Ballard Smith — Kentucky Land Grant — Survey No. 5325 (Virginia Military Warrant No. 200; Surveyor's No. 145)

666⅔ Acres on a Branch of the North Fork of Tradewater (Crab Orchard Fork), Patented to Ballard Smith, 1802; 470 Acres off the East End Sold for Taxes, 1816–1820, and Re-Surveyed for Edmund H. Taylor

The 666⅔-acre patent to Ballard Smith was sold for taxes in five parcels off the east end (1816–1820) while standing in the name of W. Smith, representative of Ballard Smith. The five certificates of purchase passed, most through A. R. Cox, to Edmund H. Taylor, for whom the 470 acres were re-surveyed in Union County; Taylor's deed issued 25 November 1825.

Land Record Abstract and Survey Summary

Disclaimer

This report was compiled from transcribed source records. Please verify all transcribed dates, names, and citations against the original record images before relying on this report for publication.

Source Citation

Kentucky Secretary of State, Land Office, Virginia military surveys, Survey No. 5325, Ballard Smith, 666⅔ acres on a branch of the North Fork of Tradewater: Land-Office Military Warrant No. 200, 26 March 1783; survey No. 145, 9 May 1785, examined and recorded 14 June 1785; received 11 March 180[2]; recorded page 146; patent, 11 September 1802 (patent page 501); Register's and Land Office tax-sale certificates of 6 November 1816, 6 November 1817, 3 November 1818, 3 November 1819 and 7 November 1820, with Auditor's certificates and assignments, 1819–1825; re-survey of 470 acres for Edmund H. Taylor, Union County, 8 October 182[4?]; deed to Edmund H. Taylor, 25 November 1825, recorded Book 7, page 481. Digital images supplied by the Kentucky Secretary of State, Land Office. Indexed in Willard Rouse Jillson, The Kentucky Land Grants: A Systematic Index to All of the Land Grants Recorded in the State Land Office at Frankfort, Kentucky, 1782–1924, Filson Club Publications No. 33 (Louisville: Standard Printing Co., 1925; reprint, Baltimore: Genealogical Publishing Co., 1994), p. 239, as Smith, Ballard.

Abstract

On 26 March 1783 the Virginia Land Office issued Military Warrant No. 200 to Ballard Smith for 2,666⅔ acres, due for three years' service as a lieutenant of the Virginia line. On 9 May 1785 John O'Bannon, D.S., surveyed 666⅔ acres of it for Smith as survey No. 145, on a branch of the North Fork of Tradewater, with Dennis Cain, Dan[ie]l Matheney and Wm. Carney as chain carriers. The tract, 267 by 400 poles on 45-degree bearings, begins at a black oak, elm and black gum, the west corner of John T. Griffin's survey No. 180, and closes along Griffin's line from an elm and two maples, Griffin's north corner. Richard C. Anderson certified that he held the warrant and signed the survey "Examined & Recorded" on 14 June 1785. The survey was received on 11 March 180[2] and recorded on page 146, and on 11 September 1802 Governor James Garrard signed the

Kentucky patent to Ballard Smith, countersigned by Harry Toulmin, Secretary. From 1816 the tract stood in the name of W. Smith, representative of Ballard Smith, in Logan County, and in five successive years the Register sold parcels off its east end for unpaid taxes: 100 acres to George Loftus (6 November 1816), 250 acres to Thomas Beckham (6 November 1817), 20 acres to Jesse Mills (3 November 1818), 50 acres to M[ark] Hardin (3 November 1819) and 50 acres to W. B. Thomas (7 November 1820), 470 acres in all. None was redeemed. Hardin assigned his certificate directly to Edmund H. Taylor; the other four reached Taylor and A. R. Cox jointly, and Cox assigned his share of each to Taylor on 25 November 1825. On 8 October 182[4?] John Orr, D.S., surveyed the 470 acres for Taylor in Union County as the north-east 282 poles of the original tract, and a deed to Edmund H. Taylor issued on 25 November 1825, recorded in Book 7, page 481.

Survey Description

Metes and bounds as written in the surveys and confirmed against the patent. All distances are in poles.

[Survey No. 145, 9 May 1785] Surveyed for Ballard Smith 666⅔ acres of land, part of a military warrant No. 200, on a branch of the North Fork of Trade Water. Beginning at a black oak, elm and black gum, west corner to John T. Griffin's survey No. 180; running N 45 W 267 poles, crossing a branch at 200 poles and at 240 poles, to two black oaks and a dogwood; thence N 45 E 400 poles, crossing a branch at 360 poles, to three gums; S 45 E 267 poles, crossing a branch at 75 poles, to an elm and two maples, N[orth] corner to John T. Griffin; thence with his line S 45 W 400 poles to the beginning. Dennis Cain, Dan[ie]l Matheney, Wm. Carney, chain carriers. John O'Bannon, D.S., May the 9th 1785. Richard C. Anderson. (The courses close exactly; 267 × 400 poles is 667½ acres.) — [Re-survey for Edmund H. Taylor, 8 October 182[4?]] Beginning at three black gums, N.W. corner to the original survey; thence with the original line S 45 W 282 poles to three black gums and a post oak in the old line; thence South 45 E 267 poles to a black oak, post oak and dogwood in another of the original lines; thence with said line N 45 E 282 poles to a maple, N.E. corner to John T. Griffin and corner of Smith's original survey; thence with another of said lines N 45 W 267 poles to the beginning. John Orr, D.S. B[uckner?] Ash and Josiah Jackson, chain men; Andrew Martin, marker. Examined & recorded, Fielding J[ones?], County Surveyor of Union County.

Record Summary

Survey Number	5325 (Kentucky survey and grant number; docket "No. 5325")
Surveyor's Number	145 (on the plat). The earlier report read 315, which is the number of Thomas Christie's adjoining survey
Warrant	Land-Office Military Warrant No. 200, 26 March 1783 (Virginia), 2,666⅔ acres, for three years' service as a lieutenant of the Virginia line
Warrantee / Patentee	Ballard Smith
Acreage	666⅔ acres (267 by 400 poles), part of the warrant

Watercourse	A branch of the North Fork of Tradewater; "waters of the Crab Orchard Fork of Tradewater" in the 1825 re-survey
County	None named in the survey or patent; Logan County in the 1816–1820 tax sales; Union County in the re-survey
Survey Date	9 May 1785; examined and recorded 14 June 1785 (Richard C. Anderson)
Survey Received	11 March 180[2]; recorded page 146
Patent Issued	11 September 1802, James Garrard, Governor; Harry Toulmin, Secretary (patent page 501). Margin: delivered per order 8 March 180[3?]
Surveyor and Crew	John O'Bannon, D.S.; Richard C. Anderson, principal surveyor; Dennis Cain, Dan[ie]l Matheney and Wm. Carney, chain carriers
Adjoining	John T. Griffin's survey No. 180 (south-east side, "with his line"); Thomas Christie's survey No. 315 (corner only, at the east corner)
Tax Sales	Standing in the name of W. Smith, representative of Ballard Smith: 100 ac to George Loftus, 6 Nov 1816; 250 ac to Thomas Beckham, 6 Nov 1817; 20 ac to Jesse Mills, 3 Nov 1818; 50 ac to M[ark] Hardin, 3 Nov 1819; 50 ac to W. B. Thomas, 7 Nov 1820; all off the east end
Later Title	All five certificates assigned to Edmund H. Taylor (four through Taylor and A. R. Cox); 470 acres re-surveyed for Taylor, 8 Oct 182[4?]; deed issued 25 Nov 1825, recorded Book 7, page 481

Chronology

26 March 1783	Land-Office Military Warrant No. 200 issued to Ballard Smith for 2,666⅔ acres
9 May 1785	Survey No. 145, 666⅔ acres, by John O'Bannon, D.S. The same crew surveyed Griffin's No. 180 the same day and Christie's No. 315 the next
14 June 1785	Richard C. Anderson certifies that he holds the warrant; survey examined and recorded
11 March 180[2]	Survey received; recorded page 146
11 September 1802	Patent to Ballard Smith, Governor James Garrard; Harry Toulmin, Secretary

8 March 180[3?]	Patent delivered per order (margin note)
6 November 1816	666⅔ acres (W. Smith, representative of Ballard Smith, Logan County) exposed to sale for taxes; George Loftus buys 100 acres off the east end; W. M. Foster, Register
6 November 1817	566⅔ acres exposed for the 1816 tax; Thomas Beckham buys 250 acres off the east end (the re-survey gives 5 November)
3 November 1818	316⅔ acres exposed for the 1817 tax; Jesse Mills buys 20 acres off the east end
16 July 1819	At Frankfort, Thomas Beckham consigns his certificate to John H. Dunn
3 November 1819	296⅔ acres exposed for the 1818 tax; M[ark] Hardin buys 50 acres off the east end; John M. Foster, Register
6 November 1819	Auditor (Jno. Madison; Edmd. H. Taylor, Clk.) certifies Beckham's tract not redeemed
3 January 1820	J. H. Dunn assigns the Beckham certificate to J. Battye
21 March 1820	Jno. Battye assigns it without recourse to E. H. Taylor and A. R. Cox
7 November 1820	246⅔ acres exposed for the 1819 tax; W. B. Thomas buys 50 acres off the east end. Same day, Auditor (Porter Clay; Edmd. H. Taylor, Clk.) certifies Mills's tract not redeemed
2 December 1821	George Loftus assigns his certificate to E. H. Taylor and A. R. Cox
24–25 November 182[1]	M. Hardin assigns his certificate to E. H. Taylor; Auditor (Thos. S. Page, Clk., for P. Clay) certifies not redeemed, 25 November 1821
3 December 1822	Auditor (P. Clay, by Thos. S. Page) certifies Thomas's tract not redeemed; W. B. Thomas assigns to E. H. Taylor and A. R. Cox, 7 November 182[2]
8 October 182[4?]	470 acres re-surveyed for Edmund H. Taylor in Union County by John Orr, D.S.
25 November 1825	A. R. Cox assigns his interest in the Loftus, Beckham, Mills and Thomas certificates to E. H. Taylor; deed issued to Edmund H. Taylor, recorded Book 7, page 481

Persons Named in the Record

Ballard Smith	Lieutenant, Virginia line; warrantee and patentee

W. Smith	"Rep[resentati]ve of Ballard Smith," owner of record at every tax sale, 1816–1820
John T. Griffin	Adjoining owner (survey No. 180, KLG 3551)
Thomas Christie	Adjoining owner at the east corner (survey No. 315, KLG 1120)
John O'Bannon	Deputy surveyor
Richard C. Anderson	Principal surveyor; examined and recorded the survey
Dennis Cain; Dan[ie]l Matheney; Wm. Carney	Chain carriers
James Garrard	Governor; signed the patent
Harry Toulmin	Secretary; countersigned the patent
George Loftus	Bought 100 acres, 1816; assigned to Taylor and Cox, 1821
Thomas Beckham	Bought 250 acres, 1817; consigned his certificate to John H. Dunn, 1819
John H. Dunn	Assignee of Beckham; assigned to J. Battye, 1820
Jno. Battye	Assigned the Beckham certificate to Taylor and Cox, 21 March 1820
Jesse Mills	Bought 20 acres, 1818; assigned to Taylor and Cox
M[ark] Hardin	Bought 50 acres, 1819 ("M Hardin" on the certificate; "Mark Hardin" in the re-survey); assigned to Taylor
W. B. Thomas	Bought 50 acres, 1820 ("W[eston?] B. Thomas" in the re-survey); assigned to Taylor and Cox
A. R. Cox	Joint assignee with Taylor of four certificates; assigned his share to Taylor, 25 November 1825
Edmund H. Taylor	Assignee of all five certificates; grantee of the 470 acres, 1825. Also signs as clerk beside the Auditor on the 1819 and 1820 certificates
W. M. Foster; John M. Foster	Register of the Land Office on the tax-sale certificates
Jno. Madison; Porter Clay (P. Clay)	Auditors
Thos. S. Page	Clerk for Auditor P. Clay, 1821–1822
John Orr	Deputy surveyor, 1825 re-survey
B[uckner?] Ash; Josiah Jackson	Chain men, re-survey

Andrew Martin	Marker, re-survey
Fielding J[ones?]	County Surveyor of Union County

Land Description

666⅔ acres on a branch of the North Fork of Tradewater: a rectangle of 267 by 400 poles lying north-west of John T. Griffin's survey No. 180, whose north-west side it shares, with its east corner at Griffin's north corner and the west corner of Thomas Christie's survey No. 315. Taylor's 470 acres are the north-east 282 poles of the tract, against Griffin's north corner; the remaining 196⅔ acres at the south-west end are not accounted for in this file.

Research Notes

The survey number. This record is Kentucky survey No. 5325 (the docket and archival stamps read 5325). The plat is numbered "No. 145," and Thomas Christie's adjoining survey calls "Ballard Smith's survey No. 145" at the same corner, an elm and two maples. Warrant No. 200 is the military warrant. The earlier report read the plat number as 315, which is Christie's survey number, and built a false "duplicate No. 315" note on it.

Where it lies. The survey begins at the west corner of John T. Griffin's No. 180 and closes "with his line" from Griffin's north corner, an elm and two maples, so Smith lies directly north-west of Griffin, sharing Griffin's 400-pole north-west side. The same elm and two maples is the west corner of Christie's No. 315, which Christie calls the east corner of Smith's No. 145; Smith and Christie meet only at that corner. The survey was made on 9 May 1785 by the crew that surveyed Griffin's and Curry's tracts the same day and Christie's the next. The survey reads "with his line"; the earlier report had "her."

The representative. Every tax-sale certificate names the owner as "W. Smith, Rep[resentati]ve of Ballard Smith." This suggests Ballard Smith had died by 1816 but does not prove it, and W. Smith's full name and relationship are not given.

The tax sales. Each certificate exposes the remaining acreage (666⅔, 566⅔, 316⅔, 296⅔ and 246⅔ acres) and records a purchase off the east end, totaling 470 acres. The tax year is the year before each sale. The re-survey dates Beckham's purchase 5 November 1817; his certificate is dated the 6th.

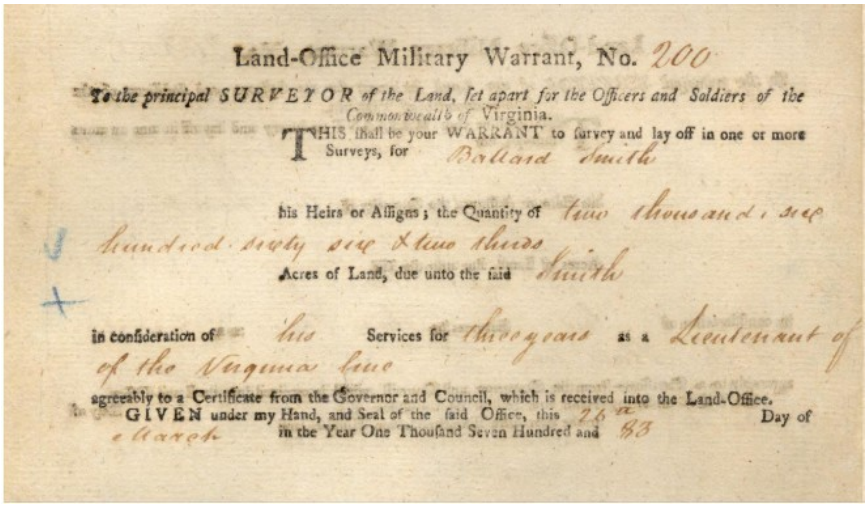
The assignments. Beckham's certificate carries his own signature, "Thos. Beckham," consigning it at Frankfort on 16 July 1819 to John H. Dunn, so the earlier report's tentative attribution is confirmed. Hardin alone assigned directly to Taylor. On the other four, Taylor and A. R. Cox held jointly until Cox assigned to Taylor on 25 November 1825, the day the deed issued. Edmund H. Taylor also signs as clerk beside the Auditor on the 1819 and 1820 certificates.

The re-survey. John Orr surveyed the 470 acres in Union County, "being so much of a survey of 666⅔ acres in the name of Ballard Smith, military, on the waters of the Crab Orchard fork of Tradewater," beginning at three black gums, which he calls the N.W. corner of the original survey (Smith's three gums), and ending at a maple, N.E. corner to Griffin. The year of the date is written over and reads 1824 or 1825.

Corrections to the earlier report. Plat number 145, not 315. Survey received 11 March 180[2], not 1793. The first line also crosses a branch at 240 poles. Mills bought on 3 November 1818, not the 8th. Hardin's assignment is dated 24 November 182[1], not the 29th. Porter Clay's 7 November 1820 certificate is on Mills's certificate, not Hardin's. The 6 November 1819 certificate is on Beckham's, not Loftus's. The representative is W. Smith throughout. Taylor's deed is recorded in Book 7, page 481, not Book P (the survey back also reads "7/481").

Images. These are low-resolution screenshots; readings marked [?] are uncertain.

Images / Appendix



Land-Office Military Warrant, No. 200

To the principal SURVEYOR of the Land, set apart for the Officers and Soldiers of the Commonwealth of Virginia.

THIS shall be your WARRANT to survey and lay off in one or more Surveys, for Ballard Smith

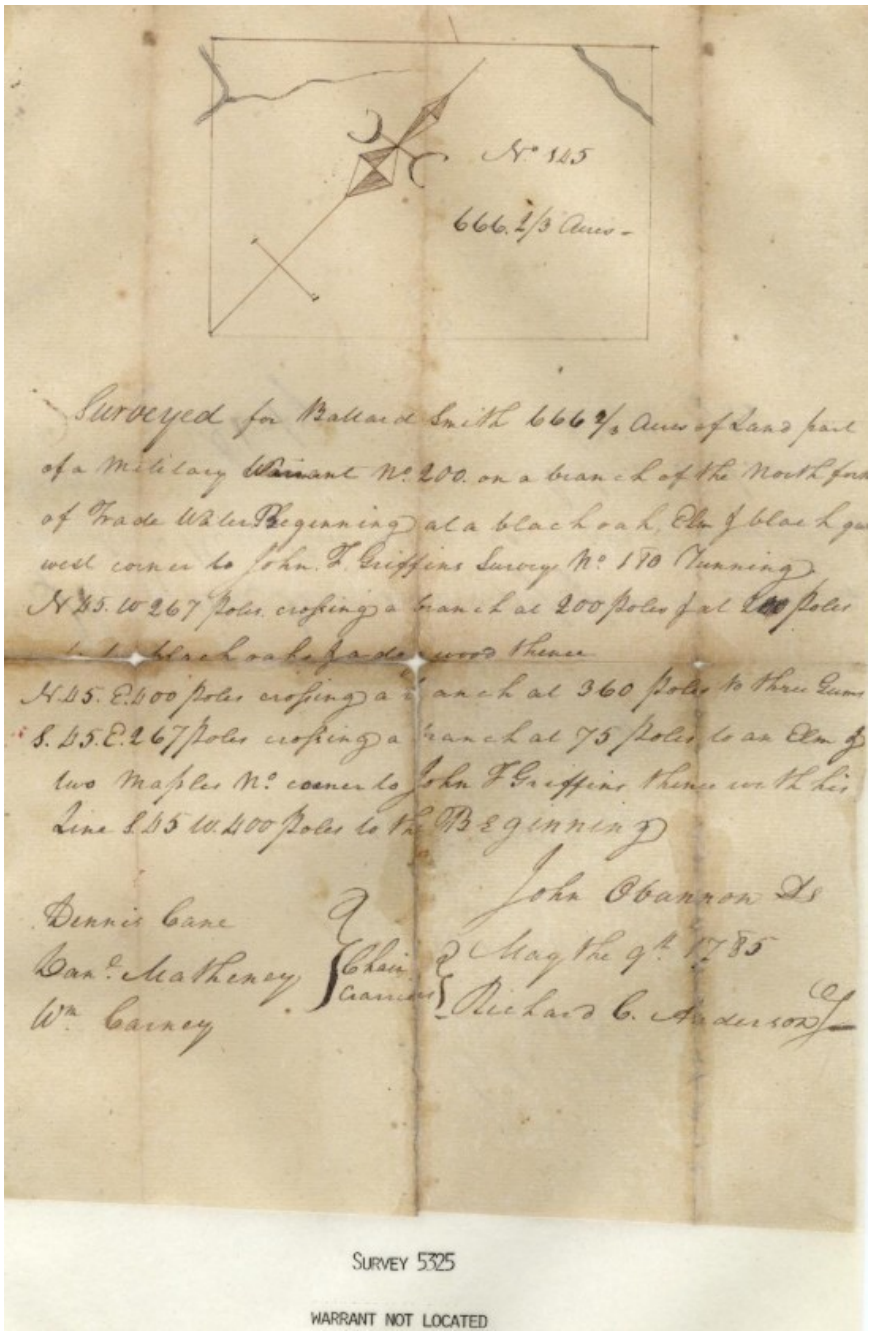
his Heirs or Assigns; the Quantity of two thousand, six hundred sixty six & two thirds Acres of Land, due unto the said Smith

in consideration of his Services for three years as a Lieutenant of of the Virginia line

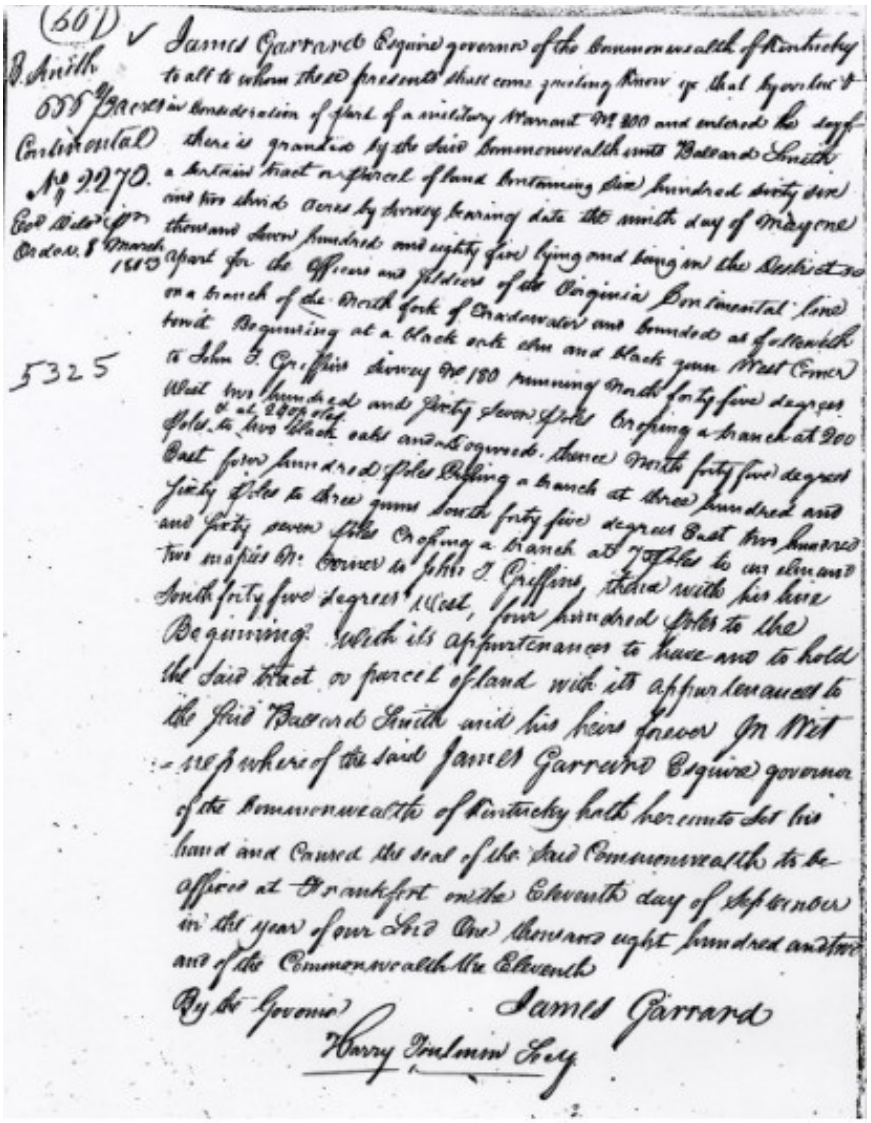
agreeably to a Certificate from the Governor and Council, which is received into the Land-Office.

GIVEN under my Hand, and Seal of the said Office, this 26th Day of March in the Year One Thousand Seven Hundred and 83

Appendix Image 1. Virginia Land-Office Military Warrant No. 200, for Ballard Smith, 2,666⅔ acres, 26 March 1783.



Appendix Image 2. Survey No. 145 for Ballard Smith, 666⅔ acres, 9 May 1785, with plat; John O'Bannon, D.S.; Richard C. Anderson.

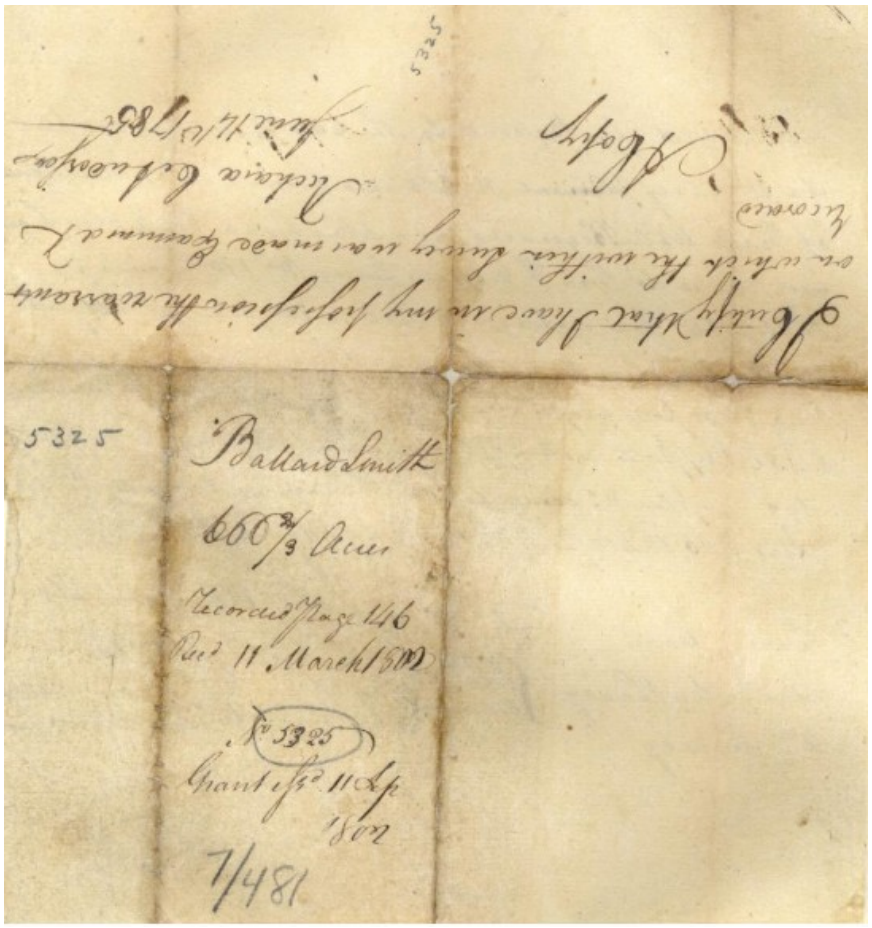


(667) ✓ James Garrard Esquire governor of the Commonwealth of Kentucky
B. Smith to all to whom these presents shall come greeting Know ye that by virtue &
666⅔ acres in consideration of part of a military Warrant No 200 and entered the sixty
Continental there is granted by the said Commonwealth unto Ballard Smith
No 2270. a certain tract or parcel of land containing six hundred sixty six
Ecd Dec 1st and two third acres by survey bearing date the ninth day of May one
Ordered 8 March thousand seven hundred and eighty five lying and being in the District so
1813 apart for the Officers and Soldiers of the Virginia Continental line
on a branch of the North fork of Cradewater and bounded as follows
to wit Beginning at a black oak elm and black gum West Corner
5325 to John T. Griffins Survey No 180 running North forty five degrees
West two hundred and sixty seven poles Crossing a branch at 200
poles & at 240 poles to two black oaks and a Dogwood. thence North forty five degrees
East four hundred poles Crossing a branch at three hundred and
sixty poles to three gums South forty five degrees East two hundred
and sixty seven poles Crossing a branch at 70 poles to an elm and
two maples N. Corner to John T. Griffins, thence with his line
South forty five degrees West, four hundred poles to the
Beginning. With its appurtenances to have and to hold
the said tract or parcel of land with its appurtenances to
the said Ballard Smith and his heirs forever In Wit-
-ness where of the said James Garrard Esquire governor
of the Commonwealth of Kentucky hath hereunto set his
hand and caused the seal of the said Commonwealth to be
affixed at Frankfort on the Eleventh day of September
in the year of our Lord One thousand eight hundred and two
and of the Commonwealth the Eleventh

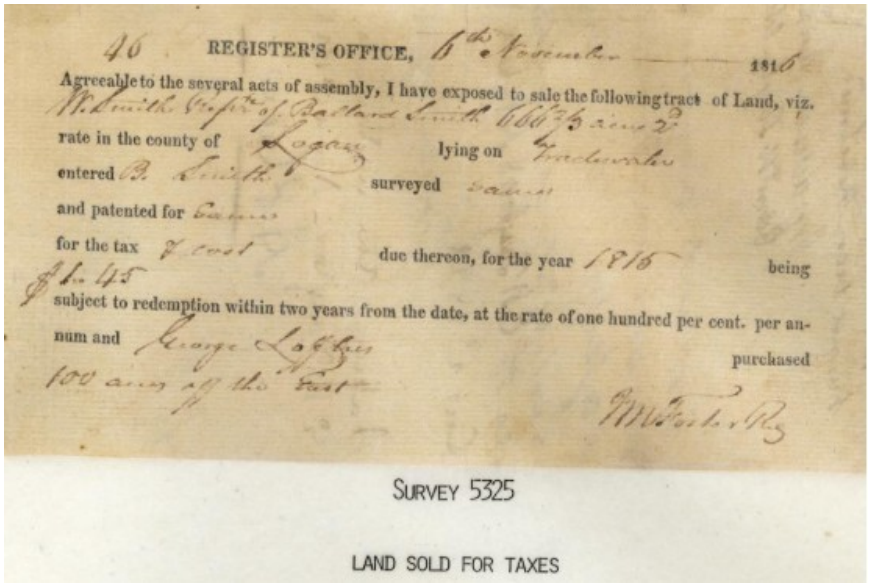
By the Governor James Garrard

Harry Toulmin Secy

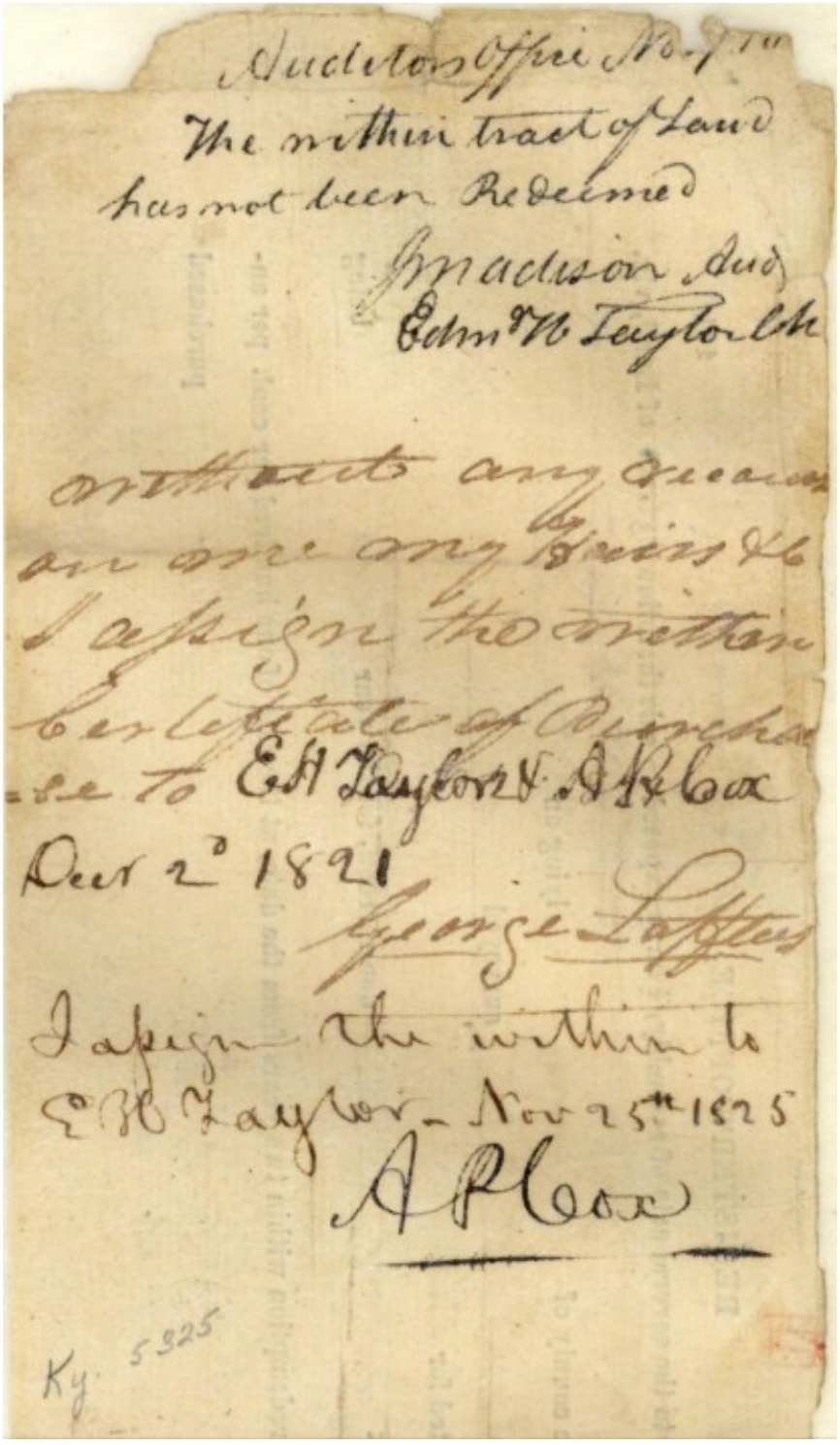
Appendix Image 3. Patent to Ballard Smith, 666⅔ acres, 11 September 1802 (patent page 501); James Garrard, Governor; Harry Toulmin, Secretary.



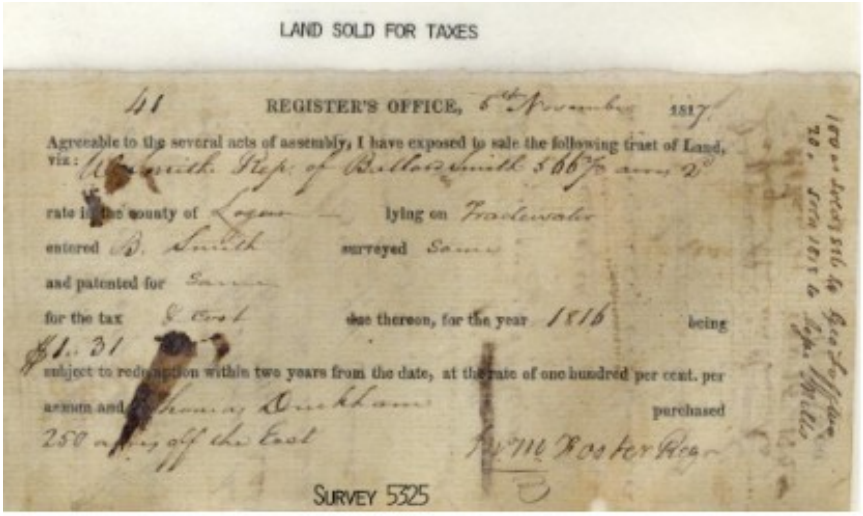
Appendix Image 4. Survey — back: Anderson's certificate, 14 June 1785; docket "Ballard Smith, 666⅔ Acres, Recorded Page 146, Rec'd 11 March 180[2], No. 5325, Grant iss'd 11 Sep 1802," and "7/481."



Appendix Image 5. Register's Office certificate, 6 November 1816: 100 acres to George Loftus.



Appendix Image 6. Loftus certificate — back: not redeemed (Madison, Aud.; Edmd. H. Taylor, Clk.); Loftus to Taylor and Cox, 2 December 1821; Cox to Taylor, 25 November 1825.



LAND SOLD FOR TAXES

41 REGISTER'S OFFICE, 6th November 1817

Agreeable to the several acts of assembly, I have exposed to sale the following tract of Land, viz: W. Smith Rep. of Ballard Smith 566 ¾ acres 2d

rate in the county of Logan lying on Tradewater

entered B. Smith surveyed Same

and patented for Same

for the tax & Cost due thereon, for the year 1816 being

$1.31

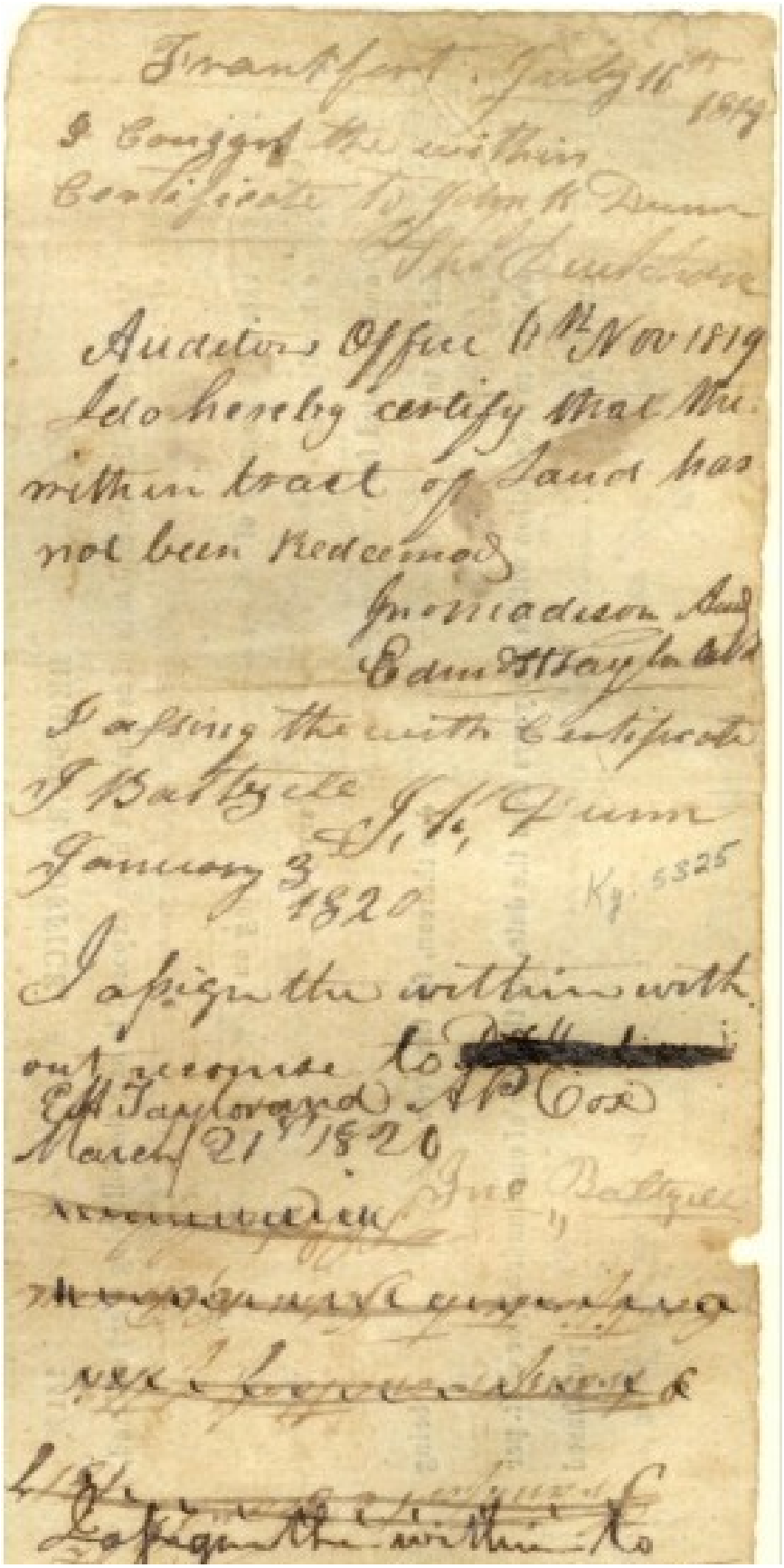
subject to redemption within two years from the date, at the rate of one hundred per cent. per annum and Thomas Beckham purchased

250 acres off the East

Wm M Foster Regr

SURVEY 5325

Appendix Image 7. Register's Office certificate, 6 November 1817: 250 acres to Thomas Beckham.



Frankfort. July 16th 1819

I Consign the within Certificate to John K Dunn

Thos Buckner

Auditors Office 6th Nov 1819

I do hereby certify that the within tract of Land has not been Redeemed

Jno Madison Aud

Edmd H Taylor Ad

I assing the with Certificate

J Battzell J. K. Dunn

January 3 1820

Ky. 5325

I assign the within without recourse to [redacted]

E H Taylor and A P Cox

March 21st 1820

Jno Battzell

[illegible]

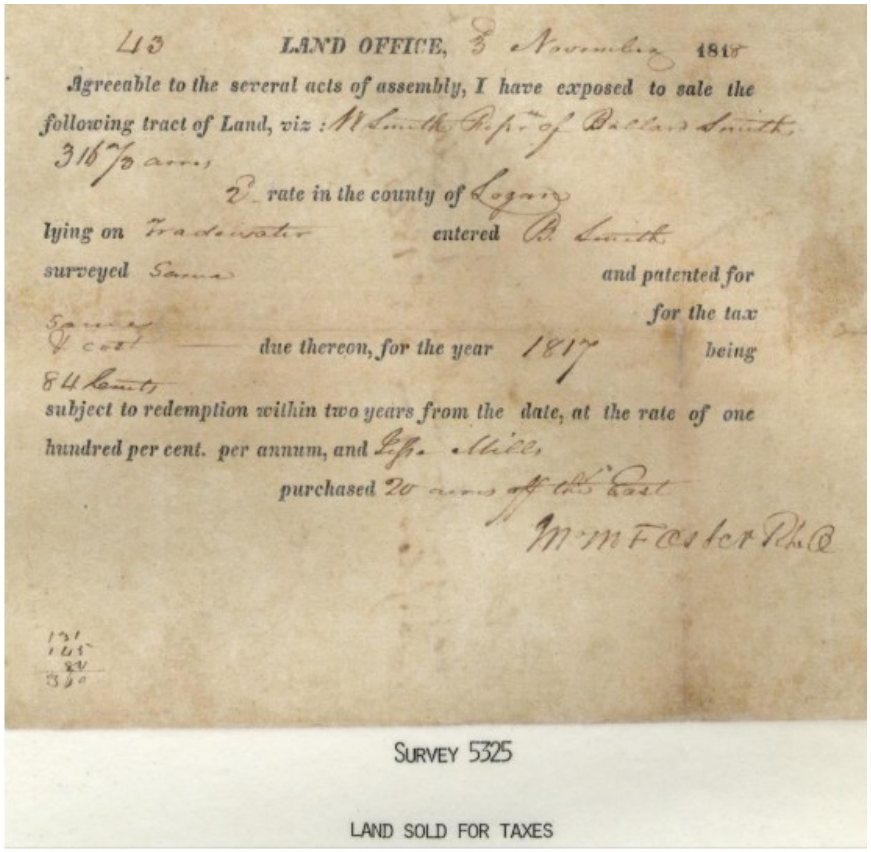
[illegible]

[illegible]

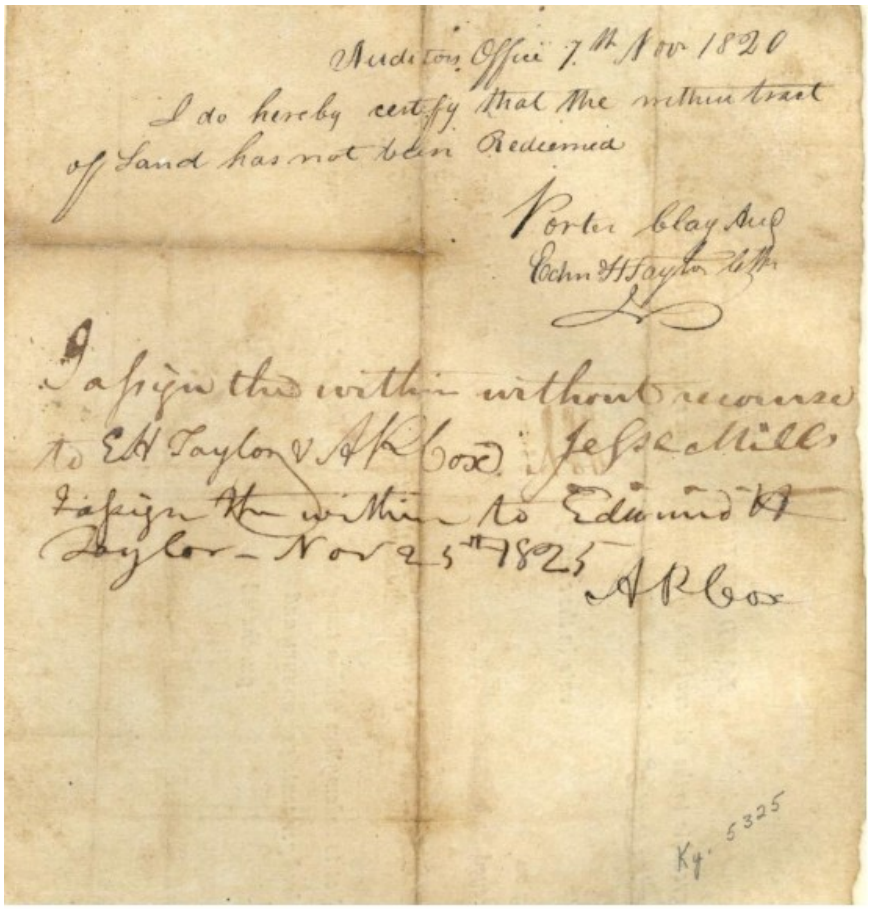
[illegible]

I assign the within to

Appendix Image 8. Beckham certificate — back: Beckham to John H. Dunn, 16 July 1819; not redeemed, 6 November 1819; Dunn to J. Battye, 3 January 1820; Battye to Taylor and Cox, 21 March 1820; Cox to Taylor, 25 November 1825.



Appendix Image 9. Land Office certificate, 3 November 1818: 20 acres to Jesse Mills.

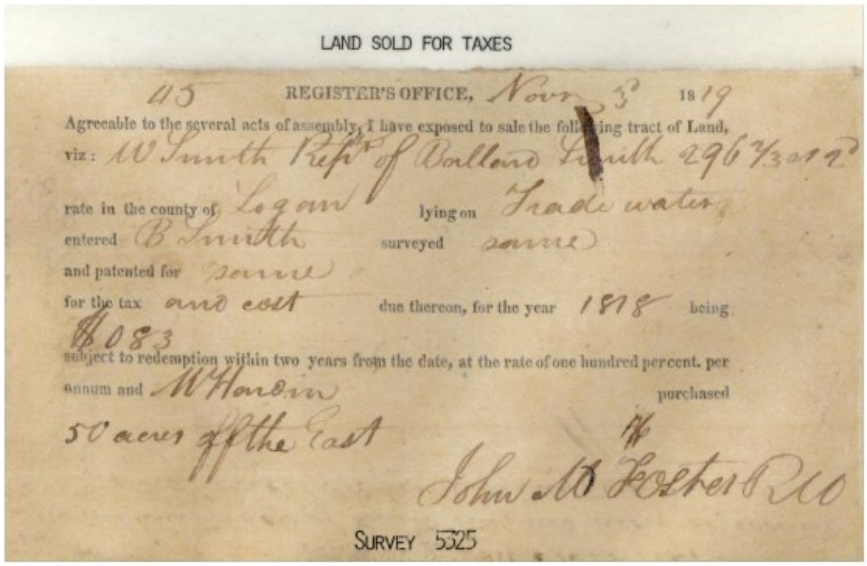


Auditors Office 7th Nov 1820
I do hereby certify that the within tract of Land has not been Redeemed
Porter Clay Aud
Edm H Taylor Cl

I assign the within without recourse to E H Taylor & A R Cox. Jesse Mills
I assign the within to Edmund H Taylor – Nov 25th 1825
A R Cox

Ky. 5325

Appendix Image 10. Mills certificate — back: not redeemed, 7 November 1820 (Porter Clay, Aud.); Mills to Taylor and Cox; Cox to Taylor, 25 November 1825.



LAND SOLD FOR TAXES

45 REGISTER'S OFFICE, Novr 3d 1819

Agreeable to the several acts of assembly, I have exposed to sale the following tract of Land, viz: W Smith Repr of Ballard Smith 296 2/3 or 2d rate in the county of Logan lying on Trade water entered B Smith surveyed same and patented for same for the tax and cost due thereon, for the year 1818 being $083 subject to redemption within two years from the date, at the rate of one hundred per cent. per annum and M Hardin purchased 50 acres off the East

John M Foster R.C.

SURVEY 5325

Appendix Image 11. Register's Office certificate, 3 November 1819: 50 acres to M. Hardin.

I assign my right acquired by the within purchase to E. H. Taylor.

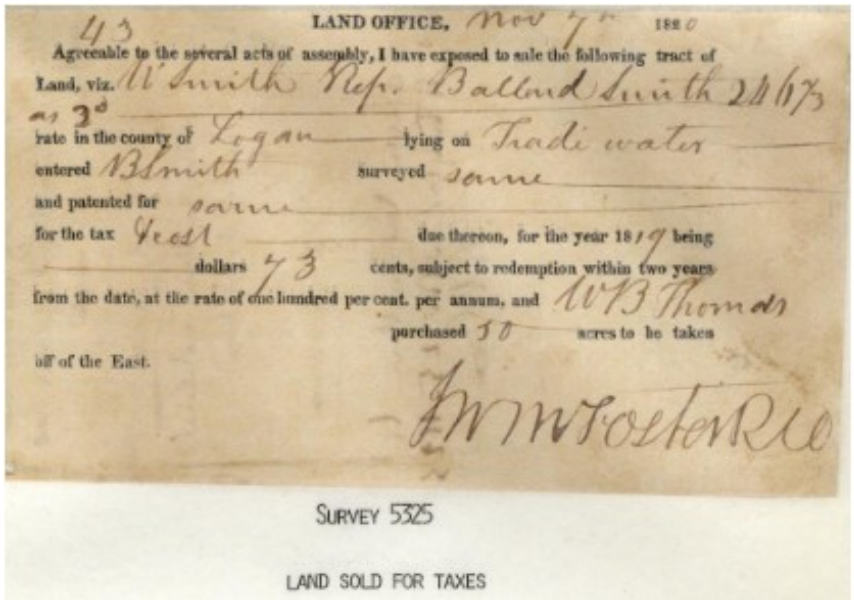
M. Hardin
29th Nov 1823

Aud. Off 2150 Nov 1821
The within tract of Land has not been redeemed
Thos. S. Page Clk for Pelayaud

Ky. 5325

210

Appendix Image 12. Hardin certificate — back: Hardin to E. H. Taylor, 24 November 182[1]; not redeemed, 25 November 1821.



43 LAND OFFICE, Nov 7th 1820

Agreeable to the several acts of assembly, I have exposed to sale the following tract of Land, viz. W Smith Rep. Ballard Smith 24 6/3 as 3d

rate in the county of Logan lying on Trade water

entered B Smith surveyed same

and patented for same

for the tax Yeast due thereon, for the year 1819 being

dollars 73 cents, subject to redemption within two years

from the date, at the rate of one hundred per cent. per annum, and W B Thomas

purchased 50 acres to be taken

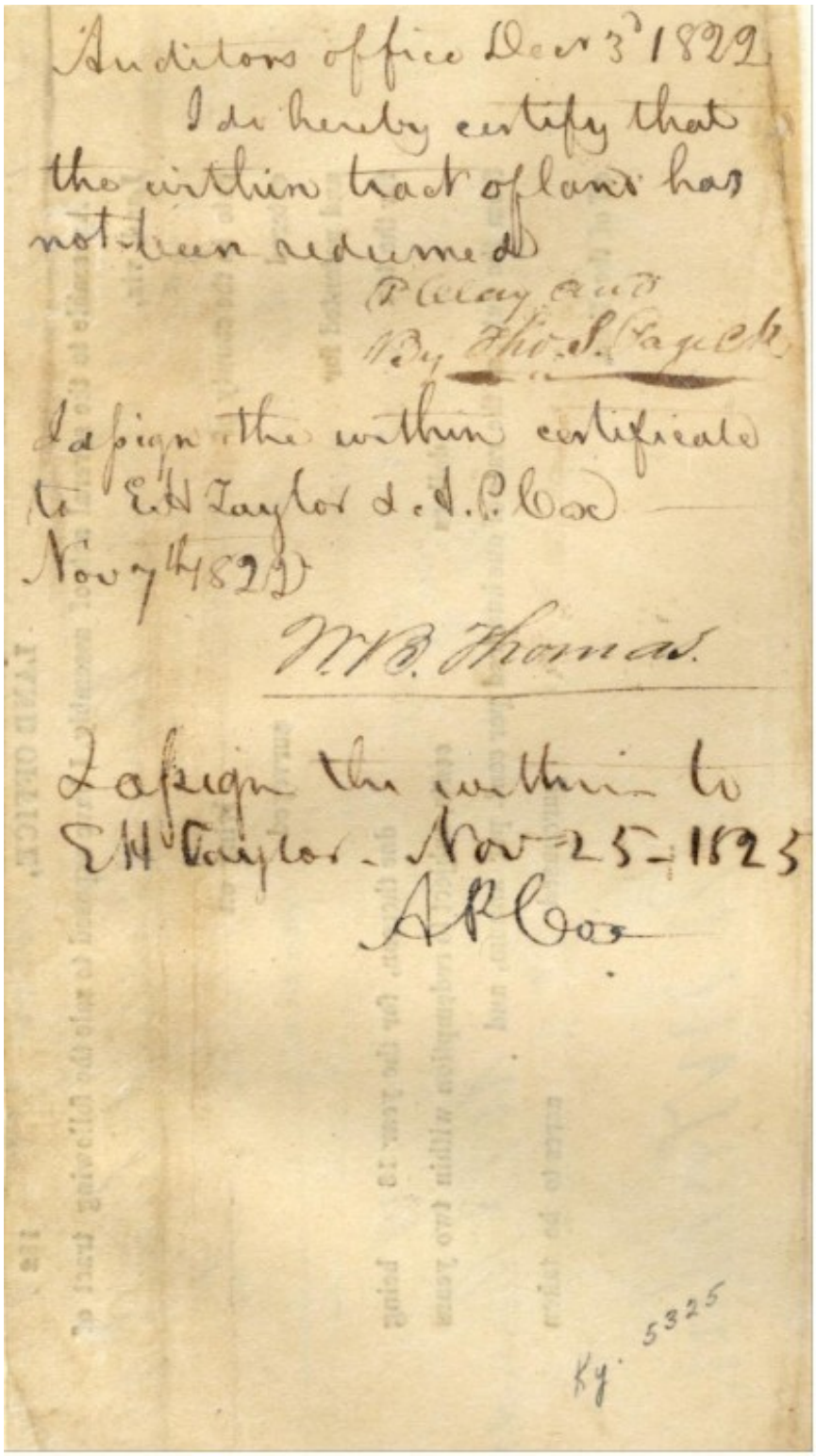
off of the East.

[illegible]

SURVEY 5325

LAND SOLD FOR TAXES

Appendix Image 13. Land Office certificate, 7 November 1820: 50 acres to W. B. Thomas.



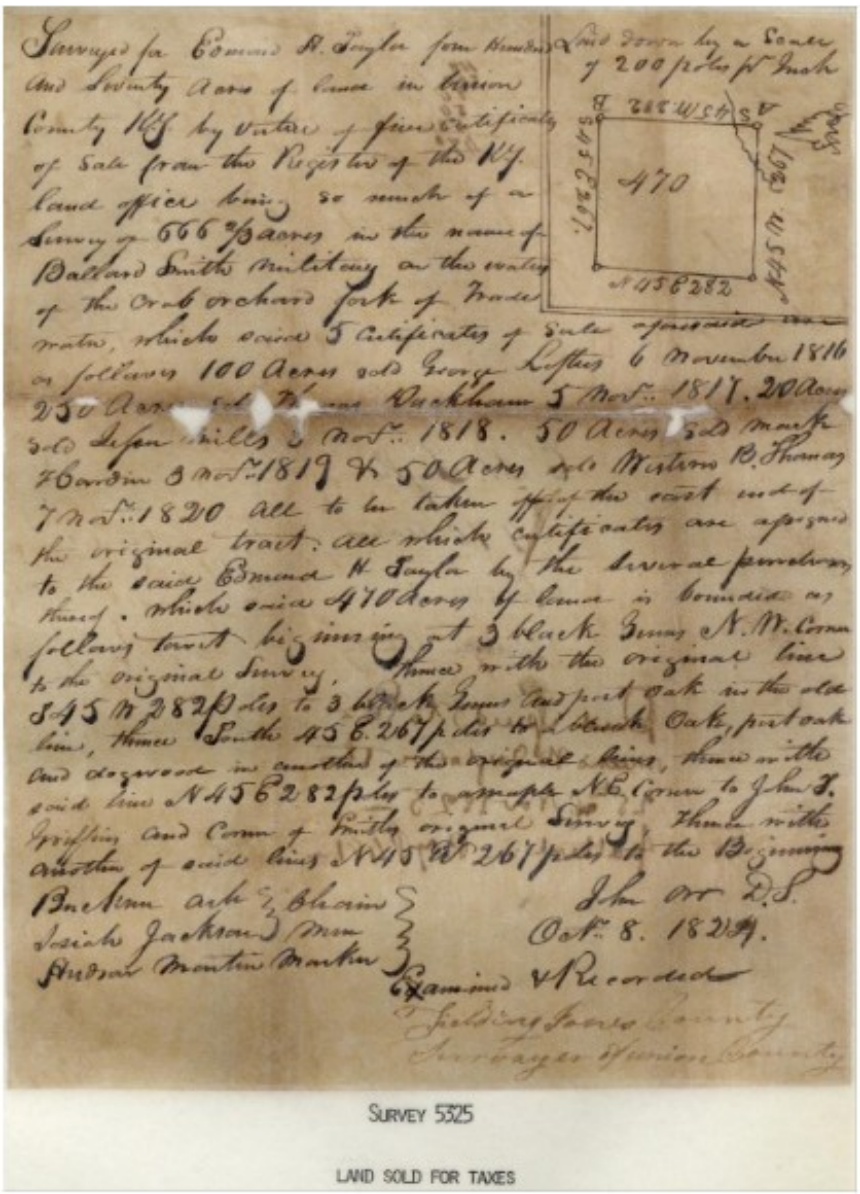
Auditors office Decr 3d 1822
I do hereby certify that the within tract of land has not been redeemed
P. Clay and
By Tho. S. Page Ck

I assign the within certificate to E.H. Taylor & A.P. Cox
Nov 7th 1822
N.B. Thomas

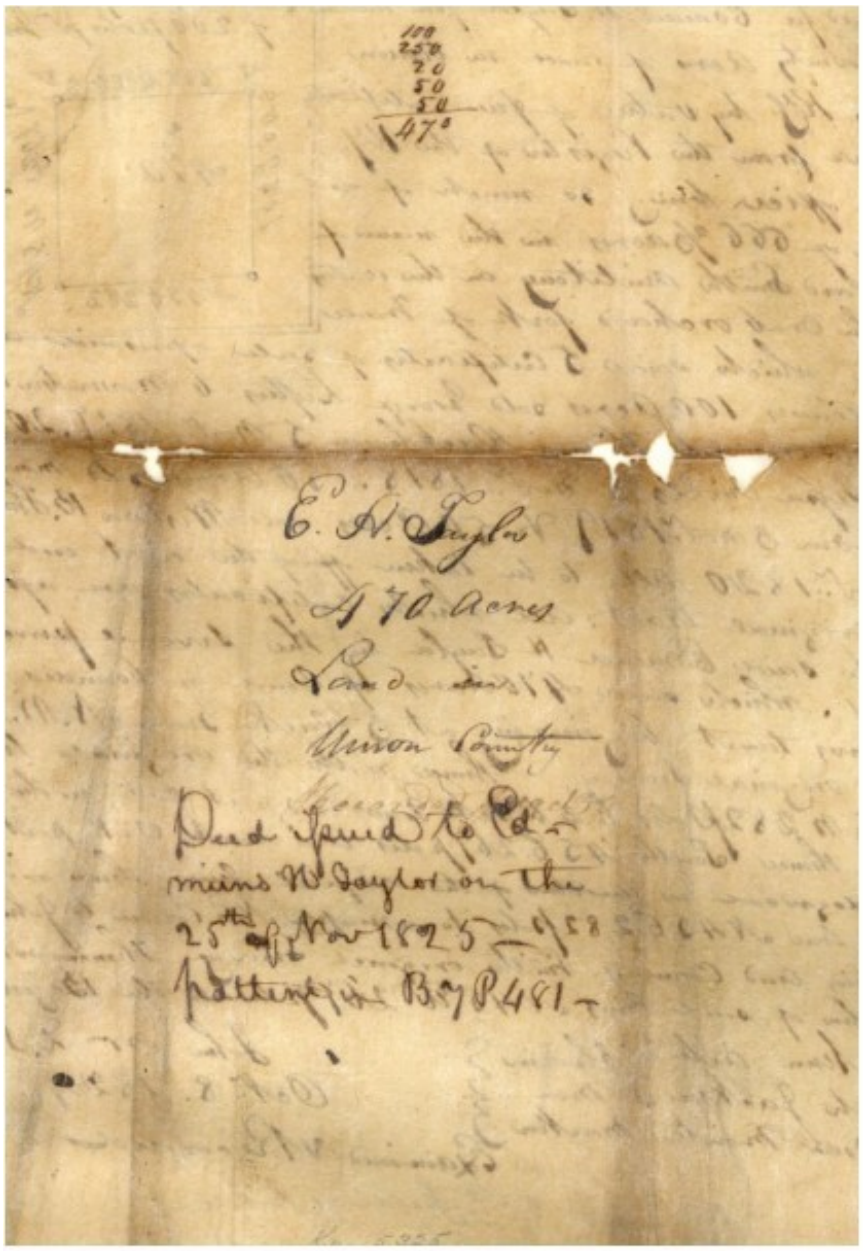
I assign the within to E.H. Taylor - Nov 25 - 1825
A.P. Cox

Ky. 5325

Appendix Image 14. Thomas certificate — back: not redeemed, 3 December 1822; Thomas to Taylor and Cox; Cox to Taylor, 25 November 1825.



Appendix Image 15. Re-survey of 470 acres for Edmund H. Taylor, Union County, 8 October 182[4?], with plat; John Orr, D.S.



Appendix Image 16. Re-survey — back: "E. H. Taylor, 470 Acres, Land in Union County. Deed issued to Edmund H. Taylor on the 25th of Nov 1825 … B 7 P 481."