

Commentary: Hubbard Upchurch (1800 – 1859) was the son of Revolutionary War soldier Nathan Upchurch I. Hubbard was born in the historic Upchurch enclave which lay along Moccasin Creek dividing Wake and Franklin Counties in NC. He moved with his family to Green Level in Wake County when he was about three years old. He was still in Green Level when he, in 1822, married Esther Byrd of an old-line family from the area. Hubbard may have owned land in Green Level about the time he married. However in 1823, 1834, and 1837 he purchased land a few miles east near what came to be known as Upchurch Station. This was along Davis Drive to which several of the descendants of Nathan moved.

We have more to do to locate the precise spot of this land. Note that it contains the elusive Hubbard Upchurch Cemetery. Hubbard almost certainly belonged to Salem Baptist Church in his last decade.

RPU – 13 Sep 2016

Acknowledgements: Biofile transcribed by Allied Families collaborator, Teresa L. Churchill
April 2016

- (1.) Hubbard U. died 6 Apr 1859 according to the Raleigh Register Newspaper of 4 May 1859. (Obituary may have more details) (1)
- (2.) From *Upchurch Family* by Belle West; on 2 Feb 1835 Nathan son of Richard Sr., named in his will Burtis, Gilbert, Hubbard and son Nathan deceased -- named 3 dau and Aquila Mitchell. (28)
- (3.) Per Attach #1 Belle West Letter to RPU 18 May 1975
-- Hubbard U. m Esther Byrd 24 Oct 1822.
- (4.) Per Attach # 34 Belle West Letter 18 May 1975 -- Wake Co., NC Marriage Records “ 24 Oct 1822 Hubbard U. m Esther Bird -- witness Burtess U. and S H Pullen
- (5.) Per Attach # 21 Belle West Letter 18 May 1975 -- Nathan U. Will 26 Feb 1835
“ 6. Son Hubbard in addition etc. 1 negro man Quam.”
“ 14. Acril and Hubbard Executors “
- (6.) Per Attach # 35 Belle West Letter 18 May 1975 -- Wake Co., NC Court House Wills
“ Hubbard U. to Green B. U. 1 May 1859 Book Rec. 31 page 223, file 1036 “
[Confirmed in attach 24 - RPU]
- (7.) Per Attach # 32 Belle West Letter 18 May 1975 -- Wake Co., NC Deeds
A. “ 24 Jul 1823 Hubbard U. purchased land from Thomas Ford “
B. “ 23 Jun 1834 Hubbard U. purchased land from Thomas Ford “
C. “ 12 Jan 1837 Hubbard U. purchased land from Thomas Ford “
- (8.) Per Attach # 32 Belle West Letter 18 May 1975 -- Extract of Deed Wake Co., NC
“ 1833 - Burtice U. - 8 Nov - bought of Thomas Searls and Henry Jones - for \$275
206 acres - witness Hubbard U. & L. Berry Culs (Searls) - signed Thomas Searls and Henry Jones -- Book 11 pg 320 -- 27 Jun 1834 - R. Smith Reg. “
- (9.) For Nathan U., father of Hubbard U. will see will file cited earlier (unidentified) gift and Negro Quam. Note that Nathan’s home place described in will borders - Bird.
9 * Could be that this is the Bird (Byrd) Family Hubbard married into?

(10.) Hubbard's will probated May 1859 Wake Co., NC, written 31 Aug 1858
- witness R. H. Jones, Gilbert U. Names son Green B. U. gives him property house, land, etc. for good if he takes care of **Hubbard** & wife Ester for life except slave girl Chloe is to help take care of Hubbard & Ester & then to be sold to Hubbard's surviving children (to high bidder) Ester still alive at writing. Names dau Lorena U. (see will file).

(11.) 1830 Census of NC shows only 1 **Hubbard U.** - he is in Wake Co., NC
- no township cited - Same for 1840 Census.

(12.) See Will of Ester (Byrd) U. wife of **Hubbard U.** Wake Co., NC
Will written 21 Jul 1864 - does not mention **Hubbard**
mentions only 1 child - Green Berry U.

Grandchildren named

A. Theodocia U.

B. Hudsons - Frances, James B, Syntha Ann, Adline.

C. Holleman - Nathan, Sarah Jane, Henry, Issac, Estha Ann.

[Nathan, Sarah Jane, Henry W., Jesse Jackson, Esther Ann - Transcriber TLC 4/3/2016]

Witnessed by R. H. Jones, A. K. Clements. Executer - A. K. Clements.

(13.) See pg 15 of 2 Feb 1978 letter Elva E. Burkhalter to RPU

A. Bartop (probably Burtis RPU) U. is witness to deed between **Hubbard U.** of Wake Co., NC & Thomas Ford, 1822. Matthew Thomas is also witness.

B. Pg 35 Wake Co., NC Deeds 1770 -1946 Book 1, 1816 - 1818 Vol. 5 1822 pg 490
Hubbard U. of Wake 96 acre White Oak Creek Wit. Matthew Thomas,
Bartop (Burtis) U.

(14.) See Attach to 31 Oct 1977 Letter Mr L. W. Priert to RPU
Hubbard U. m Esther Bird. Date of Bond = 24 Oct 1822
- Bondsman = Burtess U., Witness - S. H. Pullen.

(15.) See 1850 Wake Co., NC Census - Western Division

Hubbard Upchurch M 50 Farmer \$317 RE born NC

Esther Upchurch F 50 Lorena Upchurch F 26

Green Upchurch M 25 Armela Upchurch F 24

Tabitha Upchurch F 20 Lindaman Upchurch M 18

Otela Upchurch M 10

(16.) See 1840 Census - Wake Co., NC - **Hubbard** is listed as head of household with 9 in family & 1 male slave age 35 - 55 - 4 engaged in Agriculture - 3 who could not R or W - Age brackets given below - [Names approximated by RPU]

MALE

one 5-10 yrs - Linderman U. age 8

one 10-15 yrs - Parker U. age 11

one 15-20 yrs - Green Berry U. age 15

one 40-50 yrs - **Hubbard U.** age 40

FEMALE

one < 5 yrs - Otela U. age 1

one 10-15 yrs - Tabitha U. age 10

one 10-15 yrs - Armelia U. age 14

one 15-20 yrs - Lorena U. age 16

one 40-50 yrs - Esther (Byrd) U. age 40

(17.) See 1830 Census - Wake Co., NC - **Hubbard** is listed as head of household with 7 in family & 0 slave - Age brackets given below - [Names approximated by RPU]

MALE

one 0-5 yrs - Parker U. age 1

one 5-10 yrs - Green Berry U. age 5

one 30-40 yrs - **Hubbard U.** age 30

FEMALE

one 0-5 yrs - Tabitha U. age 1

one 0-5 yrs - Armelia U. age 4

one 5-10 yrs - Lorena U. age 6

one 30-40 yrs - Esther (Byrd) U. age 30

(18.) Input to RPU on 1 Aug 2009 from Patricia Kimberly Beach

Re Sub packet B - Margaret Yates 1783 - 1857 md() Burtis U. s/o Nathan

Nathan U. - Head of Clan

A. Hubbard U. 1800 - 1859

3 **Hubbard UPCHURCH** b. abt 1800d. 04/1859

m Esther BIRD b. abt 1800

NOTE: Wake Co NC Marriage Bond # 000158741 Bond Date: 24 Oct 1822 Bondsman:

Burtess Upchurch Witness: S H Pullen. Listed In the 1850 Wake Co NC census page 202b In White Oak township next to Golden and Nancy Upchurch.

His Obituary:

Biblical Recorder: 28 Apr 1859

On the 6th Inst, at his late residence In Wake county, of Consumption, after an Illness of eleven months, **HUBBARD UPCHURCH**, In the 60th year of his age. The deceased had, for the last 7 years of his life, been an acceptable member of the Baptist church, and in his death it has sustained the loss of a zealous member, the county a good citizen, those around him a correct and upright neighbor, and his family a kind and affectionate parent and husband.

(19.) Item from page 42a of The Upchurch Story by Olive A. Morgan

Charles Richard Upchurch was born in Wilkes Co. NC in 1875. He was the son or possibly the grandson of Greenberry B. Upchurch. It is thought that Greenberry is the son of **Hubbard Upchurch** who was the son of Nathan. The facts as known to the family are:

There is a record for Green B. Upchurch in the Archives of Raleigh who was a private in the CSA. He was taken prisoner by the Union Army while he was a prisoner in the hospital in Richmond, VA.

His address was given as Elkin, NC which fits the census of 1880 for Wilkes Co. His name was given as Green B. Upchurch.

[See RPU Note C 2> below]

The facts on the records: **Hubbard Upchurch** was named a son of Nathan Upchurch in his will dated 2-26-1835. The census record of 1850 Wake County, NC lists Hubbard Upchurch: (All born in NC)

Hubbard Upchurch age 50 male

Esther Upchurch 50 female

Lorena Upchurch 26 female

Green Upchurch 25 male

Amelia Upchurch 25 female

Tabitha Upchurch 20 female

Linaman Upchurch 18 male

Otelia Upchurch 10 female

The Raleigh Register death list has the name of Hubbard Upchurch , died 4-28-1859.

[Correct RPU]

The will of Gilbert Upchurch named Esther Byrd and Green B. among the heirs. 1859 bk 31-223 Wake Co. NC

[See RPU Note B 1> below]

The will of Esther (Byrd) Bk 33-284 Wake Co. NC 1864 names Green Berry Upchurch as a devisee.

The age of Green as given in 1850 is in question. No attempt was made to identify the two as twins who are listed as age 25.

[This is the family of **Hubbard U.** RPU]

Marriages-Wilkes Co: G.B. Upchurch md 5-15-1866 Mary Ann Wilborn.

[xid-8154 RPU]

The family has the name of Mary Shores as the wife of Green berry.

[See RPU Note D 3> below]

(19) Cont'd

He may have been twice md, If Greenberry were born in 1825 he would have been 50 years old when son Charles was born.

[Wrong Green Berry U. for father of Charles R. U. RPU]

NOTES ON ABOVE BY RPU 4 OCT 1998

A. Morgan does not understand there are two GREEN BERRY U.'s

And mixes information on the two. They are:

Nathan U. - Head of Clan John U. III - Head of Clan

A. **Hubbard Upchurch** md () ESTHER BYRD A. John U. VII

1. Green Berry U. (XID-1011) 1. Green Berry U. (XID-8154)

md () ANN M. BROWN md () MARY ANN WILBORN

A. Charles Richard U.

B. 1> The citation is in error. It involves the will of **Hubbard Upchurch** not that of GILBERT U. -- RPU

C. 2> Charles Richard U. is the son of Green Berry U. (xid-8154) and the grand son of John U., III (not of Hubbard Upchurch). The Archives records are probably for Green Berry U. (xid-8154) -- RPU

D. 3> I am not sure how MARY SHORES FITS IN – RPU

(20.) See sojourn RPU 16 - 21 Jul 1983 -- NC

On 18 Jul 1983 RPU and John Lee U. Jr. walked the **Hubbard U.** property at Upchurch, NC searching for a family cemetery. None was found. The basis for the search is that in 1859 Hubbard's children deeded their right in their late fathers property to their brother Parker U. In the process they reserved unto themselves a cemetery plot. The entire property is now owned by Lewis Smith and it is being developed as " Upchurch Subdivision

(21.) From WCES Updates Fall 2007 Wake Co., NC Gen. Society

Wake County NcArchives Obituaries.....Upchurch, Hubbard April 6, 1859

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<http://www.rootsweb.com/~usgenweb/copyright.htm>

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File contributed for use in USGenWeb Archives by:

Carolyn Shank Carolynshank@msn.com August 31, 2007, 6:44 pm

The Raleigh Standard, May 4, 1859

The Raleigh Standard, May 4, 1859

DIED, on the 6th ult., at his late residence in Wake County, of consumption, after an illness of 11 months, **HUBBARD UPCHURCH**, in the 60th year of his age. The deceased had, for the last seven years, been an acceptable member of the Baptist Church.

File at: <http://files.usgwarchives.net/nc/wake/obits/u/upchurch401ob.txt>

This file has been created by a form at <http://www.poppet.org/ncfiles/>

File size: 0.9 Kb

(22.) Obituary in Biblical Recorder - Raleigh, NC

Hubbard U., Baptist, Wake Co., NC 28 Apr 1859

(23.) See Death File - Item # 5 Ltr 25 Feb 1980 -- Errun Thomas U. to RPU

Newspaper notice of 28 Apr 1859 indicate **Hubbard U.**, a Baptist, died - available Duke Univ.

(24.) Ancestry. Com output 24 Jan 2008

Nathan U., -- Head of Clan

A. Hubbard U.

1. Armelia U. b. abt 1825 md 31 Dec 1850 (Wake Co., NC)

Hinton Hudson b. 30 Aug 1806 () d. 21 Feb 1871

1850 Census -- Western Division, Wake Co., NC

House Number 476

House Number 449

Hubbard Upchurch M 50

Hinton Hudson M 43

Esther Upchurch F 50

Thomas Hudson M 15

Lorena Upchurch F 26

Emely Hudson F 13

Green Upchurch M 25

Saunders Hudson M 12

Armela Upchurch F 24

Quinton Hudson M 10

Tabitha Upchurch F 20

Laura Hudson F 5

Lindaman Upchurch M 18

Otela Upchurch M 10

[Armelia is in the home of her father and single. RPU]

[Hinton heads a nearby household, his first wife is deceased. RPU]

[Note; 2 doors away from widower Hinton Hudson is the Great grand mother of RPU

Lucretia (Mills) Upchurch. RPU]

1860 Census -- Southern Division, Wake Co., NC

Hinton Hudson M 53 [1807]

Armelia Hudson F 30 [1830]

Quinton Hudson M 20 [Quinton I. 1840]

Lara Hudson F 15 [Laura 1845]

Frances Hudson F 9 [1851]

James Hudson M 2 [James Buchannan 1858]

Synthia Hudson F 1 [Synthia Ann 1860]

[Frances, James Buchannan, & Synthia Ann are true Upchurch descendants. RPU]

1870 Census -- White Oak Township, Wake Co., NC

Hinton Hudson M 63 North Carolina

Frances Hudson F 18 North Carolina

James B Hudson M 15 North Carolina

Synthia Hudson F 11 North Carolina

Adline Hudson F 7 North Carolina [Note: Hinton Hudson dies before the 1880

Census & neither Armelia or the children have been found on the 1880 Census. See Armelia
extract for the children in 1900 -1930. RPU]

(25.) Extract of Upchurch's found in: Wake Co., NC Census & Tax Lists 1830 & 1840 by Frances Holloway Wynne. All entire except one unidentified fall under Clans headed by 3 brothers as follows: [14 Upchurch's mentioned]
[Note; TL = Tax List, TSP = Township -- Transcriber TLC 4/8/2016]

- 1.) I. Nathan U. - Head of Clan - on 1830 Census 1830 TL - White Oak TSP
- 2.) A. Burtis U. - on 1830 & 1840 Census, 1830 & 1840 TL - White Oak TSP
- 3.) 1. Abel U. - on 1840 Census, 1840 TL - Kitts Creek Dist.
- 4.) 2. William C. U. - on 1840 Census, 1840 TL - Raleigh, NC
- 5.) B. **Hubbard U.** - on 1830 & 1840 Census, 1830 & 1840 TL - White Oak TSP
- 6.) C. Tabitha U. - on 1830 Census, 1840 TL - White Oak TSP
- 7.) Golden Almon U. Sr. - on 1840 Census, 1840 TL - White Oak TSP
- 8.) D. Gilbert U. - on 1840 Census - Not on 1830 or 1840 TL
- II. Moses U. - Head of Clan - Lived in Chatham Co., NC
- 9.) A. Whitney U. - on 1830 & 1840 Census, 1830 & 1840 TL - White Oak TSP
- 10.) B. Gillium U. - on 1840 Census - Not on 1830 or 1840 TL
- 11.) 1. Hanson U. - (Presumed son of Gillium U.)
- on 1840 Census, 1840 TL - St. Mathews TSP
- III. Richard U. III - Head of Clan - d. 1817, Lived Franklin Co., NC
- A. James U. VII - d. about 1835, Lived Franklin Co., NC
- 12.) 1. Kearney U. - on 1840 Census & on Cross Roads Dist. TL
-
- 13.) Richard U. - Not on 1830 or 1840 Census, on 1840 TL - White Oak TSP
- Presumed Richard Dillard U. son of Whitney U.
- 14.) William U. Identity unknown, List 493 A on 1840 TL in Swift Creek TSP
For Jane (Yates) Betts, Widow of Barzille Betts, Sr.
-

1830 **Upchurch Hubbard**

- 1m, 2f [0-5yrs] - 1m, 1f [5-10 yrs] - 1m, 1f [30-40 yrs] no slaves

1840 **Upchurch Hubbard**

- 1f [0-5yrs] - 1m, [5-10 yrs] - 1m, 2f [10-15yrs] - 1m, 1f [15-20yrs]
- 1m, 1f [40-50 yrs] 1 slave

1830 TL - White Oak TSP Herbert U -> **Hubbard U.** - 96A \$1.44 - 1 POL \$.99 -
page 246 - 0 slaves

1840 TL - White Oak TSP **Hubbard U.** 205A \$256 1 POL 1 slave \$1.74 pg 258

(26.) Item in Ltr 16 Oct 2004 Danny Calier Bunn to RPU

From: BAPTIST BIBLICAL RECORDER 28 Apr 1859 P:3 C:3 Raleigh, NC

[photo copy of the newspaper article. Transcriber TLC 4/11/2016]

DIED, on the 6th inst., at his late residence in Wake County, of consumption, after an illness of 11 months, **Hubbard Upchurch**, in the 60th year of his age. The deceased had, for the last seven years of his life, been an acceptable member of the Baptist Church, and in his death it has sustained the loss of a zealous member, the county a good citizen, those around him a correct and upright neighbor, and his family a kind and affectionate parent and husband.

(27.) Item #3 From 27 Feb 1980 Ltr Ervin T. U. to RPU

(Back indicates from NC State Archives - 6 Nov 1976)

STATE OF NORTH-CAROLINA,{
Wake County. }

KNOW ALL MEN BY THESE PRESENTS, That we

Hubbard Upchurch Burtis Upchurch

Are held and firmly bound unto Gabriel Holmes Esquire, Governor, &c. or his Successors in Office, in the full sum of Five Hundred Pounds, current Money, to be paid to the Governor, his Successors or Assigns, for the which Payment well and truly to be made and done, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly by these presents, sealed with our Seals, and dated this 26th day of October Anno Domini 1822

The Condition of the above Obligation is such, that whereas the above bounden **Hubbard Upchurch** hath made application for a Licence for Marriage to be celebrated between him and Esther Bird of the County aforesaid: Now, in case it shall not appear hereafter, that there is any lawful Cause of Impediment to obstruct the said Marriage, then the above obligation to be void; otherwise to remain in full force and virtue.

Signed, Sealed and Delivered, { for H Upchurch

In the presence of } Burtis Upchurch { Seal }

S H Pullen Burtis Upchurch { Seal }

(28.) COMMENTS ON THE FAMILY OF HUBBARD U. 1800-1859 RPU 25 Feb 2011

These comments are derived largely from the will of Hubbard written 31 Aug 1858 probated May 1859 and a deed made by the heirs of Hubbard on 22 Nov 1859 both presented in the biofile of Hubbard, the deed to RPU by Kenn L. Hicks on 11 Feb 2011 in a email.

The will gives all of his land to son Green Berry U. on condition that he care for his parents for their lives.

Daughter Lorena given non real estate items to equal gifts already given to his other children - not named.

The Nov 1859 deed is not exactly in sync with the will in that it indicates a dower of land has already been set aside by the widow nee Esther Byrd (she died in 1864 leaving a will) and the remainder of the property is in the hands of Hubbard's children who sell their undivided shares to their brother PARKER U.

The sellers are styled as follows:

1. ARMEALLY { her X mark } HUDSON [ARMELIA U.]
+ Husband HINTON HUDSON
2. TABBITHA { her X mark } HOLLEMAN [TABITHA ESTHER U.]
+ Husband - shown as WILLIE HOLLEMAN
But signed as [WILEY W. HOLLEMAN]
3. G. B. U. [GREEN BERRY U.]
4. LINDERMON { his X mark } U.
5. LORENA { her X mark } U. [NOTE; BORN 1824, STILL SINGLE 1859 AGE 35]

Note that the deed does not mention a daughter of Hubbard named OTELA U. [BORN 1840 PRESUMED DIED BEFORE 1859]

Note that the deed in first # mistakenly lists Wiley W. Holleman as W.W. Upchurch.

Note the deed reserves a one acre cemetery where Hubbard rests.

Deed land adjoins LEVI BAUCOM, HINTON HUDSON, ET.AL,
Witness GEORGE L. BARBEE

Hubbard purchased land in 1823, 1834, 1837 - how the three tracts relate to the Nov 1859 deed is unknown. It is presumed to lay just SW of Upchurch Station and is probably what is now UPCHURCH FARMS SUBDIVISION.

On 18 Jul 1983 RPU & John Lee U. walked the wood looking for the cemetery without success.

Proof that TABITHER ESTHER U. had the middle name " ESTHER" is lacking.
Hubbard had a sister TABITHA & his wife = ESTHER

(29.) People & Land ownership in and around UPCHURCH in western Wake Co., NC.
Input from Wm Burtis U. II to RPU 10 Jun 2010

The MILLS STORE AT UPCHURCH is on N side of Green Level Rd. just west of Upchurch, is still actually there. The center part survives but has been moved back a lot.
It was owned by

I. Wm Henry Mills - who at some point had financial problems

A. Bill B. Joe C. Ernie

Billy does not remember the store in operation, but Jessie Fearington Sr. told Billy there was quite a complex at Upchurch. That he would head to Raleigh for farm supplies and service his mules/horses at the complex. -- Jessie Fearington Jr. still living.

Billy recalls that the boards for his present home were delivered at Upchurch Station and hauled by wagon to the house site.

Billy says in addition to the Upchurch School there was an earlier one on Green Level Rd. closer to Hwy 55.

Rufus Merrimon U. [MERRIMON U.] acquired 103 acre from his father WBU Sr.

The Rufus Merrimon U. house was moved next to the Hugh [Hugh Kyle U.] U. land - actually next to the Hugh Kyle U. house.

200 acres went from WBU Sr. to Worth U. [WORTH MOORE U.] - possibly included part of his siblings land .

Re local large farms - Billy cites The STONE Family farm

- east & west of Davis Drive by

I. Sid Stone [SID W. STONE]

A. Walter Stone B. John Stone

Billy had no awareness of the Hubbard U. Land or of his son Parker.

Billy believes that WBU I got land from the Horton estate when he married the widow Horton but Billy feels WBU I bought a lot of land.

**1850 Census Wake County NC
– Western Division**

Name	Age
Hubard Upchurch	50
Esther Upchurch	50
Lorena Upchurch	26
Green Upchurch	25
Armela Upchurch	20
Tabitha Upchurch	18
Otela Upchurch	10

**1860 Census Wake County NC –
Southern Division**

Name	Age
Green Benj Upchurch	35
Mariah Upchurch	27
Calvin Upchurch	11/12
Simeon Scott	14

**1870 Census Lenoir County NC
Mosely Hall, PO Kinston**

Name	Age
G B Upchurch	45
Annie M Upchurch	35
Calvin Upchurch	10
Elizabeth Upchurch	6
Luther Upchurch	5/12

I. Nathan U, I Head of Clan 3
A. Hubbard U

md () Esther Byrd

1. Lorena U b 1822

2. Green Berry U b Sep 1824

(Wake Co, NC) d aft 1900

 md (1st) 10 Sep 1858

(Wake County, NC)

Ann Mariah Brown

 md (2nd) 1870 () Sarah

Willis

a. Calvin U b 1859

b. Elizabeth U b 1864

c. Luther U b 1870

d. Isaac U b 1876

e. Patric L. U b 1879

md 1899 () Mary Benson

i. Lattice Delova U b

1907 () d 1964

3. Armelia U b 1826

4. Tabitha Esther U b 1830

5. Lindermon U CSA b 1832

6. Otela U b 1840

7. Further Issue? As of 29 Feb

2012, there are only 6

Named children of Hubbard.

He could have had more.

 Green Berry Upchurch
Born Sep 1824 (Wake NC)
Death

 1858 10 Sep - Marriage to Ann
Mariah Brown (Wake, NC)

 William C. Upchurch –
bondsman

1870 Marriage to Sarah Willis

Family Members

 Parents - **Hubbard Upchurch**

Esther Byrd

Spouse & Children

Ann Mariah Brown

Spouse & Children

Sarah Willis

b. 1843

 William C. Upchurch is first cousin
Of Green Berry Upchurch

**1880 Census Johnston County
NC – Clayton**

Name	Age
G. Berry Upchurch	56
Sarah Upchurch	37
Isac Upchurch	4
Patric Upchurch	1
Matilda Willis	80

**1900 Census Johnston County
NC – Clayton**

Name	Age
Grew B Upchurch	75
Sarah Upchurch	56

Neither found 1910 Census

Upchurch Family Tree

Spouse & Children

Sarah Willis

1843 –

Isac Upchurch

1875 –

Patric L Upchurch

1879

Upchurch Family Tree

Parents:

G. Berry Upchurch

1824 –

Sarah Willis

1843 –

Spouse & Children

Mary Benson

Patric L. Upchurch

1899 Marriage to Mary

Upchurch (Johnston, NC)

1900 Residence - Clayton

Township, Johnston, NC

(30.) RECORDS FOR HUBBARD & SON GREEN BERRY U. RPU 29 Feb 2012

A. RPU Summary

1850 CENSUS - NC
WAKE CO. WESTERN
DIVISION

Name	FARMER	Age
Hubbard Upchurch	1800	50
Esther Upchurch	1800	50
Lorena Upchurch	1824	26
Green Upchurch	1825	25
Armela Upchurch	1826	24
Tabitha Upchurch	1830	20
Lindaman Upchurch	1832	18
Otela Upchurch	1840	10

1860 CENSUS - NC
WAKE CO
SOUTHERN DIV

Green Benj Upchurch	1825	35
Mariah Upchurch	1833	27
Calvin Upchurch	1859	11/12
Simeon Scott mu	1846	14
L LINDER		

1870 CENSUS - NC
LENOIR CO
MOSELY HALL
PO - KINSTON

G B Upchurch	1825	45
Annie M Upchurch	1835	35
Calvin Upchurch	1860	10
Elizabeth Upchurch	1864	6
Luther Upchurch	1870	5/12

Green Berry Upchurch
Birth Sep 1824 in Wake, North Carolina
Death

PER
HOLLY SPRING
TOWN CLERK

1858 Marriage to Ann Mariah Brown
10 Sep Wake County, North Carolina
Age: 34 William C. Upchurch, bondsman
1870 Marriage to Sarah Willis
Age: 46

Family Members

Parents

Hubbard Upchurch
1797 - 1859

Esther Bird
1797 - 1870

Show siblings

Spouse & Children

Ann Mariah Brown

Spouse & Children

Sarah Willis
1843 -

1880 CENSUS - NC
JOHNSTON CO
CLAYTON

G. Berry Upchurch	HD 1824	56
Sarah Upchurch	WIFE 1843	37
Isaac Upchurch	SON 1876	4
Patric Upchurch	SON 1879	1
Matilda Willis	AUNT IN-LAW 1800	80

1900 - CENSUS - NC
JOHNSTON CO
CLAYTON

Name	MO 30 YRS	Age
Grew B Upchurch	SEP 1824	75
Sarah Upchurch	SEP 1843	56

NEATHER FOUND 1910

UPCHURCH FAMILY TREE!

Spouse & Children

Sarah Willis
1843 -

Isaac Upchurch
1876 -

Patric L Upchurch
1879 -

Parents

G. Berry Upchurch
1824 -

Sarah Willis
1843 -

Show siblings

Spouse & Children

Mary Benson

Lattice Delova Upchurch
1907 - 1904

Spouse & Children

Mary Upchurch
1893 -

Upchurch Family Tree

Patric L Upchurch

Birth 1879 in North Carolina

Death

1899 Marriage to Mary Upchurch
Age: 20 Johnston, North Carolina

Residence

Age: 21 Clayton Town, Johnston, North Carolina

I. NATHAN U. OF CLAN
A. HUBBARD U.

Δ MD C) ESTHER BYRD

Δ 1. LORENA U b 1822

Δ 2. GREEN BERRY U b SEP 1824
(WAKE CO, NC) d AFTER 1900
MD (1ST) 18 SEP 1858 (WAKE CO, NC)

Δ ANN MARIAH BROWN

Δ MD (2ND) 1870 (?) SARAH WILLIS

Δ a. CALVIN U b 1859

Δ b. ELIZABETH U b 1864

Δ c. LUTHER U b 1870

Δ d. ISSAC U b 1876

Δ 2. PATRIC L. U b 1879

Δ MD 1891 (?) MARY BENSON

Δ i. LATTICE DELOVA U b 1907 (?) d 1964

Δ 3. ARMELIA U b 1826

Δ 4. TABITHA ESTHER U b 1830

Δ 5. LINDERMON U CSA b 1832

Δ 6. OTELA U b 1840

7. FURTHER ISSUE? - A2 of

29 FEB 2012 there are only
6 named children of Hubbard U.
He could have had unnamed
children who died as infants
- 1828, 1834, 1836, 1838 or 1840,
1842, 1841, 1846 - Esther was 50 in 1850

(31.) 3 Sep 2012 - Three Emails to RPU re Upchurch records in the NC State Archives --
per the online Inventory - Mars

A. Subject: NCSA Court Records in MARS for UPCHURCH

From: Hope Blackford <WCGS-Journal@nc.rr.com>

Date: Mon, Sep 03, 2012 3:56 pm

To: "Upchurch, Phil" phil@upchurchstory.com

MARS ID Class Title Years Container Type Call Number Child Count Has Image?

5200.99.2079 CR A Upchurch, Benton 1872 Folder RB-35/190 0

5200.99.2080 CR Upchurch, Esther 1864 Folder RB-33/284 0

5200.99.2081 CR Upchurch, Gilbert 1895 Folder WB-C/464 0

5200.99.2082 CR A Upchurch, Golden 1893 Folder WB-C/182 0

5200.99.2083 CR **Upchurch, Hubbard** 1859 Folder RB-31/223 0

5200.99.2084 CR Upchurch, Kearney 1882 Folder WB-A/342 0

5200.99.2085 CR Upchurch, Lindemond 1866 Folder RB-34/286 0

5200.99.2086 CR Upchurch, Nathan 1825 Folder RB-23/323 0

5200.99.2087 CR Upchurch, Parker 1864 Folder RB-33/282 0

5200.99.2088 CR Upchurch, Ruffin 1866 Folder RB-34/160 0

5200.99.2089 CR Upchurch, Tabitha 1855 Folder RB-29/230 0

5200.99.2090 CR G Upchurch, William 1895 Folder WB-C/458 0

B. Subject: Wake County - Personal Correspondence and Papers -- Upchurch Store Records

From: Hope Blackford <WCGS-Journal@nc.rr.com>

Date: Mon, Sep 03, 2012 8:52 pm

To: "Upchurch, Phil" <phil@upchurchstory.com>

Class MARS ID Title Years Container Type Call # PC 2571 UPCHURCH [Store] Account
Book 1827-1829, 1845-1850 Record Group MfP.61

C. Subject: State Auditor Record Group - Pension Bureau: Act of 1885 Pension Applications

From: Hope Blackford <WCGS-Journal@nc.rr.com>

Date: Mon, Sep 03, 2012 9:24 pm

To: "Upchurch, Phil" <phil@upchurchstory.com>

Class MARS ID Title Years Container Type Call #

5.22.437.62 SR B. J. Upchurch (Wake County) 1923 Folder Box 6.612

5.22.437.65 SR C W Upchurch (Wake County) 1904 Folder Box 6.612

5.22.437.66 SR Courtney Upchurch (Wake County) 1904, 1910, 1921 Folder Box 6.612

5.22.437.71 SR James w Upchurch (Wake County) 1907, 1910 Folder Box 6.612

5.22.437. 72 SR Jubal Upchurch (Wake County) 1907 Folder Box 6.612

5.22.437.73 SR Nathan Upchurch (Wake County) 1901 Folder Box 6.612

5.22.437.74 SR Paschal B. Upchurch (Wake County) 1901 Folder Box 6.612

(32.) Item # 4 From Ltr 27 Feb 1980 - Ervin T. U to RPU

- From N. C. State Archives 6 Nov 1976 - will of Hubbard Upchurch

I Hubbard Upchurch, of the County of Wake and State of North Carolina, being of sound mind and memory, but considering the uncertainty of my earthly existence, do make and declare this my last will and testament, in manner and form following, that is to say

First. My Son Green W. Upchurch is to provide for my body a decent burial, and pay all funeral expenses, together with all my just debts, howsoever and to whomsoever owing out of the monies that may first come into his hands as a part or parcel of my estate; and at the death of his mother, to provide in like manner a decent interment for her remains.

Second. I give and devise to my daughter Lorna Upchurch One Redstead and feather bed and its furniture, One Cow and Calf, One Sow Shout, two ewe-lambs and two bushels of wheat, which will make her distributive share of my estate about equal with that of the rest of my children. (already donated) except that of my Son Green W. Upchurch, herein after provided for.

Third. I leave my house and lands, a home for my Son Green W. Upchurch, his heirs and his mother Estha Upchurch during the lifetime of the last mentioned, and at no time during the lifetime of my wife Estha Upchurch, is the land to be sold or conveyed or any right or title in the same, be so conveyed as to deprive my wife Estha Upchurch of a home in the same during her natural life.

Fourth. I give and devise to my Son Green W. Upchurch, his heirs and assigns, all the property not disposed of by the preceding sections of this my last will and testament, and at the death of his mother

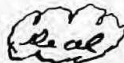
all my lands, except my negro girl Chloa and her increase herein after disposed of, as a compensation for supporting myself and his mother Estha Upchurch during the remainder of our lives

Item. All the property herein bequeathed to my son Green B. Upchurch, is to be his, on condition that he shall support myself and his mother Estha Upchurch during the remainder of our lives, otherwise it is not.

Item. My negro girl Chloa, together with her increase, if any I leave to assist my son Green B. Upchurch in the support of his mother during her lifetime and at her death, my son Green B. Upchurch is to give at least twenty days previous notice to his brothers and Sisters, residing in this state, that on a certain day, specified in his notice, he will expose to sale, according to the directions of this my last will and testament, Chloa and her increase, if any, the bidding to be confined entirely to my surviving children, so that she or they may not go out of the family of my children, and the proceeds of the sale arising under this item of my will is to be divided equally among my living children and the bodily heirs of those that may be dead (The bodily heirs of those dead, sharing collectively what the parent would have shared if living)

And lastly - I do hereby publish this as my last will and testament declaring all other wills utterly void -

In witness whereof, I, the said Hubbard Upchurch do hereunto set my hand and affix my seal, 31st day of August AD 1838.

Hubbard Upchurch 

Signed, Sealed, published and declared by the said Hubbard Upchurch to be his last will and testament in the presence of us

who, at his request and in his presence do subscribe
our names as witnesses thereto

Witness { W. H. Vance
Gilbert Upchurch

[for full transcription of the will see item (33.)]

Esther Upchurch comes into open court and
asks leave to enter her dissent from her husband
Hubbard Upchurch's will, and leave living quarters
she does then & there being financially present
with her dissent; and does at the same time
renounce her right to administer upon her
said husband's estate & she asks that Leroy
Pritchell may be appointed administrator until
his wife deceased.

Esther Upchurch comes into open court and asks leave to enter his dissent from her husband Hubbard Upchurch's will and leave living quarters. She does then and there being financially (unreadable) her unreadable, and does at the (unreadable) his right to administer open (unreadable) husband's estate and she asks that (unreadable) may be appointed to administrate till his wife (unreadable)

(33.) Processing of will of **Hubbard U** by RPU - entered items in biofile on Oct 1977

EXTRACT OF WILL: **HUBBARD U**, WAKE CO., NC
PROBATED MAY 1859 BOOK REC 31 - PG 223 - FILE 1036

- 1.) Written 31 Aug 1858
- 2.) Names son GREEN B. U. and gives him all property except slave CHLOE
- 3.) Hubbard indicates his wife still alive, her name ESTER U.
- 4.) Names daughter LORENA U. gives her misc. items, indicates earlier gift
- 5.) Left House and lands for Green B. U. & Hubbard's wife Ester
- 6.) Upon death of Ester U., wife of Hubbard, CHLOE slave to be sold among children of Hubbard.
- 7.) Witness - R. H. JONES, GILBERT U.

For RPU transcription of the will and a copy of the actual will see following pages.

(33.) WILL OF HUBBARD UPCHURCH -- RECORDED WAKE COUNTY, NC
-- PROBATED MAY 1859 BOOK REC 31 -- PAGE 223 -- FILE 1036
-- Transcribed 8 Oct 1977 by RPU

I **Hubbard Upchurch** of the County of Wake and State of North Carolina being of sound mind and memory but considering the uncertainty of my earthly existence do make and declare this my last will and testament in manner and form following, that is to say.

First my son Green B. Upchurch is to provide for my body a decent burial and pay all funeral expenses, together with all my just debts, howsoever and to whomsoever owing out of the moneys that may first come into hands or a part or parcel of my estate, and at the death of his mother, to provide in like manner a decent interment for her remains.

Item. I give and devise to my daughter Lorena Upchurch one bed stead and feather bed and its furniture and cow and calf and sow shoat two ewe lambs and two bushels of wheat which will make her distrivative share of my estate about equal with that of the rest of my children (already donated) except that of my son Green B. Upchurch herein after provided for.

Item. I leave my house and lands a home for my son Green B. Upchurch by him and his mother Ester Upchurch during the life time of the last mentioned, and at no time during the life time of my wife Ester Upchurch is the land to sold or conveyed or any right or title in the same to be so conveyed as to deprive my wife Ester Upchurch of a home in the same during her natural life.

Item. I give and devise to my son Green B. Upchurch his heirs and assigns, all the property not disposed of by the preceding section of this my last will and testament, and at the death of his mother all my land except my negro girl Chloe and her increase herein after disposed of as a compensation for supporting myself and his mother Ester Upchurch during the remainder of our lives.

Item. All the property herein bequeathed to my son Green B. Upchurch is to be his on condition that he shall support myself and his mother Ester Upchurch during the remainder of our lives otherwise it is not.

Item. My negro girl Chloe, together with her increase, if any I leave to my son Green B. Upchurch to assist in the support of his mother during her lifetime and at her death my son Green B. Upchurch is to give at least twenty days previous notice to his brothers and sisters residing in this state that on a certain day specified in his notice he will expose to sale, according to the direction of this my last will and testament, Chloe and her increase, if any, the bidding to be confined entirely to my surviving children, so that she or they may not go out of the family of my children and the proceeds of the sale arising under this item of my will is to be divided equally among my living children and the body heirs of those that may be dead (the body heirs of those dead sharing collectively what the parent would have should if living)

(33.) 8 Oct 1977 – Continued

And lastly I do hereby publish this as my last will and testament declaring all other wills utterly void.

In witness whereof I the said Hubbard Upchurch do hereunto set my hand and affix my seal
31st day of August A.D. 1858

Hubbard Upchurch { seal }

Signed, sealed, published and declared by the said **Hubbard Upchurch** to be his last will and testament in the presence of us, who at his request and in his presence do subscribe our names as witness thereto

}

Witness{ R. H. Jones

} Gilbert Upchurch

Wake County Court }

May Term 1859 { The foregoing last will and testament of

Hubbard Upchurch deceased was produced in open court and offered for probate and the due execution there of having been duly proven by the oaths of the witnesses.

(34.) Wake Co., Deed 22 Nov 1859 pgs 403-405 whereby the heirs of **Hubbard U.** sell to his son Parker U. their interest in Hubbard's Land - see RPU extract 24 Feb 2011
 The full document shown below came from an email 11 Feb 2011 Kern L. Hicks to RPU.
 See his biofile for the full 3 pages from book of deeds no 23.

Hinton Hudson	{	This Indenture made this 22nd
Armeally Hudson	}	day of Nov in the Year of
Willie Holleman	{	our Lord A D 1859 between
Tabitha Holleman	}	Hinton Hudson and wife
G B Upchurch	}	Armeally W W Upchurch and
Lindemon Upchurch	{	and wife Tabitha Green B Upch-
And Lorena Upchurch	}	-urch Lindemon Upchurch
	{	And Lorena Upchurch of

Of the county of Wake, and State of North Carolina

Witnesseth that the sd party of the 1st part hath for the consideration of the sum of Seven Hundred and fifty dollars to have in hand paid by the said party of the 2nd part the receipt where of in hereby acknowledged hath given granted bargained and sold and by these presents doth give grant bargain sell and convey unto the said party of the second part all our undivided interest in a certain tract of land wherein Hubbard Upchurch Decsd lived and died reserving to the widow Esther her life time right in her dower which hath been laid off for her in said land and also we reserve to ourselves the acre around the grave where the said Decsd is buried for a grave yard Said land is adjoining the lands of Levi Baucom Hinton Hudson and others and we the party of the first part do for ourselves our heirs and assigns covent ? to and with the sd party of the 2nd part that we have before the Execution of this Deed full right absolute and lawful authority to sell the said undivided Intintion aforesaid in the manner aforesaid and agree hereby to warrant? and forever defend the right and title to the same to him the said Parker Upchurch party of the second part his heirs and assigns forever In wittenes whereof we the party of the first part have hereunto set our hands and seals the day and date before written.

Witness:

Go L Barber

Hinton Hudson
 Armelia x Hudson
 Wiley W. Holleman
 Tabitha x Holleman
 G. B. Upchurch
 Lindeman x Upchurch
 Loreann x Upchurch

(note x = his/her mark)

(34) Cont'd

State of North Carolina

Personall appeared before me H. H. Burke?, one of the Judges of the Supreme Court of North Carolina, Hinton Hudson and his wife Armeally Hudson who acknowledged the execution of this deed whereupon the said Armeally was by me privately examined touching the execution of the same who saieth that she executed the same free and voluntarily without the constraints or compulsion of their said husbands. Let the same be registered to gather with this certificate.

North Carolina Oct 1st 1860

This day personally appeared before me RR Heath, one of the Judges of the Superior Courts of Law and Equity for the state aforesaid Willie W. Holleman and wife Tabbitha Holleman, two of the parties to the within deed and duly acknowledged the execution of this deed whereupon the said Tabbitha was privately examined by me separate and apart from her said husband touching the execution of the same, who declareth that she executed the same freely and voluntarily without the constraints or compulsion of her said husband or any other ????? does voluntarily assent thereto let the same wills this certificate be registered.

R.R. Heath
JSC S & E

Registered in the Registers Office of Wake County in Book # 23 pages 403 – 406 of the 28th day of March 1861

Hinton Hudson Regr

(35.) NC Marriages -- 5 Sep 2005 -- Peterson - Wake Co.,

Mary Upchurch	Odom Barns 3 Feb 1806 Wake
Mary Upchurch	Odam Bunn 5 Feb 1806 Wake
Whiting Upchurch	Elizabeth Goodwin 3 Jan 1811 Wake
Mackey Upchurch	Edmund Cole 9 Aug 1816 Wake
Gilbert Upchurch	Elizabeth Upchurch 20 Mar 1819 Wake
Murray Upchurch	Nancy Scott 23 Aug 1820 Wake
<u>Hubbard Upchurch</u>	Esther Bird 24 Oct 1822 Wake
Frances Upchurch	Blake Baker 18 Nov 1829 Wake
John Upchurch	Angelina G. Green 29 May 1830 Wake
Kerney Upchurch	Emila Perry 22 Nov 1830 Wake
Sims Upchurch	Abigail Olive 11 Dec 1832 Wake
Aeriel Upchurch	Mary Olive 30 Mar 1833 Wake
Quilla Upchurch	Nathaniel Mitchell 2 Dec 1833 Wake
Abel Upchurch	Nancy Sorrell 27 Nov 1839 Wake
Eliza Upchurch	William Beddingfield 2 Dec 1839 Wake
William C. Upchurch	Adline Royster 15 Dec 1840 Wake
Stephen Upchurch	Ann Medlin 16 Mar 1841 Wake
Gilbert Upchurch	Margaret Bird 23 Sep 1842 Wake
Bartley Upchurch	Jane Whitaker 27 Dec 1842 Wake
Clargy Upchurch	William Wilson 24 Feb 1843 Wake
Betsey Upchurch	Haywood Laurence 2 Dec 1844 Wake
Nancy Upchurch	William Hobby 19 Dec 1845 Wake
Clargy Ann Upchurch	Wesley M. Odaniel 11 Mar 1846 Wake
Candis Upchurch	John Mann 19 Dec 1847 Wake
Mariah Upchurch	Robert Rollins 13 Oct 1849 Wake
Alferd Upchurch	Adelia M. Crowder 23 Dec 1850 Wake
Armelia Upchurch	Hinton Hudson 31 Dec 1850 Wake

(36.) This item added by Transcriber Teresa L. Churchill

The Breaking of the will of **Hubbard U.** written 31 Aug 1858
probated May 1859 leading to the land deed made by the heirs of Hubbard U.
on 22 Nov 1859 both presented in the biofile of Hubbard U. items 33 and 34.
[Excerpts provided by transcriber TLC April 2016]
[See Easter Byrd biofile for full transcription]

A. Application for a years support - May Term 1859

The petition of Ester U. widow of **Hubbard U.**...

and that letters of administration with the will annexed on his estate have been granted
to Leroy Mitchell during the present term.

The petitioner disputes this appointment and announces her right to administer.

No executor having been named in the will.

The petitioner further desires to have her years supply of stock and provisions
from her husbands estate...

B. Ester petition for dower - May Term 1859

... Ester U. widow of **Hubbard U.**...

That her husband died in the County of Wake in the month of [blank space] last...
having a last will which has been proven by this court...

The said husband at the time of his death had a tract of land
containing by estimation 195 acres...

she desires to have her dower in the said land allotted to her...

including the dwelling house and all out buildings and improvements...

She further shows that her said husband Hubbard U. left surviving him

Lorney U., Green B. U., Parker U., Lindamon U., Amelia Hudson wife of Hinton Hudson,
Tabitha Holliman wife of Willie Hollimon, his only heirs at law, who are his
children and that they are all of age...

Please order subpoenas to the children named to appear at the next court to show cause if
any they have.

C. Ester vrs Green Upchurch 1 - 2

Left side of page

Ester U. widow vrs Green B. U. heir - May Term 1859 - Petition for dower

It appears to the court that service of the Petition has been accepted by

G. B. U., H. Hudson Amelia Hudson, Willie W. Holliman & wife Tabitha, Parker U.,
Lindamon U., & Lorney U..

On motion the sheriff is ordered to summon a jury to allot to Ester U. her dower...
according to the acts of April in such case made and provided.

Witness Thomas Utley Clerk of the court in Raleigh on the 3rd Monday of May 1859.

Right side of page

To the sheriff of Wake County Greetings

You are hereby commanded to summon a jury ...
to allot to Ester U. her dower ... and return to our next court to be filed
on the third Monday of August 1859.

(36.) Continued

Witness Thomas Utley Clerk of the court in Raliegh on the 3rd Monday of May 1859.

D. Easter Upchurch Dower - Aug Term 1859

I G. A. Upchurch Sheriff and jury of (12) good and lawfull men . . .
who after being sworn in according to law proceeded on the 29th day of July 1859...
to lay off and allot to Ester U. her dower and thirds in the lands of **Hubbard U.**
deceased . . .

Easter Upchurch Dower Aug Term 1859 Recorded in Book G. G. Page 279

F. Bacon n Cotton - Aug Term 1859

200# bacon, 200# beef, 50# picked cotton, 3 good sacks fodder, 6# clean wool,
etc. to make comfortable provisions for the widow... plus \$ 18.50 money

G. Survey of Ester's dower filed

A plan of Eastar Upchurch Dower

Beginning at a pointer R. H. Jones corner running South 97 pole to a Post Oak
in the said Jones line thence West 113 pole to a pointer thence North 97 pole
to a White Oak thence East 113 pole to the first station containing 68 1/2 acres
2. Roods scale 50 pole per inch+Y. C. Hunten C. S.

Surveyors fee paid Survys do not charge

Dower Easter Upchurch Recorded in Book G. G. Page 279