

filed by said Sam Jefferson by his next friend  
 said J. B. Wiskelo against said Solomon Dobkins &  
 William Hagute (a supplemental Bill) to attach cer-  
 tain funds in the hands of said William Hagute be-  
 longing to said Dobkins, to satisfy an alleged amo-  
 unt due to said Sam Jefferson for his services,  
 and at the last Term of the Chancery Court at Tane-  
 well when said cause is pending, the Infirmitation  
 was dispensed upon the said Dobkins entering into  
 bond N. Now if the said Solomon Dobkins, "shall  
 pay and satisfy all such sums as shall be decreed  
 to the complainant Sam Jefferson for his services,  
 upon the final hearing, and abide by and perform  
 whatever decree shall be made in the premises,"  
 then this bond to be void, otherwise to remain in  
 full force and virtue.

Given under our hands and seals, this 8. Sept  
 1857.

Solomon Dobkins *(s)*  
 By his atto. Mr. M. Locke  
 Mr. M. Locke *(s)*  
 Mr. Ballant *(s)*

L. S. Gamett.

And at the June Term 1853. The following order  
 was made, to wit.

J. B. Wiskelo next friend  
 of Sam Jefferson dothors

vs  
 John Hagute admr.  
 and others



The defendants

John Hagute and William Hagute pray an ap-  
 peal from the decree pronounced in this cause to  
 the next Term of the Supreme Court to be held at  
 Knoxville, upon the second Monday of September  
 next, and said defendants having given bond

Appeal



and security as the Law directs said appeal is granted.

Appeal  
Bond.

The following appeal bond was executed, to wit:  
"Know all men by these presents, that we Joseph Fugate and William Neil administrators of Solomon Dobkins deceased, William Fugate, and William Neil an heir and jointly bound unto Joseph B. Whiskell next friend to Cynthia Ann, born Jefferson and other persons of color, in the penal sum of two hundred and fifty dollars. The condition of this bond is such, that whereas a decree has been pronounced in the Chancery Court at Sagadahoc in the cause of said born Jefferson and others by their next friend J. B. Whiskell an Complainants and said Joseph Fugate administrators of Solomon Dobkins deceased, William Fugate and others an Respondents; and said defendants have appealed to the next Supreme Court to be held at Knoxville upon the second Monday of September next. Now if the said defendants shall prosecute said appeal with effect, or if they fail therein, then well and truly pay, and satisfy all costs and charges that may be decreed against them for penal, and shall in all respects abide by do and perform whatever decree shall be pronounced in said cause, then this bond to be void, otherwise to remain in full force and virtue.

Given under our hands and seals this 10. day of June 1853.

Joseph Fugate (S)  
Wm Fugate (S)  
William Neil (S)

Proof of Complainants -  
Depositions of George Campbell, Elizabeth Campbell, William Sanborn, & David Campbell taken by Complainants before the Clerk & Master



15. May 1857.

George Campbell first sworn states that he has now for Compts. heard his answer which he had put in read over to him, and the said answer contains the true statement of the Campbell matters in controversy as far as he recollects, and he adopts his answer as a part of his deposition, and adopts the same now; and he wishes to state further, that he had never seen the keys spoken of by Solomon Dobkins in his answer, or had them in his possession, and that the first time he saw them was on the day the deils was made, when they was in the trunk, and used then by Solomon Dobkins, they were never deposited in his custody for safe keeping.

1. Quert by Resp<sup>t</sup> S. Dobkins by his agent Jacob Dobkins. Did I not propose to the heirs to divide according to my fathers will, for if John Hunt or myself found that will it was my opinion that we would be compelled to go by it, and the negroes could be free, but from what my father had told me since he wrote that will, I knew that it was not his will at that time for them to do free?

Answer. My recollection is not good enough to recollect what he said now about it not being his will at that time, I am satisfied that he never stated that he knew that was not his fathers will at that time.

2. By Same. Did you not all agree, if he had not destroyed his written, that we would divide by it, and all agree to it?

Answer. As for my part I did not agree to it, or have any thing to do with it, the old woman managed it, I had very little to do with the proceedings from the start.

3. By Same. Then did I not give you the key of my



44. father's trunk to keep until we could get repairs to  
come and divide the estate, and did you not take the  
Forfeiture Key home with you, and that night come and steal  
George four of the negroes, and take them home and conceal  
them in your loft and claimed them as your own  
property, and stated that your Lawyer had advised  
you to do so, and then did I not tell you, that if you  
did not take them back it would be tantamounting you,  
and you sent them home again that day, and also  
after that did not we select John Hunt & B. Swart to  
come and divide our father's estate equal among  
us soon as it was convenient, and the day was set,  
and the heirs all met, and you come and fit the  
key of father's trunk, then did I not give you or your  
wife father's trunk to unlock, supposing father's  
money to be in it, and you look it, and did you not  
unlock it and the others divide the money?

3 Answer. He never gave me the key of the trunk to  
keep, and I did not bring the key with me. Then was  
four of the negroes came here, and by a Lawyer's advice  
they were kept in the loft, and if the old woman  
(my wife) had got her just rights they would all have  
belonged to her, by a divide that the old man had  
made before he made the will, I think he had  
some talk here about tantamounting me for it, but  
he would have been short of tantamounting me  
for that, I sent them back again, I think they did  
agree to let Hunt & Swart divide the negroes, I had no  
hand in it, and cannot recollect but little about it,  
I never took the key, and never had it in my posses-  
sion, I never unlocked the trunk, or had my hand  
in it, these negroes were a part of the negroes that were  
divided.

4. By Sumo. Who unlocked the trunk?



45.

Answer. John Dobkins unlocked the trunk and took the will out.

5 By Same. Do you know who he gave the will to?

Answer. I do not know, any more than what my wife states, that he gave it to her.

And further this deponent saith not.

George <sup>his</sup> Campbell

Elizabeth Campbell next sworn stated

Her Compt

Elizabeth in 1835. ~~Jacob Dobkins died in~~ she is a daughter of said Campbell. Jacob, the first that she knew of the will, was on the day we had met to have the negroes decided. My brother Solomon Dobkins came to us, and stated that father had made a will, by which he had set his negroes free, and that if John Hunt or him saw it, they would be compelled to carry it, and the only way was for us all men & women to agree and destroy the will, and I said to him in the name of God with my hand held up, that I would have no hand in it, that if father had made a will I had not given me a cent, I would rather it would stand, and I turned off and left them, who were all standing at the garden fence, and the first I saw of the will, John Dobkins held it out in the yard, he gave it to me, and I brought it home, Elizabeth Jones came home with me that night, and took the paper out of my bosom, and handed to him, stating that here is the paper they say is my fathers will, and he took it, and read it over to himself, and stated that it was his will and by it the negroes were free; the will was put in a chest, and kept locked up, and I do not know when it was taken out, or by whom.

4.

Wesley is a child of Amey Louisa Decatur's - she is about eleven years of age, on the thirteenth of



46 January last, as well as Jacob Dot.

Solomon Dotkins was sick with the mumps some five months. Three years after fathers death, he expected to die, and sent Elijah Dot for us to come and see him. My husband and I went, Campbell, to see him, and I stated to him in a conversation, that he had not treated my husband as he should have done, that he had threatened to send him to the Penitentiary for breaking open a trunk, and taking out <sup>the</sup> will, and he asked George Campbell if he did not open the trunk, and take out the will, and he replied that he had not done it, and Solomon then asked him who had done it, and George said, that it was your brother John.

Letitia states that she could read when she was young, and was acquainted with her fathers hand write, that she looked at the will, and she believed that the signature to it was <sup>his</sup> hand write.

Letitia stated that the will was in a small box, which was in a chest, that Solomon Dotkins unlocked the chest and took the small box which contained the will out, he went out with it, and she did not see him open it, John Dotkins had the will in his hands and handed it to her as she has stated.

While the will was in her house, Barney Campbell Charles Campbell who were her sons saw the will. Barney Campbell came and stated that Solomon Dotkins had run them and threatened to send George Campbell to the Penitentiary for breaking the will of Jacob Dotkins, and he had come to see about it. Charles Campbell came also for the same purpose, Mordica Cunningham also saw it.

The will continued her until about three years ago, when it disappeared, she does not know who took it, or what had become of it, the only person who



4) was about the house who would likely have taken it was her grandson Nathaniel Brooks, and she does not know that he got it.

Elegiteth Campbell. Whitcup states in a cross examination, that the will was kept with some deeds, the last she recollects of seeing of it was about three years ago, but she mislaid it first about a year ago, and Brooks could have had it from his education, from the other papers.

On the night after father was buried we were all there but George Campbell, and Edmond Dobbins stated that his father had left him and John Hunt to settle the matter, and his father wanted them all to have the property equal, he did not say that he had made a will, and that if any of us was contrary he had it in his power to cut us off without anything.

My father never told me he had made a will, or said any thing to me about a will, I could read a little and was used to father's hand write, that was the way I knew it was his signature to the will. The chest was locked and the key usually hung up on the bed nail, she never saw the will, she looked at it when Jones handled it lock and saw her father's name to it signed by him as she believes, and witnessed by William Sanborn and Roswell Sanborn, and heard Edmond Dobbins say it was her father's will.

Whitcup states, that the key hung up that unlocked the chest when the will was kept and Brooks could have got the key and opened the chest, if he had wanted to, he is the son-in-law of Edmond Dobbins, he was then not the son-in-law of Dobbins, was visiting then.

And further this deponent saith not.

Elegiteth <sup>her</sup> Campbell  
deponent



That sometime in June or May, the year he does  
 In Court not recollect Alexander Dobkins a son of Solomon Dobkins  
 William came to him in the field and stated that John Hunt  
 Lankam was at his grand fathers doing some thing writing, and  
 wanted me to go and witness it, I told him to go and  
 got Randal My brother and he done so, I went up  
 to the house, and John Hunt, Jacob Dobkins, & Solomon  
 Dobkins were then, Hunt said they wanted us to wit-  
 ness some writing, he commenced hauling a paper  
 which he said was the will of Jacob Dobkins, he read  
 on down to the disposition of the property, and he stop-  
 ped, and stated that it was not usual for the wit-  
 nesses to hear that part of a will, & I replied that  
 if that was the way I did not care about knowing;  
 when he was done reading the Jacob Dobkins went  
 up to the table and set down and signed the paper,  
 Hunt then asked him if he acknowledged the execu-  
 tion of the will and he stated that he did & acknowl-  
 edged the contents of it, My brother Randal Lankam  
 and myself witnessed it, Randal Lankam moved  
 to Indiana & from then to Mifflin & the report is  
 he is dead, but I do not know whether it is true or  
 not.

He testifies states, that he did not read the will,  
 and he does not know that it is the same will that  
 Mr. Sampson speaks of, he never knew its contents, or  
 that the negroes were to be free, until he heard it spo-  
 ken of, he thinks it was upwards of twenty years ago  
 that the will was witnessed, he never witnessed but  
 one will for old Mr. Dobkins.

He testifies states, he was well acquainted with  
 John Jefferson, he was a good boy to work, and  
 industrious & peaceable, and from 1835 up to this



49. time his services were worth after clothing him annu-  
ally five dollars a year upon average

And further this deponent saith not -

William Earle

For Compts  
Barnes  
Campbell.

Barnabas Campbell next sworn. Stated -

That Solomon Dokkins came to my house and  
stated that he intended to Persecute my dear George  
Campbell for turning his father's will, this was a short  
time after the death of Jacob Campbell, George Cam-  
bell was my father, and I immediately came to  
his house to see about it, and when I came my fa-  
ther's mother handed me a paper which she stated  
was her father's will, I took it in my hands and  
looked at it, but did not read it, I handed it to my  
brother Charles, and he handed it back to mother, I  
told my mother what Dokkins had said, & she  
said the will was not burnt, nor near about to,  
that she would Solomon Dokkins would be glad  
it was burnt. The rumor of the country was that  
the old man had made a will setting the negro free.

And further this deponent saith not.

Barnes Campbell

Depositions of Elijah Jones and William W.  
Jennings, taken by Complainants before the Clerk  
and Master 16. May 1857.

For Compts  
Elijah  
Jones.

Elijah Jones sworn states. At the time that the heirs  
of Jacob Dokkins s<sup>r</sup>. met, (after the death of the said  
Dokkins, I was present, I believe it was in December  
1835) they met as I was informed in order to divide  
the estate as they were all of age, there was something  
said about the old man Dokkins having made  
a will, they all as well as I now recollect agreed  
that they would ~~not~~ not have the will pronounced  
needed; My advice to them was to search the will



57. and lie up to the contents; they refused to do so, and said that they would love too much if that was done,  
For <sup>Compt</sup> My understanding was that if the will was shown  
Elijah that they would love the negro; the will was not  
Jones shown to me then, but I believe that I saw and read  
the will at George Sampells or that evening, or the  
next morning, I am not certain which, I cannot now  
state what was the whole contents of the will, as it  
has been so long, but I feel very confident that the  
negroes were to be free, but ~~not~~ on what terms or con-  
ditions I do not recollect. I know that as I insisted  
that they had better not divide the negroes, that Solo-  
mon Watkins became very much irritated, and or-  
dered me to leave the place, I replied to him, that it  
was a public ~~place~~ day, and that I would not leave,  
but that I would say no more, only that I thought  
they would some day wish they had taken my ad-  
vice, they proceeded to make division, John Sant  
and Benjamin Seavee were two if not all that was  
chosen by the heirs to make the division, I am not  
certain who were the witnesses to the will, I believe that  
William Sanborn was one, but am not certain that  
he was, I had almost forgot all about the will, and  
the whole transaction, but since I was summoned  
I have on reflection brought several things to recolle-  
ction, that I could not have stated when the subpoena  
was served, there was very little interest in the will if  
the negroes were set free, for there was not much  
other personal property belonging to the estate, this  
was the reason that they all agreed to divide, all the  
difference in the price of the negroes were made up  
in other property.

And further this deponent saith that  
Elijah Jones.



57.

Thomas M. Jennings next sworn deponent with 5<sup>th</sup> with  
States, that before William Fagute bought the boy

*For Complaints Nelson, he came to my house and asked me  
I do. I know any thing about how long a will of Jacob  
Jennings, Dolkins, and Hald him all I know about it was  
from the report in the neighbours here, he said heard  
talking about buying this boy, and he did not think  
it would be any effort, that it was not needed.*

By William Fagute. Have you not been an agent  
for these complainants, in this matter, and did  
you not threaten that you would file a bill to  
have them set free?

Answer. I have not been an agent for them,  
I have never stated, that I would have done, but  
I have stated that it would be done

And further this deponent saith not

Thomas M. Jennings

Depositions of Janny Lamplde, William Poley &  
Elijah Jones taken by Respondents, 12. Sept 1857, before  
the Clerk & Master.

Jonney Lamplde first sworn.

*For Dep'ts. I deust by Dep'ts J. Dolkins. If your father Jacob  
Jenny Dolkins made a division of his negroes before his death,  
Lampde amongst his children please state, when it was, and  
how it was.*

Answer. I know nothing of my own knowledge  
only from information.

By Same. Which one of the negroes did your sister  
Ann Jones take home with her, how long did she  
keep him, and what did she do with him?

Answer. Jefferson was the one she took home  
with her, I do not know how long she was  
with him, she went back to her father when her  
and her husband parted, but I do not recollect



when that was, the boy remained with her, and she took him back with her to her father, the boy was with her some 6 years before she went to her father.

How old was the boy when she took him away?

Answer. I do not know exactly, but from my best recollection he was about 9 or 10 years of age, the boy staid at old Mr. Dobkins after she came back and I think Mrs Jones clothed him, and she remained there until a short time before the death of old Mr. Dobkins.

Question by Receipts Solicitor. What is your age? Can you write or read writing?

Answer. I am in my seventy fourth year, I cannot read or write, I never saw the will, and know nothing about its contents

For Receipts  
William  
Riley.

William Riley next sworn.

her  
Jenny Campbell  
mark

In the fall of the year 1834 I taught a school in the neighbourhood of old Mr Dobkins, perhaps the school house was on his land, during the school I went to old Mr. Dobkins one night to stay all night with him, while in conversation with good Dobkins del. he said there was a boy then by the name of Berry that he had given to Mary Martin when he was a child, his mother died left him, if she would nurse him she might have him, he told me that she had taken him in her bed and nursed him, and he intended the boy Berry for her, and that a short time previous he had sent the boy home to her, and the boy stayed some time with her, and got dissatisfied, and had come back to him, and that he had sent word to Mary Martin & Thomas Martin, to come and get him, that he intended the boy for them; he also told me to tell



53. Them to come down and get the boy and he would make them a bill of sale to him, for fear that he might drop off <sup>of</sup> he, and the heirs might rook them out of ~~the~~ the boy.

Did Mr. Martin get the boy away before the death of the old man, if not what became of him?

She did not, he remained then until the death of the old man, when he and the complainants were divided amongst the heirs.

How long after this conversation was it until old man Dobkins died?

To the best of my belief he died in the year 1835.  
Wm. Riley

For Respts  
Elijah  
Jones.

Elijah Jones next sworn.

Mr. Jones you will please state all you may know in relation to a division of the negro of old man Dobkins in his lifetime, if there was one, if so who got the negro Sam Jefferson?

Answer. There was a division in part of the negro, I believe it was in the year 1815, the boy Sam Jefferson was given to my wife, was not present, we then lived in Powell's Valley, I removed the boy to my house and kept him then for some time, I cannot say how long, but think it was something near twelve months, when me and my wife separated, I sent the boy home to the old man Dobkins by my father, with a letter, in that letter stated to the old man, as he had given me the negro, that I would return him to him, and he might give him to his daughter if he saw proper, he remained then as I believe until the death of the old man, when the property and negro was to be divided I was then, and insisted if the negro was to be divided, that Sam Jefferson should



54. belong to my wife, I claimed no interest myself;  
I then stated that as the old man had given him to  
For Rights. me, and her, that as I claimed no part, that she  
Elijah gave ought to have him, the answer by all was that the  
old or former division was of no effect, and they  
would not let her have the boy, is all I know  
at this time about the division, as respects that boy;  
then was another boy the old man gave to Mary  
or Polly Dotkins wife of Reuben Dotkins, she did  
not get him at the last ~~division~~ division, I insisted  
she ought to have him, for she took him when help  
up and had all the trouble that was the ground  
the old man stated he gave her the boy Berry,  
they the heirs all still insisted that the former di-  
vision or gifts should not hold, nor did they let  
them, I believe that George Sampbell and wife in  
the first division must have a girl Amy, but I  
do not believe that they received her at the time I  
got Isaac Jefferson, but believe she must re-  
main with the old man perhaps as long as he  
lived, but I am not certain they got her at the  
last division, but did not get all her children,  
my wife got one Cynthia Ann, and John Dot-  
kins got one, I am not certain what was his  
name, he was a small boy, I suppose his name  
was Nelson, they both an children of Amy as I  
was informed, and am informed that they are  
complainants in this Bill.

By James. Was not old Mr. Dotkins at the  
time of his death, a very aged infirm man, what  
was his age, and what was the condition of mind,  
had not age made him very childish?

Answer. He was among the oldest of men,  
I had not been with the old man for some time



55. Upon his death, I perhaps passed by then one  
time, not more than one or two years before his death.  
And as to the will, it appears the last time I saw him  
Elijah to be in as good a state of mind then, as is com-  
mon now of his age, which I believe was eighty or up-  
wards.

By same. In your former deposition you  
state something in relation to the will of old Mr.  
Dobkins, and that you think you saw it, please  
state in whose hand writing, if you know it, the  
will appeared to be?

Answer. I believe the will that I saw was  
in the hand writing of John Hart, I was well ac-  
quainted with his hand writing; as respects the  
freedom of the slaves, I cannot give the words  
precisely, but will give the meaning or substance,  
the will stated that the negroes were to be <sup>set</sup> free  
or emancipated, if the laws of Tennessee would  
allow them to remain in the State, and if it would  
not allow them to stay if emancipated, they  
were to stay on the farm of Solomon Dobkins, and  
he Solomon Dobkins was to take care of them,  
and act as their agent for them, and to have  
the control of them, is I believe what in substance  
the will stated about the negroes; as to the  
date of the will, I think it was dated some time  
or four years before the death of Jacob Dobkins,  
but cannot say precisely.

And further this deponent saith not  
Elijah Jones.

Deposition of Susan Hardy taken by Asst. J. P.  
before the Clerk & Master 17. July 1852.

Testimony by Asst. Commr. Please state what  
you may have heard old Jacob Dobkins, in his



56. time, say in relation to freeing his slaves and what he intended to do with them; if he gave any reason for ~~that~~ why he would not free them, state what it was, Susan when and when did it take place, and how long before Hardy's death?

Answer. I never heard old Jacob Dobkins say any thing about setting his slaves free, and never heard him have any conversation with him on that subject.

And further this deponent saith not.  
Susan Hardy.

Bills of cost.

State Tax		12.75
Blank bond SV, 2 sec 18 & 36, no bond 15-	1.01	
2 spurs to ans 75, = 1.50, 1 copy D. title 8 c s. 1.44 =	2.94	
2 attachments 1.00 = 2.00, 2 Infjunctions 2.00 =	4.00	
1 copy J. Bile 6 copy sheets 18¢	1.08	
filing 5 answers 37 = 2.00, 20 Dep 37 = 75 =	2.75	
8 affs 18¢ 1.44, 15 spurs 12 1/2 = 1.88.	3.32	
taking 10 dep SV = 5.00, 10 copies 12 1/2 = 2.00.	7.00	
taking bond from diff SV, 2 sec 18 & 36-	.83	
3 notices to contract 18¢ 54, 15 c s fu 75-	1.29	
enrolling out order 90, do 1. dicone 54-	1.44	
do 2. dicone 90 copying same for L. Court 90.	1.80	
do last dicone 54, 4 orders 25, = 1.00.	1.54	
2 continuances 25 = 50, Making out a-	50	
part no 1. 1 copy sheet 2.00-	2.00	
do report no 2. 5 copy sheets 2.00	10.00	
do no 3 - 1 copy sheet + no 4. 1 c s 2.00-	4.00	45.50
Appeal bond SV, (Making out copy of	50	
Receipt 104 copy sheets 18¢-	18.72	219.22
Staff A. J. Brook 4. cented 2 spurs 25-	50	
D. J. C. Lane 4.00 Inf on 4. diff 1.00 = 4.00 attach		
ment on do 4.00, bond SV = 1.50, 4 spurs 6 7/8 3 notices 50,		12.75



D. Skiff. G. B. Clendun. Inf on 2 diff 100-200.	
attachm <sup>t</sup> on do 100-200. 1 bon 250, 25 per 6 7/8.	
3 notices 50, 25 per 25-	8.00
D Skiff W. Hazute 4d 25 per 25-	.50
S Skiff J. W. Jennings 4 "	1.00
Wt George Campbell 1 day 50, Elij Campbell 1 day 50-	1.00
" Barnet Campbell 1 " 50, Will Sanborn 1 " 50.	1.00
" M. Lenningham 1 " 50, J. W. Jennings 1 " 50-	1.00
" J. W. Campbell 1 " 50, Susan Hardy 1 " 50.	1.00
" Col. John Jones 2 " 50-1.00, 36 miles	2.44
" William Riley 1 " 50- 22 "	1.38
	<u>\$100.04</u>

State of Tennessee.

I Lewis A. Garritt Clerk and Master of the Chancery Court at Saywell, do hereby certify, that the above and foregoing is a true copy of the Record, in the above cause of J. B. Hiskell next friend to Cepthia Ann and others, Persons of Color against John Hazute administrator of Edoman Dibkins deceased, and others, lately determined in said Court.

In testimony whereof I have hereunto set my hand and affixed the seal of my office, at office in Saywell, the 2. of September 1858.

L A Garritt  
Clerk & Master.

