

## COLONIAL U

- ① In 1654 Valentine Patten and Robert Nuhard both of Westmoreland Co VA were recorded as being the party which brought one Mich. Upchurch to America. From "Early Virginia Immigrants 1623-1666" by George Cabell Green 1973 (12)
- ② Michael U I came to VA in 1649-1650 or before. Letter dated 27 MAR 1651 by him sent to England reveals wife's name as Frances - probably Delke. [NOT DELKE-RPU] Michael U I leased land in York Co VA 2 JAN 1656. (at Lawrence's Creek). On 4 NOV 1662 Michael U I witnessed a deed at Lawrence's Creek. Michael U I was born about 1620 - was involved in tax rebellion on 12 DEC 1673. In 1663, 1668, 1678 Michael U I was listed as tithable at Lawrence's Creek Parish Church (Surrey Co VA) - exempt from taxes 1679 - death date not known. Michael U and Frances (Delke) U appear to have had 3 children - 2 sons + dau.
1. Richard
  2. Michael Jr. (II)
- [This input (2) from UPCHURCH FAMILY BY BELLE WEST]
- ③ See Records obtained by RPU on 23 FEB 1978 Visit to Nat'l Society Colonial Dames XVII Century Office - Washington, DC
- A. Pg 13 "In State Library of Richmond VA - The Magazine of VA History. The Ferras Papers Vol 11 Pg 44 - Commemorated by Michael U Little Gedding Ealing England 1626-1688 to Virginia Ferras who acted for her father who was a deputy to the Secretary. A quaint letter to her by Michael U 27 MAR 1651 says --- (quoted letter as published by Belle West-arg)
  - B. Pg 13 - Canaherr & Proseers - Abstracts of Virginia Land Patents and Grants 1623-1800 by Nell Nugent - Vol 1 Pg 290 "Valentine Patten --- 1000 acres West Moreland County, June 6, 1654. Patent Book No 3, Pg 272 - upon

3) ③ Continued - Aquia River (Creek) along land of Richard Cadsford. Transfer of 20 persons; Emory Macalster, Daniel Grey, John Wright, John Cook, Theo Leven, Wm. Caze, Robt. Paynter, John Hootie, Richard Welch, Wm. Jennings, Michael Upchurch, etc - Richard Hubbard Patent.

④ Pg 1. Surry County Court House - Surry County VA Deeds & Wills & Orders, 1671--1684, P 62-65. Meeting at Parish of Lanes Creek (Episcopal) Jan 3, 1673. Meeting was for purpose of protesting against taxes. Several who attended were summoned but Michael Upchurch, even though he admitted to being there testified he knew nothing of the business that was transacted, nor the purpose of the meeting."

⑤ Michael Upchurch order for administration dated July 25, 1681. Surry County Deeds, Wills, and Orders 1671-1684, page 446. Item 288.

⑥ John U, Wm U, Michael U, were among those paid for provisions for militia for years 1756-1758. Per Reming Vol 7. (Note: This is probably Michael U, III - XID-159-RP4)

⑦ Pg 14 - Surry County Order, Wills, Deeds. 1684-1686 p 8 A list of tithables belonging to Lanes Creek Parish taken 5 JUN 1684. Wm. Upchurch for Mich. U.

⑧ Pg 12 - Brunswick Co VA Militia under Capt Goodrich Michael U, William U, John U (Note: This is probably Michael U, III XID-159-RP4)

4. See Pg 31 of 2 FEB 1978 Ltr Eliza<sup>Er</sup> Burkhalter to RPU

A. "Surry Co VA. A list of tithables inhabiting upon p<sup>le</sup> of Lanes Creek Parish 10 JUN 1677 - Michael U.

B. "A list of tithables belonging to Lanes Creek p in Surry County taken ye 12th of June 1683. Wm. Upchurch for Mich. U-1"

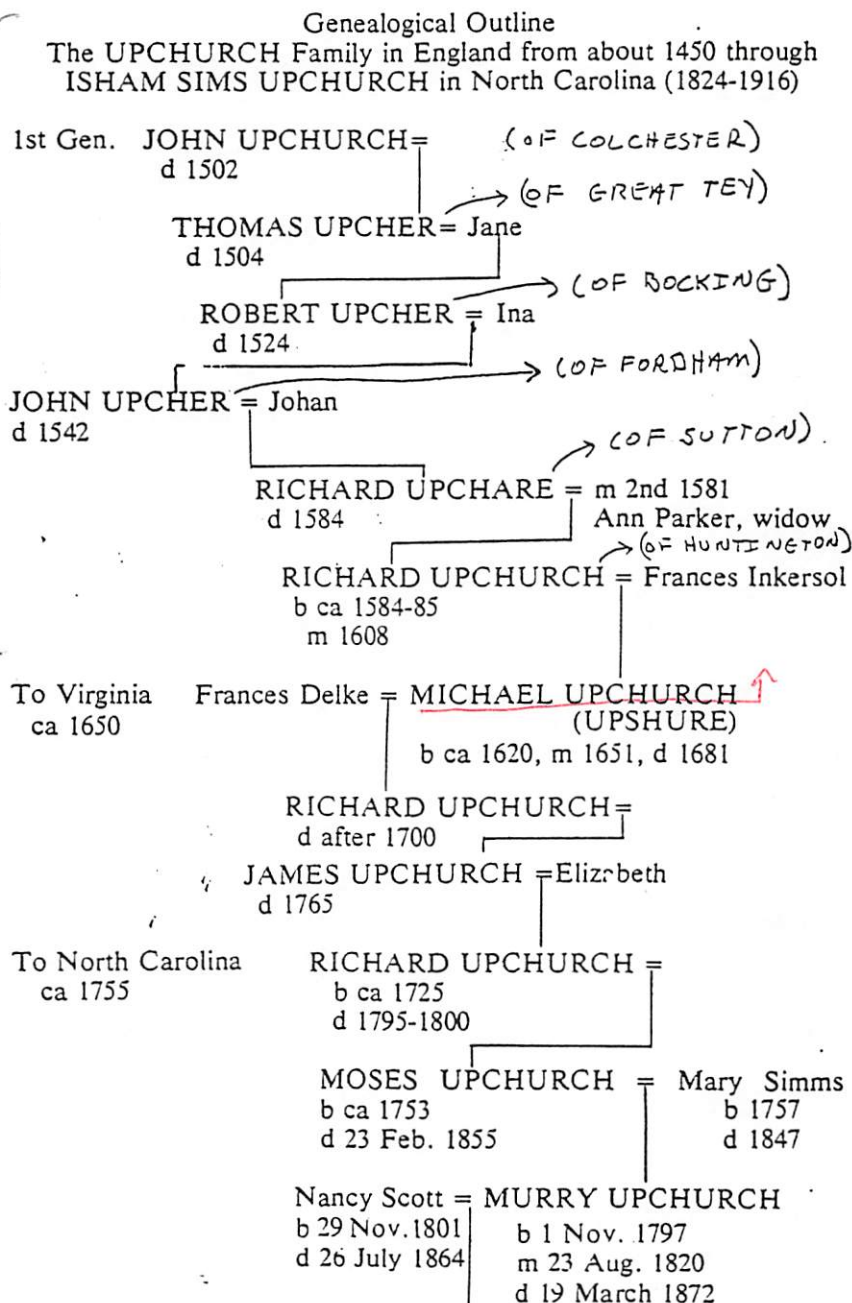
5. See 20 JUL 1979 Ltr Julia Elizabeth U to RPU

She lists Michael U as b 1620 England, mtd 1652 Frances —, & d 1681 Surry Co, VA



- ⑥ From UPCHURCH FAMILY of England, Virginia and North Carolina. Belle Leavelle West 1972 Pg 5

NOTE: THIS  
SECTION OF  
THIS OUTLINE  
HAS NOT  
BEEN  
ADEQUATELY  
VERIFIED  
- RPH  
13 OCT 2001



- ⑦ From 25 OCT 1993 Jennie Leona Lee RPH

"Michael U ↑ b 1620 (England) and 1651 (VA) Francis  
Delta (Belpe) d 1690 (VA). Michael U ↑ d 1681 (Sung Co, VA)  
[source of this information not given]

⑧ Fram  
Jts 27 MAY  
1992 Paul  
T. A D  
R PU

"Testimony of  
the Insurrection  
Group"

John Gregory being brought before us as a witness, he was at a meeting at Church: he was demanded to declare he was meeting of it: or to not attend, he said he heard at Sam Cornish by Sam Haydon, & many more unreasonable: & that there would be a meeting to rid them.

Thos. Gray being asked how he came to know if there was a warrant for him & others, to appear to give out of a meeting & reject it: he said he was at a meeting with Wm Hancock who told him of it, he confessed he was at a meeting at Church, & denied to declare any further, save only that Wm Hancock was the first to tell him & that were unreasonable, & that there would be a meeting about them.

Wm Hancock acknowledged he was at a meeting at Church: but denied who told him of it: he very obstinately persisted after several fair admonitions, although it is proved by Thos. Gray's confession he first advised him of it.

Geo. Eaton confessed he was at a meeting at Church, & that James Crockett & another asked him to go to Church to a meeting:

Mathew Speckard said he was at a meeting at Church, but denied to declare by whom he heard of it, or if he knew any of the business they met about:

Mathew Swan being his day brought before us & suborned, being asked why he did not meet at Church & reject it, he said it was agreed about - & that from their taxes, & were heavy, he was asked how he knew their taxes were unreasonable, he said in Mason's testimony, & also in Gordons said to some, that there were some extraordinary taxes, he being demanded to declare he did not Gordon had about a meeting, he said that Gordon said he would be there if he did not go from home, & said Swan had also very obstinately persisted in the lawfulness of a meeting, & said if all or most of the County were of his mind:



MICHAEL

U, I

PG5 (1-3) XID-146

(9) PAGE 3 OF 30 MAY 1978 LTR BELLE WEST TO RPU

UPCHURCH

Contd Wills & Deeds page 446

To all to whome these p<sup>e</sup>cents shall come know that wee Rob't Canfield & Major A. Allen Justice of peace in Quorum for ye County of Surry we send greeting in our Lord God Everlasting whereas Michael Upchurch late of this Colony dyeing and leaving an Estate in Divers Goods In case wheeof Frances his Relict hath made humble suite to ye that a Commission of Administracon might be granted her of the said estates. Now know all men that one ~~ye~~ sd Ro: Canfield & Ar Allen according to an order of Surry County Court baring date of July 5 1681 for the better ordering and securing of the Estate, do give and grant unto the sd Frances Upchurch the adm of all & singles the goods rights and benefitsof the Estate of the said dece t of what Nature quality or condition they be in whose custody soever they remain with the colony and do by these presents further order and appoynt that the said Frances shall present unto the Courts of the said County of Surry at the next Court & perfect inventory of the said Estate being lawfully approved by sufficient men upon oath & further that she satisfy & pay all such debts as remaine due & owing for ye said Estate unto any p<sup>e</sup>rson of psons within the Colony as far as the Estate will afford and after such debts are paid then to bring a true & just accounte of the surplusage or remainder of the Estate when she shall be lawfully and deliver the same unto whom of right it shall belong or lawfully appertaine given this 25th day of July 1681

Frances Upchurch Con:of Admistr  
on Estate of her deced husband

Ro Caufield  
Ar Allen

Test William Edwards C Cur  
Recorded July 27 1681

666-----

B.

Militia Surry Co, Va. 1687

At a meeting of his Maj<sup>ties</sup> Justices of the Peace for the Co. of  
Surry Xber 19, 1687

Major Sam<sup>ll</sup> Swan  
Mr. Robert Ruffin  
Mr. Francis Mason  
Mr. Robert Randall

"In obedience to an order of Council dated 8<sup>br</sup> ye 24th 1687  
-----take into account of all ablest Freeholders  
& inhabitants in their respective counties --- etc."

Horse -----

Foot -----

Michale Vpchurch

Richard Washington (ancestor of George?)

## MICHAEL UPCHURCH I

Evidently, lived at Little Gidding, as the letter is sent to Mr Ferrar to give to his Father. The Ferrars were very interested in the Virginia Colony, and you will see that he sent gifts Virginia Ferrar. Susannah Ferrar married a Collett and two of the Collett men came to Virginia about the time that Michael did. There is supposed to be a part of a letter to Virginia Farrer at Magdeline College at Cambridge but I did not find it.

Your Statement about John Upchurch (Upshure) is something that I have been looking for, for a long time. So far, we have found only one son of Michael I who died in 1681, Michael II. We have never found a marriage or death of Michael II, nor the settlement of an Estate. In 1696 Rich is living with Michael. In 1701 is living with I believe, a Reynolds and a Reynolds helped Frances settle the Estate of Michael I. One John Upchurch married Elizabeth Hunnicut, a widow, about 1718 and he settled the Estate of her first husband in 1721. I have always thought that John had two sons, James and Richard and that they were from a marriage before the one to Elizabeth Hunnicut. I think the Father of John was Richard a son of Michael I. I have some evidence to substantiate this line of reasoning. In 1701 in Upper Surry County on the tithing list living with a Jones is what looks like a William Upchurch, so perhaps Richard had another son, William. I wonder if the John who died in 1713 could have been a son of William as Jr. In those days Junior did not mean the same as it does today.

I have never been able to find WHO was the Father of Michael I. I have spent much time in the Records Office in Essex and Huntingdonshire, also have most of the WILLS from both places as well as those from the Prerogative Court of Canterbury, with the names of Upchur (in Essex) and Upchurch (in Huntingdonshire) going back to 1502, but so far have not found Michael's Father. I have found one WILL dated 1654 which lists: "my brother, Richard, my nephew ~~William~~ Michael, my niece, Susannah, my nephew William." This by a Thomas Upchurch of Winceby, Lincolnshire who was the clerk of the church there. He was the Pastor from 1641 to his death. I have been unable to find his father or his brother. The names Michael and Thomas go back to the family in Essex in 1538. The first Michael that I have found died in 1575, his son Michael in 1584 (this son married Frances Collett), but lived only two years after the mrgl. I have just found an administration a Michael, in Essex who died in 1639, and have written for a copy of that, also a William who died in 1636. What makes it so confusing is that in the same family one son will be Upchurch, or perhaps two, and the others Upcher, Upshare, etc.

Upchurch men were at Cambridge University as early as 1578. UPCHURCH in Kent is a small village which gets its name from the Church, "up to the Church" which is on a hill. The Steeple of the church was put on upside down which makes it look rather strange. In this section much early Roman Pottery was found and a pottery factory was started and the pottery became known as UPCHURCH Pottery.

To Mrs Morgan, she asks: Do you know who was the father of your Geo.? I think he was the son of \_\_\_\_\_ and James had William, George, Michael and John. I have been unable to find a marriage for Michael so I wonder if he never married. He was in the Service only 6 Mo. and was discharged as unfit for Service. Michael's Estate was settled by Thomas Bethshares who married Elizabeth Upchurch in 1790. George married Rachael Bethshares. I have a copy of the Court settlement of the Bethshares' Will, which names George and his wife Rachael Bethshares.

To: Mrs Ada Morgan

8916 Walnut Street

Kansas City, Missouri. 64114

\* THIS EXTRA CY MADE FOR

MICHAEL U (XID-146) FILE -

PG 10 FROM 2 FEB 1978 LTR ELVA E.

BORKHALTER TO RDU



MICHAEL

U, I PE? (1-7) XID-146

⑪ Names in Correspondence in 1630-1660 era between the  
Farrars of Little Gidding and individuals in the Colonies.  
From Ltr 28 JUN 1995 David R. Anson to RPA

1) Captain William Bernard or Barnard [a member of a family of gentry  
living at Brampton, just the other side of Huntingdon] [+WILLIAM BARNARD]

2) Francis Yeardley

3) Richard Collett, JF's nephew

4) Tom Grose [whom I suspect to be kin to Luke Grose, the Rector of Great  
Gidding] → [+TOM GROSE] → [+LUKE GROSE]

5) Richard Collett, his nephew

5) John Marbaroe, a Huntingdon man who had been in Barbados (1638-44) &  
Antigua → [+JOHN MARLBORO]

6) An anonymous Virginian

7) a fragmentary answer from another anonymous Virginian

8) Edward Johnson of Mulberry Island

9) an answer lacking the ending therefore from an anonymous Virginian

10) Michael Upchurch ↑

2) Francis Yeardley

3) Richard Collett

8) Edward Johnson

11) John Stirrup

12) William Sharman

13) Richard Bennett, one of the Commonwealth Governors of Virginia

14) Lady Berkeley, wife of the royal Governor of Virginia

15) Sarah Yeardley [wife of (2)]

16 & 17) [JF's great-niece] Mary (Mapletoft) Bendish Ward Utie (1629-65) &  
her 2nd husband Lawrence Ward. → [+MARY MAPLETOFT]

18) Major Abraham Wood

19 & 20) George & Elizabeth Gouldsmith [parents of the wife of JF's nephew  
John Collett] → [+GEORGE & ELIZABETH GOLDSMITH]

21) William Wright of Nansamound

22) Sir Henry Chich[e]lley → CHICHELEY; CHICHLY

23) Colonel [George] Ludlow

[?] Colonel [?] William Bernard

24) Major John Westrope

25) Mr G[e]orge Lobs

26) Mistress Garret

27) Mistress Burbage

28) "Noble [Edward] Diggle[s]" (1621-76) → NOBLE DIGGES, NOBLE DIGGES

16) Mary Ward → EDWARD DIGGES, EDWARD DIGGES

16) Mary Ward → [+WILLIAM FERRAR, II; JOHN FERRAR]

29) "Her honour'd Kins-man Esquire Ferrar" [either William or John, but  
more probably William, sons of the William Farrar who went to Va in 1618  
& died there in 1637; the exact relationship of this branch of the family to  
the Ferrars of Little Gidding has not been found but the relationship was  
certainly, as here, acknowledged.]

1-4 SENT  
QUESTIONNAIRE  
BY JOHN  
FERRAR  
PER HIS  
NOTES

3-10 REPLIES  
RECEIVED  
& SURVIVE

2-20  
INDIVIDUALS  
IN VA WHO  
WROTE JOHN  
FERRAR  
&/OR HIS  
DAU VIRG-  
INIA FERRAR  
PER FERRAR  
PAPERS

THE REFORMED  
VIRGINIA  
SILK-WORM

↑ FROM 21  
A PAMPHLET -29  
ISSUED 1655  
BY SAMUEL HARTLIB  
LIST PREPARED  
BY  
JOHN FARRAR  
1630-1720 BRO  
OF VIRGINIA  
FARRAR &  
APPENDED AS  
"RYMING LINES"  
TO THE  
PAMPHLET

MICHAEL

U, I

PE8

XID-146

(12) \*

(1-8)

MICHAEL U, I,  
ENGLAND

THE  
VIRGINIA MAGAZINE  
OF  
HISTORY AND BIOGRAPHY.

VOL. XI.

JULY, 1903.

No. 1.

PROCEEDINGS OF THE VIRGINIA COMMITTEE  
OF CORRESPONDENCE, 1759-'67.

From the Originals in the Virginia State Archives.

(CONTINUED)

[DEFENCE OF THE VIRGINIA PAPER CURRENCY.]

[Endorsement.]

Instructions to the Agent in Defence of the paper Currency\*  
of Virginia, referred to by the Letter from the Com'ee of Cor-  
respondence of the 12th Dec', 1759.

\* There is a discussion of the paper money of the Colony of Virginia in Ripley's *Financial History of Virginia*, pages 153-162. The author, in conclusion, says that the record of Virginia's first experience with paper money "was on the whole a creditable one." \* \* \* "But we must remember the distress of the times, and the heroic exertions of the colony during the [French and Indian] war. In view of these facts, the moderation and foresight of her statesmen is in marked contrast with the reckless financiering of some of the other colonies both north and south."

Richard Bland, in a letter written in 1771 (and printed in this Magazine, VI, 127-134), says that the English merchants, at first bitterly opposed the issue, but that at the time he was writing they were the warmest solicitors of the Assembly for that very species of money. He also states that of £750,000 treasury notes which were issued during the war, it was probable that only the amount of £60,000 was outstanding.

\*

† Paid in Star 28 JUN 1994 & 23 JUL 1994 to RPU - This is the item referred to on West Book Page 14 which reports that Mrs Martha (Wychurch) Tidd was looking for the original of this letter at Magdalene College, Cambridge University England when she encountered a second letter written by Michael U, I.)



(12) - CONTINUED

With wonders from the shining silkworm's sleeves? \*  
 What strange contextures this? Will you link either  
 The famous Ends of both the Worlds together?  
 Bind an apprentice faire Virginia  
 To reap Persian harvests in America?  
 Europe's thy quarter, England boasts thy birth;  
 How thou Ally'd to the Asiatique Earth?  
 Heroic Lady this bright golden mine  
 Sprung in thy Soule, this happy-high-designe  
 W'ch thou wast borne for, to enrich this land  
 Plant Eden on thy deare Virginian strand.  
 Wee need no more dispute what place did beare  
 That blessed name, since heare thou art, 'tis there  
 Thy now discovered profitable trade  
 Makes the World yonge, as if it were new made.  
 Thy unmeasur'd Bountyes dost so free dispence  
 As at the first in tymes of Innocence  
 Merchants, Mechanick-Traders, poor, rich all  
 Shall thee the Foundress of there Fortunes call.  
 The Muses Darlings with there silver Tongues  
 Yr Fame resound in there delightful Songs.  
 Let thy dear Parent, pious Patriot, sage,  
 Share in thine honor, glory of his Age.  
 His Education and thy Virtuous Mind  
 God's favour in this worke were all conjoined.

(S<sup>d</sup>)

MIGIPH. physitian.

There are other similar panegyrics on this remarkable young lady, but space prevents us from giving more of them here. She conducted her father's correspondence with his Virginia people while he lived, and some of the letters written to her in this time from Virginia are quaint and curious. Michall Upchurch, in his letter of 27th March, 1651, says he is sending her some curious things—a basket, skins of animals, a "flying hart's head and horns," the "rattles of a rattlesnake," a "crowne of a bird." "This is all that I could provide to send you at present—nixt yeir I hope to be of better abilitie to serve you," &c.,

\* Sleeves means skeins of spun silk.

## THE FERRAR PAPERS.

&c. P. S. "I have sent you a young live turtel in a gl<sup>l</sup> bottel." We wonder how long it remained "live."

John Stioring, writing to her (undated, but about 1650) than her for Books sent to him by her: "Some of them I sold b could get nothing for them. I have sent you a token, that an Indian basket and three Indian Pipes and three for n mother, and I have sent you a sea tree and a oyster pearl, ai there is with the rest of the things in the basket a roote f youre father as I am towld with great vertu in it," &c., &c.

One contemporaneously-printed tribute to her begins:

Come gallants, if yee w<sup>d</sup> be brave  
 And yet your pins and money save  
 Throw off those sheepshair-clothes, be fine,  
 Take silk, of if't like you, Satine.

\* \* \* \* \*

Had not you, sweet Cozen, made known  
 How Silkworms feed and spin alone.  
 This your deserts hath so set forth  
 As that to match your matchless worth  
 Ambition dares not aspire,  
 Envie must sit still and admire.

I say no more lest that the Gods should hear:  
 For if they should, they'll women turn, I fear.

(s<sup>d</sup>)

JOHN COLLETT.

John Collett was son to her aunt, Susanna Ferrar, who married John Collett, and had many children, including eight daughters. Six of these married, the two unmarried ones being Mary and Anna. Mary is well known to the readers of "John Ingle sant" and the various *Lives* of N. F. as having been the guiding spirit after old Mrs. Ferrar's death in 1634 of the Gidding community. She and Anna resolved when young never to marry and they adhered to their resolution, Mary dying unmarried at the age of 80. No record was kept, or exists, of Anna's death. There are many of her letters among the Cambridge papers under notice, including the one in which she declares her intention to remain unmarried. Both she and her sister became the adopted daughters of Nicholas and wrote themselves Ferrar instead of Collett.

(13) See Str 6 OCT 1990 Marie Elizabeth Isbell to RAH  
 Virginia wills & Administrations - 1632-1800  
 SURRY CO, VA - Michall U 1681 - Administrator Bond  
 or Estate Account (Given in  
 absence of inventory)

(14) From #122 MAY 1992 Paul T. U. & RPM "LOCATION OF DELKE LAND" (1-10)

Parish. Unfortunately, none of Surry County's parish registers survives as do those for Albemarle Parish.

The first Lawne's Creek Church is mentioned in the Minutes of the Council and General Court of Virginia in October, 1628. John Day testified

"that he heard that Richard Tree did work upon the Church at Hogg Island a week or fortnight, as he verily thinketh, after Mr. Uty came home from the General Assembly. Andrew Roe, sworn and examined, saith that about the beginning of August last he saw certain parcells of dub'd boards lying at the Church at Hogg Island and that since that time he hath seen the said Tree and his servants fetch boards from thence. For as much as it appears to the Court that Rich: Tree hath neglected the building of the Church at Hogg Island contrary to his covenant, whereby he should forfeit 1,000 pounds of tobacco. It is ordered that the said Tree shall, before the 20th of December next, finish the said church and the inhabitants are to bring the timber necessary for the finishing of the work to the place where the Church is to be built by the last of this present October; and shall find him nails sufficient for the said work. And if the said Tree shall neglect to finish same according to this order he shall forfeit the sum of 1,000 pounds of tobacco, and the work to be done by the said Tree without any to be paid him therefore in regard to his neglect."

The testimony indicates the church was at and not necessarily on Hog Island, for in early records the term was also applied to the neck of land leading to Hog Island. George Mason, it was noted, assumes the roughly twenty by forty foot foundations, with a three by eight foot western projection, are the remains of this first church. It is thought this church had been replaced by a second larger one about 1650, and that it was built of brick, enduring until the Parish relocated near Bacon's Castle about 1695. Mason located the second church over the foundations of the first, and found its dimensions to be roughly thirty by sixty feet. If his supposition is correct, the second Lawne's Creek Church was the site of the significant, but too little known, insurrection by Surry County taxpayers in 1673. It was also the site of an early manifestation of the spirit of religious independence—the "unorthodox" preaching of Robert Parke in 1675. This was in part sponsored by Randall Holt, whose family long owned adjacent Hog Island, and the known details of the event are given in the survey of his plantation. Both events, insofar as they forecast the American Revolution, are also considered in Chapter II. The "riotous assembling" occurred on December 12, 1673, when Governor Berkeley still wielded power a few miles away at Jamestown; on

January 2 and 3, 1674 Lawrence Baker, then a Burgess and a Justice, hosted the inquisitory panel, which included Robert Caufield and Robert Spencer, at his plantation south of Bacon's Castle. The fourteen participants of the assembly were given warrants to appear in order "to give account of their riotous assembling" on the basis of the 13th Statute of Henry IV, Chapter 7. These included Matthew Swann, Jonathan Barnes, William Hancock, William Tooke, Robert Lacy, Jonathan Gregory, Thomas Clay, Michael Upchurch, Jonathan Sheppard, George Peters, William Little, Jonathan Greene, and James Chissell. Testimony suggests the meeting was not instigated by these men, all of whom were small landowners or tenants, but by certain more affluent planters, including Roger Delke, John Goring, and Randall Holt. Those called to court testified much as follows:

"Jno. Sheppard was with others who agreed to meet at ye Church to be redressed from their leveys, (and) said he heard the leveys were unjust by Samuel Cornwell who was told so by Mr. Holt (so Cornwell said)."

\*Roger Delke appeared on complaint of William Sherwood, "sub-sheriff" of Surry County on January 3, and, "spoken in terrifeing manner . . . said we will . . . burn all before one shall suffer." The court filed its report the same day, and it is clear no redress was given, for they were bound over into the custody of the Sheriff until the next meeting of the court. Baker and Spencer considered their behavior "giddy-headed," "obstinate," and "riotous;" they were a "company of seditious and rude people." The matter appears to have ended with this session.



Figure 11. Lower Southwark Church ruins, Bacon's Castle.



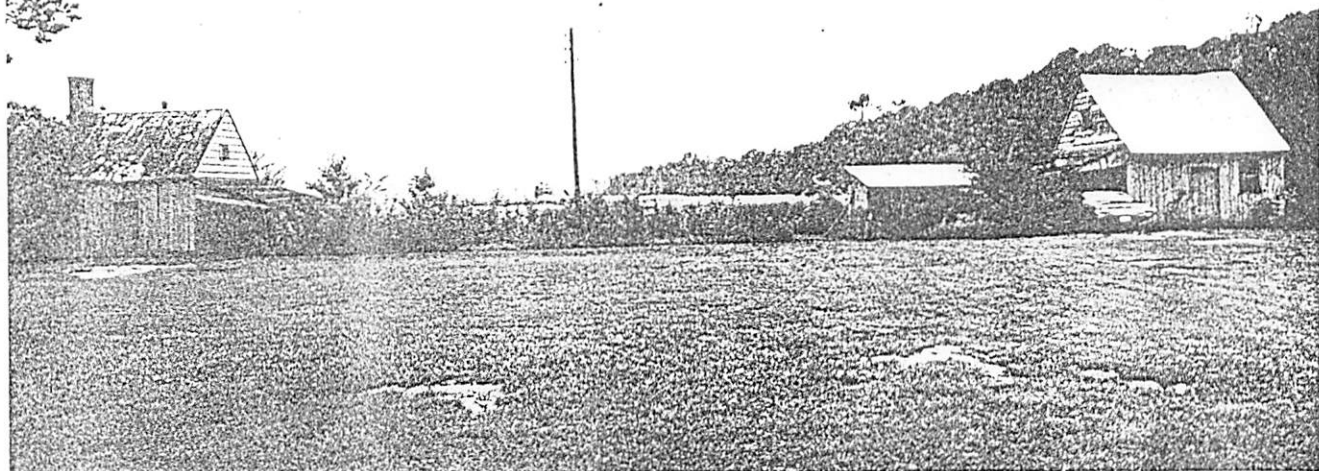


Figure 96. Delke Plantation, near Lawne's Creek. Dependencies.

records a Delke Plantation near Delke's Crossroads, the intersection of Routes 617 and 626, although this site appears too far inland and away from Lawne's Creek to have been the original plantation. The main Colonial houses, for there were two at the site, are now gone: one was torn down about 1910 when the present house was built, and the second, reportedly dating to the mid-18th century, burned about 1954. It is recalled as having been a five-bay, story and a half frame house, perhaps similar to the Burt House or Montpelier. Three late 18th-century dependencies survive, however, and, recorded as (VHLC 90-55), they consist of a kitchen, a cobbler's shop, and a smokehouse. Two dependencies are aligned, suggesting they may have been symmetrically arranged around the main house.

✗ If one is to trust 17th-century land descriptions, immediately to the south of the Reynolds-Delke Plantation was a 500-acre plantation first patented by Thomas Stampe on February 24, 1638. Described as located "upon a Swamp at the head of Lawne's Creek, southeast upon land of Nicholas Rennolds," it was acquired from Stampe by Captain Lawrence Baker and James Taylor in 1644. In 1650 they added to it another 500-acre parcel described as "lying near the head of Lawne's Creek upon the westernmost branch thereof joining with their former dividit, bounding north upon land of William Lawrence now in the possession of Robert Warren." Taylor died in 1655 and Baker appears to have acquired his share. Baker's 1,000 acres was very near, if it did not adjoin, that 200 acres Arthur Allen first acquired in Surry in 1649—Bacon's Castle. Arthur Allen I and Captain Baker were not only two of the most influential men in Surry, they were also close friends. Arthur Allen II married Katherine Baker, the Captain's daughter.

Captain Baker died in 1681, but previous to that he and his son-in-law stood firmly together in the anti-Baconian camp. Baker had served Surry in various capacities c. 1652-1681—as a justice of the peace throughout that period and as a Burgess from Surry from 1666 to 1676. With Robert Spencer he took a strong stand against that "giddy-headed multitude" who, "unless restrained, may prove the ruin of a country" and who had unlawfully assembled at the second Lawne's Creek Church in 1673 in order to protest unfair taxation. Baker's only child, Katherine Allen, inherited two-thirds of her father's considerable estate, which, in turn, increased the Allen family's already greatly enlarged holdings.

The last large grant of land at Lawne's Creek—700 acres—went to William Butler in 1643. It was merely described as being "upon the head of Lawne's Creek adjacent lands of William Lawrence, Captain Pierce, Mr. Rennolds, and Mr. Stampe." This would place it due south of Bacon's Castle. Major William Butler was dead by 1664; the land descended to his son, William, who mentioned in his will of 1678 only his wife, Joyce. In 1663 and 1667 he had sold some land to Peter Greene "including the old field where Major Butler lived, where Richard Kindred formerly lived." Four small early grants at Lawne's Creek may also be mentioned; one is at the very mouth of Lawne's Creek and the others were all at the base of Hog Island peninsula near Lower Chippokes Creek and John Utye's early grant there. On March 1, 1635 Captain Pierce "of Mulberry Island, Virginia" assigned to "Robert Lawtheat of Lawne's Creek, Virginia, Planter, a neck of land conteyning 50 acres in Lawne's Creek toward Hogg Island Creek, adjacent land of William Spencer." Nothing further is heard of this planter, but the patent affirms that at least

(5) \*  
21

MICHAEL U, I PG 12  
The Estate Michael Spachsch appraised & v. 476 2/1687  
in obedience to an ord. of Court by m & L. J. Spachsch

XID-146

(1-12)

2 odd decreed cows 2 yearlings	0900
2 cows 1 calf	0850
2 young Steers 2 1/2 yd	0600
3 heifers 2 1/4 yd	0900
24 of powder at 8 1/2 c	0192
12 plaster 6 passengers	0136
2 small tankards 1 small flagon 1 salt 1 bucket	0170
1 small bell metal Mortar 6 yd 1/2, (Chafin dish)	0080
2 bottles 100 bottles 1 small Skinner	0350
3 Iron pots 1 Spitt 1 dripping pan 1 frying pan 1 blade 1 flesh fork 1 yd of Pot Rack	0280
and 1 yd of Plough beam	0130
1 first gun 300 lb. shot	0250
100 feather bed as it stands	1000
1 flock bed	0380
a pack of old bedding	0760
a pack of small stillards 1 board 1 yd of long	0100
1 Grindstone	0080
19 head of poor horse	1000
a pack of old lumber	0300
a pack of Carpenters old tools	0300
<b>Sum total</b>	<b>8108</b>

on 3 back side the  
above said was  
written

Joseph Forth  
Ja. Reddick  
John Dinsford

It due to Estate of Michael Spachsch

Jn. Jacobs bill — 900  
Walter Taylor & Cha. Hopkins bill — 500  
allow a lane Mason one food of advantage 1400

At a Court held for the County of Surry 7th 6th 1687  
This day appeared in Court Jn. Spachsch made oath that  
the within & above said was a perfect Inventory & acct. of  
all due to Estate of Michael Spachsch

Vera Record 86: 134 1687  
Test William Edwards

\*  
MICHAEL  
U  
INVENTORY  
REC'D  
BY RPU  
IN 31 OCT  
1977 LTR  
FROM MRS  
L.W. PRIEST



MICHAEL

U, I PG 13

XIN-146

(16) In Ltr 29 MAY 1992 Paul T. U DRPM - Notes made  
by Paul on a 1992 Trip from FL to VA re Michael  
U, I + later U's

(1-13)

UPCHURCH/MICHAEL/1ST & 4TH

3 W (1) 123 124 Michael

"Papers From the Records of Surry County" Ref: Rebellion of 1674

Michael Upchurch with 13 others arrested for Unlawful assembly at Devils Field (near Smiths Fort, on Grays Creek) Had been warned in Dec. (a month before) at Parish Church of Lawns Creek for the same thing (Unjust taxation). At hearing all agreed with Delk (so called leader) except Michael Upchurch. He said he was at the meeting at the church but doesn't know who first talked about unjust taxation. He denied any knowledge of the business that transpired at the church.

The men were fined and they had to acknowledge their wrong.

8 W (1) 161 Surry county, the list of Lawnes Creek Tithables in 1668

Michael Upchurch 01

11 W (1) 86 a List of freeholders in Surry who were able to serve in the Militia in 1687 For foot.

Michael Upchurch

7 H 212 at general assembly at the capitol, in Williamsburg Sept 1758, George 2nd Pay "To the militia of the county of Brunswick, & for provisions furnished by Sunday inhabitants of the said County of Va. "Wm. Upchurch, Michael Upchurch, John Upchurch at 5 LB each"

11 v 44 Letter From Michael Upchurch to Virginia Ferrar about whose father had plantation in Bermuda and Va. although they resided in Huntingdonshire, England (1626-1688) Ltr from MU to VF "says he is sending her some curious things, a basket, skins of animals, a flying harts head and horns, the rattles of a rattlesnake, crown of a bird, "This is all that I can provide to send you at the present, next yeir I hope to be of better abilitie to serve you", &c & c PS " I have sent you a live turtle in a glasss bottle."

V. Ferrar, conducted her fathers correspondence with the people in Va. while he lived and this is one of the letters.

Surry County Records 1652-1684 bks 1&2

Michael Upchurch 46, 59, 121, 122, 173, page 46 "page 152 2 Jan 1656

Indenture between Roger Delke and Michael Upchurch of a plantation on Lawnes Creek lying between John Gregory and sd Michael Upchurch

MICHAEL

U, I

P614

(1-14)

XID-146

(16)-CONTINUED

(Upshure) 40 acres, if less than the lease to Timothy Madmondker, for 21 years, Rec. May 1660.

p. 59 "page 198 4 Nov. 1662, Michael Upchurch(Upshure) witness to land sold at Lawnes Creek.

P. 121/122 Page 40 3 Jan 1673/4 Describes arrest of Michael Upchurch which has previously been noted. the other tell who told about meeting, etc. with the exception of Michael Upchurch, who would only attest to his presence.

P. 173 5 Jul 1681 Francis Upchurch granted administrator of estate of Michael Upchurch deceased..

Wills and Administration of Surry County 1671 - 1750

P 167 " Upchurch, Michael, Estate: 25 Jul 1687, Francis, his relict , applies for administration of his est. Book 2 page 288.

P. 166 " Upchurch, Francis, widow 3 Jan 1691-2 , torn acct. except clothes and ring given to her daughter, according to his order at her death. Sworn to by Michael Upchurch, March 1, 1691, book 4, page 258..

List of the Colonial Soldiers of Virginia by Eckenrode

Michael Upchurch and Willliam Upchurch already confirmed by H.S. 7,212.

Virginia Taxpayers 1782-87

James Upchurch, James Upchurch Sr.( 3 slaves)

James Upchurch Jr. (3 slaves)

John Upchurch, Michael Upchurch, William Upchurch

Virginia Wills and administration 1632-1800 by Torrence

Brunswick county- Michael Upchurch 1796 inventory

Surry county-- Michael Upchurch 1682 Administration bond on estate account (given in absence of inventory).

Upchurch, James

26 W (1) 59,61

Brunswick County Va. Poll list 1748 "Bruns Co. was created in 1720 from Prince George County with additions from the Isle of Wright & Surry in 1732. The following poll list fro 1748 gives the name of the residents of Brunswick County voting for representatives in House of Burgess for the session of Oct. 1748 and April 1749" James Upchurch.

(16) - CONTINUED

6 T 113 Brunswick County Persons who gave aid to the American Revolution.  
James Upchurch, court 5 June 1782.

Va. Wills and administration by Torrence  
Brunswick, James Upchurch 1765w, 1783w, 1784w

Va. Military Records- James Upchurch  
Virginia Tax Records, James Upchurch

John Upchurch 27 W (1) 36  
In Surry county Jul 19, 1721 John Upchurch records accounts for the Estate  
of Wm Hunnicutt

#### Codes

T= Tylers' Historical & Genealogy, Quart  
W(1) = Wm and Mary College quarterly Hist. Mag. 1st series  
H= Hennings' Statues of Va.  
V= Va. Magazine of History & Biography

(17) From Its 2 DEC 1997 Beverly Gwendolyn Isbell to RPA  
"This is at the Statue of Liberty - As you come  
into the United States, I got this from CHUCK's  
sister Debbie"

**The Upadhyay Family**  
**Herman William Upahl**  
**George Upanavage**  
**The Solomon Upbin Family**  
**Mary Upchurch**  
**Michael Upchurch**  
**Lawrence Updike**  
**John Upham**  
**Christian Uphoff**  
**Saul Upin**  
**Robert and Anna Reteiuim I**

[NOTE: This is  
probably from  
Ellis Island  
- not from  
Statue of  
Liberty - RPA]

MICHAEL

U, I PG 16 XJD-146

(1-16)

(18) Item (pg) of Ltr 9 SEP 1990 Name Elizabeth Isbell to RM

336

## EARLY VIRGINIA IMMIGRANTS

Tymon, Sarah, 1642, by William Tymon (her husband), Charles River Co.  
 Tyngle, Antho., 1648, by Geo. Hardy, Tho. Wombwell and Peter Hall, Isle of Wight Co.  
 Tyres, Daniell, 1653, by Major Abra. Wood, Charles City Co.  
 Tyrrell, James, 1648, by Lewis Burwell, Gent., — Co.  
 Tysley, Richard, 1636, by John Gates, Elizabeth City Co.  
 Tyson, Georg, 1642, by John Moone, Isle of Wight Co.

## U

Udday, Sanders, 1651, by Lieut. Collo. Giles Brent, Northumberland Co.  
 Uggins, Tho., 1653, by Tho. Todd, — Co.  
 Uggins, Edward, 1653, by George Collins, — Co.  
 Underfield, Wm., 1656, by Mr. Tho. Purifoy, — Co.  
 Underhill, Henry, 1653, by Richard Vardy, James City Co.  
 Underhill, Mr. Jno., 1651, by Lieut. Collo. Giles Brent, Northumberland Co.  
 Underhill, Mr. John, 1655, by Mrs. Margaret Brent, Lancaster Co.  
 Underwood, John, 1646, by Edward Hall, Lower Norfolk Co.  
 Underwood, Mary, wife Mr. Geo. Underwood, 1650, by Capt. Moore Fautleroy, — Co.  
 Underwood, Mr. Geo., 1650, by Capt. Moore Fautleroy, — Co.  
 Underwood, Ann, 1650, by Capt. Moore Fautleroy, — Co.  
 Underwood, Tho., 1650, by Capt. Moore Fautleroy, — Co.  
 Underwood, Wm., 1650, by Wm. Underwood, Gent. (his father), — Co.  
 Underwood, Mary, 1650, by Wm. Underwood, Gent. (her husband), — Co.  
 Underwood, Wm., 1642, by Justinian Cooper, Isle of Wight Co.  
 Union, Mary, 1654, by Richard Allen, Northampton Co.  
 Upchurch, Mich., 1654, by Valentine Patten, Westmoreland Co.  
 Upchurch, Mich., 1654, by Robert Hubbard, Westmoreland Co.  
 Upoman, Edward, 1652, by Littleton Scarburg, — Co.  
 Uprence, Ri., 1650, by Hump. Lyster, — Co.  
 Upton, Dorothy, 1654, by Tho. Felton, Charles City Co.  
 Usher, 1653, by Anto. Hoskins, Northampton Co.  
 Usklye, Wm., 1653, by Roger Walker, Northumberland Co.  
 Uteley, James, 1643, by Rowland Burnham, Yorke Co.  
 Uxer, Mary, 1642, by Wm. Whittington, Northampton Co.  
 Uxor, Mary, 1653, by Capt. Wm. Whittington, Northampton Co.  
 Upwilliams, Tho., 1653, by Charles Scarburg, Northampton Co.

## V

Vacseen, James, 1637, by John Clarkson, Charles River Co.  
 Vaeker, Dan., 1653, by Ferdinando Austin, Charles City Co.  
 Vaine, John, 1643, by Capt. Thomas Pettus, — Co.  
 Valeveo, Wm., 1653, by Peter Knight and Baker Cutt, — Co.  
 Valler, Wm., 1650, by Capt. Moore Fautleroy, — Co.



(19) Information in Str 6 JAN 1996 Leatrice Marie Haynes DRD4

Here are some of my Upchurch notes from the last films I rented.

Elizabeth Upchurch m. Wm. Brown 4-Feb-1790  
by Rev. John King Bapt. ministers returns p 357  
reference: Marriages of Brunswick Co. Va

Michael Upchurch transported by Robert Hubbard  
to Westmoreland Co. Va. 12-Dec-1654 p 313  
refer: Va. Co. recs. Calavalien patent bk #3

Jamerson Upchurch will June 15, 1862 (proven 1870  
names: wife Elizh. - Jk Wm., Seth, Caroline, Adeline  
Williams, Boing Perry and Lintia Robins  
refer: Genealogy Cleanings in Benton Co. Tenn.

Charity Upchurch Woodham, Greene Co, Ga.  
Muscogee 12-17-2 21 Mar, 1827  
refer: Land Lottery of Ga.

(20) From 15 SEP 2000 Kevin Michael Burton & A Pa

From *Colonial Surry* by John B. Boddie

1-18

## Chapter XII

### AMERICA'S FIRST TAX STRIKE

#### The Birthplace of Independence

Several communities in the United States have claimed that their particular place was the "Birthplace of Freedom" because early in colonial times its citizens made protests against the payment of unjust and burdensome taxes.

We wish to advance the claim of Lawne's Creek Parish Church in Surry County as the "Birthplace of Freedom" in America for some of its parishioners met there on December 12, 1673 "to declare they would not pay their public taxes."

There was no freedom of assembly in those days and this unusual and unauthorized meeting alarmed the authorities. Two justices of the County Court, by virtue of an English statute nearly 300 years old which empowered justices to inquire into such "Riots", ordered the sheriff to arrest these "seditious" people and bring them before the court for trial.

This was only a prelude to Bacon's Rebellion in 1676. Governor Berkeley was America's first modern dictator. It will be noted in the following chapter on the Rebellion, that his methods of obtaining absolute rule was somewhat like that of Huey Long's and governors of other states to whom subservient legislatures gave autocratic powers.

America's freedom was not won by a single stroke. It was of slow growth, as typified by this and other like protests made from time to time, until it finally burst forth in a greater rebellion than Bacon's, the American Revolution.

But let us get along with the story. On January 3, 1673-74, following the gathering at Lawne's Creek Church, Lawrence Baker and Robert Spencer, Justices of the County Court issued the following writ which was recorded January 13, 1673: (Bk. 2, P. 40.) "Of how dangerous consequence unlawful assemblies and meetings have been is evident by the chronicles of our native country which are occasioned by a giddy headed multitude, and unless restrained may prove the ruin of a country, and therefore we, Lawrence Baker and Robert Spencer, two of ye justices of this county, being informed that on about the 12th of December last past, a company of seditious and rude people to the number of 14 did unlawfully assemble at the Parish Church of Lawne's Creek, with intent to declare they would not pay their public taxes, and they expected divers others to meet them, who failing they did not put their wicked design in execution, and for the good law made against Rogues and Riots and particularly the Statute of 13 Henry IV, chapter 7, and enjoining Justices to inquire of such meetings, we therefore sent our warrant to the Sheriff of this county to Cause,

Matthew Swan	John Barnes	William Hancock
William Tooke	Robert Lacy	John Gregory
Thomas Clay	<u>Michael Upchurch</u>	John Sheppard
George Peters	William Little	John Greene
James Chessett		

to appear before us, yet the said persons not being satisfied with this former unlawful meeting, did this day, the greatest part of them meet together in ye old field called 'Devil's Old Field', and as we justly suspect did confederate not to discover who were the first instigators or moved them to their unlawful assembling as afore and we upon their examination to find they have unanimously agreed to justify their meetings, persisting in the same as appears by the open declaring of Roger Delke that if one suffers they would all burn, and we find their contemptuous behavior and carriage not respecting authority; have therefore committed ye persons aforesaid to the custody of the Sheriff, until they find security for their appearance at the next County Court and also for keeping the peace which we conceive consonant to the law in such cases, and ye mutinous persons aforesaid being so many in number. We have by Virtue of the Statute of ye 2d of Henry 5th command ye aide and



(20) - CONTINUED

(1-19)

assistance of several of the neighborhood for their security. Given under our hands the day and year aforesaid." (Book 2, P. 40.)

Many of the above fourteen men were respectable landowners. Matthew Swan was perhaps related to Col. Thomas Swann, one of the most prominent men in the county at the time and a member of the Council. William Tooke was the son of James Tooke of Isle of Wight County, who had served in the House of Burgesses. Thomas Clay was connected with the family of John and William Corker, burgesses and prominent in the early history of the county. John Barnes was a Quaker and a fairly prosperous man, who later married Mr. Tooke's widow. William Hancock married Elizabeth, daughter of Nicholas Spencer, and a relative of the same Capt. Robert Spencer who caused his arrest. Roger Delke was the son of Roger Delke, Sr., who had been Burgess for Stanley Hundred in the session of 1632-33. John Gregory was the step-father of Roger Delke, Jr., as he had married Alice Delke his mother.

The depositions of all fourteen of the above men are recorded immediately after the above warrant from Capts. Spencer and Baker (id., pp. 40-41). That of James Chessett was the first: "James Chessett, being this day at ye house of Capt. Law. Baker & coming with Thirteen psons who were summoned to appeare there to give an acct. of theire Rioutous or unlawful Assembling, att ye Church of Lawnes Creeke on ye 12th Xbr. Last, & for yt ye sd Chessett was not summoned, but comeing with ye Rest, he was brought before us ye subscribed, & being asked who gave him notice to come with ye Rest, he said he came of his own Simple head; he was also asked If he was of them yt mett at ye Church, he Answered 'yes', he being (asked?) why he invited Geo. Peetrs to yt meeting, he said it was to see his neighbors, soe yt he seemes premtorily to give an acct. of ye first pmoter or Instigator of that meeting."

He was followed by Roger Delke who "being this day brought before us the subscribed, and complaint being made to us by William Sherwood, sub sheriff of this county, the said Delke did this day say that 'we will burne all before one shall suffer.' Ye said Delke acknowledged he said ye same words, and being asked why they met at the church he said by reason their taxes were so unjust and they would not pay it. He was demanded who was the person that invited him to meet, he peremptorily denied; but ye said Delke on his own behalf and on the behalf of the others then met did declare their meeting was to be relieved from payment of Drams and Cyder which they never had. All the rest assented to what he said save only Michael Upchurch."

Robert Lacy then deposed that William Hancock took him to the meeting at the Devil's Field, though he was warned to the contrary, and that John Barnes, Michael Upchurch, John Greene and John Sheppard were also there. He also said that he was at the meeting at the church, about which John Sheppard told him. Thomas Clay deposed that William Hancock told him of the meeting and was the first to tell him that the levies were unreasonable. William Hancock denied who told him of the meeting, "very obstinately persisting."

George Peters testified that James Chessett asked him to go to the church. Then Michael Upchurch denied who told him of the meeting or that he knew of the business they met about.

Matthew Swan's testimony was as follows: "Matthew Swan being this day brought before us the subscribed and being asked why he and others met at the Church, the 12th Xber, last, he said it was to agree about a redress from their taxes which were heavy. He was asked how he knew their taxes were unreasonably laid, he said Mr. Mason (Francis Mason, one of the justices) told him and also Mr. Goring said the same, and that there were some extraordinary taxes, he being demanded what discourse he and Mr. Goring had about the meeting, he said Mr. Goring said he would be there if he did not go from home, and the said Swan have also very obstinately persisted in the Lawlessness of the meeting, and said that all or most of the Country were of his mind."

John Greene in his deposition denied who instigated him to go meeting. William Little said that he went with John Barnes, but denied who instigated him to go. John Sheppard agreed with the others to meet at the church "to be redressed from their Levys"; he said that he heard from Samuel Cornell that the levies were unjust, and that Cornell said Mr. Holt (i.e., Randall Holt) told him so.

John Barnes then being called denied who said first that the levies were unreasonable and said that he heard it from everybody. William Tooke also denied knowing who said first that the levies were unreasonable.

(10) - CONTINUED

(1-20)

The examination was concluded by the deposition of Francis Taylor, a person not involved. "The deposition of Francis Taylor being called before Capt. Law. Baker, Mr. Robert Caufield, and Capt. Robert Spencer to swear his true knowledge concerning a meeting of some of the Parish on Friday 12 Xbr., 1673, at Lawne's Creek Parish Church is as follows: 'That being at my lodging-looking out I espyed John Gregory going through the Field, and called him to desire him to make me a waistcoate, which he told me he would, but he asked me if I would not be at the Church for there was to be a great part of the Parish meeting there this morning concerning ye Levys. I told him I knew nothing of it, neither was I concerned in it, as being no housekeeper, but I did not much care if I went with him to see what was done. He told me he was going to Mr. Caufield's to take measure of one of his men, to make his freedom clothes and he would holler for me as he came back, which accordingly he did and we went together.

When we came there we found about halfe a score men sitting there, and asking them how they did, and what they met for they said they did expect some more to come intending civilly to treat concerning the Levy for they did understand that there was several officers to be paid tobacco out of the Levy, which they knew no reason for, by reason they were put to as much trouble and expense as they were. Colonel Swan was to have 5000 lbs. tobacco for the officers and the Colonel was to be levied on this parish only. Their company not meeting yet they stayed there about an hour, and so resolved to speake about it on the next Sabbath being sermon day. In the Interior on Saturday, I being at Mr. Sherwood's (the sub-sheriff) requested him to see the list of the Levy which he did show me and there I saw the charge was levied on the whole county. Which I spoke of at the Church, they hearing said no more, and further saith not." (Book 2, pp. 42-3.)

This simple meeting of citizens to complain about their taxes seems to be a "tempest in a tea pot" from a 20th century standpoint. However, it appears to have been regarded as an extremely serious matter in 17th century Virginia under Berkeley's autocratic rule.

The case was speedily disposed of as follows at a court held for Surry County January 6, 1673/4 (O. B. 1671-90, p. 42): "for that they were sorry for their offence & were no projectors of ye same, John Gregory, Robert Lacy, James Chessett, Thos. Clay, Michl Uchurch, Wm. Tooke, Wm. Little and John Greene be ordered committed until they give bond for their future good behaviour and pay costs and be dismissed." (George Peters seems to have been unintentionally omitted from the above list.) John Barnes, John Sheppard, and William Hancock were ordered to "be committed untill they give ye like bond and pay each of them one Thousand pounds tobacco fine, to ye use of his Majesty, and pay costs." Roger Delke "altho he were noe Ring Leader in ye faction, yet for saying after much fair admonition yt if one of them suffered they would burne all, he shall stand Comitted untell he give ye Like bond and pay ye Like fine of 1000 pds. of tobacco wth costs." . . . "& for ye sd Mathew Swan was a Chief projector of ye design & being asked if he were Convinced & said yt ye Cort had unjustly proceeded in ye sd Levy & Charged ye Cort therewith at ye Barr, it is therefore order'd that he stand Comitted untell he give bond for his good abearing wth security for his appearance at ye 3'd day of ye next Genrall Cort before ye Right Honourable ye Governour & Councell for his Dangerous Contempt & Unlawful project & his wicked Prsisting in ye same; & being called again one by one & strictly Examined how & by whome ye sd unlawfull Assembly was projected & sett on foot; it appearing yt ye sd Mathew Swan, Jno. Barnes, Jno. Sheppard and Wm. Hancock at ye house of ye sd Jno. Barnes did first resolve & conclude upon ye meeting & yt ye rest (with a great many more whome they intended to prsuade were only drawne on from ye beginning)."

The case of Matthew Swan was finally brought before the Council and General Court of Virginia on the afternoon of April 6, 1674 and settled as follows: "It is ordered that the order of Surry Court Against the mutinuss Psons be Confirmed and that Mathew Swan the ringleader of them, who was bound over to the Court be Fined Two Thousand pounds of tobacco and Caske and that all fines of the Psons goe towards the ffort at James Citty And that they pay all just Costs and Charges.

(Minutes of Council and General Court, p. 367.)

This, however, did not end the matter, for there is always a court of public opinion to which even dictators sometimes bow. This action caused so much resentment among the colonists that



MICHAEL

U, I

PG21

XID-146

(20) - CONTINUED

(1-21)

Governor Berkeley found it advisable to remit the fines which he finally did on September 23, 1674. (W. M. 23, p. 122.)

It is significant that these events occurred a full two years before the outbreak of the Rebellion, and the case indicates the discontent of the people and their sullen attitude toward their rulers. Only Lawnes Creek Parish men were involved in the above. When the actual rebellion broke out, most of those involved with Bacon - in fact, a very large majority - were inhabitants of Southwark, the other parish in Surry. Perhaps the spirit of the Lawnes Creek men had been broken by the condemnation of Matthew Swan and his colleagues.

Matthew Swan, the ringleader of this protest against high taxes, has many descendants in Virginia and the South. In 1675 he married Mrs. Mary Spiltimber, widow of Anthony Spiltimber and daughter of Robert Harris. His will was dated December 14, 1702 and probated Jan. 5, 1702. He mentioned daughter, Elizabeth, wife of John Drew, daughter, Sarah; Elizabeth, daughter of John Drew; son-in-law, John Drew; daughter, Mary, wife of William Phillips; and grandson, John Phillips. Executors were John Drew and Sarah Swann. Witnesses were Arthur Allen, William Chambers, John Allen, and Robert Ruffin.

July 1957

Mrs. Savage, Deputy  
Register of Deeds  
Surry County Courthouse  
Surry County Va.

MICHAEL U, I PG 22 XID-146  
From the 22 MAY 1487 Oliver Wingate II DDP4

1-22

Michael Upchurch I 1679 poor and aged, exempt from taxes for future. Surry County.

1681 Inventory of Michael's estate:

Tobacco pounds 8108, 2 old decreped cows, 2 yearlings, 2 cows and 1 calf, 2 young steers 3 years old, 3 heifers 3 years old, 24 pewter (lbs @ 8¢ a pound) 12 plates, 6 porringers, 2 small tankards, 1 small flagon, a salt and becker, 1 small bell metal, mortar and plstle, chafing dish, 2 kettles, 1 old skillet, 1 small skimmer, 3 iron pots, 1 spitt, 1 dripping pan, ladle, frying pan, flesh fork, 1 pr. pottracks, old parcel of plow gear, a fixt gun, 3 old chests, old feather bed as it stands, a flock bed, parcel of old bedding, pair of small stilliards, tongs, 1 brand, 1 grindstone, 19 head of poor swine, parcel of old lumber, parcel of old carpenter's tools.

1687 Frances Upchurch adm est. of Michael I

1692 Michael II adm. est. of Frances

Frances presented Robert Reynolds as security for the payment of the orphan's est. of Michael Upchurch.

1721 John Upchurch adm. est. of Hunnicutt

Debts due the estate of Michael: John Jacobs 900 lbs. tobacco  
Chas. Hopkins 500 lbs. tobacco  
lame mare 1 yr. old and the  
vantage

Valentine  
6 Janl 1654  
Robert Hubbard  
12 Dec. 1654

50 acres of land given to each  
importation.

*Oliver*  
*21* - CONT. From *21* 22 MAY 1981 *Oliver King to U D R PH*  
MICHAEL U, I PE23 XED-146  
Murry Upchurch's Will Go to Clerk of Superior Court, Chatham Co. N. C.  
Will is dated 6 April 1870

1-23

MICHAEL UPCHURCH

MICHAEL - "Transferred" by Valentine Patten  
(Valentine Patent, 1654 - from Va. Land Patent  
Book #3 page 272 - 6th June 1000 acres in Westmoreland Co., Va.  
(See file,  
Letter to Virginia Ferrar 1651  
Deposition of Michael Upchurch aged 50 or thereabouts -  
Surety in surry Co. 5 Mar 1671 Test Geo. Watkins  
Surry Wills, Deeds & Orders 1671-1684 page 41  
Admission that he was at ye meeting at Lawne's Creek Church  
See copy of account of meeting.

MICHAEL 2nd In Militia of Surry Co. in 1687  
Paid tythes at Lawne's Creek Church

Robert Hubbard, 1600 acres Westmoreland Co. S side Petomac R. 12 Dec 1654  
(P 313)  
32 persons included Michael Upchurch

MICHAEL UPCHURCH

From Virginia Land Patent Book #3 page 272 we learn that in 1654 on the 6 June Vallentine patented 1000 acres in Westmoreland Co., "upon the S & N at the head of Aquia River, WSW along land of Richard Cadsford and transferred 20 persons", among whom was Michael Upchurch, whom we think must have been in the Colony sometime before this date as the term used in the record is "transferred" as from one place to another. Then, too we have a record of a letter which Michael wrote to Virginia Ferrar in England (The Magazine of Virginia History; The Ferrar Papers Vol 11 p. 44, who acted for her father who was deputy to the Secretary of the Colony, and this letter is dated 27 Mar 1651 and reads as follows: "I am sending you some curious things--a basket, skins of animals, a flying hart's head and horns, the rattles of a rattlesnake, a crowne of a bird. This is all I could provide to send you at present--next year I hope to be of better abilitie to serve you, etc. P.S. - have sent you a young turtle in a glass bottel". we wonder how long it remained "live".

Michael evidently did not stay in westmoreland very long as we have record of him in what is now known as surry Co. Va. when he was listed among the tithables at Lawne's Creek Parish Church. This same Church might be said to be the locale of the present "Birthplace of Freedom."

In 1952 Surry County celebrated its 300th Anniversary. During the celebration a pageant was given in Surry High School depicting certain important episodes in surry County History based on research by the late A. Wilson Bohanan. Episode 4 Scene 1 - Meeting of 14 patriots at Lawne's

(21)-CONT

MICHAEL U, I

PG-24

XID -146

Michael Upchurch

From Hs 22 MAY 1487 Oliver Mungata U & R 24

Creek Church to protest the oppressive taxation in 1672. Among the characters portrayed was MICHAEL UPCHURCH.

(1-24)

"Birthplace of Freedom"

some of the parishoners met at the church Dec 12, 1673 to declare they would not pay taxes - there was no freedom of assembly in those days and this unusual and unauthorized meeting alarmed Authorities. Two Justices of the Court by virtue of a English Statute 300 years old which empowered Justices to inquire into "Riots", ordered the sheriff to arrest "seditious" people and bring them before the Court for trial. This was only a prelude to Bacon's Rebellion in 1676. Governor Berkeley was America's first modern Dictator. His methods of absolute rule were somewhat like Huey Long's. The case was speedily disposed of in 1673-4 "for that they were sorry for their offence and were no projectors of ye same." They were ordered committed until they could give bond for their good future behavior and pay costs and be dismissed."

Surry County was first recognized thusly: "This to certifie yat ye agreement between ye South Side of James Riv-r and ye pish (Parish, is yat ye sd South Side shall pay unto ye pish of James City for ye yeare one thousand six hundred & fifty teen pouns of tobacco & one bushel of corne p head & fir ever thereafter remain a pticula pish by yem selves without any further paymt att all to yish pish witness my hand yis 3rd Janry 1649 -- William Berkley -- Recorded at ye request 7 charge of mayr Marriott 18th Octob 1670. Thus Surry was located just across the James River form James-town, Va.

"Michael Upchurch says he was at ye meeting at ye church, but denys to declaire by whom he heard it, or yt he knew any of ye business they went about."

Deposition???

-----  
On page 446 orig. page 288 can be found this record: "t all to whom these p cents shall come know ye that wee Robt Canfield, etc.  
"Boddie"

In a Book Surry Orders, Wills & Deeds 1684-1686 Page 8 is a list of tithables belonging to Lawne's Creeke pish taken ye 5th of June 1684--- Wid<sup>o</sup> (widow?) Upchurch for Mitch Upchurch 1685 Michael Upchurch

-----  
From Upchurch--Frances Widow a scrap of paper has come to light-- "except clothes and ring given to her daughter according to her order at her death--sworn to by Michael Upchurch 1691 with Charles Jaret, Thomas Lane(?) Book 4 page 258 Surry Co., Va. 3 Jan 1691/2



(21) -CONT.

MICHAEL U, I PG25 XID-146

From 22 MAY 1487 Oliver Ungate U DR 04

UPCHURCH

1-25

Surry County Records of Surry County, Va., 1652 84  
Books I and II, abstracted by Elizabeth T. Davis

Page 46:

(pg. 152 in Record) 2 Jan. 1656. Indenture between Roger Delke and Michael Upchurch of a Plantation on Lawnes Creek lying between John Gregory and sd Michael Upchurch (Upshure) 40 acres, if less than the lease to Timothy Madmonker, for 21 years. Rec. May 1660.

Page 68:

(pg. 232) Edward Upchurch, he moving made Mr. John Peed and Peleg Dunstan to pay out some sums of tob. by him indebted. 2 Nov. 1661. Wit. John Ashton, Henry Tillary

The following abstracts were made from the upside down pages inserted in the back part of BOOK 2.

page 171:

~~No. 23 --- 1-Sept. 1683, -Thes. - ITies-~~

No. 14 - Fra. Upchurch, Robert Reynolds, 5 July 1681.  
Francis Upchurch granted admr. on est. of Michael Upchurch, deceased.  
Wit. John Thompson, Wm. Seward.

Page 110:

(ff[folio]) 5 Mar 1671 Depositions Michell Upchurch aged fifty od says Geo. Knight on Christmas Eve last killed deare and asked him if hhere were not any turkeys and he sd. nae but 2 he killed, etc.  
Teste - Geo. Watkins

Page 59:

(pg. 198 in Records) 4 Nov. 1662. John Bason (Mason) sells to Richard Skinner a parcell of land at the head of Lawnes Creek on the side of a dividant of land..... to Pawley's land, formerly belonged to Robert Parke,  
Rec. Ober 5th 1662.  
Wit. Geo. Wattkins, Michael Upchurch (Upshure)

MICHAEL U, I PG26 XFD-146  
From 22 MAY 1987 Oliver Wingard DRPH  
U E C H U R C H

(21)-CONT. ↑

1-26

Taken from Cavaliers & Pioneers by  
Nell Marion Nugent - 1934

Abstracts of Va. Land Patents & Grants 1623-1800  
Patent Book 3 Page 272

MICHAEL - "Vallentine Patten, 1000 acres, Westmoreland Co. Va. 6 June 1654, upon the S & N at the head of Oqui River, W. S. W. along land of Richard Codsford, etc. for the transfer of 20 persons: Gowry Macalster, John Macalster, Hector Macalster, Daniel Grey, John Wright, John Cook, Tho. Levin, Wm. Gage, Robt. Poynter, Joan Hoote, Henry Odell, Ann Childs, (a child?), Rich. Welch, Wm. Ginnings, Mich. (Michael) Upchurch, Fra. Shelton, Tho. Green, John Bakenworth, James Collett, Thomas wood."

(22) FROM: UPCHURCH FAMILY OF ENGLAND, VIRGINIA  
& NORTH CAROLINA - BY BELLE LEWTER WEST  
(Pg 13-20)

(1-27)

---

## Part Two

### UPCHURCH Family in VIRGINIA 1650-1750

#### MICHAEL UPCHURCH

" It is not known when nor under what plan, MICHAEL UPCHURCH emigrated to Virginia from England. He was listed in Nell Nugent's CAVALIERS & PIONEERS. Abstracts of Virginia Patents and Land Grants, 1623-1666, by two different persons, as a headright, when they were granted land in 1654. His name appeared on the list of Valentine Patten, when Patten was granted 1000 acres, 6 June 1654, in Westmoreland County, Virginia. "upon the S & W at the head of the Oqui Creek. WSW along the line of Richard Codsford, for the importation of 20 persons." He was also listed by Robert Hubbard when Hubbard was granted 1600 acres in Westmoreland County, 25 October 1654. "on S side of Petomack River, beginning at a branch of the Oqui River. for the transfer of 32 persons."

No record of any activity of MICHAEL UPCHURCH has been found in Westmoreland County, Virginia. It appears that this is one of those cases, which often happened in early Virginia, which permitted persons, greedy for land, to buy lists of headrights even after the person whose name was used, had been in the colony for sometime. It is known that MICHAEL UPCHURCH had come to Virginia as early as 1649-1650, as will be shown later.

Among the names on the lists of Patten and Hubbard was also the name of James Collett, who was a son of Susannah (Ferrar) Collett of Little Gidding, Huntingdonshire, England, of whom in the Little Gidding story in the Appendix of this book. Richard Collett, another son of Susannah Collett, was already in Virginia. He was listed as a headright when George Busse was granted "400 acres at the head of Lawne's Creek on 23 December, 1642." As this Lawne's Creek area is where the first record of MICHAEL UPCHURCH was found, it is very evident that James Collett and MICHAEL were influenced to come to this section of Surry County, Virginia, to join Richard Collett.

We know that MICHAEL UPCHURCH was in Virginia as early as 1649-1650 as he had had time to collect "tokens" to send to his family and friends at Little Gidding by March of 1651. In a letter written on the 27th of that month to Mrs. Virginia Ferrar,

(22) - CONTINUED

1-28

he said: "I am sending you a basket of skins of animals, flying hart's head and horns, the rattles of a rattlesnake, a crowne of a burd. This is all I can provide to send you at the present time. Nixt yier I hope to be of better abilitie to serve you. P.S. I have sent you a young turtill in a glass bottel." (MAG. OF VA. HISTORY, Vol. 11/44, FERRAR PAPERS).

While searching for the original of this letter at Magdalene College Cambridge University, England, MRS. MARTHA (UPCHURCH) TIDD discovered, among the FERRAR PAPERS, an original letter, dated 4 May, 1652, written by MICHAEL UPCHURCH to his father at Little Gidding, which did not reveal his father's name. An outer cover of this letter could have been lost, or there was such intimacy with the household of the Ferrars, that MICHAEL felt no other address than the one which follows was necessary.

MICH. UPCHURCH

Virginia

To Mr. Ferrar, Gidd

May 4

1652

For my hon'rd friend Mr.

Farrer liveing in Little

Gidden in/

/Hunting:sh

Leave this at Mr. Nicholas

Colletts in Lombard Street

at the White Hinde . . nere

the Cardinals Capp

"Loveing and kinde Father my duty with my wife's humbly I senhed to you and to my mother as alsoe to my sister trusting that you are in health as at present I am blessed bee God' desireing you to remember me to all my friends in generall. These are to notifie you that as yett I have not received your letter but I here it is in ye country but I have received the letter wch Mr. Farrer sent mee as alsoe the token which the faire lady his daughter sent mee for the which I am deeply engaged for her favor and courtesie. Truly I am very sorry I have not had your letter sooner for I did preserve you a Hogshed of the best tobacco I had on purpose to send you but not hearing from you made me lay it out and yett if I can possible I will send you some tobacco this yeare although mine bee layd out. But however I intend God willing to send you some tobacco; the next yeare without faile and pray lett me heare from you the first shippe that come to Yorke River and pray direct your letter for mee to one Mr. James Brune liveing neere unto Esquire Ludlow in Yorke and I shall be sure to have it delivered. Pray father bee not unmindful to present my service to Mr. Farrer informing I understand that he did not receive half the tokens I sent, but it was none of my fault for I being illiterate desired him to writ my letters to send both the name of the man and alsoe of the shipp but I think that he did neglect it therefore I desire to be informed

wt the meaning of the hitting of the naile on the head is and wt it doth signifie and conserning the earth it is the common mould of Virginia onely I sent a young turtle or terrapine as the indians call them and the earth was oneiy to pserve it alive whilst it came to London.

I sent my father tow roundes of tobacco: the matter of 20 lb and I sent my Mother an Indian baskett and a pepper box. And I sent to Mr. Farrer 8 lb of principal good tobacco for his owne drinking and a half a dozen of Indian Pipes and a box full of tobacco seeds and I sent to Mrs. Virginia Farrer a muskrat skin two musk codd

agreed to be forty acres, and if it did extend to be more the said Michael Upchurch was to have it. If it turn out to be less than the lease to Timothy Madmonker.

If I, the said Michael Upchurch, my heirs, executors and assigns doth rest satisfied without any molestation or disturbance unto Roger Delke, his administrations or assigns and to have all rights, privileges and appurtenance, thereto belonging, as hawking, fowling fishing, & hunting, falling, sawing, making timber upon said land for own purposes of building houses upon said division of land, without molestation & disturbance of said Roger Delke himself, his heirs and assigns for and during the term of twenty one years. He, the said Michael Upchurch, his heirs assigns, . . . . . yield yearly 150 lbs of good merchantable leaf tobacco and barrelled according to the Act of Assembly. The tobacco to be paid the 10th of January every year ensuing from the date thereof upon all the deman unto the above Roger Delke.

Furthermore I, Michael Upchurch do bind myself, heirs, administrators, assigns to plant an Orchard upon said land thirty apple trees and ten pear trees. some quince trees. which trees are to be



(22) - CONTINUED

1-29

an Indian basket two woodpeckers crownes wch were redder than any scarlet and with all I sent a paire of flying hart's hornes and a pair of burds hornes and pease of mine several sorts and beans of all colors wheate and Indian corne of all sorts and I sent some heavy earth and a peece of fullers earth and as concerning the Indians makeing of bowes and arrowes they make there bowes of Locust and there arrowes of reeds and there arrow heads bee of glass or else from turkicock spurs or tips of deer's hornes and they do gett glasse from the English and make tryangle just  $\nabla$  as this mark is and they did not cut it with diamonds only with a conce knife or a pippel stone and as concerning mettles I am ignorat there is diverse sorts of mettle stones but I cannot gett any because the Indians are at war one with the other but I shall promise some against the next yeare. however I know not how to make Mrs. Farrer amends for all her manifold favores bestowed upon mee howsoever I shall remaine very thankful for her kindness though unknowne soe at present I comitt you to God and your dutiful sonne/

MICHAELL UPCHURCH

my wife's name is Frances Upchurch/

Virginia May 4/1652/

There is a further direction on one end of the cover of this letter.

Mr. John Grot

Unto Mr. Greene

in Spruses Iland

in Ratlife

In his letter, the address to which MICHAEL UPCHURCH asked his father to address his mail was in Yorke County, Va. which lies just across the James River from Surry Co., where MICHAEL leased some land on 2 Jan. 1656. The wording of the lease, quoted below, seems to indicate that he already owned some land in Surry County.

"Whereas Roger Delk for himself, his heirs, administrators and assigns hath deeded and granted to farm let unto Michael Upchurch his heirs, administrators and assigns, one small division of land situated and lying bounded upon Lawne's Creek being bounded

upon swamp between John Gregory and said Michael Upchurch. For his breadth east upon the creek, south upon John Gregory land, and west into the woods for length of said land, which was agreed to be forty acres, and if it did extend to be more the said Michael Upchurch was to have it. If it turn out to be less than the lease to Timothy Madmonker.

If I, the said Michael Upchurch, my heirs, executors and assigns doth rest satisfied without any molestation or disturbance unto Roger Delke, his administrations or assigns and to have all rights, privileges and appurtenance, thereto belonging, as hawking, fowling fishing, & hunting, falling, sawing, making timber upon said land for own purposes of building houses upon said division of land, without molestation & disturbance of said Roger Delke himself, his heirs and assigns for and during the term of twenty one years. He, the said Michael Upchurch, his heirs assigns, . . . . yield yearly 150 lbs of good merchantable leaf tobacco and barrelled according to the Act of Assembly. The tobacco to be paid the 10th of January every year ensuing from the date thereof upon all the deman unto the above Roger Delke.

Furthermore I, Michael Upchurch do bind myself, heirs, administrators, assigns to plant an Orchard upon said land thirty apple trees and ten pear trees, some quince trees, which trees are to be planted before three years ensuing.

(22) - CONTINUED

(1-30)

Roger Delke specified for his heirs, assigns and administrators bind Michael Upchurch his heirs, assigns, . . . . . not to remove anything off said land, and furthermore to leave upon said land tenable housing at the expiration of said lease, and furthermore said Roger Delke, his heirs and assigns, etc. is to find some small portion of timber for repairs of buildings, houses, after the lease expires.

Signed

Roger Delke

MICHAEL UPCHURCH

(SURRY CO. VA. ORDER BOOK 1, page 152)

On the 4th of November 1662 MICHAEL UPCHURCH witnessed a deed: John Bason (Mason) sells to Richard Skinner a parcel of land at the head of Lawne's Creek on the west side of a dividant of land . . . . . to Pauley's land, formerly belonging to Robert Parke." Rec 7ber5, 1662. Wit: Geo Watkins, MICHAEL UPCHURCH (UPSHURE). (SURRY CO., VA. RECORDS BK. 1/198) E. T. DAVIS ABSTRACTS of SURRY CO., VA. RECORDS, page 59).

From the following we may gather that MICHAEL UPCHURCH was born about 1620. "The deposition of MICHAEL UPCHURCH, aged fifty or thereabouts: I asking Geo. Knight whether he had killed any deere or not. He told me, yes, one upon Christmas Eve last. And further I asked him if there were not any turkeys.

He said noe but two he killed on ye further side of Chippokes Creek. And I ask him upon new years day or ye day after. I asked him where he had been below He answered coming across the creek with my wife. I asked him if he would come in. He said noe he would go home. He further saith not."

5 March, 1671

Test. Geo. Watkins

(SURRY CO., VA. WILLS & DEEDS—1671-84, page 13).

MICHAEL UPCHURCH became more or less involved in one of the early little-known tax rebellions, which took place before Bacon's Rebellion. This occurred at Lawne's Creek Parish Church on the 12th of December, 1673. Several of the parishioners met in "Devil's Old Field", and agreed not to tell who first suggested the meeting at the church. They agreed that their taxes were "unreasonable laid and they would not pay them." This meeting so alarmed the authorities in Surry, that, by virtue of an English Statute 300 years old, which empowered Justices to inquire into "riots", the two Justices, Lawrence Baker and Robert Spenser, ordered the Sheriff to arrest "the seditious people" and bring them to trial at the next court. (WM. & MARY MAG. Vol. 3/123).

At the trial, which was held on the 3rd of January 1674, depositions were taken from various members of the fourteen who met at the church, "save only MICHAEL UPCHURCH," who said: "he was att ye church, but denys to declare by whom he heard of yt he knew any of ye business they mett about."

Roger Delke, one of the largest landowners of Surry County, deposed: "Yt we will all burn before one shall suffer," meaning apparently that the "seditious people" had agreed to stand together in their rebellion against taxes. When asked "who was the pson yt invited thim to meet," he peremptorily denye yt, but ye sd Roger Delke did on his own behalfe and on ye behalfe of the others then next declare: "Yt their meeting was to be relieved from paym't from Drams and Cyder wch they never had." All ye rest assented to what he said, save only MICHAEL UPCHURCH. (SURRY CO., VA. COURT RECORDS Bk. 2/40).

(22) - CONTINUED

(1-31)

The others who gave depositions were Matthew Swan, James Chessett, Rob't Lacy, Tho. Clay, Wm. Hancock, Geo. Peters, John Greene, Wm. Little, Jno. Shepherd, Jno. Barnes, John Gregory and Wm. Tooke.

Apparently the passage of time lessened the anger of the court and William Berkley, the Governor and Captain General of Virginia signed the following statement: "I doe hereby remit the fines of Matthew Swan and alsoe the fines of the other poore men that were fined in Surry Cor'tt, provided they acknowledge there faults in the said County Cor't and pay the cor't charges. Dated this 23rd day of September 1674."

The County of Surry in Virginia celebrated its 300th Anniversary in 1952, and on the 17th of October of that year presented a pageant of episodes from their history. One of the episodes, THE BIRTH-PLACE OF FREEDOM was shown, depicting the brave acts of the fourteen mentioned in THE FIRST TAX REBELLION. All of the "Seditious people" were represented, including MICHAEL UPCHURCH.

In 1663, 1668 and in 1678 MICHAEL UPCHURCH was listed as a tithable at Lawne's Creek Parish Church (SURRY CO. VA.—ORDERS, WILLS & DEEDS).

In 1679 MICHAEL UPCHURCH, "being old and infirm," was exempted from paying taxes. His death date is not known. In the back of Book 2 of SURRY CO., VA. RECORDS, on an upside down page no. 14 appears: FRA. UPCHURCH, Robert Reynolds, 5 July 1681. FRANCES UPCHURCH granted adm. on est. of MICHAEL UPCHURCH, deceased."

Wit: John Thompson, Wm. Seward.

On the 25th of July 1681 FRANCES UPCHURCH was ordered to present to the court of said County of Surry perfect inventory of his estate. (SURRY CO., VA., ORDERS, 1671-1684). The Inventory: "8108 pounds of tobacco, 4 cows, 2 yearlings, 1 calf, 2 young steers 3 years old, 3 heifers 3 years old, 24 pounds of pewter (@ 8 ¢ a lb.), 12 plates, 6 porringers, 2 small tankards, 1 small flagon, a salt & becker, 1 small bell metal, mortar & pestle, chafing dish, 2 kettles, 1 old skillet, 1 small skimmer, 3 iron pots, 1 spitt, 1 dripping pan, ladle, frying pan, flesh fork, 1 pr. potracks, old parcel of plow gear, a fixt gun, 3 old chests, old feather bed as it stands, a flock bed, parcel of old bedding, pair of small stilliards, tongs, 1 brand, 1 grindstone, 19 head of poor swine, parcel of old lumber, parcel of old carpenter's tools." Debts due the estate of MICHAEL UPCHURCH:

John Jacobs 900 lbs of tobacco

Charles Hopkins 500 pounds of tobacco

lame mare 1 year old and the vantage.

As to the parentage of FRANCES UPCHURCH, we may recall that MICHAEL told his father in his letter, dated 4 May, 1652: "My wife's name is FRANCES UPCHURCH." No proof of her parentage has been found but there is strong circumstantial evidence that she was Frances Delke.

We shall consider this record from Book 1, page 213 of SURRY CO., VA., RECORDS (E. T. DAVIS ABSTRACTS, pages 16-63): "May 5, 1663)—Roger Delke and wife, Rebecca, to loving brothers, Francis and Robert Rennells, born of my mother, Alice Gregory, the now wife of John Gregory, sonns of the deceased Nicholas Rennells, of Lawne's Creek in the County of SURRY

(22) - CONTINUED

1-32

....." Roger Delke referred to Alice, the now wife of John Gregory, as his mother. Roger Delke, Sr., must have died early and Alice Delke, his wife (mother of Roger, Jr.) married Nicholas Rennells—who appeared early in Surry County Records—and she had sons, Francis and Robert Rennells, "loving brothers" (really half-brothers) of Roger Delke, Jr. After Nicholas Rennell's death Alice Rennells married John Gregory.

There was a close family connection between the UPCHURCH, Delke and Reynolds families, evidenced by the fact that Robert Reynolds and Roger Delke appeared as security in all of the known records of legal matters that had to do with the UPCHURCH family. Since there was a Francis Reynolds, a son, it is unlikely that there would have been a daughter named Frances. That leaves Frances UPCHURCH to have been of the family of Roger Delke.

Very little is known of FRANCES UPCHURCH. She appeared on the 12th of June, 1683, Tithe List of Lawne's Creek Parish Church as: Wido. UPCHURCH for MICHAEL UPCHURCH." She evidently died early in 1691 as: "on the 19th of January, 1691 Robert Reynolds and Roger Delke entered security for MICHAEL UPCHURCH, due performance of the estate of FRANCES UPCHURCH, his mother . . . ." A Certificate of Administration was granted to him on the same date.

An inventory of the estate of FRANCES UPCHURCH was presented to the court on 23 January, 1691, which valued the estate as worth 6820 pounds of tobacco. This inventory was witnessed by Thomas Lane and Charles Jaret. After their signature there is a statement: "This is a true inventory of the above said deceased, FRANCES UPCHURCH, except her wearing clothes and a ring given to her daughters according to her records at her death." At the court held on the 1st of March, 1691, MICHAEL UPCHURCH, Jr. appeared and made oath that the inventory, as presented, was a true inventory of the estate of FRANCES UPCHURCH. (SURRY CO., VA., WILLS & ADMS., Bk. 4/258).

Lawne's Creek Parish Church kept no birth records during the middle sixteen hundreds, and since neither MICHAEL nor FRANCES UPCHURCH left a will there is no documentary proof of their children. They seem to have had two sons, RICHARD and MICHAEL, Jr., and also to have had "DAUGHTERS" as mentioned by FRANCES above. No further record of their daughters has been found.

RICHARD UPCHURCH, who seems to have been the oldest son of MICHAEL and FRANCES UPCHURCH, apparently married and lived elsewhere than Surry County, Virginia. He appeared back on the home scene as living with MICHAEL II, probably on the property of their father, MICHAEL I, according to the Tithe List of the 10th of June, 1694. RICHARD was listed again on the 9th of June, 1699, as living with Robert Reynolds, who was probably his mother's half-brother. (SURRY CO., VA., WILLS & DEEDS. no. 5, 1694-1701, Part 1). There is no further record of RICHARD UPCHURCH. Circumstances and dates of the appearance of JOHN and JAMES UPCHURCH, of whom later, lead us to believe that they were sons of RICHARD.

MICHAEL UPCHURCH II, in Surry Co., Va., seems to have been the youngest son of MICHAEL and FRANCES UPCHURCH. He was first mentioned in records as a tithable at Lawne's Creek Parish Church by his mother, FRANCES, on the 12th of June 1683, indicating that he had just reached the age of sixteen. He was listed again as a tithable in 1685 and 1688. In 1687 he was in the Militia of Surry County (SURRY CO., VA., ORDERS, WILLS & DEEDS). There is no record of a marriage of MICHAEL II. The last record of him was on the tithe list of 1694 when he appeared with RICHARD UPCHURCH.



MICHAEL U, I PG 33

1-33

(23)

From the 22 MAY 1586 Oliver Wingard

(COPY OF ACTUAL LETTER TITAN)

MICHAEL U, I SENT TO ENGLAND  
IN THE 1650'S

1652

May 4

Mich. W. Church  
Virginia  
to Mr. James Gidd

For my son friend and  
Giddon in

Huntingth.  
Shp.

Said this at Mr. Nicholas  
Colletts in Lombard street  
at the white steeple. And  
the Cardinals rapp.

Mr. John Giddon  
and Mr. Giddon  
in the white steeple  
in the white steeple

Magdalen Coll Cambridge

(23)-  
CONT.


PC34

(1-34)

loving and kinde affections my duty with my wives humble  
to you and to my mother as also our love to my sister shuffling  
that that you are in health as at present I am obliged but  
desiring you to remember me to all my friends and  
acquaintance in generall. these are to certify you that as  
yet I have not received your letter but I know it is in  
country but I have retained the letter with me. Farrer sent  
me as also the token which the faire lady his daughter  
sent me for the which I am deeply engaged for her  
favor and courtesy. truly I am very sorry I have not had  
your letter sooner for I did referent you a baghead of the  
best tobacco I had on my self to send you it but not  
hearing from you made me lay it out and yet if I can  
possibly I will send you some tobacco this year although  
my own is layd out but however I intend and willing  
to send you some tobacco the next year without fail  
and pray lett me hear from you in first shipp that  
come to yorke River and pray direct your letter for  
me to one Mr James Brund Living in the  
Esquires Lodging in yorke and I shall be sure to have  
it delivered. pray father had not on midfull to please  
my service to one Farrer informing him I understand that  
he did not receive hall the tokens I sent but it was  
none of my fault for I being illiterate desired him to  
write my letters to send both the name of the man and  
also of the shipp but I think he did neglect it  
therefore I desire excuse I did not write to you for  
any thing therefore I refer to be informed to the meaning  
of the biting of the nails on the head is and is it both  
significant and concerning the death it is the common mark  
of virginia only I sent a young turtle or terrapin  
as the Indians call them and the north way and by the  
I print it about whilst it came to London

Magdeline Coll Cambridge

Magdeline Coll Cambridge

I sent my father two rowles of tobacco: the matter of 20. and  
 I sent my mother an indian basket and a pepper box. and I  
 sent to m<sup>r</sup> farrers 8 of principall good tobacco for his owne  
 drinking and halfe a dozen of Indian Pipes and a box full  
 of tobacco seeds and I sent to m<sup>r</sup>s virginia Farrer amongst  
 skin two masketts an indian basket two woodpeckers  
 coownds which which were sold the. any strait and well  
 I sent a pair of flying hawks hounds and a pair of birds  
 hounds and yeaft of mine severall sorts and bands of  
 all Colours. wheels and indian sort of all sorts and I  
 sent home heavy earth and a piece of fullers earth  
 and as concerning the indians making of bowes and arrowes  
 they make their bowes of Corust and their arrowes of reeds  
 and their arrow heads are of glasse or steele of beaver  
 square or tipps of deers horns and they doe get the glasse  
 from the english and make triangle Just  as this manner  
 is they doe not cut it w<sup>th</sup> diamonds onely with anould knife  
 or a pipples stone and as concerning m<sup>r</sup>ttles I am ignorant  
 there is diverse sorts of m<sup>r</sup>ttle stones but I cannot get  
 any because the indians are at war and w<sup>th</sup> the other  
 but I shall procure some against the next year if I  
 had retained my father's letter I should have writ more  
 at length however I know not how to make m<sup>r</sup>s  
 farrers amends for all her manifold favours bestowed  
 upon me howsoever I shall remain very thankful  
 for her kindness though unknowne as at present I  
 commit you to God and your dutifull Sonne  
 Virginia May 4 1642 <sup>my wife name is Ann</sup> <sup>Wpchurch</sup> <sup>Wpchurch</sup>



MICHAEL

U, I PG 16 XJD-146

(1-16)

(18) Item (Pg 7) of Ltr 9 SEP 1990 Name Elizabeth Isbell D ROR

336

## EARLY VIRGINIA IMMIGRANTS

Tymon, Sarah, 1642, by William Tymon (her husband), Charles River Co.

Tyngle, Antho., 1648, by Geo. Hardy, Tho. Wombwell and Peter Hall, Isle of Wight Co.

Tyres, Daniell, 1653, by Major Abra. Wood, Charles City Co.

Tyrrill, James, 1648, by Lewis Burwell, Gent., — Co.

Tysley, Richard, 1636, by John Gates, Elizabeth City Co.

Tyson, Georg, 1642, by John Moone, Isle of Wight Co.

## U

Udday, Sanders, 1651, by Lieut. Collo. Giles Brent, Northumberland Co.

Uggins, Tho., 1653, by Tho. Todd, — Co.

Uggins, Edward, 1653, by George Collins, — Co.

Underfield, Wm., 1656, by Mr. Tho. Purifoy, — Co.

Underhill, Henry, 1653, by Richard Vardy, James City Co.

Underhill, Mr. Jno., 1651, by Lieut. Collo. Giles Brent, Northumberland Co.

Underhill, Mr. John, 1655, by Mrs. Margaret Brent, Lancaster Co.

Underwood, John, 1646, by Edward Hall, Lower Norfolk Co.

Underwood, Mary, wife Mr. Geo. Underwood, 1650, by Capt. Moore Fautleroy, — Co.

Underwood, Mr. Geo., 1650, by Capt. Moore Fautleroy, — Co.

Underwood, Ann, 1650, by Capt. Moore Fautleroy, — Co.

Underwood, Tho., 1650, by Capt. Moore Fautleroy, — Co.

Underwood, Wm., 1650, by Wm. Underwood, Gent. (his father), — Co.

Underwood, Mary, 1650, by Wm. Underwood, Gent. (her husband), — Co.

Underwood, Wm., 1642, by Justinian Cooper, Isle of Wight Co.

Union, Mary, 1654, by Richard Allen, Northampton Co.

Upchurch, Mich., 1654, by Valentine Patten, Westmoreland Co.

Upchurch, Mich., 1654, by Robert Hubard, Westmoreland Co.

Upoman, Edward, 1652, by Littleton Scarburg, — Co.

Uprence, Ri., 1650, by Hump. Lyster, — Co.

Upton, Dorothy, 1654, by Tho. Felton, Charles City Co.

Usher, 1653, by Anto. Hoskins, Northampton Co.

Usklye, Wm., 1653, by Roger Walker, Northumberland Co.

Uteley, James, 1643, by Rowland Burnham, Yorke Co.

Uxer, Mary, 1642, by Wm. Whittington, Northampton Co.

Uxor, Mary, 1653, by Capt. Wm. Whittington, Northampton Co.

Upwilliams, Tho., 1653, by Charles Scarburg, Northampton Co.

## V

Vacseen, James, 1637, by John Clarkson, Charles River Co.

Vaeker, Dan., 1653, by Ferdinando Austin, Charles City Co.

Vaine, John, 1643, by Capt. Thomas Pettus, — Co.

Valeveo, Wm., 1653, by Peter Knight and Baker Cutt, — Co.

Valler, Wm., 1650, by Capt. Moore Fautleroy, — Co.



(22) FROM: UPCHURCH FAMILY OF ENGLAND, VIRGINIA  
& NORTH CAROLINA - BY BELLE LEWTER WEST  
(Pg 13-20)

(1-27)

## Part Two

### UPCHURCH Family in VIRGINIA 1650-1750

#### MICHAEL UPCHURCH

"It is not known when nor under what plan, MICHAEL UPCHURCH emigrated to Virginia from England. He was listed in Nell Nugent's CAVALIERS & PIONEERS. Abstracts of Virginia Patents and Land Grants, 1623-1666, by two different persons, as a headright, when they were granted land in 1654. His name appeared on the list of Valentine Patten, when Patten was granted 1000 acres, 6 June 1654, in Westmoreland County, Virginia. "upon the S & W at the head of the Oqui Creek. WSW along the line of Richard Codsford, for the importation of 20 persons." He was also listed by Robert Hubbard when Hubbard was granted 1600 acres in Westmoreland County, 25 October 1654. "on S side of Petomack River, beginning at a branch of the Oqui River, for the transfer of 32 persons."

No record of any activity of MICHAEL UPCHURCH has been found in Westmoreland County, Virginia. It appears that this is one of those cases, which often happened in early Virginia, which permitted persons, greedy for land, to buy lists of headrights even after the person whose name was used, had been in the colony for sometime. It is known that MICHAEL UPCHURCH had come to Virginia as early as 1649-1650, as will be shown later.

Among the names on the lists of Patten and Hubbard was also the name of James Collett, who was a son of Susannah (Ferrar) Collett of Little Gidding, Huntingdonshire, England, of whom in the Little Gidding story in the Appendix of this book, Richard Collett, another son of Susannah Collett, was already in Virginia. He was listed as a headright when George Busse was granted "400 acres at the head of Lawne's Creek on 23 December, 1642." As this Lawne's Creek area is where the first record of MICHAEL UPCHURCH was found, it is very evident that James Collett and MICHAEL were influenced to come to this section of Surry County, Virginia, to join Richard Collett.

We know that MICHAEL UPCHURCH was in Virginia as early as 1649-1650 as he had had time to collect "tokens" to send to his family and friends at Little Gidding by March of 1651. In a letter written on the 27th of that month to Mrs. Virginia Ferrar,

(22) - CONTINUED

1-28

he said: "I am sending you a basket of skins of animals, flying hart's head and horns, the rattles of a rattlesnake, a crowne of a burd. This is all I can provide to send you at the present time. Nixt yier I hope to be of better abilitie to serve you. P.S. I have sent you a young turtill in a glass bottel." (MAG. OF VA. HISTORY, Vol. 11/44, FERRAR PAPERS).

While searching for the original of this letter at Magdalene College Cambridge University, England, MRS. MARTHA (UPCHURCH) TIDD discovered, among the FERRAR PAPERS, an original letter, dated 4 May, 1652, written by MICHAEL UPCHURCH to his father at Little Gidding, which did not reveal his father's name. An outer cover of this letter could have been lost, or there was such intimacy with the household of the Ferrars, that MICHAEL felt no other address than the one which follows was necessary.

MICH. UPCHURCH  
Virginia  
To Mr. Ferrar, Gidd  
May 4  
1652

For my hon'rd friend Mr.  
Farrer liveing in Little  
Gidden in/  
/Hunting:sh  
Leave this at Mr. Nicholas  
Colletts in Lombard Street  
at the White Hinde . . nere  
the Cardinals Capp

"Loveing and kinde Father my duty with my wife's humbly I senhed to you and to my mother as alsoe to my sister trusting that you are in health as at present I am blessed bee God desireing you to remember me to all my friends in generall. These are to notifie you that as yett I have not received your letter but I here it is in ye country but I have received the letter wch Mr. Farrer sent mee as alsoe the token which the faire lady his daughter sent mee for the which I am deeply engaged for her favor and courtesie. Truly I am very sorry I have not had your letter sooner for I did preserve you a Hogshed of the best tobacco I had on purpose to send you but not hearing from you made me lay it out and yett if I can possible I will send you some tobacco this yeare although mine bee layd out. But however I intend God willing to send you some tobacco; the next yeare without faile and pray lett me heare from you the first shippe that come to Yorke River and pray direct your letter for mee to one Mr. James Brune liveing neere unto Esquire Ludlow in Yorke and I shall be sure to have it delivered. Pray father bee not unmindful to present my service to Mr. Farrer informing I understand that he did not receive half the tokens I sent, but it was none of my fault for I being illiterate desired him to writ my letters to send both the name of the man and alsoe of the shipp but I think that he did neglect it therefore I desire to be informed

wt the meaning of the hitting of the naile on the head is and wt it doth signifie and concerning the earth it is the common mould of Virginia onely I sent a young turtle or terrapine as the indians call them and the earth was oneiy to pserve it alive whilst it carne to London.

I sent my father tow roundes of tobacco; the matter of 20 lb and I sent my Mother an Indian baskett and a pepper box. And I sent to Mr. Farrer 8 lb of principal good tobacco for his owne drinking and a half a dozen of Indian Pipes and a box full of tobacco seeds and I sent to Mrs. Virginia Farrer a muskrat skin two musk codd



(22) - CONTINUED

(1-29)

an Indian basket two woodpeckers crownes wch were redder than any scarlet and with all I sent a paire of flying hart's hornes and a pair of burds hornes and pease of mine several sorts and beans of all colors wheate and Indian corne of all sorts and I sent some heavy earth and a peece of fullers earth and as concerning the Indians makeing of bowes and arrowes they make there bowes of Locust and there arrowes of reeds and their arrow heads bee of glass or else from turkicock spurs or tips of deer's hornes and they do gett glasse from the English and make tryangle just  $\nabla$  as this mark is and they did not cut it with diamonds only with a conce knife or a pippel stone and as concerning mettles I am ignorat there is diverse sorts of mettle stones but I cannot gett any because the Indians are at war one with the other but I shall promise some against the next yeare. however I know not how to make Mrs. Farrer amends for all her manifold favores bestowed upon mee howsoever I shall remaine very thankful for her kindness though unknowne soe at present I comitt you to God and your dutiful sonne/

MICHAEL UPCHURCH

my wife's name is Frances Upchurch/

Virginia May 4/1652/

There is a further direction on one end of the cover of this letter.

Mr. John Grot\_\_\_\_\_

Unto Mr. Greene

in Spruces Iland

in Ratlife

In his letter, the address to which MICHAEL UPCHURCH asked his father to address his mail was in Yorke County, Va. which lies just across the James River from Surry Co., where MICHAEL leased some land on 2 Jan. 1656. The wording of the lease, quoted below, seems to indicate that he already owned some land in Surry County.

"Whereas Roger Delk for himself, his heirs, administrators and assigns hath deeded and granted to farm let unto Michael Upchurch his heirs, administrators and assigns, one small division of land situated and lying bounded upon Lawne's Creek being bounded

upon swamp between John Gregory and said Michael Upchurch. For his breadth east upon the creek, south upon John Gregory land, and west into the woods for length of said land, which was agreed to be forty acres, and if it did extend to be more the said Michael Upchurch was to have it. If it turn out to be less than the lease to Timothy Madmonker.

If I, the said Michael Upchurch, my heirs, executors and assigns doth rest satisfied without any molestation or disturbance unto Roger Delke, his administrations or assigns and to have all rights, privileges and appurtenance, thereto belonging, as hawking, fowling fishing, & hunting, falling, sawing, making timber upon said land for own purposes of building houses upon said division of land, without molestation & disturbance of said Roger Delke himself, his heirs and assigns for and during the term of twenty one years. He, the said Michael Upchurch, his heirs assigns, . . . . . yield yearly 150 lbs of good merchantable leaf tobacco and barrelled according to the Act of Assembly. The tobacco to be paid the 10th of January every year ensuing from the date thereof upon all the deman unto the above Roger Delke.

Furthermore I, Michael Upchurch do bind myself, heirs, administrators, assigns to plant an Orchard upon said land thirty apple trees and ten pear trees, some quince trees, which trees are to be planted before three years ensuing.

(22) - CONTINUED

(1-30)

Roger Delke specified for his heirs, assigns and administrators bind Michael Upchurch his heirs, assigns, . . . . . not to remove anything off said land, and furthermore to leave upon said land tentable housing at the expiration of said lease, and furthermore said Roger Delke, his heirs and assigns, etc. is to find some small portion of timber for repairs of buildings, houses, after the lease expires.

Signed

Roger Delke

MICHAEL UPCHURCH

(SURRY CO. VA. ORDER BOOK 1, page 152)

On the 4th of November 1662 MICHAEL UPCHURCH witnessed a deed: John Bason (Mason) sells to Richard Skinner a parcel of land at the head of Lawne's Creek on the west side of a dividint of land . . . . . to Pauley's land, formerly belonging to Robert Parke." Rec 7ber5, 1662. Wit: Geo Watkins, MICHAEL UPCHURCH (UPSHURE). (SURRY CO., VA. RECORDS BK. 1/198) E. T. DAVIS ABSTRACTS of SURRY CO., VA. RECORDS, page 59).

From the following we may gather that MICHAEL UPCHURCH was born about 1620. "The deposition of MICHAEL UPCHURCH, aged fifty or thereabouts: I asking Geo. Knight whether he had killed any deere or not. He told me, yes, one upon Christmas Eve last. And further I asked him if there were not any turkeys.

He said noe but two he killed on ye further side of Chippokes Creek. And I ask him upon new years day or ye day after. I asked him where he had been below He answered coming across the creek with my wife. I asked him if he would come in. He said noe he would go home. He further saith not."

5 March, 1671

Test. Geo. Watkins

(SURRY CO., VA. WILLS & DEEDS—1671-84, page 13).

MICHAEL UPCHURCH became more or less involved in one of the early little-known tax rebellions, which took place before Bacon's Rebellion. This occurred at Lawne's Creek Parish Church on the 12th of December, 1673. Several of the parishioners met in "Devil's Old Field", and agreed not to tell who first suggested the meeting at the church. They agreed that their taxes were "unreasonable laid and they would not pay them." This meeting so alarmed the authorities in Surry, that, by virtue of an English Statute 300 years old, which empowered Justices to inquire into "riots", the two Justices, Lawrence Baker and Robert Spenser, ordered the Sheriff to arrest "the seditious people" and bring them to trial at the next court. (WM. & MARY MAG. Vol. 3/123).

At the trial, which was held on the 3rd of January 1674, depositions were taken from various members of the fourteen who met at the church, "save only MICHAEL UPCHURCH," who said: "he was att ye church, but denys to declare by whom he heard of yt he knew any of ye business they mett about."

Roger Delke, one of the largest landowners of Surry County, deposed: "Yt we will all burn before one shall suffer," meaning apparently that the "seditious people" had agreed to stand together in their rebellion against taxes. When asked "who was the pson yt invited thim to meet," he peremptorily denye yt, but ye sd Roger Delke did on his own behalfe and on ye behalfe of the others then next declare: "Yt their meeting was to be relieved from paym't from Drams and Cyder wch they never had." All ye rest assented to what he said, save only MICHAEL UPCHURCH. (SURRY CO., VA. COURT RECORDS Bk. 2/40).



(22) - CONTINUED

1-31

The others who gave depositions were Matthew Swan, James Chessett, Rob't Lacy, Tho. Clay, Wm. Hancock, Geo. Peters, John Greene, Wm. Little, Jno. Shepherd, Jno. Barnes, John Gregory and Wm. Tooke.

Apparently the passage of time lessened the anger of the court and William Berkley, the Governor and Captain General of Virginia signed the following statement: "I doe hereby remit the fines of Matthew Swan and alsoe the fines of the other poore men that were fined in Surry Cor'tt, provided they acknowledge there faults in the said County Cor't and pay the cor't charges. Dated this 23rd day of September 1674."

The County of Surry in Virginia celebrated its 300th Anniversary in 1952, and on the 17th of October of that year presented a pageant of episodes from their history. One of the episodes, THE BIRTH-PLACE OF FREEDOM was shown, depicting the brave acts of the fourteen mentioned in THE FIRST TAX REBELLION. All of the "Seditious people" were represented, including MICHAEL UPCHURCH.

In 1663, 1668 and in 1678 MICHAEL UPCHURCH was listed as a tithable at Lawne's Creek Parish Church (SURRY CO. VA.—ORDERS, WILLS & DEEDS).

In 1679 MICHAEL UPCHURCH, "being old and infirm," was exempted from paying taxes. His death date is not known. In the back of Book 2 of SURRY CO., VA. RECORDS, on an upside down page no. 14 appears: FRA. UPCHURCH, Robert Reynolds, 5 July 1681. FRANCES UPCHURCH granted adm. on est. of MICHAEL UPCHURCH, deceased."

Wit: John Thompson, Wm. Seward.

On the 25th of July 1681 FRANCES UPCHURCH was ordered to present to the court of said County of Surry perfect inventory of his estate. (SURRY CO., VA., ORDERS, 1671-1684). The Inventory: "8108 pounds of tobacco, 4 cows, 2 yearlings, 1 calf, 2 young steers 3 years old, 3 heifers 3 years old, 24 pounds of pewter (@ 8 ¢ a lb.), 12 plates, 6 porringers, 2 small tankards, 1 small flagon, a salt & beaker, 1 small bell metal, mortar & pestle, chafing dish, 2 kettles, 1 old skillet, 1 small skimmer, 3 iron pots, 1 spitt, 1 dripping pan, ladle, frying pan, flesh fork, 1 pr. potracks, old parcel of plow gear, a fixt gun, 3 old chests, old feather bed as it stands, a flock bed, parcel of old bedding, pair of small stilliards, tongs, 1 brand, 1 grindstone, 19 head of poor swine, parcel of old lumber, parcel of old carpenter's tools." Debts due the estate of MICHAEL UPCHURCH:

John Jacobs 900 lbs of tobacco

Charles Hopkins 500 pounds of tobacco

lame mare 1 year old and the vantage.

As to the parentage of FRANCES UPCHURCH, we may recall that MICHAEL told his father in his letter, dated 4 May, 1652: "My wife's name is FRANCES UPCHURCH." No proof of her parentage has been found but there is strong circumstantial evidence that she was Frances Delke.

We shall consider this record from Book 1, page 213 of SURRY CO., VA., RECORDS (E. T. DAVIS ABSTRACTS, pages 16-63): "May 5, 1663)—Roger Delke and wife, Rebecca, to loving brothers. Francis and Robert Rennells, born of my mother, Alice Gregory, the now wife of John Gregory, sonns of the deceased Nicholas Rennells, of Lawne's Creek in the County of SURRY

(22) - CONTINUED

1-32

....." Roger Delke referred to Alice, the now wife of John Gregory, as his mother. Roger Delke, Sr., must have died early and Alice Delke, his wife (mother of Roger, Jr.) married Nicholas Rennells—who appeared early in Surry County Records—and she had sons, Francis and Robert Rennells, "loving brothers" (really half-brothers) of Roger Delke, Jr. After Nicholas Rennell's death Alice Rennells married John Gregory.

There was a close family connection between the UPCHURCH, Delke and Reynolds families, evidenced by the fact that Robert Reynolds and Roger Delke appeared as security in all of the known records of legal matters that had to do with the UPCHURCH family. Since there was a Francis Reynolds, a son, it is unlikely that there would have been a daughter named Frances. That leaves Frances UPCHURCH to have been of the family of Roger Delke.

Very little is known of FRANCES UPCHURCH. She appeared on the 12th of June, 1683, Tithe List of Lawne's Creek Parish Church as: Wido. UPCHURCH for MICHAEL UPCHURCH." She evidently died early in 1691 as: "on the 19th of January, 1691 Robert Reynolds and Roger Delke entered security for MICHAEL UPCHURCH, due performance of the estate of FRANCES UPCHURCH, his mother . . . ." A Certificate of Administration was granted to him on the same date.

An inventory of the estate of FRANCES UPCHURCH was presented to the court on 23 January, 1691, which valued the estate as worth 6820 pounds of tobacco. This inventory was witnessed by Thomas Lane and Charles Jaret. After their signature there is a statement: "This is a true inventory of the above said deceased, FRANCES UPCHURCH, except her wearing clothes and a ring given to her daughters according to her records at her death." At the court held on the 1st of March, 1691, MICHAEL UPCHURCH, Jr. appeared and made oath that the inventory, as presented, was a true inventory of the estate of FRANCES UPCHURCH. (SURRY CO., VA., WILLS & ADMS., Bk. 4/258).

Lawne's Creek Parish Church kept no birth records during the middle sixteen hundreds, and since neither MICHAEL nor FRANCES UPCHURCH left a will there is no documentary proof of their children. They seem to have had two sons, RICHARD and MICHAEL, Jr., and also to have had "DAUGHTERS" as mentioned by FRANCES above. No further record of their daughters has been found.

RICHARD UPCHURCH, who seems to have been the oldest son of MICHAEL and FRANCES UPCHURCH, apparently married and lived elsewhere than Surry County, Virginia. He appeared back on the home scene as living with MICHAEL II, probably on the property of their father, MICHAEL I, according to the Tithe List of the 10th of June, 1694. RICHARD was listed again on the 9th of June, 1699, as living with Robert Reynolds, who was probably his mother's half-brother. (SURRY CO., VA., WILLS & DEEDS, no. 5, 1694-1701, Part 1). There is no further record of RICHARD UPCHURCH. Circumstances and dates of the appearance of JOHN and JAMES UPCHURCH, of whom later, lead us to believe that they were sons of RICHARD.

MICHAEL UPCHURCH II, in Surry Co., Va., seems to have been the youngest son of MICHAEL and FRANCES UPCHURCH. He was first mentioned in records as a tithable at Lawne's Creek Parish Church by his mother, FRANCES, on the 12th of June 1683, indicating that he had just reached the age of sixteen. He was listed again as a tithable in 1685 and 1688. In 1687 he was in the Militia of Surry County (SURRY CO., VA., ORDERS, WILLS & DEEDS). There is no record of a marriage of MICHAEL II. The last record of him was on the tithe list of 1694 when he appeared with RICHARD UPCHURCH.

WILLS OF Michael U +  
Frances U - rec'd by  
RPH in Ltr 14 OCT 1982  
Mahel Louise U to RPH

(2-1)

Surry

An Inventory & appraisement of the Estate of Frances Upchurch  
 widow deceased presented by Michael Upchurch Executor  
 the said deceased as follows to wit

Impts	Seven head of hogs	0530
	Seven head of cattle	2200
	Eight poultry	0050
	one grindstone	0400
	forty four pounds of Powder	0100
	Two brass kettles and one small one weighing 33	0050
	one Chaffinch one mortar & Pestle	0010
	Three pieces of Earthenware	0020
	Tom Powder Spoon	
	Three Iron pots three of pot hooks one pot rack iron	
	one Iron trivet & flag fork one old frying pan one	0050
	p. of tongs, one Iron dripping pan one old Spitt	0150
	Three old chests	0010
	one Small looking glass	
	Two Saws two augers & two auger bits two wedges two	
	p. of Compasses one Hammer two old soap hooks one	
	Smoothing iron one iron pottle one wire hand sickle	0300
	one brass one ad one broad ax one old yoke with rings	
	and Staples one Iron one Shovel one gauge	
	one feather bed weighing forty pounds	0300
	two old pails and one pail	0020
	one old Couch two old chairs & a table	0100
	one old rug one old blanket one feather bed two pillows one bolster	
	one pair of Small Skillicks	0005
	old lumber in the shed	0120
	four books	
	Sum	0550

v. 23 of Land

The app. & herein mentioned were then sworn

Coram Henry Tucker

In obedience to an ord. of this County Court dated 3<sup>rd</sup> of the  
 instant Land was v. Subscribers have valued & appraised the  
 above mentioned belonging to v. Estate of Frances Upchurch  
 dead amounting to v. sum of six thousand five hundred & twenty  
 three dollars & no cents



(3)

At a Court held for the County of Surry March 5<sup>th</sup> 1691  
This day appeared in Court J<sup>r</sup> within named Michael  
Opchurch & made oath that J<sup>r</sup> within specified sentence  
is a true & correct Inventory of Francis Opchurch dead

Vera Record

Test

Test W Edwards Esq

At a Council held at Tindals Point 2<sup>nd</sup> 8<sup>th</sup> 1691  
Present

The Right Hon<sup>ble</sup> the Lt Gov<sup>r</sup> and Council  
On Consideration that severall Sheriffs have  
failed to make return of their publishing some  
Proclamations and publick orders sent them and  
doing what in them was required It is ordered  
that for the future the Respective Sheriffs of  
this Colony make return to the Sec<sup>y</sup> Office of their  
due Execution of all publick Instruments by the  
5<sup>th</sup> day of the next Gen<sup>l</sup> Court after receipt of  
them

To the Sheriffs  
of Surry County

Cope Vera

Test W Edwards Esq

(2)

To all to whom these presents shall come Knowe that we Robt. Caufield  
Major in the Justice of Peace in the County of Surry and quarter  
in our said County of Surry Whereas Michael Pickens late of the  
Colony of Virginia leaving an Estate in & was good Inward who do  
knowe by his Relict hath made humble Suite by Petition that a Commission of  
the said Justice might be granted her of the said Estate, now known as  
that we Robt. Caufield Major according to an Ord. of Surry  
County Boarding date July 5. 1687 for the better Ordering & Securing  
of the s. Estate, Do give & grant unto the s. Petitioner, Pickens the  
Administration of all Singular the goods right & Bed of the Estate  
the said death of what Nature Quality or Condition they be or in  
whose Custody soever they remaine within the Colony & do by  
these presents further Ord. and appoint that the said Petitioner  
shall present into the Court of the said County of Surry all real  
Estate & her effect & Inventory of the said Estate being lawfully  
appraised by sufficient Men upon oath further that shee  
satisfy & pay all such debts as remaine due owing from the said  
Estate unto any person or persons within the Colony as far as the  
Estate will afford, and after such debts are paid then to bring a true  
and just account of the Surplusage or remainder of the said Estate  
wherein shee shall be thereunto lawfully called and deliver the same  
into the Court for the use of such person or persons unto whom of right  
it shall belong or lawfully appertain Given this 25. day of

July 1687

Robert Pickens Comr of Adminstr.  
on Estate of her deceased Husband.  
Sgt. William Edwards Secy

Robt. Caufield  
Justice

Vera record July 27. 1687 J. W. E. Secy

(1)

○ Items D 7, 8 Re Michael U, I - Input of Martha Loyd - Per her  
Profile - Entry 18 MAY 1968

## MICHAEL UPCHURCH

- 1652, 4 May - On this date Michael Upchurch wrote a letter to his parents in England. This was sent in care of Mr. Ferrar at Little Gidding. This letter is in the University Library at Cambridge University in England. In this he tells that he is married and that his wife's name is Frances. Another letter written to Miss Virginia Ferrar on 27 March 1651 tells her he is sending her some curious things - a basket, skins of animals, the rattles of a rattle snake, a crown of a bird. This letter is said to be with the Ferrar papers at Magdalene College, Cambridge University. Va. Historical Magazine, V.11, p.44.
- 1654, 6 June - Michael Upchurch with Vallentine Patten on the Oqui River. page 272, Cavaliers and Pioneers 1623-1800 by Nell Nugent.
- 1654, 12 December - Michael Upchurch with Robert Hubbard on the Oqui River. Page 313 same book. With Robert Hubbard was also James Collett, a grandson of Nicholas Ferrar who established Little Gidding, a Religious Retreat. Mr Nicholas Ferrar and his sons John and Nicholas had been governor and deputy governors of Virginia.
- 1656, 2 January - Indenture between Roger Delk and Michael Upchurch of a plantation at Lawnes Creek, lying between John Gregory and the said Michael Upchurch (Upshure) 40 acres if less than the lease to Timothy Madmonger. for 21 years. Surry Co. Va. Records. Abstracted by Elizabeth T. Davis. Book 1, page 152.
- 1662, 4 November - John Bason (Mason) sells to Richard Skinner a parcel of land at the head of Lawnes Creek..... Book 1 page 198 Surry County, Va, Records by Davis. Wit. George Watkins, Michael Upchurch (Upshure).
- 1668, Listed as Tithable at Lawnes Creek.
- 1673, 3 January. Michael was at a meeting at Lawnes Creek which had been called to protest taxes. Michael stated that he did not know the purpose of the meeting.
- 1679 Excused from paying taxes, bring old and infirm.
- 1678 Listed as tithable at Lawnes Creek Ghurch. Boddie.
- 1681, 25 July - Frances Upchurch, relict, applied for commission of Michael's estate, which was granted. She had to present an inventory of the estate and had to post bond for Orphan's Estate. Robert Reynolds helped her with this.
- 1679, Michael Upchurch, poor and aged, exempt for taxes for future.
- 1681 Inventory of Michael's estate.  
Tobacco pounds 8108, 2 old decreped cows, 2 yearlings, 2 cows and 1 calf, 2 young steers 3 years old, 3 heifers 3 years old, 24 pewter (pounds at 8 c a pound) 12 plates, 6 porringers, 2 small tankards, 1 small flagon, 1 salt and becker, 1 small bell metal, mortar and pestle, chafing dish, 2 kettles, 1 old skillet, 1 small skimmer, 3 iron pots, 1 spitt, 1 dripping pan, ladle, frying pan, flesh fork, 1 pr. potracks, old parcel of plow gear, a firt gun, 3 old chests, old feather bed as it stands, a flock bed, parcel of old bedding, pair of small stilliards, tongs, 1 brand, 1 grindstone, 19 heads of poor swine, parcel of old lumber, parcel of old carpenter tools.  
Debts due estate of Michael Upchurch:  
John Jacobs 900 pounds of tobacco  
Charles Hopkins 500 pounds of tobacco  
lame mare 1 year old and the vantage

Above furnished to Mr. and Mrs. Oliver Upchurch, July 1727 in Surry County by Mrs. Savage, Deputy Registrar of Deeds, Surry County Court House, Surry County, Virginia.

○ Items D5,6,7 in Section D of Martha Lucy U - Her records - 18 MAY 1968  
RE: SONS OF MICHAEL U, I

## SON(S) OF MICHAEL UPCHURCH

1684, 5 June - Widow Upchurch for Michael Upchurch. A List of Tithables belonging to Lawnes Creek Church taken ye 5th day of June 1684. ①

1687, Militia, Surry County, Va.

1691, 19 January. Robert Reynolds and Roger Delk entering security of Michael Upchurch's due performance of his administration on the estate of Frances Upchurch, his mother. A certificate of administration was granted. ②

1691, 1 March. Appeared in Court this day Michael Upchurch and made Oath that the within specified contents is a true and perfect inventory of the estate of Frances Upchurch, deceased. Book 4. page 248. W. Edwards, Clerk of Court.

1694, 10 June - Michael Upchurch and Ri. Upchurch on the Tithing List for Surry County, Va. ③

After this Michael disappears, but no death, settlement of estate or anything more concerning him has ever been found. ④

1694, 10 June - Richard Upchurch on the Tithing List with Michael. → ⑤

Michael may have had another son, John, as a John Jr. has been found in New Kent County in 1701. This John Jr. died in 1713. He may have been a son of John and a grandson of Michael I. His father may have been dead and he was called junior because John, the son of Richard was living. ⑥

→ JOHN U, I

RICHARD UPCHURCH (1660 - 1696)

probably son of Michael (1620-1681) } x

1694, Ri. Upchurch listed on the Tithable List of Surry County with Michael. ⑦

1699, 9 June - Richard Upchurch is listed with Robert Reynolds on the Tithable List. ⑧

When Michael I died in 1681 Robert Reynolds assisted the widow Frances in the settlement of the estate. When Frances died in 1690 Robert Reynolds assisted Michael II in the settlement of Frances's estate. ⑨

After 1699 Richard is no longer found on the Tithable List. Did Richard marry a Reynolds or was Frances a Reynolds? Richard must have died shortly after the 1699 list. He seems to have left three sons - James, John and William. } ⑩ RPU RECORDS AGREE

RPU SHOWS: (XID'S)

I. MICHAEL U, I (146)

A. RICHARD U, I (149) ③ ⑤ ⑦ ⑧ ⑩

B. MICHAEL U, II (148) ② ③ ④ ⑤ ⑦ ⑨

C. JOHN U, II (2062) ⑥

↑ RPU records carry the John U, II as a s/o JOHN U, I & a G/S/O RICHARD U, I. More analysis is needed.

The logic of ⑥ carries some weight - RPU 27 FEB 2004



MICHAEL

U, I.

3-3

○ Copies of an exchange of ltr in ltr 10 JUL 2003 Robert Freddie Barrs, Sr & RPU

CROSSFILE:

DENNIS MONTGOMERY

ROBERT F. BARRS, SR

SURRY CO, VA

EVA MAY GREGORY

MICHAEL U, I ↑

> \_\_\_\_\_

> From: RobertFBarrs@cs.com

> Sent: Thursday, May 1, 2003 3:00 PM

> To: Montgomery, Dennis

> Subject: CWF Journal Article

>

> Mr. Montgomery,

\*

> We read with interest the article entitled "The Doings in the Devil's Old

> Field" in the Spring 2003 CWF Journal. Our interest stems from the mention

> of Michael Upchurch, who is one of my wife's ancestors. Is there a historian

> on your staff, or someone else that you might recommend, who is familiar with

> the period from the 1630s to about 1800 in the counties of Surry, Isle of

> Wight, and Brunswick?

> /r

> Bob Barrs [ROBERT FREDDIE BARRS, SR]

Subj: RE: CWF Journal Article

Date: 5/1/03 3:10:50 PM Eastern Daylight Time

From: DMontgomer@CWF.org (Montgomery, Dennis)

To: RobertFBarrs@cs.com

Dear Mr. Barrs,

Thank you for your inquiry.

There is no one on the magazine's staff familiar with the counties you name in the period you mention. You might, however, contact a local historian over there named Eva Mary Gregory. She is the wife of L. B. Gregory, and they live in Spring Grove. I haven't a telephone number or e-mail address, but the Postal Service address is:

368 Spring Grove Road

Spring Grove, Virginia 23881-8114

(757) 866-8542 [PER BOB BARRS]

Good luck.

↳ [I cannot locate this town on my Atlas - RPU]

Best regards,

Dennis Montgomery

\* This article provided in ltr  
4 JUL 2003 Robert Freddie  
Barrs, Sr & RPU. Copy of  
the article placed in profile  
of Michael U, I and in  
Surry Co, VA file - RPU



MICHAEL

U, I

(4-1)

○ From Email 25 AUG 2014 Peggy Far Sheets to RPH

I have been looking at the Reynolds family and have found some facts that I feel you already have. There is proof that Roger Delke and Francis and Robert Reynolds are half-brothers. Roger Delke's wife was Alice (possible Davenport) and they had a son Roger. Roger Delke, Sr. died and Alice married Nicholas Reynolds and had two sons, Francis and Robert. How is Frances Upchurch related to these half-brothers???? Perhaps there is no relationship, although I feel we must concentrate on knowing all we can about the Reynolds family. It seems unlikely that a mother would name a son and daughter both Francis. We have proof of the male Francis but nothing on the female Frances who married Michael U. I.

△ I. ROGER DELKE, SR

MD() ALICE -- [POSSIBLY NEE DAVENPORT]

△ A. ROGER DELKE, JR



△ I ALICE (DAVENPORT) DELKE

1/2 SIBLINGS

△ MD() NICHOLAS REYNOLDS

△ A. FRANCIS REYNOLDS (M)

△ B. ROBERT REYNOLDS



Peggy wonders if the wife of Michael U, I (knows  
to be Francis --) could be nee REYNOLDS but says  
it is unlikely Alice & Nicholas would name a son  
Francis & a daughter Francis. Peggy & I agree that  
learning more about the neighbors of Michael U, I  
could be helpful - RPH

MICHAEL U, I (5-1)

XJD-146

See Email 26 JAN 2010<sup>Δ</sup> Mal France Davenport Ed Ray NNN White, J in her Profile and her response of 26 JAN 2010 in her Profile

Re: the following array of people: [ Mae has paragraphs A-E in her email some of which are reproduced below. In P D, E, F shown below she reports that new evidence shows Michael U, II to be between 10 JUN 1662 and 10 JUN 1663 - earlier than West reports - Based on

Δ I. Michael U, I - 1624-1681  
Δ A. Michael U, II. 1662-1697  
FROM Δ B. Richard U, I. 1658-1700  
RPU Δ 1. John U, I 1678-1758  
CHART Δ 2. William U, I  
Δ 3. James U, I 1685-1765

D Now comes the interesting info.... on the 1679 Tithable record for Lawne's Creek Parish of Surry County, Virginia, Michael Upchurch is listed.... and SO IS HIS SON, MICHAEL. I have a copy of the actual record in my hand as I speak... and it's quite clear and easy to read: "Michaell Upchurch & Michaell his Son.... 2"

E This really excites me. Now we can see that he'd reached 16 by 1679, making him born after June 10th, 1662 and before June 10th, 1663.

F Could it possibly be that since Michaell II was born earlier than thought, that he might be the father of John, William, and James, instead of Richard (abt. 1658-1700)? When we thought he wasn't old enough to have fathered John (born 1678), it made sense that Richard was the father. But now we can see that Michael II would have been abt 17 years of age.

G I've never really studied the two sons of Michael (1624-1681) so I'm not sure of the validity of whether Richard Upchurch (1658-1700) or now this son Michael would have been the father of John, William, and James.

What do you think?

C First though, let me give you this from Belle Lewter West's book:

Michael Upchurch II, in Surry Co., Va., seems to have been the youngest son of Michael and Frances UPCHURCH. He was first mentioned in records as a tithable at Lawne's Creek Parish Church by his mother, FRANCES, on the 12th of June 1683, indicating that he had just reached the age of sixteen....

So we've all used that information about Michael II as nothing else had ever surfaced to make us think differently. Ms. West's findings suggested that Michael II was born about 1667.

X. This is absolutely fascinating, and you could be onto something really significant. It will need to be thought out, but Michael II would've been really young, still. I notice that John apparently had a daughter, Elizabeth, born 25 Dec 1701 - which (usually) would mean having been born ca 1670-1675, and there were at least two boys, John Jr. and James, for whom I do not have a birthdate, and if they were before Elizabeth, then John's marriage might have been a little earlier (or not). In any event, this would imply that Michael II would need to have been born not much later than 1650ish.

this she asks if Michael U, II could be the Father of John U, I, Wm U, I & James U, I. (See G) - In C Mae shows that West straight Michael U, II to abt 1667 - RPU's response is given in X

Γ RPU COMMENTS: I will agree that the dates for the first 4 generations need to be revisited and any new data analysed with changes in parentage if needed. However, I agree with Ray that even if Michael U, II

were born 1662 he would have been only about 16 when John U, I was born in 1676 - hence not likely father & son. NOTE: Mae is writing a book on Michael U, I RPU CHART



MICHAEL

U, I

(5-1)

- The item below makes reference to Michael U, I in VA  
It was sent on 17 NOV 2006 by <sup>△</sup>Mae Frances (Nanemport) Cox  
to <sup>△</sup>Kevin Michael Burton who sent it on to RPU under  
cover of his ltr of 22 NOV 2006 [NOTE: I am unable to pursue  
this in detail at present but will class file it as follows:  
<sup>△</sup>MICHAEL U, I; <sup>△</sup>SUARY CO, VA; <sup>△</sup>ISLE OF WIGHT CO, VA  
<sup>△</sup>ROBERT BENNETT; EDWARD BENNETT; ROBERT LAWRENCE

Burton, Kevin/CVO

---

From: Mae Cox [mae@coxok.com]  
Sent: Friday, November 17, 2006 11:19 AM  
To: Burton, Kevin/CVO; 'Kathryn Burton'  
Subject: Cussell Creek

Woohooooo... guess what I found!!!!

While searching and looking for information on Michael Upchurch, I, I've run across something pretty interesting. We still need to do more investigating to prove it all, so I thought I'd enlist your keen observation powers!

In the endorsement of Ferrar for the first letter written by Michael in 1650, it is noted that he *lives neere Cussell Creek nor far from Warrisqueke by Mother Bennett's plantation* [Isle of Wight County]. That particular location has not been identified as far as I can tell reading all the *Upchurch Bulletins*. I think though I may have found where he was talking about.

There was a widow Alice Bennett whose plantation was known as Warrascoyack. In April 1644, she bought 150 acres of land between Castle Creek and Cypress Swamp. Another reference is made to her in 1644 as Robert Lawrence buys land located on the *eastermost side of Lawnes creek adjoining the land of widow Bennett*.

Alice, as best I can determine, was the widow of Robert Bennett, son of Edward Bennett. Edward, of London, obtained a patent from the Virginia Company to establish Bennett's Plantation in 1622. There's a plethora of data on these folks!

I pulled a bunch of info on these folks trying to determine if I was on the right track. There are several references of a Castle Creek that appears to meet or merge with Quarter Spring. Both those names are listed in numerous descriptions of land transactions. It looks like this would have been in the northeastern part of Isle of Wight County, near Hog Island in Surry County. Reference is also made to it being near the town of Smithville, Virginia.

Doesn't this sound plausible? I do feel I've made a good find to solve the confusion about *Cussell Creek*! If you look at the handwriting where it's written, it actually looks like it could be *Castle* or *Castile*.

Cool!

Item in Ltr 4 JUL 2003 Robert Freddie Barr, Sr. to RPA  
(Copy placed also in Sunny Co, VA file)

# The Freshest Advices

## The Doings in The Devil's Old Field

Nothing seems to excite the political passions of Americans so much as the fairness of taxation. The airwaves crackle with debates about what look to some like inequities in the revenue codes, and the Internet rumbles with rumors of deals cut behind closed doors. It may be that we sometimes are too hasty to decry such things as tax breaks for one bracket versus another, and too quick to credit second-hand reports of the machinations of government. It was ever thus, more or less. Consider the doings in The Devil's Old Field—sometimes called The Devil's Woodyard—in late seventeenth-century Virginia.

As colonial tax protests went, the grumbly gathering there in Surry County's Lawne's Creek Parish barely rose to the dignity of a grievance meeting. Yet it was among the earliest demonstrations—perhaps the first—of the new Americans' readiness to stand against perceived injustice.

More than 100 years in advance of such spectacles as the Boston Tea Party, "a Certain Company of Turbulent and Giddy Headed Persons," as the records describe the fourteen participants, unlawfully assembled December 12, 1673, perhaps ten miles from Jamestown. They met at their church beside Hog Island Creek to decry the latest annual county levy. Ringleader Mathew Swan had cooked

up the idea at John Barnes's house with John Sheppard and William Hancock on the basis of misinformation, mixed with mistrust.

Small farmers like Surry County's were poor in the best of times, but in 1673, as Governor William Berkeley said, most men were in debt and "their labors would hardly maintain them." They could afford neither tools to scratch out their livings nor clothes to cover their backs. The money crop, tobacco, glutted the market, and sold for a farthing a pound. Dutch raiders had destroyed eleven ships in the James River tobacco fleet before the cargoes could be sold at any price. Disease had killed 50,000 livestock the winter before, and most of the colony's corn had been exhausted to keep the remainder alive.

A historian says, "The burden on every man in the colony was

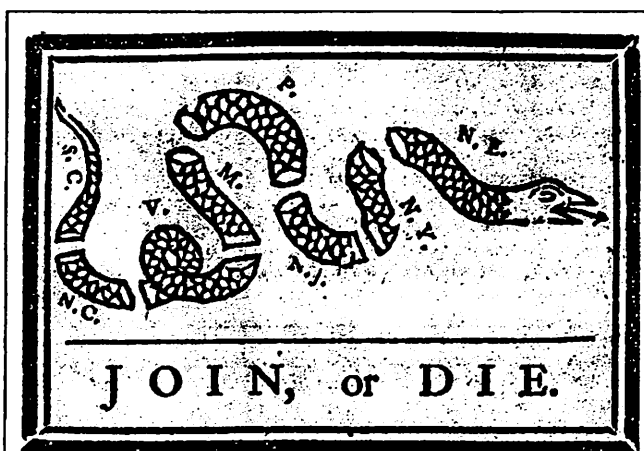
reaching a breaking point." Men were hard pressed, and hard-pressed men can be quarrelsome.

In those days it was "the custom of the County Courts at the laying of the levy to withdraw into a private Room by which the poor people not knowing for what they paid their levy did always admire how their taxes could be so high." The levy was a tax on households paid in pounds of tobacco, according to the number of people available to tend the fields.

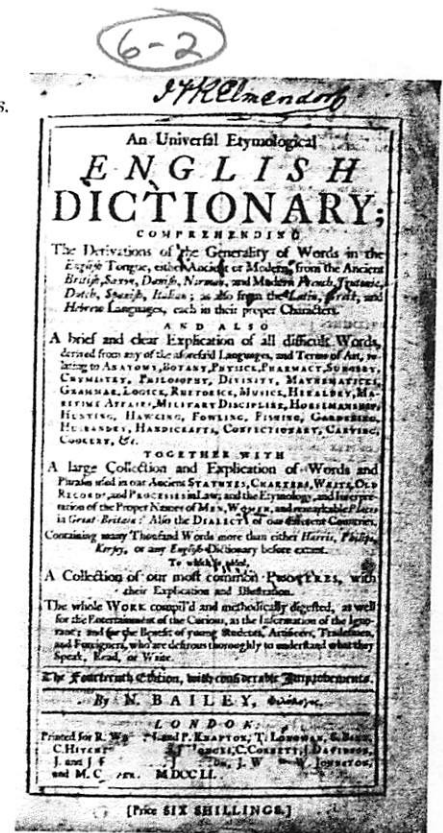
It is human nature, of course, for a taxpayer to wonder where his money is going. So Swan had asked Justice of the Peace Francis Mason, a man who should know. Mason said the taxes were unjust.

From another gentleman, known to history only as Goring, Swan heard some of the taxes were extraordinary. Swan concluded, wrongly, that the general levy was punishingly high, and compounded his error by concluding that an assessment for government salaries applied only to Lawne's Creek. He believed the county's other parish, Southwark, was exempt.

An angry call for a taxpayers meeting circulated, just the sort of gathering outlawed by the Rogues and Riots Act, a law from which we derive the term "reading the Riot Act." At the church, Swan and his confederates wel-



Library Company of Philadelphia  
Reputed to be the first American newspaper cartoon, this snake was printed by Ben Franklin's Pennsylvania Gazette in 1754. Read more about colonial journalism, page 25.



Colonial Williamsburg

comed Roger Delke, Robert Lacy, John Gregory, Thomas Cley, Michael Upchurch, William Tooke, George Peters, William Little, John Greene, and James Chessett. Francis Taylor came along to watch, but no one else showed up. The participants blamed nasty weather for the disappointing turnout, sat about to indulge in some mutinous talk "with intent to alter the Late Levy, or not to pay the Same," and went home to organize another meeting for the Sunday following.

Taylor, in the interim, checked with the sheriff, who showed him the tax rolls. Taylor saw Swan was mistaken. That Sabbath he passed the word in church, and all was quiet until January 3.

By then news of the tax protest meeting had reached Justices of the Peace Lawrence Baker and Robert Spencer, who ordered the sheriff to arrest the participants. The miscreants met in a clearing, The Devil's Old Field, and agreed not to betray their leader, Swan. In court, Delke told the officials, "We will burn all before one shall suffer."

Questioned, the men said they thought "the levy was unjustly laid upon them and they met with intent to remedy that oppression." When the court disabused them, Gregory, Lacy, Chessett, Cley, Upchurch, Tooke, Little, and Greene apologized, were ordered to pay court costs, and confined until they posted peace bonds.

Organizers Barnes, Sheppard, and Hancock, "stubborn and silent," were, in addition, fined 1,000 pounds of tobacco, as, for his defiant remark, was Delke. Swan, unpersuaded of his error, was remanded to the April session of the General Court at Jamestown "for his Dangerous Contempt and unlawful project, and his wicked persisting in same." He was fined 2,000 pounds of tobacco. Pe-

ters's punishment is not recorded.

By September, hearts had softened. Governor Berkeley wrote on the twenty-third, "I doe hereby remit the fines of Mathew Swan, and also the fines of the other poor men, that were fined in Surry County Court, provided they acknowledge their fault in the said County Court, and pay the Court Charges."

And so matters stood until 1676, when hard-pressed men gathered again, under the banner of Bacon's Rebellion, a better-known protest of the poor and the unemployed against the privileged and the powerful.

—J. Hunter Barbour

## Proof of the Pudding

Since at least 1546, it has been idiomatic that it is an ill wind that blows no good. The phrase proved its continued currency at the journal when the magazine came up short of space in which to run the sidebar for writer James Breig's winter article, "Out, Damn'd Proverbs." That misfortune, however, gives us a chance to revisit a topic of interest. So here it is, a sampling of old English proverbs, some familiar, some not, with the year of first citation in the *Oxford English Dictionary*. Some sayings are still used or easily grasped. For others, explanations are supplied.

1562

Out of sight, out of mind.

1682

The proof of the pudding is in eating it.

1706

Set a beggar on horseback, and he'll ride to Peg Crancum's.  
"Peg Crancum," a nickname for

a rambunctious girl, is a corruption of "Peg-Trantum," who, for reasons the OED does not detail, lived a hundred fathoms underground and whose moniker is slang for "dead." Thus to ride to Peg-Trantum is to ride to your demise.

1738

Naught's ne'er in danger.

1748

Spare to speak, spare to speed. The saying is repeated in, among other places, Tobias Smollett's novel *Roderick Random*. In the eighteenth century "speed" meant "succeed" or "prosper." Thus, "Godspeed" means not "May God hurry you along" but "May God bring you prosperity."

1751

Prevention is the better cure.

1761

The Lord Mayor's Day is generally a bad one.  
On November 9, the Lord Mayor of London and other city fathers



MICHAEL U, I

7-1

X30-146

Item in the 25 SEP 2007 Margaret Louise Harris to AP4

# RECORDS OF THE REVOLUTIONARY WAR:

CONTAINING  
THE MILITARY AND FINANCIAL CORRESPONDENCE  
OF DISTINGUISHED OFFICERS;  
NAMES OF THE OFFICERS AND PRIVATES OF REGIMENTS, COMPANIES,  
AND CORPS, WITH THE DATES OF THEIR COMMISSIONS  
AND ENLISTMENTS;

GENERAL ORDERS OF WASHINGTON, LEE AND GREENE  
AT GERMANTOWN AND VALLEY FORGE;

WITH A LIST OF  
DISTINGUISHED PRISONERS OF WAR; THE TIME OF THEIR  
CAPTURE, EXCHANGE, ETC.

TO WHICH IS ADDED  
THE HALF-PAY ACTS OF THE CONTINENTAL CONGRESS; THE REVOL-  
UTIONARY PENSION LAWS; AND A LIST OF THE OFFICERS OF  
THE CONTINENTAL ARMY WHO ACQUIRED THE RIGHT TO  
HALF-PAY, COMMUTATION, AND LANDS.

BY W. T. R. SAFFELL,  
COUNSELLOR, AND AGENT FOR REVOLUTIONARY CLAIMS.

THIRD EDITION.

---

BALTIMORE:  
CHARLES C. SAFFELL,  
224 WEST FAYETTE STREET.

1894.

7-2

973.3  
915.3  
1913

Originally Published  
Baltimore, 1894

*Index to Saffell's List of Virginia Soldiers  
in the Revolution, by McAllister*  
Hot Springs, Virginia, 1913

Copyright, 1913  
J. T. McAllister  
Hot Springs, Virginia  
*Reprinted with Permission*

Reprinted  
Genealogical Publishing Company  
Baltimore, 1969

Library of Congress Catalog Card Number 68-55759

*Made in the United States of America*

NAMES AND RANK OF THE FIELD, STAFF, AND OTHER COMMISSIONED OFFICERS AND PRIVATES OF COL. DANIEL MORGAN'S 11TH AND 15TH VIRGINIA REGIMENTS, INCORPORATED, AS THEY STOOD FROM MAY 31, 1777, TO NOVEMBER 30, 1778.

Daniel Morgan, Colonel.  
 Abraham Buford, Colonel from  
 May 15, 1778.  
 John Cropper, Lieut. Colonel, from  
 May 15, 1778.  
 Gustavus B. Wallace, Lieut. Col.  
 David Stephenson, Major.  
 Philip Slaughter, Captain, and  
 Paymaster from June 1, 1778.  
 Samuel Jones, Lieut. and Paym'r.  
 Albridgeton Jones, Adjutant.

Robert Porterfield, Lieut. and Adjutant.  
 John Barnes, Lieut. and Qr. Mas'r.  
 Mace Clements, Surgeon.  
 Joseph Davis, do.  
 John Crute, Quarterm'r's Serg't.  
 William Death, do.  
 Charles Erskine, Sergeant-major.  
 Thomas Pollock, do.  
 Robert Sharman, Fife-major.

COMPANY No. 1, AS IT STOOD IN MAY, 1777.

James Calderwood, Captain, Commissioned January 19, 1777.  
 Thomas Lucas, First-Lieutenant. do. January 23, 1777.  
 Thomas Burd, Second-Lieutenant. do. do.  
 William Hood, Ensign. do. do.  
 Elijah Rippey, Sergeant. Appointed February 11, 1777.  
 James Weir, do. do. February 20, 1777.  
 William Kane, do. do. May 6, 1777.  
 John Foster, Drummer. do. March 20, 1777.  
 John Shields, Fifer. do. May 4, 1777.

*Privates.*

<i>Enlisted.</i>	<i>Enlisted.</i>
John Brittain, Mar. 14, 1777.	Joseph Bates, May 3, 1777.
John Haines, do.	George Cotton, April 29, 1777.
William Howell, Mar. 19, 1777.	John Ryan, May 4, 1777.
Peter Mitchell, Mar. 20, 1777.	Bernard Gorman, do.
John Dempsey, April, 1, 1777.	Thomas Sheridan, April 25, 1777.
Thomas Nevines, April 24, 1777.	Daniel Halley, May 4, 1777.
Daniel Robinson, April 20, 1777.	James Barton, April 27, 1777.
John Davis, April 4, 1777.	William Fiely, April 30, 1777.
Thomas Neyland, April 1, 1777.	Joseph Ellerton, April 18, 1777.
Matthias Abell, Feb. 15, 1777.	John McDowell, Feb. 20, 1777.
Samuel King, Feb. 17, 1777.	John Doyle, Feb. 5, 1777.
John McKay, Feb. 28, 1777.	James Ryan, Feb. 28, 1777.
William Richison, Feb. 20, 1777.	Richard Mudd, Feb. 10, 1777.
Richard Hutchison, Mar. 29, 1777.	John Connolly, Feb. 14, 1777.

OF THE REVOLUTIONARY WAR.

257

<i>Enlisted.</i>		<i>Enlisted.</i>	
Philip Bassett,	Feb. 23, 1777.	Joseph Bramford,	Feb. 16, 1777.
William Lucas,	Mar. 26, 1777.	Michael Grew,	May 4, 1777.
George Ogleby,	April 25, 1777.		

COMPANY NO. 2, AS IT STOOD IN MAY, 1777.

Charles Gallahue, Captain.  
Died May 24, 1777.

Robert Young, Lieutenant.  
Charles Tyler, Ensign.

Joseph Davis, Lieutenant

*Sergeants.*

Thomas Roberson,  
Francis Langfitt,

John H. Johnson,  
Robert Mills.

*Corporals.*

Richard Marshall,  
John Quint,

Aquilla Narvel,  
Yelverton Reardon.

*Drum and Fife.*

John Farrell,

Robert Shearman

*Privates.*

Isaac Davis,  
Benjamin Gray,  
Moses Wickliffe,  
Benjamin Wickliffe,  
William Suddoth,  
Terrance Conner,  
James Brower,  
Arrington Wickliffe,  
Stephen King,  
John Mattingly,  
William Grant,  
Roger McMahon,  
William Cotrell,  
Peter Fullam,  
James Evans,  
James Clerk,  
George White,  
Henry Dogan,  
Zephaniah Posey,  
James Ebb,  
George Gilmore,  
Charles Cunningham,  
John Dickerson,  
Joseph Roberts,  
Amos Spencer,  
William Bird,

William Trusfield,  
William Smith,  
James Thompson,  
Thomas Bryan,  
Edward Wilson,  
George Whately,  
John Robertson,  
George Winter,  
William Henry,  
William Pope,  
Robert Holliday,  
Robert Clark,  
Peter Lowry,  
Duncan Cowen,  
John Armond,  
Leander Murphy,  
Thomas Skinner,  
John H. Crosson,  
Samuel Guy,  
Daniel Rich,  
James Gilbert,  
David Mason,  
John Harley,  
Francis Gray,  
George Marlow.

## OFFICERS AND PRIVATES

COMPANY NO. 11, AS IT STOOD NOV. 30, 1778.

James Gray, Captain.

Samuel Jones, Lieut. and Paym'r. | Thomas Davis, Engign.

*Sergeants.*Robert Craddock,  
Willis Wilson,  
Spratley Simmons,Richison Booker  
Henry Tillar.*Corporals.*Micajah Holt,  
Benjamin Sublett,

Thomas Trent.

*Drum and Fife.*

James Curtis,

Thomas Weatherly.

*Privates.*Henry Craddock,  
William Neal,  
James League,  
Lewis Story,  
Morning Lipscomb,  
John Speed,  
Anthony P. Walter,  
Jerry Basham,  
Edmund Clements,  
Jerry Bentley,  
George Belcher,  
Edward Belcher,  
Edmund Absalom,  
Kirby Portis,  
Francis Smith,  
Jesse Bryant,  
David Maiden,  
Richard Day,  
Joseph Covender,  
Robert Belcher,  
Thomas Lipscomb,  
William Jenkins,  
John Barker,  
William Woosley,  
William Madison,  
Daniel Story,Bartlett Holmes,  
Thomas Pope.  
Asa Cawley,  
John Nunnally,  
George Lovell,  
Moore Lumpkin,  
Richard Taylor,  
Moses Woosley,  
Stephen Stacey,  
Stephen Freeman,  
Benjamin Newton,  
John Chaffin,  
Isham Whitt,  
Joseph Whitaker,  
Isaac Morris,  
Robert White,  
Robert Harrison,  
Caleb Hill,  
William Shett,  
John Quinn,  
Robert Mush,  
David Evans,  
Jesse Hall,  
John Redwood,  
Randall Reese,  
Edmund Massey,

COMPANY NO. 12, AS IT STOOD NOV. 30, 1778.

John Gregory, Captain,  
David Mason, do.

Thomas Holt, Lieutenant.



OF THE REVOLUTIONARY WAR.

267

*Sergeants.*

Burwell Wilks,  
Jacob Pain,  
Isham Felts,  
Lewis Best,

William Pryor,  
George Hunt,  
John Walters.

*Corporals.*

Joseph Hews,  
Thomas Goodrum,  
Bernard Wilkinson,  
John Henderson,

John Slate,  
Patrick Lynch,  
John Newell.

*Drummers.*

Thomas Butler,  
William Pearce.

David Mangum,  
Edmund Edwards, Fifer.

*Privates.*

John Pearce,  
William Green,  
John Cleveland,  
Ben. Wharton,  
Chris. James,  
Fennel Baker,  
John Early,  
Stephen Turner,  
William Tomlinson,  
John McKenny,  
Jerry Ingram,  
John Williams,  
Michael Booth,  
Hart. Barham,  
John Hunter,  
Jesse Kirkland,  
James Dick,  
Thomas Wilkerson,  
William Whaley,  
Michael Upchurch,

John Soden,  
James Oast,  
Sol. Kinsey,  
Henry Williams,  
David Dunn,  
Jesse Nichols,  
Matthew Russell,  
George Russell,  
Drury Thompkins,  
Richard Edmunds,  
Williamson Simmons,  
James Simmons,  
William Ward,  
John Singleton,  
Benjamin Matthews,  
Peter Lynch,  
Job Gaskins,  
Andrew Harrison,  
Tarlton Oldmond,  
John Tudor.

LIEUT. COL. JOHN CROPPER'S COMPANY OF COL. MORGAN'S REGIMENT, ATTACHED TO GENERAL WOODFORD'S BRIGADE, AS IT STOOD NOVEMBER 30, 1778.

John Cropper, Lieut. Colonel.  
Jno. Marshall, Capt. On furlough.

Thomas Ransdell, First-lieut.  
John Townes, Second-lieut.

MICHAEL U, I

XFD-146

EXCERPT FROM BOOK "THE UPCHURCHES" BY MAE D. COX APR 2008  
ITEM: PGS 11-13

## First Generation

# Michael Upchurch, I

↳ COPIED PGS 11-13  
FOR HTS BDF FILE

### 1 Michael Upchurch I 1620 - 1681

.... +Frances? 1630 - 1690/91

..... 2 Baby Upchurch 1654 -

..... 2 Baby Upchurch 1656 -

..... 2 Richard Upchurch 1658 - 1700

..... 2 Michael Upchurch II 1667 - 1697

Michael Upchurch is a fascinating ancestor with a  
plethora of data, records, and documents that give insight  
to his life in the colonies.

# Timeline for Michael Upchurch

Year	Approx. Age	
1624		Birth of Michael Upchurch in England
1638	14	Sailed to America, Arrives at Yorktown Peninsula, Virginia
1638-42	14-18	Indentured Servant (4 years?)
1649	25	Year first thought Michael arrived in America; 1638 is more realistic year
<1650	<26	Joins in march after ye Indians
1650	26	Michael's first letter written to John Ferrar in England
March 27, 1651	27	Letter to John Ferrar in England
March 27, 1651	27	Letter to John Ferrar's daughter, Virginia
1651/52	27	Married Francis/Frances (unknown)
May 4, 1652	28	Letter to his father in England
1652-1654	29	Leaves Isle of Wight County, now living in Lawne's Creek Parish, Surry County
1654	30	A daughter is born
1654	30	A Michael Upchurch said to arrive in Virginia from Greer, England
June 6, 1654	30	John listed as headright on Vallentine Patent claim; claim likely falsified
December 12, 1654	30	John listed as headright on Robert Hubard claim; claim likely falsified
1656	32	A daughter is born
January 2, 1656	32	Michael leases 40 acres from Roger Delke
1658	34	A son is born: Richard Upchurch, I
November 4, 1662	38	Witnesses a deed selling parcel of land
1667	43	A son is born: Michael Upchurch, II
1668	44	Michael appears on List of Lawnes Creek Tythables
1670	46	Michael is lited for one tythe on Lawnes Creek Tythables
1671	47	Gives deposition; establishes age at fifty or thereabouts
December 12, 1673	49	Michael and thirteen others meet to protest taxes; Lawnes Creek Insurrection
January 3, 1674	50	Michael and thirteen others (seditious people) arrested; several give depositions
January 6, 1674	50	Michael and thirteen others found guilty; fined 1,000 pounds of tobacco
September 4, 1674	50	Judge remits the fines paid by Michael et al, Lawnes Creek Insurrectionists
1677	53	Michael listed on Lawnes Creek Tythables
1678	54	Michael listed on Lawnes Creek Tythables
1679	55	Exempted from paying taxes; <i>being old and infirm</i>
1681	57	Thought to be year in which Michael died
July 5, 1681		Frances Upchurch mentioned as Administrator of Michael Upchurch, deceased
July 25, 1681		Frances Upchurch named Administrator of Michael Upchurch, deceased
September 6, 1681		Frances Upchurch presents Inventory of Michael Upchurch estate
June 12, 1683		Lawnes Creek Parish Tithables lists Widow Upchurch for Michael Upchurch, III
January 19, 1691		Michael Upchurch, II, appointed Administrator of Frances Upchurch estate
January 23, 1691		March 1, Michael II presents Inventory of his mother's estate to court
March 1, 1691		Michael II swears to correctness of his mother's estate inventory

## HISTORICALTIDBIT

### The Colonial Period Covered About 176 Years

The Colonial Period began with the founding of Jamestown in 1607 and ran to the end of the Revolutionary War, September 1783. R06083a

## MICHAEL UPCHURCH, I

BORN 1624  
DIED 1681 LAWNES CREEK PARISH, SURRY COUNTY, VIRGINIA  
BURIAL POSSIBLY IN THE PARISH CHURCH CEMETERY

## FRANCES (UNKNOWN)

BORN 1626 OR 1630  
MARRIED ABT 1652 SURRY COUNTY, VIRGINIA  
DIED JANUARY 19, 1690/1691 SURRY COUNTY, VIRGINIA

## Michael From Brington, Not Little Gidding

We do not know Michael's place of birth, though it is known he was from England, and was most likely born there. It's unknown where his folks lived before they came to be in Brington in Huntingdonshire, England. Michael is said to have come to America from Brington. <sup>R06108a</sup>

There are numerous references to Michael's family living in Little Gidding, including in books and publications that describe how Michael was from Little Gidding. There is even an Upchurch room in the Ferrar House bed and breakfast in Little Gidding. <sup>R08043</sup>

Similar rumors abound on the internet though attempts have been made to correct and clarify that Michael came from Brington! In 2006, Kevin Burton, a fellow researcher, wrote and posted the following: <sup>R05065</sup>

For many years, and even up to the present, many in the Upchurch Family thought that Michael, our first Upchurch ancestor to immigrate to America, arrived in Virginia in 1649 from the small village of Little Gidding, Huntingdonshire, England. This belief was based on two letters from Michael which were published in the 1972 book *Upchurch Family* by Belle Lewter West. The two letters were found in a collection called the *Ferrar Papers* which are housed at Magdalene College in Cambridge, England. In 1991, Professor David R. Ransome, while studying the Ferrar Papers, discovered a total of four letters from Michael.

Ransome's translation and interpretation of these four letters was published in the *Upchurch Bulletin* in 1994. With this report from Ransome we now have a new and clearer view of where Michael came from, when he arrived, and how life was for him and other colonists of the time.

In the first letter from Michael to John Ferrar of Little Gidding, Huntingdonshire, England, Michael's parent's names were not mentioned, but Ferrar did write an endorsement to go with the letter that states "... his father Richard Upchurch at Brienton by Old Weston in Huntingdonshire[sic]."

From this letter and other records from the 1600s that Ransome has thoroughly studied, he has made the logical assumption that Michael and his parents were actually residents of Brington in Huntingdonshire, a mere five miles from Little Gidding, prior to Michael's emigration to America.

According to Dr. David R. Ransome (see page 19), Michael's father is thought to have been in Brington as early as 1626, and definitely by 1631. <sup>R06121a</sup>

Michael was the  
first Upchurch to  
arrive in  
America!

Michael came  
from Brington,  
not Little  
Gidding.

Sign in Brington, England.  
<sup>R07004</sup>



This book will  
adopt 1624 as  
being the year  
Michael was  
most likely born.

How exciting to  
think that  
Michael was only  
14 when he  
stepped on the  
Virginia shore!

### Michael Born in 1620 or 1624?

In her 1972 Upchurch book, Belle Lewter West pointed out a statement from Michael's 1671 deposition (page 50), stating Michael was *aged fifty or thereabouts*. She drew the conclusion *that Michael Upchurch was born about 1620*. <sup>R06134u</sup>

Apparently that was the only information available at the time to give an inkling of Michael's birthdate. Olive A. Morgan also adhered to that date, and in her 1976 book about the Upchurches, noted in her foreword:

*... Michael was born about 1620, as we have reason to believe...*  
<sup>R06135p</sup>

Through the 1980s and early-1990s practically every Upchurch historian took 1620 to be Michael Upchurch's year of birth, and that date became part of every Upchurch-researcher's records. It wasn't until 1994, that Dr. Ransome gave insight to another possibility. He transcribed Michael's four letters and went on to write a detailed and meticulous report about them.

It seems a certain line in the 1651 letter to John Ferrar caught Ransome's eye giving him cause to suggest that Michael may have been about fourteen when he arrived in America. Michael had described himself as *a poor yong man*, and Ransome doubted that a fellow nearly thirty years of age would, in that day and age, refer to himself as being young. Ransome juxtaposed:

*Suppose, however, that he [Michael] was only 14 when he crossed the Atlantic. ... old enough to set out on his own ... and by 1651 he would still be enough short of 30 to make a description of himself as a poor yong man that much more plausible.* <sup>R06107v</sup>

During the 1650s, folks in their thirties were no longer considered young. By saying what he a *yong man*, Michael indicates he is probably in his mid- to late-twenties. If he is 27 or even 28, then he was around fourteen years of age when he came to America. Dr. Ransom's astute observation and theory does seem practical.

When the year 1624 is applied as Michael's birthyear, the other dates throughout his life do mesh and are quite possible, if not probable. Therefore, the preferred birth year for Michael is 1624 and that will be the date used throughout this book.

### Michael possibly 14 when he Ventured to America

How exciting to think that Michael Upchurch was only fourteen years old when he stepped on the Virginia shore! It's pretty incredible that such a young lad would have the guts to strike out on his own! What was going on in his life, or home, or country that would entice him to scurry up a ship's gangway and travel for months to an unknown place. Did he go alone... or perhaps with friends?

Is it possible that Michael, as the youngest of four sons, knew he wouldn't inherit anything from his father since only the oldest son inherited? Did he then strike out to establish a life for himself? Or was he drawn by the excitement and intrigue that a new world lay just over the ocean? There are numerous possibilities.

Whatever the reason, we're blessed that Michael came to America.



## Michael Arrived in America about 1638, Not 1649

In books, publications, and on the Internet, there is a plethora of data telling of Michael Upchurch's arrival in America. Most every entry proclaims 1649 as the year of his arrival. Since early on, Upchurch followers have latched onto that 1649 date. Today, though, we know Michael more likely arrived in 1638. It's quite interesting though how the 1649 date came into being.

First we have records from 1654, see next page, that indicate Michael came as a headright that year. Both Belle Lewter West R06134 and Olive Morgan<sup>R06135</sup> in their books about the Upchurches seemed to lean towards the 1649 date of arrival. West, in the first sentence about Michael Upchurch, wavered about the date:

*It is not known when ... Michael Upchurch emigrated to Virginia ...* <sup>R06134z</sup>

But then she goes on to cite Patten and Hubbard's 1654 claims (next page), deducing

*...Michael Upchurch had come to Virginia as early as 1649-1650* <sup>R06134z</sup>

She confirms her dates by surmising that Michael had been in America long enough

*... to collect "tokens" to send to his family ... by March of 1651.* <sup>R06134m</sup>

Morgan noted that Michael was *firmly established in his Virginia Home* by 1652.<sup>R06135n</sup> That statement infers Michael had been in Virginia only a few years, just long enough to get settled into a home and colonial life. She concluded that when King Charles I's reign ended in 1649,

*It is possible that James Collett and Michael Upchurch made the decision to cast their lots with the colonists of Virginia ...* <sup>R06135m</sup>

**Now comes data supporting 1638:** Referring again to Michael Upchurch's letter of 1650 take a look at the endorsement (page 22) written by John Ferrar, the recipient of the letter. He makes a note about Michael ...

*Concerning Virginia he hath binn 12 years there* <sup>R06107j</sup>

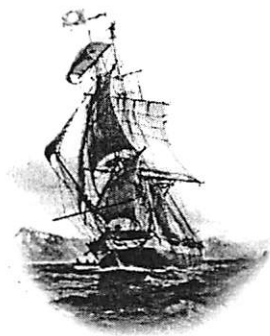
Doing the math, it's easy to come up with 1638 being the year Michael Upchurch reached the Virginia shoreline.

The letter revealing Michael's 1638 arrival date didn't come to light until 1991. Neither West (1972) nor Morgan (1976) was aware of this letter's existence and neither were privy to the valuable information it contained. Hence, neither mentioned the letter in their books, and simply used the 1649 date instead.

Our Upchurch ancestors were amongst the founding families of America. Michael began it all when he touched American soil in 1638 — only 18 years after the Pilgrims arrived on the *Mayflower* in 1620, and only 31 years after Jamestown was settled in 1607. <sup>R06108c</sup>

Wow, what a wonderful feeling to know the Upchurches were forerunners in making this great country what it is today! Pacesetters. They walked in wilderness never before touched. They settled in areas never before explored. Sort of makes you want to stand a little taller and holler it out loud!

Information  
today supports  
the theory that  
Michael arrived  
in 1638!



What a  
wonderful feeling  
to know the  
Upchurches  
were  
instrumental in  
establishing this  
great country!

## The Headright System and Indentured Servants

In the early 1600s, many foreigners wanted to leave their homelands for various and sundry reasons. Most all of them had one thing in common: they were poor and couldn't afford the trip! A variety of systems was introduced to help pay their passage to America.

### The Headright System

A plan designed by England to encourage emigration to the colonies. Any person immigrating into Virginia was a potential headright. Any person who settled in Virginia or paid for the transportation expenses of another person who settled in Virginia was entitled to receive fifty acres of land for each immigrant. The person immigrating wasn't entitled to free land; only his or her sponsor. The right to receive fifty acres per person, or per head, was called a *headright*.

There were no restrictions on age or gender. Headrights could be, and often were, children. In fact, many imported were teenagers. Families frequently sold their children into indentured servitude—hopefully this was done to further the plight of the child and to help him or her find a better way of life.

Both large and small landowners imported slaves, or purchased them from ship captains who brought them to the colony for sale. The headright claims for the indentured servants listed the names of the individuals, but the claims for slaves rarely identified individuals.

The headright system encouraged wealthy individuals to pay to transport laborers to Virginia in return for free land. Virginia planters who brought in slaves were awarded fifty acres per slave, just as they were awarded fifty acres per indentured servant.

### Patenting Process

There were several steps required to acquire the free land. First, the patentee petitioned the county court for a *certificate of importation*. The certificate, usually recorded in county court minute books, was considered proof of the number of headrights claimed. Patentees took their certificates to the Secretary of the Colony, who issued a *right* of fifty acres per headright.

The *right* was taken to the county surveyor, who surveyed the chosen land and created a plat. The patentee then returned all these papers to the Secretary, who made two copies: a copy to be recorded, and a copy that was sent to the governor who signed it. It was then sealed and delivered to the patentee.

Once the patent was issued, the patentee had three years to seat and plant the land. *Seating* required payment

of the quitrent—annual payment to the crown of one shilling for every fifty acres. *Planting* required either cultivating one acre or building a house and keeping livestock.

By early 1700, colonists wanted more land and the crown wanted to expand the colony, so the *treasury right* was created. Those wanting new land could, for five shillings, receive a *right* to fifty acres. Most land was patented by *treasury right* instead of by headright after about 1715.

### Indentured Servants

These immigrants had their passage paid by a landowner. In theory, the servants would work five to seven years for the sponsor, and could not acquire title to land through their work during their term of service. At the end of their term of indenture, they were given basic clothing and equipment and were free to go their own way in the unsettled frontier.

### Both Indentured Servant and Headright

Though frequently thought of as two different systems, many times a headright was also an indentured servant. The sponsor received fifty acres and the indentured servant promised four to seven years of service to the sponsor. Both parties benefited from this setup.

### Abuse of the System

As with most any system, there was abuse. Greedy landowners found it easy to buy names of farmers already in Virginia, and place those names on claims, receiving fifty acres for each name.

Fraudulent claims were made for persons who had no intent to inhabit, such as sailors and traveling merchants. Shipmasters augmented their profits from a voyage by selling entire manifests listing passengers and sailors, even though the sailors would leave on the next sailing. The passengers were also claimable by whoever paid their passage. Again the greedy landowner profited by receiving more land.

Perhaps more importantly, it appears that use of fictitious or irrelevant names was common by the late seventeenth century. Eventually the corruption of the system led to its demise.

For more about these systems, just search the Internet for *Headright* or *Indentured Servants*. You'll be surprised at the amazing amount of material available!

## Who Paid Michael's Passage to America?

Michael's fare could have been paid in any number of ways. It's doubtful his parents had the funds to buy his passage. The ship's captain could have provided passage and then sold him as a headright to recoup the fare. He could have worked his way across by performing duties on the ship. He could have been brought by another family along with their children. Endless possibilities. The most likely scenario is that Michael was a headright or indentured servant.

## Michael Falsely Listed as a Headright?

Early researchers decided that Michael's passage was paid through the *Headright System* based on records from 1654 in which two landowners each claimed to have brought Michael Upchurch to America as a headright:

**Vallentine Patten, June 6, 1654:** 1000 acs. Westmoreland Co., Trans. of 20 pers: Gowry Macalster, John Calalster, Hector Macalster, Daniel Grey, John Wright, John Cook, Tho. Levin, Wm. Gage, Robt. Poynter, Joan Hoore, Henry Odell, Ann Childe, Rich. Welch, Wm. Ginings, **Mich. Upchurch**, Fra. Shelton, Tho. Green, John Barkeworth, James Collett, Thomas Wood. <sup>R07103a</sup>

**Robert Hubbard, December 12, 1654:** 1600 acs. Westmoreland Co., Trans. of 32 pers: Gowry Macalster, John Macalster, Hector Macalster, Dan. Grey, John Wright, John Cook, Tho. Levin, Wm. George, Robt. Pointer, John Foot, Hen. Odell, Ann Child, Rich. Welch, Wm. Ginings, **Mich. Upchurch**, Fra. Shelton, Tho. Green, Jno Barkworth, James Collett, Tho. Wood, Thomas Cuttler, Eliz. Watson, John Hall, Davy Marlett, Geo. Hilliar, Wm. Arnoll, Tho. Tooly, Eliz. Browne, William Cart, Wm. Sar, Mary Wells. <sup>R07103b</sup>

Look closely at the first 20 names on each list... the names are the same! It sounds like Patten and Hubbard were fraudulent landowners who took advantage of the headright program. Did their greed for land lead to their filing erroneous claims of having sponsored immigrants when in fact, they hadn't? Their lists contained names of folks who were already settled in America. Additionally, there is no documentation to indicate Michael Upchurch ever lived in Westmoreland County.

Interestingly, several of those listed were Michael's friends/neighbors when he lived in Lawne's Creek Parish. James Collett was the son of Susanna Ferrar Collett of Little Gidding. He was also the brother of Richard Collett who lived in Lawne's Creek Parish of Surry County, Virginia. This name and several others will become more familiar as you explore the upcoming pages about Michael's life.

## Michael Possibly a Headright and/or Indentured Servant

It's highly possible that Michael Upchurch made his way across from England as either an Indentured Servant or a Headright, or both. Though no other claim has surfaced listing him as a headright, it can't be completely ruled out. Many records are no longer in existence so no one knows for sure.

In a casual statement from his 1650 letter on page 27, Michael makes a strong case of having been an indentured servant, or at least he had firsthand knowledge:

*... those yt [that] come in servants are to serve 4 yeare and then are set free for themselves.* <sup>R06107g</sup>

Possibly Michael was a headright though the claims of Patten and Hubbard are obviously fraudulent.



There is a distinct possibility that Michael was an indentured servant for four years!

He could have  
arrived at  
Warrascoyack,  
or Yorktown  
Peninsula or  
even Surry  
County!

### So Where Did he set Foot on American Soil?

Thus far no records have been found to give us the exact port of entry for Michael Upchurch's arrival in America. There are some good possibilities, though they are more deductions and speculation than fact.

The endorsement with Michael's *Letter-1*, page 22, says he was living in Isle of Wight County in 1650. He could indeed have arrived via the James River to Isle of Wight County as the importation of immigrants to Warrascoyack is well documented.

One family known to have sponsored hundreds of immigrants were the Bennetts. Note at the end of *Letter-1*, Michael writes he lives near *Mother Bennett*. Could he have been one of the persons the Bennetts brought to America, who worked off his indenture, then remained in the area?

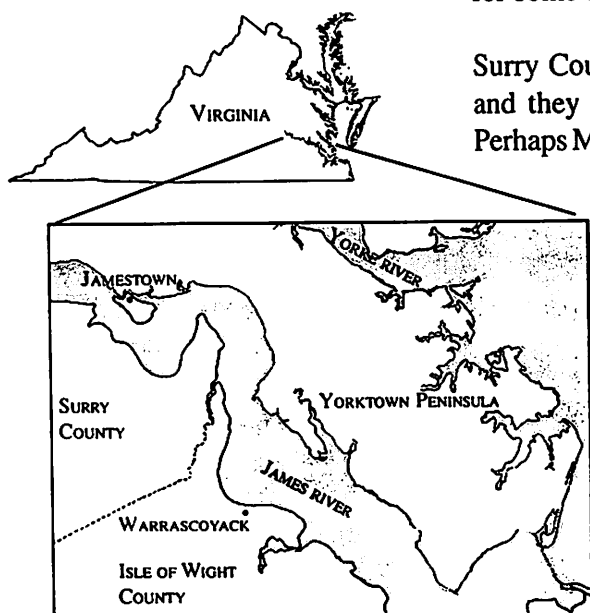
Another distinct possibility is that he arrived at or around the Yorktown Peninsula. In 1652, Michael wrote his father (*Letter-4*) and asked that his mail be directed to Yorke:

*... pray direct your letter for mee to one Mr. James Bruce livng neere  
unto Esquire Ludlow in Yorke* <sup>R06107h</sup>

Obviously he knows this Mr. Bruce. Could this then be the person who sponsored him to America? If so, Michael would likely have arrived at Yorktown Peninsula.

It is odd though that he gives this direction for his mail *after* the 1650 letter was written in which he was said to have been in Isle of Wight County. Perhaps now he has left there and is not sure just where he wants to settle or receive his mail.

Another school of thought is that Michael arrived at Surry County, Virginia. We know that by 1654 Michael is settled in Surry County, south of James River, across from Jamestown and Yorke. Did he choose this area to settle down and raise his family because he was more familiar with it — because he'd been here for some time?



Surry County is also where the Delkes, Chessets, and Reynolds resided and they also hailed from the Little Gidding and Brington area. <sup>R06121b</sup> Perhaps Michael knew them and had sailed with one of them from England.

Or perhaps he found they were living in Surry and he went there because he already knew them.

There are just so many possibilities with nothing definitive to say it was this place or that place where Michael Upchurch arrived. In all likelihood he arrived at or near one of the above proposed locations. It's doubtful he would have traveled very far from his point of entry as transportation was pretty limited.

For now we'll have to accept that this is likely the general area where he arrived.



## Before 1650, Michael Joins in Indian March

Sometime between 1638 and 1650, Michael was involved in confrontations to push the Indians away from where settlers were building homes and villages. He wrote in *Letter-1*, presented next, that he was involved with the *march after ye Indians*, though he doesn't specify just when that was.

*... here wee have discovered enough of the Country 4 or 5 hundred Miles some way I myselfe have been a 100 miles above ye falls when wee were out upon our March after ye Indians wee have discovered enough of it.* <sup>R06107g</sup>

Notice that his tone sounds as if he wasn't too pleased with having to journey deeper into the wilderness after the Indians. He didn't seem to have voluntarily made the march, or at least if he did, maybe his involvement stemmed from peer-pressure. Could it be that Michael's participation was a result of his indenture, and he had no alternative but to do as requested?

In his discussion about Michael's *march after the Indians*, Dr. Ransome noted that Michael

*... fought in the campaign that followed the final Indian attempt in 1644 to wipe out the invading English.* <sup>R06107c</sup>

## No trail of Michael from 1638 to 1650

If Michael arrived in 1638 and then spent four years working off his indenture, he would have been free by about 1642 at age eighteen. Sadly though there is no trail of him between 1638 and 1650. We don't pick up his trail again until 1650, when he was about twenty-six years of age.

Could it be that Michael's participation in the Indian march was a result of his indenture?

### *Special Thanks To...*

#### **Dr. David R. Ransome**

In the upcoming pages you'll see Dr. Ransome's name mentioned frequently. His previous works are cited throughout this section on Michael Upchurch. More recently he lent his time and expertise to help identify and clarify points that are duly noted in various articles.

Many times I've emailed questions and requests, and each time, Dr. Ransome has graciously supplied answers, made suggestions, and lent his expertise. He was instrumental in helping the author of this book obtain copies of the four precious letters used herein.

Professor Ransome is a native of Suffolk in England. He graduated from Oxford University in 1954, receiving his doctorate six years later. In 1975 he was elected a Fellow of the Royal Historical Society. He was also appointed a Mellon Research Fellow by the Virginia Historical Society. Though Dr. Ransome calls England home, he also has a residence in Rhode Island.

Ransome has been a powerful ally unlocking the doors to our English heritage. He has provided us with detailed reports and information; his transcriptions of Michael's four letters are cherished material.

## John Ferrar and the *Ferrar Papers*

Because of their association with Michael Upchurch, John Ferrar and the *Ferrar Papers* are being introduced at this time. During the 1650s, John Ferrar and his daughter Virginia corresponded with Michael, and the *Ferrar Papers*, now available online, includes four of Michael's letters.

The collection itself begins in 1590. John's father Nicholas Ferrar was an early member of the Virginia Company of London. His business papers, along with old Mrs. Ferrar's personal writings to her friends and family, were collected and saved. When Nicholas died in 1620, his son John had for a year been deputy to the Treasurer of *The Virginia Company of London* and thus responsible for the day-to-day administration of the company. In 1622 John's younger brother, Nicholas, succeeded him and held the post until the dissolution of the company two years later. Company meetings were held in the Ferrars' home in London and when the company was dissolved, the business papers remained with the Ferrars.

With the company's demise in 1624, the family retreated to the 600-acre manor of Little Gidding in Huntingdonshire. The Ferrars lived some five miles from the Upchurches in Brington though it's not known if they then knew the family or if their association came later in the 1650s.

Even after he left his post with the Virginia Company, John's fascination with America and the Virginia Colony never waned. He was so

intrigued that when his daughter was born in 1627, he named her *Virginia*.

The Ferrars left their manor during England's 1642-1645 civil war, but had returned by 1646. Once again John's interest in the colony became paramount and he began encouraging migration to it. To promote his mission, John designed a questionnaire that he sent to settlers of his acquaintance in the Americas. By 1648 he had received enough data from the colonists to write a pamphlet — *A Perfect Description of Virginia* — touting Virginia and urging disillusioned Royalists to seek a better life there. It was during this era that Ferrar made contact with our Michael Upchurch as you'll see in the next several pages.

Through the years, more items were added to the collection as the Ferrars' archive passed from generation to generation. In 1769 Peter Packard inherited it from his father-in-law, Edward Ferrar, and being childless bequeathed it to Magdalene College in Cambridge, England at his death in 1797.

The collection was sorted and arranged several times for the college. Alan Maycock began the process in the 1930s; it was continued in 1979 by Noel Malcolm, and it was he who realized there were actually four letters written by Michael Upchurch. A decade later, in 1989, Dr. David R. Ransome (see page 18) completed cataloguing the collection, and notified the editor of the *Upchurch Bulletin* <sup>R06058</sup> of the existence of Michael's four letters.

Today, the meticulously catalogued *Ferrar Papers*, consisting of over 3,000 items spanning the years 1590-1790, are preserved in the Old Library at Magdalene College in Cambridge, England.

Magdalene College has graciously given permission to reprint the Upchurch letters in this book, and for that we are most grateful.

R08002



John Ferrar's talents also ran to creating maps as shown here in this hand-drawn one depicting Virginia in 1651.

## Letters Written by Michael Upchurch Found

Four letters — dated 1650, 1651, and 1652 — have been identified as being written for Michael Upchurch to friends and family back home in England. The first of these surfaced when Martha Upchurch Tidd from California was researching at the Library of Virginia. She found reference that a letter written in 1651 by Michael Upchurch to Virginia Ferrar was part of the *Ferrar Papers* stored at Magdalene College in Cambridge, England.

Mrs. Tidd traveled to England in search of that letter, and at the college was told it could not be found. They did, however, find another letter written by Michael to his father in 1652, and she was provided with a copy of it.<sup>R06134a</sup> Now two letters written by Michael were known to exist.

Several years later, another two letters written by Michael Upchurch were located in the *Ferrar Papers*, bringing the total to four. In 1991, while completing the cataloging of the *Ferrar Papers*, Dr. Ransome realized what great significance Michael's four letters would be to Upchurch researchers, and contacted the editor of the *Upchurch Bulletin*<sup>R06058</sup> with this information.

Ransome's familiarity with the *Ferrar Papers* and his experience with such old documents, led to his being asked to transcribe Michael's four letters. Ransome's transcriptions, a meticulously detailed report, and the four letters were presented in the October 1994 issue of the *Upchurch Bulletin*.<sup>R06107</sup>

Written over 355 years ago, these four letters contain valuable information about Michael Upchurch. They provide insight into the colonial period, and give an awesome look at Michael's life as he made his way in the vast Virginia wilderness.

### Letter-1 from Michael to John Ferrar

In about 1649, John Ferrar contacted Michael Upchurch, and Dr. Ransome states:

*We do not know how Ferrar first came to hear that Michael Upchurch was living in Virginia. But we may guess that news first reached him from Michael's father at Brington.*<sup>R06107i</sup>

Ferrar presumably made contact with Michael Upchurch by sending him one of his questionnaires. The first letter presented here, dubbed *Letter-1*, is Michael's first surviving reply.

The format and nature of the points Michael makes show that it is in response to Ferrar's questionnaire. On the next page there is a copy of the *endorsement* written by Ferrar acknowledging Michael's letter and providing information about Michael and his letter.

Take a look at the handwriting of the letter. We learn in the second letter that Michael didn't know how to write and therefore found a series of scribes to write for him. Michael's letter has been transcribed and is in the handwriting of the Ferrars. John Ferrar begins the transcription, then the handwriting changes as his son, John, takes over. This is the only letter of the four that the Ferrars copied; the others are as written by Michael's scribes.

There are four  
letters —  
Michael couldn't  
write so scribes  
wrote them for  
him!

Upchurches  
notified that  
letters exist.

This first letter  
appears to have  
been an answer  
from Michael to  
Ferrar's  
questions about  
life in the  
Virginia Colony



Michalle Upchurch  
his Answares to divers  
queeres sent to him 1649  
And Answered Ann<sup>o</sup> 1650:  
Conserning Virginia  
he hath binn 12 years there  
and lives neere Cussell Creeke  
not farr from Warrisqueke  
by Mother Bennetts plantation  
Sent to his father Richard  
Upchurch at Brienton  
by Old weston in  
Hungtindonshire

Hee sent Indian Corne. Pease, Beanes  
a Pokarote and Sumake wth  
it

John Ferrar's  
endorsement of Michael  
Upchurch's letter R06145

**Transcription** R06107j

Michalle Upchurch  
his Answares to divers  
queeres sent to him 1649  
And Answered Ann<sup>o</sup> 1650:  
Conserning Virginia  
he hath binn 12 years there  
and lives neere Cussell Creeke  
not farr from Warrisqueke  
by Mother Bennetts plantation  
Sent to his father Richard  
Upchurch at Brienton  
by Old weston in  
Hungtindonshire

Hee sent Indian corne. Pease Beanes  
a Pokarote and Sumake wth it

To the particulars of your Letter My Answer is as followeth

1. Virginia is a very good land and here is as Rich ground as any in the world and here is some ground as poor againe
2. here is very good english Wheat doth grow here, but the increase of it here I know not.
3. here be many colonies in the land, here is good Barley and here we make very good bread but it is with the Indian Corne for most people do love it better then the English Corne: altho here is made very good here with the Indian Corne.
4. here is both Virginia and English peaches, English Peaches very few but Indian very many: Outes will grow very well here. Rye here is very little some there is: very few doth regard it.
5. We sow our English wheat at all times of the year, you sow it in England: our Indian sowing in March or April: and is ripe in October or Septemb<sup>r</sup>.
6. For people here is plenty of them, but how many of them I cannot tell: for Churches I cannot tell, but by how many I guess near 40: and wee serve God after the old way as was once in England.
7. here is plenty of Cows and Oxen, altho we make very good Butter and Cheefe as good as you can make in England and here is very good M<sup>e</sup>at and good h<sup>o</sup>l<sup>e</sup> and here is the woods for them and pastures: the price of a good Cow is 3<sup>00</sup> of Tobacco in the Winter: in the Summer 5<sup>00</sup> and 6<sup>00</sup> according as the Cow is in goodnesse.
8. There are plenty of hogges in the Country, this hath been of a very bad year for them, by reason the woods have bene not so many for them, for that many have dyed, some men have 3<sup>00</sup> of them, the price of a good fat Bacon hogge indeed is worth 3<sup>00</sup> of Tobacco here by some English sheepe, and goats, here be abundance of haying of the wild in y<sup>e</sup> woods, here be Lynx, foxes, Wild cats, Wolves they will not medle with any man. Beavers a world of Deer, are Raccoons and possums: other Beavers muskrats and many other Creatures I cannot name.
9. here is good store of provisory here Turkey, wild Turkey bigger and better then any in England geese, fowle and wild Ducks, fowle and wild wild fowles in abundance, but few some there be, here are abundance of other sort of fowle will were the fowles for mee to name at this present.
10. here every man kills of his owne Cattle and Swine here being two butchers for that wee doe not know how to value a pound of meat what it is worth, here is plenty of it in the Country.
11. English Wheat is 4<sup>00</sup> of Tobacco: 1<sup>00</sup> Bushell Indian Corne wee buy by the Bushell 1<sup>00</sup> of Tobacco: the Bushell is 5<sup>00</sup> of Tobacco: 4 Bushells will serve for a man spending the year.
12. here be horse but how many I know not.
13. here be both windmills and watermills.
14. Our houses are for the most part boarded and daubed with lime, here be also Brick houses Tile stone and lime to build with.
15. here are very fine Orchards Apples and peaches and cherries: the chiefe fruit of the Country is great peach as big as ones first here is abundance of them.



16. The Country will yeeld many good commodities, but there is none <sup>traded</sup> out  
 Tobacco here is not scarce nor flux but the Country will bear it as well as any in any  
 in the world, but there is ~~no~~ much and hence withes to send it.
- 17 here is not any Wax nor Bees.
- 18 here is fowles and birds enough of all sorts and kinds.
- 19 here is fish enough and of all sorts, both small and great extraordinary good.  
 here is sturgeon, <sup>some</sup> Trout, but fish perfumes with is a rare fish and is 5 or 6  
 foot long and many other fish of <sup>several</sup> names.
- 20 Wee and the Indians doe agree very well yet truly the Indians are very lazy people  
 they take delight in idleness but giving a little and make their wives and children  
 doe all the worke for <sup>themselves</sup> have been amongst them in 3 March when  
 the Massacre was.
- 21 here are brasse rivers as may be seen of world and as good for use
- 22 The whole Country doth consist of a wood but one of the people goe  
 in and have cleared the ground, here is white Oake Red Oke and black
- 23 Oake Elm pine Cedar hickory and all sort of wood.
- 24 here are abundance of Iron Mines here be silver and gold mines but  
 they have not been found out other mines I know not.
- 25 here we have discovered enough of the Country 4 or 5 hundred miles <sup>some</sup> way  
<sup>themselves</sup> have been 100 miles above & fully where we were out upon our March  
 after the Indians we have discovered enough of it.
- 26 here be boats and pinaces now belonging to the Country, here comes 30 or 40 ships  
 every yeare they bring all sort of necessaries we want. and they carry away  
 Tobacco againe.
- 27 The best trades men are Coopers with is of every beech of all of belongs to  
 the Country and they have a next is a Carpenter and Joiner and a Smith of the briggs  
 in all necessaries of belong to his trade, nor other trades are needed in this  
 Country. <sup>Some</sup> come in servants are to serve a yeare and then are set free  
 for themselves.
- 28 The sicknesses we are most subject unto are fevers and agues and fluxes  
 the scurvy and other diseases. we have surgeons and doctors to cure these diseases the  
 Country is healthfull and very pleasant, it hath few hills and bushes but it  
 hath good it is hot in summer and cold in Winter as in England  
 I have added as much at this time as I could possibly think of  
 I have laid out for an Indian Bussell a Bow and Arrows but I could  
 get none by reason the Indians doe not come among us. The Indian Busses are  
 much like the English Arrows are made of reeds the piked end of them  
 is made of a Beches horne and plasse or a Turkey Cooper Spurre, against of next shipping  
 I will looke out for these things by & hope of God, here is good fowles with  
 enough and as good as any in England.

Silk worms here be some but they make no use of them, here is rice  
we have not Indigo we have oranges we have Lemons, figs in abundance, grapes vine that  
bears Pampas berries such berries all these in abundance, here is chestnuts Chickadees  
Walnut small nuts hickories nuts possums and a world of good potatoes.  
Here is for the fruit in summer fine peaches water melons muskmelons  
Squashes and Melons, here is Carrots and turneps Onions and every thing that  
is necessary.

Fills Earth as good as any in the world and plenty of it

Figs a abundance grapes vines Mulberry trees Strawberries, huckle berries. Chesnuts  
Walnuts

A world of Excellent good potatoes grow with out replanting one sett more w<sup>h</sup>  
be destroyed

The place I live in is between the Georges and Mother Bennett, near  
to Cassell Creek.

## Transcription of Letter 1 from Michael Upchurch to John Ferrar, 1650 <sup>R06107j</sup>

The integrity of the letter is preserved here with the wording and spelling intact. Only the lineation has been changed to accommodate the format of this book.

To the particulars of your Deseires My Answares are as followeth

1. Virginia is a very good land and heere is as Rich ground as any in the world and heere is some ground as poore a gaine
2. heere is very good English Wheat doth grow here, but the increase of an Acre I know not.
- 3 here be many plowes in the land, here is good Barly and here wee make very good bread, but it is with the Indian Corne for most people doe love it better than the English Corne: alsoe here is made very good beere with the Indian Corne.
- 4 here is both Virginia and English peases but English beanes very few but Indian very many: Oates will grow very well here. Rye here is very little some there is : very few doth regard it.
- 5 Wee sow our English wheat at all times of the yeare and sow as you sow it in England : our Indian wheat in March or Aprill : and is ripe in October or September
- 6 ffor people here is plenty of them. but how many of them I cannot tell : for Churches I cannot tell Justly how many, I gesse neer 40 : and wee sarve God after the old way as was once in England.
- 7 here is plenty of kine and Oxen, alsoe wee make very good Butter and Cheese as good as you can make in England and here is very good Milk and good kine and here is the woods for them and pastures : the price of a good Cow is 300 wt of Tobacco in the Winter : in the Summer 500 wt and 600 wt according as the Cow is in goodnesse.
- 8 here are plenty of hogges in the Countrey. this hath been a very bad yeare for them, by reason the woods have bore noe Acornes for them, soe that many have dyed, some men have 300 of them, the price of a good fatt Bacon hogge indeed is worth 300 wt of Tobacco, here bee some English sheepe and goats, here bee abundance of hayres yt[that] bee wild in ye Woods, here bee squerills foxes Wild rats Wolves they will not medle with any man Beares a world of Deare, here are Rackoones and possoones : Otters Beavers muskeratts and many other Creatures yt[that] I cannot name.
- 9 here is good store of poultry hens Turkeys, wild Turkeys bigger and better than any in England Geese tame and wild Duckes some [?misreading of 'tame'] and wild wild Swannes in abundance, pidgeons but few some there bee. here are abundance of other sort of foule w[hi]ch were too tedious for mee to name at this present.
- 10 here every man kills of his owne Cattell and Swine here being noe butchers soe that wee doe not know how to value a pound of meat what it is worth, here is plenty of it in the Country.
- 11 English Wheat is 40 wt of Tobacco p[e]r Bushell : Indian Corne wee buy by the Barrell w[hi]ch is 5 Bushells, the Barrell is 500 wt or 600 wt of Tobacco : 4 Barrells will serve for a man's spending the yeare.
- 12 here bee horse but how many I know not.
- 13 here bee both Windmills and Watermills.
- 14 Our houses are for the most part borded and daubed w[i]th lome, here bee alsoe Brick houses Tile stone and Lyme to build with.
- 15 here are very fine Orchards Apples and peares and cherries : the cheife fruit of the Country is great peach as big as ones fist here is abundance of them
- 16 The Country will yeeld many good Commodities, but here in none tryed but Tobacco, here is noe hempe nor flax but the country will beare it as well as any Contry in the world, but here is noe such good housewives to tend it.
- 17 here is noe honey Wax nor Bees.

18 here is fowles and birds enough of all sorts and kynds

19 here is fish enough and of all sorts both small and great extraordinary good. here is sturgeon herne[?] Trouts Catfish pufumes w[hi]ch is a rare fish and is 5 or 6 foot long and many other fish w[hi]ch I cannot now name.

20 Wee and ye Indians doe agree very well yet truly the Indians are a very Lazy people they take delight in nothing but going a hunting and make their wives and children doe all the worke for I myselfe have been amongst them in ye Marches when the Massacre was.

22 [sic] here are brave rivers as any bee in ye world and as good springs

23 The whole Country doth consist of a wood but [i.e., except] onely w[h]ere people doe live and have cleared the gound. here is white Oake Red oke and black Oake Elme pine Cedar hickery and all sort of wood.

24 here are abundance of Iron Mines here bee silver and gold Mines but they cannot bee found out other mines I know not.

25 here wee have discovered enough of the Country 4 or 5 hundred Miles some way I myselfe have been a 100 miles above ye falls when wee were out upon our March after ye Indians wee have discovered enough of it.

26 here bee boats and pinaces enow belonging to the Country, here comes 30 or 40 shippes every yeare they bring all sort of necessarys wee want. and they carry away Tobacco againe.

27 The best trades men are Coopers w[hi]ch is ye very best of all yt[that] belongs to this Country, and Taylors ye next is a Carpenter and Joyner and a Smith if he brings in all necessarys yt[that] belong to his Trade, noe other trades are needed in this Country. those yt[that] come in servants are to serve 4 yeare and then are set free for themselves.

28 The sicknesses wee are most subject unto are feavers and Agues and fluxes, the scurvy and other diseases. wee have surgeans and Doctors to Cure these diseases. the Country is healthfull and very pleasant. it hath few hills and Valleys but is levell ground it is hot in summer and Cold in Winter as in England.

I have added as much at this time as I could possibly thinke on I have Layd out for an Indian Baskett a Bow and Arrowes but I could get none by reason ye Indians doe not Come among us. The Indians Bowes are much like the English ye Arrowes are made of reeds the piked end of them is made of a Buckes horne and glasse or a Turkey Cockes Spurre, against ye next shiping I will looke out for these things by ye helpe of God. here is good fullers earth enough and as good as any in England.

Silkwormes here be some but they make noe use of them. here is noe Rice noe Sugar noe Indico noe Oranges noe Lemuns, figs in abundance, grapes Vines Mulberys Strawberys huckleberrys all these in abundance. here is Chest nuts Chinkapine Warnet small nuts hickerry nuts posimones and a world of good potatoes. Here is for the fruite in Summer fine pumkins Walter Million musse million Simnills and Mecockes. here is Carriots and turnups Onions and every thing that is necessary.

[The text of the letter ends here. John Ferrar follows it with a summary of some of the preceding facts]

Fullers Earth as good as any in the world and plenty of it.

Figgs a boundance grapes vines Mulberry trees Strauberys, huckell burys. Chestnutts Walnutts

A World of excellent good potatos w[hi]ch grow w[i]th out replanting one sett never is destroyed

The place I live in is beatweine Mr Granger and Mother Bennetts neere to Cussell Creek.



## HISTORICAL TIDBIT

### Isle of Wight County, Virginia

Established in 1634, Isle of Wight County (IOW) has an area of two hundred and ninety-two and one-third square miles, and was one of the original eight shires (counties) in Virginia. Of the surviving six shires, IOW is one of the oldest county governments in the United States of America.

The first known occupants in IOW County were the Warrascoyack Indians. Settlers soon began arriving and several settlements sprung up from 1619 to 1622. Capt. Christopher Lawne, brought in 100 settlers to form Lawnes Creek Plantation. Edward Bennett brought in two hundred emigrants, and their place of settlement was called *Warrascoyack* or *Edward Bennett's plantation*. Many others followed.

Virginia plantations were divided into eight counties in 1634, and *Warrascoyack* was one of these.

The Isle of Wight history includes stories of chilling massacres as Colonists battled the Indians, and provides breathtaking glimpses of the many hardships Colonists encountered in their struggle to settle the Virginia wilderness.

## 12 Years in America; Living in Isle of Wight County, Virginia

The endorsement shown on page 22, gives several important details. First, we are told that Michael has been in America for twelve years. From that incredible piece of information, we can now say Michael arrived in America in 1638.

Second, Michael was ensconced south of the James River in Isle of Wight County, Virginia, and there is a brief hint at just where shown on the map below. Third, we can deduce that Michael was about twenty-six years old if indeed he came to America at age fourteen. It's not clear if he was yet married. His first child would not arrive for about four more years.

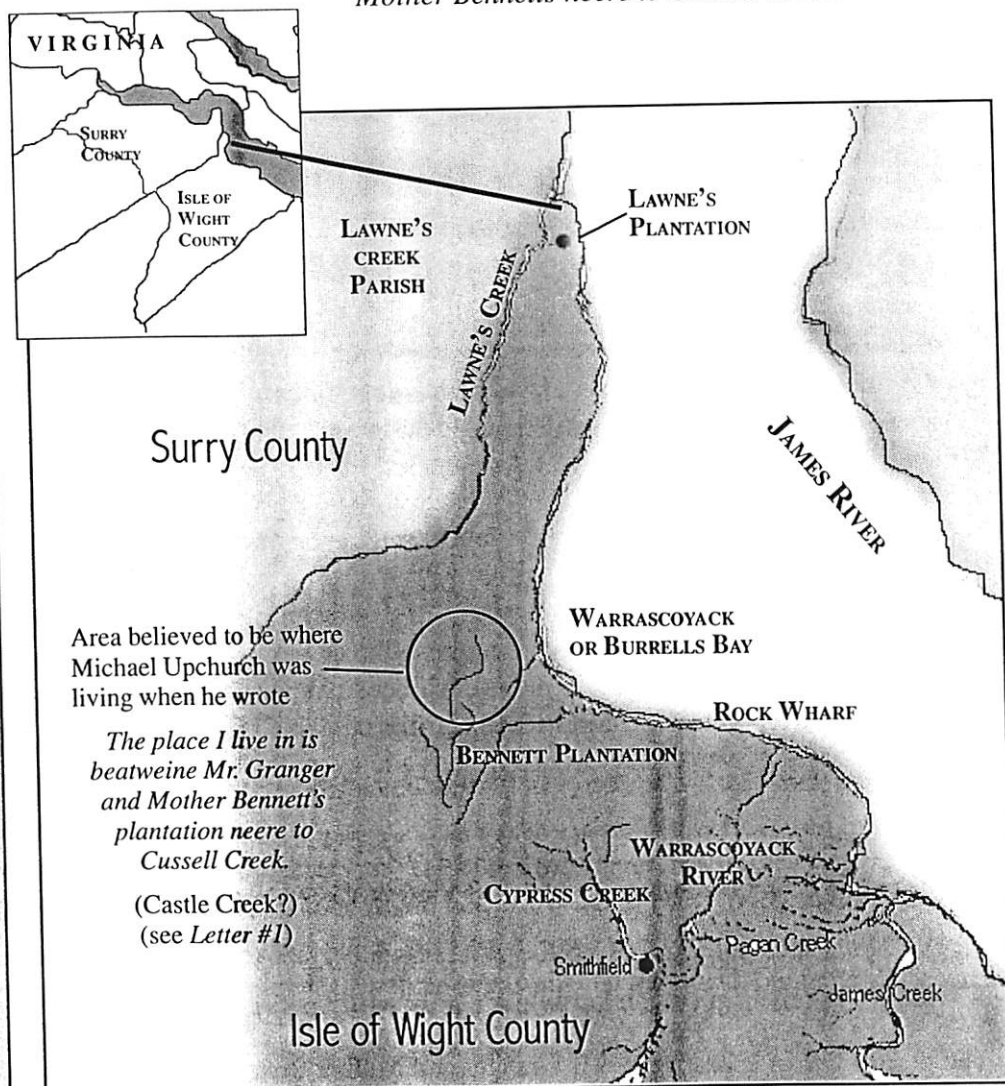
### Cussell Creek = Castle Creek?

Notice in the Ferrar's endorsement on page 22, he records information that Michael

*... lives neere Cussel Creeke not farr from  
Warrisqueke by Mother Bennetts plantation*

Then if you jump to the very last line of this letter, page 27, Michael himself tells about his place of residence,

*The place I live in is beatweine Mr Granger and  
Mother Bennetts neere to Cussell Creek.*



Reviewing various maps to locate Cussell/Cussell Creek in Isle of Wight County brought no results. For days, searches on the Internet trying to discover just where Cussell Creek was located, were to no avail.

The closest to finding this creek was the discovery of a *Castle Creek* being in close proximity to the Bennett's Plantation in Isle of Wight County. Did Michael, while dictating letters for the scribe to put on paper, perhaps say *Castle Creek*, and the scribe heard it as *Cussell Creek*?

Interestingly, there was also a Goose Hill Creek just a short distance from the Bennett's plantation. Could it be that Michael rattled *Goosehill Creek* quickly and the scribe phonetically altered it to *Cussell Creek*?

Frustrated with searching and no results, I went on to another project. Sometimes when you least expect it, information seems to fall into your lap... and so it was.

### Castle Creek, Warrascoyack, and Mother Bennett

A week or so later in an attempt to learn more about the county of Isle of Wight, my plight turned most fortuitous! Sheerly by luck alone, right on my screen appeared the most delightful words.

Castle Creek. Widow Bennett. Warrascoyack.

All the words were in an article about the Bennett family. That article included several land transactions in which *Widow Bennett* or *Mother Bennett* of *Warrascoyack* purchased land around *Castle Creek*.<sup>R06132</sup>

Widow Bennett is Alice Bennett who was married to either Robert Bennett or Thomas Bennett. Two different sites showed two different husbands. One site had detailed and credible-sounding data indicating Alice was the widow of Thomas Bennett. Based on the extensive research offered, my gut-feel is Thomas and Alice were husband and wife, having married about 1624. The Bennett's plantation, built near the mouth of the Warrascoyack River, was referred to as *Warrascoyack Plantation* or *Bennett's Plantation*.

Thomas doesn't show up after 1632 though from there on there are numerous court records where Widow Bennett is listed. In 1641, Alice Bennett is referred to in the will of her son-in-law, Anthony Barham, as *Mother Bennett*, the same title and name as given on the endorsement shown on page 22.

*Warrascoyack River* was later renamed *New Town Haven Creek*, and subsequently changed to Pagan Creek, the name it carries today. Pagan Creek looks to be but a short distance from Cypress Creek and Cypress Swamp. In 1644, *Alice Bennett, widow*, purchases 150 acres of land for *one calf and a barrel of corn*, said land lying between *Castle Creek* and Cypress Swamp.<sup>R06132</sup>

While there is not enough information to positively deduce that Castle Creek is near where our Michael Upchurch lived, it does lend a certain aura of possibility. It's merely a theory at this point, and perhaps with more scrutiny we'll be able to say is as factual. For now though, we'll adopt the *Castle Creek* theory until proven otherwise.

Michael is in the  
northern part of  
Isle of Wight  
County, Virginia

*I live neere  
Mother  
Bennett's  
plantation*

Michael was  
born in 1624  
and came to  
America in 1638

His keen  
observations  
are quite  
impressive, and  
indicative of an  
alert and highly  
intelligent young  
man.

Sadly, the latter  
part of this  
second letter is  
missing.

### Summarizing Letter-1

Throughout this first letter, Michael's exuberance is contagious; his descriptions picturesque. Just reading through the letter one can almost feel what it was like to walk out the door and observe wild raccoons scampering and turkeys strutting about, and smell the fresh earth as farmers and their teams of oxen till the soil. His observations paint a beautiful scene in which fields stretch for miles and miles, with tobacco leaves gently waving in the breeze.

Michael decidedly lived in an area he thought had it all — a land highly productive and capable of furnishing most everything necessary for a man and his family to survive. His keen observations are quite impressive, and indicative of an alert and highly intelligent young man. He sees even the simplest of what nature has to offer, and even makes note of things not there, e.g., *noe honey wax or bees*.

His comment about *very good beere* being made with Indian corn struck my fancy. The English are well known for their pubs and pints, and Michael seems to be proud that this wilderness land can also produce an excellent brew!

As earlier mentioned, this letter provides invaluable information of Michael's foray into pushing the Indians back. This was a critical period in the establishment of this country, and once again an Upchurch was involved. As throngs of immigrants arrived, the Indians were pushed off their homelands and forced to keep moving westward.

How interesting it would be to have a copy of Ferrar's questionnaire. Apparently the questionnaire is no longer in existence as inquiries to the college brought the reply that it isn't in the collection. Michael's answers, though, pretty much tell us what was being asked.

Lastly, an overview of this first letter shows a wealth of information on a scant two-and-one-half pages: farmland is rich land with vast tobacco fields, there are crops of wheat, oats, barley, and corn, plus vegetables peas, corn, and beans, fruit trees of apple, pears, cherries, and peaches. Horses, oxen, cattle and swine, wild game, fowl and birds, and plentiful fish are available.

Boats and ships, silver, gold, and iron mines, rivers and springs, a big variety of trees, windmills and watermills, houses, churches are prevalent in this colony. Trees for wood included White Oak, Red Oak, Black Oak, Elm, Cedar, pine, and hickory. A mixed variety of skills are represented: *Coopers, carpenters, joyner, smith*. Diseases were named, *feevers, Agues and fluxes, and scurvy*.

Michael's colony seemed to have just about everything.

### Letter 2: Michael to John Ferrar

On March 27, 1651, Michael again wrote to John Ferrar. This letter has also been transcribed and is presented here; the original follows on the next two pages. Sadly, the latter part of the letter is missing. There are only two pages, yet these give us such an abundance of glorious information. How very fortunate we are to have such vital insight to this relative... and his life!

# Transcription of Letter-2 from Michael Upchurch to John Ferrar, March 1651 <sup>R06107L</sup>

The integrity of the letter is preserved here with the wording, spelling, and lineation intact.

Virginia this 27th of March 1651

Nobell Sir

after my humblle service presented unto yow this is in breife to Answeir yor desires in yor Letters but I must intreat yow to excuse me in my shortnes of Answering yow in re [-] gard that I cannot writ my selfe as Like[-] wise my want of Judgment and Experiance of many of yor demands being I ame but a poor yong man and get my liveing by my owne Labour and therfor can not Leave my in[-] ployments to searatch out the right of yor ques[-] tiouns but what I kno or cane informe yow of I have heir set downe, god wiling nixt yeir I hope to be in a better conditioun to Answer yow more at Lardge first I never saw any of those silk bottomes yow writ of nather doe I kno of any silk wormes ther is in this contrie but what the governener hath :2: it was to[o] late to get any silk grase. nixt yeir I wil provid to send yow some :3: I have sent yow some corne wt one stalk but it was to late to send it acording to yor desires, as lik[e]wis[e] some pease and beanes wt a smal qantitie of ingles wheat the witch I cane aseure yow doeth grow and prosper heir asweil as in ingland :4: for roots and berys and gume for dye I ame ignorant of against nixt yeir I wil Leave them out<sup>1</sup> :5: for bowes and arous I could not get any for the indians doeth not come in neir wher I Live but for tobacco pip[es] I have sent you some :6: ther is neir 700 of Nansimum people gone to the bay and more

are stil goeing at ther first coming ther they seat in maner of a towne both at severn & petuxon<sup>2</sup> – they plant tobacco, as yet ther is no new ingland men come ther but only to trade[.] for any thing we cane heir they are at peace wt al men nixt yeir I may informe yow more consarning ther proseidings :7: for ye sasafres tre it growes heir com[-] man upon our stife clay and black mould ground upon our levels the roots runs deip and brood out wt many smal roots I could not send yow of the Leavs for they are but now buding we eat them in salets wt strabery leavs and violets witch are heir common all the ground over :8: for yor desire to kno if our borne Viginia women<sup>3</sup> sir for a trewth they are as healthful and as weil from any disease as yor women in ingland and therfor they that report otherwise doe notoriously false to wrong the contrie :9: most men heir of abilitie that hath sarvants doe brew ther owne beir for I kno many Naighbours heir that have beir al the yeir but poor men that hath noe servants cannot doe soe :10: most people heir have great store of poultrie but we loose abundance by hawkes foxes posumes Racownes wild cats owles and divers other Vermine that destroys them but sometimes we mak them pay ther lives for ther rog[u]ery for we have fine sport in hunting them when we have lazour :11: con[-] serning the reports of the indians being in armes against use it was not soe, & for skarcitie of corn it was not soe skarse but the contrie made good shift, indeid winter was twelf month it was soe hard a winter that a bundanc[e] of cattel did dye but we have had a mild winter of this that I doe not heir of any Lose ther hath beine at al

The rest of the letter is missing.

<sup>1</sup>. He appears to mean that he is at present ignorant of the answers John Ferrar desires and so will omit any comment until next year.

<sup>2</sup>. Patuxent

<sup>3</sup>. "... are sturdy" (or some such phrase) appears to be missing.

In his transcription of this letter, Dr. Ransome added a footnote:

*The only endorsements are by later Ferrars: Edward Ferrar II (1696-1767) writes: "Virginia / to S(i)r Edwyn Sandys" ... Michael Lloyd Ferrar (1839-1904) has added "This letter is incomplete and has / no envelope..."* <sup>R06107u</sup>

The letter is incomplete



Nobell Virginia this 27<sup>th</sup> of March 1851.  
After my humble service presented into  
you this is in brief to answer your desires  
in your letters but I must intreat you to excuse  
me in my shortness of answering you in re-  
gard that I cannot writ my self of like  
wise my want of judgment and Experience  
of many of your demands being false but  
a poor young man and get my living by my  
own labor and therfor can not leave my in-  
ployment to search out the right of your  
wishes but what I know or can inform you of  
I have here set down, god willing next year  
I hope to be in a better condition to describe  
you more at large first I never saw any of  
these silk worms you writ of neither do I  
know of any silk wormes there is in the entire  
but what the gover nor hath: 2. it was to  
late to get any silk grass, next year will  
probid to send you some. 3. I have sent you  
some corn to one stalk but it was to late  
to send it according to your desires, as living  
some people and changed it a small quantity  
of English wheat the which I thought some  
you both you and yourself for your oil  
as in England. 4. for roots and berries and giving  
for you I am ignorant of against my self  
I will bring them out. 5. for sugar and avoid  
I could not get any for the Indians do not  
come in now where I live but for tobacco  
I have sent you some. 6. there is now 7000 of  
Hansimian people gone to the bay and more



are stil going at their first coming ther they seat  
in manner of a towne both at forenoon & afternoon -  
they relant to bare, as yet ther is no new england  
men come ther but only to trade for any thing  
we can give heir they are at peace w al men  
nigh you I may informe you more concerning ther  
prosperities: 5. for ye Sasafay tree it growed here com-  
mon upon our stif clay and black negred ground  
upon our lobes the roots vint & size and brood out  
in many small roots I could not send you of the  
best for they are but now finding we eat them  
in salady w. starbory leafe and violaf which are  
heir common - al the ground above: 6. for ye desire  
to kno if our borne Virginia women live for a trowe  
they are of healthful and of weil from any disease  
of ye women in england, and therfor they that  
report otherwise doe notoriously falsen to wrong  
the contrie: 9. most men here of abilitie that hath  
servants doe brew ther owne beer for I kno many  
neighbouring here that have beer al the year but  
your men that hath no servants cannot doe so:  
10. most people here have good store of poultice  
but we lose abundance by having foxes & possums  
Raccoons wild cats owles and divers other vermin  
that destroyes them but sometimes we make them good  
ther Cbes for ther rogers for we have fine sport  
in hunting them when we have leisure: 11. con-  
cerning the reports of the indians being in armes  
against us it was not so, & for scarcity of corn  
it was not so scarce but the contrie made good  
shift in old winter way twelfmonth it was  
hard a winter that a famine of cattle did live  
but we have had a mild winter of this that I doe  
not hear of any less ther hath bene at al

## HISTORICAL TIDBIT

### Did you Know?

#### In Colonial Days ...

- 90% of the colonists were farmers living outside of cities and towns.
- About 40% of the farmers owned their land, and lived lives of considerable comfort. Farm laborers, on the other hand, only earned a paltry £30 annually.
- Typical landowners also owned slaves. Newspapers carried offers of reward for runaway slaves.
- Colonists owning ten cattle, sixteen sheep, two horses, six pigs, and a team of oxen, were considered well-to-do.
- Roads became so muddy in the spring and fall, that most colonists did their traveling in summer or winter.
- Only a few colonists could read or write; women in particular had no chance at getting an education.
- Men planted crops, butchered game and livestock, built fences, and did most of the outdoor-type work.
- Women worked more indoors preserving food, smoking meat, spinning, weaving, sewing, cooking, and washing. They also did outdoor jobs like gardening and milking the cows.

## Notes on Letter-2

This letter sheds even more light on Michael's personality. He appears to be quite a humble young man as his letters have a respectful tone to them. He is self-supporting and writes that he must work to take care of himself and his responsibilities.

Perhaps he is now contemplating marriage or has recently wed, and hence his concern to meet his obligations. Whatever the reason, he tells Ferrar that his work is a high priority though he does apologize that he can't leave it to journey out in search of answers to Ferrar's queries. He seems optimistic that next year will bring *better conditions* for him.

**Not educated:** One of the first things that jumps to light is ... Michael is uneducated and can't write! But lack of those skills certainly didn't affect his ability to compose a letter. Once he has located someone willing to put his words on paper, Michael is articulate as he dictates enlightening answers to Ferrar's queries. He is most observant as witnessed by the answers he gives. He seems to be quite an intelligent and quick young man!

Nor does he beat around the bush when he doesn't know something, or can't supply the answers. He humbly admits when he hasn't met their demands.

*I must intreat yow to excuse me in my shortnes of Answering yow in regard that I cannot writ my selfe as Likewise my want of Judgment and Experiance of many of yor demands being I ame but a poor yong man and get my liveing by my owne Labour and therfor can not Leave my inplyments to seartch out the right of yor questiouns ...* R06107L

My admiration for this ancestor soars with the latter part of his statement. Here is a young man who knows what he needs to do, and does it. He takes his job seriously, and shows loyalty to both himself and his employer... or perhaps it should be said he has high respect for himself and his employer. He may be a young man, but he's certainly learned the ways of the world!

**Age:** This is the letter containing the passage earlier discussed on page 14 as to whether Michael was eighteen or fourteen when he arrived in America.

We've elected to take the route that he was fourteen when he arrived in 1638. At the writing of this letter would have been about 27 or 28, more in line with Michael saying he was a young man.

**Colonial Women:** Michael seemed taken back at someone's, (perhaps Ferrar's?) suggestion that Colonial women weren't up to par with English women. Though he sounds irritated, his retort and delightful description have an amusing slant:

*Virginia women... for a trewth they are as healthful and as weil from any disease as yor women in ingland and therfor they that report otherwise doe notoriously false to wrong the contrie.* R06107L

**Livestock, Animals, and Fowl:** Michael seems delighted that the Colonists have a bounty of cattle, swine, and sheep, plus a big variety of fish and fowl. His narrative on the abundance or *great store* of poultry they had on their farms, and the problems this entails is priceless. His tale of critters stealing their chickens, geese, and/or turkeys seems almost humorous:

... we loose abundance by hawkes foxes posumes Racownes wild cats  
owles and divers other Varmints that destroys them, but sometimes  
we mak them pay ther lives for the rog[u]ery for we have fine sport  
in hunting them ... <sup>R06107L</sup>

Michael is now about twenty-seven years of age if he was fourteen when he arrived in America. In his young life he has sailed across the ocean, worked off his indenture, joined a march to push against the Indians, moved further inland, found a place he calls home, joined a church, and is a farmer raising tobacco. Quite an accomplishment! Makes me proud he was my ancestor!

### Now Comes Virginia Ferrar

As mentioned earlier, Ferrar's fascination with America and particularly with Virginia was evidenced when he named his daughter *Virginia*. Born about 1627, this daughter was properly schooled as was her brother. Her upbringing would have been at Little Gidding in Huntingdonshire area of England. Virginia joined her brother in creating a Gospel Harmony and also pursued a bookbinding vocation.

John Ferrar took his two children and fled England at the outbreak of its first civil war (1642-1645), going *beyond the sea*.<sup>R06107s</sup> Though his wife did not go with the family they were joined by *some of our dearest friends*.<sup>R06107s</sup> The family returned to England sometime in the spring of 1646, and it was at that time that King Charles I passed through Little Gidding, spending a night with the Ferrars before surrendering to the Scots.

It was also about that time that Virginia became her father's right arm, so to speak, working along side him overseeing their vast estate — it's not known why the mother was no longer part of the team. Virginia also was engaged with her father in the rise and fall of their business venture to the American Colonies. Evidence supports the theory that she encouraged her father to resume his interest in the colonies, especially the one for which she was named. In her early twenties, she also began corresponding with Michael, and seemingly wrote letters back and forth until her father's death in 1657.

### Letter-3: Michael's Letter to Virginia Ferrar

Presented next, is the only letter preserved from Virginia and Michael's seemingly multiple correspondences. Virginia too must have asked questions of Michael, as the tone he uses in reply suggests he couldn't provide her with some of the items, or perhaps answers, to her queries.

The letter, written March 27, 1651, is heavily damaged on the right-hand side. In the transcription, Dr. Ransome has added bracketed words in supposition as to the original words used.

It's 1651 and  
Michael is now  
about twenty-  
seven years of  
age

Ferrar was so  
keen on the  
Americas he  
named his  
daughter  
Virginia

Virginia also  
corresponded  
with Michael.

Virginia this 27<sup>th</sup> of March 1651

Honorable Ladie  
maye please remembrit unto you w<sup>th</sup> al  
according to yo<sup>r</sup> noble desert giving  
many humbles thanks for yo<sup>r</sup> tokeing  
sent you such things as yo<sup>r</sup> friend Cap<sup>t</sup>  
Virginian could get to present you  
giving you to except of my good w<sup>ill</sup>  
instead of my abilitye which is but  
to gratifie yo<sup>r</sup> loving father & yo<sup>r</sup>  
Japimut on y<sup>e</sup> ave of musthods one m<sup>ay</sup>  
state shines on crowne of a bird and f<sup>or</sup>  
basket a flying harts head and hoo<sup>nd</sup>  
battels of a vattel snake, and virginia  
this is al that I could provide to send  
you at present n<sup>ext</sup> year I hope to be  
better abilitye to serve you in any  
I thinke may please you to send  
from this contriv I hope no further  
cling of you but desireing you to  
me amongst the number of

yo<sup>r</sup> most humble serv<sup>t</sup>  
Michael Upchurch

more I have sent you a young live turtle in  
a glasse bottle



### Transcription of Letter-3: Michael Upchurch to Virginia Ferrar, March 27, 1651

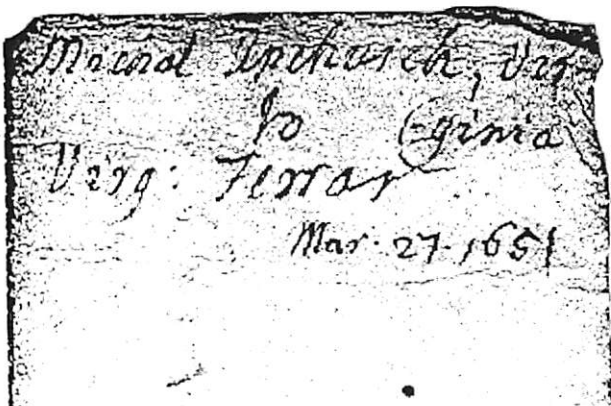
This letter was damaged on the right edge and some words are not legible. The bracketed [ ] additions are Dr. Ransome's notes as to what he thought the writer was saying. The integrity of the letter is preserved here with the wording, spelling, and lineation intact.

The letter was addressed:

For Mrs Virginia Ferrar  
these with my service  
attend her

*For Mrs Virginia Ferrar  
these with my service  
attend her*

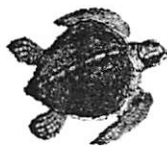
R06147:



R06147

On the original cover for this letter, the following was written in the position you would use if you were endorsing a check:

Michal Upchurch, Vir-  
to (ginia  
Virg. Ferrar  
Mar 27 1651



Virginia this 27th day of March 1651

Honerablle Ladie

my service remembrit unto yow wt al[l duty]  
acording to yo<sup>r</sup> nobile desert giving [you]  
many humbille thanks for yor tookine\*, [I have]  
sent yow sutch things as yor freind Ep[??]  
Virginian could get to present yow [with]  
desireing yow to except of my good w[ill]  
instead of my abilitie whitch is bu[t only]  
to gratifie yor Loveing ffather and yor[self]  
In primus on[e] pare of muskcods one m[usk]  
rats skine on[e] crowne of a bird one s[mall?]  
basket a flying harts heid and horne t[wo]  
rattles of a rattel snake. ane Virginia [???]  
this is al that I could provid to send  
yow at present nixt yeir I hope to be [of]  
better abilitie to serve yow in any th[ing]  
I thinke may pleasure yow to sen[d yow?]  
from this contrie thuse no furthe[r trou-]  
bling of yow but desireing yow t[o count?]  
me one amongst the number of  
yor most humblle sarv[ants]  
Michall Upchu[r]ch

more I have sent yow a yong live turtel in  
a glase bottel

\*tookine= token?

R06107m

## HISTORICAL TIDBIT

### Surry County, Virginia

It didn't take long for the first immigrants to hit the Virginia shoreline and begin settling on land in every direction.

Formed in 1652, Surry County was formerly part of James City County. It lay south of the James River with boundaries extending from the river south to the North Carolina line.

In 1723 the southern part of the county became part of newly established Brunswick County. In 1732, additional territory was ceded to Brunswick.

In 1753, the middle portion of Surry County was separated off to form Sussex County. At that time, Surry reached its present bounds.

The first land patents for Surry County date from 1624. Though four courthouse fires and two major wars swept through the county, these court records have survived. Only the court order books from 1719 to 1740 and one nineteenth-century deed book are missing.

### Michael Marries Before Spring 1652

The closest we can come to a wedding date is to say he married before May 1652, and in all likelihood, not long before that date. In the letter next presented, it *sounds like* this is the first time he is telling his family he has married, and that would support the event having taken place recently.. perhaps in late 1651 or early 1652.

Most likely they were married in the Isle of Wight County, Michael's residence at the time he wrote the first three letters presented herein. This brings us to an interesting conundrum: Who were her parents?

### Frances Was Not a Delke!

Almost everywhere on the Internet and in most every book you read about the Upchurches you'll find folks saying Michael married Frances *Delke*. Not true. This was refuted in 1990 by a member of the Delke/Delk family who reported that Roger Delke I, had no daughters, and that Roger Delke II's daughter would have been too young to marry Michael. Therefore, Frances was not from the Delke family. He went on to say there was no female by that name in any of the Delke families during this timeframe. <sup>R06100a</sup> Interesting!

Some thought perhaps Frances/Francis came from the Reynolds family. Researchers found the Reynolds had a son named Francis, so it's unlikely they'd have named a daughter Frances. That theory too has been thrown out.

So that leaves us pondering just who her parents were and did they live in this area too? At least we do know her first name and that's a blessing considering there are so few records from that day and age; plus usually only the man's name was in the record books.

### Michael Writes Home to his Father

*Letter-4*, the final letter in the Ferrar Papers is this warm and loving note to his family in England. Earlier, we mentioned Martha Upchurch Tidd traveled to England in search of Michael's letter to Virginia Ferrar. She didn't find that letter, but did find this one written by Michael to his father in 1652. <sup>R06134a</sup>

As previously discussed, the Upchurches lived in Brington, about five miles from Ferrar's manor in Huntingdonshire. As you can see on the opposite page, this letter to Michael's father was directed to Ferrar intended for his father. Though we've been unable to learn just what the relationship was between the Ferrars and Upchurches, this at least tells us they knew each other well enough for the Ferrars to receive mail for them.

Michael then tells his father he didn't receive his letter, and wishes he had. He had reserved a hogshead (barrel) of tobacco for his father, and when he didn't hear from him, he set the barrel aside and didn't ship it. He then tells his father that his tobacco crop *bee layd out*, which, in farming lingo means the field is left fallow, or without crops. Michael promises his father that next year he will send tobacco to him.

On the cover of Michael's letter to his father:

R06148

Mich. Upchurch  
Virginia  
to Mr. Ferrar Gidd  
May 4  
1652

R06107m

Mich. Upchurch  
Virginia  
to Mr. Ferrar Gidd  
May 4  
1652

For my ho' red friend m<sup>r</sup>  
farrer Liveing in Little  
Gidden in Hunting:sh:  
these.  
Leave this at m<sup>r</sup> Nicholas  
Colletts in Lumbard street  
at the white Hinke. nere  
the Cardinalls capp.

M<sup>r</sup> John Scot cooper  
unto Mr Greene xxxxx (illegible erasure)  
in spruses iland  
in Ratliffe  
brought this. R06107m

ffor my ho'red [honored] friend m<sup>r</sup>  
farrer Liveing in Little  
Gidden in Hunting:sh: these.

Leave this at m<sup>r</sup> Nicholas  
Colletts in Lumbard street  
at the white Hinke. nere  
the Cardinalls capp R06107m

### Michael's Family in England

It is believed Michael's father was Richard Upchurch of Brington (see page 7), and his mother Frances Ingersol. R06107p

Little is known of the family, except there were several children. Michael is believed born in 1624 and his sister, Margaret, in 1626. They are thought to have been the younger of several children, including John, Robert, and Henry.

Loving and kind father my duty with my wife's humble thanks  
 to you and to my mother is as yet mine. I am obliged to my sister  
 that that you are in health as at present I am obliged to her  
 desiring you to remember me to all my friends and  
 acquaintances in good health. These are to certify you that as  
 yet I have not received your letter but I know it is in my  
 country and I have retained the letter with me. I have sent  
 me as also the token which the fair lady his daughter  
 sent me for the which I am deeply engaged for her  
 favor and courtesy. Now I am very sorry I have not had  
 your letter sooner for if I did I would send you a bag of the  
 best tobacco I had in my shop to send you it but not  
 hearing from you made me lay it out and yet if I can  
 possibly I will send you some tobacco this year although  
 my own is layed out but however I intend God willing  
 to send you some tobacco the next year without fail  
 and pray let me hear from you first ships that  
 come to your River and pray direct your letter for  
 me to one Mr James Brune Living near unto  
 Esquire Ludlow in York and I shall be glad to have  
 it delivered. Pray father be not so much full to give  
 my service to Mr. Harcourt informing him I understand that  
 he did not receive the tokens I sent but it was  
 none of my fault for I being illiterate desired him to  
 write my letters to send both the name of the man and  
 also of the ship but I think he did neglect it  
 therefore I desire excuse if I did not write to you for  
 any thing therefore I refer to be informed to the meaning  
 of the hitting of the nail on the head is and is it doth  
 signify and concerning the death it is the common name  
 of virginia. Now I sent a young turtle or tortoise  
 as the Indians call them and the death way and by so  
 I send it alive whilst it came so soon.



I sent my father two boxes of tobacco: the matter of 20 <sup>to</sup> and  
 I sent my mother an indian basket and a paper box. and I  
 sent to Mr. Farrer 8 of principall good tobacco for his own  
 drinking and halfe a dozen of Indian Pipes and a box full  
 of tobacco seeds and I sent to Mrs. Virginia Farrer amongst  
 skin two masketts an indian basket two woodpeckers  
 crowns which which wood were then any strait and what  
 I sent a pair of flying hawks hounds and a pair of birds  
 horses and geese of mine severall sorts and bands of  
 all Colours. wheate and indian seed of all sorts and I  
 sent home heavy earth and a pound of fulers earth  
 and as concerning the indians making of bows and arrows  
 they make their bowes of Coruist and their arrows of reeds  
 and their arrow heads are of glasse or else of truckwood  
 squares or tipps of deers horns and they doe get the glasse  
 from the English and make by angle Just as this manner  
 is they doe not cut it w<sup>th</sup> diamonds only with anould knife  
 or a pipped stone and as concerning m<sup>th</sup>le, I am ignorant  
 there is diverse sorts of m<sup>th</sup>le stones but I cannot get  
 any because the Indians are at war and will not other  
 but I shall procure some against the next year if I  
 had retained my father better I should have writ more  
 at length however I know not how to make m<sup>th</sup>  
 Farrer a word for all her manifold favours bestowed  
 upon me howsoever I shall remain very thankful  
 for her kindness though unknowne as at present I  
 comitt you to God and your dutie. ~~Good night~~  
 Virginia Ma<sup>ry</sup> <sup>my wife's name is</sup> 4 1652 <sup>ppchurch</sup> ~~ppchurch~~

## May 4, 1652 Letter from Michael to his father

The spelling and punctuation is presented as in the original document; the lineation was changed to fit the format of this book.

Loveing and kinde ffather my duty with my wifes humbly p[re]sented to you and to my mother as alsoe to my sister trusting that that [sic] you are in health as at present I am blessed bee god desireing you to remember mee to all my friends and --- acquaintance in generall. these are to certifie you that as yett I have not received your letter but I here it is in ye country but I have received the letter w[hi]ch mr. Farrer sent mee as alsoe the tokens which the faire lady his daughter sent mee for the which I am deeply ingaged for her favor and courtesie. Truly I am very sorry I have not had your letter sooner for I did preserve you a Hogshead of the best tobacco I had on purpose to send you it but not heareing from you made mee lay it out and yett if I can possible I will send you some tobacco this yeare although my owne bee layd out but however I intend god willing to send you some tobacco the next yeare without faile and pray lett me heare from you the first shipp that come to yorke River and pray direct your letter for mee to one Mr James Bruce liveing neere unto Esquire Ludlow in yorke and I shall be sure to have it delivered. / pray father bee not unmidfull to present my service to mr ffarrer informing him I understand that hee did not receive halfe the toakens I sent, but it was none of my fault for I beeing illiterate desired him yt[that] writ my letters to send both the name of the man and alsoe of the shipp but I think hee did neglect it therefore I desire to bee informed w[ha]t the meaning of the hitting of the naile on the head is and w[ha]t it doth signifie and conserning the earth it is the common mould of virginia onely I sent a young turtle or toropine as the indians call them and the earth was onely to p[re]serve it alive whilst it came to London.

I sent my father tow rowles of tobacco : the matter of 20<sup>li</sup> and I sent my mother an indian baskett and a pepper box and I sent to mr ffarrer 8<sup>li</sup> of principall good tobacco for his owne drinking and a halfe a dozen of Indian Pipes and a box full of tobacco seede and I sent to M<sup>rs</sup> Virginia Farrer a muskrat skin tow musk codd an Indian basket tow woodpeckers crownes which which were reder than any scarlet and w[i]thall I sent a paire of flying harts hornes and a pair of bucks hornes and pease of nine several sorts and beans of all Collors wheate and indian corne of all sorts and I sent some heavy earth and a peece of fullers earth and as concerning the indians makeing of bowes and arrowes they make there bowes of Locust and there arrowes of reeds and theire arrow heads bee of glass or else from turkicock spurs or tipps of deer's hornes and they doe gett the glasse from the English and make tryangle just as this mark is and they doe not cutt it w[i]th diamonds only with an ould knife or a pipple stone and as concerning mettles I am ignora[n]t there is diverse sorts of mettle stones but I cannot gett any beecause the Indians are at war one w[i]th the other but I shall promise some against the next year if I had received my fathers letter I should have writ more at large however I know not how to make M<sup>rs</sup> Farrer amends for all her manifold favours bestowed upon mee howsoever I small remaine very thankfull for her kindnes though unknowne soe at present I comitt you to God and [?remain] y[ou]r dutiful sonne/

michaell Upchurch

my wife's name is ffrances Upchurch/Virginia  
Virginia May <sup>ye</sup> 4 / 1652

R06107n

### Summarizing *Letter-4: Michael to His Father*

On the page at left is the transcription of Michael's letter to his father. He seems to have an intense desire to provide his family with a wide variety of gifts and items from the land he finds so alluring. Is he perhaps trying to convince them his trip to America was a good decision? Or merely comforting them that he is doing well? A mother would be apprehensive about her child venturing so far from home, so in all likelihood, she would have been delighted to know the welfare of her son, and that his venture was successful.

As you can see in the transcription, Michael implores his father to write him by the first ship coming to Yorke River, and

*... pray direct your letter for mee to one Mr James Bruce Liveing neere unto Esquire Ludlow in yorke ...*

Obviously Michael knows Bruce quite well. Could this be where he served out his four years as an indentured servant? Possibly. Obviously he was in Yorke long enough to make friends and was surely in good stead with this Mr. Bruce since the gentleman permitted Michael to use him as his post office, so to speak.

In a prior missive, his father must have used an expression that was not familiar to Michael, as early on in this letter (see transcription at left), Michael inquires:

*I desire to bee informed w[ha]t the meaning of the hitting of the naile on the head is and w[ha]t it doth signifie...*

It's surprising that a 28-year-old young man wouldn't know this old aphorism.

Michael goes on to say he has received letters from the Ferrars, plus he mentions Virginia sent him *tokens*. Telling his parents this indicates two significant factors. 1) He has been corresponding for some time with the Ferrars, and 2) His family must know the Ferrars since Michael doesn't explain just who they are.

The nonchalance with which Michael mentions the correspondence with the Ferrars leads one to ponder if perhaps these families weren't quite well known to one another, as earlier discussed. The next line in the letter gives credibility to this supposition as Michael asks his father to smooth over a misunderstanding that has taken place. Ferrar did not receive all the items he, Michael, had shipped because the scribe Michael used failed to put Ferrar's name and the name of the ship on all the items he sent. Thus the items never got to Ferrar.

*...pray father bee not unmidfull to present my servise to mr fferrar informing him I understand that hee did not receive halfe the toakens I sent but it was none of my fault ...*

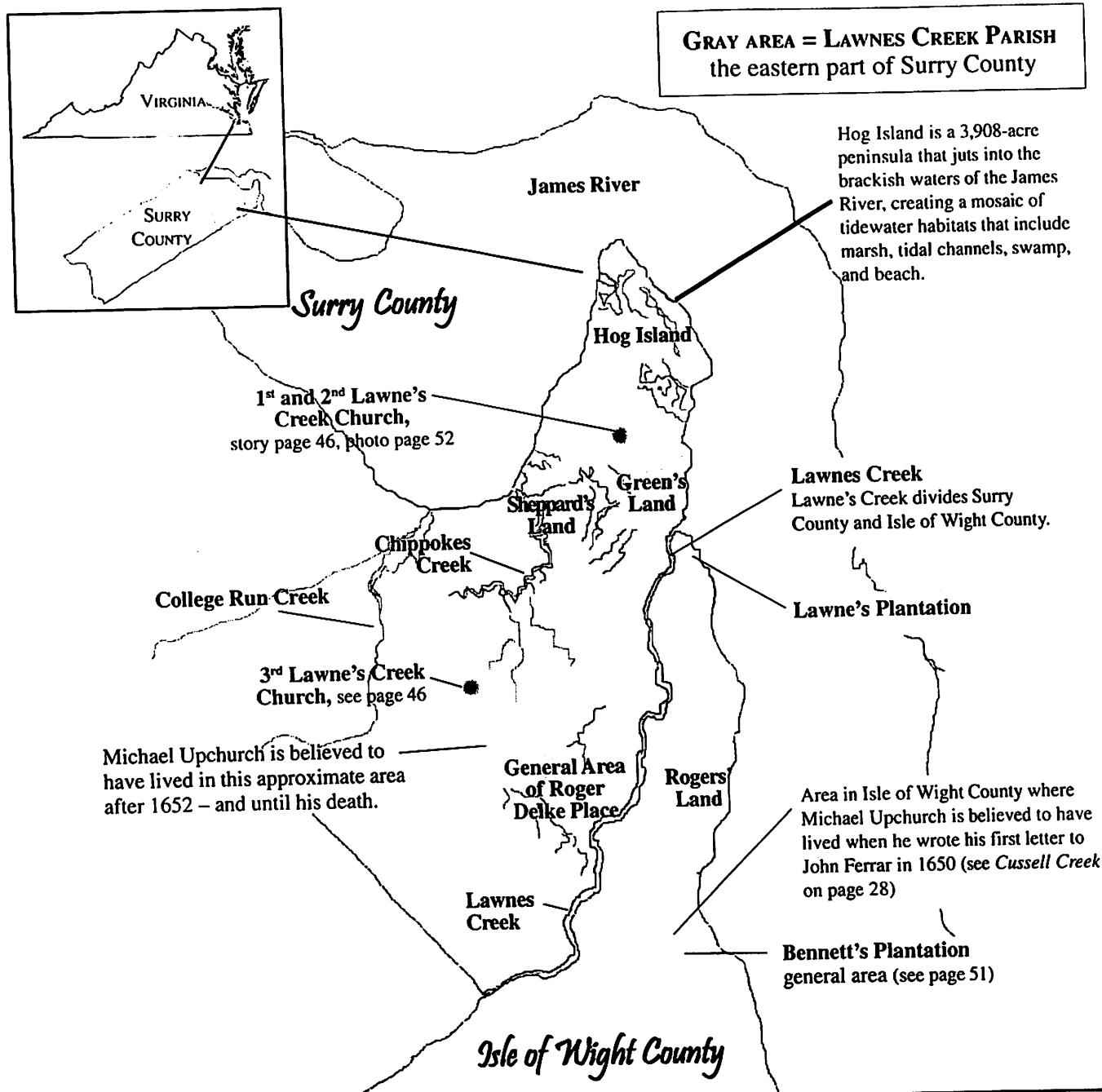
### Introduction of Wife

One of the most significant finds in this letter is mention that he now has a wife. He sends both his and his wife's duty (respect) to the family, and this brief line *sounds like* his family already knows that Michael has married. But, then at the end of the letter, he tells them her name — *my wife's name is ffrances Upchurch*. That sounds more like they didn't know her name or possibly of her existence.

Michael instructs  
his father to  
write him in  
Yorke

It's likely that  
Michael's family  
knew the  
Ferrars

First mention  
that Michael has  
married.



## HISTORICAL TIDBIT

### Lawne's Creek Parish

Lawne's Creek Parish was part of the James City Parish lying south across the James River. In January 1640, by the authorization of the General Assembly, it became its own entity. An Act in March of 1643 relieved Lawne's Creek inhabitants of having to further support James City Parish. Lawne's Creek Parish existed for 102 years: 1640 to 1742.

Lawne's Creek Parish was bounded on the north by the James River and included all of Hog Island. The eastern boundary was Lawne's Creek running southerly to the head of its uppermost branches, then westerly to the head of the upper branches of Lower Chippokes Creek, then to the mouth of Lower Chippokes Creek, northward to Hog Island Creek. Southwark Parish encompassed land from College Creek to Upper Chippokes Creek.

Surry County was cut off from James City County in 1652. Lawne's Creek and Southwark Parishes then lay within Surry County. In 1732, Lawne's Creek and Southwark Parishes, lying north of Blackwater River, were combined into Southwark Parish, so Lawne's Creek Parish ceased to exist as a separate entity.



## Michael in Surry County, Virginia

There doesn't seem to be an exact date for when Michael left Isle of Wight County. We know he was settled in Lawne's Creek Parish by 1654 as that's supposedly where his children were all born.

Michael's 1671 deposition mentions *Chippokes Creek*, and it could be that he lived on or near this creek. More about this on page 51.

## Michael and Frances' Children

No state or county birth records for Michael and Frances' children have been found. There is evidence, though, that Michael and Frances had at least two daughters, as in the final account of Frances's estate, there is mention of *daughters* (see page 72). It is reasonably certain there were two sons, as both names appear in tithe and other records. The daughters are thought to be their first children, though no records have been located supporting that theory.

All four children are thought to have been born in Surry County, Virginia.

- |                      |                     |                     |
|----------------------|---------------------|---------------------|
| 1) Daughter          | b. ca 1654 Virginia |                     |
| 2) Daughter          | b. ca 1656 Virginia |                     |
| 3) <b>Richard, I</b> | b. ca 1658 Virginia | d. ca 1700 Virginia |
| 4) Michael, II       | b. ca 1667 Virginia | d. ca 1697 Virginia |

It's possible there were more than four children as in that day, most families were quite large. Possibly others have gone undetected. For now though, we'll list Michael and Frances as having four children.

## Did Michael Visit England?

One source suggests the possibility that Michael sailed to England in 1654:

*Michael Upchurch may have made a trip to England in 1654, for there exists a record of his arrival in Virginia from Greer, England, on a ship headed by Captain George Cambell.* <sup>R06053c</sup>

Was this perhaps a different *Michael Upchurch*? One who was immigrating to America, or coming for a visit? Or could this have been just another falsified entry in the ship's log? After all, this was the same year that Patton and Hubbard claimed Michael as a headright.

Another thing to remember is that Michael's first child was born in 1654, so would he have left Frances to travel abroad?

Another thought: There was a Reverend Thomas Upchurch who died in 1654 naming a nephew, Michael Upchurch, whom he cut off with just a shilling. <sup>R06134j</sup> It's questionable this is our Michael Upchurch. Even if it proves to be our Michael and his uncle, it seems unlikely Michael would travel to England for this reason.

More research is needed before we can say with any degree of certainty that this was, or was not *our* Michael Upchurch who made the trip.

All of Michael's  
children thought  
to have been  
born in Surry  
County, Virginia

Little can be  
found to  
support Michael  
traveled back to  
England

## HISTORICAL TIDBIT

### Three different structures known as Lawne's Creek Parish Church

In 1628, a *chapel of ease* was built for folks living in the Lawne's Creek area. The wood-frame building, measuring 40 by 20 feet was located in the northernmost area of Surry County, on Hog Island, see map on previous page, and situated

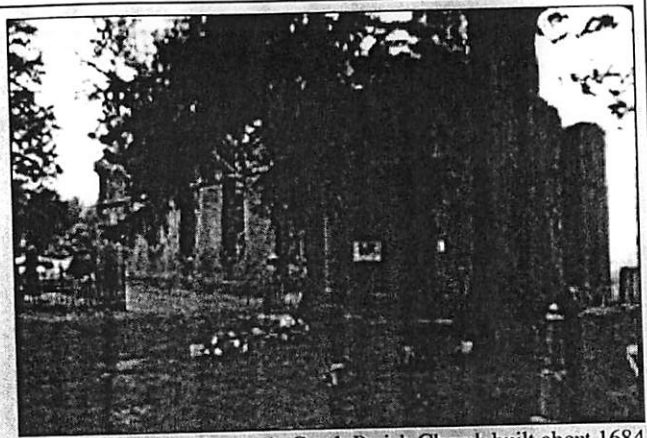
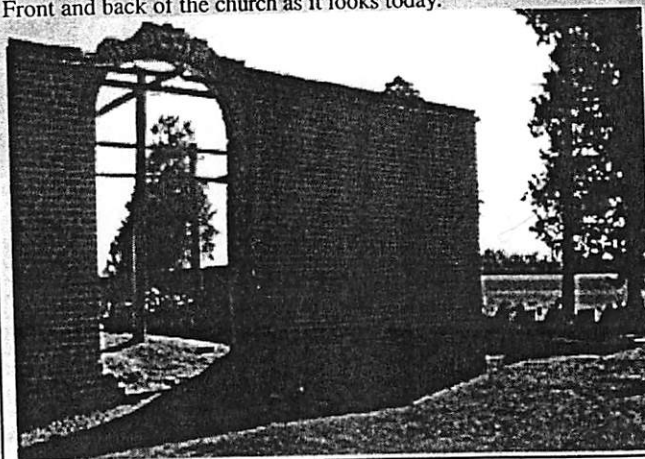
*on a high, wooded and well-drained site between two ravines leading down to the James River just west of the main road to Hog Island, and a half-mile east of the head of Hog Island Creek. ... Jamestown was in plain sight on the opposite shore of the river.* R07013a

The first church was in use for twelve years before, in 1640, a larger building (30x60) was built over-lapping the foundation of the first church. Referred to as the second church, it was on the same site and actually replaced the first church. This second church was in use for 44 years and became quite noteworthy during that time as the site of the *Lawne's Creek Rebellion* (page 52) in 1673.

As Lawne's Creek Parish became home to more and more colonists, this northern location was quite inconvenient for many worshipers. A third church was built about 1684 in a more central location; map page 44.

The frame structure, located on a three-quarter acre tract, bordered land now known as historic Bacon's Castle. By 1754, the third church was replaced with a larger brick building, and was renamed Southwark Church — this area was now Southwark County. That church burned in 1865, but was then rebuilt.

Front and back of the church as it looks today. R07012



The third Lawne's Creek Parish Church built about 1684

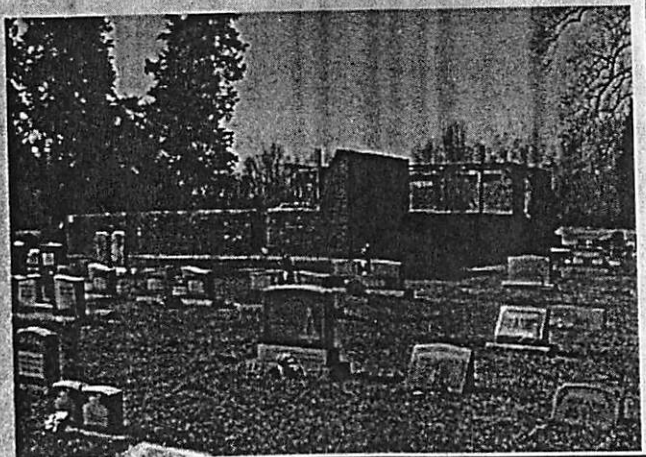
Today there some of its walls are still standing, and it has been named an historical site. The old cemetery is well-maintained, though stones are quite weathered. Scratched on one of the old cemetery walls behind Lawnes Creek Parish Church, is:

*In all my wanderings in this world of care  
In all my griefs and God has given me my share  
I still had hopes* R07018

#### First Churches Should be Historical Landmark

One would think that since the site of the first and second churches is well documented as the location of the first-known pre-revolutionary-war rebellion, it would have been declared a historical site by the state of Virginia. But that has not come to pass. One would also think that since the site is likely burial grounds for early colonists, including our own Michael Upchurch, the area would be considered sacred and preserved for that reason.

Instead the location is owned by a power plant whose fencing prohibits anyone from even reaching the old church site. Efforts by one Upchurch cousin to declare this an historical landmark have been futile though he continues his plight as this book goes to press. R07016



## The Delkes, Associates and Neighbors of Michael

Since the Delkes were neighbors and business associates of Michael Upchurch, it seems prudent to take a look at the Delke family Born about 1604 in Surrey, England, Roger Delke came to America on the *Southampton* in 1622. He settled in what was then the southern part of James City County, on Hog Island. <sup>R08033</sup>

Roger Delke, I, was listed as a land patentee receiving 1,000 acres in the Lawnes Creek Parish area of Surry County, Virginia. The Delkes were affluent Colonists, and the distinguished Roger Delke is listed as a Virginia Burgess during 1631-1632. They owned vast lands stretching over a large part of Lawnes Creek Parish.

Roger Delke, I, only had one child, a son Roger Delke II, born about 1632 in Surry County

When Delke, I, died around 1636, his widow then married Nicholas Reynolds who re-patented Delke's large acreage on December 23, 1636. After Reynolds died, the land was returned, on February 15, 1663, to the Delke family, to Roger Delke II. <sup>R06061a</sup>

Roger Delke II only had two known children, a daughter named Rebecca, and a son, Roger III. He is thought to have lived out his life in Surry County

In all likelihood, Michael's association with the Delkes was with Roger Delke II, who leased land to Michael, as described next. His name also crops up in other dealings/events in concert with Michael, as shown later in this section.

## Land Leased, Not Owned

Michael Upchurch left the nicest trail to follow. This next record is of a land transaction in which Michael leased land from Roger Delke in the Lawne's Creek Parish area of Surry County — lying just south of the James River

There is no record of Michael owning land though records do indicate he leased forty acres of land owned by Roger Delke, in 1656. See document on next page. The map on page 44 highlights the approximate location of Delke's vast holdings.

What's interesting in this document is the hint that perhaps Michael did own land, since the description of the leased acres was said to be bounded

*...upon swamp between John Gregory and said Michael Upchurch* <sup>R06134c</sup>

So if the forty acres leased were in addition to land already owned by Michael, then he had a sizeable tract of land.

Over the next hundred years, this first immigrant to America, Michael Upchurch, and then his offspring and their offspring would live and work in this area.

The next two pages show the original document, along with a transcription. The original is quite difficult to read, but is being included since it is a part of our heritage.

The Delkes ...  
neighbors and  
business  
associates

Michael leased  
40 acres for  
21 years.

Lease and Transcription on  
next pages >







## Lease of 40 acres from Roger Delke to Michael Upchurch

As you can see, the recorded lease between Delke and Michael is extremely hard to read. Thankfully others have transcribed it for us. The handwritten record began on one page and continued to the top of the next page.

Note that the wording in the lease seems to say that Michael perhaps already owned land bordering on the acreage he is leasing.

40 Acres leased  
for 21 years

### Lease Transcription

Spelling and wording is as presented in the original document.

R07031

This Indenture made ye seventh of January An. 1656 Betweene Roger Delke of ye one ptie And Michael Upchurch Planter of ye Other ptie. Witnesseth that Whereas Roger Delk for himselfe his heires Exrs And Admrs And assignes hath devised leased and grant to farme lett unto **Michael Upchurch** himselfe his heires exrs. Admrs. And assignes one small devident of land Scituate and lying upon Lawnes Creek being bounded upon ye Swamp betwixt John Gregory and ye said **Michael Upchurch** for his bredth east upon ye Creeke South upon John Gregory South and west into ye Woods for his length of ye said land which was agreed to be forty Acres of Land and if it did extend to be more then ye sd. **Upchurch** was to have it and if it did fall out to be less then ye. Lease of Timothy Madmonker (?)

If I the said **Upchurch** my heires exrs. Admrs. And assignes doe rest satisfied without any molestation or disturbance o\_\_\_ Roger Delke himselfe his heirs exrs. Adrs. Or assignes and to have all rights priviledges and appurtenances thereto belonging, as hawking fowleing ffishing hunting and allsoe stacking falling saweing mauling and ye making use of ye said timber upon ye said land for his owne prop. Use for ye use of building of houses upon ye said devident of land without any mollestacon or disturbance of ye said Delke himselfe his heires exrs adrs.

And assignes furthermore ye said **Upchurch** is to hold ye said land himselfe his heires exrs. Adrs. And assignes for and fureing the tearme of Twenty one Yeares He ye sd. **Upchurch** himselfe his heires exrs. Adrs. And assignes yealding yearely one hundred and ffiftie pounds of good sound merchantable leafe tobacco and Caske according to the Act of Assembly this tobacco to be paid the 10<sup>th</sup>. Of January every yeare ensuring the date hereof upon all demands unto ye abovesaid Roger Delke himselfe his heires exrs adrs. Or assignes.

Furthermore I the said **Michael Upchurch** doe bind my selfe hy heires exrs. Adrs. Or assignes to plant an Orchard upon ye said Land of thirty apple trees and tenn pare trees and some Quince trees which trees are to be planted betwixt this and three yeares ensueing the date above specified for ye said Roger Delk himselfe his heires exrs. Adrs. And assignes. Further I the said **Michael Upchurch** binde my selfe my heires exrs. Adrs. And assignes not to remove any thing of ye said land which shall thereto belong. And furthermore I the said **Michael Upchurch** binde my selfe my heirs exrs. Adrs. And assignes to leave upon the said land tenantable housing at ye expiracon of ye said lease and furthermore ye abovesaid Roger Delke himselfe his heires exrs. Adrs. And assignes it to finde some small proportion of timber for ye repairing of houses or the building of housing after the leases of these be out which be upon the \_\_\_[torn] Delke land and if there be any timber upon their land who now have ye lease \_\_\_ to the true peformeing of this our Condition. wee have hereunto sett our hands and seales interchangeably ye day and yeare abovewritten.

Roger Delke his mke.[a written R inserted here] Red wax,  
Michael Upchurch his mke [a written X inserted here] red wax.

Sealed and delivered in ye presence of these  
whose names are hereafter subscribed.

Wm. Butler, John Gregory.

Recorded P<sup>o</sup>. May 1660

## HISTORICAL TIDBIT

### English Shipping Laws, Taxes

In 1660, the English Crown enacted the *Navigation Act* requiring all shipping trade in the English Colonies be done exclusively by English ships. Plus, the act limited exports of tobacco, sugar, and other commodities to England or its colonies.

The *Navigation Act of 1663* mandated most imports to the colonies be shipped through England and on English ships.

In 1673, England, through the *Navigation Act of 1663*, created the office of customs commissioner in the colonies to collect taxes (duties) on goods passing between plantations.

Colonists were most unhappy with England's sanctions and voiced their displeasure. It took about a hundred years later, before Colonists dissatisfaction with English taxes resulted in the beginning of the Revolutionary War.

## 1661, Who is Edward Upchurch of Surry County?

A most puzzling find of another Upchurch in Surry County at the time our Michael was living there! Only one record could be found about this possible ancestor, dated November 2, 1661.

*Edward Upchurch, he moving, made Mr. John Peed and Peleg Dunstan to pay some sums of tob. by him indebted.. Wit.: John Ashton, Henry Tillary.*

This person would be too old to be one of Michael's children. Could it possibly be a brother, cousin or uncle? I could find no further mention of Edward anywhere.

### Michael Witnesses Deed

On November 4, 1662, Michael Upchurch was a witness to the deed of John Bason (Mason) selling land to Richard Skinner: <sup>R08040a</sup>

*... a parcell of land at the head of Lawne's Creek on the west side of a dividant of land ... to Pauley's land, formerly belonged to Robert Parke. Wit. Geo Wattkins, Michael Upchurch (Upshure). Rec. 5th 7ber 1662.*

### Tobacco Grower

Though Michael had a sizeable farm, I doubt it large enough to qualify as a plantation. He grew tobacco as did most of the other farmers. Tobacco seemed to flourish in the rich soil, and colonists used it as their means of income.

Michael mentions in his letters that he was shipping *hogsheads* (barrels) of tobacco to both his father and John Ferrar. Colonists regularly exported tobacco back to England and other countries. When the ships returned, they were laden with items necessary for the colonists' survival.

The colonial monetary system was based in pounds of tobacco, not cash. One hundred (100) pounds of tobacco was equivalent to sixteen (16) shillings. Tobacco paid for work done and supplies bought. Court records reflect fines meted out in pounds of tobacco. Tithes/taxes were assessed in this manner also. Young women's passage to America was paid with tobacco. Voting was a colonial man's right and if he failed to do so, he was fined 100 pounds of tobacco. <sup>R06135e</sup>

### Deposition Provides Michael's Age

This is perhaps the only record that actually mentions Michael's age. Earlier we affirmed the belief that 1624 is the year he was born, so he would have been about forty-seven. Perhaps that could be interpreted as *fifty od or there abouts*. The following is a transcription of the documents shown at right, dated March 5, 1671:

*The deposition of Michael Upchurch, aged fifty od or there abouts: I asking Geo Knight whether he killed any deare or not he tould me, yea, one uppon Christmas Eve last & further I asked him if there woar not any turkeys and he sd noe but 2 he killed on ye further side of Chippoakes Creeke[,] at uppon new years day or ye day after I asked him where he had been below, coming over ye creek with my wife, & I asked him if he would come in & pipe it & he said noe he would go home & he further saith not. <sup>R07001</sup>*

The deposition of Michael Apchurch aged fifty or thereabouts  
 I asking Geo Knight whether he killed any deer or not he told me yea  
 one upon Christmas day last & further I asked him if there were not  
 any turkeys at the place but 2 he killed on the further side of Chippokes  
 Creek upon new years day or y<sup>e</sup> day after I asked him where he had been  
 before coming over y<sup>e</sup> brook w<sup>th</sup> my wife. I asked him if he would  
 come in & pipe it he said no he would not come in & further said not  
 Juratur in Curia 5<sup>th</sup> Mar 1671 Recorded  
 J<sup>st</sup> Geo. Watson

R07032

The deposition of Michael Apchurch aged fifty or  
 thereabouts. I asking Geo Knight whether he killed any  
 deer or not he told me yea one upon Christmas day  
 last & further I asked him if there were not any turkeys  
 he said no but 2 he killed on the further side of Chippokes  
 Creek upon new years day or y<sup>e</sup> day after I asked him  
 where he had been before coming over y<sup>e</sup> brook w<sup>th</sup>  
 my wife. I asked him if he would come in & pipe it  
 he said no he would not come in & further said not  
 Juratur in Curia 5<sup>th</sup> Mar 1671 Recorded  
 J<sup>st</sup> Geo. Watson

R07033

## Records Were Rewritten

Imagine what a surprise it was when a second, handwritten document of the same record was found! Apparently someone undertook to rewrite all the records of this period. The rewritten version is in much clearer handwriting than the original. These rewritten versions were bound into the same book as the original records, in the back portion of the book. They are also on the same microfilm.

## Did Michael live near Chippokes Creek?

Notice in the deposition above there is a passage hinting our Michael may have lived on or near Chippokes Creek, see map, page 44. The information is difficult to follow as it doesn't track smoothly. It sounds like he's saying the fellow crossed the creek with his wife, but was that in the past or happening at the time Michael spoke to him? It's hard to know for sure.

Michael asks about wild game, and is told there was some on the further side of Chippokes. Then he inquires if the fellow would like to come in. Doesn't that sound like Michael lived right on the creek, or at least in close proximity to it?

It would be exciting to get a more definitive description of where Michael's home sat. With the lease details and this tidbit of information, we can almost get an idea of its location.

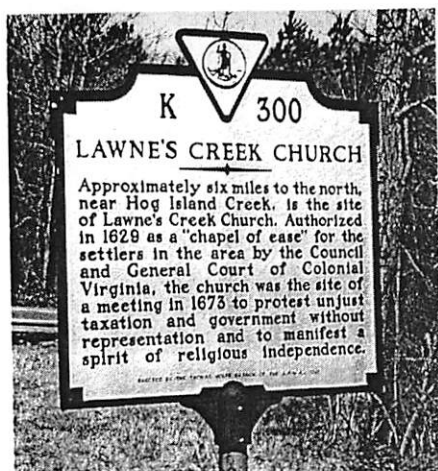
At top is the originally written record and then the rewritten version under it. Both are relatively easy to read — especially for documents over 300 years old!

Michael likely

lives near

Chippokes Creek





Sign posted today near the site of the Lawne's Creek Church. R07012

See detailed story about church on page 46.

## Michael participates in Tax Rebellion.

Information to write this article was found in a variety of articles including R06061, R06062, R06086, R06134, and R07084.

### December 1673

Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

### January 1674

Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## Pre-Revolutionary War, Birthplace of Freedom

Several communities have claimed to be the *Birthplace of Freedom*, but we Upchurches know that distinction actually belongs to Lawne's Creek Parish Church ... and our ancestor was involved! A tax rebellion in late 1673 stands as being the earliest recorded meeting or protest in Colonial history leading up to the Revolutionary War — well over a hundred years before the war took place.

## Michael and Others Hold Secret Meeting

Over a hundred years before the Revolutionary War, the colonists were disgruntled with England's hold over them, and the taxes imposed. Taxes were levied on their exports of tobacco, and apparently on most anything they traded or dealt with of value.

Michael was living in Lawnes Creek Parish when he and thirteen friends and neighbors met to discuss the taxes being imposed. England did not look favorably on folks who spoke dissention of the crown, or who met secretly to oppose the crown. Remember this is 1673. There was no freedom of assembly, and England even had a law prohibiting such assemblies or gatherings. But meet they did do.

Michael and the others gathered secretly on Tuesday, December 12, 1673, at Lawne's Creek Church in Lawnes Creek Parish of Surry County, Virginia. At that gathering, dubbed *The Lawnes Creek Insurrection*, they vented their furor over the taxes, deciding they just wouldn't pay such taxes. Michael and his neighbors obviously trusted one another to voice their discontent, let alone to hold such an illegal gathering.

All fourteen were well-known upstanding members of the area, and small landowners or tenants with the exception of Roger Delke. Delke's father had been a powerful landowner and was known throughout the land. John Gregory married widow Alice Delke, and was Roger Delke's stepfather. Michael Upchurch's land adjoined the Delkes... as well as bordered land belonging to John Gregory.

Later, fearing legal repercussions, they met in *Devil's Old Field* and agreed they wouldn't divulge just who had organized the meeting at the church. But alas, authorities did hear of their unauthorized meeting, and became alarmed sensing the rebellious group represented a threat to British rule. Resurrecting a 300-year-old law, and on the basis of the 13th Statute of Henry IV, Chapter 7, the men were given warrants to appear in order to *give account of their riotous assembling*.

On January 2 and 3, 1673/4, Lawrence Baker, a Burgess and a Justice hosted, at his plantation south of Bacon's Castle, the inquisitory panel that included Robert Caufield and Robert Spencer. The fourteen men appeared and gave depositions. The records of the charges and depositions are provided on the next several pages with some of the original records, and several transcriptions included.

**Note:** The record on the next page and its transcription states there are fourteen people, yet only names thirteen. Roger Delke would have been the unnamed fourteenth person, as his name is given further into the text of the document. Plus his is the second deposition taken.





## Fourteen Lawne's Creek Parish Men Charged

Surry County, Virginia, January 3, 1673/4: R08042

Note: Wording, spelling, and lineation of original documents has been preserved in the transcriptions.

Surry 3.d Jan'y Ao Dom 1673 //

[p.] 40

Of how Dangerous consequence unlawfull Assemblyes and meeteings have bin, is Evident by ye Chronicles of our Native Country wch are occationed by A Giddy headed Multitude, & unless restraynd may prove ye Ruin of a Country, & for yt we Law: Baker, & Robt Spencer two of ye Justices of this County, being .Informed yt on or about ye 12y day of x'br now Last past, a Compay of seditious & rude people to ye Number of Fourteene did unlawfully Assemble at ye p/ish Church of Lawnes Creeke, w.y Intent to declare they would not pay theire public taxes, & yt they Expected diverse othrs to meete them, who faileing, they did not put theire Wished design in Execution, & for yt ye good Law made ag.~ Routs & Riotts, & p/ticularly ye Statute of ye 13.th of Henry 4.y Chap 7 Injoyning ye Justices to Enquire of Such meeteings, wee therefore Sent our warrant to ye Shrff of this County to Cause Mathew Swan. Jno Barnes, Wm Hancock. Wm Tooke. Robt Lacy. Jno Gregory, Tho: Cley. Mich'll Upchurch, Jno Sheppard, Geo: Peeters, Wm Little, Jno Greene, & James Chessett to appeare before us, yet ye s'd p/sons are not being Satisfyed wy theire former unlawfull meeteing, did this day, ye greatest p/te of ym, meete togeather in ye old feild Called ye Divells feild, & as we doe - Justly Suspect, did Confederate not to discovr who weere ye first Instigat.rs or movrs of them to theire unlawfull Assembling as Aforesd. & we upon Examinac'on doe finde yt they have unanimously agreed to Justifie theire meeteings, presisting in ye - Same: as appeares by ye open declareing, of Rogr Delk, yt If one - Suffers they would burne all, & we findeing theire Contemptuous behaviour & Carriage, not respecting Authority: have therefore - Committed ye p/sons aforesd to ye Custody of ye Sheriff, untell they finde Security for theire appearance att ye Next County Cort: & alsoe for Keepeing ye peace, wch wee Conceive Consonant to ye Law in Such Cases: & ye Mutenous p/sons afores'd, being soe many in Number, we have by Virtue of ye Statute of ye 2d of Henry 5y Com'anded aide & Assistance of Sevrall of ye Neighborhood for theire Security: Given undr our hands ye day & yr e afores'd //

Law: Baker

Robt Spensor

Recorded ye 13y Janry 1673 /

1673

Teste Wm Edwards ClCur~

Transcribed by Matt Harris R08042

A company of  
seditious and  
rude people!

### Depositions Taken

It seems that when the fourteen participants gathered at Baker's house they each gave their account of what had occurred December 12th. Seemingly Baker and Spencer thought their behavior to be *giddy-headed*, *obstinate*, and *riotous*. They were deemed *a company of seditious and rude people*.

The court filed its report the same day and the fourteen were bound over into the custody of the Sheriff until the next meeting of the court. The records begin with the document shown on page 53, immediately followed by the depositions shown below and presented in the sequence as they were written into the records:

**James Chessett** was the first of the fourteen deposed. When he was asked who told him of the meeting, he denied anyone had and that he *came of his own simple head*. He more or less admits he invited George Peters to the meeting. <sup>R07001</sup>

James Chessett, being this day at ye house of Capt Law: Baker & coming wy Thirteen prsons who were sumtoned to appeare there to give an acct of their Riotous, Routously(?) or unlawful Assembling, att ye Church of Lawnes Creeke on ye 12th Xbr. Last, & for ye yt sd Chessett was not summond, but comeing w<sup>y</sup> ye Rest, he was brought before us ye subscribed, & being asked who gave him notice to come on [with] ye Rest, he said he came of his owne Simple head he was also asked If he was of them yt mett at ye Church, he Answered 'yes' he being asked why he invited Geo- Peeters to ye meeting, he said it was to See his Neighbors, soe yt he seemes premptorily to give an acct. of ye first p/moter or Instigator of that meeting.

**Roger Delke** followed James Chessett giving his deposition. It's interesting that Delke refuses to give the names of any individual as having been the ringleader of the fourteen being charged. Instead he charged that they all were responsible and that *we will burne all before one shall suffer*. Michael is named in the last sentence of this deposition.

Roger Delke being this day brought before us ye Subscribed & complt being made to us by Wm Sherwood, SubSheriff of this county, yt ye sd Delke did this day say yt we will burne all before one shall Suffer, Ye sd Delke Acknowledged he said ye same words, & being asked why they mett at ye Church he said by reason their taxes were soe unjust & they would not pay it. He was Demanded who was the person yt invited him to meete, he peremptorily denied it but ye sd Delke on his owne behalf & on ye behalf of ye others then mett declare yt their meeting was to be relieved from paymt for Drams & Cyder wch they Nev<sup>r</sup> had, A ll ye Rest Assented to what he said, save onely **Michll Upchurch**.

**Robert Lacy** then gave his deposition, and Michael Upchurch's name is mentioned.

Robert Lacy was also brought before us ye subscribed & being demanded why he mett this day with others at Devill's field, notwithstanding he was warned to the contrary, he said W<sup>m</sup> Hancock caryed him there where was also Jn<sup>o</sup> Barnes, **Mich<sup>l</sup> Upchurch**, Jn<sup>o</sup> Greene & Jn<sup>o</sup> Sheppard; he was demanded if he was one yt mett at ye Church, he confessed it. He being asked how he heard there was to be a meeting, he said Jn<sup>o</sup> Sheppard told him. <sup>R07001</sup>

Fourteen men  
bound over in  
custody of the  
Sheriff

John Barnes  
James Chessett  
Thomas Clay  
Roger Delke  
John Greene  
John Gregory  
William Hancock  
Robert Lacy  
William Little  
George Peters  
John Sheppard  
Matthew Swan  
William Tooke  
Michael Upchurch

Roger Delke:  
  
We will burn all  
  
before one shall  
  
suffer

These three depositions  
Transcribed by  
Mae D. Cox

**Editor's Note:**

There are many, lengthy records related to this uprising. Only two of the dozen or so pages of original court records are included as I felt all of the men's depositions were necessary to the telling of this story.

See next page  
for original copy  
of page 42

Michael gives  
deposition

**Note:** Wording, spelling, and lineation of original documents has been preserved in the transcriptions.

Page 42

**John Grigory** being brought before us acknowledged yt he was att ye meeteing att ye Church: he was demanded to declaire wt was ye meaneing of it: or to wt Intent, he said he heard att Samll Corneills by Samll Hayden, yt ye Leavys were unreasonable: & yt there would be a meeteing to redress them:

**Tho: Cley** being asked how he came to Know yt there was a wart out for him & othrs to appeare to give acct of ye meeteing ye 12 Bbr Last: he Sayes he this Morneing mett wy Wm Hancock who told him of it, he Confessed he was att yt meeteing at ye Church, & denyes to declaire any further, save onely yt Wm Hancock was ye first yt told him ye Levies were unreasonable, & yt theire would be a meeteing about them:

**W:m Hancock** acknowledgey he was at ye meeteing at ye Church: but denyes who told him of it: he very obstinately presisting after Sevr all faire admonitions although it is proved by Tho Cleys confession yt he first advised him of it:

**Geo: Peters** confessey he was at ye meeteing at ye Church, & yt James Chessett ys morneing asked him to goe t ye Church to ye meeteing:

**Michll Upchurch** Sayes he was att ye meeteing at ye Church, but denyes to declaire by whome he heard of it, or yt he Knew any of ye business they mett about:

**Mathew Swan** being yis day brought before us ye Subscribed, & being asked he & othrs mett at ye Church ye 12y x'ber Last, he said it was to agree about redress from theire taxes wch were heavy, he was asked how he Knew theire taxes were unreasonably laid: he said m:r Mason told him, & alsoe mr Goreing said ye same, & yt there were Some Extraordinr y taxes, he being demanded wt discourse he & mr Goreing had about yt meeteing, he said mr Goreing said he wold be there if he did not goe from Home, & ye said Swan hay alsoe very - obstinately presisted in ye Lawfullness of yt meeteing, & said yt all or most of ye County were of his minde:

**John Greene** being this day brought before us ye Subscribed & being demended why he came wy ye othrs this day: he said he being one of them yt was att ye meeteing att ye Church - thought fitt to Come wy them now, he denyes to declaire who was ye first yt Instigated him to meete att ye Church:- or yt first told him of it:

**William Little** being alsoe brought before us confessey yt he was one yt mett at ye Church, & yt he had wy othrs agreed to meete there, he was demanded, wt was ye Intent of theire - meeteing, he said it was to be redressed from theire Levys: he was alsoe asked how he heard ye Levys were unjust, he said he heard it by Samll Corneill who was told soe by mr Holte, (as ye said Corneill said)

This page transcribed by Matt Harris R08042





Depositions of  
January 3, 1673/4  
continue

**Jno Sheppard** being also brought before us confesses that he was one yt mett at ye Church , & yt he had wth others agreed to meete there, he was demanded wt was ye Intent of their meeteing, he said it ws to be redressed from their levys: he was alsoe asked how he heard yt Levys were unjust, he said he heard it by Samll Cornwill who was told soe by Mr Holte, (as ye said Cornwell said) <sup>R08042</sup>

**John Barnes** being alsoe brought before us, says he was at ye meeteing att ye Church, & doy peremptorily deny by whome he first heard yt ye Levys were ["unjust" struck] unreasonable, but declaires yt he heard it by Evr y body: <sup>R08042</sup>

**Wm Took** acknowledgey that he was att ye meeteing att ye Church, & denys by whome he first heard ye Levys were unreasonable: <sup>R08042</sup>

**Other Entry Practically Dismisses Michael**

Along with the records and transcriptions, there are also numerous books and publications with abstracts of the court records. One such abstract reads

Michael not the  
instigator of the  
meeting!

Whereas it appeareth yt **Michll Upchurch** was noe originall deviser of ye unlawful Route at Lawnes Creek Pish Church on ye 12th Xbr last past but hath acknowledged himselfe very penitent for his unadvised Eror & humbly acknowledged ye same & Craven Pdon of ye Cort it is ordrd yt he stand Comitted untell he give bond for his good abeareing & pay his Charge & be dismiss. <sup>R08058</sup>

**Judges Didn't Like Their Attitude or Behavior**

The testimony given by the fourteen suggested the meeting wasn't instigated by these men, but rather by certain more-affluent landowners including Roger Delke, John Goring, and Randall Holt. <sup>R08042</sup>

Spoken in a  
terrifying  
manner

Delke had appeared *on complaint of William Sherwood, sub-sheriff of Surry County on January 3rd*. He must have been in a state of frustration or anger as he was deposed, for there is this entry that reports his tirade thusly:

*...Apparent yt ye sd Delk (being one of yt unlawfull Assembly on ye 12th day of x'br last) did yis day discourseing of yt meeteing Justifye ye Same & said said we will burne all, before one shall Suffer, wch words being Spoaken in A Terrifying manner & tending to ye breach of his Majties peace, being alsoe Spoaken by ye sd Delk before us ...* <sup>R08042</sup>

After listening to the fourteen men's comments, the judges considered their behavior to be *giddy-headed, obstinate, and riotous*. They were deemed *a company of seditious and rude people*. There was no redress given and the fourteen were bound over to the sheriff until the next hearing as reported in this next record:

Whereas a Company of rude & disordr ly p/sons to ye Number of Fourteene did unlawfully Assemble on or about ye xiith day of xbr Last at ye p/ish Church of Lawnes Creeke in yis County wy Intent to alter ye Late Levy, or not to pay ye Same; & yt they Expected divers others of theire Confederates to meete wy them, & for yt it appears by ye Confession of Mathew Swan Jno Barnes W:m Hancock, Robt Lacy, Jno Grigory, Tho Cley, **Michll Upchurch**, Jno Sheppard, Wm Tooke, Geo Peters, Wm Little, Jno Greene, & James Chessett yt they did meete att ye Time & place afores'd, & for yt ye greatest p/te of ye p/sons afores'd did this day alsoe Riottously meete togeather in ye feild, commonly called ye Divells feild, notwistanding Some of them were advertised to the Contrary: Wch we – Conceive to be agst ye peace of or Sovraigne Lord ye King, & ye quiett of this County

These are therefore in ye Kings Maties name to witt & reqr you to take into yor Custody ye bodyes of ye Sevrall p/sons before Named, & them in Safe Custody to Keepe, untell they Enter into Bond wy Sufft Security for there appearance att ye Ware Neck on Tuesday ye 6th Instant att ye Cort there; to be p/ceeded agst according to Law & alsoe that they be of good behavior & Keep ye peace of or Sovr aigne Lord ye King, & for soe doing this shall be yor warrt Given undr or hands this 3d Janr y 1673/

To ye Sherff of ye s'd } Law Baker  
County or his deputy: } Rob' Spensor –

### An Outside Person is Deposed

It's not certain just how this Francis Taylor came to be called to discuss what he knew of the meeting. His deposition is being presented here as it is quite interesting and sounds so innocuous. Recorded following the above entry, it reads in part:

The deposcon of Francis Taylor being Called before Capt Law: Baker mr Robt Caufield & Capt Robt Spensor, to sweare his true Knowledge Concerning a meeteing of Some of ye p/ish on fryday ye 12y xbr 1673 att Lawnes Creek p/ish Church is as followey That being at home at my lodgeing lookeing out I Espyed Jno Grigory goeing yorough ye feild, & Called him to desire him to make me Wastcoate, wch he told me he would, but he asked me If I would not be at ye Church for yere was to be a great p/te of ye p/ish mett yere yis morneing concerneing ye Levys, I told him I know nothing of it Neiyr was I Concerned in it as being noe housekeeper, but I did not much care if I went wy him to See wt was done, he told me he was going to mr Caufields to take - measure of one of his men, to make his freedom Cloayes, & he would hallow for me as he Came back, wch Accordingly he did & wee went togeayr, & when wee Came yere we found about halfe A Score men Sitting yere ... <sup>R08042</sup>

The rest of the deposition has been eliminated to better fit the format of this book.

Michael and 13  
others bound  
over to the  
Sheriff

*They were  
giddy-headed,  
obstinate, and  
riotous... and  
deemed a  
company of  
seditious and  
rude people.*

Another tells  
about the  
meeting

Court assesses  
fines of 1,000  
pounds of  
tobacco

Matthew Swan  
named  
Ringleader of  
the fourteen

#### HISTORICAL TIDBIT

#### Lawnes Creek Insurrection

#### Reenacted

When in 1952, the County of Surry, Virginia, celebrated its 300th Anniversary with a pageant, one historical episode reenactment was of *The Birthplace of Freedom*.

All fourteen of the 'seditious people' including Michael Upchurch, were paid homage for their brave acts in *The First Tax Rebellion*. R06134q

### Court Finds them Guilty; Fines Meted Out

The court was quick and swift in handling the fourteen offenders. In a matter of three days, January 6, 1673/4, the *seditious people* were fined.

... for that they were sorry for their offence & were no projectors of ye same, John Gregory, Robert Lacy, James Chessett, Thos. Clay, **Michll Upchurch**, Wm. Tooke, Wm. Little and John Greene be ordered committed until they give bond for their future good behaviour and pay costs and be dismiss. ... John Barnes, John Sheppard, and William Hancock were ordered to be committed untill they give ye like bond and pay each of them one Thousand pounds tobo. fine, to ye use of his Majesty, and pay cost. Roger Delke altho he were noe Ring Leader in ye faction, yet for saying after much fair admonicon yt if one of them suffered they would burne all, he shall stand Comitted untell he give ye Like bond and pay ye Like fine of 1000 pds. of tobo. wth costs ... R07084b

On April 6, 1673/4, Matthew Swan was singled out as the ringleader, and fined:

It is ordered that the order of Surry Court against the mutinuss Psons he confirmed and that Mathew Swan the ringleader of them, who was bound over to the Court be Fined Two Thousand pounds of tobacco and Caske and that all fines of the Psons goe towards the ffort at James City And that they pay all Just Costs and Charges. R07084c

### Public Outcry Causes Reversal of Decision

The men paid their fines but that wasn't the end of it. Colonists were disturbed by the court's findings and unrest and resentment ran rampant. So loud was their public outcry and protest that eventually, Governor Berkely rescinded the charges. Eight months after their fines were set, he issued the following:

I doe hereby remit the fines of Matthew Swan and alsoe the fines of the other poore men that were fined in Surry Cor'tt, provided they acknowledge their faults and pay cor't charges. Dated this 23rd day of September 1674. R06134p

### In Summary of Lawne's Creek Parish Rebellion

There seems to be nothing else recorded about the rebellion in Lawne's Creek Parish. Just two years later though, Bacon's Rebellion began in close proximity to where our fourteen colonists lived. Perhaps word of their struggles and fierce determination had spread far and before long others took up the crusade.

It's difficult to comprehend that in America this type hearing would ever have taken place... where men would be arrested for gathering and for speaking out about their taxes. We've come a long way since then and this story sure drives that home!

Such a wonderful history of our ancestor, Michael Upchurch, and such fascinating times in which he lived! It's exciting to know that our relative was part of the first recognized rebellion, a pre-runner to the Revolutionary War. I'm so proud Michael was one of my ancestors!



## Surry County Tithables

Each year in each county of Virginia a tally of tithables was taken and recorded. From these counts, the taxes or tithes were assigned to be paid by each family. Tithables included all males of the household above age sixteen, plus any white male or female servants, and male and female Negroes and Indian servants. Taxes were not considered unjust, for a man's wealth was most often measured by this count of family members and dependents.

In that day and age, population was determined to be four times the number of tithables. Surry County, in 1668, recorded 434 tithables, making its estimated population about 1,736. For Lawnes Creek Parish, the population would have been about 472 people. <sup>R06135s</sup>

## Michael Upchurch Counted in Tithe Records

**1668** This is the first time our Michael shows up on a tithables list. He was about forty-eight years old and had been married at least eighteen years. The following is a partial list, limited to the portion showing our Michael.

### *The List of Lawnes Creek Tythables in ANNO 1668* <sup>R06040</sup>

Imprs Capt. Law: Baker,	08	Robert Gyles,	01
Robt Laine,	01	John Gregory,	01
Wm. Hare,	02	Samuel Cornewall	04
Richd Harris,	05	Tho. Clay,	01
Geor' Corke,	01	John Blast,	02
Wm Chambrs,	03	Peleg Dunston,	02
<b>Michael Upchurch,</b>	<b>01</b>	Arthur Long,	02
Mr Wm Butler,	02	John Hunicut,	01
Mr Peter Greene,	03	Mr. Charles Barham,	04
James Redicke,	03	Tho. Clary,	02
Richd Brigs,	04	Walter Bartley,	04
John Beasley,	03	Wm. Tooke,	03
John Warrin,	02	Timothy Earwell,	02
Capt. Pitman,	04		—
John Clarke,	02		118

**1670:** Michael Upchurch shown as one tithable.

**1677** Michael was about 53 years old when these tithables were taken:

*Surry Co., VA. A list of tithables inhabiting upon ple of Lawnes Creek Parish 10 Jun 1677 – Michael Upchurch* <sup>R06085c</sup>

**1678** Michael was the only tithable in the family. Most likely son Richard, who was now about twenty, had left home and was on his own elsewhere. Son Michael was only about eleven and would not have been counted.

**1679** July 1st: Michael Upchurch, now about fifty-five, was exempted from paying taxes as he was found *being old and infirm*.

*Michaell Upchurch being a very poore Aged Man upon his peticon is for ye. future discharged from Publique or County Levy's.* <sup>R07036</sup>

Population of  
Lawne's Creek  
Parish in 1668  
was 472 people

White females  
and children  
under 16  
weren't counted  
as tithables.

Roger Delke and  
Robert Reynolds  
appeared as  
security on all  
legal matters  
pertaining to the  
Upchurches

### Friends of the Upchurches

Michael seemed to have strong people skills. This theory is based on how he raved about the country and its people. Folks who like people just seem to draw people to them and that seems to be what Michael did. Not once in any of the letters is there mention of anything derogatory about a single soul. Plus, he had all those friends with whom he gathered in secrecy (see page 52).

We know Michael developed friendships in Yorke. When he left Yorke, crossed the James River into what became Surry County, he had a Yorke acquaintance, perhaps a friend, who was willing to accept and hold his mail from England.

The Delkes also hailed from the Brington/Little Gidding area back in England. It's not certain if they knew the Upchurches in England; however, Michael and Roger Delke were longtime associates as evidenced in several matters. This leads to the curious thought that maybe Michael worked on the Delke plantation before acquiring a place of his own and leasing Delke's 40 acres.

Michael also leased land from the Delkes and would have lived in close proximity to the Delke household... they were neighbors for sure. Roger Delke is known to have been one of the largest landowners in Surry County More about the Delkes is given on page 43. We earlier put to bed the thought that Michael had married the daughter of Roger Delke. Not possible since Roger's only child was a son. Roger, I, died in 1638. It was his son Roger II, that leased the land to Michael, and was the one with whom he developed a friendship.

We know Michael and the Colletts were neighbors in Lawne's Creek. His relationship with the Colletts most likely dated back to his days in Brington when the Upchurches lived just a short distance from the Colletts in Little Gidding. Richard Collett arrived in America as a headright, December 1642, settling in the Lawnes Creek area. His brother, James Collett followed. Some speculated that Michael and James were influenced to come to the Lawne's Creek area by Richard. <sup>R06134m</sup>

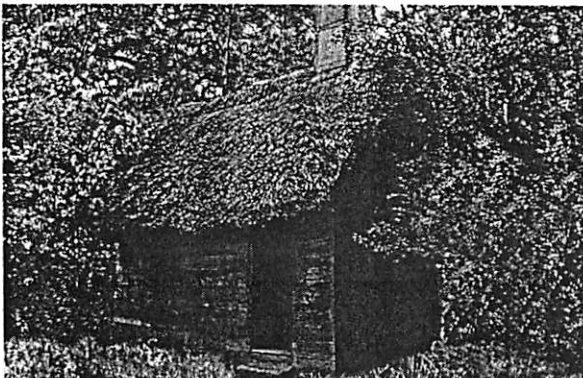
Then we have the Reynolds family, also neighbors. Nicholas Reynolds married the widow of Roger Delke I, and took over his land until his death — it then went back to Roger Delke II. Remember also, that speculation was given as to Michael's wife being from the Reynolds family That theory was discarded when further study showed the Reynolds had a son named Francis, not a daughter.

The Reynolds family also had ties back to the Brington and Little Gidding areas from which Michael came. Perhaps Michael knew these families in England and remained close to them when they gathered in America. Or it could just be that he met them after settling in Lawnes Creek area and found out they were from the same area in England as he. Several possibilities there.

Two neighbors and friends, Roger Delke and Robert Reynolds, appeared as security on all legal matters pertaining to the Upchurches. <sup>R06134n</sup>

Info to write parts of this  
article taken from  
R06085b, R06121b

Since our Michael wasn't  
an affluent plantation  
owner, he possibly had a  
house similar to this one  
from the 1600s Colonial  
days



## Michael Dies

The exact date of Michael Upchurch's death is unknown though it would have been prior to July 1681, the date his estate was probated. Based on his having been born in 1624 and migrating to America at age fourteen, Michael would have been about fifty-seven years of age at the time of his death.

Evidently the colonists died quite young, what with their exposure to hard work, drastic weather, and poor conditions. Diseases and illnesses were rampant during those early days, with little or no medical aid available. Factored with his number of years, Michael was considered an old man by colonial standards — and he was only about fifty-seven! Amazingly, just two years before his death he had been dismissed from paying taxes for *being old and infirm*.<sup>R06134dd</sup>

## Michael's Place of Burial

Just where Michael is buried is uncertain. He lived the majority of his adult life in Surry County's Lawne's Creek Parish, and from his letters we deduce that he attended church there as well. Most likely this would have been the same church where he met with others during the Lawne's Creek Rebellion.

As presented earlier, the church on the northern end of Lawne's Creek Parish was rebuilt in 1640, and was in use at the time of Michael's death. See map page 44. Is this perhaps the church that Olive Morgan was referring to in her book when she said, about Michael,

*He may be buried in the graveyard at the parish church. There are old stones there which cannot be deciphered.*<sup>R06135L</sup>

It's possible Morgan knew of stones at the old church, but more likely her reference was to the stones at the third church erected near Bacon's Castle, several miles south of the original church (see page 46). It does indeed have weathered headstones, but was built long after Michael's death.

The old church where it's possible Michael is buried is no longer there nor is there any trace it ever existed. Could it be that Michael and other parishioners were buried at this site? If indeed this is a burial site, then the ground is sacred and needs to be preserved. As earlier mentioned, the site now belongs to a power company who does not allow traffic into the area. We can only hope that someday, the state of Virginia will declare this parcel of land to be an official historical site.

## Michael's Estate; Frances Appointed Administrator

Apparently Michael Upchurch died intestate as on July 5, 1681, written on an upside-down page in the Surry County, Virginia records, there is a note scribbled attesting to Frances Upchurch, Michael's widow, being appointed administrator of Michael's property:

*Fra. upchurch, Robert Reynolds, 5 July 1681. Frances Upchurch granted admn. on est. of Michael Upchurch, deceased.*<sup>R06134w</sup>

On July 25, 1681, the document on the next two pages was recorded appointing Frances Upchurch as administrator of Michael's estate. She was ordered to give a true and perfect inventory A transcription follows that document.

Is Michael buried  
in old Church  
grounds?

Is Michael's  
burial site now  
the site of a  
power plant?

# Order Appointing Frances Upchurch Administrator of Michael Upchurch's Estate

This is the original record, dated July 25, 1681: R07020

To all to whom these p<sup>re</sup>sents shall come I know you that we have <sup>justly</sup> ~~justly~~  
 Major: In: Allen Justice of p<sup>re</sup>sents in Summ<sup>er</sup> of Henry of Summ<sup>er</sup> & Summ<sup>er</sup>  
 in our Lord God's Everlasting Whoreas Michael Upchurch late of this  
 Colony dying leaving an Estate in & we are good Inward whereof  
 we are by Robert Hall made himself Suite by Court that a Commission of  
 the said Court should be granted him of the said Estate, from know as  
 more that we & J<sup>es</sup> the said Court. After according to an Ord<sup>r</sup> of Summ<sup>er</sup>  
 Court of the said date July 5<sup>th</sup> 1681 for the better Ordering & settling  
 of the said Estate, Do give & grant unto the said Francis Upchurch the  
 Administration of the said singular the goods right & Credit of the Estate of  
 the said deced<sup>t</sup> of what Nature & Quality or Condition they be or in  
 whose Custody soever they remaine within the Colony & do by  
 these p<sup>re</sup>sents further Ord<sup>r</sup> and appoint that the said Francis  
 shall present unto the Court of the said County of Surryall's next  
 Court after the Office of the said Estate being lawfully  
 appoynted by sufficient Men upon oath, further that shee  
 satisfy & pay all such debts as remaine due & owing from the said  
 Estate unto any person or persons within the Colony as far as the  
 Estate will afford, and after such debts are paid then to bring true  
 and just accounts of the Surplusage or remainder of the said Estate  
 where shee shall be thereunto lawfully called and directed to be  
 into the Court for the use of such person or persons unto whom of right  
 it shall belong or lawfully appertain Given this 25<sup>th</sup> day of  
 July 1681

Francis Upchurch Com<sup>missioner</sup> of the said  
 on Estate of the said deced<sup>t</sup> Husband.

By W<sup>illiam</sup> Edwards Sec<sup>retary</sup>

At: Caufield  
 Bristol

Vera record: July 27. 1681 J<sup>es</sup> the said



# Transcription of Frances Upchurch's Appointment as Administrator of Michael's Estate, July 25, 1681 <sup>R08011</sup>

To all to whome these p[re]sents shall come Know yee that wee Rob[er]t Canfield & Majo[u]r Ar: Allen Justices of ye peace in Quorum for ye County of Surrye send greeting in our Lord God Ever lasting[.] Whereas Michael Upchurch late of this Collony dyeing & leaveing an Estate in Divers goods In case whereof Frances his Relict hath made humble Suite to ye Co[u]rt that a Commission of Admi[ni]strac[i]on might be granted her of the said Estate, Now know all men that wee ye s[ai]d Ro: Caufield & Ar: Allen according to an Ord[e]r of Surry County Co[u]rt beareing date July 5th 1681 for the better Ordering & Secureing of the s[ai]d Estate Doe give & grant unto the s[ai]d Frances Upchurch the Admi[ni]strac[i]on of all & singular the goods rights & Creditts of the Estate of the said dec[eas]ed of what Nature Quallity or condic[i]on they bee or in whose Custody soever they remaine within the Collony & doe by these p[re]sents further Ord[e]r and appoynt that the said Frances shall present unto the Com[missione]rs of the said County of Surry at ye next Co[u]rt a true & pe[r]fect inventory of the said Estate being lawfully apprayssed by Sufficent men upon oath, & further that shee satisfye & pay all such Debts as remaine due & oweing from ye said Estate unto any p[er]son or p[er]sons within the Collony as far as ye Estate will affoord, and after such debts are paid then to bring a true and Just accounte of the surplusage or remainder of the said Estate when shee shall be there unto lawfully called and deliver the same unto the Com[missione]rs for the use of such p[er]son or p[er]sons unto whom of Right it shall belong or Lawfully appertaine[.] Given this 25<sup>th</sup> day of July 1681.

Ro: Canfield  
Ar Allen

Frances Upchurch Com[mission] of Admi[ni]str[acion]  
On Estate of her dec[eas]ed Husband

Test[e] William Edwards Cl[ericus] Cur[iae]

Vera record [atio] July 27th 1681 p[er] WE Cel

Transcribed by David R. Ransome <sup>R08010</sup>

Along with the above transcription, Dr. Ransome included notes about the document:

*Her appointment as administrator implies that he didn't make a will.*

He clarifies the puzzling language at the end of the document:

The last two lines are partly in Latin: Test[e] = [by] witness [of]; the last line is heavily abbreviated Latin: A true copy [made on] July 27<sup>th</sup> 1681 by W.E. (title). The title, Cl[ericus] Cur[iae], following William Edwards name is Latin for *Clerk of the Court*. <sup>R08010a</sup>

## Michael's Estate

When Frances presented, at the next court, her inventory of Michael's estate, the records reflected that Michael had not by any means been a wealthy man.

Frances's  
appointment as  
administrator  
implies that  
Michael didn't  
make a will.

The estate Michall Upchurch apprayed ye 2<sup>d</sup> of 7b<sup>r</sup> 1681  
in obedience to an ord[e]r of Court by us ye Subscribers

impr[imi]s	2 old Decreped Cow's 2 yearelings -----	0900
	2 Cows 1 Calfe -----	0850
	2 young Steeres 3 yrs old -----	0600
	3 heyfers 3 years old -----	0900
	24lbs of pewter at 8 p[er] # -----	0192
	12 plaite 6 porrengers -----	0136
	2 small tankards 1 small Flagon 1 salt 1 beaker -----	0120
	1 small bell mettle Morter and pestle 1 chafin dish -----	0080
	2 kettles 1 old skillett 1 small Skim[m]er -----	0350
	3 Iron potts 1 Spitt, 1 dripping pan[n], 1 frying pan[n] 1 ladle	
	1 flesh forke 1 p[air]e of Pott Racks -----	0280
	an old p[ar]cell of Plough geare -----	0130
	1 fixt Gun[n] and & 3 old Chests -----	0250
	1 old feather bed as it stands -----	1000
	1 flock bed & c -----	0380
	a p[ar]cell of old bedding -----	0160
	a p[air]e of small Stilliards 1 brand, 1 p[air]e of tongs -----	0100
	1 Grindstone -----	0080
	19 head of poore Swine -----	1000
	a p[ar]cell of old Lumber -----	0300
	a p[ar]cell of Carpenters old tooles -----	0300
	Sum Totall	<u>8108</u>

on ye backside the  
above said was  
written -----

Joseph fford  
Ja: Reddich  
John Dunford

D[eb]ts due to ye Estate of Mich[ael] Upchurch dec[eas]ed

Jn. <sup>o</sup> Jacobs bill -----	900
Walter Taylor & Cha[rles] Hoptons bill -----	<u>500</u>
	1400

Alsoe a Lame Mare one y[ear]e old & ye Vantage

Att a Co[u]rt held for the County of Surry 7b<sup>r</sup> 6<sup>th</sup> 1681  
This day appeared in Co[u]rt Fra[n]ces Upchurch & made oath that  
the within & ye abovesaid was a p[er]fect Inventory & acco[un]t of  
debts due to Estate of Mich[ael] Upchurch dec[eas]ed

Test[e] William Edwards Cl[ericus] Cur[iae]

Vera record[atio] 8b<sup>r</sup> 18<sup>th</sup> 1681  
p[er] WE Celar

### Three Dates used in the Inventory

In a letter with the transcriptions, Dr. Ransome provided insight as to the dates used in the 1681 inventory

The dates “ye 2<sup>d</sup> of 7b<sup>4</sup>,” “7b<sup>r</sup> 6<sup>h</sup>,” and “8b<sup>r</sup> 18<sup>h</sup>,” all in 1681, are explained by the Latin words for 7 and 8 ... *septem* and *octo*, and can be understood as 2<sup>nd</sup> September 1681, September 6<sup>th</sup>, 1681, and October 18<sup>th</sup>, 1681.

Thus, the inventory was taken 2<sup>nd</sup> September 1681, Frances presented the inventory in Court on September 6<sup>th</sup>, 1681, and the information was then entered into the records on October 18<sup>th</sup>, 1681.

### “Fixt Gun[n]”

An Internet search for “fixt gun” brought up several results. A *fixt gun* was listed in several wills and estate inventories, plus was also on the lists of military weapons used during the Indian upheavals and the French and Indian War. In 1658, the Virginia Legislature passed an act requiring that every home should have a *fixt gun*. The general meaning looks to be that a *fixt gun* was one that was operational — one that had been repaired or was in working condition.

Dr. Ransome also brings up an interesting point about the ‘fixt Gun[n]’

[I] am somewhat surprised to find it [*fixt gun*] lumped with the “3 old chests.” Was it, I wonder, kept in one of them?

The “fixt Gun[n]” does not appear in Frances’s inventory, where the three chests are valued at 150 lbs of tobacco, suggesting that in 1681 the “fixt gun[n]” was probably valued at 100 lbs of tobacco. <sup>R08010a</sup>

### No Mention of Michael Owning Land

There is no mention in the estate inventory of Michael having owned land. Possibly he was still living on the land he leased from Delke in 1656 though the twenty-one-year lease supposedly expired in 1677, four years before Michael’s death.

Chances are though, by Colonial standards, Michael had all his needs met and seemed to have extra. His several head of cattle, pigs, and hogs was likely more than the average colonist owned. It just sounds like Michael was in good condition financially, though his assets were limited to personal property and not real estate.

### All property Belonged to the Head of the Household?

Interestingly, it seems Michael’s inventory included items that would in this day and time be thought to have belonged to the wife. Such things as the cooking utensils, e.g., pots and pans, is shown to have belonged to Michael — even the bedding.

It’s understandable that cows, lumber, guns, and tools would be on his list. Looks like the head of the house was also owner of most everything in that home.

By today’s standards, such a small array of worldly goods would have placed him at the poverty level.

Did Michael not own land since there is no mention in the listing of his property?

The Estate Michael Upchurch deceased &c. 4<sup>th</sup> 1681  
in obedience to an order of Court by us & John B. 1681

2 odd Deer & 2 Cows 2 yearlings	—	—	—	—	0900
2 Cows 1 Calf	—	—	—	—	0850
2 young Steers 2 y <sup>rs</sup> old	—	—	—	—	0600
3 Hens 2 y <sup>rs</sup> old	—	—	—	—	0900
2 y <sup>rs</sup> of peewee at 8 y <sup>rs</sup>	—	—	—	—	0192
12 plaid 6 porridge ors	—	—	—	—	0126
2 small tankards 1 small Hagon 1 salt 1 beaker	—	—	—	—	0120
1 small bell 1 small Mortar 6 y <sup>rs</sup> old 1 (Kaffin dish	—	—	—	—	0080
2 Kettles 1 odd skillet 1 small Skinner	—	—	—	—	0350
3 Iron pots 1 Spitt 1 dipping pan 1 frying pan 1 Ladle	—	—	—	—	0280
1 flesh fork 1 y <sup>rs</sup> of Pot Rack	—	—	—	—	—
an odd p. of Plough gear	—	—	—	—	0130
1 fire Gun 300 (Pist)	—	—	—	—	0250
1 odd feather bed as it stand	—	—	—	—	1000
1 flock bed	—	—	—	—	0320
a y <sup>rs</sup> of old bedding	—	—	—	—	0760
a y <sup>rs</sup> of small Stillions 1 hand 1 y <sup>rs</sup> of long	—	—	—	—	0100
1 Grindstone	—	—	—	—	0080
19 head of poore for me	—	—	—	—	1000
a y <sup>rs</sup> of old fumes	—	—	—	—	0300
a y <sup>rs</sup> of Carp miter old holes	—	—	—	—	0300
				Sum total	8108

on & back side the  
above said was —  
written —

Joseph Borth  
Ja. Reddish  
John Tinsford

It due to & Estate of Michael Upchurch deceased

J <sup>no</sup> Jacobs bill	—	—	—	900
Walter Taylor & Cha: Hopkins bill	—	—	—	500
also a Lane Mason & one y <sup>rs</sup> of T. Antelope	—	—	—	1400

At a C<sup>t</sup> held for the County of Surrey 7<sup>th</sup> 6<sup>th</sup> 1681

This day appeared in C<sup>t</sup> J<sup>no</sup> Upchurch & made oath that  
the within & above said was a perfect Inventory & acct. of  
all due to Estate of Michael Upchurch deceased

Test William Edwards Cler.  
Vera Record 86<sup>th</sup> 10<sup>th</sup> 1681



## The Widow Frances

Most likely Frances continued living in the home she and Michael had shared. She was now widowed with at least one young child still at home: Michael II. Young Michael would have been about sixteen when the Lawne's Creek Parish Tithables for June 12, 1683 were taken listing him for the first time:

*Widow Upchurch for Michael Upchurch* <sup>R06134ee</sup>

It's surmised this is reporting that Michael Upchurch, II, has reached the age of 16 at which time he was legally obligated to be counted as a tithe. Olive Morgan in her book, listed this same record of 1683, saying:

*... Michael [II], and his mother were listed on the tax rolls ...indicating Michael had not attained the age of 16 years.* <sup>R06135i</sup>

All through the years Michael II's birthdate was thought to be about 1667, making Michael sixteen years of age when these tithes were listed. In light of the fact that males under sixteen weren't counted as tithes, Morgan's statement is puzzling. Perhaps the word *not* in her statement was a typo.

Frances Upchurch was also recorded as *Wido Upchurch for Mich Upchurch*, on the June 5, 1684 Lawne's Creek Parish Tithables. <sup>R06087a</sup>

## Ten years after Michael's Death, Frances Dies

Frances Upchurch lived about ten or so years after her husband's death. She died in 1691. As with Michael, it is not known where she was buried, possibly in the Lawne's Creek Parish Church grounds where it's thought Michael Upchurch lies.

## Frances Upchurch's Estate

Like her husband Michael Upchurch, Frances died without a will as on January 19, 1691, her son, Michael Upchurch, II, was appointed administrator of her estate; Robert Reynolds and Roger Delke entered security for Michael, II.

It's curious that Michael II was named administrator instead of Richard since it was common for the oldest son to handle family matters. Perhaps Richard had left Lawne's Creek Parish and/or Surry County His name doesn't appear in any of the tithe records for the period leading up to and following Frances's death in 1691.

## The Inventory of Frances Upchurch's Estate

A week later, on January 23, 1691, Michael II presented to the court an inventory of Frances's estate, valuing it at 6520 pounds of tobacco. As with other estate inventories and wills during this period of time, the amounts and values are given in terms of pounds of tobacco, not in dollars and cents. Pounds of tobacco were used in most all transactions from sale of land to purchasing goods and supplies. If you noted in the lease earlier presented, the payment was in pounds of tobacco. It was their monetary system. Tobacco was money!

How neat to learn of the various items they used from day to day The inventory lists no frivolous items and it's doubtful things like that even existed in colonial homes. On the next two pages are the original court record plus the transcription.

Michael, II,  
probably turned  
16 in 1683

Like Michael,  
Frances did not  
have a will.

Frances's son  
serves as  
Administrator of  
her Estate

Surry SS

An inventory & appraisement of ye estate of Frances Upchurch  
widdow deceased p[re]sented by Michael Upchurch Adm[inistrato]r of  
the said deceased as followeth

[i]mpr[imi]s	Seven head of hoggs -----	0530
	Seven head of cattle -----	2200
	Eight poultreys -----	0040
	one grindstone -----	0060
	fforty foure pounds of Pewter -----	0400
	Two brass Kettles and one Small one weighing 33 <sup>h</sup> -----	0400
	one Chaffindish & one mortall & pestle -----	0080
	Three peeces of Earthen ware -----	0015
	Tenn Pewter Spoones -----	0020
	three Iron potts three p[ai]r of pott hookes, one pott rack iron )	
	one Iron ladle & flesh forke, one old frying pann, one ) -----	0500
	p[ai]r of tongs, one iron driping pann & one Spitt )	
	Three old Chests -----	0150
	one Small Looking glass -----	0015
	Two Saws two augers & two auger bitts two wedges two )	
	p[ai]r of Compasses one hammer two old reape hooks one )	
	smoothing iron one iron pestle one wier Candlestick ) -----	0300
	one trewell one adz one broad ax, one old yoake with rings )	
	and Staples one frow one Chissell & one gouge )	
	one feather bed weighing forty pounds -----	0300
	two old pailles and one piggin -----	0030
	one old Couch two old Chaires & a table -----	0500
	one old rugg one old bl[an]k[e]tt, one feather bead, two pillows one boulst[e]r ---	0750
	one paire of Small Stilliards -----	0060
	old lumber in the sheed &c -----	0120
	five bookes -----	0050
	Sum[m]e	6520

ye 23<sup>th</sup> of Jan[uar]y

The app[\*]les herein mentioned wass then sworne  
Cora[m] me

Henry Tooker

In obedience to an ord[e]r of this County Court dated ye 19<sup>th</sup> of this  
instant Jan[ua]ry wee ye Subscribers have valled & appraised ye p[ar]ticul[ar]s  
above menc[i]oned belonging to ye Estate of Frances Upchurch widdow  
dec[eas]ed amounting to ye sum[m] of six thousand one hundred & twenty  
p[oun]ds of tob[acc]o wittness our hands twenty third day of Jan[ua]ry An[no]  
Dom[ini] 1691/2

This is a true invent[ory] of ye aboves[ai]d dec[eas]eds Estate  
Except her wareing cloaths & a ring given to  
her Daughters acording to her ord[e]r on her Death  
bed

The mark of  
Thomas TL Lane

Charles Jaret

An\*\*

Transcribed by David R. Ransome <sup>R08010</sup>

Original document  
on page 72

\* *app[lianc]es* or (more likely I think, *ap[pointment]es* (in the old sense of  
equipment or apparatus) or [most likely, in my opinion] *app[raise]ment[es]*

\* *An* is a catchword for the next page, which will likely begin *An Inventory* ... [of the next person's estate]

## The Inventory

There is a seemingly contradictory assessment of the total value of Frances's estate. The sum at the end of the itemized list shows the value as 6,520 pounds of tobacco. Yet, in the next-to-last paragraph, it is spelled out as 6,120 pounds: ... *six thousand one hundred & twenty pds of tobo*. In his comments with the transcription, Dr. Ransome made a note about these differing amounts:

*The figures, as I read them, certainly add up to 6,520 lbs of tobacco. I assume in the copying of the final summary the figure "5" (of the 6520) was misread as a "1"* <sup>R08010a</sup>

Dr. Ransome, also explained some of the phrases being used: <sup>R08010a</sup>

"Viz" is the abbreviation of the Latin "videlicet," i.e., *namely*

"Cora[m] me" is Latin for "In my presence," thus "Before me"

## Similar Items on Michael and Frances's Inventories

As would be expected many of the items listed in Michael Upchurch's estate are the same ones listed in Frances's inventory. Though a period of ten years had elapsed, there are several cases when depreciation seems to have affected the value of the items, e.g. Michael's inventory listed one grind stone with a value of 80 pounds while Frances's showed it worth 60 pounds.

The value of some items stayed the same on both inventories, e.g., one chaffindish and one mortall and pestle valued at 80 pounds. During the ten years between their deaths, things such as the nineteen swine listed in Michael's list dwindled to only seven hogs in Frances's list. Perhaps these were food for the table... or sold to buy other supplies.

## Frances's Inventory lists Items not on Michael's Inventory

There are some things in Frances's inventory that weren't on Michael's, so perhaps everything within the household didn't belong just to the head of household as earlier pondered.

Frances is shown to have a couch, two chairs and a table, plus an old rug; none of these were in Michael's inventory. The last entry in her inventory lists *five books*. We know Michael wasn't educated and could neither read nor write, so these books probably belonged then to Frances who perhaps was literate.

## Frances Gave Items to her Daughters

As noted in the last paragraph of Frances's inventory, she made provision that her clothing and a ring were to be given to her daughters:

*Except her wareing cloaths & a ring given to her Daughters according to her ordr on her Death bed*

It is from this tidbit of information that we've deduced Frances and Michael Upchurch had at least two daughters. Wouldn't it have been great for us researchers over 300 years later if those daughters had been named in that document? If they'd only known ...

Two different  
sums are given  
as the value of  
her estate

Several items on  
Michael's  
inventory are  
also on  
Frances's  
inventory

Frances gave  
her clothing and  
a ring to her  
Daughters

Inventory  
of Frances  
Upchurch  
Estate R07022

Surry's  
An Inventory & appraisement of the Estate of Frances Upchurch  
widow deceased presented by Michael Upchurch Clerk of  
the said Surry's is following  
viz  
Seven keas of hogs 05 30  
Seven keas of cattle 22 00  
Eight poultry 00 40  
one grinding stone 00 60  
fourty four pounds of Powder 04 00  
Two brass bottles and one small one weighing 33 00  
one Chaffinch cone mortar & Pestle 00 80  
Three pieces of Earthen ware 00 15  
Tenn Powder Spoon 00 20  
Three iron pots three of pot hooks one pot rack iron  
one Iron candle & eight forks one old frying pan one  
of large one iron frying pan one spit 01 50  
Three old Shirts 00 15  
one small Looking glass 00 15  
Two saws two augers & two auger bits two wiges two  
pl of Compasses one Hammer two old rap hocks one  
Smoothing iron one iron pestle one wire sand stick 03 20  
one small one ad one broad ax one old yoke with rings  
and Staples one saw one Shovel one gouge  
one Leather & Bod weighing forty pounds 05 00  
two old pails one old piggins 00 30  
one old Couch two old Chalks & a table 05 00  
one old rug one old Blotter one Leather board two pictures one bought 05 50  
one pair of Small Shillards 00 00  
old lumber in the Shop 01 20  
five books 05 00  
23 of Land 61 20  
The app. & house mentioned were then sworn  
to by me

Henry Tooker

In obedience to an ord. of the County Court dated 31<sup>st</sup> of this  
instant Jandy was Subscribed her name & appraised & placed  
about one hundred belonging to the Estate of Frances Upchurch widow  
herd amounting to 300<sup>th</sup> of six thousand one hundred & twenty  
of 100<sup>th</sup> with my hand & this twenty third day of January  
Dom 1694  
This is a true Inventory of the above said Estate  
except her wearing cloaths & ring given to  
her Daughters according to her order in her death  
Thomas Jones  
Charles Jarret  
Att



## Michael II Attests to Validity of Inventory

Michael Upchurch, II, appeared before the court March 1, 1691 to swear that his mother's estate inventory presented January 23, 1691, was correct. <sup>R06134ff</sup>

## Summary on Michael Upchurch, I

The more I learn about Michael and what his life was like, the more I want to learn more! History was never one of my favorite subjects so when I began searching for more about the Colonists ... where they came from... what their lives were like... and all that historical stuff.... I was amazed at myself. Here I was actually enjoying and having fun with history! Of course, as you've likely guessed, my interest was piqued by that interesting ancestor, Michael Upchurch.

What a hero he's turned out to be. Such a daring and adventuresome young man! A man of integrity and intelligence as evidenced in the mere wording of the letters he wrote back to England. In my mind I picture him as a wiry young fellow when he first arrived to America in 1638 — more like what in my younger days was described as a *scrapper*! He had to be tough and resilient to forge ahead to a country he knew nothing about, and then spend his next forty-three years making the wilderness his home. Imagine the struggles and upheavals that went with being a colonist. The daily sweat and toil just to survive!

Yet, it seems Michael's forty-three years in America were productive and most likely brought him great pleasure and contentment. He served out his indenture and then embarked on the life of a colonist. He was embroiled with the Indians, and faced the hardships of the untamed wilderness. He married, raised a family, and attended church. He cleared land where he grew tobacco and other crops. He raised cows, pigs, and other livestock.

Michael was by no means a wealthy man though his estate inventory does seem to indicate the Upchurches weren't destitute. They seemed to have the necessities and were perhaps a tad better off than the average colonist.

Michael is a fascinating ancestor and much is yet to be learned about him and his life. Though some records have surfaced, there are perhaps more just waiting to be found. There are still a bevy of questions needing answers and/or proving, e.g., Was the year Michael arrived in America actually 1638? Where did he arrive in America? Was he a *Headright* or *Indentured Servant*, or both? Did he live near Castle (Cussell) Creek? When did he leave Isle of Wight County?

Just when did he marry and what was her last name? When and where exactly were their children born, and how many? Did Michael own land? Did he make a trip in 1654 back to England to visit family? Where was he living when he died — we know he was in Surry County, but just where in Lawne's Creek Parish did he actually call home? Exactly when did he die, and where is he buried?

We do have a wealth of data and records for which we can be most thankful. Perhaps someday we'll know all there is to know about this illustrious ancestor. It will take a serious and intent researcher to uncover the remaining mysteries.

Michael was in,  
or lived in  
several Virginia  
counties:

Yorke County  
Isle of Wight  
County, and  
Surry County

We know a lot  
about Michael,  
yet there is  
much still to be  
learned!

MICHAEL U, I

- The Attached Five Items concern Michael U, I. They were received by RPA on 19 JUL 2007 from Ray NNN White, Jr. He had assembled them for Mark Cox. See communications ⑩-⑪ between Ray & Mae in Ray's Profile re these documents. Mae turned to Ray after RPA was unable to spend the time to gather these items. The items have not been fully studied as of 8 SEP 2007. They are as follows: