

O.W. Ewing to Charlotte Denney

A female slave. 27 December 1860. (Deed Book AA pp. 302-303.)

I O.S. Ewing have this day bargained and sold and do hereby transfer and convey to Charlotte Denney for the consideration of nine hundred and Twenty three dollars to me in hand paid a negro woman Susan aged about 21 years I bind my self my heirs and representations to the said C Denney that the said Slave Susan is sound and healthy and a slave for live I further bind myself and representatives to warrant and forever defend the title to the said slave against the lawful claims of all persons whatever this 27th of Decr. 1860.

O.S. Ewing (Seal)

Test S. O. McDonald
A. J. Ewing

Tennessee Smith County personally appeared before me David C. Sanders clerk of Smith county O.S. Ewing with whom I am personally acquainted and who acknowledged that he Executed the foregoing bill of sale for the purposes therein contained Witness my hand at office the 21 Decr. 1860.

D. C. Sanders Clerk

Recd 21 Dec 1860 at 1 oclock p m
Reg 14th Jany 1860

S.R. Samson Reg.

(O.S. Ewing was married to the sister of Drucilla Bradley Denney and therefore brother in law of William C. Denney. They were also business partners in a grocery store in Rome until about 1851. Ewing had another sale of a slave to S. O. McDonald in the next deed. The deed before the transaction with Charlotte Denney is very interesting and I will include it here. Deed Book AA pp. 302.

I O.S. Ewing do hereby declare my intention to avale myself of the Homestead consisting of a dwelling house out houses & appurtenances occupied by my self and family as a homestead the same being a Town lot in the town of Rome Smith County Tennessee District No 12 Known by the plat of said Town as No 98 and part of no 27 containing three Eights of an acre and bounded as follows beginning at a Stake on the East corner of Dr. S.O. McDonalls lot on second street and running East with Sd Street to a Stake on crop (or cross) Street and thence South with said street to a stake on an ally thence west with said ally to a stake on the S.E. Corner of S. O. McDonalls lot thence north with sed McDonald East boundary to the beginning this is my declaration to claim the benefit of the law regulating and securing the Homestead. Witness my hand and seal this 31 of Decr. 1860.

O. S. Ewing (Seal).

Test. Wm. Boze, R. W. Mason

Tennessee Smith County personally appeared before me David C. Sanders Clerk of Smith County Court O. S. Ewing the within bargainer with whom I am personally acquainted and who acknowledged that he Executed the within Deed for the purposes therein contained Witness my hand at office the 31st Decr. 1860. D. C. Sanders Clerk Recd 31 Decr. 1860 at 1 oclock pm register 14th Jany 1861. S.R. Samson Reg.)

Burton Underwood to W.W. Seay

This indenture made on this the 9th day of Sept 1855 between Burton Underwood of the one part and W.W. Seay, Trustee for Charlotte F. Underwood and their two children Emagine and Eugene and any future children they may have of the other part all of the County of Smith and state of Tennessee; witnesseth that heretofore in the year

_____ I Burton Underwood made a deed of conveyance of some real and personal estate therein named to F. F. Montgomery Trustee for the benefit of my said wife and children and the removal of said Montgomery from Tennessee, W.W. Seay, was appointed trustee by the Chancery Court at Carthage, in the room and stead of said Montgomery and all of said property convey in said deed was that of my said wife and pay for with the means derived from her father William Denny's estate and also; and also in the year 1856. J. Burton Underwood bid off at auction under a decree of the chancery court at Carthage in the suit of Armistead Moore Junior vs William B. Moore et als. A tract of land containing seventeen and one half acres at the price of fifty dollars and 50^{cts} per acre. Said lot was designated in the survey and state made in the aforesaid suit as lot no 2 lying in sivil district no 12 of Smith County, Tennessee, and bounded as follows, to wit; Beginning on a Black Walnut near the sulphur well corner of parcel no 1, running thence north 21 degrees west 68 poles to a black oak in the lane to the sulpher well thence north 5 degrees east nine poles to the turnpike road thence eastward with said turnpike 43 ½ poles to a stake, thence south 17 ½ degrees east 68 poles to a cedar on the spring branch, thence up said branch in the middle thereof with its meanders 25 poles thence north 82 degrees west 18 ½ poles to the beginning including and excluding 7 ½ feet along the lane from the Sulpher Well to the Turnpike containing 17 ½ acres more or less by estimation. Said land was intended in the purchase for the benefit of the aforesaid Charlotte F. and her children the date of it was ordered at the Feby Term of the Chancery Court at Carthage 1856 and confirmed at the subsequent August Term of said Court and a decree of title to Burton Underwood subject to a lien for the purchase money, as it was sold on one and two years credit, was entered without the agency or knowledge of myself the said Burton; there remain unpaid of the purchase money between two and three hundred dollars and the balance which remains unpaid will have to be paid out of the trust funds in the hands of W.W. Seay, belonging to my wife and children and the payments heretofore made were made out of trust funds and means of my wife in order to save the land for her benefit; now in view and consideration of the promises I hereby convey, transfer and quit claim to W.W. Seay, trustee as aforesaid for the purposes aforesaid for the benefit of my said wife and children, all the right title and interest I have or ma have acquired in and to said tract of land butted and bounded as aforesaid.

Given under my hand and seal the day and year written _____ B. Underwood
Tennessee Smith County Personally appeared before me David C. Sanders clerk of the county court of Smith County Burton Underwood the bargainer with whom I am personally acquainted and who acknowledged that he executed the foregoing deed of conveyance for the purposes therein contained witness my hand at office the 9th Sept 1858

Recd the 9th Sept 1858 at 1 oclock PM

D.C. Sanders clerk

J.R. Samson Regr

James W. Denney to James W. Hughes

A tract on the Caney Fork and the Cumberland. 21 November 1866. (Deed Bk CC p. 34)

I James W. Denney have this day bargained and sold and do hereby transfer and convey to James W. Hughes and his heirs and assigns forever further consideration of three hundred and fifty dollars in cash to me paid and two notes this day executed to me one calling for twenty dollars and fifty cents due the 3rd day of September 1867 and the other note calling for one hundred and seventy dollars and fifty cents due the 3rd day of September 1868 all of which being given for a tract of land lying in Smith County Tennessee on the Caney Fork & Cumberland Rivers being the same tract sold by order of the county court as the land of L. D. Grisham Decd and purchased by me containing by estimation fifty seven acres be the same more or less and bounded as follows – on the west by the lands H.B. McDonald S.G. Thompson on the north by the river on the east by the other lands of J. B. Andrews & Wm. Dawson Decd on the south by the land of George Thompson – to have and to hold the same unto the said James W. Hughes his heirs and assigns forever I covenant and bind my self my heirs and representatives to warrant and forever defend the title to the said land and every part therein of unto the said James W. Hughes his heirs and assigns against the lawful claims of all persons whatever against the lawful claims of all persons whatever retaining however a lien on Said land until the purchase money is paid given under my hand this the 21st day of November 1866.

J. W. Denney (Seal)

F. Fisher
O. M. Fisher

State of Tennessee Smith County personally appeared before me E. M. Turner clerk of the county court of said county the within named bargainer with whom I am personally acquainted and who acknowledged that he executed witness my hand at office this 31st day of November 1866.

E. M. Turner Clerk

1 oclock pm
____ James P. McKee Reg.

Evaline Harris to T. S. Hunt

67 acres in District 17. 14 August 1866. (Deed Book CC p. 34)

I Eveline Harris have this day bargained and sold and do hereby transfer and convey to T.S. Hunt his heirs forever for the consideration of Sixteen Hundred and Eighty Seven Dollars & fifty cents to me paid a tract of land in the State of Tennessee Smith County and District No 17 containing by estimation Sixty Seven acres and one half; be the same more or less and bounded as follows – beginning at Stake 2 beech pointers thence S. 80 W 88 poles to a _____ on the brink of the hill thence with the brink of said hill N 52' W 25 poles thence west 10 poles to a rock fence then N with P. A. Smarts line 64 poles to a rock fence then N 82 East 162 poles to James Denny corner thence N 21 East 3 poles to a stake thence S 67 _ E 11 ½ poles to a stake near an oak thence up the creek as it meanders S 25 W 6 poles to a Sugar tree thence S 15 W 14 ½ poles to the beginning to have and to hold the same to the said T. S. Hunt his heirs and assigns forever I do covenant with the said T. S. Hunt that I am lawfully seized of said land have a good right to convey it and that the same is unencumbered. I do further covenant and bind my self my heirs and representatives to warrant and forever defend the title to the said land and every part thereof to the said T. S. Hunt his heirs and assigns against the lawful claims of all persons what ever this 11th day of August 1866.

Evaline Harris (Seal)

Executed and delivered in our presence
The 14th day of August 1866

Jordan Kilzer
John Pritchett

State of Tennessee Smith County personally appeared before me E. W. Turner clerk of the county court of Smith County aforesaid Jordan Kilzer and John Pritchett subscribing witness to the annexed deed who being first sworn deposed and said that they are acquainted with Eveline Harris this bargainer and that she acknowledged the same in their presence to be her act and deed upon the day it bears date.

Witness my hand at office this 22nd day of November 1866.

E. W. Turner Clerk

12 oclock p. m.
22nd 1866 James P. McKee Reagr.

Francis Denny to H. B. Ballinger

A crop of tobacco. 29 July 1867. (Deed Book CC pp. 89-90)

I Francis Denny have this day bargained and sold and do here by convey to H. B. Ballinger for the sum of one dollar to me in hand paid and the other consideration herein after mentioned a barn of tobacco supposed to be two thousand lbs but this conveyance is made for the following uses and trusts and for no other purpose that is to say I am indebted to one M. D. Mason in the sum of three hundred & Sixty dollars by note and in seal bearing date the 1st of Novr 1859 and due the 25th of Dec 1860 and am desirous to same and make certain the payment of the same now if I should pay the said debt and interest on or before the 1st day of April 1867 Then this deed to be void but if I should not then the said H. B. Ballinger as trustee after giving fifteen days notice in writing at New Middleton and at three more public places in the 17th District of Smith county may sell said barn of tobacco to the highest bidder or may sell privately for cash and appropriate the proceeds first to the payment of the necessary expenses and costs secondly to the satisfaction of said debt of three hundred sixty dollars and thirdly to pay the balance if any to me this the 29th day of July 1867.

Francis Denny (Seal)

E. M. McDonald
Samuel A. Armisted

State of Tennessee Smith county personally appeared before me E. W. turner clerk of the county court of said county the within named bargainer with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained witness my hand at office this 29th day of January 1867.

E. W. Turner clerk

At 12 oclock M
___ 29th 1867

James P. McKee Reg.

W. B. Denny to James W. Denny

Loan against the estate of Evaline Harris. 28 Oct 1867. Deed Book CC p. 296.

Know all men by these presents that I W. B. Denny have this day bargained and sold to James W. Denny my interest in a certain piece or parcel of land __ in Smith County Tennessee bounded as follows (to wit) on the north by Margaret McClanahan on the East by Arch Manning and widow Newby South by George W. Houses heirs & west by Agnes House It being the land now occupied by Eveline Harris – my interest being one sixth part in said land & also my interest in any personal property that may come from __ by Eveline Harris estate – but this obligation is such that I have this day borrowed from said J. W. Denny one hundred & twenty five dollars and if I pay said money within twelve months from this date then this obligation to be void but if I fail to pay said money in the said twelve months then this obligation to be valued and the same belongs to J. W. Denny & his heirs or assigns forever. This Oct 28th 1867.

W. B. Denny

P. McKee

Tennessee Smith County Personally appeared before me E. W. Turner clerk of the said county court the within named bargainer with whom I am personally acquainted and who acknowledged that he executed the within instrument to be his act and deed for the purposes therein contained witness E. W. Turner Clerk at office.

Oct. 28th 1867.

E. W. Turner Clerk

At 6 O'clock pm

__ 28th 1867

James P. McKee Regr.

T.J. Stroud and J. A. Stroud to W. B. Denney

Interest in the estate of Isaac Davis Deceased. 14 October 1867. (Deed Book CC p. 402.)

For the consideration of the sum of two hundred dollars to us in hand paid we have this day bargained and sold and do hereby transfer and convey to W. B. Denny his heirs and assigns forever our undivided interest with the real estate of T.C. Davis Deceased – it consisting of one seventh of five eighths of a tract of land formally owned by Isaac H. Davis Decst Situated lying & being in Smith County District No 17. on the waters of Mulherrins Creek bounded on the south by James Allen on the east by Leml Barnett & on the west by William Denny on the east by W. & T. Turner we warrant and forever Defend the right & title to said Int. against the claims of all persons whatever claiming the same through or under us – in testimony whereof we have hereunto set our hands and seals. This 14th day of October 1867.

T. J. Stroud (Seal)

J. A. Stroud (Seal)

John M. Barnett
A. R. Alison

Tennessee Smith County Personally appeared before me E. W. Turner Clerk of the County Court of Said County the within named bargainer with whom I am personally acquainted and who acknowledged that he executed the within deed for the purposes therein expressed. Witness my hand at office this 14th day of October 1867.

E. W. Turner Clerk

By James W. Turner Deputy clk.

Enoch and Mary E. Rollins to James W. Denny

Interest in the estate of Evaline Rollins. 2 March 1868. (Deed Book CC p. 427)

Know all men by these presents that I Enoch Rollins [Junior has been added] and Mary Rollins [Junior has been added here as well] have this day bargained and sold to James W. Denny my interest in a certain peace or parcel of land being in Smith County Tennessee bounded as follows (to wit) on the north by Margaret McClanahan on the west Arch Manning on West by the widow Newby also south by George W. Houses heirs on the East by Agnes House being the land now occupied by Eveline Harris – my interest being one sixth part in said land and also my interest in any personal property that may arrive from or by Eveline Harris's estate this obligation is such that I have this day bargained and sold to J.W. Denney for the sum of one hundred and twenty five dollars this day to me in hand paid all the right title and interest that I have in and to the above described piece or parcel of land and personal property if any in the estate of Eveline Harris and I hereby agree to warrant and defend the title to the above described property both real and personal against the lawful claims of any and all persons whomsoever lawfully claiming or to claim the whole or any part thereof and will warrant and forever defend the same this March 2nd 1868

Enoch (his x mark) Rollins Jun (Seal)

Mary E. Rollins Jun (Seal)

James P. McKee
J. G. Wyatt

State of Tennessee Smith County personally appeared before me E. W. Turner clerk of the county court of said county the within named bargainer with whom I am personally acquainted and who acknowledged that he executed the within deed for the purposes therein contained and Mary E. Rollins wife of the said Enoch Rollins having appeared before me privately and apart from her said husband the said Mary E. Rollins acknowledged the execution of the said deed to have been done by her freely voluntarily and understandingly without compulsion or constraint from her said husband and for the purposes therein explained.

E.W. Turner Clk of said court at office this 2nd day of March 1868 at 12 o'clock

E. W. Turner Clerk

James Nixon and John Everett to Hardin Denny

Int. in land purchased from Est. of Charles Denny. 15 April 1868. (Deed Book CC 466.)

Whereas heretofore James Nixon John Everett and the undersigned H. Denny became the joint purchasers of a tract or parcel of land sold by Decree of the County Court of Smith County Tennessee in the cause of W. H. Cheek and Patsy Denny & others against Benjamin Denny & wife sold as the lands Charles Denny deceased on petition in said cause said tract or parcel of land is known as lot No 1 in the plat and survey of the surveyor on file in said cause and bounded as follows as shown by said plot & survey to wit Lot No 1 Beginning on a locust in the land the Beginning Corner of the General survey running thence North 88 degrees West 179 poles to a Sugar tree thence South 170 poles to a Stake thence East 17 poles to a stake south West Corner of the Dower thence North 10 degrees East 55 poles to a sugar tree thence South 28 ½ degrees East 12 poles to a small pawpaw thence North 3 degrees East 36 poles to a Stake in the Branch thence North 58 degrees East 58 poles to an oak stump, thence 16 degrees East & 24 poles to a stake thence North 37 ½ poles East 38 poles to a stake thence North 50 degrees East 22 poles to the Beginning containing 106 acres 3 roods and 34 poles of land.

And whereas said land described as above was by decree of said court at the January Term 1866 vested in said James Nixon John Everett and the undersigned H. Denny

Now for and in consideration of the sum of two Hundred and Twenty Dollars to me in hand paid by James Nixon and John Everett I have this day Bargained and sold and conveyed to you said James Nixon and John Everett all the Right title and interest that I have in and to the above described lot of ground which is one third Joint Interest I hereby intend to convey all the interest that I have due in said land under said Decree or otherwise. This 15th April 1868.

Hardin (his x mark) Denny

Attest. W.H. Cheek
D. H. Campbell

State of Tennessee Smith County Personally appeared before me E.W. Turner Clerk of the County Court of said county the within named bargainer, with whom I am personally acquainted and who acknowledged that he executed the within Instrument, for the purposes therein contained Witnesseth to and at office this 15th Day of April 1868.

E.W. Turner Clerek

Recd at 5 O'clock pm

Evaline Harris to James W. Denny

17 ½ acres in 17th District. 14 April 1868. (Deed Book CC p. 477)

State of Tennessee Smith County witnesseth that I Evaline Harris have this day bargained and sold to James W. Denny & by these presents doth bargain sell & convey to the said J. W. Denny for and in consideration of the sum of two hundred and sixty two dollars & fifty cents to me in hand paid the receipt whereof is hereby acknowledged a certain tract or parcel of land lying & being in the county & State aforesaid in Civil District No 17 and on the waters of Mulherrins creek butted and bounded as follows (viz) beginning at a Stake in T.S. Hunts north boundary line running north 61 degrees west 8 poles to a Stake thence north 49 degrees west 15 poles to a stake thence north 27 degrees west 13 poles to a beech thence north 81 degrees west 16 poles to a walnut thence north 67 degrees west 20 poles to a beech thence north 78 degrees west 28 poles to a mulberry thence a southwardly direction with Joshua Paschal's line about 51 ½ poles to a rock corner of Paschals tract thence 10 degrees f P east with said Hunt's line to the beginning containing by estimation Seventeen acres and one half the same more or less I do further covenant and bind myself my heirs my administrators or executors to the said James W. Denny his heirs and assigns to forever warrant & defend the title to the above described tract of land against the lawful claims of all persons whatever in witness where of I have this day set my hand & seal in the year of our Lord this day set my hand & seal in the year of my Lord Eighteen hundred & Sixty Eight this fifteenth day of April.

Evaline Harris (Seal)

L. H. Washburn & John Pritchett

State of Tennessee Smith County Personally appeared before Ira W. King Clerk of the County Court of said county the within named bargainer with whom I am personally acquainted and who acknowledges that she executed the within instrument for the purposes herein contained.

Witness my hand at office this 1st day of May 1868.

Ira W. King Clerk
by K. W. King D. clk

Recd. 2 Oclock PM

May 1st 1868

James P. McKee Regr.

Fred [Frank] Denny to B.F.C. Smith

Mortgage on a crop of tobacco. 25 August 1869. (Deed Book CC p. 594)

State of Tennessee Smith County

For the purposes of the securing the payment of two notes by me executed to B.F.C. Smith Due the 1st day of Sept next for one hundred & fifty five Dollars I hereby Mortgage unto the said B.F.C. Smith my entire crop of tobacco now growing on the farm where I now live and should said notes not be paid by the first day of March 1870 then the said Smith shall take possession of said crop of tobacco & sell the same & appropriate the proceeds to the satisfaction of said notes & if any remainder pay the same to my order. Signed & delivered on this the 25th day of August 1869.

Fred [Frank] Denny (Seal)

W. Paschal
J.M. Paschal

State of Tennessee Smith County personally appeared before me John P. Yelton clerk of the Smith County Court the bargainer with whom I am personally acquainted who acknowledged that he executed the above deed for the purposes therein contained. Witness my hand at office this Aug 28th 1869.

John P. Yelton Clerk

Recd at 8 oclock a. m.
Aug 31st 1869

James P. McKee Regr.

Franklin Denny to J.W. Paschal

Crop of Tobacco. 7 July 1870. (Deed Book CC p. 639)

I Franklin Denny have this day sold and do hereby convey to J. W. Paschal my entire crop of tobacco supposed to be about three acres but his conveyance is made for the following uses and trust and for no other purpose. That is to say I am indebted to one B.F.C. Smith in the sum of one hundred and thirty five dollars by note due the first of September 1869 with a credit of forty three dollars and 21 cents dated 17th February 1870 and the said Smith has an account already made against me for [blank] dollars and is to furnish any necessary supplies and cash not to exceed one hundred dollars and am desirous to secure and make certain the payment of the same now if I should pay the said debts on or before the first day of April 181 then this conveyance to be void. But if I should not then the said J.W. Paschal as trustee after giving ten days notice in writing at New Middleton may expose the said Tobacco to the highest bidder for cash and appropriate the proceeds first to the payment of necessary expenses and costs – Secondly to the satisfaction of said debts and thirdly to pay the balance if any there be to me this 7th day of July 1870.

Franklin Denny

Test James P. McKee
Thos Fisher

State of Tennessee Smith County personally appeared before me B.F.C. Smith Clerk of the County Court of said County aforesaid Frank Denny the within bargainer with whom I am personally acquainted and who acknowledged that he executed the within deed of trust for the purposes therein contained.

Witness my hand at office this July 7th 1870.

B.F.C. Smith Clk

Recd at 12 oclock m
July 7th 1870
James P. McKee Reg.

For more information on the Denney family go to STEVENDENNEY.COM