

Jackson Purchase Military Claims

CHAPTER CLV.

An ACT for surveying the Military Claims west of the Tennessee River.

Approved, December 26, 1820.

Section 1. **Be it enacted by the General Assembly of the Commonwealth of Kentucky**, that the surveyor of the lands set apart for the satisfaction of the legal bounties of the officers and soldiers of the Virginia line on state establishment be and he is hereby authorized and required by himself or his deputies, to procure chain carriers and markers, and to survey without delay, all entries made in his office, prior to the first day of May, one thousand seven hundred and ninety-two, on warrants for military services aforesaid; and shall make out a full and fair connection of the surveys so made, showing where and how they interfere with the townships and sections of the land as laid off by William T. Henderson, surveyor for the state, and record one copy in his office, and return another copy to the register's office, on or before the first day of December next; and there shall be, and is hereby allowed to said surveyor as a compensation for the employment of chain carriers and markers, a fee of the rate of six cents for each one hundred poles of the boundary of such running for each chain carrier and marker.

Section 2. **And be it further enacted**, that the surveys made in pursuance of this act, shall contain the quantity of land specified in such entry and no more, and the surveyor aforesaid, by himself or his deputies, shall cause the lines and owners bounding such survey, to be plainly marked on every line thereof.

Section 3. **And it be further enacted**, that it shall be the duty of the surveyor aforesaid, to give notice in some one or more of the newspapers printed within this commonwealth, of the time when he will be ready to proceed to execute the surveys aforesaid; which notice shall be given at least two months before he shall proceed to survey.

Section 4. **And be it further enacted**, that the plats and certificates of survey aforesaid, shall be recorded in the office of the surveyor aforesaid, and by him certified to the register of the land office, together with a copy of the entry on which the same is founded, and the warrant authorizing the entry; and to enable the register to ascertain whether the survey is made according to entry, a copy of the entry shall be returned to the register's office, with the plat and certificate of survey; and any patent issuing on a survey made contrary to the location, shall be void to all intents and purposes, so far as the same may be different and variant from the location, on which the register of the land office shall be, and he is hereby authorized and required, to issue a grant according to the laws regulating the issuing of grants founded on entries made before the separation of this state from the state of Virginia: provided however, that the surveyor aforesaid, shall not be bound to deliver any plat and certificate of survey to the owner, his agent or attorney, before the fees established by law, shall have been paid or tendered to him: and provided further, that the register of the land office shall not receive and register any plat or

certificate of survey, until the fees allowed by law are paid to him; nor shall any grant issue before the expiration of six months after the plat and certificate of survey shall have been registered.

Section 5. **And be it further enacted**, that it shall be the duty of the surveyor aforesaid, in the execution of every survey made in pursuance to this act to ascertain the distance and bearing of the nearest corner of a township or section, to the beginning corner of the survey by him made; and also to ascertain the distance and bearing of the nearest corner of a township or section, to each corner of every survey by him made, and report the same in the plat and certificate of survey, by the numbers and description of timbers, agreeably to the map or plat deposited in the register's office by William T. Henderson, surveyor for the state; and if it shall appear to the register of the land office, that the plat and certificate survey contains a surplus of more than five percent on the quantity specified in the plat and certificate of survey, or that other land has been surveyed than that described in the entry, no grant shall be issued thereon.

Section 6. **And be it further enacted**, that the lands aforesaid, lying west of the Tennessee River, shall be subject to taxation as other lands in this commonwealth, from and after the tenth of March next.

Section 7. **Be it further enacted**, that the surveyor shall cause to be made out and returned to the register's office, a connected plat of all surveys made by him or his deputy.

Section 8. **Be it further enacted**, that the surveyor shall have power and authority to appoint one or more additional deputies, by and with the consent of the county court of Livingston County, who shall take the oaths now required by the laws in force relative to the appointment of deputy surveyors; for whose official conduct the said surveyor shall be responsible.

Section 9. If the person or persons, entitled to any plat and certificate of survey directed to be made by this act, shall not take the same out of the surveyor's office, and cause the same to be filed with the register of the land office, on or before the first day of January, in the year one thousand eight hundred and twenty-three, the right of such person or persons to the entry on which such survey was made, and the lands therein described, shall be considered lapsed and forfeited to the state: **provided however**, that if the person or persons entitled to such plat and certificate, shall be an infant or infants, feme covert, or of unsound mind, he, she or they shall have the term of two years after such disability is removed, to take out and register such plat and certificate.

REF: "Acts of the Kentucky General Assembly", 1820.