

**WILL OF**  
**CARROLL W. DENNEY (1825-1895)**  
**SMITH COUNTY, TENNESSEE**

*(Smith County Will Book 8, pp. 460-461, see Smith County Microfilm Roll 105)*

Be it remembered that on this the 5<sup>th</sup> day of August 1895 before Irenus Beckwith Chairman, John and Hughlette Denney presented in open court a paper bearing date of 4<sup>th</sup> January 1894 and purporting to be the last will and testament of C. W. Denney deceased and witnessed by C. M. Hale, W. V. Lee and W. B. Hale who being duly sworn stated that they were acquainted with C. W. Denney in his lifetime, that he is now dead and that he died at his home in Smith County Tennessee and that said C. W. Denney signed said paper writing in their presence and that he requested them to witness the same as his will and that they signed the same in his presence and in the presence of each other as subscribing witnesses on the day it bears date and that said Denney was of sound mind and disposing memory. It is therefore ordered by the court that said paper writing be admitted to probate as the last will and testament of the said C.W. Denney and that the same be recorded and filed as the law directs and that letters testamentary issue.

Said will is in the words and figures following to wit:

Witt: I C. W. Denney do make and publish this as my last will and testament hereby revoking all other wills heretofore made by me.

1. I desire my funeral expenses and all my debts paid as soon after my death as practicable out any money that maybe on hand, or the first that may come into the hands of my executors hereinafter mentioned.

2. I give to my beloved wife Josephine Denney the property except by law and all the balance of the household and kitchen furniture and farming implements. I also give to her during her natural life or widowhood my entire real estate, being the tract of land upon which I now live.

3. At the death of marriage of my said wife Josephine Denny I want my three sons John, Callie and Hughlette to take said farm share and share alike and I give the same to them with the understanding and upon the condition that they pay as herein after directed.

4. I have heretofore advanced my son Sam Denny one thousand dollars 1000.00 which is all that I intend for him to have. I have also assisted my daughter Mattie Beard and family to the amount of several hundred dollars and I give and bequeath to my said daughter Mattie Beard to her sole and separate use free from the debts, contracts, liabilities or control of her present or any future husband she may have three hundred dollars 300.00 more. I also give and bequeath to my daughter Lillie Denny one thousand dollars 1,000.00.

5. I direct that the debts due me be collected and all the property and effects not herein specifically disposed of be sold and the same be used as far as it will go in paying my debts and paying this amounts given to my daughters Lillie Denny and Mattie Beard and I direct that my three sons John, Callie and Hughlette, to whom I have given land furnish the balance to make up the one thousand dollars

1,000.00 to Lillie Denny and the three hundred dollars 300.00 to Mattie Beard.

6. Thereby nominate and appoint my sons John and Hughlette Denny as executors to this my last will and testament.

In witness whereof I do to this my will set my hand on this the 4<sup>th</sup> day of January 1894.

Signed and published in our presence and we have subscribed our names hereto in the presence of the testator and by his request on this the 4<sup>th</sup> day of January 1894.

H. M. Hale

W.V. Lee

W.B. Hale