

This is the will of **Benjamin B. Denney**

s/o **Benjamin & Barbara Denney**

Benjamin B. Denney – b. ca. 1774, NC – d. 16 June 1844 – Smith Co., TN  
md Kerrenhappuch W. “Carrie” Taylor – b. ca. 1778 – d. ca. 1858

Benjamin Denny, Sr.

I Benjamin Denny of Smith County and State of Tennessee do make this my last will and testament making all former wills made of me void. First that my body be decently interred suitable to my condition in life. I give my Daughter Agnes B. Denney one Bay Horse the balance of my property after paying all just debts. I do will and bequeath to my wife Cary W. Denney during her widowhood giving her the principle to give to Agnes B. Denney one bed and one cow and calf. To William Denny one bed and one cow. To Rusha Denney one house, one cow and one bed. To Elizabeth Denny one horse and one cow one bed. I want what is left at the death of my wife to be equally divided between all my children. June 4, 1844. Benjamin Denny his mark. Witnesses: Christopher H. Smith, William B. Allen, Wiley Denney (his mark). Probated September Term County Court 1844 The last will and testament of Benjamin Deny as was produced in open court for probate and was deposed by the oath of William B. Allen and Wiley Deney, subscribing. Recorded on October 8, 1844.

*Note that in the above will and probate information the name DENNEY is spelled in three different ways. Denny, Denney, Deny, and Deney, and none of these were written by Benjamin as he made his mark.*

This is the will of **Benjamin Denney**  
s/o **John & Sarah “Sally” (Winfree) Denney**  
**Benjamin Denney** - *Bible*: b. 26 December 1810, NC  
d. 5 September 1844, TN - md Evaline Rollins – d/o James Rollins  
b. ca. 1810, VA – d. ca. 1896

Benjamin Denney

I Benjamin Denney Do make and publish this as my Last will and Testament heareby Revoaking [sic] and making void all other wills by me at any time made. First I direct that my funarle [sic] Expences and all my Debts be paid as soon posible [sic] out of any moneys that I may Die posed [sic] of or may first come in to the hands of my Executor. Secondly I give and Bequeath to my beloved wife Evaline Denney my entire Estate during her Lifetime in case she should not marry and case she Should marry then my Effects to be sold. She to have a Chils [sic] part with my heirs. Lastly I Do heareby [sic] nominate and appoint my beloved Fatherinlaw in law [sic] James Rollings and my beloved Brother Charles Denney my Executors in witness where of I do to this my will Set my hand and Seal this 5 day of September 1844.

Benjamin Denney (Seal)

Signed Sealed and published in our presence and we have subscribed our names hear to in the presence of the testator this the 5th of September 1844.

attest:

Jordan Kilzer

Philip B. Smith

William B. Allen

James W. McClanahan

State of Tennessee Smith County October Term County Court 1844. When the executors of the last will and Testament of Benjamin Deney dc was provided in Open Court for probate and was deposed by the Oaths of Phillip B. Smith and William B. Allen subscribing to the same, and on motion made to record.

Attest:

John T. Burnett Clerk

Smith County Court

Cover of original will on file in the Smith County Archives says Beng Denny Rd 8 Oct 1844 in Book B page 32 Bundled. Below that is written in another hand Benjam Denney's last Will.

***Three spellings in this record, although the entire will is written with Denney by Benjamin. The Denny and Deney are used by the Clerk and Registrar.***

This is the will of **John Denney, (Denny)**

s/o Benjamin & Barbara (?) Denney

**John Denney, (Denny)**

b. ca. 1771, NC

d. ca. 1847, Smith Co., TN – Will signed the 13<sup>th</sup> of May 1847

**md ca. 1794, Sarah “Sally” Winfree –**

b. ca. 1778, Goshen, Granville, NC – d. After ca. 1835 -

d/o James & Elizabeth (Jones) Winfree

Will of John Denney

Smith Co., Tennessee

Will Book #7 1843-1864

Pg. 92 – Will

Pg. 93 - Probate

John Denney, Sr.

I John Denney, Sr. do make and publish this my Last will and testament here [sic] by Revoking and making VOID all other wills by me at any time made [sic]. the 1st I Direct any funal [sic] Expences and all my Debts to be paid as soon after my Deth [sic] as possible [sic] out of any money that I may die possed [sic] of or may first come into the hands of my Executors. Secondly I will and bequeath my Children the hole [sic] of my Estate consisting [sic] of notes moneys land and tenements house hold furniture etc to be sold to the highest [sic] Bidder accordinging [sic] to law By the Direction of my Exsecutor [sic] and Distributions as follows to witt and thirdley [sic] I Bequeath unto my son Willie Denney a full share of my Estate that I may live (?) after my Dith [sic] forthly to my son Zachariahr [sic] Denney a full share after Deducting fifty five Dollars should he live longer than I do if he the sd Z Denny Departs this life his aires [sic] to have one half a sher [sic] 5thly to my grandauhter [sic] Harritt Spalling, formaly [sic] Wilkerson one hald a share or to her aire [sic] if she has any if not to come back to my own aires [sic] 6thly to Elizabeth Winfree a full sher [sic] the 7th to my son Charles Denney two full shers [sic] of my Estate after Deducting fifty dolars also one feather Bed also I Bequeth [sic] to my son Benjamin Denny airs a full share after Deducting of fifty Dollars And ninthey [sic] to my son Gaborle Deny two Dollars in a Calene (?) that I have Donated unto him and I do here by nominate and appoint my beloved son Charles Denny my Excecutor [sic] in witness where of to this my will I set my hand and seal this the 13th of may 1847 Seigned [sic] Sealed in our and Sealed and published in our presants [sic] and we have subscribed our names here [sic] in in presants [sic] of the testator this 13th of may 1847.

John Denney his mark (Seale)

Test:

Jesse Butts

James M. Winfry

(Someone, likely one of the witnesses obviously could not spell)

State of Tennessee Smith County June Term County Court 1847. Here the salst 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.*

### Inventory of John Denney, Sr.'s estate

#### Charles Denney, Executor

Name	Item	Cost
Zachariah Denney	1 side sole leather	1.93
	1 cutting knife	.80
	1 log chain	.50
	4 yards Brown Jeans	1.52
	3 jars 1 crock and jug	1.00
	1 lot of tinware	.77
	1 kettle and hooks	1.35
	1 bed and furniture	10.00
	52 pounds of bacon	2.60
	1 clock	3.05
	1 cow	5.00
	1 bottle of turpentine	.17
	1 sleigh	.20
	677 pounds of Cotton	1.51
	1 bar of rolled iron	.88
	Benjamin Denney	1 bag nails
1 barrel of salt		.55
1 barrel of soap		.65
1 suam (?)		1.00
1 bedstead		.42
9 bushels of wheat		3.60
46 pounds of cotton		1.16
1 barrell and gun		.20
William Jones	1 scythe blade	.80
Charles Denney	1 truck	1.20
	1 plain singletree	.60
	1 ax	.35
	cups and saucers	.15
	7 plates	.25
	2 dishes and 2 potts	.50
	Pinchers	.25
	1 churn	.10

	1 small oven and lid	.75
	1 trough of soap	1.75
	1 bed and furniture	10.50
	1 hat	1.50
	1 bible	.25
	2 pair of half haws	.30
	1 box and haws	.50
	1 bedstead	3.77
	48 pounds of bacon	2.28
	50 pounds of bacon	2.50
	65 pounds of bacon	2.50
	1 ring and steeple	.43
	1 keg	.25
	Apples	.25
	5 bushels of rye	1.08
	1 till box	.15
	1 saddle tree	.15
	5 bee stands	5.00
	1 table and chamber pot	.50
	Hames and Traces	.40
James M. Winfrey	6 yards domestic cloth	.66
	1 ax	.50
	1 set knives and forks	1.20
	1 pot and skillet	.45
	1 pot	.35
	1 oven and lid	.65
	1 trough of soap	.45
	1 bed and furniture	8.20
	1 bed and furniture	8.65
	1 blanket	.80
	1 bedstead and cord	.50
	20 pounds of lard	.60
	5 irons	.35
	2 pitchers	.15
	Coffee Mill	.10
	14 pounds of bacon	.77
Allen C. Winfrey	1 crock	.50
	1 man's saddle	2.75
	1 under tick	.05
	1 bee stand	.31
	1 bee stand	.31
Major Sykes	1 oven	.30
	1 ball of fat	1.05
James Denney	1 oven hooks and shovel	1.35
Jesse B. Andres	1 trough of soap	1.15
David Whitley	1 coffee mill	37.50

Thomas Mason	1 quilt	.45
	""	.51
	""	.375
	""	1.125
	""	.31
	1 clock	.75
	1 syringe	1.50
	2 pairs of half-haws	.30
Benjamin Payne	1 auger and saw	.45
Gilbert Allen	1 grindstone	.90
	1 cary plow	.55
	1 trunk	.15
	1 andiron hooking ?	.60
	1 cary plow	.90
Samuel Brent	1 pair of halfhaws	.175
	1 trough of soap	.51
Martin Everett	1 reel	.66
	49 pounds of bacon	2.475
	46 pounds of bacon	2.31
Robert Nixon	1 glass and Razor	.98
	1 wheel and cards	1.85
J.F. Reasonover	10 pounds of wool	3.00
	1 hame and traces	.90
Jonathan Denney	9 chairs	1.08
	1 tray and sifter	.25
John T. Winfree	100 pounds of cotton	2.00
Thomas Gwaltney	1.5 bushel and parl.?	1.50
James Gray	8.5 pounds of wool	2.975

Additionally there were a large number of notes on friends and family members, plus quite a list of "monies" consisting of banknotes, gold, and silver. The entire estate, including all of the above plus credits with neighborhood merchants totalled \$711.51