

History of Cornland

Daviess County, Ky.

By Jerry Long, Owensboro, Ky., 1987

Within the next eight months after their wedding in August of 1849 David F. Todd (1809-1878) and his wife, Jane Hicks Todd left Fayette County, Ky. and journeyed to their new home in Daviess County, Ky. By 1 April 1850 they were residing in Daviess County, on that day he paid Jedediah Johnson of Louisville, Ky. \$1950 for one-half interest in a 300 acre farm in Daviess County known as the "Cornland" tract. Later the same year on November 21 at an auction David F. Todd purchased the other one-half interest for \$3750 from the heirs of John N. Johnson, the deceased brother of Jedediah Johnson,

In the summer of 1850 when the Daviess County census was enumerated David F. & Jane H. Todd were residing at Cornland, as indicated by their neighbors on the census record. They were listed immediately after William Bell, who at the time was the owner of the farm known as "Haphazard", which bordered Cornland on the east. The homes on these two plantations were two of the most celebrated residences in the early history of Daviess County.

Haphazard, the former home of Robert Triplett, an early Daviess County entrepreneur, was built by Triplett about 1822. Located on the eastern edge of Owensboro, Haphazard is on the Pleasant Valley Road, a short distance off Highway 60. One of the oldest homes in Daviess County it is on the National Register of Historic Places. In 1844 Robert Triplett sold Haphazard to William Bell.

The Cornland tract extended west of Haphazard and the Pleasant Valley Road down to about where the Wendell Ford Expressway intersects with Highway 60. The original Cornland mansion no longer exists and its original site is not known for certain. It was, however on the northern part of the tract, affording a beautiful view of the Ohio River. At the time of the Daviess County Sesquicentennial in 1965 a Kentucky Historical marker commemorating Cornland was erected at the southeast corner of the intersection of Highway 60 and the Wendell Ford Expressway. The marker bears the following inscriptions:

CORNLAND - site of home, prior to 1809, of Colonel Joseph Hamilton Daveiss killed at Tippecanoe, 1811. As US Dist. Atty. for Ky., he prosecuted Aaron Burr for treason in 1806. This county, others in Ind., Ill., Mo., named for this able, zealous patriot. George M. Bibb, twice US Senator, Secy. US Treas., 1884-5 (ed. Note - should be 1844-5), and Philip Triplett, Congressman, 1839-1843, later owned Cornland. 1965

Col. Joseph Hamilton Daveiss, lawyer, statesman and military hero, was born 4 March 1774 in Bedford County, Va, to the union of Joseph Daveiss and Jean Hamilton. In 1801 he pleaded and won the celebrated case of Wilson vs. Mason before the U.S. Supreme Court, he was the first Kentucky lawyer to plead a case before the highest court of this land. The case involved titles to lands in what was then Ohio County, Ky. As a result of the court's decision Col. Daveiss won ownership of a 5000 acre tract along the Ohio River, about a mile east of the settlement at Yellow Banks, which later became Owensboro, Ky.

In 1803 Joseph H. Daveiss married Anne Marshall, sister of John Marshall, who at the time was the Chief Justice of the U.S. Supreme Court. About 1804 or 1805 he moved to his Ohio River tract near Yellow Banks. On it he built a two story brick dwelling facing the Ohio River and he named the plantation "Cornland". In 1809 he defended the noted Yellow Banks (Owensboro) pioneer, Bill Smothers, in a trial in which Smothers was accused of murder. On 13 April 1809 a verdict of not guilty was returned and within two or three days after the trial Joe Daveiss left Cornland in charge of his brother, John Daveiss, and went to live in Lexington, Ky. He was appointed U.S. district attorney by President Jefferson, and conducted the prosecution of Aaron Burr for treason in the memorial trial at Richmond, Va. in 1810.

Col. Joseph Hamilton Daveiss was killed at the Battle of Tippecanoe on 7 November 1811 abruptly ending a brilliant and promising legal career at the age of 37. On 15 January 1815 a new county, which included his former home at Cornland, was formed from Ohio County, Ky. and was named Daviess County, in honor of its celebrated former citizen.

On 20 June 1828 at an auction 300 acres, the northern section of Joseph H. Daveiss's Cornland tract, which included the Cornland mansion, was sold to John L. May and Mary Eppes. The sale had been ordered to pay a claim against the Daveiss estate, won by the grantors in the Daviess County Circuit Court suit of "John L. May & Mary Eppes vs. the Daveiss heirs & John Rowan & James Meade, executors of the Daveiss estate". John L. May and Mary Eppes, wife of Daniel Eppes, were brother and sister and the only children of the late John May, who was a member of the land firm of May, Bannister & Co., that had been instrumental in the survey and settlement of extensive areas of Kentucky in the later part of the 1700's. Soon after acquiring Cornland John L. May and Mary Eppes went there to reside. By 13 May 1829 they had left Cornland and returned to their former home of Frankfort, Ky., on that date they transferred the title to Cornland to Albert T. Burnley, Phillip Triplett, Charles Scott Bibb and George M. Bibb (Daviess County deed book C, p.151).

During the later part of 1829 and in 1830 George Mortimer Bibb (1776-1859) resided at Cornland. While living there in 1829 he was elected to a second term in the U.S. Senate. In 1830 he was enumerated in the census of Daviess County, Ky. He served as U.S. Senator 1811-14 and 1829-35, and in 1844-45 served as Secretary of the U.S. Treasury.

During the years of 1830-1844 Cornland was variously occupied by: other members of the Bibb family, including J.J.C. Bibb & Lucy Mary Pocahonatas Bibb; Albert T. Burnley & his wife, one of the joint owners; and at other times it was leased out to tenants. Phillip Triplett, one of the other owners, was a longtime Daviess County lawyer and state legislator and senator, and he also acted as attorney for the interests of John L. May and Mary Eppes.

Albert T. Burnley of New Orleans, Phillip Triplett of Daviess County, Ky. and the various heirs and devisees of Charles Scott Bibb sold Cornland (300 acres) to Jedediah Johnson, of Louisville, Ky. for \$5800 on 21 December 1844 (Daviess County deed book G, p.523). At the time of the sale Cornland was occupied by a tenant, Greensberry Griffith.

Jedediah Johnson sold one-half interest in the Cornland tract to his brother John N. Johnson, of New Orleans, on 1 February 1849. Jedediah Johnson, as agent for Sally Ward Grayson (his wife's aunt), and for himself and his wife, Mary E. Payne Johnson, all of Louisville, Ky., sold the other one-half interest in Cornland to David F. Todd on 1 April 1850 (Daviess County deed book J, p.291). On November 21 of the same year Frances Johnson, guardian for Harriet D., Francis Y., Mary M., John N., Davis and Caroline F. Johnson, infant heirs of John N. Johnson, deceased (died February 1849) sold their one-half interest in Cornland to David F. Todd (Daviess County deed book K, p.312). The 1851 Daviess County tax list shows that David F. Todd's 300 acre tract on the Ohio River was valued at \$6000.

On 16 February 1857 David F. Todd and his wife, Jane Todd, sold Cornland to James Rudd of Louisville, Ky. for \$13,500, double what he had paid for it seven years before. After James Rudd died the 300 acre Cornland tract in 1868 was divided among his children. The northern 100 acres on which the Daveiss home had been located, passed to his son, James C. Rudd. James C. Rudd the History of Daviess County, Kentucky (1883, p.486) states came to Daviess County in March 1857, which was only a few weeks after his father had acquired Cornland, and no doubt at that time took up residence there.

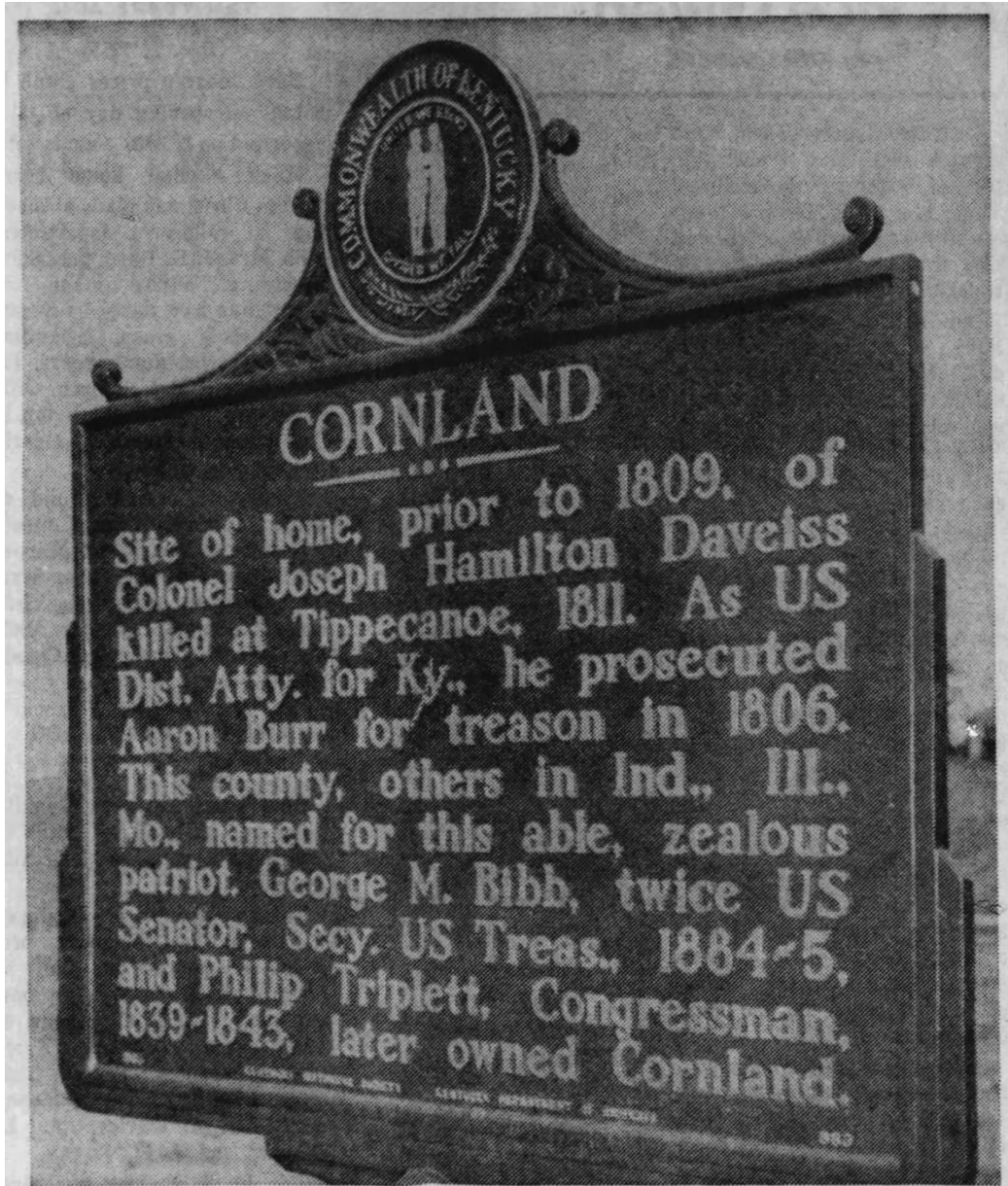
In 1859 the Cornland home built by Joseph H. Daveiss about 55 years earlier burned to the ground. James Rudd built a large two story frame house near the site of the original plantation home. For the first nine years after coming to Daviess County James C. Rudd farmed, after which he opened a real estate office in Owensboro. Later he went into the insurance business, at which he became very successful. He formed the insurance agency of J. C. Rudd & Co., which is still serving Owensboro and is its oldest business. He owned considerable real estate in Owensboro and built "The Rudd House" on St. Ann off 2nd St., which was for many years Owensboro's leading hotel. In the 1876 Atlas of Daviess County, Ky. it is stated that Cornland, the former home of Joseph H. Daveiss was then owned by James C. Rudd and the 1883 History of Daviess County, Kentucky also makes reference to the same. On a plat map of the Uppertown Precinct in the 1876 Atlas of Daviess County, Ky., J. C. Rudd is shown as owning the 100 acre tract on the river about a mile east of the city limits of Owensboro, which at the time extended to the Leitchfield Road.

As a result of a decision in the suit of George C. Littell vs. James C. Rudd et al, in the Daviess County Circuit Court the 100 acres of Cornland on the Ohio River was ordered to be sold. James C. Rudd, his wife Colgate M., William N. Rudd, his wife Mary B., Ruyard Rudd, his wife Mary Belle, and James C. Rudd, Jr. & his wife Melvina, on 5 September 1899 sold the 100 acres to the Travelers Insurance Co, of Hartford, Conn,. At the same time two lots in Owensboro, one on St. Ann St. on which the Rudd House Hotel was located, and the hotel and all of its furnishings were also sold to the same (Daviess County Commissioners deed book F, p.78). Charles B. Rudd and his wife Charlotte B. sold their interests in the same properties to the Travelers Instance Co. on 12 September 1908 (Daviess County deed book 85, p.257).

The travelers Insurance Co. transferred the same properties to Martin H. Woods, of Kansas City, Mo. on 7 October 1908 (Daviess County deed book 85, p.261). Just six weeks later on November 21 Woods and his wife Belle J. conveyed the same to W. E. Whitely of Owensboro (Daviess County deed book 85, p.342). Whitely and his wife Margaret E. sold the 100 acre Cornland tract to R. H. Ford on 23 February 1918 (Daviess' County deed book 99, p.512). The 100 acres was subsequently subdivided into three tracts of 25.6, 55.8 & 18.3 acres and resold. The later section of 18.3 acres was the northern part of the Cornland tract, that laid between' the Hardinsburg Road (now Highway 60) and the Ohio River. It is not known if the original home built by Col, Joseph H. Daveiss was on this northern most tip of his Cornland tract or not. If the site was not north of the highway and was instead on the south side it would not have been very far back from the highway and possibly stood atop some of the sloops that are along the southside of the highway.

R. H. Ford and his wife Minerva E. on 23 September 1918 sold to T. F. Birkhead the 18.3 acres between the Ohio River and the Hardinsburg Road (Daviess County deed book 100, p.57) On the same day Birkhead resold six acres of the same to J. L. Brown, (Daviess County deed book 100, p.149)., On 1 January 1921 Birkhead sold another, 11.644 acres of the same tract to Brown (Daviess County deed book 105, p.499). John Lester Brown (1859-1930) on 4 August 1928 recorded a plat map of "J.L. Brown's River View Addition" by which a subdivision of this section of the Cornland tract between the river and the Hardinsburg Road was laid out (Daviess County deed book 120, p.468). The subdivision contained three blocks, with streets named Brown Ct., Hubert Ct. and Stewart Ct, Hubert Ct. J. L. 'Brown named for his son, Hubert Manly Brown and Stewart Ct. he named for his daughter and son-in-law, Robert I, & Mabel E. Brown Stewart. During the 1930's and 40's the Brown family sold the lots in the subdivision to various property owners, who constructed homes. Until 1966 members of the Brown family lived at 2305 Hardinsburg Road, the northeast corner of the intersection of Brown Ct. and Highway 60 and across the highway from the Cornland historical marker. An article on the history of Cornland was published in the Sesquicentennial Edition of the Owensboro Messenger & Inquirer on 5 October 1965.

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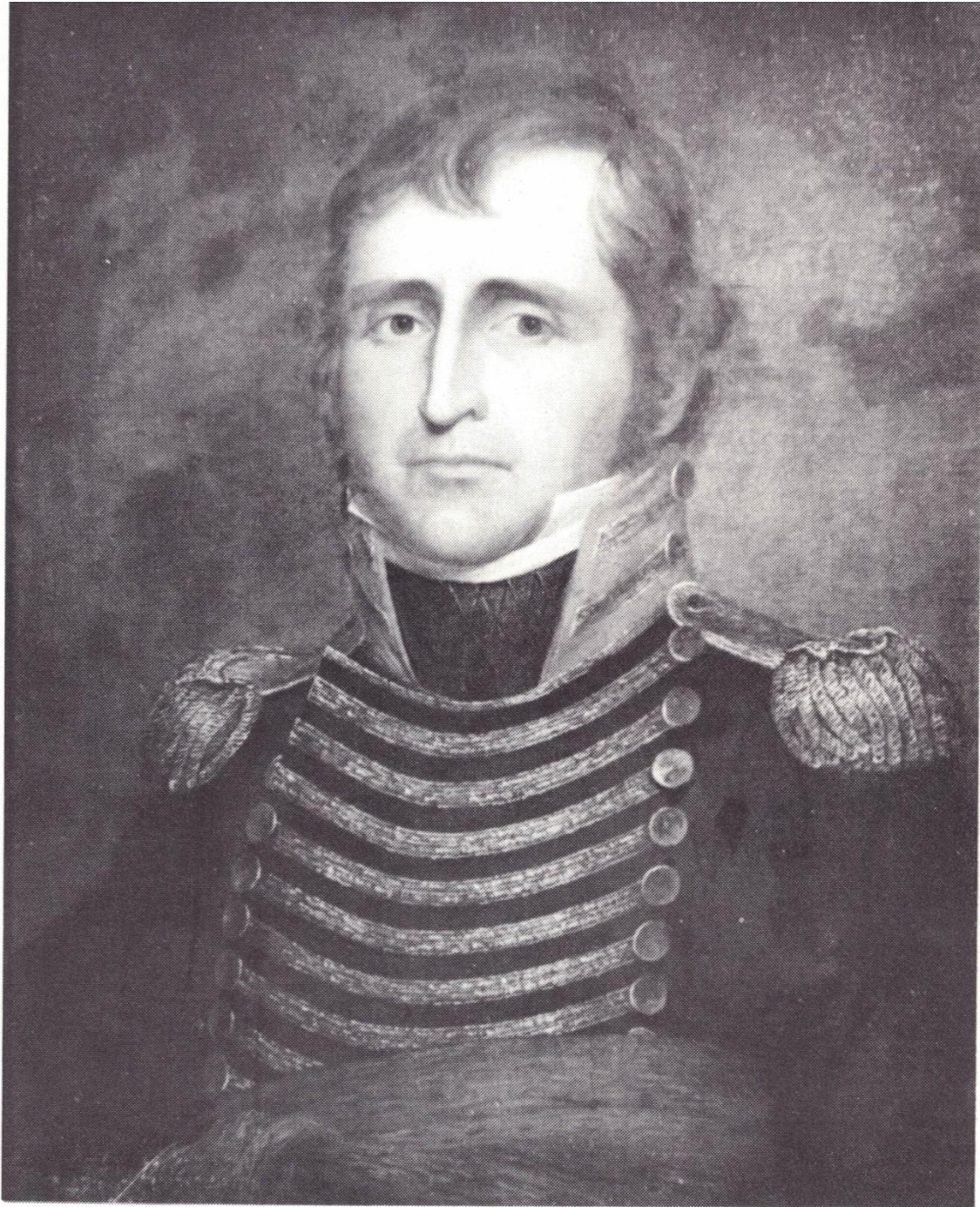


HISTORICAL MARKER — This marker honoring Col. Joseph Hamilton Daveiss was made up by the Kentucky Historical Society, and erected locally at the request of the Daviess County Historical Society. Cornland, the Colonel's home in Daviess County, was east of Alsop Lane and south

of U.S. 60 East. This is the last of a series of historical makers in this area put up as a part of the county's sesquicentennial year. The county was named Daveiss and when formed the name was misspelled, transposing the "e" and the "i". Other markers are in Smothers Park, honor-

Messenger and Inquirer Photo ing Owensboro's first settler; at Sutherland School, telling of the Civil War battle of Panther Creek; at the Daviess County Courthouse, telling of the burning of an earlier courthouse during the Civil War, and at Ewing Road and U.S. 60, telling of Kentucky's first railroad.

From the collection of the Owensboro Museum of Fine Art



Colonel Joseph Hamilton Daviess, oil on canvas, Charles Willson Peale, (1741-1827)

History of Daviess County, Kentucky (Inter-State Publishing Co., Chicago, 1883, pp119-123):

Colonel Joseph Hamilton Daviess or “Jo Daviess” as he was popularly known, who gave his name to Daviess County, was one of the most remarkable men of his day. He was born in Bedford County, Va., March 4, 1774. His parents were natives of Virginia; his father of Irish, and his mother of Scotch, descent. When young Daviess was five years old the family removed to Kentucky, then an almost unbroken wilderness, and settled in the immediate vicinity of the town of Danville, then in Lincoln County. An incident, which occurred in the journey to Kentucky, illustrates the character of his mother. In crossing the Cumberland River, Mrs. Davies was thrown from her horse, and had her arm broken. The party only halted long enough to have the limb bound up, with what rude skill the men possessed, and pursued their route, she riding a spirited horse and carrying her child, and never ceasing her exertions to promote the comfort of her companions when they stopped for rest and refreshment. Daviess was sent to school as occasion allowed. He attended grammar schools taught by a Mr. Morley, and a Dr. Brooks, and made considerable advances in a knowledge of the Latin and Greek languages. At school he evinced unusual capacity, always being at the head of his class. He was particularly remarkable for his talent for declamation and public speaking. The sudden death of a brother and sister recalled him from school, and he returned home to assist his father in the labors of the farm. There is a tradition that young Daviess was not particularly distinguished by his devotion to agricultural pursuits, frequently permitting the horses of his plow to graze at leisure, in a most unfarmer-like way, while he, stretched supinely on his back on some luxurious log, indulged in those delicious dreams and reveries so sweet to young and aspiring ambition.

In the autumn of 1792 Major Adair, under Government orders, raised some companies of mounted men, to guard the transportation of provisions to the forts north of the Ohio River. Daviess, then in his eighteenth year, volunteered in the service. On one occasion, when Major Adair was encamped near Fort St. Clair, he was surprised early in the morning by a large body of Indians, who, rushing into the camp just after the sentinels had been withdrawn from their posts, killed and wounded fourteen or fifteen of the men, and captured and carried away about 200 head of horses. These were taken within the Indian lines and tied. After the whites had sought shelter in the neighborhood of the fort, young Daviess, discovering his own horse at some distance hitched to a tree, resolved to have him at all hazards. He accordingly ran and cut him loose, and led him back to his companions amid a shower of balls. This exploit nearly cost him his life. A ball passed through his coat, waistcoat, and cut off a small piece of his shirt. His horse was the only one taken out of the 200. When his time of service expired, he returned home, and spent some time reviewing his classical studies. He ultimately concluded to study law, and entered the office of the celebrated George Nicholas, then the first lawyer in Kentucky. Daviess entered a class of students, consisting of Isham Talbot, Jesse Bledsoe, William Garrard, Felix Grundy, William Blackbourne, John Pope, William Stuart and Thomas Dye Owings, all of whom became distinguished at the bar, and noted in the public history of the country. Nicholas was profoundly impressed with the striking indications of genius of a high order manifested by Daviess while under his roof. His opinion of the strength of his character and the firmness of his principles was equally as exalted, and at his death, which occurred a few years after, he appointed him one of his executors. As a student he was laborious and indefatigable. He accustomed himself to take repose on a hard bed; was fond of exercise in the open air, and was

accustomed to retire to the woods with his books, and pursue his studies in some remote secluded spot, secure from the annoyance and interruption of society. In connection with his legal studies, he read history and miscellaneous literature. His mind, therefore, when he came to the bar, was richly stored with various and profound knowledge, imparting a fertility and affluence to his resources, from which his powerful and well-trained intellect drew inexhaustible supplies. He began the practice of the law in June of the year 1795. The following August he was qualified as an attorney in the Court of Appeals. In his first case he had for an antagonist is old preceptor, over whom he enjoyed the singular gratification of obtaining a signal triumph. Daviess settled at Danville, and soon commanded a splendid business in all the courts in which he practiced. On the abolition of the District Courts and the substitution in their place of the Circuit Court, he removed to Frankfort. He had been appointed United States Attorney for the State of Kentucky. In the year 1801 or 1802, he visited Washington City, being the first Western lawyer who ever appeared in the Supreme Court of the United States. He here argued the celebrated case of Wilson versus Mason. His speech is said to have excited the highest admiration of the bench and bar, and placed him at once in the foremost rank of his profession.

During this trip he visited the principal cities of the North and East, and formed an acquaintance with many of the most distinguished men of America. In 1803 he was united in marriage to Anne Marshall, the sister of John Marshall, the Chief Justice of the United States. Miss Marshall seems to have shared none of the qualities of her celebrated brother. After residing at Frankfort for a few years, he removed to Cornland, the farm on the Ohio a mile and a half above Owensboro. His residence here was a hewed log house, which is not now remaining. He lived here till 1809, and then removed to Lexington, where he resumed the practice of law. While acting as attorney for the United States, he acted as prosecutor against Aaron Burr in his famous trial of treason. He had noticed the movements of this person for some time before the prosecution was begun. Satisfied with his observations that he had some unlawful design in view, he caused him to be apprehended and brought before the court. Burr's project was to revolutionize the Western country, establish an empire, with New Orleans as the capital, and himself the chief. July 24, 1806, General Dayton, one of Burr's firmest adherents, wrote to General Wilkinson in cipher, "Are you ready? Are your numerous associates ready? Wealth and glory! Louisiana and Mexico!!" From a failure of evidence, as is well known, the prosecution was abandoned, although the whole plot was finally discovered. In the fall of 1811, Colonel Daviess joined the army of General Harrison in the campaign against the Indians on the Wabash. He received the command of major. On the 7th of November, 1811, in the celebrated battle of Tippecanoe, he fell in a charge against the Indians, made at his own solicitation. He survived from 5 o'clock in the morning till midnight, retaining to the last the full command of his faculties. The personal appearance of Jo Daviess was commanding and impressive. His bearing was grave and dignified. His manner was bland and courteous to those he loved, but haughty and repulsive in the extreme to those he disliked. He was nearly six feet high, with a form athletic and vigorous. He was eccentric in his habits, allusion to which may be found elsewhere. At the great trial of Aaron Burr, at Richmond, it is said he made his appearance in a suit of buckskin. As an orator he had few equals and no superiors. Competent judges unite in declaring that he was the most impressive speaker they ever heard. In conversation he was unequaled, and the life of every circle in which he was thrown.

Dr. John D. Ogden, of Owensboro, has the original brief, in manuscript, which Jo Daviess prepared and presented in a land suit from this county, in 1805 or '6, before the Supreme

Court of the United States. This was the first argument ever presented before that body by an attorney from any section west of the Allegheny Mountains. It is related that when the case was about to be called, Mr. Daviess was present, dressed in buckskin, with a squirrel cap, and was eating a piece of ginger-cake. It was whispered among the high-toned gentry of the court that the rough little Westerner would be so ignorant of the Virginia rules of procedure that he would soon be frustrated. When the case came up he stepped forward and represented that he was the United States District Attorney for Kentucky. This was at first regarded merely as a joke; but during the whole course of the proceeding the only interruption made by the bench was simply to announce that the proposition which Mr. Daviess was about to establish was already admitted by the court!