

UPSHAW FAMILY JOURNAL

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| <u>Table of Contents</u> | <u>Page</u> |
|---|-------------|
| The Editor's Desk | 50 |
| Alabama | |
| Census index, 1840 & 1850 | 50 |
| Barbour County | 51 |
| Butler County | 52 |
| Crenshaw County | 52 |
| Randolph County | 52 |
| St. Clair County | 52 |
| Shelby County | 53 |
| Tallapoosa County | 53-59 |
| Winston County | 59, 60 |
| Book Review | 61 |
| Georgia | |
| <u>The Christian Index</u> | 61, 62 |
| Kentucky | 62-64 |
| <u>History of the Upshaws, Lafons, Jacksons and Youngs</u> | 64-69 |
| Masonic Records | 70-74 |
| Book Reviews | 69, 74 |
| Upshaw Family Record Sheets | |
| #1B912(10)A) Middleton Upshaw & Susanna Berry | 75, 76 |
| #1B912(10)B) Middleton Upshaw & Margaret Elizabeth (Stepp) Darden | 77 |

Managing Editor

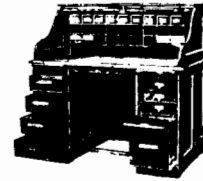
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THE EDITORS DESK



This issue of the UFJ contains all Alabama County material from our files, including extensive research in Tallapoosa County, where Middleton Upshaw, believed to be a son of Forrester and Ann (Faulkner) Upshaw, lived and died. Tallapoosa County has been largely ignored by researchers in the past, partly because of the difficulties in securing records from there. We have found the courthouse personnel in Dadeville most helpful and cooperative and, thanks to their helpfulness with our sometimes unusual requests, we have been able to obtain the voluminous records of the Upshaw family in that county. I also wish to thank our cousin, Mr. W. Roy Upshaw of Waco, Texas, who made this issue possible. I hope you find this information as interesting as I have.

For other Alabama Upshaw records, please refer to UFJ, Vol II, issue no. 3 and Vol VI, issue no. 2.

Ted O. Brooke

Ted O. Brooke,
Editor

ALABAMA

Alabama 1840 Census Index; Accelerated Indexing Systems, Bountiful, Utah, 1977.

| <u>name</u> | <u>county</u> | <u>page</u> | <u>printed in UFJ</u> |
|---------------|---------------|-------------|-----------------------|
| Upshaw, L. | Barbour | 069 | Vol I, pg 55 |
| Upshaw, Leroy | Butler | 152 | Vol I, pg 55 |

Alabama 1850 Census Index; Accelerated Indexing Systems, Bountiful, Utah, 1976.

| <u>name</u> | <u>county</u> | <u>page</u> | <u>printed in UFJ</u> |
|---|---------------|-------------|-----------------------|
| Upphurs(?), John | Walker | 275 | Vol VI, pg |
| (Editor's note: This is not an Upshaw family) | | | |
| Upshan, William | Butler | 181 | Vol II, pg 91 |
| Upshaw, Alexander | Tallapoosa | 002 | Vol II, pg 97 |
| Upshaw, Brase(?) | Butler | 198 | Vol II, pg 91 |
| Upshaw, James J. | Limestone | 042 | Vol II, pg 94 |
| Upshaw, James R. | Barbour | 251 | Vol II, pg 109 |
| Upshaw, Leroy | Barbour | 251 | Vol II, pg 88 |
| Upshaw, Leroy | Butler | 199 | Vol II, pg 91 |
| Upshaw, Leroy | Butler | 198 | Vol II, pg 91 |
| Upshaw, Rebecca | Butler | 246 | Vol II, pg 91 |
| Upshaw, William | Butler | 247 | Vol II, pg 91 |
| Upshaw, William L. | Limestone | 100 | Vol II, pg 94 |
| Upshaw, William T. | Barbour | 251 | Vol II, pg 88 |

Barbour County

Abstracts of Wills and Estates; Books I & II, 1835-1847; Volume I, compiled by Helen S. Foley, 1971 (fully indexed).

(Leroy Upshaw estate):

page 18, 19; OCR Book I:

Page 228: Will of Leroy Upshaw.

Page 279: Appraisal of the estate of Leroy Upshaw by James R. & William T. Upshaw, excrs. 7 Dec 1841.

page 52; OCR Book II:

page 27: Return of James R. Upshaw & William T. Upshaw, excrs. of the estate of Leroy Upshaw. 4 May 1844.

page 58: Notes due the estate. 27 Feb 1843.

page 160: Division of slaves to heirs:

Catherine Dale (note: First Marriage Records, Barbour County, Alabama: Robert O. Dale and Catherine Upshaw married 31 July 1843).

James R. Upshaw

William T. Upshaw

Leroy Upshaw, Jr.

Sarah Francis Rivers, wife of John F. Rivers. 21 Dec 1844.

page 209: Return of James R. & William T. Upshaw. 24 Nov 1845.

Abstracts of Wills and Estates; Book III & IV, 1847-1852; Volume II, compiled by Helen S. Foley, 1971 (fully indexed).

(James R. Upshaw estate):

page 81; OCR Book IV:

page 558-9: Will of James R. Upshaw.

page 590: Bond of William T. Upshaw as excr. of the will of James R. Upshaw. Bondsmen: Leroy Upshaw and John Rivers. 21 July 1852.

page 664-6: Inventory and appraisal of the estate. 18 Oct 1852.

Masonic records; original source unknown (contributed by Mrs. Sarah Schulz).

Chapter No. 68 Halsey:

William T. Upshaw - initiated 21 Mar 1846/demitted 15 Sep 1869.

James R. Upshaw - initiated 2 May 1846/demitted 15 Sep 1849.

Leroy Upshaw - initiated 17 Sep 1858/demitted 28 Nov 1868.

John B. Upshaw - 22 Jul 1865/died 9 Nov 1870.

Butler County

Butler County in the Nineteenth Century; by Marilyn Davis Hahn, Birmingham, Ala., 1978.

page 168: Real estate taxes for 1856; precinct no. 4:

Leroy Upshaw
Rebecca Upshaw

Butler County, Alabama, Obituaries; by Marilyn Davis Hahn, 1977:

John B. Upshaw, 22, died Jan. 27, 1887, in Greenville. (issue of Feb. 2, 1887).

1860 Butler County, Alabama, Mortality Census Schedule (being a list of persons who died during the year ending 1 June 1860 in Butler County):

| | <u>name</u> | <u>age</u> | <u>sex</u> | <u>birthplace</u> | <u>marital status</u> | <u>month died</u> |
|--|--------------|------------|------------|-------------------|-----------------------|-------------------|
| | H. A. Upshaw | 34 | f | Alabama | single | October |
| | S. A. Upshaw | 2/12 | f | Alabama | single | August |

Crenshaw County

Crenshaw County Alabama Marriage Records, April 7, 1912 - October 12, 1915; by Alabama Genealogical Records Committee, DAR, 1935 (arranged alphabetically by grooms).

No Upshaw, or variant, groom references.

Randolph County

1860 Federal Census; Northern Division, dwelling 255:

| | | | |
|-------------------------------|--------|--------------------------|--------------|
| John V. McKee (and family) | age 35 | \$3,000 RE | born Georgia |
| Anna Upshaw | age 18 | occupation: "D. H. Wall" | born Georgia |

St. Clair County

Original Marriage Records; researched by Miss Elizabeth Lonnergan, Ashville, Ala. (Editor's note: see Marriages of St. Clair County, Alabama, by McGuire and Gandrud in UFJ Vol II, page 96; Marriage Book 1, or "B", page 105, reflects that Thomas Alman married Charity Galbreath, not Catherine Upshur).

Rody Upshaw to Elijah Smith; license 19 Dec 1833, married 22 Dec 1833
(Marriage Record Book 1, or "B", page 85)

Catharine Upshaw to Jasper Smith; license 28 Sep 1835, married 28 Sep 1835
by James H. Neal, J.P. (Marriage Record Book 1, or "B", page 106)

Shelby County

Marriages (dates of marriage records searched unknown; furnished by Ms. Lorene Falkner, Judge of Probate Office, Columbiana, Ala).

Bobby Lee Upshaw (col) & Gail Ann Riggins (col), 6 Nov 1968
 Cliff Upshaw & Miss Louise Clark, 19 Sep 1911
 Coleman Upshaw & Miss Nannie Huffman, 6 Apr 1899
 George Upshaw (col) & Ellen McCoy (col), 19 May 1887
 (bond by George Upshaw and Nature(sic) "Nate" Rushing)
 J. A. Upshaw & Miss Sudie Reynolds, 8 Jun 1899
 Joseph Thomas Upshaw & Miss Nancy Music, 30 Sep 1894
 Oscar Upshaw & Miss Matilda Hardaman, 23 Dec 1896

Tallapoosa County

1870 Federal Census; (contributed by Mrs. Sarah Schulz; also read by Ted O. Brooke - I cannot explain the absense from this census of the Middleton Upshaw family who are not found here or in Meriwether Co., Ga., in 1870).

Oakpuska(?) Beat, page 6, dwelling no. 46:

| | | | |
|--------------------------------------|--------|------------|--------------|
| John Upshaw | age 34 | (\$800 RE) | born Georgia |
| Sarah Upshaw | age 30 | | born Georgia |
| Alice Upshaw | age 14 | | born Georgia |
| Luna Upshaw | age 10 | (male) | born Georgia |
| John Upshaw | age 5 | | born Georgia |
| Lilly Upshaw | age 1 | | born Alabama |
| Berrey Sterling | age 18 | | born Alabama |
| (occupation: "earning money by lab") | | | |

1880 Federal census; (contributed by Mrs. Melba Twitty).

dwelling no. 177, family no. 177:

| | | | | |
|---------------|--------|--------|--------------|----------|
| Upshaw, J. A. | male | age 45 | born Georgia | (farmer) |
| Sarah F. | female | age 38 | born Georgia | |
| Luna | male | age 20 | born Georgia | |
| John F. | male | age 14 | born Georgia | |
| Lilla G. | female | age 11 | born Alabama | |
| Mary A. | female | age 10 | born Alabama | |

Marriage Records, Book No. 1 (1835-1887); indexed by male and female (contributed by Mr. Roy Upshaw and Mrs. Gwen Hill). (Editor's note: reference in UFJ Vol II, page 97, to "Tallapoosa County Marriages, 1835-1900", should be changed to read "Tallapoosa County Marriages, 1888-1900")

Bond for marriage of Middleton Upshaw and Margaret E.(sic) Darden by Middleton Upshaw and Henry A. Garrett on 5 Jan 1860; wit by A. D. Sturdivant.
 Marriage of Middleton Upshaw and Margaret P.(sic) Darden on 5 Jan 1860 by P. P. McCrew, M.G. (Book IV, page 695).

Bond for marriage of John A. Upshaw and Sarah A.(sic) Talbot by John A. Upshaw and Andrew D. Wortham on 14 Mar 1868; wit by Allen D. Sturdivant. License issued 14 Mar 1868 by Allen D. Sturdivant, Judge of Probate. Marriage of John A. Upshaw and Sarah F.(sic) Talbot on 22 Mar 1868 by R. H. Hunt. (Book 7, page 36).

Bond for marriage of Middleton K. P. Upshaw and Mary M. Gregory by Middleton K. P. Upshaw and James Gregory on 16 Dec 1871; wit by Allen D. Sturdivant. License issued 16 Dec 1871 by Allen D. Sturdivant, Judge of Probate. Marriage data not returned and entered on record. (Book 7, page 592).

Bond for marriage of Alice E. Upshaw and Henry M. Norris by Henry M. Norris and John A. Upshaw on 15 Jan 1872. License issued to Alice E. Upshaw and Henry M. Norris on 15 Jan 1872. Marriage of Alice E. Upshaw and Henry M. Norris on 25 Jan 1872. (Book 7, page 620).

Bond for marriage of William J. D. Upshaw and Permelia H. Henderson by William J. D. Upshaw and W. J. Coley on 4 Dec 1875; wit by T. S. Sturdivant. License issued 4 Dec 1875 by Allen D. Sturdivant, Judge of Probate. Marriage of William J. D. Upshaw and Permelia H. Henderson on 9 Dec 1875. (Book 8, page 206).

Bond for marriage of Susan M. Upshaw and John S. Jones by John S. Jones and Benjamin P. Young on 13 Dec 1877.

License issued to Susan M. Upshaw and John S. Jones on 13 Dec 1877.

Marriage of Susan M. Upshaw and John S. Jones on 27 Dec 1877 by P. P. Young. (Book 8, page 58).

"The undersigned father of Susan M. Upshaw, a female under the age of 18 years, hereby consents to the marriage of said Susan M. Upshaw with one John S. Jones and that license may for that purpose be issued by your Honor. Given under my hand, this the 10 day of December 1877."

wit: P. P. Young

(signed) "Middleton Upshaw"

Bond for marriage of Leonidas A. Upshaw and Jerusha Humphries by Leonidas A. Upshaw and William J. D. Upshaw on 6 Nov 1879; wit by Allen D. Sturdivant.

License issued 6 Nov 1879 by A. D. Sturdivant, Judge of Probate.

Marriage of Leonidas A. Upshaw and Jerusha E. Humphries on 16 Nov 1879. (Book 8, page 519).

Bond for marriage of Leroy C. Upshaw and Emma B. Young by Leroy C. Upshaw and John F. Swint on 10 Dec 1879; wit by Allen Sturdivant.

License issued 10 Dec 1879 by Allen Sturdivant, Judge of Probate.

Marriage of Leroy C. Upshaw and Emma B. Young on 23 Dec 1879 by W. J. D. Upshaw. (Book 8, page 543).

Bond for marriage of L. L. Upshaw (groom) and P. L. Banks (bride) by L. L. Upshaw and A. M. Norris on 5 Dec 1881; no witness.

License issued on 5 Dec 1881 by R. A. J. Cembee(?), Judge of Probate.

Marriage of L. L. Upshaw (groom) and P. L. Banks (bride) on 8 Dec 1881 by R. A. J. Cembee(?), M.G. (Book 9, page 164).

Bond for marriage of T. L. Upshaw and Virginia M. Russell by Thomas Upshaw and W. H. Payne on 11 Jan 1882; wit by R. A. J. Cembee.
 License issued on 11 Jan 1882 by R. A. J. Cembee, Judge of Probate.
 Marriage of Thomas L. Upshaw and Virginia M. Russell on 12 Jan 1882 by J. L. Jones, J.P. (Book 9, page 154).

Bond for marriage of Ida Upshur(sic) and J. T. Hardy to J. T. Hardy and John H. Allen on 16 Apr 1884.
 License issued to Ida Upshur(sic) and J. T. Hardy on 16 Apr 1884.
 Marriage of Ida Upshur(sic) and J. T. Hardy on 17 Apr 1884 by A. R. Tucker. (Book 9, page 330).

Bond for marriage of Dorris G. Upshaw and Isaac M. Willis to Isaac M. Willis and J. R. Ballard on 20 Dec 1884.
 License issued to Dorris G. Upshaw and Isaac M. Willis on 20 Dec 1884.
 Marriage of Dorris G. Upshaw and Isaac M. Willis on 25 Dec 1884 by W. J. D. Upshaw, M.G. (Book 9, page 353).

Bond for marriage of M. N. (A.?) Upshaw (bride) and S. Parkman (groom) to S. Parkman and S. H. Gillam on 13 Oct 1893.
 License issued to Miss M. N. (A.?) Upshaw and S. Parkman on 13 Oct 1893.
 Marriage of M. N. (A.?) Upshaw (bride) and S. Parkman (groom) on 15 Oct 1893 by W. Wilkes, M.G. (Book ____, page 429).

Middleton Upshaw estate; Probate Office, loose records; contributed by Mrs. Gwen Hill and Mr. Roy Upshaw (items arranged in chronological order).

- 1) Middleton Upshaw will; dated 10 Aug 1881, filed 14 Aug 1883:
 (Will Book 2, pages 178-180)

The State of Alabama /
 Tallapoosa County / Know all men by these presents, that I, Middleton Upshaw of the county of Tallapoosa and state of Alabama, considering the uncertainty of this life and being of sound mind and memory do make, declare and publish this my last will and testament:

1st. I give and bequeath unto my beloved wife Margaret E. Upshaw, the use, improvements, and income of my dwellings, houses, lands, and their appertanances situated in Tallapoosa County and state of Alabama, during her natural life for the support of herself and the education & support of my minor children; and in the event that she depart this life, that my minor children be seized and bequeathed with the same improvements, and incomes, of my dwellings and lands as aforesaid for their support, maintainance & education during their state as minors and at the maturity of my youngest son to age, Oscar T. D. Upshaw, then said premises to be sold and equally divided among my legal heirs at law; only as hereafter provided.

2nd. I give and bequeath to my son Oscar T. D. Upshaw two hundred dollars in excess of his equal interest or share in my estate to be paid over to him by my executors at the final division, provided his health continues bad, disabling him from successful labor.

3rd. I give, devise and bequeath to my beloved wife Margaret E. Upshaw all the residue of estate, real, personal, or mixed of which I shall died seized and possess(sic), or to which I shall be entitled at the time of decease, to have and hold the same for the maintenance of

herself and minor children as afore stated; and at maturing that my executors are clothed by these presents with full power to sell my entire estate, real and personal, without my order or orders from court and distribute as herein stated & to keep their own strick(sic) accounts and reports.

4th. I do nominate and appoint my two sons John A. Upshaw and Thomas L. Upshaw and my beloved wife Margaret E. Upshaw to be the executors, of this my last will and testament, clothed by these presents, to act as stated herein without bond or security or without any authority from any court of record whatsoever.

In testimony whereof I have, to this my last will and testament, contained on two sheets of paper and to each sheet thereof I have subscribed my name and set my seal and to this, the last sheet thereof, I have subscribed my name and affixed my seal, this the tenth day of August, A. D., 1881.

Middleton Upshaw (L.S.)

Signed, sealed, declared, and published by the said Middleton Upshaw as and for his last will and testament, in presence of us who, at his request and in his presence and presence of each other, have subscribed our names as witnesses hereunto, August tenth day A.D., 1881.

D. J. Hardy
J. H. Allen
William M. Russell
H. M. Thornton

Sworn to by subscribing witness John H. Allen as "the last will and testament of Middleton Upshaw, deceased, late an inhabitant of this county, ..." 13 Sep 1883.

(signed) John H. Allen

2) Petition for probate; dated 14 Aug 1883:

Petition of J. A., T. L., & M. E. Upshaw for the probate of the will of Middleton Upshaw, deceased. The petition of the undersigned J. A., T. L., & M. E. Upshaw respectfully represents to your honor that Middleton Upshaw who was at the time of his death an inhabitant of this county, departed this life at his residence on or about the 23rd day of July 1883, leaving assets in this state,

Your petitioner further represents that M. E. Upshaw, one of the executors is the widow of said deceased, and that the names, ages, residence and condition of the next of kin are as follows, to wit:

J. A. Upshaw, age 21, resides in Tallapoosa County.
Amanda Scogins, above 21 years of age, & wife of J. J. Scogins, resides in state of Georgia.
F. Upshaw, above 21, resides in state of Texas.
Elizabeth Fuller, wife of W. J. Fuller, above the age of 21, resides in state of Georgia.
W. J. D. Upshaw, age 21, resides in Elmore County, Ala.
M. K. P. Upshaw, above the age of 21 years, resides in state of Texas.
L. C. Upshaw, above 21 years of age, resides in Tallapoosa County, Ala.
L. A. Upshaw, above the age of 21 years and resides in Etowah Co., Ala.

T. L. Upshaw, above 21 years of age, and resides in Tallapoosa Co., Ala.
Ida M. Upshaw, over 21 years of age, resides in this county.
S. M. Jones, wife of J. S. Jones, age 19 years.
O. T. D. Upshaw, age 18 years.
D. G. Upshaw, 16 years of age, both reside with their mother in this county.

Sworn to by J. A. Upshaw & Thomas L. Upshaw, 14 Aug 1883.

3) Order Appointing day for proof of will; 14 Aug 1883:

(This item nearly identical to the Petition for Probate, above)

Ordered that Thos. C. Wynn be and he hereby is appointed guardian ad litem, to represent and defend the interests of the said O. T. D. Upshaw and D. G. Upshaw minors, in all matters pertaining to this proceeding

4) Citations for Heirs to appear in the Probate Court at Dadeville on 13 Sep 1883; 6 citations dated 14 Aug 1883:

W. M. Russell (as witness)

W. J. D. Upshaw

S. M. Jones, wife of J. S. Jones

Ida Upshaw

L. C. Upshaw

O. T. D. Upshaw & D. G. Upshaw, minors, in the custody of their mother,
M. E. Upshaw.

5) Affadavit of Witness; dated 13 Sep 1883:

Oath of John H. Allen as "a subscribing witness to the instrument of writing now shown to him and which purports to be the last will and testament of Middleton Upshaw, deceased, late an inhabitant of this county, .."

6) Appointment of Guardian for minors; dated 13 Sep 1883:

Thos. C. Wynn appointed as guardian of minors of Middleton Upshaw estate (names of minors not given).

7) Petition for Letters Testamentary; dated 13 Sep 1883:

The petition of the undersigned J. A. and T. L. Upshaw respectfully represents unto your Honor, that in the last will and testament of Middleton Upshaw, deceased, which will and testament has been duly probated and admitted to record in this court and that J. A. and T. L. Upshur(sic) are named as the executors thereof: that the said testator died seized and possessed of certain real and personal estate, consisting chiefly of lands, hogs, horses, cattle, sheep, farming utensils, household and kitchen furniture all of which real estate being estimated to be worth about \$2,000 and probably not more; that your petitioner J. A. & T. L. Upshaw are inhabitants of this State, above the age of 21 years

Subscribed and sworn to by J. A. Upshaw and Thomas L. Upshaw on
13 Sep 1883.

8) Order; dated 5 Jun 1886:

"It appearing to the satisfaction of the court that letters testamentary were granted to J. A. & T. L. Upshaw more than 18 months ago in said estate; it is therefore ordered that the said J. A. & T. L. Upshaw executors of said estate file their accounts, vouchers, evidences and statements for an annual settlement of said estate"

9) Petition for Letters Testamentary; dated 7 Nov 1908:

The petition of the undersigned T. L. Upshaw respectfully represents unto your Honor, that in the last will and testament of Middleton Upshaw, deceased, which will and testament has been duly probated and admitted to record in this court, and T. L. Upshaw, John A. Upshaw, and Margaret E. Upshaw, the two last being at this time dead(?) were named as the executors thereof; that the said testator died seized and possessed of certain real and personal estate, consisting chiefly of lands above 200 acres in all, estimated to be worth about \$2,000.

The petitioner T. L. Upshaw asks for letters testamentary to him as executor of said last will and testament without his making a bond, as this will expressly exempts said executors from making any bond.

Subscribed and sworn to by T. L. Upshaw on 7 Nov 1908.

10) Order setting day for settlement; dated 21 Jan 1910:

In the matter of the estate of M. Upshaw, deceased, T. L. Upshaw, executor of the estate of M. Upshaw, deceased, and presents to the court under oath his accounts and vouchers for a final settlement of his administration, and therewith presents, under oath, a statement of names, ages, residences and conditions of the heirs and distributees of said estate.

It is therefore ordered that said account, vouchers, evidence, and statement be placed on file for inspection of all concerned and that February 12, 1910, be set for examining and auditing said account, and that notice of the filing of said account and vouchers and the day set for hearing the same be given by publication for three successive weeks in Alex City Outlook, a weekly newspaper published at Alexander City It appearing that Lois Upshaw, Banks Upshaw, Willie Upshaw, Polk Upshaw, Ernest World, Wesley World, interested in said settlement are minors, ordered that J. A. Rowe be and he is appointed guardian ad Litem to represent and defend the interest of said minors.

11) Decree on Final Settlement; sworn to by T. L. Upshaw, executor, on 19 Jan 1910 in Tallapoosa County Probate Court, 12 Feb 1910:
(Editor's note: This decree is in longhand form, as well as "chart" form, which I've given below for the sake of clarity).

Whereupon, it is shown by sufficient proof, that the said executor has received of the assets of said estate, the sum of \$1500 in cash and that he has just expended in and about the cost incident and necessary to said administration, including the cost of this final settlement, the sum of \$194.40, which sum includes all indebtedness of said estate, leaving a balance of \$1302.60 to be divided and distributed among those entitled to receive the same.

It appearing to the court that the said deceased, the said M. Upshaw, had 13 children, that this estate must primarily (be) divided into 13 shares, which would give to each of the living children of the said decedent the sum of \$100.20 as their net distributive share of this estate.

| | | | | |
|-------------------|--------|--------|------------|-----------------------|
| Amanda Scoggins, | Age 68 | years, | resides in | Luthersville, Ga. |
| Lizzie E. Fuller, | " 60 | " " | " " | Grantville, Ga. |
| W. J. D. Upshaw | 58 | | | East Point, Ga. |
| L. C. Upshaw, | 54 | | | Roosevelt, Oka. |
| L. A. Upshaw | 54 | | | Montague, Texas |
| T. L. Upshaw | 52 | | | Alexander City (Ala.) |
| Ida Hardy | 48 | | | Sherman, Texas |
| Susie Jones | 46 | | | Alexander City, Ala. |
| O. Upshaw | 44 | | | Scotsboro, Texas |
| D. G. Willis | 42 | | | Sherman, Texas |

The above are the living children of M. Upshaw.

J. A. Upshaw was a child of M. Upshaw; he is dead and left the following children to inherit his share of the estate:

Alice Norris, age about 50, Columbiana, Ala.
 L. L. Upshaw, " " 48, Sherman, Texas
 Lillie Turner, over 21, _____, Ala.
 Mollie Parkman " " , Atlanta, Ga.

J. F. Upshaw was a child of J. A. Upshaw; he died, leaving the following children:

Lois Upshaw, age 17, Dallas, Texas
 Banks Upshaw, age 12, " "
 Willie Upshaw, age 10, " "

F. Upshaw was a child of M. Upshaw; he is dead and left the following children to inherit his estate:

Foy Upshaw, age 30, Collinsville, Texas
 Della Dobbins, age 35, Van-Alstin, Texas
 Bell Laughlin, age 26, Grady, Okla.
 Estelle McDonald, age 21, Dorchester, Texas

Polk Upshaw was a child of M. Upshaw; he is dead and left the following children to inherit his share of the estate:

J. Middleton Upshaw, 35, Speer, Texas
 Polk Upshaw, 16, Conyers City, Texas
 Hubbard Upshaw, 21, Conyers City, Texas
 Evie Kholus, Seattle, Washington

May Upshaw was a daughter of Polk Upshaw; she is dead leaving the following children:

Ernest World, age 7, Conyers City, Texas
 Wesley World, age 5, Conyers City, Texas

Winston County

Winston County was created as Hancock County in 1850 from Walker County; the name was changed to Winston County in 1858. Some records, including marriage, probate and land, before 1890 have been lost.

(Dr. Charles B. Upshaw, Jr., contributed the following Winston County item from National Geographic, October, 1975, page 564):

Northwest of Birmingham the green, hilly forests of Winston County. When Alabama seceded from the Union, the tough mountaineers of Winston County, in effect, seceded from Alabama. On July 4, 1861, they declared: "We are not going to shoot at the flag of our fathers, 'Old Glory', the Flag of Washington, Jefferson, and Jackson." Thus was born an Alabama legend - the Free State of Winston.

On the heels of the Conscription Act of April 1862, Confederate recruiters combed the country; houses were burned; resisters were shot or jailed. The carnage was finally too much for the mountaineers. More than 2,000 men of Winston and surrounding areas volunteered for the First Alabama Cavalry Regiment, which fought for three years in Alabama, Georgia, Mississippi, and the Carolinas. From the Confederate standpoint, there was only one thing amiss: this First Alabama Cavalry served in the Union Army.

Upshaw community, Winston County, Alabama.

(contributed by Dr. Charles B. Upshaw, Jr., Atlanta, Ga.)

The community of Upshaw has been located and visited by Dr. Upshaw in July, 1977. It is located in northwest Alabama, 7 $\frac{1}{2}$ miles north of the city of Addison in Winston County, on highway 41; this is in the eastern edge of the William B. Bankhead National Forest.

In a letter from Mr. Glenn N. Wood, Pastor of Friendship Baptist Church in Upshaw, he states that some of the older citizens believe the town was named after an Upshaw, but his name or identity is not known to any of them. Rev. Wood states that he "has not ever seen the name Upshaw in any of the surrounding cemeteries".

Upshaw community comments; excerpted from a letter dated 25 Aug 1975 from Mrs. Florene Carroll, Rt. 1, Addison, Ala., concerning the town of Upshaw in Winston County, Alabama:

My mother, Nancy Smith Legg, who is now 84 years old, once had a store here from 1941 to 1960. She was raised about 4 miles from here and is the oldest living person who was from the vicinity of Upshaw. She recalls as a child visiting her grandparents here where her grandfather, John Bates, was Postmaster. She recalls that a Mr. Upshaw was Postmaster first and the settlement was named after him.

I remember one large store and sawmill which were owned by Mr. Adcock; two Churches and cemeteries; there was an old Primitive Baptist Church which was abandoned and decayed and a Missionary Baptist Church, which was organized in 1889 and is still active; there was also a two story school house which was used for school downstairs and for lodge meetings upstairs. In the early 1900s my grandfather Smith built and maintained a sawmill in the very center of Upshaw.

I don't know when the Post Office at Upshaw was closed and transferred to the Addison route, but I would estimate circa 1900.

Most of the settlers in this area came from Georgia.



Leaves, Twigs, and Branches; by Mrs. Mary Jones Besse, Atlanta, Ga.
(contributed by Mrs. Melba U. Twitty; the following Susan Upshaw was a daughter of Middleton Upshaw of Tallapoosa County, Alabama).

John Sobrieski Jones, b 19 May 1851, md on 27 Dec 1877 to Susan M. M. Upshaw, b 3 Jan 1863. Their children:
Jessie, b 17 Sep 1878 (lived to 86 years old)
Olive, b 3 Jul 1881

GEORGIA

The Christian Index; card index to marriage notices, 1855-1916, and obituaries, 1880-1916, in the Stetson Library, Georgia Baptist Historical Society, Mercer University, Macon, Georgia; the following abstracts are from the original notices of every Upshaw reference in this card index. (Earlier marriage and obituary notices have appeared in printed versions: see UFJ, Vol V page 5 for Christian Index Obituaries, 1822-1879, and Vol V page 31 for Christian Index marriages, 1828-1855).

The Christian Index; issue of 15 Sep 1887, page 15, column 2:

Mrs. Martha B. Upshaw died at her home in Meriwether Co., Ga., June 13, 1887. She was the daughter of Jacob and Caroline Miller, born April 23, 1852. She was married on Feb. 18, 1870, to N. H. Upshaw, all of this county. In 1874, she united with the Baptist Church at Luthersville, being Baptized by R. W. Hamrick.

She leaves her husband, five children, and a large circle of relatives and friends. She endured her afflictions, which were long and severe, with great patience and hope, ever looking with an eye of faith to Jesus.

The Christian Index; issue of 8 Dec 1887, page 15, column 1:

Glenn Upshaw, son of Mr. & Mrs. I. D. Upshaw, died September 20 (1887); eight years old.

The Christian Index; issue of 17 Apr 1890, page 15, column 2,3:

S. H. Stokely died February 19, born January 27, 1824 in Cock(sic) Co., Tenn. At 17 years of age he came to Georgia and located near Villa Rica and worked in the gold mines and farmed for six years. He then moved to Acworth; in May 1864 he refuged to Oglethorpe Co. and followed mercantile pursuits until his death; in 1869 he became a member of the Baptist Church at Antioch.

He married first, Nancy A. Moore, 5 Dec 1850; second, sarella J. Dunn, 11 Apr 1860; third, M. V. McConnel, 22 Feb 1863; fourth, Mrs. M. C. Upshaw, formerly M. C. Latimer, 22 Jun 1865. There were four children born to him by his first wife, one child by his second, and one child by his third; three sons and three daughters. They all died in infancy except his sons John M. & Royal D., by his first wife, both of whom survive him.

The Christian Index; issue of Thursday, 2 May 1895, page 5, column 1:

Miss Sallie Blanche Upshaw, of Douglasville, Ga., died at the home of her parents, brother and sister I. D. Upshaw, on last Saturday evening; her funeral took place at the Baptist Church. When a little girl she was converted, being baptized by Eld. A. B. Vaughan, Jr.

The Christian Index; issue of 4 Mar 1897, page 7, column 1:

Deceased: brother J. (sic) D. Upshaw of Douglasville, father of "Earnest Willie".

The Christian Index; issue of 20 May 1897, page 15, column 1:

I. D. Upshaw, born 19 Feb 1834, converted to Christ when about 22 years old; joined the Baptist Church at Wedowee (Randolph Co.), Alabama, in 1863 and was baptised by Jefferson Faulkner. I. D. Upshaw died 23 Feb 1897.

KENTUCKY

Old Kentucky Entries and Deeds; a complete index to all of the earliest land entries, military warrants, deeds and wills of the Commonwealth of Kentucky; by Willard R. Jillson (originally published as Filson Club Publications no 34, Louisville, 1926; reprinted, Baltimore, Md., 1972).

(Court of Appeals records may be ordered from the Clerk of the Court of appeals at Frankfort; others from the Register of the Land Office at Frankfort; Jefferson County entries from the Clerk of Jefferson County, Louisville, Ky.)

(Editor's note: The following supercedes the partial information from this book which was printed in UFJ Vol IV, page 118).

Fayette entries (1782-1794):

Jno. Upshaw: 3,000 acres; Book 3, page 239; entry date 3-25-1784;
watercourse: none.

Jno. Upshaw: 3,000 acres; Book 3, page 349; entry date 5-29-1784;
watercourse: Licking.

Jefferson entries (1779-1785):

Thomas Upshaw: 575 acres; Book A, page 86; entry date 5-22-1780;
watercourse: Dry Cr.

Military Warrants (1782-1793):

James Upshaw: 4,000 acres; warrant no. 3276, for services as Captain,
Virginia Line; date: 7-1-1784.

Thomas Upshaw: 4,000 acres; warrant no. 340, for 3 years, Captain
State Line; date: 4-15-1783.

Military entries (1784-1797):

Thos. Upshaw: 4,000 acres; Book 1, page 39; entry date: 8-6-1784;
watercourse: Tennessee R.; surveyed.

Courts of Appeals Deeds - Attorneys (1781-1853):

(Grantees in power of attorney):

Edwin Upshaw; residence: King and Queen; deed date: 8-17-1821; Book V, page 88; contract.

(Grantors in power of attorney):

Jno. Upshaw, heirs; residence, Essex; deed date: 9-14-1821; Book V, page 99; contract.

The Kentucky Land Grants; a systematic index to all of the land grants recorded in the State Land Office at Frankfort, Kentucky, 1782-1924; by Willard R. Jillson, Filson Club Publications no. 33, Louisville, Ky., 1925.

No Upshaw, or variant, references.

Kentucky 1840 Census Index; Accelerated Indexing Systems, Bountiful, Utah, 1976.

| <u>name</u> | <u>county</u> | <u>page</u> | <u>printed in UFJ</u> |
|---------------|---------------|-------------|-----------------------|
| Upshaw, John | Henderson | 220 | Vol IV, page 119 |
| Upshaw, S. W. | McCracken | 085 | Vol IV, page 120 |

Index to Kentucky Wills to 1851; (index to testators), Accelerated Indexing Systems, Bountiful, Utah, 1977.

No Upshaw, or variant, references.

Kentucky Obituaries, 1787-1854; compiled from newspaper notices by G. Glenn Clift; printed in the Register of Kentucky State Historical Society, Vol 39-41 (1941-1943).

No Upshaw, or variant, references.

Kentucky Confederate Pension Abstracts

(The following are abstracted from the only two Upshaw Confederate pension records in the files of the Kentucky Historical Society, Frankfort, Ky.)

James H. Upshaw; Soldier's application filed March 8, 1913; approved April 30, 1913.

James H. Upshaw was born in Coweta County, Georgia, in 1847 and enlisted in Alabama, Sept. 1863, in Co "K", 9th Mississippi Cavalry Co.

In 1913, his residence was at Bartow, R. F. D. no. 1, Ballard Co., Ky. (Editor's note: Ballard Co., Ky., is in the extreme western end of Kentucky, bordering both Missouri and Illinois). He has been a resident of Kentucky since October, 1867.

He served until the close of the war when his Company disbanded and took the oath of allegiance to the United States Government at Taladega, Alabama.

His income from the previous year was that he "raised a small crop of corn & tobacco, barely made it pay our living - wasn't worth more than \$150.00." He nor his wife owns any real or personal property.

J. H. Upshaw was examined by a physician and found "unable to earn a support by manual labor" and had "rheumatism and a fracture of the left thigh". (Editor's note: there is no indication here as to whether this may have been an injury from the Civil War).

Witnesses were M. S. Stevenson and Robert Penn, who both testified that they have known J. H. Upshaw for 25 years or more, that he has been a resident of Ballard County since they first knew him

Two additional witnesses were C. G. Wilder and Judge Whaley, of Randolph County, Alabama, who swore that they were personally acquainted with J. H. Upshaw and that they served with him in the Civil War and that they and J. H. Upshaw joined the Confederate Army together at Wedowee, Randolph Co., Ala., in September, 1863; that J. H. Upshaw became a member of the 9th Mississippi Cavalry; officers were Col. Miller, commanding the Regiment and Capt. W. T. Smith, Captain of Co. "K"; and that J. H. Upshaw continued in service in said company and regiment from the time he enlisted in Sept. 1863 until the company was disbanded at Taladaga, Alabama, at close of the war, at which place J. H. Upshaw took the oath of allegiance to the United States Government.

There is a notation in answer to an inquiry that J. H. Upshaw died September 5, 1921.

Lastly, there is an inquiry from Mrs. Addie Upshaw, widow of J. H. Upshaw, dated 18 Jan 1922, from Kevil, Ky., which mentions to send reply c/o Mr. Rob. Upshaw.

Addie E. Upshaw; widow of J. H. Upshaw, filed January 26, 1922; approved April 15, 1922.

On 27 Sep 1921 (date of application), Addie E. Upshaw lived in Kevil, R.F.D. no. 3, McCracken Co., Ky. She was born Addie E. Watwood in Ballard Co., Ky., April 15, 1864.

Her husband, James H. Upshaw, was born in Georgia, March 11, 1847; they were married at Metropolis, Massac County, Illinois, on 20 July 1881 (marriage license included in file). He died in McCracken Co., Ky., Sept. 5, 1921.

The only real or personal property she possesses is "only a few household goods of about \$250.00 value". Her only family is "one daughter-Nannie D. Upshaw, 18 years of age".

Witnesses were Willie C. Thomasson and W. H. Brame, who state they have known her about 19 years and that during that time she and her husband have lived in Kevil, McCracken Co., Ky. They state that James H. Upshaw died in Maxon, McCracken Co., Ky., Sept. 5, 1921; that he had resided in Kentucky since 1865. (Editor's note: the town of Kevil in eastern Ballard County is very near McCracken County, which may explain the difference in residences given in these applications).

History of the Upshaws, Lafons, Jacksons, and Youngs

By Miss Sally Jackson; printed in the Kentucky Historical Society Register, Vol IV (1906); no. 10 (January), pg 55-59 (chap. II) & no. 11 (May), pg 53-55 (chap. I) (For the Society of Colonial Dayghters; Colonial and Revolutionary ancestry of Mrs. Virginia Jackson Crittenden and Miss Sally Jackson (sisters), written by and read before the Society by Miss Sally Jackson, 1896; copy contributed by Mrs. Alexandria U. Barrier).

CHAPTER I

The earliest and most accurate account I can procure of the Upcher family is from Thos. G. Upshur, of Nassawadox, Va., who has traced them to Essex and Norfolk, England. The descendants of the Upshaws and Upshurs, branches of the same family, are still in England, where they first took root, having fled from France during the terrible times of the massacre of St. Bartholomew (1572). The historian and genealogist further states: "Abel and Arthur Upcher, aged eighteen and sixteen, ran away from their homes in Essex and Norfolk, England (still there, and called 'Sheringham Hall'), it is said, to escape the persecutions of a stepmother, and landed at the capes of Virginia in the year 1640. Their names are entered on Capt. Stone's list of headrights of ship in the year 1640. Capt. Stone paid the passage money of the youths. He (Capt. William Stone) was the first Protestant Governor of Maryland." See Hayden's Genealogy.

The brothers, Abel and Arthur, separated at "The Capes". Abel, our ancestor settled in Essex County, Va. The English ancestors still spell the name Upcher, as it was spelled in France, and it is, therefore, the correct way, and not "Upshaw", "Upshur", and "Upsher". The name spoken to the clerks of courts could easily be spelled as it sounded.

The line runs thus: Abel, William, John. This last is our great grandfather. We are in the sixth generation from the first Upcher who landed in Virginia in 1640.

Our great great grandfather, William Upcher's age is not certainly known, but he died in Essex County, Va., in 1720. His will is in the possession of the writer of this history, and was probated the above date. Our great grandfather, the third from Abel, was born in Essex County, Va., 1715. He married Mary Lafon, from the adjoining County of King and Queen. I remember our grandmother well, being fourteen years old when she died. Our grandmother, who was a daughter of our great grandfather, John Upshaw, did not speak of the personal appearance of her father and mother, but was proud to dwell on the exalted character and high station of her father. The records sustain fully her account of his social and official position. I will copy an extract from the family Bible of John Upshaw's youngest daughter, Mrs. Cordelia Terrell, and also one from the blank leaf of my grandmother's prayer-book.

Extract from family Bible of Mrs. Cordelia Terrell, copied by her son, Mr. Thos. Terrell, of Paducah, KY., and sent to me:

"John Upshaw, of Essex County, Va., was a respectable man, of good reputation and wealthy. He married Mary Lafon. He was 49 years of age, and she about 18. They left living 8 children - 3 sons and 5 daughters. He was a member of the Va. House of Burgess before the Revolution in America. He was decidedly in favor of the independence of the United States and took an active part towards effecting it. He was a member of the 'Committee of Safety' in his county and adhered firmly to the principles he professed. He was for some time a member of 'The Senate of Va.' after the establishment of independence. His estate consisted of three large tracts of land in Essex and adjoining counties and 110 slaves, which were divided amongst his children, his land amongst his three sons, Edwin, Horace and William. The names of his daughters were Sally, who first married Warring, and afterwards Bridges; Lucy, married, first Warring, second Major S. Threshley; Maria (our grandmother), married her cousin, Nicholas Lafon; Hannah married Capt. Richard Price; Cordelia married Mr. Chiles Terrell. The last three married and removed to Kentucky prior to 1810.

"Signed, Thos. F. Terrell.

"Paducah, Ky., March 9, 1875."

Extract from prayer book:

"Died, at his seat in Essex Co., Va., 'White Hall', July 21st, 1801, John Upshaw, in the 86th year of his age. He was a man of fine parts; his character for probity was preserved unblemished through his long and honored life. He sat for many years in 'The House of Burgesses,' Va., and was a member of 'The Committee of Safety' for his county during the Revo."

Our grandmother, Mrs. Lafon, often spoke of her mother's gentle disposition, combined with great strength of character, shown by the manner in which she reared a large family of children, her sons holding many high positions in the State and army and navy. Dr. William Upshaw, the youngest son, was surgeon on the staff of Gen. Wilkinson, and fought a duel with Gen. Winfield Scott.

The younger brother of Abel Upcher (Arthur) settled at Norfolk, and also became a prominent colonist. Thos. T. Upcher (the genealogist before referred to) is one of his descendants, and writes me: "He (Arthur) owned a large body of land in Accomac county, eastern shore of Virginia, which is still owned by Mr. Upcher Quinby, and known always as 'Upcher Neck', another descendant of Arthur, in the seventh generation. The home place of this first Arthur was built of materials brought from England, standing now in a fine state of preservation, called 'Warwick', as is his tombstone thus inscribed: 'In memory of Arthur Upcher, born in ye county of Essex in ye Kingdom of England, who died January 26th, 1709, in ye 85th year of his age.' "

I append here the following extracts from Hayden's Virginia Genealogies, as they so forcibly impressed the writer with the noble and correct sentiments and facts of their distinguished author in regard to the origin of the ancestry of Virginia's early settlers:

"The greatest Virginians of the seventeenth century, George Washington and Richard Lee, with either of whom any man in America might be proud to begin his lawfull pedigree, knew nothing save by tradition of their English descent. No lines of royal blood, however concentrated, could add to the kingly character of these heroes, who in all that constitutes nobility of manhood were well nigh peerless.

"The first persons sent to Virginia were English prisoners of war.

"It is well known to readers of English history that the gentle blood of England today is not found exclusively among titled families, but among the middle classes or landed gentry, most of whom trace their descent back to the Norman Conquest.

"Of the noble families of Great Britain to be found in the latest edition of Burk's Peerage, few can trace their origin beyond the fifteenth century. The history of this middle class is the history of England. To this class largely belongs the Virginia settlers of the seventeenth century. They came here inspired by the same motives which lead men now to emigrate to the Western States of this Union, to make or redeem lost fortunes.

"Every advantage was offered by the Crown to induce emigration to Virginia, while those who came to New England were compelled to buy every foot of soil they owned. The Virginians were given the head right of fifty acres of land for every soul brought into the colony, hence it is that not the nobility, nor landed gentry, but the younger sons and their descendants whom the law of entail cut off, provided a large proportion of the Virginia colonists of the seventeenth century."

CHAPTER II

My grandfather, Nicholas Lafon (the early records in Virginia spell the name Le Fon), was of French extraction. His ancestor came to Virginia soon after the revocation of "The Edict of Nantes," in 1685, and settled in King and Queen

county. My grandmother, Mrs. Nicholas Lafon, who lived to extreme old age, delighted to entertain the children in the family with accounts given her by her grandfather of "the old Huguenot's" traditions. She said he brought two sons with him to Virginia, his wife having died in France; that he lived on his plantation in rooms apart from the family, in hermit-like seclusion. He usually seemed to be oblivious to those around him, and in summer would sit in the yard, and whenever seen, was pouring over the pages of an old French Bible in absorbed devotion; would greet the children of the family with a gentle smile of welcome, but never sat down under any other roof than his own. His meals were brought to him. The clerk's office of King and Queen county, Va., was destroyed by fire during the late Civil War, so I have been unable to trace from land deeds and marriage registers the names of immediate generations, nor can I get this information from church registers, as it seems impossible to determine what church organization the Huguenots attached themselves in this country. We read: "The name was first applied to the followers of both Luther and Calvin in the sixteenth century. The origin of the word even is uncertain, but is stated to be derived from "Eidgenosen", meaning "bound together by an oath," a term borrowed from the Confederate Cantons of Switzerland by certain inhabitants of Geneva, who were among the earliest to introduce reform notions of religion in France." Macaulay says: "Louis XIV had, from an early age, regarded the Calvinists with an aversion at once religious and political. As a zealous Roman Catholic, he detested their theological dogmas. As a prince, fond of arbitrary power, he detested those republican theories which were intermingled with Genevese divinity. He gradually retrenched all the privileges the schismatics enjoyed, since the Edict of Nantes, though practically violated in its most essential provisions, had not been formally rescinded, but the bigots and flatterers who had his ear gave him advice which he was but too willing to take. The final blow was struck. The Edict of Nantes was revoked. The Calvinistic ministers were ordered to leave the kingdom or to abjure their religion. Other professors of the reformed faith were forbidden to leave the kingdom, and the outposts and frontiers were strictly guarded. But in spite of this, it was calculated that in a few months 50,000 families quitted France forever. Nor were they such as a country could well spare; they were persons of intelligent minds, of industrious habits, of austere morals. In the list are found names eminent in war, in science, in literature and art. Some offered their swords to William of Orange and distinguished themselves by the fury with which they fought against their persecutors. A more peaceful class planted vines even to the "Cape of Good Hope", or pursued in distant lands agriculture." This last occupation was adopted by our Huguenot ancestor. My great grandfather was a Baptist preacher, as was his brother Thomas.

This brings me to the pioneer history of my ancestors, the Lafons.

Extract from the family Bible of Captain and Mrs. Nicholas Lafon:

"He was born in King and Queen county, Va., April 6, 1762, and died at his residence, 'Spring Garden', Woodford County, Kentucky, January 20, 1831.

"This Captain Nicholas Lafon was a great grandson of Lafon the Huguenot, and his wife, Maria Lafon, nee Upshaw, was a great great granddaughter."

Captain Lafon came to Kentucky in 1784 with General James Wilkinson and settled in Fayette county.

He was afterwards induced by General Wilkinson to remove to Frankfort in 1787, and he very generously presented him choice of the most valuable lots in the town in the center, comprising the block frontage on St. Clair street, Main, Washington and Broadway.

Captain Lafon's Revolutionary record is found in "Virginia Baptist ministers" and army records. He was eighteen years old when he enlisted as a private in Green's army; was in the battles of Eutaw Springs and Cowpens.

In the latter part of the century he built what was then considered a handsome home on Washington Street. In 1801 my grandfather visited Virginia, and on the 12th of March married his cousin, Maria Upshaw. Immediately afterwards they set out on the then perilous journey over the wagon road through the mountains and across streams of the wilderness to this town. Think of such courage and enterprise in a girl reared amid the pleasures and luxuries of an eastern Virginia plantation in that day, where every wish was gratified by parents grown rich from shipping tobacco down the Rappahannock river to the sea and across to Europe, by return voyages bringing silks and jewelry and all the accessories of an elegant life. My grandfather evidently appreciated the sacrifice when he prepared for her the home above referred to. This period in the history of Frankfort was a very stormy one. Collins (history) says: "Wilkinson, on his arrival in Kentucky, became involved in the fiercest political controversies, and has left his countrymen divided in opinion as to whether he acted from patriotic and honorable motives or was a selfish and abandoned adventurer ready to engage in any project that would advance his interests." My grandfather, who had known General Wilkinson long and intimately, believed him patriotic and honorable, the victim of the plots and the machinations of the Federalist party. As "The Society of Colonial Daughters" had for one of its projects the preservation of the history of the pioneer women as well as the men of this city. I will now write of my grandmother, Maria Upshaw Lafon.

She was of a commanding height, and majestic in appearance - a woman of fine intellect. Governor Charles S. Morehead, who knew her well, said that she had that rare combination - a brilliant mind and sound judgement. She said to me: "If my father's daughters had been given an education at William and Mary College that each of our three brothers received, we would have been their superiors; as it was, we had the ordinary education of that day." That ordinary education, it seemed to me, was all she required; her conversation was fascinating, and her letters - now in my possession - are models of sentiment and expression and elegant English. She retained through life the fashion of dress worn by her when she left Virginia a bride, fifty years before her death (in 1857).

The old Empire style, low neck, short sleeves, with a half square of linen cambric covering her neck, the arms in winter protected with sleeves below the puff.

On State occasions she would take out of the hair trunk, in which it was brought from Virginia, a handsome Irish poplin gown - it was worn over a pink satin petticoat curiously quilted in figures; the skirt of the poplin was open in front to show the elegant underskirt to advantage. The waist of the gown was very short, the front of pink satin covered with a white lace "stomacher." This costume was perfectly preserved when shown me in 1860.

Mrs. James Todd and Mrs. Mary Wills Woodson, now deceased, said they recalled her appearance on one occasion walking on Wapping street, dressed for an evening with the famous Mrs. Love, at the Historic "Love House" on this street, and they thought she was a picture of the French countess. Our grandfather left Frankfort in 1807, removing to a farm in Woodford county. Here our mother, Mrs. Mary Lafon Jackson was born, 14th of February, 1808.

Capt. Lafon afterwards purchased another farm in the same vicinity, to which he removed in 1816; it was called "Spring Garden". It contained 1,000 acres of land.

The house was built by Judge Thomas Todd. Mr. Charles Todd, of Owensboro, writes that it was built in 1793, the year after Judge Todd came to Frankfort as the first clerk of the Court of Appeals.

Judge Todd married (some time prior to 1812) the widow of a namesake and nephew of General Washington, Major George Washington (nee Lucy Payne, a sister of the celebrated Dolly Madison). I have heard that Judge Todd was disappointed

in the impression his country home made upon his bride, for she soon became dissatisfied, probably from the contrast to the life she had led when visiting the "White House," where her sister, Mrs. Madison, had surrounded herself with the gayety and elegance of court life. At any rate, Judge Todd, then on the supreme bench of the United States, disposed of the plantation to a Mr. Duncan, and he in a short time sold it to my grandfather, Captain Lafon, who resided here until he died, on January 20, 1831, in the sixty-ninth year of his age.

My grandmother, Maria Upshaw Lafon, resided at "Spring Garden" until 1835, when the estate was divided and sold to my father, Richard G. Jackson. Her son-in-law and she removed to a home near Frankfort, purchased of Kean O'Hara, the famous teacher, and the father of the celebrated poet, Theodore O'Hara.

I have the deed of the transfer of this property to my grandmother. My cousin, Mr. John Upshaw Price, married Mary Helen, daughter of Kean O'Hara, and own sister of Theodore O'Hara.

My mother, Mary Lafon, was a pupil of Kean O'Hara, who was regarded as one of the most distinguished educators of his time; he came to Woodford county shortly after the birth of his celebrated son, Theodore, in Danville, Kentucky, 11th of February, 1820.



The Carmichael Clan, Westbrook, and Allied Families; compiled by Mrs. Opal C. Phoenix, Atlanta, Ga., 1963. (fully indexed).

page 264) Benj. Edwards b-1752, d-Nov. 13, 1826. He died at Elkton, Ky.

He was a state representative. He was a 2nd Lt. Aug. 26, 1777. See Maryland Archives, V-16, p-346. He was a member of Congress from Montgomery Co. He moved to Stratford Co., Va. Aug. 2, 1776. See Schraf's "History of Maryland", folio 660. He married Margaret Beal, dau. of Col. Ninan Beal. Margaret d-Aug, 1826, Benj. d- at Elkton, Ky. Nov. 13, 1826, age 74 years. Children:

- 1: Ninan Edwards m-Miss Todd, who was a relative of the wife of Abraham Lincoln.
- 2: Elisha Beal Edwards died in Elkton, Ky., m-Martha F. Upshaw 2nd. He married-1st Lucy Richardson. Martha had two children. (Editor's note: three children are listed here and it's confusing as to which children are Martha's and which are Lucy's; as follows:)
 1. Mary Edwards, m-Judge Livingston Lindsey and a dau. Georgia who m-Ben Sharpshire. Home, LaGrange, Texas.
 2. Elisha Beal Edwards, Jr., was a dentist at Elkton.
 3. Margaret Edwards m-Higginson Boone.

page 279) Mary Jane Russell (born ca 1850s), m-Terrell Lassiter, Luthersville, Ga. Children:

- 1: Ruby Lassiter m-Earl Upshaw, Luthersville, Ga. He died and left two daughters.
- 2: Mary Lassiter.

page 357) Jim Sewell m-Hattie Bridges and had nine children ... Coweta Co., Ga.

- #6) Wm. Sewell, m-Margaret Upshaw.

MASONIC RECORDS

The following information has been taken from copies of membership record cards from both active and inactive files of all Upshaw references in the office of the Grand Secretary General, Ancient and Accepted Scottish Rite of Freemasonry (Southern Jurisdiction, U. S. A.), Washington, D. C., as of 1975.

We are extremely grateful for their helpfulness in making this information available to us for research.

Ben Frank Upshaw:

born: 27 Mar 1912, Tryon, Oklahoma
occupation: owner, welding shop
residence: Ulysses, Kansas
died: 3 Mar 1969

Charles Wray Upshaw:

born: 21 Oct 1925, Belle Plaine, Kansas
occupation: warehouseman, wholesale hardware
residence: Wichita, Kansas

Chester Ernest Upshaw:

born: 4 Dec 1909, Denlow, Missouri
occupation: bulk oil dealer
residence: Wynne, Arkansas

Davis Adair Upshaw:

born: 26 Jul 1915, Cassville, Georgia
occupation: mechanic, airplane
residence: Dobbins AFB (Marietta), Georgia

Ernest Middleton Upshaw:

born: 23 Oct 1895, Electic, Alabama
occupation: real estate broker
residence: Piedmont, California
died: 16 Jan 1958

Eugene Lawrence Upshaw:

born: 26 Apr 1920, Rotan, Texas
occupation: probation officer, juvenile
residence: Fort Stockton, Texas

George Seeley Upshaw:

born: 23 Apr 1870, Dickinson county, Kansas
occupation: merchant
residence: Abilene, Kansas
died: (no date given)

Harold Jay Upshaw:

born: 17 Apr 1926, Blackburn, Oklahoma
occupation: accountant
residence: Tulsa, Oklahoma

Herbert Lyle Upshaw:

born: 14 Jun 1925, Sapulpa, Oklahoma
occupation: mechanic, power and light co.
residence: Clinton, Missouri

Hubbard Clifford Upshaw:

born: 25 Aug 1889, Belton, Texas
occupation: salesman, Magnolia Petroleum Co.
residence: Galveston, Texas
died: 10 Dec 1956

Ira Warren Upshaw:

born: 14 Sep 1868, Dewitt county, Illinois
occupation: physician
residence: St. Louis, Missouri
died: 30 Dec 1925

James Edgar Upshaw:

born: 11 Oct 1895, Marshfield, Missouri
occupation: coin machine operator
residence: Junction City, Kansas
died: 27 Jun 1968

James Edward Upshaw:

born: 25 Mar 1923, Grayville, Illinois
occupation: (not given)
residence: Mt. Vernon, Indiana
suspended: 17 Jun 1969

James Jeremiah Upshaw:

born: 19 Mar 1858, Elkton, Tennessee
occupation: doctor
residence: Hartsville, Tennessee
suspended: 11 Dec 1934

James Perry Upshaw:

born: 8 May 1938, Columbia, Tennessee
occupation: meter reader, power system
residence: Columbia, Tennessee

James Reyburn Upshaw:

born: 17 May 1876, Helena, Montana
occupation: traveling salesman
residence: Oklahoma City, Oklahoma
suspended: 31 Dec 1932

James Russell Upshaw:

born: 20 Mar 1936, Phoenix, Arizona
occupation: U. S. Army
residence: Ft. Benning, Georgia

John Upshaw:

born: 26 Nov 1860, Brusberg, Missouri
occupation: farmer
residence: Wanette, Oklahoma
died: 31 Oct 1945

John Allen Upshaw:

born: 25 Sep 1943, Marion, Louisiana
occupation: papermaker, paper co.
residence: Crossett, Arkansas

John James Upshaw:

born: 9 Jan 1920, Nashville, Georgia
occupation: telephone engineer, tel & tgh co.
residence: Pensacola, Florida

Joseph Hugh Upshaw:

born: 23 Dec 1919, Hachita, New Mexico
occupation: livestock, cattle
residence: Imperial, California

Lucius William Upshaw:

born: 16 Feb 1895, Armour, Texas
occupation: General Secretary, Y. M. C. A.
residence: Billings, Montana
died: 4 Feb 1974, Austin, Texas

Lurie Lawton Upshaw:

born: 15 Sep 1903, Alexander City, Alabama
occupation: construction estimator
residence: Phoenix, Arizona

Orin Thomas Upshaw:

born: 23 Jul 1874, Atlanta, Illinois
occupation: physician
residence: St. Louis, Missouri
died: 15 Aug 1937

Oscar Lee Upshaw:

born: 4 Apr 1906, Berlin, Alabama
occupation: erection superintendant, const. co.
residence: Columbia, Tennessee

Paul Lowe Upshaw:

born: 1 Apr 1882, Rydal, Georgia
occupation: auditor, City Board of Education
residence: Memphis, Tennessee
died: 28 Apr 1932

Raleigh White Upshaw:

born: 13 Jul 1914, Somerville, Texas
occupation: geophysical consultant - self
residence: Metairie, Louisiana

Ralf Brannon Upshaw:

born: 21 Jan 1912, Bremen, Georgia
occupation: gen. mgr. - wholesale dist.
residence: Waco, Texas

William Francis Upshaw:

born: (not on my copy, but before circa 1890)
occupation: life insurance
residence: Atlanta, Georgia
died: 20 Jun 1946

William Martin Upshaw:

born: 22 Aug 1882, Belton, Texas
occupation: train dispatcher with RR co.
residence: Teague, Texas
suspended: 18 Apr 1927

William Tazelle Upshaw:

born: 22 Jul 1896, Hartsville, Tennessee
occupation: merchant, furnishing goods
residence: Hartsville, Tennessee
suspended: 31 Dec 1926

William Thomas Upshaw:

born: 26 Apr 1881, Pine Log, Georgia
 occupation: retired freight conductor
 residence: Etowah, Tennessee
 died: (date not given)

William Thomas Upshaw:

born: 26 Dec 1893, Oklahoma City, Oklahoma
 occupation: farmer engineer - civil
 residence: Glendora, Mississippi
 transferred membership: 1 May 1952 to Guthrie, Oklahoma



A History of the Second Ponce de Leon Baptist Church (Atlanta, Ga.); Centennial Year, 1854-1954; Darby Printing Co., 1954.

page 17) photograph of "Rev. W. J. B. (sic) Upshaw", pastor of Buckhead Baptist Church.

page 36-37) The Buckhead Baptist Church was organized in the summer of 1911 by a group of laymen and ministers who felt the need of a Church in the Buckhead area.

A pastorium was erected on Peachtree Avenue. Pastors who subsequently served the church were: Rev. W. J. D. Upshaw, Rev. J. H. Fuller, Rev. Chauncey W. Foote, Rev. R. W. Edenfield, Dr. Weston Bruner, and Rev. Geoffrey C. Henchelwood.

Due to the destruction of records in a warehouse fire, many details of the history of the Buckhead Church are unfortunately lacking. In preparing this account we have had to rely on memory to a considerable extent and glean what we can from the memory of other "old timers". Among interesting anecdotes from the early days, one may recall, for instance, how in 1921, Dr. Upshaw would trudge about the hills of Buckhead, visiting members of his flock on foot. Some of the members of the congregation attempted to raise money to buy him a Ford, but this was an unsuccessful venture. Dr. & Mrs. Upshaw celebrated their golden wedding anniversary during his tenure as Pastor and apropos the occasion received from members of the church a purse of several gold coins. Soon afterward Dr. Upshaw retired from the ministry, after a long and fruitful Christian service.

On September 1, 1929, the Buckhead Church merged with the Ponce de Leon Avenue Baptist Church - a major event in its history. In so doing, it did not cease to exist. Rather, like the merging of two rivers, it became a greater entity, moving onward with more strength and vigor in the service of God. - Mrs. George Mathieson.

page 129) Church roll; Second Ponce de Leon Baptist Church, September 30, 1954:

H. T. Upshaw, Jr. (college membership out of the city).

| HUSBAND Middleton UPSHAW | | Father | Forrester UPSHAW | |
|---|---|--|---|------------------------------------|
| | | Mother | Ann FAULKNER | |
| Birth | 1 December 1817 | Georgia | | |
| Marriage | 10 November 1833 | Newton County, Georgia | | |
| Death | 23 July 1883 | Tallapoosa County, Alabama | | |
| Burial | New Hope Baptist Church cemetery, Tallapoosa County, Alabama | | | |
| Biographical Data | no military service; lived in Meriwether County, Georgia, ca 1850-1860s; | | | |
| Other wives, if any: married (2nd): Margaret Elizabeth (STEPP) DARDEN, 5 Jan 1860, Tallapoosa Co., Ala. | | | | |
| WIFE Susanna BERRY | | Father (poss William BERRY?) | | |
| | | Mother | | |
| Birth | 8 February 1817 | Georgia | | |
| Death | 9 May 1859 | Meriwether County, Georgia | | |
| Burial | Bethel Baptist Church cemetery, Rocky Mount, Meriwether County, Georgia | | | |
| Biographical Data: | | | | |
| Other Husbands, if any: (none) | | | | |
| SEX | CHILDREN'S NAMES IN FULL | DATA | DATE | LOCATION |
| 1 M | John A. UPSHAW Full name of Spouse Sarah F. TALBOT | Birth | 1835 | Georgia |
| | | Marriage | 22 Mar 1868 | Tallapoosa Co., Ala. |
| | | Death | 14 Feb 1903 | Tallapoosa Co., Ala. |
| | | was Pvt., Co "B", 1st Ga Cav, CSA; (was evidently md. 1st to Sarah _____, ca 1855) | | |
| 2 F | Amanda UPSHAW Full name of Spouse James J. SCOGGINS | Birth | 1840 | Georgia or Alabama |
| | | Marriage | 6 Dec 1860 | Meriwether Co., Ga. |
| | | Death | after 1910 | (poss d ca 1930, Luthersville, Ga) |
| | | Burial | (lived Luthersville, Ga., 1883 & 1910) | |
| 3 M | Forrester UPSHAW Full name of Spouse Susan ("Sue") JONES | Birth | 1843 | Georgia or Alabama |
| | | Marriage | 13 Mar 1869 | Cass Co., Tex. |
| | | Death | before 1910 | Collinsville, Collin Co., Tex. |
| | | Burial | (lived Texas, 1883) | |
| 4 F | Martha Elizabeth ("Lizzie") UPSHAW Full name of Spouse W. J. ("Bud") FULLER | Birth | 1846 | Georgia or Alabama |
| | | Marriage | 2 Apr 1867 | Meriwether Co., Ga. |
| | | Death | after 1910 | (poss Grantville, Coweta Co., Ga) |
| | | Burial | (lived Grantville, Ga., 1883 & 1910) | |
| 5 M | Middleton K. Polk UPSHAW Full name of Spouse Mary M. GREGORY | Birth | Nov 1849 | Meriwether Co., Ga. |
| | | Marriage | 16 Dec 1871 | Tallapoosa Co., Ala. |
| | | Death | before 1910 | Canyon City, Potter Co, Tex. |
| | | Burial | Potter Co., Tex. (lived Texas, 1883) | |
| 6 M | William James Dallas UPSHAW Full name of Spouse Permelia Hester HENDERSON | Birth | 7 Jul 1852 | Meriwether Co., Ga. |
| | | Marriage | 9 Dec 1875 | Tallapoosa Co., Ala. |
| | | Death | Jul 1928 | Atlanta, Fulton Co., Ga. |
| | | was (lived Elmore, Ala. 1883; East Point, Ga. 1910; Baptist minister) | | |
| Authorities: 1850 Meriwether Co, Ga, census, dwell # 414; 1860 Meriwether Co, Ga, census, dwell # 652; Meriwether Co, marriage rcds Book B, pg 226; Bethel Church cemetery, Rocky Mount, Ga; Tallapoosa Co., Ala, marr rcds; Middleton Uphshaw estate rcds, Tallapoosa Co, Ala; | | | | |

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| HUSBAND | | Middleton UPSHAW | WIFE | | Susanna BERRY | |
|--------------|--|------------------|---|--------------------------------------|---------------|--|
| SEX | CHILDREN'S NAMES IN FULL | DATA | DATE | LOCATION | | |
| 7 M | Leonidas A. UPSHAW Full name of Spouse Jerusha E. HUMPHRIES | Birth | 9 Sep 1855 | Meriwether Co, Ga. | | |
| | | Marriage | 16 Nov 1879 | Tallapoosa Co, Ala. | | |
| | | Death | after 1910 | St. Joe, Montague Co, Tex. | | |
| | | Burial | (twin; lived Etowah Co, Ala, 1883; Montague Co, Tex, 1910) | | | |
| | | | | | | |
| 8 M | Leroy Columbus UPSHAW Full name of Spouse Emma Bellzora YOUNG | Birth | 9 Sep 1855 | Meriwether Co, Ga. | | |
| | | Marriage | 23 Dec 1879 | Tallapoosa Co, Ala. | | |
| | | Death | 10 May 1939 | Waxahachie, Ellis Co, Tex. | | |
| | | Burial | Waxahachie City Cemetery, Ellis Co, Tex. (twin; lived Tallapoosa Co, Ala, 1883; Roosevelt, Ok, 1910) | | | |
| | | | | | | |
| 9 M | Thomas Luna UPSHAW Full name of Spouse Virginia Manassas RUSSELL | Birth | 1858 | Meriwether Co, Ga. | | |
| | | Marriage | 12 Jan 1882 | Tallapoosa Co, Ala. | | |
| | | Death | 1925 | (poss Birmingham, Jefferson Co, Ala) | | |
| | | Burial | (lived Tallapoosa Co, Ala, 1883 & 1910) | | | |
| | | | | | | |
| | Full name of Spouse | Birth | | | | |
| | | Marriage | | | | |
| | | Death | | | | |
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| | Full name of Spouse | Birth | | | | |
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| | Full name of Spouse | Birth | | | | |
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| | Full name of Spouse | Birth | | | | |
| | | Marriage | | | | |
| | | Death | | | | |
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| Authorities: | | | | | | |
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Family Record

1B912(10)B

| HUSBAND Middleton UPSHAW | | Father Forrester UPSHAW | | |
|---|--|--------------------------------|---|--------------------------------------|
| | | Mother Ann FAULKNER | | |
| Birth | 1 December 1817 | Georgia | | |
| Marriage | 5 January 1860 | Tallapoosa County, Alabama | | |
| Death | 23 July 1883 | Tallapoosa County, Alabama | | |
| Burial | New Hope Baptist Church cemetery, Tallapoosa County, Alabama | | | |
| Biographical Data | no military service; lived in Meriwether County, Georgia, ca 1850-1860s; | | | |
| Other wives, if any: married (1st): Susanna BERRY, 10 Nov 1833, Newton Co, Ga. | | | | |
| WIFE Margaret Elizabeth (STEPP) DARDEN | | Father | | |
| | | Mother | | |
| Birth | circa 1828, age 32-1860 | Georgia | | |
| Death | 1908 | Sherman, Grayson County, Texas | | |
| Burial | Southmayd, Grayson County, Texas | | | |
| Biographical Data: | after Middleton's death, she went to Sherman, Texas, to live with her two daughters and son. | | | |
| Other Husbands, if any: married (1st) DARDEN; had a son, Fred DARDEN | | | | |
| SEX | CHILDREN'S NAMES IN FULL | DATA | DATE | LOCATION |
| 1 F | Ida M. UPSHAW Full name of Spouse James T. HARDY | Birth | 1862 | |
| | | Marriage | 17 Apr 1884 | Tallapoosa Co. Ala. |
| | | Death | 1921 | Sherman, Grayson Co, Tex. |
| | | Burial | Kendall Chapel cemetery, near Sherman, Tex. (lived Tallapoosa Co, Ala, 1883; Sherman, Tex, 1910) | |
| | | | | |
| 2 F | Susan ("Susie") M. UPSHAW Full name of Spouse John Sobrieski JONES | Birth | 3 Jan 1863 | |
| | | Marriage | 27 Dec 1877 | Tallapoosa Co. Ala. |
| | | Death | 1921 | Sherman, Grayson Co, Tex. |
| | | Burial | Kendall Chapel cemetery, near Sherman, Tex. (lived Tallapoosa Co, Ala, 1910) | |
| | | | | |
| 3 M | Oscar T. D. UPSHAW Full name of Spouse (poss never married) | Birth | Mar 1867 | (b Ga per 1900 Grayson Co, Tex.cens) |
| | | Marriage | | |
| | | Death | 1927 | (poss Oklahoma?) |
| | | Burial | Sherman, Grayson Co, Tex (lived Scottsboro, Tex, 1910) | |
| | | | | |
| 4 F | Doris Grace UPSHAW Full name of Spouse Isaac M. WILLIS | Birth | 1868 | |
| | | Marriage | 25 Dec 1884 | Tallapoosa Co. Ala. |
| | | Death | 3 Sep 1946 | Sherman, Grayson Co, Tex. |
| | | Burial | Sherman, Grayson Co, Tex. (lived Sherman, Tex, 1910) | |
| | | | | |
| 5 | Full name of Spouse | Birth | | |
| | | Marriage | | |
| | | Death | | |
| | | Burial | | |
| 6. | Full name of Spouse | Birth | | |
| | | Marriage | | |
| | | Death | | |
| | | Burial | | |
| Authorities: personal knowledge of Mr. W. Roy Upshaw, Waco, Tex, from his father, Leroy C. Upshaw; Tallapoosa Co, Ala, marriage recs; Middleton Upshaw estate recs, Tallapoosa Co, Ala; | | | | |

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