

# BENJAMIN UPCHURCH CLAN (HEAD OF CLAN 13)

XID

Benjamin Upchurch was of the fifth generation of Upchurches in America. His descendancy from Michael U, the original Upchurch American immigrant, is shown as follows:

- |                                    |     |
|------------------------------------|-----|
| Michael U b ca 1620, d 1681        | 146 |
| ↳ Richard U b ca 1658, d > 1700    | 149 |
| ↳ James U I d 1765                 | 151 |
| ↳ Richard U Sr b ca 1725, d < 1800 | 152 |
| ↳ Benjamin U b ca 1752, d ca 1816  | 163 |

Benjamin U was probably born in VA as his birth date was approximately 1752 and his father moved to NC about 1755. Benjamin died about ~~1816~~ 1816. He married Nancy Ledbetter.

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VII. BATCH RECORDS  
(Omitted this issue)

VIII. MISSING LINKS

I. MISSING LINK NO. 25. THE UPCHURCH PARENT OF  
FIVE FRANKLIN CO., NC, CHILDREN WHOSE NAMES  
WERE CHANGED FROM UPCHURCH TO CARPENTER IN 1803.

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In the early 1800s name changes in NC required the approval of the State Legislature. The legal name changes by Act of the North Carolina Assembly for the period 1800-1804 have been compiled by B. Ransom McBride. Name changes were legalized for a variety of reasons including the adjustment of names of illegitimate and legitimate children and the altering of names of adopted children. These changes are found in the N. C. State-sponsored series Laws of North Carolina. As related to Missing Link No. 25, one finds for the year 1803 (page 57):

"To - CARPENTER, Simeon, Benjamin, Jabel,  
Winifred and Churchill  
From - Simeon, Benjamin, Jabel, Winifred and  
Churchill UPCHURCH"

Circumstances dictate that these five children were associated with the Moccasin Creek area of present day Franklin Co., NC, and thus, may certainly be considered descendants of Richard U., II, by way of one of his eight sons or three dau. Circumstances lead us to the conclusion that the five children are descended from Benjamin U., son of Richard U., II, Benjamin U. being head of Upchurch Clan No. 23. The most significant question which remains is -- which child of Benjamin U. is the parent of the five children. The circumstances are such that we must be open to the prospect that the Upchurch parent could have been a son or dau of Benjamin U.

151

163,152,163

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163

In order to facilitate an analysis of the name change, the reader is referred to the Colonial Upchurch section and the Outline of a Clan section of this issue of the UB where more details on Benjamin U. and his family are presented.

163

To begin an analysis some corrections in the names of the five children are in order. The preferred names are as follows:

1. Simeon = Simeon (Upchurch) Carpenter.
2. Benjamin = Samuel Benjamin (Upchurch) Carpenter, I.

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FOR MASTER OUTLINE  
BENJAMIN U

UPCHURCH → CARPENTER  
1803 NAME CHANGE

UB VOL 12 No 4 (OCT 1991) PG 151-157

28650 MASON, Sam/SON of 16264

3. Jabel= Jubal (Upchurch) Carpenter.
4. Churchill = William Churchwell (Upchurch) Carpenter.
5. Winifred = Winifred (Upchurch) Carpenter.

We proceed on the assumption that these five children are siblings and that they have the same Upchurch parent. Following the name change, we find the five children in close association with John Carpenter and his wife Elizabeth. In fact, we find that John Carpenter refers to some or all of the five as his children. Whether this reference is because he fathered them or adopted them or both is not clear. We do know that this John Carpenter md. Elizabeth U., dau of Benjamin U.

We have no reference whereby Benjamin U. refers to the five as "my grandchildren". However, he gives land to his dau Elizabeth (U.) Carpenter and separately to John Carpenter, to whom he refers as "my son-in-law". This arrangement seems to imply that John Carpenter and his wife, Elizabeth, have taken on a special responsibility for which they deserve support - hence the gift of land.

Two of the five children bear names that relate them to Benjamin U. The child, Samuel Benjamin U. would thus have been named for his grandfather and the child, Jubal U would have been named for Jubal U, a brother of Benjamin U.

Our analysis could be improved by a better understanding of the true ages of the five children. Our present understanding is as follows:

1. Simeon, b. < 1790.
2. Samuel Benjamin, b. 1791.
3. Jubal, b. 1795 (1797).
4. William Churchwell, b. 1801 (1802).
5. Winifred, b. ?.

Our first approach on solving this problem is to explore the prospect that Benjamin U. could have had a son who married and had the five siblings and then died leaving them to be adopted by his sister, Elizabeth, and her husband, John Carpenter. Benjamin U. had three sons of record and not one of them is a good candidate to be the father of the five children. His youngest son was b. 1790-1800, and thus not old enough. His two older sons, while closer to an age fit, do not seem likely enough to have been the father. Furthermore, if one of these sons headed a conventional household this should have been revealed on the 1790 and/or 1800 census, which is not the case. Our continued analysis should still allow for the prospect that one of the two older sons could have been the father

Richard III/Burkely  
 " "  
 Issued 1 October 1991  
 7 AUG 1967  
 14 OCT 1962  
 1(5) JAN 1980  
 6 AUG 1981  
 GREEN, Ella Elizabeth/DAU of 2929  
 W, Roger Hawkins/SON of 2929  
 28679  
 28680

28710  
 GRIFFIN, Stephany Lynn/DAU of 28703  
 UNLESS SHOWN OTHERWISE  
 13 DEC 1978  
 Issued 1 October 1991

of the five, even though it seems unlikely as of this reading.

XID

As regards the prospect that Benjamin U. and his wife could have been the parents of the five, census data in 1790 and 1800 for the Benjamin U. household are relevant. Simeon, b.< 1790 could have been a son of Benjamin U. and there is a slot for Simeon in the Benjamin U. household in 1790 but not in 1800. For the 1800 census, we would need two slots in the Benjamin U. household for two males, ages 0-10; whereas, we find only one such slot. Thus, Benjamin U. is not a good candidate as a father for the five in a conventional setting.

163

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One could propose that one of the seven brothers of Benjamin U. could be the father of the five children. A quick examination of the slots on the 1790 and 1800 census records do not reveal a logical prospect.

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We come now to the prospect that one of the dau of Benjamin U. may have given birth to the five children and given them her Upchurch name. There is no evidence for this alternative, except that other more conventional possibilities, while not completely ruled out, do not at this point look promising. One of the older dau of Benjamin U. could certainly be a prospective mother and that would include Elizabeth U., who married John Carpenter.

163

163

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In any of the above scenarios, we are left with the challenge of finding slots on the 1790 and 1800 census records for one and three of the children, respectively.

John Carpenter is known to have headed a household in 1800, and there are slots in this household which could substantially accommodate the Upchurch children, unless these slots are needed for Carpenter children he may have had.

When all is said and done, the most attractive possibility is that John Carpenter maintained a separate household for Elizabeth U. and that he visited this household from time-to-time with the result that children appeared and were given the name Upchurch. This scenario is completed if we visualize that John and Elizabeth converted their presumed common-law standing to a conventional marriage. This would account for their son, James Ludwell Carpenter, who apparently never bore the Upchurch name as did the five children who underwent the name change.

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XID

In any case, John and Elizabeth (Upchurch) 15712,15711  
Carpenter definitely proceeded to have a conventional  
family and these individuals are portrayed in the Benjamin 163  
Upchurch Master Outline introduced in this issue of the UB.

A Master Outline for the five children of the name  
change and their descendants has been created and is  
available upon request. Contribution of data to improve  
and complete this outline in preparation for the day  
when all will fall into place and the Master Outline can  
be fitted into the overall Upchurch family would be welcomed.

An excellent group of correspondents/collaborators  
has been identified for the Upchurch/Carpenter interface  
presented here. Additional collaborators are sought. We  
still have a way to go to solve Missing Link No. 25 -  
the Upchurch parent of the five Upchurch/Carpenter children.  
Now that the issue is "out on the table", perhaps our  
future collective efforts will help us to narrow the search  
in our progress toward a solution.

IX. REFERENCE MATERIAL

(Omitted this issue)

X. MISCELLANEOUS OR ENGLAND

(Omitted this issue)