

Commentary: Margaret Yates (1780 – 1858) was married to Burtis Upchurch (1781 – 1840). Burtis was the son of Nathan Upchurch I, head of Upchurch clan # 3. This biofile provides tempting leads about the heritage of Margaret. More research will be needed to define her place in the iconic Yates family of the Wake/Chatham County border in NC. The Yates family had long resided in the area when Nathan Upchurch I moved his family from Franklin County, NC to the Yates enclave about 1803. Burtis also made the move and as a young single man soon took Margaret as his bride. The couple produced nine sons. Some of the offspring remained in the local area and produced important lineages. Others moved to Raleigh, NC and did the same there. All in all the descendants of Margaret and Burtis cut a wide swath.

- RPU 27 Mar 2017

Acknowledgements: The following biofile was transcribed by Carla Jordan Michaels, a descendant of the Yates family, and a valuable member of the Cary Facility in Wake County, NC.

(1) Margaret Yates (1780-1858) married Bertus Upchurch (1781-1820). Bertus was the son of Nathan Upchurch, I. Margaret Yates was the daughter of William Yates who married in 1748 Mary ----- (1732-1812). (16)

(2) Margaret Yates born 1788, died 1859 married 1802 Burtis Upchurch (1781-1840). They had 10 children. (18)

(3) Margaret Yates (1788-1859) married Burtis Upchurch (1781-1840). (28)

(4) Attachment #23 West Letter 18 May 1975
Confirms Margaret Yates b. 1788, died 1859.

(5) See 1850 Census Wake Co, NC- Western Division, Household 584, Family 584

Margaret Upchurch age 70 F \$1100 RE born in NC

Jackson Upchurch age 24 M Farmer

Jubil Upchurch age 22 M Farmer

[Note: all evidence point to this Margaret being Margaret (Yates) Upchurch widow of Burtis Upchurch who had died in 1840. Her son Abel Upchurch lives Household 583 and son Gilbert Burtis is in household 585. The two males in the household must be sons- Jubil Upchurch is known already but Jackson is a new addition- RPU]

(6) From Death Notices in Biblical Recorder published 29 Oct 1857

Mrs. Margaret Upchurch, consort of the late Burtis Upchurch in the 71st (?) year of her age. The deceased had been a member of the Baptist church for 35 years and was connected at the time of her death with New Salem Church in this, Wake County. She leaves five children besides numerous relatives and friends to mourn their loss; but the poignancy of their grief is somewhat relieved by the consoling reflection, that it was better for her to depart and be with Christ and that their loss is her eternal gain. "Blessed are the dead who die in the Lord; yea, from henceforth saith the Spirit, they rest from their labors and their works do follow them."

(7) See DAR Application of Pattie Aline Upchurch

I. John Yates born ---; died 1779; married Sarah ---

A. William Yates born 1727; died 1808; married 1775 Mary --- born 1732; died 1782

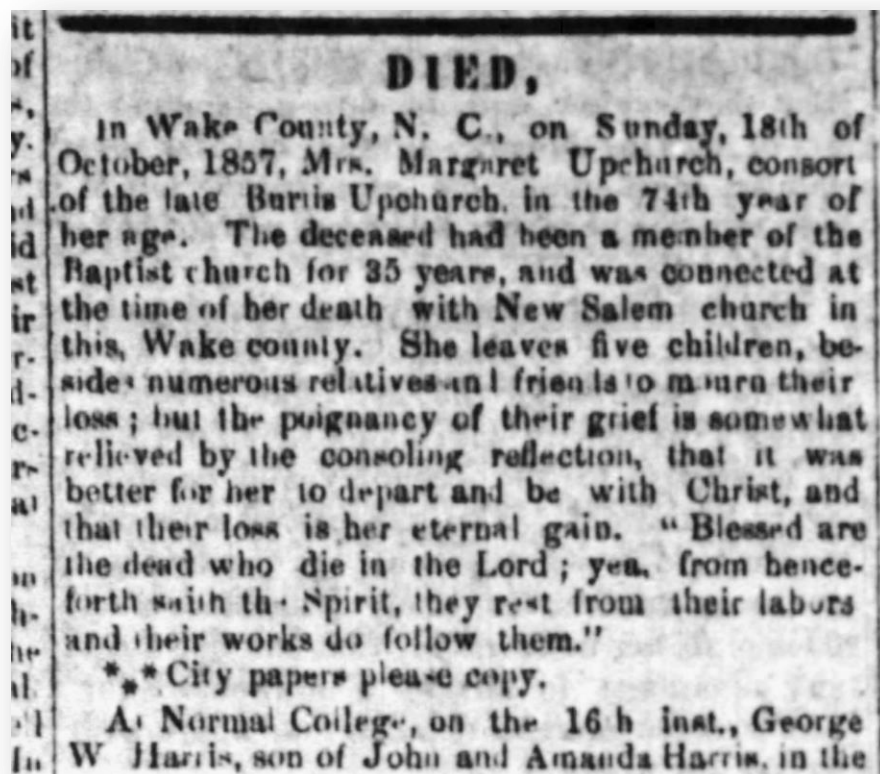
1. Margaret Yates born 1780; died 1858; married 1808 Burtis Upchurch born 1781; died 1820

a. William Clinton Upchurch I

i. Pattie Aline Upchurch

(8) Item in Letter 26 Jun 2000 Margaret Louise Harris to RPU

[From The Biblical Recorder Wednesday 29 Oct 1857]



(9) Item in Letter 16 October 2004 Danny Calvin Bunn to RPU
From: Baptist Biblical Recorder 29 Oct 1857; P:3; C:3, Raleigh NC

Margaret Upchurch [nee **Margaret Yates**] consort of the late Burtis Upchurch died in the 74th year of her life, member of Baptist Church 35 years and at death was a member of New Salem Baptist Church in Wake Co, NC.

(10) Wake Co, NC Heritage Book, 1983
William Yeates (Yates) 1000

William Yeates (The name was changed to Yates in later generations) was born 1727 and according to several DAR membership applications his birth took place in Virginia, although I have found no substantiating evidence of this. He died testate in Wake County in 1808. He married, perhaps in N. C., 1748 Mary --- who was born 1732 in N. C. She may have been Mary Tapp as William Tapp of Culpeper Co., Va. names daughter Mary Yates (wife of William) in his will.

William served in the Revolutionary War as a private in McRee's Company from N. C.

On 5 June 1784 William Yeates purchased 490 acres in Wake County for 100 pounds (proclamation money) from Absalom Harwood. This land was on the "Indian Branch waters of New Hope." This same date he purchase in Chatham County 600 acres for 100 pounds from Absalom Harwood. This must have been the same tract extending through both counties.

In 1792 a deed in Chatham County regarding land sold by "William Yeats Sener of Wake County" to "William Yeats Juner of Chatham County" shows that William, Jr. paid 50 pounds for 280 acres. Lewis Wimberly, William's son-in-law, was listed as a witness on this deed. William signed with his mark. This same year William bought land form John Harwood who was perhaps another son-in-law.

On 17 Mar 1807 William sold 300 acres of land to Alsey Yeats "in the county of Wake and Chatham...on the Indian branch of Ne Hope" for 100 pounds current money. This land was bounded on part by land belonging to William Yeats, Jr. and also by land belonging to Matthew Yeats.

I regret I have been unable to learn anything of a personal nature about William Yates. He most certainly was a planter. He and Mary had thirteen children:

1. Matthew, b. 1760 or 1773, d. 1830 or 1837, m. 7 Nov 1793 Elizabeth Wimberly (d. 1806), m. 2nd Wake Co., NC, 1807 Elizabeth Baucom (b. 1783, d. 1830/1839)
2. William b. Wake Co, 1762, d. Montgomery Co., Ga. 1850 (or 1827) intestate, m N.C. 7 Nov 1793 Mary Wimberly (b. N. C. 1764/5, d. Ga. 1856), daughter of Lewis and Martha (Barbee) Wimberly.
3. Sally
4. **Margaret**, m. Bertus Upchurch

5. Patsey (probably Martha, but apparently referred to as “Henneritte” in her father’s will), m. William Babb and moved to Oglethorpe County, Ga. [This entry is not assigned a number, probably a typographical error- CJM 13 Mar 2017]

6. John

7. Elizabeth, m. --- Gregory.

8. Mildred, m. --- Harwood.

9. Crecy or Crissey, m. --- Strickland.

10. Jethro, m. Nancy Harwood.

11. Alsy, m. Cynthia Malone.

12. Mary, m. --- Beasley.

13. Susannah.

Sources: DAR membership applications, the wills of William Yeats, William Tapp and Lewis Wimberly, Wake County deeds and grantee-grantor index, *A Country Boy Used by the Lord* by O. W. Yates, *A Supplement to A Study of the Barbee Families of Chatham, Orange and Wake Counties in N. C.* compiled by Kathryn Crossley Stone, 1976, and *Pioneers of Wiregrass Georgia* by Folks Huxford.

--- Mrs. Patrick A. Yates

Pg. 590, 591

I. William Yates, Sr. [AKA William Yeates] born 1727 (VA) died 1808 (Wake Co, NC) married 1748 (probably NC) Mary --- born 1732 [possibly Mary Tapp d/o William Tapp

A. Matthew Yates born 1760 or 1773 () died 1830 or 1837

married (1st) 7 Nov 1793 () Elizabeth Wimberly died 1806

married (2nd) 1807 (Wake Co, NC) Elizabeth Baucom born 1783 died 1830/9

B. William Yates, Jr born 1762 (Wake Co, NC) died 1850 or 1827 (Montgomery Co, GA) married 7 Nov 1793 (NC) Mary Wimberly born 1764/65 (NC) died 1856 (GA) d/o Lewis Wimberly and Martha Barbee

C. Sally Yates

D. **Margaret Yates** married () Bertus Upchurch

[Burtis Upchurch s/o Nathan Upchurch, I]

E. Patsy Yates [Probably “Martha but” Henneritte in will] married William Babb and moved to Oglethorpe Co, GA

F. John Yates

G. Elizabeth Yates married () --- Gregory

H. Mildred Yates married () --- Harwood

I. Crecy Yates [Crissey] married () --- Strickland

J. Jethro Yates married () Nancy Harwood

K. Alsy Yates married () Cynthia Malone

L. Mary Yates married () --- Beasley

(13) M. Susannah Yates—By Mrs. Patrick A. Yates

Stream File: Indian Branch and New Hope River- said to be in Wake Co NC but cross-file Chatham Co, NC

(11) From: Concerning Our Ancestors- 1980 by Ruth Bethea Johnson- Page (s) 258, 260, 259 Yates Family. The following names appear:

John Yates	Alsey Yates	Polly Yates
William Yates	<u>Margaret Yates</u>	Patsy Yates
Thomas Yates	Nathan Upchurch	Milly Yates
John Yates	Burtis Upchurch	Eliza Yates
Milly Yates	Tapley Johnson, Sr.	Addy Yates
Joyce Yates	Tapley Ormond Johnson,	William Yates, Jr.
Keziah Yates	Jr.	Delilah Booth
Elizabeth Yates	Gregory	Basil M. Yates
William Yates, Sr.	Strickland	George C. Yates
Henrietta Yates	Beasley	Mary Jane Yates
Creecy Yates	Elizabeth Wimberly	Joseph B. Yates
Mary Yates	Nancy Harrod	Martha Yates
Matthew Yates	Cynthia Malone	Elizabeth L. Yates
Matthew Tyson Yates	Nathan Upchurch	Amelia Caroline Yates
Jethro Yates	Kitty Yates	Elizabeth Moring
Milly Yates	Lewis Yates	Lucian B. Yates
Mildred Yates	Hardy Yates	
Sarah Ann Yates		

11 FROM: CONCERNING OUR ANCESTORS - 1980 BY RUTH
BETHEA JOHNSON - PAGE(S) 258, 260, 259, YATES FAMILY

HUSBAND'S NAME John Yates b d 1779 (CASWELL CO, NC)
When Born MDC SARAH - - Where b - d 1780 (CASWELL CO, NC) (Husband's Full Name)

Male or Female	CHILDREN (Arrange in order of birth)	WHEN BORN Day Month Year	WHERE BORN Town or Place County State or Country	WHEN DIED Day Month Year	Married Date To
	1 William YATES	1727		Wake 1808	1748 To Mary
	2 Thomas YATES; JOHN Y; JAMES Y; MILLY Y; JOYCE Y; KEZIAH Y; ELIZABETH Y.				

HUSBAND'S NAME William Yates, Sr. b 1727 d 1808 (WAKE CO, NC) s/o JOHN Y & SARAH
MD 1748(?) MARY

Male or Female	CHILDREN (Arrange in order of birth)	WHEN BORN Day Month Year	WHERE BORN Town or Place County State or Country	WHEN DIED Day Month Year	Married Date To
	1 Henrietta				1780 To Wm. Babb
	2 John				
	3 William				
	4 Elizabeth				
	5 Creecy				Gregory
	6 Mary				Strickland
	7 Matthew (grandfather of Matthew Tyson)				Beasley
	8 Jethro				1793 To Elizabeth Wimberly
	9 Milly				1797 To Nancy Harrod
	10 Mildred				
	11 Alsey				1797 To Cynthia Malone
	12 Margaret				To Nathan Upchurch

HUSBAND Matthew Yates b - d 1830 (WAKE CO, NC) s/o W^m YATES & MARY - - Where was information shown on this
MDC ELIZABETH WIMBERLY -

Male or Female	CHILDREN (Give names in full in order of birth)	WHEN BORN Day Mo. Yr.	WHERE BORN Town County State or Country	DIED Day Mo. Yr.	MARRIED Date To
	1 Kitty Yates				
	2 William Yates	31 3 1795			Delilah Booth
	3 Lewis YATES				Mary Booth
	4 Hardy YATES;				1816 To Polly Rogers
	5 Polly YATES; PATSY YATES; MILLY YATES; ELIZA YATES; ADDY YATES.				

HUSBAND'S NAME William Yates, Jr.
When Born March 31, 1795

Christened
When Died July 10, 1866
When Buried
When Married December 3, 1816

Other Wives (if any)
Number (1) (2) etc.

His Father Matthew Yates
NS; NOT ELIZABETH WIMBERLY

WIFE'S MAIDEN NAME Delilah Booth

When Born May 27, 1794

Christened

When Died July 5, 1867 (WAKE CO, NC)

ISSUE

1 Basil M. Yates	3 12 1817	
2 Matthew Tyson Yates	7 1 1819	MDC ELIZABETH MORING
3 George C.	20 5 1820	
4 Mary Jane	29 11 1823	d 25 JUN 1902
5 Joseph B.	20 5 1825	6 LUCIAN B. Y 2/8/1829
7 Martha	11 2 1829	8 SARAH ANN Y 12/1/1833
9 Elizabeth L.	26 10 1834	
10 Amelia Caroline	11 6 1839	

(12) Excerpt from: "The Goodwin Family of Central N. C." by Thomas Jerry Goodwin, Sr. 2009
RPU 29 Sep 2012

I. William Goodwin, Sr. (AKA William Kendrick Goodwin) born 2 Jan 1748 (NC) died 1837
(Chatham Co, NC) married 1770 (Wake Co, NC) Winifred Thrailkill

E. Martha Goodwin (page 91) born 1780/1787 (Wake Co, NC) "Maude" married about
1828 (Chatham Co, NC) --- --- Upchurch

Martha Goodwin Upchurch Family

1787- (Daughter of William Goodwin, Sr.)

Martha Goodwin was born in 1780, Wake County, North Carolina. She married Mr. Upchurch about 1828 at Chatham County. They had at least four children. (1) Abel Upchurch (untraced) was born in 1818 at Wake County, NC. He married Nancy (---) and they had a daughter Adline Upchurch. Adline was born in 1844 at Wake County. (2) Gilbert Upchurch was born in 1820 at Wake County. He married Margaret Kelly at Wake County. (3) Jackson Upchurch (untraced) was born in 1826 at Wake County. (4) Jubil Upchurch (untraced) was born in 1828 at Wake County. Martha Goodwin died in 1879 at Chatham County.

(13) RPU entry 22 Nov 2012

My records conflict in a major way with data presented in (12) above. While details do not exactly match it is clear the four children shown are carried by me as 4 of the 9 children of Burtis Upchurch who married Margaret Yates not Martha Goodwin. The conflicts are summarized as follows:

RPU Records

I. Burtis Upchurch 1781-1845

married 1808() Margaret Yates

born 1788 () died 1857 Wake Co NC

A. Abel Upchurch born 1808 () died 1855
married 1839 () Nancy Sorrell

B. Gilbert Burtis Upchurch born 1820
died 1845, married 1842 () Margaret Byrd

Jerry Goodwin Records

Martha Goodwin born 1780

died 1879 (Chatham Co, NC)

married about 1828 (Chatham Co, NC)

--- --- Upchurch

[Could he be Stephen Upchurch
son of John Upchurch, III- ?? RPU]

Abel Upchurch (untraced) born 1818
Wake Co, NC, married Nancy ---

Gilbert Upchurch born 1820 ()
married Margaret Kelly (conflict)

C. Jackson Upchurch born 1826

Jackson Upchurch born 1826

D. Jubal Upchurch, III born 1829
died Civil War, married () Dicey A. Maynard

Jubil Upchurch (untraced) born 1828

[A → D are children of Margaret Yates [NOT] Martha Goodwin per RPU Records]

Note: the processing of the details from the Goodwin Book for Martha Goodwin born 1780 died 1879 will await resolution- RPU]

(14) Records for the Family of Jacob Upchurch- RPU 24 Feb 20 2012

I. Nathan Upchurch, I- Head of Clan

A. Burtis Upchurch married 1808 () Margaret Yates born 1780/1788 () died 1857

1. Jackson Upchurch, born 1826

2. Jubal Upchurch, II born 1829; died 1863 Civil War; married 8 Jan 1855 (Wake Co, NC) Dicey A. Maynard born 1827 (); died 24 Nov 1908

[Dicey married (2nd) 1877 +/- 3 years Pleasant Pendergrass who had a daughter Eastley Pendergrass by his 1st wife]

Note: Jackson and Jubal were the youngest of 9 sons

a. Josiah Crudup Upchurch born 1 Dec 1855

b. Edward Upchurch born about 1856

c. Jacob Mark Upchurch born about 1858 (Wake Co., NC) died 4 Sep 1918 (Greensboro, Guilford Co, NC); married () Dec 1888 (Forsythe Co, NC) Martha "Mattie" Golden born 1862/1867 () died ---

i. Robert Lee Upchurch born 22 Oct 1889 (NC) died 14 Aug 1869 (Greensboro, Guilford Co, NC); married () Ada Douglas

d. George Atlas Upchurch, I born Sep 1860

e. John T. Upchurch "Dicey" born 22 Sep 1861

1850 Census- NC Wake Co., Western Division

Margaret Upchurch	1780	70
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Jackson Upchurch	1826	24
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Jubil Upchurch	1828	22
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1860 Census- NC, Wake Co, Southern Division; P. O.- Morrisville

Jubil Upchurch	1829	31
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Dey Upchurch	1830	30
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Josiah Upchurch	1855	5
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Edwood Upchurch	1856	4
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Jacob Upchurch	1858	2
George Upchurch	1860	1/12

1870 Census- NC, Wake Co., Cedar Fork Township

Dicy Upchurch	1829	41
Jacob Upchurch	1858	12
George Upchurch	1860	10
John Upchurch	1862	8
Susan Murry	1846	24 Domestic Servant- White

1880 Census- NC, Wake Co., Wake Forest

Pleasant Pendergrast		1810	70
Disy Pendergrast	wife	1874	46
Eastley Pendergrast	daughter	1874	6
Mod Upch...H	step son	1859	21
George Upch...H	step son	1863	17
John Upch...H	step son	1862	16

1900 Census- NC, Guilford Co., Greensboro Ward 1

Name			Age	
Mark J Upchurch	head	May 1859	45	NC
Mattie Upchurch	wife [1C, 1L]	May 1867	33	NC
Robert Lee Upchurch	son	Oct 1888	11	NC

1910 Census- NC, Guilford Co., Greensboro Ward 1

Name			Age	
Samuel J. Gildon (Golden)	Head-widow	1839	71	VA
Martha Upchurch	daughter [1, 1]	1870	40	NC
James Upchurch	son in law	1860	50	NC
[Martha and James married 17 years]				
Robert R Upchurch	grandson	1895	15	NC
Magie Magan	daughter	1880	30	NC
[M2, 24 YR [2,1]]				
Lizie Wafe	granddaughter [0,0]	1887	23	NC
Pinly Wafe	grandson in law	1885	25	
[Lizie and Pinly should be listed as surname Wall; married 8 years]				

1920 Census- NC, Guilford Co., Greensboro Ward 3

Martha Upchurch	head	1863	57
Robert Lee Upchurch	son ?	1888	32

Autry-Upchurch Family Tree:

Jacob Upchurch

Birth about 1858 in Wake County, North Carolina

Death 4 Sep 1918 in Greensboro, Guilford, North Carolina

Parents: Jubal Upchurch 1828-1863

Dicia Mainord 1827-1908

Spouse & Children: Martha Golden 1862-1923

North Carolina Marriage Collection

Name: J. M. Upchurch [of Winston Salem, NC]

Age: 31

Spouse: Martha Golden

Spouse Age: 21

Gender: Male

Race: White

Marriage Count: Forsyth

Marriage State: North Carolina

Spouse Race: White

Source Vendor: North Carolina State Archives

[RPU note: married 11 Dec 1888 (Greensboro, NC)]

(15)A RPU extract of a Petition to the 1846 Session of Wake Co, NC Court of Pleas and Quarter Sessions by Margaret Upchurch (nee **Margaret Yates**) widow of Burtis Upchurch (son of Nathan Upchurch, I) who died 10 Oct 1845. Asking for a dower allocation from the 206 acre tract owned by the deceased and on which he lived at the time of his death.

Margaret lists the 8 surviving children of Burtis Upchurch leaving out Jackson Upchurch who is presumed deceased. [However, Jackson Upchurch is on the 1850 Census in the home of his mother- RPU??] Son Jubal Upchurch is said to be a minor having been born in 1829.

The 206 acres is said to be on Marks Branch in Wake Co, NC adjoining the lands of Ashwell McGee and Henry Jones.

Cross-file in Western Wake Land file.

Census- Western Division Wake Co, NC- 1850

Name	Born about	Age		
Ashwell McGee	1805	45	Farmer	\$5045
Caroline McGee	1849	1		
Charles McGee	1838	12		
Delina McGee	1843	7		

Eliza McGee	1833	17
Elizabeth McGee	1842	8
John McGee	1836	14
Josiah McGee	1844	6
Obediah McGee	1840	10
Paschal McGee	1831	19
Sally McGee	1846	4
Syney McGee	1810	40
William McGee	1830	20

Census- Western Division Wake Co, NC- 1850

Name	Born About	Age		
Calvin Jones	1830	20	NC	
Caroline Jones	1835	15	NC	
Henry Jones	1795	55	VA	
James Jones	1845	5	NC	Carpenter
John Jones	1833	17	NC	
Lucy Jones	1810	40	NC	
Martha Jones	1847	3	NC	
P R Jones	1829	21	NC	Carpenter
Rufus Jones	1849	1	NC	
William Jones	1843	7	NC	
Young Jones	1836	14	NC	

Note: As of 20 Jan 2009 I was able to locate Census Records for the Ashwell McGee and Henry Jones Families in Western Wake Co, NC but they were not listed next door to Margaret (Yates) Upchurch. In the 1840 Census Henry Jones not found but Ashwell McGee was found in Swift Creek Township. Since Ashwell was worth \$5045 in property in 1850 it is possible he owned a tract next to Burtis Upchurch but did not live on it.

Full petition placed in Biofile of Margaret Yates.

(15)B Petition of Margaret Upchurch [nee Margaret Byrd] wife of Gilbert Burtis Upchurch deceased

Received by RPU in 31 Oct 1977 letter from Mrs. L. W. Priest

State of North Carolina
Wake County

Court of Pleas and Quarter
Sessions August Session
A. D. 1846

To the worshipful the Justices of the Court of Please and Quarter Sessions for said County.

The petition of Margaret Upchurch widow of Burtis Upchurch dec'd
against

Bartlett, Able, William C., Brinkley, Gilbert, Alfred and Jubal Upchurch heirs of said Burtis Upchurch.

Humbly complaining your petitioner Margaret Upchurch shows that her late husband Burtis Upchurch of Wake County aforesaid some time during the present year departed this life intestate leaving your Petitioner his widow and the following children (to wit) Bartlett, Abel, Wm. C., Brinkley, Gilbert, John, Alfred and Jubal Upchurch surviving him and his only heirs. And she further shews that her said husband dec'd seized and possessed of in Fee Simple of the following tract of land (to wit) A tract of land situate lying and being in the County of Wake aforesaid on Marks branch adjoining the lands of Ashwell McGee, Henry Jones and others and containing two hundred and six acres more or less it being the land on which he resided at the time of his death.

And being advised that she is entitled to Dower therein-She prays your Worship to cause a writ of Dower to be offered to the Sheriff of this county commanding him to ? a Jury of Freeholders whose **(15)C** duty is shall be after being first duly sworn to go upon and view said tract and then to allot and set apart by proper meets and bounds one third part of said tract of land to her as her Dower including therein the dwelling house and all the necessary out houses connected therewith. And that said Sheriff and Jury lay off her Dower according to the statues in such cases made ? and report their proceedings in the ? under their hands and seals to the next term of the Court. And that copies ? and that a guardian at ? be appointed for the defendant Jubal Upchurch who is not of lawful age. And she prays for such other and further relief as the nature of her case requires.

George Haywood
For Petitioner

(15D)
 State of North Carolina, Court of Pleas & Quarter Sessions
 Wake County. 3 August session AD 1846.

To the Worshipful the Justices of the Court of Pleas
 and Quarter Sessions for said County.

The Petition of
 Margaret Upchurch widow of Beuter Upchurch and
 against

Beuther, Abel, William C, Brinkley, Gilbert John
 Alfred, and Lebbe Upchurch, heirs of said Beuter
 Upchurch.

Sheweth, complaining your petitioner
 Margaret Upchurch shews that her late husband
 Beuter Upchurch of Wake County aforesaid some
 time during the present year departed this life

Intestate leaving your Petitioner his widow
 and the following children (to wit) Beuther, Abel
 Wm C, Brinkley, Gilbert, John, Alfred and Lebbe
 Upchurch, surviving him and his only heir. And
 she further shews that her said husband died
 seized and possessed of in Fee Simple of the
 following tract of Land (to wit) A tract of land
 situate lying and being in the County of Wake
 aforesaid on Marks Branch adjoining the lands
 of Howell Wolfe Henry Jones & others and
 containing two hundred and six acres more
 or less it being the land on which he resided at
 the time of his death.

And being advised that she

To the Worshipful the Justices of the Court of Pleas
and Quarter sessions for said County.

(152) The Petition of
Margaret Upchurch Widow of Bartis Upchurch dead
against

Bartlett, Abel, William C, Pankley, Gilbert John
Alford, and Robert Upchurch, heirs of said Bartis
Upchurch.

Humbly complaining your petitioner
Margaret Upchurch shews that her late husband and
Bartis Upchurch of Wake County aforesaid some
time during the present year departed this life
intestate leaving your Petitioner his widow
and the following children (to wit) Bartlett, Abel
Wm C, Pankley, Gilbert, John, Alford and Robert
Upchurch surviving him and his only heir. And
she further shews that her said husband died
seized and possessed of in Fee Simple of The
following tract of Land (to wit) A tract of land
situate lying and being in the County of Wake
aforesaid on Hawks Branch adjoining the lands
of Arkell W. Lee Henry Jones & others and
containing two hundred and six acres more
or less it being the land on which he resided at
the time of his death.

And being advised that she

(15) f

is entitled to Demand therein - She prays your Worship
to Cause a Writ of Dover to be issued to the Sheriff
of this County Commanding him to summon so
many of the householders whose duty it shall be after being
first duly sworn to go upon and view said tract
and then to allot and set apart by proper metes
and bounds one third part of said tract of land
to her as her Dower including therein the dwelling
house and all the necessary out-houses, barns, etc.
therein - And that said Sheriff shall lay
off her Dower according to the Statute in
such cases made obligatory, and report their
proceedings in the premises under their hands
obedient to the next term of this Court - And that
copies of subpoenas to answers filed to defendants
and that a Guardian at law be appointed for
the defendant Isabel Upchurch who is not of
lawful age; And she prays for such other
and further relief as the nature of her case
requires
Geo. W. Hayward
For Petitioner

(16) Item copied in DAR Library in Washington, DC on 16 Jan 1980. Name of book uncertain-
RPU

Page 25- William Yeats of Wake Co, NC

1 Mar 1806, Probated Feb 1808

Daughters- Hennarette Babb; Elizabeth Gregory; Creecy Strickland; Mary Beasley; Milly
Harrod; Sally Yeats; **Margaret Yeats**

Sons: John, William, Matthew, John, Alsey

Wife: Mary Yeats

Grandson: Henry Yeats

Executors: sons Matthew and Alsey Yeats

Witnesses: Goin Barbee, Ann Barbee, John Scott, Meede Rogers

File under: William Yates, Margaret Yates

(17) [Email from Hope Blackford to RPU dated 10 Apr 2010- CJM 18 Mar 2017]
[CC to NC Trip File Spring 2010]
Subject: Upchurch References
From: Hope Blackford <WCGS-Journal@nc.rr.com>
Date: Sat, Apr 10, 2010 10:38pm
To: "Upchurch, Phil (Write Article)" <phil@upchurchstory.com>

Hi, Phil.

I was typing an index, and copied these entries for you. Hope they may be of use to you.
Hope

Wake County Division of Land Dower- General Index
1820-1854
ORL Microfilm C.099.50108

Name of Widow	Book	Page	Date	Comments
1. Upchurch, Eleanor M	G	488 & 185*	1896	O & D; *added J. D. E.
2. Upchurch, Esther	31	279	1859	
3. Upchurch, Margaret	26	180	1846*	
4. Upchurch, Martha	34	444	1867	
5. Upchurch, Rebecca J.	29	397	1855	

The above are almost certainly the following:

1. = nee Eleanor Marks Upchurch, I (XID-617)- widow of William George Upchurch
2. = nee Esther Byrd XID-810- widow of Hubbard Upchurch
3. nee Margaret Yates XID-81- widow of Burtis Upchurch
4. nee Martha Goodwin XID-10- widow of Ruffin Upchurch
5. nee Rebecca Jane Whitaker- XID-3043- widow of Bartlett Upchurch

The reference to Margaret Upchurch* probably refers to the following: Wills, Inventories & Estates, Bk. 26-27 1845-1852; DGS # 20014 (JB 29 Mar 2017). See next pages...

State of Carolina?

W. County 3 To the worshipful Justices of the Court of Pleas and
Quarter Sessions for Wake County We the undersigned who were summoned
by the Sheriff of Said County in pursuance of a writ to him directed to lay
of and set apart the Dower of Mrs. Margaret Upchurch according to the prayer
of her petition and the act of assembly in such case proceed a respectively
report that on Saturday the 17th day of Oct^r 1846, the Sheriff and un-
signed Jurors assembled on the lands of Bartley Upchurch dec^d the
late husband of the said Margaret Upchurch and after being duly
sworn viewed the lands and premises in the petition mentioned
and upon our oaths of said after considering the several things in
the petition mentioned and taking into consideration the interests
of the heirs as well as of the petitioner We do, hereby under our hands
and seals set apart lay off, and allot to Margaret Upchurch the
Widow of the late Bartley Upchurch and the following lands her
now it being one third of the land of which the said Bartley Upchurch
did possess including thereon his Dwelling House and the out houses
attached thereto to wit beginning at Bartley's thence North to point 92 poles
thence East 123 poles to Blackgum, thence South 92 poles to Blackgum
thence West to the beginning containing 70 Acres 2 Rods 436 poles."

Given under our hands and seals this 17th day of Oct^r A.D. 1846."

Witness

Henry Wm. Whitaker D. Sheriff.

Refus H. Jones D.

Sumner D.

Wm. Barker D.

Burns D.

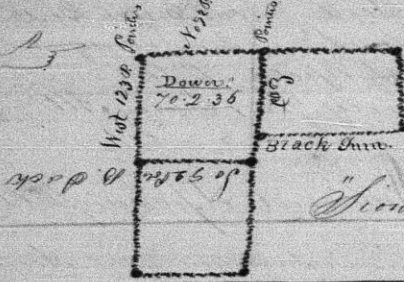
Bastley Jones D.

William D.

must

Continued.

Given under our hands & seals this 17th day of Oct. A.D. 1846



John W. Minkley (Sd)
John Castleton (Sd)
Jerry Mitchell (Sd)
John Maynard (Sd)
Wesley Mearns (Sd)
Arthur Brown (Sd)
"Horn Rogers County Surveyor"

Wake County Nov. Term 1846. The foregoing Report was returned into Court and confirmed and ordered to be recorded.

James T. Munro C. C. C.

A list of the sale of the property of Burtis Upchurch dec'd sold the 3rd Oct. 1846.

Jack Upchurch	2	lot small nut pine	10	5 Chairs	Widow	"	50
Widow	1	Sign here (note)	20	1 lot brock	do	"	10
do	2	Wadding hoes	" 20	looking glass	do	"	10
do	1	brut hoe	" 20	potatoes	do	"	50
Jack Upchurch	1	do do (note)	" 10	large pot	Jack Upchurch	"	55
Widow	2	dagons hoes	" 30	bricks	Widow	"	25
Widow	2	do	" 10	do	Jack Upchurch	"	60
do	1	blat case	" 50	do	do	"	80
Jack Upchurch	1	henna saw (note)	" 20	do	Burtis Upchurch	"	25
do	1	lot of tools (do)	" 55	do	do	"	45
do	1	iron wedge (note)	" 10	Hoyshead	John Mearns	"	50
Widow	2	dingles &c	" 20	bricks	John Mearns	"	25
Jack Upchurch	1	Grind Stone (do)	" 25	do	Arthur Brown	"	45
Widow	1	lot Gum	" 25	house top	Widow	"	10
do	1	lot do	" 25	law pipe	John Mearns	"	15
do	1	log chain &c	" 25	do	do	"	15
Jack Upchurch	1	Crup blade (note)	" 25	9 case	Widow	"	45
do	1	pitch fork (note)	" 45	3 black hogs	do	"	3 10
W. J. Weatherford	1	cutting bar	2 50	5 do	Edgerton and	"	13 00
Burtis Upchurch		Sythy run	15 50	5 do	Wm. Hots	"	12 50
Jack Upchurch		do do	60	4 shoes	John Mearns	"	4 50
Widow	2	dagons hoes	20	3 do	do	"	3 00
do	1	Sadder 3/8	25	1 Blk. shun	J. Upchurch	"	27 75
Jack Upchurch	1	Wearer	7 15	Some Man	John Mearns	"	13 11
do	1	Clock	1 00	601	Wesley Mearns	"	5 00
Widow	1	looking glass	0 60	bow	B. Upchurch	"	3 11
do	6	chain	1 20	white bow	Edgerton	"	7 75
do	1	Table	25	Red Bull	J. Castleton	"	7 60
do	1	Chair	50	J. Stans	B. Upchurch	"	22 00
do	1	bed Steen	50	Sten Cast	J. Upchurch	"	12 00
do	1	side Sadder	25	5 Ch. Shup	Thos. Long	"	5 62 1/2
do	1	Table (Table &c	20	5 do.	do do	"	4 25
do		Safe	20	4 do.	B. Upchurch	"	3 00

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"Continued."

Jack Upchurch	Prison born	3	35	William Yates	Black Stock	1	60
B. Upchurch	5 Bandage born	7	75	Jos. Scott	one Brown Bull	"	70
do	5 do born	7	89	John Lewis	Iron cage	"	35
do	1 do do	2	125	Jack Upchurch	Rifle	5	75
do	1 Shuck put	2	55	Corelup Yates	Carry All	25	00
Wm. Yates	1 Black Stock	1	55				
Jack Upchurch	1 Lot fodder	1	25				
James W. Bates	1 Black Stock	2	80	William C. x Upchurch	Adm's		

Wake County, N.C. Sum 1845. - The following Inventory and Account of
Sale was on oath returned into Court and confirmed, &c.
James T. Meares C.C. C

(18) Input to RPU on 1 Aug 2009 from Patricia Kimberly Beach Re: Pubpacket B- Margaret Yates 1783-1857 married () Burtis Upchurch son of Nathan

1. William YATES born about 1750 died 1808 Wake Co, NC
married Mary UNKNOWN died 1812

Note: (William of Wake speculated by some that wife was Mary Tapp daughter of William Tapp. This is not true. The identity of Mary Yates has never been established.)

I have not personally verified the following:

"William Yates was a Revolutionary soldier, a Private in the Revolutionary War. Her served from 9 May 1781 to 1 August 1781 according to information documented in the Revolutionary Army Accounts, Volume II, Page 47, Folio 4. His service was in the North Carolina Continental Line. His service number was 60. He was assigned to the 6th Regiment commanded by Col. Gideon Lamb. His company commander's last name was McRees this document can be found in the North Carolina State Archives. Also the record of his will that was probated during the February Term, of the Superior Court of Wake County, 1808 identifies William as a Revolutionary War soldier. This document is in the office of the Clerk of the Superior Court of Wake County, NC, in Record Book No. 7, page 313. Also the book Roaster of Soldiers from North Carolina in the American Revolution, published by the Gen. Publishing Co. of Baltimore in 1984 verifies this information on pages 85, 91, 193, 194, 225, 232, 357, and 709."

- ?? 2. Margaret Yates born about 1783 died 10/18/1857

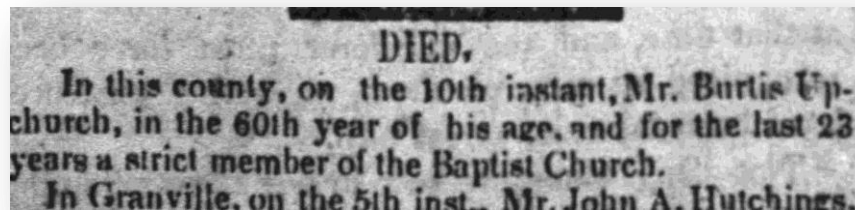
married Burtis UPCHURCH born about 1785 died 10/10/1845

Note: It is unknown what relationship Margaret Yeats had to William Yeats, Sr. She is a beneficiary under his will, but unlike the 12 children of William Yeats her connection is NOT

specifically stated. This leads me to conclude that Margaret was a relative, but possibly not his child or grandchild. The DAC lists the children of Burtis and Margaret Yates Upchurch as Abel, Bartlett, William Clinton, Brinlkey, John Alfred, Jubal and Jackson. I don't believe that list is complete. Listed in the 1840 Wake Co, NC census page ? in White Oak township with what appears to be 4 sons and 1 daughter in the home. Margaret and Burtis are between 50 and 60 at this time. Listed as age 70 born in NC in the 1850 Wake Co, NC census on page 209b "next door" to son Gilbert Upchurch and wife Margaret Byrd Upchurch. Margaret has Jackson (24) and Jubil (22) Upchurch in her home. Also next door are Abel (42) and Nancy (32) Upchurch with daughter Adeline (6), another possible son.

His obituary:

Biblical Recorder: 18 Oct 1845



Her obituary:

Biblical Recorder: 29 Oct 1857

In Wake County, N. C., on Sunday, 18th October, 1857, Mrs. Margaret Upchurch, consort of the late Burris Upchurch, in the 74th year of her age. The deceased had been a member of the Baptist church for 35 years, and was connected at the time of her death with New Salem church in this, Wake county. She leaves five children, besides numerous relatives and friends to mourn their loss; but the poignancy of their grief is somewhat relieved by the consoling reflection, that it was better for her to depart and be with Christ, and that their loss is her eternal gain. "Blessed are the dead who die in the Lord; yea, from henceforth saith the Spirit, they rest from their labors and their works do follow them."

(19) [Email from Joan Levy to RPU dated 21 Jan 2017- CJM 18 Mar 2017]
Subject: RE: New Form Entry: Enrolled Families Database Viewing Form
From: "Joan Levy" <jjlevy@bellsouth.net>
Date: Sat, Jan 21, 2017 9:50am
To: <phil@upchurchstory.com>
Attach: Grandpa Upchruch001.jpg

Hi, Phil,

Yes, a little visit to the website yesterday and a short visit today. Two things...I see that Mary Tapp is in "the mix" as an ancestor. In my A.com search, I show her as wife of William Yates, Sr. and mother of Margaret Yates (?) --- ---
who married our Burtis U. However, I'm in doubt of Margaret's ancestry.

I see on p. 21, dated 1982, of the outline indicates "no name" of Yates who married Burtis U. However on p. 24, wife of Burtis U. is listed as Margaret Yates.
Nathan Upchurch I (born ca. 1759-ca. 1835) married Mackey Johnson. They had eight children:
1. Burtis Upchurch (1781-1845, Wake Co., NC) married Margaret Yates (1788-1857

I've hit a blank wall in that I can't find evidence of Margaret's birth or proof that William Yates and Mary Tapp were her parents. Yates English history is "illustrious" – but not sure it's our Yates connection.

So- do we yet know who the wife was of Burtis U.?

(20) Input from email 26 Jun 2008 Margaret Louise Harris to RPU
Subject: Yates-Upchurch
From: OLDPOND@aol.com
Date: Thu, Jun 26, 2008 5:42pm
To: phil@upchurchstory.com
[Note: Margaret Yates married Burtis Upchurch-RPU]

Thanks for your notes re **Margaret Yates**. I'm pretty sure you are right to fit her to William Yates and wife Mary (probably Tapp). But she is slightly vague there. After Jill and I visited the mill site in 1999, Rebecca Cope of the Wake county Parks Department sent me some pages about her Yates ancestor. **Margaret** is indeed listed as the 12th child of this couple. However, it is curious that in the will of William Yates (1806/1808) he names every child as a "son" or "daughter"—except **Margaret** to whom he leaves "one featherbed and furniture and one cow and one calf." Then he gives something to a "grand son" *by name*.

The 1850 Census for Wake co. puts the widow **Margaret Upchurch** next door to Abel Upchurch and gives her age as 70, making her birth date about 1780. But in **her** obituary of 1857, in *The Biblical Recorder*, it is said she died “in the 74th eyar of her age,” thus a birth date of about 1783. If her birth date was 1783, Mary Tapp Yates would have been 51 years old. Even at 1780, she would have been 48.

Therefore, I cannot help but wonder if our **Margaret** the mom of 9 sons (!), may have possibly been the child of an unmarried daughter of William and Mary Yates, who reared her as their own daughter. Since I do not wish to put this pure speculation in to printed copy, but neither want to assign **her** to inaccurate parents, I am rather gliding over it in my own “story.” Others have written **her** into this line (via DAR applications), and I figure the DAR proof is legitimate either way: William Yates (1727-1808) was either **her** father or her grandfather.

Since he was a Revolutionary War Patriot, I would actually like to write him into my history, but—because I’m not sure about the exact lineage—I just decided to leave it to someone else to sort out. It is entirely possible that *The Biblical Recorder* printed a typo, AND that leaving out “daughter” as a description to the **Margaret Yates** (spelled Yeats then) in William’s will was also a scribe’s accidental omission. But maybe eventually some third “something” will be found to settle the issue.

Phares (Rebeccah spells him “Pharis”) should be a distant cousin anyway! And all that Upchurch graffiti on the mill walls suggests that the children had the run of the place!

Peggy