county records, and this greatly added to the difficulty in tracking down information on the descendants of George Webster Nichols, who moved to Hart from Barren in the 1860's.

From their home in Barren County, Kentucky, the descendants of John Nichols' soon spread to other parts of the country, and outlined in Appendix I are many of these early movements listed on a migration time line chart.

Listed in Appendix II are important Nichols family sites in the Fallen Timber Creek area of Barren County, including a map spotting their location. These include the site of John Nichols' old home place, the homes of Abner Nichols and Anne (Nichols) Burch, which are still being lived in today, Elbow Spring, Bowles Cemetery (formerly Nichols Cemetery) where John and Nancy and many of the descendants are buried, the site of Vernon School and Church, etc.

Some general sources of information along with selected references are cited in Appendix III.

The work as presented here was essentially a self-publishing effort, and without the aid of a personal computer, the task of producing this manuscript would have been infinitely more difficult as well as more expensive. The software used in organizing and compiling the data was Family Tree Maker by Broderbund. Once reports were generated using FTM, they were then exported to Microsoft Word, where additional editing and modifications could take place, including the insertion of photographs. After all the pieces were in place, the total compilation was downloaded to a CD and given to the publisher for printing and binding.

CHAPTER ONE

JOHN NICHOLS of BARREN COUNTY

Introduction

It is generally acknowledged by descendants of John Nichols that he was born in 1769 or 1770 in the state of Virginia. The 1850 U.S. Census reports his age as 80 years old and his birthplace as Virginia, and in later census records his children also named Virginia as their father's place of birth. However, his ancestry continues to remain a mystery despite extensive research directed along those lines. As the reader will discover, a considerable amount of information has been learned about his early life, including some clues which may point to his parent's identity, but, unfortunately, no evidence has been uncovered that clearly defines his lineage. Past workers have speculated about the location of his birthplace and the names of his parents, but these reports have been based more upon guesswork and supposition than tangible evidence, and the reason for this is readily understandable. As many researchers have undoubtedly discovered, attempts at tracing John Nichols' early origins in Virginia can be a daunting task. In the first place, records from both the 1790 and 1800 U.S. Census for Virginia were destroyed during the War of 1812, and by the 1810 census, John Nichols had departed the state and was living in Kentucky, Genealogists researching this period of Virginia history must generally depend upon state and county records, which are sometimes incomplete or may be missing entirely. Secondly, in the latter half of the 18th and early 19th centuries, there was a wide variance in the spelling of family names. Many persons were unable to sign their own names, and, commonly, each deputy court clerk or county commissioner had his own phonetic spelling. Often different members of the same family preferred their own ways of spelling the family name, and in some instances the same person would sign with different spellings at different times. For example, the author has observed seven different spellings of the name "Nichols" referring to the Barren County pioneer or his descendants. Complicating matters even further is his given name, "John," which seems to have been a very common first name for Nichols men.

After several unsuccessful attempts at trying to locate John Nichols' home in Virginia by looking directly at the various Nichols families who lived throughout the state, the decision was made to focus instead on other families who were closely associated with John Nichols, namely the Burch's, the Tolle's and, unbeknownst until recently, the Vermillion's. Considering that John Nichols had married Nancy Burch, and many of their children and grandchildren had intermarried with both the Burch and the Tolle families, it was hoped that by tracing the movements of these associated families, a connection might be found that would lead to the location of his birthplace and the identity of his parents. Previous work on the Burch and Tolle families by other researchers has shown that by 1767, before John Nichols was born, the family of Nancy Burch was well established in Prince George's County, Maryland, and members of the Tolle family had already settled in Fauquier County, Virginia. The northeastern part of Virginia near the border with Maryland seemed a logical place to begin the search, and the initial plan was to examine personal property tax records from all counties in the area of interest, namely Loudoun, Frederick, Fauquier, Prince William, Stafford and Fairfax.

The Use of Personal Property Tax Records

Personal property tax records are a valuable research tool for genealogists, particularly when trying to trace the whereabouts and movements of early ancestors. In 1787, new legislation in Virginia required that all county tax commissioners in each district, or precinct, should record the name of the person in each household chargeable with paying the tax, and the names of all white males within the household over the age of 21. In addition, he was to list the number of white male "tithables" between the ages of 16 and 21, the number of slaves above and below the age 16, the number of horses, mares and colts, the number of cattle, the number of carriage wheels, etc. Taxes were to be assessed between March and April of each year and were payable by the end of the year. Over the years, the format and content of property tax records changed gradually, becoming more detailed with time, but the early tax rolls remained fairly consistent with only slight changes from year to year. As an added bonus, some counties, such as Fauquier County, not only listed the number of tithables between 16 and 21 years of age, but named them on the tax list. A copy of Virginia's annual tax lists is available to the public on microfilm for each county and city, beginning in 1782 (or the date of the formation of the county) to 1930, at the Library of Virginia in Richmond.

Personal property tax records may often provide important data unavailable anywhere else. Unlike census reports, tax records were compiled annually and listed the names of all white males over age 21 who resided in the district, regardless of whether that person owned real estate or not. Individuals in the same county with identical names could often be distinguished by the addition of a junior or senior, by residence in different tax districts, or by a comparative analysis of his taxable goods from year to year. Parentage can be stated or implied by either the name or the number of male tithables between 16 and 21 in the household of the taxpayer. The names of women appear occasionally when owning property in their own right or as the widow of a property owner. By studying the tax rolls from year to year, it's possible to trace an individual in order to determine his date of arrival or departure from a locality, or possibly even the year of his death. Often the name of a taxpayer will continue on the tax list, noted as "deceased" or "estate" until the estate is settled.

When attempting to learn about John Nichols' early life in Virginia and his migration to Kentucky, it is necessary to also include James Nichols, because the two men were closely related, probably brothers, who traveled together and lived near each other for much of their early lives. A careful examination of personal property tax records from Virginia and Kentucky has enabled the author to trace their movements, beginning in Fauquier County, Virginia in 1788, to Amherst County, Virginia in 1795, and on to Mercer County, Kentucky in 1805. Both John and James married into the Burch family, John marrying Nancy Burch, the daughter of Leonard Burch, and James marrying Winifred Burch, whose parents have yet to be identified. Both of the Burch women were born in the state of Maryland and may have been related. The two Nichols families finally parted company about 1812, when John Nichols left Mercer County, Kentucky in 1812, but returned to Mercer after only a couple of years where he remained until about 1830, when he left Kentucky and moved to Pike County, Missouri.

1788 - Fauquier County, Virginia

The earliest date that John Nichols' name was found in the public record of Virginia was the year 1788, when he appeared for the first time on the Fauquier County personal property tax rolls. He was shown to be living in the household of Cornelius Skinner and would have been about 18

vears old and still unmarried. Also living in the same household was James Nichols, and, as mentioned above, it is believed that the two men were brothers, with John being the younger by a year or two. Cornelius Skinner paid the taxes for both men in 1788, which suggests that he was the young men's employer, or possibly their guardian. The fact that 1788 was the first year that either John or James Nichols' name appeared on the Fauquier tax rolls may signify that they had only recently moved to the county from the surrounding area. In theory, if they had resided in Fauquier County prior to 1788, their names should have appeared on the tax rolls of the previous year, since 1787 was the first year when all free white males over 16 years of age were required to be named. (Tax data from 1781 to 1786 are available for Fauguier County, but only persons responsible for paying the tax are named.) However, in practice some persons were often missed in some years by the tax commissioners, especially if they were under 21 years of age. An absence of only one year from the county tax rolls is not conclusive by itself, and thus it's impossible to know with confidence whether John and James Nichols were new arrivals in the county in 1788 or if they were actually natives of Fauquier County and simply overlooked in 1787. An examination of the 1787 tax rolls from the surrounding counties of Loudoun, Frederick, Prince William and Fairfax counties also failed to turn up their names.

A careful analysis of tax records from surrounding counties over a several year period revealed that Cornelius Skinner came from neighboring Loudoun County and only resided in Fauquier for the one year, 1788. The following year, Skinner and the Nichols brothers are absent from Fauquier, and it is believed that they may have crossed into neighboring Loudoun County. Among the residents that comprise the 1789 Loudoun tax rolls was an individual identified as "Janny" Nichols, named as the person charged with paying the tax, and listed with him was John Nichols, age 16 to 21. This was the only instance where the name, Janny Nichols, was encountered anywhere on the tax rolls of northern Virginia, and the author strongly suspects that Janny Nichols was, in reality, James Nichols, and the entry was an error by the tax clerk. Janny, or Janney, was a common surname in Loudoun County at the time. If that hypothesis is correct, James Nichols would have been over 21 yrs. old in 1789, which would place his birth around 1768.

It should also be noted that in 1788, there were other individuals with the surname Nichols listed on the Fauquier tax rolls. Thomas Nichols appeared there every year from 1782 through 1796, and Solomon Nichols first appeared in 1786 but was absent after 1792. (The Personal Property Tax Books for Fauquier County, Virginia, 1782 – 1796, can be found on microfilm reel #110, Dept. of Taxation, Library of Virginia, in Richmond). It has now been established that both of these men were from Loudoun County and were descendants of Thomas Nichols who migrated from Staffordshire, England in 1712 and settled in Chester County, Pennsylvania. Two of his sons, Thomas and Isaac, moved to Loudoun County, Virginia in 1743 and settled on a site overlooking Goose Creek. They were members of the Society of Friends (Quakers), and a considerable amount of information is available on their history. The relationship of these men to John and James Nichols is unknown. They lived in the same tax district where the Nichols brothers were listed in 1788, but there is no indication that either man had any male offspring over the age of 16. Thomas Nichols died in 1801, and his will mentions only his wife, Mary, a brother, James, and a grandson, Nathan (Will Book No. 3, 1796-1804, Fauquier Co., Va.). To date. no evidence has been found that connects John and James Nichols to the "Goose Creek" Nichols of Loudon County despite a fairly detailed analysis using tax records and genealogy reports. It is the author's opinion that neither of the men in Fauquier was a close relative of John and James Nichols.

In 1788, the same year that the names of John and James Nichols first appeared in Fauquier County, the names of several other key individuals were also listed there for the first time. These

newcomers were from two families, the Burch's and the Vermillion's, and they had recently migrated to Virginia from their native Prince George's Co., Maryland. The Burch family consisted of three brothers, Leonard Burch, John Burch, Jr., and Francis Burch, accompanied by their father, John Burch, Sr. At least two of the Burch brothers were veterans of the Revolutionary War, with John Jr. having lost a leg in the war, and Francis having incurred wounds from which he would suffer for the rest of his life. Leonard Burch had married Monica Webster in Prince George's County, and one of their daughters was Nancy Burch, who would become the wife of John Nichols. Nancy would have been about 13 years old when her family settled in Fauquier County. Francis Burch, the youngest of the brothers, had married Penelope Vermillion in 1783 in Prince George's County, and two of Penelope's brothers, Burch Vermillion and Nicodemus Vermillion, also made the trip from Maryland to Fauquier County. All of these individuals were listed as taxpayers on the 1788 Fauquier tax rolls, or "persons chargeable for paying taxes," with the exception of Nicodemus Vermillion, who was shown as living in the household of his brother-in-law, Francis Burch, who paid his tax. It seems likely that the situation of Nicodemus Vermillion was similar to that of John and James Nichols, in that he owned no taxable property and was probably employed by Francis Burch as a hired hand or worked as an apprentice. Almost certainly, the Burch and Vermillion families had traveled together as a group from their native Maryland, and, after arriving in Fauquier County, they had settled in close proximity to each other because county tax records indicate that they lived in the same district, and their taxes were assessed on approximately the same day and month of the year. The following year, in 1789, they were joined by a third brother of Penelope Burch, Uriah Vermillion, who had moved to Fauquier County from adjoining Loudoun County, Virginia.

When the Burch's and Vermillion's arrived in Fauquier County, the Tolle family had already been established there for several years, since before 1782. Four brothers, George Tolle, Stephen Tolle, Jonathan Tolle and Roger Tolle, Jr. were all listed as taxpayers on the 1788 property tax records. William Tolle, one of two sons of Roger Tolle, Jr., would have been about 3 years old at the time. In 1821, William Tolle would leave Virginia and migrate to Barren County, Kentucky where several of his grandchildren would intermarry with the grandchildren of John Nichols. The ruins of William Tolle's old log cabin can still be viewed today in southern Barren County.

Fauquier County, having one of the largest land areas at the time, was divided into three districts, each with it own commissioner. A glimpse at the tax records for the Northeast District in the year 1788 reveals the following individuals:

Cornelius Skinner – three males over 16, no slaves, five horses. (John Nichols, James Nichols) Francis Burch - two males over 16, no slaves, three horses. (Nichodemus Vermillion) John Burch, Jr. – one male over 16, no slaves, one horse. Leonard Birch – one male over 16, no slaves, one horse. John Birch, Sr. – one male over 16, no slaves, one horse. Burch Vermillion – one male over 16, no slaves, one horse. George Tolle – one male over 16, no slaves, three horses. Stephen Tolle – one male over 16, no slaves, two horses. Jonathan Tolle – one male over 16, no slaves, three horses. Roger Tolle, Jr. – one male over 16, no slaves, one horse.

In 1790, James Nichols returned to Fauquier after a year's absence and was named as a taxpayer even though he was not shown as owning any personal property (horses, cattle, slaves, etc.) By

law, all free white males over 21 years of age who resided in the county were charged a minimum tax, or poll tax, even if they owned no taxable personal property. If they still lived at home, usually their fathers paid this tax for them, or if they worked as a hired hand or an apprentice and lived in the household of their employer, the employer would pay their tax. However, once a young man reached 21 years of age and acquired property - his first horse, for example, - he was then considered a property owner and his name would be listed in the taxpayer column. Although James Nichols owned no taxable property in 1790, he was over 21 years of age and was evidently living on his own and thus was named as a taxpayer. In 1791, James Nichols was again named on the Fauquier tax rolls, but this time he was listed under Uriah Vermillion, who paid his tax, indicating that he was employed by Uriah Vermillion.

When James Nichols returned to Fauquier County in 1790, John Nichols was not listed with him on the tax rolls. In fact, John's name was absent from both the 1790 and 1791 tax records of Fauquier, Loudoun, and other surrounding counties, and it is not known if he was simply overlooked by the tax commissioners at the time or was away from the area altogether. In 1792, John appeared once again in Fauquier, where he was listed in the household of Burch Vermillion, who paid his tax. It seems reasonable to speculate that after James Nichols was employed by Uriah Vermillion in 1791, he sent for his brother, John, who was then hired by Uriah's brother, Burch Vermillion, the following year. For the next two years, 1792 and 1793, John Nichols appears on the Fauquier tax rolls listed under Burch Vermillion, who paid his taxes each of those years. Although John was over 21 yrs. old, he evidently owned no taxable property. In the meantime, James Nichols had purchased his first horse and was classified as a tax payer in 1792 and 1793, although it is likely that he still worked for Uriah Vermillion.

The only other notable change in the 1793 Fauquier tax rolls was the absence of John Burch, Sr., and it is believed that he was either deceased or had returned to Maryland. A glimpse of the 1793 tax rolls for Fauquier County, Virginia reveals the following individuals, all residents of the Northeast District:

Burch Vermillion – two males over 16, no slaves, three horses. (John Nichols) James Nichols – one male over 16, no slaves, two horses. Uriah Vermillion – one male over 16, no slaves, two horses. Francis Burch – two males over 16, no slaves, four horses. (Nichodemus Vermillion) John Burch, Jr. – one male over 16, no slaves, four horses. Leonard Burch – one male over 16, no slaves, three horses. William Tolle – Jonathan Tolle – three males over 16, no slaves, (Micajah Tolle, Rubin Tolle) Roger Tolle, Jr.

It's interesting to speculate that John Nichols and Nancy Burch must have met sometime around 1791 or 1792, the period during which John and James began working for the Vermillion brothers. It's also safe to assume that they were married in Fauquier County about 1793, since that was where they both resided at the time. Unfortunately, no evidence seems to have survived that can document their union. A search of the Virginia archives for Fauquier and the surrounding counties has failed to locate their names among the early marriage bonds and minister's returns. According to John P. Alcock in his book, "Fauquier Families, 1759-1799," marriage returns of individual ministers after 1780 have been spottily saved in Fauquier County, and the marriage

book that the county clerk presumably kept after 1780 is missing. The estimate of 1793 as their marriage date is based primarily on the date of birth of their first child, William, who was born in August of 1794. Another possibility is that they traveled back across the state line to Maryland and were married there. The distance from Fauquier to Prince George's County wasn't far, and the bride's parents would have had numerous friends and family in their native Maryland. The timing and location of James Nichols' marriage to Winifred Burch is more of a problem since the identity of her parents is still unknown. The year 1793 was the last time that John and James Nichols were listed on the Fauquier tax rolls, and there is a gap of one year before their names appeared in Amherst County in 1795. It is conceivable that John and James married Winifred Burch.

The 1794 tax rolls for Fauquier County signify important changes from the previous years. Two of the Burch brothers, John Burch, Jr. and Leonard Burch, were still named on the tax rolls as residents, as were the various members of the Tolle family. Notably absent from the county, however, were James Nichols, John Nichols, Francis Burch (with Nicodemus Vermillion), Burch Vermillion and Uriah Vermillion. All of these individuals, along with their immediate families, had departed Fauquier County and had resettled some 100 miles to the southwest, in Amherst County, Virginia.

1795 - Amherst County, Virginia

John and James Nichols were both named as taxpayers on the Amherst County tax rolls for five consecutive years beginning in 1795 and continuing through 1799. It should be noted that in the thirteen years prior to their arrival in Amherst (1782-1794), no other individuals named Nichols appeared on that county's tax rolls. (The Personal Property Tax Books for Amherst County, Virginia, 1782 – 1803, can be found on microfilm reel # 18, Dept. of Taxation, Library of Virginia). It is also interesting to note that when they first arrived in the county, both John and James were the owners of one horse each, and when they departed five years later, each man had increased his wealth with the addition of a second horse. They owned no real estate, and, in fact, it would be several years before either man would purchase his first acreage, not until after they had settled in Kentucky. James Nichols' first child, Richard, was born in Amherst County on June 4, 1796, and at least two and possibly three of John Nichols' children were also born while the family resided there. Elias L. was born on January 27, 1798, and Richard was born in 1799. The oldest child, William F., born August 1, 1794, may have also been born in Amherst, providing the family had settled there shortly after the tax commissioner had made his annual rounds in the spring of the year.

Francis Burch, Burch Vermillion and Uriah Vermillion were all listed on the Amherst County tax rolls in 1794, one year prior to the arrival of John and James Nichols. As usual, Nicodemus Vermillion was still shown as living in the household of his brother-in-law, Francis Burch, who paid his tax. Uriah Vermillion would only remain in the county for one year, and he was absent from the tax rolls in 1795, and thereafter. It is believed that he left the area and eventually settled in the state of Ohio.

The 1795 personal property tax rolls for Amherst County, Virginia list the following individuals as residents and taxpayers:

John Nichols - one male over 16yrs. old, no slaves, one horse. James Nichols - one male over 16 yrs. old, no slaves, one horse. Francis Burch - two males over 16 yrs. old, no slaves, five horses. (Nichodemus Vermillion) Burch Vermillion – one male over 16 yrs. old, no slaves, three horses.

The names of John and James Nichols are missing in Amherst County after 1799, indicating that they had left the county and moved elsewhere. There follows a period of approximately five years when the author has been unable to track their movements using county tax records, although it is believed that both families remained in Virginia. John and James Nichols each had three children who were born during this interval, and in later years these children all claimed Virginia as their birthplace on census records. John's children born during this period were John, Jr. (b.abt.1800), Anne (b. Sep.14, 1801) and Phillip (b. May 29, 1802). James Nichols' children were Peter (b. May 15, 1800), Elizabeth (b.abt.1801) and John C. (b. 1804). James Nichols next appears on the Mercer County, Kentucky tax rolls in 1805, followed one year later by John Nichols, in 1806.

Francis Burch remained in Amherst County and purchased land there in 1801, where the tax record names him as the owner of 407 acres of land, a considerable holding at the time. He eventually moved to adjoining Campbell County, and the 1810 U.S. Census for Campbell County, Virginia listed Francis Burch and his two sons, Nicodemus Burch and Eli Burch. (Undoubtedly, Nicodemus Burch was named for his uncle, Nicodemus Vermillion). Burch Vermillion, on the other hand, appears to have followed in the footsteps of John and James Nichols. After residing for several years in Amherst County, he appeared in the 1820 U.S. Census for Mercer County, Kentucky along with several of his sons. When the Vermillion's arrived in Mercer, James Nichols was still a resident there, but John had moved on to Barren County, Kentucky. Burch Vermillion's youngest son, Reason Vermillion, married Elizabeth Nichols, a daughter of James Nichols, in Mercer County on July 25, 1826. Burch Vermillion eventually left Kentucky and followed James Nichols to Pike County, Missouri and is believed to be buried there.

In 1794, Leonard Burch and John Burch, Jr. had remained behind in Fauquier County when John and James Nichols, Francis Burch, and the Vermillion brothers all departed for Amherst County. In 1800, John Burch left Fauquier and joined his brother, Francis, in Amherst County. He was followed shortly by Leonard Burch, so that by 1801, all three Burch brothers along with Burch Vermillion were residents of Amherst County. John Burch purchased 100 acres of land there in 1802. Leonard Burch died in Amherst County, Virginia about 1816, and shortly after his death, John Burch left the area and moved to Barren County, Kentucky, where he died in 1834.

The Migration West

When John and James Nichols left their native state and migrated west with their families to Kentucky they traveled the route favored by most settlers at the time – the Wilderness Road. In fact, while they were residents of Amherst County, they were already located halfway along the trail that led southwest through Virginia to the Cumberland Gap. The importance of this famous route over the Appalachians and the fact that the Nichols brothers were part of the thousands of families who traveled on the Wilderness Road merits a brief discussion here as to its significance in the settlement of the America's interior.

Kentucky became a state in 1792, formed from its parent, Virginia, and after the Revolutionary War was over and Kentucky was a relatively safe place to live, its population grew rapidly. It has been calculated that Kentucky's population tripled over ten years, from 61,000 residents in 1790 to greater than 180,000 in 1800 (Purvis 1982, 261). These early settlers took one of two major routes; the one down the Ohio River, the other "through the great wilderness" by way of Cumberland Gap. Generally, it was pioneers from the more northerly states who chose the river route, traveling overland to Pittsburgh, where they would obtain a flat-boat or, if they were lucky, gain passage on some type of passenger boat. However, the Ohio River journey was so tedious and dangerous that most westward-bound travelers preferred the wagon route down the Shenandoah Valley through the Cumberland Gap and along the famous Wilderness Road. The Gap was critically important in the settlement of the West, because it was the only natural route through the Appalachian Mountains. Of the approximately 400,000 pioneers who came west before 1800, it is estimated that three-quarters used the Cumberland Gap route (Dietz 1976, 114; Kincaid 1973).

The settlers who traveled the Wilderness Trail originated from as far north as Pennsylvania, but the majority came from Virginia and North Carolina. Interstate 81, which now leads southwest through the valley of Virginia, beginning at the Potomac, and passing through Martinsburg, Winchester, Staunton, Lexington, Salem, Christiansburg, Newbern, Mac's Meadow, Wytheville, Marion and Abingdon follows the same road which was laid out and traveled in the early days. Another road ran west out of Richmond and intersected with the valley road at the ferry crossing over the New River. Besides these roads, there were other traveled ways or traces which led up to Cumberland Gap from the Carolinas and through the mountains of East Tennessee. Once settlers had passed through the Gap, which is located in the southeast corner of Kentucky, they proceeded north to the town of Pittsburg, near London, where the road forked. At this point, settlers could continue on almost a straight course to Crab Orchard, Danville, Harrodsburg, Bardstown, and, eventually, the Falls of the Ohio at Louisville, or they could turn north toward the Bluegrass Region and travel along Daniel Boone's road to Ft. Estill, Boonesborough, Richmond and Lexington.

There were many factors that influenced the thousands of families to leave the comfort and security of family and friends and strike out for the "Land of Kentucke." The pressure of an expanding population in the eastern states was a major factor. In addition, when the war ended, the Continental Congress granted bounty land to Revolutionary War soldiers. Since the young nation had no money to pay them, Congress allotted western lands to the unpaid veterans. Another important factor was the rapid exhaustion of the tidewater's tillable land due to Virginia's exploitive farming practices. Without rotation of crops or artificial fertilizers, new land had to be cleared for cultivation about every seven years (Clark 1960, 61). Farmers boasted about the number of farms they depleted during their lifetimes.

We can only speculate as to the reasons why John and James Nichols would leave their native Virginia and head west with their families, but a major factor must have been the promise of plentiful, cheap, fertile land. At the beginning of the 19th century, Kentucky was not simply a frontier settlement, but a promised land. Over the years rumors had transformed Kentucky into a romantic paradise of mythical proportions, and land speculators naturally used these stories to their advantages in advertisements in the hopes of driving up land prices of their cheaply bought land (Hogan 1992, 1). Whatever the reasons, by 1806, John and James Nichols were now Kentuckians, having settled in Mercer County located near the towns of Danville and Harrodsburg.

1806 - Mercer County, Kentucky

James Nichols arrived in Mercer County, Kentucky sometime before the autumn of 1805, because his name appeared on the personal property tax rolls dated August 4th of that year. He was followed shortly thereafter by John Nichols, and in 1806, the names of both John and James are listed on the Mercer tax rolls. Not only are their names listed directly next to each other, but both names have the same date of August 9th, indicating that the two families were living very near to each other. In 1806, Mercer County was divided into three tax districts, and although there were two other individuals named Nichols residing in the county, John and James were the only persons named Nichols living in their district. In 1809, a second individual by the name of John Nichols appeared on the tax rolls in the same district, but by comparing the tax records year to year, it was easy to distinguish between the two men. Beginning in 1811, tax lists from the three districts were combined into one master list, and from that time forward, several individuals named Nichols and/or Nuckols are seen to come and go as residents of Mercer County. It is not known if any of these persons were related to John and James Nichols.

It's interesting to note that when John Nichols first arrived in Mercer County, tax rolls indicated he was the owner of four horses, and when he departed the area six years later, and continuing through his first ten years in Barren County, he was always shown each year as the owner of four horses. James Nichols arrived in Mercer County with two horses, and during his twenty plus years of residency there, his ownership varied between two and five horses. James Nichols also acquired land on three different occasions, while John purchased no real estate until he settled in Barren County. John Nichols' name appeared on the Mercer County tax rolls every year from 1806 through 1811, and in 1812, he is listed for the first time on the Barren County, Kentucky tax rolls. With a couple of exceptions, James Nichols' name appeared on the Mercer County tax rolls every year from 1805 until 1830, at which time he departed Kentucky for Pike County, Missouri.

In 1809, James Nichols was named on the Mercer tax rolls as the owner of 75 acres of third rate land situated on the waters of Fallen Timber Creek in Barren County, Kentucky. The land deal must have fallen through because a deed was never recorded, and the 1810 tax rolls indicated James had relinquished his land holdings. What is significant, however, is that Fallen Timber Creek, located some 100 miles west of Mercer County, was the same watershed where John Nichols would purchase 200 acres of land and settle his family in 1812. One cannot help but wonder if perhaps James Nichols' initial interest in the area somehow influenced John's decision to settle there two years later.

The 1810 U.S. Census for Mercer County, Kentucky recorded both John and James "Nicholas" as heads of their respective households. John's family was comprised of eleven members divided into the following age groups: four males under 10 yrs. old, three males 10 to 16 yrs. old, one male 16 to 26 yrs. old, one male 26 to 45 yrs. old, one female under 10 yrs. old, and one female 26 to 45 yrs. old. This age distribution fits very closely with what is generally known about John Nichols' family at the time with one exception. According to present-day knowledge, there should have been three, not four, male children under 10 yrs. of age in 1810, namely Phillip, Thomas and Abner. This discrepancy can be explained a couple of different ways. The census record may have been in error, which was not that uncommon an occurrence, or there may have been a previously unaccounted for male child who died while still an infant, either in Mercer County or shortly after the family moved to Barren County. The existence of another child may also help explain the somewhat unusual five year gap that existed between Phillip Nichols, born in 1802, and Thomas Nichols, born about 1807. Thomas Nichols was the first of the Nichols children to be born in Kentucky.

The James Nichols family in the 1810 census consisted of one male under 10 yrs. old, two males 10 to 16 yrs. old, one male 26 to 45 yrs. old, two females under 10 yrs. old and one female 26 to 45 yrs. old. Although the identity of the youngest daughter has yet to be determined, the number and age distribution of James' family in the 1810 census is consistent with the known facts.

In 1811, John Nichols appeared for the final time on the tax rolls of Mercer County, where he was shown as the owner of four horses but no real estate. James Nichols was assessed a tax on five horses and was also shown to have acquired 400 acres of third rate land located in Adair County, Kentucky. The following year, in 1812, both men are absent from the Mercer tax rolls, John having departed for Barren County, and James having moved with his family to Adair County. The 1812 personal property tax rolls for Barren County, Kentucky named John Nichols as the owner of four horses and 200 acres of third rate land. His land holding, consisting of two 100-acre tracts located on the waters of Fallen Timber Creek, represented John Nichols' first purchase of real estate. The homestead would become the family's permanent home, and John's name would appear on the tax rolls there every year until his death, in 1851. Meanwhile, James Nichols was listed on the Adair County personal property tax rolls in 1812, where he was charged a tax on five horses and 400 acres of land located on the waters of Sulphur Creek in Adair County.

In 1813, James Nichols appeared on the Adair County tax rolls for a second consecutive year, but once again he must have relinquished his land holdings, because his only tax assessment was for five horses, and no acreage was listed. His name was missing from the Adair County tax rolls in 1814, and it is assumed that he had returned with his family to Mercer, although the 1814 tax book for Mercer County has been lost. Beginning in 1815, James Nichols' name appears on the Mercer County tax rolls almost every year through 1829, after which he is absent, having departed the state for Missouri. In 1822, while a resident of Mercer, he is named as the owner of 150 acres of land in the western part of the county, situated on the waters of Fallis Run of the Chapin River.

The James Nichols Family in Missouri

From this point forward the paths of John and James lead in different directions, with John establishing a homestead in Barren County and James eventually relocating to Pike County, Missouri. This narrative will now follow John Nichols and his descendants, exclusively, but before we bid a final farewell to James Nichols, a few additional comments are in order. Jack Culvahouse, a descendant of James Nichols, who currently resides in Lawrence, Kansas, has done considerable research on his Nichols lineage, and furnished much of the information in this chapter concerning James and his family.

James Nichols and Winifred Burch had the following five children: (1) Richard Nichols, born June 4, 1796; married Dec. 22, 1817 to Rachel Goodnight in Mercer Co., Ky. (2) Peter Nichols, born May 15, 1800; married Letitia Moreland in Ky. (3) Elizabeth Nichols, born abt.1801; married July 25, 1826 to Reason Vermillion in Mercer Co., Ky. (4) John C. Nichols, born abt.1804; married Mary Ann Brown. (5) Unknown daughter, born bet.1805 – 1810. Richard appeared on the Mercer County, Kentucky tax rolls for the years 1818, 1819 and 1820. Peter was listed in 1823, and John C. was listed in 1826.

In an indenture dated February 21, 1822, James Nichols purchased 150 acres of land in Mercer County from William Hendrickson and his wife, Nancy, for \$150 cash-in-hand. The property was located on the waters of Fallis Run of the Chapin River (Mercer Deed Book 12, 1822, p. 440). James and Winifred finally sold the tract to William H. Dollins for \$150 in 1844.

The following narrative discusses the James Nichols family after they departed Mercer County, Kentucky and settled in Pike County, Missouri:

"Between 1820 and 1830, James H. Nichols, all three of his sons, Richard, Peter and John, and his sonin-law, Reason Vermillion, moved from Mercer County, Kentucky to Missouri settling within a few miles of what was becoming the town of Frankford, lying in Pike County, but less than two miles east of the Ralls County line. By 1833, Reason's father, Burch Vermillion, and two of his brothers, Josiah and Nicodemus, had also moved from Mercer County to farms near Frankford. This migration appears to have developed slowly with indications that in the early stages, the younger males may have left wives and children with other family members in Mercer County for at least parts of several years. All six of the younger men obtained early land Patents under the "Land Entry" Act of 1820, and except for Reason were primarily farmers. Reason was the first cabinet maker in Frankford and was also the town's first postmaster. James H. Nichols and Burch Vermillion did not keep separate households after 1830. Burch and his wife lived with Josiah in 1830, and James H. Nichols lived first with his son, Richard, and then with John C. after the latter's marriage in 1832.

"All but two of the adults who made the move to Missouri lived out their lives in Pike-Ralls County. Burch Vermillion and his wife, Nancy Griffiths, died before 1850, and James H. and his wife, Winifred Burch, were deceased by 1860. Richard Nichols and wife, Rachel Goodnight, died in 1873 and 1875. Reason Vermillion and wife, Elizabeth, died there in the 1880's. The sons of John C. Nichols left for other parts beginning before the Civil War, and it is believed that all were gone by 1880. Peter Nichols moved to Putnam County, Missouri in 1843 attracted by the prospects of more land openings further west. Some of Peter's older children remained in Pike and Ralls County, and he moved back to Pike before 1870. Peter and his wife, Letitia Moreland, both died there in 1890. John C. Nichols also moved to Putnam County in the 1870's and died there in 1893. Altogether at least 29 Nichols and 6 Vermillion grandchildren of James H. Nichols were born in Kentucky or Northeast Missouri, and information has been collected for about 600 descendants and their spouses. About 400 of these are descendants of his son, John C. Nichols.

"It is notable that the constant search for cheaper and more available farmland, which must have animated James H. and John Nichols in their movement south and west through Virginia to Kentucky, remained in the genes until the end of the frontier. One example: In the 1870's, John Pierce Nichols, son of John C., moved from Pike County to the Chickasaw Nation of Indian Territory, and in 1889, he obtained a homestead in the first Oklahoma Land Run. In 1901, John Pierce, his sons and sons-in-law, participated in the last Oklahoma land opening, obtaining town sites and farms when the Kiowa-Comanche Indian reservation was opened to white settlement. In 2005, some of that land is still in the Nichols family."

Jack Culvahouse, June 2005

1812 – John Nichols in Barren County, Kentucky

In late 1811 or early 1812, John Nichols left Mercer County and moved his family approximately 100 miles west to Barren County, Kentucky. When he arrived at what would become his permanent home on Fallen Timber Creek, John would have been almost 42 years old, and Nancy would have been about 33 years old. They already had a large family, consisting of nine children ranging in age from William, who was 18, to Polly, who was only about 1 year old. Four more children would be born in Barren County over the next six years.

Almost certainly, the primary attraction offered by the Barren County area was the availability of inexpensive land, especially so called "third rate land," which was often rough and heavily timbered, requiring much time and hard labor to clear and prepare for farming. Barren County was part of an area in south-central Kentucky, located south of the Green River, which had been designated for distribution to Revolutionary War soldiers prior to 1797. Settlers arriving after 1797 were required to be 21 years of age, a resident on the property for at least one year, and have planted a crop or built a cabin. These grants were also known as "head right" claims because after 1797, anyone could claim 200 acres of head right land. The terms of purchase were attractive since families did not have to pay the purchase price at once. The provisions for purchasing this land were \$30 per 100 acres, with a maximum of 200 acres per householder. Once the land was paid for, the title passed to the householder (Hogan 1992, 104).

John Nichols' name was listed for the first time on the Barren County personal property tax rolls in 1812, where his tax liability was indicated to be four horses and 200 acres of land. His real estate was comprised of two tracts, each containing 100 acres and situated on the waters of Fallen Timber Creek in southeastern Barren County. According to tax records, one tract was obtained from Robert Dougherty and the second from Richard Coats. The Dougherty tract was known as a South of the Green River Land Grant, Warrant No. 1606, and dated September 1798, which Dougherty had obtained in patent, and which he had surveyed on August 27, 1799. Robert Daugherty, a resident of Barren County, had paid taxes on the 100 acres from 1799 until 1811, at which time he and John Nichols apparently struck a deal for its purchase. The tract was assigned to John Nichols by Daugherty on January 16, 1813, and after all fees were paid, title to the property was officially granted on January 26, 1813. It was on this 100 acre tract that John Nichols built the family home, a log cabin, which stood on the site for the next 170 years.

According to Barren County property tax records, John Nichols paid taxes on his 200 acres of land on Fallen Timber Creek for the next ten years, until 1822, at which time he was designated as the owner of only one tract containing 100 acres. Presumably, he either sold or relinquished the Coats tract, although no deed or land record has been found that documents the transaction. In addition to his land holdings, John Nichols is always shown each year as the owner of four horses.

The 1820 U.S. Census for Barren County, Kentucky listed John Nichols as the head of the household with the following family distribution: three males under 10, three males 10 to 16, one male 16 to 18, three males 16 to 25, no males 26 to 45, and one male over 45; three females under 10, no females 10 to 15, one female 16 to 25, no females 26 to 45, and one female over 45. While the total number of fifteen household members agrees with our present-day idea of what John Nichols' family should have been in 1820, the age distribution of the male children does not. Assuming all the children were living at home, there should have been only one male, not three, in the 10 to 15 age group and four males, not three, in the 16 to 25 age group. This discrepancy illustrates the problem many researchers face when they must depend solely on early census reports. Individual household members were not named on federal census reports until 1850, which makes it difficult to quantify the makeup of these early families. The census day was that day set aside for the official count to begin, and the census day for 1820 was the first Monday in August. The census taker was to show all persons in the family as of June 1st, which meant that family members who were living on June 1st but died before the enumerator's visit in August were still listed. Children, for example, who were living on June 1st with another family were supposed to be listed with that family. That may have been the case for John Nichols in 1820 because children were often taken in by families to be cared for temporarily when the need arose. At the same time, one or more of his sons may have been living elsewhere when the 1820 census was enumerated. William, Elias and Richard were all over 21 years old and single in 1820, and

none were listed as heads of household on the 1820 census. It's entirely plausible that one or more of them was living away from home, possibly in the household of a neighbor where they worked as a hired hand.

In the following years, John Nichols bought and sold several tracts of land, all located in the same general vicinity of Fallen Timber Creek. In a deed made on July 31, 1829, Allen Bryant sold his part in a tract of land belonging to Dabney Slayton to John Nichols for the sum of \$50.00. No acreage figure is given in the deed (Deed Book L, p. 539).

In 1830, Joseph Willis sold to John Nichols a certain parcel of land containing 30 to 40 acres, more or less, for the sum of \$200.00 cash-in-hand, for which Willis bonded himself to make unto Nichols a good and lawful deed (Deed Book M, p. 142). Nineteen years later, in a deed dated December 8, 1849, the heirs of Joseph Willis, deceased, conveyed to John Nichols a good and lawful deed on the tract of land Deed Book T, p. 113).

On January 22, 1831, John Nichols conveyed to the trustees and members of the Mount Vernon Church, a one acre tract of land in consideration for building the church upon that tract of land (Deed Book M, p. 161). The following excerpt was taken from an article printed in The Glasgow Times, dated 1939:

The Mount Vernon Church

"In an interview with one of the oldest citizens of that section, this writer learned that the earliest land holdings of the Nichols were located about eight miles out of the Burkesville road, and that the old Mount Vernon Church was built at the foot of a hill between Nichols Branch and Lick Branch, both of which came together and flowed into Fallen Timber Creek.

"Several families had settled at an early date in that section, and John Nichols, Sr. appeared from the record to have been a leader among them. Certainly it was he who first felt the need of a place to worship in the settlement, and made the agreement with his neighbors if they would assist in the building of a church that he would give the land upon which the church would stand.

"John Nichols must have had the true American Spirit for he was tolerant of all religions and believed every man should have the opportunity to follow his own gospel, for his church was not restricted but was made available to preachers of all denominations. Yellowed with age, in Deed Book M, page 161, Barren County Court, the deed read as follows:

"This indenture made and entered into this 22nd day of January, 1831, between John Nichols Sen. Of Barren County of the first part and William Pursley, John Pursley, John Nichols, Jr., Elias Nichols, Philip Nichols, the heirs of Richard Nichols, deceased, Thomas Nichols, Robert B. Burch, John Burch, Nichodemus Burch, William T. Bailey, William Johns, John Scott, Francis Scott, and James Wood of the second part ...the said John Nichols Sen. For and in consideration of building a certain meeting house known by the name Mount Vernon, on the Nichols land, which is acknowledged to be done, hath this day granted to aforesaid men, the same right and title with himself to one acre of land whereon said meeting house stands, to be laid off in four square so that the meeting house will be center. And further it is to be considered that said meeting house is to be free for all Gospels, preaching of every denomination and that no Society is to interfere with the appointed days of any other, the right of said land to extend to aforesaid men and to their heirs and to my heirs...to have and to hold the same from all other claim or claims, forever.

In witness whereof I have hereunto set my hand and affixed my seal, the day and date above written. /s/ John Nichols

"About 1848, old residents state, the old log constructed Mount Vernon Church was torn down and a new one constructed, by a descendant of John Nichols Sen. On a slightly different location, because the old location during the rainy seasons, the waters of Lick Branch and Nichols Branch would rise and make the road to the meeting house impassable.

"This new building served both as a church and a school and was here that one of the first woman teachers of Barren County taught...the then Miss Alma Pickering, who later married and died at a very advanced age only a few years ago and was one of the most beloved women of Barren County. In the earliest years only men taught school in Barren County."

The following family memories about Mount Vernon Church were taken from interviews with Lucy (Nichols) Ward, a great granddaughter of John Nichols:

"The house was built of logs and located above the bridge where the Burkesville road crossed Fallen Timber Creek and near where Nichols Branch and Lick Branch came together and emptied into Fallen Timber Creek. The building was for all faiths, but the main one at that time was the Primitive Baptists, or "Hard Shell" Baptists, which was the only one that believed in the ordinance of foot-washing. John Nichols believed that everyone should have the opportunity to worship as they chose, so in the deed it stated that no one church should interfere with the worship of the other denominations.

"During the rainy season, Nichols Branch and Lick Branch would overflow and make the road so muddy that it was impassable. So the old building was torn down and moved to what is now known as Vernon Hill on the Vernon School Road, one half mile from the Burkesville highway. ...For a time, this building served as both a church and a school-house. Some early members were Nancy Wells, Mildred Wells, Jimmy Martin, Millie Martin, John Pedigo, Lucy Pedigo, Reuben Atnip, James Atnip, Sallie Bailey, Calvin Bailey, Lucy Bailey, Sallie Nichols, B. W. Nichols, Cynthia Nichols, Alabama Bowles, Cassie Rigsby, Millie A. Bowles, Nancy Spencer, and Mary E. Bailey."

Lucy (Nichols) Ward said it was very tiresome to attend church there because they used split-log benches for pews, and the sermons would last for two hours. About 1912, the church was torn down, and church members moved their membership to the Union No.5.

In 1835, county tax records named John Nichols, Sr. as the owner of six horses and 200 acres of land located on Fallen Timber Creek.

On June 24, 1837, John Nichols was awarded Kentucky Land Office Warrant #14240, signed by then Governor James Clark, containing 50 acres of land located on Fallen Timber Creek.

In a deed recorded on January 18, 1838, John Nichols sold and conveyed to George Mauk a certain tract of land located on the waters of Swannigan Fork of Beaver Creek in Barren County containing 45 acres for the sum of \$200.00 (Deed Book Y, p. 611).

The 1840 U.S. Census for Barren County, Kentucky reported John "Nicholds," Sr., as head of the household with the following family distribution: one male 20 to 30, one male 70 to 80, and one female 60 to 70.

John Nichols, like many men during this period of history, was unable to read or write, a condition that required him to "make his mark" instead of signing his name to legal documents. This deficiency resulted in what can best be described as a "misunderstanding" during a land transaction which later led to a lawsuit being filed in the Barren County Court on August 26, 1843, with John Nichols as plaintiff, and Martha Perkins and Ann Mariah Perkins as defendants.

The following is transcribed from Suit No. 1441 of the Barren County Circuit Court wherein John Nichols claimed:

"That on September 14, 1829, he purchased a certain tract of land lying on the waters of Fallen Timber Creek containing 200 acres from John Perkins. Nichols gave to Perkins two notes, one for \$112.00 due eighteen months after the date of the agreement, and the other for \$112.00 due two years and six months after the agreement date. Perkins issued a bond to Nichols obligating himself to convey the tract to him when the purchase money was paid in full. John Nichols also stated that Perkins represented to him at the time that said tract of land contained 224 acres and agreed to throw in or give him 24 acres in consideration for Nichols having the land surveyed and paying for the cost of said survey. John Nichols further stated that he was unable to read or write, and that he trusted Perkins to do the writing between them in relation to this contract. He stated that he had the tract surveyed and that there was only 174 acres instead of 224 acres. He said that the land was poor, and that over the past fourteen years he had made improvements of considerable value to the land. Finally, John Nichols stated that at the time of purchase it was his understanding that he could pay for the land in property, and when he executed the notes, he thought he was bound to pay in property. He stated that he had already paid a considerable amount of interest on the notes, and that according to the original agreement, he has paid more than the amount of said notes, principally in property.

"John Nichols said that sometime in 1841, John Perkins told him that there was interest due on the notes, and Nichols, being ignorant and not appraised of the fact that notes calling for the payment in property, as was his agreement with Perkins, did not draw interest. On November 20, 1841, Nichols executed to Perkins a note for \$74.00 payable in twelve months, but has learned since that this note, like the others and contrary to their agreement, was also made payable in money. Unfortunately, since Nichols could not read or write, he trusted implicitly in John Perkins. Soon thereafter, John Perkins died, intestate, leaving his widow, Martha Perkins, and a child, Ann Mariah Perkins, as his only heirs. Martha Perkins was appointed administrator of her husband's estate, and during the March Term of the 1843 Barren County Court, she sued John Nichols for the \$74.00 note and obtained a judgment for the same, with interest at the rate of 6%. In response to the suit, on August 26, 1843, in addition to the equity suit, John Nichols and his son, Thomas Nichols, filed for an injunction, restraining Martha Perkins from collecting the judgment of \$74.00. In the suit, John Nichols requested that the court cancel and set aside the contract, and that Martha Perkins return the amount he had paid for the land and the interest thereon and the value of his improvements."

The judgment of the Barren County Court was that the defendant, Martha Perkins, convey to the plaintiff, John Nichols, all of his rights and interest in the land described, and it further appointed William Garnett as a commissioner to convey the land to John Nichols and that he make the conveyance in consideration for the sum of \$225 with a clause of general warranty (Suit No.1441, Barren Circuit Court).

On June 19, 1845, William Garnett, appointed as Commissioner for the Barren County Court, conveyed to John Nichols 200 acres lying on the waters of Fallen Timber Creek for the sum of \$225 cash-in-hand. The deed conveyed to Nichols was ordered as the result of an equity suit filed by Nichols against M. Y. Perkins (widow) and Ann Mariah Perkins, infant daughter of John Perkins, deceased (Deed Book T, p. 15). Five years later, on June 12, 1850, John Nichols conveyed the same tract to George Mauk for the sum of \$300 cash-in-hand (Deed Book T, p. 16).

The 1850 U.S. Census for Barren County, Kentucky listed John Nichols, age 80, as head of the household, a farmer, with real estate valued at \$400. Also listed in the household were his wife, Nancy, age 74, and two grandsons, William I. Ward, age 14, and Decrillion Ward, age 9. After their daughter, Elizabeth (Nichols) Ward, died prematurely in 1842, John and Nancy Nichols agreed to take in her two boys and raise them as their own. At the same time, Elizabeth's brother, Leroy Nichols, and his wife, Margaret, who had no children of their own, did likewise and agreed to take her two daughters, Martha J. and Polly Ward, and raise them.

John Nichols died intestate, or without a will, on July 7, 1851 at the age of 80 years old. Shortly after his death, the Barren County Court authorized an inventory of his personal estate, which was conducted by his son, Leroy Nichols, who was appointed administrator. An inventory and appraisal was presented to the court and accepted on August 2, 1851, in which the total appraised value of John Nichols' personal property was assessed at \$188.88, including \$22 in cash and several notes owed to him by various individuals.

The total amount brought in from the estate sale was \$91.02, a record of which was presented to the Barren County Court by Leroy Nichols on August 18, 1851. Following are some of the results of that sale: The widow, Nancy Nichols, purchased a sugar chest for \$2, a bureau for \$2.50, a cupboard for \$7.25, five plates and a kettle and hooks for \$1.25, and first choice of five shoats for \$1; Phillip M. Nichols purchased three chairs for \$0.50, a mowing scythe for \$0.15, second choice of four shoats for \$4, and third choice of four shoats for \$3.50; Abner Nichols purchased a clock for \$0.40, a bed and bedstead for \$2.30, and a red cow and calf for \$7; Elias Nichols purchased a spotted heifer for \$5; Thomas Nichols purchased one calf for \$1; John Nichols, Jr. purchased a bell for \$0.25 and a jug for \$0.50; George W. Nichols purchased a tea pot for \$0.30 and a knife box for \$0.10; James Nichols (son of Phillip) purchased five hogs for \$14; Irvin Ward purchased an auger for \$0.30, a hand saw for \$0.45, and a wedge for \$0.50; Decrillion Ward purchased one steer for \$0.75; Wales Pedigo (son-in-law of Abner) purchased one rifle gun for \$5.10; and Demarcus Nelson (son-in-law of John, Jr.) purchased one saddle for \$2.05. (Inventory Book No. 6, 1849-1853, pgs. 234-236, Barren County, Kentucky Circuit Court).

Because John Nichols died without a will, his son, Leroy Nichols, was appointed his administrator by the Barren County Court, for which he took the required oath and posted bond. On October 16, 1851, acting as administrator, Leroy Nichols filed an equity suit in Barren County, the purpose being to settle his father's estate and enable the court to legally distribute his father's estate among his children and legal heirs. This law suit, known as Case No. 1847, has been of critical importance to anyone interested in the history of the John Nichols family because it identifies the names of all of John Nichols' children, not only the nine offspring who survived him, but also the four children who preceded him in death and had children of their own. Four of John Nichols' children died before he did, and their children (John's grandchildren) became legal heirs in lieu of their deceased parents, and the names of these grandchildren are listed here.

Petition in Equity No. 1847 Filed October 16, 1851, Barren County Circuit Court

Leroy Nichols, Plaintiff

VS.

Elias Nichols, John Nichols, Nancy Nichols, Ann Burch, Robert B. Burch, Philip Nichols, Thomas Nichols, Polly Pursley, John J. Pursley, Abner Nichols, George Nichols, Sophronia E. Pursley, Joseph J. Pursley, Joseph W. Nichols, Elvin J. Nichols, James T. Nichols, Virginia Nichols, William R. Nichols, Samuel H. Nichols, Alexander R. Nichols, Amanda Nichols, Milton Nichols, Newton Nichols, Mary S. Nichols, William J. Ward, Martha J. Ward, Polly A. Ward, Decrillion Ward, Martha A. Lyon, Mary R. Lyon, William J. Lyon, Susan Lyon, and America Lyon, Defendants.

The Plaintiff, Leroy Nichols, states that his father, John Nichols, departed this life on the _____ day of ____. He further states that the said John died intestate and that he was appointed by the Barren County Court, at the time thereof, his Administrator and that he entered into bond as required by law and took upon himself the administration of his said father's estate. He further states that he has not fully settled up said estate, but that he will have his accounts as Admin. audited and settled by the presiding judge of the

Barren County Court, which settlement, when made, or a certified copy thereof, he will file herewith as part of this petition which he prays may be taken as part thereof.

The Plaintiff further states that the said John left at the time of his death the following named children and heirs at law towit: Elias Nichols, John Nichols, Ann Burch, late Ann Nichols who intermarried with Robert B. Burch, Philip Nichols, Thomas Nichols, Polly Pursley late Polly Nichols who intermarried with John J. Pursley, Abner Nichols, George Nichols, and the Plaintiff, Leroy Nichols, and Nancy Nichols, the widow of said John Nichols deceased.

The Plaintiff further states that Richard Nichols, William Nichols, Elizabeth Ward late Elizabeth Nichols who intermarried with Robert H. Ward, and Eliza Jane Lyon late Eliza Jane Nichols who intermarried with Robert H. Lvon, were also children of the said John Nichols, decd. -all of whom departed this life before the said John. The Plaintiff further states that the said Richard Nichols left at the time of his death the following named his only children and heirs at law, towit: Sophronia E. Nichols (who has since intermarried with Joseph J. Pursley) and Joseph W. Nichols. The Plaintiff further states that the said William Nichols left at the time of his death the following named his only children and heirs at law, towit: Elvin J. Nichols, James T. Nichols, Virginia Nichols, William R. Nichols, Samuel H. Nichols, Alexander R. Nichols, Milton Nichols, Newton Nichols, and Mary S. Nichols. The Plaintiff further states that Elizabeth Ward left at the time of her death the following named her only children and heirs at law, towit: William J. Ward, Martha J. Ward, Polly A. Ward, and Decrillion Ward. Plaintiff further states that the said Eliza J. Lyon left at her death the following named children who are her only children and heirs at law, towit: Martha A. Lyon, Mary R. Lyon, William J. Lyon, Susan Lyon, and America Lyon. [Author's Note: For some reason, George Harvey Nichols, one of the infant children of the deceased William Nichols was not named, and it is believed that this omission was an oversight on the part of the court.]

The Plaintiff further states that the said James T. Nichols, Virginia Nichols, William R. Nichols, Samuel H. Nichols, Alexander R. Nichols, Amanda Nichols, Milton Nichols, Newton Nichols, Mary S. Nichols, William J. Ward, Martha J. Ward, Polly A. Ward, Decrillion Ward, Martha A. Lyon, Mary R. Lyon, William J. Lyon, Mary S. Lyon and America Lyon are infants under the age of 21 years.

The Plaintiff further states that the said John at the time of his death was the owner and had legal title to two tracts of land, lying and being in Barren County and within the jurisdiction of the Barren Circuit Court, one of said tracts contains 30 or 40 acres, the other tract contains one hundred acres. For a more particular description of said land reference is made to a deed of conveyance made to the decd. John by Edmond & B. G. Willis and reference is also made to a Patent which was issued to said John from the Commonwealth of Kentucky, which Patent bears the day of _____ which together with said deed is herewith filed as part hereof marked A & B. Plaintiff further states that said father many years before his death laid a warrant on 50 acres of land in this county for which Plaintiff further states that a Patent was issued, which when found he will file herewith as part hereof. The Plaintiff further states that he is of the opinion that all of said land is not worth more than the sum of four hundred dollars.

Plaintiff further states that his mother, Nancy Nichols, the widow of the said John Nichols, decd. has not had dower allotted her in the lands of her said husband. Plaintiff further states that Joseph W. Nichols, Mary Nichols, Elvin J. Nichols, James T. Nichols, Virginia Nichols, William R. Nichols, Samuel H. Nichols, Alexander R. Nichols, Amanda Nichols, Milton Nichols, Newton Nichols, and Mary S. Nichols are non-residents of the state of Kentucky. Plaintiff prays for _____ against the said defendants and that they be compelled to answer this petition. Plaintiff prays for a sale of said land except the dower interest of the said Nancy Nichols and that the proceeds be equally divided amongst the heirs at law of the said John Nichols, decd. and for all proper relief.

Sworn before me by Lee Roy Nichols, October 16, 1851.

W. E. Mumford, C. B. C. C.

John Nichols is buried alongside his wife in the older section of the Bowles Cemetery (originally known as the Nichols Cemetery), located on a hill south of the Vernon School Road. The exact location of his grave can no longer be identified because the fieldstone slabs, which were used for headstones on many of the early graves, were later replaced with concrete markers. Unfortunately, these concrete markers have weathered so badly that many of the inscriptions are no longer legible. The old cemetery, itself, is well-kept and looks down upon the former site of John Nichols' homestead, just a few hundred yards away.

The present day site of John Nichols' old home place is a little knoll overlooking Bailey's Branch, about one mile upstream from the intersection of Bailey's Branch with Lick Branch, before it flows into Fallen Timber Creek. The old cabin was located on the north side of the creek less than 100 yards from the spring where the family got their drinking water and kept their perishables. The spring empties into Bailey's Branch and is still flowing strong and cold today. Bailey's Branch is the name of the creek as it appears on current topographic maps, but in early days it was known as Nichols' Branch. The house was originally a log cabin built from poplar logs, but it was later covered with clapboard siding and a small addition was added onto the rear. After John and Nancy Nichols were deceased, a granddaughter, Alabama (Nichols) Bowles, resided in the home for many years. Later, several tenants lived in the place until the 1950's when it was abandoned. The structure was finally torn down and hauled away in the 1980's, and no physical evidence of the old house remains today, except for the site where it once stood. The 100 acre tract of land that comprised John Nichols' original home place has remained pretty much intact over the years, and today the farm consists of about 85 acres, and the owner is Prentice Groce, who lives in Mt. Hermon, Kentucky.

More About NANCY R. BURCH:

After her husband's death, Nancy (Burch) Nichols spent her final years residing in the household of her son, Thomas Nichols. She died in 1855, and is buried alongside her husband in the Bowles Family Cemetery. (Note: The author is not completely certain as to the exact year that Nancy Burch Nichols died. Her gravesite in Bowles Cemetery can no longer be identified, and no reference to her demise has been located in the county records. The dates of 1855 and 1866 have been cited by various workers, but since her name did not appear in the 1860 U.S. Census for Barren County, the year 1855 was chosen here as the most likely year of her death.)

In an indenture dated June 17, 1853, Nancy Nichols, widow of John Nichols, in consideration of the fact that her son, Thomas Nichols, had agreed to take care of her in her old age, provide board, clothing, and such necessities suitable for a woman of her age, agreed to sell and convey to said Thomas Nichols all her rights in a certain tract of land which she held as a dower from the lands of her deceased husband. (Deed Book V, page 397).

Some Final Comments on the Ancestry of John Nichols

It has been reported from various sources that John Nichols' father was also named John Nichols and that his mother was named Elizabeth Legrand. In fact, when the author began researching the Nichols family, he was made aware of this information early on. Furthermore, the story was told that John Nichols' mother, Elizabeth, is buried in the Bowles Cemetery in Barren County, the same place where John and Nancy and many of their descendants are buried. Many years ago, some of the original gravestones located in the old part of the Bowles Cemetery were replaced with concrete blocks, upon which were inscribed the names and dates of the individuals buried there. Unfortunately, the concrete material has weathered so badly that most of the inscriptions are illegible today. However, according to the Barren County, Kentucky Cemetery Records Book, two of these concrete headstones bear the name of Elizabeth Nichols. One block carried the dates, 1754 - 1832, but the other block had only a name with no dates. Some descendants have speculated that one of these graves may be that of John Nichols' mother.

Certainly the possibility exists that John Nichols' had a mother named Elizabeth, although it must be stated that absolutely no evidence has been found to either support or deny this notion. However, the author is convinced that she was not a Legrand. This misconception probably stems from the fact that there really was a person named Elizabeth Legrand Nichols who resided in Barren County in 1840 and who died there in 1841. The Public Inventory Book, 1837-1842, located in the Barren County, Kentucky courthouse archives, indicates that a public sale was held in January 1841 to settle the estate of "Elizabeth Nichols," deceased. Listed among the list of individuals who purchased property at the auction was Aggie Legrand, who bought a water pail, a butter churn, a pitcher, five plates, three chairs, a bedstead, a bed and twenty one head of geese. It is important to note that neither John Nichols nor any of his family was listed among the purchasers of her household goods. Clearly, if she had been a close relative, several members of the John Nichols family would have been represented there.

The author believes that the Elizabeth Nichols named in the inventory book was, in reality, Elizabeth Legrand, the daughter of Abraham Legrand, Jr. and a descendant of the Nichols family from Halifax County, Virginia. The patriarch of that family was John Nichols (1700-1774) who married Mary Owen. They had ten children, including Agnes (Aggie) Nichols (b. abt. 1727). Aggie Nichols married Abraham Legrand in Pittsylvania County, Virginia abt. 1745, and they had eight children, including Abraham Legrand, Jr., who married his cousin, Lucy Owen, in December 1784. They, in turn, had nine children together, including daughters named Elizabeth, Aggie and Susan. According to descendants of the Halifax County Nichols family, Elizabeth Legrand married a Nichols, but his first name is not known. In 1809, Abraham Legrand, Jr. died in Mercer County, Kentucky, and after his death, Lucy Owens Legrand, presumably with several of her children, traveled another 100 miles west and settled in Warren County, Kentucky. She is listed in the Warren 1810 and 1820 U.S. Census reports. Her son, Joel Legrand, appeared in adjoining Allen County in the 1820 U.S. Census. By 1830, census records show that Lucy Legrand had moved to Barren County, and, in fact, she died there in 1837. For those readers unfamiliar with the area, Barren County adjoins Warren County on the east and Allen County on the north.

A year before her death, Elizabeth Nichols was listed in the 1840 Barren County census, and her age category was given as "40 to 50 years old," which would place her birth in the 1790's, consistent with the births of her sisters, Aggie and Susan Legrand. Both Aggie and Susan Legrand were listed living together in the same household in the 1850 Allen County census, so evidently they remained spinsters. The identity of Elizabeth Legrand's husband is a mystery, but he was definitely not closely connected with the Barren County Nichols family and may have come from north central Tennessee.

There is additional evidence that would seem to refute the notion that John Nichols' mother ever came to Kentucky, much less was buried in the Bowles Cemetery. John Nichols and his family were listed in the 1810 U.S. Census for Mercer County, Kentucky, and the census record shows only two females living in the household at the time with the following age distribution: One female under 10 years old; one female between 26 and 45 years old. Nancy Nichols would have been the female in the 26 to 45 category, and her daughter, Anne, would

have been the young girl. There was no older female residing in the household. The same result holds true when examining the 1820, 1830 and 1840 U.S. Census for Barren County, Kentucky. There was never an older female listed in John Nichols' household as one might expect if his mother had been a resident of Barren County.

Future Research

The area around Fauquier and Loudoun Counties, Virginia seems to hold the most promise for solving the mystery of John and James Nichols' ancestry and the identity of their parents. During the research for this chapter, the names of several individuals were encountered who deserve further investigation, none of whom appear to be connected to the "Goose Creek" Nichols family of Loudoun County:

- 1. Alcock in his publication, "Fauquier Families, 1759-1799," mentions a John Nichols, who died in Fauquier in 1772, and Peter Kamper, Jr. was appointed administrator and an inventory was ordered (Minute Book 4, page 371). The possibility exists that John and James were orphans, or at least they may have lost their father at an early age.
- 2. Alcock, in the same publication, also mentions a John Nichols, who, along with his wife, received an allowance for poor persons in 1788 (Minute Book 8, page 465). County residents who were considered indigent were exempt from paying taxes, which would explain why this individual was never named on the Fauquier tax rolls.
- 3. William Nicholas appeared on the Fauquier tax rolls for only two years, 1784 and 1785, and was absent from the county thereafter. In 1785, there were four court cases in which William Nichols served on the jury (Minute Book 7, page 239). Presumably, these records all refer to the same individual, and since John Nichols oldest son was named William, this individual bears further checking.
- 4. Two individuals, Richard Nicholass and John Nicholass, were both named on the Loudoun tax rolls for one year, 1788, and were absent thereafter. The fact that their names appear in Loudoun in the same year that John and James first appear in Fauquier may be significant. Both John and James had a son named Richard.
- 5. In 1787, the tax rolls for Frederick County, Virginia named John Nichols as a white tithable between 16 and 21 years of age and listed him under Samuel Hackney, who paid his tax. On the same tax rolls, residing in the same tax district, were several other Nichols men including: John Nichols, who paid the tax for James Nichols; John Field Nichols; and Nathaniel Nichols, who paid the tax for Thomas Nichols. As intriguing as this group seems to be, further checking revealed that they migrated to Fayette County, Kentucky, and then eventually on to Boone County, Missouri. This family probably deserves a second look.

Until the identity of John Nichols' parents is known, especially that of his father, it is doubtful if county tax records will provide much additional help. Prior to 1787, counties in Virginia only listed the names of persons charged with paying the tax (generally, white adult males who were heads of household), and John and James Nichols, being minors, would not have been named. Will books and land deeds may hold some leads, but the most promising source for future research may prove to be chancery records, county court order books, and possibly even guardianship and apprenticeship records.

Descendants of John Nichols

Generation No. 1

1. JOHN² NICHOLS (UNKNOWN¹) was born Abt. 1770 in state of Virginia, and died July 07, 1851 in his home near Elbow Springs, Barren County, Kentucky. He married NANCY R. BURCH Abt. 1793 in Fauquier County, Virginia, daughter of LEONARD BURCH and MONICA WEBSTER. She was born November 17, 1778 in St. John's Parrish, Prince George County, Maryland, and died September 01, 1855 in Barren County, Kentucky, at the home of her son, Thomas Nichols.

Children of JOHN NICHOLS and NANCY BURCH are:

- WILLIAM FRANKLIN³ NICHOLS, b. August 01, 1794, state of Virginia; d. March 05, 1847, New Providence, Boone County, Missouri; m. MARY A. ROUNDTREE, June 24, 1823, Barren County, Kentucky; b. February 05, 1808, state of Kentucky; d. February 28, 1870, New Providence, Boone County, Missouri.
- ELIAS LACY NICHOLS, b. January 27, 1798, Amherst County, Virginia; d. January 10, 1876, Barren County, Kentucky; m. LUCINDA SPENCER, November 15, 1825, Barren County, Kentucky; b. April 15, 1804, state of Kentucky; d. November 09, 1845, Barren County, Kentucky.
- RICHARD NICHOLS, b. 1799, Amherst County, Virginia; d. 1830, Barren County, Kentucky; m.
 MARGARET FRANCES "PEGGY" BURCH, October 08, 1822, Barren County, Kentucky; b. January 21, 1799, Fauquier County, Virginia; d. June 01, 1858, Marion County, Iowa.
- iv. JOHN NICHOLS, JR., b. 1800, state of Virginia; d. Bet. July 1875 October 1876, Probably Metcalfe County, Kentucky; m. MARY RANES, Abt. 1824, Unknown; b. state of Virginia; d. Bef. 1850, Prob. Barren County, Kentucky.
- v. ANNE NICHOLS, b. September 14, 1801, state of Virginia; d. June 19, 1883, Linn County, Oregon; m. ROBERT BENHAM BURCH, May 31, 1821, Barren County, Kentucky by Ralph Petty; b. July 11, 1797, Fauquier County, Virginia; d. April 17, 1895, Philomath, Benton County, Oregon.
- vi. PHILLIP MATTHEW NICHOLS, b. May 29, 1802, state of Virginia; d. Abt. 1852, Barren County, Kentucky; m. FRANCES POIL "FANNY" BURCH, November 19, 1826, Barren County, Kentucky; b. December 19, 1806, Amherst County, Virginia; d. October 18, 1872, Marion County, Iowa.
- vii. THOMAS NICHOLS, b. Abt. 1807, Mercer County, Kentucky; d. Abt. 1885, Barren County, Kentucky;
 m. (1) LUCY MCCOY RANES, November 21, 1828, Barren County, Kentucky; b. July 1809, state of Virginia; d. March 1872, Barren County, Kentucky; m. (2) MARTHA ATNIP, June 18, 1876, Barren County, Kentucky; m. (3) REBECCA SMITH, 1877, Barren County, Kentucky; b. Abt. 1820, state of North Carolina.
- viii. ABNER K. NICHOLS, b. May 10, 1810, Mercer County, Kentucky; d. October 17, 1867, Barren County, Kentucky; m. SARAH "SALLY" SLAYTON, November 03, 1829, Barren County, Kentucky by Andrew Nuchols; b. Abt. 1811, state of Kentucky; d. Abt. 1874, Barren County, Kentucky.
- ix. MARY "POLLY" NICHOLS, b. February 22, 1811, Prob. Mercer County, Kentucky; d. August 27, 1883, Barren County, Kentucky; m. JOHN JAMES "JACK" PURSLEY, March 24, 1829, Barren County, Kentucky; b. August 02, 1805, Amherst County, Virginia; d. April 22, 1883, Barren County, Kentucky.
- x. ELIZABETH NICHOLS, b. Abt. 1813, Barren County, Kentucky; d. August 30, 1842, Barren County, Kentucky; m. ROBERT H. "BOB" WARD, April 04, 1834, Barren County, Kentucky by Rev. Andrew Nucholds; b. July 1813, state of Virginia; d. Aft. July 1860, prob. near Knoxville, Iowa.
- xi. GEORGE WEBSTER NICHOLS, b. December 09, 1814, Barren County, Kentucky; d. August 19, 1894, Hart County, Kentucky; m. MARTHA MILDRED SPENCER, May 05, 1839, Barren County, Kentucky by Rev. Andrew Nuchols; b. August 18, 1815, state of Kentucky; d. February 23, 1892, Hart County, Kentucky.
- xii. LEROY NICHOLS, b. February 26, 1817, Barren County, Kentucky; d. March 15, 1898, at the home of W. I. Ward, Barren County, Kentucky; m. MARGARET ANN MORRISON, November 10, 1841, Barren County, Kentucky; b. June 22, 1817, state of Kentucky; d. September 01, 1894, Barren County, Kentucky.
- xiii. ELIZA JANE NICHOLS, b. Abt. 1818, Barren County, Kentucky; d. 1850, Barren County, Kentucky; m. ROBERT H. "BOBBY" LYONS, August 07, 1839, Barren County, Kentucky; b. May 04, 1818, Barren County, Kentucky; d. November 20, 1897, Hart County, Kentucky.

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1. A portion of the 1788 tax rolls for Fauquier Co., Virginia naming Cornelius Skinner as the person chargeable with paying the tax and showing James Nichols and John Nichols as males above the age of 16 residing in his household. Neither James nor John would have owned any taxable property.



2. A portion of the 1792 tax rolls for Fauquier Co., Virginia naming Birch Vermillion as the person chargeable with the tax and listing John "Nicols" as a free male above the age of 16 residing in his household. James Nichols' name is found elsewhere on the tax rolls listed under the "N's" since he owned a horse and was thus chargeable with a property tax.



3. A portion of the 1796 tax rolls for Amherst Co., Virginia naming James Nichols and John Nichols as taxpayers. Each man is shown as the owner of one horse.

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4. A portion of the 1806 tax rolls for Mercer Co., Kentucky naming James Nichols and John Nichols as taxpayers. John is shown here as the owner of four horses and James has two horses. Neither man owned any real estate, but John would purchase 200 acres in Barren Co. in 1812.

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5. John Nichols was officially granted title to his 100 acres, located on the waters of Fallen Timber Creek in Barren Co., Ky., by Governor Isaac Shelby on June 26, 1813. The land grant was originally obtained by Robert Dougherty in September 1798, and he later reassigned the tract to John Nichols.



6. Photograph of John Nichols? This image came from a descendant who lived in California and is now deceased. Although he could not remember for certain, he thought that he obtained the photo from Grace (Nichols) Polson on a trip made to Barren Co., Ky. in the 1940's. Photograph possibly copied from a daguerreotype.



7. John Nichols' old home place located on Bailey's Branch about one half mile above Fallen Timber Creek in southern Barren Co., KY. The original log cabin was later enlarged and covered with siding. Sallie Nichols, a great-great-granddaughter, can be seen standing in front. Photo taken in 1950's



8. Side view of John Nichols' home showing the extension added to the rear of the building in later years. Alabama Bowles, a granddaughter of John Nichols, lived here many years until her death in 1907. The house was torn down in the 1980's.



9. Rear view of the house showing the poplar logs exposed when the rear extension was torn away. The cabin was built about 1812 when John Nichols first settled in the area. Nothing remains on the site today except the little knoll where the house was situated and the spring that provided drinking water a short walk away.



10. John Nichols' home viewed from the Bowles Cemetery looking south. The line of trees beyond the house shows the location of Bailey's Branch which flows into Fallen Timber Creek. Photograph taken in the late 1950's.



11. This straight razor once belonged to John Nichols and has been handed down to his descendants through the years. The initials "J. N." have been hand-tooled on the handle. The razor is currently in the possession of Carl Nichols of Barren Co., Ky.