

## PEACEFUL HESLER COMMUNITY ONCE BLOSSOMED WITH TRADE AS FIRST COUNTY SEAT IN 1819

By an act of the General Assembly of Kentucky, Owen became a county on the 6<sup>th</sup> day of February, 1819. This act named John Scrimsher, Jacob Hesler, John Glass, William Davis, Sr., James Herndon and William Cobb as Justices of the Peace, an office that at that time corresponded to our magistrates of today. The act directed that these gentlemen were to meet at the house of Jacob Hesler on Monday, April 12, 1819, for the purpose of holding the first court in Owen County. These directions were carried out and as Scrimsher was the first named of the commissioners he took the oath of office and administered it to the others.

Cyrus Wingate appeared in court with a commission as sheriff from Governor Gabriel Slaughter and gave bond in the sum of \$3,000 for the performance of his duties. William Mastin and George B. Vallandigham were his sureties. John C. Bacon was appointed clerk of the court "during good behavior" and Francis Goddard was appointed constable.

A six-man commission, to fix the cite of the county seat, reported that, due to the fact that county lines were as yet undetermined, and it was the desire of the commission to locate the seat of county government as near the center as possible, they were unable to make a report until the county lines were surveyed. The court thereupon appointed Willis Blanton, surveyor of Franklin county, to survey the county and fix lines.

Several roads were ordered surveyed, the Swope road holding the honor of being at the head of the list. A number of tavern keepers were licensed, on of those at Heslerville being Jehu Glass presented his commission as coroner and Thomas B. Scruggs presented his commission as jailer. Both were bonded for \$1,000. Tavern rates were fixed as follows: imported liquors per half pint 50 cents, whiskey or brandy a half pint 12 ½ cents, horse feed 12 ½ cents per night.

Jacob Hesler, Cyrus Wingate and Jehu Glass were appointed commissioners to contract for the building of a jail "to be on good substantial stone pillars, at least one foot from the ground, 22 feet long, 12 feet wide and at least 7 ½ feet high, the logs to be of white oak at lease 12 inches square, the partition logs to be 8 inches square, shingle roof, one window in each room, six lights 8 x 10, the door to be lined with iron on the inside, the floors to be the same as the outside walls, and good iron grating equal to inch beams for the windows." Bids for building were to be taken after proper advertising and the contract let to the lowest bidder. This jail was built by Richard Osborne and received from him on Monday, December 13, 1819, cost of production not known.

On the 15<sup>th</sup> day of September, 1819, Thomas B. Scruggs, Cyrus Wingate and Jehu Glass were appointed to contract for and superintend the building of a court house in Heslerville. The first court held in the new building was on December 13<sup>th</sup> of that year. The county's first "Temple of Justice" was a one and one-half frame rectangular edifice 18x28 feet. The roof was shingled, the space from floor to ground underpinned with rock. Its gable end fronted the main street and the front door was three and one-half feet wide. All the first story was in one room which was 10 feet high. At one end extended across the room was the bar. The bar floor was raised one foot higher than the floor providing the court a point of vantage during sessions. The room was lighted by four 12-pane windows so arranged that two furnished light for the bar (now generally referred to as a bench). Windows above and below, were protected by shutters.

The first new officer to be introduced into office in the new building was the first county attorney, John H. Coleman.

In 1820, Daniel McCarthy Payne, of Lexington, bought from Jacob Hesler enough land to lay out the town of Heslerville, and on the 14<sup>th</sup> day of August he recorded this plan in the deed book. In the center was the court square on which was the court house, the jail, the residence of Hesler (used as a court room for some time) and the county stray pen. Surrounding this square were 194 lots, laid off in perfect alignment, each having a front of 66 feet and a depth of 198 feet. Payne had visions of a growing town and very likely of a lot sale and a profit from his investment.

A part of Gallatin county, below New Liberty and Bromley, had been added to Owen in 1821 and Hesler was no longer in the center of the county, so on the 15<sup>th</sup> day of January, 1822 the court simply ordered that the seat of justice be removed to lands now owned by Andrew Parker, James Gess and William B. Forsee, that is, what later was to become the town of Owenton. Court was to be held in the home of Thomas L. Bryan, one of the magistrates, until a more suitable place could be build and the county buildings at Heslerville were sold for what they would bring.

Court was first held in Owenton on February 11, 1822 and thus ended the county seat of Heslerville after a three year period. But Hesler's period of usefulness to the county did not end here. Hesler has furnished several county officials.

## Early Settlers

Jacob O'Banion's mother and father came from Ireland to Virginia, then to Hesler in 1828. He was born in 1830, and as a young man, married his cousin Susan. They bought 700 acres of land here and reared eight children. At age 96, O'Banion had J. A. Lee preach his funeral, and when he passed away at 97, Rev. Lee repeated the ceremony.

Other older settlers were the Hills, Burfords, Simpsons, Tolberts, Cliftons, Threlkelds, and Wilhoits.

## Flourishing Business

Middle twenties Hesler was referred to as the most flourishing place in the county. It had four stores, two garages, two blacksmith shops, two cream stations, a barbershop, a bank, a church, an elementary school and quite a number of progressive citizens.

At present time, only two stores and the garage remain. Hesler as it now stands was built primarily by the second generation of the Rose family.

When trading was mentioned one was reminded of the Big Four (Rose, Bond, Lynn and Jones). With all these activities the people decided their community was not complete without a high school. They observed a number of girls and boys who had completed the elementary grades but, due to financial and transportation difficulties, were unable to go to high school. So it became the object of the citizens to bring the school to them.

After getting approval from the county Board of Education to establish a high school the next problem was to secure a teacher. Salin Holbert was prevailed upon to take the job. He did not know why and suspected the ones who were so insistent wondered why at the end of the term.

It was in the fall of 1926 that a gathering at the Bank took place and after the ceremonies, which were presided over by Mrs. Clara Chapman, County Superintendent, children went to the Junior hall over the store then occupied by A. D. Coates. They would continue work there until the common school was out at which time they moved to the school building opposite the church.

As already intimated, the school was not a howling success neither was it considered a complete failure. Aside from the regular courses, debates and ciphering matches were held on Friday evenings. Such notables as William McGibney and Gayle Starnes took part and sharpened their forensic abilities.

On one occasion Walter Wilhoite and the Honorable Virgil Chapman visited the school and the then Congressman, in his usual oratory, assured the group of a bright future.

Although Hesler High school was in existence but one year it takes its place in a progressive era of a great community.

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