William Henry — Kentucky Land Grant — Patent No. 5678 (County Certificate No. 344)

144 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. 5678, William Henry, assignee of Caleb Hall, 144 acres, Henderson County: Henderson County Court order, October County Court 1802, attested copy, Certificate No. 344, with assignment of 7 May 1805 on the back; survey for William Henry, assignee of Caleb Hall, 12 August 1805, with assignment of 3 March 1806 on the back, received 14 October 18[09], recorded Book 6, page 247; Auditor's Office receipt, 2 November 1809; patent, 2 November 1809, second page numbered 501 [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 October County Court of 1802 the Henderson County Court heard Caleb Hall claim 200 acres of land in addition to his former settlement, under the act "for settling and improving the vacant lands of this Commonwealth," lying on the waters of Weirs Creek, a fork of Clear Creek, beginning on a white oak and elm in a military line and running south 45 west with that line and Russel Weir's line, passing the military corner at 74 poles, 240 poles to two small post oaks and a dogwood, thence south 134 poles, north 45 east 240 poles to two dogwoods in James Herron's line, and north with that line 134 poles to the beginning. The court found that he had a right to a settlement of 200 acres to include the location and ordered a certificate to issue (No. 344; copy attested by Ambrose Barbour, C.H.C.). On 7 May 1805 Caleb Hall Junr. assigned the certificate to William Henry, witnessed by Wm. Black. On 12 August 1805 Deputy Surveyor Willie Suggs, for Edmund Talbot, S.H.C., surveyed the same figure for William Henry, assignee of Caleb Hall, as 144

acres, with William Whitesides and Alexander Henry as chain carriers and William Henry as marker. On 3 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 247. On 2 November 1809 the Auditor received of Wm. Henry, assignee of Caleb Hall, $17.98, the balance in full on 144 acres, and Governor Charles Scott signed the patent the same day to William Henry, assignee of Caleb Hale. The margin notes that it was examined and delivered to Henry Ashby on 2 November 1809.

Survey Description

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

Surveyed for William Henry, assignee of Caleb Hall, 144 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 white oak and elm in a military line; running South 45 West with said line and Russel Wires line, passing the military corner at 74 poles, 240 poles to two small post oaks and dogwood; thence South 134 poles to a hickory and dogwood; thence North 45 East 240 poles to two dogwoods in James Herron's line; thence North with said line 134 poles to the beginning. Surveyed August 12th 1805.

Record Summary

Certificate Number	344 (Henderson County Court, October County Court 1802)
Survey Grant Register Number	5678
Original Claimant	Caleb Hall ("Caleb Hall Junr." on the first assignment; "Hale" in the patent)
Assignment	To William Henry: certificate, 7 May 1805 (witness Wm. Black); plat and certificate, 3 March 1806 (witness Thos. G. B[?]ll)
Surveyed For / Patentee	William Henry, assignee of Caleb Hall (indexed by Jillson as "Henry, Wm.")
Acreage	144 acres (certificate for 200 acres; the same figure, with "200" struck through on the plat)
Watercourse	Waters of Weirs Creek, a fork of Clear Creek
County in Survey	Henderson County
Certificate Date	October County Court 1802
Survey Date	12 August 1805
Received by Land Office	14 October 18[09]

Recording	Survey: Book 6, page 247. Patent: second page numbered 501 [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	$17.98, the balance in full, 2 November 1809
Deputy Surveyor / Chain Carriers	Willie Suggs, D.S., for Edmund Talbot, S.H.C.; William Whitesides and Alexander Henry, chain carriers; William Henry, marker
County Court Clerk	Ambrose Barbour, C.H.C. (Henderson County)

Chronology

October County Court 1802	Henderson County Court finds Caleb Hall entitled to 200 acres in addition to his former settlement, with the location described by courses (Certificate No. 344)
7 May 1805	Caleb Hall Junr. assigns the certificate to William Henry; witness Wm. Black
12 August 1805	144 acres surveyed for William Henry, assignee of Caleb Hall, by Willie Suggs, D.S., for Edmund Talbot, S.H.C.; chain carriers William Whitesides and Alexander Henry; William Henry, marker
3 March 1806	Caleb Hall assigns the plat and certificate to William Henry; witness Thos. G. B[?]ll
14 October 18[09]	Survey received; recorded Book 6, page 247
2 November 1809	$17.98 paid, the balance in full; Grant No. 5678 issued to William Henry, assignee of Caleb Hale, and delivered to Henry Ashby

Persons Named in the Record

Caleb Hall (Hale)	Original claimant; settled the land; assignor ("Caleb Hall Junr." on the 1805 assignment)
William Henry	Assignee, marker and patentee
William Whitesides	Chain carrier
Alexander Henry	Chain carrier

Willie Suggs	Deputy surveyor
Edmund Talbot	Surveyor of Henderson County (S.H.C.)
Russell Wier (Weir, Wire)	Adjoining landowner (line called on the first course)
James Herron	Adjoining landowner (east line)
Wm. Black	Witness to the 1805 assignment
Thos. G. B[?]ll	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 144-acre parallelogram on the waters of Weirs Creek, a fork of Clear Creek, Henderson County, Kentucky. Its north-west side runs south 45 west along a military line for 74 poles to the military corner and then along Russell Wier's line; its east side runs north with James Herron's line.

Research Notes

The same figure in 1802 and 1805. The 1802 court order already gives the full courses of this tract: south 45 west 240, south 134, north 45 east 240 and north 134, from the white oak and elm in the military line, "in addition to his former settlement." The survey runs the same courses. The plat at the top of the survey has "200" struck through and "144" written in, and the survey, receipt and patent are all for 144 acres. Plotted, the courses close and hold about 142 acres.

Two assignments. The back of the certificate carries an assignment of "all my right, title, claim and interest of the within certificate" to William Henry "for value received," dated 7 May 1805, signed "Caleb Hall Junr." and witnessed by Wm. Black. The back of the survey carries a second assignment, of "the within plat & certificate" to William Henry, with a request that a patent issue accordingly, dated 3 March 1806, signed Caleb Hall and witnessed by Thos. G. B[?]ll. The survey, made in August 1805, is already for "William Henry, assignee of Caleb Hall."

Marker. Below the chain carriers, Wm. Whitesides and Alexr. Henry, the survey reads "Wm. Henry, mark[er]," in the place where these surveys name the marker.

Russell Wier's line and the military corner. The first course runs south 45 west "with said line and Russel Wires line, passing the military corner at 74 poles": 74 poles along

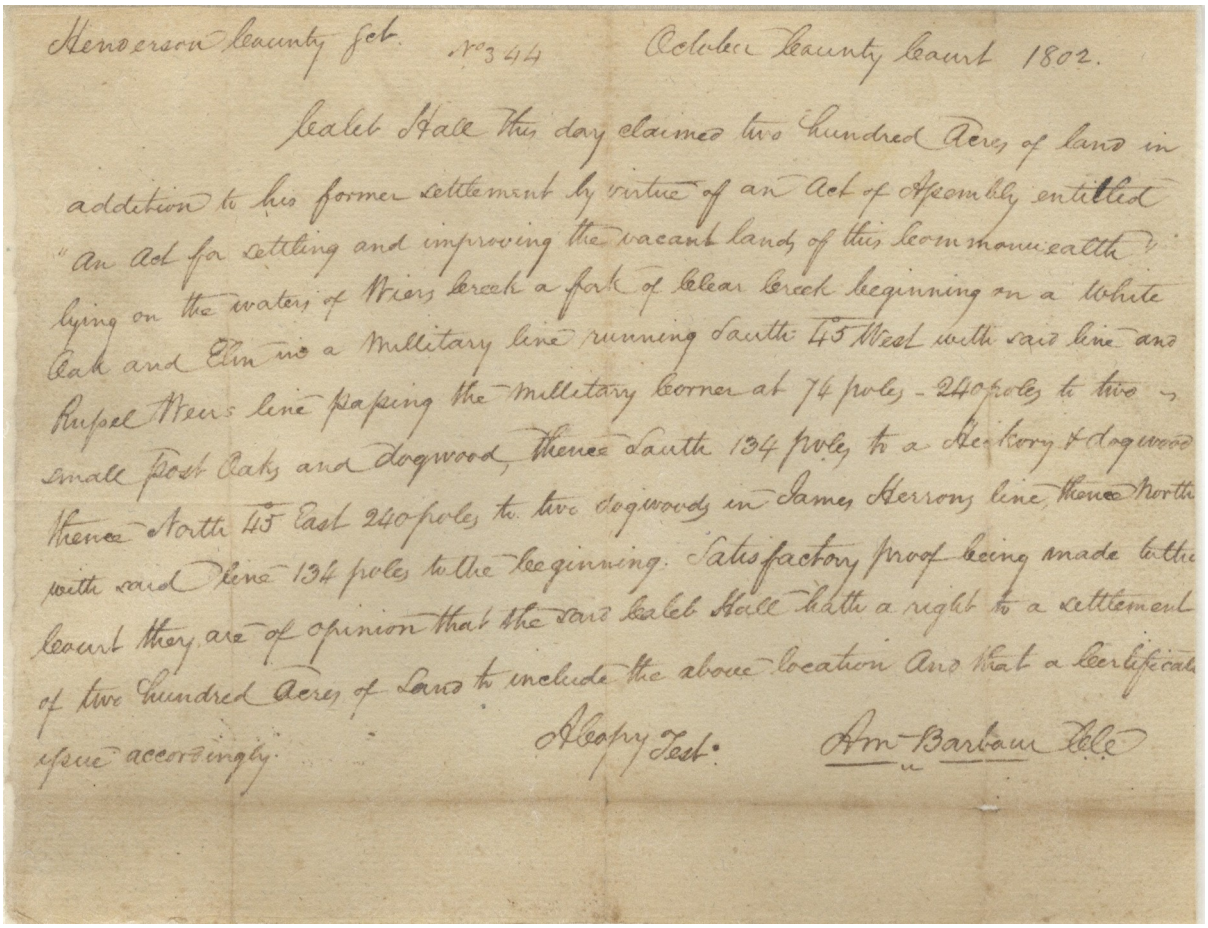
the military line to the military corner, then 166 poles along Russell Wier's line. Russell Wier's KLG 8540, surveyed in January 1807, begins at "a hickory, white oak and dogwood, corner of a military survey," and its south-east side runs north 45 east 220 poles from a black oak and dogwood to that corner. This survey's first course appears to run through that corner and along 8540's south-east side, with this tract to the south-east of it. This survey does not name the trees at the military corner, so the match rests on the bearings and the calls. Russell Wier's line was already being called in 1805, two years before 8540 was surveyed.

Names. The certificate spells the adjoining owner "Russel Weirs," the survey "Russel Wires" and the patent "Russell Weirs." The patent names the claimant "Caleb Hale"; the certificate, assignments, survey and receipt read "Hall."

Payment, patent and recording. The receipt of 2 November 1809 is received of "Wm. Henry, assee. of Caleb Hall," for $17.98, "the Balance in full" (with the printed "instalment with interest" struck through) on 144 acres in Henderson County, No. 344, under the act of 20 December 1800, signed Geo. Madison, Aud. Governor Charles Scott and Secretary J. Bledsoe signed the patent the same day; on its second page, numbered 501, "seven" is struck through before "eight hundred and nine." The margin reads "Will Henry, 144 acres, Henderson County, Examined & Dd to Henry Ashby, 2d Nov 1809, No. 5678." The back of the survey is endorsed "Will. Henry assee. [Hale struck through], plat & cert., 144 as.," "No. 5678," "Recd 14th October 18[09]," "Grant issued 2d Nov 1809" and "Record Book 6, page 247."

Images / Appendix

The following manuscript images accompany this record.

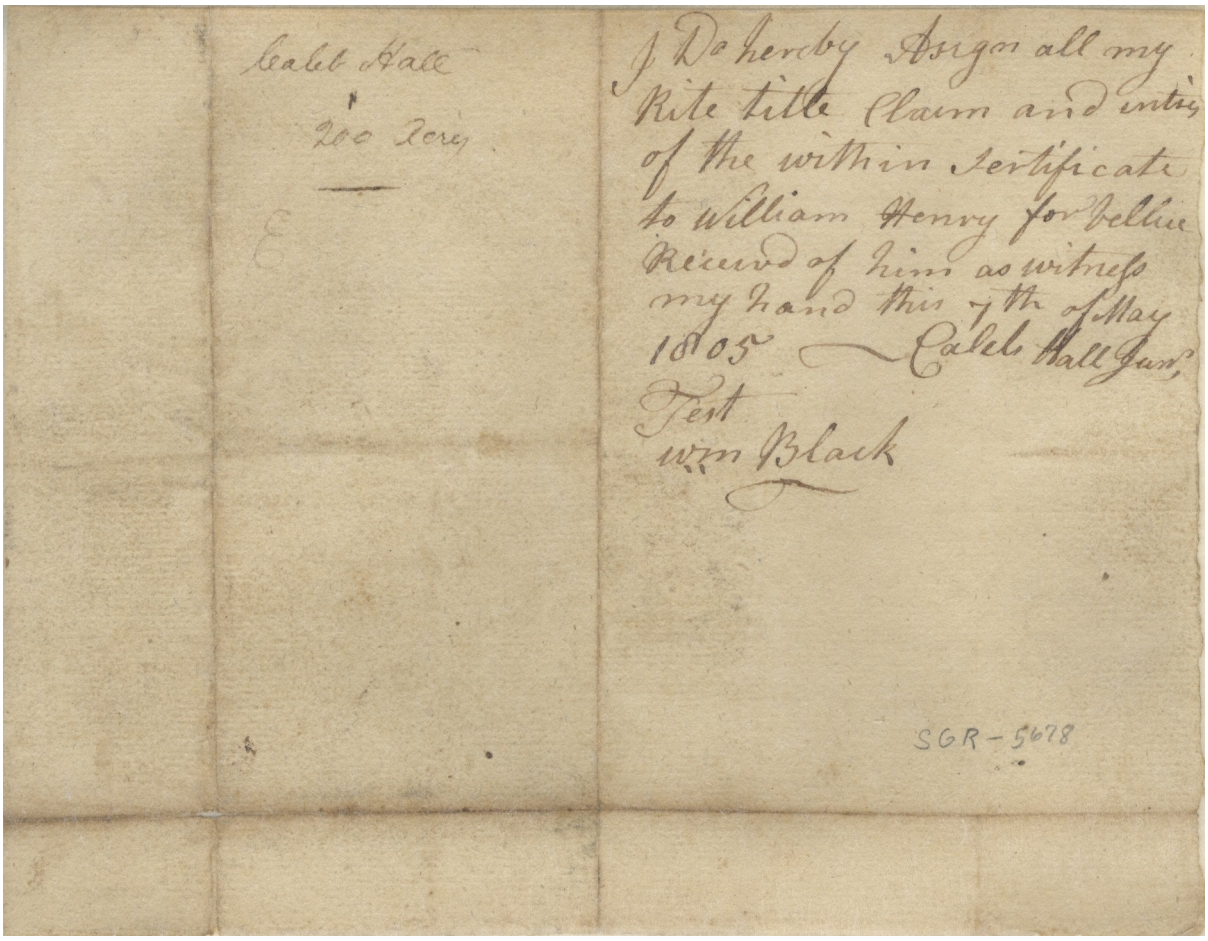


Henderson County Sct. No 344 October County Court 1802.

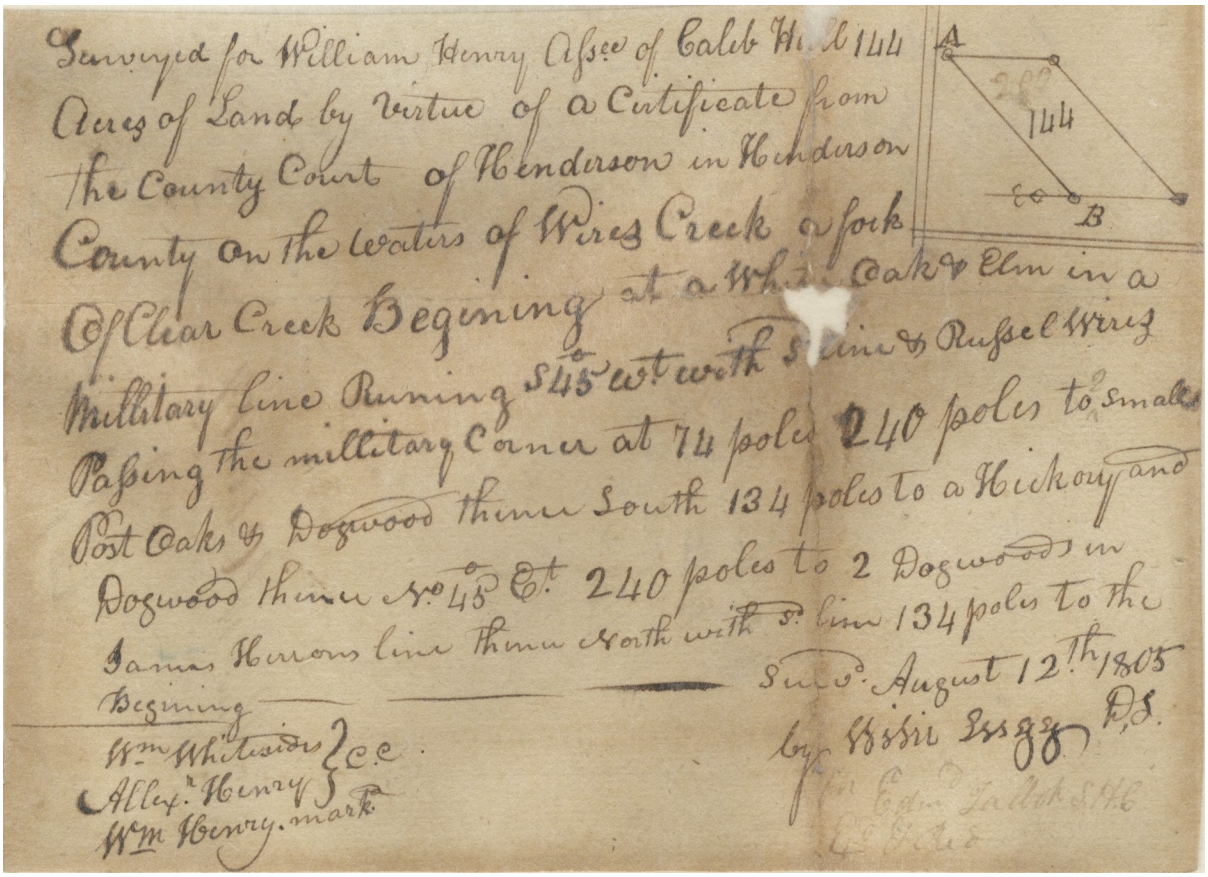
Caleb Hall this day claimed two Hundred Acres of land in addition to his former settlement by virtue of an Act of Assembly entitled "An Act for settling and improving the vacant lands of this Commonwealth" lying on the waters of Wires Creek a fork of Clear Creek beginning on a White Oak and Elm in a Military line running South 45 West with said line and Rupel Wells line passing the Military Corner at 74 poles - 240 poles to two small post Oaks and Dogwood, thence South 134 poles to a Hickory & Dogwood thence North 45 East 240 poles to two Dogwoods in James Herrons line thence North with said Herns 134 poles to the beginning. Satisfactory proof being made to the Court they are of opinion that the said Caleb Hall hath a right to a settlement of two Hundred Acres of Land to include the above location And that a Certificate issue accordingly.

A Copy Test. Ann Barbour Cle

Appendix Image 1. Henderson County Court Order, October County Court 1802 (Certificate No. 344) — Front.



Appendix Image 2. Certificate — Back (assignment by Caleb Hall Junr. to William Henry, 7 May 1805).

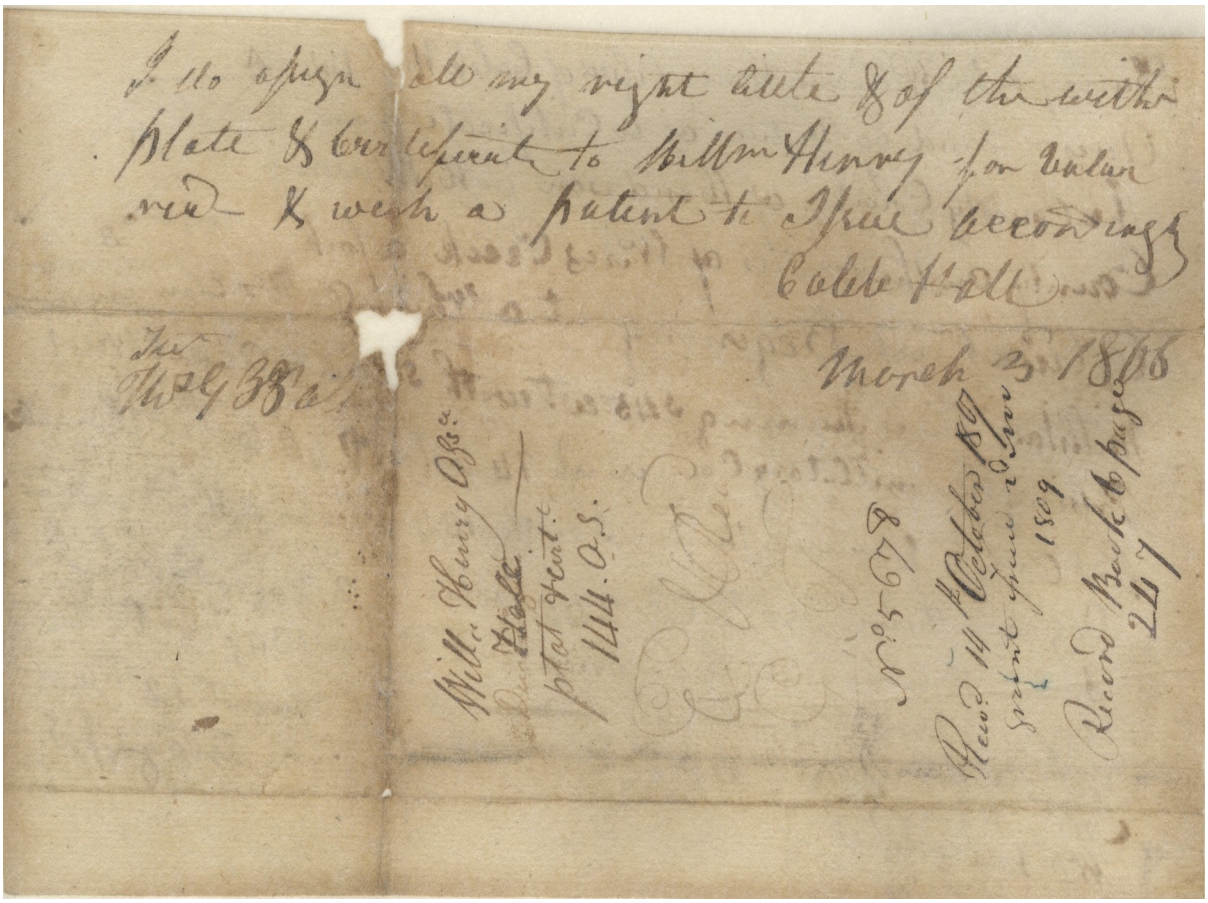


Surveyed for William Henry Assee of Caleb Hall 144
Acres of Land by virtue of a Certificate from
the County Court of Henderson in Henderson
County on the waters of Wires Creek a fork
Of Clear Creek Begining at a White Oak & Elm in a
Millitary line Runing S 45° W.t with S. line & Russel Wires
Passing the millitary Corner at 74 poles 240 poles to a small
Post Oaks & Dogwood thence South 134 poles to a Hickory and
Dogwood thence No. 45° E.t 240 poles to 2 Dogwoods in
James Herrons line thence North with S. line 134 poles to the
Begining

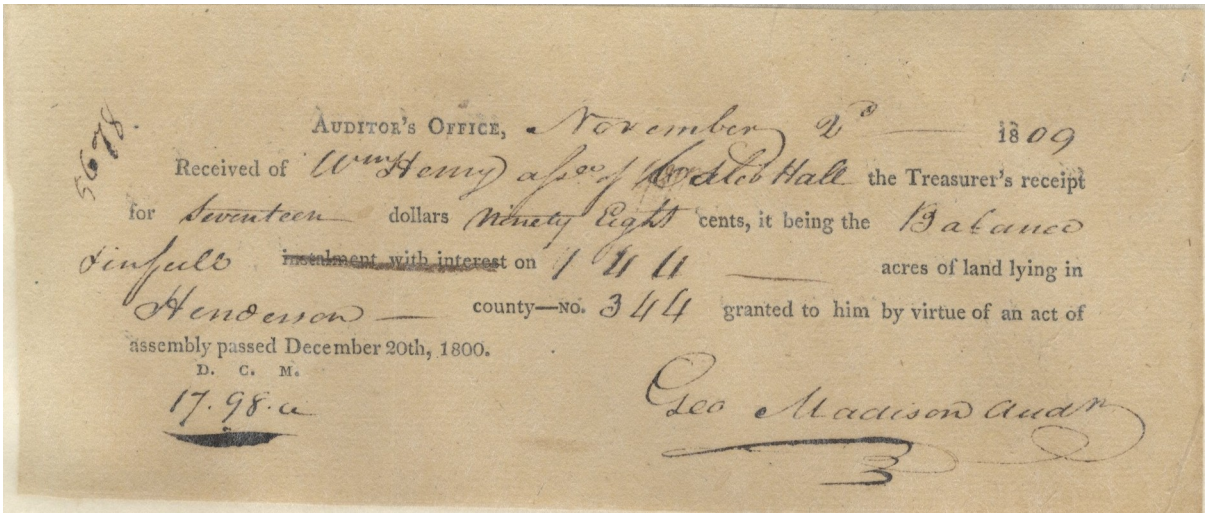
Surv.d August 12th 1805
by Wm Essgg D.S.

Wm Whiteside } C.C.
Allex.r Henry }
Wm Henry. mark

Appendix Image 3. Survey No. 5678 — Front (12 August 1805).



Appendix Image 4. Survey No. 5678 — Back (assignment of 3 March 1806; received 14 October 18[09]; recorded Book 6, page 247).



AUDITOR'S OFFICE, November 2d 1809

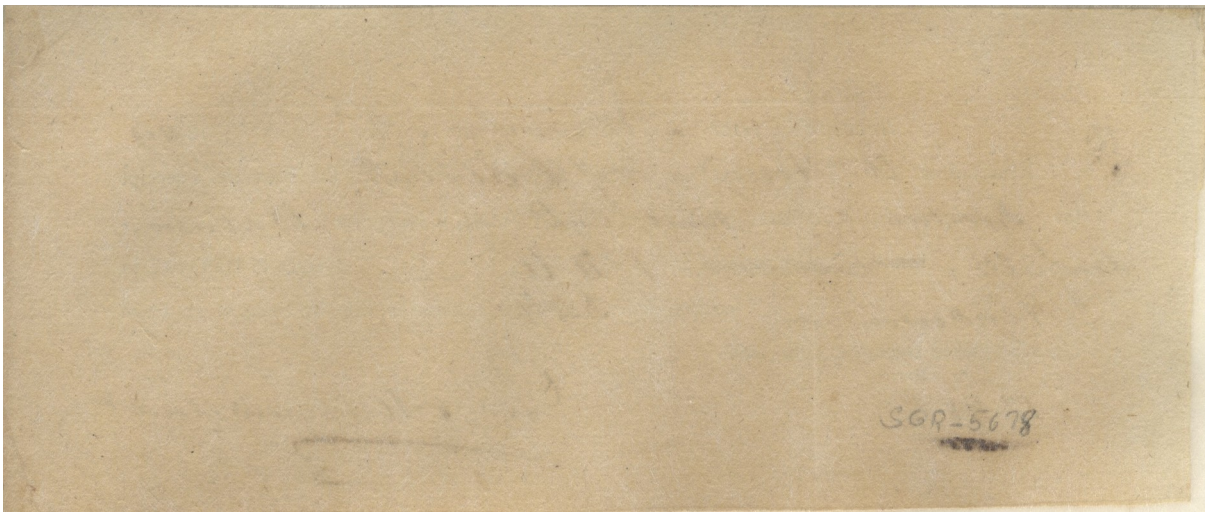
Received of Wm Henry a/s of Caleb Hall the Treasurer's receipt for Seventeen dollars Ninety Eight cents, it being the Balance ~~instalment with interest~~ on full 144 acres of land lying in Henderson county—No. 344 granted to him by virtue of an act of assembly passed December 20th, 1800.

D. C. M.

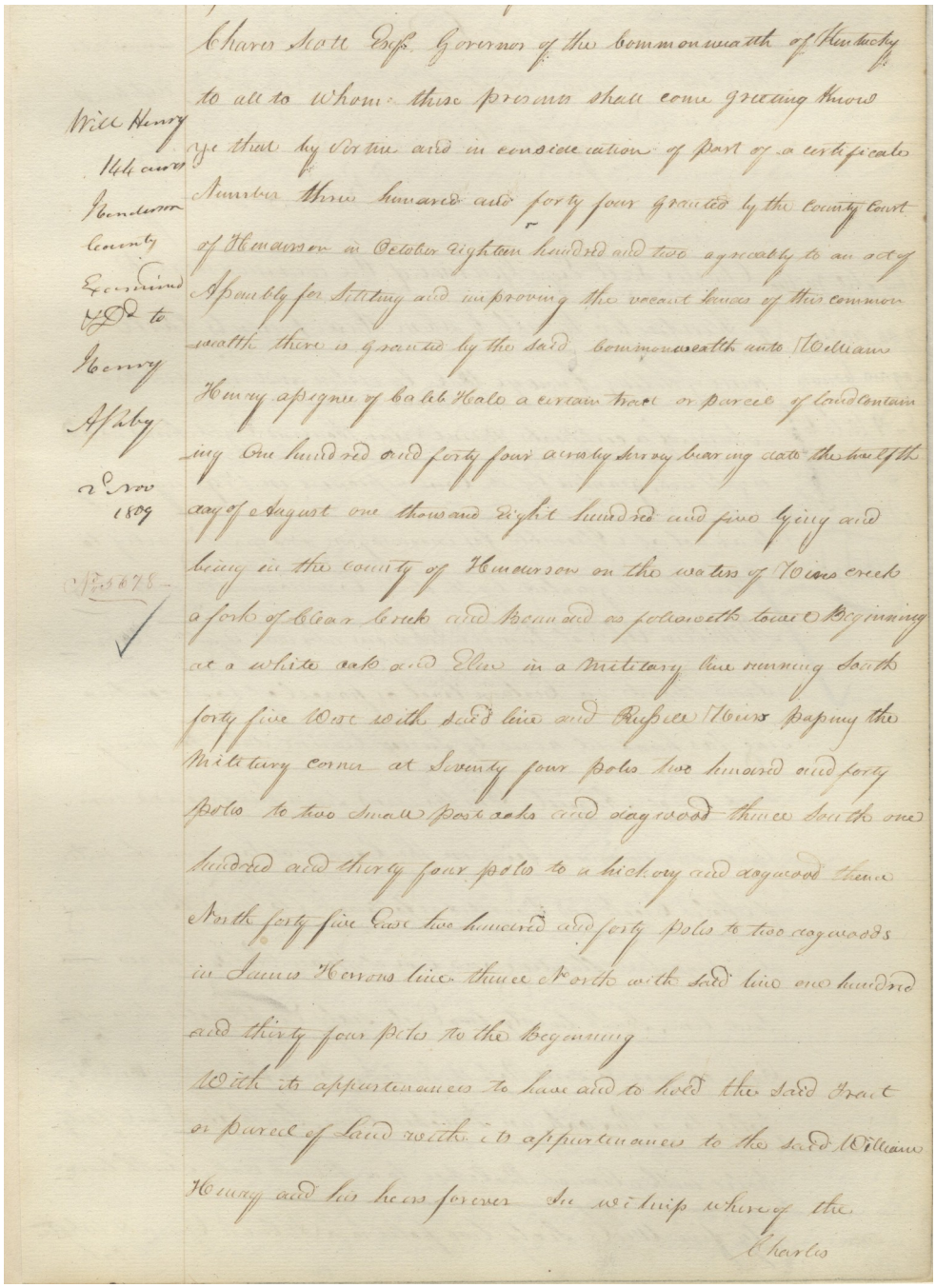
17.98.a

Geo Madison Audr

Appendix Image 5. Auditor's Office Receipt — Front (2 November 1809, $17.98).



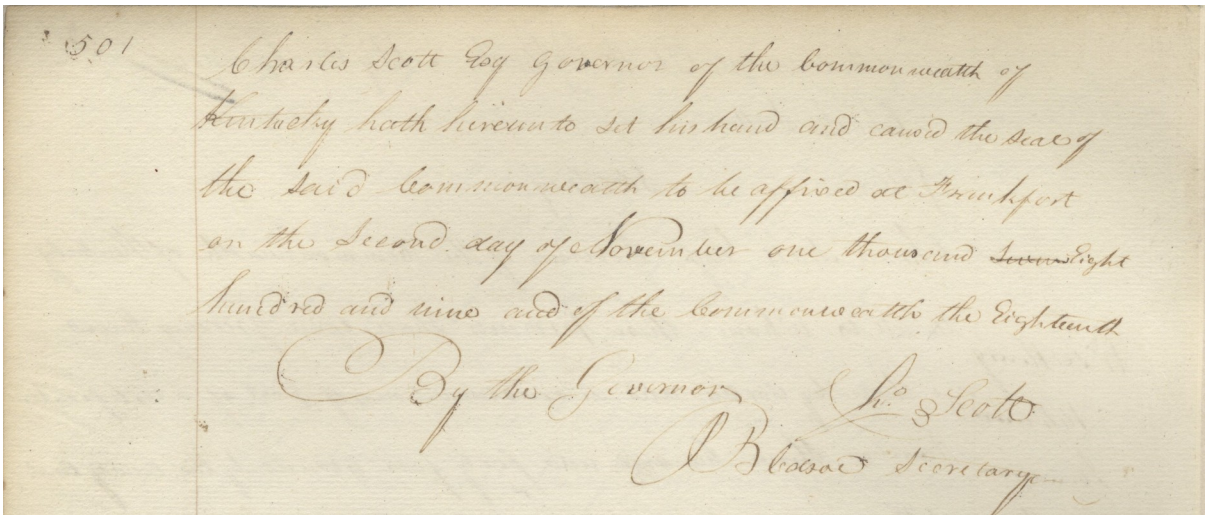
Appendix Image 6. Auditor's Office Receipt — Back.



Will Henry
144 acres
Henderson
County
Examined
& Dd to
Henry
Ashby
2d Nov
1809
No. 5678

Chares Scott Esqr. 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 forty four granted by the County Court
of Henderson in October eighteen hundred and two agreeably to an act of
Assembly for settling and improving the vacant lands of this common
wealth there is granted by the said Commonwealth unto William
Henry assignee of Caleb Hale a certain tract or parcel of land contain
ing One hundred and forty four acres by survey bearing date the twelfth
day of August one thousand eight hundred and five lying and
being in the County of Henderson on the waters of Wiers creek
a fork of Clear Creek and Bounded as followeth towit Beginning
at a white oak and Elm in a Military line running South
forty five West with said line and Russell Wiers passing the
Military corner at Seventy four poles two hundred and forty
poles to two small post oaks and dogwood thence South one
hundred and thirty four poles to a hickory and dogwood thence
North forty five East two hundred and forty poles to two dogwoods
in James Herrons line thence North with said line one hundred
and thirty four 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
Charles

Appendix Image 7. Grant/Patent No. 5678, 2 November 1809 — Page 1 (margin: delivered to Henry Ashby, 2 November 1809).


501

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 one thousand ~~Seven~~ Eight hundred and nine and of the Commonwealth the Eighteenth

By the Governor Chs Scott

P Bledsoe Secretary

Appendix Image 8. Grant/Patent No. 5678 — Page 2 (page 501; signatures of Governor Charles Scott and Secretary J. Bledsoe).