

JOHN DENNEY

ESTATE RECORD

(This is a transcription of the original will of John Denney which still exists in the loose records of the archives of Smith County, Tennessee. I made a copy of the original back in 1984 during my first year of research on the Denneys. Whoever wrote this will out for John Denney was a terrible speller. I think it is likely that Charles Denney was the scribe as the handwriting does not seem to match the signature of Jesse Butts or James M. Winfree)

I John Denney Sr do make and publish This my Last Will and testament heareby Revoking and making Void All other Wills by me at any time maide the 1st I Direct my funarel Expences and all my Debts to be paid as soon after my Deth as posible Out of any money that I may die persed of or may first come into the hands of my Executors Secondly I will and bequth to my Children the hole of my Estate consisting of notes moneys land and tenements house hole furniture & C to be sold to the highest Bidder accordinging to Law By the Direction of my Exsecutor and Distributions as follows to witt and thirdly I Bequeath unto my son Willie Denny a full Share of my Estate that I may live after my Death forthly to my son Zachariahr Denny a full shere after Deducting fifty five Dollars Should he live longer than I do if he the sd Z Denny Deeesed Departs this life his aires to have one half a sher 5thly to my grandathter Harite Spalling formally Harriet Wilkerson one halfe a shere or to her aire if she has any if not to come back to my own aires 6thly to Elizabeth Winfree a full Sher the 7th to my son Charles Denney two full Shers of my Estate after Deducting Fifty two dollars also one fether Bed also I bequth to my son Benjam Denny airs a full shere after Deducting of Fifty Dollars and nithey to my son Gaberle Deny two dollars in a _____ [Cabine?] that I have donated to him and I do here by nominate and appoint my beloved son Charles Denney my executor in witness whare of to this my will I Set my hand and Seale this the 13th of may 1847
Signed Sealed in our and Sealed and published in our presents and we have subscribed our names heare unto in peresants of the testator this the 13th of may 1847

John (his x mark) Denney

**Test: Jesse Butts
James M Winfry**

**State of Tennessee Smith County
June Term County Court 1847**

This the last will and Testament of John Denny dcd was produced in open court for probate and recording proved by the oaths of Jesse Butts and James M. Winfrey subscribing witnesses to the same and _____ ordered to be Recorded

**J. J. Burnett Clk
Of Smith County Court**

Test.

(Also recorded in Smith County, Tennessee Will Book 7: 1843-1864 pp. 92-93)

ACCOUNT OF THE SALE OF ESTATE OF JOHN DENNEY

Zachariah Denney	1 side sole leather	\$1.93
	1 cutting knife	\$0.80
	1 log chain	\$0.50
	4 yards Brown Jeans	\$1.52
	3 jars 1 croch and jug	\$1.00
	1 lot of tinware	\$0.77
	1 kettle and hooks	\$1.35
	1 bed and furniture	\$10.00
	52 lbs of bacon	\$2.60
	1 clock	\$3.05
	1 cow	\$5.00
	1 bottle of turpentine	\$0.17
	1 sleigh	\$0.20
	677 pounds of Cotton @ 27c	\$1.51
	1 bar of rolled iron	\$0.88
Benjamin Denney	1 bag nails	\$0.75
	1 barrel of salt	\$0.55

(Benj. Denney cont.)

1 barrel of soap	\$0.65
1loom	\$1.00
1 bedstead	\$.42
9 bushels of wheat	\$3.60
46 lbs of cotton	\$1.16
1 barrell and gun	\$0.20

William Jones

1 scythe blade	\$0.80
-----------------------	---------------

Charles Denney

1 trunk	\$1.20
1 plain singletree	\$0.60
1 ax	\$0.35
cups and saucers	\$0.15
7 plates	\$0.25
2 dishes and 2 potts	\$0.50
Pinchers	\$0.25
1 churn	\$0.10
1 small oven and lid	\$0.75
1 trough of soap	\$1.75
1 bed and furniture	\$10.50
1 hat	\$1.50
1 bible	\$0.25
2 pair of half haws	\$0.30
1 box and haws	\$0.50
1 bedstead	\$3.77
48 lbs of bacon	\$2.28
50 lbs of bacon	\$2.50
65 lbs of bacon	\$2.50
1 ring and steeple	\$0.43
1 keg	\$0.25
Apples	\$0.25
5 bushels of rye	\$1.08
1 till box	\$0.15
1 saddle tree	\$0.15
5 bee stands	\$5.00
1 table and chamber pot	\$0.50
Hames and Traces	\$0.40

James M. Winfrey	6 yards domestic cloth	\$0.66
	1 ax	\$0.50
	1 set knives and forks	\$1.20
	1 pot and skillet	\$0.45
	1 pot	\$0.35
	1 oven and lid	\$0.65
	1 trough of soap	\$0.45
	1 bed and furniture	\$8.20
	1 bed and furniture	\$8.65
	1 blanket	\$0.80
	1 bedstead and cord	\$0.50
	20 pounds of lard	\$0.60
	5 irons	\$0.35
	2 pitchers	\$0.15
	Coffee Mill	\$0.10
	14 pounds of bacon	\$0.77
Allen C. Winfrey	1 crock	\$0.50
	1 man's saddle	\$2.75
	1 under tick	\$0.05
	1 bee stand	\$0.31
Major Sykes	1 oven	\$0.30
	1 ball of fat	\$1.05
James Denney	1 oven hooks and shroud	\$1.35
Jesse B. Andrews	1 trough of soap	\$1.15
David Whitley	1 coffee mill	\$0.37 ½
Thomas Mason	1 quilt	\$0.45
	ditto	\$0.51
	ditto	\$0.37 ½
	ditto	\$1.12 ½
	ditto	\$0.31
	1 clock	\$0.75
	1 syringe	\$1.50
	2 pairs of half-haws	\$0.30

Benjamin Payne	1 auger and saw	\$0.45
Gilbert Allen	1 grindstone	\$0.90
	1 cary plow	\$0.55
	1 trunk	\$0.15
	1 andiron hooker	\$0.60
	1 cary plow	\$0.90
Samuel Brent	1 pair of half haws	\$0.17 ½
	1 trough of soap	\$0.51
Martin Everett	1 reel	\$0.66
	49 lbs of bacon	\$2.47 ½
	46 lbs of bacon	\$2.31
Robert Nixon	1 glass and Razor	\$0.98
	1 wheel and cards	\$1.85
J.F. Reasonover	10 lbs of wool @30c	\$3.00
	1 hames and traces	\$0.90
Jonathan Denney	9 chairs @ 12c	\$1.08
	1 tray and sifter	\$0.25
John T. Winfree	100 pounds of cotton @2x	\$2.00
Thomas Gwaltney	1 ½ bushel and pail	\$1.50
James Gray	8.5 pounds of wool @35	\$2.975

The forgoing is a full and perfect account of the sale of the property of the estate of J. Denny dcd directed by law to be sold with good notes and security due 12 months after Date were taken from purchasers. Chas Denney extr.

An account of notes held by John Denney

One on Henry Best or Bush Due May 10, 1847 (doubtful)	\$9.25
Benj. Denney due Feb 5, 1847 (solvent)	\$12.75
Allen C. Winfree Feb 1, 1847 (solvent)	\$4.20
C. Denney due Dec 2, 1844 (solvent)	\$14.00
With a Credit June 1 1845 of \$10	
Leaves 4.00 on C. Denney	
Winslow Carter Oct 28, 1845 (very doubtful)	\$6.91
One Rect on Hallis Camt (?) due Oct 17, 1844 (solvent)	\$10.00
Note on William Jones assigned by Wm. Allen due Dec 25,	
1847 (doubtful)	\$4.00
C. Denney payable to Kyle due Dec 25th, 1830 (note is paid)	\$8.75
One note on James H. Martin due Juen 29, 1842	\$1.60
With credit of 37 ½c (doubtful) leaving \$1.22	
One on George Martin due June 30, 1841 (doubtful)	\$5.00
One on P. Gold due May 14, 1847 (solvent)	\$49.25
One on John Newbell due Aug 7, 1845	\$25.00
With a credit of \$4.75 leaving \$20.25	
One on Winslow Carter due Oct , 1845 for 15 barrells corn (doubtful)	
Benj. Denny due April 4, 1842 (solvent)	\$22.50
With a credit of \$20	
Leaves \$2.50	
Jesse Butts due Dec 25, 1849 (solvent)	\$8.00
Wylie Denny due Feb 1, 1848 (solvent)	\$30.00
Zachariah Denny due Feb 1, 1848 (solvent)	\$40.00
James M. Winfree due Feb 1, 1848 (solvent)	\$62.00
C. Denny due Feb 1, 1848 (solvent)	\$42.00
Wm Harper due Dec 25, 1847 (solvent)	
½ belonging to C. Denny for steers	\$25.00
One Account on Beas Jones in 1845 (doubtful)	\$5.75
One account on Winslow Carter in 1845 for 5 bushels of	
Corn (doubtful)	\$0.50

Of money on hand at John Denney's death

\$50 Bill no. 615 Planters Bank

\$5 no. 7414 P/B

\$5 Bank of Tennessee no. 241

\$10 Pl Bank of Tennessee No 3769

\$10 Bank of Tennessee no. 628

\$10 Famers and Merchant Bank of Memphis no. 8182

\$10 Bank of Tennessee no. 959

\$5 Pl Bank payable at Pulaski [TN] no. 8215

\$10 Bank of Tennessee no 1653

\$20 Bank of Tennessee no. 1011

\$5 Planters Bank payable at Athens [TN] no 378 (a note like Sitton B)

\$10 Union Bank of Tennessee no 7949

\$ 5 Bank of Tennessee no 2285

\$23.50 in silver

\$30.00 in gold

Total in money 208.50

Total with Estate sale accounts and money \$699.11

On account with rct given Charles Charles [should this be Charles Denney?] \$ N. Ward for 13 Bushels Wheat @ 60c per bushel dated Feb 11, 1847

1 note on Zach Denney for dollar due March 31, 1821

1 act of 3 sheep for C. Denney \$2.25

Act on James M. Winfreefor sheep \$2.25

With everything it totals up to \$711.51

An Inventory of the personal estate of John Denney dcd.

1 side of leather 1 cutting knife 1 log chain 4 yds Brown Jeans 3 Jars 1 crock & jug 1 lot tinware kettle & hooks 4 Beds & furniture 310 lbs bacon 1 clock 1 cow 1 bible turpentine bottle 1 sleigh 213 lbs cotton Bar Iron one Bag nails Barrel of salt 5 troughs of soap one hame 3 bedsteads 9 bushels of wheat 1 Barrel & Gun 1 sythe blade 1 trunk 3 plows 2 axes cupboard war 1 par pinchers 1 churn castings 1 heat [?] 1 bible a parcel of socks one box one ring and steeple one keg dried fruit some rye 1 till box 2 saddle trees barrel six Beestands 1 table 1 chamberpot Hammer tax 6 yds domestic knives & forks water vessels 1 set Fire Irons 2 coffee

mills some stoneware one mans saddle one beaufort one syringe 1 sw
one auger one grindstone 1 large trunk 1 andiron pot hooks one fine
comb 1 cot reel one glass & razor 1 wheel 1 pr wool cards 9 chairs one
tray 1 sifter 1 ½ bushel.

The above is a true and perfect inventory of all the goods and chattels
rights & credits of the said John Denney dcd which have come to my
hands _____ or knowledge or the hands of any other person for me to
the best of my knowledge and belief.

This 25th June 1847

Charles Denny exr

(Smith County, Tennessee, Administrators and Executors Settlements
Sept 1846-Dec 1856)

A couple of things come to mind when viewing the estate records of
John Denney. First is although he was not an educated man, he must
have done alright for himself. There is no indication that he was ever
anything but a farmer, but he managed to accumulate a rather large
estate. He was lending out plenty to his relatives and neighbors and not
collecting the debts back in a particularly speedy manner. Paper
currency was issued by various banks in a limited number, with the
money backed by the banks assets. Therefore each had a specific issue
number much like the serial number on today's currency. These notes
were certificates of exchange which could be turned in for specie-either
gold or silver (notice that two of the 5 dollar notes were payable at the
Planters Banks of Pulaski and Athens respectively). There was a large
amount of specie on hand as well. Additionally there was simply a large
amount of goods on hand 9 chairs when many had none cupboards
knives and forks etc. Plus he had a beaufort, which as far as I can find
out is a hat (there was a hat sold) that looks sort of like an English
Foxhunter's hat, but except for that hat and a parcel of socks was the
only clothing mentioned. The Bible sold seems to have been the only
book. It was purchased by Charles Denney and likely some of the early
dates in the Zachariah Denney family bible were copied from this book.
Possibly it is the bible in the possession of Mathew Van Hook's family.
It could have passed down from Charles to his daughter Sarah and to
her daughter Mary Frances who married Granberry Pinckney Winfree.

Denney's farm was still in active operation within the year as evidenced
by the lard, bacon, wool, apples, cotton, wheat and rye sold at the sale,

but except for a cow and 6 bee-stands he does not have any animals. He must have had them at one time as evidenced by the wool, wool cards, lard, bacon, saddle, and various harnesses and plows sold. Probably Denney had been ill for a while and had divested himself of his animals, letting someone else-possibly son Charles Denney who received a double share of the estate-continue the business of the farm. Sheep had been sold to Charles Denney and James Madison Winfree, plus Charles and John together had sold steers to William Harper. Probably all the animals had been disposed of within the last year or so. The bee stands would have been harder and less necessary to move than the other animals. Also note that there was no mention of a tobacco crop or a corn crop. He has an orchard for apples, rye, wheat, and cotton. Now cotton was not a large part of the Smith County agricultural scene in the 1840s. But he did live in the Southwest corner of the county. Around Murfreesboro in Rutherford County cotton had become primal by this time. His son Benjamin did grow tobacco as it was mentioned in his estate records. Possibly John was experimenting with a new crop in his old age. Cotton did become more popular in the area each year as the Civil War neared.

John Denney also divided up his estate in an unusual fashion. First off he gave his son Gabriel Jones Denney only “two dollars in a _____ (cabine?) that I have donated to him.” What is this? I once thought that it said balance that I have donated to him but I don’t know. Surely the word isn’t cabin. It is thought that Gabriel had moved away as early as 1841 to first Mississippi, then Arkansas, and by 1847 he was in Oregon County, Missouri where he was an election official during that year (Gabriel was quite a wanderer, by 1850 he is in Dallas County, Missouri, then he lived in Indiana and Illinois). But maybe it is. The will does mention tenements that John owned. Maybe John gave Gabriel a cabin, then Gabriel sold the cabin and moved away, possibly against John’s wishes. John may have been angry to have lost his built in farm help with his youngest son departing. This could have been pique. Charles Denney seems to be closely connected to the old man-he was singled out for a double share of the estate. He was the executor of the estate, and had probably been caring for his parents in their old age (he took mother Sarah Winfree Denney to Carthage in 1841 to testify at a trial)-so maybe he had been supervising the farm and had earned the extra share. Later Charles did just that for his father-in-law David Everett (father of the Martin Everett from the estate purchasers and

father-in-law of Allen Carey Winfree from the estate records). Allen Winfree had been running Everett's farm for some years had after some sort of a falling out moved away and Charles took over the Everett farm and then was executor of Everett's estate (Charles died before the estate was settled and his own estate papers are in the David Everett estate papers in the Chancery Court Records of Smith County, Tennessee). The other living children received a full share each, while grandchildren who were heirs of deceased children received only one half. Even here there is some items of interest. Although Benjamin Denney's heirs received only a 1/5 of 1/2 of a share reduced by fifty dollars that Benjamin owed to the elder John Denney.

We have always thought that Zachariah was the eldest son as he was born January 19, 1794. But Wiley is also thought to have been born in 1794. I notice from the order of the children listed in the will that the son's names come in the correct order of birth, except for a flip flop of the names Wiley and Zachariah. We had thought that the order was Zachariah, Wiley, (two unknowns who disappear between 1810 and 1820 here), Charles, Benjamin, Gabriel. Possibly Wiley was actually the eldest child, or maybe he and Zachariah were twins. The spelling of the name as Willie also makes one think that his name was actually pronounced Willie (this could be short for William and then all three Denney brothers-Claiborne, John, and Benjamin-would have a son named William). And what does the phrase "I Bequeath unto my son Willie Denny a full Share of my Estate that I may live after my Death" signify? Was Wiley to care for his parents graves? Were they buried in the Rolling's Cemetery on Denney Branch where Wiley and his children were buried. I also notice that except for a loan to Wiley Denney that neither Wiley or any of his of age children purchased anything at the estate of John Denney nor a witness to the will. Wiley did witness the will of Uncle Benjamin Denney. They lived closer to each other.

I also note that Zachariah Denney was already ill and thought to be dying at the time that John wrote his will, note "forthly to my son Zachariahr Denny a full shere after Deducting fifty five Dollars Should he live longer than I do if he the sd Z Denny Deeesed Departs this life his aires to have one half a sher" Zachariah did outlive his father as he purchased the largest number of items at his estate, but died less than a year later in April 1848. The 1840s were unkind years for our Denney family with the deaths of Sally Winfree Denney, Benjamin Denney, John Denney, Fanny Denney Woodson, Mary Denney Barnett, Caron E.

Barnett, Lemuel Denney, the younger Benjamin Denney, and _____ Spencer who married Agnes “Nancy” Denney.

Another note from the will is that John Denney has apparently lost contact with his granddaughter Harriet Wilkerson Spellings. I believe that she is probably the female age 15-20 in the John Denney household in the 1840 Census. After she married W.J.C. Spellings, and was located in West Tennessee John must have lost touch as evinced by his remark “5thly to my grandathter Harite Spalling formally Harriet Wilkerson one halfe a shere or to her aire if she has any if not to come back to my own aires.” He knew she had married a Spellings but was not sure if she was alive or if she had an heir (Harriet lived till 1892 and had 10 children.)

Additionally, John must have died shortly after writing his will on May 13, 1847. His will was probated at the June Term of the Smith County, Court in 1847. He did apparently have an illness or a decline shortly before his death because his name is the last patient listed in the account book of Dr. H.N. Sullivan who’s estate is separated from John Denney in the Smith County Administrator’s book by only one other estate. The reference is “one account on John Denny 2 visits and medicin \$1.50 each. \$3.00 [plus immediately following the notation] one left blank [as if implying that he had attended upon John Denney another time and did not charge for it-perhaps John had died before the doctor arrived on this occasion.

SUPPLEMENTAL ESTATE INVENTORY AND SALE

John Denney, Sr. Deceased Supplemental Inventory of the estate of John Denney, Sr. dcd.

One acct on Wiley & Benj. Denny date 1841 for \$14.99

One acct on Benj. Denny with all credits marked on said act this amount due date 1841 \$42.50

One act on James M. Winfrey date 1847 du \$9.09

To ____ sheep \$9.75

One on Benjamin Payne date 1 [rest of date left blank]

**The forgoing inventory in addition to the former Inventories is a full, true, & perfect acct of all the effects belonging to the estate of John Denny, Sr., deceased which have come into my hands or within my knowledge as executor to said estate to the best of my knowledge and belief sworn to this 4th day of June (or Jan) 1849.
 Rec 1st Feb, 1850. Charles Denny Executor to John Denny decd.
 See file dated 1849 & 1850.**

**Smith County Administrator Settlements and Receipts 1846-1856
 p. 297**

John Denney, Sr. dcd estate.

An account of corn received from persons that had rented land of John Denny, Sr. Deceased in his lifetime & received by the purchasers that _____ at the sale as shown in the account of said sale.

Returned as follows

**Received from Soloman Brent 35 barrels of corn.
 Received from Robert Nixon 49 barrels of corn.
 Received from Jas. M. Winfrey 6 barrils corn
 Benjamin Denny, Jr. owes \$4.10 for rent.
 Received from James M. Winfree 8 bushels of wheat.**

Acct of sales made of the personal property of and real estate of John Denny, Sr. Deased at his late residence in Smith County after having and advertised according to law.

10 barrils of corn the 1st lot Ephraim Cheek at 80 cts per barrel	\$8.00
Wm. Denny 10 barrels corn at \$1.00	\$10.00
Ditto ditto the same. 10 barrels 3rd choice at 95 cts pr brl	\$9.50
Ephraim Cheek 10 barrels at 97 cents per barrel	\$9.70
Wm. H. Cheek 10 barrels at 95 cents per barrel	\$9.50
Ditto 10 barrels at 93 cents per barrel	\$9.30
Ephraim Cheek 10 barrels at 94 cents per barrel	\$9.40
Allen C. Winfrey 10 barrels at 93 cents per barrel	\$9.30
Giles Kelley 10 barrels at 90 cents per barrel	\$9.00
Ephraim Cheek 10 barrels at 86 cents per barrel	\$8.60
John Rollins 8 bushels wheat at 26 cents per bushel	\$2.08

Charles Denny	13 weatherboarding planks at	\$0.25
Laburn Driver	bought 89 acres [farm of John Denney]	\$702.

\$702
\$796.43

The Forgoing is a full and perfect accts of the sale of the balance of all the properties & real estate of John Denny, Sr., Dec. directed by law to be sold notes with good security due twelve month date were taken from purchasers this the 8th day of October 1847. Charles Denny Exec
 Rec. 1st March 1850 of John Denny, Sr. Dcd.
 See file dated 1849 & 1850
 p. 316

John Denny, Sr. Estate July 21st 1849

To the Estate of John Denny, Sr. Deceased		
N. 74 to 78 this amount from Inv & ase sales		\$711.51
No 297 This amount from Supplemental Inv.		\$67.43
No 316 This amount supplemental ase sales land & corn		<u>\$796.13</u>
		\$1575.07

Crs.

1	By Frances Dowell	per ace	\$3.65
2	Henry W. Hart	per Recpt	\$6.60
3	Benjamin Denny	per recpt	\$0.50
4	S.M. Fite	per recpt	\$10.00
5	Jas B. Moores	per recpt	\$6.00
6	Jesse B. Andrews	J.P. per transcript	\$14.72
7	Jonathan Deadman	J.P. difference Int & set off	\$4.25
8	James M. Winfry	per ase	\$24.17
9	Allen Watson	per recpt	\$6.25
10	Allen C. Watson	per ase Executor knows as to its correctness	\$7.00
11	Horace N. Sullivan	per ase	\$4.50
12	William Nixon	per ase	\$5.37
13	Josiah W. Inge	recpt	\$0.75
14	Elizabeth Syke	recpt ase	\$1.17
15	J. Dedman	per ase	\$0.25
16	J.W. Inge	per ase	\$0.50
17	A.H. Ross	per ase	\$0.80
18	G.W. Sayles	per ase	\$5.00
19	Executor	per ase	\$18.71

20	John Denney	per note	\$23.11
21	James H. Martin	per note insolvent	\$1.22
22	George Martin	per note insolvent	\$5.00
23	William James	per note insolvent	\$5.00
24	Henry J. Best	per note insolvent	\$9.25
	Amount paid former clerk		\$4.25
	Amount allowed Executor		\$55.00
	Memphis Mony Inventories		\$10.00
	Clerks fee for settlement		\$2.50
	This amount allowed the clrk by the court		\$5.00
			<u>\$238.47</u>
			\$1336.60

p. 322

I am not sure I understand exactly what is going on here. It would seem that some of these are debits and some are credits. It says Crs at the top of the list so I would think that it would be credits. But payment to the court clerks and the payments for the justices of the peace and to Dr. Sullivan who is the doctor who treated John Denney were going out from the estate not coming in. I note also that there is also the listing of the insolvent accounts from the original settlement. These all are deductions from the estate, as it seems that they have been subtracted from 1575.07 total above.

For more information on the Denney Family of Smith County return to:

STEVENDENNEY.COM

Or for more information on Smith County History and Genealogy return to:

[SMITHCOUNTYGENWEB.](http://SMITHCOUNTYGENWEB)