William Herron (assignee of James S. Bails) — Kentucky Land Grant — Patent No. 10434 (County Certificate No. 826, part)

280 Acres on the Crab Orchard Fork of Tradewater, Hopkins County, Kentucky

Original Claimant James S. Bails; Patentee by Assignment

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. 10434, William Herron, assignee of James S. Bails, 280 acres, Hopkins County: survey, 12 September 1810, received 9 March 1811, recorded Book 11, page 257; Auditor's Office receipt, 5 August 1813; patent, 5 August 1813, page 120 [grant book not named in the images]. The Henderson County Court certificate of December County Court 1805 and its assignment of 8 October 1807 are filed with Grant No. 6864. 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 "Herron, Wm.".

Abstract

James S. Bails's 400-acre settlement certificate of the December County Court 1805 (No. 826), on the Crab Orchard fork of Tradewater, was assigned to William Herron on 8 October 1807, and 120 acres of it were surveyed for him that day (KLG 6864). On 12 September 1810 John Gordon, S.H.C., surveyed the remaining 280 acres for William Herren, assignee of James S. Bails, by virtue of part of the certificate, in Hopkins County on the Crab Orchard fork of Tradewater, beginning at two black oaks standing in a line of "the said Herren's 120 acre survey made by virtue of the same certificate" and corner of a military survey, with Abednego Lewallen and John Herren as chain carriers and William Herren as marker. The survey was received on 9 March 1811 and recorded in Book 11, page 257; its back notes that the certificate was filed with the survey of 120 acres in William Herron's name. On 5 August 1813 the Auditor received of William Herron $3.93, the first instalment with interest on 280, part of 400 acres, on Certificate No. 826 in Henderson County, the land "having been sold by the Register of the Land Office, on the

8th day of June" to the State of Kentucky for the first instalment, and "the same is hereby redeemed"; he also received $52.07, the balance in full. The same day Governor Isaac Shelby signed the patent to William Herron, assignee of James S. Bails. It was examined and delivered to John Montgomery on 6 August 1813.

Survey Description

Metes and bounds as written in the survey. Distances are in poles. The patent writes two of the courses as 129 poles; see Research Notes.

Surveyed for William Herren, assignee of James S. Bails, 280 acres of land by virtue of part of a certificate from the County Court of Henderson, lying in Hopkins County on the Crab Orchard fork of Tradewater. Beginning at two black oaks standing in a line of the said Herren's 120-acre survey made by virtue of the same certificate, and corner of a military survey; running South 45° West 251 poles with the military line to a black oak, white oak and two dogwoods standing in Addeson Lewis's line; thence South 45° East 179 poles with said Lewis's line to an ash, poplar and hickory; thence North 45° East 251 poles to a sassafras, elm and hickory standing in a line of said Herren's 120-acre survey made by virtue of the said certificate; thence North 45° West 179 poles with said line to the beginning. Surveyed September 12th, 1810.

Record Summary

Certificate Number	826, part (Henderson County Court, December County Court 1805; filed with KLG 6864)
Survey Grant Register Number	10434
Original Claimant	James S. Bails
Assignment	James S. Bails to William Herron, 8 October 1807 (filed with KLG 6864)
Surveyed For / Patentee	William Herron, assignee of James S. Bails ("Herren" in the survey; indexed by Jillson as "Herron, Wm.")
Acreage	280 acres, the rest of the 400 on certificate 826 (120 acres in KLG 6864)
Watercourse	Crab Orchard fork of Tradewater
County in Survey	Hopkins County (the receipt says Henderson)
Adjoining	William Herron's 120-acre survey, KLG 6864 (north-east); a military survey (north-west); Addeson Lewis's line (south-west)
Survey Date	12 September 1810
Received by Land Office	9 March 1811
Recording	Survey: Book 11, page 257. Patent: page 120

Patent / Grant Issued	5 August 1813, signed by Governor Isaac Shelby and Secretary M. D. Hardin; delivered to John Montgomery, 6 August 1813
State Price Notation	$3.93 first instalment with interest (redeemed after the land had been sold to the State) and $52.07 balance in full, 5 August 1813
Surveyor / Chain Carriers	John Gordon, S.H.C.; Abednego Lewallen and John Herren, chain carriers; William Herren, marker

Chronology

December County Court 1805	Henderson County Court finds that James S. Bails has a right to a settlement of 400 acres (certificate No. 826)
8 October 1807	Bails assigns the certificate to William Herron; 120 acres surveyed (KLG 6864)
12 September 1810	280 acres surveyed for William Herren, assignee of James S. Bails, by John Gordon, S.H.C.; chain carriers Abednego Lewallen and John Herren; William Herren, marker
9 March 1811	Survey received; recorded Book 11, page 257
8 June [year blank]	The land sold by the Register to the State for the first instalment (as stated in the receipt)
5 August 1813	$3.93 first instalment with interest and $52.07 balance in full received of William Herron; the land redeemed
5 August 1813	Grant No. 10434 issued to William Herron, assignee of James S. Bails
6 August 1813	Patent examined and delivered to John Montgomery (margin note)

Persons Named in the Record

William Herron	Assignee; surveyed for; marker; patentee ("Herren" in the survey)
James S. Bails	Original claimant; assignor
Abednego Lewallen	Chain carrier
John Herren	Chain carrier

Addeson Lewis	Adjoining owner (south-west line)
John Gordon	County surveyor (S.H.C.)
Geo. Madison	Auditor
Isaac Shelby	Governor
M. D. Hardin	Secretary
John Montgomery	Received the patent (margin delivery note)

Land Description

A 280-acre rectangle, 251 by 179 poles, on the Crab Orchard fork of Tradewater in Hopkins County. Its north-east side runs with a line of William Herron's 120-acre survey (KLG 6864), its north-west side with a military line, and its south-west side with Addeson Lewis's line. Its corners are two black oaks (the beginning, corner of a military survey), a black oak, white oak and two dogwoods in Lewis's line, an ash, poplar and hickory, and a sassafras, elm and hickory in the 120-acre survey's line.

Research Notes

The other part of certificate 826. The certificate itself is not in this file. The back of the survey notes "Certificate filed with a survey of 120 acres in the name of Wm. Herren," which is KLG 6864: James S. Bails's 400-acre certificate of December County Court 1805, assigned to William Herron on 8 October 1807, when 120 acres were surveyed. This survey takes the remaining 280 acres (120 + 280 = 400); the receipt calls it "280 p[ar]t 400."

Survey and names. The survey writes "William Herren," the receipt and the patent "William Herron"; Jillson indexes the grant as "Herron, Wm." The survey and the patent both write "Addeson Lewis" (the earlier report read the survey as "Anderson Lewis"). The chain carriers are "Abednego Lewallen" and "John Herren," bracketed "C.C.," and "William Herren, Marker" (the earlier report did not give his role). The survey is signed "Surveyed September 12th 1810 by John Gordon, S.H.C." and "Ex'd & Rec'd." The record does not identify the military survey or Addeson Lewis further.

Courses and acreage. The survey gives the second and fourth courses as 179 poles; the patent writes both as "one hundred and twenty nine." The survey's 251 by 179 poles holds about 281 acres, the 280 stated; 251 by 129 would hold about 202. The survey's figure is the one that fits. The courses close.

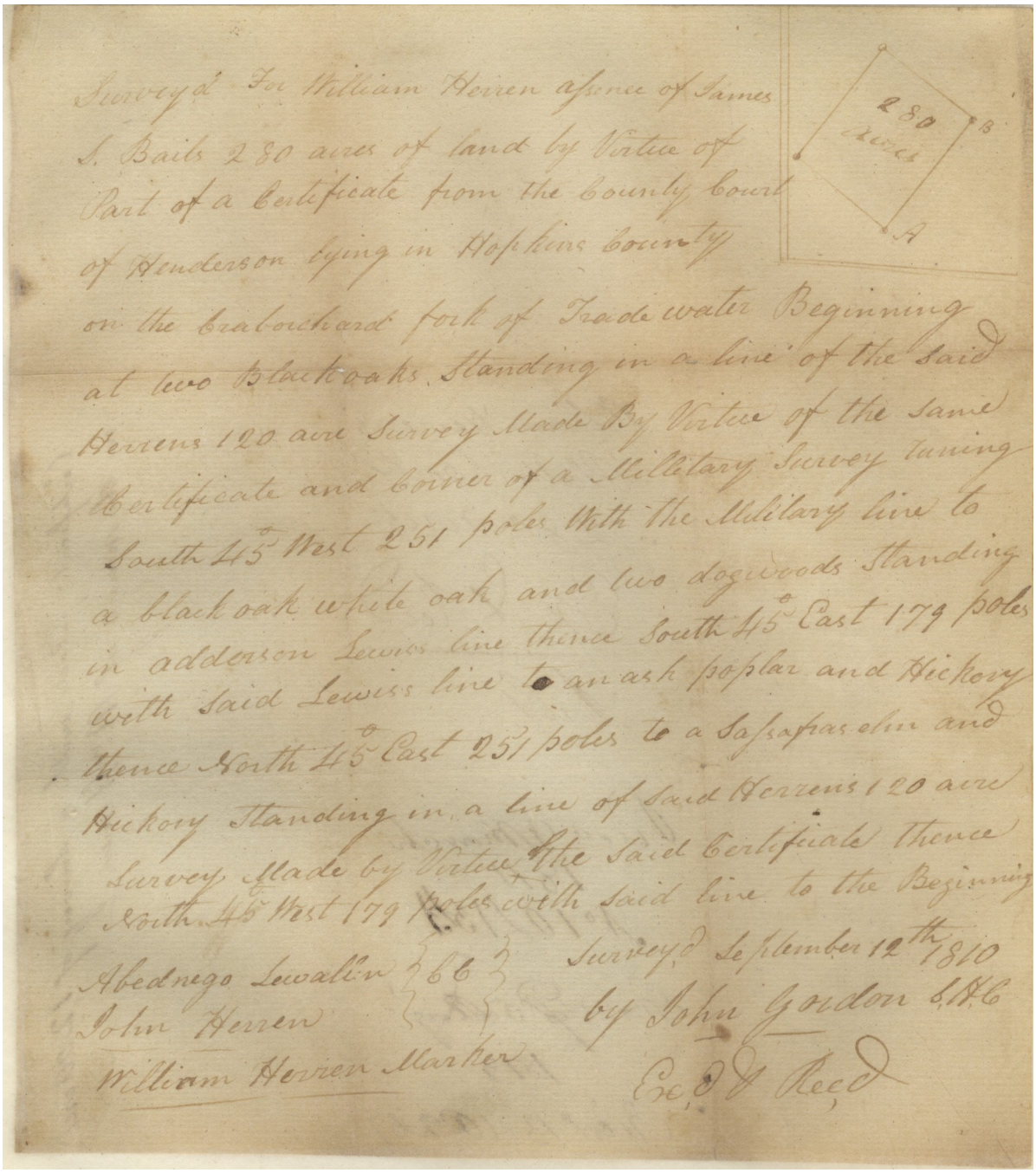
Recording, payment and delivery. The docket on the back of the survey reads "William Herren's Platt & Cert., 280 acres, Ex'd & Rec'd, J. G., Rec'd 9 March 1811, No. 10,43[4]," the last figure written over another, then "Grant iss'd 5 Aug. 1813, Rec'd B. 11, P. 257." Book 11, page 257 is the recording of the survey; the patent itself is on page 120 (previously given as the grant's recording), the page before 6864's patent, page 121, issued the same day. The receipt of 5 August 1813 is a printed redemption form: received of William Herron "Three Dollars 93 Cents, the first Instalment with interest, on 280 p[ar]t

400 Acres of Land on a certificate No. 826 lying in Henderson County, the same having been sold by the Register of the Land Office, on the 8th day of June 18[blank] to the State of Kentucky for the first Instalment, and agreeably to an Act providing for the payment of the Debt due this Commonwealth, for the sale of Vacant Land, the same is hereby redeemed," with "D.C." and in hand "Also rec'd the Treasurer's rec't for fifty two dollars & seven cents, bal. in full on the above tract of land," signed "Geo. Madison, Aud." The earlier report described this as a different way of buying the land; the form describes land sold to the State for an unpaid first instalment and then redeemed. The patent, signed by Governor Isaac Shelby and Secretary M. D. Hardin on 5 August 1813, "of the Commonwealth the twenty second," has the margin "William Herron, 280 acres, Hopkins, Ex'd & D'd to John Montgomery the 6th Aug. 1813, No. 10,434." The receipt's back carries the archivist's note "Sgr 10434."

Placement against 6864. Both the beginning (two black oaks) and the sassafras, elm and hickory stand "in a line of" the 120-acre survey, and the closing course runs north 45 west 179 poles "with said line." The only 6864 line on that bearing is its south-west side, south 45 east 256 poles along a military line from its forked elm and maple to its two white oaks, so this survey lies along that side, south-west of 6864, and its first course runs south-west with the military line. Neither corner tree is a 6864 corner, so where along the 256-pole side the 179 poles fall is not fixed; drawn anywhere along it, 10434 does not overlap the other published surveys. 6864's own position, under 3160, is a best fit.

Images. This report uses only the five record images in this file: survey front and back, patent, and receipt front and back.

Images / Appendix



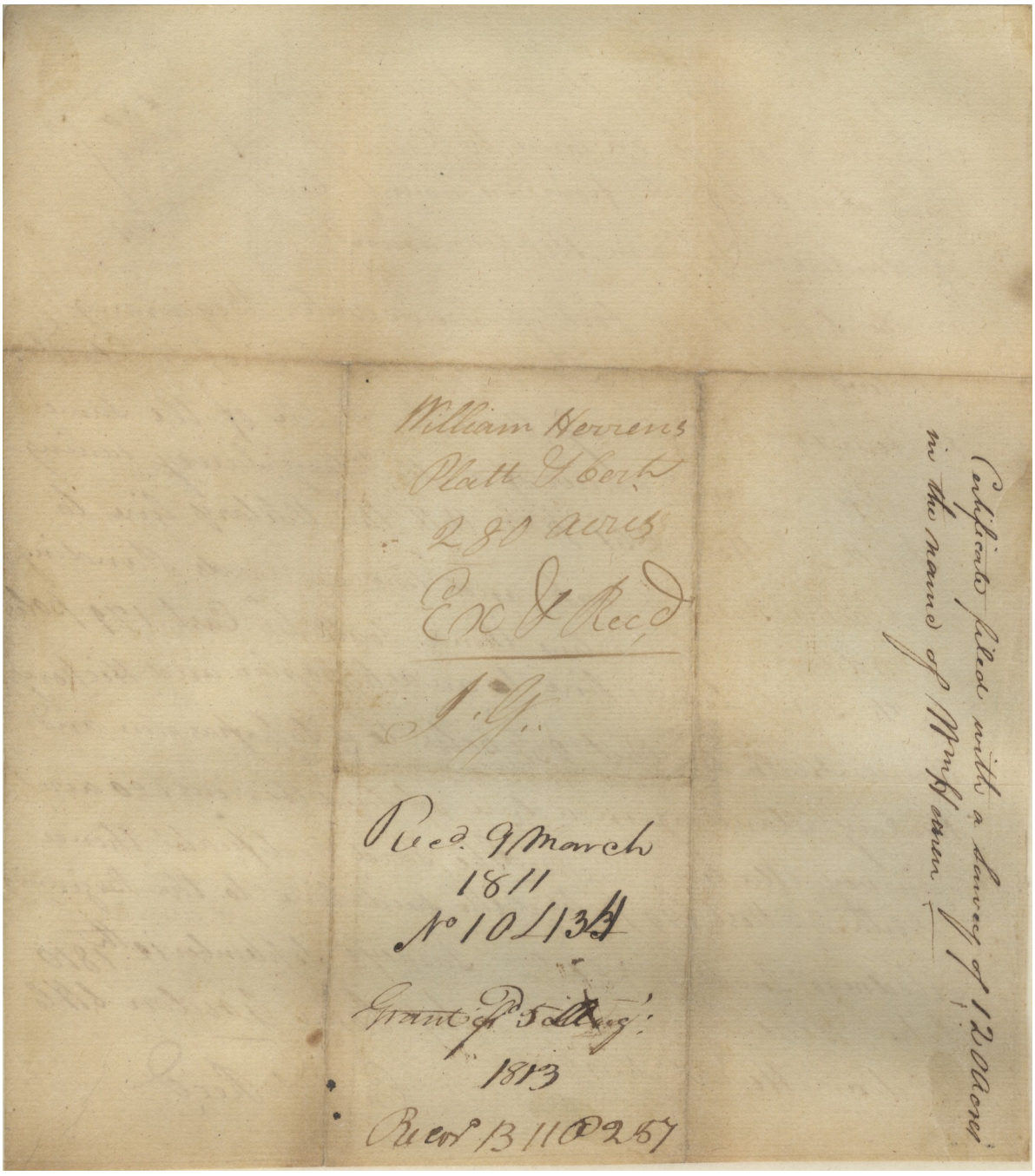
Survey'd For William Herren assee of James S. Bails 280 acres of land by Virtue of Part of a Certificate from the County Court of Henderson lying in Hopkins County on the Craborchard fork of Trade water Beginning at two Blackoaks Standing in a line of the said Herrens 120 acre Survey Made By Virtue of the same Certificate and Corner of a Military Survey running South 45° West 251 poles with the Military line to a blackoak white oak and two dogwoods Standing in addenson Lewis line thence South 45° East 179 poles with said Lewiss line to an ash poplar and Hickory thence North 45° East 251 poles to a Sassafras elm and Hickory Standing in a line of said Herrens 120 acre Survey Made by Virtue of the said Certificate thence North 45° West 179 poles with said line to the Beginning

Abednego Lewallin } 86
John Herren }

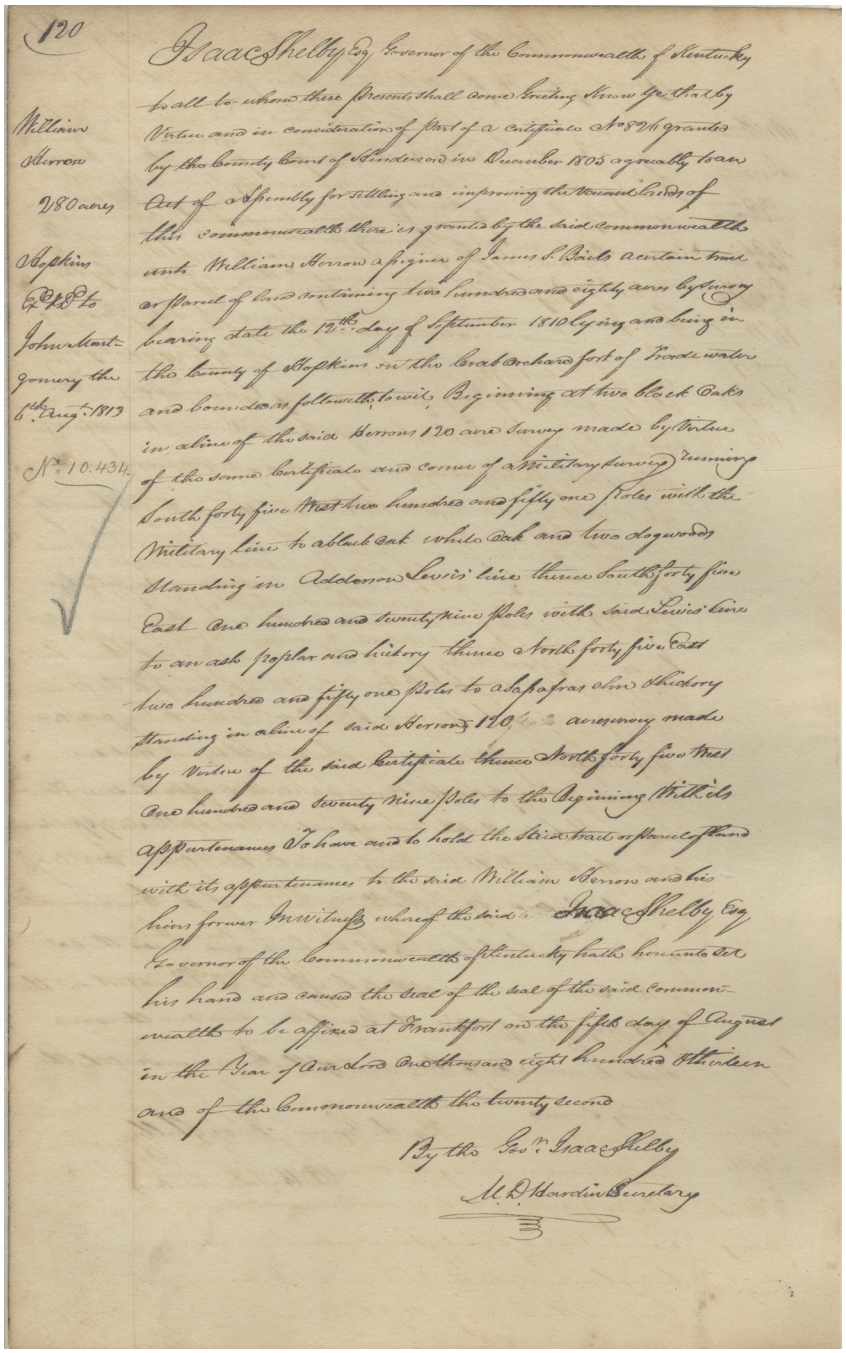
William Herren Marker

Survey'd September 12th 1810
by John Gordon D.S.C.
Ex'd J Reed

Appendix Image 1. Survey No. 10434, 12 September 1810 — Front, with plat.



Appendix Image 2. Survey — Back (docket: received 9 March 1811; recorded Book 11, page 257; certificate filed with the 120-acre survey).



120

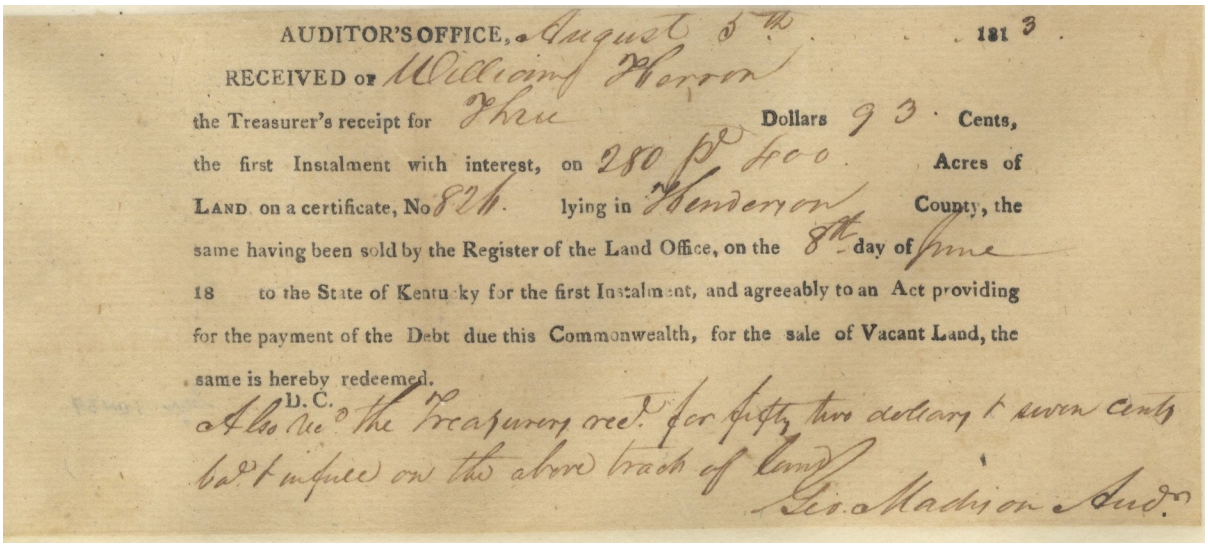
William Herron 280 acres Hopkins Exd to John Montgomery the 6th Augt 1813 No 10.434

Isaac Shelby 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 No 826 granted by the County Court of Henderson in December 1805 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 Herron assignee of James S. Bails a certain tract or parcel of land containing two hundred and eighty acres by survey bearing date the 12th day of September 1810 lying and being in the County of Hopkins on the Crab Orchard fort of Trade water and bounded as followeth, to wit, Beginning at two black Oaks in a line of the said Herrons 120 acre survey made by Virtue of the same Certificate and corner of a Military survey running South forty five West two hundred and fifty one Poles with the Military line to a black oak white oak and two dogwoods standing in Adderson Lewis' line thence South forty five East one hundred and seventy nine Poles with said Lewis' line to an ash poplar and hickory thence North forty five East two hundred and fifty one Poles to a Sassafras Elm Hickory standing in a line of said Herrons 120 acre survey made by Virtue of the said Certificate thence North forty five West 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 William Herron and his heirs forever In witness whereof the said Isaac Shelby Esq Governor of the Commonwealth of Kentucky hath hereunto set his hand and caused the seal of the seal of the said Commonwealth to be affixed at Frankfort on the fifth day of August in the Year of Our Lord One thousand eight hundred & thirteen and of the Commonwealth the twenty second

By the Govr Isaac Shelby

M. D. Hardin Secretary

Appendix Image 3. Grant/Patent No. 10434, 5 August 1813 — page 120 (margin: delivered to John Montgomery, 6 August 1813).



AUDITOR'S OFFICE, August 5th 181 3

RECEIVED of William Herron

the Treasurer's receipt for Three Dollars 9 3 Cents,

the first Instalment with interest, on 280 P. 400 Acres of

LAND on a certificate, No 824. lying in Henderson County, the

same having been sold by the Register of the Land Office, on the 8th day of June

18 to the State of Kentucky for the first Instalment, and agreeably to an Act providing

for the payment of the Debt due this Commonwealth, for the sale of Vacant Land, the

same is hereby redeemed.

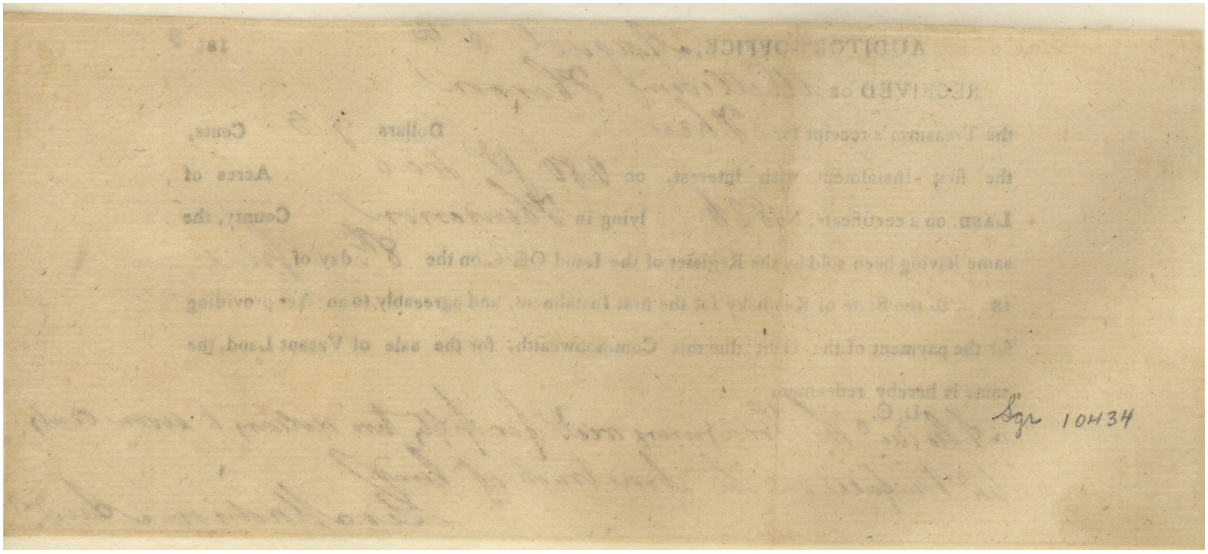
D. C.

Also Rec.d the Treasurers rec.t for fifty two dollars & seven cents

bal.t in full on the above track of land

Geo. Madison Aud.r

Appendix Image 4. Auditor's Office Receipt, 5 August 1813 — Front ($3.93 first instalment with interest; $52.07 balance in full).



Sgr 10434

Appendix Image 5. Auditor's Office Receipt — Back.