

**Benjamin Upchurch****XID – 4422**

**Commentary:** Benjamin Upchurch, (1842 – 1848), was the son of Allen and the grandson of Harmon Upchurch, head of Upchurch clan #16. Very little is known of Benjamin and much needs be done.

Acknowledgements: This biofile was transcribed by UAFA Volunteer Coordinator Carla J. Michaels!!

**(1)** See Page 6 of West 15 Mar 1979 letter to RPU

This is will of Allen Upchurch written Aug 1848 in Stanley Co, NC. He names sons **Benjamin Upchurch**, William Upchurch, Patrick Bogan Upchurch, James Upchurch, John Upchurch.

[Harmon Upchurch/ Allen Upchurch Sub-clan – **Benjamin Upchurch** Line]

**(2)** See Page 4 of West letter 15 Mar 1979 to RPU

**Benjamin Upchurch** had 3 brothers: William Upchurch, P B (Patrick) Upchurch, John Dudley Upchurch born 31 Jul 1824 and James Upchurch. Their father was Allen Upchurch born 178? – 1790 (approx.).

[Note: Other info shows John Dudley Upchurch = John Dudney Upchurch – RPU]

**(3)** Per attachment #15 West letter 18 May 1975 – **Ben Upchurch** moved to Lynn, Ark from NC. He was one of 3 sons of unknown father who moved with his 3 sons to Conway Co, AR in 1859. Other sons were B Dudley Upchurch [I presume this – P B Upchurch – RPU] born in NC died 1885, William Upchurch

[RPU note: The father was Allen Upchurch, Head of the Harmon Upchurch/ Allen Upchurch Sub-clan]

**(4)** See letter 29 Jul 1981 William Wesley Upchurch to RPU

William Wesley Upchurch includes a page of notes made in discussion with his grandfather William Andrew Upchurch circa 1958. William Andrew Upchurch recalls that his grandfather P B Upchurch (Patrick Bogan Upchurch) had a brother **Ben Upchurch** and that **Ben Upchurch** had sons John Upchurch and Tom Upchurch. In connection with **Ben Upchurch** the notes have the name Lynn, AR.

**(5)** See letter Charles Edgar Crow to RPU Mar 1985

Franklin Upchurch born 23 Nov 1856 died 14 May 1859 age 2 years, 5 months, 2 days and is buried in abandoned cemetery in Stanly Co, NC – the Allen Upchurch Cemetery.

[This Franklin Upchurch is most likely a grandson of Allen Upchurch and the two most likely candidates for a father are **Benjamin Upchurch** and his brother James Upchurch XID – 432 – RPU]

**(6)** See 1880 Census – Conway Co, AR, Lick Mts, ED 41, Sheet 30

<b><u>Benjamin Upchurch</u></b>	WM	61	born NC	
Eliza Upchurch	W	53	born NC	
Thomas G Upchurch	S	24	born NC	
Mayans E Upchurch	D	21	born NC	[Margaret D Upchurch?]
Mary F Upchurch	D	19	born NC	
Nancy C Upchurch	D	15	born NC	
Sarah J Upchurch	D	13	born NC	
John B Upchurch	S	10	born NC	

**(7)** 1850 Census – Stanley Co, NC – Albemarle Dist, 872-877

<b><u>Benjamin Upchurch</u></b>	farmer	32	M
Eliza Upchurch		25	F
William A Upchurch		1	M

**(8)** 1860 Census – Stanley Co, NC – 199-199, Albemarle Dist, Page 30, 12 Jun 1860

<b><u>Benjamin Upchurch</u></b>	42	M	farmer
Eliza Upchurch	37 or 32	F	
Will A Upchurch	11	M	
Henry Upchurch	9	M	
Leonard Upchurch	7	M	
Thomas Upchurch	5	M	
Margaret Upchurch	3	F	

**(9)** See letter 1 Oct 1985 David Joe Deese to RPU

Stanly Co, NC 14 Feb 1843 – **Benjamin Upchurch** – enters 100 acres of land on the waters of Jacob’s Creek near Alsey Smith (later written – “Transferred to Alsey Smith)

[Note: presume this Benjamin Upchurch = XID – 4422 – RPU]

**(10)** See Warrant No 185 filed with William Allen Upchurch, I dated 10 Dec 1840 which grants him 100 acres of land – document continued to 10 mar 1841 and 21 Mar 1841. Signed by 2 brothers of W A Upchurch, I – namely Patrick Bogan Upchurch and **Benjamin Upchurch**.

**(11)** See letter 30 Sep 1997 Barbara Lynn chambers to RPU

1870 Census – Stanly Co, NC [ ] = added from RPU Census File

<b><u>Benjamin Upchurch</u></b>	51	[farming]
Eliza Upchurch	28	
Henry Upchurch	17	
Leonard Upchurch	15	
Margaret Upchurch	13	
Thomas Upchurch	10	

Delany Upchurch	9
Sarah J Upchurch	5
John B Upchurch	3

[Arch Mabrey	20
Polly Mabrey	21
Nancy Upchurch	7]

“There is no mention of a daughter Nancy Upchurch, however a few households away there is a 7 year old Nancy Upchurch living with Arch and Polly Mabrey”.

[Note: This list is also missing daughter Mary F Upchurch who would have been 9 years old in 1870 and this 1870 list shows a daughter Delany Upchurch, not otherwise known – RPU]

[Could Mary F Upchurch and Delany Upchurch be the same? – RPU]

**(12)** See letter 15 Sep 2000 Kevin Michael Burton to RPU, Page 4  
**Benjamin Upchurch** married ( ) Eliza A --- born about 1827 (NC)

**(13)** Excerpt from book “The Upchurches” by Mae D Cox Apr 2008  
 Item:

Sixth Generation  
 Allen Upchurch  
 Pages 137 – 171 copied for his biofile

I. Michael Upchurch, I 1620 – 1681

2. Richard Upchurch 1658 – 1700

3. John Upchurch, I 1678 – 1758

4. James Upchurch, III 1724 – 1784

5. Harmon Upchurch 1740 – 1815

6. Allen Upchurch 1779 – 1848

+ Mary Dudney 1790 – 1850

7. Elizabeth Ann Upchurch 1805 –

7. William Allen Upchurch 1808 – 1884

7. Catherine Upchurch 1810 –

7. Patrick Bogan Upchurch 1816 – 1885

7. **Benjamin Upchurch** 1819 –

7. John Dudney Upchurch 1824 – 1857

7. James Upchurch 1828 –

**(14)** 1850 Census – Stanley Co, NC – Albemarle Dist #9

**Benjamin Upchurch** farmer 32 M farmer (born about 18-8)

Eliza Upchurch 25 F

William A Upchurch 1 M (born about 1845)

**(15)** Letter 15 Sep 1993 Truex Newman Upchurch to RPU, Page 12

From records of the Clerk of the Court, Stanly Co, NC

Reference S-88, Page 151

[**Benjamin Upchurch** XID – 4422 is head of a line in the Harmon Upchurch/ Allen Upchurch Sub-clan]

#### JAMES A UPCHURCH TO BENJ UPCHURCH

This Indenture made this 12th day of June 1858 Between Jas A Upchurch of the County of Stanly & State of N Carolina of the one part and **Benjamin Upchurch** of the County of Stanly & State of N Carolina of the second part Witnesseth that for & in consideration of the sum of one dollar in hand by the said James Upchurch to the Said **Benj Upchurch** I the said Jas A Upchurch do bargain sell & convey unto the said **Benj. Upchurch** his heirs or assigns all my present growing crop of wheat & corn to have & to hold to the Said **Ben Upchurch** for the purposes hereinafter Mentioned to Wit: whereas I the Said James Upchurch being justly indebted to the said **Ben Upchurch** in the sum of sixty five dollars due by note & dated Novr. 12th 1857 also one other note for forty five dollars & dated 3rd of March 1858 and whereas the said Jas A Upchurch being honestly desireous to secure the payment of the same to the said **Ben Upchurch** so as to save harmless the said **Ben Upchurch** Now therefore if the said debts or any part thereof shall remain unpaid on or before the first day of January next then in that case it shall be the duty. of the said **Ben Upchurch** to advertise in three public places in Stanly County & sell said property for ready money to the highest bidder and if a remainder he covenants & agrees to pay over all except the expenses of this trust to the said James Upchurch his heirs or assigns In testimony whereof we the parties hereunto set our hands & seals the day & year first above writen Signed sealed & delivered in presence of J Marshall

J.A Upchurch (seal)

**Benj. Upchurch** (seal)

North Carolina: June 12th 1858

Stanly County: Then the execution of deed of trust was proved on the oath of J Marshall therefore let it be registered

R Harris Clk

Registered 12th June 9 oclock P. M. 1868

S. S. Stone Repr

**(16)** In letter 15 Sep 1993 Truex Newman Upchurch to RPU, Page 14

From records of the Clerk of the Court, Stanly Co, NC

Reference S-88, Page 336

#### JAMES A. UPCHURCH TO **BENJAMIN UPCHURCH**

This Indenture made this the 9th day of November A D 1851 between James A Upchurch of the County of Stanly and of the one part and **Benjamin Upchurch** of the of the second part

Witnesseth, that the said State of North Carolina County & State aforesaid, James A. Upchurch for and in Consideration of the sum of one Dollar in hand paid by the said **Benjamin Upchurch** the receipt whereof is hereby acknowledged and for diverse other consideration hereinafter mentioned do bargain, sell & convey & confirm unto the said **Benjamin Upchurch** his heirs or assigns the following property to wit: One mule one Bay mare, one 2 horse wagon, & harness, Eighteen head of hogs one hundred & fifty bushels of corn, Twenty bushels of wheat, two thousand pounds of seed cotton, all the hay, fodder, shuck & straw, that I now have, three head of cattle, one clock, one stand of Bees And whereas I the said Jas A Upchurch am indebted in the following sums to wit one judgment due to the said **Benjamin Upchurch** for twenty five dollars, one ditto to come for twenty five Dollars both dated 13th of Augt 1857 one bearing Int from 3rd of December 1856 with 40 cents costs the other bearing Int. from the 10<sup>th</sup> Febr 1857, with 40 cents cost, two Judgment to J. O. Rose, one fifty Dollars with Int & cost, the other for about Seventeen Dollars with Int & cost, the execution one the first named fifty Dollars Judgment, stayed by the said **Benjamin Upchurch**, one note made to Martin Shoffner, Admr. of Jno. D. Upchurch for Twenty Seven Dollars & thereabouts, dated sometime in August 1857 & due one day after date with the said **Benjamin Upchurch** as security one note to A. J. Dargan for ten Dollars dated in August 1859 & due one day after date with **Benjamin Upchurch** for security & one note to Jas. L. Gaines, dated & due as above with the said **B Upchurch** as security & whereas the said Jas A. Upchurch being desirous to secure the payment of aforesaid debts, now therefore to the full meaning and intent of these premises, I the said Jas A Upchurch do hereby warrant & defend the right and title of the aforesaid property to the said **Benjamin Upchurch** in Trust for the payment of the aforesaid debts until the 1st day of November 1858 at and after which time should the aforesaid debts or any part thereof remain unpaid then the said Ben. Upchurch to advertise according to Law and sell on the premises of the said Jas. A Upchurch, all the above mentioned property or so much thereof as shall be of value sufficient to pay the aforesaid debts or such part or parts of them as shall remain unpaid, together with all the costs & expenses incident hereto the said **Benjamin Upchurch** being thereunto moved at his own descretion.

In witness whereof we the said parties have hereunto set our hands and seals the day first above written.

Witness

J. A. Upchurch (Seal)

J. F. Stone

**Benjamin Upchurch** (Seal)

North Carolina: Novr 9th 1857

Stanly County: Then the Execution of this Deed of Trust was proved on the oath of J F Stone therefore let it be registered

Registered Novr 9th 1857

R Harris Clk

S. S. Stone Regr

By J. D. Hearne Dpty.

**(17)** See Census Index File – computer output primarily for 1850 & 1860 heads of households. Document provided in letter 5 Dec 1999 Margaret Louise Harris to RPU

1. UPCHURCH, REBECCA	STANLY CO.	NC 003 CENTRE DIST # 1 1850
2. UPCHURCH, WILLIAM	STANLY CO.	NC 004 CENTRE DIST # 1 1850
3. UPCHURCH. MARY	STANLY CO.	NC 004 CENTRE DIST # 1 1850
4. UPCHURCH, BENJAMIN	STANLY CO.	NC 004 CENTRE DIST # 1 1850
5. <b><u>UPCHURCH, BENJAMIN</u></b>	STANLY CO.	NC 061 ALBEMARLE DIST. # 9 1850

[Note: of the above 5 entries for Stanly Co, NC 1, 2, & 3 were already in RPU Census File. As regards #4 & #5 RPU had one Benjamin Upchurch as a head of a household but not a second Benjamin – Head of Household. Note from above the 2 Benjamins are on different pages (004 & 061) and in different districts. – RPU]

**(18)** See letter 11 Feb 1985 Charles Edgar Crow to RPY

His sources report – 1841 Tax List Stanly Co, NC, District #1

Howell Upchurch	314 acres on Jacob's Creek	value \$314.00	no poll	paid \$.85
William Upchurch	200 acres on Ashe Free Fork	value \$300.00	no poll	paid .81
[William Allen Upchurch]				
T B Upchurch			1 poll	paid .50
[Patrick Bogan Upchurch]				
<b><u>Benjamin Upchurch</u></b>			1 poll	paid .50

[Note: This Benjamin Upchurch on the 1841 Tax List could have been either of the two Benjamins shown below. Hence will place a copy of this record in the biofile of each:

I. Harmon Upchurch – Head of Clan

A. Benjamin Upchurch XID – 35319

B. Allen Upchurch

1. **Benjamin Upchurch** XID – 4422

**(19)** From email 15 Mar 2010 Shirley Andrews to RPU

I. Harmon Upchurch – Head of Clan

A. Allen Upchurch

1. **Benjamin Upchurch**

a. Henry M A Upchurch (vs. Henry N Upchurch)

**Benjamin** 1819 NC 1890 Conway Ark married Elizabeth 1822 NC

They had 9 children (from census records)

2nd son Henry M A Upchurch 1851 -12 March 1905 buried in Cupco Cem OK

His name, age is from family, census and marriage records.

Death date is from family and age of daughter born after his death. Sarrah (her spelling) Jane Upchurch 23 Sept 1905

Henry died on the 12 birthday of his son John Wesley born 12 March 1893 per family of John. So I have used this death date.

In the Cupco Cemetery Henry is listed a John Upchurch on his headstone (My over zealous brother in laws error)

**(20)** Census Records for the Benjamin Upchurch Line in the Harmon Upchurch/ Allen Upchurch Sub-clan – extracted by RPU 16 Mar 2010

1850 Census – Stanly Co, NC – Albemarle			
Name	born about	age	
<b>Benjamin Upchurch</b>	1818	32	farmer
Eliza Upchurch	1825	25	
Wm A Upchurch	1849	1	

1860 Census – Stanly Co, NC – Albemarle			
Name	born about	age	
<b>Benjamin Upchurch</b>	1818	42	farmer, \$860/ 150
Eliza Upchurch	1823	37	
Will A Upchurch	1849	11	
Lenoard Upchurch	1853	7	
Thomas Upchurch	1855	5	
Margarett Upchurch	1857	3	

1870 Census – Stanly Co, NC – Center = Home, PO: Albemarle			
Name	born about	age	
<b>Benjamin Upchurch</b>	1819	51	
Eliza Upchurch	1842	28	
Henry Upchurch	1853	17	
Leonard Upchurch	1855	15	
Thomas Upchurch	1859	11	
Margaret Upchurch	1857	13	
Delacy Upchurch (F)	1861	9	Delany Upchurch
Sarah J Upchurch	1865	5	
Jno B Upchurch	1867	3	

1880 Census – Conway Co, AR – Lick Mountain			
Name	born about	age	
<b>Benjamin Upchurch</b>	1819	61	head, married**
Eliza A Upchurch	1827	53	married**
Thomas G Upchurch	1856	24	son, single
Margaret E Upchurch	1859	21	dau, single
*Mary F Upchurch	1861	19	dau, married
*Nancy C Upchurch	1865	15	dau
Sarah J Upchurch	1867	13	dau
John B Upchurch	1870	10	son

\*In 1880 Mary F Upchurch is age 19 and Nancy C Upchurch is 15 but neither is on 1870 Census unless one of them is same as Delaney Upchurch age 9 in 1870.

\*\* Not found in AR in 1900

1900 Census – Indian Territory, Chickasaw Nation – Township 3			
Name		age	
Henry Upchurch	Jan 1853	47	NC
Elizabeth T Upchurch	May 1862	38	AR, [10, 7]
Iva E Upchurch	Dec 1883	16	AR, D
Adam H Upchurch	Jan 1886	14	AR, S
David R Upchurch	Jan 1888	12	AR, S
Mertie M Upchurch	May 1891	9	IT, D
John W Upchurch	Mar 1893	7	IT, S
Hattie C Upchurch	Apr 1897	3	IT, D
Abner W Upchurch	Dec 1899	5/12	IT, S

1910 Census – Murray Co, OK, Mosely			
Name		age	
*John Daniels	1858	52	MO, head, S?
Lizzie Upchurch	1866	44	AR, housekeeper, widow, [12, 9]
Hattie C Upchurch	1898	12	OK, dau
Abury W Upchurch	1901	9	OK, son
Henry A Upchurch	1903	7	OK, son
Sarah J Upchurch	1906	4	OK, dau

\*One conclusion is Lizzie is only housekeeper for John, a single man, but is there more?? – RPU

## I. Harmon Upchurch – Head of Clan

### A. Allen Upchurch

#### 1. **Benjamin Upchurch**

married ( ) Eliza A ---

a. William A Upchurch – not found in 1870 in NC or AR

b. Henry Upchurch  
 married ( ) Elizabeth Tisdale Lofland } neither found on  
 1880 AR Census

- i. Iva Eve Upchurch
- ii. Adam Hobart Upchurch
- iii. David Riley Upchurch
- iv. Myrtle May Upchurch
- v. John Wesley Upchurch
- vi. Hattie Corinna Upchurch
- vii. Abner W Upchurch
- viii. Henry A Upchurch
- ix. Sarah Jane Upchurch



- x. } These 3 children
- xi. } died as infants before
- xii. } the 1900 Census

- c. Leonard Upchurch
- d. Thomas G Upchurch
- e. Margaret E Upchurch
- f. Delany Upchurch
- g. Sarah J Upchurch
- h. John B Upchurch
- i. Mary F Upchurch
- j. Nancy Katherine Upchurch

**(21)** Heritage of Scottie Jean Lynch of the Harmon Upchurch/ Allen Upchurch Sub-clan – from her email of 28 Oct 2015 to RPU – 29 Oct 2015

#### I. Harmon Upchurch – Head of Clan

##### A. Allen Upchurch

1. **Benjamin Upchurch** born 1818 (Montgomery Co, NC) died after 1880 Lick Mt, Conway Co, AR)

married about 1848 (Stanly Co, NC) Elizabeth --- --- died after 1880 (Conway Co, AR) – both last seen on 1880 Census

a. Margaret Elizabeth Upchurch born 18 Sep 1858 (Stanly Co, NC) died after 1910 Census (Berwyn Co, AR)

married 12 Oct 1882 (Conway Co, AR) William Washington Brock born Oct 1858 (Van Buren Co, AR) died after 1920 (Pittsburg Co, OK)

i. Zora Brock born Nov 1886 (Van Buren Co, AR) died 2 Aug 1914 (Gainesville, Cooke Co, TX)

married 1 Feb 1905 (Berwyn Co, OK) John Wesley Lynch born 6 Aug 1868 (Gainesville, Cooke Co, TX) died 23 Nov 1943 (Tulare, CA)

(I) Louis Franklin Lynch born 15 Jun 1913 (Gainesville, Cooke Co, TX) died 22 Sep 1998 (Tulare Co, CA) married 1 Oct 1938 (Visalia, Tulare Co, CA) Delois Sally Foster born 8 Oct 1916 (Sims, Montgomery Co, AR) died 4 Jul 2010 (Carlsbad, San Diego Co, CA)

(A) Scottie Jean Lynch born 11 Dec 1939 (Riverside Co, CA) grew up in Visalia, Tulare Co, CA. I now live in Lawton, Comanche Co, OK married ( ) --- --- Finney