors, Trustee  
George N. Doodier

J. S. Maloney, Trustee  
J. A. Gurley and Co.

G. L. Nicklaus, Trustee  
H. L. Amster

John F. Park, Trustee  
Est. E. B. Stokes

John F. Park, Trustee  
J. D. Stone

J. K. Riffel, Trustee  
A. B. Banks and Co.

J. K. Riffel, Trustee  
A. B. Banks

J. Kl Riffel, Trustee  
Van M. Howell and Co.

John C. Pye, Trustee  
J. J. Shoptaw

M. L. Sachs, Trustee  
Home Fertilizer Co.

W. O. Scroggins, Trustee  
Frank Reid

M. L. Sachs, Trustee  
Hub Clothing Co.

M. L. Sachs, Trustee  
Jack Fines Palais Royal

J. D. Williams, Trustee  
Ben High and Sons

J. D. Williams, Trustee  
George W. Mountjoy

W. D. Dickinson, Trustee  
Cherokee Public Service Co.

EXPENSE RULE

All money received by the referee in Little Rock under rule 26 shall be placed in the referee's expense account and all expenses of the referee shall be paid therefrom. The funds in said account shall be and remain in the property of the Court in which the referee has no personal interest. If the amount of said expense account shall become as low as \$1,000.00 the referee may require further payments from estates of amounts of not more than \$150.00 at a time until the funds shall reach the amount of \$2,000.00. If there accumulates in the fund as much as \$2,000.00 then there shall be no money drawn from the asset estates until the balance shall be as low as \$1,000.00. The expense items to be paid from this fund shall be by check drawn by the referee, cover charges for office rent, if any, heat, light, telephone and telegraph calls, stationery, clerk hire, referee's notices to creditors, post office box and for proper and necessary equipment and furniture which shall include equipment for the safe keeping of the files of the office; also shall purchase and keep a library of such books as are necessary, all of said property to be and remain the property of the U. S. District Court for the Eastern District of Arkansas.

(Signed)      John E. Martineau, Judge

EXPENSE RULE

It is ordered that the referee in Bankruptcy, at Little Rock, Arkansas, is authorized to take from the expense fund a total amount of \$692.72 for the attached inventory of office equipment, now in use in said office and at present his property, and the said office equipment shall be the property of the said District Court of the Eastern District of Arkansas; said figure set out above being the appraised value of the property listed in the attached inventory marked Exhibit A said appraisal having been made by two disinterested parties familiar with this character of equipment.

It is further ordered that all other property, including law books in said office, list of which is attached hereto and marked exhibit "B" and already paid for out of expense fund of said office, is the property of the District Court for the Eastern District of Arkansas.

Signed this 17<sup>th</sup> day of July, 1933.

(Signed)      John E. Martineau, Judge

ORDER

September 13, 1933

In the Matter of the Appointment of Joe H. Schneider as Referee  
In Bankruptcy for the District of Pulaski County, Arkansas

It is ordered by the court that Joe H. Schneider, Esq., of Little Rock, in the County of Pulaski and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Pulaski County, said district being composed of all the counties comprising the Western Division of the Eastern District of Arkansas, the official residence of said referee to be at Little Rock, Arkansas, to have and to hold said office for the term of two years from September 13, 1931.

It is further ordered that said Joe H. Schneider shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the Judge of this Court.

(Signed) John E. Martineau, Judge.

ORDER

November 23, 1931

In the Matter of the Appointment of Fred G. Mullinix of  
Jonesboro, Arkansas, as Referee In Bankruptcy for the District  
of Craighead County, Arkansas

It is ordered by the court that Fred G. Mullinix, Esq., of Jonesboro, in the County of  
Craighead and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the  
District of Pulaski County, said district being composed of all the counties comprising the  
Jonesboro Division of the Eastern District of Arkansas, the official residence of said referee to be  
at Jonesboro, Arkansas, to have and to hold said office for the term of two years from November  
23, 1931.

It is further ordered that said Joe H. Schneider shall before entering upon the discharge of  
his duties under this appointment enter into a bond to the United States of America in the form  
prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the  
Judge of this Court.

(Signed) John E. Martineau, Judge.

ORDER

February 15, 1932

In the Matter of the Appointment of E. C. Horner of  
Helena, Arkansas, as Referee In Bankruptcy for the District  
of Phillips County, Arkansas

It is ordered by the court that E. C. Horner, Esq., of Helena, in the County of Phillips and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Phillips County, said district being composed of all the counties comprising the Eastern Division of the Eastern District of Arkansas, the official residence of said referee to be at Helena, Arkansas, to have and to hold said office for the term of two years from February 24, 1932.

It is further ordered that said Joe H. Schneider shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the Judge of this Court.

(Signed)      John E. Martineau, Judge.

ORDER

August 7, 1933

In the Matter of the Appointment of E. C. Horner of  
Helena, Arkansas, as Referee In Bankruptcy for the District  
of Phillips County, Arkansas

It is ordered by the court that E. C. Horner, Esq., of Helena, in the County of Phillips and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Phillips County, said district being composed of all the counties comprising the Eastern Division of the Eastern District of Arkansas, the official residence of said referee to be at Helena, Arkansas, to have and to hold said office for the term of two years from February 24, 1932.

It is further ordered that said Joe H. Schneider shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the Judge of this Court.

(Signed)      John E. Martineau, Judge.

ORDER

It is ordered that the Daily Legal News of Little Rock, Arkansas, be designated as one of the newspapers in which shall be inserted all notices required by the Acts of Congress related to bankruptcy and all orders which the Court may direct to be published within the County of Pulaski.

(Signed)      John E. Martineau, Judge.

ORDER

August 24, 1933

In the Matter of the Appointment of L. B. Poindexter of  
Batesville, Arkansas, as Referee In Bankruptcy for the District  
of Independence County, Arkansas

It is ordered by the court that L. B. Poindexter, Esq., of Helena, in the County of Independence and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Independence County, said district being composed of all the counties comprising the Northern Division of the Eastern District of Arkansas, the official residence of said referee to be at Batesville, Arkansas, to have and to hold said office for the term of two years from January 6, 1933.

It is further ordered that said L. B. Poindexter shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the Judge of this Court.

(Signed)      John E. Martineau, Judge.

ORDER

In the Matter of the Appointment of Joe H. Schneider of  
Little Rock, Arkansas, as Referee In Bankruptcy for the District  
of Pulaski County, Arkansas

It is ordered by the court that Joe H. Schneider, Esq., of Little Rock, in the County of Pulaski and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Pulaski County, said district being composed of all the counties comprising the Western Division of the Eastern District of Arkansas, the official residence of said referee to be at Little Rock, Arkansas, to have and to hold said office for the term of two years from September 13, 1933.

It is further ordered that said Joe H. Schneider shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the Judge of this Court.

(Signed)      John E. Martineau, Judge.

In the Matter of  
Herbert Roberts, Bankruptcy No. 3975

ORDER OF REFERENCE

Whereas, application has been made by the above-named bankrupt for a discharge herein and a hearing set to consider the same, and Baldwin Piano Company of Cincinnati, Ohio, a creditor of said bankrupt, having appeared by Barber and Henry, Esqs., its attorneys, in opposition, and filed a specification of objection thereto, on motion of Barber & Henry, Esqs., attorneys for Baldwin Piano Co.,

It is ordered:

That the issue made by such application and such specifications of objection be referred to Joe H. Schneider, Esq., as special master to ascertain and report the facts, with his conclusions thereon.

(Signed)      John E. Martineau, Judge

RULE XXVII

Rule 26 is hereby amended as follows:

In cases where no assets come into the hands of the trustee the sum of ten dollars (\$10.00) shall be allowed to the referee as cost for expenses of stationery, etc.

(Signed) John E. Martineau, Judge

In the Matter of

V. I. Burks, Bankruptcy No. 4039

ORDER OF REFERENCE TO SPECIAL MASTER

Whereas, application has been made by the above-named bankrupt for a discharge herein and a hearing set to consider the same, and O. J. Hughes, having appeared by his attorney in opposition, and filed specifications and objection thereto now, on motion of said attorney for said objector:

It is ordered that the issue made by said application and such specifications of objection, upon proper security for costs being given by said objectors, be referred to Joe H. Schneider, Esq., as Special Master, to ascertain and report the facts, with his conclusions of law thereon.

(Signed)      John E. Martineau, Judge

ORDER

In the Matter of  
Charles C. Waters, Referee in Bankruptcy.

It being made to appear to the court that Charles C. Waters, former Referee in Bankruptcy, has closed all cases which have heretofore been referred to him, and that said cases have been finally closed and disposed of by said Referee, and that he has accounted for and paid over all moneys which came into his hands as such Referee, it is ordered by the court that the liability on his bond as such Referee be and the same is hereby discharged, and the surety on said bond is hereby released.

(Signed) Jacob Trieber, Judge.

July 2, 1927

In the Matter of Sam Wexman  
Case No. 3098

ORDER OF CONFIRMATION AND  
DISTRIBUTION OF COMPOSITION

Whereas, application for the confirmation of the composition offered by the bankrupt herein has been filed, and it appearing that the composition has been accepted by a majority in number of creditors whose claims have been allowed and of such allowed claims; and the consideration and the money required by law to be deposited has been deposited as ordered in such place as was designated by the Judge of said court and subject to his order; and it also appearing that it is for the best interests of the creditors, and that the bankrupt has not been guilty of any of the acts or failed to perform any of the duties which would be a bar to his discharge, and that the offer and its acceptance are in good faith and have not been made or procured by any means, promises or acts contrary to the acts of Congress relating to Bankruptcy,

It is therefore hereby ordered that the said composition be, and it is hereby confirmed.

It is further ordered and decreed by the court that the distribution of the deposit shall be made by the Referee of the court as follows, to-wit: 1<sup>st</sup> to pay the several claims which have priority; 2<sup>nd</sup>, to pay the costs of proceedings; 3<sup>rd</sup>, to pay according to the terms of the composition, the several claims of general creditors which have been allowed and appear upon a list of allowed claims in the files of the case, which is list is made a part of this order.

(Signed)      Jacob Trieber, Judge.

Monday Morning, February 25<sup>th</sup>, 1929.

In the Matter of the Appointment of  
Powell Clayton of Little Rock, Arkansas,  
as Referee in Bankruptcy for the District  
of Pulaski County, Arkansas.

It is ordered by the court that Powell Clayton, Esq., of Little Rock, in said county of Pulaski and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Pulaski County, said District being composed of all the Counties comprising the Western Division of the Eastern District of Arkansas, the official residence of said Referee to be at Little Rock, Arkansas, to have and to hold said office for the term of two years from February 26<sup>th</sup>, 1929.

It is further ordered that the said Powell Clayton shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars (\$5,000.00) said bond to be approved by the Judge of this Court.

(Signed)      John E. Martineau, Judge.

July 9, 1929

RULE XVIII

For preparing petitions in involuntary bankruptcy, and superintending the filing thereof and the issuance of subpoena thereof, and filing schedules in case such duty devolves upon the petitioning creditors; and for preparing petition in voluntary bankruptcy, filing schedules and services to the bankrupt, including examination of the bankrupt as the first meeting of creditors, reasonable attorney's fees shall be allowed based upon the value of the services and amount of the estate in money coming into the hands of the Trustee.

(Signed) John E. Martineau, Judge.

ORDER

September 13, 1929

In the Matter of the Appointment of Joe H. Schneider as Referee  
In Bankruptcy for the District of Pulaski County, Arkansas

It is ordered by the court that Joe H. Schneider, Esq., of Little Rock, in the County of Pulaski and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Pulaski County, said district being composed of all the counties comprising the Western Division of the Eastern District of Arkansas, the official residence of said referee to be at Little Rock, Arkansas, to have and to hold said office for the term of two years from September 13, 1929.

It is further ordered that said Joe H. Schneider shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars (\$5,000.00) , said bond to be approved by the Judge of this Court.

(Signed)        John E. Martineau, Judge.

Wednesday, October 2, 1929.

In the Matter of Bankruptcy Cases.

ORDER TRANSFERRING CASES

On this 2<sup>nd</sup> day of October, 1929, it is ordered that with the exception of the cases of England Loan Company, No. 3027, Arkansas Rice Growers Co-Operative Association, No. 3294, and Quick Car Service Inc. of Arkansas, No. 3364, all bankruptcy cases now pending before Referee Powell Clayton be and the same are hereby transferred from the said referee and referred to Referee Joe H. Schneider to take such further steps therein as are contemplated by the Acts of Congress relating to bankruptcy.

It is further ordered that all fees and allowances hereafter earned or collected in said cases so transferred and referred to the said Joe E. Schneider shall be divided one-half to each of the said Referees.

(Signed)      John E. Martineau, Judge.

Friday, December 27<sup>th</sup>, 1929.

In the Matter of

Amendment to Bankruptcy Rules.

It is ordered by the Court that Rule XXVI of the Bankruptcy Rules of this Court be amended as follows:

RULE XXVI.

There shall be allowed to the Referee as costs for expenses of rent, stationery, clerical assistance and other office expenses, including notices to creditors, the following sums:

In cases where no assets come into the hands of the Trustee the sum of Twenty Dollars (\$20.00) in each case; and in each case where assets come into the hands of the Trustee, and the gross assets in money received by him do not exceed \$1,000.00, the sum of thirty dollars (\$30.00); where such assets exceed \$1,000.00 and do not exceed \$2,500.00 the sum of fifty dollars (\$50.00); where such assets exceed \$2,500.00 and do not exceed \$5,000.00 the sum of Seventy Dollars (\$70.00); where such assets exceed \$5,000.00 and do not exceed \$10,000.00, the sum of One Hundred Dollars (\$100.00); and where such assets exceed \$10,000.00, the sum of One Hundred Fifty Dollars (\$150.00).

The fixed charge shall in no-asset cases be paid in advance of the calling of the first meeting of creditors on a statement of account, presented by the referee to the bankrupt or his attorney.

(Signed) John E. Martineau, U.S. District Judge

EVOLUTION OF THE BANKRUPTCY COURT  
IN THE EASTERN AND WESTERN DISTRICTS OF ARKANSAS

**BOOK "G"**

	DATE	BANKRUPT NO.	DEBTOR	DISTRICT JUDGE	REFEREE	COMMISSIONER OR TRUSTEE
1.	4/29/33	3993	Marie Naklie	John E. Martineau		
2.	5/01/33	4026	Harry E. Balesh		Joe H. Schneider	
3.	5/03/33	4027	J.W. Elrod		Joe H. Schneider	
4.	5/04/33	4028	Ellis M. Dunn		Joe H. Schneider	
5.	5/06/33	3891	W. B. Baldrige	John E. Martineau		
6.	5/23/33	3852	Armour Gray	Johyn E. Martineau		
7.	5/06/33	3869	Myrtle Robbins		Joe H. Schneider	
8.	5/08/33	4029	J. S. Hall		Joe H. Schneider	
9.	5/10/33	4030	Grace Martin		Joe H. Schneider	
10.	5/12/33	4031	Joe Jamell		Joe H. Schneider	
11.	5/12/33	4032	J. J. Livingston		Joe H. Schneider	
12.	5/13/33	3902	E. W. Dyer	John E. Martineau	Joe H. Schneider	
13.	5/16/33	4033	Bird P. Fletcher	John E. Martineau	Joe H. Schneider	
14.	5/19/33	4034	Gordon Walker	John E. Martineau	Joe H. Schneider	
15.	5/22/33	4035	Mrs. C. S. Perry		Joe H. Schneider	
16.	5/22/33	4036	Ted Taylor		Joe H. Schneider	

	DATE	BANKRUPT NO.	DEBTOR	DISTRICT JUDGE	REFEREE	TRUSTEE
17.	5/25/33	4005	James E. Collins	John E. Martineau		
18.	5/26/33	3806	J. H. Sanders	John E. Martineau		
19.	2/04/32	3811	S. A. Henson	John E. Martineau		
20.	10/21/32	3952	W. A. Kientz	John E. Martineau		
21.	5/27/33	3978	Otis E. Hamilton	John E. Martineau		
22.	2/23/33	4007	H. M. Williams	John E. Martineau		
23.	4/21/32	3870	H. L. Amster	John E. Martineau		
24.	9/19/31	3700	Paul Turner	John E. Martineau		
25.	3/6/33	4015	George H. Moose	John E. Martineau		
26.	12/19/32	3972	Arthur J. Phillips	John E. Martineau		
27.,	01/10/33	3983	E. R. Keller	John E. Martineau		
28.	07/11/32	3906	F. B. Huie	John E. Martineau		
29.	6/13/32	3896	William James Broach	John E. Martineau		
30.	6/30/33	4038	R. P. Weber	John E. Martineau	Joe H. Schneider	
31.	06/05/33	3973	Roy M. Laseter	John E. Martineau		
32.	06/06/33	3987	A. L. Russell	John E. Martineau		

	DATE	BANKRUPT NO.	DEBTOR	DISTRICT JUDGE	REFEREE	TRUSTEE
33.	06/09/33	4013	Robert Lee Taylor	John E. Martineau		
34.	3/10/33	4003	Abraham Jabra	John E. Martineau		
35.	1/27/33	3992	Andrew Edwards	John E. Martineau		
36.	1/16/33	3990	S. S. Summerfield	John E. Martineau		
37.	6/22/33	4042	Beulah McClerkin	John E. Martineau	Joe H. Schneider	
38.	6/26/33	3893	W. W. Sullivan	John E. Martineau		
39.	6/29/33	3797	W. H. Ashley		Joe H. Schneider	
40.	6/30/33	3980	Wilford W. Hoover	John E. Martineau		
41.	4/03/33	4019	Samuel H. Adams	John E. Martineau		
42.	5/29/32	3889	F. E. Allen	John E. Martineau		
43.	7/05/33	4043	Bonnie Plunkett	John E. Martineau	Joe H. Schneider	
44.	7/06/33	4044	W. E. Massey	John E. Martineau	Joe H. Schneider	
45.	7/07/33	3873	R. M. Easter	John E. Martineau		
46.	7/07/33	3618	Cleveland Matthews Hardware Co.	John E. Martineau		
47.	7/07/33	4045	A. Lindenberg	John E. Martineau	Joe H. Schneider	

	DATE	BANKRUPT NO.	DEBTOR	DISTRICT JUDGE	REFEREE	TRUSTEE
48.	6/13/32	3894	J. C. Matthews	John E. Martineau		
49.	5/26/32	3888	Arthur J. Delong	John E. Martineau		
50.	1/31/33	3994	N. A. McKinney	John E. Martineau		
51.	1/31/33	3995	Edgar McKinney	John E. Martineau		
52.	1/31/33	3996	N. A. McKinney	John E. Martineau		
53.	1/31/33	3997	Van McKinney	John E. Martineau		
54.	7/08/33	4046	Julia Gunn Duff	John E. Martineau	Joe H. Schneider	
55.	7/11/33	4020	James Pairet	John E. Martineau		
56.	5/01/33	4026	Harry Balesh	John E. Martineau		
57.	4/08/33	4022	Louise Proctor	John E. Martineau		
58.	11/06/31	3720	H. G. Pugh	John E. Martineau		
59.	7/12/33		E. S. Daving	John E. Martineau		G. L. Nicklaus
60.	7/12/33	4047	Lucy Ralph	John E. Martineau	Joe H. Schneider	
61.	7/14/33	4048	Ed L. Lund	John E. Martineau	Joe H. Schneider	
62.	7/14/33	4049	Southwest Dairy Products Co.	John E. Martineau	Joe H. Schneider	

	DATE	BANKRUPT NO.	DEBTOR	DISTRICT JUDGE	REFEREE	TRUSTEE
63.		4050	Bracy Brothers			
64.	7/18/33	4051	Silver City Motor Co.	John E. Martineau	Joe H. Schneider	
65.	7/19/33	4052	V. P. Whitley	John E. Martineau	Robert Wadsworth pending election of trustee	
66.	7/25/33	4053	William P. Dale	John E. Martineau	Joe H. Schneider	
67.	7/27/33	4054	Harry D. Brown	John E. Martineau	Joe H. Schneider	
68.	7/31/33	3806	J. H. Sanders	John E. Martineau	Joe H. Schneider	W. L. Hemmingway
69.	5/03/33	4027 (Risen)	J. W. Elrod			
70.	2/24/33	4008	Tommy L. Ross	John E. Martineau		
71.	4/17/33	4023	G. D. Nelson	John E. Martineau		
72.	2/6/33	3998	W. W. Westmoreland	John E. Martineau		
73.	1/3/32	3977	Earnest McConnell	John E. Martineau		
74.	9/30/32	3948	W. F. Hurt	John E. Martineau		
75.	5/16/33	4033	Bird Fletcher	John E. Martineau		
76.	6/21/32	3900	Frank E. Parker	John E. Martineau		

	DATE	BANKRUPT NO.	DEBTOR	DISTRICT JUDGE	REFEREE	TRUSTEE
77.	7/11/32	3906	J. P. Deboe	John E. Martineau		
78.	2/15/32	3819	M. O. Moore	John E. Martineau		
79.	4/08/31	3619	Tonya Davis	John E. Martineau		
80.	4/19/33	4024	Thomas M. Noblett	John E. Martineau		
81.	7/31/33	4055	M. S. Pogue	John E. Martineau	Joe H. Schneider	
82.	8/02/33	4056	E. Seltzer	John E. Martineau	Joe H. Schnedier	
83.	8/04/33	4017	J. M. Harris	John E. Martineau		
84.	8/05/33	4050	Bracy Brothers Hardware Co.	John E. Martineau	Joe H. Schneider	
85.		4004	Dave Meyer	John E. Martineau	Joe H. Schneider (appt. Special Master to "ascertain a report of the facts and conclusions of law"	
86.	7/19/33	4052	V. P. Whitley	John E. Martineau	Joe H. Schneider	
87.	8/7/33	4057	Melbourne Moose	John E. Martineau	Joe H. Schneider	
88.	8/9/33	4058	D. F. Noland		Joe H. Schneider	
89.	8/9/33	4059	W. E. Carson	John E. Martineau	Joe H. Schneider	

	DATE	BANKRUPT NO.	DEBTOR	DISTRICT JUDGE	REFEREE	TRUSTEE
90.	8/16/33	4060	W. F. Koon	John E. Martineau	Joe H. Schneider	
91.	8/17/33	3897	Victoria Broach	John E. Martineau	Joe H. Schneider	
92.	8/17/33	4061	Arthur Martin	John E. Martineau	Joe H. Schneider	
93.		4062	Ms. Nola Walker	John E. Martineau	Joe H. Schneider	
94.	8/22/33	4064	R. J. Vize	John E. Martineau	Joe H. Schneider	
95.	8/22/33	4063	J. S. Hall	John E. Martineau	Joe H. Schneider	
96.	8/26/33	4065	W. L. Burroughs	John E. Martineau	Joe H. Schneider	
97.	8/28/33	4042	Beulah McClerkin	John E. Martineau		
98.	6/3/33	4038	R. P. Weber	John E. Martineau		
99.	5/12/33	4032	J. J. Livingston	John E. Martineau		
100.	5/10/33	4030	Grace Martin	John E. Martineau		
101.	2/27/33	4011	L. F. Flippen	John E. Martineau		
102.	3/7/32	3831	Lee Apple	John E. Martineau		
103.	8/28/33	4066	E. Edwards	John E. Martineau	Joe H. Schneider	
104.	8/29.33	4067	O. C. Wakenight	John E. Martineau	Joe H. Schneider	

105.	8/30/33	3842	W. T. Dyer	John E. Martineau	Joe H. Schneider	
106.	9/5/33	4068	R. L. Nelson	John E. Martineau	Joe H. Schneider	
107.	9/5/33	4069	Paul Pascal	John E. Martineau	Joe H. Schneider	
108.	9/5/33	4070	G. W. McAllister	John E. Martineau	Joe H. Schneider	
109.	9/6/33	4071	R. H. Thompson	John E. Martineau	Joe H. Schneider	
110.	9/11/33	4072	Pete Stathakis	John E. Martineau	Joe H. Schneider	
111.	9/11/33	4073	Stanley Skinner	John E. Martineau	Joe H. Schneider	
112.	9/19/33	4075	Robert F. Lambeth	John E. Martineau	Joe H. Schneider	
113.	9/21/33	4076	F. C. Switzer	John E. Martineau	Joe H. Schneider	
114.	9/25/33	3975	Herbert Roberts	John E. Martineau	Joe H. Schneider	
115.	9/29/04	4078	L. J. Harold	John E. Martineau	Joe H. Schneider	
116.	9/5/33	4079	Murray W. Johnson	John E. Martineau	Joe H. Schneider	
117.	10/5/33	4080	Fred DeFrance	John E. Martineau	Joe H. Schneider	
118.	10/5/33	4081	J. B. Holland	John E. Martineau	Joe H. Schneider	
119.	10/9/33	4082	W. H. Smith	John E. Martineau	Joe H. Schneider	
120.	10/9/33	4083	Joe Lyons Machinery Co.	John E. Martineau	Joe H. Schneider	

121.	10/9/33	4084	Diamond Batter Co.	John E. Martineau	Joe H. Schneider	
122.	10/0/33	4085 and 4086	Maxwell and Samuel Lyons	John E. Martineau	Joe H. Schneider	
123.	10/10/33	4087	Lane Hotel Co.	John E. Martineau	Joe H. Schneider	
124.	10/13/33	4049	Southwest Dairy Products Co.	John E. Martineau	Joe H. Schneider	
125.	10/16/33	4088	Dolly Shoppe, Inc.	John E. Martineau	Joe H. Schneider	
126.	10/16/33	4089	E. E. Dennis	John E. Martineau	Joe H. Schneider	
127.	10/21/33	4090	T. J. Donahue	John E. Martineau	Joe H. Schneider	
128.	10/21/33	4091	Pfeifer Bros.	John E. Martineau	Joe H. Schneider	
129.	10/25/33	4092	C. J. Shaw	John E. Martineau	Joe H. Schneider	
130.	10/23/33	4093	Elmer W. Wheatley	John E. Martineau	Joe H. Schneider	
140.	10/24/33	4094	A. G. Cook	John E. Martineau	Joe H. Schneider	
141.	10/26/33	4095	Ernest C. King	John E. Martineau	Joe H. Schneider	
142.	10/31/33	4096	W.H. Comstock	John E. Martineau	Joe H. Schneider	
143.	10/31/33	4097	H. L. Williams	John E. Martineau	Joe H. Schneider	
144.	11/01/33	4098	Retail Grocers Ice Co.	John E. Martineau	Joe H. Schneider	
145.	11/07/33	4099	W. M. Bruce, Jr.	John E. Martineau	Joe H. Schneider	

146.	11/09/33	4100	W.O. Scroggin	John E. Martineau	Joe H. Schneider	
147.	11/20/33	4101	J. S. Davenport	John E. Martineau	Joe H. Schneider	
148.	11/20/33	4102	J. W. Trieschmann	John E. Martineau	Joe H. Schneider	
149.	11/25/33	4103	Edward Bradley	John E. Martineau	Joe H. Schneider	
150.	12/01/33	4104	Terry Food Stores, Inc.	John E. Martineau	Joe H. Schneider	
151.	12/13/33	4106	Altman Rodgers Co.	John E. Martineau	Joe H. Schneider	
152.	12/14/33	4107	William L. Hargrove	John E. Martineau	Joe H. Schneider	
153.	12/27/33	4108	Carrie F. Weil	John E. Martineau	Joe H. Schneider	
154.	1/02/34	4109	A. B. Bond	John E. Martineau	Joe H. Schneider	
155.	1/09/34	4110	L. C. Newberry Co.	John E. Martineau	Joe H. Schneider	
156.	1/09/34	4111	W.W. Quinn	John E. Martineau	Joe H. Schneider	
157.	1/17/34	4112	L. C. Wood	John E. Martineau	Joe H. Schneider	
158.	1/19/34	4113	Veazey Grocery Co.	John E. Martineau	Joe H. Schneider	
159.	1/19/34	4105	J. C. Jones	John E. Martineau	Joe H. Schneider	

160.	1/31/34	3732	Palais Royal Store, Inc.	Mandate from 8 <sup>th</sup> Cir. Ct. of App. dated 2/1/33 regarding a preference (JGM - LOOK UP)		
161.	2/1/34	4114	Ed Worden	John E. Martineau	Joe H. Schneider	
162.	2/2/34	3907	W.W. Ezell	John E. Martineau	Joe H. Schneider	
163.	2/3/34	4115	Edward Screeton	John E. Martineau	Joe H. Schneider	
164.	2/6/34	4116	Max Hendrick	John E. Martineau	Joe H. Schneider	
165.	2/9/34	4117	H. Victor Harrison	John E. Martineau	Joe H. Schneider	
166.	2/13/34	4118	Rector L. Williams	John E. Martineau	Joe H. Schneider	
167.	3/2/34	4119	Rollie McCauley	John E. Martineau	Joe H. Schneider	
168.	3/5/34	4120	Isabella Hull	John E. Martineau	Joe H. Schneider	
169.	3/6/34	4121	J. H. Robinette	John E. Martineau	Joe H. Schneider	
170.	3/7/34	4122	Rollin J. Needler	John E. Martineau	Joe H. Schneider	
171.	3/8/34	3924	T. J. Danley	John E. Martineau	Joe H. Schneider	
172.	3/15/34	4123	Charles R. Corbett	John E. Martineau	Joe H. Schneider	
173.	3/16/34	4124	Layton McFALL	John E. Martineau	Joe H. Schneider	

174.	3/23/34	4125	H. G. Holcomb	John E. Martineau	Joe H. Schneider	
175.	3/20/34	4126	M. S. Rucks	John E. Martineau	Joe H. Schneider	
176.	3/21/34	4127	W. F. Bowling	John E. Martineau	Joe H. Schneider	
177.	3/21/34	4128	May Strauss	John E. Martineau	Joe H. Schneider	
178.	3/26/34	4129	Carolyn Bell	John E. Martineau	Joe H. Schneider	
179.	3/27/34	4130	W. J. Cox	John E. Martineau	Joe H. Schneider	
180.	3/28/34	4050	Bracy Brothers Hardware Co.	John E. Martineau	Joe H. Schneider	
181.	3/28/34	4131	Sam F. Campbell	John E. Martineau	Joe H. Schneider	
182.	3/28/34	4132	R. H. Seymour	John E. Martineau	Joe H. Schneider	
183.	3/30/34	4133	S. J. Whiteside	John E. Martineau	Joe H. Schneider	
184.	4/05/34	4134	F. L. Shook	John E. Martineau	Joe H. Schneider	
185.	4/11/34	4049	Southwest Dairy Products - Order Confirming Composition	Signed by John E. Martineau - orders the referee to make the distributions to the creditors	Joe H. Schneider	
186.	4/17/34	3638	Henry Marks	John E. Martineau	Joe H. Schneider	
187.	4/19/34	4136	Hugh D. Alexander	John E. Martineau	Joe H. Schneider	

188.	4/23/34	4137	Warner M. Owens	John E. Martineau	Joe H. Schneider	
189.	4/24/34	4138	Robert W. Hankins	John E. Martineau	Joe H. Schneider	
190.	5/1/34	4139	Elbert Barkley and Cora Lee Barkley	John E. Martineau	Joe H. Schneider	
191.	5/3/34	4140	Mallard Provision Co.	John E. Martineau	Joe H. Schneider	
192.	5/3/34	4141	J. H. Head	John E. Martineau	Joe H. Schneider	
193.	5/5/34	4025	Mrs. C. G. Perry	John E. Martineau	Joe H. Schneider	
194.	5/14/34	4143	William Akers, Jr.	John E. Martineau	Joe H. Schneider	
195.	5/15/34	4144	H. E. Ellis	John E. Martineau	Joe H. Schneider	
196.	5/29/34	4145	John Pruett	John E. Martineau	Joe H. Schneider	
197.	5/31/34	4146	A. H. Kaufman	John E. Martineau	Joe H. Schneider	
198.	6/2/34	4147	M. L. Carter	John E. Martineau	Joe H. Schneider	
199.	6/5/34	4148	Jewell Holand	John E. Martineau	Joe H. Schneider	
200.	6/6/34	4149	H. H. White	John E. Martineau	Joe H. Schneider	
201.	4/11/34	4049	Southwest Dairy Products - Order Concerns receipt of claims and money by the referee functioning similar to a trustee today	Signed by John E. Martineau - orders the referee to make the distributions to the creditors	Joe H. Schneider	

202.	7/22/34	3999	Wash J. Lewis (Reopened Case)	John E. Martineau	Joe H. Schneider	
203.	6/____/34	3838	C. E. Morris (Reopened Case)	John E. Martineau	Joe H. Schneider	
204.	6/26/34	4150	J. T. Eubanks	John E. Martineau	Joe H. Schneider	
205.	7/12/34	4151	Bing Moody	John E. Martineau	Joe H. Schneider	
206.	7/13/34	4152	Claude Sharp	John E. Martineau	Joe H. Schneider	
207.	7/16/34	4153	Mary P. Howard	John E. Martineau	Joe H. Schneider	
208.	7/16/34	4154	Archibald Howard	John E. Martineau	Joe H. Schneider	
209.	7/26/34	4156	F. A. Shrieves	John E. Martineau	Joe H. Schneider	
210.	7/26/34	4157	N. E. Patterson	John E. Martineau	Joe H. Schneider	
211.	8/3/34	4159	Walter L. Yarbrough	John E. Martineau	Joe H. Schneider	
212.	8/3/34	4160	J. M. Dempster	John E. Martineau	Joe H. Schneider	
213.	8/6/34	4161	A. A. Sledge	John E. Martineau	Joe H. Schneider	
214.	8/6/34	4162	T. L. Hockersmith	John E. Martineau	Joe H. Schneider	
215.	8/6/34	4163	Bott Advertising Agency	John E. Martineau	Joe H. Schneider	
216.	8/6/34	4164	Leo Lee Bott	John E. Martineau	Joe H. Schneider	

217.	8/15/34	4165	Harry T. Stewart	John E. Martineau	Joe H. Schneider	
218.	8/20/34	4166	Arkansas Cigar Company	John E. Martineau	Joe H. Schneider	
219.	8/23/34	4167	John M. Smith	John E. Martineau	Joe H. Schneider	
220.	8/27/34	4168	John M. Lusby	John E. Martineau	Joe H. Schneider	
221.	9/05/34	4169	P. B. Cox	John E. Martineau	Joe H. Schneider	
222.	9/05/34	4170 (Proceedings for Compositions or Extensions)	Luther L. Ladd	John E. Martineau	Joe H. Schneider	H. J. White, Commissioner
223.	9/06/04	4171 (Proceedings for Compositions or Extensions)	William Otto Potter	John E. Martineau	Joe H. Schneider	H. J. White, Commissioner
224.	9/10/34	4172 Composition	Ralph and George Long	John E. Martineau  *Composition Trustee marks beginning of A. L. Tenney's job	Joe H. Schneider	J. W. Johnson, Commissioner
223.	9/15/34	4173 (Composition)	John C. Potter	John E. Martineau	Joe H. Schneider	H. J. White, Commissioner
224.	9/21/34	4174	E. C. Hardin	John E. Martineau	Joe H. Schneider	
225.	9/25/34	4175	Joe N. Pollard	John E. Martineau	Joe H. Schneider	
226.	9/26/34	4176 (Composition)	Jay M. Malone	John E. Martineau	Joe H. Schneider	Pat Robinson, Commissioner
227.	9/27/34	4178	Alabama Nelson	John E. Martineau	Joe H. Schneider	Curtis W. Fish, Commissioner

228.	9/27/34	4180	C. E. Bennett	John E. Martineau	Joe H. Schneider	
229.	9/29/34	4182	S. H. Riggs	John E. Martineau	Joe H. Schneider	
330.	10/01/34	4183 (Order of Reference in Judge's Absence)	Pine Bluff Produce & Provision Co.	John E. Martineau	Joe H. Schneider	
331.	10/12/34	4189	Nehi Bottling Co.	John E. Martineau	Joe H. Schneider	
332.	10/13/34	4191	John M. Satterfiled	John E. Martineau	Joe H. Schneider	
333.	10/24/34	4200	Mary Karam	John E. Martineau	Joe H. Schneider	
334.	11/09/34	4063	J. S. Hall	John E. Martineau	Joe H. Schneider	
335.		4216	John C. Berg	John E. Martineau	Joe H. Schneider	
336.	11/10/34	4217	Payton Smith	John E. Martineau	Joe H. Schneider	
337.	11/15/34	4222	Joel S. Wingfield	John E. Martineau	Joe H. Schneider	
338.	11/20/34	4224	Harry R. Keller	John E. Martineau	Joe H. Schneider	
339.	11/20/34	4225	W. H. Clark	John E. Martineau	Joe H. Schneider	
440.	11/21/34	4227	A. Harrison	John E. Martineau	Joe H. Schneider	
441.	11/28/34	4229	Vivian Gooch Greene	John E. Martineau	Joe H. Schneider	
442.	11/28/34	4230	Grady Greene	John E. Martineau	Joe H. Schneider	

443.	12/06/34	4233	L. D. Payne	John E. Martineau	Joe H. Schneider	
444.	12/12/34	4168	John M. Lusby	John E. Martineau	H. J. White	
445.	12/17/34	4238	Elmer F. Creecy	John E. Martineau	Joe H. Schneider	
446.	12/17/34	4239	H. S. McConnell	John E. Martineau	Joe H. Schneider	
447.	12/28/34	4201	R. M. McGriff	John E. Martineau	Curtis W. Fish	
448.	12/28/34	4201	T. L. Hawkins	John E. Martineau	Curtis W. Fish	
449.	1/22/35	4244	Robert Becker	John E. Martineau	Joe H. Schneider	
450.	1/04/35	4249	Frank E. Dvorak	John E. Martineau	Joe H. Schneider	
451.	1/07/35	4251	Julia Fratesi	John E. Martineau	Joe H. Schneider	
452.	1/08/35	4255	Clarence Kimbrell	John E. Martineau	Joe H. Schneider	
453.	1/09/35	4257	E. A. Parker	John E. Martineau	Joe H. Schneider	
454.	1/10/35	4259	John W. Fryer	John E. Martineau	Joe H. Schneider	
455.	1/11/35	4155	D.F.S. Galloway	John E. Martineau	Pat L. Robinson	
456.	1/14/35	4260	Henry B. Hamilton	John E. Martineau	Joe H. Schneider	
457.	1/17/35	4261	A. H. Soltz	John E. Martineau	Joe H. Schneider	

458.	1/18/35	4263 (Order Appt. Receiver, James B. Reed)	Arthur Schnipper	John E. Martineau	Joe H. Schneider	
459.	1/22/35	4266	Dr. H. Cutting	John E. Martineau	Joe H. Schneider	
460.	1/23/35	4270	Thomas H. Brewer	John E. Martineau	Joe H. Schneider	
461.	1/25/35	4271 (Order Appt. Receiver, T.B. Strong)	Parker Stave Company	John E. Martineau	Joe H. Schneider	
462.	1/24/35	4272	J. L. Kent	John E. Martineau	Joe H. Schneider	
463.	1/25/35	4178 (Referred to Curtis W. Fish)	Alabama Nelson	John E. Martineau		
464.	1/28/35	4170	Luther L. Ladd	John E. Martineau	Joe H. Schneider	
465.	1/31/35	4278	E. C. Foster	John E. Martineau	Joe H. Schneider	
466.	1/31/35	4279	Fred Danforth	John E. Martineau	Joe H. Schneider	
467.	2/02/35	4213	Fred M. Dietz	John E. Martineau	C. H. Herndon	
468.	2/04/35	4192	L. M. Lynch	John E. Martineau	H. J. White	
469.	2/06/35	Under Public Act 251 of Municipal Bankruptcy Act	Little Red River Levy District	John E. Martineau	Joe H. Schneider	

\*\*Note - There are many orders approving petitions filed under Section 75 asking for composition but they don't say anything about referring them to a referee or trustee so these are not listed.

\*\*Curtis W. Fish was a conciliation commissioner.

470.	2/11/35	4288	S.R. Morgan	John E. Martineau	F.C. Mullenex	
471.	2/14/35	4271	Parker Stave Co.	John E. Martineau	Joe H. Schneider	
472.	2/18/35	4263	Arthur Schnipper and H. T. Will	John E. Martineau	Joe H. Schneider	
473.	2/25/35	4300	Marvin E. Manning	John E. Martineau	Joe H. Schneider	
474.	2/25/35	4301	V. C. Johnson	John E. Martineau	Joe H. Schneider	
475.	2/25/35	4302	S. J. Lewis	John E. Martineau	Joe H. Schneider	
476.	2/25/35	4175	A. D. Malone	John E. Martineau	Pat L. Robinson	
477.	2/25/35	4177	A. D. Malone	John E. Martineau	Pat L. Robinson	
478.	2/27/35	4303	P. L. Griggs	John E. Martineau	Joe H. Schneider	
479.	2/16/35	4294	L. A. McClenney	John E. Martineau	Joe H. Schneider	
450.	3/01/35	4304	Federal Finance Corp.	John E. Martineau	Joe H. Schneider	
451.	3/02/35	4194	Phillip Lee Anthony	John E. Martineau	W. W. McCrary, Jr.	
452.	3/02/35	4306	Otis Nicholas	John E. Martineau	Joe H. Schneider	
453.	3/06/35	4269	W. A. Rodgers	John E. Martineau		Curtis W. Fish
454.	3/12/35	4265	Ella Miller, John Miller, Willie Miller & Maggie Miller	John E. Martineau	Maurice Reinberger	

455.	3/13/35	4318	C. H. Hemphill	John E. Martineau	Joe H. Schneider	
456.	1/18/35	4263	Arthur Schneipper	John E. Martineau	Joe H. Schneider	
457.	3/19/35	4246	Mrs. Laura J. Bell	John E. Martineau	John L. Hughes	
458.	3/19/35	4256	Charles McGee	John E. Martineau	John L. Hughes	
459.	3/21/35	4322	J. A. Cunningham	John E. Martineau	Joe H. Schneider	
460.	3/22/35	4285	Aubrey Spears	John E. Martineau	Maurice Reinberger	
461.	3/22/35	4286	Ira Spears	John E. Martineau	Maurice Reinberger	
462.	3/22/35	4287	Hollen Spears	John E. Martineau	Maurice Reinberger	
463.	3/25/35	4264	J. D. McGehee	John E. Martineau	Maurice Reinberger	
464.	4/01/35	4329	C. J. Farin	John E. Martineau	Joe H. Schneider	
465.	4/01/35	4332	Howe Hotel	John E. Martineau	Joe H. Schneider	
466.	4/02/35	4333	J. L. Butler	John E. Martineau	Joe H. Schneider	
467.	4/02/35	4334	Harry G. Fain	John E. Martineau	Joe H. Schneider	
468.	4/17/35	4267	Allie B. Glover	John E. Martineau		Curtis W. Fish
469.	4/17/35	4340	Fred and Mary Ringo	John E. Martineau	Joe H. Schneider	
470.	4/19/35	4341	Chris Skrivanos	John E. Martineau	Joe H. Schneider	

471.	4/22/35	4325	Ruby Gran Nobles	John E. Martineau		Curtis W. Fish
472.	4/27/35	4338	John A. Shelby	John E. Martineau	M. F. Reinberger	
473.	4/17/35	4203	Avery Jordan	John E. Martineau	W. W. McCrary	
474.	4/29/35	4190	H. A. Byrles	John E. Martineau	J. W. Johnson	
475.	4/29/35	4202	J. W. Durham	John F. Martineau	J. W. Johnson	
476.	4/30/35	4284	R. A. Martin	John F. Martineau	H. W. Anderson	
477.	5/01/35	4347	Furman E. West	John F. Martineau	Joe H. Schneider	
488.	5/02/95	4349	A. B. Martin	John F. Martineau	Joe H. Schneider	
489.	5/07/35	4293	J. E. Bussey and J. R. Bussey	John F. Martineau	J. W. Elrod	
490.	5/08/35	4339	W. W. Bethel	John E. Martineau	Joe H. Schneider	
491.	5/13/35	4352	F. M. Fincher	John E. Martineau	Joe H. Schneider	
492.	5/13/35	4327	J. W. Harrington	John E. Martineau	J. W. Johnston	
493.	5/13/35	4292	Henry Baldus	John E. Martineau	J. W. Johnston	
494.	5/21/35	4172	Ralph and George Long	John E. Martineau	J. W. Johnston	
495.	5/21/35	4326	A. L. Hall	John E. Martineau	J. W. Johnston	
496.	5/21/35	4193	Earndean Scott	John E. Martineau	W. W. McCrary	

497.	5/21/35	4237	James William Billings	John F. Martineau	J. W. Elrod	
498.	5/22/35	4353	Carter B. Murphy	John F. Martineau	Joe H. Schneider	
499.	6/01/35	4355	C. H. Lane	John F. Martineau	Joe H. Schneider	
500.	6/17/35	4356	Grady Garms	John F. Martineau	Joe H. Schneider	
501.	6/19/35	4358	L. S. Wells	John F. Martineau	Joe H. Schneider	
502.	6/27/35	4359	John C. Shifflett	John F. Martineau	Joe H. Schneider	
503.	6/28/35	4360	Charles McGee	John F. Martineau	Joe H. Schneider	
504.	7/01/35	4361	Peerless Packing Company	John F. Martineau	Joe H. Schneider	
505.	7/05/35	4362	Claire Reiff	John F. Martineau	Joe H. Schneider	
506.	7/06/35	4363	Herbert Havner	John F. Martineau	Joe H. Schneider	
507.	7/06/35	4364	Wm. H. Norman	John F. Martineau	Joe H. Schneider	
508.	7/08/35	4354	Ernest M. Simpson	John F. Martineau	Joe H. Schneider	
509.	7/11/35	4365	Barbara C. Murphy	John F. Martineau	Joe H. Schneider	
510.	7/15/35	4366	L. P. Forby	John F. Martineau	Joe H. Schneider	
511.	7/18/35	4367	Bessie Land	John F. Martineau	Joe H. Schneider	
512.	7/18/35	4368	Luther L. Ladd	John F. Martineau	Joe H. Schneider	

513.	7/18/35	4370	George Simpkins (Order of Reference in Judge's Absence)	John F. Martineau	Joe H. Schneider	
514.	7/18/35	4371	H. H. Thompson	John F. Martineau	Joe H. Schneider	
515.	7/26/35	4373	Chestter Simpkins	John F. Martineau	Joe H. Schneider	
516.	8/05/35	4374	J. W. Anders	John F. Martineau	Joe H. Schneider	
517.	8/21/35	4377	J. A. McDill	John F. Martineau	Joe H. Schneider	
518.	9/03/35	4378	L. H. Collins	John F. Martineau	Joe H. Schneider	
519.	9/04/35	4379	C. L. Pond	John F. Martineau	Joe H. Schneider	
520.	9/05/35	4380	A. B. Hood d/b/a Center Street Grocery	John F. Martineau	Joe H. Schneider	
521.	9/13/35	4381 (Adjudicated bankruptcy)	S.S. and A. J. Jefferies	John F. Martineau	Joe H. Schneider	
522.	9/17/35	4384	M. L. Dumboski	John F. Martineau	Joe H. Schneider	
523.	9/21/35	4385	Wilton Jack Boen	John F. Martineau	Joe H. Schneider	
524.	9/24/35	4386	William W. Cook	John E. Martineau	Joe H. Schneider	
525.	10/12/35	4393	Carter Thompson	John E. Martineau	Joe H. Schneider	
526.	10/10/35	4395	William Schmand Candy & Supply Co.	John E. Martineau	Joe H. Schneider	

527.	10/19/35	4399	Harrell B. Crabb	John E. Martineau	Joe H. Schneider	
528.	10/22/35	4401	Walter J. Allen	John E. Martineau	Joe H. Schneider	
529.	10/22/35	4402	Ed Staples	John E. Martineau	Joe H. Schneider	
530.	10/19/35	4419	J. K. Rirrel	John E. Martineau	E. L. McHenry, Jr.	
531.	10/29/35	4295	William Burnham	John E. Martineau	Joe H. Schneider	
532.	02/05/35	4405	John Doyle Haynie	John E. Martineau	Joe H. Schneider	
533.	11/05/35	4406	L. D. Litton	John E. Martineau	Joe H. Schneider	
534.	11/12/35	4398	S. D. Hughes	John E. Martineau	Carroll J. Brown	
535.	11/14/35	4392	W. C. Crawley	John E. Martineau	R. W. Hughey	
536.	11/15/35	4412	John Robinson	John E. Martineau	Joe H. Schneider	
537.	12/02/35	4331	Etha Staggs	John E. Martineau	Joe H. Schneider	
538.	12/06/35	4346	Parlee Cochran	John E. Martineau	J. W. Johnston	
539.	12/06/35	4190	H. A. Brlyes	John E. Martineau	J. W. Johnston	
540.	12/06/35	4202	J. W. Durham	John E. Martineau	J. W. Johnston	
541.	12/06/35	4326	A. L. Hall	John E. Martineau	J. W. Johnston	
542.	12/11/35	4414	Tom Ware	John E. Martineau	Joe H. Schneider	

543.	12/12/35	3594 (Mandate from 8 <sup>th</sup> Cir. Ct. of App. dated 11/1/25 - look up case)	Sterling Stores, Inc.	John E. Martineau		
544.	12/14/35	4397	J. W. Dugan	John E. Martineau	John L. Hughes	
545.	12/20/35	4416	J. H. Lokey	John E. Martineau	Joe H. Schneider	
546.	12/31/35	4424	W.W. O'Neal	John E. Martineau	Joe H. Schneider	
547.	1/08/36	4427	Joseph F. Venable	John E. Martineau	Joe H. Schneider	
548.	1/10/36	4428	C. M. Moss	John E. Martineau	Joe H. Schneider	
549.	1/15/36	4297	Monroe Patrick	John E. Martineau	J. W. Elrod	
550.	1/15/36	4431	Kenneth H. Moore	John E. Martineau	Joe H. Schneider	
551.	1/15/36	4297	Monroe Patrick	John E. Martineau	J. W. Elrod	
552.	1/15/36	4431	Kelly Moore	John E. Martineau	Joe H. Schneider	
553.	1/17/36	4432	W. B. Miles	John E. Martineau	Joe H. Schneider	
554.	1/14/36	4430	G. B. Grisham	John E. Martineau	Joe H. Schneider	

555.	1/18/36	4390 (Order directing people to appear in the 8 <sup>th</sup> Cir. "witness, the Hon. John E. Martineau, U. S. District Judge for the Eastern District of AR, sitting in bankruptcy" this 17 <sup>th</sup> day of January, 1936, and of the Independence of the U. S. 160 years.	White & Black Rivers Bridge Co.			
556.	1/23/36	4178	Alabama Nelson	John E. Martineau	J. W. Johnston	
557.	1/20/36	4424	J. C. Reavis	John E. Martineau	Joe H. Schneider	
558.	2/06/36	4438	H. A. Coleman	John E. Martineau	Joe H. Schneider	
559.	2/08/36	4435 (Order Appointing E. L. McHaney, Jr., as Special Referee in place of Schneider	E. Strauss & Co.	John E. Martineau		
560.	2/14/36	4440	L. H. Davenport	John E. Martineau	Joe H. Schneider	
561.	1/17/36	4429	Joseph W. Calloway	John E. Martineau	J. W. Johnston	
562.	2/19/36	4408	James Pryor	John E. Martineau	Maurice Reinberger	
563.	2/25/36	4442	E. L. Mitchell	John E. Martineau	Joe H. Schneider	

564.	2/26/36	4426	T. H. McCourt	John E. Martineau	B. F. Madole	
565.	3/02/36	4195	Luke Whitfield	John E. Martineau	A. J. Johnston	
566.	3/06/36	4404	Mary F. Daniel	John E. Martineau	Pat L. Robinson	
567.	3/10/36	4443	May L. Hamiter	John E. Martineau	Joe H. Schneider	
567.	3/10/36	4444	Lula Little	John E. Martineau	Joe H. Schneider	
568.	3/13/36	4445	Wakefield Menees	John E. Martineau	Joe H. Schneider	
569.	3/13/36	4446	Robert Menees	John E. Martineau	Joe H. Schneider	
570.	3/16/36	4448	W. C. Ribnack	John E. Martineau	Joe H. Schneider	
571.	3/20/36	4415	A. A. Norsworthy	John E. Martineau	Bruce Cotham	
572.	3/23/36	4450	Lawrence Auten	John E. Martineau	Joe H. Schneider	
573.	4/02/36	4455	Ethel E. Smith	John E. Martineau	Joe H. Schneider	
574.	4/02/36	4456	Bante Serio	John E. Martineau	Joe H. Schneider	
575.	4/02/36	4457	E. J. Browne	John E. Martineau	Joe H. Schneider	
576.	4/06/36	4458	Street Improvement District No. 515	John E. Martineau	Joe H. Schneider	
577.	4/06/36	4456	Sewer Improvement District No. 116	John E. Martineau	Joe H. Schneider	

578.	4/17/36	4464	Willis H. O'Barr	John E. Martineau	Joe H. Scheider	
579.	4/17/36	4468	James S. Paschal	John E. Martineau	Joe H. Schneider	
580.	4/27/36	4320	Howard Franklin	John E. Martineau	Maurice Reinberger	
581.	4/27/36	4441	W. L. Mallett	John E. Martineau	J. W. Johnston	
582.	5/04/36	4466	S. W. Shock	John E. Martineau	Joe H. Schneider	
583.	5/04/36	4467	C. Jones	John E. Martineau	Joe H. Schneider	
584.	5/05/36	4468	Robinson Construction Co.	John E. Martineau	Joe H. Schneider	
585.	5/25/36	4436	Joesph D. Launius	John E. Martineau	L. W. Truseell	
586.	5/27/36	4473	M. E. Taylor	John E. Martineau	Joe H. Schneider	
587.	6/06/36	4475	O. B. Quick	John E. Martineau	Joe H. Schneider	
588.	6/09/36	4476	Dolphus Whitten	John E. Martineau	Joe H. Schneider	
589.	6/16/36	4477	Mrs. Ruth Sain	John E. Martineau	Joe H. Schneider	
590.	6/20/36	4474	Faulkner Dairy Co.	John E. Martineau	Joe H. Schneider	
591.	6/20/36	4478	Earl W. Taylor	John E. Martineau	Joe H. Schneider	
592.	7/3/36	4479 (Chapter 11)	In the Matter of the Young Men's Christian Assoc.	John E. Martineau		

593.	7/3/36	4480	John P. Lunn	John E. Martineau	Joe H. Schneider	
594.	7/08/36	4481	Luther E. Moore	John E. Martineau	Joe H. Schneider	
595.	7/09/36	4482	James G. Allen	John E. Martineau	Joe H. Schneider	
596.	7/09/36	4483	H. D. Griggs	John E. Martineau	Joe H. Schneider	
597.	7/10/36	4481	Guy E. Baker	John E. Martineau	Joe H. Schneider	
598.	7/13/36	4485	John Biggs	John E. Martineau	Joe H. Schneider	
599.	7/16/36	4486	W. A. Dossett	John E. Martineau	Joe H. Schneider	
600.	7/24/36	4487	Leo W. Gamso	John E. Martineau	Joe H. Schneider	
601.	7/25/36	4488	Robert O. May	John E. Martineau	Joe H. Schneider	
602.	7/30/36	4489	F. A. McDonald	John E. Martineau	Joe H. Schneider	
603.	8/14/36	4490	L. D. Payne	John E. Martineau	Joe H. Schneider	
604.	8/14/36	4491	Cuida Etie	John E. Martineau	Joe H. Schneider	
605.	8/18/36	4492	Marcellus Munn	John E. Martineau	Joe H. Schneider	
606.	8/19/36	4493	Leon Satterfield	John E. Martineau	Joe H. Schneider	
607.	8/19/36	4494	Kennth Satterfield	John E. Martineau	Joe H. Schneider	
608.	8/24/36	4496	C. H. Brown	John E. Martineau	Joe H. Schneider	

609.	8/31/36	4499	C. W. L. Armour	John E. Martineau	Joe H. Schneider	
610.	9/04/36	4500	J. H. Fawcett	John E. Martineau	Joe H. Schneider	
611.	9/04/36	4501	J. K. Lecroy	John E. Martineau	Joe H. Schneider	
612.	9/12/36	4501	R. L. Hardy	John E. Martineau	Joe H. Schneider	
613.	9/14/36	4503	Phillip Lee Anthony	John E. Martineau	Joe H. Schneider	
614.	9/16/36	4504	C. D. Seymour	John E. Martineau	Joe H. Schneider	
615.	9/18/36	4505	C. N. Volz	John E. Martineau	Joe H. Schneider	
616.	9/21/36	4506	R. H. Chandler	John E. Martineau	Joe H. Schneider	
617.	9/22/36	4507	Harold E. Wilson	John E. Martineau	Joe H. Schneider	
618.	10/08/36	4511	Mann's Pharmacy	John E. Martineau	Joe H. Schneider	
619.	10/08/36	4512	W. F. Hall	John E. Martineau	Joe H. Schneider	
620.	10/20/36	4513	W. J. Williams	John E. Martineau	Joe H. Schneider	
621.	10/20/36	4514	Mrs. Doris Dampman	John E. Martineau	Joe H. Schneider	
622.	10/31/36	4515	W. H. Dampman	John E. Martineau	Joe H. Schneider	
623.	10/26/36	4516	Leon Smith	John E. Martineau	Joe H. Schneider	
624.	10/30/36	4517	Mrs. Della Corbin	John E. Martineau	Joe H. Schneider	

625.	11/05/36	4519	Ella West	John E. Martineau	Joe H. Schneider	
626.	11/09/36	4520	Leo Pfeifer	John E. Martineau	Joe H. Schneider	
627.	11/16/36	4822	Joseph Randle Luten	John E. Martineau	Joe H. Schneider	
628.	11/17/36	4523	M. D. Lingle	John E. Martineau	Joe H. Schneider	
629.	12/3/36	4524	Joe M. Brewczynski	John E. Martineau	Joe H. Schneider	
670.	12/03/36	4525	Grandview Brewczynski	John E. Martineau	Joe H. Schneider	
671.	12/08/36	4526	Porter Kennedy	John E. Martineau	Joe H. Schneider	
672.	12/08/36	4527	R. H. Sneed	John E. Martineau	Joe H. Schneider	
673.	12/16/36	4528	Myer Abrams	John E. Martineau	Joe H. Schneider	
674.	12/19/36	4539	E. B. Palmer	John E. Martineau	Joe H. Schneider	

\*There is a Whole Series in Book G of orders in September 1936 dismissing section 75 compositions on the grounds that it has been determined that they are unconstitutional.

\*Page 928 (Book G)

In the Matter of Etha Staggs, Bankruptcy No. 4331

Order saying section 75 of the bankruptcy act has been declared unconstitutional by the Eighth Circuit Court of Appeals.

ORDER

M. P. Baird, Trustee  
Arkansas Rice Growers Corporation

W. G. Beard, Trustee  
R. S. Hutson and Dons

E. C. Bradley, Trustee  
Community Theatre, Inc.

J. D. Cogbill, Trustee  
H. W. Thomas

C. W. East, Trustee  
Sterling Stores

E. Charles Eichenbaum, Trustee  
United Service Co.

B. N. Florence, Trustee  
Karl Mendel

F. H. Hammett, Trustee  
J. C. Ladd

Harry Hanf, Trustee  
Joi I. Coles

Harry Hanf, Trustee  
L. K. Duncan and Son

Everard Hinshaw, Trustee  
Roy Laseter

J. H. Lawhorn, Trustee  
E. L. Irvine

F. D. Majors, Trustee  
George N. Doodier

J. S. Maloney, Trustee  
J. A. Gurley and Co.

G. L. Nicklaus, Trustee  
H. L. Amster

John F. Park, Trustee  
Est. E. B. Stokes

John F. Park, Trustee  
J. D. Stone

J. K. Riffel, Trustee  
A. B. Banks and Co.

J. K. Riffel, Trustee  
A. B. Banks

J. Kl Riffel, Trustee  
Van M. Howell and Co.

John C. Pye, Trustee  
J. J. Shoptaw

M. L. Sachs, Trustee  
Home Fertilizer Co.

W. O. Scroggins, Trustee  
Frank Reid

M. L. Sachs, Trustee  
Hub Clothing Co.

M. L. Sachs, Trustee  
Jack Fines Palais Royal

J. D. Williams, Trustee  
Ben High and Sons

J. D. Williams, Trustee  
George W. Mountjoy

W. D. Dickinson, Trustee  
Cherokee Public Service Co.

EXPENSE RULE

All money received by the referee in Little Rock under rule 26 shall be placed in the referee's expense account and all expenses of the referee shall be paid therefrom. The funds in said account shall be and remain in the property of the Court in which the referee has no personal interest. If the amount of said expense account shall become as low as \$1,000.00 the referee may require further payments from estates of amounts of not more than \$150.00 at a time until the funds shall reach the amount of \$2,000.00. If there accumulates in the fund as much as \$2,000.00 then there shall be no money drawn from the asset estates until the balance shall be as low as \$1,000.00. The expense items to be paid from this fund shall be by check drawn by the referee, cover charges for office rent, if any, heat, light, telephone and telegraph calls, stationery, clerk hire, referee's notices to creditors, post office box and for proper and necessary equipment and furniture which shall include equipment for the safe keeping of the files of the office; also shall purchase and keep a library of such books as are necessary, all of said property to be and remain the property of the U. S. District Court for the Eastern District of Arkansas.

(Signed)      John E. Martineau, Judge

EXPENSE RULE

It is ordered that the referee in Bankruptcy, at Little Rock, Arkansas, is authorized to take from the expense fund a total amount of \$692.72 for the attached inventory of office equipment, now in use in said office and at present his property, and the said office equipment shall be the property of the said District Court of the Eastern District of Arkansas; said figure set out above being the appraised value of the property listed in the attached inventory marked Exhibit A said appraisal having been made by two disinterested parties familiar with this character of equipment.

It is further ordered that all other property, including law books in said office, list of which is attached hereto and marked exhibit "B" and already paid for out of expense fund of said office, is the property of the District Court for the Eastern District of Arkansas.

Signed this 17<sup>th</sup> day of July, 1933.

(Signed)      John E. Martineau, Judge

ORDER

September 13, 1933

In the Matter of the Appointment of Joe H. Schneider as Referee  
In Bankruptcy for the District of Pulaski County, Arkansas

It is ordered by the court that Joe H. Schneider, Esq., of Little Rock, in the County of Pulaski and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Pulaski County, said district being composed of all the counties comprising the Western Division of the Eastern District of Arkansas, the official residence of said referee to be at Little Rock, Arkansas, to have and to hold said office for the term of two years from September 13, 1931.

It is further ordered that said Joe H. Schneider shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the Judge of this Court.

(Signed)      John E. Martineau, Judge.

ORDER

November 23, 1931

In the Matter of the Appointment of Fred G. Mullinix of  
Jonesboro, Arkansas, as Referee In Bankruptcy for the District  
of Craighead County, Arkansas

It is ordered by the court that Fred G. Mullinix, Esq., of Jonesboro, in the County of  
Craighead and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the  
District of Craighead County, said district being composed of all the counties comprising the  
Jonesboro Division of the Eastern District of Arkansas, the official residence of said referee to be  
at Jonesboro, Arkansas, to have and to hold said office for the term of two years from November  
23, 1931.

It is further ordered that said Fred G. Mullinix shall before entering upon the discharge  
of his duties under this appointment enter into a bond to the United States of America in the form  
prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the  
Judge of this Court.

(Signed) John E. Martineau, Judge.

ORDER

February 15, 1932

In the Matter of the Appointment of E. C. Horner of  
Helena, Arkansas, as Referee In Bankruptcy for the District  
of Phillips County, Arkansas

It is ordered by the court that E. C. Horner, Esq., of Helena, in the County of Phillips and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Phillips County, said district being composed of all the counties comprising the Eastern Division of the Eastern District of Arkansas, the official residence of said referee to be at Helena, Arkansas, to have and to hold said office for the term of two years from February 24, 1932.

It is further ordered that said Joe H. Schneider shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the Judge of this Court.

(Signed)      John E. Martineau, Judge.

ORDER

August 7, 1933

In the Matter of the Appointment of E. C. Horner of  
Helena, Arkansas, as Referee In Bankruptcy for the District  
of Phillips County, Arkansas

It is ordered by the court that E. C. Horner, Esq., of Helena, in the County of Phillips and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Phillips County, said district being composed of all the counties comprising the Eastern Division of the Eastern District of Arkansas, the official residence of said referee to be at Helena, Arkansas, to have and to hold said office for the term of two years from February 24, 1932.

It is further ordered that said Joe H. Schneider shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the Judge of this Court.

(Signed)      John E. Martineau, Judge.

ORDER

It is ordered that the Daily Legal News of Little Rock, Arkansas, be designated as one of the newspapers in which shall be inserted all notices required by the Acts of Congress related to bankruptcy and all orders which the Court may direct to be published within the County of Pulaski.

(Signed) John E. Martineau, Judge.

ORDER

August 24, 1933

In the Matter of the Appointment of L. B. Poindexter of  
Batesville, Arkansas, as Referee In Bankruptcy for the District  
of Independence County, Arkansas

It is ordered by the court that L. B. Poindexter, Esq., of Batesville, in the County of Independence and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Independence County, said district being composed of all the counties comprising the Northern Division of the Eastern District of Arkansas, the official residence of said referee to be at Batesville, Arkansas, to have and to hold said office for the term of two years from January 6, 1933.

It is further ordered that said L. B. Poindexter shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the Judge of this Court.

(Signed)      John E. Martineau, Judge.

ORDER

In the Matter of the Appointment of Joe H. Schneider of  
Little Rock, Arkansas, as Referee In Bankruptcy for the District  
of Pulaski County, Arkansas

It is ordered by the court that Joe H. Schneider, Esq., of Little Rock, in the County of Pulaski and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Pulaski County, said district being composed of all the counties comprising the Western Division of the Eastern District of Arkansas, the official residence of said referee to be at Little Rock, Arkansas, to have and to hold said office for the term of two years from September 13, 1933.

It is further ordered that said Joe H. Schneider shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the Judge of this Court.

(Signed)      John E. Martineau, Judge.

In the Matter of  
Herbert Roberts, Bankruptcy No. 3975

ORDER OF REFERENCE

Whereas, application has been made by the above-named bankrupt for a discharge herein and a hearing set to consider the same, and Baldwin Piano Company of Cincinnati, Ohio, a creditor of said bankrupt, having appeared by Barber and Henry, Esqs., its attorneys, in opposition, and filed a specification of objection thereto, on motion of Barber & Henry, Esqs., attorneys for Baldwin Piano Co.,

It is ordered:

That the issue made by such application and such specifications of objection be referred to Joe H. Schneider, Esq., as special master to ascertain and report the facts, with his conclusions thereon.

(Signed)      John E. Martineau, Judge

RULE XXVII

Rule 26 is hereby amended as follows:

In cases where no assets come into the hands of the trustee the sum of ten dollars (\$10.00) shall be allowed to the referee as cost for expenses of stationery, etc.

(Signed) John E. Martineau, Judge

In the Matter of

V. I. Burks, Bankruptcy No. 4039

ORDER OF REFERENCE TO SPECIAL MASTER

Whereas, application has been made by the above-named bankrupt for a discharge herein and a hearing set to consider the same, and O. J. Hughes, having appeared by his attorney in opposition, and filed specifications and objection thereto now, on motion of said attorney for said objector:

It is ordered that the issue made by said application and such specifications of objection, upon proper security for costs being given by said objectors, be referred to Joe H. Schneider, Esq., as Special Master, to ascertain and report the facts, with his conclusions of law thereon.

(Signed)      John E. Martineau, Judge

ORDER

July 2, 1934

In the Matter of the Appointment of L. B. Poindexter of  
Starley White, Stuttgart,, Arkansas, as Conciliation Commissioner of the  
United States District Court for Arkansas County, Arkansas

(Refers to Section 75 of the Amendment to Bankruptcy Act approved March 3, 1933, as  
amended June 7, 1934).

(Signed) John E. Martineau, Judge.

In the Matter of William H. Norman, No. 4158

Comes the petitioner, William H. Norman, by his solicitor and files herein a petition in bankruptcy and asks that it be referred to a conciliation commissioner in accordance with Section 75 of the Bankruptcy Act as amended. No conciliation commissioner having been appointed for Yale County, the Court orders that said petition be filed and held pending such appointment.

August 16, 1934

In the matter of  
Assessments in certain cases, etc.

ORDER

Under amendment to Rule 26 of the Bankruptcy Rules of this Court, the referee is allowed to assess up to \$500.00 in the following cases:

A. B. Banks Home Realty Corporation, Arkansas Rice Growers  
Cooperative Assn.

(Signed) John E. Martineau, Judge.

ORDER

August 23, 1934

In the Matter of Natural Gas and Fuel Company, No. 3782

In the Matter of Central Texas Ice Company, No. 3779

(Signed) John E. Martineau, Judge.

(Judge Haynie of El Dorado and Garfield Charles of Chicago, IL appointed referee).

Saturday, December 8, 1934.

In the Matter of D.F.S. Galloway, Bankruptcy No. 4155

ORDER RELATIVE TO CONTITUTIONALITY OF THE FRAZIER LEMKE ACT.

Only the constitutionality of the Frazier Lemke Act involved at this time.

At this time no appellate court has passed upon this question. In a very able and comprehensive opinion, delivered November 14, 1934, by Judge Dawson of the United States District Court for the Western District of Kentucky, In re William W. Radford, Sr., the constitutionality of the Act was upheld. The reasoning of that decision is sound in my opinion and is adopted here.

Decrees upholding the Frazier Lemke Act may be entered in all cases where its validity is attached [sic].

Judge Ragon concurs in this holding.

ORDER

September 19, 1935

In the Matter of the Appointment of Joe H. Schneider as Referee  
In Bankruptcy for the District of Pulaski County, Arkansas

It is ordered by the court that Joe H. Schneider, Esq., of Little Rock, in the County of Pulaski and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Pulaski County, said district being composed of all the counties comprising the Western Division of the Eastern District of Arkansas, the official residence of said referee to be at Little Rock, Arkansas, to have and to hold said office for the term of two years from September 19, 1935.

It is further ordered that said Joe H. Schneider shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of Five Thousand Dollars, said bond to be approved by the Judge of this Court.

(Signed) John E. Martineau, Judge.

Note:

On Friday, April 10, 1936, there is an order entitled "In the Matter of Unclaimed Balances in Bankruptcy cases at the Union National Bank and it shows the name of the bankrupt and the trustee and among the trustee's name of the bankrupt and the trustee and among the trustees named in case nos. 3602, 3622, 3623, 3624 and 3625 is Joe Schneider as trustee - working both sides of the street.

Note:

A. B. Banks case is No. 3553 and 3554.

**LAW REVIEW**

**BOOK H**  
**WESTERN DISTRICT**

The first docket is the Case of Mrs. Opal Huffman filed November 15, 1940  
Case No. B-1160 in the Western District  
Referee: Alex G. Sanderson, Jr.  
Referred by Judge Le  
Debtor lives in Texarkana

(This would be a good one to get the file in)

The file reflects that on June 29, 1951, apparently the Referee was switched Edgar  
Bethell  
Order July 11, 1947, re-referring the case to Edgar Bethell

The order of 6/29/51 recites that Mr. Edwards was paid the sum of \$15.00 as a service  
of referee.

Case No. B-1187 filed November 28, 1949  
Referee: Edgar Bethell

Case No. B-1193  
Next case filed April 30, 1953, by Mahoney & Yocum  
Hope Flooring and Lumber Company  
Referee: Lee Cazort

(Note to me: This docket book appears to be the bankruptcy referee's docket as  
opposed to the District Court's docket).

Case No. B-1198  
Hope Steam Laundry, Inc.  
Filed March 3, 1955

This would be a good case to get from the record center

Case No. B-1199  
Howard Byers filed March 7, 1955  
Referee: Lee Cazort

Case No. B-1207  
Chapter 13 filed March 19, 1960  
William Norbourn Stark  
Hope  
Trustee: Leo Swaffard, 127 Federal Bldg., Little Rock

Case No. B-1213  
J. T. Strahan  
August 18, 1961  
Referee: Arnold Adams

A note that out of that case, the Arnold M. Adams salary expense fund received \$155.13

Case No. 23  
Hot Springs Division  
Harry Archer Davis, Bankrupt  
Filed April 11, 1951  
Referee: Edgar Bethell

Good case to pull from the record center

Make Photocopy of B-29 - Dennis Clyde Baker  
Dated: November 25, 1952  
Lawyer for the Debtor is G. Thomas Eisele

Talk to Judge Eisele about this.

Case No. B-30  
Mae Cohen Brown d/b/a Mae Shop  
Trustee: G. Thomas Eiesele  
Photocopy this docket too

Case No. 41  
Hot Springs Division of the Western District  
Arthur St. Clair James  
October 1, 1955 - Chapter 13

Good file to pull from the record center

Case No. 59  
Referee: Arnold Adams  
Hot Springs Broadcasting Company  
Filed April 4, 1960

Good one to pull

Case No. 80  
December 5, 1962 - you can't go by that because it looks like it's a docket of closed files  
They were put in in the order in which they were closed  
Docket also includes the Texarkana and Hot Springs Division

Book H  
January 1937 - May 1940

Order entered December 1, 1937 -

In the matter of the appointment of  
Lee Cazort of Little Rock, Arkansas,  
as Referee in bankruptcy for the  
District of Pulaski County, Arkansas.

It is ordered by the court that Lee Cazort, Esq., of Little Rock, in the county of Pulaski and District aforesaid be, and he is hereby appointed Referee in Bankruptcy for the District of Pulaski County, said District being composed of all the counties comprising the Western Division of the Eastern District of Arkansas, the official residence of said Referee to be at Little Rock, Arkansas, to have and to hold said office for the term of two years from December 1, 1937.

It is further ordered that the said Lee Cazort shall before entering upon the discharge of his duties under this appointment enter into a bond to the United States of America in the form prescribed by law in the penal sum of five thousand (\$5,000.00) Dollars, said bond to be approved by the Judge of this Court.

(Signed)        Thomas C. Trimble, Jr. Judge

Book H : Pages 199-200

In the matter of bankruptcy cases  
order transferring cases.

On this 1<sup>st</sup> day of December, A.D. 1937, it is ordered that all bankruptcy cases now pending before Joe H. Schneider, Referee in Bankruptcy, except as hereinafter stated, be and the same are hereby transferred from the said Referee and referred to Lee Cazort, Referee in Bankruptcy, to take such further steps therein as are contemplated by the Acts of Congress relating to bankruptcy.

In the cases of Morgan Utility, Incorporated, Cherokee Public Service Company, Municipal Gas Company, Central Texas Ice Company, Natural Gas & Fuel Company, and W. H. Ashley, Joe H. Schneider is directed to proceed therein and to handle these cases and take such steps as shall be in accordance with the Acts of Congress relating to Bankruptcy.

It is further ordered that all fees and allowances hereafter earned or collected in said causes which are so transferred and referred to the said Lee Cazort, shall be divided one-half to each of said referees.

(Signed)      Thomas C. Trimble, Judge

**BANKRUPTCY RECORD BOOK 2**  
**LITTLE ROCK DIVISION OF THE WESTERN DIVISION**

Case No. 5201  
July 2, 1954  
In re Gibson Johnson  
Referee: Lee Cazort

September 10, 1954  
Lancaster & Love, Inc. - Eighth Circuit case to look up

Case  
January 14, 1957 - Page 357  
Order discharging Joe Schneider as the Chapter 13 Trustee because he resigned so  
Joe was the referee then he became the Chapter 13 Trustee

Page 569  
Order now being signed by Lee Cazort rather than the judge  
July 1, 1957, discharging Charles A. Brown as Chapter 13 Trustee for the Eastern  
District of Arkansas

September 26, 1957  
Page 673  
In re Roy H. Petty  
Order of reference is signed by Ronald N. Davies as the judge  
Judge Davies came down to Little Rock to handle the school desegregation case  
because the District Judges didn't want any part of it and there are several orders  
signed by him so he apparently took over the docket for awhile.

## **LAW REVIEW 2004**

### **BOOK 2 - LITTLE ROCK CASES**

July 2, 1954 - 5201

In re Gibson Johnson, Little Rock

Referred to Lee Cazort

September 2, 1954

Lancaster & Love, Inc.

Eighth Circuit

January 14, 1957 - Page 357

Order discharging Joe Schneider as Chapter 13 Trustee because he resigned

Page 569 - Order by Lee Cazort

July 1, 1957

Order discharging Charles A. Brown as Chapter 13 Trustee for the Eastern District of Arkansas

Page 618

Order signed by Roy Harper

September 26, 1957 - Page 673

Order of Reference

Roy H. Petty

Signed by Donald N. Davies

Little Rock School Crisis

(LITTLE ROCK BOOK - NO NAME ON IT)

“THE BANKRUPTCY DOCKET OF THE UNITED STATES CODE”

Begins with Case No. 25

George W. Russ

January 11, 1907

Referee: F. M. Garvin

It looks like the Ft. Smith Division, but it's these counties in the North part of the Ft. Smith Division - Mr. Garvin is the Referee for the cases.

These are cases in the Ft. Smith Division, but they are all up in the northern counties in Huntsville, Eureka Springs and Harrison so they were keeping a separate docket book.

Here is a good one to look up:

Case No. 100

J. H. Talbot & Company

Flippen, Arkansas

Filed: March 27, 1916 in the Fort Smith Division of the Western District

F. M. Garvin's last appointment is in Case No. 122, Walter L. Breshears, filed November 5, 1919.

Case No. 124

Buick Motor Sales Co., Inc., Bankrupt

Filed: September 20, 1920

Creditor's Petition - this would be a good look one to look up

James W. Slover is Trustee

In 1902, the Harrison Division was created consisting of Baxter, Marion, Searcy Counties and Boone, Carroll, Madison and Newton Counties - Baxter, Marion and Searcy Counties came out of the Eastern District, and Boone, Carroll, Madison and Newton Counties came out of the Western District so this was a docket that started out as a Ft. Smith docket and is now the Harrison division.

Case No. 155

February 14, 1924

Robert Lee Holmes, Bankrupt

Referee: James Worthington

Case No. 156

James L. Green, Bankrupt  
Trustee: W. A. Carlton

W. A. Carlton continued to be listed as Trustee for awhile.

Case No. 187  
Meyers Drug Company, Green Forrest, AR  
Filed: March 7, 1928  
Referee: Andrew L. Kenny

Andrew L. Kenny was Referee thereafter.

Case No. 222  
Dwight Seals, Harrison, AR  
Filed: May 9, 1931  
Referee: Ben Henley (good one to look up)

Ben Henley stays Referee

Another case that might be interesting:

Case No. 243  
Magnus Brothers, A Partnership  
Filed: December 16, 1931, in the Harrison Division, Western District  
Referee: Ben Henley

Case No. 290  
W. G. Reavis of Cotter  
1935  
Referee: S. W. Woods

S. W. Woods is Referee thereafter

Case No. 328  
December 24, 1938  
Referee: Ben Henley

Interesting Note:

During the war years, Case No. 346 was filed November 19, 1940. Case No. 348 was filed July 17, 1941. Case 349 was filed November 8, 1941. Case 350 was filed January 8, 1942. Case 351 was filed January 26, 1942. Case 352 was filed February 4, 1942. Case 352 was filed February 28, 1942. Case 354 was filed December 15, 1942. Case 355 was filed February 17, 1943. Case 356 was filed March 10, 1943. Ben Henley is Referee in all of these cases.

Case 358 was filed September 15, 1943. Case No. 359 was filed January 6, 1944 - the Referee in this case is Smith Henley, Harrison, Arkansas. Case 360 was filed November 9, 1944 - Smith Henley is Referee. The last case is Case No. 363 filed September 28, 1945, for a composition - there was no Referee.

## **FORT SMITH DIVISION**

In 1898, the Fort Smith Division of the Western District of Arkansas consisted of Benton, Washington, Carroll, Boone, Newton, Madison, Crawford, Franklin, Johnson, Sebastian, Logan, Yell, Scott and Polk Counties. In 1902, Boone, Carroll, Madison and Newton Counties were transferred to the newly created Harrison Division of the Western District. In 1940, Benton and Washington Counties were merged with Madison County to form the Fayetteville Division of the Western District. From 1940 until today, the Fort Smith Division consists of the counties of Crawford, Franklin, Sebastian, Logan, Yell, Scott and Pope.

### I.

The first Referee appointed in the Fort Smith Division was Joseph M. Hill on July 23, 1898. The first case was Louis W. Switzer of Harrison filed September 18, 1898 and Jim Hill was the Referee. On January 17, 1899, Joseph M. Hill resigned as Referee and Edward B. Pierce of Van Buren was appointed Referee. Joseph M. Hill was born in Mecklenberry County, North Carolina. He moved to Arkansas with his parents in 1875 when his father became President of the University of Arkansas at Fayetteville. He attended the University of Arkansas and the State University of Mississippi. He took law courses at Cumberland University in Lebanon, Tennessee, and was admitted to the bar in 1883 at Berryville. He moved to Fort Smith in 1887. In 1904, he was elected Chief Justice of the Arkansas Supreme Court and served until February 1, 1909, when he resigned to re-enter private practice. He was Chief Counsel for the State in the “railroad rats case” which he was before the Supreme Court. He practiced law in the firm of Hill and Brizzolara.

Edward B. Pierce was born in Kosciusko, Mississippi on August 14, 1868, and he died January 22, 1912. He graduated from the University of Mississippi at Oxford in 1889 and graduated from the Law Department there in 1890 and moved to Van Buren and entered the practice of law with his uncle, Ed D. Pierce.

In January 1900, he entered the practice of law with L. H. Southmayd until he moved to Little Rock. In 1908, he published the Digest of Decisions known as "Pierce's Digest".

Around 1892, he married Ms. Stella McCorkle of Fort Smith and they had two children, James and Mary Buford.

He went to work for the Choctaw, Oklahoma and Gulf Railway later incorporated by the Rock Island and Pacific Railroad. In March 1904 he was made attorney for the railroad for the State of Arkansas and Louisiana. He later moved to Chicago and held the position of Commerce Counsel for the railroad. He was killed in a train wreck on January 22, 1912 on the Illinois Central Railroad near Kinmundy, Illinois.

## II.

### LABIN H. SOUTHMAYD

On June 28, 1900, Judge John Rodgers appointed Labin H. Southmayd as Referee for the Fort Smith Division of the Western District of Arkansas. He was re-appointed numerous times from 1900 to 1919. Labin Southmayd was born in Van Buren, Arkansas, on October 6, 1851. He graduated from Middletown Institute in Middletown, Connecticut in 1869. He read law under the Hon. Grandall Wilcox, a prominent attorney of Van Buren and he was admitted to the Arkansas Bar in 1875. He practiced law with Wilcox for two years then for six years he was in practice with B. J. Brown. He also served as Deputy County Clerk under his father. In 1900,

he formed a partnership with E. B. Pierce and after Pierce moved to Little Rock, he was appointed Referee in Bankruptcy by Judge Rodgers. He was an active Democrat (Bill Mixon's kind of man); Mayor of Van Buren and Director of Citizens Bank. He married Lou M. England who died in 1894 and he had two children, Mary and Labin H. Southmayd, Jr. He died at Van Buren on October 29, 1919. The bar association described him as "a gentleman of great refinement and charm of manner . . . he was a man of extremely accurate habits and made a Referee in Bankruptcy of unusual ability and efficiency . . .". "So valuable were his services [as Referee] that, though he was appointed as a Democrat, Judge Youmans who belonged to the opposite party was glad to continue him in office."

### III.

#### DANIEL HON

Daniel Hon was born in Scott County, Arkansas, on July 10, 1860, and attended the common schools and the State University at Fayetteville and graduated in 1882. He went to Cumberland School of Law at Lebanon, Tennessee, and graduated with a law degree in 1885 and admitted to the bar. He entered into practice at Waldren, Arkansas, from 1885 to 1906. He served as County and Probate Judge of Scott County from 1888 to 1892 and was the Judge of the 12<sup>th</sup> Judicial Circuit in 1906 until 1914. He moved to Fort Smith in 1907. After retiring as judge, he practiced law in Fort Smith until his death on April 6, 1929. On November 1, 1919, Judge Youmans appointed Daniel Hon as Referee in Bankruptcy reciting the death of Labin H. Southmayd. During the 1920's and early 1930's, cases were alternated between A. A. McDonald and Daniel Hon. On April 9, 1929, Judge Youmans entered an Order reciting the death of Daniel Hon on April 5, 1929, and appointed A. A. McDonald as Referee for two years.

#### IV.

##### A. A. MCDONALD

A. A. McDonald was born in Dayton, Tennessee, and moved to Greenwood, Arkansas in 1891. He married Margaret Taylor of Fayetteville in 1893 and lived a short time in Muskogee, Oklahoma, but returned to Fort Smith in 1898. He served one term as Circuit Clerk and two terms as Prosecuting Attorney. He also served a term as Fort Smith City Attorney and was a federal Bankruptcy Referee. He died May 28, 1943.

Mr. McDonald had been an invalid since 1936 when he was struck by an automobile near his home. Mr. McDonald opened his law office in 1898 and was secretary to the late Judge Marion Rutherford. He was active in the Democratic party. He was a member of the First Methodist Church and was a Sunday School teacher for 25 years. He appears as Referee in Case No. 1042, Standard Land & Gravel filed March 29, 1929. He also appears in Case No. 655 filed July 2, 1921, and served as Referee through 1928 through Case No. 1385 filed May 12, 1933.

#### V.

##### GEORGE O. PATTERSON

George O. Patterson was appointed Referee during the 1930's. George O. Patterson was born in 1902 in Little Rock and was the son of the late George and Suzie Patterson. He graduated from the College of the Ozarks and was a member of the Board of Trustees for 20 years. He attended Washington Lee Law School in Lexington, Virginia. He served as Chancellor of the Ninth District Chancery Court in Clarksville, Arkansas, from 1951 to 1961. Before becoming Chancellor, he was the Clarksville City Attorney and a Deputy Prosecuting

Attorney and a Federal Referee in Bankruptcy. He was an Elder in the Presbyterian Church.

VI.

THOMAS HARPER

Thomas Harper served as Referee from 1938 to 1942.

VI.

JOHN BRIZZOLA

John Brizzola appears to be the son of James Brizzola, a prominent Fort Smith attorney. He was born in Virginia and as a child moved to Memphis, Tennessee. He read law in the office of Heiskel, Scott & Heiskel, and later in the office of Chalmers & Turley. He also studied law under General Albert H. Pike and was admitted to the bar of Memphis in 1867. He was a stalwart Republican and became an active factor in local politics and in due time was elected Prosecuting Attorney for the City of Fort Smith. He moved to Fort Smith in 1869. He served four terms as Mayor of Fort Smith and three terms as Postmaster of the city. At one time he was Assistant U. S. District Attorney for the Western District of Arkansas under Judge Isaac H. Parker. One of his law partners was W. H. H. Clinton, a former U. S. District Attorney (and brother of Powell Clayton). He appears as Referee in March 1946.

VII.

EDGAR BETHEL

Edgar Bethel was appointed Referee for the entire Western District of Arkansas by Order entered May 20, 1947, and served until 1954.

VIII.

LEE CAZORT

1954 - 1961

IX.

ARNOLD ADAMS

1962 - 1982

X.

CHARLES W. BAKER

1973 - 1984

## LAW REVIEW

### WESTERN DISTRICT OF ARKANSAS HARRISON DIVISION

First Case - January 11, 1907

Case No. 25

Referee: F. M. Gavin or Gorvin or Garvin

Case No. 37 was filed January 11, 1908 - 12 cases filed in 1907

Case No. 45 was filed December 22, 1908

Case No. 46 was filed August 14, 1909

All cases through 106 are in Fayetteville or Harrison (no Ft. Smith or Texarkana)

Case No. 123 - September 21, 1920

Referee: James W. Slover

Case No. 143 - June 21, 1923

W. A. Carlton added as referee with Slover

Case No. 155 - February 14, 1924

John I. Worthington appointed Referee

Case No. 156 - March 11, 1924

W. A. Carlton appointed as Referee

Case No. 189 - March 1928

Andrew L. Kinney? Kinney appointed Referee

Case No. 222 - May 9, 1931

Ben C. Henley appointed Referee and thereafter

Case No. 281 - August 29, 1934

No referee appointed - matter heard by conciliation commissioner

Several are shown as dismissed

I think law was declared invalid

S. W. Woods is Referee in Harrison

**LAW REVIEW**  
**WESTERN DISTRICT OF ARKANSAS**  
**HARRISON DIVISION**

Case No. 324 - July 1, 1938  
Ben Henley - Referee

Case No. 330 - April 21, 1939  
Edmond M. Mays  
Timber Mfg. and Farming  
Ben Henley (get file)

Case No. 359  
January 6, 1944  
J. Smith Henley appointed Referee

Last case No. 232  
In re A. T. Hudspeth  
June 18, 1951

Case No. 25 (1907) to Case No. 232 (1951)

207 cases from 1907-1951 - 44 years - Average: 4.70 per year

EVOLUTION OF THE BANKRUPTCY COURT  
WESTERN DISTRICT OF ARKANSAS  
HARRISON DIVISION

First Case

Case No. 25  
January 11, 1907  
F. M. Govin or Gorvin or Garvin

\*12 cases filed in 1907

Case No. 37  
January 11, 1908

Case No. 45 was filed December 22, 1908  
Case No. 46 was filed August 14, 1909

\*All cases through 106 are in Fayetteville and Harrison Divisions  
- no Fort Smith or Texarkana

Case No. 123  
September 21, 1920  
James W. Slover, Referee

Case No. 143  
June 21, 1923  
W. A. Carlton added as Referee with Slover

Case No. 155  
February 14, 1924  
John I. Worthington Appointed Referee

Case No. 156  
March 11, 1924  
W. A. Carlton Referee

Case No. 189  
March 1928  
Andrew L. Kinny (or Kinney?), Referee

Case No. 222  
May 9, 1931  
Ben C. Henley, appointed Referee and thereafter

Case No. 251  
August 29, 1934 - no referee appointed - matter heard by Conciliation  
Commissioner - several are shown as dismissed

(I think law was declared invalid)

Case No. 299  
May 1935  
S.W. Woods is Referee in Harrison

Case No. 324  
July 1, 1938  
Ben Henley, Referee

Case No. 330  
Edmond M. Mays Timber Mfg. and Farming, Bankrupt  
April 21, 1939  
Ben Henley, Referee  
\*\* GET FILE

Case No. 359  
January 6, 1944  
J. Smith Henley, Referee

Last Case: Case No. 232  
Al Hudspeth, Bankrupt  
June 18, 1951  
Edgar Bethell, Referee

Case No. 25 (1907) to Case No. 232 (1951)

207 cases from 1907-1951 = 44 years (average 4.70 per year)

LAW REVIEW  
ORDER BOOK FOR HARRISON DIVISION  
WESTERN DISTRICT OF ARKANSAS

Case No. 1

April 17, 1902 (This is the date the Harrison Division was formed)

At the beginning of the book, various local rules and orders are entered by the judge regarding accounting, attorney's fees, etc. On Page 11, entry dated August 14, 1902, Judge John Rogers appoints as Referee Mr. Southmayd. The Order is as follows:

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE HARRISON DIVISION OF THE WESTERN DISTRICT OF ARKANSAS

In the Matter of A Referee for Harrison Division  
of the Western District of Arkansas

The Office of Referee for the Harrison Division of the Western District of Arkansas  
being vacant, it is Ordered that hereinafter and until otherwise ordered, all matters which should  
go to the Referee in Bankruptcy for said division be and the same are Ordered referred to the  
Hon. L. K. Southmayd, Referee in Bankruptcy for the Fort Smith Division of the Western  
District of Arkansas, residing at Van Buren, Arkansas, as provided under Section 43 of the  
bankruptcy law.

Signed:           John H. Rogers  
                      Judge U. S. Court  
                      Western District of Arkansas

Then there is an Order dated December 1903 where they appoint F. M. Garvin of Harrison, Arkansas as Special Referee. And on March 14, 1904, there is an Order appointing Mr. Ford Morris Garvin, who resides at Harrison to be the Referee for the division.

Then there is an Order reappointing Mr. Garvin for two years from March 23, 1906, entered by Judge John Rogers. Page 55 of the docket book.

Another Order on June 4, 1912, appointing F. M. Garvin, Referee for two years for the Harrison Division signed by Judge Yaunice??? \_\_\_\_\_ - new judge.

Order dated August 24, 1916, appointing F. M. Garvin, Referee for two more years.

Order dated August 7, 1918, appointing Mr. Garvin Referee for two more years signed by Frank Yaunice (?).

Order dated August 5, 1920, appointing James W. Slover of Harrison as Referee in Bankruptcy for the period of two years.

There is an Order on Page 506 dated January 30, 1924, appointing John I. Worthington as Referee in Bankruptcy for the Harrison Division for two years from that date.

On March 1, 1924, there's an Order by Judge Yaunice accepting John I. Worthington's resignation as Referee in Bankruptcy.

Then the next Order dated March 11, 1924, refers to W. A. Carlton, one of the Referees in Bankruptcy so I don't know where he came from.

On March 22, 1924, there is an Order appointing W. A. Carlton as Referee in Bankruptcy signed by Judge Yaunice - he resides in Harrison.

Then there is an Order dated August 10, 1926, appointing W. A. Carlton for Referee for two years from that date and the docket book begins with Case No. 1-A8 dated February 23, 1928, Carlton is still the Referee.

**REVIEW OF BANKRUPTCY DOCKET  
VOLUME 3**

Case No. B-364

In the Matter of Walter C. Jackson

Western District Bankruptcy - Debtor lives in Mountain Home

Order of Reference was to Edgar Bethell, Referee who lives in Ft. Smith

The book does not reveal what District Judge has the case (I assume this is the District Judges' docket book).

Order of Adjudication finding the Debtor is bankrupt is issued by the referee.

Note: Very few petitions - Page 7 is 1949 and Page 8 starts 1950 - everything is going to Edgar Bethell

There are only 11 pages filled out in the docket book and the last case is

The last case is Case No. B-374 dated December 12, 1950 so the book covers from October 8, 1947 to December 12, 1950 - 11 pages.

**TEXARKANA DIVISION**  
**1898 - 1980**

On July 28, 1898, District Judge John H. Rogers entered an Order creating the Texarkana Division of the Bankruptcy Court, and appointed Ambrose H. Sevier, Jr., as Referee for two years. The first case was filed October 28, 1898, styled In the Matter of I. M. Graham. The attorney was W. H. Arnold. Ambrose H. Sevier, Jr., served as Referee until February 26, 1908, when he died. Sevier was referred to as Major Sevier by his contemporaries.

He was born in Washington, D.C. in November 1842. He was the son of Ambrose H. Sevier, the first U. S. Senator for Arkansas. Sevier County is named in honor of his father. Ambrose Sevier, Jr., studied at Georgetown University until the outbreak of the Civil War in 1861 when he returned to Little Rock. He obtained the rank of Brigadier General during the war. He was captured by the yankees at the battle of Arkansas Post and held as a prisoner of war until he was exchanged in 1863.

He returned to Little Rock at the end of the war. He was, for a time, the Editor of the Arkansas Gazette. He moved to Lafayette County, Arkansas, and started the practice of law. In 1894, he moved to Texarkana where he continued his practice of law and in 1898, he was appointed a Referee in Bankruptcy. He was a Democrat.

His family was descended from the old French family, Xavier, who were French Huguenots descended of Henry of Navarre. In 1871, he married Ms. Emma Jean Wright, granddaughter of W. S. Fulton, United States Senator from Arkansas from 1836 to 1841. He is buried in Mount Holly Cemetery in Little Rock.

Between 1910 and 1915, Judge John Rogers appointed C. D. Moore as Referee in Bankruptcy in 1910 and in 1911 appointed John F. Sims Referee in Bankruptcy. In December 1913, Judge Youmans appointed Gestavos G. Pope (G. G. Pope) as Referee in Bankruptcy, and G. G. Pope served as Referee until 1931. G. G. Pope was born in Kingston, Tennessee, on June 26, 1876. He moved with his family to Arkansas when he was three years old and settled in Fulton County, Arkansas, where he was raised on a farm. He obtained a common law school education and attended business college and thus qualified for the practical and responsible duties of life. He entered the law office of Williams and Arnold in Texarkana and learned law and was admitted to the bar in 1903. He opened his own office in Texarkana where he has made his home since 1899. On January 1, 1908, G. G. Pope married Ms. Rosie S. Russell and according to the Centennial History of Arkansas, they were “well known socially in Texarkana and took an active and helpful interest in the Beach Street Baptist Church”.

In 1933, Case No. 991, Willis B. Smith was appointed Referee in Texarkana. The last case in the Texarkana Book No. 2, is Case No. B-1100 filed June 29, 1937.

On November 15, 1940, the case of Mrs. Opal Huffman, Alex G. Sanderson was appointed Referee for the Texarkana Division. The next case in the book is Case No. E-1187, In the Matter of Urel Cloud, and Others, under the firm name of Southwest Arkansas Wholesalers of Hope and Edgar B. Bethel was appointed Referee in Bankruptcy. Edgar Bethel continued as Referee in Bankruptcy until Lee Cazort was appointed Referee in Bankruptcy for the entire Eastern and Western Districts of Arkansas in 1956.

In 1898, the Helena Division of the Eastern District of Arkansas consisted of the counties

of Mississippi, Crittenden, Lee, Phillips, Clay, Craighead, Poinsett, Green, Cross, St. Francis and Monroe. In 1915, Desha and Chicot Counties were added to the Helena Division, and in 1924, the Helena Division lost Clay, Green, Craighead, Poinsett, Poinsett and Crittenden Counties to the newly formed Jonesboro Division of the Eastern District of Arkansas. Also, Chicot County was transferred to the Little Rock Division in that year. Finally, in 1961, the Helena Division lost Desha County to the newly formed Pine Bluff Division.

The District Court met at Helena at the U. S. Courthouse and Post Office Building on Cherry Street which was constructed in 1890. The District Judge in 1898 was Judge John A. Williams. The first Referee appointed by the District Court was Marshall L. Stephenson. The first case filed in the Helena Division was the case of Clark and Company and was in involuntary petition filed by several creditors from Memphis. The case was filed on the 31<sup>st</sup> day of October 1898. The Debtor was Clark and Company, a “mercantile firm” composed of Robert Eaton alone who resided in Luxora, Mississippi County, Arkansas. Marshall Stephenson is listed in the Helena City Directory of 1899 as Referee in Bankruptcy. In the 1906 city directory, E. C. Horner is listed as attorney (Horner & Horner), 507 ½ Cherry Street. W. G. Phillips at 402 ½ Cherry Street and M. L. Stephenson at 402 ½ Cherry Street. J. M. Vineyard is listed at 401 ½ Cherry Street.

Marshall Stephenson was appointed for two successive terms as Referee in Bankruptcy for the Helena Division by Judge Williams and later Judge Jacob Trieber. Marshall Stephenson was the former law partner of Judge Trieber. The bankruptcy proceedings held before Stephenson were held in his office which was located at 400 ½ Cherry Street and the file Marshall Stephenson kept included a school child’s composition book where he entered his

orders sometimes in pencil; sometimes in ink and sometimes, typewritten. In 1900, his office was listed as being located at 517 Ohio Street in Helena.

Marshall Stephenson was born in Granville, Illinois on March 29, 1838. He was educated at Granville Academy and graduated in 1858 and commenced the study of law in the law office of Stewart, Edwards & Beavers in Springfield, Illinois. Before he completed his studies, the Civil War broke out and in 1861 he enlisted in the Tenth Illinois Calvary as Captain and later promoted to Major. During the Fall and Winter of 1863 - 1864, he was responsible for raising an infantry of Union troops in North Arkansas. He took part in the battle of Jenkins Ferry in South Arkansas on April 30, 1864, where he was severely wounded.

At the end of the war, he settled in Fort Smith, attended law school in Cincinnati and was admitted to the Arkansas Bar in 1866. He moved to Huntsville, Arkansas, in 1867 and ultimately to Helena in 1871. He served as a State Senator for the Third Senatorial District of Arkansas and was appointed judge in the Fourth Judicial Circuit on July 23, 1868 until he moved to Helena in 1871. In 1872, he was elected Associate Justice of the Arkansas Supreme Court until May 18, 1874, when he resigned to return to practice of law in Helena in partnership with his brothers and later with Jacob Trieber.

In 1872, he married Ms. Louise Magowan of Battle Creek, Michigan. They had no children and Stephenson was not a member of any church, but according to Goodspeed, "He is always ready to aide any church organization in its good works . . .". He served as President of the First National Bank and the Guaranty, Loan and Trust Company of Helena.

In July, 1911, he visited Michigan for his annual vacation when he was "stricken down" and died. He was described by his fellow judges on the Supreme Court as, "subscribing to no

religious creed, but tolerant of all, he was in every sense a Christian who believed in the luxury of doing good. I have known him to devote days and weeks to the interest of some widow or orphan and take for compensation the simple consciousness of having conferred a deserved favor". His residence is listed in the Helena City Directory at 806 College Street.

#### W. G. PHILLIPS

During the same period Marshall Stephenson was appointed Referee in Bankruptcy on most of the cases, there were occasional cases where W. G. Phillips was appointed Special Referee and the circumstances were cited as the absence of Marshall Stephenson from the area. Phillips is listed in the 1899 City Directory of Helena with offices at 517 Ohio Street in Helena. Phillips is listed in the 1906 City Directory as having an office at 402 ½ Cherry Street which is the same address given for Marshall Stephenson during that year.

Other individuals appointed as Special Referee from 1898 to 1911 included Jesse M. Vinyard whose office is listed in the 1900 city directory at 403 Cherry Street. In 1911, when Marshall Stephenson died, Judge Trieber, by Order dated September 27, 1911, appointed Leo J. Mundt for a term to serve as Referee ending June 30, 1912. On October 16, 1911, Leo J. Mundt resigned and Judge Trieber appointed R. B. Campbell as Referee. R. B. Campbell was appointed again on June 19, 1915, for a term of two years.

The docket books reflects that between October 1898 and July 30, 1904, 100 cases were filed in the Helena Division. Case No. 100 filed July 30, 1904, showed a Special Referee, Joseph L. Shaw. Case No. 111 was filed July 11, 1905, and G. W. Phillips was appointed Referee. By February 7, 1921, the total number of cases filed in the Helena Division was 389.

The last case in Record Book 2 was dated April 19, 1921, Case No. 407. R. B. Campbell was appointed Referee. From 1898 to 1921, there were 3,202 cases filed in the entire Eastern District of Arkansas for an average of 152 cases per year.

Other Special Referees appointed between 1898 and 1921 in the Helena Division were Joseph L. Shaw and E. Foster Brown.

#### R. B. CAMPBELL

Bruce Campbell was born July 13, 1876, in Illinois and graduated from Pontiac Illinois High School and Lake Forest College. He studied law in the office of Mr. A. C. Norton at Pontiac and came to Arkansas in 1908, and entered the practice of law in Marianna. After a year in Marianna, he moved to Helena and became a partner with Marshall L. Stephenson. In 1915, after the death of Judge Stephenson, he was appointed Referee in Bankruptcy by Judge Trieber. He was a skilled musician and played the piano and pipe organ and was a very active businessman owning and operating a number of plantations and was a director in several banks. He was purportedly the largest planter in Eastern Arkansas. He married Ms. Mary Greenbaum of Pontiac, Illinois who survives him. Campbell was killed in an accident which was reported by the Helena World on February 21, 1921. The report summarizes that Mr. Campbell was attending to business on one of his plantations about seven miles from Helena when he decided to visit a tenant house some distance from the road. He borrowed a shotgun from one of the employees on the plantation and he was later found dead with a gunshot wound to his back and hip and it was concluded that the gun accidentally discharged as he was attempting to crawl under a bob-wired fence. He had asked for the shotgun in order to shoot rabbits if any came his way on his visit to his tenant house. He was survived by his wife and his father and siblings, but he had

no children. In addition to being a Referee in Bankruptcy at the time of his death, he was also a Master in Chancery for the Eastern District of Arkansas.

He was active in the Republican party and was a Republican party leader in Phillips County.

#### E. C. HORNER

Beginning in March 1922, E. C. Horner received the appointment as Referee in Bankruptcy for the Helena Division and received all of the cases thereafter for a long period of time. His first case was Case No. 460, In the Matter of Edward Rose. E. C. Horner's office is located in the 1909 City Directory of Helena at 507 ½ Cherry Street. The 1920 City Directory of Helena does not list E. C. Horner as an attorney, but as President of West Helena Consolidated Company and Helena Ice Company. The West Helena Consolidated Company is listed as “. . . Electric Street Railway and Real Estate Office at 511 ½ Cherry Street”. The company had offices in both Helena and West Helena. E. C. Horner's residence is listed in the 1920 West Helena City Directory as “Cleburne Av.-ner Sebastian Street”. He is also listed as “Prop. Superior Chair Company”. In the 1936 city directory, E. C. Horner is listed as Referee in Bankruptcy , U. S. Government.

During the Depression beginning in 1929, every bank in Helena and West Helena failed. E. C. Horner filed for personal Chapter 7 bankruptcy on October 17, 1929 (Case No. 639). His Trustee was J. B. Conley who was a Federal Commissioner in Helena and also the Deputy Clerk. The Referee assigned to the case was Powell Clayton of Little Rock. The Trustee received a fee of \$3.00 and the Referee received a fee of \$16.50. In 1932, Sid Redding wrote E. C. Horner a letter enclosing a check for \$245.00 for fees for 16 cases at \$15.00 per case and one case for

\$20.00.

On April 19, 1935, the District Judge, John Martineau, entered an Order assigning all of E. C. Horner's cases to Joe Schneider, the Referee in Little Rock, because of Mr. Horner's illness.

On February 21, 1940, Judge Martineau accepted the resignation of E. C. Horner as as Referee in Bankruptcy stating, "By reason of a long and faithful service of said Referee, reluctantly [I] accept said resignation". The judge also ordered the Helena Division of the Eastern District bankruptcy matters be merged with the Little Rock Division and jurisdiction was granted to Lee Cazort, Referee in Little Rock.

On July 1, 1949, by Order of Thomas D. Trimble, United States District Court, Lee Cazort was appointed Referee for the Helena Division for the Eastern District of Arkansas.

On February 10, 1953, by Order of Thomas C. Trimble and Harry J. Limley, the District Court Clerk's Office in Helena was closed and the records removed to Little Rock.

E. C. Horner was born in Helena, Arkansas, in 1861, and was the son of the late John J. Horner and Betty Tull Horner. He was an Episcopalian and a Mason. He attended Locust Dale Academy in Virginia and the University of Virginia. He practiced law with his father in Helena and became President of the old bank of Helena. He and his brother, John S. Horner, founded West Helena in 1909, and also pioneered a streetcar line between Helena and West Helena. He was President and Executive Secretary of the Helena Chamber of Commerce of many years and was the founder of the Businessman's League of Helena and was President of Twin City Transit Company.

He married Ms. Lorna Pointer of Memphis in 1899, and their children were Ms. Lorna

Horner Morris, Jordell Horner, E. T. Horner and A. P. Horner. He had three brothers, J. A. Horner, J. T. Horner and J. L. Horner. He died February 20, 1944, at his home in West Helena.

Mr. Horner, as did Marshall Stephenson, maintained his file in a children's composition book. He would type orders on regular typing paper and then paste them sideways so at the end of the case, you would open the book and the orders would be in chronological order.

In Case No. 805 of J. J. Johns dated March 26, 1931, the First Meeting of Creditors Notice is a postcard signed by E. C. Horner and orders the first meeting to be held at his office at 1:00 p.m. on April 15, 1931. The notice does not state the address of his office only that it is in Helena, Arkansas.

One of the cases handled by Mr. Horner was Hart Shoe Store, Case No. 999, dated February 28, 1931. Among the accounts payable to Hart Shoe Store, most of which were in the \$4.00 to \$6.00 to \$10.00 range, was J. C. Holloway who owed \$4.90 (the \_\_\_\_\_ grandfather). Among other creditors of the debtor was the brother of the Referee, Mr. John Horner, who owed \$10.00 and C. C. Lyford who owed \$9.20.

The transcript of the first meeting indicated that various attorneys attended including A. M. Coates, A. D. Whitehead and John Ike Moore and the transcript reflects that Mr. Horner simply stated, "I think we'll sell all the inventory as soon as possible. The first meeting was very informal. Among the cases under Mr. Horner's responsibility was the case of W. W. Denning, Bankrupt. Mr. Denning operated a furniture store and the final accounting was filed by W. D. Cash, the Trustee, on April 8, 1932, showed the following payments to Mr. Horner:

- |    |                               |         |
|----|-------------------------------|---------|
| 1. | E. C. Horner's Referee Fees   | \$50.00 |
| 2. | E. C. Horner's Master Expense | \$10.00 |

3.	E. C. Horner's Fee for Sale as Master	\$30.00
4.	E. C. Horner - Fee Allowed by U.S. Court as Master	\$ 150.00
5.	E. C. Horner's Balance of Referee Fees	96.50
6.	Distribution to Unsecured Creditors	\$3,166.60
7.	Total Receipts	\$5,915.45

Other individuals receiving a discharge included E. M. Polk on July 9, 1927; William Morefield on August 2, 1927; W. H. and J. L. Anderson d/b/a Anderson Cotton Company on November 29, 1927; C. L. Polk on January 13, 1928, Griffin Newburn Company on July 10, 1928.

Other debtors included Hart Shoe Store, February 28, 1931. Brown Faulkner Motor Company, March 16, 1931; Abe Goldsmith, March 31, 1931.

Another interesting case presided over by Mr. Horner, was the matter of Sam Ciener, Bankrupt, in 1931. In that case, Mr. Horner approved a composition on behalf of Mr. Ciener to pay unsecured creditors \$0.30 on the dollar. Most of the creditors were vendors from out of town, but some of the creditors included local people such as Habibs Restaurant, King Thompson Drug, Helena Steam Laundry, Bradford Printing Company, Tap Horner, S. L. Mundt, F. M. Pardue, Helena Wholesale Dry Goods Company and Rothchild Brothers Hat Company. One letter in the file is from Ozero Brewer of the firm of Brewer and Cracraft dated September 5, 1932, which voted to accept the plan on behalf of "Sam Ciender to his creditors on the claims of:

F. M. Pardue,	Helena, Ark.
The Bootery, Inc.,	“ ”
E. Levy	“ ”
Tap Horner	“ ”
The Arkmo Lbr. Yards	“ ”
Papa Brothers,	“ ”
Bradfield Printing Co.,	“ ”
Landers Furniture Co.,	“ ”
Helena Steam Laundry	“ ”
Habibs	“ ”
King Thompson Drug Co.,	“ ”
Crescent Jewelry Co.,	“ ”
Seelig L. Mundt,	“ ”

against this bankrupt estate. Please acknowledge receipt of the enclosed papers”

The majority of the creditors accepted the plan and in the file is a check made payable to Habibs Restaurant dated September 24, 1932, drawn on Phillips National Bank in Helena for \$0.60 signed by E. C. Horner. During this period of time (1920) typical prices for consumer goods advertised in the Helena World dated July 3, 1920, including “Seniors Mens Suits - \$33.75, Atkins Pork ‘n Beans - \$1.00 a can, 3 lbs. coffee - \$1.00, eggs - \$0.45 a dozen. In 1930, the Helena World advertised a ten pound bag of sugar for \$0.55, one pound of bacon for \$0.27, a dozen eggs for \$0.30, one pound of potatoes for 1.5 ¢, one pound of roast beef for \$0.15 a pound, 1 lb. of coffee - \$0.35, a six-cylinder truck - \$520.00 and a Philco radio was \$68.00. In August 1941, the Helena World advertised cigarettes - 2 packs \$0.35, ten lbs. sugar - \$0.55, 1 lb. of coffee - \$0.28, Habibs Restaurant was advertising lunch for \$0.39 consisting of fried chicken, potato chips, roll and peach ice cream. Spare ribs for \$0.35 and bacon and eggs, \$0.29.

In a notice filed in the Interstate National Bank of Helena dated July 10, 1930, the following individuals were listed as Trustees in Bankruptcy with balances undistributed. They included B. K. Craycraft, John Ike Moore, Hugo Mundt, Selig L. Mundt, N. B. Norton, P. T.

Rabb, E. A. Rolf and A. Straub.

The docket books reflect in the Eastern Division of the Eastern District between 1898 and 1959, 1,054 cases were filed.

**National Archives  
Fort Worth, Texas  
February 8-9, 2005**

File No. 466  
Arthur Falk  
March 21, 1903

The Order for setting of the first meeting of creditors is dated March 26, 1903, and it orders the debtor to appear before the Referee at Room 16 and 17, Kahn Building, in the City of Little Rock and notice of the meeting is to be published in the State Republican.

The next thing in the file is a handwritten report of the first meeting signed by P. C. Dooley, Referee and in the report the Referee says that the debtor is declared a bankrupt and orders him to file his schedule of creditors and property and further orders at the first meeting shall be held in the Office of Referee at the Kahn Building, April 3, 1903.

The next thing that appears is a handwritten order ordering the appointment of a receiver and a bond of \$5,000.00 signed by P. C. Dooley.

The next thing are typewritten notations of claims:

March 27, 1903

On this day comes E. Wheeler & Brothers by Blackwood and Williams, their solicitors, and files herein their claim for allowance against the estate of said bankrupt in the sum of \$251.88. There is also on that same sheet a proof of publication by the publishers of the State Republican. There is a little order recited "Dated April 29, 1903. The exceptions of the creditors to the claim of exemption made by the bankrupt, Arthur Falk, coming on for hearing and the Referee being well advised in the premise, the said exceptions are overruled and the trustee will set aside that the bankrupt property claimed is exempt in his schedules. There's a place for the Referee to sign, but it's not signed.

Here's an order similar to the proof of claims which goes through and allows claims.

There's an order reflecting that the Referee has reported that he has \$2,209.78 and the orders that the Referee pay all costs incurred in the administration and a 12.5% dividend.

There's an accounting by the trustee showing how he spent the money and Mr. Dooley, the Referee, received \$15.00 for advance costs, \$0.25 on each claim filed for \$12.00 and 1% of the amount disbursed which is \$27.20 for a total of \$54.20. The trustee received a fee of \$109.49.

Then there's a long list of creditors, two columns; one column showing the amount of the claim and then the column on the right showing the amount of dividends. There were a lot of creditors. Then there's an order approving the attorney's fee by Attorney Morris M. Cohen and he is allowed \$25.00 attorney's fees on May 28, 1903. On June 9, 1909, there's an Order allowing attorney's fees for the attorneys for the petitioning creditors that is \_\_\_\_\_ Loughborough. Mr. C. P. Harnwell and they are allowed \$50.00. There's an order allowing exempt cash back to the debtor of \$538.00 (June 12, 1903). Then there's a final report signed by Mr. Dooley, the referee on April 30, 1904.

Case No. 3088

Scroggins Mercantile Company and E. H. Dunaway and Joe Dowdy

Western Division of the Western District

Referee: Powell Clayton

Big Case. Among the pleadings, there is an Order of Sale ordering the Referee to receive or sell property signed by Powell Clayton, Referee in Bankruptcy - doesn't give a date. Then there's a typed record of the first meeting of creditors dated May 23, 1927. The notice was published in the Morrilton Democrat (inaudible) . . . . elected Trustee. There's an order allowing fees for attorneys of the bankrupt of \$100.00 dated May 28, 1927, signed by Powell Clayton and approved by Jacob Trieber. In the file there's a bank statement on the Banker's Trust of Little Rock in May 17, 1928, Check No. 100, payable to Powell Clayton of \$541.59, styled Commissions and Expenses and Allowance for Filing Claims. It's just signed by R. M. Huey, the Trustee.

On the pleadings, the Schedule of Assets and Liabilities, there's a file stamp of May 4, 1927 - Sid B. Redding, Clerk and it is also file stamped the same date by Powell Clayton, Referee.

Case No. 805

J. J. Johns, Bankrupt

Helena Division

March 26, 1931

The first meeting of creditors notice is signed by E. C. Horner and orders the first meeting to be held at his office at 1:00 p.m. on April 15, 1931. Mr. Horner kept his docket in a composition book, like a school child's composition book, and he stapled the pleadings to the pages of the book. Mr. Johns' petition is in the file. It was filed by Sid B. Redding, Clerk, on March 26, 1931. It lists unsecured creditors totaling \$913.64. The notice of meeting of creditors does not give an address for Mr. Horner's office. I assume everyone is expected to know where that is. Among the list of accounts receivable is Hart Shoe Store which was Number 799-b dated February 28, 1931. They've got this long list of accounts payable - all of them \$4.00, \$6.00 and \$10.00 - J. C. Holloway owes \$4.90. Among the other creditors of the debtor was the brother of the Referee, John Horner is owed \$10.00. C. C. Liford owed \$9.20 - that is Sid McCollum's wife's grandfather. In the file on Hart's Shoe Store, there is a copy of a transcript of a meeting where they simply took testimony before Mr. Horner and they had various attorneys including A.

M. Coats, A. D. Whitehead, Moore, Daggett & Verk by John Moore and at the end of the meeting the Referee just said, "I think we'll sell all the inventory as soon as possible". Very informal.

Case No. 3077  
John J. Hardcastle  
February 16, 1927

This case bears the file mark of Sid B. Redding, Clerk and Powell Clayton, Referee on the same day.

Case No. 639  
Griffin Newburn Bankruptcy  
1929  
Referee - A. C. Horner  
Helena Division

There's an order confirming a sale dated July 6, 1929. There is a whole bunch of land. Sold to George L. Horner, his brother, for \$50.00. Looks suspicious.

In the E. C. Horner case, the order appointing the first meeting - instead of scheduling it for the Referee's office it was to be held on December 28, 1926, in the Chambers of U. S. Judge in the Federal Building in Helena. On the petition for E. C. Horner, he schedules no priority claims - some real estate, but not the West Helena Company and on personal property, no shares of stock, no cash on hand, no carriages or vehicles, horses, cows, no personal property of any kind - no he says he has personal property worth \$500.00 in wearing apparel.

Case No. 664  
E. M. Polk, Bankrupt  
Mr. Sharp was the attorney  
Mr. Horner was Referee  
March 19, 1927

Mr. Polk held 199 shares of West Helena Realty Company stock valued in 1926 at \$4,975.00. I think that's West Helena. Mr. Polk listed assets of \$28,676 and liabilities of \$68,048. On the appraisal of E. M. Polk's property on the 23<sup>rd</sup> of March, 1926, the appraisers were Hugo Ma (illegible) and the third one is J. A. Epps.

File No. 1

Joseph Rudolph, Bankrupt  
Filed by Rose, Hemmingway & Rose

The Trustee appointed was Roland A. Edgertlen. It looks like he had one claim allowed. The Bray Clothing Company for \$462.98. Notice was published in the Arkansas Democrat and the Trustee filed a no asset report on October 24, 1898. The Trustee filed a report setting aside the bankrupt exemption which is Lot No. 5 and Block 105 of the City of Little Rock valued at \$1,500.00. On December 5, 1898, the Trustee filed a petition asking for an allowance for typewriting and stationary and the bankrupt attorneys, Rose, Hemmingway & Rose, filed an exception to the claim for typewriting and stationary expense, and the District Judge found in favor of the Rose Firm stating, "It appearing that the law makes no provision for paying a Trustee for blanks, typewriting and stationary, it is ordered the same be disallowed. The Rose Firm has always been a nickle-dime outfit.

The notice of meeting of creditors will be held in the law office of P.C. Dooley at Rooms 3 and 5, Kahn Building, City of Little Rock, on October 6, 1898.

Case No. 747

W. W. Denning, Bankrupt

1929

W. G. Denning, Attorney for W. W. Denning, which is his brother and he was doing business as Denning Furniture Company. The Denning bankruptcy was an involuntary petition filed by Mr. Coates and Mr. Sheffield on behalf of three creditors.

**MEMORANDUM  
LAW REVIEW**

1851 - Western Division

Benton, Washington, Crawford, Scott, Polk, Franklin, Johnson, Madison, Carroll and  
I \_\_\_\_\_

1897 - Fort Smith

Benton, Washington, Carroll, Boon, Newton, Madison, Crawford, Franklin, Johnson,  
Sebastian, Logan, Yell, Scott, Polk

Texarkana -

Sevier, Howard, Pike, Little River, Miller, Hemstead, Nevada, Lafayette,  
Columbia, Union, Cahoun, Ouachita

Little Rock

Helena

Batesville

1902 - Harrison Division Created

Baxter, Marion, Searcy (from East) and Boone, Carroll, \_\_\_\_\_ and Newton from the  
West

1915

Desha and Chicot were moved from Little Rock to Helena Division and Yell was  
moved from Fort Smith to Little Rock

1924 - Jonesboro Division Created

Fulton, Randolph, Lawrence, Batesville, Clay, Greer, Craighead, Poinsett, Mississippi,  
and Crittenden from Helena

1926 - El Dorado created

Columbia, Ouachita, Union, Ashley, Bradley and Calhoun

1940 - Fayetteville Division created

Benton, Washington and Madison

1940 - Hot Springs

Pike from Texarkana and Clark, Garland, Hot Springs and Montgomery

Also, Fulton County was moved from Helena to Batesville

1961 - Pine Bluff was created

Grant, Jefferson, Arkansas, Dallas, Cleveland, Lincoln, Desha, Drew and Chicot County

## Judges - Western

	John Henry Rodgers	1896-1911
	Frank Yomans	1911-1932
	Heartsill Ragon	1933-1940
D	John Elvis Miller	1941-1981
D	Oren Harris (E & W)	1965-1997
R	Paul X. Williams	1967-1994
D	Hugh Frank Waters	1981-1999
R	Morris S. Arnold	1988-1992
R	Jimm L. Hendren	1999
D	Harry F. Barnes	1993
D	Robert T. Dawson	1998

## Judges - Eastern

	John Williams	1890-1900
R	Jacob Treiber	1900-1927
D	John Martineau	1928-1937
D	Thomas Trimble	1937-1965
D	Harry Limley	1939-1965
R	Smith Henley	1958-1975
R	Gordon Young	1959-1969
R	G. Thomas Eisele	1970
D	Elsijane Roy	1977-1999
D	Richard S. Arnold	1978-1980
D	William Overton	1979-1987
D	Henry Woods	1980-2002
D	George Howard	1980
R	Stephen Reasoner	1988-2003
R	Susan Wright	1990
D	William Wilson	1993
D	James Moody	1995
R	Leon Holmes	2004

**National Archives  
Fort Worth, Texas  
February 8-9, 2005**

HELENA DIVISION

Case No. 1 - 1898  
In re Clark & Company  
Referee: M. L. Stephenson

September 8, 1898  
Case No. 21  
In re Mrs. Vera H. Barton  
Special Referee: G. W. Phillips (or W. G. Phillips?????)

July 30, 1904  
Case No. 100  
In re Joseph L. Shaw

July 11, 1905  
Referee: G. W. Phillips

Book ends April 16, 1907

HELENA DOCKET  
Cases 60-615  
Date: 6/4/03 to 1/25/26

Case No. 60  
M. J. Wilkins  
Filed 6/21/03  
Referee: M. L. Stephenson

Case No. 131  
E. L. Brooks  
Filed 7/29/07  
Referee: G. W. Phillips

Case No. 163

E. H. Bley and T. B. Elliott Partnership  
July 2, 1909  
Referee: Jess Vinyard

Case No. 217  
Phillips and Womsler  
May 4, 1911  
Referee: E. Foster Brown

Case No. 227  
C. C. Warfield  
November 8, 1911  
Referee: R. B. Campbell

Case No. 389  
Tucker Fryer Company  
February 7, 1921  
Referee: E. C. Horner

Case No. 395  
Scott Vaughn  
March 4, 1921  
Referee: E. C. Horner

Case No. 396  
J. W. Williams  
March 10, 1921  
Referee: R. G. Campbell (???)

Case No. 417  
W. A. Winter  
Referee: E. C. Horner

Case No. 418  
No Debtor's Name  
June 20, 1921  
Referee: \_\_\_\_\_ Campbell

Case No. 459  
Hunter Mercantile  
Referee: E. C. Horner

Case No. 493  
George M. Jones

March 8, 1923

Referee: \_\_\_\_\_ Campbell

Case No. 495

Sam Daniel

March 9, 1923

Referee: E. C. Horner

Case No. 615

L. J. Duprey

Referee: E. C. Horner

**National Archives  
Fort Worth, Texas  
February 8-9, 2005**

EL DORADO DIVISION

Bankruptcy Docket Volume I  
El Dorado  
Cases 1 - 28  
Covering Years 1925 - 1930

Brent G. Ploukbist  
Special Referee:      Bruce Cox

Referee in all the other cases is G. G. Pope

**National Archives  
Fort Worth, Texas  
February 8-9, 2005**

FAYETTEVILLE DIVISION

Bankruptcy Docket Volume I  
Western District, Fayetteville Division  
August 5, 1940  
Referee: Thomas Harper

Case No. 5  
January 10, 1941  
Referee: Suzanne Lighton

Case No. 6  
July 7, 1941  
John Brown University

Last case was January 17, 1951  
Edgar Bethel was the final Referee

**National Archives  
Fort Worth, Texas  
February 8-9, 2005**

FORT SMITH DIVISION

Docket Book Volume 5  
Cases from 1890 to 2003

Volume 5  
Case No. B-1890  
Referee: Tom Harper

Page 17, Case B-1959  
George W. Hawkins  
March 16, 1942  
Referee: G. Byron Dobbs

Volume 4, Case No. 1435  
February 9, 1934  
Referee: G. O. Patterson

Case No. 77  
October 23, 1900  
Referee: W. A. Falcmer

Page 125  
September 19, 1907  
Referee: Laban Southmayd

Case No. 216  
John Pritchard  
April 24, 1907  
Referee: B. B. Kimball

Case No. 324  
December 9, 1910  
Referee: Samuel B. Woods

Last Case dated August 31, 1915  
Referee: Laban Southmayd

Book E-24

Cases 1-4-88??????? to 1915

Case No. 1  
Lewis W. Switzer of Harrison  
September 18, 1898  
Referee: J. M. Hill

Case No. 9  
Robert Lomer  
Referee: E. B. Pearce

Case No. 64  
October 23, 1900  
Referee: E. L. Marlboro

Book Volume 3  
Case No. 929  
August 8, 1927  
Referee: Daniel Hawn

Case No. 1042  
Standard Land and Gravel  
March 29, 1929  
Referee: A. A. McDonald

Case No. 1393  
June 1933  
Referee: George O'Patterson

Page 88  
Case No. 1974  
October 16, 1946  
Referee: Edgar Bethel

Book Ends in 1951

**Records Center**  
**May 23-25, 2005**

Bankrupt Record 1 - U. S. District Court, Texarkana Division, Western District of AR

Beginning July 1898

First order is dated July 26, 1898, creates the Texarkana Division and appoints Ambrose H. Sevier of Texarkana as the Referee for a period of two years. The order was signed by Judge John H. Rodgers.

Case No. 1  
October 21, 1898  
In the Matter of I. M. Grantham

The docket is in handwriting and very difficult to read.

On March 20, 1899, the court entered an order publishing the bankruptcy rules for the United States Court for the Western District of Arkansas. Rules 1-12 and you can't possibly make them out. There is a written order dated June 30, 1906, signed by Judge Rodgers, providing that if the judge is absent from the district at the time the debtor files a petition for a discharge that the clerk is to refer the petition to the Referee..

“who, if he shall find the same to be in proper form and that the bankrupt has in all things complied with the Bankruptcy Act and that, in his judgment, the case is sufficiently advanced and the proceeding is in a proper condition to entitle the said bankrupt to his discharge shall fix a date and place wherein and when said petition will be heard before the District Judge and that notice thereof be published in the newspaper designated by the judge in the county where the bankrupt had his residence or domicile . . .”.

There is an order dated August 1, 1900, where Ambrose H. Sevier is appointed Referee by Judge Rodgers for a period of two years from the date of August 1, 1900.

There is an order dated July 24, 1902, reappointing Ambrose H. Sevier as Referee for two more years - order is signed by Judge Rodgers.

Order dated August 16, 1904, in the matter of the appointment of Referee and Ambrose H. Sevier is reappointed by Judge Rodgers for two years from August 16, 1904.

Order dated Monday, September 24, 1906, reappointing Ambrose H. Sevier as the Referee signed by Judge Rodgers. Order entered February 29, 1908, appointing C. B. Moore as Referee in Bankruptcy (it could be Morris) - illegible.

Order dated March 2, 1910, by Judge Rodgers appointing C. B. Moore (Morris) as Referee for the Texarkana Division for a period of two years.

Second book is

Bankrupt Record 2  
U. S. District Court  
Texarkana Division, Western District of Arkansas

Page One begins with Case dated July 4, 1910 (Case Number blank).

Order entered in Case No. 282 dated April 29, 1911, signed by Jacob Trieber

Judge Rodgers died because the next case (No. 274) F. A. Yaunis is the judge, August 17, 1911.

Order entered December 2, 1911, by Judge Yaunis appointing John F. Simms as Referee in Bankruptcy.

Order dated December 6, 1913, by Judge Yanis appointing Gustavios G. Pope as Referee in Bankruptcy. Signed as "G. G. Pope".

Order dated December 14, 1917, by Judge Yanis reappointing G. G. Pope as Referee for two years.

Order dated December 4, 1919, appointing G. G. Pope signed by Judge Yanis.

Order entered December 3, 1921, by Judge Yanis reappointing G. G. Pope as Referee for the Texarkana Division.

Bankruptcy Record Volume III  
U.S. District Court  
Western District of Arkansas  
Texarkana Division

May 19, 1922 - May 5, 1928

Order entered November 10, 1923 reappointing G. G. Pope by Judge Yanis for two years ending December 5, 1923 ???

Order dated November 22, 1927, appointment G. G. Pope as Referee by Judge Yanis for two year period from December 6, 1927.

District Court Bankruptcy Record No. 2

Eastern District of Arkansas  
Helena Division

First entry: August 1, 1900 - there appears to be some pages missing - it's a continuation of the book - it is the Rules of Bankruptcy.

Rule I through XXVII signed by Jacob Trieber.

Order dated September 20, 1900, appointing M. L. Stephenson as a Special Referee in a case and it makes reference to the fact that he is already a Referee. I think that was an error of the Clerk because the next thing is the Oath of Office where W. G. Phillips swears he'll perform the office of Special Referee.

Order dated February 28, 1902, by Jacob Trieber referring to M. L. Stephenson as the Referee in the Sam Cohen case.

June 6, 1902, there's an Order by Judge Trieber appointing Marshall Stephenson as the Referee in Bankruptcy for two years from July 1902.

July 3, 1902, the sureties on that bond is M. L. Stephenson, S. S. Faulkner and C. L. Moore.

There is also an order appointing W. G. Phillips, Esq., as Special Referee in Bankruptcy in the event Marshall Stephenson is absent from the district. The sureties on that bond are W. G. Phillips, Erin Meyers and R. C. Moore.

There's an order entered January 28, 1903, in the matter of William Nance and W. G. Denning is appointed Special Referee because Stephenson is disqualified.

There is an Amendment to Rule XXIV filed February 14, 1903, and states in part as follows:

“The Referee shall be allowed five dollars for his services in preparing and filing in court the report as required by Rule XXVI, and he shall be required to prepare and file the same until a deposit has been made with him to cover said allowance . . .”.

There is an order dated June 9, 1903, by Judge Trieber appointing W. G. Phillips as Special Referee because of the absence of Marshall Stephenson from the District.

There is another order dated April 30, 1904, appointing Jacob Fink as Special Referee because Marshall Stephenson is disqualified.

Case No. 92  
In the Matter of T. E. Futrall

Lee County

On June 10, 1904, there is an order appointing Marshall L. Stephenson as Referee in Bankruptcy for a term of two years from the first day of July 1904. Sureties on the bond are Frank Sliger, Lewis Soloman, Henry Lohmans and W. G. Phillips.

On June 28, 1904, there is an order reciting the absence of M. L. Stephenson and appointing Joseph L. Shaw as Special Referee and signed by Judge Trieber.

There is an order in Case No. 95, Geessertier, August 8, 1904, from Helena and orders the notice to be published in the Helena Shield.

Order dated June 7, 1905, by Judge Trieber appointing W. G. Phillips as Special Referee because of the absence of M. L. Stephenson.

Case No. 123

In the Matter of George W. Edlridge, Bankrupt

Wynne, Cross County, Arkansas

Referee: M. L. Stephenson

On June 11, 1906, W. G. Phillips is appointed Special Referee because of the absence of M. L. Stephenson.

Order entered June 30, 1906, appointing Marshall Stephenson as the Referee for two years.

Order dated June 11, 1908, by Judge Trieber appointing W. G. Phillips as Special Referee.

On June 30, 1908, there is another order appointing M. L. Stephenson as Referee for two years from July 1, 1908.

Order dated June 10, 1909, appointing Jesse M. Vineyard as Special Referee because of the absence of M. L. Stephenson.

Sureties on the bond are W. T. Allen, Gene Yager, Edgar Bram, John I. Moore and Greenfield Qualls.

Order entered June 16, 1910, appointing Marshall L. Stephenson as Referee for a period of two years signed by Judge Trieber.

Note: The case right above that order is Case No. 182 dated June 15, 1910, so it's from 1898 to 1910 (182 cases in the Eastern District).

Order entered July 19, 1910, appointing Jesse M. Vineyard Special Referee because of

the absence of Marshall Stephenson. The order recites that Jesse M. Vineyard is from Helena.

Case of H. O. Hopkins & Company vs. The Steamer "F. M. Owens" - Case No. 795 which is called a "liable" and the attorneys are called "proctors" and the proctors are Mr. Moore, Mr. Vineyard and Mr. Satterfield. (Charlie Roscof may be the successor).

Order dated April 7, 1911, by Judge Trieber appointing E. Foster Brown as Referee - looks like he may be from Jonesboro.

Order dated September 27, 1911, appointing Leo J. Mundt as Referee in Bankruptcy because of the death of M. L. Stephenson. Leo Mundt's term was to end June 30, 1912. The sureties on the bond are Leo B. Selig and Selig M. Mundt.

Order dated October 16, 1911, reciting that Leo Mundt has resigned and Judge Trieber appoints Robert B. Campbell of Helena as Referee for two years.

The sureties of Robert B. Campbell are J. B. Butts and Lee Pendergrass.

Order entered January 3, 1912 also appointing R. B. Campbell as a standing Master in Chancery for the Eastern Division of the Eastern District by Judge Trieber.

On June 19, 1915, there is an Order by Judge Treiber appointing R. B. Campbell of Helena as Referee for two years from July 1, 1915.

The last case in this book is Case No. 407 dated April 19, 1921, so there are 407 cases from 1898 and 1921.

JONESBORO DIVISION FILES  
1944

Case No. 1035  
1926

Referee: F. C. Mullenax

May 19, 1926

Case No. B-1014, Jonesboro Division

Referee: F. C. Mullenax

Judge: Jacob Trieber

Case No. 986

In the Matter of B. S. Brewer

January 20, 1926

Referee: F. C. Mullenax

First Meeting was to be held in his office in Jonesboro.

Case No. B-2176

In the Matter of G. L. McDaniel

July 13, 1953

Referee: Lee Cazort

Case No. 2100

In the Matter of Henry Sipes

Referee: F. C. Mullenax

Case No. 2120

In the Matter of Robert H. Ray, Physician

November 3, 1944

Referee: F. C. Mullenax

Record Center  
March 23-25, 1985

United States District Court  
Fort Smith Division  
Western District of Arkansas

August 29, 1910 - October 26, 1911

September 19, 1910  
Case No. 314  
In the Matter of H. G. Lanthrop  
Referee: L. H. Southmayd  
Judge: John Rodgers

Page 27, Case No. 324  
In the Matter of James W. Meek  
Court appointed Samuel B. Woods, Jr., as Special Referee because the other Referee was disqualified.

Southmayd reflects he had an office in Van Buren - not Fort Smith.

The book ends on Page 73, October 26, 1911

Last Case:  
Case No. 328  
It says the docket will pick up in Volume III.

New Book - Cover is Worn Off  
Begins June 4, 1898  
Second date is Saturday, July 23, 1898  
Appointment of Referee for the Ft. Smith Division, Western District - Referee appointed is Joseph M. Hill who resides in Ft. Smith

January 17, 1898  
Order Approving the Resignation of Joseph Hill as Referee in Bankruptcy and the Order appoints Edward B. Pierce, Van Buren, Arkansas, as Referee in Bankruptcy January 17, 1899.

The references thereafter refer to him as E. B. Pierce.

On Page 70, there is an entry dated November 18, 1899, where the judge enters the Rules

of Bankruptcy and there is Rule 1-12.

Order dated January 19, 1900, in the matter of J. R. Ebrinzton, Involuntary Bankruptcy, Case No. 37, allowing expenses. A.A. McDonald is allowed \$131.00 as his fee for being the Receiver and E.B. Pierce is allowed \$75.00 for his services as Referee.

Order dated June 28, 1900, appointing L. H. Southmayd of Van Buren as the Referee. He stays the Referee a long time.

Order dated June 27, 1906, reappointed Labin Southmayd as Referee for a two year period.

On February 27, 1908, Judge Rodgers issued a revision of the bankruptcy rules - Rules 1-17.

Order dated June 30, 1910, reappointing Mr. Southmayd as Referee for two years from June 30, 1910, by Judge Rodgers.

The last case in the book is August 29, 1910, Case No. 279.

Bankruptcy Record of Referee Vol. III

Case No. 501  
March 16, 1917

This book has a lot more writing in the Orders of Referee, but it still doesn't say who the Referee is - here it is - L. L. Southmayd is the Referee - 1917. So this is his book - the handwriting is absolutely illegible.

The last case is No. 654  
July 1, 1921.

Bankruptcy Record of Referee Volume IV

Case No. 655  
July 2, 1921

Doesn't say who the Referee is, but the handwriting looks like it is Mr. McDonald's.

The last case is 807  
October 3, 1924.

Next book is entitled, "Bankruptcy Record of Referee No. V".

It begins with Case No. 846, Fort Smith Division  
Dated October 10, 1924  
In the Matter of Hadley Milling Company, et al  
Doesn't say who the Referee is

The docket sheets contain very little information - they give the date and it just says "adjudicated by the Referee of the Court" and on the right-hand side it says, "Order of the Referee" and there aren't any entries. It appears that this Referee is A. A. McDonald.

Case No. 951  
In the Matter of W. R. Bankston  
October 3, 1927, Attorneys L. L. Elrod of Siloam Springs, AR

On Page 197  
Case No. 1011  
October 8, 1928  
A. A. McDonald is still shown as Referee

Last case:  
Case No. 1018  
November 9, 1928  
In the Matter of John G. Harris of \_\_\_\_\_ (Wilke?) City, Arkansas  
Referee: A. A. McDonald

Bankruptcy Record of Referee Vol. VI

Begins with Case No. 1019  
March 13, 1928  
Referee: A. A. McDonald

Case No. 1022 - Tony Myers filed November 24, 1928  
It shows that the Referee, A.A. McDonald, got \$2.50 for notices; \$7.08 commission and \$0.25 addendum for a total of \$9.83. The trustee on the other hand got a fee of \$33.00.

Case No. 1062  
In the Matter of J. B. Chauweiler, Paris, Arkansas  
January 11, 1929  
The Referee got \$1.55

Case No. 1059  
In the Matter of Ada Drug Company

July 29, 1929  
The Referee got a fee of \$5.55

Case No. 1083 (Big Case)  
In the Matter of Mid-Continent Dairy Products Company  
October 8, 1929 by Dewey & Dewey (?) of Siloam Springs  
A. A. McDonald got \$64.83

Last case: Case No. 1192  
In the Matter of W. E. Jackson  
May 18, 1931  
Referred to G. O. Patterson, Jr., as Referee

Next page shows an Order dated February 1, 1937. referring the matter to G. O. Patterson, Jr., so I don't know why that's in there.

#### Bankruptcy Record of Referee Volume VII

Case No. 1241  
October 22, 1931  
Referee: A.A. McDonald

Case No. 1357  
January 9, 1933  
Referee: A. A. McDonald  
Judge: J. E. Martineau

Case No. 1383  
In the Matter of Arnold Farber, Fort Smith, Arkansas  
May 14, 1933  
Referee: G. O. Patterson

Case No. 1385  
May 12, 1933  
Referee: A. A. McDonald

Case No. 1530  
September 27, 1934  
Judge: Hartsill Regan

Last case (Case No. 1936)  
June 2, \_\_\_\_\_

Case No. 1755  
In the Matter of Henry Stroop  
No mention of Referee

Next book:

Bankruptcy Record of the United States District Court, Western District of Arkansas,  
Western Division, Volume No. 3, December 19, 1922 - March 1932  
(and it is thankfully typewritten)

Case No. 740  
In the Matter of Elmer Hall  
December 21, 1922  
Judge: Yanis (sp)  
Referee: Daniel Hon

Order dated June 19, 1923, Order by Judge Yanis appointing Daniel Hon who resided in Fort Smith as Referee for two years.

Order dated January 30, 1924, there is an Order by Judge Yanis accepting the resignation of James W. Slover as Referee for the Harrison Division.

Order dated January 30, 1924, the judge appoints John I. Worthington who resides in Harrison, Arkansas, as Referee for the Harrison Division.

On Friday, January 2, 1925, there is an Order signed by Judge Yanis appointing Daniel Hon as Referee for the Fort Smith Division for two more years.

Order dated December 2, 1925, reappointing Daniel Hon as Referee in Bankruptcy for two years for the Ft. Smith Division.

Order dated December 5, 1925, appointing Gustavus G. Pope as Referee for the Texarkana Division signed by Judge Yanis.

Order dated Tuesday, July 27, 1926, by Judge Yanis appointing W. A. Carlton as the Referee for the Harrison Division of the Western District.

Order dated June 30, 1927, by Judge Yanis appointing John Bruce Cox in El Dorado to be the Referee in Bankruptcy for the El Dorado Division.

Order dated October 29, 1927, by Judge Yanis appointing Daniel Hon as Referee for the Fort Smith Division.

Order dated March 6, 1928, by Judge Yanis appointing W. A. Carlton as Referee for the Harrison Division.

Order dated April 9, 1929, by Judge Yanis that recites as follows:

“Whereas, the appointment of Daniel Hon as a Referee in Bankruptcy was terminated by his death on the 5<sup>th</sup> day of April, 1929, therefore, the judge appoints A. A. McDonald who resides in Fort Smith as the Referee.

Order dated December 6, 1929, appointing G. G. Pope as Referee for the Texarkana Division of the Western District by Judge Yanis.

Order dated June 27, 1930, in the case of William L. Crossland by Judge Yanis appointing Daniel Hon as the Referee and I thought Hon had died so maybe these are out of order.

Well, here’s case number 1131, July 24, 1930, in the case of William Herbert Miles, with the Referee being Daniel Hon.

There are alternating Orders between A. A. McDonald and Daniel Hon in the 1930's so I don’t understand.

Order dated April 4, 1931, by Judge Yanis appointing A. A. McDonald as Referee for two years.

Order dated July 2, 1931, by Judge Yanis appointing John Bruce Cox of El Dorado as the Referee for two years.

Order dated December 5, 1931, by Judge Yanis appointing G. G. Pope as the Referee for the Texarkana Division for a period of two years.

The last case in the book Case No. 1291  
March 25, 1932  
In the Matter of C. N. Elliott  
Referee: A. A. McDonald

Bankruptcy Record Book D, Volume II  
United States District Court  
Western District of Arkansas  
Fort Smith Division

(Praise be, it’s typewritten)

First Case:

November 1, 1911  
Case No. 328  
In the Matter of Brad Bartell

The Referee got \$3.05 fee.

Case No. 348  
November 27, 1911  
In the Matter of Samuel Westner  
Referee: L. H. Southmayd

June 21, 1912, Order appointing L. H. Southmayd as the Referee for the Fort Smith Division by Judge Yanis for two years from June 21, 1912.

On December 6, 1913, Order by Judge Yanis appointing G. G. Pope as Referee for two years from December 6, 1915, for the Texarkana Division.

There is an Order dated June 26, 1914, appointing Mr. Southmayd as Referee for two years from June 26, 1914, by Judge Yanis (Yomans??)

Order dated August 14, 1914, by Judge Yoman appointing F. M. Garvin as Referee for the Harrison Division, Western District.

Order dated November 15, 1915, by Judge Yomans appointing G. G. Pope as Referee for the Texarkana Division for two years from that date.

Order dated June 26, 1916, by Judge Yomans appointing Labin H. Southmayd as Referee for the Fort Smith Division for two more years.

Order dated December 4, 1917, by Judge Yomans appointing G. G. Pope as Referee for the Texarkana Division.

Order dated June 24, 1918, by Judge Yomans appointing Labin H. Southmayd as the Referee for the Fort Smith Division for two years.

Order dated February 14, 1919, appointing F. M. Garvin as Referee for the Harrison Division by Judge Yomans.

Order dated October 27, 1919, appointing Labin H. Southmayd as Referee for two years by Judge Yomans.

Note: Apparently they've copied in here the Referee's Oath of Office and signed it by

Daniel Hon, William S. Welshire, Clerk, so that's got to be an error.

Order dated November 1, 1919, referring to the fact that Labin H. Southmayd died on October 28, 1919, and so the Hon. Daniel Hon is appointed the Referee for two years so I may just have my books mixed up.

Order dated December 1, 1919, by Judge Yomans appointing G. G. Pope as the Referee for the Texarkana Division. Thereafter, Daniel Hon received the cases as Referee.

On July 19, 1920, Judge Yomans signed an Order appointing James W. Slover as Referee for the Harrison Division.

On December 3, 1921, there is an Order by Judge Yomans appointing G. G. Pope as Referee for the Texarkana Division.

October 10, 1922, there is an Order by Judge Yomans appointing James W. Slover as Referee for the Harrison Division.

The last case is Case No. 739  
In the Matter of Zenus Gaddis  
December 5, 1922

APPOINTMENTS OF CONCILIATION COMMISSIONERS

<b>DATE</b>	<b>NAME</b>	<b>TOWN</b>	<b>COUNTY</b>	<b>JUDGE</b>
7/2/34	J. B. Poindexter	Stuttgart	Arkansas	John E. Martineau
7/10/34	H. B. Allen Sickel	DuValls Bluff	Prairie	John E. Martineau
7/10/34	W.W. McCrary, Jr.	Lonoke	Lonoke	John E. Martineau
7/24/34	C. J. Brown	Dermott	Chicot	John E. Martineau
7/28/34	Pat L. Robinson	Little Rock	Pulaski	John E. Martineau
7/28/34	H. J. White	Yellville	Yell	John E. Martineau
7/31/34	J. W. Johnston	Morrilton	Conway	John E. Martineau
8/01/34	H. Robinson	Conway	Faulkner	John E. Martineau
8/01/34	W. E. Jones	Perryville	Perry	John E. Martineau
8/17/34	Maurice Reinberger	Pine Bluff	Jefferson	John E. Martineau
8/17/34	J. F. Watkins	Searcy	White	John E. Martineau
8/27/34	J. W. Elrod	Rison	Cleveland	John E. Martineau
8/27/34	Bruce Cotham	Hot Springs	Garland	John E. Martineau
8/27/34	Byron Atkinson	Fordyce	Dallas	John E. Martineau
8/31/34	W. E. Spencer	Monticello	Drew	John E. Martineau
9/13/34	Curtis W. Fish	Star City	Lincoln	John E. Martineau

9/13/34	Gordon Young	Malvern	Hot Springs	John E. Martineau
9/13/34	H. W. Anderson	Saline	Benton	John E. Martineau
9/29/34	R. W. Huey	Arkadelphia	Clark	John E. Martineau

## **REFEREE MASTERLIST**

**1989-1979**

1. P. G. Dooley
2. C. C. Waters
3. A. K. (A.H.) Sevier
4. Fred Mullinex
5. John Brizzolara
6. Marshall H. Stephensen
7. E. W. Kimball
8. G. G. Pope
9. Bruce Cox
10. C. E. Portis
11. Powell Clayton
12. Joe Sneider
13. Lee Cazort
14. Arnold Adams
15. Charlie Baker
16. Charles F. Cole
17. E. H. Brown
18. W. A. Falcmer
19. Samuel D. Woods

## REFEREE MASTERLIST

1989-1979

20. J. M. Hill
21. E. B. Pearce
22. E. L. Marlboro
23. G. M. Grantham
24. C. B. Moore
25. Willis B. Smith
26. Joseph L. Shaw
27. Daniel Hawn
28. A. A. McDulald
29. R. D. Bogard
30. A. L. Kinny
31. Ben Henley
32. Oscar Ellis
33. Jo Linn
34. Ira J. Mack
35. L. B. Poindexter
36. J. J. McCaleb
37. (GW) W. G. Phillips
38. Jess N. Vinyard

## **REFEREE MASTERLIST**

**1989-1979**

39. E. Foster Brown
40. R. B. Campbell
41. E. C. Horner
42. G. O. Patterson
43. Tom Harper
44. G. Byron Dobbs
45. Suzanne Lighton
46. Edgar Bethel
47. Laban Southmayo
48. F. M. Garvin
49. W. A. Carlton
50. J. F. Simms
51. R. G. Moore

## **BANKRUPTCY REFEREES**

1. EDGAR BETHELL
2. POWELL CLAYTON
3. P. G. DOOLEY
4. OSCAR E. ELLIS
5. BEN HENLEY
6. E. C. HORNER
7. J. O. LINN
8. FRED MULLINIX
9. L. B. POINDEXTER
10. JOE SCHNEIDER
11. CHARLES E. WATERS
12. S. W. WOODS

**REFEREES OF THE**  
**WESTERN DIVISION OF THE EASTERN DISTRICT OF ARKANSAS**  
**1898 - 1984**

1. Patrick Callan Dooley  
Birth: December 25, 1842  
Death: September 12, 1910  
Referee: 1898-1903
  
2. Eben Kimball  
Birth: 1839  
Death: January 26, 1923  
Appeared as Special Referee in a few cases in 1902 and 1903
  
3. Charles C. Waters  
Birth: March 5, 1844  
Death: October 22, 1927  
Referee: July 1903 - October 1927
  
4. Powell Clayton  
Birth: January 19, 1887  
Death: Unknown  
Referee: February 27, 1923 - September 14, 1929
  
5. Joseph Hiram Schneider  
Birth: 1891  
Death: July 9, 1966  
Referee: September 13, 1929 - December 31, 1938
  
6. William Lee Cazort  
Birth: 1898  
Death: October 7, 1969  
Referee: 1937 to December 31, 1961
  
7. Arnold M. Adams  
Birth: 1912  
Death: 1982  
Referee: January 1, 1962 - 1982 (redesignated Bankruptcy Judge 1976)
  
8. Charles W. Baker  
Birth: 1940  
Referee: 1973 - 1984 (redesignated Bankruptcy Judge 1976)

(Ken Buckner's Notes)

Bankruptcy Docket Volume I, El Dorado  
Cases Nos. 1-28  
1925-1930

Beginning February 28, 1925, the Referee is G. G. Pope

July 21, 1925  
Brent G. Ploukbist  
Referee: Bruce Cox a/k/a John Bruce Cox

Page 36  
W. W. Watson  
May 25, 1927  
Referee: C. E. Portis (also Receiver)

Volume No. 3, Little Rock Division  
Case Nos. 819-1318  
1907-1911  
Most of the Referees are C. C. Waters

In Case No. 939, June 19, 1908, the Referee was James Coates

Volume No. 4, Little Rock Division  
1911-1915  
Case Nos. 1319-1768

Case No. 1523, August 2, 1913, the Referee was James Coates

Volume No. 5, Little Rock Division  
Case Nos. 2220-2673  
1920-1923  
The Referees were either C. C. Waters or Powell Clayton

Volume 7  
Case Nos. 2674-3127  
1923-1927  
The Referees were either C. C. Waters or Powell Clayton

(Ken Buckner's Notes cont'd)

Volume 8, Little Rock Division  
Case Nos. 3126-3629  
1927-1931  
The Referee was Joe Sneider

Volume 9, Little Rock Division  
Case Nos. 3028-4127  
1931-1934  
Referee: Joe Sneider

Volume II, Little Rock Division  
Case Nos. 4628  
January 12, 1938  
Referee: Lee Cazort

\*Thereafter is Lee Cazort

The last entry is February 12, 1953

Batesville Docket  
Case Nos. 141-507  
1909-1953

Case dated August 13, 1909  
Referee: Charles F. Cole

Case No. 234  
1917  
Referee: E. H. Brown

Case No. 226  
February 11, 1922  
Referee: Ira J. Mack

Case No. 288  
December 24, 1924  
Referee: L. B. Poindexter and Ira J. Mack

Note: This book also had some Helena dockets in the back (Case No. 291) November

18, 1925, the Referee was L. B. Poindexter

Case No. 463  
January 11, 1937  
Referee: J. J. McCaleb

Last Referee is Lee Cazort  
Last Case is 506 dated December 10, 1953

Helena Docket  
June 4, 1903 through January 25, 1926

Case No. 60  
M. J. Wilkins, Bankrupt  
June 21, 1903  
Referee: M. L. Stephenson

Case No. 131  
July 29, 1907  
Referee: W. G. Phillips

Case No. 163  
July 2, 1909  
Referee: Jess N. Vinyaro

Case No. 217  
May 4, 1911  
Referee: E. Foster Brown

Case No. 227  
November 8, 1911  
Referee: R. B. Campbell

Case No. 389  
February 7, 1921  
Referee: E. C. Horner

Thereafter, the cases alternate between Campbell and Horner.

Fort Worth  
Mixon's Notes:

Volume 4, Fort Smith

Case No. 1435  
February 9, 1934  
Referee: G. O. Patterson

Volume 4 ended June 1938

Volume 5, Fort Smith  
Case Nos. 1890-2003

Page 1 - Case No. B-1890  
November 14, 1938  
Referee: Tom Harper

Page 17 - Case No. B-1959  
George H. Hawkins, Debtor  
March 16, 1942  
Referee: G. Byron Dobbs

Volume 3, Helena

Beginning case is Case No. 616  
January 28, 1926  
Referee: E. C. Horner

January 20, 1926

Book ends w/ Case No. 1029 dated December 23, 1953  
Lee Cazort - Referee

Volume 1, Western District, Fayetteville Division  
1940

Begins August 5, 1940  
Referee: Thomas Harper

Case No. 5  
January 10, 1941  
Referee: Suzanne Lighton

Fort Worth  
Mixon Notes (cont'd).

Case No. 6  
July 7, 1941  
John Brown University, Bankrupt

Case No. 13  
September 2, 1947  
Referee: Edgar Bethel

Last case is dated January 17, 1951

There were 19 cases from 1940 to 1951 in this book

Harrison Division (also has Texarkana)

Begins January 1, 1912  
Lester Deveraw  
Referee: Southmhyd

Case No. 55  
Referee: F. M. Garvin

Case No. 123  
September 21, 1920  
J. W. Slober

Case No. 141  
Talent Brothers  
July 26, 1923  
Referee: W. A. Carlton

Last case: February 16, 1925 (This is Harrison I assume)  
Referee: W. A. Carlton

Then it switches to Case No. 300, January 12, 1912, Texarkana  
Referee is J. F. Simms and there is also an R. G. Moore

One case to look at is Case No. 1797  
The Debtor is U.S. Bratten  
Attorney is Powell Clayton

Fort Worth  
Mixon Notes (cont'd)

This just says "Book ends November 9, 1920 and all of Charles Waters' notes are mixed up from somewhere else I don't know where.

Case No. 77  
Western District of Van Buren  
October 23, 1900  
Referee: W. A. Falcmer

Page 125  
September 19, 1907  
Southmeyer who is getting all the references

Made reference to the fact that the Clerk in Fort Smith in 1918 is General H. B. Armstead

Case No. 216  
John Pritchard  
April 24, 1907  
Referee is B. B. Kimball

Case No. 324  
December 9, 1910  
Referee: Samuel B. Woods

Last case is August 31, 1915  
Referee: Southmayd

Book No. 2, Fort Smith, 1915-1927  
Case Nos. 489-938

Book E-24  
Cases No. 1-488  
1898-1915

Case No. 1  
Louis W. Switzer, Harrison  
September 18, 1898  
Referee: J. M. Hill

Fort Worth  
Mixon Notes (cont'd).

Case No. 9  
Robert Lomer  
Referee: E. B. Pearce

Case No. 60  
March 9, 1900  
Referee: Southmayd

Case No. 64  
October 23, 1900  
Referee: E. L. Marlboro

Page 127  
Texarkana (cont'd).  
February 12, 1923  
E. G. Pope

Last case is 1960  
December 1930

Next Book: Texarkana, 1898-1907

Mrs. G. M. Grantham  
October 21, 1898

Case No. 57  
1901  
Referee: A. K. Seiver

Cases run from 1907-1923

Book - Western District, Texarkana Cases 193-670

Case No. 194  
Robert Penny  
February 26, 1907  
Referee: A. H. Seiver

Case No. 224  
July 2, 1908  
Referee: C. B. Moore

Fort Worth  
Mixon Notes (cont'd)

Case No. 307  
February 24, 1913  
Referee: John H. Sims

Case No. 351  
December 13, \_\_\_\_\_  
Referee: G. G. Pope

Case No. 670  
1923  
Referee: G. G. Pope

Book 2 - Texarkana

Case No. 671 (first case)  
Hughes Drugs  
November 19, 1923  
Referee: G. G. Pope

Case No. 991  
The Leader, Inc.  
July 1, 1933  
Referee: Willis B. Smith

Note to file: Conciliation Commissioner cases under that special section had a \$10.00 fee while the regular filing fee is \$30.00.

Last case in the Texarkana book is B-1100  
June 29, 1937

First Book in Helena - 1898

In re Clark & Company  
Referee: M. L. Stevenson

Case No. 100

July 30, 1904  
Referee: Joseph L. Shaw

Fort Worth  
Mixon Notes (cont'd)

Case No. 111  
July 11, 1905  
Referee: G. W. Phillips

Book ends April 16, 1907

Case No. 466 to look up  
Arthur Falk  
Referee: P. G. Dooley  
March 21, 1903

Case No. 351  
December 3, 1913  
Referee: G. G. Pope

Volume 3, Fort Smith

Case No. 939, Washington County  
August 8, 1927  
Referee: Daniel Hawn

Case No. 1042  
Standard Land & Gravel  
March 29, 1929  
Referee: A. A. McDonald

Case No. 1393  
June, 1933  
Referee: George O. Patterson

Case No. 1417  
November 23, 1933  
Referee: R. D. Bogard as is G. O. Patterson

Page 88  
Case No. 1974  
October 16, 1946  
Referee: Edgar Bethel

Fort Smith Book ends 1951.

Fort Worth  
Mixon Notes (cont'd)

Volume 10, Little Rock, 1934-1938

March 26, 1924  
Referee: Joe Scheider

Harrison and Texarkana Docket Book

Case No. 163 (Harrison)  
Burdette Lockhart  
February 23, 1925  
Referee: W. A. Carlton

Case No. 196 (Harrison)  
Eron Evans  
May 11, 1928  
Referee: A. L. Kinney  
May 11, 1928

Book ends November 28, 1930

## LAW REVIEW

### BANKRUPTCY RECORD OF REFEREE VOLUME 8 (WESTERN DISTRICT)

Before the first case is recorded, there is a copy of an order issued January 15, 1935, signed by Hartsill Ragon, District Judge, entitled:

#### Order Making Further Temporary Allowances for Expenses of Referees

It further provides for extra expense of referees in the initial purchase of office equipment, dockets, blanks, stationary and for clerical assistance. It is ordered by this court that in addition to the expenses authorized by the order of the court of September 8, 1935, and for the period from November 1, 1934 to and including December 31, 1935, referees be permitted to charge or collect from bankrupt estates ten cents each for the first twenty notices mailed to creditors and five cents for each additional notice.

Case No. 1393  
June 24, 1933 in Fort Smith  
Judge Hartsill Regan, District Judge

Also there is a letter dated March 18, 1946, addressed to Mr. John Brizzola, Referee in Bankruptcy in Fort Smith, inquiring about his annual report and then Mr. Brizzola said that only two bankruptcy cases were filed during this period and both were no asset.

Case No. 1397  
B. M. Rodgers  
July 12, 1933 (might look up - looks like an asset case)  
still doesn't show who the referee is yet

Case No. 1408  
J. M. Doss - Fort Smith  
October 13, 1933

Docket Entry: A. A. McDonald was the Referee.

Case No. 1412  
Filed November 2, 1933

Notation on the docket that the meeting was held by the Referee, A.A. McDonald, by request of Referee G. O. Patterson who was unable to attend.

Case No. 1423

December 14, 1933

Asset case - says there was a notice published in the Times Record of Fort Smith so need to check that newspaper to see if it says who the referee is.

Note: These files all indicate that in Fort Smith that the first meeting of creditors was always held in the Federal Building in Fort Smith.

Case No. 1550

Filed October 15, 1934

It reflects that the Referee adjudicated the Debtor bankrupt rather than Judge Ragon.

Case No. 1643

March 9, 1934

Robert O. Pickens - Bentonville

Composition case - shows that the referee allocates he received \$33.18

The first meeting was held in Fort Smith

The attorney is Price Dickson from Fayetteville

Case No. 1658

Gayle Brewer, Rogers, Arkansas, Merchant

Duty & Duty were the attorneys

Case No. 1662

Floyd Paul

April 16, 1935

Case No. 1864

Paragon Boat Shop, Inc.

March 21, 1938

Harry Sternberg was appointed Trustee

By Whom Appointed: G. O. Patterson, Jr. (that might be the Referee, but I don't know)

Case No. 1866

Herbert R. Pyeatte, Cane Hill, Arkansas

He was adjudicated March 30, 1938, by George Patterson, Jr., Referee

Case No. 1898

Fort Smith Body Company

March 6, 1939

Thomas Harper was the Referee

Case No. 1905

May 2, 1939

Referee was Thomas Harper adjudicated the debtor bankrupt

Case No. 1886

Midland Coal and Mining Co. Mfg. Company

May 6, 1939

Order made by G. O. Patterson, Special Referee in Bankruptcy

\*Good case to pull from the record center

Case No. 1927

Edgar Holliman, Paris, Arkansas

April 9, 1940

Back Page there is an Order by Judge Ragon

September 8, 1933 setting the requirement that Referees keep a permanent docket and setting forth the fees a Referee can charge and it's required by Rule XXVI, Bankruptcy Rules of the Supreme Court as Amended April 17, 1933.

**\*\*\* Erase below????**

In 1898, the Helena Division of the Eastern District of Arkansas consisted of the counties of Mississippi, Crittenden, Lee, Phillips, Clay, Craighead, Poinsett, Green, Cross, St. Francis and Monroe. In 1915, Desha and Chicot Counties were added to the Helena Division, and in 1924, the Helena Division lost Clay, Green, Craighead, Poinsett, Poinsett and Crittenden Counties to the newly formed Jonesboro Division of the Eastern District of Arkansas. Also, Chicot County was transferred to the Little Rock Division in that year. Finally, in 1961, the Helena Division lost Desha County to the newly formed Pine Bluff Division.

The District Court met at Helena at the U. S. Courthouse and Post Office Building on Cherry Street which was constructed in 1890. The District Judge in 1898 was Judge John A. Williams. The first Referee appointed by the District Court was Marshall L. Stephenson. The first case filed in the Helena Division was the case of Clark and Company and was in involuntary petition filed by several creditors from Memphis. The case was filed on the 31<sup>st</sup> day of October 1898. The Debtor was Clark and Company, a “mercantile firm” composed of Robert Eaton alone who resided in Luxora, Mississippi County, Arkansas. Marshall Stephenson is listed in the Helena City Directory of 1899 as Referee in Bankruptcy. In the 1906 city directory, E. C. Horner is listed as attorney (Horner & Horner), 507 ½ Cherry Street. W. G. Phillips at 402 ½ Cherry Street and M. L. Stephenson at 402 ½ Cherry Street. J. M. Vineyard is listed at 401 ½ Cherry Street.

Marshall Stephenson was appointed for two successive terms as Referee in Bankruptcy for the Helena Division by Judge Williams and later Judge Jacob Trieber. Marshall Stephenson was the former law partner of Judge Trieber. The bankruptcy proceedings held before Stephenson were held in his office which was located at 400 ½ Cherry Street and the file Marshall Stephenson kept included a school child’s composition book where he entered his orders sometimes in pencil; sometimes in ink and sometimes, typewritten. In 1900, his office was listed as being located at 517 Ohio Street in Helena.

Marshall Stephenson was born in Granville, Illinois on March 29, 1838. He was educated at Granville Academy and graduated in 1858 and commenced the study of law in the law office of Stewart, Edwards & Beavers in Springfield, Illinois. Before he completed his studies, the Civil War broke out and in 1861 he enlisted in the Tenth Illinois Calvary as Captain and later promoted to Major. During the Fall and Winter of 1863 - 1864, he was responsible for raising an infantry of Union troops in North Arkansas. He took part in the battle of Jenkins Ferry in South Arkansas on April 30, 1864, where he was severely wounded.

At the end of the war, he settled in Fort Smith, attended law school in Cincinnati and was admitted to the Arkansas Bar in 1866. He moved to Huntsville, Arkansas, in 1867 and ultimately to Helena in 1871. He served as a State Senator for the Third Senatorial District of Arkansas and was appointed judge in the Fourth Judicial Circuit on July 23, 1868 until he moved to Helena in 1871. In 1872, he was elected Associate Justice of the Arkansas Supreme Court until May 18, 1874, when he resigned to return to practice of law in Helena in partnership with his brothers and later with Jacob Trieber.

In 1872, he married Ms. Louise Magowan of Battle Creek, Michigan. They had no children and Stephenson was not a member of any church, but according to Goodspeed, “He is always ready to aide any church organization in its good works . . .”. He served as President of the First National Bank and the Guaranty, Loan and Trust Company of Helena.

In July, 1911, he visited Michigan for his annual vacation when he was “stricken down” and died. He was described by his fellow judges on the Supreme Court as, “subscribing to no

religious creed, but tolerant of all, he was in every sense a Christian who believed in the luxury of doing good. I have known him to devote days and weeks to the interest of some widow or orphan and take for compensation the simple consciousness of having conferred a deserved favor". His residence is listed in the Helena City Directory at 806 College Street.

#### W. G. PHILLIPS

During the same period Marshall Stephenson was appointed Referee in Bankruptcy on most of the cases, there were occasional cases where W. G. Phillips was appointed Special Referee and the circumstances were cited as the absence of Marshall Stephenson from the area. Phillips is listed in the 1899 City Directory of Helena with offices at 517 Ohio Street in Helena. Phillips is listed in the 1906 City Directory as having an office at 402 ½ Cherry Street which is the same address given for Marshall Stephenson during that year.

Other individuals appointed as Special Referee from 1898 to 1911 included Jesse M. Vinyard whose office is listed in the 1900 city directory at 403 Cherry Street. In 1911, when Marshall Stephenson died, Judge Trieber, by Order dated September 27, 1911, appointed Leo J. Mundt for a term to serve as Referee ending June 30, 1912. On October 16, 1911, Leo J. Mundt resigned and Judge Trieber appointed R. B. Campbell as Referee. R. B. Campbell was appointed again on June 19, 1915, for a term of two years.

The docket books reflects that between October 1898 and July 30, 1904, 100 cases were filed in the Helena Division. Case No. 100 filed July 30, 1904, showed a Special Referee, Joseph L. Shaw. Case No. 111 was filed July 11, 1905, and G. W. Phillips was appointed Referee. By February 7, 1921, the total number of cases filed in the Helena Division was 389.

The last case in Record Book 2 was dated April 19, 1921, Case No. 407. R. B. Campbell was appointed Referee. From 1898 to 1921, there were 3,202 cases filed in the entire Eastern District of Arkansas for an average of 152 cases per year.

Other Special Referees appointed between 1898 and 1921 in the Helena Division were Joseph L. Shaw and E. Foster Brown.

#### R. B. CAMPBELL

Bruce Campbell was born July 13, 1876, in Illinois and graduated from Pontiac Illinois High School and Lake Forest College. He studied law in the office of Mr. A. C. Norton at Pontiac and came to Arkansas in 1908, and entered the practice of law in Marianna. After a year in Marianna, he moved to Helena and became a partner with Marshall L. Stephenson. In 1915, after the death of Judge Stephenson, he was appointed Referee in Bankruptcy by Judge Trieber. He was a skilled musician and played the piano and pipe organ and was a very active businessman owning and operating a number of plantations and was a director in several banks. He was purportedly the largest planter in Eastern Arkansas. He married Ms. Mary Greenbaum of Pontiac, Illinois who survives him. Campbell was killed in an accident which was reported by the Helena World on February 21, 1921. The report summarizes that Mr. Campbell was attending to business on one of his plantations about seven miles from Helena when he decided to visit a tenant house some distance from the road. He borrowed a shotgun from one of the employees on the plantation and he was later found dead with a gunshot wound to his back and hip and it was concluded that the gun accidentally discharged as he was attempting to crawl under a bob-wired fence. He had asked for the shotgun in order to shoot rabbits if any came his way on his visit to his tenant house. He was survived by his wife and his father and siblings, but he had no children. In addition to being a Referee in Bankruptcy at the time of his death, he was also a Master in Chancery for the Eastern District of Arkansas.

He was active in the Republican party and was a Republican party leader in Phillips County.

#### E. C. HORNER

Beginning in March 1922, E. C. Horner received the appointment as Referee in Bankruptcy for the Helena Division and received all of the cases thereafter for a long period of time. His first case was Case No. 460, In the Matter of Edward Rose. E. C. Horner's office is located in the 1909 City Directory of Helena at 507 ½ Cherry Street. The 1920 City Directory of Helena does not list E. C. Horner as an attorney, but as President of West Helena Consolidated Company and Helena Ice Company. The West Helena Consolidated Company is listed as “. . . Electric Street Railway and Real Estate Office at 511 ½ Cherry Street”. The company had offices in both Helena and West Helena. E. C. Horner's residence is listed in the 1920 West Helena City Directory as “Cleburne Av.-ner Sebastian Street”. He is also listed as “Prop. Superior Chair Company”. In the 1936 city directory, E. C. Horner is listed as Referee in Bankruptcy , U. S. Government.

During the Depression beginning in 1929, every bank in Helena and West Helena failed. E. C. Horner filed for personal Chapter 7 bankruptcy on October 17, 1929 (Case No. 639). His Trustee was J. B. Conley who was a Federal Commissioner in Helena and also the Deputy Clerk. The Referee assigned to the case was Powell Clayton of Little Rock. The Trustee received a fee of \$3.00 and the Referee received a fee of \$16.50. In 1932, Sid Redding wrote E. C. Horner a letter enclosing a check for \$245.00 for fees for 16 cases at \$15.00 per case and one case for \$20.00.

On April 19, 1935, the District Judge, John Martineau, entered an Order assigning all of E. C. Horner's cases to Joe Schneider, the Referee in Little Rock, because of Mr. Horner's illness.

On February 21, 1940, Judge Martineau accepted the resignation of E. C. Horner as as Referee in Bankruptcy stating, “By reason of a long and faithful service of said Referee, reluctantly [I] accept said resignation”. The judge also ordered the Helena Division of the Eastern District bankruptcy matters be merged with the Little Rock Division and jurisdiction was granted to Lee Cazort, Referee in Little Rock.

On July 1, 1949, by Order of Thomas D. Trimble, United States District Court, Lee Cazort was appointed Referee for the Helena Division for the Eastern District of Arkansas.

On February 10, 1953, by Order of Thomas C. Trimble and Harry J. Limley, the District Court Clerk's Office in Helena was closed and the records removed to Little Rock.

E. C. Horner was born in Helena, Arkansas, in 1861, and was the son of the late John J. Horner and Betty Tull Horner. He was an Episcopalian and a Mason. He attended Locust Dale Academy in Virginia and the University of Virginia. He practiced law with his father in Helena and became President of the old bank of Helena. He and his brother, John S. Horner, founded West Helena in 1909, and also pioneered a streetcar line between Helena and West Helena. He was President and Executive Secretary of the Helena Chamber of Commerce of many years and was the founder of the Businessman's League of Helena and was President of Twin City Transit Company.

He married Ms. Lorna Pointer of Memphis in 1899, and their children were Ms. Lorna Horner Morris, Jordell Horner, E. T. Horner and A. P. Horner. He had three brothers, J. A. Horner, J. T. Horner and J. L. Horner. He died February 20, 1944, at his home in West Helena.

Mr. Horner, as did Marshall Stephenson, maintained his file in a children's composition book. He would type orders on regular typing paper and then paste them sideways so at the end

of the case, you would open the book and the orders would be in chronological order.

In Case No. 805 of J. J. Johns dated March 26, 1931, the First Meeting of Creditors Notice is a postcard signed by E. C. Horner and orders the first meeting to be held at his office at 1:00 p.m. on April 15, 1931. The notice does not state the address of his office only that it is in Helena, Arkansas.

One of the cases handled by Mr. Horner was Hart Shoe Store, Case No. 999, dated February 28, 1931. Among the accounts payable to Hart Shoe Store, most of which were in the \$4.00 to \$6.00 to \$10.00 range, was J. C. Holloway who owed \$4.90 (the \_\_\_\_\_ grandfather). Among other creditors of the debtor was the brother of the Referee, Mr. John Horner, who owed \$10.00 and C. C. Lyford who owed \$9.20.

The transcript of the first meeting indicated that various attorneys attended including A. M. Coates, A. D. Whitehead and John Ike Moore and the transcript reflects that Mr. Horner simply stated, "I think we'll sell all the inventory as soon as possible. The first meeting was very informal. Among the cases under Mr. Horner's responsibility was the case of W. W. Denning, Bankrupt. Mr. Denning operated a furniture store and the final accounting was filed by W. D. Cash, the Trustee, on April 8, 1932, showed the following payments to Mr. Horner:

1.	E. C. Horner's Referee Fees	\$50.00
2.	E. C. Horner's Master Expense	\$10.00
3.	E. C. Horner's Fee for Sale as Master	\$30.00
4.	E. C. Horner - Fee Allowed by U.S. Court as Master	\$ 150.00
5.	E. C. Horner's Balance of Referee Fees	96.50
6.	Distribution to Unsecured Creditors	\$3,166.60
7.	Total Receipts	\$5,915.45

Other individuals receiving a discharge included E. M. Polk on July 9, 1927; William Morefield on August 2, 1927; W. H. and J. L. Anderson d/b/a Anderson Cotton Company on November 29, 1927; C. L. Polk on January 13, 1928, Griffin Newburn Company on July 10, 1928.

Other debtors included Hart Shoe Store, February 28, 1931. Brown Faulkner Motor Company, March 16, 1931; Abe Goldsmith, March 31, 1931.

Another interesting case presided over by Mr. Horner, was the matter of Sam Ciener, Bankrupt, in 1931. In that case, Mr. Horner approved a composition on behalf of Mr. Ciener to pay unsecured creditors \$0.30 on the dollar. Most of the creditors were vendors from out of town, but some of the creditors included local people such as Habibs Restaurant, King Thompson Drug, Helena Steam Laundry, Bradford Printing Company, Tap Horner, S. L. Mundt, F. M. Pardue, Helena Wholesale Dry Goods Company and Rothchild Brothers Hat Company. One letter in the file is from Ozero Brewer of the firm of Brewer and Cracraft dated September 5, 1932, which voted to accept the plan on behalf of "Sam Ciender to his creditors on the claims of:

F. M. Pardue,	Helena, Ark.
The Bootery, Inc.,	" "
E. Levy	" "
Tap Horner	" "
The Arkmo Lbr. Yards	" "
Papa Brothers,	" "

Bradfield Printing Co.,	“	”
Landers Furniture Co.,	“	”
Helena Steam Laundry	“	”
Habibs	“	”
King Thompson Drug Co.,	“	”
Crescent Jewelry Co.,	“	”
Seelig L. Mundt,	“	”

against this bankrupt estate. Please acknowledge receipt of the enclosed papers”

The majority of the creditors accepted the plan and in the file is a check made payable to Habibs Restaurant dated September 24, 1932, drawn on Phillips National Bank in Helena for \$0.60 signed by E. C. Horner. During this period of time (1920) typical prices for consumer goods advertised in the Helena World dated July 3, 1920, including “Seniors Mens Suits - \$33.75, Atkins Pork ‘n Beans - \$1.00 a can, 3 lbs. coffee - \$1.00, eggs - \$0.45 a dozen. In 1930, the Helena World advertised a ten pound bag of sugar for \$0.55, one pound of bacon for \$0.27, a dozen eggs for \$0.30, one pound of potatoes for 1.5 ¢, one pound of roast beef for \$0.15 a pound, 1 lb. of coffee - \$0.35, a six-cylinder truck - \$520.00 and a Philco radio was \$68.00. In August 1941, the Helena World advertised cigarettes - 2 packs \$0.35, ten lbs. sugar - \$0.55, 1 lb. of coffee - \$0.28, Habibs Restaurant was advertising lunch for \$0.39 consisting of fried chicken, potato chips, roll and peach ice cream. Spare ribs for \$0.35 and bacon and eggs, \$0.29.

In a notice filed in the Interstate National Bank of Helena dated July 10, 1930, the following individuals were listed as Trustees in Bankruptcy with balances undistributed. They included B. K. Craycraft, John Ike Moore, Hugo Mundt, Selig L. Mundt, N. B. Norton, P. T. Rabb, E. A. Rolf and A. Straub.

The docket books reflect in the Eastern Division of the Eastern District between 1898 and 1959, 1,054 cases were filed.

## **HELENA DIVISION OF THE EASTERN DISTRICT OF ARKANSAS**

In 1898, the Helena Division of the Eastern District of Arkansas consisted of the counties of Mississippi, Crittenden, Lee, Phillips, Clay, Craighead, Poinsett, Green, Cross, St. Francis and Monroe. The District Court met at Helena at the U. S. Courthouse and Post Office Building on Cherry Street. The District Judge at that time was Judge John A. Williams. The first Referee appointed by the District Court was Marshall L. Stephenson. The first record book for Helena is missing, but Book No. 2 contains an Order dated September 20, 1900, appointing Marshall L. Stephenson as Referee by Judge Jacob Trieber who succeeded Judge Williams in 1900. Marshall Stephenson served as Referee for the Helena Division from 1898 until his death in 1911. The first case filed in the Helena Division was the case of Clark & Company based on an involuntary petition filed by several creditors from Memphis. The petition alleged that Clark & Company was a mercantile firm composed of Robert Eaton alone. In 1915, Desha and Chicot Counties were added to the Helena Division. In 1924, the Helena Division lost Clay, Green, Craighead, Poinsett, Mississippi and Crittenden Counties to the newly formed Jonesboro Division and Chicot County which was transferred to the Little Rock Division. Finally, in 1961 the Helena Division lost Desha County to the newly formed Pine Bluff Division. The Helena Division currently consists of Phillips, Lee, St. Francis, Monroe, Cross and Woodruff Counties.

The Bankruptcy Court proceedings held before Stephenson were held in his office located at 400 ½ Cherry Street, and the file Marshall Stephenson kept included a school child's composition book where he entered his orders sometimes in pencil; sometimes in ink and sometimes typewritten.

Marshall Stephenson was born in Granville, Illinois on March 29, 1838. He was educated at Granville Academy and graduated in 1858, and commenced the study of law in the law office of Stuart, Edwards & Beavers in Springfield, Illinois. Before he completed his studies, the Civil War broke out and in 1861 he enlisted in the 10<sup>th</sup> Illinois Calvary as Captain and later promoted to Major. During the fall and winter of 1863-1864 he was responsible for raising an infantry of Union troops in North Arkansas. He took part in the Battle of Jenkins Ferry in South Arkansas on April 30, 1864, where he was severely wounded.

At the end of the war he settled in Fort Smith, attended law school in Cincinnati and was admitted to the Arkansas Bar in 1866. He moved to Huntsville, Arkansas, in 1867 and ultimately to Helena in 1871. He served as a State Senator for the Third Senatorial District of Arkansas; was appointed Judge of the Fourth Judicial Circuit on July 23, 1868, until he moved to Helena in 1871. In 1872, he was elected Associate Justice of the Arkansas Supreme Court until May 18, 1874, when he resigned to return to private practice of law in Helena in partnership with his brothers and later with Jacob Trieber who subsequently became the District Judge for the Eastern District of Arkansas.

In 1872, he married Ms. Louise Magown of Battle Creek, Michigan. They had no children and Stephenson was not a member of any church, but according to Goodspeed, "he is always ready to aide any church organization in its good works . . .". He served as President of the First National Bank and the Guaranty, Loan and Trust Company of Helena.

In July, 1911, he visited Michigan for his annual vacation when he was “stricken down” and died. He was described by his fellow judges on the Supreme Court, “subscribing to no religious creed, but tolerant of all, he was in every sense a Christian who believed in the luxury of doing good. I have known him to devote days and weeks to the interest of some widow or orphan and take for compensation the simple consciousness of having conferred a deserved favor . . .?”. His office was located at 400 ½ Cherry Street and his residence at 806 College Street in Helena.

II.

W. G. PHILLIPS

During the period from 1898 to 1911, W. G. Phillips was frequently appointed Special Referee because of the absence of Marshall Stephenson from the area. Phillips is listed in the 1899 City Directory of Helena as an attorney with offices at 517 Ohio Street in Helena.

III.

Also appointed during this period of time from 1898 to 1911, as Special Referee, was Jesse M. Vineyard. In 1911, when Marshall Stephenson died, Judge Trieber, by order dated September 27, 1911, appointed Leo J. Mundt for a term to serve as Referee ending June 30, 1912. On October 16, 1911, Leo J. Mundt resigned and Judge Triebor appointed R. B. Campbell as Referee. R. B. Campbell was appointed again on June 19, 1915, for a term of two years. The last case in Record Book 2 was dated April 19, 1921, Case No. 407, and R. B. Campbell was Referee. So from 1898 to April 1921 there were 407 cases filed in the Helena Division of the Eastern District for an average of about 19 cases a year. From 1898 to 1921, there were 3,202 cases filed in the entire Eastern District of Arkansas, for an average of 152 cases per year.

Other Special Referees appointed between 1898 and 1921 were Joseph L. Shaw and E. Foster Brown.

Beginning in March 1922, E. C. Horner received an appointment as Referee in Bankruptcy for the Helena Division in Case No. 460, In the Matter of Edward Rose. E. C. Horner's office is located in the 1909 City Directory of Helena at 507 ½ Cherry Street. The 1920 City Directory of Helena does not list E. C. Horner as an attorney, but as President of West Helena Consolidated Company and Helena Ice Company. The West Helena Consolidated Company is listed as “. . . Electric Street Railway and Real Estate Office at 511 ½ Cherry Street”. The offices were in Helena and West Helena.

E. C. Horner's residence is listed in the 1920 West Helena City Directory as “Clayburn Avner Sebastian”. He is also listed as “Prop. Superior Chair Company”.

During the Depression beginning in 1929, every bank in Helena and West Helena failed. E. C. Horner filed for personal Chapter 7 bankruptcy on October 17, 1929 (Case No. 639). His Trustee was J. B. Conley who received a commission of \$3.00 and the Referee assigned to the case, Powell Clayton of Little Rock, received \$16.50.

On April 19, 1935, the District Court \_\_\_\_\_, John Martineau, entered an Order signing all of E. C. Horner's cases to Joe Schneider, the Referee serving in Little Rock, because of Mr. Horner's illness.

On July 1, 1949, by Order of Thomas D. Trimble, Lee Cazort was appointed Referee for the Helena Division for the Eastern District and on February 10, 1953, by Order of Thomas C. Trimble and Harry J. Limley, the District Court Clerk's Office in Helena was closed and the records removed to Little Rock. On February 21, 1940, Judge Martineau accepted the resignation of E. C. Horner as Referee in Bankruptcy stating, “By reason of a long and faithful

service of said Referee, reluctantly accepted said resignation”. The judge also ordered the Helena Division of the Eastern District bankruptcy matters be merged with the Little Rock Division and jurisdiction was granted to Lee Cazort, Referee in Little Rock.

E. C. Horner died February 20, 1944, at his home in West Helena.

E. C. Horner was born in Helena, Arkansas, in 1861 and was the son of the late Major John J. Horner and Betty Tull Horner. He was an Episcopalian and a Mason. He attended Locust (??) dale Academy in Virginia and the University of Virginia. He practiced law with his father in Helena and became President of the Old Bank of Helena. He and his brother, John S. Horner, founded West Helena in 1909, and also pioneered a street car line between Helena and West Helena. He was the President and Executive Secretary of the Helena Chamber of Commerce for many years and was the founder of the Businessmen’s League of Helena and was President of Twin City Transit Company.

He married Ms. Lenora Pointer of Memphis in 1889 and their children were Ms. Lenora Horner Morris, George L. Horner, E. T. Horner and A. P. Horner. He had three brothers; J. A. Horner, J. T. Horner and J. L. Horner. He was born November 5, 1861.

#### **TEXARKANA DIVISION OF THE WESTERN DIVISION OF ARKANSAS**

In 1898, the Texarkana Division was one of three divisions of the Western District of Arkansas. The division consisted of Columbia, Howard, Hempstead, LaFayette, Little River, Miller, Nevada, Ouachita, Pike and Sevier Counties. In 1926, the Texarkana Division was realigned, and Columbia and Ouachita Counties were transferred to the newly formed El Dorado Division of the Western District. In 1940, the Texarkana Division was further reduced when Pike County to the newly formed Hot Springs Division. The division has remained since 1940 as consisting of the counties of Little River, Miller, Sevier, Howard, Hempstead, Nevada and

LaFayette.

On July 28, 1898, District Judge John H. Rogers entered an Order created the Texarkana Division Bankruptcy Court and appointed Ambrose H. Sevier, Jr., as Referee for two years. The first case was filed October 21, 1898, styled "In the Matter of I. M. Grantham". Ambrose H. Sevier served as Referee until 1908 when C. D. Moore was appointed Referee. Sevier died February 26, 1908. Sevier was a Civil War veteran having fought on the side of the Confederacy and was the son of Senator Ambrose H. Sevier, the first Senator for Arkansas. Sevier County was named in honor of his father.

On March 20, 1898, the District Court issued Bankruptcy Rules 1 - 12 to govern the practice of bankruptcy law, and also provided that in the absence of the judge in the district, the clerk could confer matters to the bankruptcy court without an order of the District Court.

On March 2, 1910, Judge Rogers appointed C. D. Moore as Referee for a period of two years.

On December 2, 1911, Judge Youmans, the new District Judge, appointed John F. Sims as Referee.

On December 6, 1913, Judge Youmans appointed Gestavos G. Pope (G. G. Pope) as Referee, and G. G. Pope served as Referee until 1931. G. G. Pope was born in \_\_\_\_\_, Tennessee on June 26, 1876. He moved to Arkansas when he was three years old and established a home in Fulton County, Arkansas. He obtained a common school education and attended business college thus being qualified for the practical and responsible duties of life. He entered the law office of William and Arnold in Texarkana and learned law from that law firm. He was admitted to the bar in 1903. He opened his own office in Texarkana where he had made his home since 1899. He was appointed Referee in Bankruptcy in December 1915.

There is also an Order dated December 5, 1931, by Judge Yaunis appointing G. G. Pope as Referee for a period of two years.

In Book 2, Case 991, the Referee is shown as Willis D. Smith.

There's an order filed November 15, 1940, and the Referee is Alex G. Sanderson, Jr.

Edgar Bethel became the Referee in 1947.

The next Referee is Lee Cazort.

Arnold Adams.

Charlie Baker.

### **FORT SMITH DIVISION**

In 1898, the Fort Smith Division of the Western District of Arkansas consisted of Benton, Washington, Carroll, Boone, Newton, Madison, Crawford, Franklin, Johnson, Sebastian, Logan, Yell, Scott and Polk Counties. In 1902, Boone, Carroll, Madison and Newton Counties were transferred to the newly created Harrison Division of the Western District. In 1940, Benton and Washington Counties were merged with Madison County to form the Fayetteville Division of the Western District. From 1940 until today, the Fort Smith Division consists of the counties of Crawford, Franklin, Sebastian, Logan, Yell, Scott and Pope.

#### I.

The first Referee appointed in the Fort Smith Division was Joseph M. Hill on July 23, 1898. The first case was Louis W. Switzer of Harrison filed September 18, 1898 and Jim Hill was the Referee. On January 17, 1899, Joseph M. Hill resigned as Referee and Edward B. Pierce of Van Buren was appointed Referee. Joseph M. Hill was born in Mecklenberry County, North Carolina. He moved to Arkansas with his parents in 1875 when his father became President of

the University of Arkansas at Fayetteville. He attended the University of Arkansas and the State University of Mississippi. He took law courses at Cumberland University in Lebanon, Tennessee, and was admitted to the bar in 1883 at Berryville. He moved to Fort Smith in 1887. In 1904, he was elected Chief Justice of the Arkansas Supreme Court and served until February 1, 1909, when he resigned to re-enter private practice. He was Chief Counsel for the State in the “railroad rats case” which he was before the Supreme Court. He practiced law in the firm of Hill and Brizzolara.

Edward B. Pierce was born in Kosciusko, Mississippi on August 14, 1868, and he died January 22, 1912. He graduated from the University of Mississippi at Oxford in 1889 and graduated from the Law Department there in 1890 and moved to Van Buren and entered the practice of law with his uncle, Ed D. Pierce.

In January 1900, he entered the practice of law with L. H. Southmayd until he moved to Little Rock. In 1908, he published the Digest of Decisions known as “Pierce’s Digest”.

Around 1892, he married Ms. Stella McCorkle of Fort Smith and they had two children, James and Mary Buford.

He went to work for the Choctaw, Oklahoma and Gulf Railway later incorporated by the Rock Island and Pacific Railroad. In March 1904 he was made attorney for the railroad for the State of Arkansas and Louisiana. He later moved to Chicago and held the position of Commerce Counsel for the railroad. He was killed in a train wreck on January 22, 1912 on the Illinois Central Railroad near Kinmundy, Illinois.

## II.

LABIN H. SOUTHMAYD

On June 28, 1900, Judge John Rodgers appointed Labin H. Southmayd as Referee for the Fort Smith Division of the Western District of Arkansas. He was re-appointed numerous times from 1900 to 1919. Labin Southmayd was born in Van Buren, Arkansas, on October 6, 1851. He graduated from Middletown Institute in Middletown, Connecticut in 1869. He read law under the Hon. Grandall Wilcox, a prominent attorney of Van Buren and he was admitted to the Arkansas Bar in 1875. He practiced law with Wilcox for two years then for six years he was in practice with B. J. Brown. He also served as Deputy County Clerk under his father. In 1900, he formed a partnership with E. B. Pierce and after Pierce moved to Little Rock, he was appointed Referee in Bankruptcy by Judge Rodgers. He was an active Democrat (Bill Mixon's kind of man); Mayor of Van Buren and Director of Citizens Bank. He married Lou M. England who died in 1894 and he had two children, Mary and Labin H. Southmayd, Jr. He died at Van Buren on October 29, 1919. The bar association described him as "a gentleman of great refinement and charm of manner . . . he was a man of extremely accurate habits and made a Referee in Bankruptcy of unusual ability and efficiency . . .". "So valuable were his services [as Referee] that, though he was appointed as a Democrat, Judge Youmans who belonged to the opposite party was glad to continue him in office."

### III.

#### DANIEL HON

Daniel Hon was born in Scott County, Arkansas, on July 10, 1860, and attended the common schools and the State University at Fayetteville and graduated in 1882. He went to Cumberland School of Law at Lebanon, Tennessee, and graduated with a law degree in 1885 and admitted to the bar. He entered into practice at Waldren, Arkansas, from 1885 to 1906. He served as County and Probate Judge of Scott County from 1888 to 1892 and was the Judge of the

12<sup>th</sup> Judicial Circuit in 1906 until 1914. He moved to Fort Smith in 1907. After retiring as judge, he practiced law in Fort Smith until his death on April 6, 1929. On November 1, 1919, Judge Youmans appointed Daniel Hon as Referee in Bankruptcy reciting the death of Labin H. Southmayd. During the 1920's and early 1930's, cases were alternated between A. A. McDonald and Daniel Hon. On April 9, 1929, Judge Youmans entered an Order reciting the death of Daniel Hon on April 5, 1929, and appointed A. A. McDonald as Referee for two years.

#### IV.

##### A. A. MCDONALD

#### V.

##### GEORGE O. PATTERSON

George O. Patterson appears as Referee in Bankruptcy in June 1933. He was born in Clinton, Van Buren County, Arkansas, on March 6, 1872. Patterson's father fought in the Civil War on the side of the Confederacy and he was killed by bush whackers while he was home on furlough. He had been previously wounded in the Battle of Prairie Grove. George Patterson was educated at Quitman College in which he graduated in 1890 and moved to Clarksville in 1893 and studied law under J. E. Cravens and A. S. McKinnon and was admitted to the bar in 1894. He then entered into the practice of law. He appears to have been in partnership with H. H. Ragon. He represented corporations and was the local attorney for the Missouri Pacific Railroad.

#### VI.

## THOMAS HARPER

Thomas Harper appears as Referee in 1938 and 1939.

## VI.

### JOHN BRIZZOLA

John Brizzola appears to be the son of James Brizzola, a prominent Fort Smith attorney. He was born in Virginia and as a child moved to Memphis, Tennessee. He read law in the office of Heiskel, Scott & Heiskel, and later in the office of Chalmers & Turley. He also studied law under General Albert H. Pike and was admitted to the bar of Memphis in 1867. He was a stalwart Republican and became an active factor in local politics and in due time was elected Prosecuting Attorney for the City of Fort Smith. He moved to Fort Smith in 1869. He served four terms as Mayor of Fort Smith and three terms as Postmaster of the city. At one time he was Assistant U. S. District Attorney for the Western District of Arkansas under Judge Isaac H. Parker. One of his law partners was W. H. H. Clinton, a former U. S. District Attorney (and brother of Powell Clayton). He appears as Referee in March 1946.

## VII.

### EDGAR BETHEL

Edgar Bethel was appointed Referee for the entire Western District of Arkansas by Order entered May 20, 1947, and served until 1954.

## VIII.

### LEE CAZORT

1954 - 1961

IX.

ARNOLD ADAMS

1962 - 1982

X.

CHARLES W. BAKER

1973 - 1984

## CONCLUSION

Congress passed the Bankruptcy Code in November 1978 and all bankruptcy cases have been governed by that statute since. The Bankruptcy Reform Act of 1978 created a separate office of Clerk of the Bankruptcy Court which was held by Peggy Carroll from 1979 to 2001. The Code has been amended numerous times since 1978. When the Bankruptcy Act of 1898 was first implemented in 1898 17 cases were filed in the Eastern District and six in the Western District. Subsequently, filings never exceeded 300 cases in one year for the Eastern District until 1915 and did not exceed 300 case in the Western District until 1979. After both World Wars, the case filings dropped dramatically. After the adoption of the Bankruptcy Code in 1979, filings rose steadily and for the last three years have remained steady at around 15,000 cases per year for the Eastern District and 8,000 a year for the Western District.

The Bankruptcy Court currently has three full-time judges; two stationed in Little Rock, Arkansas, and one stationed in Fayetteville, Arkansas. Audrey R. Evans is the Chief Judge. The Court has a Clerk's office in Little Rock and a satellite office in Fayetteville and a resident Bankruptcy Judge in Fayetteville. The Clerk's office and Judges' staff total 56 individuals and the Court has fully implemented an Electronic Case Management System. In the last fiscal year, creditors' claims were paid by the Chapter 7 Trustee in the amount of \$10.7 million dollars. The Chapter 13 Trustee's offices distributed a total of \$110,000,000.00 to creditors. Attorneys for debtors including Trustees have received fees through the Court's system in an amount of approximately \$12 million in 2004. The Bankruptcy Court in Little Rock, Arkansas, is located in the renovated old Federal Courthouse where this all began with Referee Dooley in 1898 who received something less than \$170.00 for the work he performed in 1898, and who had no staff and no courtroom. We started with carpetbagger Dooley from Massachusetts and ended with

Charlie Baker, a carpetbagger from Missouri.

## LAW REVIEW ARTICLE

### FOOTNOTES

1. 30 Stat. 544 (Repealed - 1979)
2. 92 Stat. 2449
3. Section 2, 1898 Act (Pg. 9 Collier's)
4. Section 33, 1898 Act (Pg. 879 - under prior bankruptcy legislation which were all repealed, the equivalent office of Referee was referred to as "Registrars". See Section 3, Bankruptcy Act 1867 and "Assignee", See Section 3, Bankruptcy Act 1841.
5. Section 34, the Bankruptcy Act.
6. Section 34, the Bankrupt Act.
7. Section 40, the Bankruptcy Act.
8. Section 40, the Bankruptcy Act; 5 Collier on Bankr. ¶ 40 [Pg. 336 1905].
9. 5 Collier on Bankr. ¶ 40 [Pg. 338]
10. Section 40, Collier's on Bankr. [Pg. 339]
11. Section 39(b)[pg. 328]
12. Section 15, Bankruptcy Act 1898
13. Section 1(5)(7); Section 51 Bankruptcy Act 1898
14. Section 39, Bankruptcy Act 1898 - these duties included the following:
  1. declare dividends;
  2. examine all schedules of property . . . and cause such as are incomplete or defective to be amended;
  3. \_\_\_\_\_ such information concerning the estate in the process of administration before them as may be requested by the parties in interest.
  4. give notice to creditors as herein provided;
  5. make up records embodying the evidence or the substance thereof as agree upon by the parties in all contested matters arising before them,

- whenever requested to do so by either of the parties thereto together with their findings therein and transmit them to the judges;
6. prepare and file the schedules of property . . .
  7. safely keep, perfect and transmit to the clerks the records herein required to be kept by them;
  8. transmit to the clerks such papers as may be on file before them;
  9. upon application of any party in interest preserve the evidence taken of the substance thereof as agreed upon by the parties;
  10. whenever their respective offices are in the same cities or towns where the courts of bankruptcy convene, call upon and receive from the clerks all papers filed in courts of bankruptcy which have been referred to them.
15. 5 Collier on Bankr. ¶ 39(5)(7)(8), General Order XXVII;
  16. 70 Am. Bankr. Law Journal, 217
  17. Section 30, Bankruptcy Act 1898
  18. 5 Collier on Bankr. ¶ 30 [Pg. 307]
  19. “Structure of the United States District Court of Arkansas”, Ark. Law Review, Volume 56, No. 4, Page 728.
  20. “Structure of the United States District Court of Arkansas”, Ark. Law Review, Volume 56, No. 4, Page 728.
  21. Case No. 1, Docket Book B, U.S. District Court, August 2, 1898
  22. John Williams
  23. National Archives, Ft. Worth, Texas
  24. Docket Book B, Page 12, Case No. 1
  25. Docket Book B, United States District Court, Page 723, Case No. 489, July 1, 1903
  26. Polk City Directory, Little Rock, Arkansas 1909. See also, Polk City Directory, Little Rock, Arkansas 1917
  27. Arkansas Bar Association Memorial, 1927. See also, Lambert v. Galaghar, 1873

28. Goodspeed
29. Goodspeed
30. Goodspeed
31. Goodspeed; Obituary, Arkansas Gazette, October 28, 1927; Who's Who In Little Rock, 1921.
32. ?????????
33. Order dated February 27, 1923, Page 120, Bankruptcy Docket Book E; Arkansas Gazette, February 28, 1923.
34. U.S. Census 1880, Volume 32; Ed - 74; Sheet 5; Line 83; Goodspeed.
35. Polk City Directory (1900-1901) Little Rock, Arkansas
36. Polk City Directory (1911, 1912 and 1913) Little Rock, Arkansas
37. Arkansas Gazette, 1929
38. Arkansas Gazette, October 1927
- 39.
- 40.
- 41.
- 42.
- 43.
44. Arkansas Gazette, 1929
- 45.
46. Order dated September 13, 1929, Docket Book \_\_\_\_\_  
Arkansas Gazette, 1929

47. Arkansas Gazette, September 14, 1929.
48. Arkansas Gazette, September 14, 1929.
49. Polk City Directory for 1931
50. Polk City Directory for 1935
51. Polk City Directory for 1935 (Pg. 450)
52. Order dated July 17, 1933; Docket Book \_\_\_\_\_
53. Obituary, Arkansas Gazette, July 10, 1966
54. Order; Docket Book H, December 1, 1937; Arkansas Democrat Gazette
55. Order dated November 6, 1954, Docket Book \_\_\_\_\_
56. Arkansas Gazette, November 3, 1954
57. Order dated July 21, 1947, by judge Trimble transferring cases from Referee W. D. Murphy, Jr., F. C. Mullinex and C. L. Polk to Cazort. Order by Judge Trimble dated February 21, 1940, accepting resignation of E.C. Horner as Referee for the Helena Division and reassigning old Helena cases to Lee Cazort.
58. Arkansas Encyclopedia
59. Arkansas Encyclopedia - Arkansas Gazette, October 7, 1959
60. Arkansas Encyclopedia - Arkansas Gazette, October 7, 1959
61. Arkansas Encyclopedia - Arkansas Gazette, October 7, 1959
62. Arkansas Gazette, December 19, 1961
63. Arkansas Gazette, October 7, 1969
64. Interview: A. L. Tenney
65. Arkansas Gazette, October 7, 1969
66. Arkansas Gazette, December 19, 1961

67. Arkansas Gazette, December 19, 1961
68. Interview: A. L. Tenney, Arkansas Gazette, December 19, 1961
69. Interview: A. L. Tenney
70. Interview: A. L. Tenney
71. Interview: A. L. Tenney

## LAW REVIEW

### INTERVIEW OF CHARLIE BAKER ON NOVEMBER 29, 2004

#### Miscellaneous Notes:

Charlie Baker was appointed part-time bankruptcy judge in March of 1973. The salary for the bankruptcy judge was \$36,000.00. He was supposed to manage one-third of the docket, but within a year, Judge Arnold Adams had a heart attack; and Charlie became full time bankruptcy judge. He was called "Referee" at that time although he did wear a robe and had a courtroom in the courthouse at the Federal Building on Capitol Avenue. He recalls that the name "referee" was dropped in approximately 1986 and, thereafter, he was referred to as a Bankruptcy Judge. He recalled among other duties before the Bankruptcy Code that he would countersign checks written by the Trustee and also written by the Debtor in possession. I recall when I had a Chapter 12 case before 1979 that Judge Baker had to countersign all of the checks that I signed. He was a bankruptcy judge from 1973 to March 1984 when I took his place. He recounted that one of the abuses under the Bankruptcy Act was that one of the District Judges in an effort to pay off political favors and the same was true of the bankruptcy judges' appointment of trustees. The bankruptcy judges would appoint friends to be trustees and would also tell the trustee which attorneys to hire. He advised me that the \_\_\_\_\_ Supreme Court had a complete set of Martindell Hubbell books from the beginning of publication and that you can use Martindale Hubbell to track down deceased attorneys. In the early 1980's when the controversy was raising about whether to create an Article III court in response to the Supreme Court's decision in the Marathon Oil Company case. Judge Baker lobbied for the Article III status with the bar association, and successfully obtained the Arkansas Bar Association's endorsement for Article III status even though the District Judges were unanimously in opposition. He indicated

that most bar associations did not support the Article III status for bankruptcy judges.

Ultimately, Congress decided upon Article I status which is currently constituted.

Note to Myself - Judge Baker also is probably substantially responsible for the large number of Chapter 13's filed in Arkansas because when the code was adopted he and Mr. Tenney went around the state and performed a seminar where he advised attorneys that they would be committing malpractice if they filed a Chapter 7 for their clients rather than a Chapter 13 because of the fact that in a Chapter 13 there was no concept of objection to discharge. Judge Baker related that he had a good relationship with the District Court during his tenure.

LAW REVIEW  
A. L. TENNEY INTERVIEW  
December 9, 2004

MIXON: I am talking to Mr. Tenney - I call him Mr. Tenney because . . . just like Judge Arnold and Judge Eisele - when I was growing up, that was your first name. Okay, so you went - Judge Adams hired you and sent you to Memphis?

TENNEY: He didn't hire me - he talked to me about it - he said the only position he thought I might be interested in would be the Chapter 13 Trustee - he said, "Why don't you go over to Memphis. They've got a big Chapter 13 case filing over there and see how they do things. Come back and we'll talk about it". So I went over and talked to them - spent two days over there - got the forms they used . . .

MIXON: Who was doing it over there then?

TENNEY: Mrs. Chisham . . . Mrs. Belle Chisham was the trustee . . .

MIXON: Who was the judge? Judge Leffler?

TENNEY: No, I can't remember his name right now.

MIXON: . . . before Judge Leffler?

TENNEY: Yes. So anyway, I came back and talked to Judge Adams and showed him what all information I had and the Chapter 13 Trustee at the time was a woman named Leo Swafford. Apparently she had been sort of running the whole operation. Judge Cazort was getting up in years and he was the referee, but she kind of ran the office.

MIXON: Is was a lady named Leo Swafford?

TENNEY: Yes.

MIXON: I've seen her name on the docket. What she was doing was it state wide?

TENNEY: Yes. So anyway when I got back and talked to Judge Adams, he got all the information - the forms they used and everything and because the record she kept were hard to figure out - she did it on a docket sheet - she just . . . red meant one thing and blue meant another . . . green, you know . . . it was hard for him to understand her distributions . . . so he called her in and he showed her this form that I had gotten over in Memphis. A ledger which was well thought out. It had all the information you need on Chapter 13 cases, and he told her that he wanted her to start using that form and so, I don't know, she said, "Well, I think I'll just resign". He said, "Okay, your resignation is accepted". So she took all of her records - took

them all to somewhere down around England and they had to get the FBI to go out and get the records. So anyway, that was when he offered me the job.

MIXON: And this would have been in what about . . .

TENNEY: '62 - it was in March when I first talked to everybody. I went over there and by the time that I gave notice at St. Vincent's . . . May 11, 1962, I was appointed and we had at that time, I think 429 cases. A lot of them were not paying or were inactive really. We had to go through and dismiss a lot of cases, and I think the first year I was in there was about \$75,000.00 to pay creditors.

MIXON: Yea, that's still a lot of money back then for sure. Did you have an office in the Federal Building?

TENNEY: Yes, we had an office with the Referee. We had a room just right adjacent to there.

MIXON: Were you up on the fifth floor?

TENNEY: No, at that time we were on the first floor on that annex east - the east annex on Arch Street.

MIXON: Down in the basement like area . . .

TENNEY: Well, we were up one floor.

MIXON: Okay, so you weren't in the basement?

TENNEY: Had a courtroom . . .

MIXON: You did?

TENNEY: It really wasn't - we had the files back in there - had a table - the judge sat around with the creditors and the attorneys for the debtors so that was our courtroom.

MIXON: So it was more like a hearing room than really . . .

TENNEY: Yes.

MIXON: So, he didn't wear a robe back then? He just wore a suit - he's called a Referee . . .

TENNEY: Yes, and then I don't remember what year it was, we got moved up on the fourth floor and they built a courtroom up there that was pretty nice and had the office adjacent

to it for his chambers and all that.

MIXON: That was the one behind Judge Roy's . . . well behind Judge Henley's courtroom back then?

TENNEY: Yes.

MIXON: Okay and that's where he was when I first came along.

TENNEY: And that's when I moved out of the . . . well I didn't right at first, but I moved out from the office and it was still in the building, then I was on the third floor for awhile then moved up to the . . . well the court was on the fourth floor, but then I went up to the fifth floor and then I moved out of the building over in North Little Rock and that was 1984.

MIXON: Well so did . . . when you all would have hearings, and I assume you have a court reporter there taking it down?

TENNEY: Well they would write it.

MIXON: Then they were doing long-hand then?

TENNEY: Well, short-hand. We didn't have the machines.

MIXON: And so when you first started out how were you compensated?

TENNEY: It was all the same way, but I stayed on a percentage of disbursements. Actually before Judge Adams made it a set amount, I think the Referee's salary was like \$13,000.00 and so he set mine to \$10,000.00.

MIXON: Okay, then you would have a cap of \$10,000.00 then you would take it as a percentage of the cases of the money you disbursed?

TENNEY: Yes.

MIXON: Well back then was Judge Adams still being paid a fee . . . a salary based on monies that passed through the estate?

TENNEY: No, it was a set salary.

MIXON: They cut that out.

TENNEY: At one time it was that way.

MIXON: In looking at some of the old docket books, the amount of monies the Referee got was pitifully low. It would be for a no-asset case - \$10.00; and in some years, it'd be maybe 12 cases filed in the Eastern and nine in the Western, and I assume if he had some asset cases he'd get a little more than that, but it was hardly enough money to keep . . . uh . . . pay a guy a full salary.

TENNEY: Judge Cazort - that's the way he'd been paid. I don't know whether this was a first time . . . in '62 was when they started that or I don't know if that's why the change came about or not . . . I don't know.

MIXON: Well I found an order when they made Lee Cazort the permanent Referee for the both the Eastern and Western. They made all the other Referees give him his file and they start him at a salary of about \$6,500.00 and this was in the 50's, and I found he had an office in the Federal Building back then so . . . I think that's when it started. Wow.

MIXON: Did you know Lee Cazort? Did you know him?

TENNEY: I've met him, but I didn't know him.

MIXON: Did you know any stories about him or . . . ?

TENNEY: No.

MIXON: Judge Adams . . .

TENNEY. He probably did.

MIXON: Well I was wondering if you knew something through him. I know there's lots of Judge Adams stories . . . I have lots of my own myself. Yea, he was always nice to me - he really was.

TENNEY: He had a knack for putting some people in their place.

MIXON: Yea, he could be blunt . . . he could be very blunt. My favorite story is when he allegedly swore the debtor in over in Fort Smith where they had the first meetings . . . back when he presided over the first meetings . . . they were all crammed into that magistrate courtroom in Fort Smith and it's got a bathroom there . . . I've held court there . . . right by the bench, and this big ole heavy set guy was in there. Judge Adams called his case and he answered through the door and Judge Adams swore him in through the door . . . told him to stand up and proceeded to interrogate him. Back when you first started did they have rules of bankruptcy or were things governed by general orders?

TENNEY: Mostly be general orders. They didn't have the specific rules until I think it was a new . . . 1978 they passed it .

MIXON: That was the Code.

TENNEY: I know we had guidelines . . . we had to make our annual reports and that sort of thing . . . come up with the amounts disbursed and all that - very similar to what they still do . . . I guess they still do.

MIXON: As far as rules of procedure, the judge would just make them up in general order form unless the Supreme Court had a general order that governed it and the general orders that governed bankruptcy in general came out of the Supreme Court?

TENNEY: Yes.

Dictation Tape Ended.

**LAW REVIEW**

**STATISTICAL CASE INFORMATION OBTAINED FROM AO  
1898-2003**

<b>YEAR</b>	<b>NUMBER OF EASTERN DIVISION CASES</b>	<b>NUMBER OF WESTERN DIVISION CASES</b>
1946	47	4
1947	9	12
1948	32	10
1949	27	17
1950	38	19
1951	49	23
1952	49	9
1958	328	24
1959	758	770
1960	356	24
1961	358	64
1962	366	58
1963	425	56
1964	424	56
1965	627	184
1966	627	151
1967	685	200
1968	744	105
1969	758	170
1970	907	217
1971	930	236
1972	587	198
1973	873	226

**LAW REVIEW**

**STATISTICAL CASE INFORMATION OBTAINED FROM AO  
1898-2003**

<b>DATE</b>	<b>NUMBER OF EASTER DIVISION CASES</b>	<b>NUMBER OF WESTERN DIVISION CASES</b>
1974	1,039	275
1975	1,313	357
1976	?	?
1977	1,140	379
1978	1,081	324
1979	1,548	461
1980	362	130
1981	1,970	760
1982	2,060	829
1983	2,027	774
1984	2,720	879
1985	2,956	1,148
1986	3,442	1,528
1987	3,861	1,811
1988	4,067	1,985
1989	4,208	2,157
1990	4,543	2,507
1991	5,194	3,123
1992	5,026	3,241
1993	4,238	2,764
1994	4,178	2,665
1995	6,085	3,298
1996	8,658	4,531

**LAW REVIEW**

**STATISTICAL CASE INFORMATION OBTAINED FROM AO  
1898-2003**

DATE	NUMBER OF EASTERN DISTRICT CASES	NUMBER OF WESTERN DISTRICT CASES
1997	9,943	5,700
1998	10,794	6,263
1999	10,245	6,280
2000	10,566	6,219
2001	13,704	7,781
2002	15,102	8,438
2003	15,642	8,665

As of May 9, 2005

**AO STATISTICAL CASE INFORMATION**

Year	Eastern	Western
1898	17	6
1899	117	29
1900	122	24
1901	136	39
1902	87	39
1903	18	8
1904	28	25
1905	133	140
1906	133	40
1907	116	56
1908	62	35
1909	199	68
1910	157	59
1911	144	53
1912	161	63
1913	142	66
1914	165	54
1915	303	82
1916	255	97
1917	149	59
1918	117	37
1919	83	30
1920	92	39
1921	266	77
1922	393	138
1923	307	126
1924	279	111
1925	292	109
1926	279	92
1927	297	107
1928	309	124
1929	274	130
1930	257	115
1931	340	144
1932	360	219
1933	269	150
1934	181	128

**AO STATISTICAL CASE INFORMATION**

Year	Eastern	Western
1935	386	327
1936	286	206
1937	198	185
1938	158	133
1939	127	130
1940	112	56
1941	140	50
1942	49	39
1943	27	25
1944	5	7
1945	11	7
1946	47	5
1947	9	12
1948	34	12
1949	31	25
1950	43	23
1951	54	24
1952	51	11
1953	61	24
1954	73	23
1955	107	36
1956	176	18
1957	193	23
1958	328	29
1959	762	183
1960	361	27
1961	358	64
1962	366	58
1963	425	57
1964	429	56
1965	530	109
1966	630	152
1967	689	203

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Year	Eastern	Western
1968	747	198
1969	762	180
1970	913	220
1971	933	236
1972	623	196
1973	876	229
1974	1039	275
1975	1313	367
1976	1335	375
1977	1140	379
1978	1084	325
1979	1562	464
1980	362	130
1981	1970	760
1982	2060	829
1983	2027	774
1984	2720	879
1985	2956	1148
1986	3442	1528
1987	3861	1811
1988	4067	1985
1989	4208	2157
1990	4543	2507
1991	5194	3123
1992	5026	3241
1993	4238	2764
1994	4178	2665
1995	6088	3298
1996	8658	4531
1997	9943	5700
1998	10794	6263
1999	10245	6263
2000	10566	6219
2001	13704	7781
2002	15102	8438
2003	15642	8665
2004	15665	8731

**AO STATISTICAL CASE INFORMATION  
1898-1980**

<u>Year</u>	<u>Eastern</u>	<u>Western</u>
1898	17	6
1899	117	29
1900	122	24
1901	136	39
1902	87	39
1903	18	8
1904	28	25
1905	133	140
1906	133	40
1907	116	56
1908	62	35
1909	199	68
1910	157	59
1911	144	53
1912	161	63
1913	142	66
1914	165	54
1915	303	82
1916	255	97
1917	149	59
1918	117	37
1919	83	30
1920	92	39
1921	266	77
1922	393	138
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