

Ownership and Occupant History of the DeVault Tavern and Related Property

In 1818, Frederick Davault and family moved to Leesburg from the DeVault's Ford Plantation jointly owned by Frederick and his brother Valentine.

July 17, 1819, Frederick and Valentine purchased a 427-acre parcel of land in Washington County from Thomas Brabson. It had been originally owned by the Frakers. The land almost completely surrounded the town of Leesburg. Between 1819 and 1821, Frederick constructed the DeVault Tavern. It faced the Great Stage Road and became a stop for travelers using the route. **Figure 1** shows the original DeVault Tavern Lands as purchased in 1819.

In 1831 Frederick and Valentine decided to separate their joint holdings. Valentine got the DeVault's Ford Plantation and Frederick got the Leesburg Plantation and the DeVault Tavern. Valentine signed a quit claim deed for the Leesburg holdings on December 12, 1831.

On March 2, 1847, Frederick's son, John Davault, purchased the DeVault Tavern and adjoining lands from his father for \$3,000.¹ At this time the original 427 acre parcel was still intact. Frederick died five months later on August 8, 1847. John Davault was the executor of the estate. John retained ownership of the Tavern and the 427 acre parcel. Frederick's other children received cash settlements. John Davault traveled to Missouri to personally give his brothers Henry and Peter their inheritance.

John Davault had married Amanda Jane Russell on September 10, 1841. It appears that shortly after they were married, John and Amanda moved across the road (Great Stage Road aka Main Street of Leesburg) to a farm called Sunny Side. Most of the land associated with the Sunny Side farm came from the original Tavern lands.² Amanda died in 1865. John married Mary Caroline "Mollie" Carmack on December 19, 1867. John lived the rest of his life on the Sunny Side farm. Molly DeVault continued to live there until her death in 1918.

¹ The following day, March 3, 1847, John Davault signed a bond pledging support for his parents as long as either shall live. It seems pretty clear that Frederick and Margaret were still living in the Tavern.

² Mary Russell (DeVault) Butcher wrote that Amanda Jane Russell owned the property where the Sunny Side house stood and built the brick house there before she was married. So far I have not found any documentary evidence to corroborate this. I think the Sunny Side house was located on Leesburg Town Lot 83. Lots 83 and 84 were part of the original Tavern Lands. There are several lots between Lots 83 and 84 and the Great Stage Road that were purchased by Frederick Davault or John Davault. So far I have not found any property in the area that was owned by Amanda or one of her relatives. (A lot more needs to be understood here. Amanda Jane Russell, who was orphaned at a very young age, did inherit some property from her father.)

On February 15, 1857, John Davault sold the DeVault Tavern and 315 acres to Giles S. Cecil³ for \$10,020.00.” About the same time John had the remaining Tavern lands surveyed. This survey estimated the farm where John lived at 108 acres.

On March 23, 1858, John Davault purchased 16 1/2 acres adjoining the north boundary of his farm from Mary A. Stephenson. Mary had purchased the property from Jonathan Barcroft on August 30, 1845.

Figure 2 shows the 1857 Giles Cecil purchase, the 1857 survey and the 1858 purchase from Mary Stephenson. Three things are worth noting. 1) There is a small two-acre parcel just to the west of the DeVault Tavern. This two-acre parcel was part of the original DeVault Tavern Lands but was not included in the transfer to Giles Cecil. Family history says that this parcel is where John Davault's son, William Bruce "Bruce" DeVault, built a house. Bruce would have only been ten years old in 1857 so this property must have initially been set aside for some other purpose. Today Ed and Betty DeVault, III live on this property. It is the only piece of the original 427 acres still in the hands of a descendant of Frederick Davault. 2) The property transferred to Giles Cecil included the Spring House. This Spring House property does not seem to have been part of the original DeVault Tavern Lands. 3) The 108-acre parcel where John DeVault lived was entirely contained in the original DeVault Tavern Lands.

On May 26, 1859, Giles S. Cecil sold the Spring House and a small amount (probably less than an acre) of surrounding land back to John Davault.

On December 12, 1865, Giles S. Cecil sold 51 acres back to John Davault. The price was \$1619.25 and was to be deducted from the amount of money then owed to John by Giles from the original purchase agreement. You will notice in **Figure 3** that there is some overlap between the 51-acre parcel John just purchased and the eastern portion of land that John already owned. I have not yet figured out this discrepancy.

On June 27, 1868, John Davault submitted a conveyance deed with the Washington County recorder's office. It is thought that this is for the remaining 266 acres still in Giles S. Cecil's possession. I suspect that this deed was never actually recorded. It may be that the following transaction was already in the works and superseded this one.

On March 13, 1869, Giles S. Cecil and John Davault transferred 266 acres to James H. Dosser. (This is the 315 acres John originally sold to Giles minus the 51 acres Giles sold back to John in 1865.) John Davault retained a note for the \$3,100.00 still owed him on the property. At this point Giles S. Cecil appears to be completely out of the picture.

On January 31, 1870, James H. Dosser sold the 266 acres to Jacob Fetter⁴. John Davault retained what we would today call a note secured by a first trust deed on the property.

³ In the 1850 Census for Leesburg, Washington County, Tennessee, on the same page as the family of John Davault, is the family of Giles and Blanche Cecil.

⁴ Jacob and Mariah/Maria (Stiver) Fetter had traveled to East Tennessee from Pennsylvania and arrived in Leesburg after the Civil War. Traveling to Tennessee with the Feters was Mariah's

Fetter owed Dosser money and Dosser owed John Davault money. **Figure 3** shows the ownership of DeVault Tavern Lands in 1870.

On January 12, 1875, an agreement was reached between John Davault, James H. Dosser and Jacob Fetter. In effect, James Dosser quit his claim on the land and is released from his liability to John Davault. Jacob Fetter retained title to the 266 acres. The money he owed James Dosser was replaced with a lien for the \$3,100 that Dosser owed John Davault. For some reason this agreement was not recorded until March 28, 1877.

On April 11, 1877, two weeks after the above agreement was recorded, Jacob Fetter sold 126 1/2 acres to John Davault. This land was part of the 266 acres that Fetter purchased from James H. Dosser. The deed contained a metes and bounds description of the land. The day following the transfer (April 12) John had the transferred property resurveyed. The resurvey differs slightly from deed's legal description and appears to be the more accurate version. This 126 1/2 acres was contained in two separated parcels connected by a two-foot-wide walkway. The northwestern parcel contained the DeVault Tavern and surrounding buildings. The southeastern parcel was identified as "Timber" lands. **Figure 4** shows this 1877 transfer.

On September 6, 1887, John Davault sold the same 126 1/2 acres he bought from Jacob Fetter to his sons, Frederick Russell "Russell" Devault and John Baker "Baker" DeVault. This 126 1/2 acres included the DeVault Tavern. It is believed that Russell and wife Blanch Etta (Sill) DeVault had been living in the Tavern since their marriage on February 4, 1880.⁵ The deed transferring the 126 1/2 acres to Russell and Baker gave the selling price at \$3,149.00. I doubt that any money actually changed hands. This was a time when John Davault was transferring his estate to his children. William Bruce "Bruce" DeVault received some cash which is thought to be \$1,500.00. John's daughter, Mary Jane (DeVault) Guerrant did not get any money at this time.

At some point Baker's interest in the 126 1/2 acre parcel transferred to Russell and Blanche. It may have happened when he died in 1894. We do not know if Baker left a will or if his estate was distributed to his siblings.

John Davault died on February 4, 1897. Dower rights to the Sunny Side property accrued to his wife, Mollie. Shortly after John's death there was some discussion regarding compensating Mollie for her dower rights so the Sunny Side lands could be sold off and the proceeds distributed to John's heirs. One of the sticking points was that John's sons Russell and Bruce had received their inheritance in 1887 and were not legally due any

niece, Blanche Etta Sill. Blanche would eventually marry John Davault's son, Frederick Russell DeVault.

⁵ While the Fettes were still living in the Tavern, Frederick Russell "Russell" DeVault, began to court Blanche Etta Sill. There is an interesting photo, taken about 1875, of the DeVault Tavern showing a number of DeVault family and friends standing around the Tavern. It was reported to be a photo taken on the occasion of Russell coming to court Blanche. From the time of their marriage, Russell and Blanche lived in the Tavern and raised their family there.

more of John's estate. Mollie seems to have wanted to exclude Russell and Bruce from any further inheritance. John's daughter Mary, on the other hand, seems to have been willing to receive \$1,500 off the top and then divide the remaining estate equally between the heirs including Russell and Bruce. It appears that some property was sold off and Mary may have gotten her \$1500.00 at that time.

In October of 1901, Frederick Russell "Russell" DeVault initiated a law suit that would allow him to purchase 49 acres from his father's estate. The main point of the case was that the heirs to John Davault's estate could not receive much benefit from the land if the land itself was divided up according to the percentages the heirs were due. What was asked by this suit was that John Davault be allowed to purchase the entire property, at \$30.00 per acre, and that these funds be divided up among the heirs according to their allocated inheritance. There was some urgency in having the court approve Russell's request as Fannie DeVault, William Bruce "Bruce" DeVault's widow, was in need of financial assistance.

There are several key points made in the law suit: 1) That John had owned 176 acres at the time of his death. (This very closely agrees with my estimate of 175 1/2 acres in John's possession after the 1887 transfer to his sons Russell and Baker DeVault.) 2) That the court had already ruled on separating part of John's estate's holdings away from his widow's dower rights. (It appears that the court separated 76 acres from John's estate leaving his widow with 100 acres and the Sunny Side house. 3) That 27 of the separated 76 acres had already been sold off. (The 1976 F.R.D. Heirs map shows that these 27 acres also came into the possession of Russell DeVault.)

Mary Caroline "Mollie" (Carmack) DeVault died on June 27, 1918. On December 10, 1918, the Sunnyside home and farm were purchased from her estate by Russell's sons, Edward Guerrant DeVault, Sr. and Samuel Paul "Paul" DeVault. The property identified in that transfer encompassed 100 acres for which Edward and Paul paid \$4,500. The money was paid to John Davault's heirs. Paul DeVault died in 1926. It is not known how his estate was distributed.

It also appears that sometime before 1918 a small piece of land in the northwest corner of the Sunnyside property was sold off. **Figure 5** shows the state of affairs in 1918.

Frederick Russell "Russell" DeVault died on March 9, 1945. It is not known if ownership of Russell's property transferred to his wife, or directly to his children. In either case, Blanche died on December 7, 1952. The DeVault Tavern property was inherited by Russell's and Blanche's two living children, Edward Guerrant DeVault, Sr. and Mary Amanda (DeVault) Roseborough. Edward purchased Mary Amanda's interest in the property and became sole owner of the DeVault Tavern and surrounding lands.

Edward Guerrant DeVault, Sr. and his wife, Martha Isabell "Mattie" (Fain) DeVault, were living in Bristol at the time of Russell's death. Living in the Tavern at the time of Russell's death were his widow, Blanche (Sill) DeVault, his grandson, Edward Guerrant DeVault Jr. and Edward Jr.'s family. Edward Jr. had worked for a time at Holston

Defense in Bristol but was now earning his living farming the Tavern lands. By this time the Tavern lands had been reduced to about 148 acres. At present we do not know the configuration of the 148 acres.

Edward Guerrant DeVault, Jr. died on 1 Sep 1963. Still living in the DeVault Tavern were his widow, Erma Estelle (Millard) DeVault and their youngest son, Edward Guerrant DeVault, III. Edward's and Erma's other son, Frederick Russell "Russell" DeVault, II, had married and moved away. The DeVault Tavern was still owned by Edward Guerrant DeVault, Sr. and his wife, Martha Isabell "Mattie" Fain.

On 20 Mar 1964, six months after his son's death, Edward Guerrant DeVault, Sr. died in Bristol. Ownership of the Tavern and adjoining lands passed to his wife, Martha Isabel "Mattie" (Fain) DeVault.

Shortly after Edward Sr.'s death, Erma (Millard) DeVault and her younger son, Edward Guerrant DeVault, III, were given ownership of the small house on two acres of land. The land was immediately west of the Tavern property and, at one time, had been part of the original Tavern lands. Family tradition says that this house was built by William Bruce "Bruce" DeVault, before he moved to Missouri. Erma and son Edward, III moved from the Tavern into this house. Edward III and his wife Betty raised their family here and still live in this house. It has been extensively restored and enlarged.⁶

Blanche's daughter, Mary Russell (DeVault) Butcher and her husband, James Nolden Butcher moved from Bristol into the Tavern. They began an extensive restoration project. Mary Butcher also did much to promote the history of the DeVault Tavern.

Martha Belle "Mattie" (Fain) DeVault died on 27 Apr 1975. At this time the Tavern lands were divided up among her living daughters. Mary Russell (DeVault) Butcher inherited the Tavern and 50 acres. Mary's sister, Jane Lochiel (DeVault) Ramsey inherited an unknown amount of land. Jane's land was sold at that time.

There is an engineering drawing dated April 30, 1976 and identified as "F. R. DeVault Heirs." It shows that most of the land north of the Great Stage Road had been sold to Jack Keys. In fact, the only parcel north of the road that was still in DeVault hands was a 17.51 acre piece identified as the "Woods Tract." This piece was eventually inherited by Frederick Russell "Russ" DeVault and Edward Guerrant DeVault, III, sons of Edward

⁶ Before his death Edward Guerrant DeVault, Jr.'s father had promised that he would inherit the DeVault Tavern and adjoining lands. (By this time the Tavern property had been reduced to about 148 acres.) This promise was documented in Edward Sr.'s will. On 20 Mar 1964, six months after Edward Jr. died, Edward Guerrant DeVault, Sr. died. After Edward Sr.'s death, his original will disappeared and in its place appeared an envelope with Edward Sr.'s signature and a short (two lines, one sentence) will leaving all his property to his widow, Mattie. Subsequent investigation showed that the signature on the envelope will was probably Edward Sr.'s but the two-line will was written by someone else. Other information also suggested that the back-of-the-envelope will was bogus. Edward Guerrant DeVault, III and his brother, Russ DeVault were granted about 34 acres of Tavern lands and the bogus will was not contested.

Guerrant DeVault, Jr. It also shows that a small parcel of land on the west side of the property had been transferred to the Washington County School District.⁷ Also, the parcel below Sugar Hollow Road⁸ that had been identified as "Timber" lands appears to have been sold off. **Figure 6** shows the state of affairs in 1976.

Mary Russell (DeVault) Butcher lived in the Tavern until the mid-1990s when she moved to Johnson City to live with her daughter, Martha (Butcher) Crowe. From that time to the present, the Tavern was essentially vacant except for a short period of time in the late 1990s when the Tavern was lived in by Mary's granddaughter, Elizabeth (Crowe) Stephens.

Mary Russell (DeVault) Butcher died on 11 Dec 2006. Ownership of the Tavern passed to her children, James Nolden Butcher, Jr. and Martha Fain (Butcher) Crowe. In September 2009 the DeVault Tavern was sold to Robert and Brooke Jones. Robert is presently restoring the Tavern. The small parcel north of the Great Stage Road where the Spring House stood was sold to the people that owned the adjoining lot.

⁷ This 51/2 acres was donated to the Washington County School Board on August 28, 1948.

⁸ This street is identified as "Lovers Lane" on the engineering drawing.

Figure 1 - Original DeVault Tavern Lands

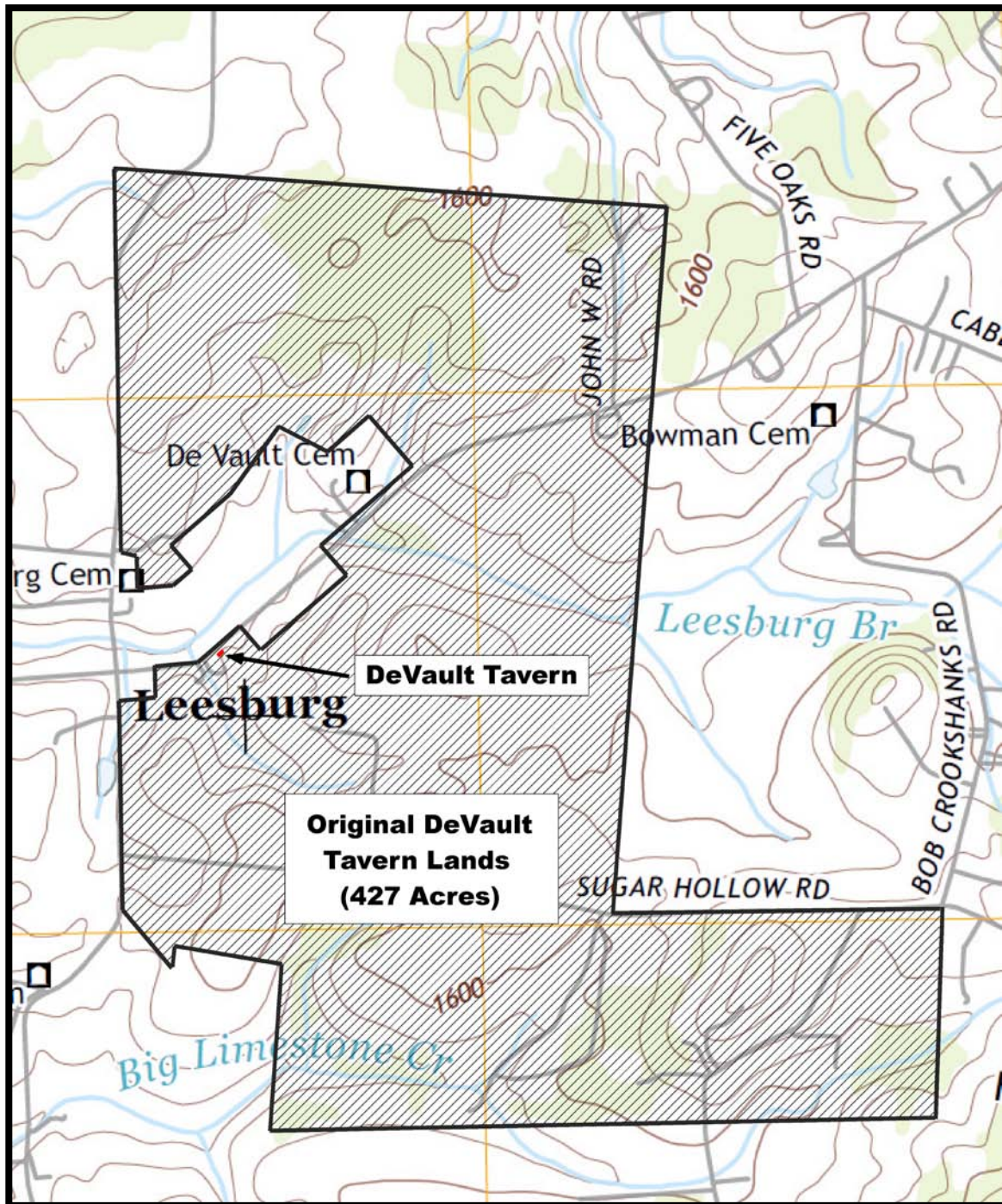


Figure 2 - 1857 Sale of 315 Acres to Cecil S. Giles

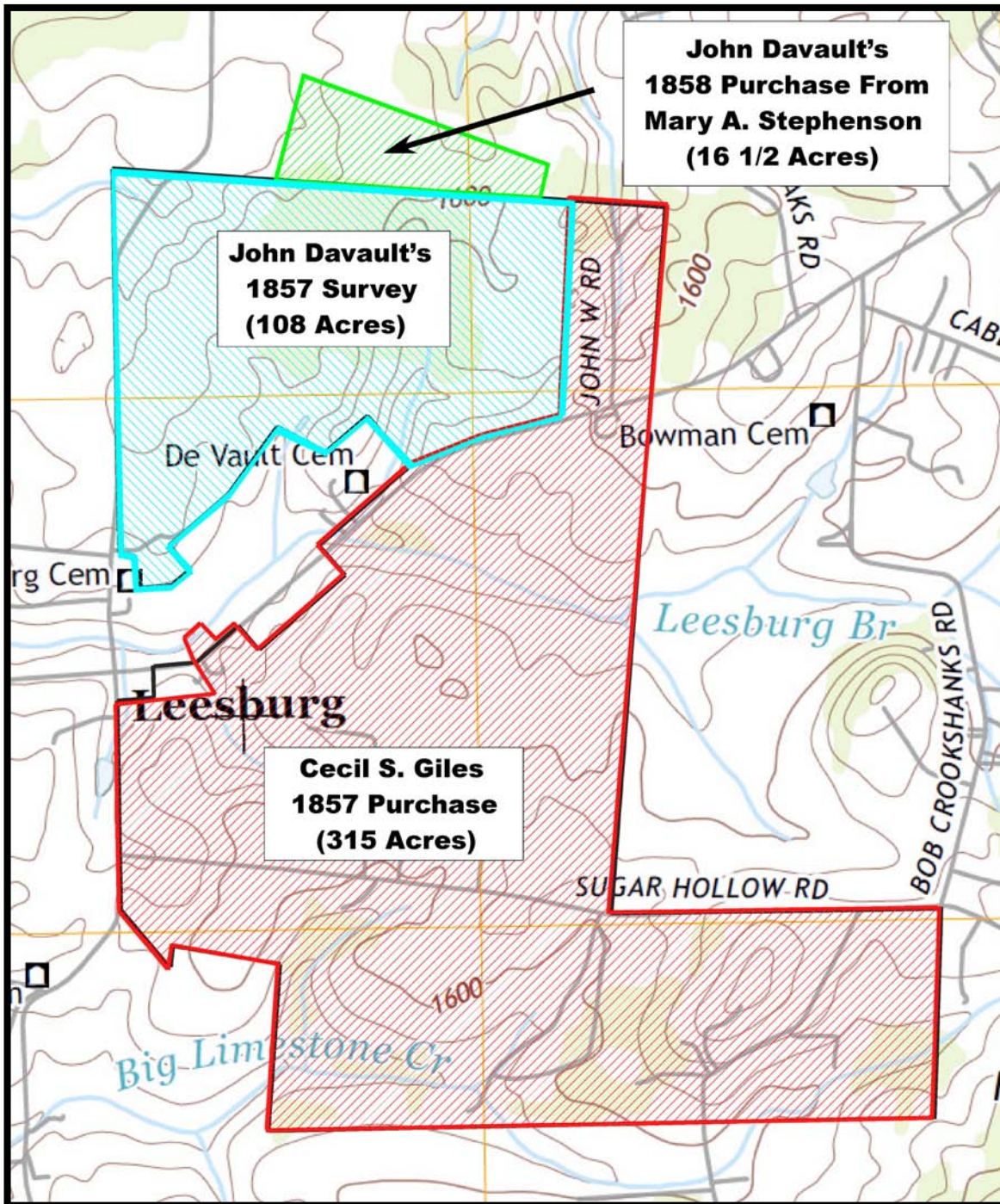


Figure 3 - Jacob Fetter's 1870 Purchase

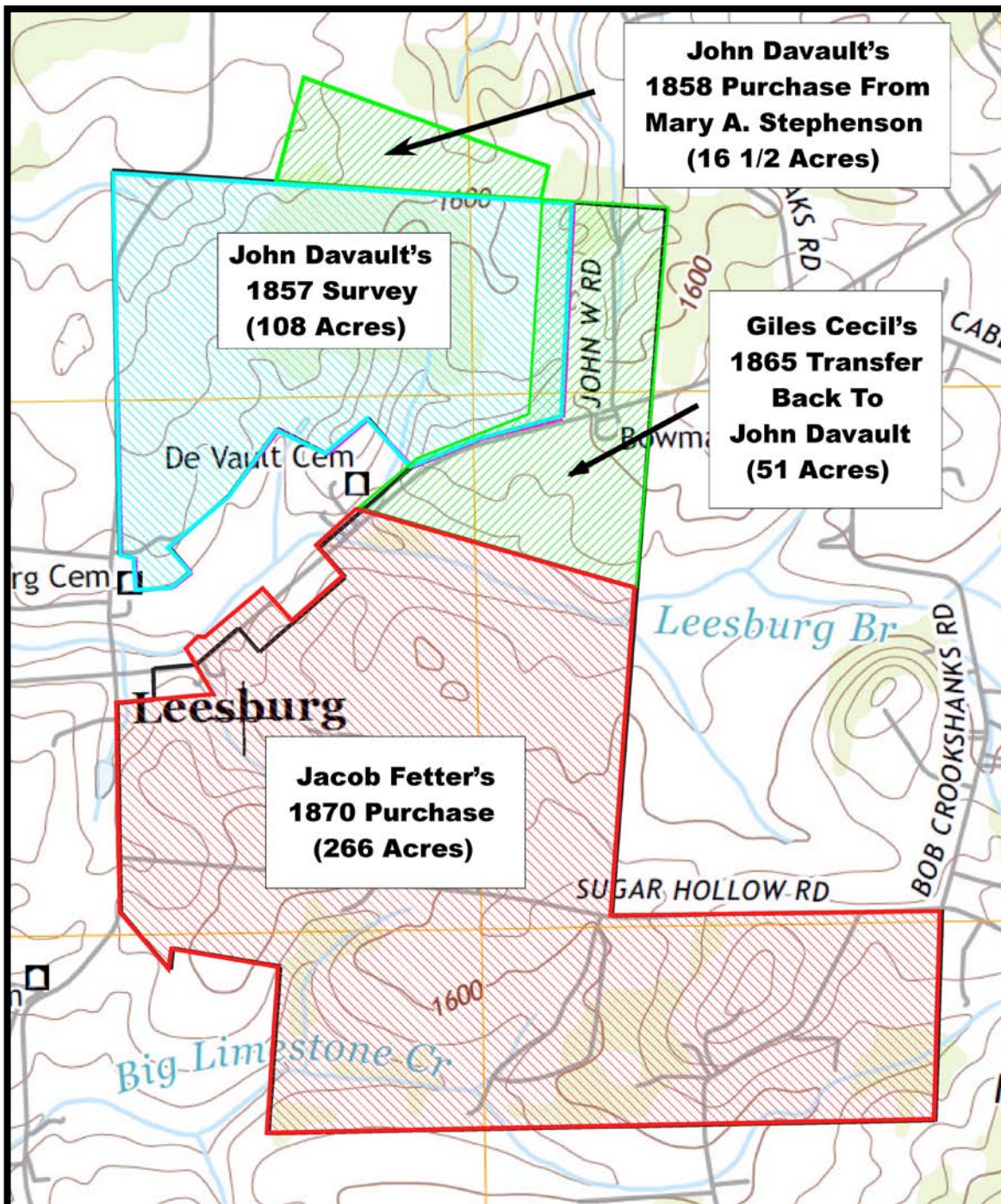


Figure 4 - 1877 Transfer of 126 1/2 acres from Jacob Fetter to John Davault

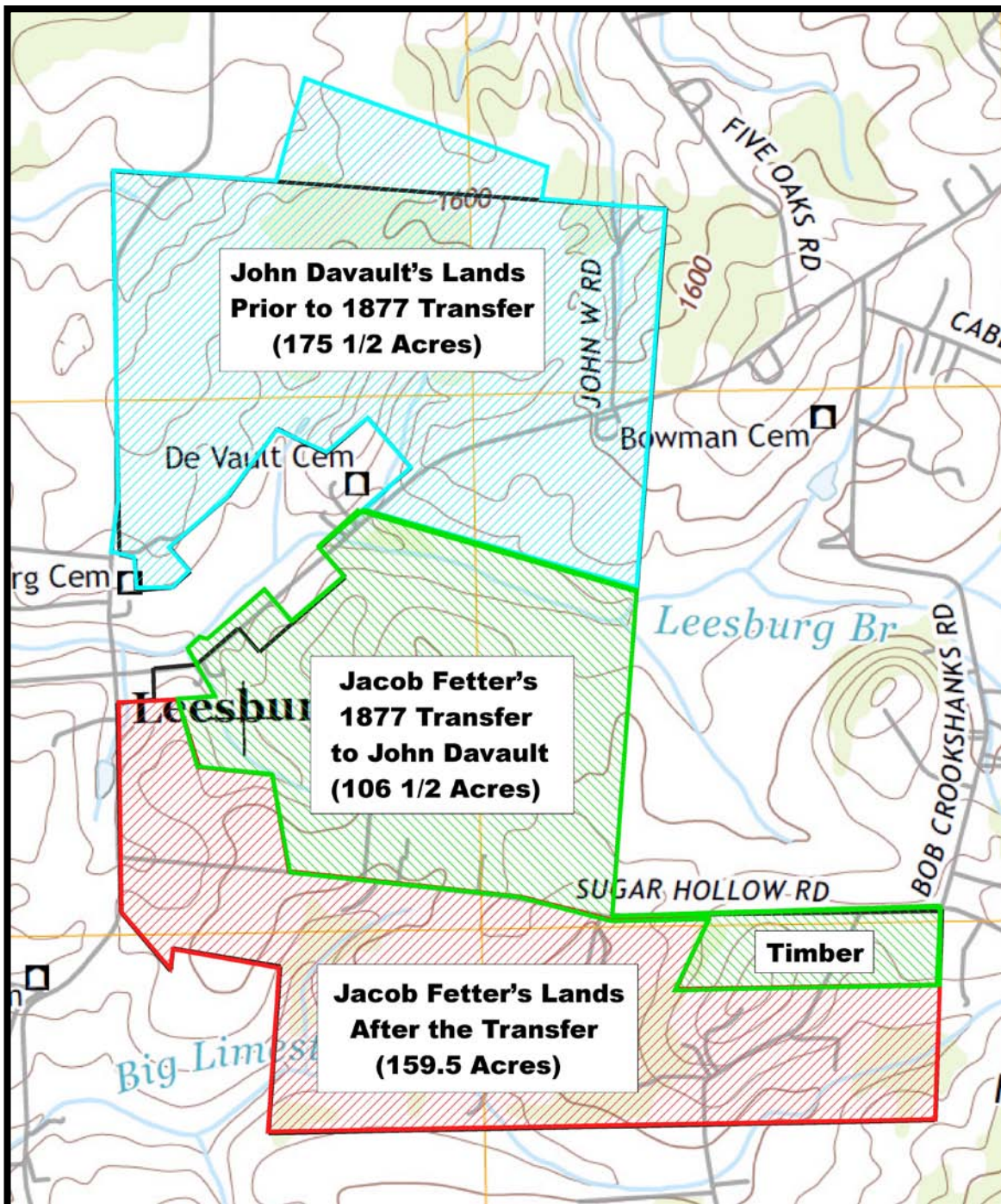


Figure 5 - 1918 Transfer to Edward and Paul DeVault

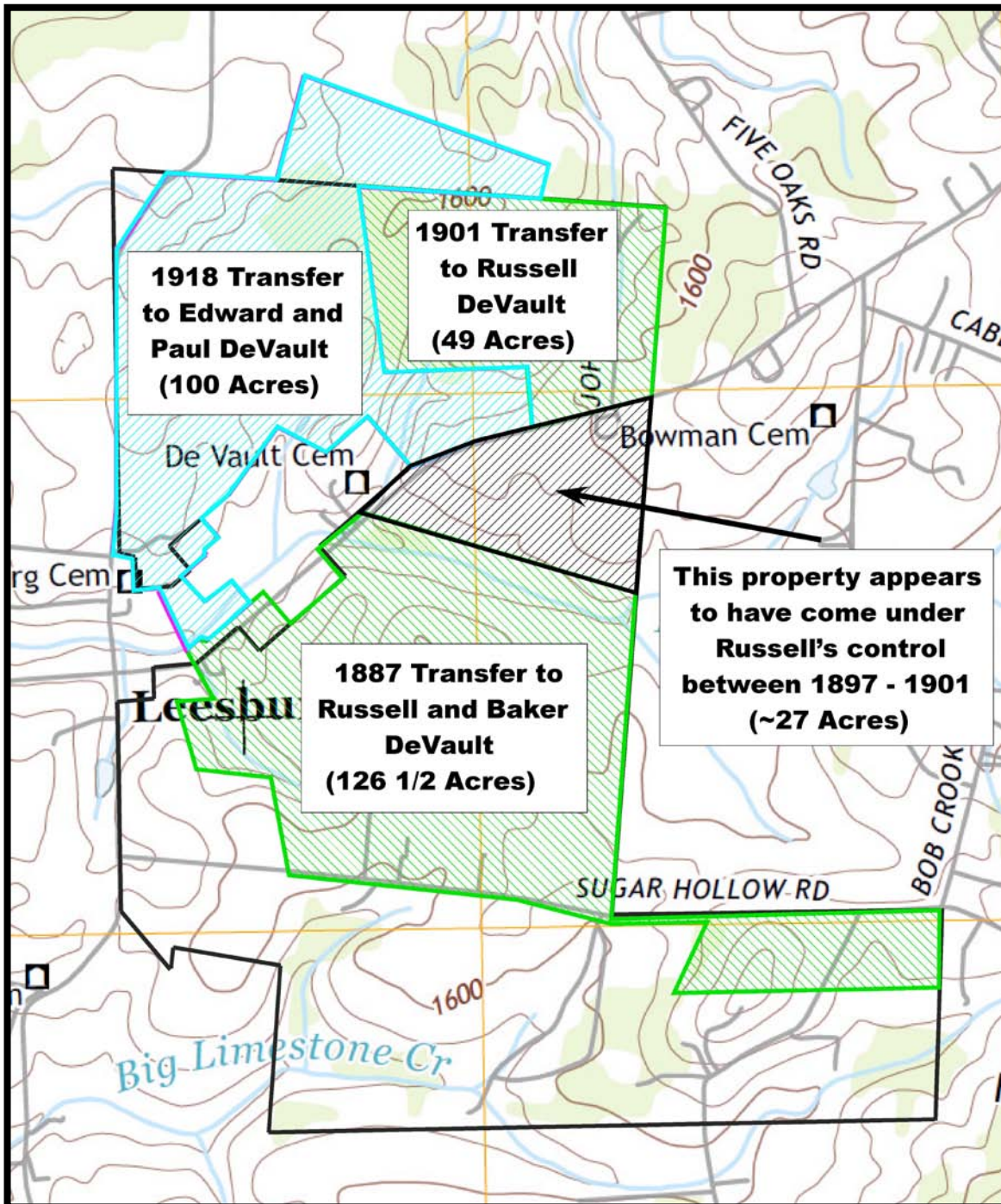


Figure 6 - Frederick Russell DeVault Heirs Drawing - 1976

