

Golden Almon Upchurch, Sr**XID – 756**

Commentary: Golden Almon Upchurch was the son of Tabitha Upchurch and the grandson of Nathan Upchurch I, the head of Upchurch clan # 3. He married Nancy Ann Lewter and they lived their entire lives in Wake County, NC. For more information about this family see the Nathan I by UAFA family tree on Ancestry.com

Acknowledgements: This Biofile was transcribed by Carla J. Michaels, UAFA Volunteer Coordinator in Cary, NC.

[Nathan Upchurch, I (Head of Upchurch Clan #3) → Tabitha Upchurch (F) → **Golden Almon Upchurch, Sr** – RPU]

(1) In will dated 26 Feb 1835 Nathan Upchurch, I names 4 living sons and one deceased and 3 daughters one of which was Tabitha. He also lists two children of Tabitha:

1. **Golden Almon Upchurch** – (why does he have Upchurch name??)
2. Martha Jane

(2) Per attachment #21 West letter 18 May 1975 – Nathan Upchurch will 26 Feb 1835

“9. Grandson **Golden Almon Upchurch**, son of Tabitha – horse, bridle, and saddle and 1 feather bed and furniture”

(3) Per attachment #35 West letter 18 May 1975 – Abstract of Upchurch Wills – Wake County, NC Court House

“Tabitha to **Golden Amon Upchurch**, Mary Jane.” 1855 Book Rec 29, Page 230.
[West note = At al – assume G A = Golden Almon – RPU]

(4) Golden Almon Upchurch born 1815 married Nancy Lewter (daughter of Henry Lewter and Amelia Kelly) born 1812 died 1850 – 1860. Their children:

William Upchurch	born 1838
Joseph Upchurch	born 1840
Burtess Upchurch	born 1842
Arkansas Upchurch	born 1844
Amelia (Miley) Upchurch	born 1847

[From Lewter Book by Belle Lewter West – page 91]

(5) Per attachment #24 West letter 18 May 1975 – Upchurch Wills – Wake County, NC Court House

“GA Upchurch to Ann Eliza Upchurch et al 23 May 1929 – Reg K, Page 170, File 4112.”
[Note: This is Golden Almon Upchurch, Jr – RPU]

(6) For Nathan Upchurch, father of Tabitha, Will see Will File – Probated May 18, 1835

Gives miscellaneous material to **Golden Almon Upchurch**, son of Tabitha Upchurch
(7) See Deed File – Nathan Upchurch to Nathaniel Mitchell – Registered 5 Jan 1836, Book 12, Page 137 – 125 acres, \$150. Drafted 6 Feb 1834, Proved Nov 1935. Witnesses: Acril Upchurch, **Golden A Upchurch**. Land adjoins Fuller, Vaughn, and Nathan Upchurch.

(8) See Will of Tabitha Upchurch – Wake County, NC – Written 8 Jul 1848 – Shown in open court Feb term 1855.

Tabitha lists her children **Golden Almon Upchurch** and Martha Jane Upchurch. Gives jointly to them a slave Milly to live first one place then the other. Then gives jointly slaves Charles, Mabon, Samuel, Peter, Georg, Emaline, and Harriet. Rest of estate to be sold and divided between the 2 children.

Executors: Golden Almon Upchurch & his friend Willis I Fuller.

Witnesses: Thomas J Utley, Lewis Yates.

(9) See Wake Co, NC Census – 1860

Golden Upchurch	45	M	Farmer	born NC	\$750/\$6149
[Golden Almon Upchurch, Sr]					
Ann Upchurch	47	F		born NC	
[nee Nancy Ann Lewter]					
William Upchurch	22	M		born NC	
Joseph Upchurch	20	M		born NC	cannot read or write
O B Upchurch	16	M		born NC	cannot read or write
[Allinder Burtess Upchurch]					
Arcansas	15	M		born NC	cannot read or write
[Arkansas Upchurch]					

[Note: actual census states Joseph, O B, and Arcansas attended school in the last year. Wrong column was noted in RPU's notes. CJM 13 Sep 2020]

Milly Upchurch	12	F		born NC	
[Armelia Upchurch]					
Rebecca Upchurch	6	F		born NC	
Tabetha Upchurch	3	F		born NC	
[Tabitha Upchurch]					
Rufus Upchurch	2/12	M		born NC	

(10) See Wake Co, NC Census – 1870 – White Oak Township

Gold A Upchurch	55	M, W		born NC	farmer, \$750, \$600
<u>[Golden A Upchurch, Sr]</u>					
Nancy Upchurch	58	F, W		born NC	keep house
Burtess Upchurch	27	M, W		born NC	farm laborer
Arkansas Upchurch	25	F, W		born NC	at home
Rebecca Upchurch	16	F, W		born NC	at home
Tabbitha Upchurch	13	F, W		born NC	at home

Gold A Upchurch	10	M, W	born NC	at home
(11) See Wake Co, NC Census – 1880 – White Oak Twonship – Household 94, Family 96				
GAU	65	W, M		farmer
Nancy Upchurch	67	W, F		wife
G A Upchurch, Jr	20	W, M		son
Mozie Juda	26	B, F		servant

(12) Golden A Upchurch born 1815 married Nancy Lewter born 1812 died 1850 – 1860 [date of death in error – RPU]

Their children:	William Upchurch	born 1838
	Joseph Upchurch	born 1840
	Burtess Upchurch	born 1842
	Arkansas Upchurch	born 1844
	Amelia Upchurch (Miley)	born 1847

(13) 1830 NC Census shows 0 Golden A Upchurch
1840 NC Census shows 1 **Golden A Upchurch** – Wake Co, NC

(14) See 1850 Census Wake Co, NC – Western Division

<u>Golden A Upchurch</u>	35	M	born NC	farmer, \$225 RE
Tabitha Upchurch	59	F		
[obviously Golden's mother – RPU]				
Nancy Upchurch	38	F		
William Upchurch	12	M		
Joseph Upchurch	10	M		
Burtess Upchurch	8	M		
Arkansas Upchurch	6	F		
Mily Upchurch	3	F		
Martha J Upchurch	29	F		

(15) See 1840 Census – Wake Co, NC – **Golden A Upchurch** is listed as head of household. There are 6 family members and 7 slaves – 5 people engaged in agriculture and 1 over 20 who cannot read or write.
Slaves: 2 males < 10 years, 2 females < 10 eyars, 1 male 10-24, 1 female 10-24, 1 female 36-55.
Age brackets listed – probable names supplied by RPU – White Oak District

Male

one < 5 years – William Upchurch age 2
one < 5 years – Joseph Upchurch age 1
one 20-30 years – **Golden Almon Upchurch, Sr** age 25

Female

one 20-30 years – Nancy Ann (Lewter) Upchurch age 28
one 20-30 years – Mary Jane Upchurch – sister of Golden A Upchurch, Sr

one 50-60 years – Tabitha Upchurch – mother of Golden A Upchurch, Sr age 49

(16) See notes of RPU 18 Nov 1978 visit to Adelia Jane Upchurch

Adelia knew two of **Golden Almon Upchurch, Sr**'s children. They were A Burtess Upchurch (XID – 826) and Golden Almon Upchurch, Jr (called “Coon”). See biofiles on these two individuals for information imparted by her.

(17) Per attachment #35 West letter 18 May 1975 – Wake Co, NC Court House – Wills
“G A Upchurch to Nancy Upchurch 2 Nov 1893 – Book Rec C, Page 182, File 1917.”

(18) See Will File – Will of G A Upchurch – Wake Co, NC – written 7 Apr 1891
 Probated 2 Nov 1893. **G A Upchurch, Sr** names his wife Nancy Upchurch and lists children:

1. Daughter A D Lewis [nee A D Upchurch]
2. Daughter N A R Young
3. A B Upchurch
4. M J Young
5. G A Upchurch, Jr

Appoints G A Upchurch, Jr as executor

Witnesses: L D Baucom, A C Council

(19) Per attachment #34 West letter 18 May 1975 – Wake Co Marriage Records, NC

1. 25 Apr 1882 – Golden A Upchurch, Jr married Ann Eliza Harwood, residence of G A Upchurch [Note: assume residence – of **Golden Almon Upchurch, Sr** – RPU]

(20) See 1860 Census – Wake Co, NC – Schedule 2 – Slave Holdings

Golden Upchurch had: male black slaves ages 24, 33, 17
 female black slave age 20

(21) See NC Supreme Court Case #16484 from Wake Co 1888 – 1889

Amos Lassiter, Administrator, is suing heirs of George Fuller, including Samuel Upchurch, re: sale of 40 acres adjoining the White Oak Church in Green Level area [Note: These are negroes. However, the 40 acres adjoins G A Upchurch, W M Yates, and Hilliard Rogers. These three could be negro but assume they are white and that G A U = **Golden Almon Upchurch, Sr**] [At another place it is said that Gould Upchurch could have assets of the deceased George Fuller (negro). Assume Gould Upchurch could be Golden Almon Upchurch, Sr – RPU]

(22) See letter 22 May 1987 Oliver Wingate Upchurch to RPU

From State Archives, Hall of History – Raleigh, NC

1893 ----C 182 Settlement of estate of G A Upchurch, Sr

(Golden Almon Upchurch, Sr). Beneficiaries are:

1. A B Upchurch [Allinder Burtess Upchurch]
2. M J Young
3. N A R [N A R Young]

(23) From: Wake Treasures Vol 12 No 1 Winter/ Spring 1997, Page 24

16. MARY KELLY / FATHER NOT NAMED

State vs Mary **KELLY**. WARRANT —To any Lawful officer to Execute and Return agreeable to Law – whereas information has been Lodged before us Willie J. **FULLER** and John **SCOTT** two of the acting Justices . . . by Nancy **KELLY** . . . that Mary **KELLY** Single Woman hath been delivered of a child . . . a bastard and may become Chargeable to the County . . . these are therefore to apprehend said Mary **KELLY** and bring her before us or any other Justices . . . to be further dealt with as the law directs Given under our hands and seals this 10th day of Sept 1856 at 9 o'clock AM [signed] Willie J. **FULLER** JP John **SCOTT** JP [Sheriff's note] Executed W.H. **HIGH** by Tho' **UTLEY** D.S.

EXAMINATION. Mary **KELLY** having been brought before us John **SCOTT** & Kindrick **JOHNSON** Two Justices . . . aforesaid Mary **KELLY** refused to declare the father of her Child and pays her fine of Five Dollars and offers as her Security Hinton **HUDSON** & G. A. ? UPCHURCH This 14th Sepr 1856 [signed] John **SCOTT** JP K. **JOHNSON** JP

Cross reference:

Mary Kelly	Nancy Kelly	Kindrick Johnson
Willie J Fuller	John Scott	Hinton Hudson
W H High	Thomas Utley	
G A Upchurch =	<u>Golden Almon Upchurch, Sr</u>	

(24) Details in letter 10 Apr 1999 Jerry J Lewis to RPU

Re: I. Nathan Upchurch, I – Head of Clan

A. Tabitha Upchurch

1. **Golden Almon Upchurch, Sr**

married Nancy Ann Lewter

a. Arcanna Delmer Upchurch

married James Adolphus Lewis, son of Guilford Lewis

James Lewis's name was no doubt Adolphus. After my grandfather's death, my grandmother married a "Dolphus" whose name was actually "Adolphus". Perhaps, James Lewis was referred to in the same way per legal records:

Marriage Index:

Lewis, J.D. of Wake Co. age 30 [JAMES ADOLPHUS LEWIS]
and A.D. Upchurch of Wake Co. age 32 [ARCANNA DELMER U]
m. @ G.A.Upchurch residence Nov 22, 1877 [GOLDEN ALMON U, SR]

Marriage Index:

Lewis, James D. of East Durham age 61 [JAMES ADOLPHUS LEWIS]
and Ettie Woods of Apex, age 47
m. Mar. 5, 1908

Deeds:

Guilford Lewis deeds 60 acres for "natural love for my son, James D. Lewis" (Wake County, NC Real Estate Conveyances Vol 140, p. 198, Dec. 12. 1896).

→ [JAMES ADOLPHUS LEWIS]

→ [J. U vs GOLDEN ALMON U, SR]

For the father of "Arcanna Delmer" (sp?) - J. Upchurch per my research, I have summarized the marriage license:

Wake County, age 30, son of Guilford Lewis and Susan Lewis of Wake County to marry A.D. UPCHURCH, age 32, of Wake County, the daughter of J. UPCHURCH and Nancy UPCHURCH of Wake County. Wedding on Nov. 22, 1877.

Nee Nancy Ann Lewter, daughter of Henry Lewter

Names included:

James Lewis	Adolphus	J D Lewis	A D Upchurch
G A Upchurch	Golden Almon Upchurch, Sr		Susan Lewis
Arcanna Delmer Upchurch	James Adolphus Lewis		Guilford Lewis
A D Upchurch	J Upchurch	Nancy Upchurch	

(25) Item obtained by RPU/ SSU on Apr 1996 Texas Trip to Confederate Research Library – Hillsboro, TX

NC Confederate Militia Officers Roles as contained in the Adjutant General's Officer Roster By Stephen E Bradley, 1992, W

2#

1. Benjamin Sledge	13 Sep 62	Dist No 16	Halifax Co
2. Capt Golden A Upchurch	22 Nov 61	White Oak	Pg 102, Wake Co
3. 3 rd Lt William Upchurch	1 Apr 62	White Oak	Pg 103, Wake Co
James Baucom gone from District			
4. -nd (?) Willi?ard Upchurch	4 Jan 62	(inserted)	Pg 99, Wake Co

(26) The Naaman Mills Family by W A Mills, page 127 – 133

Re: 55 Mills entries in Wake Co, NC Court of Pleas and Quarter Sessions 1821 – 1867 – “Court Dates Etched in Time”

I. Abraham Mills → Naaman Mills → Lucretia Mills – great grandmother of RPU
→ John Mills; Britain Mills, Matthew Mills, Nathan Mills, Shadrack Mills

45. Feb 1857 – pg. 330 – "Upon the relinquishment of the widow being filed, ordered that Britton Mills be appointed administrator upon the estate of James Mills, deceased. And he enters into bond in the sum of one thousand dollars, with Kindrick Johnson and John Scott as sureties, who are approved and accepted by the Court. And the said Britton Mills is in open Court & duly qualifies as administrator aforesaid by taking the oath prescribed by law. Ordered that said administrator have leave to sell the perishable property of his intestate upon a credit of not less than six months."

46. Feb 1857 – pg. 361 – "Petition for a year's support. On motion, Kindrick Johnson, a Justice of the Peace, William Yates, Jesse Howell, and Johnson Olive, free holders, are appointed commissioners to view the estate of James Mills, deceased, and to allot and set apart to his widow Elizabeth Mills, so much of the stock, crop and provisions belonging thereto, as may be adequate to the support of her and family for one year, and if then shall not be a sufficiency on hand to afford such an allowance, then to assess the deficiency in money. Said commissioners are to report to the next term of this Court under their hands and seals."

48. May 1857 – pg. 386 – "ELIZABETH MILLS, WIDOW VS. THOMAS J. UTLEY, GUARDIAN AD LITEM } Petition for dower. On motion, it is ordered by the Court, that a writ be issued to the Sheriff of Wake County, commanding him to summon a jury of twelve free holders unconnected with the parties, to allot to the petitioner, her dower in the lands of her late husband, James Mills. Which said land is described in her petition according to the Act of the General Assembly in such case made and provided."

50. Nov 1858 – pg. 547 – "Ordered that Willie J. Fuller, Wm Jenks, and Golden A. Upchurch be appointed a committee to audit and settle the accounts of Britton Mills, administrator of James Mills, deceased, and to report to the next term of this Court."

51. Feb 1859 – pg. 575 – "On motion, Elizabeth Mills is appointed guardian to her children, Henry B. Mills, Jesse J. Mills, and Green W. Mills. And she enters into bond in the sum of two hundred dollars, with Britton Mills and Willie J. Fuller as sureties, who are approved and accepted by the Court."

Names noted:

James Mills	Britton Mills	Kendrick Johnson	John Scott
William Yates	Jesse Howell	Elizabeth Mills, widow	Thomas J Utley
Willie J Fuller	William Jenks	Golden A Upchurch	Henry B Mills
Jesse J Mills	Green W Mills		

CJM 13 Sep 2020

(no number) The Naaman Mills Family by W A Mills, page 21

I. Abraham Mills

A. Naaman Mills

1. John Mills born about 1780; died about 1867
2. Lucretia Mills [great grandmother of RPU]

Names/ Actions associated with John Mills, who never married:

1. 33 Nov 1822 John Mills Bondsman for marriage of brother Matthew Mills
2. 1822 John Mills witnessed deed for brothers Matthew Mills from Gilliam Upchurch
3. 1824 John Mills witnessed sale for brother Britain Mills from Kezeah Jenks
4. 1825 John Mills witnessed for brother Nathan Mills from Rial Ferrell
5. 1832 John Mills witnessed deed for brother Nathan Mills from Rial Ferrell
6. 1836 John Mills qualifies as Administrator for estate of his father Naaman Mills - \$100 bond – Seth Jenks and Nathan Mills as securities
7. 1850 Census is farmer with brother Nathan Mills
8. 1860 Census in with family of Lucretia Mills
9. John Mills died intestate – E L Mills appointed Administrator – Auditors: J C Council, J T William Jenks and **G A Upchurch**

(no number) The Naaman Mills Family by W A Mills, Page 127 – 133

Re

Re: 55 Mills entries in Wake Co, NC Court of Pleas and Quarter Sessions 1821 – 1867 – “Court Dates Etched in Time”

- I. Abraham Mills → Naaman Mills
- Lucretia Mills – great grandmother of RPU
 - John Mills; Britain Mills, Matthew Mills, Nathan Mills, Shadrack Mills

38. Aug 1853 - pg. 524 - "Ordered that Jephtha Mills, an orphan child, now of the age of eight years, be bound out as an apprentice to Elijah Mills, until he arrives at the age of 21 years, to learn farming. And the indentures are accordingly executed."

43. Feb 1855 - pg. 41 - "Ordered that E.L. Mills does have leave to retail spiritous liquors by the small measure at Green Level, in Wake County, and that the Sheriff issue a license for the same, upon his complying with the revised law, for one year."

52. May 1863 - pg. 445 - "On motion, Elijah Mills is appointed administrator with the will annexed of John Crocker, Sr., deceased. He enters into bond in the sum of four thousand dollars, with Albert Council, G.A. Upchurch as his sureties, which is approved by the Court. Whereupon he took the oath prescribed by law."

55. Nov 1867 - pg. 416 - "On motion, E.L. Mills is appointed administrator of William Ivey. And he enters into bond in the sum of two hundred dollars, with Hinton Jinks and Green Mills as sureties. Which bond is approved and accepted by the Court, and he duly qualifies according to law."

42. Nov 1854 - pg. 6 - "On motion, ordered that Elijah Mills be appointed administrator on the estate of Matthew Mills, deceased, and he enters into bond in the sum of one thousand dollars, with William Jinks and Hinton Jinks as his securities, who are approved and accepted by the Court. And he was duly qualified as such by taking this oath prescribed by law."

44. Nov 1856 - pg. 315 - "Ordered that Willie J. Fuller, G.A. Upchurch, & William Jenks be appointed a committee to audit & settle the accounts of E.L. Mills, administrator of Matthew Mills, deceased, and that they report to the next term of this Court."

54. Feb 1867 - pg. 247 - "On motion, J.C. Council, J.T. William Jenks, and G.A. Upchurch are appointed a committee to audit & settle the account of E.L. Mills, administrator of John Mills Sr., & report their proceedings under their hands and seals to the next term of this Court."

Names noted:

Jephtha Mills	Elijah Mills	E L Mills	John Crocker, Sr
Albert Council	G A Upchurch	William Ivey	Hinton Jinks
Green Mills	Matthew Mills	Willie J Fuller	William Jinks
J C Council	J T William Jinks	John Mills, Sr	

(no number)

Will: G A Upchurch – Wake Co, NC
 Probated: 2 Nov 1893 – Book C, Page 182, File 1917
 Written: 7 Apr 1891

In the name of God Amen

I, **G A Upchurch** of the County of Wake and State of North Carolina do make this my last will and testament in manner and form following:

Item 1st: I give, devise and bequeath unto my beloved wife Nancy Upchurch all my property, real, personal and mixed of what nature or kind soever and wheresoever the same shall be at the time of my death to have and to hold to her the said Nancy Upchurch for an during the term of her natural life.

Item 2nd: At the death of my wife Nancy my will and desire is that my Executor hereinafter named shall sell all my property real and personal and divide the proceeds among my children as follows

Item 3rd: First I give and bequeath to my daughters A D Lewis and N A R Young one hundred and twenty fve (\$125.00) Dollars each, to make their share equal with my other children to have and to hold to them and their heirs in fee simple forever.

Item 4th: I give and bequeath unto my children A B Upchurch, A D Lewis, M J Young, N A R Young, and G A Upchurch, Jr the remainder of the proceeds of the sale of my property share and share alike, to them and their heirs and assigns in fee simple forever.

I do hereby appoint my son G A Upchurch, Jr my executor, to execute this my last will and testament, hereby revoking and declaring void all other wills and testaments by me heretofore made.

In witness whereof, I the said **G A Upchurch, Sr** do hereunto set my hand and seal this 7th day of April 1891.

G A Upchurch { seal }

Signed, sealed, published and
 declared by the said
G A Upchurch Sr to be his last
 will and testament in the
 presence of us who at this request
 and in his presence do subscribe
 our names as witnesses thereto,
 L D Baucom
 A C Council

In the name of God amen.

I, G. A. Apfehurch, of the County of Wake and State of North Carolina, do make this my last Will and Testament, in manner and form following:

Item:— 1st I give, devise and bequeath unto my beloved wife, Nancy, Apfehurch, all my property, real, personal and mixed, of what nature or kind soever and wherever the same shall be at the time of my death, to have and to hold to her the said Nancy, Apfehurch, for and during the term of her natural life.

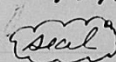
Item 2nd:

At the death of my wife Nancy, my Will and desire is, that my executor hereinafter named, shall sell all my Property real and personal, and divide the proceeds among my children as follows.

Item 3rd Item: I give and bequeath to my daughters A. D. Lewis, and M. A. R. Young, One hundred and twenty five (\$125.⁰⁰) ^{Dollars} each. — to make their share equal with my other children, to have and to hold to them and their heirs in fee simple forever.

Item 4th: I give and bequeath unto my children A. B. Upchurch, A. D. Lewis, M. J. Young, N. A. B. Young, and G. A. Upchurch Jr. the remainder of the proceeds of the sale of my property, share and share alike, to them and their heirs and assigns in fee simple forever.

I do hereby appoint my son G. A. Upchurch Jr. my executor, to execute this my last Will and Testament, hereby revoking and declaring void all other wills and testaments by me heretofore made.

In witness whereof, I the said G. A. Upchurch Jr. do hereunto set my hand and seal, this 7th day of April 1891.
G. A. Upchurch Jr. 

Signed, sealed, published and declared by the said G. A. Upchurch Jr. to be his last will and testament in the presence of us, who at his request and in his presence do subscribe our names as witnesses thereto.

L. D. Bawcom
A. C. Council

(no number) Wake Treasures Vol 13, No 1 Winter/ Spring 2003 listed the 1868 Masonic Lodge Members in Wake Co, NC including the Lodge shown on page 35. (Note that only officers are listed for this lodge whereas other lodges had officers & numerous members. Perhaps this was an oversight OR perhaps Green Level was a nearby organized lodge and only had officers – RPU)

Council, A C	Officer	Green Level Lodge No 277	Green Level
Broadwell, Jarratt	Officer	Green Level Lodge No 277	Green Level
Hudson, Hinton	Officer	Green Level Lodge No 277	Green Level
<u>Upchurch, G A</u>	Officer	Green Level Lodge No 277	Green Level

G A Upchurch = **Golden Almon Upchurch, Sr**
 A C Council – assume Albert Carberry Council – RPU

(no number) Input form Ancestry.com Re: M. Gilbert Upchurch (son of Burtis Upchurch and grandson of Nathan Upchurch, I) and wife – 13 Jun 2009 – RPU

Lessie Helen Upchurch	Golden A Upchurch
Born: 21 Mar 1884	
Died: 20 Nov 1947	Anne Howard

Family	Historical Records	Family Facts
Spouse		
Malphus Gilbert Upchurch		
Born: 29 May 1877		
Died: 17 Oct 1945		

RPU Note: 14 Jun 2009/

The Ancestry.com index that leads one to this item shows Lessie Helen Upchurch as daughter of Golden Acril Upchurch. Other records show her as daughter of Golden Almon Upchurch (Sr in either case.)

This reflects ongoing confusion in the family as to a spelling Almon versus Acril. Also, note spelling of Malphus here – but in RPU Master Outlines Malpheus is used.

(no number) From: Wake Treasures Vol 6 No 1 Winter/ Spring 1996, Page 63, 64

7. MILEY (MILLY) KELLY, MARY KELLY/FATHER NOT NAMED

State vs Miley **KELLY** WARRANT. To any lawful officer to Execute and Return Agreeable to law ... whereas Information has been Lodged before us Mellie J. **FULLER** and John **SCOTT** Two of the acting Justices ... by Nancy **KELLY** ... that Miley **KELLY** ... Single woman has been delivered of a Child which Child is a bastard and may become Chargeable to the city ... Therefore to command you to apprehend said Miley **KELLY** and bring her before us or any two Justices ... to be farther dealt with as the Law directs ... Given under our hands and Seals this 10th sept 1850 at 9 o'clock a m [signed] William J. **FULLER** JP John **SCOTT** JP [Constable's note] Executed W. H. **HIGH** Shff by Thos J. **UTLEY** D.S.

[on back of same] Miley **KELLY** having been brought in before us John **SCOTT** & Kindrick **JOHNSON** Two acting Justices ... She Miley **KELLY** refuses to declare the father of her child and having paid her fine of Five Dollars and offers as her Securities Hinton **HUDSON** & B. A. **UPCHURCH** to save the County harmless This 14th Sept 1850 [signed] John **SCOTT** JP K. **JOHNSON** JP

[There are two nearly identical documents without endorsements - one reading Miley **KELLY** and the other Mary **KELLY**. Both forms of her name are included as they were used in each record.] [BASTARDY BOND] Know all men by these presents that we Miley (Mary) **KELLY** Hinton **HUDSON** And Golden A. **UPCHURCH** ... are held and firmly bound unto the Justices ... in sum of Two hundred Dollars ... to be paid to said Justices or their successors in office ... we bind ourselves our heirs and assigns Jointly and firmly by these presents Sealed with our Seals and dated this 12th day of Sept 1850. Condition of above Obligation: above bounden Miley (Mary) **ELLY**, Hinton **HUDSON** and Golden A. (G.A.) **UPCHURCH**... aforesaid Miley (Mary) **KELLY** her heirs, Exrs or Assigns do and shall from time to time Acquit discharge and save harmless the overseers of the poor and Inhabitants of the County from all cost and charges whatsoever by reason of its birth and bring up ... [signed] Miley (X) **KELLY** (Mary (X) **KELLY**) Hinton **HUDSON** G. A. **UPCHURCH** Test K **JOHNSON** JP John **SCOTT** JP

Cross Reference:

Miley Kelly, Mary Kelly, Milly Kelly, Nancy Kelly, Mellie J Fuller (probably Willie J Fuller – RPU), John Scott, William J Fuller, W H High, Thomas J Utley. Kindrick Johnson, Hinton Hudson, B A Upchurch (probably Golden A Upchurch – RPU), Golden A Upchurch

(no number) From: Wake Treasures Vol 7 No 2 Summer/ Fall 1997, Page 16
Bastardy Bonds and Records

State and Margaret **DONES** vs Willie **FADGET**. {WARRANT}
To G. A. UPCHURCH one of the officers of Wake county and all lawful officers. Whereas upon the examination of Margaret **DOANS** single woman this day taken on oath before us, it appears that She has a child and which child is a bastard and may become Chargeable to the said County and the said Margaret **DOANS** hath Confessed that Wilie **FADGET** of the county aforesaid did beget the said Child and hath charged him with the same These are therefore to command you to apprehend the said Wilie **FADGET** and bring him before us, or any other Justice of the peace for the said county to answer said charge Given under our hands and Seals this the 1st day of September in the year of our Lord 1859 [signed] J. S. **JOHNSON** JP G. H. **ALFORD** JP
[Constable's note] Executed by G. A. **UPCHURCH** Sept 10th 1869

[No endorsement] [RECOGNIZANCE BOND] {G. A. U = prob = 3 L. GOLDEN ALMON U, SR
- RPU}

Be it remembered that on the 10th day of September in the year of our Lord 1859 Wilie **FADGET** and Hilliard **HUDSON** Planter came before me John S. **JOHNSON** one of the Justices of the Peace in and for said County and severally acknowledge themselves to owe the State of North Carolina that is to say Wilie **FADGET** one hundred pounds and the said Hilliard **HUDSON** fifty pounds to be levied of their lands and Tenements goods and Chattels if the said Wilie **FADGET** Shall make default in the performance of the Condition underwritten viz — That the said Wilie **FADGET** shall make his personal Appearance before the Justices of our court of Pleas & Quarter Session to be held for the said county at the court house in Raleigh on the third Monday of November next Then and there to stand to and abide by such proceedings as shall be had and perform such orders as shall be made by the court in relation to a charge of bastardy lately preferred against him by one single woman Margaret **DONES** of said County. Taken and acknowledged before me this the 10th day of Sept 1859 [signed] Wilie (mark) **FADGET** Hilliard **HUDSON** Test J S **JOHNSON** JP

Copies made for:

Margaret Dones	Willie Fadget	Margaret Doans	John S Johnson, J P
G H Alford, J P	Hilliard Hudson	<u>Golden Almon Upchurch, Sr</u> , constable	

(no number) From: Wake Treasures Vol IV No 1 Winter 1994, Page 7

Following the Civil War citizens of southern states were granted amnesty on a more or less wholesale basis by several Federal proclamations. However, certain office holders had to apply for pardon and these applications are on file in Raleigh, NC at the NC Archives. There were 101 applicants for Wake Co, NC including one Upchurch – namely G A Upchurch. He was required to apply because he had been a Postmaster at Green Level in Wake Co, NC (presumably a PM under the Confederate Government – RPU)

[Note: A search of the Master Outlines for the Nathan Upchurch, I and Moses Upchurch Clans for family members (males) of the right age, etc reveal the following:]

I. Moses Upchurch Clan – no candidates to be G A Upchurch

II. Nathan Upchurch, I

A. Burtis Upchurch

1. Alfred Upchurch born 1823 [could be G A Upchurch – RPU]
- B. Tabitha Upchurch
 1. Golden Almon Upchurch, Sr born 1815 [Most likely candidate to be the Postmaster G A Upchurch – RPU]

(no number) Extract of Upchurches found in: Wake Co, NC Census & Tax Lists 1830 & 1840 by Frances Holloway Wynne. All entries except one unidentified fall under Clans headed by 3 brothers as follows: [14 Upchurches mentioned]

1. I. Nathan Upchurch, I – Head of Clan – On 1830 Census & 1830 Tax List – White Oak Township

2. A. Burtis Upchurch – on 1830 & 1840 Census & 1830 & 1840 Tax List – White Oak Township
3. 1. Abel Upchurch – on 1840 Census & 1840 Tax List – Kitts Creek District
4. 2. William C Upchurch on 1840 Census & 1840 Tax List – Raleigh, NC
5. B. Hubbard Upchurch – on 1830 & 1840 Census & 1830 & 1840 Tax List – White Oak Township
6. C. Tabitha Upchurch – on 1830 Census & 1840 Tax List – White Oak Township
7. 1. **Golden Almon Upchurch, Sr** on 1840 Census & 1840 Tax List – White Oak Township
8. D. Gilbert Upchurch – on 1840 Census – not on 1830 or 1840 Tax List

II. Moses Upchurch – Head of Clan – lived in Chatham Co, NC

9. A. Whitney Upchurch – on 1830 & 1840 Census & 1830 & 1840 Tax List White Oak Township
10. B. Gillium Upchurch – on 1840 Census – not on 1830 or 1840 Tax List
11. 1. Hanson Upchurch (presumed son of Gillium Upchurch) on 1840 Census and on 1840 Tax List St Matthews Township

III. Richard Upchurch, III – Head of Clan – died 1817 lived Franklin Co, NC

- A. James Upchurch, VII died about 1835, lived Franklin Co, NC
12. 1. Kearney Upchurch – on 1840 Census & on Cross Road District Tax List

13. Richard Upchurch not on 1830 or 1840 Census; on 1840 Tax List White Oak Township – presumed Richard Dillard Upchurch, Sr son of Whitney Upchurch

14. William Upchurch, identity unknown, lists 493A on 1840 Tax List in Swift Creek Township for Jane (Yates) Betts, widow of Barzilla Betts, Sr

1840 Census, page 178

Upchurch, Golden A

males: 2 age 0 – 5

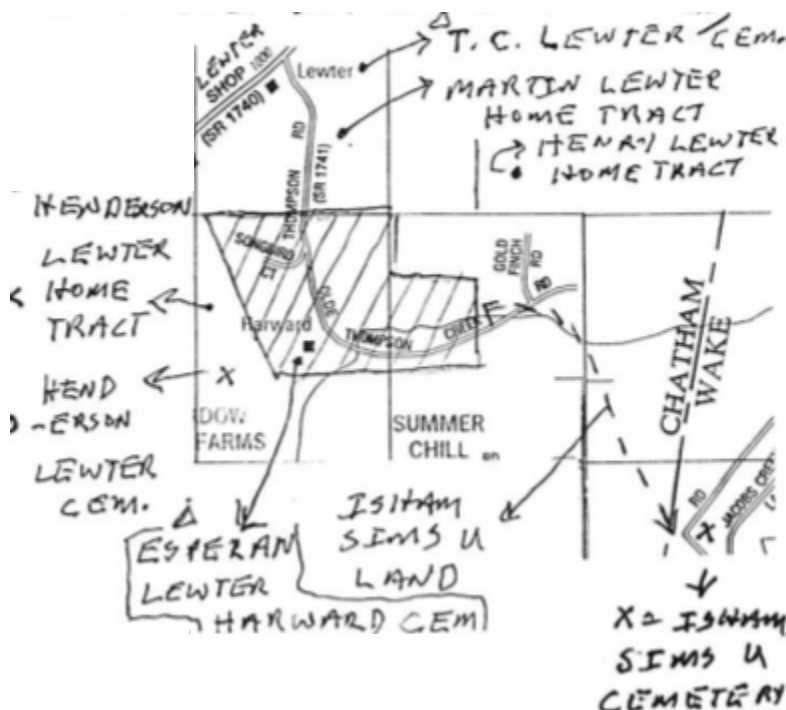
1 age 20 – 30

females: 2 age 20 – 30
 1 age 50 – 60
 slaves: 7

1840 Golden Upchurch White Oak Township 0A, 1 Pol, 0 slaves 65¢
 Also, he listed land (150A) for his mother Tabitha Upchurch, whom see

(no number) Extract of email 17 Jan 2010 Patricia Kimberly Beach to RPU

Re: Hardy Lewter 76-acre Home Tract in Chatham Co, NC adjoining land of Isham Sims Upchurch. See biofile of Hardy Lewter for 3 maps provided by Kim. [Eastern Chatham Co, NC]



I. Thomas Lewter

A. Hardy Lewter born about 1743 (VA) died < 1850 (Chatham Co, NC)
 married about 1765 () Rebecca Bunn died < 1840

From 1793 – 1798 hardy bought 500A on New Hope Creek and Kitt Creek
 (Hardy gave the 75A to daughters Barbara and Mary – They to care for him and daughter Lucretia “Crissie”. See page 82 Lewter Book by West

1. Elias Lewter born 1768 died circa 1815

married Sarah Wood, daughter of John Wood in Northampton Co, NC. See Sketch which follows.

2. Henry Lewter born 1778, died circa 1828 in Chatham Co, NC

married Amelia (Miley) Kelly, daughter of Henry in Chatham Co, NC. See Sketch. Amelia had six children including:

e. Nancy Ann Lewter born 1812 () died 1855± 5

married 18XX Golden Almon Upchurch, Sr (son of Tabitha Upchurch)

They had 9 children including:

i. *Nancy Ann Rebecca Upchurch born Feb 1854 died 1936

married about 1878 () James Young

3. Thomas Lewter died 1832 in Orange Co, NC. Estate settled by his son, William H Lewter (Court Minutes Orange Co). See Sketch.

4. Mary Lewter born 1785, Will 1875 Chatham Co, NC, never married

5. Exum Lewter (AKA: Axum) born 173, married Sarah Ferrell, daughter of Joseph Ferrell of Orange Co, NC Joseph Ferrell's will dated 7 Nov 1837, proved May Court 1838 Orange Co Wills)

6. Barbara Lewter born 1795, died 1861 in Chatham Co, NC, never married
AKA: Barbary

7. Martin Lewter born 1797, died before 1861 in Chatham Co, NC
married Peggy Bachelor

8. Lucretia Lewter (Crissie) born circa 1799, died after 1840 in Chatham Co, NC,
never married

Barbara Lewter's will bequeathed her 1/2 of 76A to Cindy Kelly, Michael Kelly and Marthy Kelly but there is no record they took possession. Mary Lewter's will gives the 76A to *Nancy Ann Rebecca Upchurch who lived in Wake. Actually, Mary bought Barbara's share from the executor of Barbara's will. Nancy A R (Upchurch) Young sold the 76A to S S Rogers who sold it to C M Hunt and W H Hunt. Last owner of the 76A tract were R G Thompson and wife nee Beulah Ferrell.

Martin Lewter purchased his tract from Hardy Lewter.

Henderson Lewter farm now owned by Karen Biron.

South of the 76A was the old Hughes Dairy Farm.

(no number) Upchurch Postmaster Appointments – RPU 19 Aug 2013.[Evidence from Gerald Thorp Leonard 29 Jul 2013]

All US Appointments of US Postmasters, 1832, 1971 results for Upchurch

[Note: Names highlighted by RPU include Nathaniel Smith Upchurch, **Golden Almon Upchurch, Sr**, Albert Doctor Upchurch, Benjamin Washington Upchurch, Robert E Lee Upchurch, I, John Jones Upchurch, I – CJM 13 Sep 2020]

1	David Upchurch	Gallatin, Gallatin, Illinois	15 May 1838	30	Phoebe L Upchurch	Mosley, Yell, Arkansas	8 Sep 1899
2	Bartley Upchurch	Benevola, Pickens, Alabama	29 Jan 1842	31	Thos R Upchurch	Cedarhill, Jackson, Louisiana	1 Aug 1899
3	David Upchurch	Gallatin, Gallatin, Illinois	3 Jun 1847	32	Charlie M Upchurch	Upchurch, Ware, Georgia	5 Mar 1900
4	Golden A Upchurch	Green Level, Wake, North Carolina	26 Aug 1850	33	Leonides M Upchurch	Bardin, Putnam, Florida	10 Jan 1902
5	N S Upchurch	Callahan, Nassau, Florida	27 Jul 1858	34	John W Upchurch	Stilson, Bulloch, Georgia	4 Apr 1904
6	James H Upchurch	Green Level, Wake, North Carolina	5 Apr 1859	35	John W Upchurch	Benevola, Pickens, Alabama	16 Aug 1906
7	G A Upchurch	Green Level, Wake, North Carolina	22 Jan 1861	36	Silas Upchurch	Glencak, Cherokee Nation, Indian Territory	13 Feb 1906
8	Miss A D Upchurch	Green Level, Wake, North Carolina	24 Apr 1866	37	Silas Upchurch	Glencak, Nowata, Oklahoma	13 Feb 1906
9	Sam'l Upchurch	Gallatia, Saline, Illinois	10 Dec 1873	38	Walter D Upchurch	Neals Landing, Jackson, Florida	20 Feb 1906
10	Sam'l R Upchurch	Gallatia, Saline, Illinois	30 Jan 1877	39	Mrs Thissell Upchurch	Stilson, Bulloch, Georgia	19 Sep 1907
11	T G Upchurch	Francisville, Lickett, Tennessee	25 Jun 1877	40	Wm P Upchurch	Oz, Wayne, Kentucky	7 Aug 1907
12	Thomas W Upchurch	Travisville, Fentress, Tennessee	25 Jun 1877	41	James C Upchurch	Capitola, Leon, Florida	9 Feb 1909
13	John R Upchurch	Milbernie, Wake, North Carolina	3 Jul 1878	42	Wm D Upchurch	Centreville, Franklin, North Carolina	25 May 1909
14	Willm M Upchurch	Sandy Point, Douglas, Missouri	18 Sep 1878	43	John F Upchurch	Stop, Wayne, Kentucky	17 Dec 1910
15	William A Upchurch	Arthur, Conway, Arkansas	24 Mar 1882	REAPPOINTMENTS:			
16	Melissa Upchurch	Benevola, Pickens, Alabama	9 Feb 1885	1 & 3; 4 & 7; 9 & 10; 19 & 20			
17	B W Upchurch	Pineview, Nash, North Carolina	5 Sep 1887	SAME INDIVIDUAL = 36 & 37			
18	John Upchurch	Benevola, Pickens, Alabama	21 Apr 1888	43 - 5 = 38 INDIVIDUAL			
19	Claudia B Upchurch	Gallatia, Saline, Illinois	29 Apr 1889	UPCHURCH POSTMASTERS			
20	Claudia B Upchurch	Gallatia, Saline, Illinois	20 Jun 1892				
21	Robt E L Upchurch	Pankey, Grimes, Texas	14 Sep 1894				
22	Wm L Upchurch	City, Alleghany, North Carolina	3 May 1894				
23	Mrs Claudia R Upchurch	Gallatia, Saline, Illinois	25 Sep 1897				
24	David H Upchurch	Arapaho, Custer, Oklahoma	1897				
25	James A Upchurch	Centreville, Franklin, North Carolina	19 May 1898				
26	John J Upchurch	Moniac, Charlton, Georgia	16 Feb 1898				
27	Margaret A Upchurch	Alpine, Washington, Idaho	9 Sep 1898				
28	Allie J Upchurch	Hickmans, Tuscaloosa, Alabama	22 Nov 1899				
29	Harvey B Upchurch	Carrollton, Pickens, Alabama	1 Dec 1899				

(no number) See Lewter Family – Entry 1 Aug 2009 – Packet to RPU from Patricia Kimberly Beach – page 14, 15, 16

I. Nathan Upchurch, I – Head of Clan

A. Tabitha Upchurch born about 1791

1. r born 1815

married () Nancy Ann Lewter

3 Nancy Ann LEWTER abt 1812 (b 29 Nov 1801 ?) d btw 1880 and 1900

△ m Golden Almond UPCHURCH b abt 1815 d btw 1880 and 1900

NOTE: Nancy is a confirmed daughter of Henry Lewter per his Will dated 02/1828. Listed in the 1850 Wake Co NC census pgs 202b & 203a with Tabbitha Upchurch (b 1791) and Martha Upchurch (b 1821) in their home in White Oak tw. In the 1860 Wake Co NC census on page 50b; the 1870 Wake Co NC census on page 443b; the 1880 Wake Co NC census page 495c. 1870 Wake Co NC census White Oak Township Page 443b

Her Obituary:

Biblical Recorder: 2 Mar 1892

UPCHURCH – Sister NANCY, wife of G. A. UPCHURCH, Green Level, Wake County, N. C., went to rest on February 19th, in her eightieth year. In early life she gave her heart to God and for many years has been a member of the Baptist church, faithful and consistent to all its demands. She leaves a husband and several children to mourn her loss.

C. W. BLANCHARD

△ 4 Golden Almond UPCHURCH Jr b 12 Apr 1860 d 20 May 1929

△ m Anne Eliza “Anlizer” HARWARD b abt 1862 [FILE AS NEE HOWARD]

NOTE: Married about 1882. Golden is buried at Green Level Baptist Church in Wake Co NC. Believe he was born in 1861 instead of 1860 as tombstone says. Listed in the 1900 Wake Co NC page census 272a with Anne's mother Fannie H Harward in their home (says Fannie had 1 child). Listed on Apex Road in the 1920 Wake Co NC census page 264a.

△ 4 Joseph B UPCHURCH b abt 1840 d 08/31/1863

NOTE: Served in the Confederacy in the Civil War. Enlisted as a Private on 11 March 1862 at the age of 21. Enlisted in Company H, 47th Infantry Regiment North Carolina on 29 April 1862. Promoted to Full Corporal on 01 July 1863 (Estimated day of Prom)

POW on 03 July 1863 at Gettysburg, PA. Confined on 09 July 1863 at Fort Delaware, DE.

△ Died of disease while a POW Company H, 47th Infantry Regiment North Carolina on 31 August 1863 in Fort Delaware, DE. DISTINGUISHED SERVICE

△ 4 Miley / Millie Jane UPCHURCH b 10 Oct 1844 d 12 May 1920

— m Unknown YOUNG

□ NOTE: Miley's Name, Dates, Parents, Birth in Wake Co NC, Spouse, Death of Heart

△ Dropsy in White Oak township, Wake Co NC, Informant B E Atkins of Apex, NC and

— Burial at Salem Baptist Church Cemetery in Apex, Wake Co NC per her NC Death

— Certificate on Microfilm at the State Archives.

Names included:

Nancy Ann Lewter

Tabbitha Upchurch

G A Upchurch

Anne Eliza Harward “Anlizer”

Joseph B Upchurch

Golden Almon Upchurch

Martha Upchurch

C W Blanchard

Miley/ Millie Jane Upchurch

Henry Lewter

Nancy Upchurch

Golden Almon Upchurch, Jr

Fannie H Harward

B E Atkins