BURTON U (CAPT CSA) PAGE 1 XID-563 POSTED

① See Pg 12 Attach to 2FEB1978 Ltr Elva E. Burkhalter to RPH

A. Records of Pickens Co AL assembled by Mr Charles Polk McGuire - In Bethesda Cem - a stone reads "Burton U↑ 31JUL1838 - 3JUN1845." another stone - "Emma T., wife of Burton U 3AUG1845-5JUL1885"

In Hebron Cemetary: "Emma T. wife of Benjamin U 3AUG1845-5JUL1885" and "Burton U 31JUL1838 - 8JUN1895" [Note: The entries in Bethesda & Hebron are so similar - explanation? - error in computer ?? - RPH]

② See William Kendrick U Sr file for sheet rec'd 17JUL1981 by RPH from Fred Upton U Sr

Capt Burt U↑ CSA b 31JUL1838 (Pickens Co, AL) d 8JUN1895 (Pickens Co, AL).

[ERROR - SHOULD BE 15JAN1868 - RPH]

③ Capt Burt U↑ CSA (31JUL1838 - 8JUN1895 in Pickens Co AL), sixth child of Bartley U, md 15JAN1858 Emily Teresa Hanson b 3AUG1845 d 5JUL1885 (Pickens Co, AL), dau of Abel H, Sr. They had issue, of whom John Burton U b 29SEP1871 (Pickens Co, AL) d 30AUG1936 (Montgomery, AL) was the first (28 Pg 85)

④ See Ltr 22MAY1987 Eleanor NMN U to RPH

Burton U↑ and his wife Emily were buried in ~~the~~ Bethesda Cem on Beneola Road in Pickens Co, AL The grave of "Emma T" is next to that of Capt Burt↑. Her grave is in bad repair.

④ - CONTINUED
on the stone for Capt Burton U↑:
" BURTON UPCHURCH b 31 JUL 1838 d 8 (OR 3?)
JUN 1895 — An honest man - The noblest
work of God" — UPCHURCH across the bottom.
[I realize the birth date is different but I
copied from the headstone - they were
not easy to read! EU]

⑤ See Ltr 25JUN 1990 James Dolphus Johnson, Jr to RPU

I. Samuel Hanson md Peggy —
A. John Wesley Hanson md Elizabeth Jane Best
1. Margaret Ann Hanson [GM of James Dolphus Johnson, Jr]
2. Sara Melissa Hanson md John U son
of Bartley U of the William U, III / Abel
U, Sr Subclan
3. Emily Teresa Hanson md Albert U
[Note - all other records show the last of
Emily Teresa Hanson to be Burton U↑.
The corruption could have come from
Burton → Burt → Bert → Albert - RPU]

⑥ See Ltr 4NOV 1990 Eleanor VANN U to RPU
"I can't find anything on Capt. Burt U CSA but have
a faint memory of Clara Thompson telling me a little
tale about him - I'll keep looking for it. I do not
believe he had red hair. My Grandfather "Papa", John
Burton U had dark hair - My father and his
brothers all had dark hair so I think that
was the artist doing his thing" (when he showed
Capt Burt U with red hair).

(7) Copy of ltr 23NOV1990 Eleanor NMN U to RPU re Capt Burton U ↑

REC'D 26 NOV 1990

E. U. KENNEDY
2507 Stirrup Ln
Alex. Va. 22308

November 23, 1990

Dear Cousin Phil:

This is a bit of info on Capt. Burt Upchurch which I want to send you immediately:

A newspaper acct. of the death of Capt Burt Upchurch

"On last Saturday afternoon at 1:30 o'clock occurred the death of that beloved gentleman, at his home in the west end of town.

Capt. [redacted] Upchurch was born July 31, 1838 and was married to Miss Emma T. Hanson on Jan. 15, 1868. From this union were born four sons and three daughters, all of whom are now living with the exception of one son.

The deceased was a gallant soldier during the Civil War, entering the service as a private in May 1864, and as a reward for services was promoted to the rank of Captain,

(7) - CONTINUED

He was wounded three times. His wife died July 5, 1885, and he moved with his children to Carrollton (Ga) in November 1886 to enter upon the discharge of his duties as clerk of the circuit court, to which office he had been elected by a people who loved him. In this capacity he served the people up to the time of his death and served them well. No word of complaint rests against him; his name will ever be honored and revered, and the hearts of all who knew him will be saddened at the mention of his name. Could we, by the adding of words, assuage the grief or mitigate the heartaches of his bereaved children we would endeavor to do so, but this grief is too deep and too poignant. We can only say that we know from his life that he was a noble christian man and that he is now enjoying sweet rest from the labor and toils of earth life.

On Monday morning at 10:00 o'clock

(5) - CONTINUED

loving (3) hands tenderly lowered his remains beside her he loved so well. He sleeps well, and on beyond the dark stream which marks the confines of life, he lives a redeemed spirit waiting and watching for those who linger behind. God grant that the reunion in the last day will bring to him a meeting with all his loved ones. The funeral services were conducted by the Rev. J. B. Small in the presence of a vast concourse of friends of Bethesda Presbyterian Church, 16 miles southeast of Carrollton".

He is buried at Bethesda Presby Church + when I come upon the picture I'll send a copy -

This is all for now - more later -

Love -

Eleanor

(8) See ltr 28 JAN 1991 Eleanor VMN U to RPU

"My records show Capt. Burton U b 31 JUL 1838 (Cem. Records) and that he and Emily Teresa md 15 JAN 1858. I realize this makes her "13 yrs old". I also notice that her dau Julia was b 31 JAN 1869 and it stands to reason that in the days of limited birth control she probably had her first child about a year after her marriage. That would give credence to your date of 1869."

"I think 7 children is correct for Burton U↑. My mother corresponded years ago with cousin Jennie Estelle Fullerton. Had there been children born between my father (b 1871) and Uncle William Howard U, II (b 1876), I think I would have known about it."

(9) See ltr 4 APR 1992 William C. Daniel to RPU

Burton U↑ b 31 JUL 1838 d 8 JUN 1895 md 15 JAN 1858 Anna Emily T. Hanson. [Note: This is first reference to her as 'Anna' - RPU - see her Profile for speculation - RPU]

(10) outline per U Vol 13 No 1 JAN 1952

I. Richard U, II

A. Abel U, Sr. - Head of Class

1. Bartley U

a. Burton U↑

BURTON U PG7 XID-563

(11) From ltr 28SEP1992 Kathleen S. Brown to RPH

[Her letter placed in Pickens Co, AL Library Files] (1)

No. 673 (331)

The State of Alabama,
Pickens County.

CHANCERY COURT.

Wm G Robertson
Complainant.

vs.

John B. Upchurch et als
Defendant.

ORIGINAL BILL.

[21 JAN 1896] Filed January 21st 1896
Wm G Robertson
Register

M. B. Curry
Solicitor.

Record Book No 18 Page 198

Rogers Stationery Co., Birmingham, Ala. 1055

NOTE: This document reveals that Burton U purchased a number of lots in the city of Carrollton, Pickens Co, AL on 15 AUG 1892 from William G. Robinson and that notes were still outstanding as of the death of Burton U on 8 JUN 1895. This document requests Court assistance in gaining satisfaction on the said notes. In the process - the children of Burton U are listed along with their locations.

1. John B. U = John Burton U, I △
2. W. H. U = William Howard U △
3. Edward U = Edward Grey U △
4. Mrs Minnie Johnson = nee Julia Minnett U △
5. Harriet U = Margaret Harriet U △
6. Emma U = Emily Hanson U △
7. J. B. U. Adm = same as II 1 △

(11) - CONTINUED

William G. Robertson

vs

John B. Upchurch
W.H. Upchurch
Edmond Upchurch
Mrs Minnie Johnson
Harriet Upchurch
Emmy Upchurch
J.B. Upchurch, Admr of estate of Burt Upchurch dec'd

(2)

In Chancery at Carrollton, Pickens County, Alabama.

To Hon. W.H. Taylor, Chancellor &c:-

Your orator, William G. Robertson, a resident citizen of Pickens County, Alabama, over the age of 21 years, sheweth unto your Honor the following Statement of facts, to-wit: That prior to 15th day of August, 1892, he was seized and possessed in fee simple title of the following described lands in the town of Carrollton, Pickens County, Alabama, to-wit: Lots 51, 52, 53, 54, 61, 62, 63, 66 and 67 as shown by the map and survey of the west part of said town, that on the 15th day of August, 1892, he sold said land to one Burt Upchurch, and put him in possession of the same, for the sum of four hundred and twenty five dollars, one hundred dollars of said amount was paid cash and for the balance of the unpaid purchase money, the said Upchurch executed

three several notes, the first payable November 15th, 1892 for $100.00, the second payable May 15th, 1893 for $100.00 and the third made payable on November 15, 1893 for $125.00. The said Upchurch made the cash payment, and paid off the first note above described when the same fell due but the second and third notes herein before mentioned, which are made Exhibit "A" to this bill of Complaint and prayed to be taken as a part thereof are now past due and have never been paid, and no part of said notes have been paid except the sum of $27.00, which is endorsed as a credit on said notes — See Exhibit "A"

2nd — Your orator further shows unto your Honor that the said Burt Upchurch died intestate in this County on or about the 8th day of June 1895, and that letters of administration on his estate were granted to J.B. Upchurch, on the 18th day of October, 1895 by the Probate Court of said County, that all the heirs at law and distributees of his es-

(11) CONTINUED

△ EDWARD GREY U

△ WILLIAM HOWARD U

△ JOHN BURTON U, I

(4)

tate are as follows: John B. Upchurch, adult, W.H. Upchurch and Edward Upchurch minors over the age of 14 years, both of whom reside with the said Jno B. Upchurch in Carrollton, Pickens Co. Ala., Mrs Minnie Johnson, adult wife of Rev. C. Johnson, Harriet Upchurch, minor over 14 years of age and Emma Upchurch a minor under the age of 14 years both of said minors now residing with the said Mrs Minnie Johnson their sister, in the City of Montgomery, Alabama.

△ [JULIA MINNETT U]

△ [MARGARET HARRIET U]

△ [EMILY HANSON U]

△ [JULIA MINNETT U]

3rd — Your orator avers that he is the bona fide owner of said notes, which are Exhibit "A

hereto and that the same were given by the said Burt Upchurch, now dec'd, for the unpaid purchase money of lands therein set out and for no other purpose; and that the same are now due and unpaid.

(11)-CONTINUED (5)

4th Your orator avers that he has a vendors lien on said lands for the amounts due on said notes, Exhibit "A" hereto, with interest thereon.

Wherefore, your orator prays your Honor to take jurisdiction of this Cause that the process of this Court be caused to be served upon the said Jno. B. Upchurch, Wm Upchurch, Edward Upchurch, Mrs Minnie Johnson, Harriet Upchurch, Emma Upchurch and upon J.B. Upchurch, as administrator of the estate of said Burt Upchurch, deed. making them parties defendant hereto and requiring them and each of them to speedy answer or demur to this bill of Complaint according to the rules of this Honorable Court; that a suitable person be abbointed to represent the said minors in this Cause as guardian ad litem; that your orator may be decreed to have a vendors lien upon the lands as described in this his bill of Complaint for the amount of purchase money due on said lands together with interest thereon; that this Honorable Court will ascertain the amount so due your orator upon said notes and will decree

(11)-CONTINUED (5)

that said lands be sold to satisfy said Amounts together with the Cost and expenses of this suit; that your Honor will grant all such orders and decrees as is necessary to effectuate oralor's lien aforesaid upon said lands; and oralor prays for such other, further and general relief as in the premises he may be entitled.

And as in duty bound he will ever pray &c &c.

M.B. Curry,
Solr for Complt.

Note — defendants are required to answer paragraphs four to seven inclusive of said bill and their oaths to such answers are expressly waived.

M.B. Curry,
Solr for Complt.

(11) - CONTINUED

(7)

$100.00 - On the 15th day of May, 1893 I promise to pay W. G. Robertson or order, One hundred dollars, with interest from date, being the third payment of the purchase money for the following described lands, to wit: Lots 51, 52, 53, 54, 61, 62, 63, 66 and 67, situated in the town of Carrollton, Pickens County, Alabama, as shown by the map and survey for the west part of said town. Witness my hand and seal, this August, 15th, 1892.

Burt, Upchurch LS

$125.00 On the 15th day of November, 1893, I promise to pay W. G. Robertson, or order, One hundred and twenty five dollars, with interest from date, being the fourth and last payment of the purchase money for the following described lands, to wit: Lots, 51, 52, 53, 54, 61, 62, 63, 66 and 67, situated in the town of Carrollton, Pickens County, Alabama, as shown by the map and survey for the west part of said town. Witness my hand and seal this 15th August, 1892

Burt, Upchurch LS

Exhibit "A" Filed June 21 1896 W. G. Robertson Registry

(12) Cemetery Records - Bethesda Presbyterian Cemetery, Benevola, Pickens Co, AL.

See Cemetery Records for a picture of the tombstone for Burton Upchurch

BURTON H

(12) ~~Pte~~ 13 NOV 1481 Mayfield H ~~to RM~~ PG14 XTD-563

CSA - Burton H - Co B, 42 AL Inf 2LT-2LT.

BURTON
XID 6775

BURTON U

XID-6775

① See Note of RPU 17JUL1981 Visit with Fred Upton U S1.

"My father had an Uncle William H. U who raised a family in Yalobusha Co, MS. His wife died there and the children (Ina U, Gladys U, Bethel U, Little Burt U↑) stayed there. Will moved on to the MS Delta and remarried. He was shot by his 2nd wife and he is buried in Rome, MS. Dau Gladys was alive last year"

[William U III / Alice U of Salvador]

② Burton U↑ b JAN 1891 (AL) (Bur-Hyattesville, MD) md Daisy — (Bur Az Nur). (42, Pg 69)
They had a son Bobby U.

BURTON GARDNER. U XID-7730

(1) See ltr 10 MAR 1982 Eleanor U to RPH

Burton Gardner U b 19 OCT 1894 (Pickens Co, AL) d 16 MAR 1896. I assume he is buried in Pickens Co, AL since he does not have a grave site in Greenwood Cem, Montgomery, AL.

(2) See ltr 22 MAY 1987 Eleanor NMN U to RPH

Burton Gardner U ↑ is buried in the Coen (Cohen) Plot in the Carrollton Cem, Carrollton, Pickens Co, AL. On his stone "A smile hath passed which filled our home with light. A soul whose beauty made that smile so bright"

(3) RPH Entry - From FIND A GRAVE 28 APR 2014

Burton G. Upchurch

Birth: Oct. 19, 1891
Death: May 16, 1896

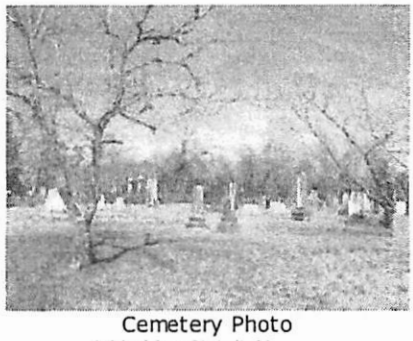
Son of J.B. & P.R. Upchurch.

Burial:
Carrollton Cemetery
Carrollton
Pickens County
Alabama, USA

Edit Virtual Cemetery info [?]

Created by: Stephen McBride
Record added: Oct 10, 2013
Find A Grave Memorial# 118494139

Added by: Stephen McBride



Cemetery Photo
Added by: NatalieMaynor

(4) RPH Entry
28 APR 2014

I. Abel U, Sr - Head of Clan
A. B Autley U
1. Burton U, capt CSA
a. Burton Gardner U ↑

BURTON K 4

(1) FROM 1995 CD-ROM

Upchurch Betty		Boone	NC	28607	704-264-1313
Upchurch Kim		Boone	NC	28607	704-264-9078
Upchurch Missy		Boone	NC	28607	704-264-9184
Upchurch Thelma	296 Dove Cir	Boone	NC	28607-4316	704-262-9643
Upchurch Alberta		Broadway	NC	27505	919-258-3870
Upchurch Bennie A		Broadway	NC	27505	919-258-6059
Upchurch Burton K		Broadway	NC	27505	919-499-6723
Upchurch Charles		Broadway	NC	27505	919-258-6336
Upchurch Daniel C		Broadway	NC	27505	919-258-3765
Upchurch Junior	1925 Carr Crk Dr	Broadway	NC	27505	919-258-3547

BURTON KIMMONS
XID 26146

BURTON KIMMONS U XID-26146

① See Notes of RPU Call 8 SEP 1990 to Mary Rachel U

I. Alonzo Malcolm U of the Jubal U / Calvin U Subclass

A. Malcolm Thomas U

1. Burton Kimmons U ↑ md but has no children of his own. He has two step-children one of which is md & has a child and one who is md but without issue.

② Computer Listing:

Burton K. Upchurch ↑
Rt 1 Box 194
Broadway, NC 27505
} In AF

BURTON WILSON U XID-36208

(1) See Ltr 3 FEB 1995 Edith Tolson to ADH

I. Abel U, Sr – Head of clan
A. Bartley U
1. Burton U Capt. CSA
a. William Howard U, Sr
i. William Howard U, Jr b NOV 1898
d 4 MAY 1899 (Bur – Oak Wood Cem. Montgomery, AL Lot 7 Square 29 Survey 7)
ii. Burton Wilson U b 19 MAY 1901
d 28 JUL 1903 (Bur Oak Wood Cem., Montgomery, AL) (Lot 7 Square 29, Survey 7)

Edith reports that noone knows about these two children until she encountered information that they were buried at Oak Wood Cem in Montgomery AL. She then went through the State Dept of Archives & History, the Montgomery Advertiser (1897) and a local funeral home.