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Kentucky Ancestors

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Cynthia Susan (Green) Futrell
(1859–1950)

Most Honorably Borne: Absences
in the Eighth Kentucky Union
Infantry in 1862

The Kentucky Secretary of State's
Land Office Jackson Purchase
Databases

The Kentucky Secretary of State's Land Office Jackson Purchase Databases

(The fourth in a series of articles regarding the Internet availability of Kentucky Land Office records)

By Kandie P. Adkinson, Administrative Specialist
Land Office Division

The admonition, "Go west, young man, go west," sent men and women of all ages into new territories as they acquired land under various Homestead Acts approved by the federal government. Those who preferred Kentucky residency but were "itchin' to head anywhere as long as it was west," were accommodated in 1818 with the acquisition of Kentucky land now known as the "Jackson Purchase." Bounded on the west by the Mississippi River, on the north by the Ohio River, and on the east by the Tennessee River, the region was an ideal destination for persons traveling by riverboat or flatboat. Trails previously blazed through the former Military District in the South of Green River area, eased travel by foot, wagon, or horseback. The 1818 land purchase enabled the Kentucky General Assembly to develop a system for land appropriation that changed the Purchase Area from a stopping-point along the way to a place where land title could be acquired, homes could be built, and communities could be developed.

In his entry entitled "Jackson Purchase" for the

The Kentucky Encyclopedia, Hunter M. Hancock states, in part, "The Jackson Purchase was an historic event before it became a region. The transaction involved prolonged negotiations culminating in a treaty between agents of the United States and those of the Chickasaw Indian nation. Representing the United States were the aging Isaac Shelby, Revolutionary War hero and twice Kentucky governor (1792-96, 1812-16), and Gen. Andrew Jackson, hero of the Battle of New Orleans and later U.S. president. The Chickasaws were represented by their chiefs, head men, and warriors, including Levi and George Colbert, Chinubby (the Boy King), and Tishomingo. The two sides signed the treaty in northwestern Mississippi on 19 October 1818; it was ratified by the U.S. Senate and confirmed by President James Monroe on 7 January 1819. In return for the relinquishment of all lands east of the Mississippi River and north of the Mississippi state line, the Chickasaws received \$300,000 at the rate of \$20,000 annually for fifteen years." (Ref: "Jackson Purchase,"

On 12 February 1835, John Parrish purchased the right to patent the NE quarter of Section 8, Township 3, Range 6 East. He paid the state price of \$40.00 for the 160 acre tract. Certificate No. 7913, issued by Edmund Curd, Receiver, served as the patent's Warrant, Entry, and Survey.

4902

RECEIVER'S OFFICE, Wadsworth.

No. 7913

I, EDMUND CURD, Receiver of Moneys for the sale of lands west of Tennessee river, do hereby certify, that John Parrish, has this day entered in my Office the North East quarter of section Eight township Three range Six East and has paid into my Office Forty dollars the full State price for said quarter of section, containing one hundred and sixty acres.

February 2nd 1835

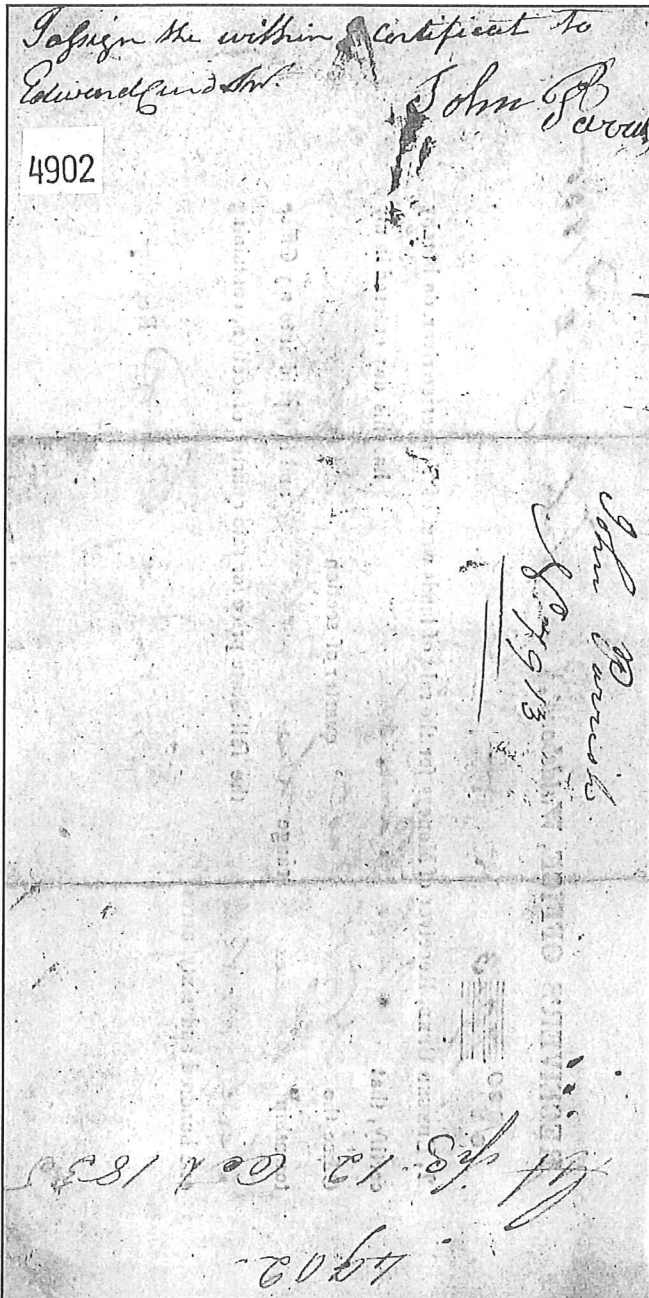
Edmund Curd Receiver.

The Land Office Jackson Purchase Databases *continued*

Kleber, ed., *Kentucky Encyclopedia*: 460-61)

On 16 December 1818, Luke Munsell published "A Map of the State of Kentucky from Actual Survey also Part of Indiana and Illinois." Munsell used returns from the Surveyor General's Office to depict counties, watercourses, and other historic sites in Kentucky. Munsell's Map identifies the following information for the Jackson Purchase area: Iron Banks, Columbia, Chalk Banks, "G.R. Clark's 37,000 acre

land," Walker's Line, Chartered Line (North Latitude 36°30'), various watercourses, and the "State & Continental Line" (*Note: This line identified the western boundary of the Virginia Military District in Kentucky.*) Munsell identified "Land to which the Indian Title is Lately Established but has not yet been Surveyed" in the central portion of the Jackson Purchase. (*Note: To order a copy of the "Munsell Map of Kentucky", contact the Special Collections Division of the Kentucky Historical Society, Frankfort, Ky.*)



Parrish assigned his right to the tract to Edward Curd, Sr. The assignment is recorded on the back of the certificate. The certificate also states the grant finalizing the patent was issued 12 October 1835.

Virginia Series of Kentucky Land Patents

Research of land patent records in the Kentucky Secretary of State's Land Office Division confirms Munsell's placement of Native American land within the Jackson Purchase area. To date, and with the assistance of the Filson Club, we have determined the following patents appropriated land in the northern Purchase counties prior to the 1818 treaty:

- VA 8924.0:** Surveyed for and granted to George R. Clark. 37,000 acres. Lincoln County, Ohio River. Survey date: 8 June 1784. Grant date: 15 September 1795.
- VA 8928.0:** Surveyed for and granted to George R. Clark. 36,962 acres. Lincoln County, confluence of the Ohio River and the Tennessee River. Survey date: 7 June 1784. Grant date: 15 September 1795. *Note:* Although both Clark patents adjoin, tract locations indicate VA 8928.0 is the downtown Paducah area rather than VA 8924.0 as Munsell's Map suggests.
- VA 3862.0:** Surveyed for and granted to George Smith. 10,018 acres. Lincoln County, Ohio River near Fort Massac. Survey date: 10 June 1784. Grant date: 26 May 1786.
- VA 8857.0:** Surveyed for and granted to Col. John Harris. 25,000 acres. Lincoln County, Ohio River. Survey date: 11 June 1784. Grant date: 11 January 1795.
- VA 9099.0:** Surveyed for William Ranolds; granted to Elizabeth & Nancy Ranolds (heirs). 10,000 acres. Lincoln County, near the confluence of the Ohio River and the Mississippi River. Survey date: 12 June 1784. Grant date: 17 December 1805.
- VA 8935.0:** Surveyed for Jacob Myers; granted to

The Land Office Jackson Purchase Databases *continued*

Jacob Myers & Harry Innes. 10,000 acres. Lincoln County, Mississippi River. Survey date: 12 June 1784. Grant date: 2 December 1796.

VA 9102.0 & VA 9103.0: Surveyed for and granted to John Mayo. 17,000 acres. Lincoln County near the mouth of the Tennessee River & Clark's River. (Adjoins Clark's patent and is depicted on the Munsell Map.)

VA 8997.0: Surveyed for and granted to Peter Shepherd. 800 acres. Lincoln County, Mississippi River. Survey date: 12 June 1784. Grant date: 2 August 1799.

Land laws written by the Virginia General Assembly strictly forbade the issuance of land patents in Native American areas. (See "Legislation" in the online "Land Office Reference Library" for exact text of the Land Laws of 1779.) This policy continued after Kentucky's statehood in 1792 until the 1805 Tellico Treaty with the Cherokee ceded land in southeastern Kentucky to the United States and the acquisition of lands in the Jackson Purchase in 1818. By plotting the surveys for the listed patents, historians may be able to determine the approximate location of the northern, eastern, and western boundaries of the Chickasaw land acquisition. Survey descriptions, many of which were written by Green Clay (Lincoln County Surveyor), may also identify other grantees who patented adjacent tracts.

The listed patents were authorized by Treasury Warrants purchased from the Virginia Land Office. For more information concerning the warrants, access the "Treasury Warrants Database" on the Kentucky Secretary of State's Land Office Website, <http://sos.ky.gov/land>. The "Authorized" field may link to colorscanned images of patent files. Images of patent documents are also available at the same website location by opening the "Virginia & Old Kentucky Patent Series" website under "Patent Series" in the "Non-Military Registers & Land Records" channel. Open "Sample Patents" (<http://sos.ky.gov/land/nonmilitary/patentseries/vaky/samplepatents.htm>) to view these patents and other land records of historical significance. Original documents are housed in the Land Office Division of the Kentucky Secretary of State's Office in Frankfort.

Mapping the Jackson Purchase

Soon after the treaty ratification in 1819, Kentucky's governmental authorities proceeded to enact laws for land appropriation within the Jackson Purchase. (It should be noted that under the Compact with Virginia in 1789, Kentucky had agreed to honor patents issued by Virginia prior to Kentucky's statehood in 1792.)

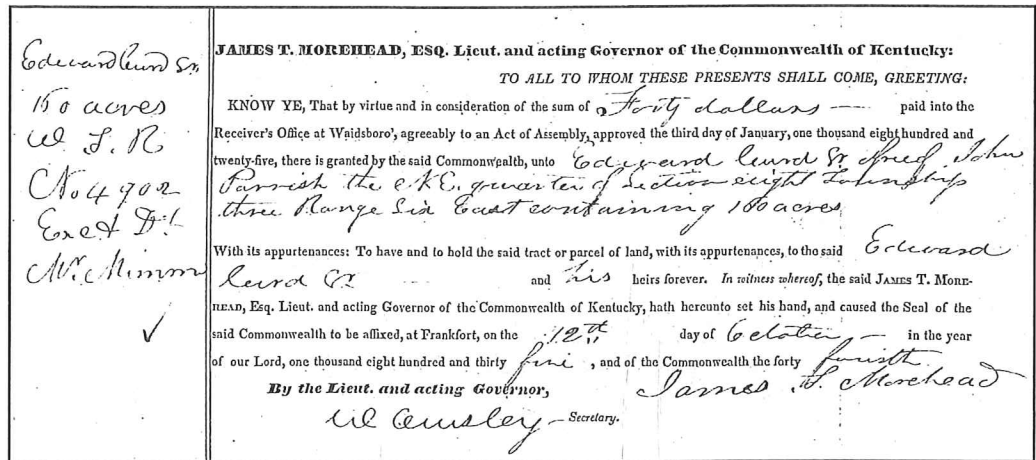
On 14 February 1820, the Kentucky General Assembly passed legislation that provided "for laying off the lands west of the Tennessee River into Townships and Sections." The Act authorized the appointment of a superintendent who had full power to employ deputies to aid in the mapping process. According to section four of the legislation, the superintendent was ordered to divide the land west of the Tennessee River "by north and south lines, running according to the true meridian, and by others crossing them at right angles, so as to form townships of six miles square, unless where the course of navigable rivers may render it impracticable." The corners of the townships were ordered to be marked with progressive numbers, from the beginning, making the southeast corner of each township the beginning corner. Any tree, post, or stone could be the corner of two or more townships. Each township was ordered to be divided into sections, containing 640 acres (more or less). The surveyor was ordered to maintain a field book "describing the corner of each township and section, and the tree, stone, or post marked within the corners of the sections, with the number of the section and township, and also, the situation of mill seats, the crossing of water courses, and the quality of the soil." For his mapping services, and for providing plats and a copy of his field book, the surveyor was paid two dollars per (linear) mile.

William T. Henderson was appointed Principal Surveyor for the mapping project. Microfilm of "Henderson's Field Notes" may be studied at various research facilities including the Kentucky History Center Research Library in Frankfort.

On 19 December 1820, the Kentucky General Assembly authorized Henderson to print and publish, "at his own expense and for his own benefit," the map and survey of land west of the Tennessee River "to which he may add any notes of explana-

The Land Office Jackson Purchase Databases *continued*

The Land Office copy of the grant issued to Edward Curd, Sr., assignee of John Parrish, is recorded on page 265 of West of Tennessee River Grant Book 6. The grant was issued by James T. Morehead, Lt. and Acting Governor of the Commonwealth of Kentucky. The Land Office assigned the number 4902 to this patent file



tion which to him shall be deemed necessary.” The legislature also declared Henderson had the exclusive right, “so far as the commonwealth have the power to grant it,” to publish and “vend the maps by him so made and printed for a term of ten years.”

Jackson Purchase Land Locator

The 1885 “Loughridge Map,” published by the Geological Survey of Kentucky, also depicts the Jackson Purchase in Ranges, Townships, and Sections. The map identifies boundaries for Ballard, McCracken, Marshall, Graves, Calloway, Hickman and Fulton counties. Carlisle county was formed in 1886—one year after the map was printed. (To order a copy of the Loughridge Map, contact the Special Collections Division, Kentucky History Center, Frankfort, Ky.)

In 2001, then-Kentucky Secretary of State John Y. Brown III launched the “Jackson Purchase Land Locator” website now located in the “Non-Military Registers & Land Records” channel at <http://sos.ky.gov/land/nonmilitary/jacksonpurchase/>. All text included on the Loughridge Map was indexed for the “Jackson Purchase Land Locator” database. Researchers can access Range/Township/East or West coordinates for specific locations or points of historical interest such as forts, mills, or railroads. The website also links to a scanned image of the township which includes the search subject; researchers can then use the grid overlay to determine the exact quarter-section in which the search subject is located.

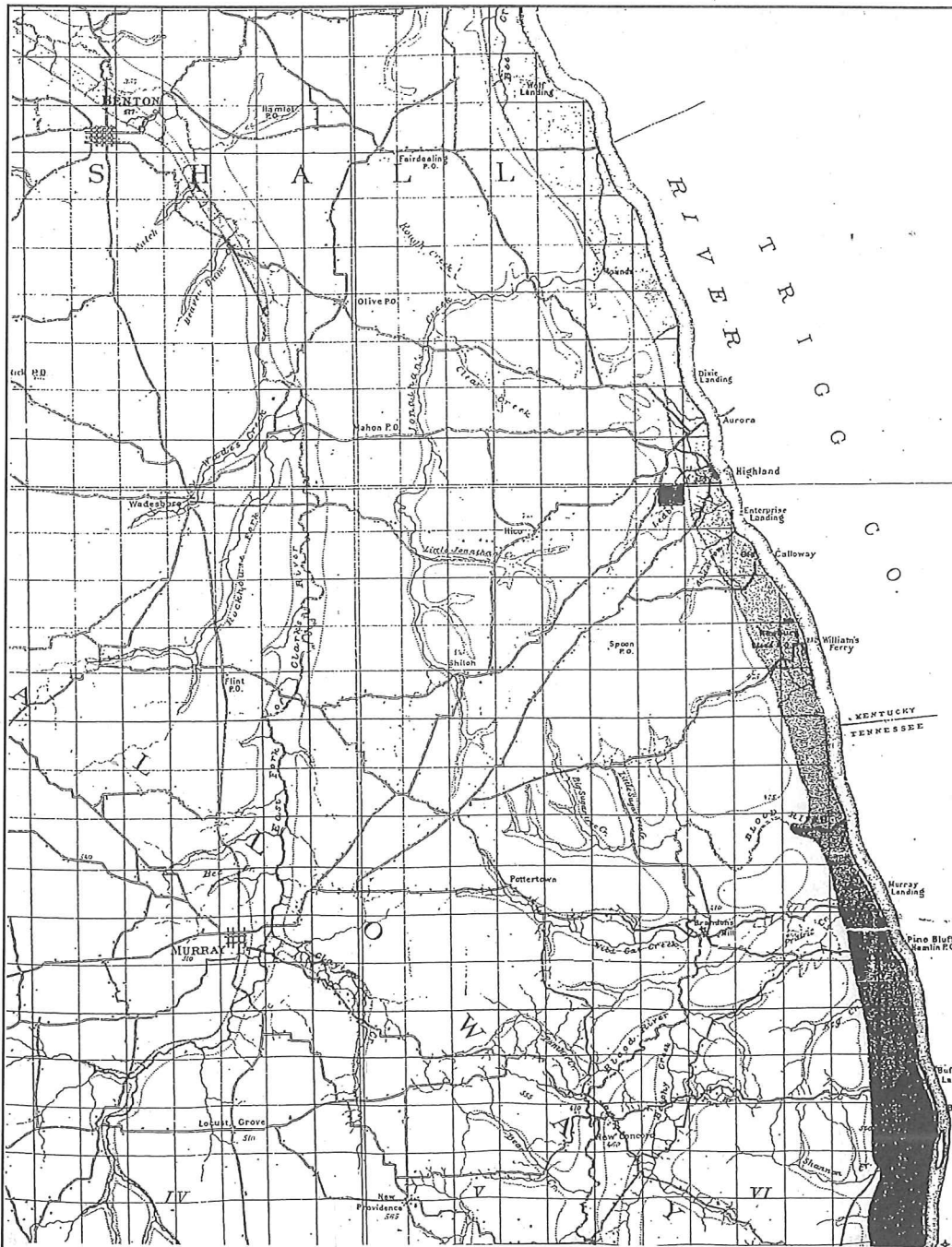
West of Tennessee River Military Patents Database

A number of Virginia’s Revolutionary War soldiers had settled in the Jackson Purchase area formerly occupied by the Chickasaw. Legislation after the 1818 land acquisition, enabled soldiers, their heirs, or assignees to pursue clear title to their land claims.

On 26 December 1820, the Kentucky General Assembly approved legislation entitled “An Act for Surveying the Military Claims West of the Tennessee River.” The Surveyor of the Military District was directed to survey, without delay, all entries made in his office prior to 1 May 1792 authorized by military warrants issued to Virginians for service in the Revolutionary War. The Surveyor was further directed to maintain a patent map and identify locations where the military patents interfered with townships and sections laid off by William T. Henderson. The surveyor was allowed six cents per hundred poles to employ chain carriers and markers to serve with the surveying party. Grantees were required to list their patented military land on tax rolls after 10 March 1821. Persons who failed to have a survey made by 1 January 1823, forfeited their right to their military claim. The deadline was extended for persons who were infants, feme covert, or of unsound mind. Those individuals were allowed “the term of two years after such disability was removed” to file their survey plats and survey descriptions. (For complete text of various legislative acts regarding the West of Tennessee River Military Patent Series, access <http://sos.ky.gov/land/reference/legislation/wtrmilitary/>.)

In 1820, the Kentucky General Assembly approved legislation establishing the town of Iron Banks in the Jackson Purchase. The land was appropriated to the Iron Banks Trustees under West of Tennessee River Military Patent #001. The remain-

The Land Office Jackson Purchase Databases *continued*

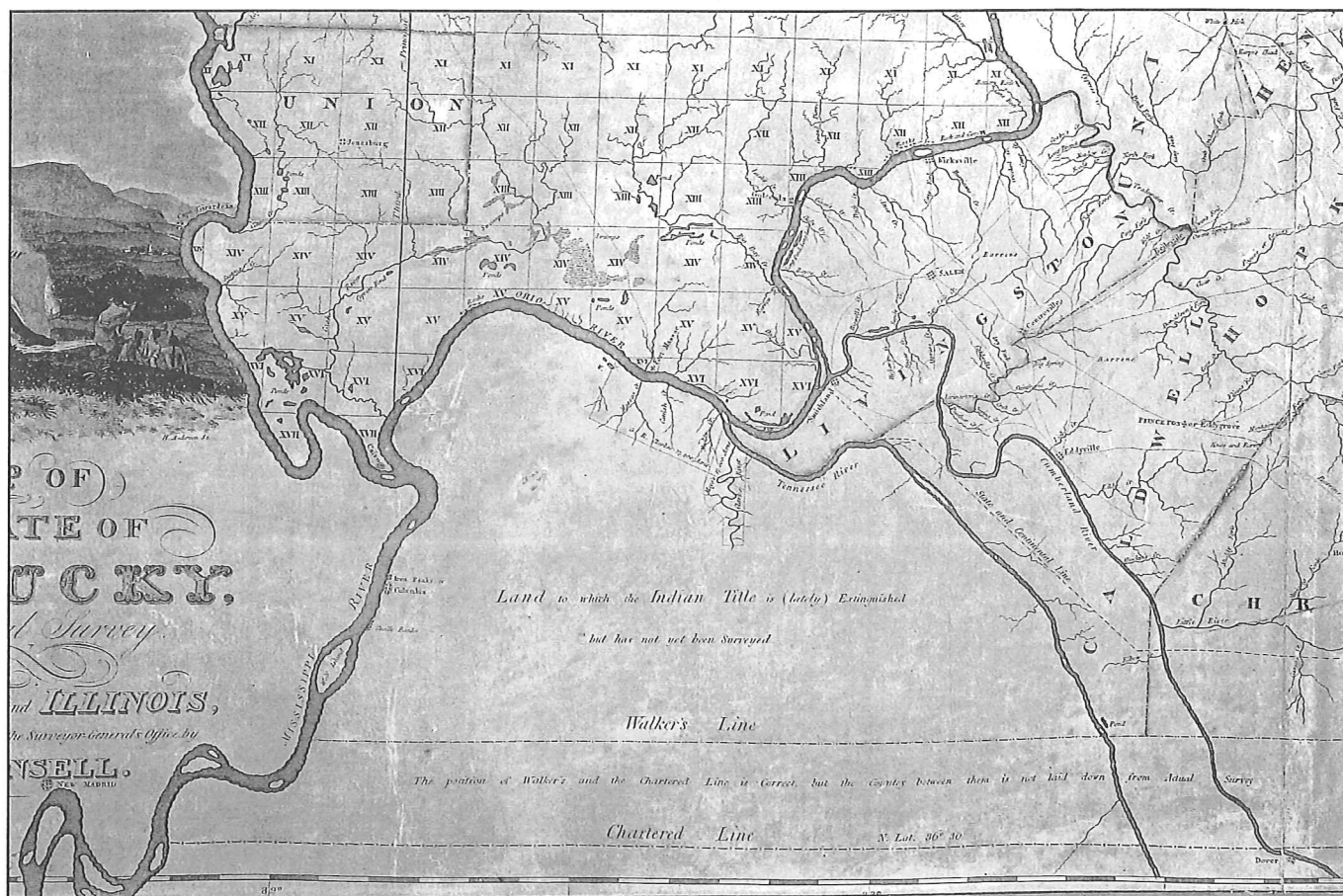


The Secretary of State's Land Office website for "West of Tennessee River Non-Military Patents" links to the "Jackson Purchase Locator" which features scanned images from the 1885 Loughridge Map. The map places WTR Patent #4902 in Calloway County. Subsequent conveyances of this patent are recorded in Calloway County records, such as deeds, wills, or court documents. To determine patentees for adjoining properties, enter Section 8, Township 3, Range 6 East on the "West of Tennessee River Non-Military Patents Website."

ing 241 patents in this series were authorized by Virginia Revolutionary War Warrants.

On 3 December 2001, then-Kentucky Secretary of State John Y. Brown announced the addition of the "West of Tennessee River Military Patents" database now located under the "Military Registers & Land Records" channel at <http://sos.ky.gov/land/military/tnriver/>. Although the "Revolutionary War Warrants" database identifies Jackson Purchase military patents by warrant number, veteran's name,

or assignee's name, the "West of Tennessee River Military Patents" database offers additional information regarding the names of surveyors, deputy surveyors, chain carriers, et al. The database links to colorscanned images of patent files. (Note: As the West of Tennessee River Military Patent Series was omitted from major patent indices, the information appearing on the WTR-Military website was available to a limited number of researchers prior to December 2001.)



KHS Collection

In his 1818 map of Kentucky, Luke Munsell depicted George Rogers Clark's 37,000 acre patent and the area formerly occupied by the Chickasaw Indian Nation. The region is now called the Jackson Purchase.

West of Tennessee River Nonmilitary Patents Database

In an earlier article for *Kentucky Ancestors*, we discussed the role of the letter “s” in Kentucky’s land appropriation process. Patent legislation before and after statehood primarily addressed land claims by soldiers, speculators, settlers, and seminaries. The same practice was continued for the Jackson Purchase.

In this article we have discussed several patents in the northern Purchase counties authorized by Treasury Warrants purchased by speculators. We have also described the West of Tennessee River Military patents granted to Virginia’s Revolutionary War soldiers, heirs, or assignees.

Settlers’ claims and seminary grants are recorded in the West of Tennessee River Non-Military Patent Series authorized by legislation approved 21 December 1821, by the Kentucky General Assembly.

According to section one of “An Act Providing for the Sale of the Vacant Lands West of the Tennessee River,” the register of the land office was directed to “expose to public sale to the highest bidder” sections in selected ranges and townships. (Note: William T. Henderson’s map of the Jackson Purchase identified range and township locations; in all probability the register used the map to identify tracts that were available for patenting.) Land sales were to be held in Princeton starting the first Monday in September 1822. In section two of the legislation, the General Assembly stated no lands could be sold that may be selected for seats of government for counties yet to be established. The minimum price for a 160 acre quarter-section was \$1.25 per acre. (Note: Subsequent legislation reduced the selling price.) Section seven of the 1821 legislation ordered the register of the land office to advertise the time and place of the land sale in the “Argus of Western America,” “Kentucky Gazette,” “Lexington Public Advertiser,” one

The Land Office Jackson Purchase Databases *continued*

of the papers in Louisville & Hopkinsville, one or more papers in Tennessee, North Carolina, Virginia, and the "National Intelligencer" at least four months before the sale date. In section nine the Kentucky General Assembly empowered the register of the land office to employ a "crier" to make said sales; the auctioneer's compensation for his services could not exceed three dollars per day. The register of the land office was authorized the sum of four dollars "for every day he shall be engaged in going to, attending upon, and returning from said sales." Lands claimed under military entries and surveys were excluded from the public sales. Claims by actual settlers were addressed in the final sections of the 1821 legislation.

On 3 January 1825, the Kentucky General Assembly approved legislation that amended the act approved in 1821. The new law required the governor to appoint, with the advice and consent of the Senate, "some fit person to be styled the Receiver of Public Moneys for the Land District West of Tennessee River." The Receiver's office was to open in Waidborough by the first Monday of June 1825. The Receiver was ordered to sell unappropriated quarter-sections "at public sale to the highest bidder"; the minimum price was reduced to \$1.00 per acre. Upon proof of payment, the Receiver issued a printed certificate specifying the quantity of acres purchased, the price, the "number and situation of the quarter-section," and the location of the township and range. Upon presentation of the certificate to the Register of the Land Office, a patent was issued to the purchaser, his, her, or their assignee or assignees, or his, her or their heirs at law. The grant conveyed title from the Commonwealth to the patentee. A copy of the grant was copied in a Land Office grant book reserved for patents in the west of Tennessee River area. The Receiver was ordered to advertise the time and place of land sales in "some newspaper" printed in Frankfort, Lexington, Louisville, Russellville, Henderson, Maysville and Hopkinsville at least three months before the day of sale. A crier could be employed to auction the quarter-sections; his compensation could not exceed three dollars per day. The Receiver received \$300 per annum for his services, payable quarterly out of the public Treasury, and three percent of all monies received and paid over to the Branch Bank of the Commonwealth at Princeton, provided the

salary and percentage could not exceed \$800.00 annually. The Receiver was required to post a \$50,000 bond and take an oath. Preemption claims were addressed in sections seventeen and eighteen of the 1825 legislation. The legislature granted a three-year, rent-free extension to "many meritorious citizens, who, from the pressure of the times and the scarcity of a circulating medium, were unable to enter and pay for their lands within the time prescribed by this act." (Complete text of legislation is available in the "Reference Library" of the Kentucky Secretary of State's Land Office website at <http://sos.ky.gov/land/reference/legislation/wtrnonmilitary/>.)

Kentucky Land Office records indicate West of Tennessee River Non-Military Patent No. 1 was issued to Alexander Robertson on 2 January 1823. The 160 acre tract was described as the northeast quarter of section nine in township one, range four, east. According to the online "Jackson Purchase Locator," Robertson's patent was in Calloway county.

West of Tennessee River Non-Military Patent No. 9308, the final patent in this series, was issued to J.S. Atkins for one hundred acres in Carlisle county.

There are a number of patents in the West of Tennessee River Non-Military Series that involve: Trustees or Justices of various towns, i.e. Waidboro, Mayfield, et al; various academies; and other patents of historical interest including the 160 acre appropriation, dated 3 February 1846, to the Trustees of the Mt. Carmel Cumberland Presbyterian Church (Graves county) and a seven acre patent issued to Soldier's Creek Baptist Society (Calloway County) on 4 December 1830.

On 16 August 2008, Secretary of State Trey Grayson introduced the Jackson purchase non-military patents to the worldwide web at a seminar sponsored by the McCracken County Genealogical & Historical Society and the McCracken County Public Library. The all-name index for the "West of Tennessee River Non-Military Patents Database" allows researchers to access information regarding purchasers of certificates, assignees, witnesses to assignments, and grantees for over 8500 patent files in this series. The database links to color scanned images of all documents in each patent file and allows researchers to directly link to the "Jackson Purchase Locator" for the range, township and E/W coordinates cited in the patent. The overlying grid identifies the section

The Land Office Jackson Purchase Databases *continued*

numbers in each township and assists in determining patent location.

With its innovative search by range, township or section, the “West of Tennessee River Non-Military Patents” website revolutionizes land title research in the Purchase region. Researchers can use the “Jackson Purchase Locator” to determine coordinates for locations such as Mayfield, Murray, mills, railroads, or watercourses, for example. Then, by accessing the West of Tennessee River Non-Military Database, the coordinates can be entered into the search fields to determine the grantees who received land patents in the requested area. (The search is limited to patents authorized by sales of public lands; search results will not include patents authorized by Treasury Warrants or Revolutionary War Warrants.) Patents may be viewed as a detailed listing or in an abbreviated sortable grid format.

When he was advised of the new website, Dr. James C. Klotter, the State Historian of Kentucky and Professor of History at Georgetown College, said “Once again, the Secretary of State’s office has made the study of history and the research for genealogy much easier. The new ‘West of Tennessee River Non-Military Series Database,’ with its links, provides an extremely valuable research tool for experts and amateurs alike. Instead of pouring through dusty and often-fragile records, instead of making the trek to the materials, instead of searching almost endlessly through the pages of time past, researchers can now access materials from their own homes, see the same information, and find it all so much easier. This project allows all of us to be more a part of history and to learn more from our rich past—one of Kentucky’s greatest resources.”

Key Points to Remember

Patents in the “West of Tennessee River Military Patents Series” were authorized by entries filed with the Surveyor of the Military District prior to 1 May 1792.

The only military warrants that could be used in the Jackson Purchase (and the Military District located South of Green River) were issued to Virginia veterans of the Revolutionary War, their heirs, or assignees.

The Jackson Purchase and a few locations east of

the Tennessee River are the only areas in Kentucky mapped by the system for surveying public lands, i.e. ranges, townships, and sections. Patented lands in the remainder of the Commonwealth were described by metes and bounds (distance to point).

There is no central registration of deeds in Kentucky. To research conveyances after patents are issued, contact the county clerk or the Kentucky Department for Libraries & Archives, Frankfort, Ky. (Note: Researchers are encouraged to consider county formation dates when accessing county records.)

Property transactions after patents are issued may be recorded in deeds, wills, and court records.

Although patent numbers in the West of Tennessee River Non-Military Patent Series range from 1 to 9308, the actual file count is approximately 8500 due to skipped patent numbers and patent number duplications.

The patents in WTR Non-Military Series were the result of public land sales. The Receipt (proof of purchase) served as the Warrant, Entry, and Survey. Receipts were assignable. As with all other patent series, title did not vest until the Governor’s Grant was issued. Although the name of the Receiver of Public Moneys and his office location were identified, no formal wax seal was affixed to the receipt.

There are thirty-six Sections in a Township. One section consists of 640 acres; a fractional quarter-section consists of 160 acres.

Additional patents in the Jackson Purchase may be researched by accessing the “County Court Orders Database” at <http://apps.sos.ky.gov/land/nonmilitary/patentseries/cocourtorders/>.

Other Jackson Purchase patents are filed with the Kentucky Land Warrants Patent Series, however the database for that series is not available online at this time.

Researchers of Jackson Purchase history may also find the “County Formations Database” helpful. The website frequently identifies trustees who were appointed to assist in the location of the county seat and the establishment of courthouses. The website is located at <http://sos.ky.gov/land/nonmilitary/coformations/>.

Tax Lists for the Jackson Purchase counties often identify persons involved in the original patent

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Announcements, *continued*

more about your Civil War ancestor, the unit he served in, and his individual wartime experiences.

February 7

(Note that the February 2009 Family History Workshop is being held one week earlier than usual.) The two presentations will focus on the genealogy of Abraham Lincoln and the genealogy of Mary Todd Lincoln.

10:30 am – “The Genealogy of Abraham Lincoln,”

Stephen A. Brown, Educational Specialist, Abraham Lincoln Birthplace National Historic Site

12:30 pm – “The Genealogy of Mary Todd Lincoln,” Gwen Thompson, Executive Director, The Mary Todd Lincoln House

March 14

(TENTATIVE) Genealogical Resources in Church Records and Archives.

Lunch is available at 11:30 a.m. at each meeting for all who register by noon on the Friday preceding the workshop. Cost for lunch is \$6.00 (payable at

the door).

For more information about the Kentucky Genealogical Society and its programs, go to www.kygs.org

2008 KTIG Meeting Schedule

The Kentucky Technology in Genealogy Users Group (KTIG) meets monthly at 2:00 p.m. following the close of each “Second Saturday” Family History Workshop at the Thomas D. Clark Center for Kentucky History in Frankfort. Each meeting features a program designed to help support family-history researchers’ use and understanding of technology as it applies to genealogy, and often complements the topic for that day’s workshop. Past programs have featured presentations on the use of Geographic Information Systems, demonstrations of genealogy software and online databases, and using scanners to add digital images to genealogy reports.

The December 13 topic will be Determining Which Genealogy Software to Buy (tentative)

There is no charge to attend the KTIG Program, and all interested persons are invited to participate.

The Land Office Jackson Purchase Databases *continued*

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conveyance. Once patent information is determined, the patent file and scanned images may be available by accessing the following Land Office websites: “Virginia & Old Kentucky Patent Series”, “West of Tennessee River Military Patents Database”, and the “West of Tennessee River Non-Military Patents

Database.” Tax Lists are available at the Kentucky History Center Library and the Kentucky Department for Libraries & Archives Research Library, both in Frankfort, Church of Latter Day Saints libraries, and many research facilities on the local level.

Next article in this series: “The Kentucky Secretary of State’s County Court Orders Database”