

## THE FORGOTTEN MURDER OF SEVIER COUNTY'S SIMEON PERRY

By J.A. SHARP

The brutal murder, in 1826, of Simeon Perry, Sevier County's second county court clerk and one of the County's most prominent citizens, and the imprisonment of an innocent man and his subsequent release after the confession of the real murderer, must have provided the County's five thousand inhabitants with all the thrills, excitement and horrors of a modern TV murder mystery.

Simeon Perry was the son of Francis Perry, early settler of Sevier County. Simeon was the captain and commander of a company of Sevier County men in the War of 1812; his company was part of the regiment commanded by Colonel Samuel Wear. His first wife was Mary Thompson Wear, daughter of Colonel Wear. After her death in 1821, he was married to Elizabeth Rogers, daughter of Josiah Rogers. He became circuit court clerk about 1812, and represented Sevier and Blount counties in the State Senate during the legislative session of 1815-1816. In 1817, Colonel Wear's death left vacant the position of county court clerk, and Simeon Perry was chosen to succeed him. Perry was so prominent that Sevier County families, not related to him, named their sons for him.

No Sevier County circuit court records of Perry's murder are available, because such records were lost in the court house fire of 1856. Fortunately for the preservation of this bit of Sevier County history, two contemporary Knoxville newspapers carried accounts of the murder. The Knoxville Enquirer, of October 18, 1826, stated: "Horrible murder. On Tuesday night last, Major Simeon Perry, of Sevier County, was assailed by an assassin, when asleep in his own house, and a severe wound was inflicted on his head with a hatchet, of which he died on the 13th inst. Major Perry was a highly respectable citizen and a worthy man. We understand the murderer has been apprehended."

Then one week later, October 25, 1826, the Knoxville Register identified the alleged murderer in the following: "Died on Friday the 13th inst. at his residence in Sevier County, Col. Simeon Perry, in the 41st year of his age, from a wound received at 5 o'clock A.M. on Tuesday the 10th, whilst asleep in his bed. He was hit with a hatchet by a person since identified as John J. Nichols."

John J. Nichols was married to Margaret Scantlin in Bedford County, Virginia, in 1816. He came to Sevier County with his family about 1819 and settled near Sevierville. There were three sons in the family, Elijah, P.B. and Wyatt Nichols and two daughters, Clarissa and Sarah Nichols. It is believed that John J. was a nephew of Flayl Nichols, Revolutionary soldier of Bedford County, Virginia, who settled earlier, about 1790, on the West Fork of Little Pigeon; Flayl's home and mill were on the farm recently sold by Frank Mullendore.

Recorded proof of the innocence of John J. Nichols was found in the Tennessee Archives at Nashville. Preserved there is a report of cases docketed in the Sevier County circuit court from January, 1825, to July, 1829, filed by Pleasant M. Wear, circuit court clerk. In the January term, 1827, John J. Nichols was acquitted of the charge of "Murder," but no details were given, and there was nothing in the record to indicate that it was the murder of Simeon Perry. However, it is a

safe assumption that the Sevier County circuit court acquitted Nichols of the M Perry murder in January, 1827, about three months after the commission of the crime.

Although 131 years have passed since the murder, a few traditions have survived among the descendants of the falsely accused John J. Nichols. Mr. Ralph Nichols, former head of Knox County's John Tarleton Institute, remembers stories told him by his great aunt, Mary Nichols, Sevierville seamstress for many years. She said that her great grandfather was imprisoned in the Sevier County jail, and released after the confession of a Negro slave who took the officers to the hidden murder weapon, the bloody hatchet. The slave was hanged for the murder, but Ralph does not remember that his Aunt Mary knew the motives of the murderer, or why her great grandfather was charged with the crime.

The identity of the slave, his motives, and the reasons for the arrest and imprisonment of John J. Nichols are lost forever unless some reader possesses information not available to the writer.

"Gallow's Hill" in Sevierville, where the late Vindicator Bill Montgomery lived, may have been the site of the hanging of the murderer of Simeon Perry. Old people in Sevierville remembered that a man was hanged there, and they gave the hill this name.