Bezaleel Weir — Kentucky Land Grant — Patent No. 8535 (Commissioners' Certificate No. 4355)

200 Acres on Both Sides of Rose Creek, a Fork of Weirs Creek, Clear Creek and Tradewater River, Henderson County, Kentucky

Assignee of Silas McBee, Assignee of John and Jehu Sutton, Assignee of Norrid Fransway

Land Record Abstract and Survey Summary

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Source Citation

Kentucky Secretary of State, Land Office, Kentucky Land Grants (South of Green River), Grant No. 8535, Bezaleel Weir, assignee of Silas McBee, assignee of John and Jehu Sutton, assignee of Norrid Fransway, 200 acres, Henderson County: Commissioners' certificate No. 4355, 8 November 1798, with assignments of 9 August 1799, 2 September 1799 and 20 February 1801 on the back; survey for Bezaleel Wier, 25 February 1801, received 5 December 1807, endorsed "R[ecorded] B[ook] 9, P[age] 180"; Auditor's Office receipt, 27 December 1808; patent, 13 February 1809, Grant Book 7, page 407. 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), "South of Green River," p. 431, as "Weir, Bazalove."

Abstract

On 8 November 1798 the commissioners Richard Young, Robert Mosby and James Brown certified that Norrid Fransway was entitled to 200 acres of second-rate land for having improved it, on a branch of Rose Creek, beginning at a black gum on the west side of the creek and running east 178 poles, then north and around so as to include his improvement (Certificate No. 4355). Fransway, signing by mark, assigned the certificate to John and Jehu Sutton on 9 August 1799. On 2 September 1799 the Suttons assigned it to Silas McBee, and on 20 February 1801 McBee assigned it to Bezaleel Weir, with John Gordon as witness. Five days later, on 25 February 1801, Gordon surveyed the 200 acres for Weir as a 179-pole square on both sides of Rose Creek, its east line running with the military line. Weir and Elijah Clark carried the chain. The plat was received on 5 December 1807, the $70.93 state price was paid on 27 December 1808 in Fransway's name, and Governor

Charles Scott signed the patent to Bezaleel Weir on 13 February 1809. It was delivered to Y. Ewing on 3 January 1810.

Survey Description

Metes and bounds as written in the survey and confirmed against the patent. Distances are in poles.

Surveyed for Bezaleel Wier, assignee of Silas McBee, assignee of John and Jehu Sutton, assignee of Norod Fransway, 200 acres of second rate by virtue of the Commissioners' Certificate No. 4355, situate lying and being in the County of Henderson on both sides of Rose Creek, a fork of Wiers Creek, a fork of Clear Creek, which is a fork of Tradewater River, and bounded as follows, to wit: Beginning on a black gum and two ashes near the creek on the west side of said creek; thence East 179 poles, crossing Rose Creek three times, to two maples and an elm standing in a military line; thence North 179 poles with the military line, crossing Rose Creek, to a cherry tree, crabtree and dogwood; thence West 179 poles to a black oak, hickory and dogwood; thence South 179 poles to the beginning. Surveyed February 25th 1801.

Record Summary

Certificate Number	4355 (Commissioners' certificate, 8 November 1798)
Survey Grant Register Number	8535
Original Claimant	Norrid Fransway (also written "Norod Fransway" and "Norod Franceway")
Surveyed For / Patentee	Surveyed for Bezaleel Wier, assignee of Silas McBee, assignee of John and Jehu Sutton, assignee of Norod Fransway; patented to Bezaleel Weir (indexed by Jillson as "Weir, Bazalove")
Acreage	200 acres
Land Quality	Second rate
Watercourse	Both sides of Rose Creek, a fork of Weirs Creek, a fork of Clear Creek, a fork of Tradewater River
County in Survey	Henderson County (the Auditor's receipt says Christian County — see Research Notes)
Certificate Date	8 November 1798
Survey Date	25 February 1801
Received by Land Office	5 December 1807
Recording	Survey: Book 9, page 180. Patent: Grant Book 7, page 407.

Patent / Grant Issued	13 February 1809, signed by Governor Charles Scott; delivered to Y. Ewing, 3 January 1810
State Price Notation	$70.93, per Auditor's Office receipt dated December 27, 1808, recorded in Norrid Fransway's name, paid in full with interest
Deputy Surveyor	John Gordon, D.S.
County Surveyor	Edmund Talbott, S.H.C. (Surveyor, Henderson County)
Chain Carriers	Bezaleel Wier and Elijah Clark
Commissioners	Richd. Young; Robt. Mosby; Jas. Brown

Chronology

8 November 1798	Commissioners Richd. Young, Robt. Mosby and Jas. Brown certify Norrid Fransway's claim to 200 acres of second-rate land on a branch of Rose Creek, to include his improvement (Certificate No. 4355)
9 August 1799	Norod Fransway (his mark) assigns the certificate to John and Jehu Sutton; test. Laurence Rolleson [?] and Thomas Smith
2 September 1799	The Suttons assign the certificate to Silas McBee, signed John Sutton; test. James Tompkins and Jacob Penington
20 February 1801	Silas McBee assigns the certificate to Bezaleel Weir; test. John Gordon
25 February 1801	200 acres surveyed for Bezaleel Wier on both sides of Rose Creek by John Gordon, D.S., for Edmund Talbott, S.H.C.
5 December 1807	Plat and certificate received (endorsement on back of survey)
27 December 1808	$70.93 paid in full, with interest, in the name of Norrid Fransway
13 February 1809	Grant No. 8535 issued to Bezaleel Weir, signed by Governor Charles Scott and Secretary J. Bledsoe; Grant Book 7, page 407
3 January 1810	Patent delivered to Y. Ewing (margin note)

Persons Named in the Record

Bezaleel Weir	Assignee of Silas McBee; surveyed for; chain carrier; patentee (written "Wier" on the survey; "Bazalove" in Jillson's index)
Norrid Fransway	Original claimant; assigned by mark (also written "Norod Fransway" and "Franceway"); the Auditor's receipt is in his name
John Sutton	Co-assignee with Jehu Sutton; signed the assignment to McBee
Jehu Sutton	Co-assignee with John Sutton
Silas McBee	Assignee of the Suttons; assignor to Weir
Elijah Clark	Chain carrier
John Gordon	Deputy surveyor; witness to McBee's assignment to Weir
Edmund Talbott	Surveyor of Henderson County
Laurence Rolleson [?]	Witness to Fransway's assignment (surname partly illegible)
Thomas Smith	Witness to Fransway's assignment
James Tompkins	Witness to the Suttons' assignment
Jacob Penington	Witness to the Suttons' assignment
Y. Ewing	Received the patent (margin delivery note)
Richd. Young	Commissioner
Robt. Mosby	Commissioner
Jas. Brown	Commissioner
Geo. Madison	Auditor
Charles Scott	Governor
J. Bledsoe	Secretary

Land Description

A 200-acre square, 179 poles on a side, on both sides of Rose Creek, a fork of Weirs Creek, a fork of Clear Creek, a fork of Tradewater River, in Henderson County (Hopkins County after 1 May 1807), Kentucky. The east line runs with the military line.

Research Notes

The anchor of Cluster B. This 179-pole square is the tract the Weirs Creek surveys are built around. Two later surveys name its corners outright (8546 and 8534), and 8541 calls for Bezaleel Weir's "former claim." Calls for "Bezaleel Wier's" line or survey in 8552 and 8545 fit his other tract, KLG 1243 (see below).

Fransway's improvement. The 1798 certificate locates the claim "on a branch of Rose Creek, beginning at a black gum on the west side of the creek, running an east course 178 poles, thence a north course and around for quantity so as to include his improvement." The 1801 survey follows it closely, beginning at a black gum on the west side of the creek and running east 179 poles, so Norrid Fransway's improvement lay inside this square.

The military line. The east line runs "with the military line." This is very likely the boundary of the Military District, the lands south of Green River reserved for Virginia's Revolutionary War soldiers. If so, the land east of this survey lay in the Military District, which bears on where 8541 can sit.

Patent date. The patent is dated "the thirteenth day of February... one thousand eight hundred and nine, and of the commonwealth the seventeenth," and the back of the survey reads "Patent issued 13th February 1809." The margin of the patent notes delivery to Y. Ewing on 3 January 1810.

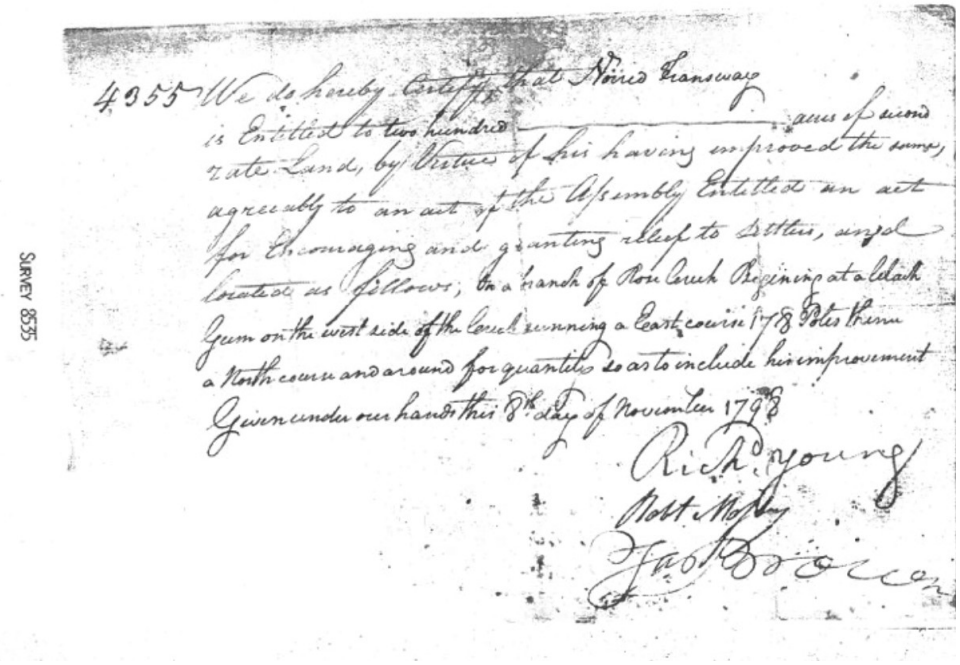
The Auditor's receipt. As often in this collection, the receipt is in the original claimant's name, "Norrid Fransway," not Weir's. It also reads "No. 200 for 4355 acres," the certificate number and acreage transposed, and places the land in Christian County, the county where the 1798 certificate was issued before Henderson County was formed.

Gordon and Weir. John Gordon witnessed McBee's assignment to Weir on 20 February 1801 and surveyed the tract five days later. Weir carried his own chain.

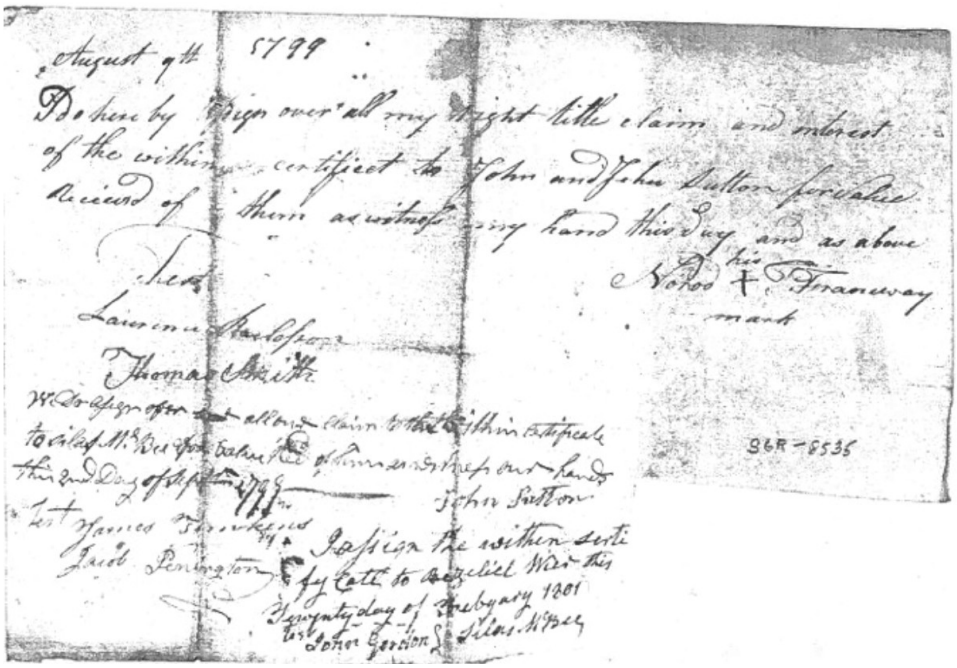
Two Bezaleel Weir tracts. Weir also held Certificate No. 3495, KLG 1243, his own 1798 settlement claim on the North Fork of Clear Creek in Christian County. 8546 and 8534 call for this tract's corners by name. The calls in KLG 8552 ("a black oak in Bezaleel Wier's line") and KLG 8545 ("a post oak, south east corner of Bezaleel Wier's survey") match corners of 1243 instead; this tract's southeast corner is "two maples and an elm."

Spelling. The survey writes "Bezaleel Wier," the patent and McBee's assignment "Bezaleel" and "Bezaliel Weir," and Jillson indexes the grant as "Weir, Bazalove" (his other grant, KLG 1243, as "Weir, Razabel"). This report follows the record, Bezaleel Weir.

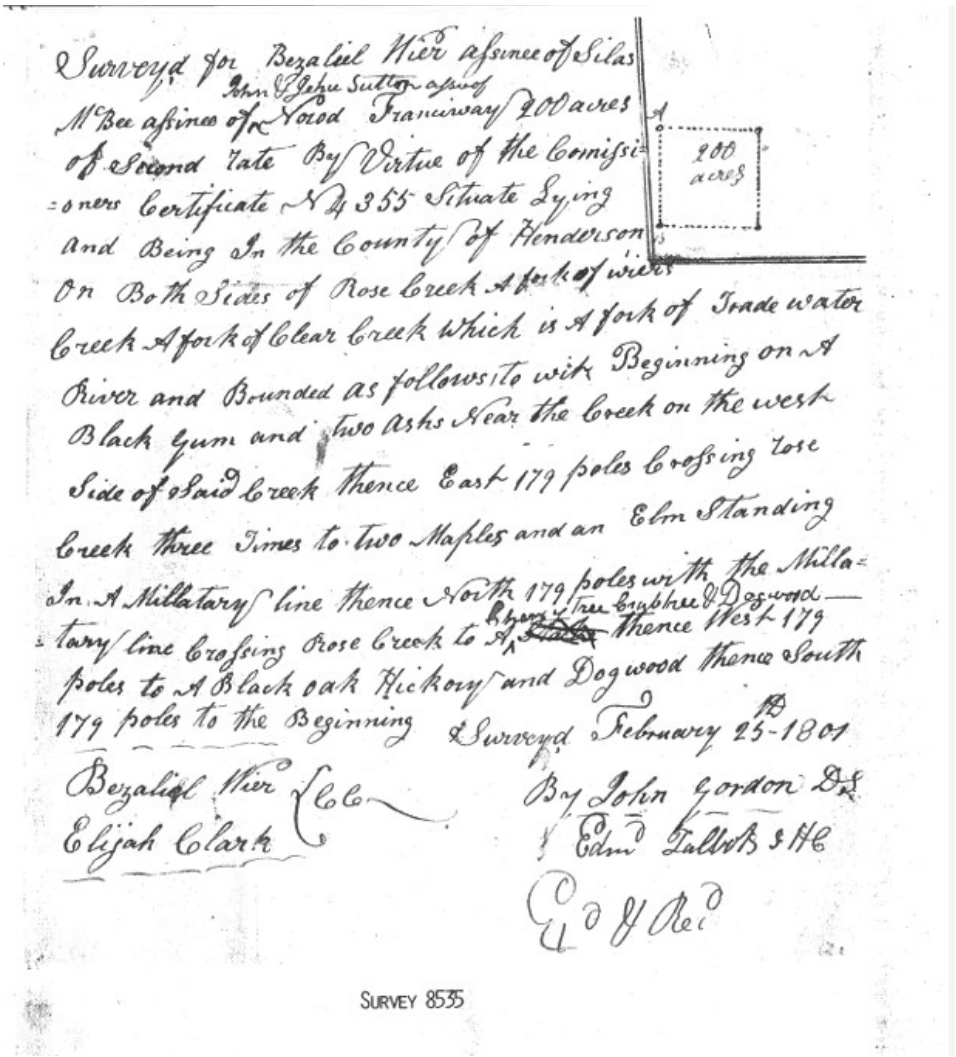
Images / Appendix



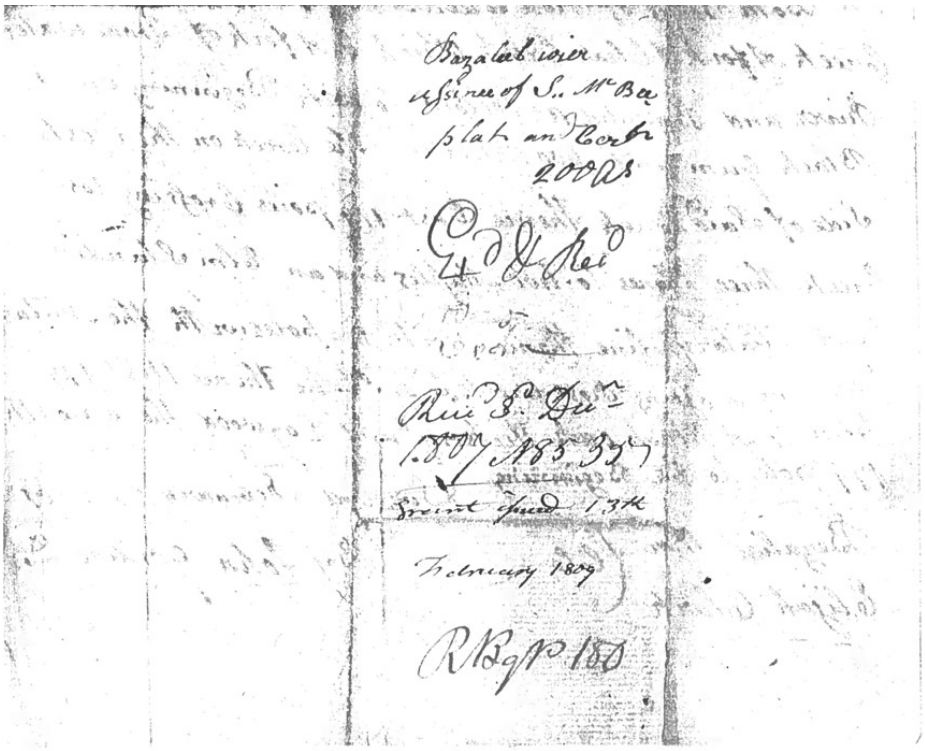
Appendix Image 1. Commissioners' Certificate No. 4355 — Front (8 November 1798).



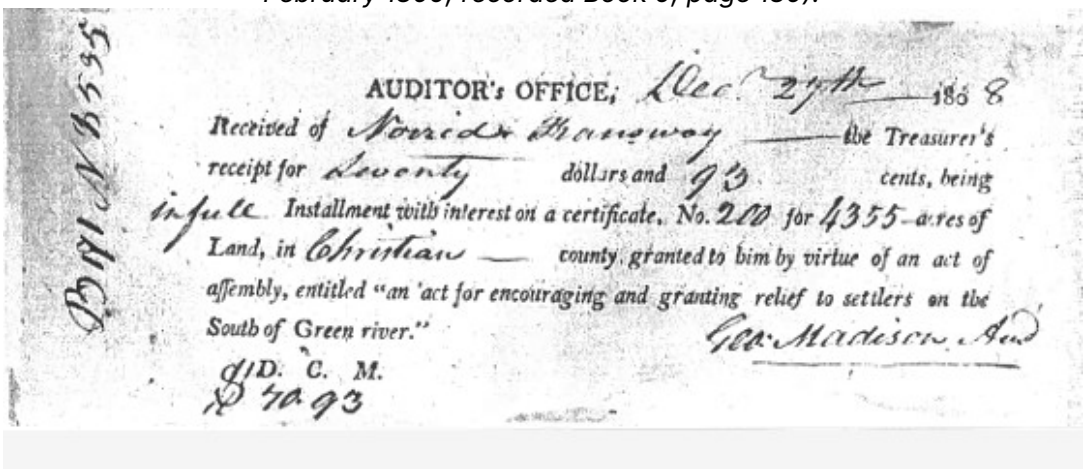
Appendix Image 2. Certificate — Back (assignments: Fransway to John and Jehu Sutton, 9 August 1799; Suttons to Silas McBee, 2 September 1799; McBee to Bezaleel Weir, 20 February 1801).



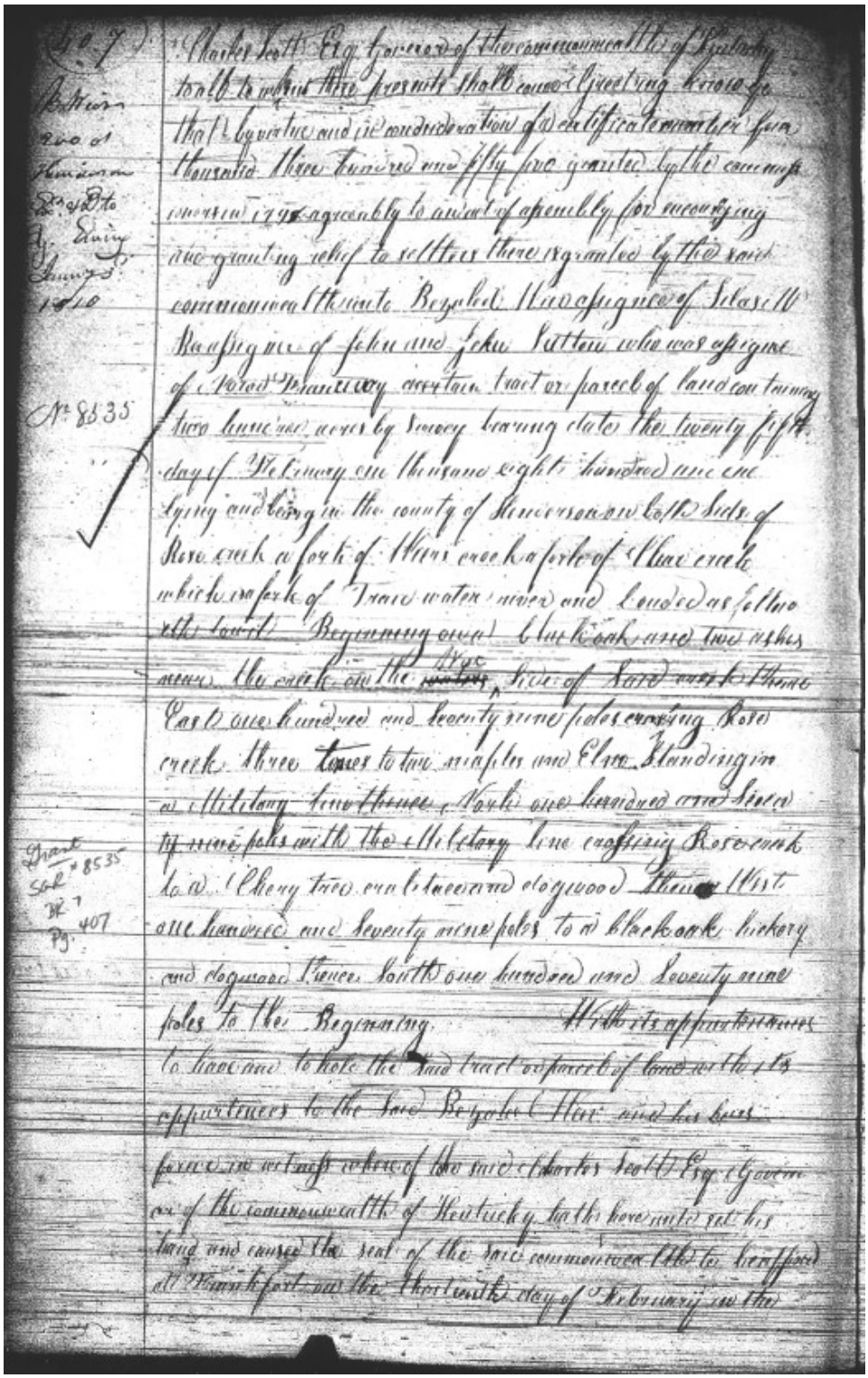
Appendix Image 3. Survey No. 8535 — Front (25 February 1801).



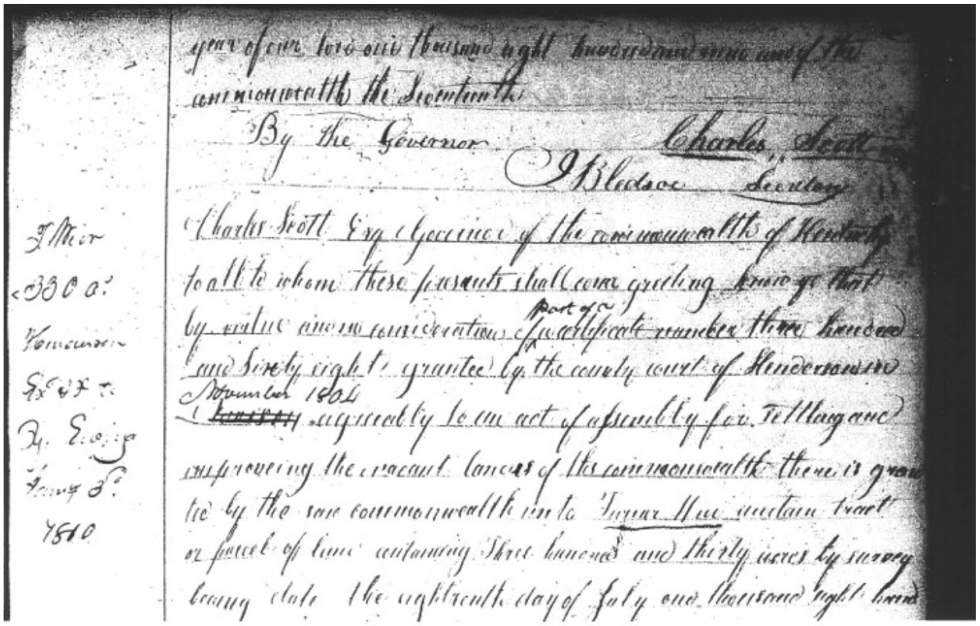
Appendix Image 4. Survey No. 8535 — Back (received 5 December 1807; patent issued 13 February 1809; recorded Book 9, page 180).



Appendix Image 5. Auditor's Office Receipt — Front (27 December 1808).



Appendix Image 6. Grant/Patent No. 8535 — Page 1 (Grant Book 7, page 407; margin: delivered to Y. Ewing, 3 January 1810).



year of our lord one thousand eight hundred and nine and of the commonwealth the Seventeenth

By the Governor Charles Scott

J Bledsoe Secretary

Charles Scott Esq Governor of the commonwealth of Kentucky to all to whom these presents shall come greeting know ye that by virtue and in consideration of part of a certificate number three hundred and Sixty eight granted by the county court of Henderson in November 1804 agreeably to an act of assembly for settling and improving the vacant lands of the commonwealth there is granted by the sam commonwealth unto Turner Hill a certain tract or parcel of land containing Three hundred and thirty acres by survey bearing date the eighteenth day of July one thousand eight hund

Appendix Image 7. Grant/Patent No. 8535 — Page 2.