William Herron (assignee of James S. Bails) — Kentucky Land Grant — Patent No. 6864 (County Certificate No. 826, part)

120 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. 6864, William Herron, assignee of James S. Bails, 120 acres, Hopkins County: Henderson County Court certificate, December County Court 1805, attested copy [the certificate bears no number; No. 826 in the receipt and patent], with assignment of 8 October 1807 on its back; survey, 8 October 1807, received 18 November 1807, recorded Book 7, page 444; Auditor's Office receipt, 5 August 1813; patent, 5 August 1813, page 121 [grant book not named in the images]. 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

At the December County Court of 1805 James S. Bails claimed before the Henderson County Court 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 Crab Orchard fork of Tradewater, beginning at two white oaks near the bank of the creek in a military line, thence north 45 east, "and with the interfering claims 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 Am. Barbour, C.H.C.). On 8 October 1807 James S. Bails, signing "Jas. S. Beals," assigned all his right, title and claim to the certificate to William Herron, witness Turner Elder [?]. The same day Deputy Surveyor Eli Bishop, for John Gordon, S.H.C., surveyed 120 acres for William Herron, assignee of James S. Bails, in Hopkins County on the Crab Orchard fork of Tradewater, with Reuben Herron and Abraham Landers as chain carriers and William Herron as marker. The survey was

received on 18 November 1807 and recorded in Book 7, page 444. On 5 August 1813 the Auditor received of William Herron, assignee, $21.88, the balance in full without interest on 120 of the 400 acres on Certificate No. 826, and on the same day Governor Isaac Shelby signed the patent, "the State price paid without interest." The patent was examined and delivered to Jn. Montgomery [?] on 6 August 1813.

Survey Description

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

Surveyed for William Herron, assignee of James S. Bails, 120 acres of land by virtue of a certificate from the County Court of Henderson, in Hopkins County, lying on the Crab Orchard fork of Tradewater. Beginning on two white oaks in a military line; thence North 45° East 13 poles to a maple and elm, Henry Williams's line; thence North with said line 170 poles to the corner, a red oak, elm and dogwood; thence West with Isom Sellers's line 195 poles to a forked elm and maple in a military line; thence with said line South 45° East 256 poles to the beginning. October 8th 1807.

Record Summary

Certificate Number	826, part (Henderson County Court; the number is in the receipt and patent, not on the certificate)
Survey Grant Register Number	6864
Original Claimant	James S. Bails (signs "Jas. S. Beals")
Assignment	James S. Bails to William Herron, 8 October 1807, witness Turner Elder [?]
Surveyed For / Patentee	William Herron, assignee of James S. Bails (indexed by Jillson as "Herron, Wm.")
Acreage	120 acres of the 400 claimed (the courses hold about 114)
Watercourse	Crab Orchard fork of Tradewater
County in Survey	Hopkins County (certificate from the Henderson County Court; the 1813 receipt says Henderson)
Adjoining	Henry Williams's line (east); Isom Sellers's line (north); a military line (south-west)
Certificate Date	December County Court 1805
Survey Date	8 October 1807
Received by Land Office	18 November 1807
Recording	Survey: Book 7, page 444. Patent: page 121

Patent / Grant Issued	5 August 1813, signed by Governor Isaac Shelby and Secretary M. D. Hardin; delivered to Jn. Montgomery [?], 6 August 1813
State Price Notation	$21.88, balance in full without interest on 120 of 400 acres, 5 August 1813
Deputy Surveyor / Chain Carriers	Eli Bishop, D.S., for John Gordon, S.H.C.; Reuben Herron and Abraham Landers, chain carriers; William Herron, marker
County Court Clerk	Am. Barbour, C.H.C.

Chronology

December County Court 1805	Henderson County Court finds that James S. Bails has a right to a settlement of 400 acres on the Crab Orchard fork of Tradewater
8 October 1807	James S. Bails assigns the certificate to William Herron; witness Turner Elder [?]
8 October 1807	120 acres surveyed for William Herron, assignee of James S. Bails, by Eli Bishop, D.S., for John Gordon, S.H.C.; chain carriers Reuben Herron and Abraham Landers; William Herron, marker
18 November 1807	Survey received; recorded Book 7, page 444
5 August 1813	$21.88 received of William Herron, balance in full without interest on 120 of 400 acres, Certificate No. 826
5 August 1813	Grant No. 6864 issued to William Herron, assignee of James S. Bails
6 August 1813	Patent examined and delivered to Jn. Montgomery [?] (margin note)

Persons Named in the Record

James S. Bails	Original claimant; assignor (signs "Jas. S. Beals")
William Herron	Assignee; surveyed for; marker; patentee
Turner Elder [?]	Witness to the assignment
Reuben Herron	Chain carrier
Abraham Landers	Chain carrier

Henry Williams	Adjoining owner (east line)
Isom (Isham) Sellers	Adjoining owner (north line)
Eli Bishop	Deputy surveyor
John Gordon	County surveyor (S.H.C.)
Am. Barbour	Clerk of the Henderson County Court (C.H.C.)
Geo. Madison	Auditor
Jn. Montgomery [?]	Received the patent (margin delivery note)
Isaac Shelby	Governor
M. D. Hardin	Secretary

Land Description

A 120-acre tract on the Crab Orchard fork of Tradewater in Hopkins County, roughly a triangle: Henry Williams's line on the east, Isom Sellers's line on the north and a military line on the south-west. Its corners are two white oaks in the military line (beginning), a maple and elm in Williams's line, a red oak, elm and dogwood ("the corner"), and a forked elm and maple in the military line.

Research Notes

The certificate. The certificate is an attested copy of the December County Court 1805 order, signed "A Copy, Test, Am. Barbour, C.H.C." It places the 400-acre claim on the Crab Orchard fork of Tradewater, "beginning at two white oaks near the bank of the creek in a military line, thence North 45 East, and with the interfering claims for quantity." The certificate carries no number; No. 826 comes from the receipt and the patent, which calls it "part of a certificate No. 826." The record does not say why only 120 of the 400 acres were surveyed.

The assignment. The back of the certificate reads "to William Herron. I assign all my right, title and claim to the within certificate for value received, as witness my hand this 8th October 1807," signed "Jas. S. Beals," witness "Turner Elder" [?] (the surname is not clearly formed). It is also endorsed "Jas. S. Bails, 400 acres, Tradewater" and carries the archivist's note "SGR-6864." The certificate, survey and patent write "Bails."

Survey and names. The survey names "Isom Sellers"; the patent writes "Isham Sellars." The chain carriers are "Reuben Herron" and "Abraham Landers," bracketed "C.C.," and "William Herron, M[arker]." The survey is signed "by Eli Bishop, D.S., for John Gordon, S.H.C.," and "Ex'd & Rec'd." The plat shows a roughly triangular tract.

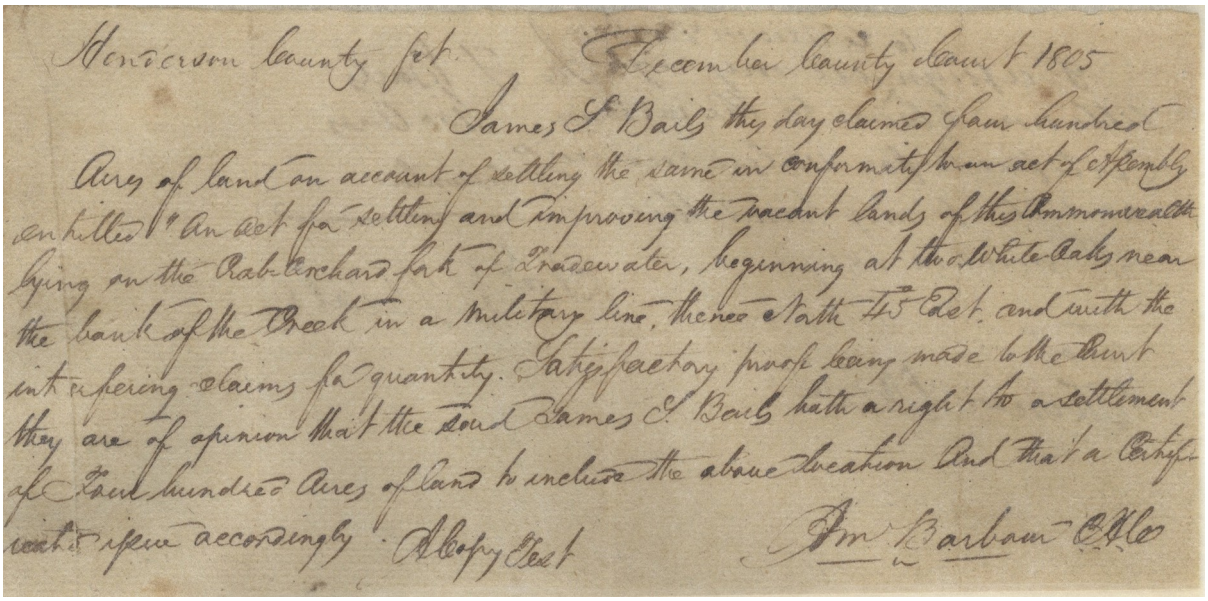
Courses and acreage. The survey and the patent agree on the four courses. They miss closing by about 5 poles and hold about 114 acres, not the 120 stated.

Recording, payment and delivery. The docket on the back of the survey reads "William Herron, Plat and Cert. of 120 acres, Ex'd & Rec'd, J. G[ordo]n [?], Rec'd 18th Nov. 1807, No. 6864, Recorded Book 7, Page 444, Grant iss'd 5th Aug. 1813." Book 7, page 444 is the recording of the survey; the patent itself is on page 121 (previously given as the grant's recording). The Auditor's receipt of 5 August 1813 is received of "Wm. Herron, assee." for "Twenty One Dollars and eighty eight Cents, it being the bal. in full instalment with[out] interest on 120 pr. 400 acres of land, lying in Henderson county, No. 826," under the act of 20 December 1800, signed Geo. Madison, Aud., with "D.C.M." at the foot. The receipt names Henderson County; the survey and patent name Hopkins. The patent, signed by Governor Isaac Shelby and Secretary M. D. Hardin on 5 August 1813, "of the Commonwealth the twenty second," recites "the State price paid without interest." Its margin reads "William Herron, 120 acres, Hopkins, Ex'd & Dd. to Jn. Montgomery [?], 6th Aug. 1813, No. 6864"; the earlier report omitted the delivery. The record does not say who Montgomery was.

Neighbors. The survey runs north 170 poles with Henry Williams's line and west 195 poles with Isom Sellers's line, and its other two corners stand in a military line. Isham Sellers's 200 acres, KLG 3160 (1799), are a 178.8-pole square whose east side runs with Henry Williams's most westwardly line. Clark Landers's 145 acres, KLG 4996 (1806), run south with Isom Sellers's line and east with Henry Williams's line. Abraham Landers, a chain carrier here, is the patentee of KLG 4995 and KLG 8547; 8547 runs south and west with Sellers's line and along military lines. None of these surveys names a corner tree that appears in this one.

Images. This report uses only the seven record images: certificate front and back, survey front and back, receipt front and back, and patent.

Images / Appendix

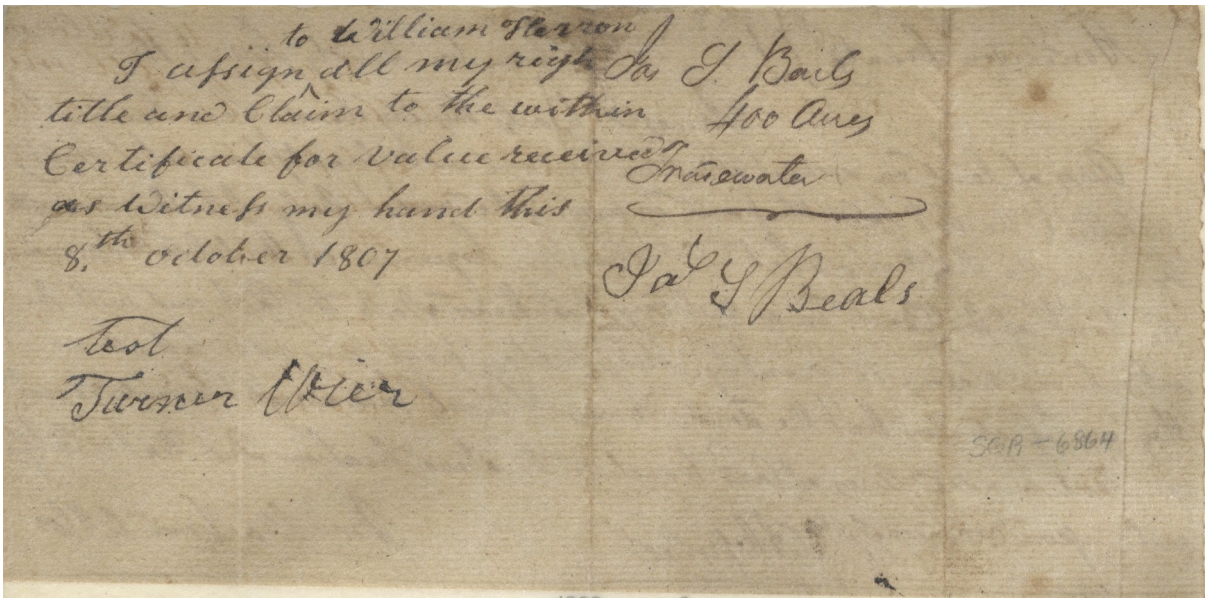


Henderson County Jct. December County Court 1805

James S. Bails 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 Crab-Orchard fork of Tradewater, beginning at two White Oaks near the bank of the Creek in a military line, thence North 45 East, and with the interfering claims for quantity. Satisfactory proof being made to the Court they are of opinion that the said James S. Bails hath a right to a settlement of Four hundred Acres of land 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 Certificate, December County Court 1805 — Front (Am. Barbour, C.H.C.).



I assign to William Herron all my right title and Claim to the within Certificate for value received as Witness my hand this 8th October 1807

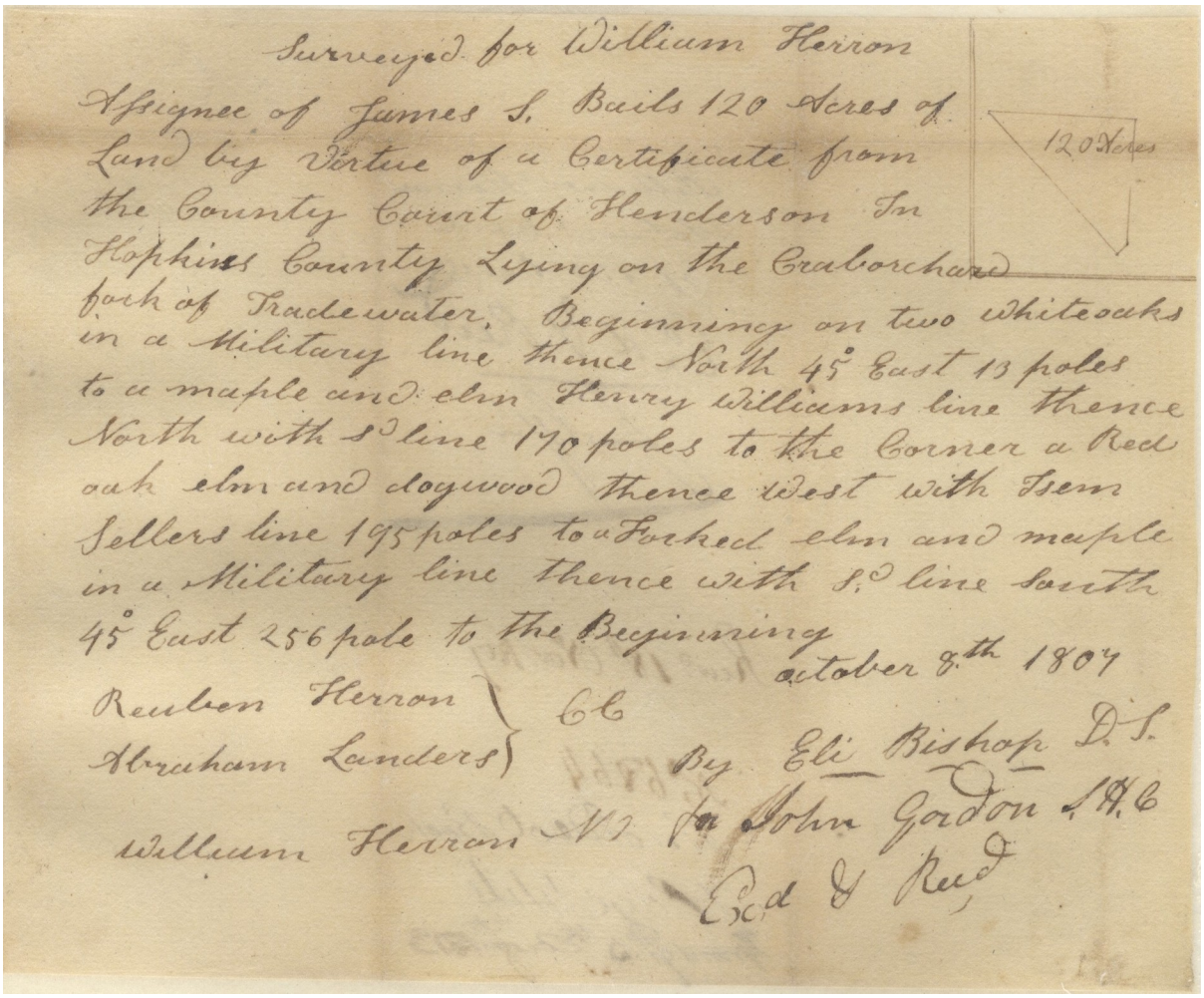
Jas S. Bails
400 Acres
Tradewater

Jas S Beals

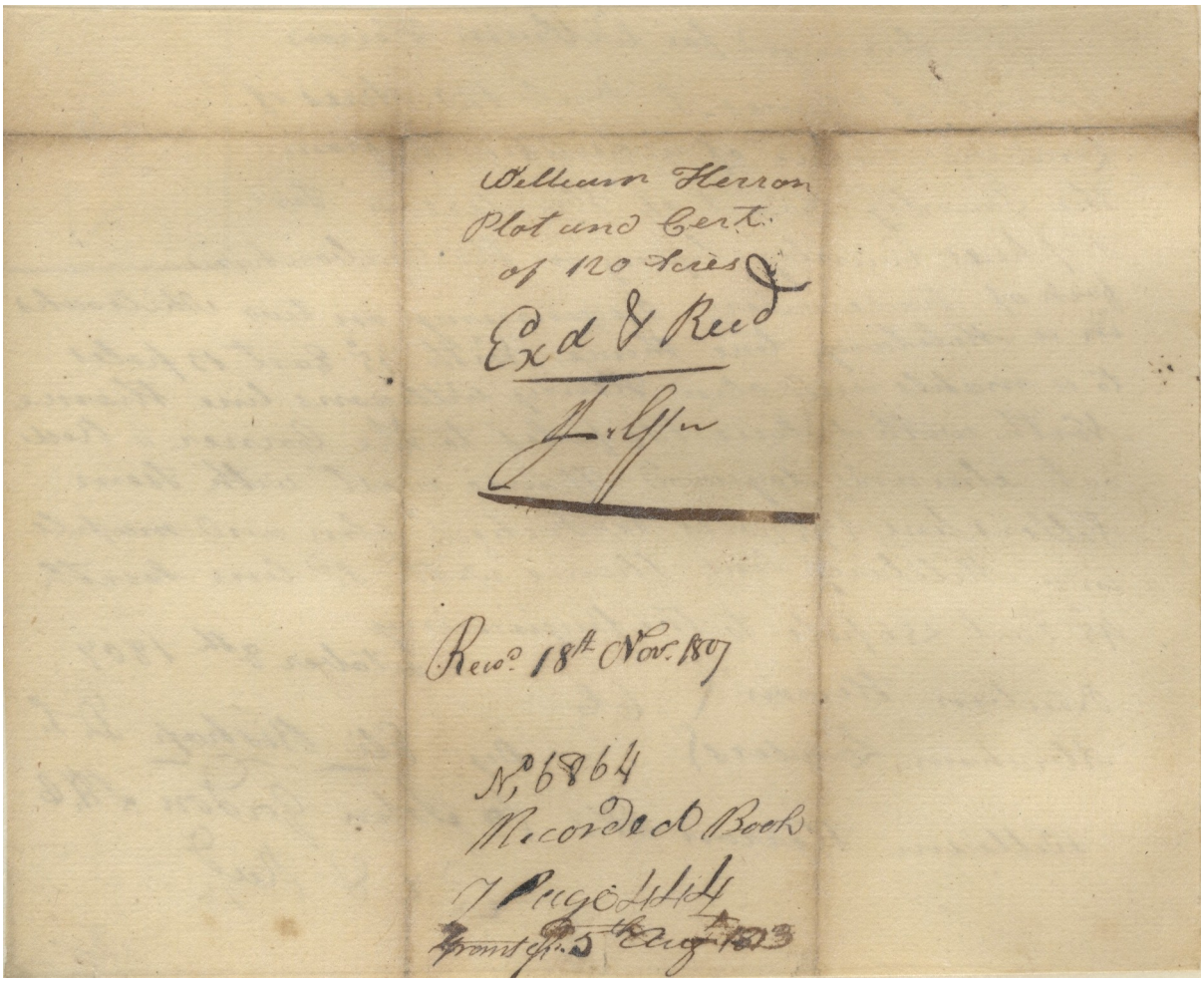
Test
Turner Weir

SGR-6864

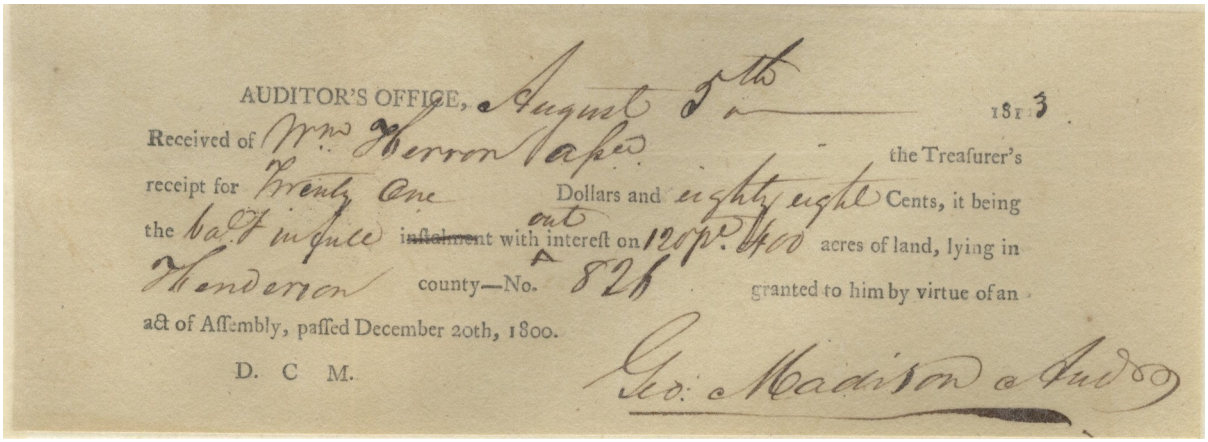
Appendix Image 2. Certificate — Back (assignment, James S. Bails to William Herron, 8 October 1807).



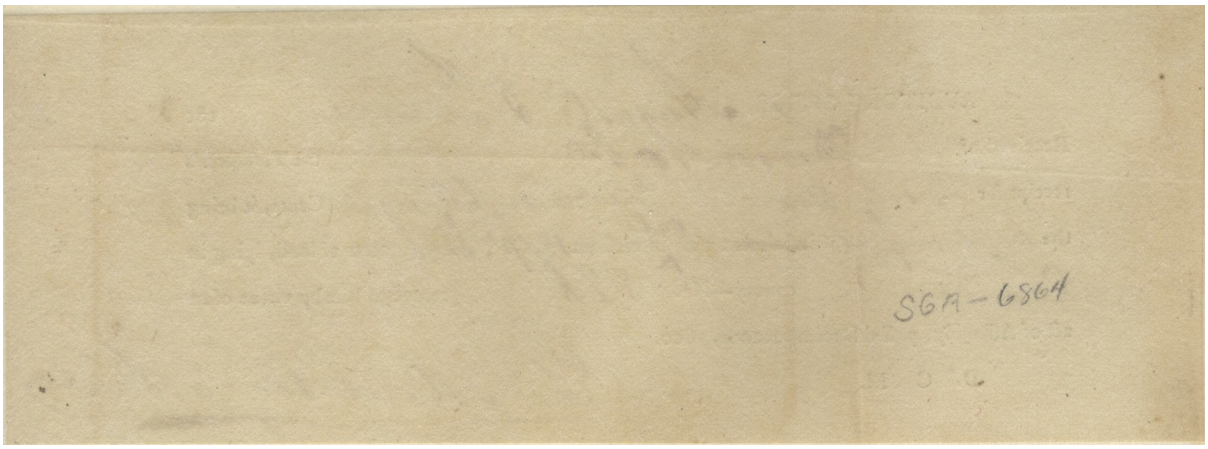
Appendix Image 3. Survey No. 6864, 8 October 1807 — Front, with plat.



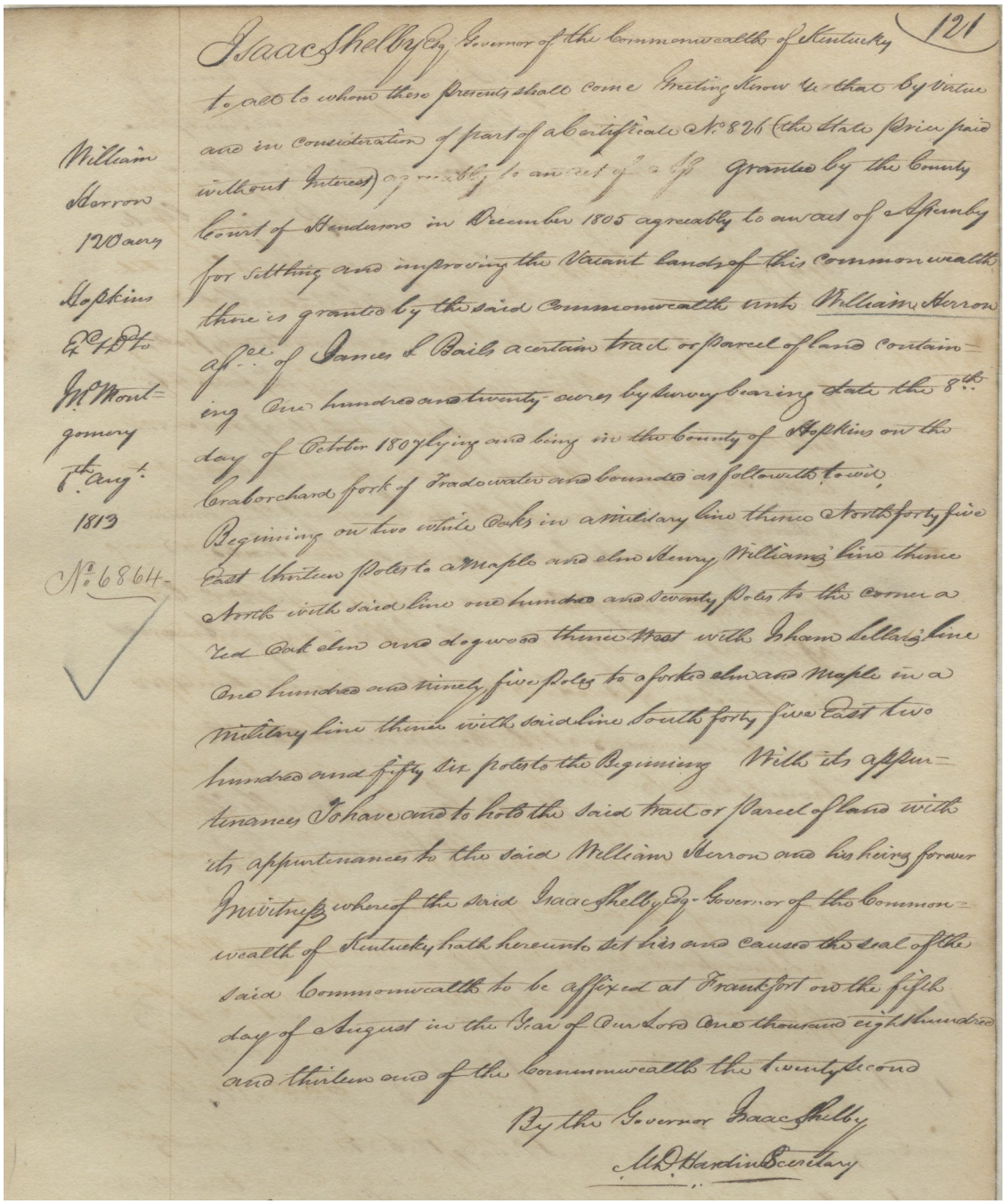
Appendix Image 4. Survey — Back (docket: received 18 November 1807; recorded Book 7, page 444; grant issued 5 August 1813).



Appendix Image 5. Auditor's Office Receipt, 5 August 1813 — Front ($21.88; Henderson County).



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



121

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 (the State Price paid
without Interest) agreeably to an act of Ass 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
assee of James L Bails a certain tract or parcel of land contain-
ing One hundred and twenty acres by survey bearing date the 8th
day of October 1807 lying and being in the County of Hopkins on the
Craborchard fork of Tradewater and bounded as followeth, to wit,
Beginning on two white Oaks in a military line thence North forty five
East thirteen Poles to a Maple and elm Henry Williams' line thence
North with said line one hundred and seventy Poles to the corner a
red Oak elm and dogwood thence West with Isham Sellars' line
One hundred and ninety five Poles to a forked elm and Maple in a
military line thence with said line South forty five East two
hundred and fifty six poles to the Beginning With its appur-
tenances 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 Common-
wealth of Kentucky hath hereunto set his and caused 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
and thirteen and of the Commonwealth the twenty second

By the Governor Isaac Shelby

M D Hardin Secretary

William Herron 120 acres Hopkins Ex & Dd to Jn Montgomery 6th Augt 1813

No. 6864

Appendix Image 7. Grant/Patent No. 6864, 5 August 1813 — page 121 (margin: delivered to Jn. Montgomery [?], 6 August 1813).