

COLONIAL U JOHN U, I, ^{PG 1} (SON OF RICHARD OF
From Pages 21-22 of Upchurch Family ^{EXTD-150} SURRY CO VA)
A. John U was the son of Richard U and the grandson of Michael U.

"John the son of Richard U, probably was the John living in New Kent County, Va., during the early seventeenth century. New Kent lies just north of Surry County, across the James River. The following entries in the Register of St Peter's Parish Church, in that county, are strong indications that such was a fact:

Elizabeth, dau of JNO. Upshum, bapt. ye 25 DEC 1701.	2059
Sarah, daught. of JNO. Upshum, bapt. ye 15 OCT 1707	2060
Tryphena, daught. of JNO Upshum, bapt. 13 APR 1709	2061
John Upshire, jr., departed this life ye 13 APR 1713.	2062

It is possible that there are other records in New Kent County, Va which would clear up this matter."

B. John next appeared in Surry Co Va when he inventoried the estate of William Hunnicutt on 19 JUL 1721 (Surry Co VA - Wills & Adms 1712-1730, pt 2, pg. 150).

C. John U. & wife Eleanor entered the mill of John Vaughan on 9 FEB 1736 (9 FEB 1736?? RPW) - recorded 27 JUL 1741 Bk 4/355

(Chapman's Mills, Isle of Wight Co, VA.)

D. John U was granted 100 over land for 10 shillings in Isle of Wight Co VA 12 JAN 1745. "on the SW side of the Great Swamp, formerly Heath's, down various courses of said swamp (VA Land Patent Bk 18/611).

E. In 1749 Southampton Co, Va was formed from part of Isle of Wight Co and the 1749 grant to John U fell into Southampton Co. In that same year John and wife Elizabeth U of Southampton sold 100 over "on W side of Three creeks, W side of Great Swamp for £15 55" - wit James Ridley, Timothy Shump, Burrill Alberson Signed John ⁱⁿ ~~mark~~ U, Elizabeth U.

F. John U next appeared in Brunswick Co, Va, which county was formed in 1720 from Prince George, and to which was added parts of Isle of Wight and Surry Counties in 1732.

[Note: the Index of (28) shows this John on page 23 but I cannot find this particular John on p 23. - RPW]

- ② See Records obtained by RPH on 23 FEB 1978 (Son of Richard of Surry Co VA)
Visit to Nat'l Soc Colonial Dames XVII Century Office
- ④ Pg 13. - Per Henning Vol? John U, ^{assume XID-150} Wm. U, + Michael U were among those paid for provisions for Militia for years 1756-1758.
- ⑤ Pg 13 - Index to Land Patents 1623-1774
- a. James U. bk by Pg 372, 117 over, date 1739 - Wm. Good Con
- ^{assume XID-150} b. John U ↑ Bk 24, Pg 611 - 100 over, date 1746
- c. James U, son of John U ↑ in Brunswick Co, VA 1753, no 32 Pg 202, 400 over.
- ⑥ Pg 14 - Surry Co Mills, Dede 1715-1730 Pt 2 Pg 350
July 19, 1721. John U ↑ took ^{the} inventory and appraisement of the estate of William Hennwitt
Signed John H ^{his} Upchurch ^{mark}
- ⑦ Pg 14. Southampton Co D. B. 1. Pg 11. 12 JUL 1749
John U and Elizabeth his wife of Southampton, Co VA to Ambrose Grissard of the same County 100 over in Southampton Co on the north side of Three Creeks and the west side of the Great Swamp. Bound: William Hentt
Signed John H U ; Elizabeth + U.
Wit: James Ridley, Timothy Sharp, Burnett x Atkinson. (Note of searcher: This was interesting to me for several reasons. It would appear that this John U was the same who appraised the estate of William Hennwitt in Surry Co 1721, as he used the same mark. Surry + Southampton are adjoining counties. He is also the same man who patented 100 over in Isle of Wight Co in 1746. Pat Book 24, Pg 611. The land has the same boundaries. Southampton Co was cut from Isle of Wight.)
- ⑧ Pg 12 - Brunswick Co VA Militia under Capt Goodrich = Michael U, William U, John U → ^{assume XID-150} RPH

(Son of Richard U of Surrey Co VA)

③ See Pg 37 of the Eliza E. Burkhalter to RDU

A. "The James U (XID-155) who died in Brunswick (Co, VA) in 1784 seems to be the son of John U (XID-150) who mtd Elizabeth Hannum and therefore was the patentee of land on White Oak Creek 1753 in Brunswick. " His sons were John, James + Harmon (Harmon).

B. Pg 38 " 1721 Surrey Co VA. Accounts for estate of William Hannum were recorded by John U (XID-150), 19 JUL 1721. John U lived first in the Isle of Wight Co VA and when Southampton was formed in 1749 he was there. He had mtd Elizabeth Hannum, widow of William Hannum, based on the fact of his acting adm. for the estate of William H. It is possible that John mtd an Elizabeth Hannum but she was not the widow of William but the daughter or niece of William Hannum who died in 1718/19. The widow seems much too old to have mtd John U. "

C. Pg 38 - [All the following Johns^U assumed to be XID-150 - RDU]
 1753 - Sept Court - William Clinch agst John U, defndt. Att. agst estate of deft in amt. of --- pounds and costs return-able next court. 1753 Nov Court. William Clinch, William & Thomas Mervett agst John U.
 1754 Jan Court - Att effects amounting to one shilling and 11 pence. John U ordered to pay same to pltf.
 1754 - Feb Court - Theophilus Field agst John U, Deft.
 1754 - May Court - judgement rendered agst John U deft.
 1755 - 1756 - John Machin agst John U deft.
 1756 - April Court - John Machin agst John U deft. The Sheriff of this County having returned an attachment awarded against the Deft estate that he had executed the same in the hands of James U (XID-155) and summoned him a garnishee This day came the Plt. by his Attorney and

③ C. Continued [OF NEW KENT] → OF NEW KENT (son of Richard U of Surry Co. VA)
 the deft. not appearing the sd James U came into court and declared an oath that he had three balls, 1 old pair of hammers, one old razor and a spoon of the sd deft in his possession. whereupon it is considered by the court that the plt. recover agst. sd deft. Ten pounds six shillings and one-half penny for his damages sustained, It is ordered the Sheriff to sell attached effects acc to law and return an account the next court."

④ See 20 JUL 1979 Ltr Julia Francis U to RPH
 She shows John U and Elizabeth Hannicutt. Hed 1758

⑤ See 7 FEB 1980 Order from Odie Marie U for UB
 She gives date for John U (XID-150) as 1678-1756. For time being I am accepting the 1678 date - RPH

⑥ See Chart Rec'd 17 JUL 1981 by RPH from Fred Upton US
 He shows John U XID-150 as b 1678 d 1758 and Elizabeth Hannicutt.

⑦ See Ltr 2 AUG 1984 Ray White Jr to RPH
John U was in Brunswick Co, VA as early as March 1751 at which time he was sued for a delict. Apparently he arrived in Brunswick Co, VA almost immediately after he sold his land in South Hampton Co, VA in 1749.

⑧ Copy to Ray White Jr 11 AUG 84

⑨ See Ltr 13 SEP 1984 Ray White, Jr to RPH
 John U who became a Quaker & d 1761 (NC) cannot be the John U who was sued in Brunswick Co, VA in 1765. One of them is probably the same as John U of South Hampton Co, VA who moved to Brunswick Co, VA - but which one & who is the other? Is the New Kent Co, John U, the same as either one? If New Kent John U was same as the 1865 delictor he would have been 85-90.

- ⑩ See Ltr 8 MAY 1984 Martha Miniam Anderson to RPH
John U I ↑ b. 1700 (Surrey Co, VA) d. < 1756. He was
 in Brunswick Co, VA in 1753 and in New Kent Co, VA
 in 1713

Spelling for dau = TYPHENA not TRYPENA

Elizabeth Hannicutt was 2nd wife of John U I ↑

- ⑪ See Ltr 22 MAY 1987 Oliver Wingate U to RPH - Coy Tillman U section
 A. Surrey Co, VA wills, Deeds 1715-1730. Part 2, Page 350 19 JUL 1721
John U ↑ took the inventory and appraisement of the estate
 of William Hannicutt. signed John ^{his} ~~HH~~ ^{upchurch} ~~mark~~
 (Same item as ① B)

B. Southampton Co, VA Deed Book 1, Pg 11 12 JUL 1749 (Same as ① E)

John U ↑ and Elizabeth, his wife, of Southampton Co, VA
 to Ambrose Crinsard of the same county. 100 acres
 in Southampton Co, VA on the north side of three
 creeks and the west side of the Great Swamp. Bound:
 William Heath. Signed John ~~HH~~ ^{upchurch}
~~Elizabeth~~ + upchurch

Witness: James Ridley, Timothy Sharp, Burnett & Atkinson

(This is interesting to me for several reasons. It would
 appear that this John U ↑ was the same who appraised
 the estate of William Hannicutt in Surrey Co, VA in 1721

as he used the same mark. Surrey and Southampton
 are adjoining counties. He is also the same man who
 patented 100 acres in Isle of Wight Co, VA in 1746, Pat.

Book 24, Pg 611. The land has the same boundaries.
 Southampton Co was cut from Isle of Wight)

- ⑪ See Ltr 25 OCT 1993 Jessie Teana Lee to RPH

"John U I ↑ b. 1678 (VA) d. 1758 (VA) m. 1718 (VA) Elizabeth
 Hannicutt" [Note - The source of this information
 not stated - RPH]

COLONIAL U

- ⑫ Excerpts from a Ltr 23 DEC 1990 Tracy Newman U DRPU based on his reading of the entries from the Biofile of John U, I published in UB Vol 11 (1990) No 4.

- A. Entry 2 A: This reference goes on to say that John, William, and Michael were each paid 5 l (presumably 5 shillings, 1 pence). For a person with some knowledge of the economics of the times, these amounts could indicate the extent of their involvement.
- B. Entry 3 B: Statement that Elizabeth may have been a daughter or niece of William Hunnicutt might be modified because of a sentence contained in an article entitled "The Hunnicuts of Prince George" contained in William and Mary College Quarterly, volume 27, 1918-1919. The sentence reads "William Hunnicutt left no issue."

The Vestry Book and Register of St Peter's Parish in New Kent County has been published two times, in 1905 by the National Society of Colonial Dames of America and in 1937 by the Library Board in Richmond, Virginia. The 1905 book contains the following entries:

- C. At a vestry held for St. Peter's p'sh in New Kent County ye 12 octob'r 1705:
To Mr Upshere p acc't & keeping a bastard child 12 mos at ye 12 of Nov'r & Clothes. 1280
- D. At a Vestry held for St. Peter's P'ish New Kent County, October ye 11th, 1706:
To Jno. Upshear for keeping a p'ish child 1 year 1188
- E. There is no entry in the biofile from Olive A Morgan's "The Upchurch Story." This book at the top of page 26 contains a discussion and statement that does not appear in any of the entries in the biofile: After 1695, "land could be purchased by paying five shillings for each 50 acres and paying Quit Rents to the King of England. The people did not own the land outright until after the Revolution. Thus John Upcherd was on the Quit Rents Rolls for 60 acres in 1704."

- ⑬ Excerpt from Ltr 9 APR 1992 Tracy Newman U DRPU

Page 13 of the last issue of UB gives the birth date of John U. I as 1698. In Volume I of UB on page 9 and again on page 61, his birth date is given as 1678.

These are the only sources that I have for John's birth date. Since he had a child baptised in 1701 and was on the quit rent rolls for 60 acres in 1704, I'm assuming that the birth date of 1678 is correct.

[NOTE: Master copy of UB Vol 13 No 1 pg 13 has been changed from 1698 to 1678 - RPU]

JOHN U, I PG? XFD-150
(14) Items D5,6,7 in Section D of Martha Joy 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 SHOWS: (XFD'S)

I. MICHAEL U, I

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

USE OF (1) ?? - RPU

JOHN

U, I

P68

XID-150

(15) See Email 26 JAN 2010⁴ Mal France Davenport to Ray NNN White, Jr in her Profile and his response of 26 JAN 2010 in his Profile

Re: the following array of people:

△ I. Michael U, I - 1624-1681

△ A. Michael U, II - 1662-1697

FROM △ B. Richard U, I 1658-1700

RPU △ 1. John U, I 1678-1758

CHART △ 2. William U, I

△ 3. James U, I 1682-1765

Mae has paragraphs A-E in her email some of which are produced below. In A, 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 what reports - Based on

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: "Michael Upchurch & Michael 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 Michael 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 - Roy's response is given in X

Γ RPU COMMENTS: I will agree that the dates for the first 9 generations need to be revisited and any new data analysed with changes in parentage if needed. However, I agree with Roy that even if Michael U, II

were born 1662 he would have been only about 16 when John U, I was born in 1776 - hence not likely father & son. NOTE: Mae is writing a book on Michael U, I RPU 4 MAR 2010

(16) Input from Roy nmw white, fr email 8 JUL 2007 & RPA

Subject: genealog: Δ

From: "Roy White" <roywhite@mission.com>

Date: Sun, Jul 08, 2007 1:45 pm

To: <phil@upchurchstory.com>

PHIL,

IN RE JOHN UPCHURCH (SON OF RICHARD; GR-SON OF MICHAEL:

WHAT DO YOU HAVE AMONG YOUR RECORDS ABOUT HIS WIFE? I HAVE HER DOWN AS "ELIZABETH". FURTHERMORE, I ALSO HAVE A REFERENCE TO THE FACT THAT JOHN UPCH DEALT WITH THE ESTATE OF JOHN HUNNICUT - PRESUMABLY BECAUSE HIS WIFE, ELIZABETH, WAS THE WIDOW OF SAID JOHN HUNNICUT. AS YOU WILL KNOW, THAT WAS A COMMON PROCEDURE. ARE THERE ANY INDICATIONS THAT JOHN UPCHURCH MIGHT HAVE HAD MORE THAN THE ONE WIFE?

AT ANY RATE, I FOUND SOMETHING THAT WAS SENT TO ME YEARS AGO TO THE EFFECT THAT SAID ELIZABETH WAS ELIZABETH WARREN, DAU OF THOMAS WARREN AND ELIZABETH SPENCER.

ON ANOTHER INTERESTING NOTE, THIS ELIZABETH SPENCER WAS MY ANCESTRESS VIA ANOTHER LINE THROUGH A DAUGHTER SHE HAD BY HER PREVIOUS MARRIAGE TO ROBERT SHEPPARD. BUT, THAT'S ANOTHER STORY.

ROY WHITE

CROSS FILE: Δ JOHN U, I, XJD-150

Δ JOHN HUNNICUT

Δ ELIZABETH HUNNICUT XJD-4136

Δ ELIZABETH WARREN D/O THOMAS WARREN & ELIZABETH SPENCER

SHE MD 1ST ()
Δ ROBERT SHEPPARD & HAD A DAUGHTER

(17) See Its 15 SEP 2000 Kemin
Michael U & RPA - Pg 2

I. Michael U, I
A. Richard U, I
1. John U, I - See 6 Below

6. JOHN UPCHURCH was born 1678 in Surry Co., VA, and died Abt. 1756 in VA. He married ELIZABETH HUNNICUTT 1718 in VA. She was born 1682 in VA.

Notes for JOHN UPCHURCH:

** John, b. abt 1698, was living in New Kent Co., Virginia, in the early years of 1700. The name UPCHURCH was spelled as it sounded to the various clerks writing out the documents involved in daily living. JOHN UPSHERD was on the Quit Rents Rolls for 60 acres in 1704. The names of his children were on the St. Paul-St. Peter's Registry of New Kent. The Death of his son was recorded in 1713. The final entry for John was made in 1717. John seems to have been married twice. The name of his first wife is unknown. He returned to Surry around the year of 1718. - Jeanene Standifler Carver

* NOTE: NEED EVIDENCE FOR THIS DATE

* NOTE: OUR WORKING hypothesis is that this JOHN U was JOHN U, I (XJD-150) and that he was b 1678 - not 1698 - RPA 9 JUL 2007

EXCERPT FROM BOOK "THE UPCHURCHES" BY MAE D. COX APR 2008
ITEM: PG 101

HISTORICAL TIDBIT

The French and Indian War — The Seven Years War

Three countries laid claim to the lands of the New World: England, Spain, and France. Both England and France claimed the land west of the Appalachian Mountains — land inhabited by Native Americans.

More immigrants arrived in America, and as colonies grew, the need for more land led to colonists moving westward onto lands claimed by both England and France. The colonists were eager to convert this fertile land into farms, but France and England each denied the other access so the struggle for ownership soon began. Native Americans occupying the lands became involved with some choosing to side with the English; others allied with the French.

England and France each sent their militias. In the early 1750s, French soldiers captured several English trading posts. France built forts to defend the territory from English threats. In 1754, George Washington and a small force of Virginia militiamen marched to the Ohio Country to drive the French from the region. When their Fort Necessity was overwhelmed by the French on July 3, 1754, the actual conflict began, though England didn't officially declare war until 1756. Thus began the French and Indian War.

France scored many victories with the assistance of the Native American allies. These natives, concerned that the British were pushing further west and would eventually drive them away from their lands, were formidable fighters. In 1757 the tide began to turn though in favor of the English. Over the next few years, British soldiers, with colonial assistance, captured Fort Duquesne, Fort Niagara, Quebec, and Montreal. England now controlled France's American possessions.

The French and Indian War continued in Europe, Africa, and Asia for three more years, until in 1763, the Treaty of Paris was signed, formally ending the war. France had lost all of its colonies in North America to the English. England now owned lands westward to the Mississippi River, except for Florida.

By the end of the war, a large debt had been created. British Parliament decided it should be repaid by raising taxes on the colonies, since after all they were the ones who benefitted from the war. So taxes were imposed on several items, including legal documents and tea. By 1765, protests of the taxes and stamps had begun to mount — an unrest that culminated in the Revolutionary War.

Upchurches in the French and Indian War[△]

During the French and Indian War, colonists were recruited for militias. Colonists were urged, and at times directed, to provide the troops with food, shelter, and aid. An act was passed whereby these supporters could receive payment for *actual service and defence and protection of the frontier of this colony*. Three Upchurches were listed September 1758, as receiving payment of 5£ each.

Most likely the *John Upchurch* listed would have been James' son, instead of *John, I*[△] who was about 80 years of age, and who died that same year. The information is being given as the Upchurches listed are definitely our relatives and it's interesting to know of their involvement in the French and Indian War.

Richard Gower	Jesse Brown	Edward Freeman	George Walton, jun.	David Moss
William Parsons	William Parham	Henry Jackson	William Randolph	James Linch
Isham Harris	Nicholas Fennell	Charles Gunter	William Ledbetter	David Adam
William Bryan	Abram Martin	John Carile	Samuel Sexton	Roger Tilman
James Hargrove	William Martin	William Edwards	William Ledbetter, jun.	William Upchurch △
Robert Wall	John Ramsey	Elias Fowler	Nathan Harris	Thomas Nance
Charles Wall	John Calton	John Barnet	Robert Gaultney	Thomas Ravenscrop
Peter Jackson	Richard Ramsey	Richard Dobbins	Thomas Walton	Michael Upchurch △
Frederick Glover	Benjamin Simpson	Joel Smith	John Moore	John Upchurch △
Thomas Mannin	Thomas Connally	Daniel Collier	Robert Lanier	George Wall
Mark Jackson	Thomas Haulcom	Samuel Russel	Thomas Denton	Thomas Nance
Daniel Wall	Edward Tatum	Robert Gee, jun.	William Denton	John Nails
Robert Peebles	Moses Tomerlin	William Cooke	Nathaniel Steed	Francis Mitchell
William Foster	Samuel Jackson	William Gaultney	Edmonds Barker	Tobias Moore
Zebulon Lewis	Peter Freeman	Sampson Moseley	Lewis Barker	Robert Nance

JOHN

U, I

XJD-150(2)

EXCERPT FROM BOOK "THE UPCHURCHES" BY MAE D. COX APR 2008
 ITEM: PG 77-100

Third Generation

John Upchurch, I [△] PG 77-100 TO HIS BIOFILE

1 Michael Upchurch I 1620 - 1681
 +Frances? 1630 - 1690/91

..... 2 Richard Upchurch 1658 - 1700
 +Spouse Unknown 1658 -

..... 3 John Upchurch I [↑] 1678 - 1758
 +Eleanor ?

..... *2nd Wife of John Upchurch I:
 +Elizabeth Hunnicut 1682 - [△]

..... 4 John Upchurch II bef 1701 - 1713 [△]
 4 Elizabeth Upchurch abt 1701 - [△]
 4 Sarah Upchurch abt 1704 - [△]
 4 Tryphena Upchurch abt 1707 - [△]
 4 James Upchurch III abt 1724 - 1784 [△]

*There is a possibility that John was married to Eleanor before his marriage to Elizabeth Hunnicut. More on this on next pages.

RPH NOTE: PAGES 77-100 CONTAIN INFORMATION ON:

△ NEW KENT CO, VA

△ ST. PETER'S CHURCH OF NEW KENT CO, VA

△ BRUNSWICK CO, VA

Timeline for John Upchurch I

Year	Approx. Age	
1678		John born in Surry County, Virginia
1698	20	John marries Elizabeth Hunnicut
1698	20	Thought to be year John left Surry County, Virginia
<1701	<23	Son John, Jr., is born
1701	23	John known to be living in St. Peter's Parish, year of arrival uncertain
December 25, 1701	23	Daughter Elizabeth baptized (year she was born?)
October 27, 1703	25	Receives payment of tobacco for labor on St. Peter's Church
1704	26	John <i>Upsherd</i> on <i>Quit Rents</i> Rolls for 60 acres in New Kent County
October 15, 1704	26	Daughter Sarah baptized (year she was born?)
October 15, 1705	27	John <i>Upshere</i> in St. Peter's Parish, <i>keeping a bastard child</i>
October 11, 1706	28	<i>Jno. Upshear</i> in St. Peter's Parish, New Kent County, <i>keeping a p'ish child</i>
April 13, 1707	29	Daughter Tryphena baptized (year she was born?)
August 10, 1713	35	Son John, Jr., dies
1717	39	Levy of 53 pounds of tobacco to Capt Scott, New Kent County
1718	40	Believed to be year John returned to Surry County, Virginia
July 19, 1721	43	John recorded the estate inventory for William Hunnicutt
1724	46	Son James, III, born
February 9, 1736	58	John witnessed the will of John Vaughan.
January 12, 1746	68	John purchases 100 acres in Isle of Wight County, Virginia
July 12, 1749	71	John sold 100 acres in Southampton County, Virginia
June 1, 1750	72	Mentioned as owning adjoining land in land patent to Joseph Tharp
March 1751	73	John sued for a debt
July 20, 1753	75	Mentioned as father of James Upchurch in land grant to James
November 1753	75	Defendant in suit filed by William Clinch, et al
January 1754	76	Ordered to pay plaintiffs one shilling and eleven pence
February 1754	76	Defendant in suit filed by Theophilus Field
May 1754	76	Judgement ordered against John
1755-1756	78	John sued by John Maclin
April 1756	78	Son James itemized property of John who was deeply in debt
September 1758	80	Reimbursed in Brunswick County for militia provisions; may not be John I
1758	80	John died in New Brunswick County, Virginia

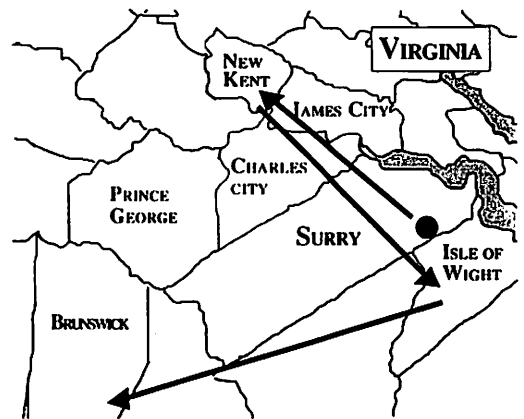
JOHN UPCHURCH I

BORN 1678 SURRY COUNTY, VIRGINIA
DIED 1758 BRUNSWICK COUNTY, VIRGINIA

1ST WIFE: ELEANOR (?) (see below)

2ND WIFE: ELIZABETH HUNNICUT

BORN 1682 VIRGINIA
MARRIED ABT 1698 VIRGINIA
DIED



John is quite a common name among Upchurches especially in the first five generations. By 1981, at least 234 *John Upchurches* had been identified within our American Upchurch line. ^{R06066a}

John is believed to be the oldest son of Richard though nothing in the records such as a will or land record, can verify this relationship. However, just the nature of John's age and approximation to Richard and Michael Upchurch are strong indicators that he would have been Richard I's son.

John's association with Surry, New Kent, Isle of Wight, and Brunswick Counties furthers our belief that John was indeed Richard's son, and Michael's grandson.

Surry County, Virginia

John was born and grew up in Surry County, Virginia, just south of the James River, in an area known as Lawne's Creek Parish. There wasn't much to be found about his early years though his adult years produced a phenomenal paper path!

Wives Eleanor and Elizabeth

Some researchers claim John was married to Eleanor, yet there seem to be no records indicating or pointing to that as a fact. There was an *Ellinor* mentioned in John Vaughn's will listing John Upchurch as the administrator; however, there is nothing to substantiate that John was married to her. John's possible marriage is being listed here mainly because previous researchers reported that they were married, yet no proof —such as a record — seems to be cited.

It is believed that Elizabeth Hunnicut was John's second wife, and was either the widow of William Hunnicut, or, more likely, his niece. ^{R06076a}

New Kent County, Virginia, 16 to 25 years

John left Lawne's Creek Parish about 1698 and possibly ventured to another area before settling in New Kent County. That concept is based on his first son, John Jr., likely being born before they arrived in New Kent County.

Lying just north of Surry County, New Kent County is located on the north side of the James River. It is here, in the St. Peter's Parish area that we pick up John's trail. John likely arrived before Christmas of 1701 as records show a daughter was baptized in St. Peter's Parish in December that year (on next page).

John was born
and grew up in
Surry County,
Virginia,

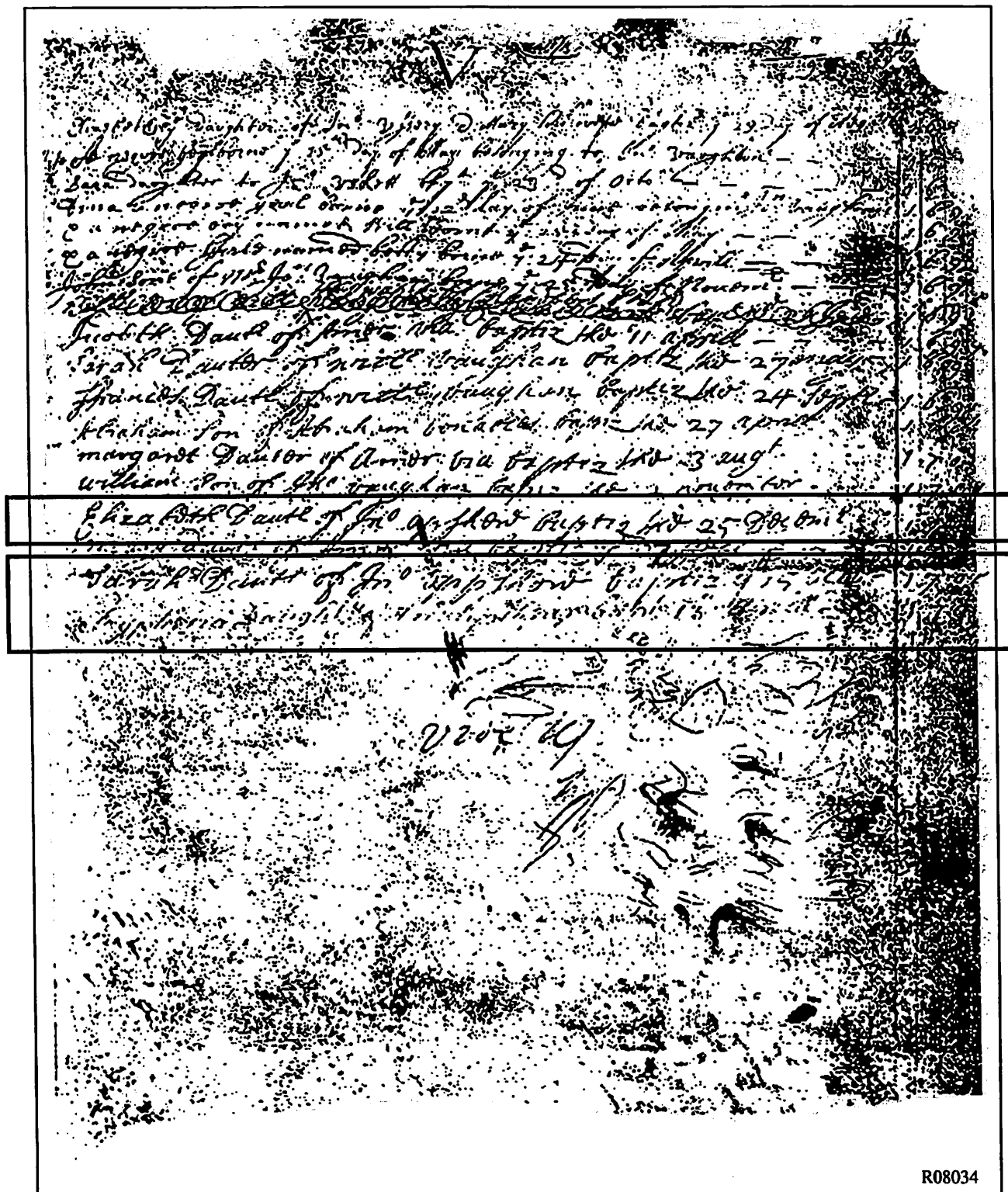
John left Lawne's
Creek Parish
about 1698

St. Peter's Church of New Kent County, Virginia

Parish Register 1680-1787

This terribly hard-to-read record lists the names of three of John and Elizabeth Upchurch's children: Daughters Elizabeth, Sarah, and Tryphena

See box at right for transcription.



John and Elizabeth's Children

Just where their first child was born is unknown. Speculation is that John Jr. was born prior to their move to New Kent County, Virginia, since he wasn't baptized in St. Peter's Parish Church where records show three children were baptized.

Based on parish records listing baptisms of their three daughters, we can venture a guess that will most likely be close to the true and accurate years of their births.

- | | | |
|------------------|------------------------------------|--------------------|
| 1) John, Jr., II | b. bef 1701 | d. August 10, 1713 |
| 2) Elizabeth | b. abt 1701 New Kent Co., Virginia | |
| 3) Sarah | b. abt 1704 New Kent Co., Virginia | |
| 4) Tryphena | b. abt 1707 New Kent Co., Virginia | |
| 5) James, III | b. 1724 Brunswick Co. Virginia | d. 1784 |

The original Parish Record showing the daughters' baptisms is shown at left, and below is a transcription of that document.

Five Children Total?

The colonial period is well documented as the days of large families. Record after record provides data on families with numerous children, sometimes as many as twelve to fifteen. The long stretch between the fourth and fifth births in John's case gives rise to ponder... were there perhaps other children born during that time? Have they just not been located? Or perhaps died? Another item for our list for further and future research.

Five children
known born to
John and
Elizabeth

St. Peter's Church of New
Kent County, Virginia
Parish Register 1680-1787

Page 40

V

Elizabeth ye Daughter of Jno Urssery & Mary his wife baptis. ye 29 day of August, 1686.

Mattise a negro boy borne ye 15th day of May belonging to Jno Vaughan, 1684.

Sarah daughter to Jno Vekett bapt ye 23rd of octo., 1687.

Dina a negro girl borne ye 22d day of June belonging to Jo Vaughan, 1692. & a negro boy named Witt borne ye 25 day of May, 1693. & a negro girl named betty borne ye 24 day of Aprill, 1696.

John sone of Mr Jon. Vaughan borne ye 25 day of Novemb, 1695.

Judith Daut of Amer Via baptiz. the 11 Aprill, 1699.

Sarah Dauter of Willm. Vaughan baptiz. the 27 May, 1694.

Frances Daut of Wille. Vaughan baptiz. the 24 Septemb, 1699.

Abraham son of Abraham Venables baptiz. the 27 Aprill, 1701.

Margaret Dauter of Amer Via baptiz. the 3 Augt, 1701.

William son of Jno Vaughan baptiz. the 2 November, 1701.

Elizabeth Dautr of Jno Upsheew baptiz. the 25 December, 1701.

Mary Daut of Amer Via baptiz. ye 27 Febry., 1703/4.

Sarah Daut of Jno Upsheew baptiz. ye 15 octo., 1704.

Tryphena Daut of Jno Upshear baptiz. 13th Aprill, 1707.

Phillis a negro girl belonging to Madam Squires Born June ye 13th, 1709.

John son of Richard Scruggs Baptised Augt ye 21, 1709.

Elinor Daughter of Alex. Strange Baptised Jany. ye 14th, 1709.

Anne Daughter of Mathw. & Hannah Simes Baptisd Jany. ye 29th, 1709.

R06137d

St. Peter's Parish Church of 1701 Now Historical Landmark

St. Peter's Parish

This church has great significance to the Upchurch family in that family records dating back to 1704 have provided information about our third- and fourth-generation Upchurches.

St. Peter's Parish still stands today and holds Sunday services each week. Now a historical landmark, it is located in rural New Kent County, Virginia, thirty miles east of Richmond (see map on opposite page). The parish was established April 29, 1679, by the general court of Virginia. There were formerly two such churches, about three miles apart. To keep them straight, one was called the *Upper* and one the *Lower* church.

The Lower Church is the one we know today as St. Peter's Parish Church. Owner of the land was Thomas Jackson who sold the original acre where the church was built. During construction on the church, Mr. Jackson,

... burned brick, hauled cypress shingles from the Chickahominy swamp, burned lime for mortar, and delivered nails to the carpenters. ^{R05057}

The *Lower Church* and was also tabbed, *Broken Back'd* church, because it was said to have structural weakness.

In 1704, there was another division of St. Peter's Parish. The area to the east remained St. Peter's Parish, while the area to the west of Matadequin Creek became St. Paul's Parish. That same creek, in 1720, was the dividing line between New Kent County and Hanover County. St. Peter's Parish was entirely within New Kent County.

St. Peter's had twelve ministers between 1680 and 1700. One of these went so far as to say he *got into the very worst parish of Virginia and the most troublesome.* ^{R06077c} Coincidentally, it was also during this period that our John Upchurch was associated with this church.

The church survived the ravages of several wars though it was broken, battered, and nearly destroyed. Members of the church have restored it after each ravaging, though even today you can still make out names and units carved into the bricks by several of Sumner's men. ^{R05057}

President Washington Marries

St. Peter's Parish is said to have been the site for President George Washington's marriage to **Martha Dandridge Curtis on January 6, 1759.** The church still claims the title of

The First Church of the First First-Lady.



Change to Episcopal

A formal separation of the church and state, known as disestablishmentarianism, occurred during the American Revolution. St. Peter's Church broke all ties with the Church of England and, eventually evolved as the Episcopal Church, an Americanized version of the Anglican Church.

Information to write this article from several sources including: R05057, R06077a, and R06150

R07075

John Upchurch Helps Build St. Peter's Church

John was known to have been a member of St. Peter's Parish Church in New Kent County, Virginia, from 1701 to 1713. He was possibly there even longer, for perhaps 15 to 25 years.

What is even more cherished about John's association with that church is that he also helped build it! An entry a St. Peter's vestry book shows payment was approved for John Upchurch for his labor. ^{R06137a}

*At a vestry held for St. Peter's Parish at the Brick Church
ye 27th Octo'r, 1703.*

*To the Supervisors for Jno. Uppehew
p ord'r of Vincent Vaughn,*

3223 C. C., 423 3646

The terminology used in that day and age is quite baffling, so help was enlisted. A New Kent County researcher clarified the entry, describing its meaning:

In 1703, there was construction work being done on the new St. Peter's "brick church" — that work being directed by *supervisors*. This entry means that **John Uppehew** [Upchurch] was paid 3646 pounds of tobacco (3223+423 = 3646) by the supervisors for his work on the church.

He was to be paid by order of [approved by] Vincent Vaughn. In 1700, Vaughn had been hired by the Vestry to *doe all the sawyers work* on the church, so Uppehew [Upchurch] was most likely a laborer or sub-contractor to Vaughn. ^{R06141}

The map below shows the location of this historic old church.

Church Being Used Today

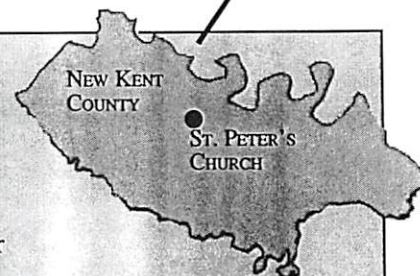
The beautiful church our ancestor John Upchurch, I, worked to build is still standing today and opens its doors each Sunday for church services!

What a thrill to know our ancestor participated in building this beautiful landmark!



St. Peter's Parish as it stands today. ^{R07074}

John was paid
3,646 pounds
of tobacco for
his work on the
church.



HISTORICAL TIDBIT

New Kent County, Virginia

New Kent was listed in the records of the 1654 General Assembly, the county being named for Kent in England. In 1607, Captain John Smith visited New Kent County where he and his party were greeted by the Indians. They traded him corn for beads.

The county once formed part of Charles River County, one of the eight shires into which the colony of Virginia was divided in 1634.

Today's borders of New Kent were actually formed in 1766 through exchange of land with James City County.

John paid quit
rents on 60
acres in New
Kent County,
Virginia

1704 John Listed on Quit Rents Roll

When the headright system of giving fifty acres of free land for persons brought into Virginia ended in 1695, a new law took its place.

Colonists could purchase fifty-acre tracts for five shillings and paying Quit Rents to the king. It wasn't until the end of the Revolutionary War that settlers could own the property outright. In 1704, John Upchurch was listed on the Quit Rent rolls for 60 acres. ^{R06135c}

NAME	LAND HELD AT
Upsherd Jon	Parish of St. Peters and St. Paul, 1704

New Kent County, Virginia

Numerous court records and church records have well established that John Upchurch, I, lived in the vicinity of St. Peter's Church in New Kent County, Virginia, from about 1700-1718.

John Provides for Bastard Child

Our John Upchurch was a religious man and his path is quite easy to follow through records of the church in New Kent County, Virginia.

Not only did he assist in building the church, he also attended it as evidenced by the baptisms of his daughters. He also must have been a good Samaritan as there are a couple references in church records establishing John as a good and caring man who undertook the responsibility of caring for a child not his own. The next two entries give a good insight as to John as a person.

We don't know the circumstances leading to his taking in orphans or bastard children as there has been nothing, to my knowledge, passed down through the generations on this subject.

Vestry Book of Saint
Peter's Parish, New Kent
County, Virginia ^{R06137b}

Page 40

At a vestry held for St. Peter's p'sh in New Kent County ye 15 octob'r 1705

[payment was made in pounds of tobacco]

St. Peter's Parish	Dr.
To Rich'd Scruggs p acc't Regulated, 545 Ca., 44	589
To Jno Hilton for keeping widd. Ashile, 5 mo.	450
To Geo. Austin his acc't Regulated	749
To Wm. Hughes p acc't	300
To Capt. Richard Littlepage p acc't	30
To Edw'd Morgan p acc't 585 Ca., 68	923
To Jn Upshere p acc't & keeping a bastard child 12 Mo at ye 12 of Nov'r & Cloaths Ca 1000 D° 80	1280
To Capt. Rich'd Littlepage p acc't, 1200 Ca., 1000 Do, 80	125

Note: There were additional entries made; however, they have been omitted to fit format of this book.

1705: This first entry tells us that John has been keeping a child, and the church is paying him 1280 pounds of tobacco for that service.

October 11, 1706, John Upchurch is Keeping a P'ish Child

An entry similar to the last one is shown below.

Possibly the child in the first listing is the same child mentioned in this second entry. That all leads to a question as to why John would have been housing and feeding a child not related to him. John would have only been about 28 years of age at this time, and he already had two or three children of his own.

John had no sisters who could have had an illegitimate child — at least we know of no sisters. Perhaps then it was one of his wife's relatives or even a friend of the family. Bearing a child out of wedlock was considered a great embarrassment to the family, a great shame, and often that child was sent to a faraway relative in hopes of keeping its birth a secret. Perhaps that is what has happened, or it could have been another parishioner's child or relative. It's hard to know.

Since the church is paying for John to take care of this child, the child is likely one the church has agreed to take in and assume the responsibility of raising. There are several possibilities but nothing to guide us as to this child's family history. Another interesting conundrum!

Is this
parish child the
same as the
bastard child
previously
mentioned?

At a Vestry held for St. Peter's P'ish New Kent County,
October ye 11th 1706.

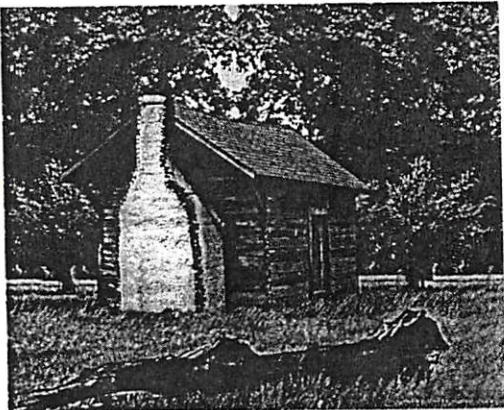
[payment was made in pounds of tobacco]

St. Peter's Parish	Dr.
To Mr. Rich'd Squire, min'r, for 1 year	16000
To C. C., for Do	240
To Wm. Norris, Cl'k of the Church. & Vestry	1300
To C. C., to Do	182
To Jno. Hilton, Sexton, for 1 year	570
To Wid'o Austin for keeping Wid. Ashley 1/2 year, Ca	540
To Jno. Hilton's acc't	228
To Do. acc't for keeping & burying, Mary Wilkinson	400
To Do. acc't for fetching & Carrying ye Plate	
from Mr. Poindexter	100
To Rich'd Scruggs for keeping a sick child 1/2 year Ca	540
To Tho. Hughes' acc't regulated	200
To Capt. John Scott's acc't	290
To Mr. Walker for keeping Fem'e Berass from ye parish	100
To Jno. Upshear for keeping a p'ish child 1 year	1188
To Tho. Wm's for keeping wid'o faulkner us. p	1080
To Peter Lespleete for keeping & burying El. Tomson	200
To Rich'd Harvey for service to ye Church	114

Note: There were additional entries; however, they have been omitted to fit book format.

Vestry Book
Saint Peter's Church
New Kent County, Virginia R06137c

We've no idea what type of house our
John Upchurch and his family had.
The one below is similar to those of
Colonial Days



John Jr. died at
young age

1713, John, Jr. Died August 10, Not April 13

In the document below, it's easy to make out the correct date of John Jr.'s death:

John Upshire Jnr Departed this Life August ye 10^d 1713.

John Upchurch, I, lost his son in 1713 as noted in the Parish Register 1680-1787 for St. Peter's Church of New Kent County, Virginia. Young John Jr. would have been somewhere around 12 to 14 years of age at the time of his death.

Belle Lewter West gives John Jr.'s death date as April 13th. Apparently she mistakenly wrote down the month and day for the entry just above John Jr.'s, it being the baptism of Trypena, John Jr.'s sister. ^{R06134bb}

Trypena, daut, of Jno Upshear, bapt. 13 April 1709

John Upshire, Jr. departed this life ye 13 April 1713

John Upchurch II
died August 10,
1713

In Olive Morgan's book, she lists the date of death for John Jr. simply as

The death of his son was recorded in 1713. ^{R06135r}

It's uncertain just where John Upchurch, Jr. was buried. Perhaps he lies in the St. Peter's Church cemetery, however, no record of where he was interred could be found.

Parish Register
1680-1787
St. Peter's Church
New Kent County, Virginia,

Transcribed by Mae D. Cox

R08035

V 99

Sara wife to Abraham Venable deceased ye 13^d of Febru ----- 1687/8

Isaac son to Abrm Venable deceased ye 13^d Febru ----- 1687/8

Jn^o Ussory deceased ye 7^d ffebruary ----- 1687/8

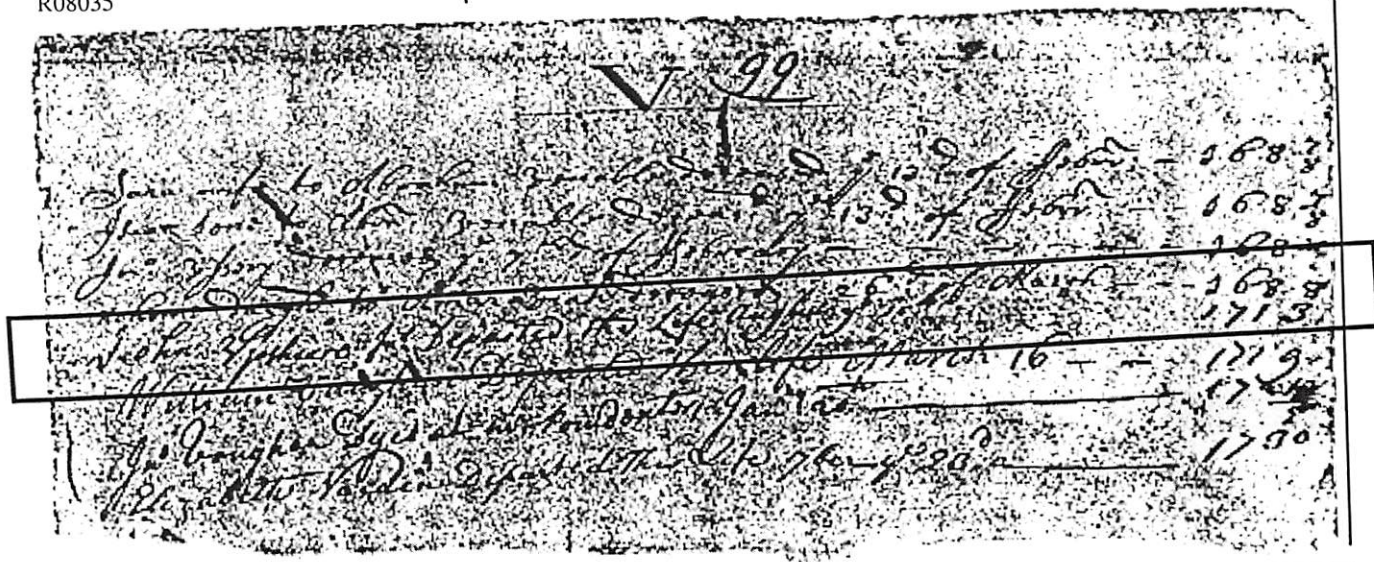
Nohome daugh to Amar Viah deceased ye 26^d of March ----- 1688

John Upshire Jnr Departed this Life August ye 10^d ----- 1713

William Vaughan Departed this Life March 16 ----- 1719

Jno Vaughan Dyed at Mr. Poindexter Jan^{ry} 20th ----- 1724/5

Elizabeth Vaiden Departed this Life 7ber ye 23d ----- 1730



1717: John is recorded as paying a levy in New Kent County:

to Capt. Scott for Upshears levy last year 53 lbs of tobacco. ^{R06135d}

1718: After the entry just above, there is no further mention of John being in New Kent County, and it's presumed he left there about 1718, moving back to Surry County, south across the James River. John was in New Kent County approximately seventeen years or more.

July 19, 1721: This Surry County record shows John took the inventory

... and Appraisement of the estate of William Hunnicutt ^{R06134g}

1724: Brunswick County, Virginia; last of John's children, James III, was born.

February 9, 1736: John witnessed the will of John Vaughn in Isle of Wight County. The will was recorded over five years later on July 27, 1741. ^{R06134h}

January 12, 1746: Isle of Wight County, John granted 100 acres of land for ten shillings:

... on the SW side of the Great Swamp, formerly Heath's ... ^{R06134i}

The actual two-page record, followed by a transcription are on the next three pages are the actual document and a transcription.

John's last
known child
born in 1724

John buys
100 acres for
10 shillings

1746 Document
on next three
pages

HISTORICAL TIDBIT

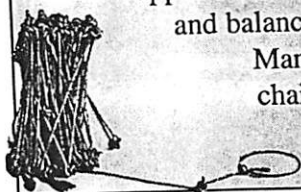
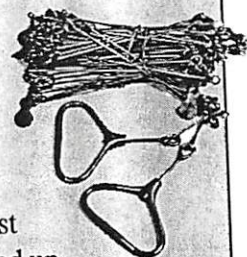
Chains and Poles — Surveying Land Tracts

During the early days of our country, chains were used to determine the size of a tract or parcel of land. This archaic system measured from points such as an Oak tree or post to a Blackjack Tree on an adjoining person's land. Two men carried the chains and tallied up the number of chains between the two points, then converted that to Poles.

In the 1600s a surveyor's chain with 100 links, measured 66 feet (22 yards or 4 poles) overall. It was made of 100 thin iron links measuring 7.92" each. Many Virginia surveyors used a half chain, measuring 33 feet, as it was easier to pull through the brush. By the mid-1700s, chains were made of steel, with round handles at either end, brass tallies every 10 links, and swivels every 25 links.

Being a chain-carrier, chainman, or chain-bearer required no particular skill that couldn't be taught in about 15 minutes. The owner of the land being surveyed often had the opportunity to appoint his own chainmen to work for the county surveyor, which kind of served as a "check and balance."

Many land records and survey records note the names of those who carried the chains while the land was being surveyed. You'll note several are mentioned in this book.



1746 John Upchurch purchased
land in Isle of Wight County —
100 acres for Ten Shillings!

Section of the Index
showing John Upchurch's
purchase of 100 acres, and
that the record is located on
page 611. R07005

UV		
Vaughan John	1	75 71
Walter Thomas	1	100 107
W. Ebberson	1	200 567
Vaughan Abraham	1	523 584
Upchurch John	1	100 611
Wick Richard	1	250 612
W		

Bottom portion of page 611. R07008

In Upchurch George the second by the Grace of God of Great Britain France and Ireland King
100 } Defensor of the Faith &c. To all to whom these presents shall come greeting
Know ye that for divers good causes and Considerations but more especially
for and in Consideration of the sum of Ten shillings of good and lawful
Money for her use paid to our Receiver General of our Revenues in this our Kingdom
and Dominion of Virginia We have given granted and confirmed and by these
these presents for us our Heirs and Successors do give grant and confirm
unto John Upchurch one certain Tract or parcel of Land containing one hundred
Acres lying and being in the County of Isle of Wight on the South West side of the
great Swamp and bounded as followeth to wit Beginning at a Marker by
the side of the said Swamp a corner of William Keiths Land thence by North
line South West by South one hundred and twelve poles to a black oak then North
Twenty Degrees West one hundred thirty six poles to a lightwood then North
Twenty four Degrees East ninety poles to a pine by the side of the great Swamp
as aforesaid and upon the various Courses of the run of the said Swamp to the
Beginning With all the Land and Swamps Meads Longwoods
Meads Thickets and the several of all Rivers Mines and Quarries as well
discovered as not discovered within the bounds aforesaid and being part of the
County of one hundred Acres of Land and the Rivers Meads and Water Courses

therein contained together with the Privileges of Hunting Hunting Fishing Fowling and
all other Profits Commodities and Hereditaments whatsoever to the same or any part
thereof belonging or in anywise appertaining To have hold Possess and enjoy the
said Tract or Parcel of Land and all other the before granted premises and every part thereof
with their and every of their Appurtenances unto the said John Upchurch and to his
Heirs and Assigns for ever To the only use and behoof of them the said John Upchurch
his Heirs and Assigns for ever To be hold of us our Heirs and Successors as of our
Manor of East Greenwich in the County of Kent in free and Common Socage and not
in Capite or by Knights Service Yielding and Paying unto our Heirs and
Successors for every Fifty Acres of Land and so proportionably for a less or greater Quantity
than Fifty Acres the Fee Rent of one shilling yearly to be paid upon the Feast of Saint
Michael the Arch Angel and also a fulling and Improving three Acres part of every
Fifty of the said above mentioned within three years after the date of these Presents
Provided always that if these years of the said Fee Rent shall at any time be in
Arrear and unpaid or if the said John Upchurch his Heirs or Assigns do not within
the space of three years next coming after the date of these Presents fulling and
Improving three Acres part of every Fifty of the said above mentioned then the Estate
hereby granted shall become and be utterly determined and thereupon it shall and may be
lawful to and for us our Heirs and Successors to grant the same Lands and premises
with the Appurtenances unto such other Person or persons as we our Heirs and Successors
shall think fit In Witnes whereof we have caused these our Letters Patent to be
made Witness our Trusty and Wellbeloved William William Gooch Esq. our Lieut.
Governor and Summover in Chief of our said Colony and Dominion at Williamsburg
under the Seal of our said Colony the Twelfth day of January One Thousand seven hundred
and forty six In the Twentieth year of our Reign

William Gooch

Rich: Rich: George the second by the Grace of God of Great Britain France and Ireland King
250 Defender of the Faith &c. To all to whom these Presents shall come Greeting Know
ye that for divers good Causes and Considerations but more especially for and in Consideration
of the sum of Twenty five shillings of good and lawful money for our use paid to our
Receiver General of our Revenues in this our Colony and Dominion of Virginia We
have given granted and confirmed and by these Presents for us our Heirs and Successors do
give grant and Confirm unto Richard Vick our certain Tract or parcel of Land containing
two hundred and fifty Acres lying and being in the County of Isle of Wight on the North

January 12, 1746 John Upchurch Buys 100 acres

R08020

[p.] 611

Jno Upchurch}
100 }

George the second by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c. To all to whom these Presents shall Come Greeting Know ye that for divers good Causes and Considerations but more especially, for and in Consideration of the sum of Ten shillings of good and lawful money for our use paid to our Receiver General of our Revenues in this our Colony and Dominion of Virginia We have Given Granted and Confirmed and by these Presents for us our Heirs and Successors do give grant and Confirm unto John Upchurch one certain Tract or Parcel of Land containing one hundred Acres lying and being in the County of Isle of Wight on the South West side of the great Swamp and bounded as followeth to wit Beginning at a Maple by the side of the said Swamp a Corner of William Heaths Land thence by Heaths line South West by South one hundred and twelve Poles to a black Oak then North seventy Degrees West one hundred thirty six Poles to a Lightwood Post then North twenty five Degrees East ninety Poles to a Pine by the side of the great Swamp aforesaid and down the Various Courses of the run of the said Swamp to the ~ Beginning, With all Woods Underwoods Swamps Marshes Lowgrounds Meadows Feedings and his due share of all Veins Mines and Quarries as well discovered as not discovered within the Bounds aforesaid and being part of the Said Quantity of one hundred Acres of Land and the Rivers Waters and Water Courses

[p.] 612

therein Contained together with the Privileges of Hunting Hawking Fishing Fowling and all other Profits Commodities and Hereditaments whatsoever to the same or any part thereof belonging or in any wise appertaining To have hold, Possess and enjoy the said Tract or Parcel of Land and all other the before granted Premises and every part thereof with their and every of their Appurtenances unto the said John Upchurch and to his Heirs and Assigns for ever. To the only use and behoof of him the said John Upchurch his Heirs and Assigns for ever To be held of us our Heirs and Successors as of our Manor of East Greenwich in the County of Kent in free and Common Soccage and not in Capite or by Knights Service Yielding and Paying unto us our Heirs and Successors for every Fifty Acres of Land and so proportionably for a Lesser or Greater Quantity than Fifty Acres the Fee Rent of one Shilling Yearly to be paid on the Feast of Saint Michael the Arch Angel and also Cultivating and Improving three Acres part of every Fifty of the Tract abovementioned within three years after the date of these Presents ~ Provided always that if three years of the said Fee Rent shall at any time be in Arrear and unpaid or if the said John Upchurch his Heirs or Assigns do not within the space of three years next coming after the date of these Presents Cultivate and ~ Improve three Acres part of every Fifty of the Tract abovementioned then the Estate hereby granted shall Cease and be Utterly determined and thereafter it shall and may be lawful to and for us our Heirs and Successors to grant the same Lands and premises with the Appurtenances unto such other Person or Persons as we our Heirs and Successors shall think fit In Witness whereof we have caused these our Letters Patent to be made Witness Our Trusty and Welbeloved William William [sic] GOOCH Esq. Our Lieut. Governor and Commander in Chief of our said Colony and Dominion at Williamsburg under the Seal of our said Colony the Twelfth day of January One Thousand seven hundred and forty six In the Twentieth year of our Reign

Ex.d

William GOOCH~

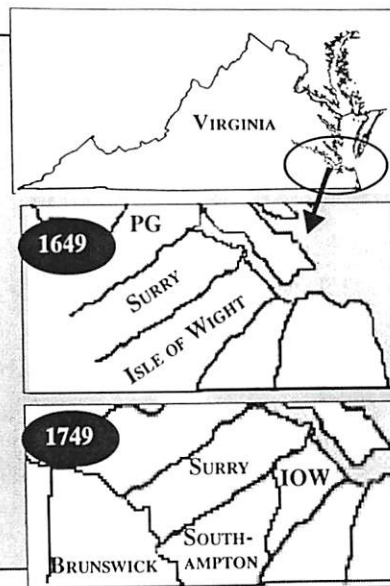
HISTORICAL TIDBIT

Southampton County, Virginia

Southampton County was originally part of *Warrasquoyocke*, one of the eight shires making up the Colony of Virginia. The shire was renamed Isle of Wight in 1637.

In 1749 the portion of Isle of Wight west of the Blackwater River became Southampton County. Later, part of Nansemond County, now the City of Suffolk, was added to Southampton.

The county was thought to have been named for the borough of Southampton in England.



Part of Isle of Wight County, now Southampton County

The land John purchased in 1746 was in Isle of Wight County, Virginia. When part of that county was taken to form Southampton County in 1749, John's land then fell into Southampton County. The maps below show the various counties at specific times.

John Upchurch Sells Land Purchased in 1746

The land John and Elizabeth purchased in 1746 now lay within the county of Southampton when they decided to sell it three years later.

July 12, 1749: John and Elizabeth sold their 100 acres to Ambrose Grisard for £15 S5. The land (see document on next page) was described as:

... 100 acres on the north side of Three Creeks adj. the southwest side of Great Swamp and William Heath. R08019

Both John and his wife, Elizabeth, signed by making their mark (X).

The record and a transcription are presented on the next three pages.

John received
£15 S5 for his
100 acres.

HISTORICAL TIDBIT

Life Easier in the Colonies

By the mid- to late-1600s, Surry County, Virginia was well established. The terrible days of constant hunger, inadequate shelter, fatal plagues, inept management and other hardships that made early-Colony years a time of sheer horror, were practically over.

Not only was Virginia self-supporting, but with tobacco she had found a crop by which fortunes could be made. Plantations were privately owned, and produced tobacco along with a plentitude of cattle and other farm critters.

Slaves consisted of both Negroes and Indians, plus some indentured servants were also working off their passage.

... hundred Acres ...
... West side the great Swamp ...
... Beginning ...
... one hundred and twelve poles ...
... Degree ...
... North twenty five Degrees ...
... of the great Swamp ...
... and down the various courses of
the Run of the said Swamp to the beginning and the Reversion
and Reversions Remainder and Remainders Rents Issues
and profits thereof and also all the Estate Right Title Interest
Claim and demand whatsoever of them the said John Upchurch
and Elizabeth his wife and their Heirs of in or to the same or any
part thereof To have and to hold the said Land and them ever
with all and singular the Appurtenances thereunto belonging
unto the said Ambrose Grisard his Heirs and Assigns forever
and the said John Upchurch and Elizabeth his wife for
themselves their Heirs Executors Administrators and Assigns
Premises and grant to and with the said Ambrose Grisard his
Heirs and Assigns by these Presents that they the said John
Upchurch and Elizabeth his wife the said Land and premises
and every part and parcel thereof unto the said Ambrose Grisard
his Heirs and Assigns against the Lawful Claim Title and
Demand of the said John Upchurch and Elizabeth his wife and
their Heirs and all and every other Person and Persons whatsoever
shall and will warrant and forever defend by their Present
Tut Writs whereof the said John Upchurch and Elizabeth his
wife hath hereunto set their Hand and affixed their Seals the
Day and Year first above written

Signed Sealed & Delivered

in Presence of

James Ridley

...

...

John Upchurch

Elizabeth

...

...

**Transcription of
John Upchurch's
sale of 100 acres
in 1749.**

R08019

[Lower portion of page 11]

Upchurch
&
ux
to
Grisard.

This Indenture Made this twelfth day of July in the year of our Lord one thousand seven hundred and forty nine between **John Upchurch and Elizabeth his wife** of the County of Southampton of the one part and Ambrose Grisard of the County aforesaid of the other part Witnesseth that the said **John Upchurch** and Elizabeth his wife for and in Consideration of the Sum of thirty two Pounds five Shillings Current Money of Virginia to them in hand paid by the said Ambrose Grisard before the Sealing and Delivery hereof the Receipt whereof the said **John Upchurch** and Elizabeth his wife Doth acknowledge Hath Granted Bargained & Sold and Doth by these Presents Grant Bargain & Sell unto the said Ambrose Grisard his Heirs and Assigns for ever a Certain Tract or Parcel of land lying and being in Southampton County aforesaid and on the North Side the three Creeks Containing by Estimation one

[p.] 12

hundred Acres be the Same more or less and lying on the South West Side the Great Swamp and bounded as followeth , _
Beginning at a Maple by the side of the said Swamp a Corner of William Heaths Land and thence by Heaths Line South West by South one hundred and twelve Poles to a black Oak Then North Seventy Degrees West one hundred thirty Six Poles to a lightwood Post then North twenty five Degrees East ninety Poles to a Pine by the side of the great Swamp aforesaid and down the Various Courses of the Run of the said Swamp to the beginning and the Reversion and Reversions Remainder and Remainders Rents Issues and profits thereof and also all the Estate Right Title Interest Claim and demand whatsoever of them the said **John Upchurch** and Elizabeth his wife and their Heirs of in or to the Same or any part thereof To Have and to hold the said Land and Premises with all and Singular the Appurtenances thereunto belonging unto the said Ambrose Grisard his Heirs and Assigns forever and the said **John Upchurch** and Elizabeth his wife for ~ themselves their Heirs Executors Adm'ors doth Covenant Promise and grant to and with the said Ambrose Grisard his Heirs and Assigns by these Presents that they the said **John ~ Upchurch** and Elizabeth his wife the said Land and premises ~ and every part and parcell thereof unto the said Ambrose Grisard his Heirs and Assigns against the Lawful Claim Title and ~ Demand of the said **John Upchurch** and Elizabeth his wife and their Heirs and all and every other Person and Persons whatsoever will warrant and forever defend by these Presents ~
In Witness whereof the said **John Upchurch** and Elizabeth his wife hath hereunto Set his Hands and affixed their Seals this Day and Year first above written

Signed Sealed & Delivered **John /+ Upchurch** Ls.
in Presence of [mark is horizontal, crossed I] Mark

her

James Ridley
Timothy Tharp

Eliz.a .+. Upchurch Ls.
Mark

his
Burwell X Atkinson
Mark

19

Memorandum that on the 15th Day of July MDCCCXLIX Quiet
and Peaceable Possession and Seisen of the within mentioned Land and
Premises was delivered by the within named John Upchurch and
Elizabeth his wife to the within named Ambrose Grisard according
to the form and effect of the within written Deed

In Presence of
James Ridley
Timothy Tharp
Burwell X Atkinson
Mark

his
John /+/- Upchurch. Ls.
Mark
Eliz. X Upchurch. Ls.
Mark

At A Court held for Southampton County on Thursday the 10th Day
of August 1749.

This Indenture & Memorandum were proved by the Oaths of
the Witnesses thereto and are by the Court Ordered to be Recorded

Ep^d Sep. R Kello Clk

Memorandum that on the 15th Day of July MDCCCXLIX Quiet
and Peaceable Possession and Seisen of the within mentioned Land and
Premises was delivered by the within named **John Upchurch**
and **Elizabeth his wife** to the within named Ambrose Grisard according
to the form and effect of the within written Deed

in Presence of	his
James Ridley	John /+/- Upchurch Ls.
Timothy Tharp	Mark [mark is horizontal, crossed I]
	her
his	Eliz. X Upchurch Ls.
Burwell X Atkinson	mark
mark	

At A Court held for Southampton County on Thursday the 10th Day
of August 1749.

This Indenture & Memorandum were proved by the Oaths of
the Witnesses thereto and are by the Court Ordered to be Recorded

Test.
R Kello Clk

August 1749
Memorandum of
John, I's 100-acre
sale. R08018

Transcription of
Memorandum
R08019

It looks like the Upchurches continued to live on the land according to this next
item. Or perhaps when the land in this next item was granted, they didn't realize
the land was no longer owned by John.

One Upchurch researcher says that John Upchurch arrived in Brunswick County
after selling this land in 1749. R06098a

1750
Joseph
Tharp land
purchase
that
mentions
John
Upchurch

181

is Tharp 710

GEORGE the second by the Grace of God of Great Britain France and Ireland King
Defender of the Faith &c. To all to whom these Presents shall come Greeting Know
ye that for divers good Causes and Considerations but more especially for and in
Consideration of the Sum of Three Pounds of good and lawful Money for our Use
paid to our Receiver General of our Revenues in this our Colony and Dominion of
Virginia We Have given granted and confirmed and by these Presents for our
Heirs and Successors do give grant and confirm unto Joseph Tharp one certain Tract
or Parcel of Land containing seven hundred and forty Acres lying and being in the
County of Isle of Wight on the North Side of the Neck Creek and bounded as followeth
to wit Beginning at an Elm by the Side of the said Creek then South seventeen
Degrees East fifty two Poles to a Pine Then North thirty four Poles to a Pine Then North
thirty five Degrees East eighteen Poles to a red Oak Then North forty six Poles to three
Trees situated inwards at Corner of John Morgan's Land Thence by the said Morgan's
Line North sixty Degrees East ninety eight Poles to a Pine Thence North forty Degrees East
one hundred and sixteen Poles to a Gum in John Rollings's Line Thence by the said
Rollings's Line North eighty five Degrees East one hundred and fifty four Poles
to a live Oak by the side of the Great Swamp Thence down the various Courses
of the Run of the said Swamp to a Pine Thence South twenty five Degrees West
eighty six Poles to a Light wood Post at Corner of John Upchurch's Land Thence
by the said Upchurch's Line South seventy Degrees East one hundred and thirty
six Poles to a black Oak at Corner of William Tharpe's Land Thence by the said
Tharpe's Line South East by South one hundred and sixty Poles to a white Oak at
Corner of Thomas Griffins's Land Thence by the said Griffins's Line South seventy five
Degrees West eighty six Poles to a white Oak by the Side of the three Creeks
aforesaid and up the various Courses of the Run of the said Creeks to the beginning
one hundred and eighty five Acres Part thereof being formerly granted unto
Charles Stewart by our Letters Patent bearing Date the twenty second Day of
September One thousand seven hundred and thirty nine and by divers other
Conveyances the Right and Title thereof is since become vested in the said Joseph
Tharp and five hundred and fifty five Acres the Residue never before granted
With all Woods Underwoods Swamps Marshes Long grounds Meadows Fiddings
and his due Share of all Veins Mines and Quarries as well discovered as not discovered
within the bounds aforesaid and being Part of the said Quantity of seven hundred
and forty Acres of Land and the Rivers Waters and Water Courses therein contained
together with the Privileges of Hunting Hawking Fishing Fowling and the other
Profits Commodities and Hereditaments whatsoever to the same or any Part thereof
belonging or in anywise appertaining To have hold possess and enjoy the said
Tract or Parcel of Land and all other the before granted Privileges and every Part thereof

John Mentioned in Land Record

June 1, 1750: Joseph Tharp purchased 740 acres of land in Isle of Wight County, Virginia. The tract adjoined John Upchurch's property. This is a two-page document but only the first page is being presented here... the page having to do with our Upchurch. The transcription on the next page does include the whole recording.

Wording is as in original document, lineation by transcriber to fit book format.
Transcribed by Mae D. Cox

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Jo Tharp 740

George the second by the Grace of God of Great Britain France and Ireland King Defender of the Faith & To all to whome these presents shall come Greetings Know ye that for divers good Cause and Considerations but more especially for and in Consideration of the Sum of Three Pounds of good and lawful money for our Uses paid to our Receiver General of our Revenues in this our Colony and dominion of Virginia We Have given granted and confirmed and by these presents for us our Heirs and Successors do give grant and confirm unto Joseph Tharp one certain Tract or Parcel of Land containing seven hundred and forty Acres lying and being in the County of Isle of Wight on the North Side of the Three Creek and bounded as followeth to wit, Beginning at an Elm by the Side of the said Creeks then South seventeen Degrees East fifty two Poles to a Pine Then North thirty four Poles to a Pine Then North thirty five Degrees East eighteen Poles to a redOak Then North forty six Poles to three Trees chopped innards a Corner of John Morgan's Land Thence by the said Morgan's Line North sixty Degrees East ninety eight Poles to a Pine Thence north forty Degrees East one hundred and sixteen Poles to a Gum on John Rollings's Line Thence by the said Rollings's Line North eighty five Degrees East one hundred and fifty four Poles to a live Oak by the side of the Great Swamp Thence down the various courses of the Run of the said Swamp to a Pine Thence South twenty five Degrees West eighty six Poles to a Lighwood Post a Corner of **John Upchurch's** Land thence by the said **Upchurch's** Line South seventy Degrees East one hundred and thirty six Poles to a black Oak a corner of William Heath's Land Thence by the said Heath's Line South East by South one hundred and sixty Poles to a white Oak a Corner of Thomas Griffis's Land Thence by the said Griffis's Line South seventy five Degrees West eighty six Poles to a white Oak by the Side of the three Creeks~ aforesaid and up the various courses of the Run of the said Creeks to the begining one hundred and eighty five Acres Part thereof being formerly granted unto ~ Charles Stewart by our Letters Patent being Date the twenty second Day of ~ September one thousand seven hundred and thirty nine and by divers meane Conveyances the Right and Title thereof is since become vested in the said Joseph Tharp and five hundred and fifty five Acres the Reside never before granted ~ With All Woods Underwoods Swamps Marshes Lowgrounds Meadows Feedings and his due Share of all Veins Mines and Quarries as well discovered as not discovered within the bounds aforesaid and being Part of the said Quantity of seven hundred and forty Acres of Land and the Rivers Waters and Water Courses therein contained together with the Privileges of Hunting Hawking Fishing Fowling and with other Profits Commodities and Hereitaments whatsoever as the same or any part thereof belonging or in anywise pertaining To have hold possess and enjoy the said Tract or Parcel of Land and all other the beforegranted Premises and every Part thereof

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with their and every of their appurtenances unto the said Joseph Tharp and to his heirs and Assignes forever to the only use and Behoof of him the said Joseph Tharp his Heirs and Assigns forever To be held of us our Heirs and Successors as of our Mannor of East Greenwich in the County of Kent in free and common Soccage and not in Capitearby(s?) Knight's Service Yielding and Paying unto us our Heirs and Successors for every fifty Acres of Land and so proportionably for a lesser or greater Quantity than fifty Acres the Fee Rent of one Shilling yearly to be paid upon the Feast of Saint Michael the Arch Angel and also cultivating and improving three Acres Part of every fifty of the Tract abovementioned within three years after the Date of these Presents / excepting for so much of the said Land hath been already cultivated and improved according to the Condition of the said former Patent / Provided always that if three years of the said Fee Rent shall at any Time be in Arrear and unpaid or if the said Joseph Tharp his Heirs of Assigns do not within the Space of three yeares next coming after the Date of these Presents cultivate and improve three Acres part of every fifty of the Tract abovementioned except as before is excepted, then the Estate hereby granted shall cease and be utterly determined and thereafter it shall and may be lawful to and for us our Heirs and Successors to grant the same Lands and Premises with the Appurtenances unto such other Person or Persons as we our Heirs and Successors shall think fit In ~ Witness whereof we have caused these our Letters Patent to be made ~ Witness our Trusty and Welbeloved Thomas Lee Esq President of our Council and Commander in Chief of our said colony and Dominion at Williamsburgh under the Seal of our said Colony the first Day of June One thousand seven hundred and fifty In the twenty third year of our Reign.

Examd

Thomas Lee P

James, son of
John Upchurch

July 20, 1753: John is mentioned in his son's Brunswick County land purchase (see document in next section on *James Upchurch III*).

James Upchurch, son of John Upchurch, was granted 400 acres ... R07006

HISTORICAL TIDBIT

Grubbing: Clearing the Land Was Hard Work!

Grubbing v. To dig up and remove all plants, roots and stems, in order to clear the land for planting or other use. To dig in the earth. To dig up by or as if by the roots. To toil arduously, drudge.

Today we think of clearing a field as being done by earthmovers and dynamite. In colonial days though, the task was called *grubbing* meaning to dig out stumps of trees and bushes when clearing land for planting. This was dangerous work and according to one historian, resulted in the eighty percent fatality of transportees to Virginia within a year after their arrival from England. R06031

So the life of a farmer wasn't the easiest occupation during these early days of our country. Yet over ninety percent of the colonists were in that very profession. Sometimes the farmer would be lucky in that the land had previously belonged to some of the Indian inhabitants and they would have cleared parts of the land. Most likely though the land would be virgin territory — wilderness.

Most farmers didn't have the luxury of slaves or indentured servants to perform this task, they had to rely on themselves and their children to do the backbreaking work.

Trees had to be felled and removed. Some trees were kept for the lumber to build needed

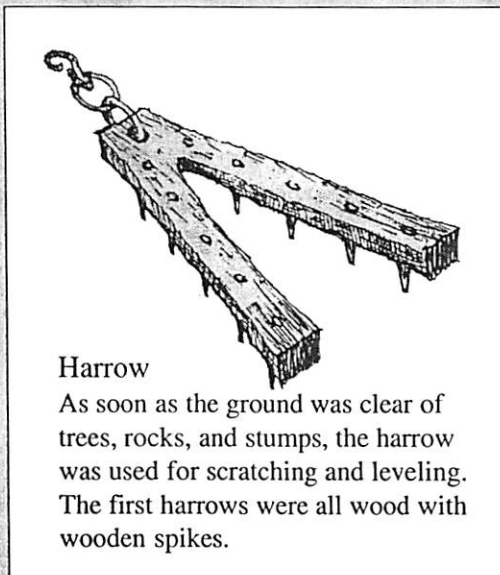
barns or other structures; the rest was burned or piled to the side. Work of this type was quite slow and felling a single large tree could take two men most of the day. Then came the task of removing the stumps. Smaller tree stumps could be chopped, dug out, or pulled out with a team of oxen. Larger stumps were often burned, or just left to wither over several years before they could be removed.

Brush and prairie grasses had to be manually dug out. Debris and stones were removed.

Once the land was cleared the work began to prepare the soil for planting. This too was no easy task as this was land that had never been touched and was frequently packed hard and tight. The farmer using a team of mules dug simple plows through the fields turning the soil over. They then went back through it again and again digging deeper each

time and breaking large chunks apart.

Once the clods had been broken into smaller pieces or reduced to just dirt, another implement was dug across the soil leveling it out. Now they were ready to begin planting!



Harrow

As soon as the ground was clear of trees, rocks, and stumps, the harrow was used for scratching and leveling. The first harrows were all wood with wooden spikes.

John, The Defendant

John was about 73 years of age when, beginning in 1751, the first of many court records list John as a defendant. It appears that as he reached his golden years, his financial status had deteriorated. The following are recorded in Brunswick County, Virginia: R06076c

March 1751: John Upchurch was sued for a debt.

September 1753: Court: John Upchurch, defendant, was ordered to pay William Clinch a sum, returnable next court.

November 1753: Court: John Upchurch is defendant in a suit filed against him by William Clinch, William Merriott, and Thomas Merriott.

January 1754: Court ordered John Upchurch to pay the plaintiffs one shilling and eleven pence.

February 1754: John Upchurch, defendant, in suit by Theophilus Field.

May 1754: John Upchurch had a judgment ordered against him.

1755-1756: John Upchurch is sued by John Maclin.

April 1756: John Upchurch is defendant in an action brought by John Maclin. Apparently John is deeply in debt by now, and is also quite elderly at 78 years of age. He is being represented by James Upchurch; presumably this is John's son who also lived in Brunswick County. James stated under oath that he was holding possessions of John Upchurch: R06076c

Three bottles, one old pair of hames, one old razor and a spoon.

According to the dictionary, a pair of hames consists of
curved metal pieces lying on the collar of a draught horse or other working animal to which the traces (straps, ropes, or chains) are attached.

The bottles are a mystery. What type of bottle would have been considered to be of any value?

The court directed the sheriff to sell John's few items attempting to recover

... ten pounds six shillings and one-half penny for damages sustained by the plaintiff John Maclin. R06076c

The whole thing is quite sad, and what a humiliating experience that had to be. Poor old fellow had to give up his razor and spoon — and those were basically his only possessions!

We're not sure just what kind of house John and his family had though this one is similar to those of the period.



John mentioned
in son's land
purchase

John Upchurch is
now in his 70s!

Three bottles,
one pair of
hames, one old
razor, and a
spoon.

Gravesites for
Elizabeth and
John haven't
been found

John lived in
several Virginia
counties:
Surry County,
New Kent County,
Isle of Wight Co.
Southampton Co.
and
Brunswick County

Deaths of John Upchurch, I , and Wife Elizabeth

There is very little mention of Elizabeth Upchurch through all the records. This is not an uncommon occurrence as often in this day and age, a wife was seldom mentioned in land transactions or other legal records. The last mention of Elizabeth was in the 1749 land sale to the Tharps where she is listed as John's wife. Possibly she died before John did. This is based on the premise that John's worldly goods, in 1756, were so scanty ... and were she still living, perhaps they would have had a home with other possessions.

John I, died in Brunswick County, Virginia, in 1758 at 80 years of age. A search of various cemetery records turned up no mention of John's gravesite in any of the areas where he was known to have lived.

Most likely there was no Last Will and Testament for John since just three years before his death his possessions consisted of four measly items that were confiscated and sold.

Summary on John Upchurch, I

John's life began simply enough. He was born and raised in Surry County, Virginia. He married at least once and perhaps twice. Leaving his homeplace, he took his family to New Kent County, Virginia, where he lived for about seventeen years. He was a religious man, and he and his family attended St. Peter's Parish Church, which, incidentally, he helped build. John's three daughters were baptized at the church, and in 1713 tragedy struck: his son John Jr. died. John left New Kent County about 1718 and we lose track of him for a few years.

The next glimpse of John comes when, in 1721, he inventories an estate in Surry County. It's believed his last child, son James III, was born in Brunswick County, Virginia, in 1724. John disappears until 1741 when he witnesses a will in Surry County.

Five years later he buys land in Isle of Wight County which spins off to become Southampton County. John sells that land in 1749, and the following year is mentioned in another land record; this time in Isle of Wight County. The counties of Southampton, Isle of Wight and Brunswick are closely entwined as their borders were reshaped resulting in John being shown in different counties at given periods though he was on the same tract of land.

It is thought that John actually lived in Brunswick County as early as 1751, the year his legal problems began. These problems continued through 1756.

There is still so much missing on John Upchurch, I, and so many questions yet to be answered. Was John actually married a first time to someone named Eleanor, and what is her last name? In what counties were his first and last children born?

When exactly did John leave Surry County? New Kent County? Isle of Wight County? What was his profession? Farmer? Where is John buried?

Hopefully another researcher will feel the call and pursue this endeavor.