Russell Wier — Kentucky Land Grant — Patent No. 8544 (Removed Certificate No. 1758)

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

Assignee of Sally Cates, under Part of a Removed Certificate from Christian County

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. 8544, Russell Wier, assignee of Sally Cates, 178 acres, Henderson County: survey for Russel Wier, 11 March 1807, received 3 December 1807, endorsed "R[ecorded] B[ook] 9, P[age] 185"; patent, 13 February 1809, Grant Book 7, page 415. The certificate (No. 1758) and Auditor's receipt are filed with Grant No. 8558. 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

In December 1803 the Christian County Court certified that Sally Cates was entitled to 400 acres (Certificate No. 1758). The court later admitted her to remove the certificate, and on 5 March 1807 she assigned it to Wm. R. Wier; the certificate and assignment are filed with Survey 8558. On 11 March 1807 Deputy Surveyor Asel Wier surveyed 178 acres, "part of a removed certificate," for Russel Wier, assignee of Sally Cates, on the waters of Weirs Creek in Henderson County, beginning at a corner of Reuben Herron's survey and running along a survey of Wier's own and the military line. Silas McBee and Clark Landers carried the chain. The survey was received on 3 December 1807. A note on the back says the receipt in full and the certificate are lodged in Survey No. 8558, Russel Wier's 222 acres. Governor Charles Scott signed the patent to Russell Wier on 13 February 1809, and 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 Russel Wier, assignee of Sally Cates, 178 acres of land by virtue of part of a Removed Certificate, No. 1758, from the County Court of Christian County, lying on the waters of Wiers Creek in Henderson County. Beginning at a hickory and dogwood, corner of Reubin Herron's survey; running South 45 East 130 poles to a dogwood, corner of a survey of said Wier; thence North 45 East with said Wier's line 220 [poles] to a gum in a military line, also a corner of said Wier's survey; thence North 45 West with the military line 130 poles to a maple; thence South 45 West 220 [poles] to the beginning. Surveyed March the 11th 1807.

Record Summary

Certificate Number	1758 (Christian County Court removed certificate for 400 acres, of which this survey is part; filed with Survey 8558)
Survey Grant Register Number	8544
Original Claimant	Sally Cates
Assignee / Surveyed For	Russel Wier, assignee of Sally Cates (the assignment of 5 March 1807 names Wm. R. Wier)
Patentee	Russell Wier, assignee of Sally Cates (indexed by Jillson as "Weir, Russell")
Acreage	178 acres, part of the 400-acre certificate; the other 222 acres are Survey 8558
Land Quality	Not stated
Watercourse	Waters of Weirs Creek ("Wiers Creek")
County in Survey	Henderson County (certificate first located in Christian County)
Certificate Date	December 1803
Survey Date	11 March 1807
Received by Land Office	3 December 1807
Recording	Survey: Book 9, page 185. Patent: Grant Book 7, page 415 (archivist's note)
Patent / Grant Issued	13 February 1809, signed by Governor Charles Scott; delivered to Y. Ewing, 3 January 1810
State Price Notation	No receipt in this file; $72.16 was paid on the whole 400-acre certificate on 27 December 1808 (receipt filed with Survey 8558)

Deputy Surveyor	Asel Wier, D.S.
County Surveyor	Edmund Talbot, S.H.C.
Chain Carriers	Silas McBee and Clark Landers
Adjoining	Reuben Herron and Russell Wier; northeast line on a military line

Chronology

December 1803	Christian County Court certifies Sally Cates's claim to 400 acres (Certificate No. 1758; filed with Survey 8558)
February term 1806	Court admits Sally Cates to remove the certificate
5 March 1807	Sally Cates assigns the certificate to Wm. R. Wier; test. Silas McBee
11 March 1807	178 acres surveyed for Russel Wier, assignee of Sally Cates, by Asel Wier, D.S., for Edmund Talbot, S.H.C.
3 December 1807	Plat received; survey recorded Book 9, page 185
27 December 1808	$72.16 paid on the whole 400-acre certificate (receipt filed with Survey 8558)
13 February 1809	Grant No. 8544 issued to Russell Wier, assignee of Sally Cates, signed by Governor Charles Scott and Secretary J. Bledsoe; Grant Book 7, page 415
3 January 1810	Patent delivered to Y. Ewing (margin note)

Persons Named in the Record

Russell Wier	Assignee of Sally Cates; surveyed for; patentee; adjoining landowner (written "Russel" on the survey)
Sally Cates	Original claimant; assignor
Reuben Herron	Adjoining landowner ("Reubin Herron" on the survey, "Reuben Heron" on the patent)
Silas McBee	Chain carrier
Clark Landers	Chain carrier
Asel Wier	Deputy surveyor
Edmund Talbot	Surveyor of Henderson County

Y. Ewing	Received the patent (margin delivery note)
Charles Scott	Governor
J. Bledsoe	Secretary

Land Description

A 178-acre tract, 130 by 220 poles, on the waters of Weirs Creek in Henderson County (later Hopkins County), Kentucky, adjoining Reuben Herron's survey and a survey of Russell Wier's, and bounded on the northeast by a military line.

Research Notes

Half of a divided certificate. Certificate No. 1758 was for 400 acres. This survey laid off 178 acres of it in March 1807, and Survey 8558 the other 222 acres in November 1807 (178 + 222 = 400). The back of this survey reads: "The Receit in full & the Cert. are lodged in survey No 8558 — belonging to Russel Wier for 222 acres." That is why this file has no certificate or receipt. The 8558 receipt, $72.16 on all 400 acres, carries the margin note "B 171 No 8544."

Assigned to Wm. R. Wier, surveyed for Russel Wier. The assignment on the certificate names "Wm. R. Wier," but this survey and patent, like those of 8558, name "Russel Wier, assignee of Sally Cates." 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). If so, the assignment and the survey name one man two ways. The survey was made six days after the assignment.

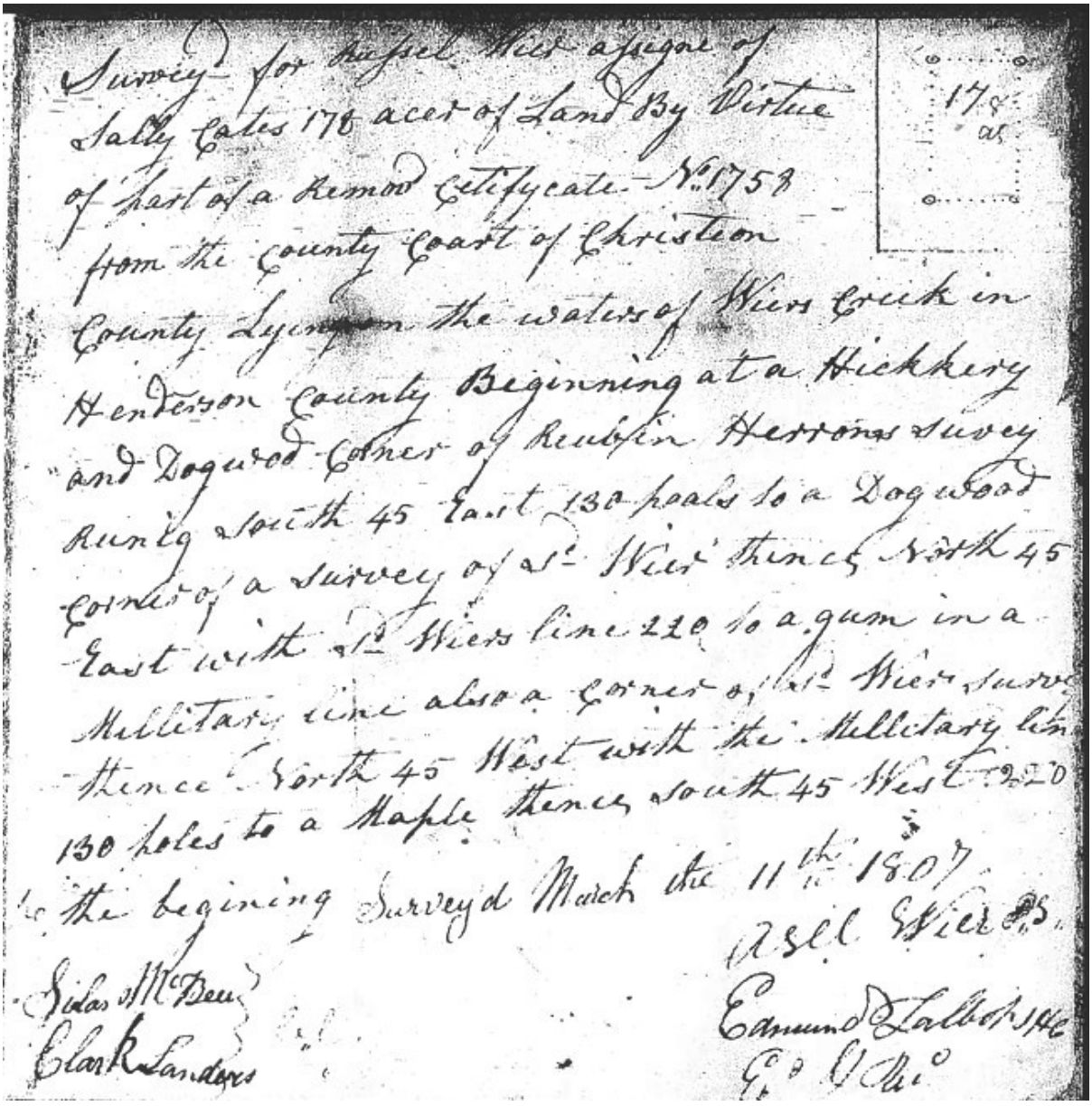
"A survey of said Wier." The tract is a 130 by 220 pole rectangle set at 45 degrees (178.75 acres). Its second course runs north 45 east "with said Wier's line" 220 poles from a dogwood to "a gum in a military line, also a corner of said Wier's survey," and its third runs on along the military line. The draft report for Survey 8540 (400 acres, Russell Wier's Certificate No. 26, surveyed 15 January 1807 by Asel Wier) describes a rectangle that runs north 45 west with the military line 291 poles to a black gum in a military line, then south 45 west 220 poles to a dogwood. That is the same 220-pole line run in reverse. If 8540 holds up when checked against its images, 8544 lies directly northwest of it, continuing along the military line.

Recorded in sequence. The survey is endorsed "R B 9 P 185" and the patent is in Grant Book 7, page 415, in each case the page after Survey 8542 (Book 9, p. 184; Grant Book 7, p. 414). The survey of KLG 8545 is endorsed with the same page, "R B 9 P 185." Like the other Weir patents of 13 February 1809, this one was delivered to Y. Ewing on 3 January 1810.

Margin number. Below the delivery note, the left margin of the patent reads "No 8558" [?], the number of the companion survey, not this grant's number. The record does not say why.

Images / Appendix

The certificate (No. 1758) and the Auditor's receipt for this survey are filed with Survey No. 8558.



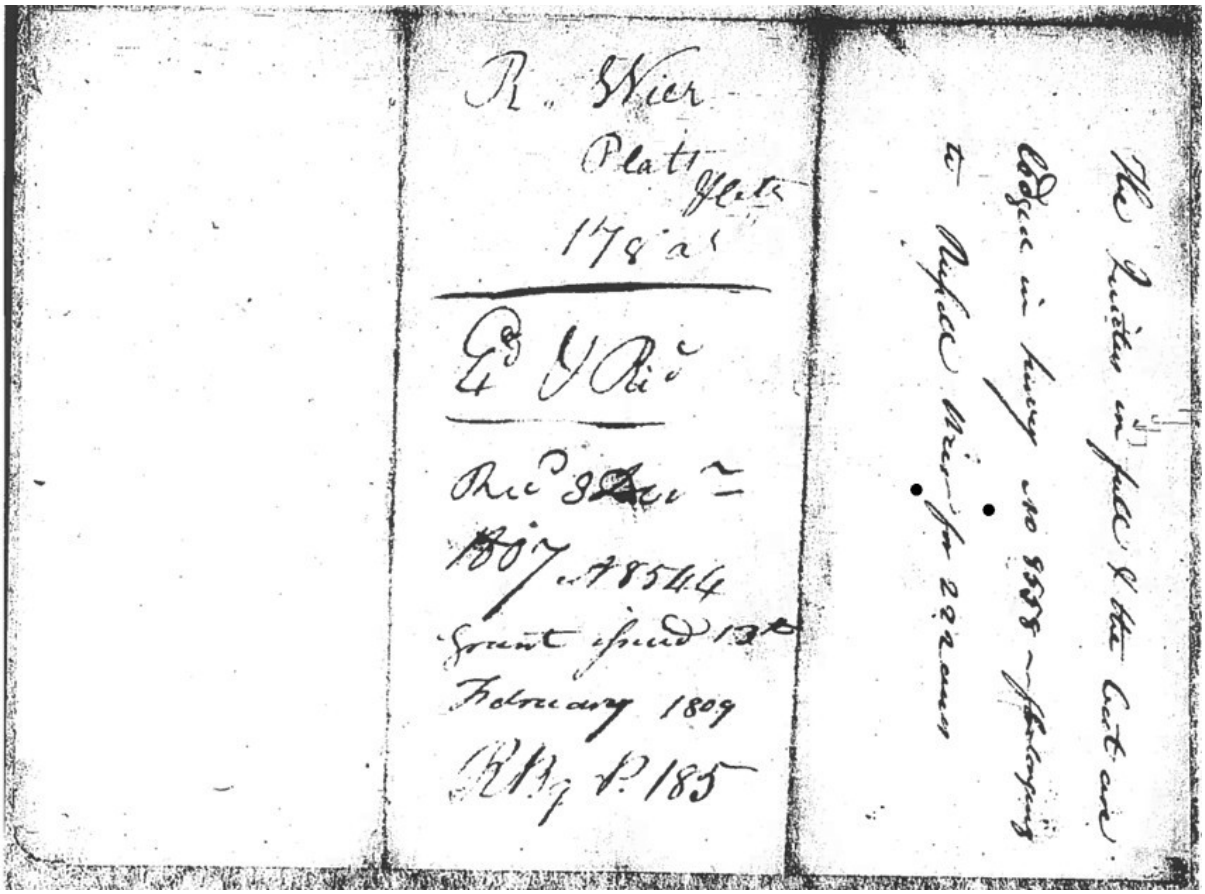
Survey for Russel Wier assigne of
Sally Cates 178 acer of Land By Virtue
of part of a Remov Cetifycate No. 1758
from the County Coart of Christeon
County Lying on the waters of Wiers Creek in
Henderson County Beginning at a Hickkery
and Dogwood Corner of Reubin Herrons Survey
Runig South 45 East 130 poals to a Dogwood
Corner of a Survey of Sd Wier thence North 45
East with Sd Wiers line 220 to a gum in a
Millitary line also a Corner of Sd Wier survey
thence North 45 West with the Millitary line
130 poles to a Maple thence South 45 West 220
the begining Surveyd March the 11th 1807

Asel Wier Ps.

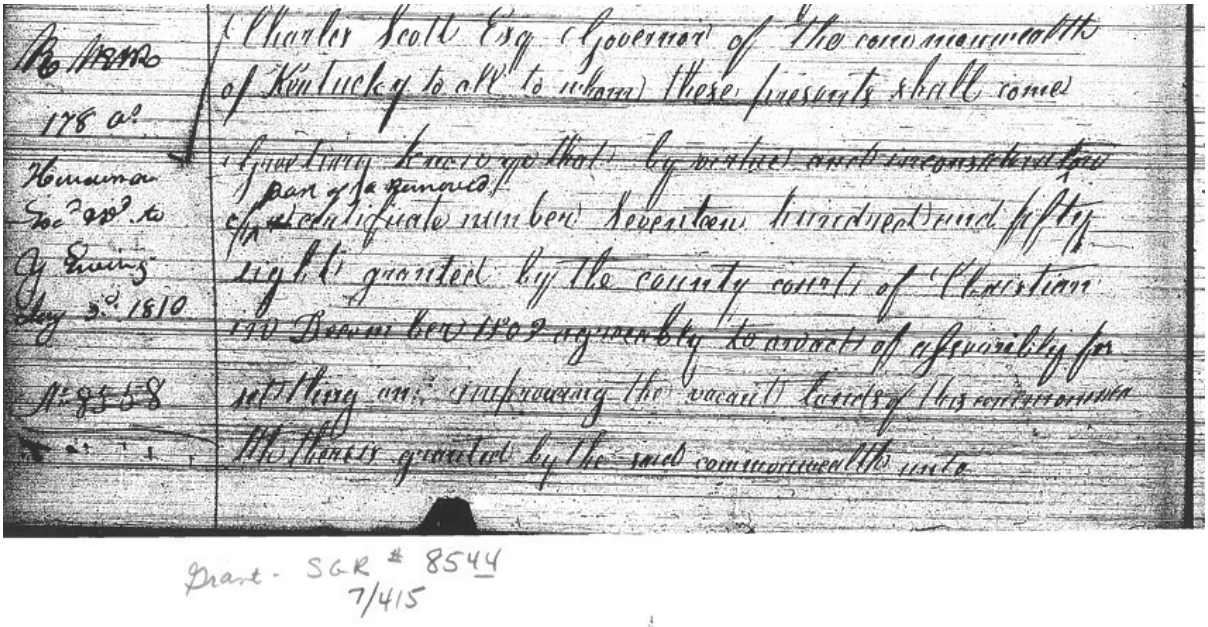
Silas McBee
Clark Landers

Edmund Talbot SHC
Ed. Ch.

Appendix Image 1. Survey No. 8544 — Front (11 March 1807).

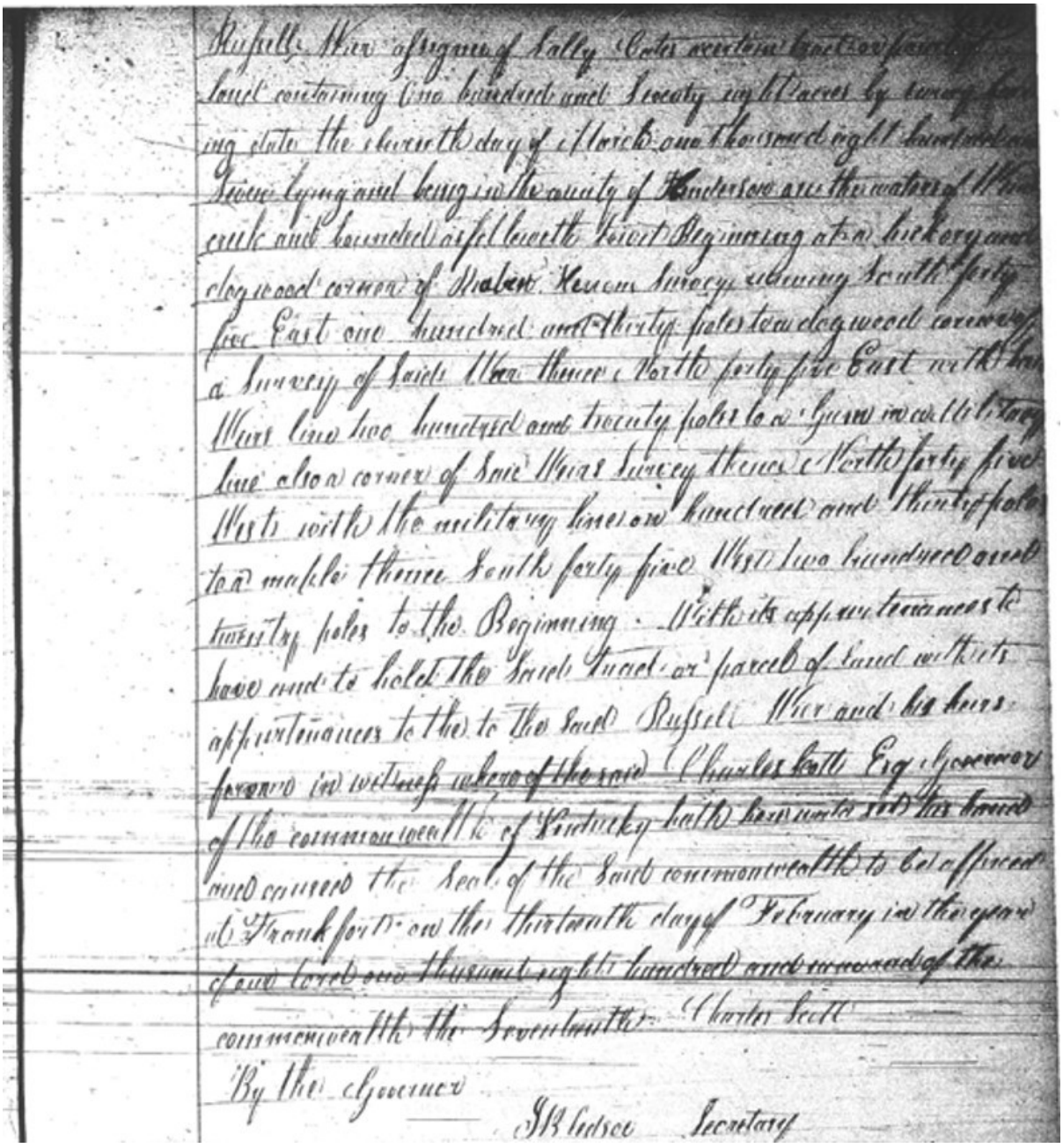


Appendix Image 2. Survey No. 8544 — Back (received 3 December 1807; grant issued 13 February 1809; recorded Book 9, page 185; note that the receipt and certificate are lodged in Survey No. 8558).



Grant - SGR # 8544
7/415

Appendix Image 3. Grant/Patent No. 8544 — Page 1 (Grant Book 7, page 415; margin: delivered to Y. Ewing, 3 January 1810).



Appendix Image 4. Grant/Patent No. 8544 — Page 2 (signatures of Governor Charles Scott and Secretary J. Bledsoe).