

Sims Upchurch

Commentary:

This biofile of Sims Upchurch reveals that he was a son of Moses Upchurch (1755 – 1853) head of Clan 1. His 1808 birth was in Chatham County, NC, just across the Wake/Chatham line west of the community of Green Level. There records are of special importance because it seems Moses bequeathed to Sims the land occupied by Moses when he moved from Franklin County, NC to Chatham County about 1803. Thus as we learn more about where Sims lived, we learn more about where Moses settled upon arrival on the Wake/Chatham border.

The Civil War was devastating to the Sims Upchurch family due to the price paid by five sons and four sons-in-law who served honorably in the ensuing conflict.

RPU 10 Sep 1915

ACKNOWLEDGEMENTS: Transcribed by Michael Lynn Upchurch, a member of the Moses U./Courtney U. subclan, from the original Biofile preserved in the Allied Families Archives, transcription received January 19, 2015.

(1) Simms U. (1808 – 1880) m in 1832 Abbie Olive (1810 – 1849) – Simms U. was the son of Moses U.. Simms U. had a daughter Parthenia U. (1832 – 1906) who m in 1853 Lucien C. Yates (1827 – 1908) (16)

(2) Isaiah Barbee, son of Gray, married Catherine Brantley (24 Jul 1796) probably in Chatham Co., NC.. No bond has been found. Isaiah died intestate. In the NC Archives among the Estate Records of Chatham County are several papers relating to his estate. The first is the February Term 1830 – Petitions of Catherine Barbee, widow and relative of Isaiah Barbee – Catherine's petition for division of perishable property for one year's provision. This dower was laid off by by timeline men appointed by Court. All timeline men signed the report. Among them were Sims U. and Murray U. (27)

(3) Sims U. sold 88 acres on Pitts Creek in Chatham Co., NC to Abimelec Barbee (28 Jun 1802 – 07 Mar 1878). The original deed dated 15 Jan 1851, for which \$330 was paid, was never recorded and was inherited by Belle L. West. (27)

(4) On 05 Oct 1825 Moses gave a Deed of Gift to Sims U., his son, “for natural love and affection, land lying on Pitts Creek, including land lying on Pitts Creek, including land and Plantation where I now live - - - 232 acres (Chatham Co. N.C. Deed Bk. AA 1 / 2) Reg Nov Sessions 1825” In the 1840 census of Chatham Co., NC Sims U. reported 11 in his family, including two up to 90 years' which must have been Moses and Mary. In the 1850 census Sims U. reported his own age as 42, 10 children, Moses U. up to 100 years of age and Moses daughter Calorgy, 55 years of age. Mary (Simms) U. had died in 1847.

Sims U. b 11 Dec 1808 in Chatham Co., NC. He was the youngest son of his family and first record was as a marker in Mt Pisgah Baptist Church (Minutes of the Church now at Southeastern Baptist Seminary, Wake Forest, NC). On 05 Oct 1825 Moses being about 75 and having sold farms to other sons, gave 232 acres of land on which he and daughter Calorgy lived to Sims U. – Included land on Pitts Creek, 3 heads of horses, all of his stock, cattle, hogs, sheep, utensils, and furniture. (Chatham Co., Deed Bk AA 1/ 2)

(5) INTERNET RECORDS FOR FAMILY OF SIMS U. - RPU 15 JUN 2011

- I. Moses U. b 1750 (VA)
md 1772 () Mary Simms
- A. Calorgy U. b 1795
(Franklin Co., NC)
(Claise, Clargy) NM
- B. Sims U. b 11 Dec 1808
(Chatham Co., NC)
d Apr 1880 (Chatham)
md (1st) 11 Dec 1832
(Wake Co., NC) Abigail
Olive d 1847
md (2nd) 1850 ()
Matilda Temples
1. Parthenia U. b 22 Sep 1833
 2. Quinetta U. (twin) b 27 Jul 1834
 3. Lucetta U. (twin) b 27 Jul 1834
 4. Lewraney U. b 29 Jun 1836 (Lawrance)
 5. James Henderson U. b about 1838
 6. Williford U. b about 1841
 7. Winslow U. b about 1842 (Winston)
 8. Winship U. b about 1844
 9. Courtney U. b Sep 1846
 10. Alvania U. b 19 Jul 1848

NOTE: Sons 5 thru 9 died in the service of the Confederacy. On James Henderson had married. He had issue.

NOTE: Sims U. supposedly married 23 Dec 1852 (Chatham Co., NC) Tabitha Williams but the presence of wife Matilda in the 1860 and 1870 census brings doubt.

1840 CENSUS CHATHAM CO., NC – SIMS U.

Free White	1		Slaves – Males -	1
Persons – Males -		} James Henderson U.	Under 10:	
Under 5:				
Free White	1		Slaves – Females-	1
Persons – Males -		} Male born 1821 – 1825 – unidentified	Under 10:	
15 thru 19:				
Free White	1		Slaves – Females -	1

SIMS UPCHURCH**Pg – 3****XID – 17**

Persons – Males - 30 thru 39:	} <u>Sims U.</u>	24 thru 35:
Free White 1		Total – All Persons 14
Persons – Male - 80 thru 89	} Moses U.	(Free White, Free Colored, Slaves):
Free White 3		Persons Employed 2
Persons – Females Under 5	} Quinetta U., Lucetta U., Lewraney U.	in Agriculture:
Free White 1		No. White Persons 4
Persons – Females 5 thru 9:	} Parthenia U.	over 20 Who Cannot Read and Write:
Free White 1		Free White 6
Persons – Females 30 thru 39	} Abigail Olive U.	Persons – Under 20:
Free White 1		Free White 3
Persons – Females 40 thru 49	} Calorgy U.	Persons – 20 thru 49:
Free White 1		Total Free White 11
Persons – Females 70 thru 79	} Mary Simms U.	Persons:
		Total Slaves: 3
		Total All Persons - 14
		Free White, Free Colored, Slaves

1850 CENSUS - LOWER REGIMENT, CHATHAM CO., NC – SIMS U.

<u>Sinas Upchurch (Sims)</u>	1808	42	NC	Farmer	\$2700 RE
Parthing Upchurch	1834	16	NC		
Laurance Upchurch	1837	13	NC		
James H. Upchurch	1839	11	NC		
Williford Upchurch	1841	9	NC		
Winslow Upchurch	1842	8	NC		
Winship Upchurch	1844	6	NC		
Courtney Upchurch	1846	4	NC		
Alvaney Upchurch	1849	1	NC		
Claise Upchurch (Calorgy)	1795	55	NC		
Joseph Lawrence	1801	49	NC	Laborer	
Mossie Upchurch (Moses)	1750	100	VA		
Quinta Upchurch	1835	15	NC	Twin of Lucilla	
Lucilla Upchurch	1835	15	NC	Twin of Quinta	

**1860 CENSUS – EASTERN DISTRICT, CHATHAM CO, NC – GROVE POST OFFICE
SIMS U.**

<u>Sinn Upchurch (Sims)</u>	1808	52	Farmer	\$4500 RE	\$8000 PE
Matilda Upchurch	1808	52			
Willerford Upchurch	1841	19			
Winston Upchurch (Winslow)	1842	17			
Winship Upchurch	1845	15			
Cortney Upchurch	1841	19			
Alvany Upchurch	1849	11			
Clargy Upchurch (Calorgy)	1800	60			
Sally Davis	1837	23			
Alfred Waldin	1837	23	Laborer		
John Jeffers	1836	24	Laborer		

1870 CENSUS – NORTH SIDE PITTSBORO ROAD, CHATHAM CO, NC – SIMS U.

<u>Sims Upchurch</u>	1807	63	Farmer	\$3000 RE	\$1500 PE
Matilda Upchurch	1807	63			
Courtney Upchurch	1846	24			
Alvaney Upchurch	1848	22			

(6) See Chatham Co., NC Census Records extracted by RPU

A. **1840 – Sims U. is Head of Household** – with following (no slaves but 3 Free Colored)

- | | | |
|---------------------|---------------|--------------------------------|
| (1) Male < 5 | W | - James (T.?) |
| (2) Male 15 – 20 | W | - |
| (3) Male 30 – 40 | W | - Sims |
| (4) Male 80 – 90 | W | - Moses |
| (5) Male <10 | <u>B Free</u> | - |
| (6) Female < 5 | W | - Luraney |
| (7) Female < 5 | W | - Quinetta |
| (8) Female < 5 | W | - Lucetta |
| (9) Female 5 – 10 | W | - Parthenia U. |
| (10) Female 30 – 40 | W | - Abigail Olive (Wife of Sims) |
| (11) Female 40 – 50 | W | - Calorgy (Dau of Moses) |
| (12) Female 70 – 80 | W | - Mary (Wife of Moses) |
| (13) Female < 10 | <u>B Free</u> | - |
| (14) Female 24 -36 | <u>B Free</u> | - |

B. 1850 – Household 563 (Wife Abigail Olive died 1849)

- | | | | |
|----------------------|-------|--------------|--------|
| (1) <u>Simms U.</u> | 42 M | Farmer | \$2700 |
| (2) Partheny U. | 16 F | | |
| (3) Laurana U. | 13 F | | |
| (4) James (T.?) U. | 11 M | | |
| (5) Williford U. | 09 M | | |
| (6) Winslow U. | 08 M | | |
| (7) Winship U. | 06 M | | |
| (8) Courtney U. | 04 M | | |
| (9) Alvaney U. | 01 F | | |
| (10) Claize U. (?) | 55 F | | |
| (11) Joseph Lawrence | 49 M | Laborer | |
| (12) Moses U. | 100 M | - born in VA | |
| (13) Quinetta U. | 15 F | Twin | |
| (14) Lucetta U. | 15 F | Twin | |

C. 1860 – Household 9 – Grove Post Office

- | | | | | |
|--------------------|------|-------------|-----------|-----------|
| (1) <u>Sims U.</u> | 52 M | Farmer | \$4500 RE | \$8000 PP |
| (2) Matilda U. | 52 F | Housekeeper | | |
| (3) Williford U. | 19 M | Laborer | | |
| (4) Winston U. | 17 M | Laborer | | |
| (5) Winship U. | 15 M | | | |
| (6) Cortney U. | 13 M | | | |
| (7) Alvany U. | 11 F | | | |
| (8) Clargy U. | 60 F | (Domestic?) | | |
| (9) Sallie Davis | 22 F | Domestic | | |
| (10) Alfred Walden | 29 M | Laborer | | |
| (11) John Jeffers | 24 M | Laborer | | |

D. 1870 – House 525 – Pittsboro Post Office

- | | | | | |
|--------------------|------|--------------|-----------|-----------|
| (1) <u>Sims U.</u> | 63 M | W Farmer | \$3000 RE | \$1500 PP |
| (2) Matilda U. | 63 F | W Keeps Home | | |
| (3) Courtney U. | 24 M | W Farmer | | |
| (4) Alvany U. | 22 F | W At Home | | |

E. 1880 – No Sims U. found in Chatham Co., NC

F. In 1840 only 1 house reported brothers Murray and Sims U. and that was headed by a female Catherine Davis.

(7) From: Chatham County, NC 1771 – 1971 by Hadley, Horton, and Strowd Pg 267.

Several educational institutions were established in Chatham Co., NC including the following:

By a legislative act ratified February 14, 1855, New Hope Academy in Chatham County was incorporated. The trustees named in the act were: E. P. Fearrington, Joseph Stone, Joseph Jenkins, John Castleberry, M. D. Williams, Simms Upchurch, Kimbro Council, Henry Williams, G. J. Williams, and George Wynn. This act also stated that “the officers and students of said academy are hereby exempt from military duty, and working upon the public roads.” This school was located on the public road leading from Farrington to Martha's Chapel, about one mile west of Martha's Chapel. The school operated until 1868. Among the teachers were John Holt and Major R. W. York.

(8) Subject: Chatham Co. NC Upchurch Land Grants
From: “Jim Jones” <jpjones@nc.rr.com>
Date: Sun, Apr 11, 2010 5:10 am
To: “Robert P. Upchurch PhD” <phil@upchurchstory.com>

Phil, you're probably aware of these. While at the NC Archives yesterday, I located 6 late 18th c – early 19th c Upchurch Family NC State land grants:

John	100 A [stream name not recorded] [John U. III]
Moses	50 A, Pitts Cr
Samuel	42 A, Shaddox Cr (aka Shaddocks Cr)
Sims	14.5 A wtrs Foster's Br
Stephen	300 A, Shaddox Cr
Stephen	90 A, Long Br Shaddox Cr

All appear to be located in present-day SE Chatham Co.. At least one is adjacent to a David Mimms (Mims) Chatham Co. grant that is positioned precisely on the southwest corner of Chatham and Wake counties. By the time you arrive on your visit, I'll have more complete information and perhaps a tentative positioning.

Jim

(9) In Feb 1849 Sims U. sold to his brother Murray 100 acres (Chatham Co., NC Deed Bk A – H / 128) (pg 34 - 38)

(10) Attach #34 West Letter 18 May 1975 to RPU – Marriage Records Wake Co., NC
Also Wake Co., NC Marriage Bonds in 31 Oct 1977 Letter from Mrs. L. Jo Priest to RPU

A. 11 Dec 1832 Sims U. m Abigail Olive; Bondsman = A. Upchurch [probably Acril U., 1st Cousin of Sims – since both married an Olive] and Witness = B. S. King.

B. 05 Dec 1855 Paschall B. U. m Tilitha Olive – Witness = Sims U. and Thomas Utley
[NOTE: I presume this Sims is Sims U. (1808 – 1880) but am not sure - RPU]

(11) Internet Records for Sims U. - RPU - 15 Jun 2011

U. S. Federal Census Mortality Schedules, 1850 - 1885

Name: Sims Upchurch

Gender: Male

Race: White

Marital Status: Married

Place of Birth: North Carolina

Estimated Birth Year: abt 1807

Age: 73

Month of Death: Apr

Cause of Death: Stricture of bladder

Census Year: 1880

Census Location: (City, County, State)

William, Chatham, North Carolina

North Carolina Marriage Bonds, 1741 - 1868

Groom: Sims Upchurch

Bride: Abigail Olive

Bond_Date: 11 Dec 1832

Bond #: 000158747

Level Info: North Carolina Marriage Bonds, 1741 - 1868

ImageNum: 005942

County: Wake

Record #: 03 533

Bondsman: A Upchurch*

Witness: B S King

*NOTE: Sims U. did not have a brother or uncle A. Upchurch. The only logical choice to represent A. U. is Acril U., a first cousin of Sims U. - RPU 15 Jun 2011

(12) Sims U. m 11 Dec 1832 Abigail Olive. 1840 Chatham Co., NC census shows Sims and Abigail with 6 children. They built a large house. His mother Mary (Sims) U. died in 1847. Abigail was killed by lightening before 1850. Sims m 2ndly Matilda Temples and 3rdly 23 Dec 1852 Telitha Williams (Chatham Co., NC Records). Sims and Telitha died before 1880 as they were not located in the 1880 census. Children of Sims and Abigail (Olive) U. were:

- | | | |
|--------------|-------------|-------------|
| 1. Henderson | 5. Winship | 9. Lucetta |
| 2. Wilford | 6. Luraney | 10. Alvaney |
| 3. Winslow | 7. Partheny | |
| 4. Courtney | 8. Quinetta | |

(13) Book: The Upchurch Family of High Falls, NC (Moore Co.) pg 66

I. Moses U. - Head of Clan

A. Sims Up.

- 6 Simms Upchurch: b: 11 Dec 1808 Chatham County, North Carolina d: Apr 1880 in Williams, Chatham County, North Carolina
 - +Maiden
 - 7 [2] Winship Upchurch b: 1844 in Chatham County, NC, USA
 - 7 James Henderson Upchurch d: 1863
 - 7 Winslow Upchurch b: 1842
 - 7 Wiliford Upchurch b: 1841
 - *2nd Wife of Simms Upchurch:
 - +Tabitha Williams b: 1810 m: 23 Dec 1852 d: 1860
 - *3rd Wife of Simms Upchurch:
 - +Matilda Temples b: 1808 in North Carolina m: 1850 in Wake, NC, USA d: in NC, USA
 - *4th Wife of Simms Upchurch: b: 1810 m: 11 Dec 1832 in Wake, NC, USA d: 1847 in Chatham, NC, USA
 - 7 Partheny Upchurch b: 1833 in Wake County, North Carolina
 - 7 Lucetta Upchurch b: 1835 in Wake County, North Carolina
 - 7 Quinetta Upchurch b: 1835 in Wake County, North Carolina
 - +Joseph Bell Lasater b: 1830 m: 15 Jan 1852 in Chatham, NC, USA d: 30 Aug 1861
 - 8 Minerva Lasater b: 1853 in Chatham County, North Carolina
 - 8 Abby C. Lasater b: 1854 in Chatham County, North Carolina
 - 8 John S. Lasater b: 17 Mar 1856 in Chatham County, North Carolina d: 07 Aug 1918 in Durham, NC, USA
 - +Theodica Council b: 1858 in North Carolina m: 1878 d: Bef. 1910 in Durham, Durham County, North Carolina
 - 9 Leo Dexter Lasater b: Jul 1879 in Williams, Chatham County, North Carolina
 - 9 Joseph M. Lasater b: May 1882
 - 9 Annie P. Lasater b: Nov 1888
 - 9 Ella G. Lasater b: 1901
 - *2nd Wife of John S. Lasater
 - +Lee H. b: 1865 in North Carolina m: 1908 in Durham, North Carolina
 - 8 Rebecca Lasater b: Mar 1858 in Chatham County, North Carolina d: 17 Dec 1938 in Durham, North Carolina
 - +Joseph P. Lasater b: Nov 1854 in North Carolina d: 05 Feb 1938 Durham, North Carolina
 - 9 Nora D. Lawrence b: Nov 1879 in Durham, Durham County, North Carolina
 - 9 Clara V. Lawrence b: May 1883 in Durham, Durham County, North Carolina
 - 9 James Thurmon Lawrence b: 26 Jul 1888 in Durham, Durham County, North Carolina d: 10 Dec 1938 in Durham, North Carolina
 - 9 Leslie Erbon Lawrence b: 03 Jan 1893 in Durham, Durham County, North Carolina d: 24 Oct 1952 in North Carolina

- 8 Lenora A. Lasater b: 1860 in Chatham County, North Carolina d: 12 Nov 1943 in Durham, North Carolina
- 7 Laurana Lurany Upchurch b: 1836 in North Carolina
- +Albert C. Council b: 1833 in North Carolina
- 7 James A. Upchurch b: 1838 in Wake County, North Carolina
- 7 Willoford Upchurch b: 1840 in Wake County, North Carolina
- 7 Winslow Winston Upchurch b: 1842 in Wake County, North Carolina
- 7 [2] Winship Upchurch b: 1844 in Chatham Cty, NC, USA
- 7 Courtney Upchurch b: 1845 in Wake County, North Carolina
- 7 Alvaney Upchurch b: 1847 in Wake County, North Carolina

(14) See notes of RPU 18 Nov 1978 of visit to Adelia Jane U.. Inspected an old Country Store Ledger Book with entries Apr 1827 – Oct 1829. Entries present for Nathan U., Moses U. and for several children of Moses including Simms(Sims) U.. Also one for Miss Eliza U., probably a daughter of Murray U.. Entries for Sims U. = Sep 1827, Aug 1827, Oct 1827, Jan and Feb 1828.

(15) Item(s) in Letter 19 Dec 1995 Margaret Blanche Brown to RPU [From various NC Newspapers] 09 Apr 1880

– Raleigh *News* Mr. and Mrs. Simms Upchurch of Chatham were both buried in one grave on Monday. Mrs. Upchurch died Sunday morning and her husband, Mr. U., died the same evening. They were old and highly respected. The funeral was conducted with Masonic honors.

[Refers to Sims U. and his 3rd wife nee Tabitha Williams]

I. Moses U. - Head of Clan

A. Sims U. b 11 Dec 1808 (Chatham Co., NC)
d Apr 1880
md (3rd) 23 Dec 1852
Tabitha Williams d Apr 1880

(16) Minutes of the County Court of Chatham CO., N.C. - 1843

From: The N.C. Genealogical Society Journal Vol 29 (No 1) Feb 2003 Pg 51 – 97. NOTE: Only one Upchurch reference given – See below.

Feb Session – 1843

Sims U. ESQ. Summoned to be juror for Mar Term 1843

Sims U. and Redding Hatley serve as security for \$4000 bond for N. R. Davis to be Constable in Capt. Council's District

Aug Session – 1843 - Sims U. present as juror

(17) The Naaman Mills Family by W. A. Mills pg 127 Court of Pleas and Quarter Sessions 1821 – 1867
- “Court Dates Etched in Time”

I. Abraham Mills → Naaman Mills → Lucretia Mills (GGM of RPU); John Mills; Britain Mills; Matthew Mills; Nathan Mills; Shadrack Mills

40. Feb 1854 – pg 562 - “Ordered that Willie J. Fuller, John Scott & Hinton Hudson be appointed a committee to audit & settle the account of Simms Upchurch & J. L. Johnson, administrators of Perry Mills, deceased, and report to the next term of this court.”

(18) From: Wake Treasures Vol 12 No. 1 Winter/Spring 1997 Pg 2.
Basterdy Bonds and Records – Wake Co., NC

1855

8. **Mary A. Burt / William B. Jones**

State vs William B. **JONES**. [WARRANT] To any Lawful officer: Wheras, upon the examination of Mary A. **BURT** this day taken on oath before me, it appears that She was delivered of a male child on the 26th of April last, which Child is a bastard, and may become chargable to said county; and said Mary A. **BURT** hath confessed that William B. **JONES** . . . did beget said Child and hath charged him with same: This is to command you to apprehend said W.B. **Jones** and bring him before me or any other Justices . . . to answer said charge. Given under my hand and Seal, this 26th of May 1855 [signed] B. N. **NOWELL**
[Constable's note] Executed by D. H. **GARDNER**, Cons.

[on same side: court note] The Defendant William B. **JONES** Apeard by Arest of the officer and give Bond for his Apearance at the Next term of Wake County Court to be held on the third Monday of August Next All of which is Respectfully Submitted this June 15th 1855.

William B. **JONES** BASTERDY BOND August Term 1855. [printed form] Bondsman: Wm B. **JONES** James **NORRIS** Sims UPCHURCH \$200.00 23rd August AD 1855. Condition: William B. **JONES** Charged with having illegitimate Child begotten on body of Mary **BURT** . . . said William B. **JONES** his heirs Executors, etc shall provide support and maintenance . . . to the indemnification of the Parish of Wake . . . [signed] Wm B. **JONES** J. H. **NORRIS** Sims UPCHURCH Executed in open Court: Thomas J. **UTLEY**. [Court notes] Mary **BURT** buy Jesse **BURT** August Term 1856. Rec'd of W. B. **JONES** Ten Dollars. August Term 1857 **Rec'd**: Wm B. **JONES** Ten Dollars. Rec'd this above Twenty dollars of T. J. **UTLEY** Clk [signed] Jesse **BURT**

CROSS REFERENCE:	James H. Norris	<u>Sims Upchurch</u>
	Thomas J. Utley	Jesse Burt
	Mary A. Burt	William B. Jones
	B. N. Nowell	D. H. Gardner

(19) See N. C. Supreme Court Case # 6263 re: Whitney U. of Wake Co. and Asa Wilson of Chatham Co., NC. Case starts 20 Feb 1845 and runs to Sep 1852. Whitney sues Asa. Can't tell which one wins. Appears to involve bounds of land. A sketch of 363 acres +/- 50 acres. \$250 invalued from Whitney U. and Sims Up. Land adjoined Arthur Branch. Alsey Hunter was the county surveyor involved. [Still not sure if the land was in Wake or Chatham Co. - RPU] J. P. Busbee was the Wake Court Clerk. Note that Whitney made his mark but that Sims signed his name.

(20) Minutes of the County Court of Chatham Co., NC for the Year 1842 – From: The N. C. Genealogical Society Journal Vol 28 (No 4) Nov 2002 Pg 363 - 412

NOTE: The only Upchurch listings were for Murray U. and Sims Up. (aka S. U.), sons of Moses U. - Head of the Moses U. Clan. References to these two are shown below:

1) Murray U. - Feb Session 1842 – Pg 370

The sheriff was ordered to summon about 20 people as jurors for the Mar 1842 Session - including Murray U.

2) SIMS U.

Feb 1842 Session

Pg 373 – Ordered that Thomas Bell, John Williams, and Sims U. be appointed a committee to audit and settle accts of Joseph J. Jenkins Exr. of Samford J. Jenkins, dec'd and report to next Court.

Pg 374 – Ordered that Henry Williams, Sims U., and Joseph Jenkins be appt a Patrol Com. for Capt Council's District. [*]

May 1842 Session

Pg 387 – A deed in trust from William Vick to B. Lasater, trustee proved by oath of S. U. [Sims U.].

Pg 388 – Individuals appointed to take the list of taxable for various districts were assigned – including Sims U. for Council's District.

Aug 1842 Session

Pg 397 – Sims U. was listed among the Justices present

Pg 400 – Sims U. (appointed Tax Lister) returned his list of taxables for Council's District.

* Add for Pg 374: Ruffin Davis Constable in Capt Council's Dist for 1842 used Sims U. and Redding Hatley as securities.

(21) See O. Henderson U. for a list of his estate sold at auction 08 Dec 1866 by his father Sims U.

(22) From WAKE TREASURES Vol 5 No 2 Summer/Fall 1995 Page 31

BASTARDY BONDS AND RECORDS (Part 16)

abstracted by Madlyn Jamison

NC STATE ARCHIVES: Call No. CR 099.102.2, Folder: 1840-1937 (Broken Series); Folder: 1840-1849

1844

3. MARY SCOT/ELBERT DAVIS

State vs. Elbert **DAVIS** [RECOGNIZANCE BOND] BASTARDY Febry Term 1844. Be it remembered that on the 10th day of February in the year of our lord 1844 Elbert **DAVIS** SIMS UPCHURCH & Sanford **DAVIS** . . . Came before us Willie J. **FULLER** & Hinton **HUDSON** Two of the Justices . . . and severally acknowledged them selves to owe the state . . . said Elbert **DAVIS** Two Hundred Dollars said Sims UPCHURCH and Sanford **DAVIS** in sum of one Hundred Dollars each to be respectively levied on their lands and Tenements goods and Chattels if said Elbert **DAVIS** shall make default in the performance of conditions underwritten Viz. Said Elbert **DAVIS** shall make his personal appearance before the Justices of our Court of pleas and quarter sessions to be held . . . at court house in Raleigh the 3rd Monday of February inst. And there to stand to and abide by Such proceedings as shall be had . . . in relation to a charge of Bastardy lately preferred against him by one Mary **SCOTT** Single woman . . . Taken and acknowledge before us this day and date above written . . . [signed] E. **DAVIS** S.UPCHURCH S. **DAVISS** --- H A **TURNER** JP WILLIE J. **FULLER** JP

Names in Above: Mary Scott
Elbert Davis
Sims Upchurch
Sanford Davis
Willie J. Fuller
Hinton Hudson
H. A. Turner

(23) See Letter 22 May 1987 from Oliver Wingate U. to RPU

At the time of his death, Moses U. was living with his son, Sims Up.

(24) From: Chatham Co., NC 1771 – 1971 By Hadley, Horton, and Strowd Pg 311

A section on fraternal orders describes several, most if not all of which appears to be Mason Lodges, of which the following is presumed to be one:

George Washington Lodge No. 174

George Washington Lodge No. 174, located at Lassiter's Crossroads, was chartered December 5, 1855. William C. Mason was master; J. Broodwell, senior warden; M. C. Lewter, junior warden; Hinton Hudson, secretary; Sims Upchurch, treasurer; William Womble, senior deacon; Joseph Bell, junior deacon; and A. Barbee, tyler.

Dues for the year 1858 were one dollar per member and 75 members are listed in the lodge minute book.

The cornerstone of the lodge was laid by Columbus Lodge No. 102 on September 29, 1859.

In 1882 the lodge moved to Bell's Crossroads and on July 24, 1908, S. M. Baldwin sold the lodge a lot located behind the present Bell's Baptist Church where the lodge now stands.

With the coming of the New Hope Dam the members of George Washington Lodge will be forced to move from the Bell's Community and the Lodge will probably unite with some nearby lodge.

(25) See Letter from Nancy Crayton Dobbins to RPU 29 May 1983

Obituary of J. H. (Henderson) U. appears in 06 Dec 1864 The Daily Confederate newspaper in Raleigh, NC. He died 13 Nov 1864 (Charlottesville, VA) as a result of wounds. Son of Sims U. Article reports Sims U. had 5 sons and 4 sons-in-law in the CSA Army. [Reinspection of the census records in recognition of Henderson's name being J. Henderson U. rather than O. Henderson U. leads to conclusion that the James (T?) U. age 11 in Sims U. household on the 1850 census is probably James Henderson U., if confirmed XID – 4113 (James T. U.) and J. Henderson U. XID – 2039 are one and the same. - RPU]

(26) Minutes of the County Court of Chatham Co., NC – 1894 From: The N. C. Genealogical Society Journal Vol 29 (No 2) May 2003 pg 157 – 204. NOTE: Seven Upchurch references made (involving 3 individuals):

SIM U. (pg 162) / SIMS U. (pg 160, 180, 183, 185) – same person [SIMS U. son of Moses U., Head of Clan]

Feb Term 1844 – pg 160

Ordered that Saml Davis be appointed overseer of the road from Lasater x roads to the Wake line and these hands work under him towit: Burnett Lasater's hands, Sims Upchurch, Nat Ward, William Council, John Utley.

Feb Term 1844 – pg 162 (N. R. Davis elected as Constable)

Also N. R. Davis elected in Capt. Council's district for 1844 entered into bond in the sum of \$4000 with Sims Upchurch, Redding Hatley, and Benj Mason as his sureties and was qualified.

May Term 1844 – pg 180 Poll Keepers Appointed Aug Elections

[“S & C” = code letters (meaning???)]

Lasater's S & C: Wm Merrill, Sims Upchurch, and H. Williams; Gov: Henderson Wilson, shff Capt. S. Wilson.

Aug Term 1844 – pg 183

Sims Up. Is noted as being among 30 Magistrates present in Court.

Aug Term 1844 – pg 185

Administration of all and singular the goods and chattels rights and credits of Elizabeth Patric decd is granted to Kimbro Council who enters into bond in the sum of \$600 with Sims Upchurch and Ensley Council as his securities and is qualified.

Gilliam U. [Son of Moses U. - Head of Clan]

May Term 1844 – pg 175

A deed from Gilliam U. to Saml Wilson proved by Alvin Wilson.

A deed from John Harmon Shff to Gilliam U. proved by S. Brasington.

Murray U. [Son of Moses U. - Head of Clan]

Nov Term 1844 – pg 199

A deed from Kenchen Patrick to Murray U. proved by Lesley Herendon.

(27) See letter 07 Feb 1987 from Oliver Wingate U. to RPU

Shows location of the Sims U. home which is in Chatham Co., NC about a mile south of the H. O. Kelly home on Highway 751.

(28) See notes of RPU visit 05 Sep 1977 to Adelia Jane U..

We rode south on Hwy 751 from the H. O. Kelly Place (Adelia's residence) and just south of the Nursery on the west side of the road, Adelia pointed out the Mulholland Place which Adelia says was the place where Moses U. and his son Sims U. were buried in now unmarked graves. Adelia calls this the Sims U. place – but at another place in the notes she indicates that Murray U., another son of Moses U. was buried with Moses and Sims U. and as a conflict she refers to this as the Murray U. place. Adelia says a distant relative of Moses U. authorized the plowing over of the graves. The Mulholland's are sensitive to many visits.

(29) See UPCHURCH FAMILY by Belle Lewter West – Pg 33

“Moses U. and his wife nee Mary Simms are buried on what is called the “Sims Upchurch” place in Chatham Co., NC on land originally purchased by Moses U. when he left Franklin Co., NC.” According to tradition Moses U. died at 102 to 103 from a fall from a horse while crossing a small stream in which he died. Neither Moses U. nor his wife nee Mary Simms left a will.

(30) See Letter 01 Feb 1983 from Grace Williamson to RPU – NC Supreme Court Case # 5375 – on Jun 1853 Asa Wilson awarded \$23.10 in Costs and Charges from Whitney U. and Sims U. Paid in full.

(31) Partial Extract No. 1 from 26 pg document by Rebecca Lynn McLean to RPU 18 Oct 2009 D/O of Beulah Maybelle Mann MU/WUSC – Candis U. Line.

84. **Moses Upchurch** was born on 13 Feb 1755 in Brunswick County, Virginia. He was the son of 168. Richard Upchurch III(II - RPU). He died on 23 Feb 1853 in , Chatham, North Carolina, USA. He married Mary Simms on 1772 in <Moccasin Creek, Franklin Co., NC>.

85. **Mary Simms**, born 1757 in Wake Co., NC, died 1847 in Chatham Co., NC, married 1772 in <Moccasin Creek, Franklin Co., NC>. She was the daughter of 170. Isham Simms and 171 Mary Murry.

Children of Moses Upchurch and Mary Simms are:

i. Whitney Upchurch, [on partial extract 2 – RPU], born 1792 in Moccasin Creek, Franklin County, N. C., died 1863 in Green Level, Wake Co., NC, married Elizabeth Goodwin 03 Jan 1811 in Wake Co., NC.

ii. Letha Upchurch, born 1773 in Wake, NC, married Hezekiah MASSEY 13 Jan 1807 in Franklin County, NC.

iii. Gillium Upchurch, born 1782 in Wake, NC, died 06 Oct 1854, married Sarah Smith Abt. 1807 in North Carolina.

iv. Mary Upchurch, born 1785 in Wake County, N. C., died 1866, married Adam BUNN 05 Feb 1806 in Wake County, NC.

v. Ruffin Upchurch, born 1787 in Wake, NC, died 14 Mar 1866, married Elizabeth KELLEY Abt. 1812 in North Carolina: married Patsy GOODWIN Abt. 1841 in <Wake County, NC>.

vi. Parthenia Upchurch, born 1788 in Wake, NC, married SMITH Abt. 1808 in North Carolina.

vii. Courtney Upchurch, born 1794 in <, Franklin County, N.C.>, died 1850 in Mareneo Co., AL, married Cynthia RICHARDSON 21 Apr 1814 in Chatham Co., NC.

viii. Calorgy Upchurch, born 1795 in ,, North Carolina, USA, died 1870.

ix. Murray Upchurch, born 01 Nov 1797 in Franklin, NC, died 19 Feb 1872 in Chatham County, NC, married Nancy Scott 23 Aug 1820 in <Franklin, NC>; married Sally TEMPLES Chatham County, NC.

x. Clegg Upchurch, born 1800 in Franklin, NC.

xi. Rachel Upchurch, born Abt. 1802 in Franklin, NC. [New to RPU]

xii. **Sims Upchurch**, born 11 Dec 1808 in Franklin, NC, died 1880 in Chatham County, NC, married Abigail Olive Abt. 1833 in North Carolina; married Tabitha WILLIAMS Abt. 1835 in North Carolina; married Matilda Temples Abt. 1833 in North Carolina.

(32) See Letter 14 Jan 1989 from Vicki Marie Barefoot to RPU

Feb 1833 Chatham Co., NC Court minutes mentions Sims U. to work on road to Wake Co., NC line. Also mentions “Hansel” U. to do the same [Hanson U.]

(33) RPU Theory regarding the possible relationships between the UPCHURCH – LAMBETH – LASSITER – JOHNSON Families of Chatham and Wake Counties, NC

[Lambeth aka Lambert; Lassiter aka Lasater; Lassater, Lassister – all fields as underlined]

A. Known Family Relationships:

I. John Lambeth b () d 1803 (Chatham Co., NC)

A. Thomas Lambeth b abt 17xx – will probated 1836 (Chatham Co. NC)

1. Martha Lambeth md () Dempsey Johnson s/o

John Johnson b abt 1758 () d abt 1848

a. Thomas Lambeth Johnson

(i) Annie Maria Johnson md () Charles Fabius Williams,
s/o John Williams, d 25 Apr 1884

X. John Lasater b abt 1797 () d abt 1844

md () Catherine Lambeth b () d abt 1837

A. Joseph Bell Lasater md 1852 () Quinett Upchurch d/o Sims U.

Y. RPU comments as of 13 Dec 2003 – Possible relationships related to I and X above: Nathan U., 1st, Head of Clan, md () Mackey - - -, thought to have been Mackey Johnson, possibly d/o Julius Johnson. I speculate that somehow the proposed Mackey Johnson could be related to the above families of JOHNSON, LAMBETH, AND LASATER considering that she had grandchildren with given names of Mariah, Lambeth, and Lasater. More especially note that Mackey had a grandson (my Great Uncle) Lambeth Lasater Upchurch – an unlikely combination of given names unless tied to earlier related family members.

(34) Items in Letter received 12 Nov 1987 from Harriet NMN Ratcliffe to RPU

Information obtained from Mrs. West's Book and Irene Olive Kittinger "Councils from VA to N. C.", 1850 and 1860 Census.

Name: Sims Upchurch

Born: Dec. 11, 1808

Place: Chatham County

Married: Dec. 11, 1832

Father: Moses Upchurch, b 13 Feb 1753 or earlier in Brunswick Co. VA – one of the sons of Richard

Mother's Maiden Name: Mary Sims b 1757 md 1772 d 1847

Wife's Maiden Name: Abigail Olive

Born: c1810

Died: Prior to 1850 – Killed by lightening

Her Father: James Olive

Her Mother's Maiden Name: Waitey Strait

Other Wife's: (2nd) Matilda Temples (3rd) Telitha Williams - 1852

Children:

- 1.) Partheny (enia) (F) b 1834 md Lucian Yates
- 2.) Quinetta (Twin) (F) b 1835 md Joseph Bell Lasater Jan. 12, 1852
- 3.) Lucetta (Twin) (F) b 1835 md Matthew Council Aug. 28, 1855 #2 Sam Williams
- 4.) Luraney (F) b 29 Jun 1836 d 19 Jul 1876 md Albert "Hamp" Council
- 5.) Henderson* (M) b 1838 d 1864 md Delia Williams (dau of Marmaduke)
- 6.) Wilford* (Williford) (M) b 1840
- 7.) Winslow*^ (M) b 1842
- 8.) Winship* (M) b 1844 MIA 1861
- 9.) Courtney (M) b 1846 md Eliza Lewis Jan. 14, 1873
- 10.) Alvaney (F) b 1849 md Henderson Council #2 Doc Hargrove

[* All in Civil War – did not return]

[^ 1860 Census - Winston]

Henderson had a daughter Mary T. U. who married Andrew W. Byrd.

His wife was Delia Williams, daughter of Marmaduke Williams.

He is also one of our grandfathers through daughter, Martha Ann, who married Paschal B. Council and they had Theodocia, Carey, and John. Theodocia is our grandmother who married John Sims Lasater.

Note: I have him down being married to Penny ----- So perhaps he had more than one wife.

- (35) 1830 Census of NC shows 0 Sims U.
- (36) 1840 Census of NC shows 1 Sims U. he of Chatham Co.
- (37) Parthenia U. daughter of Simms and Abbie (Olive) U. md 1853 Lucian B. Yates (34, Pg S – 59 – 2)
- (38) See Marriage Bonds – Wake Co., NC – from 31 Oct 1977 Letter Mrs. F. W. Priest to RPU – Paschal B. U. md Telitha Olive – bond date = 05 Dec 1855. Bondsman = S(ims) U.; witness = Thomas J. Utley, Clerk; md 06 Dec 1855 by C. S. Jenkins
- (39) Copy to Jean NMN Lasater – 16 Jun 2011
- (40) Excerpts from: “ The Goodwin Family of Central N. C. “ by Thomas Jerry Goodwin, Sr. 2009 - RPU 29 Sep 2012
- I. William Goodwin, Sr. (aka Wm Kendrick Goodwin b 02 Jan 1748 (NC)
d 1837 (Chatham Co., NC) md 1770 (WC, NC) Winifred Thrailkill
A. Alsey Goodwin “Alsa”
b 1790 (Wake Co., NC)
d Aug 1848 ()
md 9 Feb 1809 (Wake Co., NC)
Elizabeth Richardson “Betsy”
b 1789 (Wake Co., NC)
d 1866

Simms Upchurch Family (pg 103)

1808 - (son of Moses Upchurch)

Simms Upchurch was born on December 11, 1808 in Chatham County the son of Moses Upchurch and Mary Simms. He married Abigail Olive on December 11, 1832 at Wake County. Simms and Abigail had seven known children.

Simms was named guardian of Alsey Goodwin minor children in 1848 when Alsey died.

State of North Carolina Chatham County

Know All Men By These Presents That Simms Upchurch, Kimbes Council, Redding Hatley, all of Chatham County, in the state aforesaid, are held and firmly bound unto the State of North Carolina, in the sum of Eight Hundred Dollars, to be paid to the said State. In Trust, for the benefit of the Children hereafter named, committed to the tuition of the said Simms Upchurch. To which payment well and truly to be made, we bind ourselves and each of us, each and every of our Heirs, Executors and administrators, jointly and severally, firmly by these Presents. Sealed with our seals, and dated the 15th day of February in the year of our Lord 1848.

The condition of the above Obligation is such. That whereas the above bounden Simms Upchurch is constituted and appointed Guardian to Aven W. Goodwin, Paschal B. Goodwin, Joseph P. Goodwin Minor Orphans; now if the said Simms Upchurch shall faithfully execute his said guardianship, by securing and improving all the Estate of the said Aven W. Goodwin, Paschal B. Goodwin, Joseph P. Goodwin That shall come into possession for the benefit of the said Aven W. Goodwin, Paschal B. Goodwin, Joseph P. Goodwin until they shall arrive at full age, or be sooner thereto require, and then render a plain and true account of his Guardianship, on oath, before the Justices of our said Court, and deliver up, pay to, or posses the said Aven W. Goodwin, Paschal B. Goodwin, Joseph P. Goodwin of all such Estate or Estates, as they ought to be possessed of, or to such other persons as shall be lawfully empowered or authorized to receive the same, and the profits arising there from, then this obligation to be void; otherwise to be and remain in full force and virtue.

Witness:

T. L. Riddle

Special Court

Simms Upchurch

K. Council

Redding Hatley

NOTE: The record here does not show intermarriage between Simms U. or his children with the GOODWIN Family. The entry here shows Simms U. became the guardian of the minor children of Alsey Goodwin when he died in 1848.

Simms Upchurch and Olive's children were all born in Chatham County. (1) Parthing Upchurch (untraced) was born in 1834. (2) Laurance [Lewraney] Upchurch (untraced) was born in 1837. (3) James H. Upchurch (untraced) was born in 1839. (4) Williford Upchurch (untraced) was born in 1841. (5) Winship Upchurch (untraced) was born in 1844. (6) Courtney Upchurch (untraced) was born in 1846. (7) Alvaney Upchurch (untraced) was born in 1849. [Note: See RPU Records for correct lists]

RPU NOTES:

1. Simms md (1st) Abigail Olive – who was mother of all of his 10 children
2. Wife's (2) Matilda Temples and (3) Tabitha Williams – produced no issue
3. Embedded Names
The Children:

Avant Wesley Goodwin
Paschal B. Goodwin
Joseph P. Goodwin

Others:
Kimbrel Council
Redding Hatley

(41) Sons of Sims U. who served in the Civil War

1. James Henderson - Enlisted in Virginia at age 24, August 13, 1862. Mustered in as Private. Wounded at Sharpsburg, MD., September 17, 1862. Promoted to Corporal on February 1, 1863. Wounded in the breast at Gettysburg, PA., July 1-2, 1863. Captured at Rappahannock Station, VA., November 7, 1863, but escaped. Promoted to Sergeant in November-December, 1863. Wounded in the arm at Cedar Creek, VA., October 19, 1864. Died in Charlottesville, VA., November 19, 1864 of wounds.

2. Williford - Enlisted at age 20, May 28, 1861 in Wake County. Present or accounted for until missing in action at Cedar Creek, VA., October 19, 1864.

3. Winship - Enlisted in Wake County at age 17, on May 28, 1861. Present or accounted for until captured at Rappahannock Station, VA., November 7, 1863 and confined at Point Lookout, MD. Here he took the Oath of Allegiance on February 17, 1864 and joined Co. E, 1st Regiment U.S. Volunteer Infantry.

4. Winslow - Enlisted in Chatham County on October 24, 1864. Present or accounted for through December, 1864.

Note: All served in Company I - 6th Regiment, North Carolina State Troops (Infantry) [aka Cedar Fork Rifles] – Information from Roster of Cedar Fork Rifles [Transcriber - 18 Jan 2015 Michael Lynn U.]