Calvin Merry — Kentucky Land Grant — Patent No. 10176 (County Certificate No. 2140)

135 Acres on the West Fork of Pond River and McFarland's Fork, Christian County, Kentucky

Assignee of Hezekiah Newman

Land Record Abstract and Survey Summary

Disclaimer

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Source Citation

Kentucky Secretary of State, Land Office, Kentucky Land Grants (South of Green River), Grant No. 10176, Calvin Merry, assignee of Hezekiah Newman, 135 acres, Christian County: Christian County Court certificate No. 2140, 12 November 1804 (copy, teste John Clark, C.C.C.), with Newman's assignment to Merry, November 1805, on the back; survey, 20 July 1809, received 3 November 1810, recorded Book 6, page 21; Auditor's Office receipts, May 1814 and 6 May 1814; patent, 7 May 1814, Grant Book 14, page 451. 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. 361, as "Merry, Calvin."

Abstract

On 12 November 1804 the Christian County Court certified that Hezekiah Newman was entitled to 200 acres by virtue of having settled the same, located on the waters of a fork of Pond River on both sides of the fork, joining the Green Pond survey and George Newman's and Calvin Merry's. In November 1805 Newman assigned the certificate to Calvin Merry, witnessed by Geo. Newman and [?] Greathouse. On 20 July 1809 Ben P. Campbell, deputy surveyor for Edward Bradshaw, Surveyor of Christian County, surveyed 135 acres for Merry on the West Fork of Pond River, beginning at a white oak on or near the bank of McFarland's fork, the south-east corner of Merry's 200-acre survey as assignee of William Ward (Patent No. 1233), and running along its line to Pennick's line of a 600-acre military survey and down to Pond River. The survey was received on 3 November 1810. In November 1813 the Register sold 130 acres of the claim, unpaid on its second instalment, to Willis Morgan; in May 1814 the claim was redeemed in Hezekiah Newman's name, with the balance paid on that part and on the remaining 5 acres, and on 7 May 1814 Governor Isaac Shelby signed the patent to Calvin Merry, assignee of Hezekiah Newman.

Survey Description

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

Surveyed for Calvin Merry, assignee of Hezekiah Newman, 135 acres of land in Christian County on the West Fork of Pond River by virtue of a Christian County Court certificate No. 2140. Beginning at a white oak on or near the bank of McFarland's fork of Pond River, it being the S[outh] E[ast] corner of Calvin Merry's assignee of William Ward 200 acre survey; thence with his line N[orth] 45 E[ast] 260 poles to a stake in Pennick's line of a military survey of 600 acres; thence with his line East 50 poles to a hickory, gum and sugar tree on the bank of Pond River; thence up its meanders, passing the mouth of a branch, to the mouth of McFarland's fork; thence up its meanders to the beginning. July 20th 1809. [Jesse?] Cob, Jethroe Oats, C.C. Ben P. Campbell, D.S., for Edw[ar]d Bradshaw, S.C.C. (The meander lines are not given as courses, so the tract cannot be closed from the description.)

Record Summary

Certificate Number	2140 (Christian County Court certificate, 12 November 1804, issued to Hezekiah Newman for 200 acres)
Survey/Grant Register Number	10176
Original Claimant	Hezekiah Newman
Assignee / Surveyed For	Calvin Merry, assignee of Hezekiah Newman
Acreage	135 acres, part of a 200-acre certificate (130 + 5 acres in the receipts)
Watercourse	West Fork of Pond River, at the mouth of McFarland's fork
County in Survey	Christian
Certificate Date	12 November 1804
Survey Date	20 July 1809
Received / Recorded	Received 3 November 1810; examined and recorded Book 6, page 21; also "Recorded B[ook] 11, page 102" [reading uncertain]
Patent / Grant Issued	7 May 1814, signed by Isaac Shelby, Governor; M. D. Hardin, Secretary; Grant Book 14, page 451
State Price Notation	130 acres sold 13 November 1813 to Willis Morgan for the second instalment; redeemed May 1814 ($7.25, interest, and $15.01 balance in full); $1 in full on 5 acres, 6 May 1814
Deputy Surveyor	Ben P. Campbell, D.S., for Edward Bradshaw, Surveyor of Christian County
Chain Carriers	[Jesse?] Cob and Jethroe Oats
Patent Delivered	"Ex'd D'd to H. Martin by post" (margin note)

Chronology

12 November 1804	Christian County Court certificate No. 2140: Hezekiah Newman entitled to 200 acres on a fork of Pond River, joining the Green Pond survey and George Newman's and Calvin Merry's (John Clark, clerk)
November 1805	Newman assigns the certificate to Calvin Merry; witnesses Geo. Newman and [?] Greathouse
20 July 1809	135 acres surveyed for Merry by Ben P. Campbell, D.S., beginning at the south-east corner of Merry's Patent No. 1233
3 November 1810	Survey received (auditor's ledger note: "10176, Nov. 2d 1810, Calvin Merry")
13 November 1813	Register sells 130 acres of the claim to Willis Morgan for the second instalment
May 1814	Claim redeemed in Hezekiah Newman's name: $7.25 second instalment with interest at 10 percent, and $15.01 balance in full (George Madison, Auditor)
6 May 1814	Auditor's receipt, $1 in full on 5 acres, part of 200, Certificate No. 2140
7 May 1814	Patent issued to Calvin Merry, assignee of Hezekiah Newman, signed by Governor Isaac Shelby; sent to H. Martin by post

Persons Named in the Record

Calvin Merry	Assignee of Hezekiah Newman; patentee; adjoining owner named in the certificate
Hezekiah Newman	Original claimant; assigned the certificate to Merry, November 1805; redeemed the claim, May 1814
George Newman	Adjoining owner named in the certificate; witness to the assignment
[?] Greathouse	Witness to the assignment (given name unclear)
Willis Morgan	Bought 130 acres of the claim at the Register's sale, 13 November 1813 (not Willis Ralls)
Pennick	Owner of the 600-acre military survey on the north-east (given name not stated; reading uncertain)

William Ward	Named as assignor of Merry's adjoining 200-acre survey (Patent No. 1233)
Ben P. Campbell	Deputy surveyor
Edward Bradshaw	Surveyor of Christian County (S.C.C.)
[Jesse?] Cob	Chain carrier (given name uncertain)
Jethroe Oats	Chain carrier
John Clark	Clerk, Christian County Court; attested the certificate
George Madison	Auditor; signed the receipts
Isaac Shelby	Governor; signed the patent
M. D. Hardin	Secretary; countersigned the patent
H. Martin	Patent sent to him by post (margin note)

Land Description

135 acres on the West Fork of Pond River, Christian County, between McFarland's fork and Pond River: beginning at the south-east corner of Merry's 200 acres (Patent No. 1233), running north-east along its south-east side and beyond it to Pennick's 600-acre military survey, east to Pond River, and back up Pond River and McFarland's fork.

Research Notes

Patent No. 1233. The beginning corner is "the S.E. corner of Calvin Merry's assignee of William Ward 200 acre survey," which is Merry's Patent No. 1233 (William Eaton to William Ward to Merry, surveyed 7 October 1799). Drawn from 1233's courses, its southernmost corner is a white oak, and its south-east side runs north 44 east 178.8 poles to its beginning, a stake near a large white oak marked C.M. This survey begins at a white oak and runs "with his line" north 45 east 260 poles, so its first 178.8 poles follow 1233's south-east side and it runs about 81 poles beyond 1233's east corner. This survey lies south-east of 1233. The bearings differ by one degree.

Acreage. The survey and patent give 135 acres. The receipts treat the claim as two parts of the 200-acre certificate: 130 acres sold to Willis Morgan and redeemed, and 5 acres paid in full on 6 May 1814. 130 + 5 = 135. The patent margin appears to read 130.

Willis Morgan. On 13 November 1813 the Register sold 130 acres of this claim, unpaid on its second instalment, to Willis Morgan; in May 1814 the land was redeemed in Hezekiah Newman's name with interest at 10 percent from the day of sale. Three days earlier Morgan had bought Merry's 3521 claim the same way. Willis Morgan is not Willis Ralls.

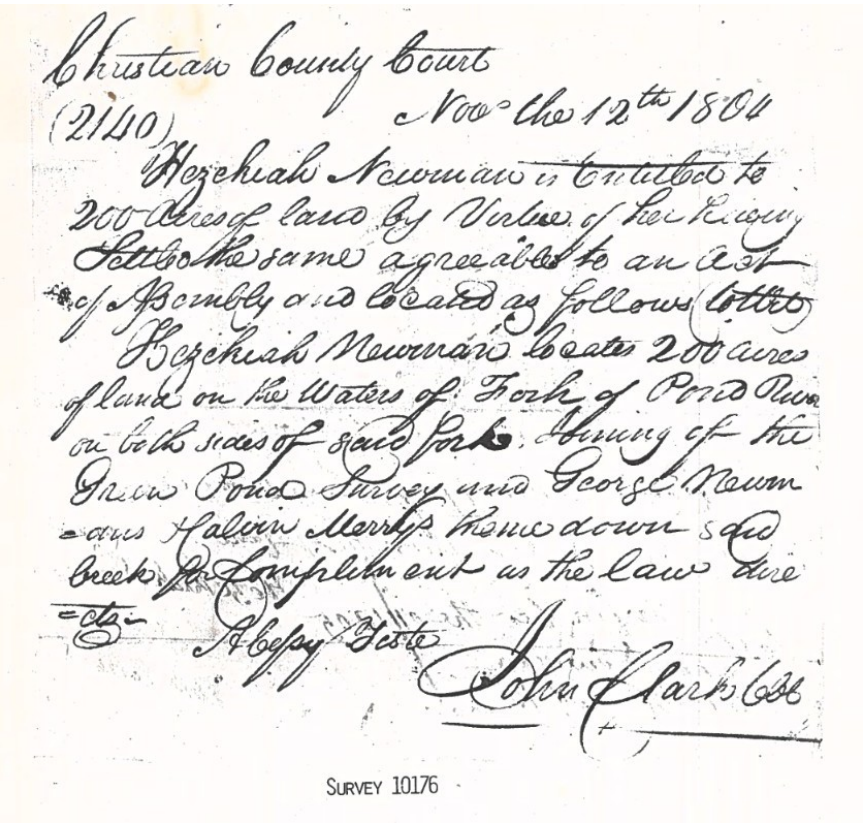
Neighbors. The certificate locates Newman's claim joining "the Green Pond survey and George Newman's and Calvin Merry's." The survey names Merry's 1233 and "Pennick's line of a military survey of 600 acres"; Pennick's survey is not in this collection.

Recording. The survey back reads "Recorded B[ook] 11, page 102" [reading uncertain] and "Ex'd Recorded in Book 6th, page 21, E. Bradshaw, S.C.C." The certificate back carries a county recording note for H. Newman, partly illegible.

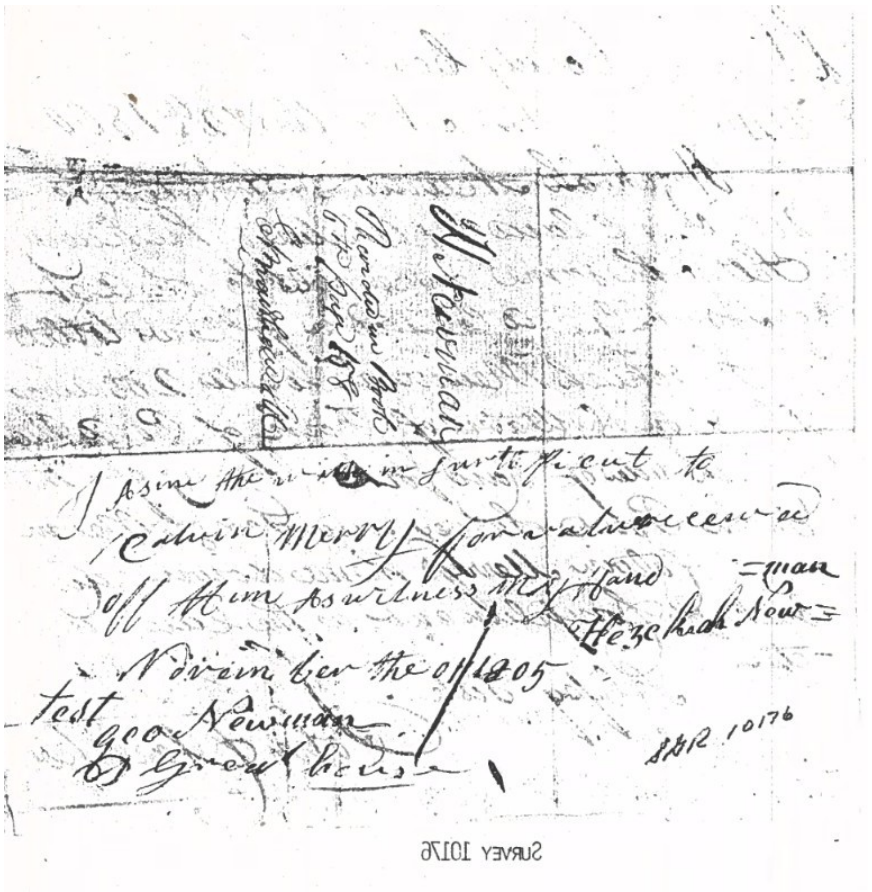
Not on Tradewater. This tract lies on Pond River, not Tradewater, and nothing in it ties to "Calvin Mary's corner" in John Whitesides's KLG 7022 (Cluster D).

Willis Ralls. Willis Ralls is not named in this record.

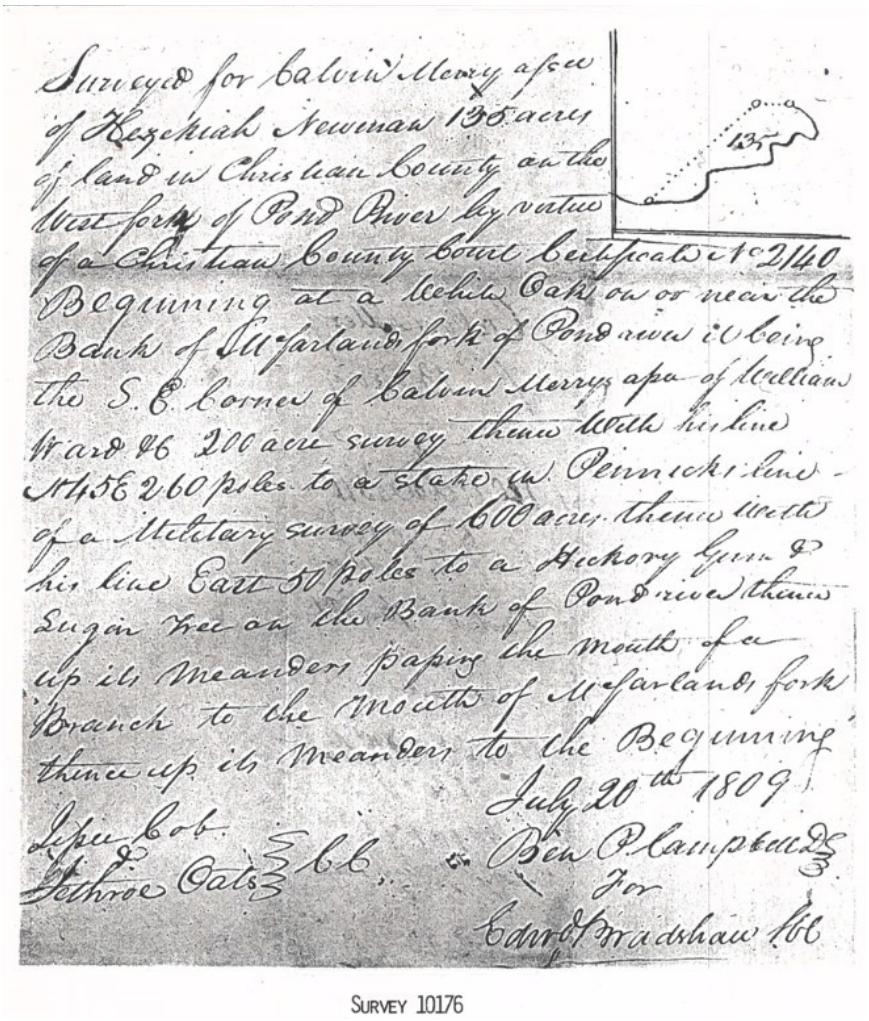
Images / Appendix



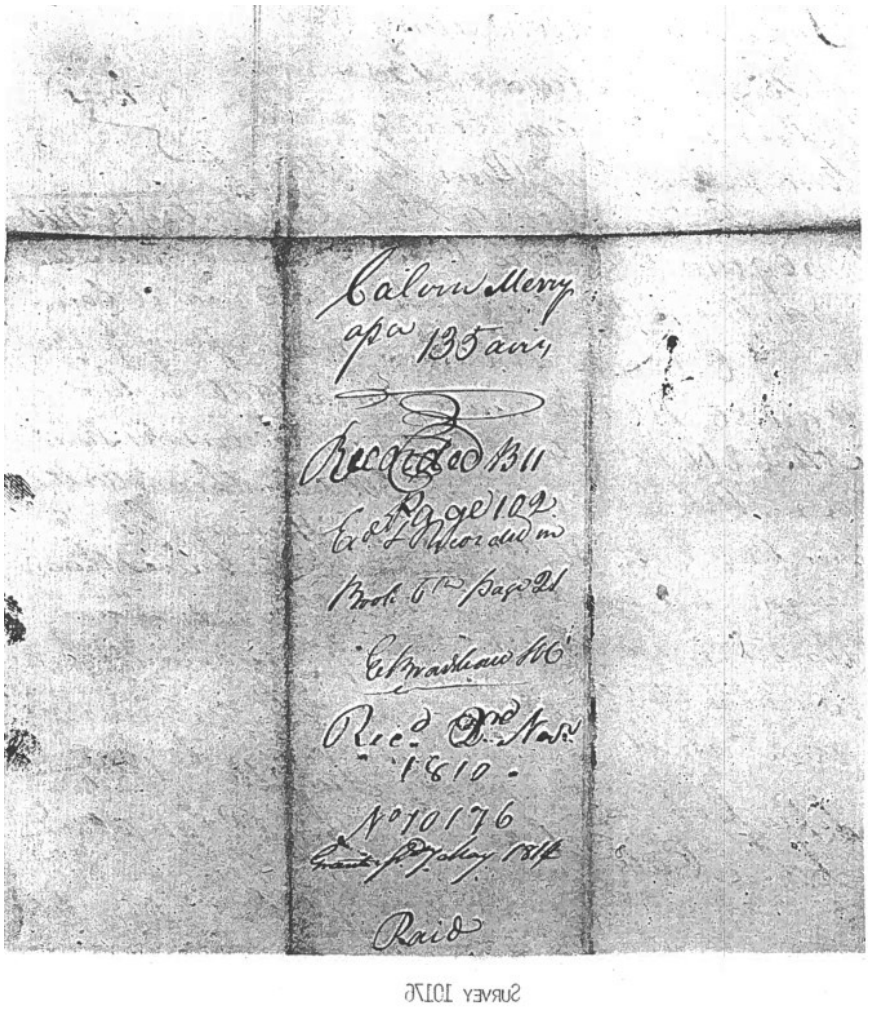
Appendix Image 1. Christian County Court certificate No. 2140 for Hezekiah Newman, 12 November 1804 (copy, John Clark).



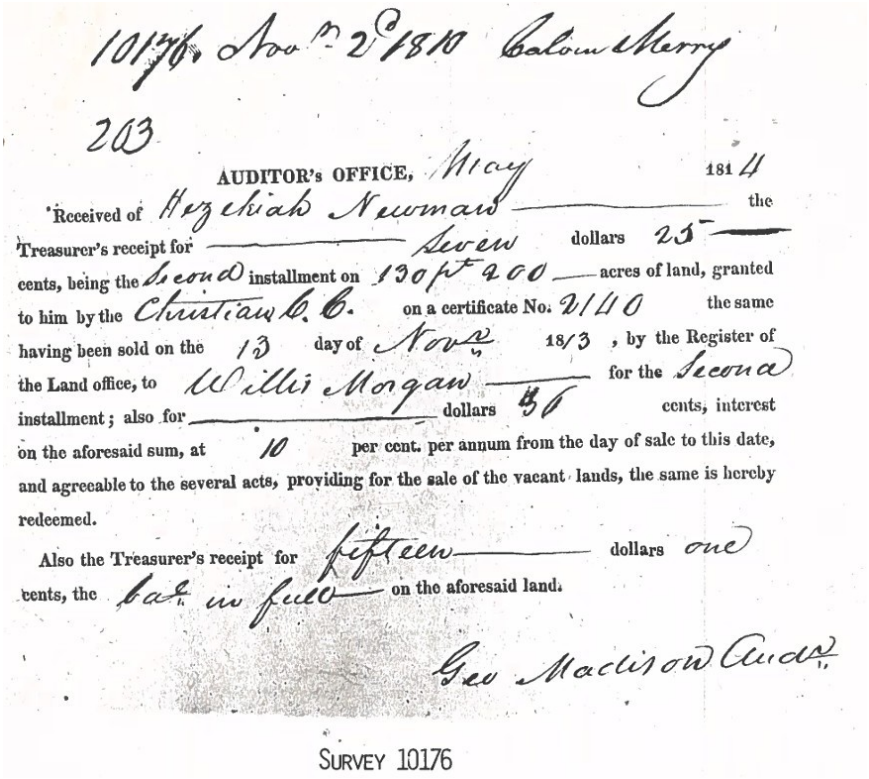
Appendix Image 2. Certificate — back: Newman's assignment to Calvin Merry, November 1805; witnesses Geo. Newman and [?] Greathouse.



Appendix Image 3. Survey for Calvin Merry, 135 acres, West Fork of Pond River, 20 July 1809, with plat.



Appendix Image 4. Survey — back: recorded Book 6, page 21; received 3 November 1810; No. 10176; grant 7 May 1814.



10176 Novr 2^d 1810 Below Merry

203

AUDITOR's OFFICE, May 1814

Received of Hezekiah Newman the

Treasurer's receipt for Seven dollars 25

cents, being the Second installment on 130 pt 200 acres of land, granted

to him by the Christian C. C. on a certificate No. 2140 the same

having been sold on the 13 day of Novr 18/3, by the Register of

the Land office, to Willi Morgan for the Second

installment; also for dollars 36 cents, interest

on the aforesaid sum, at 10 per cent. per annum from the day of sale to this date,

and agreeable to the several acts, providing for the sale of the vacant lands, the same is hereby

redeemed.

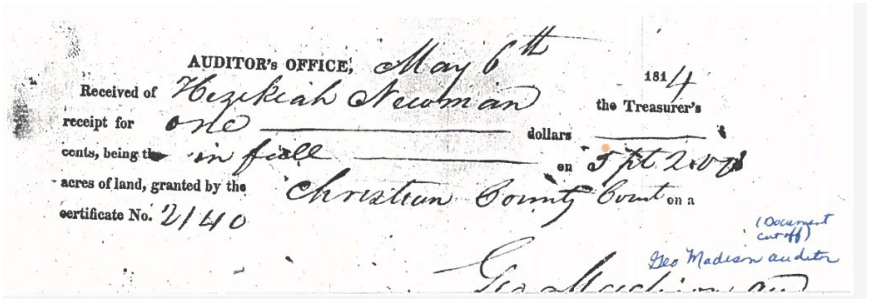
Also the Treasurer's receipt for fifteen dollars one

cents, the bal. in full on the aforesaid land.

Geo Madison Aud^r

SURVEY 10176

Appendix Image 5. Auditor's receipt, May 1814: 130 acres redeemed from Willis Morgan's purchase of 13 November 1813.



AUDITOR's OFFICE, May 6th 1814

Received of Hezekiah Newman the Treasurer's

receipt for one dollars

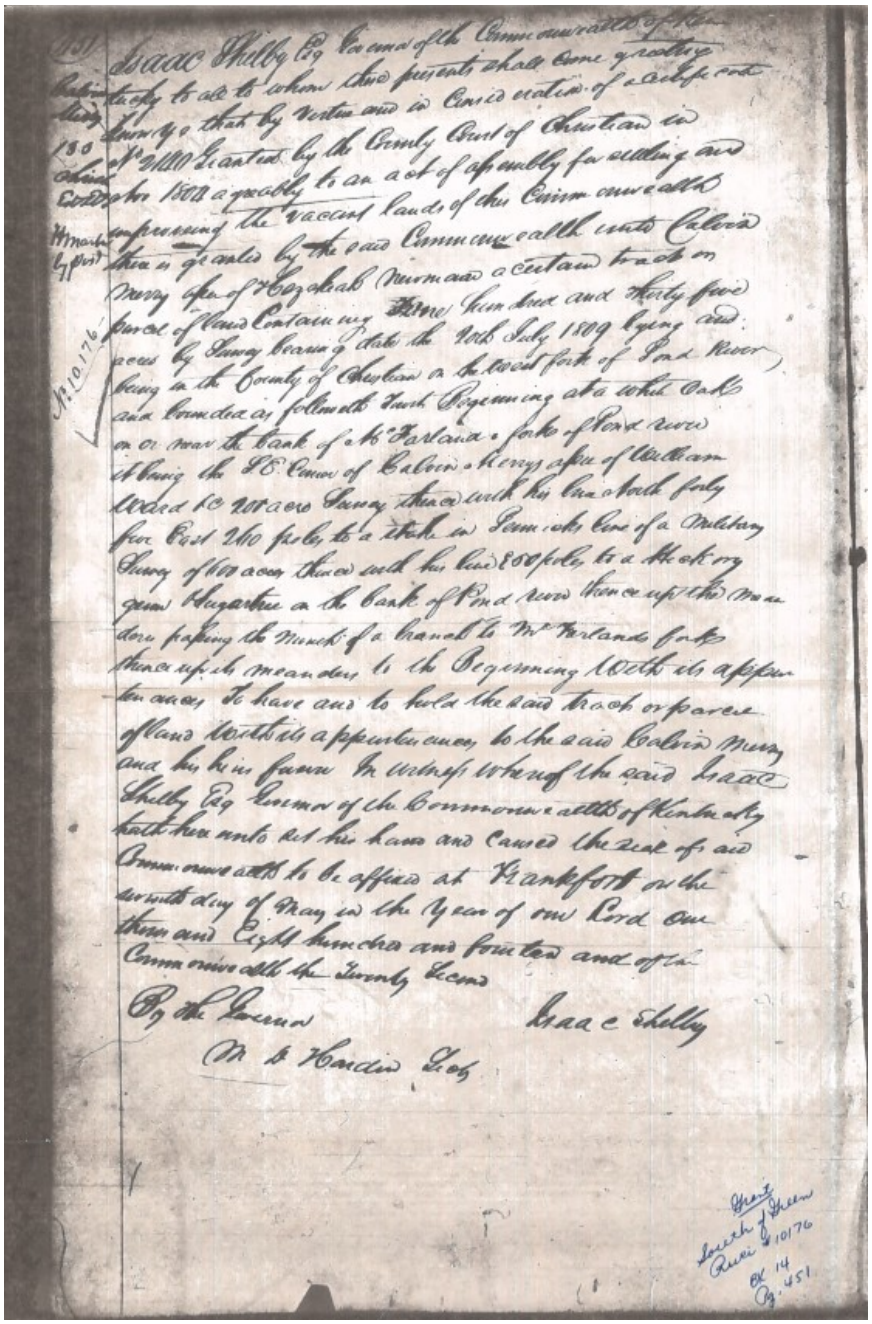
cents, being the in full on 5 pt 200

acres of land, granted by the Christian County Court on a

certificate No. 2140 (Document cut off)

Geo Madison auditor

Appendix Image 6. Auditor's receipt, 6 May 1814: $1 in full on 5 acres, Certificate No. 2140.



Appendix Image 7. Patent to Calvin Merry, assignee of Hezekiah Newman, 7 May 1814, Isaac Shelby, Governor (Grant Book 14, page 451).