

THE RHODES FAMILY IN NICHOLAS CO. KY

In the ensuing eleven years between 1789 and 1800 Beacham Rhodes seems to be absent from the records of Mason county. Several counties were formed from Mason during that time period and Beacham has not been found in the records of any of these counties. Mason County was formed from Bourbon in 1788. In 1794, Campbell and Bracken were formed from Mason. Then in 1798, Fleming county, which encompassed the area containing Stockton's station was formed from Mason County. Nicholas county, which adjoins Fleming and is separated from Fleming County by the Licking River, was formed in 1799, but it's parent county is Bourbon County, which also is the parent county of Mason.

Bourbon Co. was formed from Fayette Co.¹, one of the original three counties of Kentucky, in 1786. Researching the tax lists for Bourbon Co.² for the years 1789 through 1800, we find that Beacham Rhodes paid taxes there in 1793 and 1797. He very likely also paid taxes there in 1794, 95, 96, 98, and 99, but the lists for his district for those years have probably been lost. Tax information for these early years is sometimes incomplete. Since Beacham lived in Nicholas County for several years and since Nicholas was formed from Bourbon, it seems likely that he entered the land where he lived as early as 1793, and maybe as early as 1790, and remained there until he moved to Grayson County in 1819 because, the last we see of him in Mason County was in 1789. If this is true, this Rhodes family lived on the Licking River place for a total of 29 years.

Beacham Rhodes appears on an 1800 Tax list for Nicholas County.³ This is the year after Nicholas Co. was formed from Bourbon. It would appear that soon after he is seen in Mason County, he moved to Bourbon County in the area that was later made into Nicholas. Apparently, however, he had close ties with Fleming Co. because in August 1804 he witnessed a deed between John Lair of Harris Co. KY and William Wishard of Fleming Co. in which Wishard bought Fleming County land which was part of a 400 acre tract of land patented to John Lair and granted to him by the state of Virginia.⁴

Also in 1808 Beacham brought suit in the March term of the Fleming County circuit court against one James Evans for non payment of a note for \$30.00, which was due 5 Aug 1807 and had not been paid. The case was decided in favor of Beacham and Evans was ordered to pay the money to him.⁵

In the Nicholas County order book, there is a notation that in the June court 1801, a report was made by the persons appointed to view and mark a road from where Wilson's road crops the Montgomery County line, along the dividing ridge between the waters of Licking and Cassidy to the forks of the Cassidy near George Myers. The report was confirmed and it was ordered that a public road be established agreeable thereto. It was also ordered that Beecham Rhodes be appointed overseer over the same and that Thomas Vaughn, Gent. allot the hands to assist him in opening and keeping the same in good repair Thomas Vaughn was the county clerk at the time.⁶

Beacham Rhodes apparently owned considerable land in Nicholas Co. along the Licking River near a tributary called Graves Run. There are two deeds recorded in the Nicholas Co. records

that show him buying land. One is from Phillip Stoops dated 2 Feb 1813 for 100 acres and another from Michael Cassady dated 26 Oct 1818 for 156 3/4 acres. In addition, there is a deed to Beacham's son, Silas Rhodes dated 12 Mar 1812 from John Fowler for 99.2 acres.⁷ There is evidence to indicate that Beacham Rhodes and his family actually lived on the land deeded to him by Cassady long before 1818. The 1818 deed was probably issued in lieu of an earlier deed made invalid because of land disputes. Beacham left Nicholas County in 1819, as evidenced by tax records⁸, and it is believed that the 1818 deed was issued to clear up his title to the land so that he could sell it before leaving the county.

In the October 1807 court in Nicholas Co. KY, Michael Cassady entered a bill in Chancery in which he complained that John Fowler was claiming land that properly belonged to him.⁹ The bill stated that on 3 Jan 1783, he made an entry for 5643 acres of land in the name of Ephriam Gaither who had a Treasury Warrant for that amount of land. In March 1784 a survey was made by the Fayette Co. Surveyor, for this parcel of land, and a patent was subsequently issued to Gaither for this parcel. A plat of this survey was entered into court.

Cassady also showed evidence that Gaither had conveyed 2500 acres of this parcel to him in consideration of his services in making the entry. The plat made by the Fayette Co. Surveyor showed the division of Cassady's 2500 acres.¹⁰

Sometime in 1784, John Fowler, a clerk in the county of Fayette filed an entry which encompassed Gaither's patent. When Cassady found out about this he confronted Fowler who convinced Cassady that if he would not take this to court, he, Fowler, would surrender the disputed land. Cassady proceeded to sell parcels of his 2500 acres to several people, and one of the purchasers was Beacham Rhodes. Subsequently Fowler contacted these land owners and tried to convince them that they did not have valid titles to their farms because Cassady did not own the land he sold to them.¹¹

This was the situation in 1812, when beacham's son, Silas was ready to buy land. Therefore, Beacham arranged with John Fowler to purchase 99.2 acres next to his farm which was to be deeded to Silas. For this reason Beacham Rhodes was on record as having purchased land from both Cassady and Fowler in the disputed claim.¹²

Upon hearing of Fowler's activity, Cassady entered his bill into court. This case was continued from court to court in Nicholas Co. and in 1816 it was transferred to Fleming Co. through a change in venue action. In the ensuing years many depositions were taken by both sides, among which were depositions given by both Beacham and Silas Rhodes. It is from these depositions that we have gleaned considerable knowledge about Beacham Rhodes and his family, and their activities during this period.¹³

In a deposition taken in 1811, Beacham Rhodes states that he is 49 years old. This would make his birth year 1762. In this same deposition, Michael Cassady asked Beacham when he first saw the initials MC on the Sycamore tree. Beacham answered "about fifteen years ago." Cassady then said, "Living near this place, have you seen them since". Beacham answered, "often". Later in the deposition Cassady asked him if he had purchased 100 acres from John

Fowler in Gaithers claim and also if he had purchased another 100 from himself, Cassady. Beacham answered that he had done both. This confirms the fact that Beacham bought his land considerably before 1818 and most probably in about 1796 since he first saw the sycamore tree with the letters MC marked on it 15 years before 1811. The Sycamore tree was important because Cassady was trying to prove that this was the marker at the beginning of the survey of Gaither's claim.¹⁴

On 1 Jun 1815 Silas Rhodes gave a deposition at his house to be read as evidence in the case of Cassady VS Fowler. He first states that he is 30 years old which puts his birth year at 1785. He also states that he has lived in the vicinity of Graves run for the past seventeen or eighteen years. If this is true, he came there in 1797 or 98. This correlates fairly well with the statement that Beacham made in his 1811 deposition when he said that he had seen the sycamore tree about fifteen years ago. Silas would have been a young boy of 12 or 13 years in 1797 or 1798, and he would have been 11 or 12 years old when the family first came to the area according to Beacham. Silas says in his deposition that his father, Beacham Rhodes showed him the tree. This deposition shows us that Beacham was Silas' father, and it confirms the approximate date when the Rhodes family moved to this farm on the Licking River.¹⁵

Silas was also asked if he knew whether his father, Beacham Rhodes held any land by purchase from the defendant, John Fowler, and whether or not he holds the land where he now lives by purchase from the plaintiff, Michael Cassady. Silas answered that he did not believe that his father held any land under the claim of John Fowler, but that he does hold the land where he now lives by purchase from Cassady. Further questioning revealed the fact that Silas' father Beacham Rhodes made the contract with Fowler for his son's benefit and that Fowler conveyed the land to Silas.

The aforementioned deed from John Fowler to Silas Rhodes dated 20 March 1812 is recorded in the Nicholas County court house which confirms this.¹⁶

Tax records on file in the Nicholas Co. court house show that Beacham Rhodes paid taxes in that county from 1800 through 1818 and that in 1819 and following years he does not appear on the tax list. The list shows that he lived on land where the waterway was the Licking River so apparently he lived in the same area for the entire 24 or 25 years that he was in Nicholas Co.¹⁷

The records also show that Silas Rhodes paid taxes in Nicholas Co. from 1811 through 1821.¹⁸ Marriage records show that he married Elizabeth Carnahan in 1810¹⁹ and Land records show that he bought the farm next to his father, Beacham, in 1812²⁰. Silas is listed on the 1820 Federal census of Nicholas county, But Beacham is not on this census. It will be shown later that Beacham moved to Grayson county KY in 1819 and that Silas is in Vermillion Co. IN, in 1830.

Other evidence of this family in Nicholas county is found in the marriage records. We have already mentioned the marriage record of Silas. In addition Beacham Rhodes signed marriage bonds for four of his daughters: Rachel, who married George Tarvin in 1812, Phebe, who married James Gillespie in 1814, Mickle, who married Samuel Vogan in 1816 and Ary who married William Baird in 1818.²¹

In addition, Beacham signed a marriage bond for Betsy Rhodes to marry William Wishard Jr.

in 1802²². Evidence indicates that this Betsy may be the daughter of Jacob Rhodes who died in 1800 leaving Elizabeth, his wife and children Elizabeth (Betsy), Ruth, Lydia, Andrew and Samuel.²³ Jacob Rhodes' wife was Elizabeth Furlow, the daughter of Robert and Catherine (McQuire) Furlow. After the death of her husband, Jacob Rhodes, Elizabeth married a widower, William Wishard Sr. The fact that Beacham signed the marriage bond for Betsy's marriage to William Wishard, seems to indicate that Beacham and Jacob, Betsy's father, may have been closely related. Possibly they were brothers. We have no evidence to support this, but it seems to be a valid conjecture, given the circumstances.

Another item of interest is that the marriage records of Fleming county KY²⁴ lists marriages of two Samuel Rhodes. One is listed as Samuel E. Rhodes and the other is just Samuel Rhodes. Samuel E. married Susannah Wishard and The other Samuel married Mary Burns. Samuel E. is listed on the Nicholas Co. tax list for 1826²⁵ and he appears on the census of Nicholas Co. in 1830 and 1840. Descendants of Jacob Rhodes claim that Samuel who married Mary Burns was Jacobs son²⁶.

Evidence seems to indicate that Samuel E. Rhodes was the son of Beacham. Samuel E. Rhodes and Susannah Wishard were married in 1819.²⁷ Susannah was the daughter of William Wishard Jr. and Betsy Rhodes and therefore Samuel E. And Susannah were first cousins once removed. This is what the evidence seems to indicate, but the parentage of both Betsy Rhodes and Susannah Wishard has not been firmly proved.

It will be shown later that Two other sons, Harlan and Enos also moved to Grayson County with the family. The 1820 census of Grayson Co. lists two teen aged male children and a young girl in the Beacham Rhodes household along with him and his wife. We have no data on the girl, but she could have been the daughter of Sarah, Beacham's second wife, by her first husband, but this is only a guess based on circumstance.

In summary, research of land records, tax lists, marriage records, and court records indicates that Beacham brought his family to the Licking River area in what was then Bourbon Co. KY in the early 1790's. They bought land and settled there making their living at farming. Their family consisted of four boys; Silas, Samuel, Harlen and Enos, and four girls; Rachel, Phebe, Mickle and Ann Ary. The land which he bought and lived on became involved in a dispute between Michael Cassady and John Fowler, which made title to the land in question for several years until the case was settled in 1818, at which time he sold out and moved to Grayson county.

1. Everton, George B. Sr. ed. The Handy Book For Genealogists, 7th Ed. Logan Utah. 1981: Everton Publishers Inc.

2. Tax Lists; Bourbon Co. KY: Microfilm of original records on file in the Kentucky State Archives, Frankfort KY.

3. Tax Lists; Nicholas Co. KY: Microfilm of original records on file in the Kentucky State Archives, Frankfort KY.

4. Fleming County Deed Book C Abstracts, 1803-1808.

5. Case File #1134, Fleming Co. KY Circuit Court: Original records on file in the Fleming Co. KY Courthouse Archives files.

6. Nicholas Co. KY Court Clerk's order book, June Court, 1801: Microfilm of original records on file in the Nicholas Co. KY Public Library, Carlisle, KY.

7. Nicholas Co. KY Deed book C pp298 & 371; Book E pp273, 279 & 458: Original records on file in the Nicholas Co. KY Clerk's Office.

8. op cit. Nicholas Co. KY Tax Lists.

9. Fleming Co. KY Court case #2923: Original records on file in the Fleming Co Courthouse Archives files.

10. *ibid.*

11. op cit. Case file #2923.

12. op cit. Case file #2923

13. op cit. Case File #2923.

14. op cit. Case File #2923.

15. op cit. Case File #2923.

16. op cit. Case file #2923.

17. op cit. Nicholas Co. KY Tax lists.

18. op cit. Nicholas Co. KY Tax lists.

19. Nicholas Co. KY Marriage bonds: microfilm of original records on file in the Kentucky State Archives, Frankfort KY.

20. op cit. Nicholas Co KY Deed books C & E.

21. op cit. Nicholas Co. KY Marriage Bonds.

22. op cit. Nicholas Co. KY Marriage bonds.

23. Correspondence in the writer's files from descendants of Jacob Rhodes; Wilma Koelling, George Bretton & others.

24. Fleming Co. KY Marriage Bonds: Microfilm of the original records on file in the Kentucky State Archives, Frankfort KY.

25. op cit. Nicholas Co. KY Tax Lists.

26. op cit. Writer's correspondence.

27. op cit. Fleming Co. KY Marriage Bonds.