

1853

1045

Blaine

Record

J. B. Heiskell next friend of

vs

Jehode Fugate admr. of
William Fugate

Noter land, Maynard & Heiskell for
Compliments

Evans, Cooke, & Poole for Receipts

Filed 12th Sept 1853

12th Chancery Circuit

Motion to dismiss disallowed

Affirmed - and remanded to the
chancery court - depts to pay the costs of
this court.

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1. A Record of a Cause begun and determined in the Chancery Court, at Raleigh, in the Eastern Division of the State of Tennessee, wherein Cynthia Ann and others are Complainants, and Solomon Cobkins and others are defendants.

Be it remembered that upon the third day of October 1857, Cynthia Ann one of the Complainants, appeared before the Clerk and Master, and took and Subscribed the following oath, to wit:

Cynthia Ann & others

Affidavit,

(C) Solomon Cobkins & others. I, Cynthia Ann one of the Complainants, do solemnly swear, that I and the other Complainants in this Cause owing to our poverty, are not able to bear the expenses of the law suit which we are about to commence and that we are justly entitled to a decree against the defendants, to the best of my belief an amount within the jurisdiction of the Court in which we are about to commence our said suit, So help me God.

Sworn to & Subscribed
before me 3. Oct. 1857.

Cynthia Ann,
Maid

L. H. Garrett, Clerk

The Complainants file their Bill, which is in the following words & figures, to wit:

Bill

To The Honorable the Chancellor of the Eastern Division of the State of Tennessee, for the district Compend of the County of Claiborne in said Division.

Humly Complaining Shew unto your Honor, your Complainants Ann, Louisa, Madrick, and Cynthia Ann, Lewis, Nelson, and Hesse, her children and Sam Jefferson, the last of whom is the brother of Complainant, Sampson Madrick - that about fourteen or fifteen years ago, one Jacob Cobkins departed this life in said County, after making his last Will and Testament, by the provisions of

Q. which your complainants are entitled to their freedom, that
the said Will has been fraudulently secreted and concealed for
Bill of many years and they believe up to this time, but if it is
Complts. not yet concealed it has been destroyed lately, as they have
been informed that within a very short time since, the said
Will was in the possession of George Campbell, who is the
son-in-law of the testator, and your complainants Sunny
Louisa Leadick and her said two children "Luis and Hussy"
are in the possession of the said George Campbell, complain-
ant Cynthia is in the possession of Margaret Jones, who is
a daughter of the testator, but she lives with one Joseph
Simmons, complainant Nelson is in the possession of one
claimed by one William Fugate, who has lately threatened to
sell him to a Negro trader, and complainant Nelson charges
that this is a plan of the said William Fugate to have
your complainant taken out of the country so that he can
not assert his right to his freedom, complainant James
Jefferson is in the possession of one claimed by one Solomon
Hobkins, complainants show that they are all in a state
of Slavery and likely to continue such, unless they can
get the aid of the Courts of the Country - Your complainants
further show, that the said Will as they are informed and
believe was witnessed by Randal Lanham and William
Lanham, one of whom has left the Country, but the
other is yet in the said County of Claiborne, your Compl-
aintants further show that they have been illegally held
in Slavery for many years, and have been for a long time
serving the persons herein before named without any com-
pensation.

The Petitioners consider your Complainants, who are all
residents of the said County of Claiborne, pray that the said
Solomon Hobkins, George Campbell, Margaret Jones, William
Fugate, ^{all} of whom are residents of the said County, may be

I made defendants to this Bill of Complaint, and that ^{they} be
Compelled to answer the same fully and in every particular
Compl't. and especially that they be required to answer and say of
Bill. what date the said Sacot Collins departed this life?
and where? Did he the said Sacot not make his last
Will and testament in the County of Claiborne, and what
are its contents? Who witnessed the said Will? Is it not now
in the possession of the said George Campbell? If not where
is it? Do they or either of them know where it is? Where
was it when they last saw it or heard of it? Let each an-
-wer and give answers to the statements and charges of this bill
according to the best of their knowledge information and
belief, let them and each of them answer and say where
the witnesses to said Will? and why it is that the said
Will was never presented to the Court for probate &
Recording? Who were the Executors appointed in the said
will? And the said Defendants are called on, if the
said Will is yet in existence, to produce and file the same
with the answers, and especially let the said George Cam-
-pbell and answer and say where the said Will is? was
it not in his possession? If so when? Has he not shown
the said will to some persons since the death of the said
testator? If so whom? And to whom did he show it, let
him state when last he saw the will? and if it is not
in his possession, let him answer and say where it is
according to his knowledge information & belief.

Also in the mean time your Complainants pray
that an injunction may issue to restrain the said defend-
-ants from removing your Complainants or either of them
out of the County of Claiborne, and that your Honor
will also appoint a receiver to take them into possession
so that they may not be sold or removed out of the
County, and beyond the jurisdiction of this Honorable
Court,

4. And on final hearing, the prayer of Complainants is, that the said Will may be set up in the Honorable Court if by the fraud of any of the said defendants it has been destroyed, and Complainants declared free, and if the said Will is produced that the Complainants be allowed to take steps under it to secure their freedom, that they have an account of their lives from the time that they were entitled to their freedom, and if in any thing they have mistaken their remedy they pray such other and further and different relief as they may be entitled to, under the circumstances of the case. This is the first application for an injunction in the case. They therefore pray for relief.

Rutherford and
Maynard
Attorneys, Solicitors
for Complainants.

State of Tennessee,
Wanock County. ⁵ This day personally appeared
Cynthia Ann one of the Complainants in the foregoing
Bill before the undersigned and made oath in due form of
law, that the facts as therein stated, are true to the best
of her knowledge information and belief.

Subscribed
before me this, Sept. 1859.

Cynthia Ann
X
Murdock

E. Alexander,

Judge.

State of Tennessee.

To the Clerk of the Chancery Court at Daymond.

Let writs of injunction issue as prayed for in the foregoing bill, on bond & Security being given as the law directs or the law being otherwise complied with & let the defendants be required to give bond and security in double the supposed value of the Complainants for their good treatment and

Enjoining upon the order of the Chancery Court and in case of failure to give such bond and security, the Sheriff of Claiborne County will take said Complainants into his possession and keep them safely until the further order of the Court.

Given under my hand and seal this 30th of Sept. 1850.

E. Alexander Esq.
Judge

Subpoena to answer filed issued 3rd October 1850.

State of Tennessee.

To the Sheriff of Claiborne County, Greeting:

The Command you to summons Solomon Cobkins, William Fugate, George Campbell, and Margaret Sims to appear at a Chancery Court, to be held at the Court House in Tazewell, upon the first Monday of December next, to answer the Bill of Complaint of Cynthia Ann, and others, persons of color, filed against them and others - Herin in fail not, and make return of this writ and the manner in which you shall have executed the same. Witness Lewis A. Barnett, Clerk Master of said Court at Office in Tazewell the 1st Monday of Nov 1850.

L. A. Barnett, C. M.

"Endorsed" this 8th day of October 1850.

Executed on all the within named persons and handed to Solomon Cobkins a Copy of the Original bill this 8, day of October 1850.

J. C. Lane
S. C. Sheriff

Recd

December Term. Tuesday December 3, 1850.
Cynthia Ann & others

(D) Upon application of the
Solomon Cobkins & others } defendants they are allowed

C. until the second Rule day to file their answers so as not
to delay the hearing of the cause,

Thursday, December 5, 1850.

Cynthia Ann, Henry Louisa
Vendrick and others, Persons of Color,

(12)
Solomon Cobkins, William Fugate
George Campbell and wife, and
Margaret Jones.

Interlocutory Order.

On motion of Compl.

ainants by their Solicitor, and on it being made to appear
to the Court that the fiat of the Circuit Judge, granting
the injunction and attachment in this case has not been
complied with, but has been departed from in the mode
of taking bonds for the forthcoming, security and kind
treatment of the Complainants, and it further appearing
that the condition of said bonds do not embrace the stipul-
ations necessary for the security of the said Complainants,
And it further appearing that the said defendant Mary-
ann Jones has not complied with the order of the Judge
granting the injunction and attachment, but has suffered
the said Complainant Cynthia to be attached and that
the Sheriff has taken bond from certain other persons, to
wit: Thomas W. Jennings with George Raw his security
for her forthcoming at this term of this Court. And it appe-
aring that William Fugate in like manner failed to give
the bond required, and that the Complainant Helen has
been taken by virtue of the attachment and placed in the
hands of Robert C. Woodson, and bond taken with William
Riley for security for his forthcoming at the present term
of the Court, and it further appearing that the defendant
Solomon Cobkins, has given bond for the forthcoming of
the Complainant Jefferson at the present term of this
Court, and for his good treatment until this time, but

14. That the said bond does not embrace the time yet to come,
during the pendency of this suit, and it further appears
Record^{ing} that the defendant George Campbell has entered into
a bond similar to the bond last named, for the further
ing of Henry Louisa Quadrick and Louis and Hezekiah, with
out any security to the same. The Chancellor is therefore
pleased to order and direct the said Complainants Cynthia
Ann, and Helen to be delivered up to the Clerk & Master
who is directed to hire the said Complainants to some fit
person at a fair rate per annum who shall give bond with
approved security, each in the penalty of \$1200. for the
safe keeping, kind treatment and care of said negroes the
said Complainants during the space of 12 months from
the first of January next and for their forthcoming and
delivery at the expiration of said period or at any other
time according to the Order of this Court and also for the
payment to the Clerk and Master of the hire of said
Complainants. And it is further ordered that the said Sol-
omon Dobbin and George Campbell enter into like bond
the said Solomon in the sum of \$1200. and the said George
Campbell in the sum of \$2000. with like condition as to the
kind treatment of the negroes Complainants, in their custody,
respectively, to wit: the said George Campbell for the Complain-
ants Henry Louisa Quadrick and for Louis and Hezekiah, and
the said Solomon for the Complainants Seam Jefferson,
during the pendency of this suit, and also for the payment
of such sum or sums of money as may be decreed against
the said defendants for the services of said Complainants
hereafter according, and for the forthcoming and delivery of
the said Complainants or any of them according to the order
of this Court, and upon failure to comply with this order
within two weeks the Clerk and Master shall hire out such
of Complainants as shall be in possession of the defendant
or defendants so refusing upon the like terms and conditions.

8. with those terms before ordered to be tried out.

Friday December 6, 1857.

Recd. Cynthia Ann & others

^(P)
Solomon Robbins & al. } On Motion of the Complainants
by their Solicitor affadavit being waived, the complainants
have leave to take the deposition of Elizabeth Campbell of
Clairborne County, she being aged and infirm on giving to
defendants five days notice. And Complainants on Motion also
have leave to take the deposition of George Campbell, one
of the defendants, subject to all legal exceptions, on giving
five days notice.

Friday, December 6, 1857.

Cynthia Ann & al.
Sirems of Color.

v.
Solomon Robbins & al. } In this case it appearing to
the Court that the plaintiffs have
filed their bill without any next friend, it is ordered
that they have leave to obtain a next friend and have
him made a party to this suit before the Clerk and Master
during the next Term of the Circuit Court for Clairborne
County, and that this proceeding shall not operate to
delay, but that the defendants shall file their answers
at the same time.

On the 28th, of December 1857, the answer of
George W. Campbell and wife was filed, which is as
Recpt. follows, to wit:

George
Campbell's
answer. } The answer of George W. Campbell to the bill of Complainants
filed in the Chancery Court at Saywell by Cynthia
Ann & others, Sirems of Color, against Solomon Robbins
& others,

The Recpt. saving to himself the usual benefits of
exceptions &c. for answers to so much as it is necessary for

9. Him to answer, say it is true Jacob Robbins died in
Clairborne County, Tennessee, about the time mentioned in
Recpt. The Will, but the precise time the Recpt. does not now remember
George - It is true that Recpt. married one of the daughters,
Campbell, (Elizabeth,) of said Jacob. It is true that the Complts. ex-
amined except the girl Hester, mentioned in the bill, were the slaves
of Jacob Robbins at the time of his death, the said Hester
having been born since his death. It is true that at the
death of the said Jacob he was the owner of an other slave
named Perry, brother to the complainant Scham Jefferson.
It is true that the death of the said Jacob Robbins he
made his last Will and Testament which was drawn by
Solon Hunt who is since dead, and was witnessed by
William Latham who resides in Clairborne County, Tennes-
see, & Randal Latham who has left the State as Recpt. is
informed & believed. It is also true that by the provisions of
said will, the Complts. were entitled to their freedom -

Recpt. will state his knowledge about said will.
at the death of the testator this Recpt. together with the other
sons-in-law of the testator and his daughters met at testators
house, about the time of the death of the testator, and after
they were assembled, they all with the exception of Elijah
Jones, who married a daughter of said testator, walked out
to the garden fence, and Solomon Robbins son of the testator
and one of the defendants in this cause, remarked to them
that his father had made a will by which he set all
his negroes free (the Complts.) and that if he, the said
Solomon or Solon Hunt, who were named Executors in it
saw it, they would be bound to go by it, said Solomon
further said that they were all of age and that the best
way was to burn or destroy said will, to this proposition
Dorcas of Recpt. objected and said she would rather
have nothing than that her fathers will should be burnt
or destroyed. The said Solomon said that the will was in

10. a box in the house, and in a chest, we went in the house
and the said Solomon went to the chest, unlocked it, and
Receipt. took out the box and put it under his arm and as the
George went out of the house he plucked the coat of respondent
Campbells & Receipt went out with said Solomon, who put the box
over. Containing said will in Receipts arms and Receipt immediately
handed them over to John Robbins a son of, testator & brother
to Solomon, the said John was a man of weak and unsteady
mind, he had the said will out, when he was about to
destroy it or burn it, the wife of Receipt spoke to her brother
John and with much feeling said "in Gods name Johnny
dont destroy our fathers will" on which the said John
handed the will to his said sister, who put it into her
bosom & carried it home with her that evening, Receipt
further states that said Elizabeth Jones, who had married
one of the daughters of said testator, but had separated
from her & was on bad terms with said Solomon was not
as Receipt believes present at this time in the house as
said Solomon had ordered him away, but she was not
far off as the said Jones went home with Receipt & wife
that night, and after getting to Receipts house his wife
took the will out of her bosom & handed it to the said
Jones & said "that is what they say is my fathers will"
said Jones took it & after reading it over said that it
was the will of her father, and that in it the negroes
were set free, The said will was then put in a chest at
Receipts house & it remained there until within the last
three years, when it was taken away by some person, but
by whom Receipt does not personally know - nor does he now
know, whose it is, but as to the contents of the will they are
truly stated in the bill so far as the freedom of the Campbells
is concerned.

Receipt further states that during the time said will

11. was in his wife's possession it was seen by Barnibus
Campbell & Charles Campbell, sons of the Repts. who
Repts. came to enquire for it, because, they said, they had heard
Geo. that said Salomon Cobkins had threatened to put Repts.
Campbell, in the penitentiary for destroying the said will. It was
annoyed also seen and Repts. letters read by one Murdecai Cunn-
ingham, who was examining among the papers of Repts. for
some title deeds, and was reading them over & when said
Murdecai came to the will & looked it over he remarked
to Repts. that it was the will of Jacob Cobkins, or rather
he spoke to Repts. wife and said "This is your father's will"
Repts. will state why said will was not sooner spoken
of & produced by him - On the day when it was determined
to execute said will and to keep the Campbells as slaves a
bond was drawn up in the penalty of several thousand
dollars binding each one who signed it (and all both men
and women were prevailed upon to sign it) that they were
to abide by a division of property that day made among
them, and were to keep the said will a secret. Repts.
further states that since the filing of the bill in this
case that William Sugate one of the defendants in this
case and Complainant came to the house of respondent
and told respondent and his wife that he said Sugate
held "that forfeited bond, that he got it out of the
papers of the papers of Solon Campbell and that he
meant to enforce it," and the said Sugate further stated
to Repts. and his wife that when they were examined about
the matter all they had to say was that there never was
any will there, and further said he understood it as
well as any of the lawyers, and that they way was to let
him and Barney look for it and that they could not
find it, that he would show them about freeing the
negroes. Repts. knew the hand write of the testator and
did his wife and he believes the signature to the said

12. Will was in the proper hand writing of the said Jacob
Collins.

Recpt. further states that the names and ages of the
Complainants and the persons with whom they are living are
Correctly set out in the bill, Recpt. further states that he
knows that Complainants are entitled to their freedom un-
der the will of the said testator and he has always insisted
that those of them in his possession should be liberated
at his death and he now freely consents that the Compl-
ainants may be emancipated. And having fully answer-
ed prayers to be dismissed with his costs. &c.

State of Tennessee,
Claiborne County. } Personally appeared before
me Lewis A. Garnitt, Clerk & Master of the Chancery
Court at Tazewell, George Campbell the respondent
in the foregoing answer and made oath in due form
of law, that the statements in the foregoing answer
of his own knowledge is true, and then stated as of infor-
mation he believes to be true.

Sworn to & subscribed before } ^{his} George Campbell
me 28, Decr. 1850. } _{mark}

L. A. Garnitt, C. & M.

State of Tennessee,
Claiborne County. } This day appeared before
me Mordican Cunningham an acting justice of the peace
in & for said County, George Campbell, Recpt. in the
foregoing answer & made oath that the facts stated
therein as of his own knowledge are true and those
stated as of information he believes to be true, to the
best of his knowledge and belief.

Witness my hand this 16 day of December 1850.

Test. } Mordican Cunningham } ^{his} George Campbell (Rec)
} Elizabeth Campbell (Rec)
} _{mark}

13.

In the 8th day January, 1857, the answer of
Salomon Cobkins was filed.

Recpt. The answer of Salomon Cobkins to the Bill of Complaint
Salomon filed against himself and others in the Chancery Court of
Cobkins Tazewell, by Cynthia Ann and others, Persons of Color.

Ans.

This Respondent saving to and reserving to himself
the benefit of all exceptions to the many Calendars con-
tained in Compt's bill and to so much as he is advised
it is material and proper for him to answer unto, aver-
ring say that it is true he is the son of Jacob Cobkins
who departed this life in the latter part of the year 1835
as well as this Respondent now recollects This Respondent
was upon terms of great intimacy with his father, having
been his agent in the transaction of his business for near
twenty years before his death. At the time of his death
he was very old and infirm; about five years be-
fore the death of the said Jacob he did make his will
and testament, in which there was a bequest of free-
dom to all his negroes as Respondent understood that
he never read the same as he now recollects. This be-
quest of freedom extended to all of Compt's who were
then in being. The said Jacob placed this will in the
hands of Respondent for safe keeping, and it remained
in his possession for a short time only, when the said
Jacob spoke to Respondent and informed him, that he
had understood since he made his will, that the laws
of the State would not allow the emancipation of
slaves, unless they were removed beyond the limits
of Virginia, and that being the case he said "It would
be better for the slaves to remain in slavery" or "that
they preferred to remain in slavery" the precise ex-
pression Respondent does not remember; he then took the will
out of the hands of Respondent, and it was the understand-
ing of Respondent, that the said Jacob did not intend to est-

14. his negroes free, his object then as Rustt supposed was to destroy the same. Since which time Rustt has never seen Answer of it, nor has he ever heard of the same until within a Solomon few years past, when he heard that George W. Sampble & his Kind. one of the Dispositants in this case had the will of the said Jacob; so soon as Rustt heard this, he remarked that it would be tantamounting the said Sampble, for he had concealed the same; the said Sampble and wife Elizabeth were heirs of the said Jacob. Shortly after this the said Sampble came to the house of Rustt in company with his wife Elizabeth, and denied to Rustt, that he had taken or concealed the will, this was done in the presence of the said Elizabeth, and it is a little remarkable if they had the will, or knew of its existence, that they did not inform Rustt of it, as he was one of the executors of the said Jacob in the will placed in the hands of Rustt by the said Jacob, as Rustt was informed at the time of its execution. The conduct of the said Sampble & wife in concealing the will from the knowledge of Rustt can be accounted for alone upon the ground that they were heirs of the said Jacob, and that if his will could be suppressed, that would be in itself to a child's part of the value of said slave.

The charge in the Bill of complaint, as to what occurred about the time of the death of the said Jacob in reference to the destruction of the will is loosely phrased, and without the semblance of truth, to the best of the recollection of Rustt; but Rustt will state what did occur. About the time of the death of the father of Rustt, or shortly after, all the heirs met at the old family mansion of the said Jacob. Rustt told them all, that some years ago his father had made a will, by which he had set his negroes free, and provided that his

15. Other property should be equally divided amongst his heirs, that he did not believe that it was the will of the Ancestor of said man, that the negroes should be free, but that if the will of Solomon was found they would be entitled to their freedom, that if Robt. Kin. the old man had not destroyed it, and it could be found he would be compelled to execute it, and free the negroes. But if he had done so, and it could not be found they should divide the property equally, as it appeared to be the wish of the old man, that all his heirs should share alike.

Respt answering further states, that before the said quest was buried, the keys of the trunk of the said Jacob were placed in the hands of the said G. M. Campbell, who kept the same in his possession, until Benj. Curtis & John Hart the Commissioners agreed upon dividing the property. Respt never saw a tin box then, as Respt now recollects, as untrue, stated in the answer of said Campbell; the bond to which he refers in his said answer, instead of containing a penalty against producing or disclosing the will, only contains a penalty to abide by the award of the Commissioners who divided the property, said bond is in existence, and will be produced upon the final hearing if necessary. Pandalab Langham and Wm Langham were witnesses to the will before signed to, and John Hart & Respt were executors of the same, as Respt is informed and believes.

Respt denies all knowledge of said will or its contents, except as above stated; he never believes that it was the will of his father to set the negroes free after said will was given up to him. If said will is in existence Respt calls for the production of the same and full proof in regard thereto. Respt never either directly or indirectly agreed with any person to conceal or destroy the same, according to the best of

his recollection and belief. Asst has had the boy born
 Jefferson in his possession claiming him as his own
 property under the decision of said Court. The does
 not believe that Comptts would ever have instituted
 this suit, if they had not been prompted to do so by
 some ill disposed persons, and intermeddles in other
 people's business. Asst denies all fraud or other im-
 proper conduct, and having fully answered he prays
 to be hence dismissed with his costs & cents.

W. R. Evans Id.

State of Tennessee

County of Clark Clerk & Master office.

This day personally appeared be-
 fore me Lewis A. Garrett Clerk & Master of the
 Chancery Court at Fayette, and made oath in due
 form of Law, that the matters and things stated in the
 foregoing answer are true to the best of his knowledge
 information, recollection and belief.

Sworn to and subscribed by Adamson Dobkins
 before me 8th June 1857

L. A. Garrett Clerk

And upon the same day the answer of William
 Fayette, was filed, which is as follows.

Answer of
 William
 Fayette.
 The separate answer of William Fayette to the Bill
 of Complaint filed against himself and others in the
 Chancery Court at Fayette, by Cynthia Ann & other
 persons of color.

The Respondent saving and reserving to himself the
 usual benefit of all exceptions to the Bill of Complaint
 to so much of said Bill as he is advised it is material
 for him to answer, answering says.

That he came to the County of Clinton to make
 some time in the year 1826. Some few years thereafter
 the said Jacob Dobkins departed this life, but at

17. What precise time Respondent is not informed, nor has he any other means of learning. Respondent had but a ~~slight~~ slight personal acquaintance with the said Jacob, having seen him but seldom before his death. The said Jacob Dolkins owned some negroes in his lifetime, and Comptts may have been among the number.

Whether or not the said Jacob made a will before his death, Respondent knows nothing, and consequently cannot speak of its contents. Respondent has no recollection of ever having heard that he had done so, until within the last twelve months. Respondent denies all knowledge of said will, or its contents, and calls for full proof of the same. It is true as stated in Comptts bill that he has in his possession the boy Nelson, but he claims to have been an innocent, honest, and bona-fide purchaser for a fair and valuable consideration, without any notice that the said boy had any right or claim to freedom. Respondent purchased him of John Dolkins, now dead in the year 1837 as well as indebted for \$297.50, all of which has been paid in good faith to the said John Dolkins, said boy Nelson was five years old in August 1837, said boy Nelson was since he was purchased by Respondent has been a lonely and pining child, until the last two or three years, and has consequently been of little value to Respondent. The said John Dolkins was one of the heirs at law of the said Jacob dea.

The charge in Comptts bill, that Respondent intended to sell the said boy Nelson to a negro trader is utterly gratuitous and unfounded. Respondent may have thought that the boy to do so, but if so it was without any sinister purpose on the part of Respondent, but done with a view to ~~secure~~ secure him, and make him a better boy. If the said Comptts Nelson is entitled

to his freedom under the will of the said John Dobkins
 Respt will interpose no difficulties in his way, but if not
 he insists upon his rights under the purchase from the
 said John. The bill of sale taken at the time of the sale
 of said boy will be produced upon the final hearing
 if required. Respt denies all fraud or improper con-
 duct on his part, and having fully answered, he prays
 to be hence discharged with his reasonable costs.
 Wm M. Locke. Et

State of Tennessee
 Davidson County } Chancery Court Clerk's office

This day personally appeared be-
 fore me Lewis S. Samitt Clerk & Master of the Chancery
 Court at Nashville, William Fugate and made oath in
 due form of Law, that the facts stated in the foregoing
 answer are true to the best of his knowledge, informa-
 tion and belief.

Subscribed before me
 the 8th January 1857. William Fugate.

L. S. Samitt Clerk

And upon the 18 January 1857. a Replication was
 filed in this cause, as follows.

Replica-
 tion.

Leguthen Ann & als by
 their next friend

Ed. Dobkins & als } And the said Plaintiffs
 for Replication to the answers of the defendants Colo-
 man Dobkins, William Fugate & Geo. W. Campbell
 say, that the matters and things in the said answers
 set forth & alleged so far as the same are in consist-
 ent with & contradictory to the said bill are untrue &
 that their said bill is true; and that they are ready to ver-
 ify the same as the Court may order.

Netherland, Maynard & Weiskell

19.

Rulis in the cause R.

Cynthia Ann Nelson

Rulis.

Solomon Dobkins et als } Imposition granted.
 Replication filed to answer of S^{ts} Dobkins, Campbell
 wife & Hagate. - Jury ruled 1851. Judgment pro comp^{ps}
 entered vs Margaret Jones who has failed to answer.
 and J. B. Keiskell next friend for Cynthia
 June Rulis 1851. Set for hearing, June Term 1852
 Court on aft of Resp^t left open, Decr. Rulis 1852 Set
 for hearing, Decr. Term 1852 death of Solomon Dob-
 kins suggested, April Rulis 1853, record vs John H. Ha-
 gate administrator of Sol. Dobkins de. & C^o. & C^o. & C^o.

And upon the 11. day of January 1857. a supple-
 mental Bill was filed in this cause, by J. B. Keiskell
 next friend to the complainants, and who enters in-
 to the following bond, to wit.

Bond.
 "Know all men by these presents, that we Joseph
 B. Keiskell and John Northland, & Horace Maynard
 an hild and firmly bound unto George Campbell
 and wife, Margaret Jones, Solomon Dobkins, and
 William Hagate, in the penal sum of one thousand
 dollars. The condition of this obligation is such, that
 whereas a suit was instituted in the Chancery Court
 at Fayette by Joseph Keiskell next friend to Amy
 Laura Deudinick, Lucretia DeJoy, Cynthia Ann
 Nelson and Isham Jefferson, persons of color, a-
 gainst George Campbell wife, Margaret Jones, So-
 lon Dobkins and William Hagate, and has obta-
 ined an order for an attachment, and an imposi-
 tion against said Solomon Dobkins and William
 Hagate, Now therefore if the said persons of color
 their next friend Joseph B. Keiskell shall will
 and truly prosecute said suit with effect, or if
 they fail therein, then will and truly pay, all costs

and Damages, that shall be done against them for
 failure, and for wrongfully suing out the writs of Attach-
 ment and Sequestration, done to either of the defendants,
 and shall in all respects abide by and perform such
 doings as shall be made in said cause, then this bond
 to be void, otherwise to remain in full force and virtue.

Given under our hands and seals, this 11. day of
 June 1857.

Jos. B. Neiskell @
 Jno. Netherland @
 Horace Maynard @

The said Supplemental Bill is as follows.

Sup.
 Bill.

To the Honorable Thomas L. Williams Chancellor
 for the Eastern Division of the State of Tennessee sitting
 in Chancery for the District composed of the Counties
 of Henderson & Hancock.

Your Orators Amy Louisa Deulinick and her
 children Cynthia Ann, Lewis, Nelson & Nancy, and
 Isaac Jefferson brother of said Amy, who are persons
 of color, held in bondage, who sue by their next friend
 Joseph B. Neiskell, Namely complaining shew to your
 Honor that on the 5th day of October in the year 1850
 your Orators filed their Bill in your Honorable Court
 at Saguilla, for the purpose of obtaining their freedom
 under the will of Jacob DeKins deceased, to which
 they are clearly entitled as appears by the said Bill
 and the answers thereto namely filed by Solomon De-
 Kins, George Sampson and William Fugate, who to-
 gether with Margaret Jones are defendants in said
 Bill.

Your Orators represent that since the filing of
 said Bill, Solomon DeKins has made an arrange-
 ment to sell, or has actually sold to said Fugate
 his valuable farm, lying in Henderson County.

Supp
Bill.

and is now in the act of making preparations to leave the State of Tennessee, with his property of every description, for the purpose of migrating to the State of Texas. One of the principal objects which the said Dobkins has in view in said arrangement, and in removing himself & property out of the State is to avoid the payment of the amount which is due to your Orator James Jefferson, for his services for the last fifteen years or more; and the effect of permitting such removal will be greatly to hinder & delay, if not absolutely to prevent the satisfaction of the claim of your Orator for said services, of which an account is pruned in said bill, and for which said complainant is entitled to a large sum of money.

Of the precise nature & terms of said sale from Dobkins to said Hagute your Orators are not advised. Their information is however that the consideration agreed to be paid was about the sum of six thousand dollars of which a large part remains unpaid, and in the hands of said William Hagute. The property of the said Solomon Dobkins which he is about to remove beyond the limits of the State, among other things one negro man of said Hagute in part payment of the consideration of said land, one other slave, various horses, cattle, farm stock, farming utensils &c.

The petitioners consider, your Orators pray that your Honor will order an attachment to issue according to the provisions of the act of 1843 ch 29, § 1. to attach & hold the property of the said Solomon Dobkins, so that he cannot convey, lease, or dispose of the same, they be subject and liable to the satisfaction & discharge of the amount due to your Orator James Jefferson. They also pray that the said Hagute & Solomon

22.
Sup
Bill. be required to answer this bill & disclose fully what
was the consideration for said sale of lands and how
much has been paid, what part is secured by note
and when each and every part thereof becomes due
and payable, and what contributions thereon beside
the money payments, and every material fact in
relation thereto, particularly to show state the ac-
count amounts to be paid, and what each & every
payment thereof was to consist of & whether any
of said payments depend upon any condition
or contingency, and of so what.

They also pray that an attachment issue to
attach the said purchase money or property in
the hands of said Legate, and that he be enjoined
from paying over any part thereof to said Dobkins
until the final hearing or further order of the Court.
And that the said Dobkins be also enjoined from
transferring or ^{negotiating} ~~negotiating~~ any notes or choses in
action given for the said purchase money or any
part thereof.

State of Tennessee
DeKalbe County } Personally appeared before
me Lewis A. Garritt the above Joseph B. Neickel and
made oath, that he is informed and believes that
the statements in the foregoing bill are true in sub-
stance and in fact
Sworn to & subscribed before
me this 11th day of
January 1857.

J. B. Neickel

L. A. Garritt C. J.

by A. J. Chamberlain Secy C. J.

To the Clerk & Master of the Chancery Court

at Saginaw.

Let writs of attachment & Sequestration issue as prayed for in the foregoing bill, upon the complainants giving bond & security as required by Law. Said property or effects attached to be applicable upon good and sufficient security being given as required by Law. Given 11th 1857.

Robt. M. Anderson

Judge C.

And upon the 15th May 1857. the answer of Solomon Dobkins was filed, which is as follows.

Answer
of Sol.
Dobkins.

The Answer of Solomon Dobkins to the Supplemental Bill filed by Cynthia Ann and others persons of color, filed in the Chancery Court at Saginaw against himself and William Fugate.

Respondent saving and reserving to himself the benefit of all exceptions to misstatements N. contained in said Bill for answer to so much as he is advised it is material for him to answer unto answering say. That it is true as stated in said Supplemental that he has recently sold his farm in Gladwin County to one William Fugate for fifty one hundred and ninety dollars, to be paid as follows, a negro girl at \$500.00 was paid down, \$1500. 1st March 1857, \$1000. 1st March 1853, and \$2190. 1st March 1854. Upon the filing of this Supplemental the said Fugate paid Receipt on said first note about \$330. perhaps more, said second note to wit the one for \$1000. was upon the day Receipt executed to the said Fugate a deed of conveyance for said tract of land, and upon the filing of the Bill the said Supplemental Bill, transferred to Jacob Dobkins, in payment of his part of the land conveyed to said Fugate. This

24. That Ruppert gave to his son Jacob Dobkins about 19 years ago; the said Jacob has lived upon the same, Answered and improved it claiming and using as his own ever since, Ruppert consents it justly and honestly due the Dobkins. said Jacob, and accordingly transferred it to him. The balance of said purchase money is not due and unpaid, yet Ruppert denies the right of Comptons to enjoin the same, or to hinder Ruppert in the collection of said purchase money, they having as yet obtained no judgment against Ruppert. Ruppert states, that the last note out the one for \$2190. is the only one about which there is any condition or contingency, and that is, it provides that if the said Fugate "should necessarily in our any costs, expenses, or damages upon a covenant of warranty, or other covenants contained in said deed of conveyance, then "said necessary costs, expenses, or damages were to be paid on said \$2190. note, and to abate so much of the purchase money. Ruppert denies all attempts to defraud the said Asam Jefferson of any just claim or demands, he does not consider that said Asam Jefferson has any ~~demands~~ just claim upon him for services rendered during his slavery, nor does he believe that it was the will of his said father that he should lose his freedom. Ruppert claims the full benefit of a demand to said Supplemental Bill as fully as tho the same was specially pleaded; the consideration mentioned in said deed of conveyance was six thousand dollars, that part not above mentioned, your Ruppert agreed to abate, it being in satisfaction of a claim which the said Fugate had upon the heirs of said Jacob Dobkins and father to Respondent, for the value & hire of Comptons Nelson. Ruppert having fully answer-

25 and he prays to be hence discharged with his reasonable costs.

Wm. M. Cooke Sol.

State of Tennessee

County of Grant } This day personally appeared before me John Casley an acting Justice of the Peace for the County aforesaid Solomon Dobkins and made oath in due form of Law, that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief.

Sworn to and subscribed Solomon Dobkins
before me June 15th 1857.

John Casley

Justice of the Peace.

And upon the 2^d of June 1857 the answer of William Fugate was filed, which is as follows.

Answer of William Fugate. The separate answer of William Fugate to the Supplemental Bill filed in the Chancery Court at Claywell against him and Solomon Dobkins by Lyntien Ann & their persons of color, in the name of their next friend J. B. Seiskels.

This Respondent saving the usual exceptions for informality &c., and also claiming the benefit of a demand to said Bill for answer thereto says. That he admits Lyntien filed their bill in the Chancery Court at Claywell about the time mentioned in said bill, claiming their freedom, to which bill this Resp^t was also made a party, and has filed his answer, but does not admit or deny Lyntien's right to freedom, that is a question between other parties, and one about which this Resp^t knows nothing. Resp^t also admits that he has purchased of his co-defendant Dobkins a tract of land lying in Clinch

26. in Claiborne County upon the following terms. Rupt
wants to surrender all claim to a certain slave named
Answer of Nelson to said Dobkins, which slave is one of the Compts
William in this case, ~~which slave~~ Rupt was also to pay \$590
Suzate. five hundred of which was paid down in a negro
girl, \$1500 was secured in a note executed by Rupt
to Dobkins due 1st March 1857 payable in Tennessee
Money, upon which Rupt paid before the filing of
the Supplemental bill in this cause about \$350,
the precise amount not remembered. Rupt also exe-
cuted to said Dobkins a note payable in Tennessee
Money and due 1st March 1853, which note was
the same day assigned in my presence to Jacob
Dobkins by said Solomon for the consideration as
Rupt understood mentioned in said Solomon's
Answer to this bill. For the remainder of said
purchase money Rupt executed his note to said
Solomon Dobkins for \$2190. payable in Tennessee
Money and due 1st March 1854 and upon the face
of this last mentioned note, there is a condition
to the following effect, If said Suzate should in-
cur any costs, expenses, or ~~damages~~
damages upon a covenant of warranty or other
covenant contained in said deed of conveyance,
then the said necessary costs expenses or damages
were to be calculated on said \$2190. note, and
said note to be so abated. This is a full statement
of the contract between Rupt and said Solomon
Dobkins, so far as Rupt remembers. And Rupt hav-
ing fully answered prayer to be discharged with
his reasonable costs.

Wm. M. M. M.

Att. for Suzate.

State of Tennessee, Claiborne County. This day

27.

personally appeared before me Lewis A. Garritt Clerk
Master of the Chancery Court at Fayette William
Fugate and made oath in due form of Law, that
the facts set forth in the foregoing Answer stated as
upon his own knowledge are true, and those stated
as upon the information of others he believes to be
true, to the best of his knowledge and belief.

I sworn to and subscri- } William Fugate
bed before me this 4th day }
of June 1857. }

L. A. Garritt C. M.

Replication to answers to Supplemental Bill.

Replication.

Edmon Dobkins & others }
by their next friend } Replication to Answers
Edmon Dobkins & }
Will. Fugate } to Supp. Bill.

And the Comptrols for Rep-
lication to the answers of depts to the Supplemental
Bill, say that they will avr and prove their said
Bill to be true as the Hon. Court shall judge, and they
Humbly pray as in their said Supplemental Bill
Netherland & Westels
Sctrs.

And on the 6. of January 1857. The Master made
and filed his report No. 1.

Report
No. 1.

Lynethia Ann & others } Masters office 6. Januy
Edmon Dobkins & others } 1857.
Report No. 1.

In this cause, the Master reports,
that George W. Campbell has entered into bond
with security in the sum of \$2000.00 for the deliv-
ery of Amey Louisa Deadrick and her children
Lewis and Hopy, conditionus to feed and clothe
them well, as directed. The other defendants not

having given bond and security as required he proceeded to his out Joam Jefferson Cynthia Ann, and Nelson for twelve months, as follows, to the following persons.

Joam Jefferson	to Mrs Netherland	\$65.00
Nelson	to Horace Maynard	55.00
Cynthia Ann	to J. B. Newkell	30.00
Total -		\$150.00.

Bonds with security were taken for the payment of the money, and for the delivery of the said persons, and to feed and clothe them well as directed by the Court; which bonds he has ready to produce

All of which is respectfully submitted
J. A. Harrett Esq

And at June Term 1857, the following decree was pronounced in this cause, to wit.

"Cynthia Ann and others }
by their next friend } Deane.
vs }
Solomon DeWain & others } Best vnumbrd

Deane

that this cause came on upon the Bill answer of Solomon DeWain, William Legate, and Campbell & wife and Pplication thereto, and the judgment pronounced as to Margunt Jones, and the proof in the cause; and it appearing to the Court that this is a proper case for an inquiry by the Clerk and Master, and that he ought to inquire and report whether Jacob DeWain made a will, and if so, in the provisions of the will such as are alleged in the Bill of Complainants, or what the provisions of the same were, to the next Term, to the end that the same when sufficient by ascertainable reported to the County Court, and pronounced and recorded in the County Court of Guilford County as the last will of Jacob DeWain

29. decussul.

Deone

It is therefore ordered adjudged and decreed by the Court, that the Clerk and Master ascertain and make report to the next Term of this Court what were the provisions of the will of Jacob DeWkins decussul, and particularly what provision was therein contained relative to the emancipation of the complainants; and the Clerk and Master will inquire the proof already taken in the cause, and such other proof as the parties may produce, and make a draft of the said will and evidence so far as the same can be ascertained.

And all questions relative to the rights of the parties under said will are reserved until the coming in of said Report.

And upon the 2. Octr. 1857, the Master made and filed his report No 2. which is as follows.

"Lyndia Ann & others
by their next friend
Joseph B. McKello

vs

Solomon DeWkins,
William Seigate & others

Clerk & Master's office
2. Octr 1857.
Report No. 2.

This cause having been referred to the Clerk & Master to report on. The Master reports, that he caused the parties to appear before him at his office in Sagwell upon the 19. Septer last, at which time certain depositions were taken, and from the testimony on file, taken before the last Term, and that taken since, and the pleadings, the Master makes the following Report.

The deone directs, that the Master shall inquire and report whether Jacob DeWkins made a will, and if so were the provisions of the will such as are alleged in the bills of complainants, or what the provisions of the same were, to the next Term, to the

Report
No. 2.

Report
No 2.

end that the same when sufficiently ascertained be reported to the Court, and propounded, and recorded in the County Court of Guilford County, as the last will of Jacob Dobkins deceased, and particularly what provision was therein contained relative to the emancipation of the complainants, and make a draft of the said will and the evidence, so far as the same can be ascertained.

The Bill alleges, that some 14 or 15 years before it was filed, Jacob Dobkins made a will, by which said complainants were entitled to their freedom, which will has been scorned.

The Answer of Solomon Dobkins, admits that a will was made, by which the negroes were to be set free, and that after he had made the will, the old man stated to him, that he had understood the laws would not admit the emancipation of slaves unless they were removed out of the State, and that it would be best for the negroes to remain in slavery, but denies any knowledge or assistance in the concealment of the will.

The answer of Jeff Fugate, states that he knew nothing about the will.

The Answer of G. W. Samplett and wife admit that a will was made which emancipated the slaves of the deceased, the Comptts, and the children of Amey Louisa Deadrick being among the number.

From the evidence taken the following facts appear.

G. W. Samplett states that a will was made by Jacob Dobkins, which set his slaves free, as stated more fully in his answer.

Elizabeth Samplett states, that when they

31. met to divide the slaves, Solomon Dobkins stated that
his father had made a will which directed his slaves
Report to be set free; that him and John Hart were the exec-
No. 2 utors, and if either of them saw it they would be com-
pelled to carry it out; he recommended that it be de-
stroyed; she took the will from John Dobkins, who was
about to destroy it, and carried it home with her, where
it remained until a few years ago, when it was
taken out, by some person to her unknown.

William Lanham, stated that him and Pandal
Lanham witnessed a will made by Jacob Dobkins,
which was drawn by John Hart, Solomon Dobkins
was present, he did not hear that part of it which
disposed of the property real. The testator Jacob Dobkin
signed and acknowledged it in his presence; he saw
witnesses but one will for said Jacob Dobkins.

Barnabas Sampbell, saw a paper, which his mother
handed him stating it was the will of her father. He
did not read it.

Elijah Jones, was present when the negroes were di-
vided, and he then heard that a will was made by
Jacob Dobkins, he advised the heirs to have the will shown,
and to go by its directions, but they stated they would
lose too much, and they had the negroes divided. He
read the will at George H. Sampbell's; he cannot give
the precise words of the will, but so far as the freedom
of the slaves was concerned, the will stated, that the ne-
groes were to be set free, or emancipated, if the laws
of Tennessee would allow them to remain in this
State, and if it would not allow them to remain,
if emancipated, they were to stay on the farm of
Solomon Dobkins, and he Solomon was to take
care of them, and act as their agent for them, and
to have the control of them.

Report
No. 2.

There is other proof in the Record, as to a division made by Jacob Dolkins of his slaves among his heirs several years before his death; but as this first division was not regarded by the heirs in the settlement of the estate, and a new division made by them, and not relied upon in the answer, the Master does not believe it affects the merits of the case, as to the will, and he does not examine it further.

From the foregoing facts in the cause, the Master reports, that the said Jacob Dolkins in his lifetime made a will, and which will was unrevoked at the time of his death, and which will has been concealed, secreted or destroyed, so that it has never been proved or recorded. And by the terms of this will the complainants Isaac Jefferson, Adson Cynthia Ann, Amey Louisa Decker and Lewis and Wesley, children of Amey Louisa Decker and an intitled to be emancipated, in pursuance of the acts of Assembly in such cases, man and freed; which was clearly the intention of the testator.

The evidence upon which the above report is founded is respectfully reported.

All of which is respectfully submitted

Lewis A. Garrett
Clerk & Master

The complainants filed the following exceptions to said report.

Comptts
Exceptions. " Cynthia Ann & als
By next friend N.

vs

Ed. Dolkins & als } The complainants by their
Ed. reports to the report of the Clerk & Master, because
He states the testimony of Elijah Jones as given on his
second examination, which examination was not

authorized by the order of the Court, and on the point objected to is upon the same matter to which he had been previously has examined.

He does not state the date of the will.

Huskalo Id.

The Respondents by their Solicitor filed the following receipts.

"Cynthia Ann et al

vs

Edmond Dotkins et al

The Respondents by their Solicitor except to the report of the Clerk & Master made in this cause, and sets down the following arguments of receipts.

1st The proof shows that there was a division of the negroes in question by old Man Dotkins amongst his children some fifteen or twenty years before his death, and the negroes delivred into the possession of his children, & consequently the old man Jacob had no right to dispose of them by will, or otherwise, twenty years afterwards.

2^d The fact that Jacob Dotkins made a will by which the negroes were to be emancipated does not sufficiently appear from the proof.

3^d If he made a will from the proof, the emancipation of Lempsitts was only conditional, if the laws of Tennessee would permit them to remain in this State, as the laws of the State at the time of the death of Jacob Dotkins would not allow the Lempsitts freedom, and to remain in Tennessee the request of freedom was void, as the condition would not be tolerated by our laws.

For these and other reasons to be shown on our government Receipts receipt N.

W. M. Leocke Id.

And at June Term 1857, the following decree, was made in this cause, to wit.

"Synthia Ann Fother
 By their next friend.

vs

Decree.

Solomon Dodkins,

William Fitzgerald & others } This cause coming on for further order upon the report of the Clerk and Master of the provisions of the will of Jacob Dodkins dec'd. made under the decretal order of the June Term of this Court 1857, and the exceptions filed thereto, the Court is pleased to overrule the exceptions, and to confirm said report; And it appearing to the Court from the said report, that the said Jacob Dodkins in his lifetime made a will, which will was unrevoked at the time of his death, which will has been concealed, sequestered, or destroyed so that it has never been shown or recorded. And that by the terms of said will the complainants Sarah Jefferson, Nelson Synthia Ann, Amey Louisa Deaulnick, and Lewis & Nancy children of Amey Louisa Deaulnick were entitled to be emancipated in pursuance of the acts of Assembly in such cases made & provided, which was clearly the intention of the testator; It is ordered that the said provisions be by the Clerk immediately drawn up in due form and transmitted to the County Court of Guilford County now sitting to be then recorded as the last will and testament of the said Jacob Dodkins dec'd, and the will is drawn accordingly in the words & figures following.

The last will and testament of Jacob Dodkins dec'd. as ascertain'd in the Chancery Court at Saywell in the cause pending in said Court.

35

Record

wherein Cynthia Ann, Isaac Jefferson, Nelson, Amy
 Louisa Durkin & their children Lewis & Nancy
 by their next friend N. on Complainants, & Solomon
 Dodkins, William Higate, Margaret Jones & George
 Langhale & wife on Respondents, and transmitted to
 the County Court of Guilford County to be there re-
 corded as the last will & testament of said Jacob
 Dodkins dec'd.

I Jacob Dodkins do direct & will that all my
 slaves shall be set free at my death, and be em-
 ancipatad according to Law, I do appoint Solomon
 on Dodkins & John Hart my executors

May 1831.

Signed Jacob Dodkins

Witness William Langum

Randall Langum,

And the same being approved by this Court, is
 ordered to be certified to said County Court, with a
 copy of this order.

And at the same Term, the following order
 was made to wit.

Cynthia Ann and others
 By their next friend N.

vs

Solomon Dodkins & others } This day the de-
 fendants tender to the Court a bill of exceptions, to
 the opinion of the Chancellor in this cause, which
 is signed and sealed by the Court and made a part
 of the Record, and the cause is ordered to be retained
 here for further order.

The said Bill of exceptions is as follows.

"Cynthia Ann et al by
 J. B. Haskell next friend

vs

Ed. Dodkins

Bill of Exceptions

Respondents except to

Bill of
Exceptions

to the language employed in the Decree so far as the same declares, that by said will it was intended to Mammoth Complainants; that being an adjudication upon that point.

Bill of
Excep-
tions.

They also except to said Decree pronounced on said Report, because the language of the will as set out in the Report & Decree is not in conformity with the language of the Writings, giving the language of the will.

And because the willence does not so prove the will as to establish the same.

So all which dependent excepts & tender this Bill.

Thos. L. Williams &c

And upon the 5 June 1852 the Master made his Report No. 3. as follows.

Report
No. 3.

J. B. Neiskell next friend	of Leguthia Ann & others	Report No. 3.
		Master's office
		5 June 1852
S. Simon Adkins & others		The Master reports

that he proceeded to his Compts out this day, as follows

Joam Jefferson	to Abel Westerson	for \$100.00
Nelson	to Robert Madsen	" 65.00
Leguthia Ann	" J. B. Neiskell	" 30.00

For which he took bond conditioned to deliver & that said Compts will, and return them, sooner than at the end of twelve months, should the Court order them to be delivred sooner, and pay at that rate for the time, which bond an hundred & reported

All of which are respectfully submitted
L. A. Garrett Clerk

And upon the 5 day of January 1853, the Master made and filed his report No. 4. to wit.

37.

J. B. Neiskill next friend N. 3 Report No. 4
to Cynthia Ann Fother

Report
No. 4.

vs

5. July 1853.

Solomon Watkins et al

The Master reports, that he
has kind out the Comptes for the next twelve months
as follows.

Joam Jefferson to Alid Kesterson for	\$100.00
Adson " " R. C. Woodson "	65.00
Cynthia Ann " J. B. Neiskill "	00.00

For which bonds were taken as directed, and
conditional to surrender up said persons of color
sooner, if the Court should direct.

Respectfully submitted

J. A. Gamett Esq

And at the ~~Session~~ ^{Term} ~~of~~ ^{of} ~~1853~~, the following decree
was pronounced in this cause Scinfacius ~~was~~
sworn in this cause to wit. And at December Term
1852 the following order was made, to wit.

"J. B. Neiskill next friend N.

vs

Solomon Watkins et al The death of Solo-
mon Watkins is suggested in this cause.

And upon the 10. of April 1853 a Scinfacius was
sworn in this cause, to wit.

Scinfa-
cius.

State of Tennessee

To the Sheriff of Giles County Genting.

Whereas upon the 3. day of October 1850 a bill was
filed in the office of the Clerk & Master of the Chan-
cery Court at Fayette by Cynthia Ann and other
persons of color against Solomon Watkins and
others, and whereas also upon the 11. of January
1851 a supplemental Bill was filed in said cause
by Joam Jefferson by his next friend J. B. Neiskill

against Solomon Dobbins and William Fugate, and at the December Term 1852 of said Court, the death of Solomon Dobbins was suggested; and it having been represented to us that John Fugate of Clearborne County and the County Court of Clearborne County appointed his administrator, and the complainants wishing said cause revived against said John Fugate; Now on this day being commanded to make known to the said John Fugate the tenor of this writ and that he appear at the next Term of said Court to be held at the Court house in Sapulpa upon the first Monday of June next, in order to hear the doings that may be demanded in said cause.

Notary Lewis A. Garnett Clerk & Master of said Court at office in Sapulpa the first Monday of December 1852

L. A. Garnett C. M.

Endorsed. Scire facias, J. B. Haskell next friend N. vs John Fugate admr of Solomon Dobbins deceased. - Issd 10 April 1853. I acknowledge the service of the within Scire facias 26 May 1853.

John Fugate
Administrator.

And at the ~~December~~^{June} Term 1853 the following decree was pronounced in this cause, to wit

"Exam J. J. Person and other persons
of Edm by their next friend
J. B. Haskell

Deone No. 2.

vs
John Fugate administrator of
Solomon Dobbins deceased. Will,
Fugate, George Campbell & others } This cause
coming on to be further heard, before the Honorable

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able Thomas L. Williams this 9. day of June 1853; and it appearing to the Court, that the defendant Solomon Dobkins is dead, and his death has been suggested, and the cause regularly revived against Jehiel Fugate as administrator, before the Clerk & Master, according to the act of Assembly in that case made and provided, and that a judgment pro confesso was regularly entered against Margaret Jones in her lifetime, the other defendants having answered, and a Peticition filed thereto, and the cause regularly brought to hearing. And it further appearing to the Court that by the former decree of this Court the will of Jacob Dobkins was set up and established, and was ordered to be certified to the County Court, then to be admitted to Record, which has been done, and that under said will the said Complainants are entitled to their freedom, and ought to be emancipated according to the Laws of this State. It is ordered that they make application to the County Court of Clatsop County to be emancipated according to the ~~laws~~ acts of Assembly in that case made and provided.

It is ordered by the Court, that the Clerk & Master proceed to take proof and state an account of the value of the services of the Complainants showing,

1. How long they have been illegally held in servitude, by whom each Complainant has been held?

2. The value of the services of each of the said Complainants from the time of the death of Jacob Dobkins deceased, computing interest on the same from the end of each year, to the next Term of this Court.

3. What allowance ^{if any} should be made to the persons holding said Complainants, for raising clothing &c.

And that the Clerk and Master make report to the next Term of this Court, and all other questions not hitherfore adjudicated on record until the coming in of the Masters report.

The following order was made at said Term 1857, and should have been inserted at the proper place.

Sam Jefferson and others
By their next friend M.

Order

vs
Solomon Dobkins &
William Hagute

Supplemental Bill.

Upon the motion of the defendants to dissolve the Exemption granted in this cause, the Court orders that upon the defendant Solomon Dobkins entering into bond with approved security in the sum of two thousand dollars, conditional to pay and satisfy all such sums as shall be decreed to the complainant Sam Jefferson for his services upon the final hearing, and to abide by and perform whatever decree shall be made in the premises, that the Exemption granted in this cause and the attachment preventing the defendant Hagute from paying to said Dobkins the amount due him for the tract of land, shall be dissolved.

And upon the 8. of September 1857, a bond was executed and deposited, which is as follows.

Reponde-
ing bond.

Know all men by these presents, that we Solomon Dobkins, William M. Cooke and William Bullock, are held and firmly bound unto Joseph B. Heiskell next friend of Sam Jefferson a man of color in the penal sum of two thousand dollars, for which payment well and truly to be made we bind our selves, our heirs &c. The condition of the above bond is such, that whenever a bill has been