William R. Wier — Kentucky Land Grant — Patent No. 8540 (County Court Certificate No. 26)

400 Acres on the Waters of Weirs Creek, Henderson County, Kentucky

Surveyed for Russell Wier; Patented to William R. Wier, Assignee of Russell Wier

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. 8540, William R. Wier, assignee of Russell Wier, 400 acres, Henderson County: Henderson County Court certificate, April 1801 (copy attested by Ambrose Barbour, C.C.; numbered 26 on the receipt and patent); survey for Russel Wier, 15 January 1807, with his assignment to William R. Wier of 20 [?] November 1807 on the back, received 3 December 1807, endorsed "R[ecorded] B[ook] 9, P[age] 183"; Auditor's Office receipt, 27 December 1808; patent, 13 February 1809, Grant Book 7, page 409. 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, Russell."

Abstract

At the April 1801 Henderson County Court, Russell Weir claimed 400 acres on account of settling the same, under the act "for settling and improving the vacant lands of this Commonwealth," lying on the waters of Wairs Creek, beginning at a hickory, white oak and dogwood, corner of a military survey, running north 45 west with the military line and as the law directs for quantity so as to include his improvement. On satisfactory proof the court found that he had a right to a settlement of 400 acres and ordered a certificate to issue (copy attested by Ambrose Barbour, C.C.; Certificate No. 26). On 15 January 1807 Deputy Surveyor Asel Wier surveyed the 400 acres for Russel Wier on the waters of Wiers Creek in Henderson County, for Edmund Talbot, S.H.C., with Silas McBee and Turne[r] Wear as chain carriers and Russel Wier as marker. On 20 [?] November 1807 Russel Wier assigned the plat and certificate to William R. Wier, with Robert Byers as witness. The survey was received on 3 December 1807, the $71.08 state price was paid in full in the name of Russell Wier on 27 December 1808, and Governor Charles Scott signed the patent to William R. Wier, assignee of Russell Wier, 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.

Survey'd for Russel Wier 400 acres of land by virtue of a certificate from the County Court of Henderson, lying on the waters of Wiers Creek in Henderson County. Beginning at a hickory, white oak and dogwood, corner of a military survey; running North 45 West with the military line 291 poles to a black gum in a military line; thence South 45 West 220 poles to a dogwood; thence South 45 East 291 poles to a black oak and dogwood; thence North 45 East 220 poles to the beginning. Survey'd January the 15th 1807.

Record Summary

Item	Description
Certificate Number	26 (Henderson County Court settlement certificate; the number is given on the receipt and patent)
Survey Grant Register Number	8540
Original Claimant	Russell Weir ("Russel Wier" on the survey)
Surveyed For	Russel Wier
Assignment	Russel Wier → William R. Wier, 20 [?] November 1807; test. Robert Byers
Patentee	William R. Wier, assignee of Russell Wier (indexed by Jillson as "Weir, Russell")
Acreage	400 acres
Land Quality	Not stated
Watercourse	Waters of Weirs Creek ("Wairs Creek" on the certificate, "Wiers Creek" on the survey)
County in Survey	Henderson County
Certificate Date	April County Court, 1801
Survey Date	15 January 1807
Received by Land Office	3 December 1807
Recording	Survey: Book 9, page 183. Patent: Grant Book 7, page 409 (archivist's note)
Patent / Grant Issued	13 February 1809, signed by Governor Charles Scott; delivered to Y. Ewing, 3 January 1810
State Price Notation	$71.08, paid in full in the name of Russell Wier, 27 December 1808
Deputy Surveyor	Asel Wier, D.S.
County Surveyor	Edmund Talbot, S.H.C.
Chain Carriers	Silas McBee and Turne[r] Wear
Marker	Russel Wier
Adjoining	A military survey; the northeast line is the military line

Chronology

Date	Event
April 1801	Henderson County Court finds that Russell Weir has a right to a settlement of 400 acres on the waters of Wairs Creek, beginning at a corner of a military survey (Certificate No. 26; copy attested by Ambrose Barbour, C.C.)
15 January 1807	400 acres surveyed for Russel Wier by Asel Wier, D.S., for Edmund Talbot, S.H.C.; chain carriers Silas McBee and Turne[r] Wear; Russel Wier, marker
20 [?] November 1807	Russel Wier assigns the plat and certificate to William R. Wier; test. Robert Byers
3 December 1807	Plat and certificate received; survey recorded Book 9, page 183
27 December 1808	$71.08 paid in full in the name of Russell Wier
13 February 1809	Grant No. 8540 issued to William R. Wier, assignee of Russell Wier, signed by Governor Charles Scott and Secretary J. Bledsoe; Grant Book 7, page 409
3 January 1810	Patent delivered to Y. Ewing (margin note)

Persons Named in the Record

Name	Role in Record
Russell Wier	Original claimant; settled the land; surveyed for; marker; assignor ("Russell Weir" on the certificate, "Russel Wier" on the survey)
William R. Wier	Assignee; patentee
Robert Byers	Witness to the assignment
Silas McBee	Chain carrier
Turne[r] Wear	Chain carrier
Asel Wier	Deputy surveyor
Edmund Talbot	Surveyor of Henderson County
Ambrose Barbour	Clerk of the Henderson County Court
Y. Ewing	Received the patent (margin delivery note)
George Madison	Auditor
Charles Scott	Governor
J. Bledsoe	Secretary

Land Description

A 400-acre rectangle, 291 by 220 poles, set at 45 degrees, on the waters of Weirs Creek in Henderson County (later Hopkins County), Kentucky. Its northeast side runs with a military line; its beginning corner is a corner of a military survey.

Research Notes

Assigned to William R. Wier. The survey was made for Russel Wier, who also served as marker. On 20 [?] November 1807, after the survey and before it was received at the Land Office, he assigned "all my right title and interest" in the plat and certificate to William R. Wier, with Robert Byers as witness (the day is faint and may read 21). The receipt is still in

Russell Wier's name, but the patent issued to "William R. Wier, assignee of Russell Wier," and the back of the survey is endorsed "W. R. Wier Platt & Cer. 400 as." Jillson indexes the grant under "Weir, Russell." Family research identifies William Russell Weir (c. 1777–1836) as a son of William Weir (d. 1825, Sumner County, Tennessee) (David A. Ralls, "Willis Ralls of Hopkins County, Kentucky," family tree, Ancestry). The record does not say whether Russell Wier and William R. Wier were the same man.

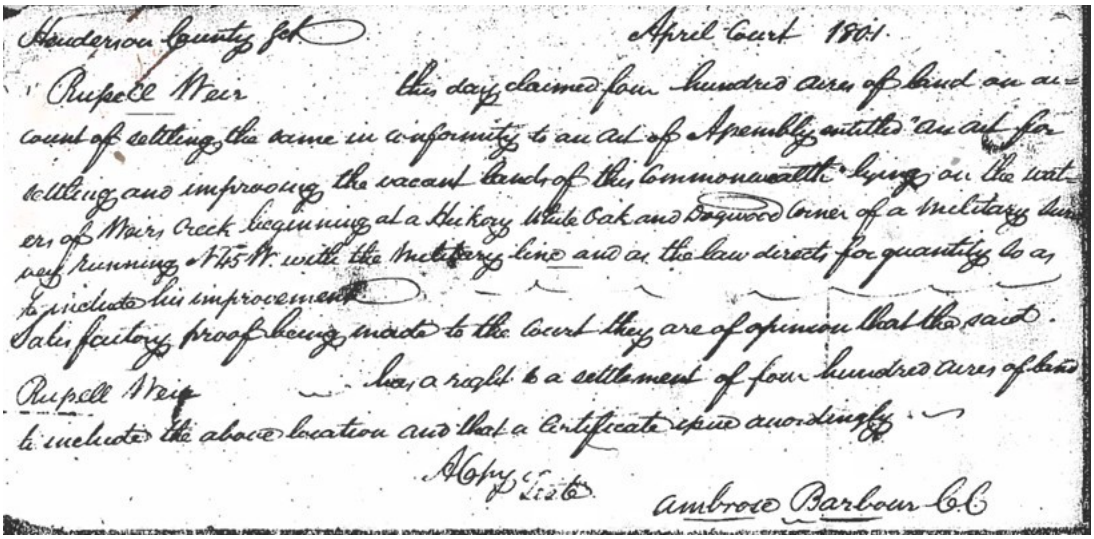
"A survey of said Wier." KLG 8544, surveyed for Russel Wier on 11 March 1807, runs north 45 east "with said Wier's line" 220 poles from a dogwood to "a gum in a military line, also a corner of said Wier's survey." This survey's second course runs south 45 west 220 poles from "a black gum in a military line" to a dogwood: the same line run in reverse. 8544 therefore lies directly northwest of this tract, and both run along the military line.

The military line. The certificate and survey begin at "a corner of a military survey" and run north 45 west "with the military line." The military lines named in KLG 8535 (its east line, running north) and KLG 8545 (its south line, running west) run on different bearings. The record does not say whether they are parts of the same boundary.

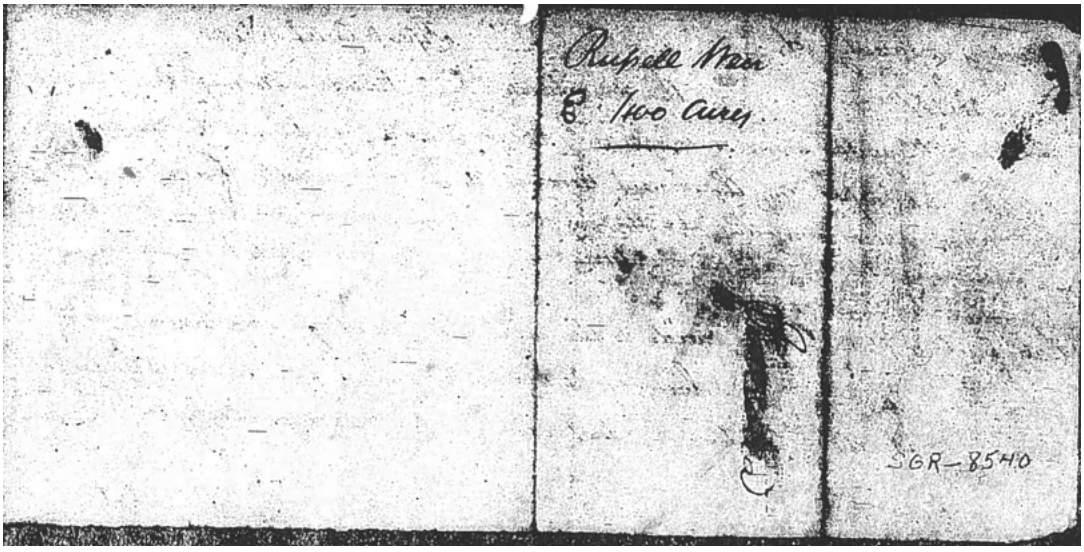
Spelling. The certificate and its back read "Russell Weir" and place the land on "Wairs Creek"; the survey reads "Russel Wier" and "Wiers Creek"; the receipt and patent read "Russell Wier." The second chain carrier is written "Turne Wear."

Recording. The back of the survey is endorsed "Rec'd 3 Dec 1807, No 8540, Grant issued 13th February 1809" and "R B 9 P 183," the same survey-book page given for KLG 8541. A modern archivist's note on the patent gives Grant Book 7, page 409. The receipt's left margin reads "171 No 8540." The patent margin reads "Wm. Wier ass[ignee] 400 as. Henderson" and records delivery to Y. Ewing on 3 January 1810, like the other Weir patents of 13 February 1809.

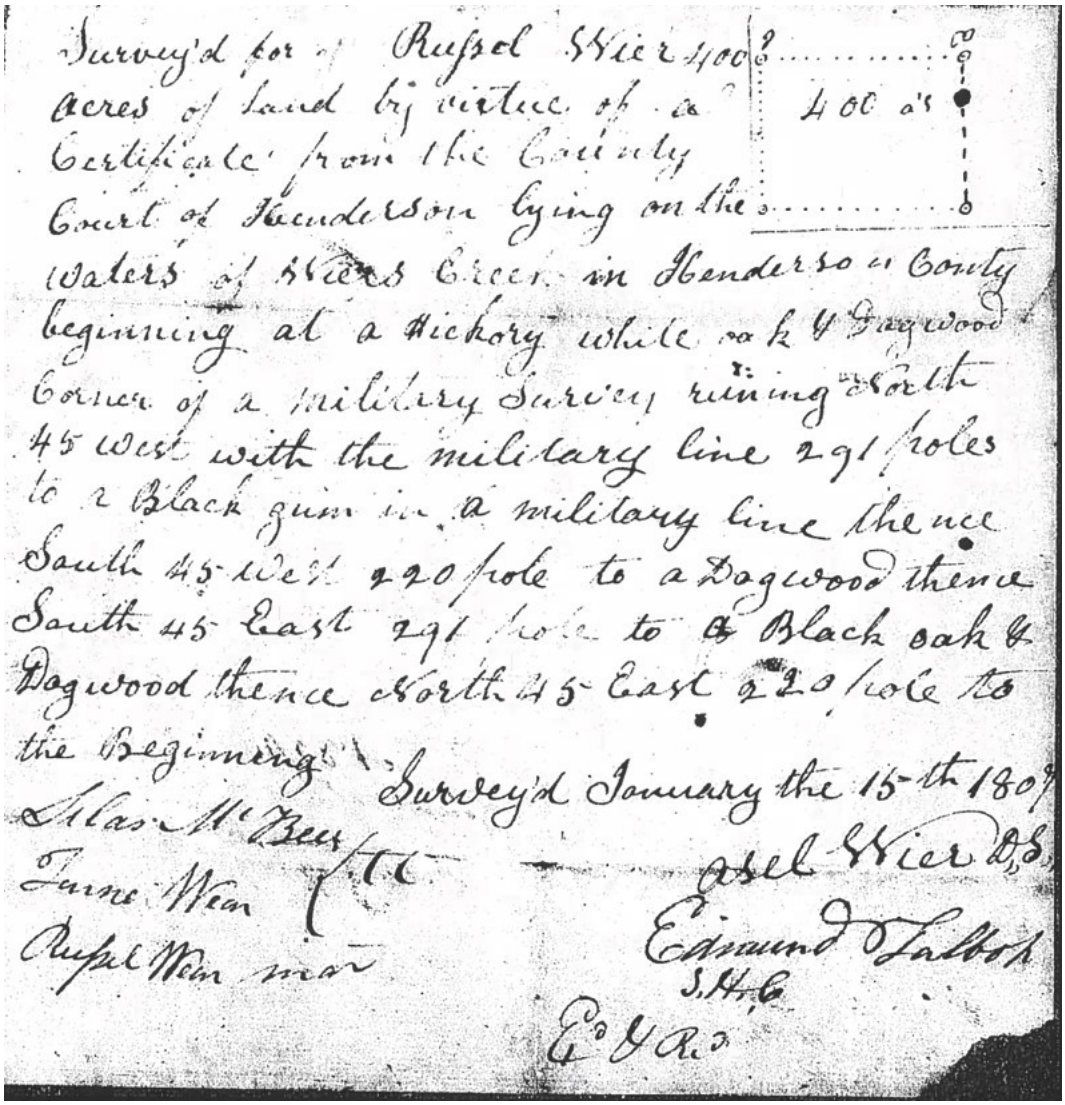
Images / Appendix


Henderson County Set. April Court 1801.
Rupell Weir this day claimed four hundred acres of land on ac-
count of settling the same in conformity to an Act of Assembly entitled "an act for
settling and improving the vacant lands of the Commonwealth lying on the wat-
ers of Wairs Creek beginning at a Hickory White Oak and Dogwood corner of a Military Sur-
vey running N 45 W. with the Military line and as the law directs for quantity so as
to include his improvement.
Satisfactory proof being made to the Court they are of opinion that the said
Rupell Weir has a right to a settlement of four hundred acres of land
to include the above location and that a Certificate issue accordingly.
Copy Test Ambrose Barbour C.C.

Appendix Image 1. Henderson County Court Certificate No. 26 — Front (April 1801).



Appendix Image 2. Certificate — Back (endorsed "Russell Weir 400 acres").



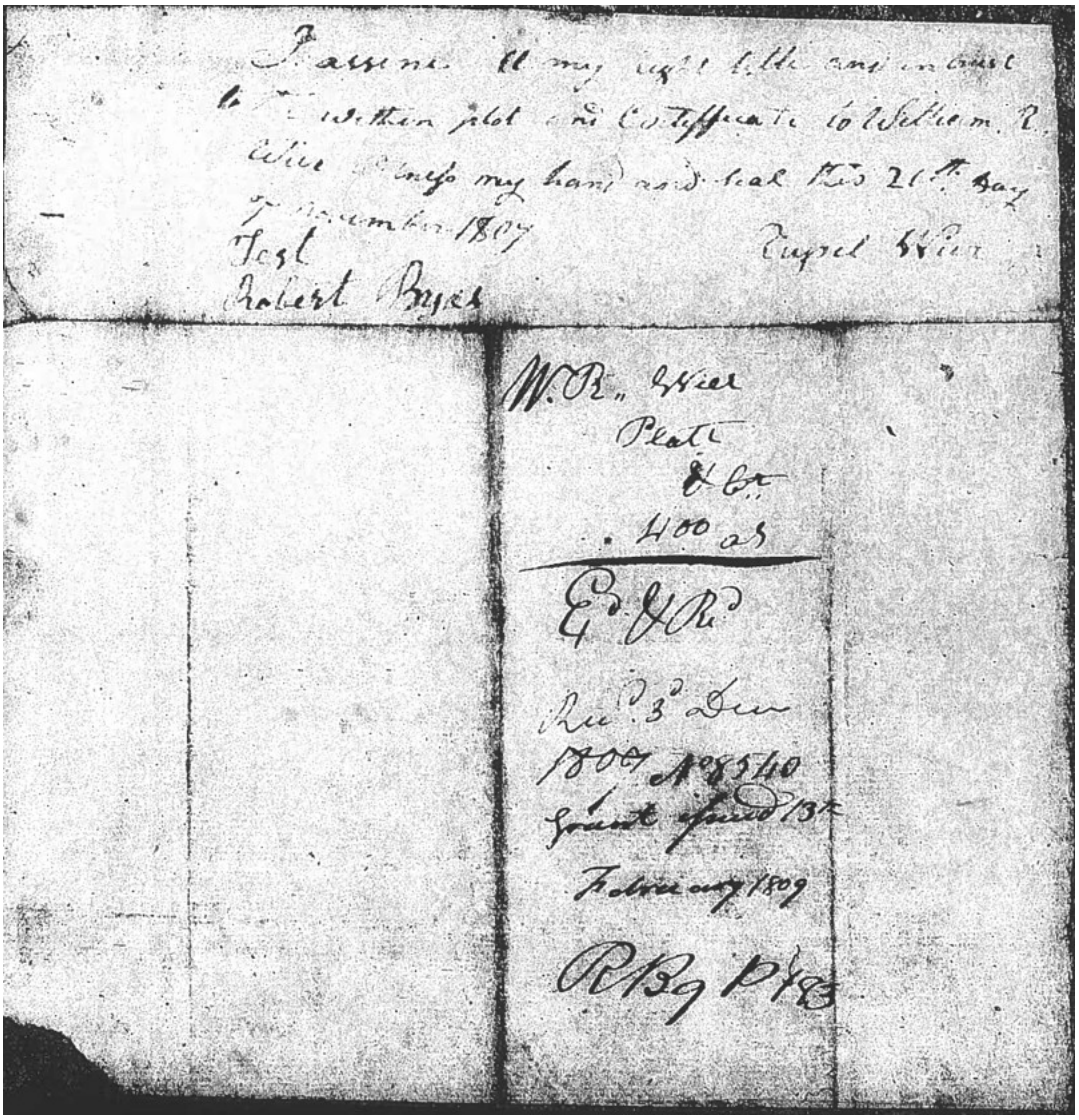
Survey'd for Russel Wier 400 acres of land by virtue of a Certificate from the County Court of Henderson lying on the waters of Wiers Creek in Henderson County beginning at a Hickory white oak & Dogwood Corner of a military Survey running North 45 West with the military line 291 poles to a Black gum in a military line thence South 45 West 220 pole to a Dogwood thence South 45 East 291 pole to a Black oak & Dogwood thence North 45 East 220 pole to the Beginning

Survey'd January the 15th 1807

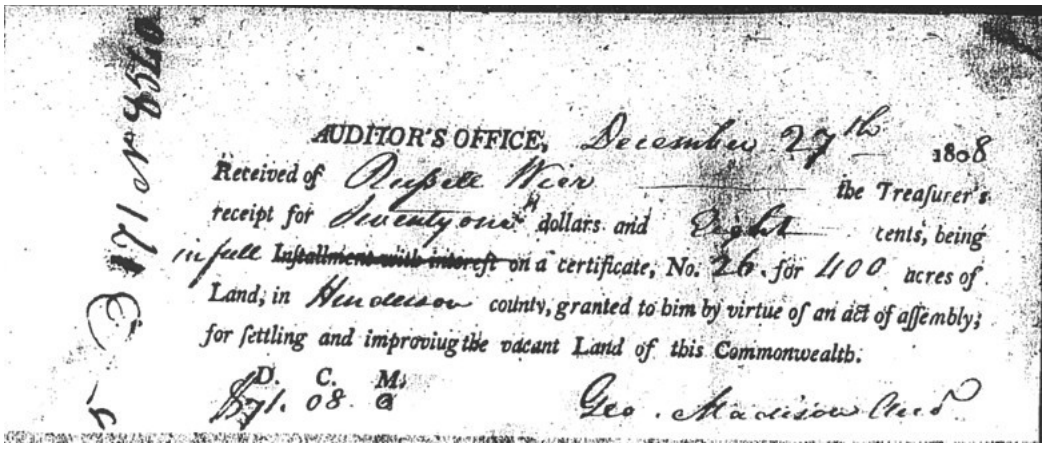
Silas McBee
Tunne Wean
Russel Wean mar

Asel Wier D.S.
Edmund Talbot
S.H.C.
Ed & Rd

Appendix Image 3. Survey No. 8540 — Front (15 January 1807).



Appendix Image 4. Survey No. 8540 — Back (assignment, Russel Wier to William R. Wier, 20 [?] November 1807; received 3 December 1807; grant issued 13 February 1809; recorded Book 9, page 183).



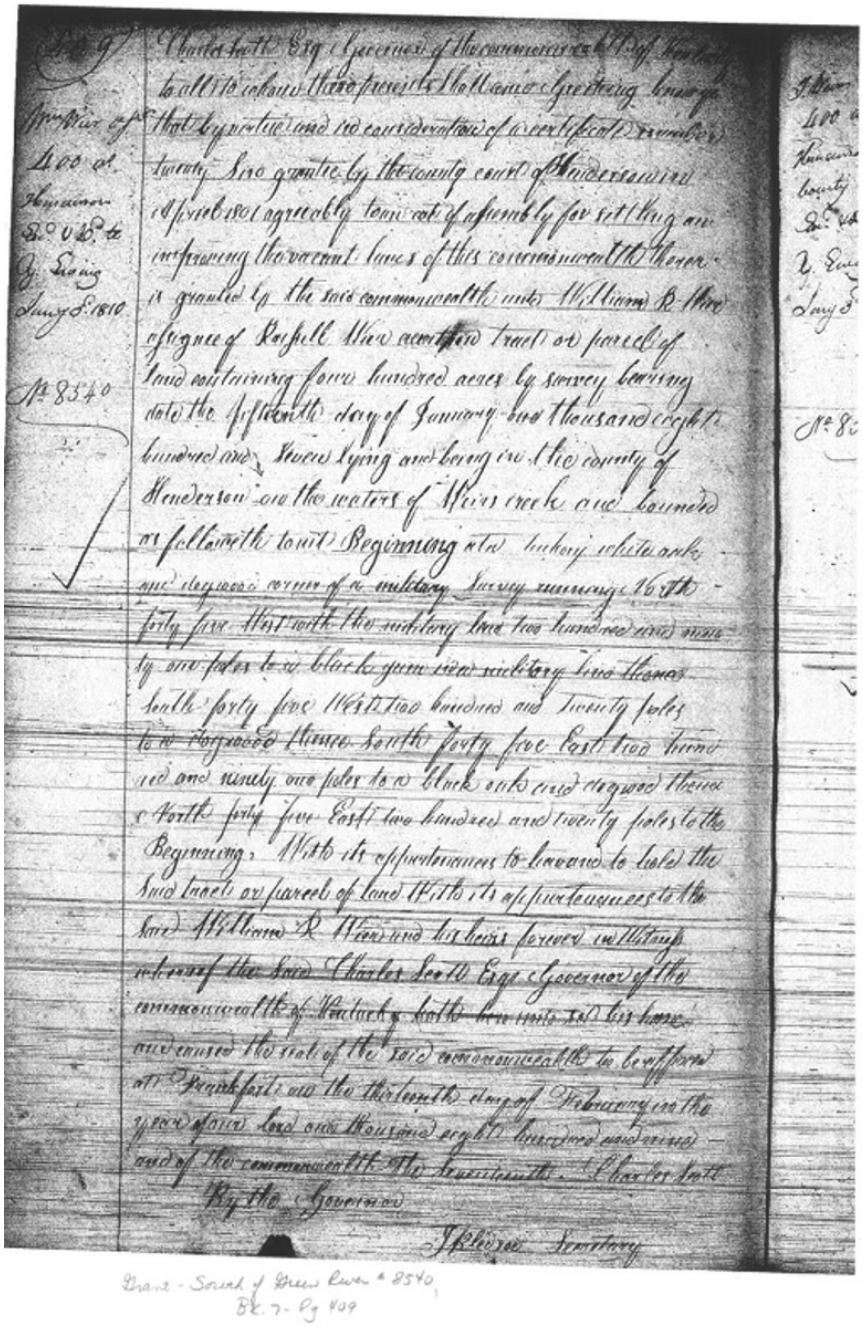
AUDITOR'S OFFICE, December 27th 1808

Received of Russell Weir the Treasurer's receipt for Seventy one dollars and Eight cents, being in full ~~Installment with interest~~ on a certificate, No. 26. for 400 acres of Land, in Henderson county, granted to him by virtue of an act of assembly; for settling and improving the vacant Land of this Commonwealth.

D. C. M.
$71. 08. 0

Geo. Madison Aud.

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



Appendix Image 6. Grant/Patent No. 8540 (Grant Book 7, page 409; margin: delivered to Y. Ewing, 3 January 1810).