William Owen — Kentucky Land Grant — Patent No. 5341 (Removed Certificate No. 369)

150 Acres on Owens Branch, a Branch of Tradewater River, Henderson County, Kentucky

Assignee of Justinian Cartwright, Assignee of Jeremiah Holcomb

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. 5341, William Owen, assignee of Justinian Cartwright, assignee of Jeremiah Holcomb, 150 acres, Henderson County: survey for William Owen, 11 November 1806, endorsed "Removed Cert. filed in Survey No. 5342" and "Recorded Book 6, page 59," received 14 August 1807; Auditor's Office receipt, 5 March 1810; patent, 6 March 1810, Grant Book 8, pages 84–85. 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. 380, as "Owings, Wm."

Abstract

Jeremiah Holcomb's 200-acre Livingston County certificate of March 1802 was removed at the February 1806 court, the land having been taken by a prior claim, and passed through Justinian Cartwright to William Owen on 25 August 1806; the certificate, its assignments and the removal order are filed with KLG 5342. On 11 November 1806 Deputy Surveyor John Gordon surveyed 150 acres of it for Owen on both sides of Owens Branch in Henderson County, beginning in a line of Owen's former survey and running with the lines of Calvin Merry, Robertson, McClindale, Stuart and Wilson. Willis Rolls and John McCormack carried the chain, and Owen was marker. The remaining 50 acres were surveyed the same day and became KLG 5342. The survey was received on 14 August 1807 and recorded in Book 6, page 59. Owen paid the $21.83 balance on 5 March 1810, and Governor Charles Scott issued Grant No. 5341 to him on 6 March 1810; the patent was delivered to A. Kier the same day.

Survey Description

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

Surveyed for William Owen, assignee of Justinian Cartwright, assignee of Jeremiah Holcomb, 150 acres by virtue of part of a removed certificate from the County of Livingston, in Henderson County on both sides of Owens Branch, a branch of Tradewater River. Beginning at an ash standing in a line of said Owen's former survey on the bank of the branch; running North 30° East 250 poles, passing said Owen's corner and with Calvin Merry's line, to two ashes; thence South 40° East 270 poles with Robertson's and McClindale's lines to a white oak in Stuart's line; thence South 85° West 70 poles to a hickory in Wilson's line; thence North 20 poles to a white oak; thence West 190 poles to the beginning. As recorded, the courses leave a gap of about 45 poles, so at least one call was likely miscopied (see Research Notes).

Record Summary

Certificate Number	369 (part of a removed certificate; the certificate is filed with Survey No. 5342)
Survey Grant Register Number	5341
Original Claimant	Jeremiah Holcomb
Surveyed For / Patentee	William Owen, assignee of Justinian Cartwright, assignee of Jeremiah Holcomb (indexed by Jillson as "Owings, Wm")
Acreage	150 acres (part of the 200-acre certificate; the other 50 acres became KLG 5342)
Watercourse	Both sides of Owens Branch, a branch of Tradewater River
County in Survey	Henderson County (the certificate was originally granted in Livingston County — see Research Notes)
Certificate Date	2 March 1802 (Livingston County Court); removal permitted at the February Court 1806
Survey Date	11 November 1806 (survey received 14 August 1807)
Recording	Survey: Book 6, page 59. Patent: Grant Book 8, pages 84–85.
Patent / Grant Issued	6 March 1810, signed by Governor Charles Scott; delivered to A. Kier the same day
State Price Notation	$21.83, per Auditor's Office receipt of 5 March 1810, "in full on 150 p[ar]t [of] 200 acres"

Deputy Surveyor	John Gordon, D.S.; Edmund Talbot, S.H.C. (Surveyor, Henderson County)
Chain Carriers / Marker	Willis Rolls and John McCormack, chain carriers; William Owen, marker

Chronology

2 March 1802	Livingston County Court certificate No. 369 to Jeremiah Holcomb for 200 acres (filed with KLG 5342)
February Court 1806	Certificate permitted to be removed, the land having been taken by a prior claim (order filed with KLG 5342)
25 August 1806	Justinian Cartwright assigns the certificate to William Owen (assignment filed with KLG 5342)
11 November 1806	150 acres surveyed for William Owen on both sides of Owens Branch, Henderson County, by Deputy Surveyor John Gordon; chain carriers Willis Rolls and John McCormack, marker William Owen. The other 50 acres (KLG 5342) were surveyed the same day.
14 August 1807	Survey received; recorded Book 6, page 59 (endorsement on back of survey)
5 March 1810	"William Owens, ass[ignee] &c." pays $21.83, in full on 150 of 200 acres, Certificate No. 369; receipt signed by George Madison, Auditor
6 March 1810	Patent issued to William Owen, signed by Governor Charles Scott and Secretary J. Bledsoe; delivered to A. Kier the same day (margin note)

Persons Named in the Record

Jeremiah Holcomb	Original claimant; Livingston County Court certificate of 2 March 1802 for 200 acres
Justinian Cartwright	Assignee of Jeremiah Holcomb; assigned the certificate to William Owen, 25 August 1806
William Owen	Assignee of Justinian Cartwright; marker; patentee; owner of the adjoining "former survey." Written "Owens" on the receipt and "Owing" in the patent margin; indexed by Jillson as "Owings, Wm"
John Gordon	Deputy Surveyor (D.S.) who made the 11 November 1806

	survey
Edmund Talbot	Surveyor of Henderson County (S.H.C.)
Willis Rolls	Chain carrier on the 11 November 1806 survey (very likely Willis Ralls); also a chain carrier on KLG 5342 and 5352
John McCormack	Chain carrier on the 11 November 1806 survey; later patentee of KLG 5342
Charles Scott	Governor of Kentucky; signed the patent, March 6, 1810
J. Bledsoe	Secretary of the Commonwealth; countersigned the patent
George Madison	Auditor; signed the receipt of 5 March 1810
A. Kier	Received the patent the day it issued (margin note)
Calvin Merry	Adjoining landowner named in the survey's boundary calls
Robertson	Adjoining landowner named in the survey's boundary calls
McClindale	Adjoining landowner (survey: "McClend[a]ll")
Stuart	Adjoining landowner named in the survey's boundary calls
Wilson	Adjoining landowner named in the survey's boundary calls

Land Description

150 acres on both sides of Owens Branch, a branch of Tradewater River, Henderson County (later Hopkins County), Kentucky.

Research Notes

Name spellings: the survey and patent text say William Owen. The Auditor's receipt says "William Owens," and the clerk's margin note on the patent says "William Owing." Jillson's index lists the grant under "Owings, Wm," so researchers working from Jillson will find it under that spelling.

One certificate, two tracts: Holcomb's 200-acre Certificate No. 369 was divided. 150 acres became this grant and 50 acres became KLG 5342 (John McCormack). The certificate, its assignments (Holcomb to Cartwright; Cartwright to Owen, 25 August 1806) and the February 1806 removal order are filed with 5342, as the back of this survey notes: "Removed Cert. filed in Survey No. 5342."

Which Owen survey? The calls begin "in a line of said Owen's former survey" and pass "said Owen's corner" before running with Calvin Merry's line. William Owen's KLG 4998 also runs along Calvin Merry's line, which points to 4998, but the record does not name the survey.

Plotting: the courses as recorded leave a gap of about 45 poles, much larger than the few poles typical of these surveys. The researcher's DeedMapper reconstruction adjusts three calls (the first course to N 33 E 223 poles, the third to due West 70 poles, and the last to West 225 poles), and with those changes the tract closes to within a fraction of a pole. The N 33 E bearing matches the adjustment needed to fit KLG 5342 to its neighbors. These adjustments are a reconstruction and are not stated in the record.

The receipt reads "in full on 150 p[ar]t [of] 200 acres of land, lying in Henderson (formerly Livingston) county," recording that this payment covered 150 acres of the 200-acre certificate.

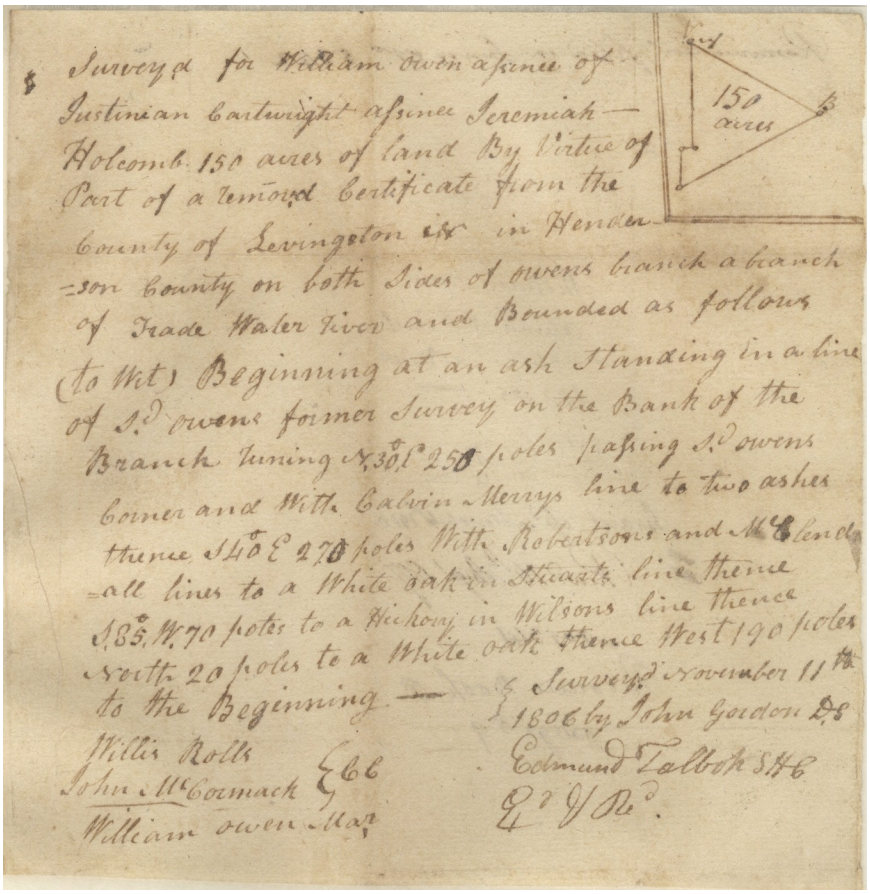
Willis Rolls (very likely Willis Ralls) carried the chain here with John McCormack, as he did on KLG 5342 the same day and on Jesse Walker's KLG 5352 (25 July 1806).

The two halves of the certificate were patented four years apart: this grant on 6 March 1810 under Governor Charles Scott (Secretary J. Bledsoe), and KLG 5342 on 18 October 1814 under Governor Isaac Shelby.

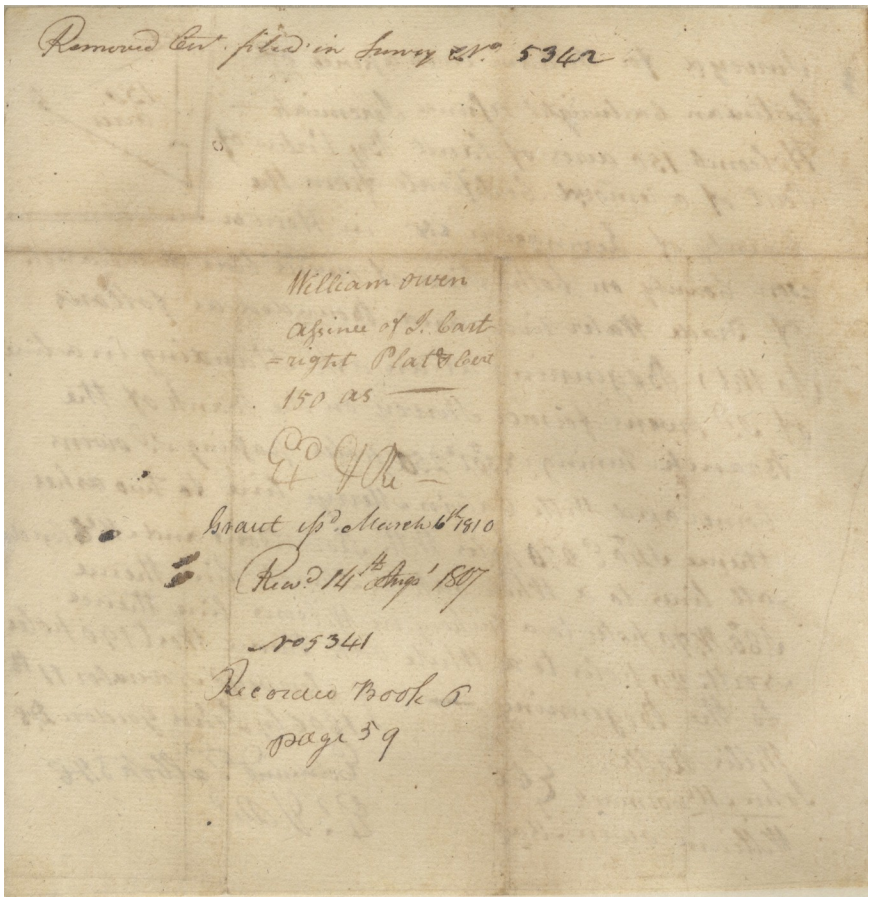
The patent was delivered to A. Kier on the day it issued; KLG 5342 went to Gilbert Christian, and KLG 4998, 4999 and 5352 to Gen. Hopkins.

Images of the certificate are filed with KLG 5342 and are not repeated in this report.

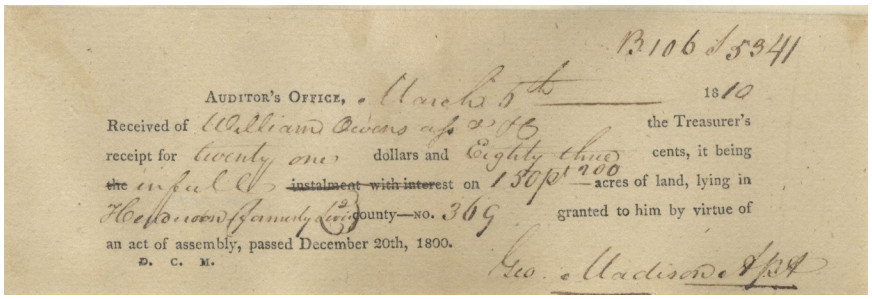
Images / Appendix



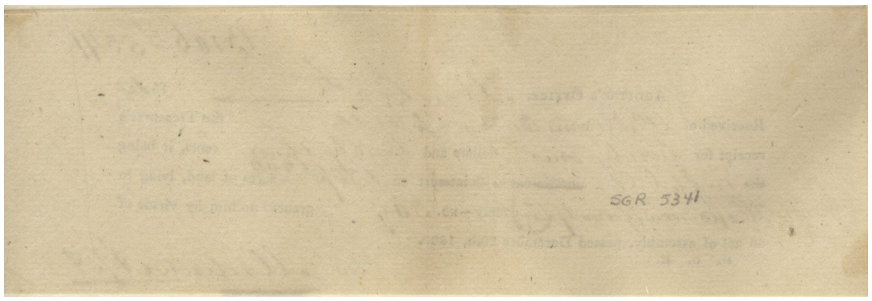
Appendix Image 1. Survey No. 5341 — Front.



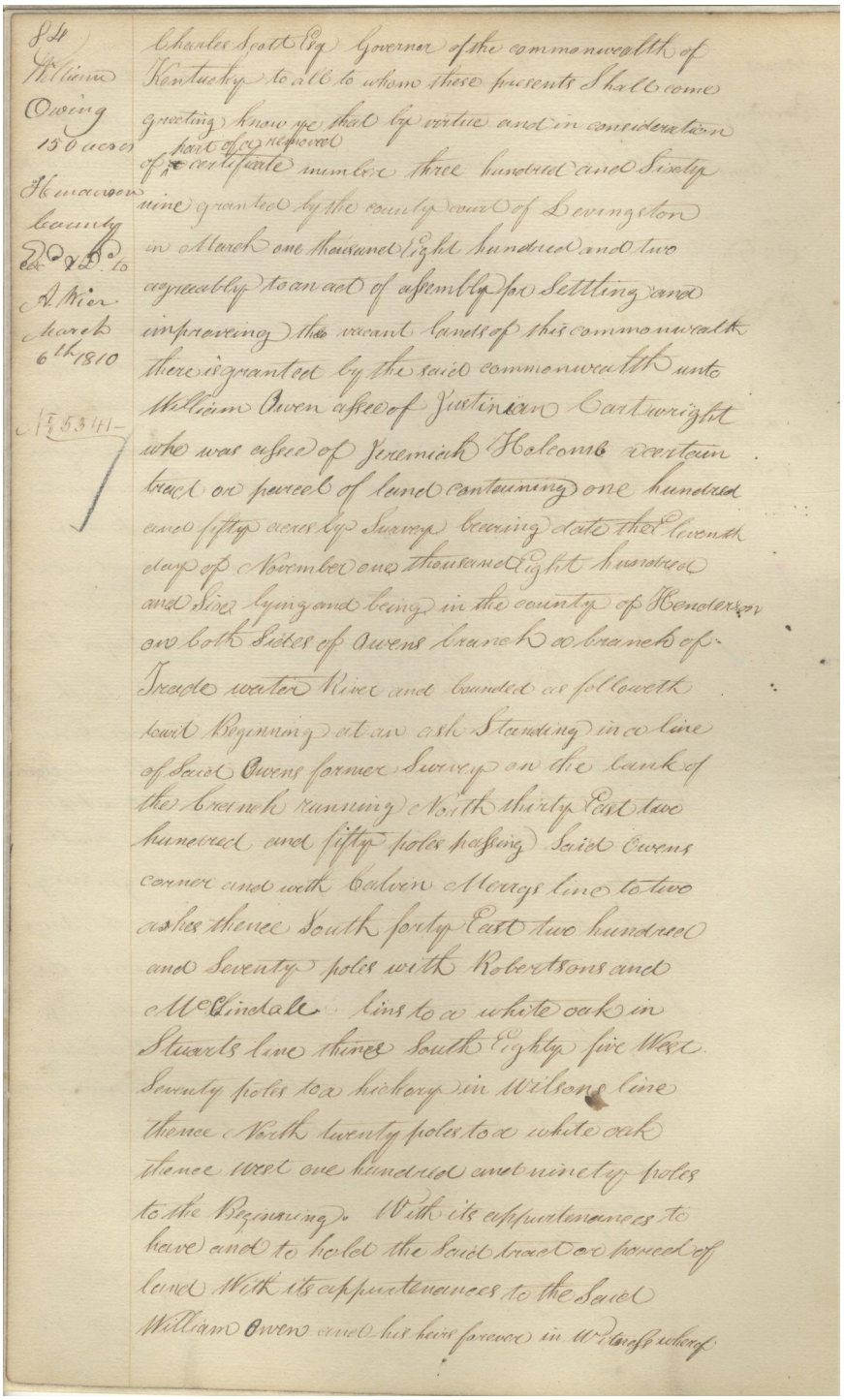
Appendix Image 2. Survey No. 5341 — Back ("Removed Cert. filed in Survey No. 5342"; received 14 August 1807; recorded Book 6, page 59).



Appendix Image 3. Auditor's Office Receipt — Front.



Appendix Image 4. Auditor's Office Receipt — Back.



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William Owing
150 acres
Henderson County
Ex^d & D^d to A. Kier
March 6th 1810
No 5341

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 removed certificate number three hundred and Sixty nine granted by the county court of Levingston in March one thousand Eight hundred and two agreeably to an act of assembly for Settling and improveing the vacant lands of this commonwealth there is granted by the said commonwealth unto William Owen assee of Justinian Cartwright who was assee of Jeremiah Holcomb a certain tract or parcel of land containing one hundred and fifty acres by Survey bearing date the Eleventh day of November one thousand Eight hundred and Six lying and being in the county of Henderson on both Sides of Owens branch a branch of Trade water River and bounded as followeth to wit Beginning at an ash Standing in a line of Said Owens former Survey on the bank of the branch running North thirty East two hundred and fifty poles passing Said Owens corner and with Calvin Merrys line to two ashes thence South forty East two hundred and Seventy poles with Robertsons and McClindale lins to a white oak in Stuarts line thence South Eighty five West Seventy poles to a hickory in Wilsons line thence North twenty poles to a white oak thence West one hundred and ninety 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 William Owen and his heirs forever in Witness whereof

Appendix Image 5. Grant/Patent No. 5341 — Page 1 (Grant Book 8, page 84; margin: delivered to A. Kier).

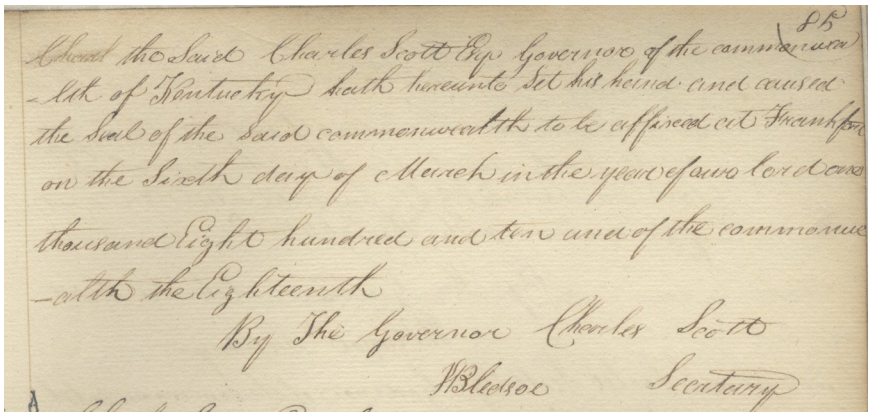

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Chart the Said Charles Scott Esq Governor of the commonwea-
-lth of Kentucky hath hereunto Set his hand and caused
the Seal of the Said commonwealth to be affixed at Frankfort
on the Sixth day of March in the year of our lord one
thousand Eight hundred and ten and of the commonwe-
-alth the Eighteenth

By The Governor Charles Scott

J Bledsoe Secretary

Appendix Image 6. Grant/Patent No. 5341 — Page 2 (Grant Book 8, page 85).