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HENLEY, JOHN VS. HENLEY, MARTHA.
CIRCUIT, 1884.

THE BILL OF COMPLAINT OF JOHN HENLEY OF PUTNAM CO. TN

AGAINST MARTHA HENLEY OF JACKSON CO. TN.

22 April 1884.

. . . sometime during the year 1852 or 1853 complainant and defendant **Martha Henley** were married and that they lived happily together as husband and wife for many years when about 2 1/2 years ago defendant willfully and maliciously and without cause left his home taking two little children, the issue of their marriage, and has refused and still refuses to live with him, although repeatedly requested to do so.

Complainant states that he and defendant have two children, the issue of their said marriage, whose names are **Joshua** and **Austin**, aged respectively 10 and 12 years.

HENLEY, FANNIE VS. HENLEY, WM.
CHANCERY, 1892.

THE BILL OF COMPLAINT OF FANNIE HENLEY AGAINST WILLIAM HENLEY, both of Jackson Co. TN.

8 July 1892.

. . . she and the defendant were intermarried on the 7 day of April 1892 and that in a very short time after their said marriage, the defendant cursed, abused, and drove your complainant away from their home, failed and refused to provide . . .

. . . the defendant is the owner of the following property, to wit: One tract of land bounded as follows: by the lands of the heirs of **Mounce Gore**, deceased, **Buck Rector, Wm. Ray**, [blank] **Chaffin** and the [heirs of John Henley](#), and also another tract of land, bounded by the lands of **Sampson Bostlet, Scy Smith**, the **Gilmoor heirs** and **John Anderson**, that said two tracts of land lie in the 9th Civil District of Jackson Co. TN.

. . . complainant has six children by a former marriage that are small and of tender age . . .

She asks for divorce, alimony and one year's relief. -bp.

[Jackson County, TN Court Records](#)

Jackson Co., TN Loose District/Chancery Court Papers Reel #107 Genealogical Abstracts by Mary Lu Johnson The quality of this microfilm varies widely. Sometimes the copy at Tennessee State Library & Archives is more legible. Microfilm reels may be ordered by mail.

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BECKY RECTOR [Note: No file jacket microfilmed on this case - mlj] by next friend [lay attorney] **Sam Stewart**, etal.

Deposition of **Doc Henley**, age 57 for Defendants, states he knew **William Hendley** and **Philena [nee Henley] Rector** in their lifetime. "She was my sister. He was my uncle".

Stated **Philena** moved from **Buck Rector's** and came to **William Hendleys** in October a short time before she died. Was at **William's** 3 or 4 weeks before she died. **Sam Hendley** moved her here. Said she [**Philena**] didn't intend to live with **Buck Rector** any more, and if she got well, didn't want the **Rectors** to have her things - rather they be "piled and burnt". "I waited on her and my wife **Minerva** and **Francis** wife of **Sam Hendley**...**Buck Rector** was here the morning she died about 5 o'clock...she and husband **Buck Rector** didn't get along...he drank all the time. **Philena** died November 1892...**Becky** was two or three at the time...had to be carried.

Q: Did **Becky** come at the time her mother was moved?

A: Don't remember.

Q: How long did **Wm Hendley** live after **Philena** died?

A: Don't know...I was in the West...I left in 1893...came back 1901. **Philena** "lived right here with Uncle **William** before she married...2 or 3 years". Lived with him on and off 10-12 years. Aunt **Jane** died and my wife and **Philena** had to be doing for him all the time and finally **Philena** just came and stayed with him. **Ben Stewart** was living in White Co [Tennessee] when **Philena** died.

Q: Are you positive **Philena** died 1892?

A: Somewhere 1891-92...I left soon after, 24 February 1893. **Philena** died October or November. [Signed] J. S. Henley

MINERVA HENDLEY, age 50, husband **Doc Hendley**; born during Civil War, don't know exact age. Lives Overton County, Tennessee. "I heard her [**Philena**] say that she wouldn't live with him [**Buck Rector**] because all the rest of his wives went just the way she was going...two wives before **Philena** married him. **Philena** asked **Minerva** to pack her things.

Q: Who waited [tended to **Philena** while she was ill]?

A: **Sallie Allen** was not here; me and **Fannie Hendley** the wife of **Alvin Hendley**, and **Frances Hendley**.
Minerva [X] Hendley

HARRIET STEWART age 64 for Defendants: Live right here in this house. Father **William Hendley** lived and died here...am the only child surviving him. He died 14 February 1894 or 1895. I moved here 23 December before Father died in February. This house was built by my father in 1866 or 1867. He bought the **Holloway** tract from **Lum Dowell** and paid him an old yellow horse for it. **Philena** dead two years when **Harriet** moved to her father's place...**Buck** was married again. **Harriet's** husband **Ben Stewart** got a deed from the **Mayberry** heirs for the place.

[Signed] **Harriett W. Steward**

Deed mentioned as Exhibit, but not microfilmed, gives chain of title:

Deed from **Lum Dowell** & wife, Grantors, to **William Hendley**.

Deed from **William Hendley** to **Philena Hendley**.

Deed from **Philena Hendley** to **J. M. Maberry**.

Deed from **J. M.** or **Josh Maberry** to **Levi Stewart**.

Cross-Examination of **Harriett W. Stewart/Steward**:

My husband is Levi Stewart [apparently also went by "**Ben Stewart**" - mlj].

"My father **William Hendley** and his third wife **Annie Welch** got mad and he said she never should have anything he had and he would fix everything...deeded to **Philena** with the understanding she would convey the property to whoever he said..."

BUCK RECTOR, deposition dated 2 October 1913.

Don't recollect when married **Philena Hendley**. Got license 14 February 1889, deed to **Philena** next day.

Buck stated he has a son **Bedford**; daughters **Susa** and **Sarah** married after **Philena** died. **Becky** the youngest child of **Philena** and **Buck Rector**. **Philena** lived two years after older child died.

Buck [X] Rector

ROBERT HANEY, deposition, no date. "**Glendon Johnson** instigated the suit". States he is not related to **Becky** as he knows. **Glendon Johnson**, Notary, was paid \$50.00. **Robert Haney** stated he married **Becky's** half-sister, and that **Becky** lives with them. [Signed] **R. Haney**

Answns of **Whitson Holloway** and **Ben Steward**. Complainant is the daughter of **Philene Rector**, deceased. **R. Haney** was acting as next friend for **Becky Rector**. Complainant **Becky Rector** is a minor.

21 October 1893, **J. Philene Rector**, for the sum of \$250.00, deeded to **J. M. Maberry**.

Witnessed by **Sy Smith**, **S. H. Hendley** **Philene [X] Rector**

[Jackson County, TN Court Records](#)

Jackson Co., TN Loose District/Chancery Court Papers Reel #107 Genealogical Abstracts by Mary Lu Johnson The quality of this microfilm varies widely. Sometimes the copy at Tennessee State Library & Archives is more legible. Microfilm reels may be ordered by mail.

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W. B. RECTOR AND PHILENE RECTOR HIS WIFE AND WM HENDLEY

VS

FANNIE HENDLEY, all of Jackson County, Tennessee [?Fannie may have been Annie Welch-mlj].

On 13 July 1892 **Fannie** and **Wm Hendley** were man and wife. 13 July she filed for divorce. He paid costs and 1/3 of crop on hand in lieu of alimony. Case heard 23 September 1892. **Susa Dowell** is the wife of **Lum Dowell**.

BUCK RECTOR, age 50, living 9th District Jackson County, Tennessee. Know **William** and **Phinena Hendley**, both deceased. "**Philene** my wife died first some two years before her uncle **William**."

ROBERT HANEY age 52, deposes for Complainant, lives 15th District Putnam County, Tennessee. Knew **Philena** in her life. "I was her brother in law. I was married in 1877". Lived in White County, Tennessee when **Philena** died. [Signed] Robert Haney

FRANCES HENDLEY age 49 for Complainant, states she is wife of **Sam Hendley**. **Sam** is a brother of **Philena Rector**. **Philena** said take her things and raise Becky, that she didn't want Buck and his folks to raise her. "**Philena** was badly crippled and could not do what a strong woman could...did cooking, washing, ironing and milking and drudgery generally."

Frances [X] Hendley

Cross-Examination of [apparently] **Frances Hendley** [not signed]:

Aunt Jane Hendley married **William Hendley** "living part of the time" [when she knew her]. **Cynthia Carrington** was Aunt **Jane's** sister. **Jane's** sister stayed there till he [**William**] married **Ann Welch**. **Philena** had **White's** swelling when she was small...took the bone out of her leg [**White** swelling is defined on this website as tuberculosis of the bone] <http://homepages.rootsweb.com/~haas/learningcenter/diseasesold.html>

W. W. MABRY, age 46. My father was **Josh Maberry**, whose initials were **J. M.**

[Signed] **W. W. Mabry**

R. D. RECTOR, age 45. I am a son of **Beck Rector**, live 9th District, Jackson County, Tennessee.

[Signed] **R. D. Rector**

MRS. MARGARET RAY, age 57, 9th District, Jackson County, TN. **Margaret [X] Ray**

MONROE RAY, age 36: My uncle is **Buck Rector**. I am a son in law of **Ben Stewart**, and a brother in law of Mr. **Holloway**. [Signed] **M. M. Ray**

MARION ANDERSON, age 47, occupation farmer, for Defendant, live 9th District, Jackson County, TN: I am a son in law of deft **Ben Stewart** and brother in law of defendant **Holloway**.

SALLIE ALLEN, age 53, for Defendant. Live 10th District, Jackson Co., TN: Did not take care of **Philena** at **Wm Hendley's**; did some at **Buck Rectors**.

DEED on file: We as heirs of **J. M. Maberry** deceased sell to Levi Steward and wife... dated ?Nov 5, 1910. [Signed] **Dela Peek**, _____ **Mayberry**, **S. J. Judd**, **Davis Mayberry**

BECKY RECTOR vs **BEN STEWART** etal 1913

[No documents on microfilm; may have been taken at some point by descendant - mlj]

RECTOR, BYRD vs **RECTOR, WM** 1899

William T. Rector, dec'd. **Clay Reeves** qualified as Executor. [Signed] **G.B. Murray**, Attorney

Byrd Rector, widow of **William T. Rector**; have four minor children, asks that deceased husband's will be set aside, and she be appointed administrator. 18 February 1899. Will of **William Rector** on microfilm. Mentions "beloved wife **Byrd Rector**". Also three life insurance policies totalling \$4500 "to friend **J. W. Carter**". Executor to be **Clay Reeves**.

[Jackson Co. TN 1820 Census](#)

JACKSON COUNTY, TN 1820 CENSUS Transcribed by David Johnson This transcription was made from the microfilm record of the 1820 census of Jackson Co., Tn. The image of page 65 (the first page) of this census is faded in many areas, and the last two columns of the age categories for white females is not . . .

http://www.tngenweb.org/jackson/1820_census.htm 07/06/03, 77588 bytes

*See John Hendley: <http://www.ajlambert.com>

[Jackson Co TN Loose Court Papers](#)

Jackson Co., TN Loose District/Chancery Court Papers Reel #85, Huffine - Jackson, M. "H" Divorces Vol: 1839-1915 Genealogical Abstracts by Bonnie Parker Cases indexed alpha by Plaintiff. Although there is a cross-index reel at TSLA by Defendant, there is no 'everyname index', so there is no hint of . . .

http://www.tngenweb.org/jackson/court_reels/court_reel_85.htm 09/26/04, 97665

THE BILL OF COMPLAINT OF WILLIAM HENLEY OF JACKSON CO. TN

AGAINST NANCY A. HENLEY OF PUTNAM CO. TN.

9 Sept. 1887.

Summary: they were married in Putnam Co. TN 15 Feb. 1884. The defendant abandoned complainant on 9 Jan. 1885 and still refuses to live with him.

/s/ **William Hendley**

Source: [http://www.tngenweb.org/jackson/Jackson County, TN Court Papers](http://www.tngenweb.org/jackson/Jackson%20County,%20TN%20Court%20Papers)

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Jackson Co., TN Loose District/Chancery Court Paper Reel #76, Gipson, T. – Gore

Jackson County, TN Court Papers

Jackson Co., TN Loose District/Chancery Court Paper Reel #76, Gipson, T. - Gore Genealogical Abstracts by Mary Lu Johnson The quality of this microfilm varies widely. Sometimes the copy at Tennessee State Library & Archives is more legible. Microfilm reels may be ordered by mail.
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http://www.tngenweb.org/jackson/court_reels/court_reel_76.htm 09/26/04, 79960 bytes

*See Joel Hendley Family Sheet: <http://www.ajlambert.com>

GOOLSBY, D. H. ET AL VS RECTOR, REBECCA CHANCERY 1915

AMENDED ANSWER of **defendant Rebecca Rector**. She and those under and through whom she claims title have been in continuous, open, adverse possession more than 20 years.

PETITION of **Ester Goolsby, Lizzie Woodall** of Putnam Co., **Delia Roberts** and **Laura Jackson** of Overton Co. They are the children of **Richard Goolsby** and his only heirs at law. He has been dead a long time. Their father **Richard Goolsby** is a brother of the **plaintiff D. H. Goolsby** and they are entitled to inherit their father's interest in the land described in pleadings, ask to be made Complainants.

[Names likely signed by **M. J. Dixon**, their solicitor; all same hand as his - mlj]:

Etter Goolsby, Lizzie Woodall, Laura Jackson, Dela Roberts

AMENDED BILL OF COMPLAINT: **D. H. Goolsby, G. W. Goolsby, S. S. Goolsby, Lucy McBroom** and husband **Geo McBroom** of Putnam Co., TN and **James Goodall Goolsby** of Jackson Co. against

Rebecca Rector and **Mounce Haney** of Jackson Co., **G. A. Johnson, Etta Goolsby, Lizzie Woodall** all of Putnam Co. and the unknown heirs of **Loge Pippin** and **Byrd Pippin**, non residents of Tennessee, last heard from were residents of Illinois.

Filed original bill 25 January 1915 against **Rebecca Rector**.

Complainants state they are owners of land in 9th District, Rebecca entered and began receiving rents... purported conveyance to her mother Philena Henley from one William Hendley... conveyance is fraud as he had no title.

Land formerly belonged to Joel Hendley. His son William Hendley was married to Jane Pippin. Some time after their marriage in about 1871 he conveyed the land to his daughter in law Jane Hendley (nee Pippin). Jane took possession, occupied until her death some three or four years afterward.

Court house burned [14 August 1872].

Harrett Stewart burned the deed.

Rebecca Rector gave **G. A. Johnson** a deed for one-half interest in land in 1914 as attorney's fee, he refuses to produce for fear of being party to suit.

G. A. Johnson was prosecutor in the case of **Rebecca Rector vs Ben Stewart**, et al.

Rebecca Rector is insolvent.

Defendant **G. A. Johnson** has procured **Rebecca Rector** to make a deed to **Mounce Haney**, who is utterly insolvent.

Jane Henley had the following brothers and sisters and half brothers and sisters, to wit:

Loge Pippin, Byrd Pippin, Sarah A. Pippin (Goolsby), Bettie Pippin (Goolsby), Syntha Pippin who died about twenty years ago without issue, **Harve Pippie, Hogue Pippin** both of whom died several years ago without issue.

Etta Goolsby, Lizzie Woodall and **Laura Jackson** are the only children of **Richard Goolsby** who was a brother of those complainants and a son of **Sarah A. Goolsby** deceased.

The defendants **Clay Goolsby, Kansas Goolsby, Lee Goolsby, Thurman Goolsby** and **Pearlie Goolsby** are the only children of **Frank Goolsby**, a son of **Bettie Pippin (Goolsby)**. Said Frank died some five years ago.

The defendants **Mattie Ola Temple Carrie William Lord King Clinton** [sic; no commas] are the only children and heirs of **Mary Clinton** who died some four years ago in the State of Texas. 17 September 1915. /s/ B. S. Goolsby

RECONSTRUCTED COPY OF DEED: Joel Hendley of Jackson County... love and affection of my daughter in law Jane Hendley... land in Jackson Co Dist 9... begin William Hendley's Spring... mouth of the Ruby Loftis spring hollow... passing Loftis stillhouse... south with John Hendley's corner [blank] October 1871

[Signatures typed]. **Joel Hendley Attest: J. M. Mabury, Noah Stewart** –(s/o Levi “Ben” Murphy Stewart & Harriet Henley).

ANSWER of **Becky Rector** to Bill of Complaint of **D. H. Goolsby** et al. True she is in possession of land, case of **Becky Rector vs Ben Stuart**, description may be found in Minute Docket R pps 84, 85 and 86, Jackson Co.

William Henley was in actual, open, and adverse possession more than seven years after the death of said **Jane**, remained so until his death in 1896 insubordination conveyed to **Philena Henley**. (*Philena/Filena Henley, d/o William Henley*).

Respondent neither admits nor denies that **Jane Henley** was married to **William Henley**, not knowing facts. **Denies deed from Joel Henley to Jane Henley burned in the court house fire.**

True **William Henley** and **C. L. Dowel** conveyed land to Respondent's mother on 15 February 18_9 [strikeover, probably 1889], registered 5 March 1889 which was before the birth of this Respondent.

Respondent's mother lived after the execution of said deed until [Blank] October 1893 and died, leaving Respondent her only child surviving her... infant of tender years, born April 1892.

Denies Respondents are next of kin to **Jane Henly**.

William Henley occupied and held land after his wife's Jane's death until 1896. Immediately after the death of said Wm Henly, Mrs. Ben Stuart an only daughter of said William [Henley] took possession until 1913... more than seven years.

If complainants ever had any rights they slept them. ["You snooze, you lose"; adverse possession laws at that time in TN, except in cases of fraud, was seven years - mlj].

DEPOSITIONS 18 November 1915:

Wayne Stewart age 26, live Jackson Co., I am a farmer. Know **G. A. Johnson** and **Mounce Haney**. Little over a year ago I had a contract to buy land from G. A. Johnson and Mounce Haney, think for \$800. **Johnson** couldn't make a warranty deed, only quit-claim. Russell Lee and Robert Haney cultivated part of the land in 1915. /s/ Wayman Stewart

Mrs. Harrett Stewart age ?66/76 of Jackson Co. **Am the daughter of William Hendley, deceased and grand daughter of Joel Hendley** deceased. **Joel Hendley died March 15, 1874 on Sunday.** William Hendley has been dead nineteen years.

Jane Hendley was [my] stepmother. She died before my father.

Grandfather **Joel Hendley** owned the land. **Mounce Gore**, his administrator, fixed [drew] the deed before the Civil War. I have seen the deed. I was in possession of the old deed... let **P. J. Anderson** take it to Gainesboro in the time of the lawsuit of **Rebecca Rector** against **Ben Stewart** and wife about two years ago. Think the **Gore** deed to **Joel Hendley** was 1854.

Question: Do you know whether your grand father conveyed part of the land to his son **John Hendley**?

Answer: Yes, sir. **The land covered by the Gore deed, Joel Hendley** divided in three parts [between] **Jane Hendley, Nimrod Hendley** and **John Hendley**. I have read Jane's deed... land recovered by **Rebecca Rector** from **Ben Stewart** and wife. **It covered the middle tract where old man Joel Hendley is buried.**

I burned the deed up 10-12 years ago. **John Carrington** told me to burn it... said he would not have it about the place. **John Carrington** is my son in law. **Josh Maybury** signed his name **J. M. Maybury**. He is dead.

P. G. Anderson and **Wm Draper** were attorneys in the case of **Rector** vs my husband and myself... did not inform them of the deed from **Joel** to **Jane Hendley**.

Pap [William Henley] and mother took care of Joel Hendley till six weeks before his death and then me and my husband that six weeks. By mother I mean my step mother **Jane Henley**. **Philena Rector (Henley)** was a poor woman... cripple. Knew her all her life. My father **William Hendly** traded **C. L. Dowel** and wife a yellow horse for the tract of land he bought of them. It's about a mile from the land in litigation.

Question: Who had possession of the land [in litigation] as far back as you remember?

Answer: **Joel Hendley, William Hendley**, me and my husband until the lawsuit with **Rebecca Rector**.

Philena Hendley (Rector) lived on the land with **Pap [William Henley - mlj]** as a member of the family. She married and left there after Pap died.

Jane Hendley never had children by **William**... my father. /s/ **Harriett Stewart**

Mrs. **Marion Anderson** age 47, live Jackson County. Am a daughter of **Mrs. Harriett Stewart**. Knew **William** and **Jane Hendley** in their lifetime. P. J. [her X] Anderson

Levi Stewart age 70, live Jackson Co., farmer. **Josh M. Maberry** died 8-10 years ago. He told me he had written a deed for **Joel Hendley** to **Jane Hendley**... same land they taken away from us.

Question: Are you sometimes called **Ben Stewart** and sometimes **Levi Stewart**?

Answer: Yes sir. [I've known the lands since 1850-1857, the Rev. Joel Hendley lived there. William Hendley moved on it in 1866 a few months before Joel Hendley's death and lived there until he died.](#)

Me and my wife lived there until the lawsuit with **Rebecca Rector**.

Question: Did **Philena Hendley (Rector)** or her daughter **Rebecca** ever have possession except to live in the house with **William Hendley**?

Answer: No sir. /s/ **Levi Stewart**

DEPOSITIONS, April 6, 1916 at a little store near Rock's old mill in Putnam County:

T. G. Phillips, age about 40 or 50, live Jackson Co., am a farmer. Contracted with **Becky Rector** to buy land in litigation. T. G. [his X] **Phillips**

Harriett Stewart, age 66, live Jackson County.

My grand father [Joel Hendley died in 1874.](#)

My father **William** died about twenty years ago.

Jane Hendley, my step mother, died some thirty years ago.

I let **P. J. Anderson** have the deed, and he took it off to Gainesboro [Note: **Mrs. Stewart** may have stated "**P. J. Anderson**" when she meant **P. J. Anderson's husband Marion**. See his deposition below - mlj].

Philena Henley was crippled with White's swelling [Tuberculosis of the bone - mlj] in her leg and couldn't hardly walk. **Philena** died before father died. I found the deed in the trunk after he died.

Question: Didn't **Joel Hendley** give the land to your father to take care of him in his old age?

Answer: He gave it to mother according to the way he made the deed. I was only about sixteen years old. There was 250 acres.

Question: Didn't the complainants **D. H. Goolsby**, **G. W. Goolsby** and the other **Goolsbys** live on the land with your father at the time **Joel Hendley** made the deed to **Jane Hendley**?

Answer: They lived in Kentucky I think. Believe some of the oldest, **Byrd** and **George** and seems like **Dick** and the old man and woman lived there a while with **Joel Henley**, father **William** and **Jane**. They did not live in the house with them. They built a house and stayed a year or two. **George** was just a goslin of a boy. He was thinking himself a man... was not a man at all... the others were older than **George**. Seems **Byrd** hired to Papa and worked one summer after the family left. He was 20 or 21 then I guess.

Joel Henley was living with me when he died. After Jane died, William married twice. /s/ Harriett Stewart

W. R. (Russell) Lee, age 50, farmer and pedler [sic], live Jackson Co. Been close to the land ten years or more. **Robert** and **Mrs. Hanie** cultivated the land in 1914 and 1915. I cultivated part of it in 1915. **Glenmore Johnson** came to my house and eat dinner with me and we went and looked at it. He wanted to see **Morse Hanie**. /s/ **W. R. Lee**

J. J. Carrington age 53, live 9th District, am a farmer. Know **George Goolsby, Byrd Goolsby, Carry McBroom, Rebecca Rector**. Knew **Jane Henley**, not **Joel**. Saw the deed, **Joel** to **Jane**, about 1896 or 97, told **Harriett Stewart** that deed wouldn't stay about me. Understand **Harriett Stewart** is the daughter of **William Stewart** by a former marriage. From the time I saw the deed until a year or two ago, **Levy Stewart** and his wife occupied it...

Understand **Joel Henley executed a deed to his son John Henley and wife Martha Henley...** I looked it up and it was made to **Jno Henley...** 80 acres more or less in each deed. **W. A. Gentry** has the **John Henley** deed.

I quit practicing law five or six years ago. Have a license to practice before a **J.P.**, but not a court of record.

Understand **John Henly is a brother of Bill Henly and a son of Joel Henly.**

Bill Henly died about 1895 or 6. Understand **Jane** died first.

I am a son in law of **Harriett Stewart** who is the only child of **Bill Henly**. They obtained a quit claim deed from **Jack Mabry** heirs. **Mrs. Stewart** and her husband remained in possession of the land. /s/ **J. J. Carrington**

Dellie Carrington age 45. I am the wife of **J. J. Carrington** and the daughter of **Harriett Stewart**. **William Henly**, deceased was my grand father, he died 18-19 years ago. **Levi Stewart** and his family lived with him the last year or two of his life. I heard grand father talking about the deed when I was 13 or 14... after they moved back from White County, Tennessee He didn't know why **Joel** didn't deed the land to him. /s/ **D. D. Carrington**

Ollie Henley age 38, live Overton County, TN. **Jane Henly** was my step grand mother. I saw the deed from **Joel Henly** to **Jane Henly** at Pa's... /s/ **Ollie Henly**

J. J. Carrington [Cross-examined]. I married December, 1894, the 25th at 3:30 to Delia Stewart, a grand daughter of **Bill Hendley**, in White Co., before **Bill Henly** died and after **Jane Henly**. Think he died in Feby 1896. /s/ **J. J. Carrington**

Ben or Levy Stewart [No age]. I am the husband of **Harriett Stewart**, the only child of **William Hendly** deceased. Married in 1867. Believe **Jane** died between 1880-1890, somewhere along 1885, 1886 or 1887.

John Goolsby and I believe three of his children moved on the land. Believe one was **George Goolsby** about a year ago said his aunt **Jane Henley** told him she had a deed to the place but that he didn't know how to get at it. Understand **Jane Goolsby** was his aunt, not his sister. My wife is not here today. She gave her deposition at Putnam County the other day [April 16, 1916] and it just about wore her out. Putnam County is three miles from us and this is sixteen miles. /s/ **Levi Stewart**

Waymond Stewart [No age]. I am a son of **Harriett** and **Levi Stewart**. My deposition, father's, mothers and **Mrs. Anderson's** were all taken at **J. D. Smith's** son's store in Putnam Co. **Tom Holloway** is my brother in law.

Question: Did you and **Holloway** go and try to buy the land from **Goolsby**?

Answer: We went and tried to buy it. /s/ **L. W. Steward**

Marion Anderson [No age]. Me and **William Draper** were lawyers for **Levy Stewart** on the case of **Rebecca Rector**. I am the husband of **P. J. Anderson**. We were married 1st February 1900. The best I can remember **Jane Hendley** died in 1883. Some of the **Goolsbys** lived on the land with **William** and **Jane Hendley** when me and my father moved to the Flatt woods in 1878. **Byrd** and **George**, the two youngest, was there with their father. /s/ **M. W. Anderson**

J. E. Stone, going on age 57, am a farmer, live 1st District of Putnam County. Me and my wife and mother in law lived on the land in controversy about October [18]80 to October [18]84. There were two houses on the place. **Bill Hendley** and his folks, **Synth Pippin** or **Goolsby** and **Phylene Hendley** lived in one.

Question: How long did **Jane Hendly** live after you moved on the place October 83 [sic]?

Answer: **Jane Hendley** lived until the last of May or first of June after I moved there.

Just before **Jane** died she gave the deed to **Synth Goolsby** and told her she gave her that for waiting on her in her last sickness. This was something like three weeks before she died.

Question: Who all was present when **Jane** told **Synth Goolsby** or **Pippin**... could have the place?

Answer: Believe **John Kinnard** - a widow woman's son, don't know her name, **Bill, Jane** and **Synth**. **Synth** is dead. Don't know about **John Kinnard**. About three years after **Jane's** death, **William Hendley** married a **Welch**, divorced her. I reckon she is living. Next married a **Smith**.

He made a deed to **Philena Hendley** or **Rector** to keep **Mary Welch** off of it. He said she would deed it back to him any time. It was just after he and **Mary Welch** separated.

Synth Goolsby lived about ten years after **Jane** died. She was around 50 when **Jane** died. She and her husband were not living together. Heard her say she married **Mark Goolsby**. Don't know if he was living or dead then... never lived together after that.

My wife is not related to any of the **Goolsbys**. She's a little distant related to **Rebecca Rector**. I am no relation to any of them. /s/ ***Z. E. Stone**

[*Initial here looks more like "Z" instead of "J" - mlj].

D. H. Goolsby, age 66, live on Falling Waters River, Putnam County, am a miller and farmer, am a complainant in this case. Knew **Jane Hendley** and her husband in their lifetime. She is my aunt. She was a sister to my mother. She never had children. Her mother and father are dead. When she died, I lived in Kentucky. I moved there about 46 years ago, moved back to Putnam County seven years ago.

Question: When did you first learn that your **Aunt Jane Hendley** had a deed to the land in litigation and how did you learn it?

Answer: It was after the lawsuit them folks had over there. My brother come to my house and told me that **Carrington** had wrote him about the deed and he went to see about it and he came by my house and told me about it.

Question: About how long ago has it been since your brother came to your house and told you what **Carrington** said about the deed?

Answer: It has been something like three years... no information before that.

I understand while I was in Kentucky my father **John Goolsby** lived there one year.

Question: Was you ever at or on said land?

Answer: Yes sir when I was a boy... was not on it since 1870.

Question: How many brothers and sisters did your **Aunt Jane Hendley** have?

Answer: I don't know whether I can tell or not. I can't think of but three sisters now, there was some half brothers and sisters but I never knew them, don't remember any of the brothers except half brothers **Harve** and **Hogue Pippin** I understand they are dead.

Question: What relation is **Lucy McBroom** to you?

Answer: Sister.

Question: Is she married or single. If married what is her husband's name and is he living or dead.

Answer: She is married to **George McBroom**... both living... married guess it has been fifty years ago, still living together as husband and wife.

[My] brother **George Goolsby** is between 45 and 50 I think.

[My] brother **Richard Goolsby** is dead... about 20 - 30 years ago.

Cross-Examined: Please give the names of the brothers and sisters of **Jane Hendley**, both of the whole and half blood.

Answer: **Betsy**, **Syntha** and **Polley** were whole sisters. I can't call to mind the brothers - yes, there was Byrd and Log Pippin. I never saw them but a few times.

Question: Are all or any of them living.

Answer: My best understanding is that all the whole brothers and sisters are dead.

Question: Did they leve [sic] any children or either of them if so which ones and how many children.

Answer: If any of them left children it was **Uncle Logue**. I don't know whether he had any children or not or whether he was ever married.

I understand **Uncle Bird** was married.

Question: At the time you lived in Kentucky and your father's family lived on the **Joel Hendley** place was you in communication with different members of the family.

Answer: I got a letter from father once in a while.

Did you state your **Uncle Bird** was married.

Answer: Yes. That is my understanding.

Question: Didn't you receive letters from some of the family... about **Jane Hendley's** death.

Answer: No sir. My brother told me about it in Jackson Co. on Cub Creek some years after her death.

Question: Which one...

Answer: **Logan Goolsby** .

Question: Was this while your home was in Kentucky.

Answer: Yes sir.

Question: Did **Logan** say what Jane had done with her property.

Answer: No sir.

Brother George first told me about the deed from **Joel** to **Jane Hendley**. He said that **John Carrington** either told him over the phone or wrote him.

Question: Has **Jane Hendley** any other heirs than those mentioned in the bill.

Answer: I don't call any others to mind right now.

Lucy McBroom lived at Double Springs when Jane died. Before that, twelve to fifty miles.

Question: Where did your other brothers and sisters live at **Jane's death**.

Answer: I expect two of them lived at Celina, Tennessee. **George** lived at Celina and I expect **Byrd** did too. **Brother Logue** was dead and brother **Rich** dead too I think.

Question: Your family was on good terms with **Jane** and **Bill Henley** up until the death of **Jane**... visited back and forth.

Answer: I never heard anything to the contrary. I was in Kentucky.

Question: Didn't **George** or **Byrd** one stay at **Bill Hendley's** for some time after [your] father left there and in fact make it their home for two or three years.

Answer: I don't know. I was in Kentucky. /s/ **D. H. Goolsby**

PROSECUTION BOND: **D. H. Goolsby, G. W. Goolsby, B. S. Goolsby, Lucy McBroom** and husband **George McBroom, James Goolsby, Goodall Goolsby** to **Rebecca Rector**.

Signatures were: **D. H. Goolsby, G. W. Goolsby, B. S. Goolsby, Lucy McBroom, Robert McBroom, Albert Goolsby**

<http://www.ajlambert.com>

Source: Jackson County Tennessee Cemetery Inscriptions 1801 – 2003: Including Some Genealogy
By Larry Earl Mabry & Reda Knight Bilbrey

Pg. 500:

Civil Dist. 9: John Henley Graveyard Old Dodson Branch Road:

From Gainesboro take Hwy 53 toward Celina and turn right on Dodson Branch Hwy (135) and go 20 miles more or less to the fork in the road of Dodson Branch and Hwy 135 take the left fork on Old Dodson Branch Roads. Go past the Dodson Branch Cemetery about mile. Cemetery is located in a grove of tall pine trees on the left of the road at the next to the last house before you get to the Willis Martin Road. On the farm of Nathan & Juanita (Mayberry) Judd. Nathan's grandson helped to find the marker and read it. Only one stone was found, but Mr. Judd remembers seeing at least one or two more stones there. Copied 20 December 2000 and assisted by Nathan Judd and two grandsons.

JOHN HENDLY – b. 27 December 1829, TN – d. 23 October 1895 – s/o **Joel Henley/Hendley & Mary Horne.**

John Hendly served in the 8th TN Conf. Cavalry a Parson Ranger Group of Col. Mounce Gore's Division.

*See Reel #76, Gipson, T. – Gore: **GORE, M. L. & GORE, S. G. vs POTEET, ELVIRA et al and**

There were more tombstones at one time in this cemetery. They couldn't be found. Cows feed in this lot also leaves might have been covering any other stones. Per information of Ms. Olean M. Hall, 2460 Sherer Ave., Dayton, OH 45414.

SUMMARY: It is very possible that Joel Hendley & his wife Mary Horne are buried in this cemetery also. According to the court case: Goolsby, D. H. et al vs. Rector, Rebecca, Chancery 1915, **Harriett Henley** testified that **the land covered by the Gore deed, Joel Hendley** divided in three parts [between] **Jane Hendley, Nimrod Hendley and John Hendley.** I have read Jane's deed... land recovered by **Rebecca Rector** from **Ben Stewart and wife.** **It covered the middle tract where old man Joel Hendley is buried.** She states that **Joel Henley died on Sunday, 15 March 1874. The land was in the 9th Dist. of Jackson County, Tennessee.** Mr. Nathan Judd and Ms. Olean M. Hall state that there were more tombstones at one time in this cemetery.

Levi Stewart age 70, live Jackson Co., farmer. Josh M. Maberry died 8-10 years ago. He told me he had written a deed for **Joel Hendley** to **Jane Hendley**... same land they taken away from us.

Question: Are you sometimes called Ben Stewart and sometimes Levi Stewart?

Answer: Yes sir. I've known the lands since 1850-1857, the **Rev. Joel Hendley lived there.** William Hendley moved on it in 1866 a few months before **Joel Hendley's death and lived there until he died.**

(Also, **John Hendley, s/o Joel** was in the Civil War - **John Hendly** served in the 8th TN Conf. Cavalry a Parson Ranger Group of **Col. Mounce Gore's Division.** So John purchased land from **Mounce Gore** as stated below on Roll #76).

<http://www.ajlambert.com>