

James I**XID 151****1)** From pp 21 -2 of *Upchurch Family* by Belle Lewter West

“Three of the family of Upchurch with the given name, James, became active buying and selling land in Brunswick County, VA. I shall designate them as I, II, and III for the sake of clarity”.

“One the 29th of Jun 1739, **James U I**, who seems to have been the son of Richard of Surry County (VA), therefore a grandson of Michael U I, was granted 117 acres of land, for 15 shillings, on the S side of Fountain’s Creek (later called Rattlesnake Creek) in Brunswick Co. This creek lies just north of the North Caroline line, almost all the way across Brunswick County.” (VA Land Grants, Archives in Richmond VA)

In 1748 – 9, **James U I** voted for (House of) Burgesses (Wm & Mary Magazine, 1 series, vol 26/29

“on the 27th of May 1755, with wife Elizabeth, **James I** gave a deed to Peter Hines of Brunswick County in Meherrin Parish – “land W side Fountain’s Creek ...for 27 pounds (Brunswick Co. VA Deed Bool 5/740.

On 20 Feb 1762, **James U I** bought, for 10 pounds, from Abraham Jones of Halifax Co. NC, 200 acres in Brunswick Co. VA.

The will of **James U I** was recorded 27 May 1765 in Brunswick Co. VA, naming son Myal and wife Elizabeth (Brunswick Co. VA Will BK 3/425.

Probable Children of **James I** and Elizabeth

1. William U II – on tax list of Granville Co. NC in 1755 (XID 161)
2. Richard U II – ibid (XID 152)
3. James U II – ibid (XID 154)
4. Myal (Michael III) U - (XID 159)
5. Daughter?

2) See records obtained by RPU on 23 Feb 1978, on a visit to National Society Colonial Dames XVII Century Office (28 p. 21, 22)

- a. P. 15 – Brunswick Co. Will Book 3, p. 425, probate 27 May 1765

Will of **James U** of Brunswick Co. VA Wife Elizabeth. “To Myal Upchurch, his younger son, 200 acres of land and plantation, lying between Thomas Bracy’s line and Benjamin Mosley’s line.” Wife Elizabeth, Exor – signed James U. Witness Absolom Ledbetter, Benjamin Mosley, Isaac Mosley.

[The phrase naming Myal Upchurch, his younger son, reads as though Myal might have been a brother and not the son of **James U** – I.B.W] (last comment of searcher – RPU)

- b. P. 13 – Index to Land Patents 1623 – 1774
 - i. **James U** BK 1G, pg 322, 117 acres, date 1739 assume
Wm. Gooch, Gov XID 151
 - ii. John U, BK 24, p. 611, 100 acres, year 1746 – assume XID 150
 - iii. James U, son of John U in Brunswick Co. VA assume
Year 1753, No. 32, p. 202, 400 acres XID 155
- c. P 14, William & Mary Quarterly Vol 26 (1)
Brunswick County Poll List for residents voting for (House of) Burgesses –
1748.....**James U.**
- d. P. 12 Brunswick Co. VA – Index of Deeds and Other Transactions
1739 – James U = Land grant in Brunswick Co. for 15 shillings – 117 acres on S
side Fountain’s Creek. 29 Jun signed Wm Gooch, Gov.
- e. P. 12 (1782) James of Brunswick Co. VA certified as having given supplies to aid
in American Revolution – 5 Jun.
- f. P. 12 Brunswick Co. VA – Wills BK 3, p. 425 Year 1765 (27 May?)
James U Will – wife Elizabeth Exec. “That is to say given to Myal U, his
younger son, 200 acres of land, to Bracy’s line, Benjm Moseley’s line”. Wit: Absolom
Ledbetter Benj & Isaac Moseley.

3) See p. 35 of 2 Feb 1978 letter Elva E. Burkhalter to RPU

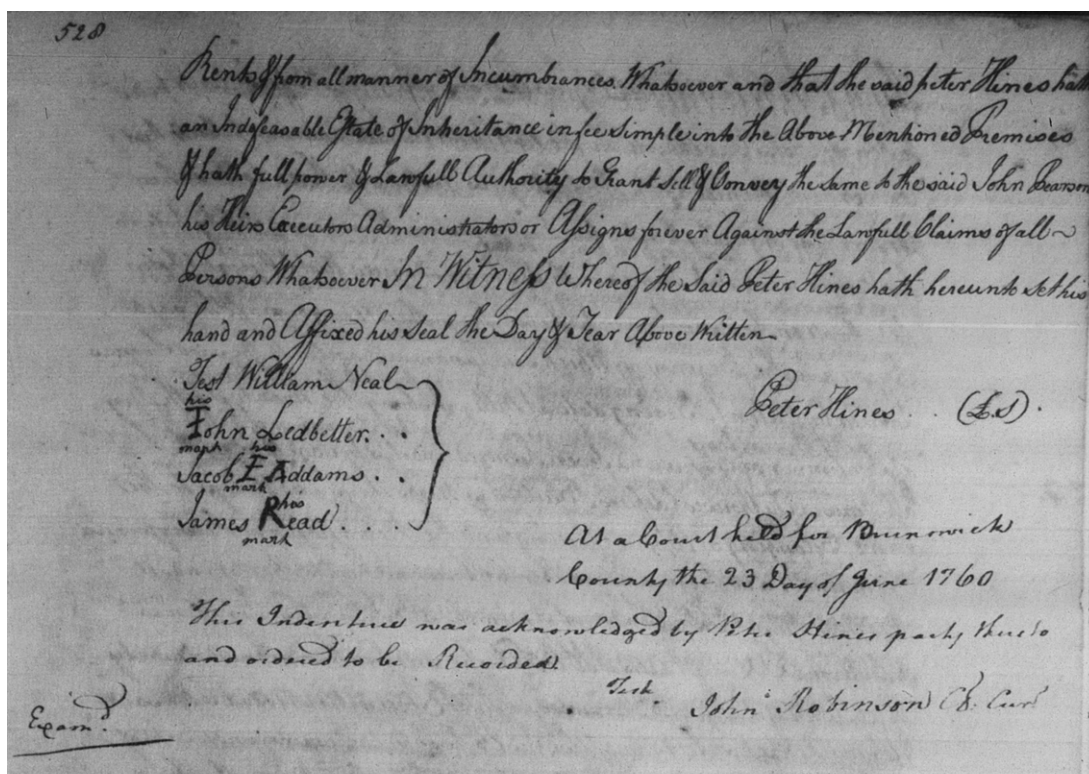
- A. Re: James U (XID 151), Peter Hines to John Pearson, Brunswick Co. VA Deed Book
p. 527. This Indenture made 12 Nov 1750.....between Peter Hines in ...Brunswick
...110 pounds conveyed to John Pearson (Pearce?) ...517 acres being a dividend of
land granted by patent to **James U (XID 151)** and Richard Smith date 1755 and
bunded as follows: Beginning at **James Upchurch** corner red oak ...north on
Rattlesnake Creek...Richard Ledbetter corner...-inwards at Fountain Creek...together
with all the building. Test: William Neal...Peter Hines (LS). John Ledbetter – his
mark, John Ledbetter- his mark, Jacob Adams – his Mark, John Read – his mark. 23
Jun 1760, ordered to be recorded. Fountain’s Creek is in present day Granville
County, a branch of which may com within bounds of present day Brunswick Co.
1780 – 81.

See the next two pages for actual document.

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Hines
to
Pearson

This Indenture made this Twelfth day of Nov^r One thousand seven Hundred and fifty Nine Between Peter Hines of the County of Brunswick in the Province of Virg^a and John Pearson of the other part Witneseth that for & in consideration of the sum of one Hundred & ten Pounds Current Money of Virg^a to me in hand paid by John Pearson Before Enrolling & Delivering of the Presents the Receipts Whereof I do hereby Acknowledge & Every part & parcel thereof the said Peter Hines Acquitt & Discharge hath Granted Bargained & Sold & by these presents D^oth Grant Bargain & Sell unto the said John Pearson his Heirs & Assigns a certain Tract of Land containing five Hundred & seventeen Acres being a Div^d of Land Granted by Patents to James Upchurch & Rich^d Smith James Upchurch Pat^h Bearing Date one Thousand seven & Thirty Nine & Rich^d Smiths Pat^h Bearing Date one Thousand seven Hundred & fifty five & bounded as following Beginning at James Upchurches Corner Ted oak Thence along his line North one hundred & fourteen Poles to his Corner Ted Oak on Rattle Snake Creek Thence Upon the Meanders of the said Creek to the mouth of the Branch Thence up the said Branch as it Meanders to Rich^d Led better's Corner Spanish oak on the same Thence along his Line West fifty eight Poles to a pine Thence by South Twelve Degrees West one Hundred & thirty two Poles to a White Oak Thence South Twenty one Degrees East one Hundred Poles to a Black Sack Thence South fifty three Degrees East Ninety four Poles to a poplar on a Branch Thence North Eighty four Degrees East one Hundred & twelve Poles to a scrub White Oak Thence North Nine Degrees East one Hundred & sixteen Poles to a Ted Oak on Upchurches Line Thence along Upchurches line to a Hickory Thence North one sixty five Degrees West Eighty one Poles to a White Oak Thence West one Hundred & twenty two Poles to a White Oak Thence North one Hundred & ten Poles to three trees short inwards at Tountains Creek Thence down the said as it Meanders to the Beginning together with all Buildings thereon & all his Right Title & Interest in and to the said Land and Premises To have And to hold the said Tract of Land with all Cuses profits priviledges hereditaments & Appurtenances to the said John Pearson his Heirs and Assigns forever & the said Peter Hines for himself his Heirs Executors Administrators D^oth Covenant Promise and Agree to and with & with the said John Pearson his Heirs Executors Administrators or Assigns that those that the above premises are free & clear of all other Gifts Grants Titles Doves



- 4) See p. 35 – 36 of 2 Feb 1978 letter Elva E. Burkhalter to RPU
 A. Patent Book 18, p. 322 Brunswick Co. VA. 1739 James Upchurch
 29 Jun 1739....117 acres on South side of Fountain's Creek. Comment Mrs. Huggins
 – This land after 1780 – 81 was located in Greensville County and is in the extreme
 corner S.W. near Brunswick County Line. When James U (XID 151) and his wife
 sold their land to Peter Hines in 1755, this is the way he signed his name:

his

James X Upchurch (LS)

mark

Elizabeth Upchurch (LS)

[Whether James U left
 Brunswick County at that
 time is not known. He may
 have gone to NC, then back to
 VA.]

- B. P. 36 “27 May 1762, **James U (XID 151)** bought from Abraham Jones of Halifax Co. NC 200 acres of land (in the) southern part of Brunswick near Lizard Creek and signed his name as follows: James X Upchurch (his mark)
Comment: The 200 acres purchased by this James U was left to his son, Myal (Michael) U (XID 159), the rest of his estate to his wife. The will notes that Myal is his youngest son. Said **James Upchurch**’s will of 1765 is not signed with a mark”
- C. P. 37 “Brunswick Co. VA – Alteration Personal Property Tax for 1791...100 acres of land taken from name of **James U** and charged to John N. Smith. Comment: John, William and Michael seem to be the sons of James who married Elizabeth and died in Brunswick Co. VA in 1765 (Note: I show sone William and Michael, but not John – RPU)
- 5) See notes of RPU, 31 Dec 1978 visit to William Kendrick Upchurch Sr. Kendricks record show James U I XID 151 (b. 1685 d. 1765)
 - 6) See letter 19 Mar 1980 from Fred Upton Upchurch Sr. to RPU
He shows **James U I** married Elizabeth – This agrees with 1 – 5 above. [added to Master Outline in Upchurch Bulletin, V1, p. 9 – RPU].
 - 7) See Charles E. Crow letter 29 Apr 1985 to RPU
The will of **James U I**, 1765 Brunswick Co. VA is referenced in Virginia Wills and Administrations 1632 1800 by Clayton Torrence.
 - 8) See letter 22 May 1987, Oliver Wingate Upchurch to RPU -Coy Tillman Upchurch Section.
A. Brunswick Co. VA Will Book 3, p. 425. Will of **James Upchurch** (James I) of Brunswick Co. VA. Wife Elizabeth, to Myal U (Michael U, III) his younger son, 200 acres of land and plantation lying between Thomas Brocy’s line and Benjamin Mosley’s line. Wife Elizabeth = Executor. Signed : James U (**James U I**), wit: Absolom Ledbetter, Benjamin Mosley, Isaac Mosley.
 - 9) See letter 17 Jan 1992 Melva Doris Upchurch to RPU
James U noted in 1748 in Brunswick Co. VA, died Brunswick Co. VA (will dated 27 May 1765) married Elizabeth_____. The last record for Elizabeth _____ was 1791.
 - 10) See will file for copy of will of **James U I** provided to RPU in letter 8 Jan 1992 from Melva Doris Upchurch.
 - 11) See letter 8 Jan 1992 Melva Doris Upchurch to RPU
James U I was listed as a patriot for the Revolution in Brunswick C. VA. He was the only Upchurch on the list.

12) See letter 19 Oct 2001, John Read Upchurch to RPU RE: a 13 item Report of Nancy Carter Moore regarding Brunswick County, VA records possibly bearing upon Joseph U b. 1775 – RPU Comments

- 3 From wills and deeds, I know that Michael Upchurch lived on the south side of Eaton's Road in 1784, near Middle Run. His neighbors were Valentine White, Thomas Parham, Lewis Dupree, Thomas, Isaac, and Benjamin Mosely. MICHAEL U, III XID-159
HIS LOCATION & NEIGHBORS 1784
- 6 By 1777, Michael/Myal Upchurch's neighbors were BARTHOLOMEW UPCHURCH, Matthew Rainey, Thomas Bracy, and Allen Love. This deed is from "Daniel Burnet and his wife Elizabeth of CHATHAM Co. NORTH CAROLINA to Thomas Smith of Chatham County, N.C.," and it was land already lived on by Joyce Burnet, at the head of Poplar Creek. MICHAEL U, III XID-159
BARTHOLOMEW U IS
NEW !! NEED DEED TO
VERIFY THIS NEW UPCHURCH FAMILY MEMBER - LOCATION 1777
- 7 Another 1777 deed of gift from William Brewer and is wife Mary to John Brewer is for "518 acres which was William Brewer's dec'd plantation, on the south side of Rattle Snake Creek joining William Jones, Henry Ledbetter, UPCHURCH'S BRANCH, and James UPCHURCH. JAMES U IS PROBABLY
JAMES U, III AS HIS BROTHER
HAS OTHER REFERENCES TO
RATTLE SNAKE CREEK & RATTLE SNAKE CHURCH; HOWEVER CANNOT YET
RULE OUT HIS 1ST COUSIN JAMES U, II WHO LIVED IN THE SAME
ERA & AREA
- 9 There was also a THOMAS UPCHURCH in Brunswick in 1776, as he is a witness to the will of Thomas Lambert. THIS THOMAS U IS NEW
TO RPU RECORDS. NEED
COPY OF WILL TO VERIFY DETAILS. BEING OLD ENOUGH TO
WITNESS A WILL IN 1776 HE COULD HAVE BEEN THE FATHER
OF JOSEPH U b 1775 !! THOMAS PROBABLY AT LEAST 21 IN
1776 HENCE BORN 1754 OR BEFORE
- 10 Everybody over 16 had to do road work in the 1700s in VA, or have a slave do it. Some of these records have survived, and on September 7, 1738, JAMES UPCHURCH and WILLIAM UPCHURCH were removed from Francis Wray's road crew and placed on William Mosely's road crew. So, WOW, these Upchurches were there early enough to be Joseph's father, that is for sure! In Brunswick County Court records, William was added to a list of tithables in 1736, SO THIS IS WHEN HE BECAME 21. THIS INFO IS NEW TO
RPU. BASED ON AGES
THIS JAMES U IS
ALMOST CERTAINLY
JAMES U, I XID-151
- ALTHOUGH THERE IS SOME CHANCE IT COULD BE HIS SON JAMES U, II XID-154. THIS WILLIAM U IS A GOOD FIT TO BE WILLIAM U, I XID-3343, A BROTHER OF JAMES U, I - XID-151
- 12 In a November pre-election (of burgesses) in Brunswick, the only Upchurches on the list were JAMES UPCHURCH Sr. and MICHAEL UPCHURCH. THIS REFERENCE IS NOT
DATED BUT ANOTHER CITATION
IN RPU SHOWS JAMES U REGISTERED TO VOTE FOR BURGESSES
IN 1748 - PROBABLY ALL THE SAME HENCE JAMES U, SR = JAMES
U, I (SR) XID-151 & MICHAEL U = MICHAEL U, III XID-159

NOTE: NANCY WRITES IT WOULD BE HELPFUL TO FIND JOSEPH U b 1775 LISTED IN SOME OF THESE VA RECORDS - THIS IS POSSIBLE BUT NOT LIKELY AS HE LEFT VA AS A TEENAGER OR YOUNG MAN - RPU

13) Excerpt from Book "The Upchurches" by Mae D. Cox Apr 2008, p. 102

Three James Upchurches in Brunswick County, Virginia

How very confusing to have three James Upchurches living in the same vicinity all at the same time. For the sake of clarity, Belle Lewter West came up with a designation for each of them James I was the son of Richard Upchurch, and grandson of Michael Upchurch I. Next was James II, thought to be the son of James I. James III was the son of John I and a cousin to James II. ^{R060348}

When digging through all the Brunswick County records, it's difficult to distinguish just which document goes to which James Upchurch. West did a great job of making the determination and pointing the rest of us in the right direction. Below are abstracts of Brunswick County land transactions. They are being offered merely to provide fodder for future researchers, and because of the name similarity.

Note that the name *Moseley* appears in some of these abstracts. We do know that two daughters of James Upchurch, III, were married to Moseleys.

Item 1 – Possibly James Upchurch I

Indenture made the 28th day of November, 1758, between Jacob Woolsey and John Woolsey, his son, for good will that he beareth to his son, conveying 400 acres adjoining lands of Elias Morgan, Benj. Britt, William Johnson, and James Upchurch. Witnesses were John Morris, William Neal, and Thos. Walton (his mark). Indenture acknowledged in Court on January 23, 1759, by Jacob Woolsey. ^{R06140x}

Item 2 – Possibly James Upchurch III

Indenture made the 21st day of March, 1759, between Richard Smith of Granville County, North Carolina, and Peter Hines, for 50 pounds, conveying 400 acres, adjoining lands of James Upchurch, Rattlesnake Creek, and Richard Ledbetter, and being the tract of land granted to Richard Smith by Letters of Patent bearing date of June 26, 1755. Witnesses were William Neale, Jacob Adams (his mark), and Elias Morgan. Indenture proved in Court on April 24, 1759, by the oaths of the witnesses. Document on page 110. ^{R06140d}

Item 3 – Possibly James Upchurch I

An indenture, February 20, 1762, between Abraham Jones of Halifax County, Province of North Carolina, and Benjamin Mosely conveyed 335 acres, for 12£, adjoining lands of Benjamin Mosely, and James Upchurch, and Middle Run. Witnesses were Isaac Mosely, Thomas Mosely, and James Upchurch. Indenture and Memorandum of Livery of Seizin were proved in Court on February 22, 1762. ^{R06140b}

Item 4 – Possibly James Upchurch I

An indenture made February 20, 1762, between Abraham Jones of Halifax County, Province of North Carolina, and Thomas Mosely, for 8£, conveyed 186 acres adjoining Middle Run and Lizard Creek. Witnesses were Benjamin Mosely, Isaac Mosely, and James Upchurch (his mark). Indenture and Memorandum of Livery of Seizin were proved in Court on February 22, 1762. ^{R06140b}

Item 5

In an indenture made February 20, 1762, between Abraham Jones of Halifax County, Province of North Carolina, and James Upchurch, 200 acres were conveyed, for 10£, adjoining lands of Benjamin Mosely, Thomas Bracey, and Richard Burnet. Witnesses were Benja. Mosely, Thomas Mosely, and Isaac Mosely. Indenture and Memorandum of Livery of Seizin were proved in Court on February 22, 1762. ^{R06140c}

Land Transactions known to be for James Upchurch III are provided in full in upcoming pages.

14) See email 26 Jan 2010, Mae Frances Davenport to Ray NMN White Jr, in her Biofile and his response of 26 Jan 2010 in his Biofile, regarding the following array of people:

I. Michael Upchurch I (1624 – 1681)

From
RPU's
chart

a. Michael U II (1667 -1697)

b. Richard U I (1658 – bef 1700)

i. John U I (1678 – 1758)

ii. William U I

iii. **James U I** (1685 – 1765)

Mae has paragraphs A – E in her email, none of which are produced here. In A, D, E, F, she reports that new evidence shows Michael II was born between 10 Jun 1662 and 10 Jun 1663 – earlier than West reported – based on this, she asks if Michael II could be the father of John U I, Wm U I, & James U I. (see G) next page.

d. Now comes the interesting info...on the 1679 Tithable record for Lawne's Creek Parish of Surry County, Virginia, Michael Upchurch is listed... AND SO IS HIS SON,

MICHAEL. I have a copy of the actual record in my hand as I speak...and it's clear and easy to read: Michael Upchurch & Michael his son.

e. This really excites me. Now we can see that he'd reached 16 by 1679, making him born after 10 Jun 1662 and before 10 Jun 1663.

f. Could it possibly be that since Michael II was born earlier than thought, that he might be the father of John, William, and **James**, instead of Richard (c. 1658 – 1700)? When we thought he wasn't old enough to have fathered John, (b. 1678), it made sense that Richard was the father. But now we can see that Michael II would have been about 17 years of age.

g. I've never really studied the two sons of Michael (1624 – 1681), so I'm not sure of the validity of whether Richard U (1658 –1700), or now this son Michael would have been the father of John, Wm, and James.

What do you think?

- c. First though, let me give you this from Belle Lewter West's book:

Michael U II, in Surry County, VA, seems to have been the youngest son of Michael and Frances Upchurch. He was first mentioned in records as a tithable at Lawne's Creek Parish Church by his mother, Frances, on the 12th of Jun 1683, indicating that he had just reached the age of sixteen....

So we've all used that information about Michael II as nothing else had ever surfaced to make us think differently. Ms. West's findings suggested that Michael II was born about 1667.

- x. This is absolutely fascinating, and you could be onto something significant. It will need to be thought out, but Michael II would've been really young, still I notice that John apparently had a daughter, Elizabeth, b. 25 Dec 1701 – which (usually) would mean having been born 1670 – 75, and there were at least two boys, John Jr and James, for whom I do not have a birthdate. If they were before Elizabeth, then John's marriage might have been a littler earlier (or not). In any event, this would imply that Michael II would need to have been born not much later than c. 1650.

In C, Mae shows that West thought Michael II, b abt 1667 – Roy's response in given in X.

[RPU Comments: I will agree that the dates for the first 4 generations need to be revisited and any new data analyzed with change in partage if needed. However, d do agree with Roy that even if Michael II was born 1662, he would have been only about 16 when John I was born in 1776 – hence not likely father and son.

Note: Mae is writing a book on Michael U I, in late Mar 2010.]

15) From Book, *The Upchurch Family of High Falls, NC* (Moore County, NC) p 56

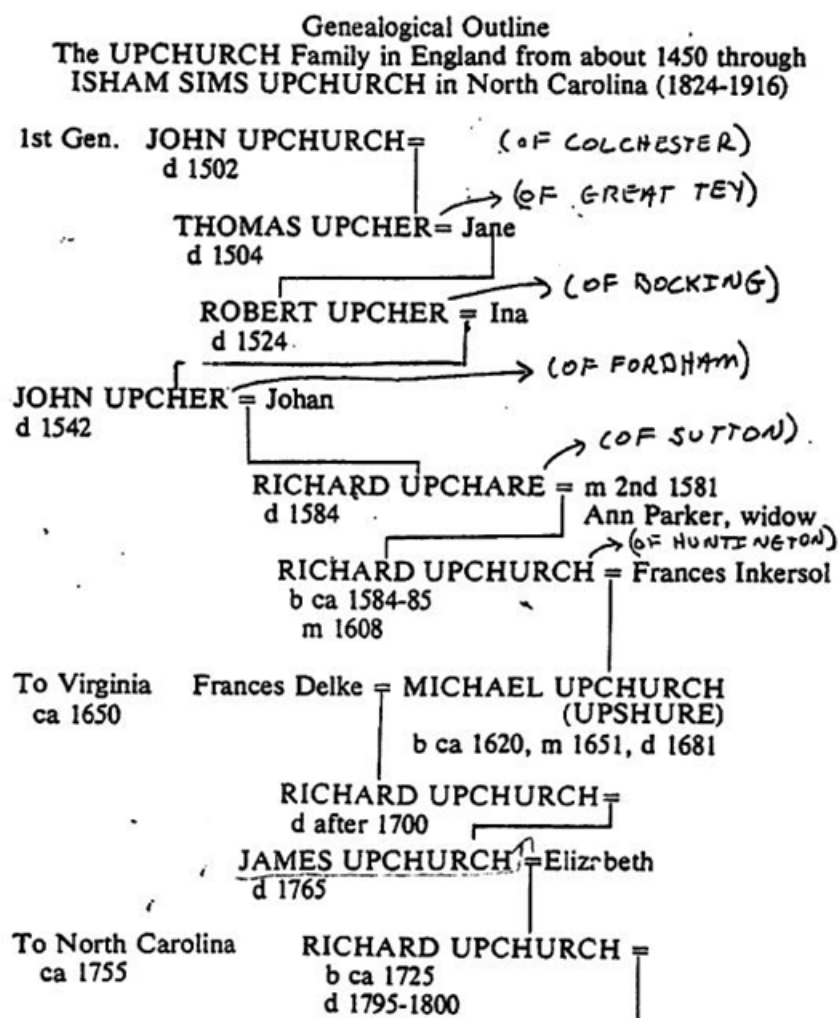
Descendants of Michael Upchurch

- 1 Michael Upchurch b: 1620 in Little Giddings England d: Bef. Jul 1681 in Surry County, Virginia
 ... +Frances Delke b: 1630 in Jamestown, Surry County, Virginia m: 1651 in Surry County, VA; Quality: 0 d: Jan 1691 in Virginia
 2 Female Child Upchurch b: Abt. 1654
 2 Richard Upchurch b: Abt. 1658 in Virginia d: 1700 in Surry County, Va
 +unknown
 3 William Upchurch
 3 John Upchurch b: 1678 in Virginia d: 1758 in Brunswick County VA
 3 James Upchurch b: 1685 in Virginia d: 27 May 1765 in Brunswick County VA → XTD - 151
 +Elizabeth Green m: WFT Est. 1704-1735
 4 James Upchurch b: WFT Est. 1706-1735 d: 1783
 4 Michael "Myal" III Upchurch b: 1728 in Brunswick County VA d: 1795 in Brunswick County VA
 → XTD - 152
 4 Richard Upchurch b: Abt. 1730 in Brunswick County, Virginia d: Abt. 1798 in Franklin County, North Carolina
 +Sarah William Upchurch b: 1737 m: Bet. 1747 - 1753
 4 William Upchurch b: 1735
 2 Michael Upchurch b: 1667 in Surry County, Va NOTE: This is the first

- I. Michael U
 - a. Richard U b. 1658
 - i. James U I (XID 151) b. 1685
 - md. Elizabeth Green
 - 1. Richard U II (XID 152)
 - md. Sarah Williams

Note: This is first time these two females have appeared. Need evidence for which this listing is made.

16) From *Upchurch Family of England, Virginia, and North Carolina* by Belle Lewter West 1972, p. 5



- 17) Input in letter 7 Sep 2007 Margaret Louise Harris to RPU, regarding land in Brunswick Co. VA held by Upchurches in 1700s.

James Upchurch, I owned land on the south side of Rattlesnake Creek (thru Brunswick Count form NC state line) (later thought to be in Greenville County (p. 1780 – 81) at extreme SW corner of Brunswick County.

Commentary by RPU (18 Sep 2007)

My records do include a **James U I (XID 151)** b 1685 (VA) d 1765 (Brunswick County, VA) Note that the record above mentions the date 1780/81 at which time **James U I** had been deceased 15+ years. Still, the reference be to him. Alternatively, there were two other Upchurches by the name of James who were in Brunswick County, VA in 1750 – 1800 era. They were:

James U III d 1784 (Brunswick Co. VA) XID 155

James U II d 1783 (Brunswick Co. VA) XID 154

- 18) See letter 11 May 1998, Margaret Louise Harris to RPU

James U I, b. 1685 (Surry County, VA) d. 27 May 1765 (Brunswick Co. VA) md.

Elizabeth _____ b 1689 (VA) [Note: no source of these details given – RPU]

- 19) From Mayfred Upchurch, the Will of James Upchurch I (XID 151), grandson of Michael I, Brunswick Co. VA – James U I d. 1765

In the name of God amen, the Day ofanno Domini, I **James Upchurch** of the County of Brunswick, being sick, and weak of body, but of perfect memory of mind, thanks be given unto almighty God therefore and called to remembrance the uncertain estate this transitory life and that all flesh must yield unto death when it shall please God to call do make and declare this my last will and testament in manner and form following.

First, being penitent and sorry for all my sins, most humbly desiring forgiveness for the same, I command my soul to almighty God, my Savior and Redeemer in whom and by whose merits I trust and believe assuredly to be saved and to have full remission and forgiveness of all my sins and to inherit kingdom of heaven and my body, I command to earth to be efficiently bound at the discretion of my executors hereafter named by beloved wife, Elizabeth and for the selling my temporal estate and such goods and chattels and hath pleased God to bestow upon me, I order given and dispose of the same in manner and for following, that is to say given to Myal Upchurch his younger son two hundred acres of land and plantation lying between Thomas Bracy's line and Benjamin Moseley's line leaving the rest of his estate to his wife Elizabeth Upchurch

And lastly I hereby make and appoint my loving beloved wife, Elizabeth juene.ors?: full and sole executor of this my last will and testament, hereby revoking disannulling and making void all forms wills and Requests by me made and declaring this only to be my last Will and Testament.

Signed Sealed and delivered.

In presence of us

Absalom Ledbetter

Benj'm Mosley

Isaac Moseley

James Upchurch, his seal (LS)

at a court held for Brunswick County, the

27th day of May 1765.

This Will was presented in Court by

Elizabeth Upchurch, the executor therein named,

and was proved by the Oath of Absalom Ledbetter, Benj'n Mosley and Isaac Mosley, the witnesses there to and ordered to record and on the motion of the said Extrix who made oath thereto certificate is granted her for obtaining a probate thereof in due form she having with Benjamin Mosely his security entered int and acknowledged bond in the penalty of two hundred ponds with condition according to Law.

Test

N. Edwards

James Upchurch's appraisement

July the 19th day 1765 – The estate of **James Upchurch**, deceased, appraised by us, Valentine White, Thomas Mosely, and Thomas Parham to twenty one pound ten pence current money – returned into Brunswick County Court, the 22nd day of Jul 1765 and ordered to be recorded.

Test

N. Edwards

Names:

Myal U = Michael U III (XID 159)

Thomas Braupe (Bracyer) (Bracy's)

Benjamin Mosely (Mosley) (Mosely) (Mosly)

Elizabeth U (Elizabeth Green??)

Absalom Ledbetter

Isaac Moseley (Mosley) (Mosely) (Mosly)

N. Edwards

Will of **James Upchurch I**, of Brunswick County, VA proved 27 May 1765

A. Richard I

a. **James U (XID 151)** b. 1685 VA, d 1765 Brunswick Co.
VA

Will Book 3 Page 425 – 6

Ja. Upchurch's In the Name of God amen the Day of anno Domini 1765
Will I James Upchurch of ^{the County of} Brunswick being sick and Weak of Body
but of perfect Memory of Mind thanks be given unto almighty
God therefore and called to remembrance the uncertain Estate
this Transitory life and that all Flesh must Yield unto Death
when it shall please God to call do make and Declare this
my last Will and Testament in Manner and form following
first being Penitent and sorry for all my Sins most humbly
desiring forgiveness for the same I command my Soul to
almighty God my Saviour and Redeemer in whom and by
whose merits I trust and believe assuredly to be saved and
to have full Remission and forgiveness of all my Sins and to
inherit Kingdom of Heaven and my Body I command to
Earth to be discreetly bound at the Discretion of my Executors
hereafter named my beloved Wife Elizabeth and for the selling
my Temporal Estate and such Goods and Chattels as I hath
pleased God to bestow upon me I order give and dispose of the same
in manner and form following that is to say Given to Myself
Upchurch his Younger Son two hundred Acres of Land and
Plantation lying between Thomas Brauerdine and

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 Benjamin Mosley's Will leaving the rest of his Estate to
 his Wife Elizabeth Upchurch
 And lastly I hereby make and appoint my loving beloved
 Wife Elizabeth full and sole Executor of this
 my last Will and Testament hereby Rescinding
 annulling and making Void all former Wills and Requests
 by me made and declaring this only to be my last Will
 and Testament

Signed sealed & Delivered } James Upchurch his Seal
 In presence of us. } At a Court held for Brunswick
 Absalom Ladbetter County the 27 Day of May 1765
 Benj^a Mosley } This Will was presented in Court by
 Isaac Mosley } Elizabeth Upchurch the Exec^r
 therein named and was proved by the Oath of Absalom
 Ladbetter Benj^a Mosley and Isaac Mosley the Witnesses
 thereto and ordered to be recorded and on the motion of the
 said Exec^r who made Oath thereto Certificate is granted
 her for obtaining a Probate thereof in due form: he having
 with Benjamin Mosley her Security entered into and acknow-
 ledged bond in the penalty of two hundred Pounds with
 Conditions according to Law

Exam^d } Test M^c Edwards J^r Clk^t

Questions about Will of James U I, XID 151

1. First sentence, date omitted
2. After Anno Dom?
3. Oficiency??
4. Given to Myal U, his younger son
5. 200 acres of land
6. Spelling of Braupi

7. Green ? – Juene.oro?? [Governor?]
8. Spelling of Mosely
9. Relationship of people involved

Note – RPU 23 Jan 2009

There are tentatively three version of the will – including one that RPU transcribed. To follow comparison from version to version, I have labeled the three version A, B, C with numbers to indicate comparable positions for each.

Note that versions A and B terminate at A4 and Br – but version C continues with pass C5 – C6. This passabe dated 19 Jul 1765 is a date of the appraisal of the estate of James U I, he presumably having died. This passabe C5 – C6 is inhabited by a 4th segment D5 – D6.

D5

James Upchurch July the 19th Day 1765. ---
Appraisement The Estate of James Upchurch Deed. appraised by
Valentim White Thomas Mosely and Thomas Parkman
to twenty one pounds Ten Pence Current Money
Returned into Brunswick County Court the 22 Day of
Exam. July 1765 and ordered to be recorded
Test. N. Edwards J. P. D.

11th Dec 1765 - In Obedience to the above Order of Court dated February
Appraisement 1765. We the subscribers being first sworn before John Jones
Esq. a Justice of the Peace for the said County of Brunswick
have appraised in Current Money the Slaves and personal
Estate of William Lucas as followeth

1 Bed of furniture £ 9. 0. 0. 1 9. 18. 0. 0. ... 17. 0. 0.
1 chest of 12th 3/ 2 Counterpane 20/ ... 1. 6. 0

NOT A PART OF WILL OF JAMES U. I. - RPU

D6

Not a part of will of James U, I - RPU

A. 26.

B3

Benjamin Mosley's line leaving the rest of his Estate to
his Wife Elizabeth Upchurch
And lastly I hereby make and appoint my loving beloved
Wife Elizabeth full and sole Executor of this
my last Will and Testament hereby Revoking Disan-
nulling and making void all former Wills and Requests
by me made and declaring this only to be my last Will
and Testament

Signed sealed & Delivered

In presence of us:

Absalom Lobbetter

Benj^a Mosley

Isaac Mosley

James Upchurch his Seal
At a Court held for Brunswick
County the 27 Day of May 1765 in
This Will was presented in Court by
Elizabeth Upchurch the Exec^{tr} in
this named and was proved by the Oaths of Absalom
Lobbetter Benj^a Mosley and Isaac Mosley the Witnesses
therein and ordered to be recorded and on the motion of the
said Exec^{tr} who made Oath thereto Certificate is granted

her for obtaining a Probat thereto in due form: he having
with Benjamin Mosley his Security entered into and Acknow-
ledged bond in the penalty of two hundred Pounds with
Conditions according to Law.

Exam^d

B4

Test N. Edwards J. D. C.