William Henry — Kentucky Land Grant — Patent No. 5677 (County Certificate No. 344)

56 Acres on the Waters of Weirs Creek, a Fork of Clear Creek, Henderson County, Kentucky

Assignee of Caleb Hall

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. 5677, William Henry, assignee of Caleb Hall, 56 acres, Henderson County: Henderson County Court order, March County Court 1806, attested copy [part of Certificate No. 344]; survey for Caleb Hall, 4 March 1806, with assignment of 5 March 1806 on the back, received 14 October 18[09?], recorded Book 6, page 246; Auditor's Office receipt, 2 November 1809; patent, 2 November 1809, pages numbered 499 and 500 [grant book not named]. 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. 332, as "Henry, Wm."

Abstract

At the March County Court of 1806 the Henderson County Court heard Caleb Hall claim 56 acres of land "on account of having lost so much of his additional settlement by a prior right," beginning at the south-west corner of William Henry's, assignee of Caleb Hall, and running north 45 east with that line and south for quantity. The court found that Caleb Hall had lost 56 acres "by interference with a prior right" and ordered that he be permitted to remove the same so as to include the location, and that a certificate issue (copy attested by Ambrose Barbour, C.H.C.). On 4 March 1806 Deputy Surveyor Willie Suggs, for Edmund Talbot, S.H.C., surveyed 56 acres for Caleb Hall, beginning at a hickory and dogwood, the south-west corner of his survey, and closing along a line of that survey, with Willie Suggs and William Henry as chain carriers. On 5 March 1806 Caleb Hall assigned the plat and certificate to William Henry. The survey was received on 14 October 18[09?] and recorded in Book 6, page 246. On 2 November 1809 the Auditor received of

Wm. Henry, assignee of Caleb Hall, $9.44, the balance in full on 56 acres under Certificate No. 344, and Governor Charles Scott signed the patent the same day to William Henry, assignee of Caleb Hall, by virtue of part of Certificate No. 344. It was examined and delivered to Henry Ashby the same day.

Survey Description

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

Surveyed for Caleb Hall 56 acres of land by virtue of a certificate from the County Court of Henderson, in Henderson County on the waters of Wires Creek, a fork of Clear Creek. Beginning at a hickory and dogwood, the south-west corner of his survey [words struck through]; running South 65 poles to a hickory and dogwood; thence North 45 East 240 poles to an elm and two dogwoods in James Herron's line; thence with his line North 63 poles [patent: sixty-five] to two dogwoods in said line, south-east corner to his former survey [words struck through]; thence with a line of said survey South 45 West 240 poles to the beginning. Surveyed March the 4th 1806.

Record Summary

Certificate Number	344 (part of; Henderson County Court order of March County Court 1806, for 56 acres lost to a prior right)
Survey Grant Register Number	5677
Original Claimant	Caleb Hall
Assignment	To William Henry: plat and certificate, 5 March 1806 (witness Thos. G. B[?])
Surveyed For / Patentee	Surveyed for Caleb Hall; patent to William Henry, assignee of Caleb Hall (indexed by Jillson as "Henry, Wm.")
Acreage	56 acres (the courses hold about 68 to 69 acres)
Watercourse	Waters of Weirs Creek, a fork of Clear Creek
County in Survey	Henderson County
Certificate Date	March County Court 1806
Survey Date	4 March 1806
Received by Land Office	14 October 18[09?]
Recording	Survey: Book 6, page 246. Patent: pages numbered 499 and 500 [grant book not named]
Patent / Grant Issued	2 November 1809, signed by Governor Charles Scott

	and Secretary J. Bledsoe; delivered to Henry Ashby the same day
State Price Notation	$9.44, the balance in full, 2 November 1809
Deputy Surveyor / Chain Carriers	Willie Suggs, D.S., for Edmund Talbot, S.H.C.; Willie Suggs and William Henry, chain carriers
County Court Clerk	Ambrose Barbour, C.H.C. (Henderson County)

Chronology

March County Court 1806	Henderson County Court finds that Caleb Hall lost 56 acres of his additional settlement by a prior right and allows him to remove it, beginning at the south-west corner of William Henry's survey
4 March 1806	56 acres surveyed for Caleb Hall by Willie Suggs, D.S., for Edmund Talbot, S.H.C.; chain carriers Willie Suggs and William Henry
5 March 1806	Caleb Hall assigns the plat and certificate to William Henry; witness Thos. G. B[?]
14 October 18[09?]	Survey received; recorded Book 6, page 246
2 November 1809	$9.44 paid, the balance in full; Grant No. 5677 issued to William Henry, assignee of Caleb Hall, and delivered to Henry Ashby

Persons Named in the Record

Caleb Hall	Original claimant; surveyed for; assignor
William Henry	Assignee and patentee; chain carrier; owner of the adjoining survey (KLG 5678)
Willie Suggs	Deputy surveyor; also named as a chain carrier
Edmund Talbot	Surveyor of Henderson County (S.H.C.)
James Herron	Adjoining landowner (east line)
Thos. G. B[?]	Witness to the 1806 assignment
Ambrose Barbour	Clerk of the Henderson County Court (C.H.C.)
Henry Ashby	Received the patent (margin delivery note)
George Madison	Auditor

Charles Scott	Governor
J. Bledsoe	Secretary

Land Description

A 56-acre strip on the waters of Weirs Creek, a fork of Clear Creek, Henderson County, Kentucky, lying along the south side of William Henry's 144 acres (KLG 5678). Its north side is 5678's 240-pole south line, from the hickory and dogwood to the two dogwoods in James Herron's line, and its east side runs with Herron's line.

Research Notes

The south side of 5678. The court order begins the location "at the south west corner of William Henry's, assee. of Caleb Hall, running North 45 East with said line and South for quantity." The survey begins at "a hickory and dogwood, the south-west corner of his survey" and closes from "two dogwoods in said line, south-east corner to his former survey," running "with a line of said survey" south 45 west 240 poles to the beginning. William Henry's KLG 5678 (1805) has a hickory and dogwood at its south-west corner and two dogwoods in James Herron's line at its south-east corner, joined by a line north 45 east 240 poles. This tract therefore lies directly south of 5678 and shares that line; both corners are named in both records.

The 56 acres lost. The court found that Caleb Hall had lost 56 acres of his additional settlement "by interference with a prior right" and allowed him to remove that quantity. The certificate for 5678 was for 200 acres and that survey was for 144; 200 less 144 is 56. The patent is "by virtue of part of" Certificate No. 344, and the receipt cites No. 344, the certificate behind 5678.

Courses and acreage. The survey reads North 63 poles along Herron's line; the patent reads sixty-five. Plotted with 65 poles the courses close; with 63 they miss by 2 poles. Either way the figure holds about 68 or 69 acres, not the 56 stated; the record does not explain the difference.

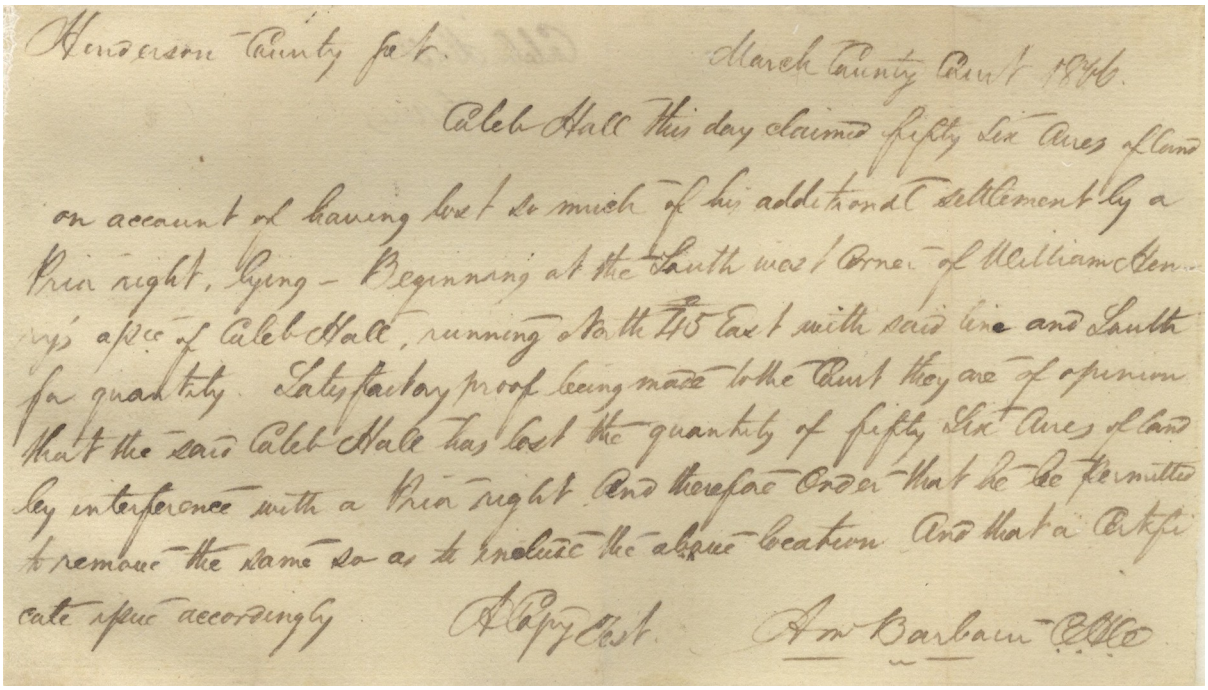
The survey. Willie Suggs is named both as a chain carrier, with William Henry, and as the deputy surveyor ("by Wilie Suggs, D.S., for Edm'd Talbot, S.H.C."). Words after "his survey" and after "former survey" are struck through, and a first date, "Surveyed September...," is struck through above the date of 4 March 1806. The plat at the top right shows the strip with its corners lettered A and B.

Assignment, payment and patent. The back of the survey carries Caleb Hall's assignment of "the within plott & certificate unto William Henry," with a request that a patent issue accordingly, dated 5 March 1806, "value recd," witnessed by Thos. G. B[?]. The receipt of 2 November 1809 is received of "Wm. Henry, assee. of Caleb Hall," for $9.44, "the Balance in full" (with the printed "instalment with interest" struck through) on 56 acres in Henderson County, No. 344, signed Geo. Madison. Governor Charles Scott and Secretary J. Bledsoe signed the patent the same day; its margin reads "William Henry, 56 acres, Henderson, Exd & Dd to Henry Ashby, 2d Nov 1809, No. 5677." The patent pages are numbered 499 and 500.

Recording. The back of the survey is endorsed "William Henry, plat, 56 acres," "Grant issued 2d Nov 1809," "No. 5677," "Recd 14th Octr 18[09?]" and "Record Book 6, page 246," the page before 5678's entry on page 247. The back of the court order is endorsed "Caleb Hall, 56 acres."

Images / Appendix

The following manuscript images accompany this record.

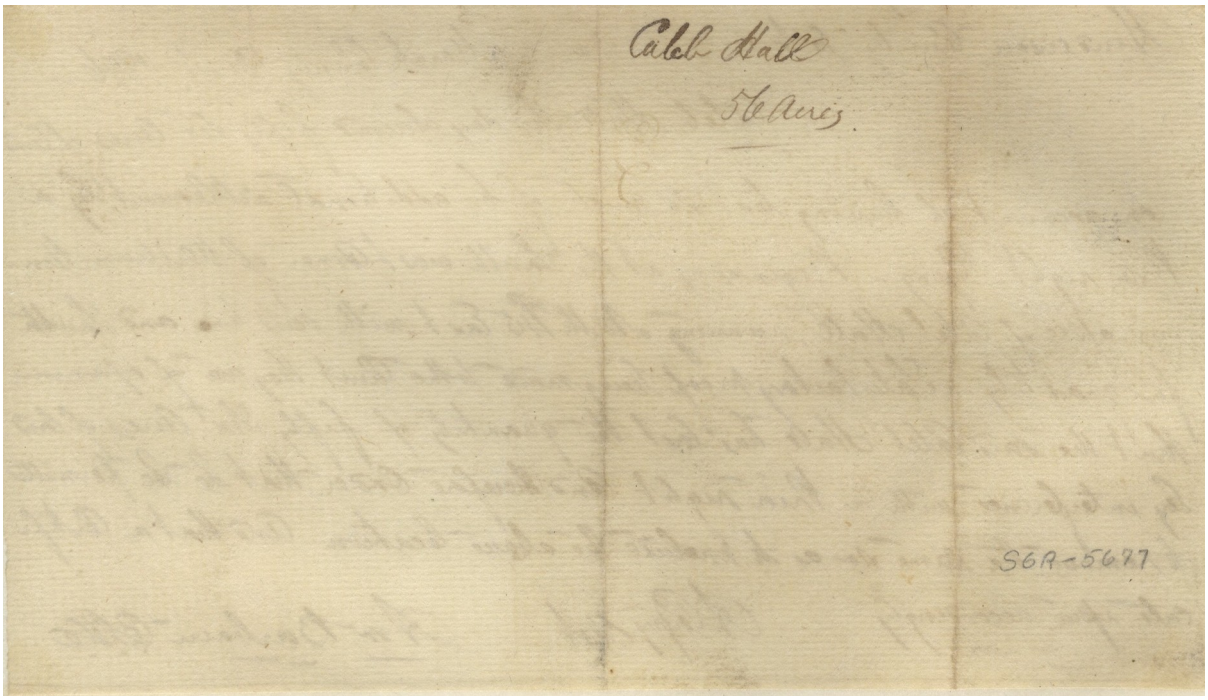


Henderson County Jct. March County Court 1806.

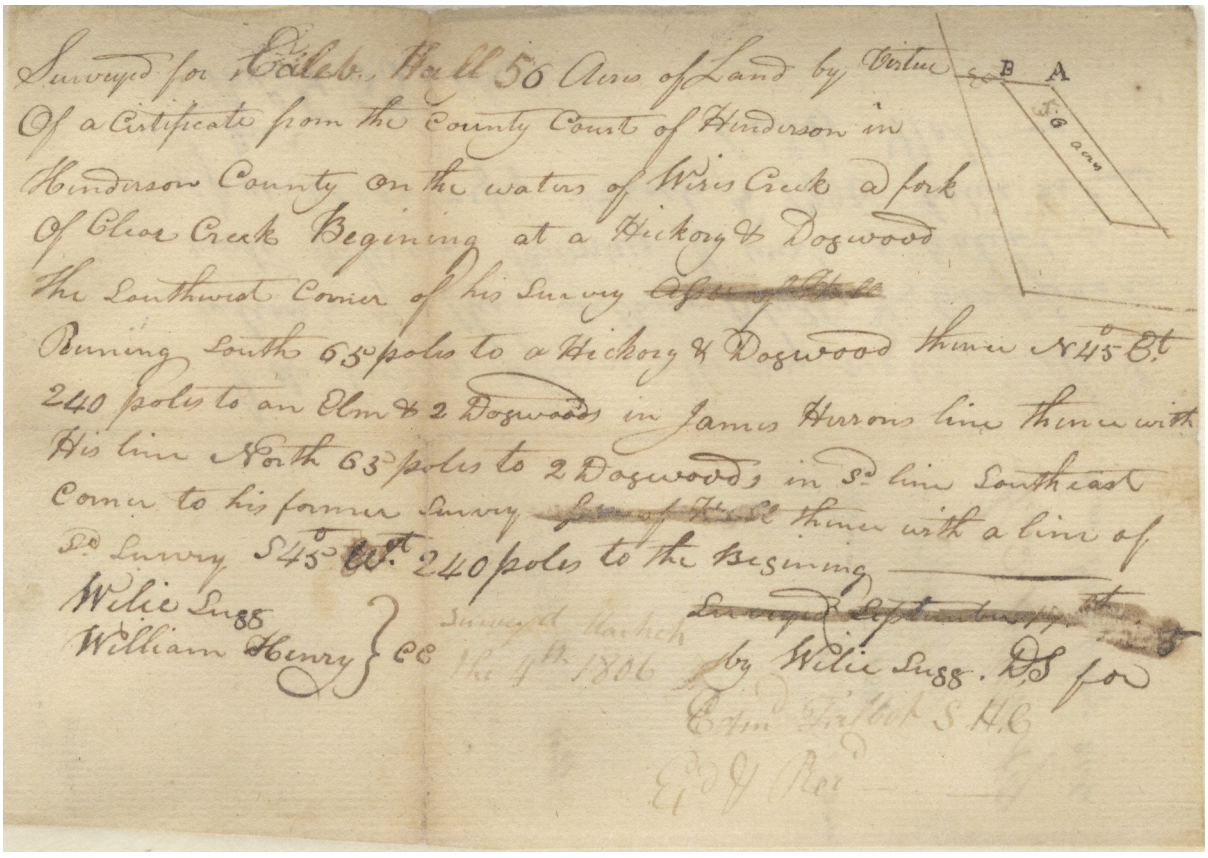
Caleb Hall this day claimed fifty Six Acres of land on account of having lost so much of his additional settlement by a Prior right, lying – Beginning at the South west Corner of William Henry's assce of Caleb Hall, running North 45 East with said line and South for quantity. Satisfactory proof being made to the Court they are of opinion that the said Caleb Hall has lost the quantity of fifty Six Acres of land by interference with a Prior right And therefore Order that he be permitted to remove the same so as to include the above location And that a Certificate issue accordingly

A Copy Test. Am Barbour C.H.C.

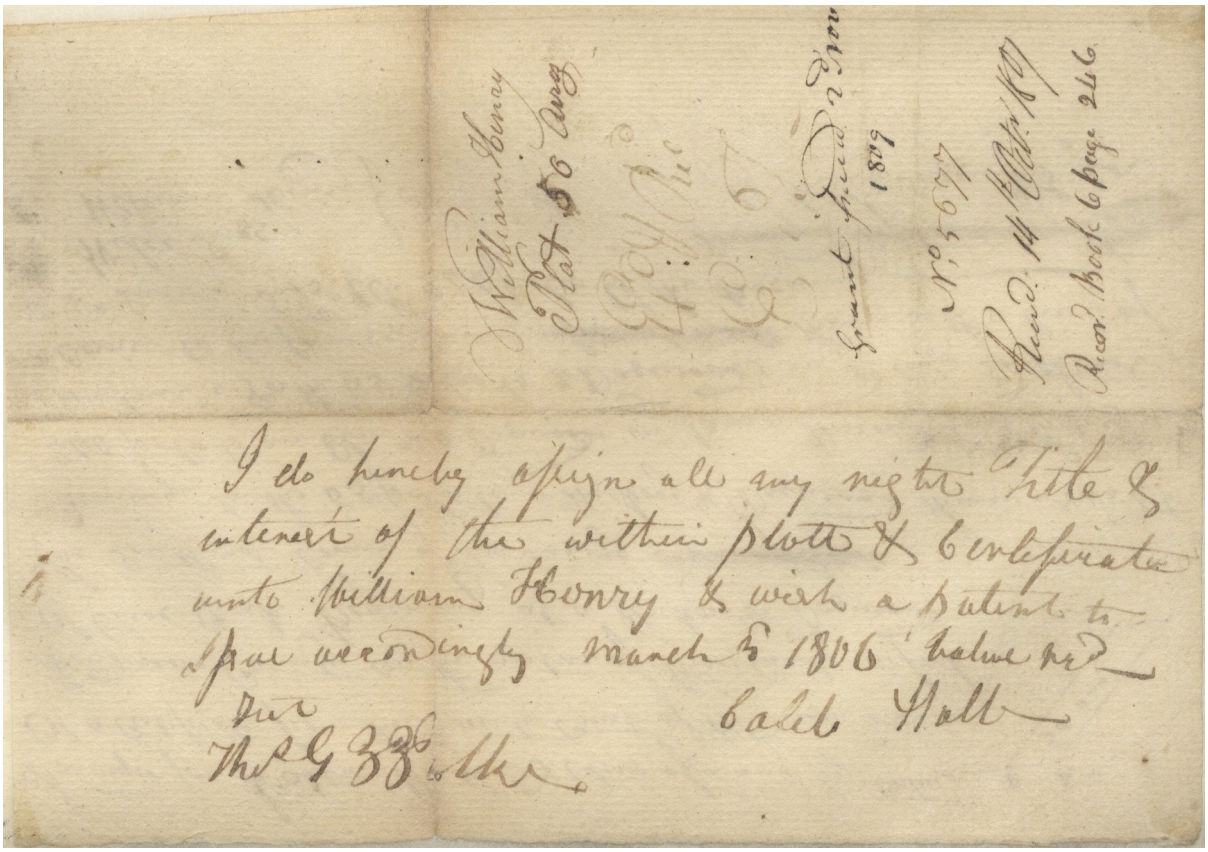
Appendix Image 1. Henderson County Court Order, March County Court 1806 — Front.



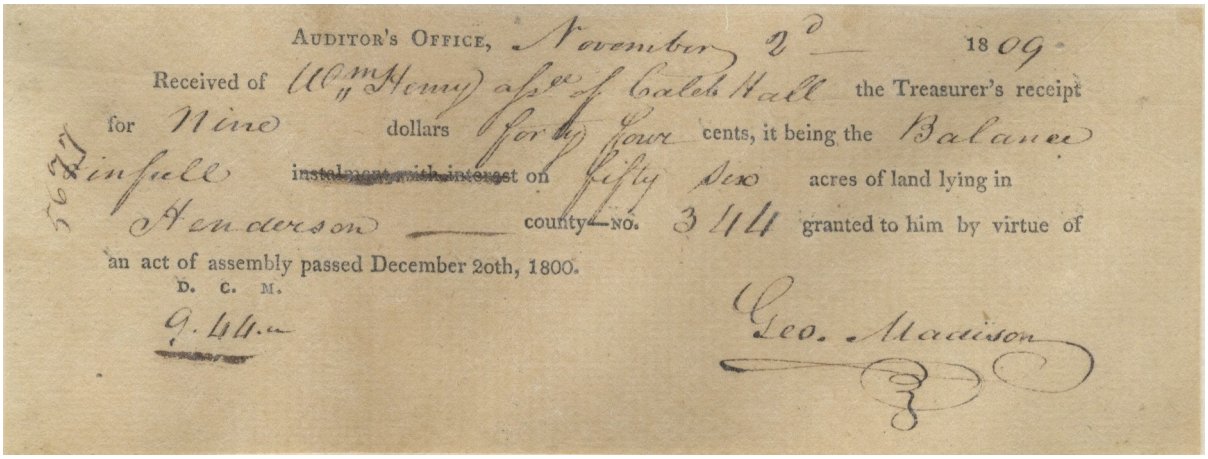
Appendix Image 2. Court Order — Back ("Caleb Hall, 56 acres").



Appendix Image 3. Survey No. 5677 — Front (4 March 1806).



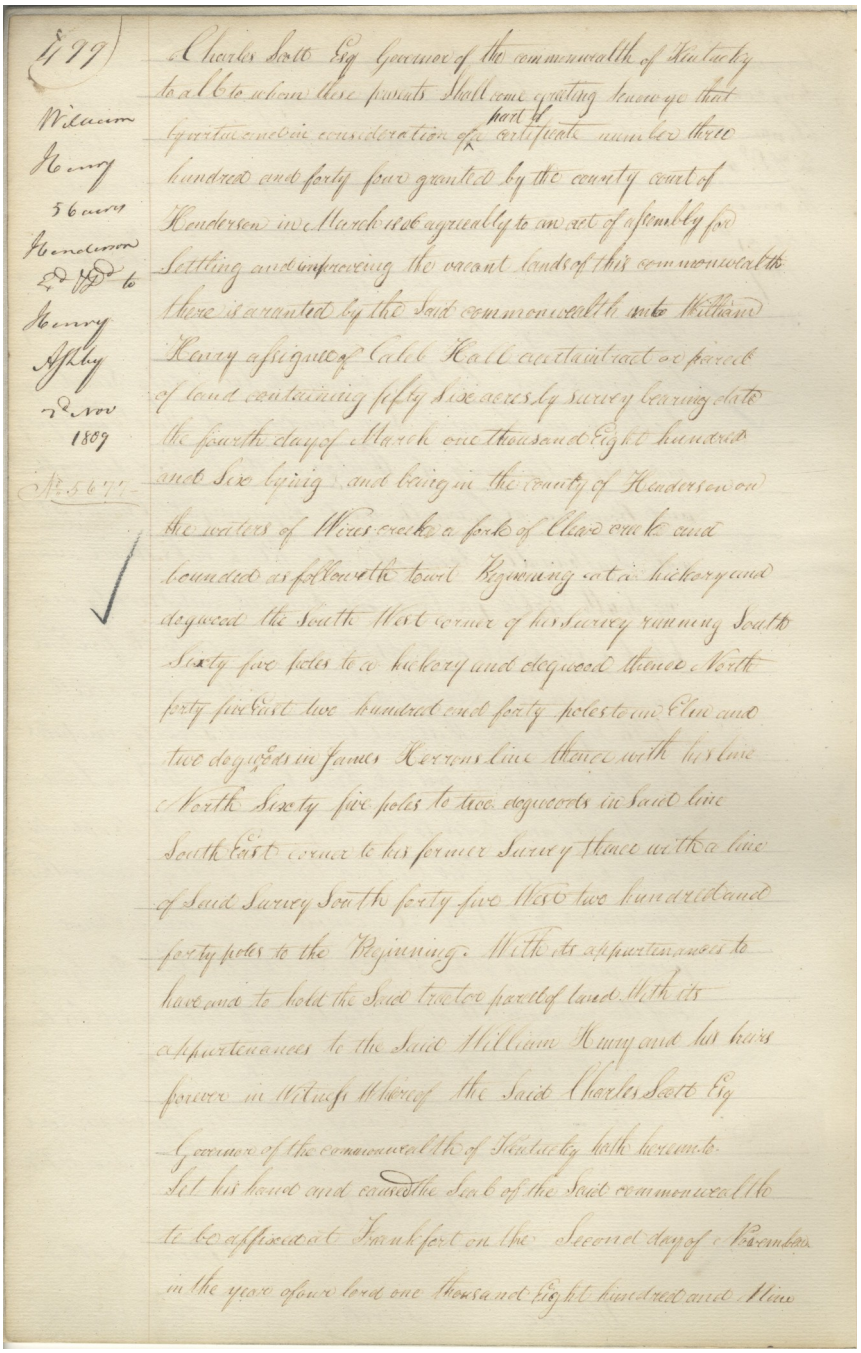
Appendix Image 4. Survey No. 5677 — Back (assignment of 5 March 1806; recorded Book 6, page 246).



Appendix Image 5. Auditor's Office Receipt — Front (2 November 1809, $9.44).



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



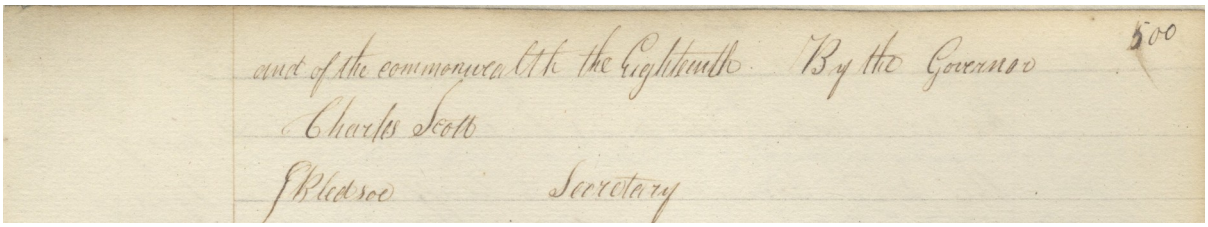
499

William Henry 56 acres Henderson Ed & Dd to Henry Ashby 2d Nov 1809

No. 5677

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 part of certificate number three hundred and forty four granted by the county court of Henderson in March 1806 agreeably to an act of assembly for settling and improving the vacant lands of this commonwealth there is granted by the said commonwealth unto William Henry assignee of Caleb Hall a certain tract or parcel of land containing fifty six acres by survey bearing date the fourth day of March one thousand Eight hundred and six lying and being in the county of Henderson on the waters of Wires creek a fork of Clear creek and bounded as followeth to wit Beginning at a hickory and dogwood the South West corner of his survey running South Sixty five poles to a hickory and dogwood thence North forty five East two hundred and forty poles to an Elm and two dogwoods in James Herrons line thence with his line North Sixty five poles to two dogwoods in said line South East corner to his former survey thence with a line of said survey South forty five West two hundred and forty 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 Henry 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 said commonwealth to be affixed at Frankfort on the Second day of November in the year of our lord one thousand Eight hundred and Nine

Appendix Image 7. Grant/Patent No. 5677, 2 November 1809 — Page 1 (page 499; margin: delivered to Henry Ashby).



Appendix Image 8. Grant/Patent No. 5677 — Page 2 (page 500; signatures of Governor Charles Scott and Secretary J. Bledsoe).