Turner Wier — Kentucky Land Grant — Patent No. 8539 (County Certificate No. 368)

330 Acres on the Waters of the Caney Fork of the Crab Orchard Fork of Tradewater, Henderson County, Kentucky

Original Claimant and Patentee

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. 8539, Turner Wier, 330 acres, Henderson County: Henderson County Court certificate, November County Court 1804, attested copy [the certificate itself bears no number; No. 368 in the receipt and patent]; survey, 18 July 1807, received 3 December 1807, recorded Record Book 9, page 182; Auditor's Office receipt, 27 December 1808; patent, 13 February 1809 [grant book and page not shown in the image]. 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

At the November County Court of 1804 the Henderson County Court heard Turner Wier claim 400 acres of land on account of settling the same, under the act "for settling and improving the vacant lands of this Commonwealth," lying on the waters of the Caney Fork of the Crab Orchard Fork of Tradewater, beginning on three maples, corner of a military survey, running north 45 west 120 poles to two maples and a black gum in a military line, thence north 45 east with the military line for quantity. The court found that he had a right to a settlement of 400 acres to include the location and ordered that a certificate issue (copy attested by Ambrose Barbour, C.H.C.C.). On 18 July 1807 Deputy Surveyor Asel Wier, for Edmund Talbot, S.H.C., surveyed 330 acres for Turner Wier by virtue of [part, under an ink blot] of the certificate, with R. Byas [?] and R. Wier as chain carriers and T. Wier as marker. The survey was received on 3 December 1807 and recorded in Record Book 9, page 182. On 27 December 1808 the Auditor received of Turner Wier $53.82, in full, on Certificate No. 368 for 300 [?] acres, part of 400. Governor Charles Scott signed

the patent to Turner Wier on 13 February 1809 by virtue of part of Certificate No. 368, and it was examined and 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 Turne[r] Wier 330 acres of land by virtue [of part, under an ink blot] of a certificate from the County Court of Henderson County, lying on the waters of the Caney Fork of the Crab Orchard Fork, which is a fork of Tradewater, in Henderson County. Beginning on three maples; running North 45 West 120 poles to two maples and a black gum [word struck through] in a military line; thence North 45 East with the military line 500 poles to a hickory, ash and dogwood [patent: hickory, oak and dogwood] in a military line; thence South 45 East 88 poles to a black oak and ash, also in a military line; thence South 43 West with the military line ["to the" struck through] 500 poles to the beginning. Surveyed July the 18th 1807.

Record Summary

Certificate Number	368, in part (Henderson County Court, November County Court 1804, for 400 acres; the number is from the receipt and patent)
Survey Grant Register Number	8539
Original Claimant	Turner Wier
Assignment	None; Turner Wier was claimant and patentee
Surveyed For / Patentee	Turner Wier (indexed by Jillson as "Weir, Turner")
Acreage	330 acres (the courses hold about 302 acres)
Watercourse	Waters of the Caney Fork of the Crab Orchard Fork of Tradewater
County in Survey	Henderson County
Certificate Date	November County Court 1804
Survey Date	18 July 1807
Received by Land Office	3 December 1807
Recording	Survey: Record Book 9, page 182. Patent: grant book and page not shown in the image
Patent / Grant Issued	13 February 1809, signed by Governor Charles Scott and Secretary J. Bledsoe; delivered to Y. Ewing, 3 January 1810
State Price Notation	$53.82, in full, 27 December 1808 ("instalment with interest" struck through)

Deputy Surveyor / Chain Carriers	Asel Wier, D.S., for Edmund Talbot, S.H.C.; R. Byas [?] and R. Wier, chain carriers; T. Wier, marker
County Court Clerk	Ambrose Barbour, C.H.C.C. (Henderson County)

Chronology

November County Court 1804	Henderson County Court finds that Turner Wier has a right to a settlement of 400 acres on the Caney Fork of the Crab Orchard Fork and orders a certificate to issue
18 July 1807	330 acres surveyed for Turner Wier by Asel Wier, D.S., for Edmund Talbot, S.H.C.; chain carriers R. Byas [?] and R. Wier; marker T. Wier
3 December 1807	Survey received; recorded Record Book 9, page 182
27 December 1808	$53.82 paid in full on Certificate No. 368
13 February 1809	Grant No. 8539 issued to Turner Wier
3 January 1810	Patent examined and delivered to Y. Ewing (margin note)

Persons Named in the Record

Turner Wier	Original claimant; surveyed for; marker ("T. Wier"); patentee
Asel Wier	Deputy surveyor
Edmund Talbot	Surveyor of Henderson County (S.H.C.)
R. Byas [?]	Chain carrier
R. Wier	Chain carrier
Ambrose Barbour	Clerk of the Henderson County Court (C.H.C.C.)
Y. Ewing	Received the patent (margin delivery note)
George Madison	Auditor
Charles Scott	Governor
J. Bledsoe	Secretary

Land Description

A 330-acre tract on the waters of the Caney Fork of the Crab Orchard Fork of Tradewater, Henderson County, Kentucky, a long strip about 120 poles wide and 500 poles long lying between two military lines that run north-east and south-west. Its beginning, three maples, is called a corner of a military survey in the certificate.

Research Notes

Courses and acreage. The survey and the patent agree on the four courses: north 45 west 120 poles, north 45 east 500, south 45 east 88 and south 43 west 500. Plotted as written they miss closing by about 15 poles and hold about 302 acres, not the 330 stated; the record does not explain the difference. The plat in the top right corner of the survey shows the strip with its corners lettered A and B and "330 as."

Part of a 400-acre claim. The court found a right to 400 acres; this survey takes 330. On the survey the words after "by virtue" lie under an ink blot, and "of part" can be made out beneath it; the patent interlines "part of a" before "certificate." The receipt reads "300" [?] acres, with "pt. 400" written above; the second figure is not clear, and 330 would agree with the survey. No other survey on the rest of Certificate No. 368 has been found.

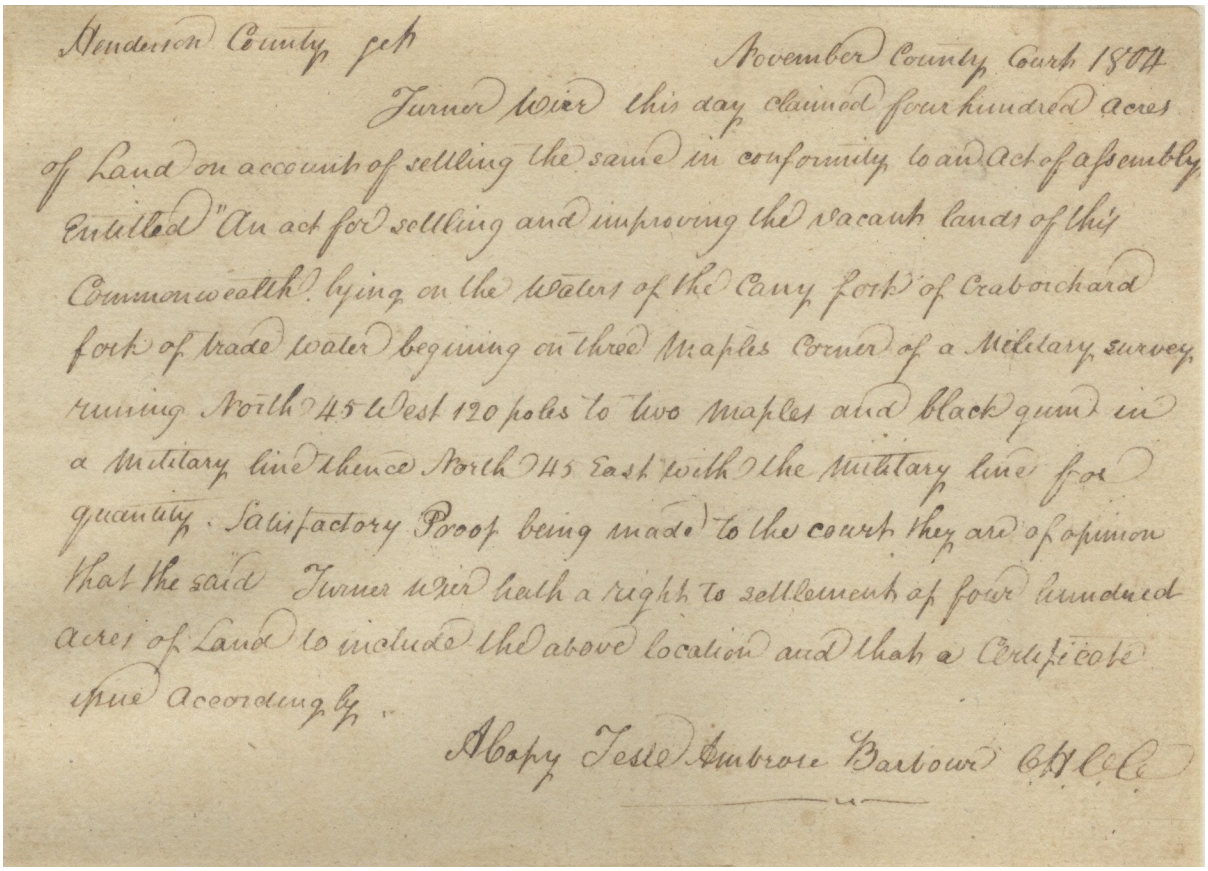
Corner trees. The survey's second corner is "a hickory, ash and dogwood in a military line"; the patent reads "a hickory, oak and dogwood in a military line." The certificate calls the three maples a "corner of a military survey"; the survey and patent do not. No published survey in this collection yet names any of this tract's corners.

Recording and delivery. The back of the survey is endorsed "Turner Wier, Platt & Cr, 330 as," "Grant issued 13th February 1809," "Recd 3d Decr 1807, No 8539" and "R B 9 P 182." KLG 8540 and 8541 are recorded on the next page, 183, and 8540 was received the same day. The patent margin reads "T. Wier, 330 a., Henderson, Ex'd & Dd to Y. Ewing, Jany 3d 1810, No. 8539"; the year 1810 is clear. Turner Wier's other patent, KLG 8534, is dated the same day and was delivered to Y. Ewing on the same date.

The certificate. The certificate opens "Henderson County Sct.," the usual venue heading, and is dated November County Court 1804; nothing is struck through there. In the patent the date "November 1804" is interlined above a struck word. The certificate carries no number; No. 368 comes from the receipt and patent. Its back is endorsed "Turner Wier, 400 acres." The receipt's left margin reads "B 171 No [85]39," partly under a blot: the grant number, like the similar notes on the receipts of 8534, 8542, 8544, 8545, 8550 and 8552.

Images / Appendix

The following manuscript images accompany this record.



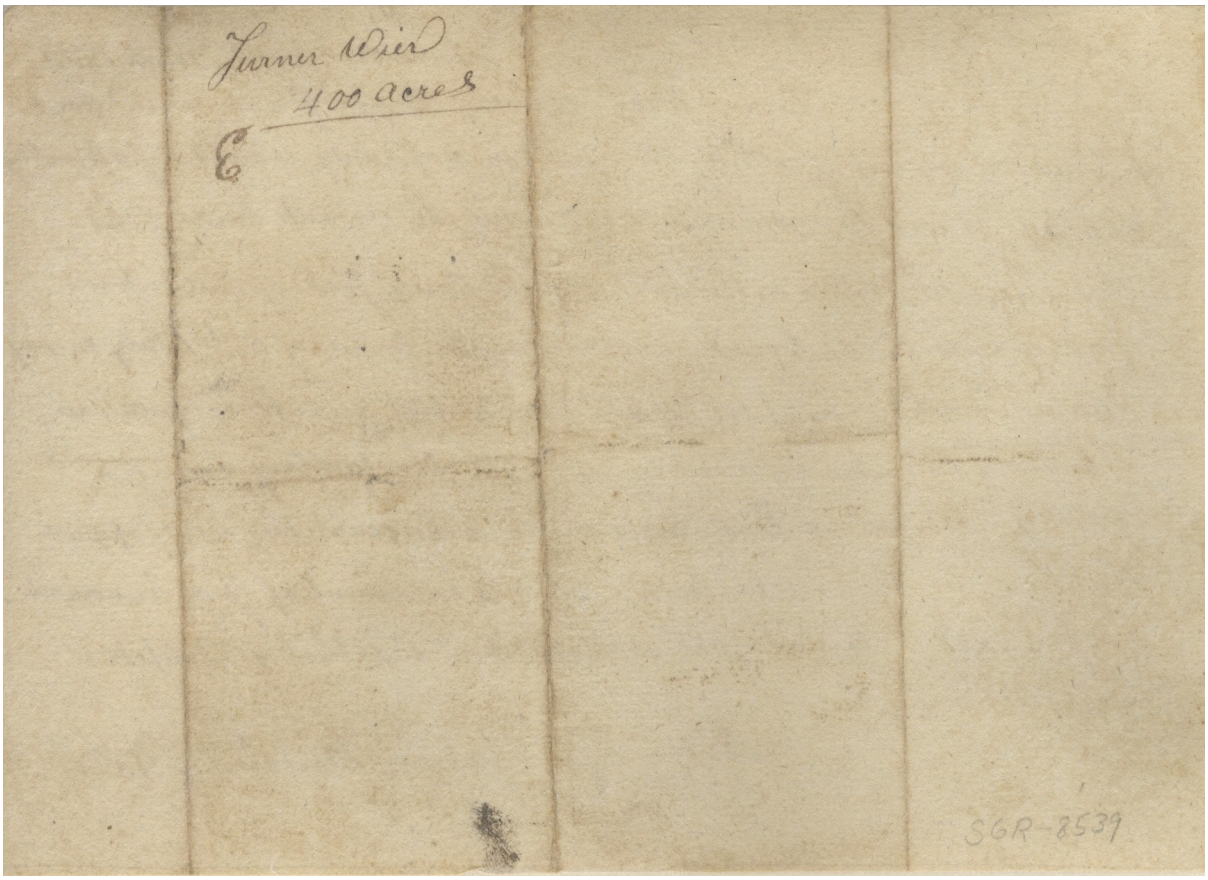
Henderson County ss

November County Court 1804

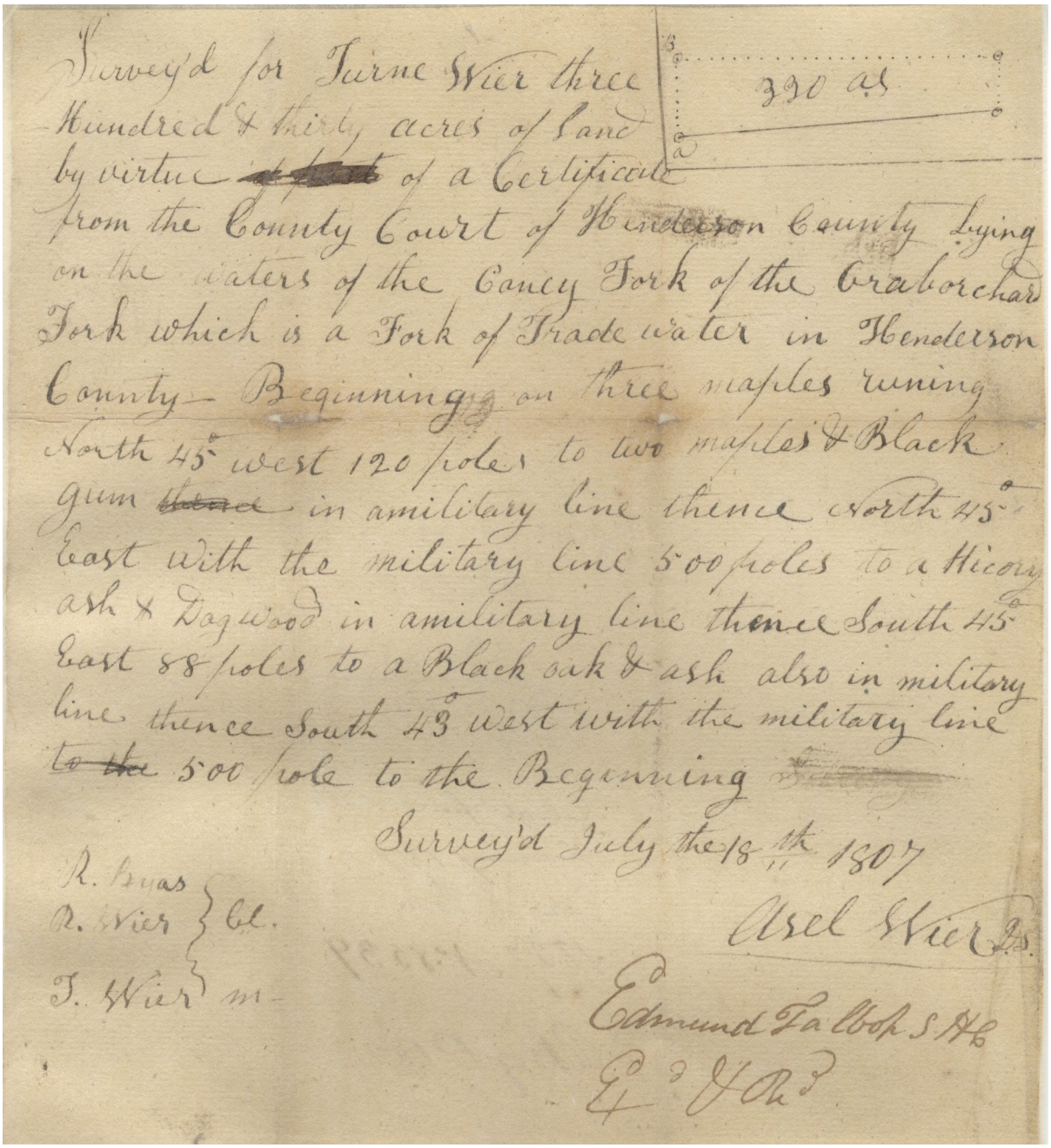
Turner Weir this day claimed four hundred acres of Land on account of settling the same in conformity to an Act of assembly Entitled "An act for settling and improving the vacant lands of this Commonwealth" lying on the waters of the Cany fork of Crab orchard fork of trade water beginning on three Maples Corner of a Military survey running North 45 West 120 poles to two maples and black gum in a Military line thence North 45 East with the Military line for quantity. Satisfactory Proof being made to the court they are of opinion that the said Turner Weir hath a right to settlement of four hundred acres of Land to include the above location and that a Certificate issue accordingly.

A Copy Teste Ambrose Barlow C.H.C.C.

Appendix Image 1. Henderson County Court Certificate, November County Court 1804 — Front.



Appendix Image 2. Certificate — Back ("Turner Wier, 400 acres").



Survey'd for Turne Wier three Hundred & thirty acres of land by virtue ~~of part~~ of a Certificate from the County Court of Henderson County Lying on the waters of the Caney Fork of the Craborchard Fork which is a Fork of Trade water in Henderson County — Beginning on three maples runing North 45° west 120 poles to two maples & Black gum ~~thence~~ in amilitary line thence North 45° East with the military line 500 poles to a Hicory ash & Dogwood in amilitary line thence South 45° East 88 poles to a Black oak & ash also in military line thence South 43° West with the military line ~~to the~~ 500 pole to the Beginning

Survey'd July the 18th 1807

R. Byas
R. Wier } Cl.
T. Wier } m.

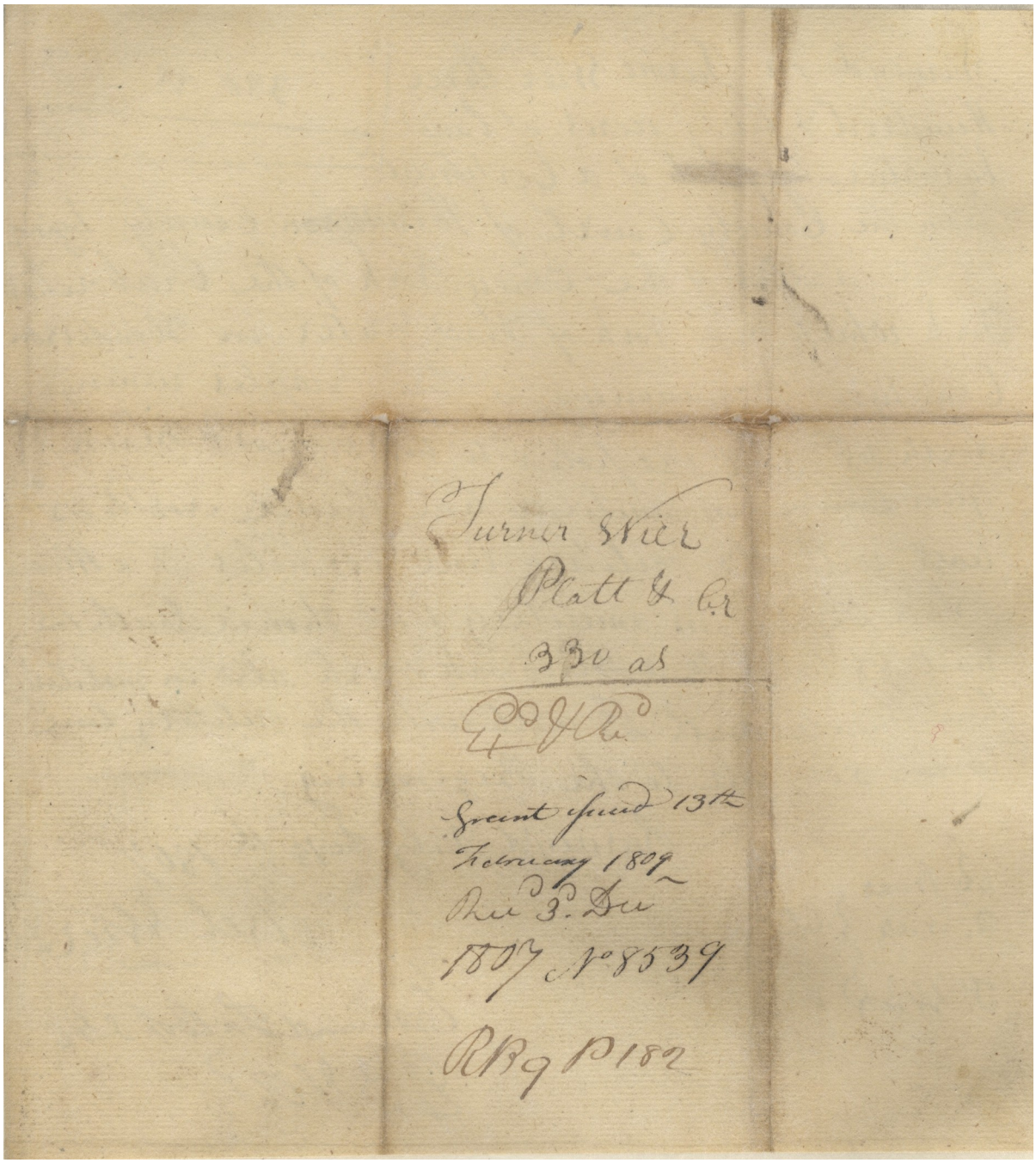
Asel Wier Ds.

Edmund Talbot S.H.C.

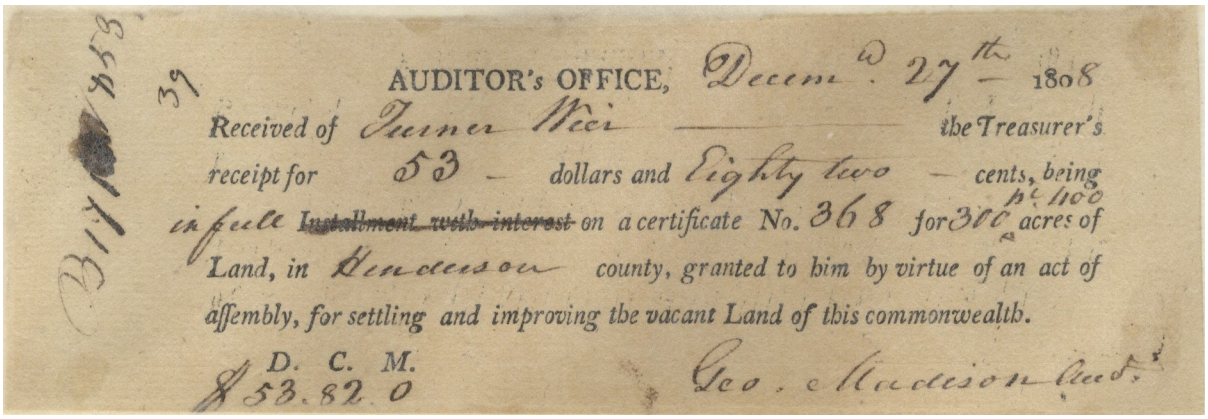
Ed. & Rd.

330 as

Appendix Image 3. Survey No. 8539 — Front (18 July 1807, with plat).



Appendix Image 4. Survey No. 8539 — Back (received 3 December 1807; recorded R B 9 P 182).



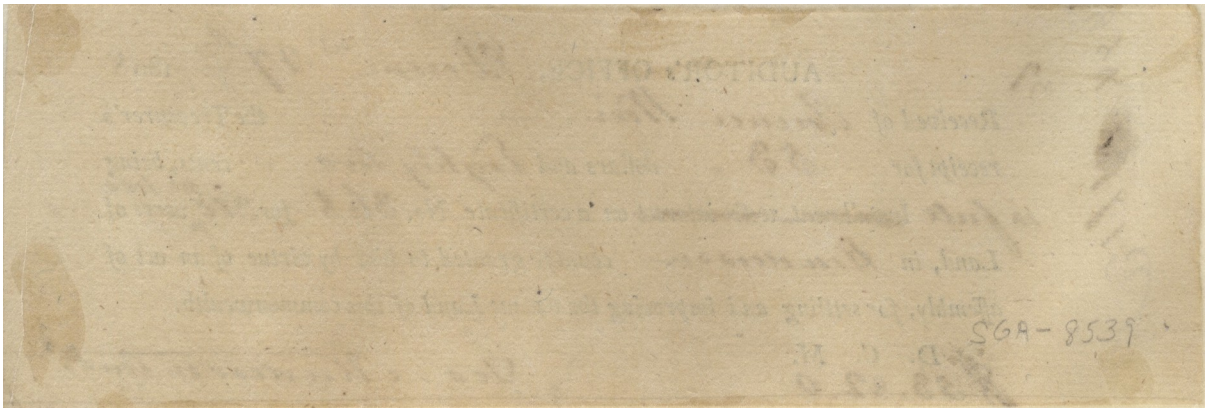
AUDITOR's OFFICE, Decem^r. 27th — 1808

Received of Turner Weir the Treasurer's receipt for 53 — dollars and Eighty two — cents, being in full ~~Installment with interest~~ on a certificate No. 368 for 300 p^c. 1100 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.

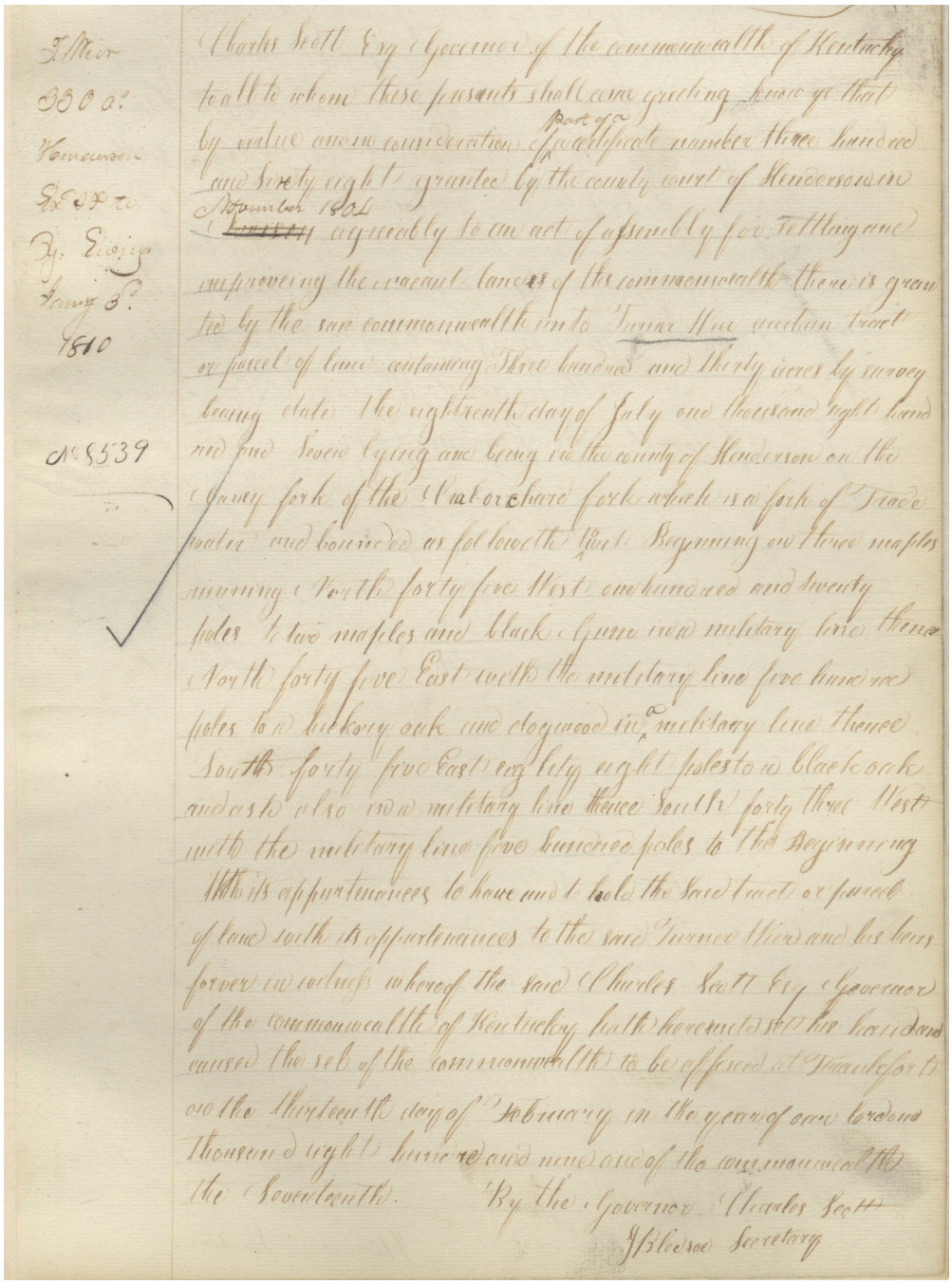
D. C. M.
$53.82.0

Geo. Madison Aud^t.

Appendix Image 5. Auditor's Office Receipt — Front (27 December 1808, $53.82).



Appendix Image 6. Auditor's Office Receipt — Back.



T. Mier
330 a.
Henderson
Ex. 38 to
Y. Ewing
Jany 3d
1810

No. 8539

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 gran
ted by the said commonwealth unto Turner Weir 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
red and seven lying and being in the county of Henderson on the
Caney fork of the Crab or chard fork which is a fork of Trade
water and bounded as followeth to wit Beginning on three maples
running North forty five West one hundred and twenty
poles to two maples and black Gum in a military line thence
North forty five East with the military line five hundred
poles to a hickory oak and dogwood in a military line thence
South forty five East eighty eight poles to a black oak
and ash also in a military line thence South forty three West
with the military line five hundred 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
forever 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 commonwealth to be affixed at Frankfort
on the thirteenth day of February in the year of our lord one
thousand eight hundred and nine and of the commonwealth
the Seventeenth. By the Governor Charles Scott
J Bledsoe Secretary

Appendix Image 7. Grant/Patent No. 8539, 13 February 1809 (margin: delivered to Y. Ewing, 3 January 1810).