

How to prove that:
Sally Winfree married John Denney/Denny

Deed book 2 pg. 664 of the Smith County, Tennessee deed books.

"State of Tennessee Smith County: We **Benjamin Denny** (son of Wiley) and wife **Polly Denny** (daughter of Charles) have this day bargained and sold and by these presents doth bargain sell and convey unto **Thomas Fisher** his heirs and assigns forever for and in consideration of the sum of Eighty dollars to us in hand paid, the receipt whereof is jointly and separately acknowledged by us all our undivided interest in the **estate of Charles Denny** both real and personal and also our undivided interest in the **estate of Charles Winfrey dec late of Henderson County State of Kentucky**, said interest in the estate of said Charles Winfrey being our distributive shares in the said estate of said Winfrey as the children and heirs at law of **Wiley Denny** and **Charles Denny** dec all said interest in said estate of Charles Winfrey dec hereby confeyed to said Fisher, being both personal and real and all our said interest in said estate above mentioned of every kind and description, to have and hold unto the said Thomas Fisher...Feb 23, 1872: Benjamin Scribbed his name as Bengam Dy Polly affixed her mark to her name.

(conclusion)

This shows conclusively that both **Wiley Denney** and **Charles Denney** were heirs of **Charles Winfree**. You would have to conclude that Charles Winfree's father was a brother to Charles and Wiley Denny's mother. Charles W. & Wiley Denney/Denny parents were John Denney & Sally Winfree. Sally Winfree was the d/o James Winfree & Elizabeth Jones. Elizabeth Jones was the d/o Ambrose Jones & Catherine Collins.

Benjamin Denny and Polly Denny his wife were selling their interest in the estate of Charles Winfree.

Benjamin Denny was the s/o Wiley Denney & Clara Enoch and Polly Denny was the d/o **Charles Denney & Patsy Everett**. **Wiley and Charles Denny were brothers both siblings of John Denney & Sally Winfree.**

Summary:

Charles Winfree, born 1809 at Henderson, KY, was murdered in Henderson, KY – November 1864. He was the s/o **Charles Winfree & Marvell**. Charles' father **Charles Winfree** was the s/o **James Winfree & Elizabeth Jones**. **Elizabeth Jones** was the d/o **Ambrose Jones & Catherine Collins**. The murdered **Charles Winfree** was 1st cousin to **Wiley and Charles Denney**, sons of **John Denney & Sally (Winfrey) Denny**. **Sally Winfree** was the d/o **James Winfree & Elizabeth Jones** and a sister to **Charles Winfree**, f/o of the murdered **Charles Winfrey/Winfrey** stated in the deed being sold by Benjamin & Polly Denny.

Benjamin Denney and his wife (1st cousins) Mary Patricia "Polly" Denney sold their interest in: **the estate of Charles Winfrey dec late of Henderson County State of Kentucky**, said interest in the estate of said Charles Winfrey being our distributive shares in the said estate of said Winfrey as the children and heirs at law of **Wiley Denny** and **Charles Denny** dec all said interest in said estate of Charles Winfrey dec hereby confeyed to said Fisher, being both personal and real and all our said interest in said estate above mentioned of every kind and description, to have and hold unto the said Thomas Fisher...Feb 23, 1872: Benjamin Scribbed his name as Bengam Dy Polly affixed her mark to her name.

The deed spells out that Benjamin's right to the estate of Charles Winfree came through his father Wiley Denney, and that Polly's right to the estate of Charles Winfree was inherited from her father Charles Denney.

Benjamin and Polly would not of been heirs of Charles Winfree unless they were blood descendants of **James Winfree**. James Winfree had one daughter named Sally Winfree who married a Denney, this being John Denney.

Charles and Wiley were sons of John Denney and Sally (Winfrey) Denny. John Denney's will states:

Will of John Denney
Will dated 13th of May 1847, Smith Co., TN
Smith Co., Tennessee
Will Book #7 1843-1864
Pg. 92 – Will
Pg. 93 - Probate

I **John Denney** do make and publish this my last will and testament hereby revoking all and making void all other wills by me at any time made. The 1st I direct my final expenses and all my debts to be paid as soon after my death as possible out of any money that I may die processed of or may first come into the hands of Executors. Secondly I will and bequeath my children the whole of my estate consisting of notes, money and land etc. and tenant's house, whole furniture to be sold to the highest bidder according to law by the direction of my Executor and Distributions as follows; to wit, and thirdly I bequeath unto my son **Willie Denny** a full share of my estate that I may live till after my death. Fourthly to my son **Zachariah Denny** a full share after deducting fifty five dollars should he live longer than I do if he the said Zachariah Denny departs this life his aires to have one half a share. Fifthly to my granddaughter **Harriet Spallings** formally **Harriet Wilkerson** one half a share or to her aires, if she has any, if not to come back to my own aires. Sixthly to **Elizabeth Winfree** a full share. The seventhly to my son **Charles Denny** two full shares of my estate and after deducting fifty two dollars also one of the beds. Also I bequeath to my son **Benjamin Denny** a full share after deducting of fifty dollars. And ninthly to my son **Gaberle Denny** two dollars in a balance that I have donated to him and I do hereby nominate and appoint my before son, **Charles Denny** my executor in witness whole of this my will. I set my hand and seal this the 13th of May 1847. Signed, sealed and sealed and published in our presence and we have subscribed our names here unto in presence of the testator this the 13th of May 1847.

Testators:

Jesse Butts
James M. Winfrey

his **John Denney**
mark

State of Tennessee Smith County June Term County Court 1847. Here the last will and Testament of John Deny dcd was produced in open court for probate and recording proved by the oath of Jesse Butts and James M Winfree subscribing witnesses to the same and _____ ordered to be recorded. J. T. Burnett Clk of Smith County Court.

Again with the Denney, Denny, Deny. Deny seems to have been the spelling of choice for many of the county officials, as it is used on almost all of the tax records of the 1830s as well. The name James M. Winfrey could be (James Maderson Winfree, s/o David Nicholas Winfree, s/o James Winfree who md Elizabeth Jones). John Denney md Sally Winfree, d/o James Winfree & Elizabeth Jones. Sally was the sister of David Nicholas Winfree. John's will does mention a son named Gabriel Denny named after Gabriel Jones and Gabriel Denny named his daughter Sarah after her grandmother Sarah "Sally" Winfree.

Charles Winfree, b. ca. 1780, Goshen, Granville, NC & **Sally (Winfrey) Denney**, b. ca. 1778, Goshen, Granville, NC were brother and sister, parents being James Winfree & Elizabeth Jones.

Charles W. Denney – Bible: b. 27 December 1801, Granville Co., NC -
d. ca. 1865/70 Henderson, KY - *Chancery Court Record states he d. ca. 1872.*
md about 1820, TN, Martha Patricia Everett
... **Mary Patricia "Polly" Ann Denney** – b. 28 January 1822, Smith Co., TN –
d. ca. 1882, DeKalb, TN - md **Benjamin Denny** – b. ca. 1818, Smith Co., TN
s/o Wiley Denney & Clara Enoch – *They were 1st cousins.*
Wiley "Willie" Denney – b. ca. 1794, Person/Granville Co., NC –

d. before 1869, Denney Branch, Smith Co., TN – md ca. 1817, Smith Co., TN, Clara Enoch – b. ca. 1800, NC – d. 4 May 1887, Denney Branch, TN
... **Benjamin Denney** – b. ca. 1819/20, Denney Branch, Smith Co., TN –
d. ca. 1880, DeKalb, TN – md **Mary “Polly” Denney** –
b. ca. 1825, Smith Co., TN – d. ca. 1882, DeKalb, TN
d/o Charles Denney & Martha Patricia Everett
Benjamin Denney & Mary “Polly” Denney were 1st cousins.
Listed in the 1870 census as living in the 8th District of DeKalb, Co., TN.
Post Office Smithville, TN.

Further shares of the estate records of Charles Winfree in Smith Co., TN.

Deed Book: 1, pp 551-552: September 6, 1870 – Sarah Whitley to Thaddeus H. Armistead, one third of the “distributive share that I am entitled to in the estate of Charles Winfrey of Henderson County, KY”, for \$5 cash. The deed also states that Armistead would be out “all expense in going to the State of Kentucky and getting my part and bringing the same to me and to keep up a correspondence, pay postage, and etc.” The contract was witnessed by J. M. Armistead and James Moefield. Registered May 23, 1871.

Deed Book: 1, p. 552: April 12, 1871 – Sarah j. Whitley to Thaddeus H. Armistead her interest in the estate of Charles Winfrey, late of Henderson Co., KY for \$500. Registered May 23, 1871.

Deed Book: 1, p. 774: November 11, 1872 – Frank Denny to B.F.C. Smith his interest in the estate of Charles Winfree, late of the State of Kentucky. Denny sold “all the right and title I have or may hereafter acquire in and to the estate both real and personal of Charles Winfree deceased late of the state of Kentucky, for the consideration of the sum of \$26.78.” Witnesses were J.M. Fisher and William B. Pickering. Registered November 12, 1872.

Deed Book: 2 pp. 132-133: September 29, 1873 – “We Jesse Sampson and wife Peggie Sampson, formerly, Peggie Denny, a daughter and heir of Charles Denny, deceased, late of Smith County, Tennessee, have this day bargained and sold...unto B.F. C. Smith...for the sum of \$16...all our right, title, claim, and interest that we have or may hereafter acquire in, and to the estate, both real and personal, and mixed of Charles Winfree, deceased late of Henderson County, Kentucky...” Witnessed by M. Starr Registered by Judge Benjamin Vaden --(Smith was County Clerk so he could not register his own contract) on September 29, 1873.

Deed Book: 2 pp. 133: September 18, 1873 – “For and in consideration of the sum of 32 dollars to us in hand paid...We Harden Denny and David Denny, children and heirs of Charles Denney dec. have this day sold...to B.F.C. Smith all of our separate interest, right and title, and claims in the estate of Charles Winfrey dec. late of the county of Henderson, State of Kentucky...The said interest now being in the hands of a receiver and under the control of the court of Common Pleas of Henderson County, Kentucky.”

Here we have a definite blood connection between some of John Denney’s grandchildren and another Winfree who was descended from James Winfree and Elizabeth Jones of Granville Co., NC. This Charles Winfree probably never lived in Smith Co., TN.

Source:

Sally Winfree was one of the children of James Winfree and Elizabeth Jones. They lived in the northwest corner of Granville Co., NC an area referred to as Virgilian. James and Elizabeth Winfree had nine children: David Nicholas; Nancy; Collins; John E.; Sally; Charles; Jane; Anna “Annie” & Margaret Winfree. **Sally Winfree** was born 1778 in Goshen, Granville, NC, all that is known of her is that she married a Denney and moved away from North Carolina and was still thought to be living in 1835. About this same time Sally’s uncle, Gabriel Jones (brother of Elizabeth Jones Winfree and son of Ambrose Jones), died with no children. His nearest heirs were his living brothers and sisters. As Elizabeth Jones had died in 1811, her children were named as his heirs. Included in this reference is the mention of **Sally Denny**. A marriage record for Sally Winfree has not been found.

The Denney's owned land that was located on the line between Granville and Person County and the Virginia line. Zachariah Denny, s/o of John Denny & Katherine Stallings, purchased his first land in North Carolina in Orange (later Caswell and then Person) County in 1763, and soon followed this purchase with 100 acres of adjoining land in Granville. This would place the families residence in northeast Person County and would make them near neighbors of James Winfree, father of Sally Winfree. Near enough that according to the book:

The State Records of North Carolina – Published under the Supervision of the Trustees of the Public Libraries, by Order of the General Assembly. Collected and Edited by Walter Clark, Chief Justice of the Supreme Court of North Carolina. Vol. XXII. Miscellaneous – 1907 ISBN No. 1-56837-200-0 (Set) – ISBN No. 1-56837-222-1 (Vol. XXII).

Benjamin Denney, James Winfree, Reuben Jones and Gabriel Jones are all listed as taking the Oath of Allegiance to North Carolina in 1778 in the Goshen District of Granville Co., NC.

Assuming that the unnamed Denney was Sally Winfree's first marriage and that she married late 1780's to early 1790's, which would be consistent with her age, there were very few Denney's that she could of married. **Benjamin Denney Sr.** had four sons in the area. The youngest **Thomas** can be ruled out because he was not born in 1795 and married **Martha Williams**. **He also remained in Granville, NC. Benjamin Denney married Kerenhappuch Taylor**, December 19, 1798, Granville, NC. That leaves **Claiborne** and **John** as the two available Denney males. There is no marriage record available for either of these two men, although we know that both of them did marry. Both also moved to Smith County, Tennessee.

Claiborn Denney's wife has not been identified as far as we know, but he apparently did marry as he has at least four sons plus a wife: William, Stanford, Jonathan, and Pryor. Claiborn and his wife are in NC in 1800 but do not appear on the census. He is in TN in 1808 but the 1810 census has been destroyed. In 1820 he and his wife are in Smith Co., TN and then they are in west, TN 1830 and may have moved to AK. Stanford Denney did move to AR>

Sally Winfree and John Denney are most likely mates, their families came from the same area on the border between Person and Granville County, NC, and Halifax Co., VA. Both families appear in each of the three counties. They migrated to Smith Co., Tennessee at about the same times and settled in about the same area and became even more closely connected as time went on. Claiborne does not seem as likely, as John Denney because there are no connections after he arrived in Smith Co., TN with the Winfree family while the John Denney and David Winfree, s/o of James Winfree and brother of Sally Winfree had many connections and seem to have been imitates. **Caliborne Denney** moved to west Tennessee in the mid 1820's and never returned.

The Winfree's and the Denney's seem to be near each other wthey they get to Smith Co., TN. David Winfree's daughter, Mary Powell Winfree married George Denney, s/o John Denney's brother, Benjamin Denney who married Kerenhappuch W. "Carrie" Taylor. David Winfree's son, James Madison Winfree married John Denney's daughter Elizabeth. Additionally, Allen Winfree's second wife Rhoda Jane Everett was a sister to John Denney's daughter-in-law, Martha Everett (wife of Charles Denney). And in 1829, John Tuck Winfree, s/o David Nicholas Winfree & Achsah Tuck, married Mary Stallings who was probably the sister of Katherine Stallings who married Zachariah Denney.

Also numerous court cases in Smith Co., TN and land transactions.....John Denney sued David Winfree in the Quarterly Court over a debt in 1825 but the case was dropped when Winfree agreed to pay on March 11, 1825. David Winfree witnessed the sale of John Denney's land on Mulherrin Creek to Exum Whitley (brother of the Willis Whitley who married Sally Jones Winfree, d/o David Winfree) on November 6, 1828. James Madison Winfree married John Denney's daughter Elizabeth about 1832, and he witnessed the deed for the land John Denney purchased from the Askew brother's in 1836. At the same time he witnessed the deed of land from the same men to Benjamin Denney (James M. Winfree's brother-in-law). Several of the Winfree's are among the major purchasers at the estate sale of John Denney - James M. Winfree; Allen C. Winfrey; Martin Everett and John Tuck made purchases.

Many more accounts of the Winfree's and Denney's occurred.

Source:

The case from 1841 is that of Elizabeth Ellison of Montgomery Co., TN vs David A. Tyree and wife Patsy Tyree: James M. Williams and Harriett, his wife: This is the same David Tyree who was the neighbor of John Denney and his wife on Mulherrin's Creek up until 1827. A **Sarah Denney** was called as a witness in the case in 1841 to verify the relationships between some of the participants in the case. There is no other Sarah Denney anywhere near old enough in Smith Co., TN at this time. Benjamin (1774-1844) Denney's daughter Sarah has been married to Leonard C. Taylor for at least 7 years. William Denney (1793-1852 s/o Claiborne Denney) had no daughter named Sarah. Lemuel and George Denney had no daughter's named Sarah and John Denney (1810-1870's) daughter of that name was not born until 1837, therefore she would have only been four years old. Zachariah and Wiley Denney were not father's of a Sarah Denney. Charles Denney's daughter Sarah was not born until 1843 and Benjamin (b. 1800-1810 – d. 1844) Denney's daughter Sarah was not born until 1842. Gabriel Denney also had a daughter named Sarah but she was not born until 1848 in MO.

This Sarah Denney was called to tell what she knew about a family she had lived beside for ten years from 1817 (when the Tyree's arrived in Smith County from Virginia) and 1827 when her husband sold the farm on Mulherrin Creek, and then moved a short distance, only a couple of miles away).

The particulars of the case involved some slaves left to David and William Tyree by their maternal grandmother some thirty years in the past. David's sister Elizabeth Ellison had waited for this long of time to claim a share in the slaves. Another sister, Sarah Mitchell testified in Elizabeth's behalf. The Denneys were among those called to refute the testimony of Mrs. Mitchell, who had apparently been accused of perjury in some former court case. Sarah Denney had lived next to David Tyree from about 1817 to 1827.

Compiled from notes of Stephen Denney.....research of Audrey J. (Denny) Lambert; Clarence & Lela Winfree; Jean Hudson and others.....

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