Turner Weir — Kentucky Land Grant — Patent No. 8534 (County Certificate No. 2864)

400 Acres on Rose Creek, a Fork of Weirs Creek, Henderson County, Kentucky

Assignee of Joshua Cates, Assignee of James Dean

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. 8534, Turner Wier, assignee of Joshua Cates, assignee of James Dean, 400 acres, Henderson County: Christian County Court certificate No. 2864, 9 December 1805, with the court's removal order and the transfers of 19 November 1806 and 5 March 1807 on the back; survey for Turner Wier, 20 March 1807, received 3 December 1807, endorsed "R[ecorded] B[ook] 9, P[age] 179"; Auditor's Office receipt, 27 December 1808; patent, 13 February 1809, Grant Book 7, page 410. 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, Turner."

Abstract

On 9 December 1805 the Christian County Court certified that James Dean was entitled to 400 acres for having settled it, located in Christian County on the Sinking Fork of Little River, beginning at Joseph Dean's northeast corner and running east and south to include his improvement (Certificate No. 2864; copy attested by John Clark, clerk). At a January term the court admitted Dean to remove the certificate, he having proved that the land was already entered as military or appropriated land. On 19 November 1806 Dean transferred the certificate to Joshua Cates, and on 5 March 1807 Cates assigned it to Turner Wier, with Silas McBee as witness. On 20 March 1807 Deputy Surveyor Asel Wier surveyed the 400 acres for Turner Wier on Rose Creek, a fork of Weirs Creek, in Henderson County, beginning at a corner of B. Wier's survey and running 358 poles north along it. Silas McBee and W. R. Wier carried the chain and Turner Wier was marker. The survey was received on 3 December 1807, the $70.94 state

price was paid on 27 December 1808, and Governor Charles Scott signed the patent to Turner 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.

Surveyed for Turner Wier, assignee of Joshua Cates, assignee of James Dean, 400 acres of land by virtue of a Removed Certificate from the County Court of Christian County, No. (2864), lying on Rose Creek, a fork of Wiers Creek, in Henderson County. Beginning at a black gum and ash, corner of B. Wier's survey; running North with said B. Wier's survey and passing his corner at 179 poles, 358 poles in all, to a black gum and hickory; thence West 179 poles to a black oak, hickory and dogwood; thence South 358 poles to two ashes and [a] red oak; thence East 179 poles to the beginning. Surveyed March the 20th 1807.

Record Summary

Certificate Number	2864 (Christian County Court, 9 December 1805; a removed settler's certificate)
Survey Grant Register Number	8534
Original Claimant	James Dean
Surveyed For / Patentee	Surveyed for Turner Wier, assignee of Joshua Cates, assignee of James Dean; patented to Turner Wier (indexed by Jillson as "Weir, Turner")
Acreage	400 acres
Land Quality	Not stated
Watercourse	Rose Creek, a fork of Weirs Creek ("Wiers Creek")
County in Survey	Henderson County (Hopkins County after 1 May 1807); the certificate was first located in Christian County
Certificate Date	9 December 1805
Survey Date	20 March 1807
Received by Land Office	3 December 1807
Recording	Survey: Book 9, page 179. Patent: Grant Book 7, page 410 (archivist's margin note).

Patent / Grant Issued	13 February 1809, signed by Governor Charles Scott; delivered to Y. Ewing, 3 January 1810
State Price Notation	$70.94, paid in full, per Auditor's Office receipt dated 27 December 1808, in Turner Wier's name
Deputy Surveyor	Asel Wier, D.S.
County Surveyor	Edmund Talbot, S.H.C. (Surveyor, Henderson County)
Chain Carriers	Silas McBee and W. R. Wier (marker: Turner Wier)
Commissioners	None; county court certificate attested by John Clark, C.C.

Chronology

9 December 1805	Christian County Court certifies James Dean's settlement claim to 400 acres on the Sinking Fork of Little River, beginning at Joseph Dean's northeast corner (Certificate No. 2864; copy attested by John Clark, C.C.)
January term [1806?]	Christian County Court admits James Dean to remove the certificate, he having proved the land was entered as military or appropriated land; teste John Clark, C.C.
19 November 1806	James Dean transfers the certificate to Joshua Cates and requests the Register to issue a grant accordingly; witness Robert Trimble [?]
5 March 1807	Joshua Cates assigns the certificate to Turner Wier "for value received"; test. Silas McBee
20 March 1807	400 acres surveyed for Turner Wier on Rose Creek by Asel Wier, D.S., for Edmund Talbot, S.H.C.
3 December 1807	Plat and certificate received; survey recorded Book 9, page 179
27 December 1808	$70.94 paid in full by Turner Wier (Auditor's receipt)
13 February 1809	Grant No. 8534 issued to Turner Wier, signed by Governor Charles Scott and Secretary J. Bledsoe; Grant Book 7, page 410
3 January 1810	Patent delivered to Y. Ewing (margin note)

Persons Named in the Record

Turner Wier	Assignee of Joshua Cates; surveyed for; marker; patentee ("Weir, Turner" in Jillson's index)
James Dean	Original claimant; settled the land on the Sinking Fork of Little River; assignor to Cates
Joseph Dean	Adjoining landowner on the Sinking Fork of Little River (the original location)
Joshua Cates	Assignee of Dean; assignor to Turner Wier
Robert Trimble [?]	Witness to Dean's transfer to Cates (reading uncertain)
Silas McBee	Witness to Cates's assignment to Wier; chain carrier
W. R. Wier	Chain carrier
B. Wier	Adjoining landowner; this survey runs along his survey
Asel Wier	Deputy surveyor
Edmund Talbot	Surveyor of Henderson County
John Clark	Clerk of the Christian County Court
Y. Ewing	Received the patent (margin delivery note)
George Madison	Auditor
Charles Scott	Governor
J. Bledsoe	Secretary

Land Description

A 400-acre tract, 358 by 179 poles, on Rose Creek, a fork of Weirs Creek, in Henderson County (Hopkins County after 1 May 1807), Kentucky. Its east line runs with B. Wier's survey: the west line of Bezaleel Weir's 8535 and then of William Wier's 8546.

Research Notes

A removed certificate. James Dean's certificate was for land he had settled on the Sinking Fork of Little River in Christian County. The note on the back says the court admitted him to remove it because he proved that land "was entered as a military or appropriated land." The survey calls it "a Removed Certificate," and the patent was issued "in consideration of a removed certificate." The 400 acres were finally laid off on Rose Creek in Henderson County.

Along the Weir line. The survey begins at "a black gum and ash, corner of B. Wier's survey," matching the black gum and two ashes at the beginning of KLG 8535, and runs north with that survey, passing its corner at 179 poles. It continues to 358 poles, ending at a black gum and hickory, the same trees at the northwest corner of KLG 8546. Turner Wier's 400 acres therefore lie along the full west side of 8535 and 8546. Because 8534 was surveyed on 20 March 1807 and 8546 on 18 April 1807, the upper half of this line was run before 8546 existed. The survey calls the whole line "B. Wier's survey."

The removal date. The court note on the back reads "Jany Term 180[6]." The last digit looks like a 6. If so, Dean was admitted to remove the certificate in January 1806, a month after it was issued and ten months before he transferred it to Cates.

Recorded side by side. The back of this survey is endorsed "R B 9 P 179," and the survey of 8535 "R B 9 P 180." The two patents were both signed on 13 February 1809, and both margins record delivery to the same Ewing on 3 January 1810.

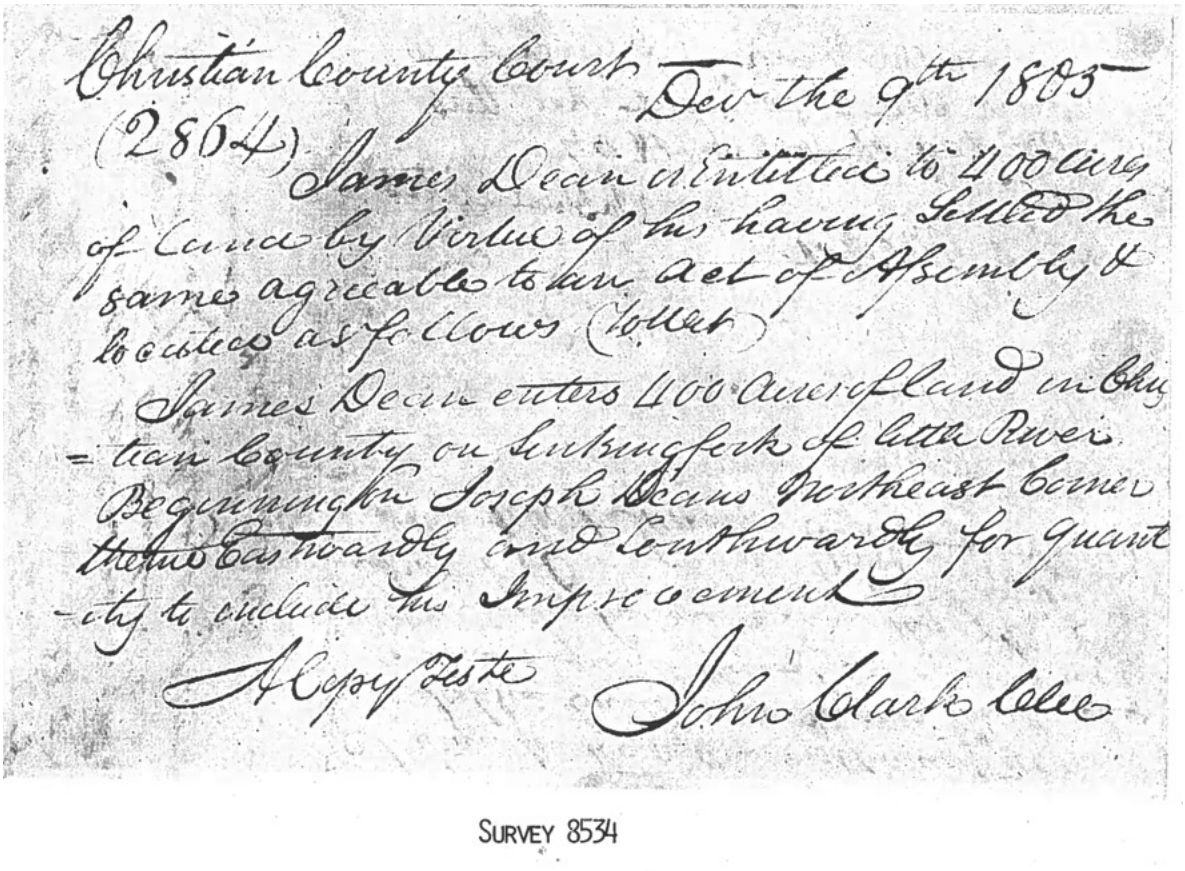
The patent. The patent was issued "in consideration of a removed certificate number two thousand eight hundred and sixty four" and places the land "on Rose creek a fork of Wiers Creek"; a repeated "a fork of Wiers creek" is struck through. A modern archivist's note in the margin gives Grant Book 7, page 410.

The Auditor's receipt. Unlike most receipts in this collection, this one is in the assignee's name, Turner Wier. It reads "Seventy dollars and ninety four cents" ($70.94) on certificate No. 2864 for 400 acres "in Christian county," the county of the original certificate. A note in the left margin reads "B 171 No 8453." The number may be a miswriting of this grant's number, 8534, with the last three digits out of order; the "B 171" is not explained.

The Cates and McBee families. Family research identifies Silas McBee, who witnessed Joshua Cates's assignment of this certificate to Turner Wier and carried the chain on this survey, as a son of Hannah McBee (KLG 1241), and his wife as Catherine Cates (1768–1835), a sister of Joshua Cates (1767–1840) of Christian County, Kentucky; their parents have not been identified (David A. Ralls, “Willis Ralls of Hopkins County, Kentucky,” family tree, Ancestry).

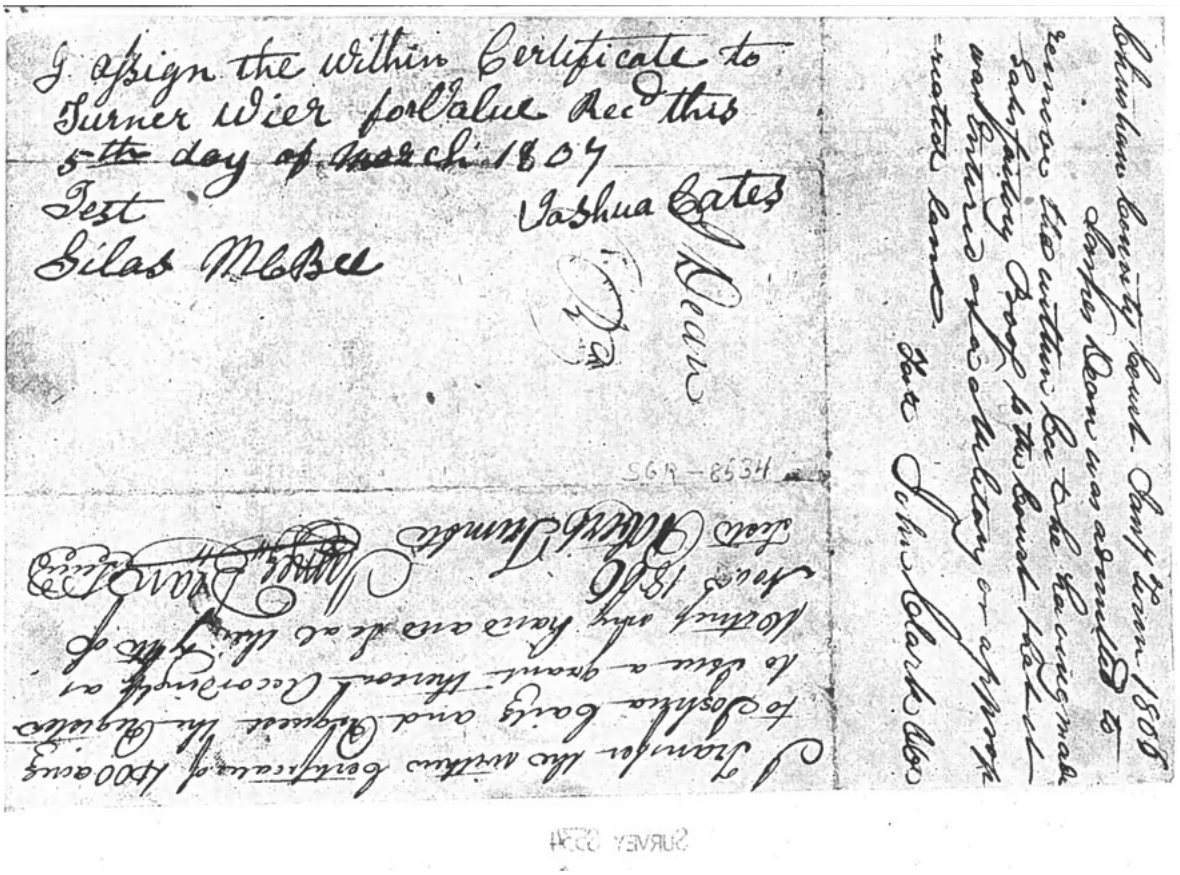
Spelling. The record writes the surname "Wier" throughout, and Jillson indexes the grant as "Weir, Turner." This report uses Weir in its headings and the record's spelling in quotations and transcriptions.

Images / Appendix

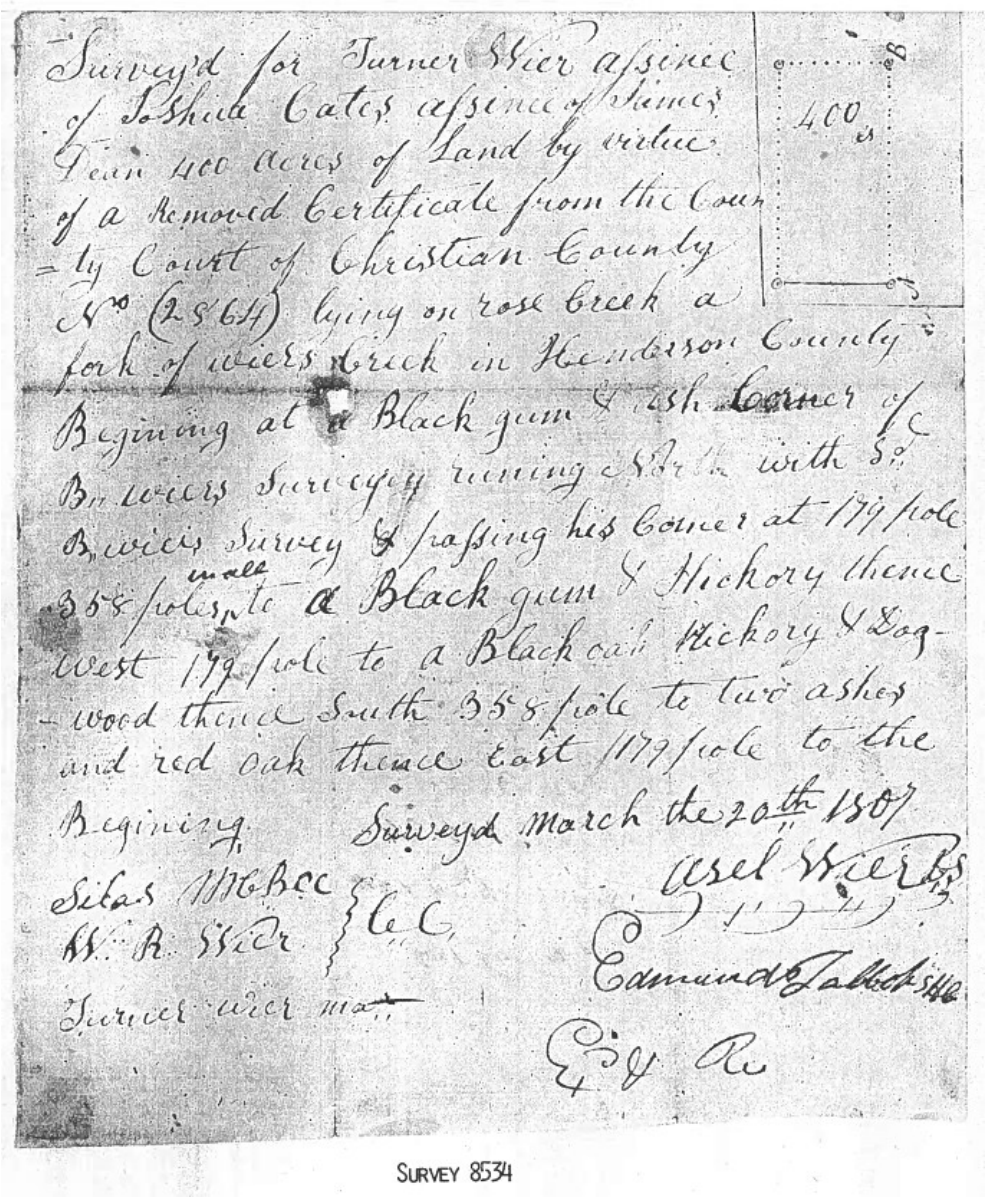

Christian County Court Dec the 9th 1805
(2864) James Dean Entitled to 400 Acres
of Land by Virtue of his having Settled the
same agreeable to an act of Assembly &
Locates as follows (to wit)
James Dean enters 400 Acres of Land in Chris-
tian County on Linbungfork of Little River
Beginning on Joseph Deans Northeast Corner
thence Eastwardly and Southwardly for Quant-
ity to include his Improvement
A Copy Teste John Clark Clerk

SURVEY 8534

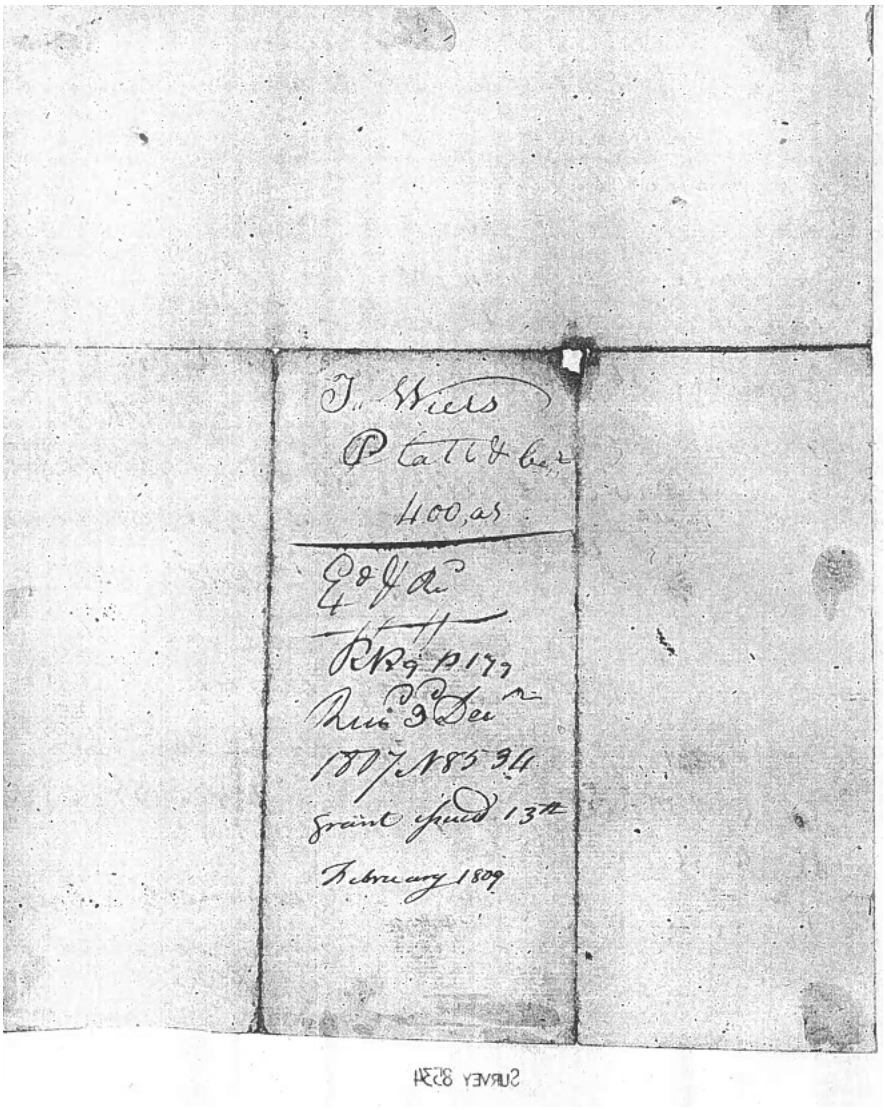
Appendix Image 1. Christian County Court Certificate No. 2864 — Front (9 December 1805).



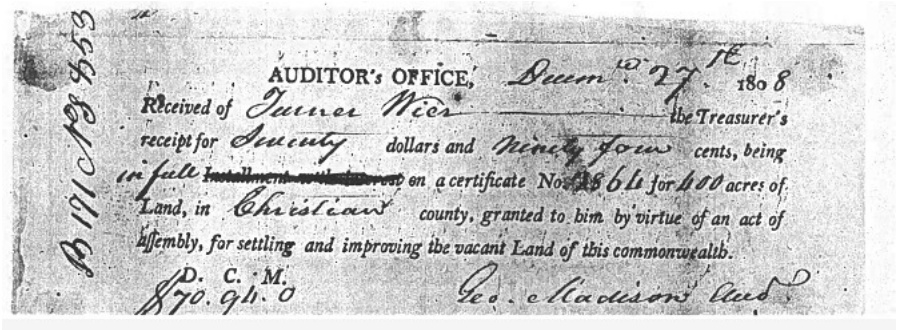
Appendix Image 2. Certificate — Back (removal order; James Dean to Joshua Cates, 19 November 1806; Joshua Cates to Turner Wier, 5 March 1807).



Appendix Image 3. Survey No. 8534 — Front (20 March 1807).



Appendix Image 4. Survey No. 8534 — Back (received 3 December 1807; recorded Book 9, page 179; grant issued 13 February 1809).



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

J. Weir
400 a.
Henderson
County
Sec. Vol. to
Y. Ewing
Jany 3d 1810

No. 8534

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 a remaining ecclesiastic number two thousand eight hundred and sixty four granted by the county court of Christian in Dec 1806 agreeably to an act of assembly for settling and improving the vacant lands of this commonwealth there is granted by said commonwealth unto Turner Weir assignee of Joshua Cates who was assignee of James Dean Wertain tract or parcel of land containing four hundred acres by survey bearing date the twentieth day of March one thousand eight hundred and seven lying and being in the county of Henderson on Low creek ~~a fork of Weirs creek~~ a fork of Weirs Creek and bounded as followeth to wit Beginning at a black Gum and ash corner of B Weirs Survey running North with said B Weirs Survey and passing his corner at one hundred and Seventy nine poles three hundred and fifty eight poles in all to a black Gum and hickory thence West one hundred and Seventy nine poles to a black oak hickory and dogwood thence South three hundred and fifty eight poles to two ashes and red oak thence East one hundred and Seventy nine 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 Turner Weir and his heirs for ever In Witness Whereof the said Charles Scott Esq 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 thirteenth day February in the year of our Lord one thousand eight hundred and nine and of the Commonwealth the Seventeenth

Grant #8534
SGR
Bk 7
Pg 410

By the Governor Charles Scott
J B Odor Secretary

Appendix Image 6. Grant/Patent No. 8534 (13 February 1809; margin: delivered to Y. Ewing, 3 January 1810).