William Weir — Kentucky Land Grant — Patent No. 8542 (County Certificate No. 778)

400 Acres on the Waters of Weirs Creek, Henderson County, Kentucky

Assignee of Fayette Posey

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. 8542, William Wier, assignee of Fayette Posey, 400 acres, Henderson County: Henderson County Court certificate No. 778, September 1805 (copy attested by Ambrose Barbour, C.C.); survey for Fayette Posey, 20 March 1807, with Posey's transfer to William Wier, 6 July 1807, on the back, received 3 December 1807, endorsed "R[ecorded] B[ook] 9, P[age] 184"; Auditor's Office receipt, 27 December 1808; patent, 13 February 1809, Grant Book 7, page 414. 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. 431, as "Weir, Wm."

Abstract

At the September 1805 Henderson County Court, Fayette Posey claimed 400 acres on account of settling the same, lying on the waters of Weirs Creek, beginning at two dogwoods on John Clark's line and running westward with that line and northward for quantity. On satisfactory proof the court found that Posey had a right to a settlement of 400 acres and ordered a certificate to issue (Certificate No. 778; copy attested by Ambrose Barbour, clerk). On 20 March 1807 Deputy Surveyor Asel Wier surveyed the 400 acres for Fayette Posey, with Wm. R. Wier and Turner Wier as chain carriers and S. McBee as marker. On 6 July 1807 Posey transferred all his right, title and interest in the plat and certificate to William Wier, with Russel Wier as witness. The survey was received on 3 December 1807, the $72.83 state price was paid on 27 December 1808 in the name of "Wm. Wier, assignee of Fayette Posey," and Governor Charles Scott signed the patent to William Wier on 13 February 1809. It was delivered to Y. Ewing on 3 January 1810.

Survey Description

Metes and bounds as written in the survey. Distances are in poles. The patent gives the fourth course as 152 poles (see Research Notes).

Surveyed for Fayette Posey 400 acres of land by virtue of a certificate from the County Court of Henderson, lying in Henderson County on the waters of Wiers Creek. Beginning at two dogwoods on John Clark's line and running West with said line 260 poles to a white oak and elm; thence North 160 poles to a maple and dogwood; thence North 45 East 150 poles to a hickory and dogwood; thence East 159 poles to a hickory and elm in Hannah McBee's line; thence South with said line 267 poles to the beginning. Surveyed March the 20th 1807.

Record Summary

Certificate Number	778 (Henderson County Court, September 1805; settlement certificate)
Survey Grant Register Number	8542
Original Claimant	Fayette Posey
Surveyed For / Patentee	Surveyed for Fayette Posey; patented to William Wier, assignee of Fayette Posey (indexed by Jillson as "Weir, Wm.")
Acreage	400 acres
Land Quality	Not stated
Watercourse	Waters of Weirs Creek ("Wiers Creek")
County in Survey	Henderson County (Hopkins County after 1 May 1807)
Certificate Date	September 1805 (Henderson County Court)
Survey Date	20 March 1807
Received by Land Office	3 December 1807 (written "1805"; see Research Notes)
Recording	Survey: Book 9, page 184. Patent: Grant Book 7, page 414 (archivist's margin note).
Patent / Grant Issued	13 February 1809, signed by Governor Charles Scott; delivered to Y. Ewing, 3 January 1810
State Price Notation	$72.83, paid in full, per Auditor's Office receipt dated 27 December 1808, received of "Wm. Wier, assignee of Fayette Posey"
Deputy Surveyor	Asel Wier, D.S.

County Surveyor	Edmund Talbot, S.H.C. (Surveyor, Henderson County)
Chain Carriers	Wm. R. Wier and Turner Wier (marker: S. McBee)
Commissioners	None; county court certificate attested by Ambrose Barbour, C.C.

Chronology

September 1805	Henderson County Court finds that Fayette Posey has a right to a settlement of 400 acres on the waters of Weirs Creek, beginning on John Clark's line (Certificate No. 778; copy attested by Ambrose Barbour, C.C.)
20 March 1807	400 acres surveyed for Fayette Posey by Asel Wier, D.S., for Edmund Talbot, S.H.C.
6 July 1807	Fayette Posey transfers all his right, title and interest in the plat and certificate to William Wier "for value received"; test. Russel Wier
3 December 1807	Plat and certificate received; survey recorded Book 9, page 184
27 December 1808	$72.83 paid in full by "Wm. Wier, assignee of Fayette Posey"
13 February 1809	Grant No. 8542 issued to William Wier, assignee of Fayette Posey, signed by Governor Charles Scott and Secretary J. Bledsoe; Grant Book 7, page 414
3 January 1810	Patent delivered to Y. Ewing (margin note)

Persons Named in the Record

William Wier	Assignee of Fayette Posey; patentee ("Weir, Wm." in Jillson's index)
Fayette Posey	Original claimant; settled the land; surveyed for; assignor to Wier
Russel Wier	Witness to Posey's transfer to Wier
Wm. R. Wier	Chain carrier
Turner Wier	Chain carrier
S. McBee	Marker

John Clark	Adjoining landowner (south line)
Hannah McBee	Adjoining landowner (east line)
Asel Wier	Deputy surveyor
Edmund Talbot	Surveyor of Henderson County
Ambrose Barbour	Clerk of the Henderson County Court
Y. Ewing	Received the patent (margin delivery note)
George Madison	Auditor
Charles Scott	Governor
J. Bledsoe	Secretary

Land Description

A 400-acre tract on the waters of Weirs Creek in Henderson County (Hopkins County after 1 May 1807), Kentucky. Its south line runs with John Clark's line and its east line with Hannah McBee's line.

Research Notes

Surveyed for Posey, patented to Wier. The survey was made for Fayette Posey on 20 March 1807, and Posey transferred "the within Plat and certificate" to William Wier afterward, on 6 July 1807 (the day is faint). The receipt and patent name William Wier as Posey's assignee.

159 or 152 poles? The survey gives the fourth course as "East 159 pole"; the patent gives "East one hundred and fifty two poles." Plotted with 159 poles, the figure fails to close by about 5 poles and holds about 406 acres; with 152 poles it closes within 2 poles and holds about 394 acres. The patent's figure fits the 400 acres better.

A Weir survey crew. Asel Wier ran this survey on 20 March 1807, the same day he surveyed Turner Wier's 8534. Here Wm. R. Wier and Turner Wier carried the chain, S. McBee was marker, and Russel Wier witnessed the transfer to William. Family research identifies Asel, Turner and William Russell Weir as brothers, sons of William Weir (d. 1825, Sumner County, Tennessee) (David A. Ralls, “Willis Ralls of Hopkins County, Kentucky,” family tree, Ancestry).

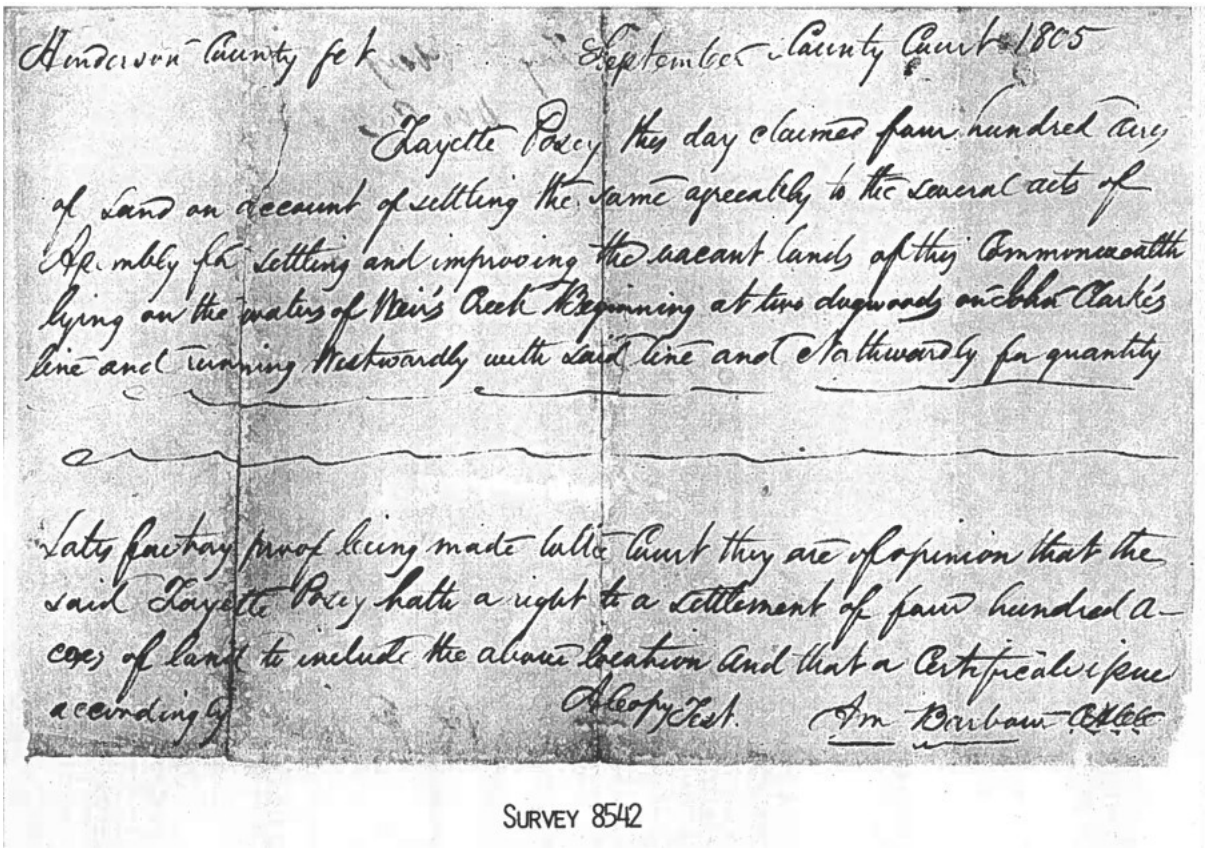
The receipt. The receipt is in the assignee's name, "Wm. Wier, assignee of Fayette Posey," for "Seventy two dollars and eighty three cents" ($72.83) on certificate No. 778 for 400 acres in Henderson County. Its margin reads "B 171 No 8542," the grant number.

Recording and delivery. The back of the survey is endorsed "R B 9 P 184," near the other Weir surveys in the same book (8534 on page 179, 8535 on page 180, 8558 on page 194). The receipt date on the back appears to read "3 Dec 1805," but the survey is dated 1807, so the clerk evidently meant 3 December 1807, the date on which 8534, 8546 and 8558

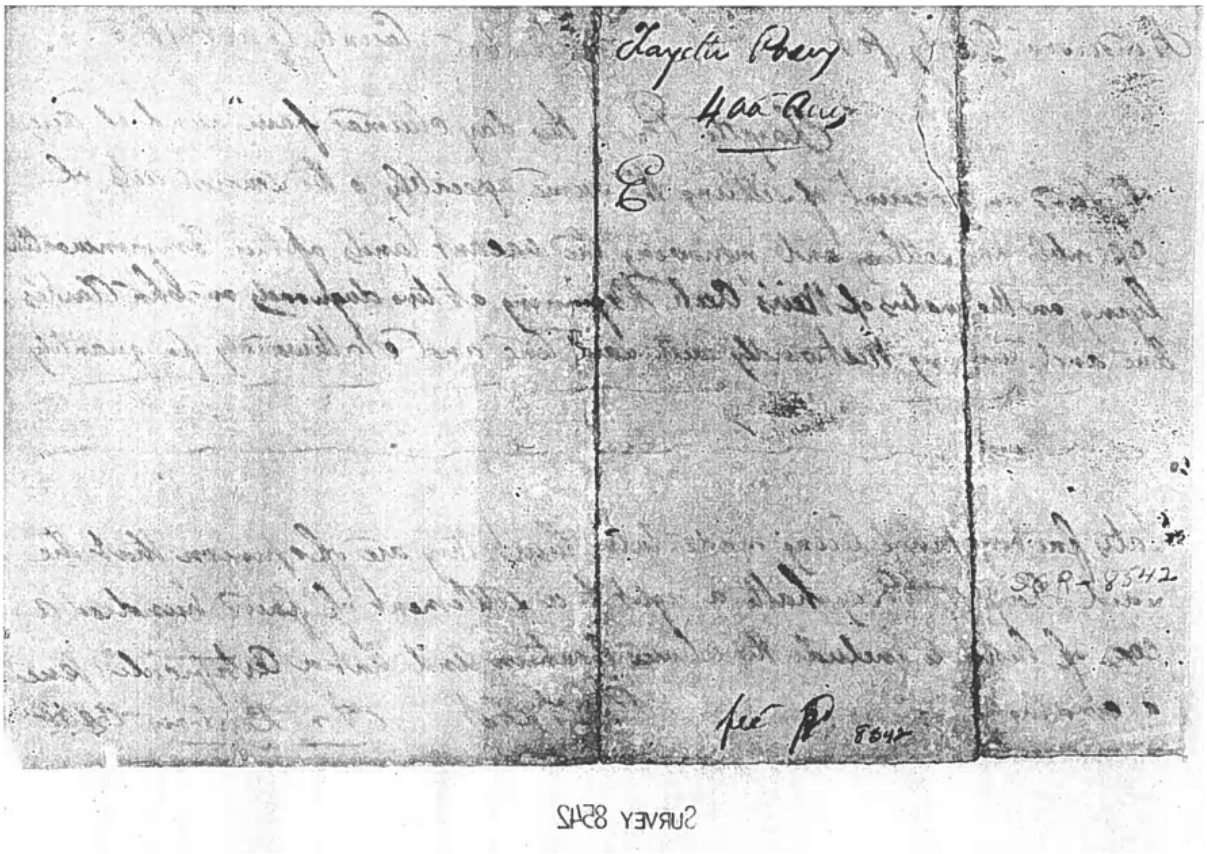
were also received. The patent was signed on 13 February 1809 and delivered to Y. Ewing on 3 January 1810.

Spelling. The record writes the surname "Wier" throughout, and Jillson indexes the grant as "Weir, Wm." This report uses Weir in its headings and the record's spelling in quotations and transcriptions.

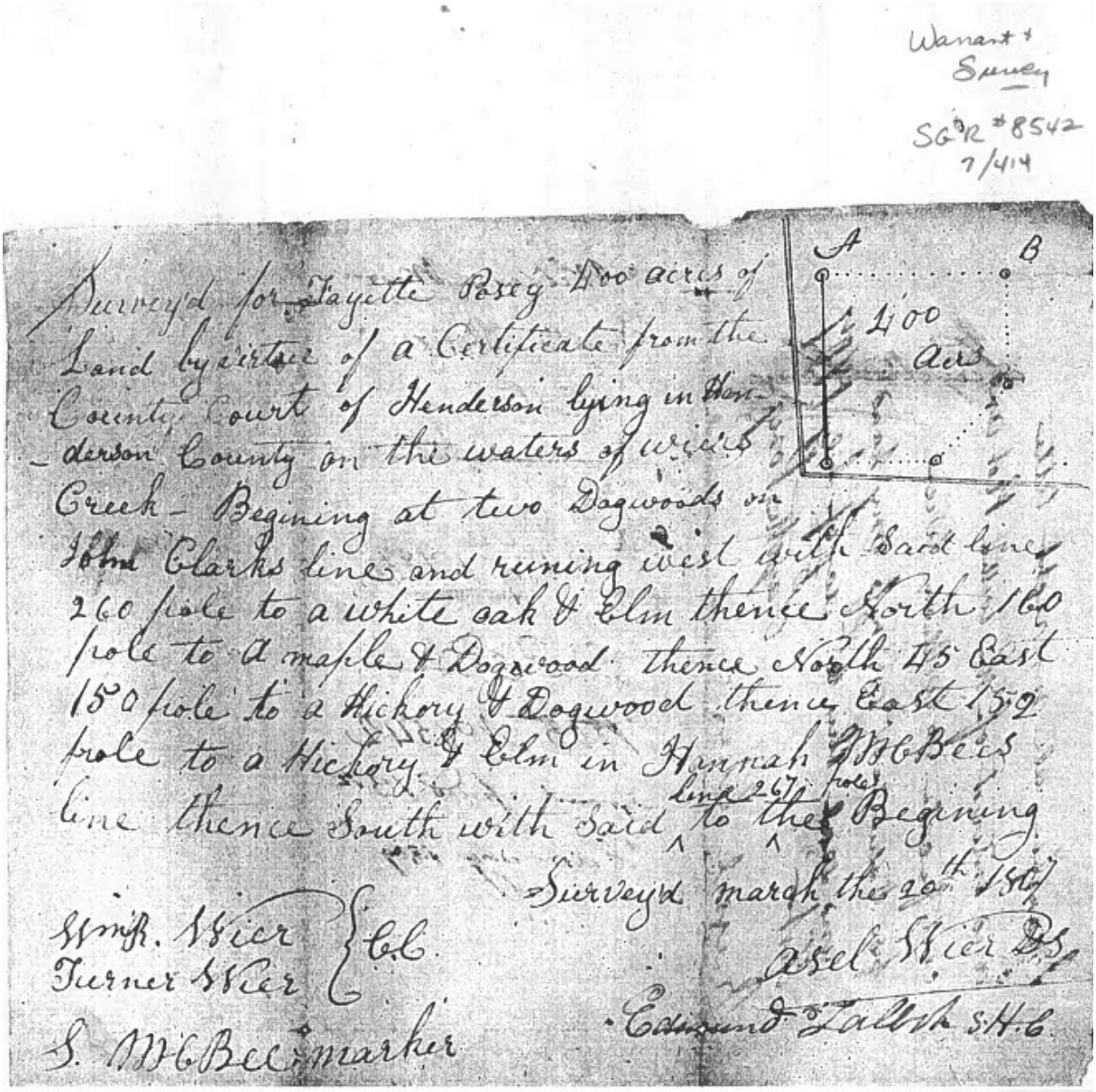
Images / Appendix



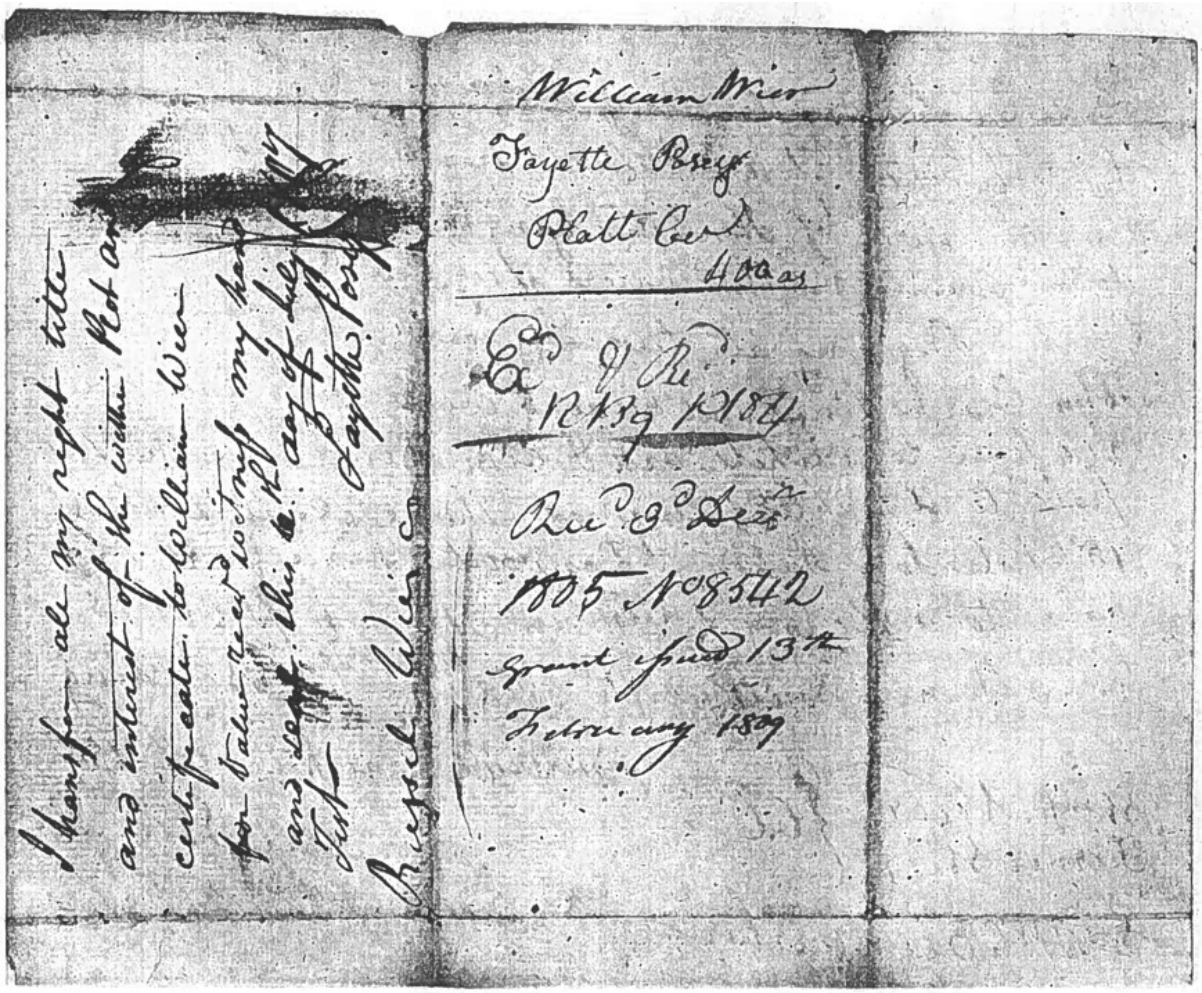
Appendix Image 1. Henderson County Court Certificate No. 778 — Front (September 1805).



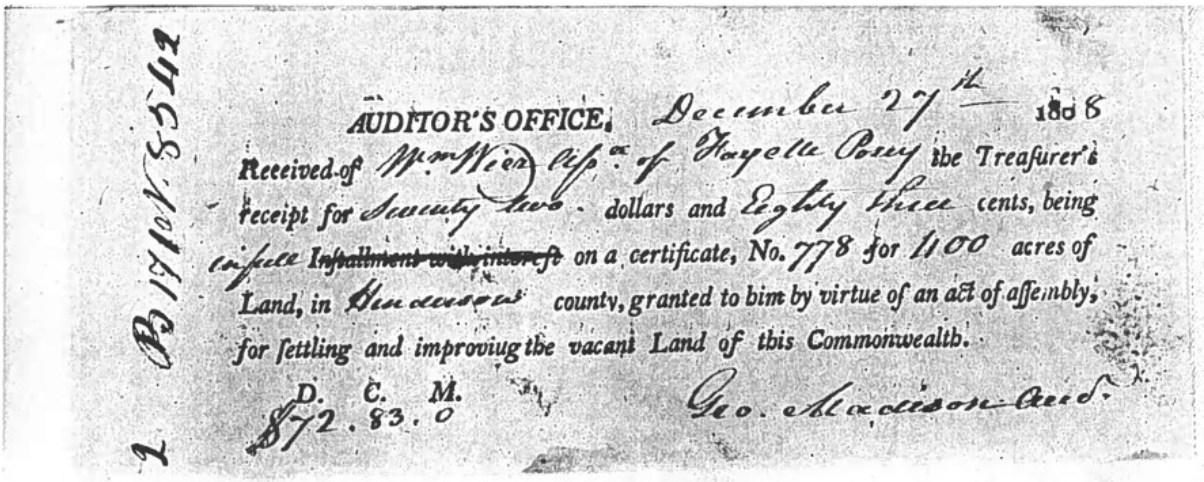
Appendix Image 2. Certificate — Back.



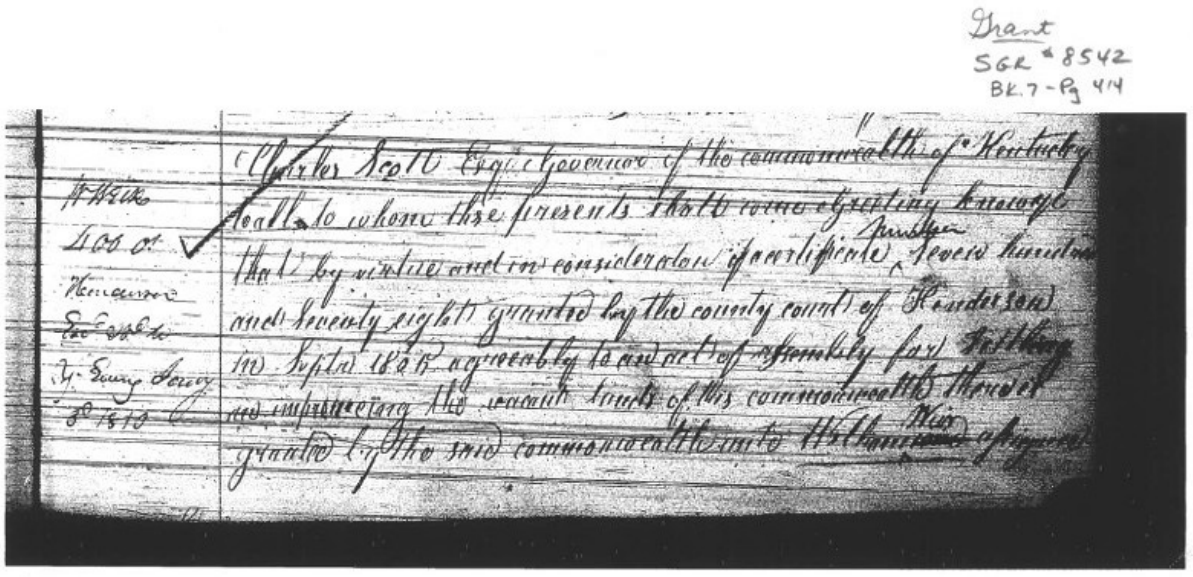
Appendix Image 3. Survey No. 8542 — Front (20 March 1807).



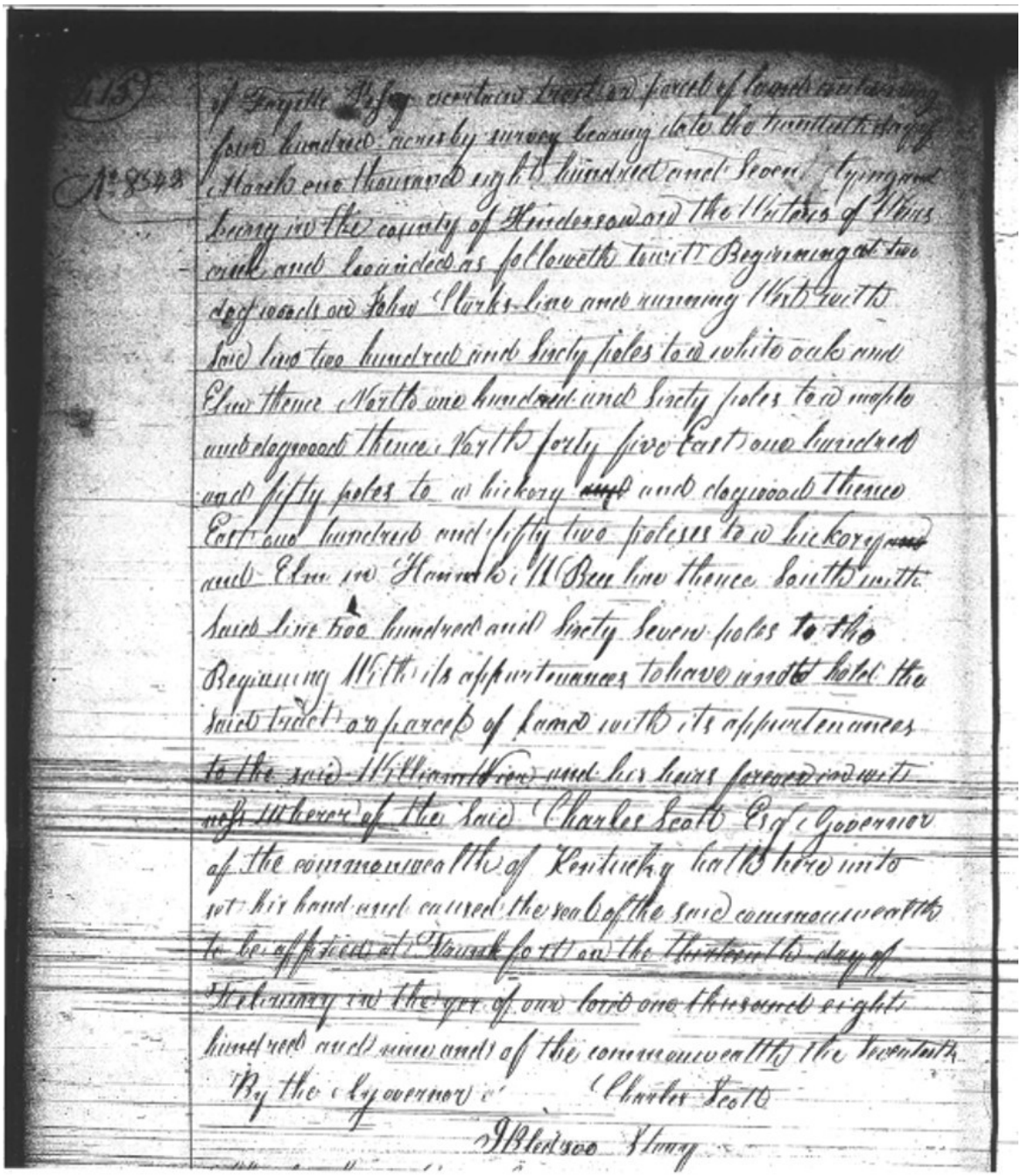
Appendix Image 4. Survey No. 8542 — Back (Posey's transfer to William Wier, 6 July 1807; recorded Book 9, page 184; grant issued 13 February 1809).



Appendix Image 5. Auditor's Office Receipt (27 December 1808).



Appendix Image 6. Grant/Patent No. 8542 — Page 1 (Grant Book 7, page 414; margin: delivered to Y. Ewing, 3 January 1810).



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No. 8542

of Fayette Ky. a certain tract or parcel of land containing
four hundred acres by survey bearing date the twentieth day of
March one thousand eight hundred and seven lying and
being in the county of Henderson on the Waters of Wars
creek and bounded as followeth to wit Beginning at two
dogwoods on John Clarks line and running West with
said line two hundred and sixty poles to a white oak and
Elm thence North one hundred and sixty poles to a maple
and dogwood thence North forty five East one hundred
and fifty poles to a hickory ~~and~~ and dogwood thence
East one hundred and fifty two poleses to a hickory ~~and~~
and Elm in Hannah McBee line thence South with
said line two hundred and sixty seven 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 Wier and his heirs forever in wit-
ness wherer of the said Charles Scott Esq Governor
of the commonwealth of Kentucky hath here unto
set his hand and caused the seal of the said commonwealth
to be affixed at Frankfort on the thirteenth day of
February in the yer of our lord one thousand eight
hundred and nine and of the commonwealth the seventeenth
By the Governor Charles Scott
I Bledsoe Stany

Appendix Image 7. Grant/Patent No. 8542 — Page 2 (page 415).