

Moses Upchurch **XID – 1**
Colonial Upchurch – Head of Clan

Commentary: According to the best records available, Moses Upchurch was born in Brunswick County, VA in 1753. He moved with his father, Richard Upchurch II, to Granville Co., NC, where Richard II appeared on the tax rolls in 1755. The family settled in the Moccasin Creek area on what was to become the approximate boundary between Franklin and Wake Counties. Moses' father Richard II was born about 1725 and died in 1798. His grandfather James Upchurch was born in Virginia and died there in 1765. His great grandfather Richard Upchurch was born about 1658 and died before 1700. His great-great grandfather, Michael Upchurch (1624-1681), was the original American Upchurch immigrant who came to America about 1638. Moses Upchurch married Mary Simms (1757-1847) in 1772. He served in the Revolutionary War, as did his brothers Charles and Nathan. Other brothers were Richard III, Benjamin, James, Moses, and Abel. His sisters were Frances, Betty, and Nancy. About 1800, Nathan and Moses moved west to the boundary of Chatham and Wake Counties in North Carolina. Charles moved to Georgia; Richard III and Benjamin remained on the Wake/Franklin border near their birthplace. Moses was very active in purchasing and developing farmland on both sides of the Wake/Chatham border. He raised a large family, some of whom remained in the home community. He lived to be about 100 years of age and is buried in Chatham County in an unmarked grave on one of the parcels of land he purchased when he first moved to Chatham. Moses is of the fifth generation of Upchurches in America. He is considered a patriarch and head of the Moses Upchurch Clan.

Robert Phillip Upchurch

Acknowledgements: This Biofile was painstakingly transcribed by Carla J. Michaels, Biofile Coordinator for UAFA.

(1) Moses Upchurch was born 13 Feb 1755 and died 1855 and married Mary Simms. He was a Private in the Revolutionary War and was pensioned. (11)

(2) Moses Upchurch in 1836 applied for a pension which was allowed for service as a private, North Carolina Line. He was born in Brunswick Co. VA, died in Wake Co. NC.

Information supplied by Miss Mabel Johnson to support her DAR 126044. Moses Upchurch married Mary Simms → Whitney Upchurch (1793 – 1863) married Elizabeth Goodwin → Richard Dillard Upchurch (1820 – 1906) married James Phelps (1826 – 1857) → Kittie Upchurch (born 1853 -) married 1872 Nathan Augustus Johnson (born 1845 -) → Miss Mabel Johnson. (16)

(3) Added information supplied by Mrs. Alma Yates Bowman (DAR 140119) to support her admission to DAR.

Moses Upchurch married in 1772 Mary Simms (1757 – 1847) → Simms Upchurch (1808 – 1880) married 1832 Abbie Olive (1810 – 1849) → Parthenia Upchurch (1832 – 1906) married in 1853 Lucien B Yates (1827 – 1908) → William Simms Yates (born 185 d) married in 1887 Annie Horton (born 1864 – d) → Mrs. Alma Yates Bowman (16).

(4) Moses Upchurch received a pension for service as a private in Captain Jones' Company of Light House and in Colonel Hunters Regiment, North Carolina Line (16).

(5) Moses Upchurch married Mary Sims daughter of Isham Sims. The DAR accepted Mary Simms as wife of Moses Upchurch, Evidence cited showing Moses, Charles, and Nathan, Richard Jr, Benjamin, James, Jubal and Abel as being brothers.

Moses had his father's Bible. Moses Upchurch was born in Brunswick Co, VA in 1753 or earlier. See page 30 – 34 of (28) for details of Moses Upchurch. Children of Moses

- | | |
|------------|--------------|
| 1. Calorgy | 6. Murry |
| 2. Clegg | 7. Parthenia |
| 3. Gilliam | 8. Ruffin |
| 4. Leatha | 9. Sims |
| 5. Mary | 10. Whitney |

(6) Per letter 26 Apr 1976 to RPU from Mrs. Mike Lomas

Courtney Upchurch (born ca. 1794, died < 1850) was probably the son of Moses Upchurch and wife Mary Simms. Moses is listed in Franklin Co, NC in 1870 (1770 – RPU) and in Chatham Co, NC in 1815 and 1820 and his will is in Chatham County for 1855.

Moses witnessed a deed in Bute Co (in Warren Co deed books) where Richard Upchurch sold land.

Moses in Franklin Co Census of 1790 for NC.

Proven children of Moses = Ruffin, Whitney, Calory, Murry, Sims. Per 1800 Census had 13 in family. Others attributed are Leatha, Parthenia, Mary, Clegg, Courtney.

(7) Correspondent Ms. Kathryn E Herman inquires “Was Rebecca Barnes (wife of William) the daughter of Moses and Mary Upchurch of Chatham Co, NC? Who were parents of William Barnes?”

(8) Per attachment #6 West letter 18 May 1975 – see Richard Upchurch, Sr. for copy.

A. Richard Upchurch, Sr. in 1778 – Feb Court Records – rec'd deed(s?) from Dempsey Sumner and Elisha Strickland – oath by Moses Upchurch – Wake County, NC Court Records B-1.

B. Moses was born circa 1753 and was son of Richard Upchurch, Sr.

(9) Per attachment #32 West letter 18 May 1975 – Wake Co, NC Deeds

A. “25 Jun 1807 – Moses Upchurch bought land at auction – 300 acres”

B. "20 Jun 1807 – Gillium Upchurch bought 150 acres White Oak Creek, Moses Upchurch = Surat"

C. "20 Apr 1818 = Gillium Upchurch bought land from Moses Upchurch."

(10) Per attachment #31 West letter 18 May 1975 – Wake Co, NC – Grantors

"20 Apr 1818 – Moses sold to Gilliam Upchurch Book 2 Page 111"

(11) Per attachment #30 – West letter 18 May 1975 – Wake Co, NC Court Minutes

A. "1780 March Court – Moses Upchurch – deed from Anthony Olive – ordered to be registered"

B. "1784 March Court – page 300 – Moses and wife – deed to Henry Buffalo – acknowledged and registered"

C. "1778 Feb Court – Two deeds proved by oath of Moses Upchurch – to Richard Upchurch – one from Dempsey Sumner and one from Elisha Strickland.

(12) Per attachment #33 West letter 18 May 1975 – Extracts of Deeds – Wake Co NC

A. "1807 Moses Upchurch – 18 May – from Nathaniel Jones High Sheriff – Execution issuing from County Court of Wake vz Benejah Rogers sum of 200 lb 13 shillings, which sum was recovered by Wm Ward by attachment vs Rogers - - - on Davis line - - - to William Seagroves corner - - - Meady Rogers line, thence agreed line made between Moses Upchurch and Meady Rogers to Red Oak in Nathan Upchurch line then south to Hones corner – 300 acres – public auction 1806 18 Oct – Moses Upchurch highest bidder 2 lb 10 s (?). Witness Wm Boylan, Dempsy Blake – signed Nathaniel Jones, Sheriff – Open Court 1807 Book U page 121 – 25 Jun 1807"

B. "1807 – Gillium Upchurch – 18 May – bought from Joseph Wheeler 110 lbs – 150 acres – land water White Oak – Witnesses – Moses Upchurch, Jurat; Wm Seagroves – signed Joseph Wheeler – Reg Book U Pg 113 20 Jun 1807 – Richard Smith, Reg."

(13) Per attach #27 B West letter 18 May 1975 – Conveyances – Franklin Co, NC

A. "1794 Moses Upchurch from Thomas Gay – 50 lbs – 100 acres South side Mockerson Creek – Arter Perces line, Henry Baker's corner to Mockerson Creek down the Creek Wit: Paul Perce (Pearce?), Hennen Perce

Signed Thomas Gay – Dec Session 1801 – Book 3 Pg 167"

B. "1796 Moses from John Pearce – 4 lbs – 160 acres – bounded Spanish Oak Moses Upchurch line, S. pine Thomas Gay's line, W. along Gay's line to Moses Upchurch corner. Wit: Phillip Pearce (Jurat), Thomas Pearce – signed John X Pearce – Dec Session 1801 Book 3 page 173.

C. "1803 – Moses Upchurch to Thomas Gay – 90 lbs currency – tract of land beginning Spanish Oak – Moses Upchurch line to pine in Thomas Gay line – 120 acres – West Green Hill, Britton Perce – signed Moses Upchurch – Book 12 page 67.

D. "1804 Moses Upchurch to James Upchurch \$600. Tract land on Mocoston – thence west course to Thomas Gay's corner – thence on Gay's line – Zadock Bells – Daniel

Ray's line, Henry Baker's corner – 400 acres – Witness: Gillium Upchurch, Jurat – Richard Upchurch, signed Moses Upchurch – Book 11 page 281”.

E. “1801 – Moses Upchurch from Phillip, Steven, John and Arter Pearce – For 100 lbs – 300 acres – beginning Oak Mock Branch up said Branch to Spanish Oak, West to the Gay's and Dadock [misspelled? – CJM 26 Mar 2020] Bell's corner North to John Perry's line, east along line to Perry Barr line. Witness: Thomas Gay, Jurat; Anne X Pearce – signed Phillip, Stephen, John, Arter X Pearce – December Session Oath Thomas Gay.” (Attach 24 gives Book 3 page 164, 173, 167)

F. “1798 (notice date – B. West) – Richard Upchurch to James Upchurch – witnesses Moses Upchurch, Jurat; Buckner Upchurch – signed Richard Upchurch – March Session 1794. (Index gives date as 1798 – could this deed indicate that James was another son of Richard and was getting land at same time as Nathan above – B. West?)

(14) Per attachment #24 West letter 18 May 1975 – Conveyances – Franklin Co, NC

“1798 Richard Upchurch Jr from William Lambert Jr. Book 11 page 24

Witness: Moses and James Upchurch”

(15) NC 1800 Census per Jackson & Teeple

Census page 471 – Lists Moses Upchurch in Franklin Co, NC [Note: This is the only Moses listed in NC]

	Male		Female	
<10	3		1	[Calorgy ⁵]
10 – 16	2		1	[Parthenia – ¹²]
16 – 24	0		3	
26 – 45	0		1	[Mary Sims]
>45	1	[Moses U]	0	

For explanation of family members in above chart, see (21).

(16) NC Census/ Tax Lists of 1820 – per Potter, 1974

Two Moses Upchurch listed

1. Moses Upchurch of Chatham Co, NC Census, page 55
2. Moses Upchurch of Wilkes Co, NC – page 40

(17) See page 34 of 2 Feb 1978 letter Elva E Burkhalter to RPU

A. Book U 1807-9 page 113 Moses Upchurch witness to Joseph Wheeler Jr of Chatham Co, NC 1807 to Gillam Upchurch of Chatham 150 acres White Oak Creek.

(18) Page 7 West letter 30 May 1978 to RPU. Moses Upchurch born 13 Feb 1955 on 1953 (DAR Index) Brunswick Co, VA died ca 1855 Chatham Co, NC. Married 1772 Mary Sims born 1757 died 1847 daughter of Isham Sims and Mary Murry Sims.

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

Inspected an old country store ledger book with dates Apr 1977 – Oct 1829. Purchases were listed for Nathan Upchurch for Moses Upchurch and several of his children and for Miss Eliza Upchurch (probably a daughter of Murray Upchurch).

Entries for Moses were on Jul and Oct 1827.

(20) See census records Chatham Co, NC extracted by RPU

1850/ **Moses** Upchurch age 100 M no occupation, born in VA is listed in home of his son Sims Upchurch.

1800 – No **Moses** in Chatham Co

1810 – **Moses** is head of household of 6 + 2 slaves

1 male >45 (assume Moses)

1 female >45 (assume wife)

2 males 16 – 26 [Whitney U¹⁷ & Courtney U¹⁶] leaves out Murray U
1 male <10 [Sims U²] who would have been

1 female 10 – 16 [Calorgy U⁵] age 13

1820 – **Moses** is head of household of 5 + 0 slaves

1 male >45 (assume Moses)

1 female >45 (assume a wife)

1 male 10 – 15 [Sims U¹²]

1 male 18 – 25 [Murray U²³] [He married Aug 1820]

1 female 16 – 25 [Calorgy U²⁵] [never married]

1830 – **Moses** is head of household of 4 + 2 slaves (1 male age 10 – 24; 1 female age 55 – 100)

1 male = 70 – 80 (assume Moses)

1 female = 60 – 70 (assume a wife)

1 male = 20 – 30 [Sims U²⁸] [He married 11 Dec 1832]

1 female = 30 – 40 [Calorgy U²⁵] [never married]

1840 – **Moses** not found on Chatham Co Census

(21) See census records Franklin Co, NC 1800 – extracted by RPU

Moses Upchurch home:

male <10	1	[Murray U] ³	female <10	1	[Calorgy] ⁵
male <10	1	[Courtney U] ⁶	female 10 – 16	1	[Parthenia] ¹²
male <10	1	[Whitney U] ⁷	female 16 – 16	1	[Mary] ¹⁵
male 10 – 16	1	[Ruffin U] ¹³	female 16 – 26	1	[X]
male 16 – 26	1	[Gillium U] ¹⁸	female 16 – 26	1	[Letha] ²⁶
male >45	1	[Moses]	female 26 – 45	1	[Mary Sims]

(22) See letter 19 Mar 1980 Fred Upton Upchurch Sr to RPU

He shows Moses born 13 Feb 1750 and died 23 Feb 1855

[These dates differ from West's UF – will accept UF dates for now – RPU]

(23) See letter 10 Jul 1980 Elna Era Burkhalter to RPU

Page 15 – Moses Upchurch born 1753 Brunswick Co, VA died 23 Feb 1855 married Mary Sims 1757 – 1847.

(24) Obituary in Biblical Recorder – Raleigh, NC

Moses Upchurch, Esq. Chatham Co – 25 Feb 1853

(25) See extract of book “The Lost Tribes of NC” by Worth Ray

“Page 207 – Thomas Ray of Franklin Co, NC to Thomas Gay a tract of land beginning at the corner of Phillip Pierce running south to Isaac Strickland’s corner and to Thomas Gay corner. 30 Oct 1795. Signed by Thomas Ray his mark. Witnesses were: **Moses Upchurch**, Richard Upchurch, John Carpenter”

“Page 207 – Thomas Gay sells land to Thomas Ray on both sides of Moccasin Swamp – 73 acres on Strickland + Pierce line. December Court 1787. Date of deed 4 Oct 1787. Signed Thomas Gay, witnesses were **Moses Upchurch**, James Price, Charles Upchurch”

“Page 264 – 265 The Peter Brice Map of “Locations and Homesteads of Colonial Families and Gravesites in Granville Co, NC” #125 = **Moses Upchurch**

[This map may be entitled “Locations of the Home-sites of Colonial Families in Granville County North Carolina compiled by Worth S Ray... Drawn by P B Searcy”, published in 1943, available digitally at: <https://dc.lib.unc.edu/cdm/ref/collection/ncmaps/id/3419> - CJM 28 Mar 2020]

(26) See letter 28 Aug 1981 Patsy Penny Horton to RPU

“In Chatham Co, NC Marriage Book: Murray Upchurch, (son of **Moses** and Molly Upchurch) married Sallie Temples (daughter of Allen + Mary Temples)

(27) See Deed File – State of NC Transfers 50 acres of land to Moses Upchurch in Chatham Co, NC on Pitts Creek adjacent to Hughes McClain and Ruffin Upchurch and an unclear third party. Started paperwork 14 May 1822, continued 1823 – completed 1824

(28) See Deed File – Joel Cook on 25 Jul 1803 sells 555 acres in Chatham Co, NC on Wake/Chatham line to Moses Upchurch of Franklin Co, NC for £400. Adjoins Joseph Taylor, John Pitts, Joseph Pitts. Witness R Norris & Nathan Upchurch. Nathan Upchurch also proved the deed in open court Feb 1805.

(29) See Deed File – Joseph Brantly sells 100 acres in Chatham Co, NC to Moses Upchurch for £100. Adjoining --- Taylor, Moses Upchurch. Witness: Gillium Upchurch. Gillium Upchurch also proved the deed in open court Feb 1807.

(30) See letter 12 Jul 1984 Elizabeth Perkins to RPU

Moses Upchurch born 13 Feb 1753 died 23 Feb 1852 married 1772 Mary Sims born 1757 died 1847.

(31) See letter 24 Feb 1984 B Fay Byington to RPU

In Chatham Co, NC Moses Upchurch sold land to Gilliam Upchurch Bk Q pg 56.

In Chatham Co, NC Moses Upchurch sold land to Ruffin Upchurch Bk AA pg 34.

(32) 1790 Census – Halifax District – Franklin Co, NC – For **Moses Upchurch**

1. [Free W M 16+ incl head]	1	[Moses Upchurch – 25]
2. [Free W M < 16]	3	[Ruffin Upchurch – 3; Gillium Upchurch – 8; [?]
3. [Free W F incl head]	4	[Letha – 17 (married 1807); Mary – 5; Parthenia – 10; Mary Sims, wife – 36]
4. [All other free]	0	
5. Slaves	0	

(33) See letter 27 Apr 1985 Eddie Womack to RPU

The estate of the late Sampson Strickland, Sr was sold on 15 Mar 1785. Present were his widow Christianna (---) Strickland and **Moses Upchurch** and Charles Upchurch and others.

(34) See biofile Sims Upchurch – Entry 12 Nov 1987

Moses Upchurch born 13 Feb 1753 (or earlier) (Brunswick Co, VA) married 1772 Mary Sims born 1757 died 1847.

(35) See letter 20 Oct 186 Cleora Maxine Beard to RPU

Index to Revolutionary War Pension Application for **Moses Upchurch** in S7776.

(36) See letter 4 May 1984 Martha Miriam Anderson to RPU

1790 Halifax Tax List (Halifax District) – Edgcombe Co, NC

Richard Upchurch, Sr, Richard Upchurch, Jr, **Moses Upchurch**, James Upchurch

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

A. State Records of NC by Clark – Vol 22 pg 55 – 92

“**Moses Upchurch** – NC pensioner under Act of 1818 – 1832. His number was 1577 ---Private”

At the time of his death, **Moses Upchurch** was living with his son Sims Upchurch.

B. May 1807 (presumably Chatham Co, NC) **Moses Upchurch** and Gilliam Upchurch for \$300 (Land Sale?) Signed **Moses Upchurch**. Witnessed William Cain and Sanford Jones.

C. Coy Tillman Upchurch Section

1. In 1775 **Moses Upchurch** witnessed a deed from Richard Upchurch to a William Fish.

2. **Moses Upchurch** purchased 3 tracts of land in what is now Franklin Co, NC – Records in Court House in Louisburg, NC.
 - a. 14 Feb 1794 – 300 acres - £100
 - b. 1794 – 100 acres - £50
 - c. 1796 – 160 acres - £48
3. In 1803 **Moses Upchurch** sold 16- acres to Thomas Gay for £90.
4. On 25 Jul 1803, **Moses Upchurch** of Franklin Co, NC purchased 555 acres in Chatham Co, NC from Joel Cook of Chatham Co, NC. Bk M pg 492 for £400.
5. **Moses Upchurch** married a Mary Simms. Zachariah Simm's farm was the adjoining farm to the farm of James Upchurch in Brunswick Co, VA.
6. In 1807 **Moses Upchurch** purchased 100 acres from Joseph Brantley.
7. In 1823 **Moses Upchurch** got 50 acres from the state in a grant.
8. Considering land transactions **Moses Upchurch** must have moved to Chatham Co, NC about 1803.
9. **Moses Upchurch** in 1808, residing in Chatham Co, NC sold 300 acres in Wake Co, NC to a Gilliam Upchurch for \$165 – on White Oak Creek, Jones Corner, Gilliam Upchurch line. Book Q Pg 111, 24 Sep 1808, Feb Court 1810. Test: John X Whelas and Cornelius Cook.
10. It seems likely that **Moses Upchurch** got his wife from the Simms family who lived next to James Upchurch in Brunswick Co, VA.
11. **Moses Upchurch** seems to have lived for several years in Wake Co, NC [I doubt this – RPU].
12. The NC Colonial and State Records Vol 22 pg 89 shows Moses Upchurch drew a pension based on his service as a private in the Revolution.
13. Book M, pg 492, 25 Jul 1803 Joel Cook of Chatham Co, NC to **Moses Upchurch** of Franklin Co, NC for £400. Tract of land in Chatham Co, NC containing 555 acres – beginning in Joseph Taylors line – to a stake – along a line that has been partly run between John Pitts and Joseph Pitts to a white oak on the west side of Pittses Creek – to a pine on the west side of the road from Fayetteville to the University supposed to be another dividing line run by Joseph Pitts to a stake Persons corner – to the county line – to the corner.
Proved Feb Court 1805 by Nathan Upchurch.

(38) See notes of RPU visit 19 Sep 1988 with John Read Upchurch
State Records of North Carolina. Vol XXII pages 55 to including 92. N C Rev war Pensioners and Acts of 1818, 1832, as reported by Secretary of State to Congress in 1835. Page 587

1580 Nathan Upchurch, Private
1577 **Nathan Upchurch**, Private

(39) See letter 27 Sep 1991 Elva Era Burkhalter to RPU
Moses Upchurch born 13 Feb 1753 (Obit in Baptist Papers dated 25 Feb 1853) married Mary Simms born 1757 died 1847.

(40) See letter 3 Aug 195 Charles John Peterson, Jr to RPU

The writer is a descendant of Courtney Upchurch and states “ I understand there may be some uncertainty with the attribution of **Moses Upchurch** as the father of Courtney Upchurch.”

(41) Extract from Upchurch Family by Belle Lewter West, page 33, 34.

Re: The Children of Moses Upchurch, Head of Upchurch Clan No. 1

Moses and Mary (Sims) Upchurch are buried on what is called the “Sims Upchurch” place in Chatham County, NC which is on land originally purchased by Moses when he left Franklin Co, NC.

According to tradition, Moses Upchurch met his death because of an accident at the age of 102 or 103. He was riding horseback across a small stream and fell from the horse and drowned.

Neither Moses nor Mary (Sims) Upchurch left a will but there is documentary proof of many of their children as listed below:

1. Leatha Upchurch (born circa 1773 – 74) in Franklin Co, NC. Married 13 Jun 1807 Hezekiah (“Kiah”) Massey. She was named “my granddaughter Leathy Upchurch” in the will of her grandfather, Isham Simms, dated 26 March 1791. (Wake Co, NC Will Book C/185).
2. Parthenia Upchurch (born 1780) Franklin Co, NC, married --- Smith. Names in a statement of a descendant of Sims Upchurch, dated 29 Oct 1958.)
3. Gilliam Upchurch (born 1782) in Franklin Co, NC, married Sarah ---. Closely associated with Moses Upchurch in land transactions.
4. Mary Upchurch (born 1785) in Franklin Co, NC, married 5 Feb 1806 Adam Burn (Bunn) (Wake Co, NC Marriage Records).
5. Ruffin Upchurch (born 1787) in Franklin Co, NC, married --- Williams, married 2nd Patsy Goodwin – Affidavit of Ora (Upchurch) Lewter, who knew him personally. He is said to have had 22 children.
6. Whitney Upchurch (born 1793) in Franklin Co, NC, married 3 Jan 1811 Elizabeth Goodwin in Wake Co, NC – statement of one of his descendants.
7. Calorgy Upchurch (born 1795) in Franklin Co, NC, never married, Affidavit of Ora U. Lewter.
8. Murray Upchurch (born 1797) in Franklin Co, NC, died 19 Feb 1872 in Chatham Co, NC, married 23 Aug 1820 Nancy Scott in Wake Co, NC. (See sketch in the text of this book.)
9. Clegg Upchurch (born 1800) in Chatham Co, NC, - named in statement of descendant of Sims Upchurch, dated 29 Oct 1958.
10. Sims Upchurch (born 11 Dec 1808) in Chatham Co, NC, married 11 Dec 1832 Abigail Olive, married 2nd Matilda Temples, married 3rd 23 Dec 1852 Tabitha Williams. – See sketch of Dr. Coy Upchurch in Part IV.

[Note: There are probably at least three additional children:

X. A female, unnamed, shown on the 1800 census of Franklin Co, NC in the home of **Moses Upchurch**, said female age 16 – 26 hence born between 1774 & 1784.

Y. Courtney Upchurch born circa 1794 – see his biofile.

Z. Male No. 3 on 1790 census.

- RPU 5 Aug 1995]

(42) Re: Will of Hezekiah Massey, Sr. in letter 19 Mar 1996 Willa Mae Bolton to RPU
1790 Federal Census: Franklin Co, N. C. page 60.

Ezekiah Massey 1-4-3

Comment: Listing would suggest that four males under 16 years of age were within the household of Hezekiah at the date, thus indicating all were born between 1774 and 1790. All females listed were of 16 years and above, thus indicating all born before/by 1774.

Abstract of the Will of Hezekiah Massey: Franklin Co., N. C. Will Book A, p. 87. 16 Jun 1791

Item: To son, Burgess Massey...the land and plantation whereon I now live of 132 acres more or less after my wife's death or widowhood.

Item: To beloved wife, Martha Massey, various items of household, & livestock, with stipulation that items are hers as long as she lives as widow. Then to be divided between my youngest children Joseph and Lydia. Also to son Joseph a colt. To wife, sows and loan of mare to work as long as she remains my widow. All the rest of my living out doors and in doors, I desire to be equally divided between my six young children: Burgess, Charity, Hezekiah, John, Joseph, Lydia – not to be sold but divided by three honest men. And last, I leave my loving wife, Martha Massey Executrix.

Hezekiah Massey

Wit: Pettepool Massey

Nathan Massey

Reuben Massey

Recorded December Court 1791

Franklin Co. N. C. Court Minutes: December Court 1791.

p. 273: "The last will and testament of Hezekiah Massey, dec'd. was returned & proved by the oath of Pettepool Massey & M. O. R.

Source: T. Smith, Ft. Worth, Tx. Taken from microfilm at N. C. Archives in Aug. 1976 – no roll no. given.

"Ordered that Richard Massey be appointed admr. Of the estate of Hezekiah Massey, dec'd. with the will of sd. Dec'd. annul'd who entered into bond in the sum of 250 pounds with Richard Upchurch & Moses Upchurch, his sects, and at the ...returned an Inventory of sd. Estate on oath."

Source: Ibid.

"Ordered that the Sheriff sell such part of the estate of Hezekiah Massey Dec'd. as directed in his last will and testament..."

Source: Ibid.

March Court – Franklin Co., N. C. 1792: p. 285: “The Sheriff returned an amt. of sale of the estate of Hezekiah Massey, Dec’d. amounting to L52.18.6 [?Va. money] and on M. O. R.”

Comment: T. Smith made note that he stopped search at this point.

Inventory of estate of Hezekiah Massey dec’d. Included was 132 acres. Sept. 27 1791. Richard Massey, admr. Dec. Court 1791

Source: Franklin Co., N. C. Will Bk. A, p.88

Sale of estate of Hezekiah Massey, dec’d. Buyers were: Richard Massey, Martha Massey, Thomas Ray, John Williams, Thomas Ingram, Joseph Wheeler, Jr., James Mullins, Richard Upchurch, Bud Lee, Benj. Bun, Benjamin Bun, William Walker, James Bolton, Nathan Bolton, Miles Prewitt, Moses Upchurch, Robert Chamlee, Robert Rutherford, James Upchurch, Nathan Striclan, Fredrick Smith, James Campbell, Jesse Dinkens, David Bun, Isaac Stricklin. March Court 1792.

Source: Ibid, p. 88.

Comment: Hezekiah Massey died between 16 June 1791 [date of will] and 27 Sept. 1791, [date of inventory which was return to Court for recording Dec. Term].

(43) From Clyde Charles Upchurch, Jr to RPU on 19 Feb 1997

[Marjorie Beatrice Yates] possibly XID – 21237

[Note: This Marjorie Yates not XID – 21237 as XID – 21237 (Marjorie Yates Yokley born 11 Dec 1927 only 8 years before the date of his letter – RPU]

Marjorie Yates
616 Wills Forest St
Raleigh, NC

Madam:

I have to advise you that from the papers in the Revolutionary War pension claim X 7776 it appears that Moses Upchurch was born February 13, 1755 in Brunswick County, Virginia.

While a resident of Franklin County, North Carolina he enlisted in April 1776 and served about eight months as a private in Captain James or Joseph Jones’ Company, Colonel Jethro Sumner’s North Carolina Regiment.

While a resident of Wake County, North Carolina he enlisted and served another tour of two months, either in 1778 or 1781, as a private in Captain Hunter’s North Carolina Company.

He was allowed a pension on his application executed November 23, 1836 while living in Chatham County, North Carolina.

[I. Moses Upchurch – Head of Clan

A. Sims Upchurch

1. Parthenia Upchurch

a. William Sims Yates

i. Marjorie Beatrice Yates]

(44) From "Abstract of Record of Wills, Inventories, Settlements of Estates 1771 – 1802 Wake Co, NC" by Frances Holloway Wynne 1985, page 124, Book D.

STRICTLAND, E Estate sale R. 2 Jul 1797 p 197
 Buyers: Hardy GRIFFIN, Jacob STRICTLAND, Isaac STRICTLAND
 James B LEE, Brassel STRICTLAND, Wm SEAGROVES, John MAR-
 TIN, Benjm UPCHURCH, Joshua CONE, Josiah CRUDUP, Wm GOOD-
 SON, James FERREL, Benjn WHEELER, Joseph HOPKINS, Obediah
 STRICTLAND, Richd MASSEY, Nathan BAGWELL, Wm RICHARDS,
 Nathan UPCHURCH, Matthew STRICTLAND, Israel PREVETT, Wm
 BAGWELL, John CARRELL, Mossess PENDEGRASS, John CARPENTER
 Mosess UPCHURCH, James UPCHURCH, Richard UPCHURCH, John
 PACE, Robert NORRIS, Stephen THOMLINSON, Dread JONES,
 Charles UPCHURCH, Abel STRICTLAND, Joseph NORRIS.
 Admr.: Isaac STRICTLAND

(45) See DAR File for 1 Nov1973 Application of nee Mary Roddenberry Upchurch to join the DAR based on the Revolutionary War Service of her ancestor Moses Upchurch. [Note that some details for Moses Upchurch are provided but these are not necessarily more accurate than other wise available – RPU] Details claim: Moses Upchurch born 13 Feb 1755 (Brunswick Co, VA) died 1855 (Wake Co, NC) married 1772 Mary Simms born 1757 (NC) died (Wake Co, NC) on 1847.

(46) Wake Co, NC Court Minutes Jun 1778 Page 60

A deed from Dempsey Sumner to Richard Upchurch [Richard Upchurch, II vs Richard Upchurch, III] was in Open Court duly proved by the oath of Moses Upchurch, a witness thereto & ordered to be registered.

A deed from Elisha Strickland to Richard Upchurch, Sr [Richard Upchurch, II] was in Open Court duly proved by the oath of Moses Upchurch, a witness thereto and ordered to be registered.

(47) Moses Upchurch Clan
 by Robert P Upchurch

According to the best records available Moses Upchurch was born in Brunswick County, Virginia in 1753. He moved with his father, Richard Upchurch, Sr, to Granville Co, NC where Richard Upchurch, Sr. appeared on the tax rolls in 1755. The family settled in the Moccasin Creek area on what was to become the approximate boundary between Franklin and Wake Counties. Moses' father Richard Upchurch, Sr. was born circa 1725 and died before 1800. His grandfather James Upchurch was born in VA and died there in 1765. His great-grandfather Richard Upchurch was born circa 1658 and died before 1700. His great-great-grandfather,

Michael Upchurch born circa 1620, died 1681, was the original American Upchurch immigrant who came to America about 1650.

Moses Upchurch married in 1772 Mary Simms born 1757, died 1847. He served in the Revolutionary War as did his brothers Charles and Nathan. Other brothers were Richard Jr, Benjamin, James, Jubal and Abel. His sisters were Frances, Betty, and Nancy. About 1800 Nathan and Moses moved west to the boundary of Chatham and Wake Counties in NC. Charles moved to GA, Richard Jr. and Benjamin remained on the Wake/Franklin border near their birth place.

Moses was very active in purchasing and developing farm land on both sides of the Wake/Chatham border. He raised a large family some of whom remained in the community. He lived to be about 100 years of age and is buried in Chatham County in an unmarked grave on one of the parcels of land he purchased when he first moved to Chatham.

Moses is of the fifth generation of Upchurches in America. He is considered as a Patriarch and Head of the Moses Upchurch Clan. Other fifth generation Upchurches also head clans. The children of Moses are heads of subclans.

Moses Upchurch Clan

His children are:

Letha Upchurch	XID – 3	Calorgy Upchurch	XID – 13
Parthenia Upchurch	XID – 5	Murray Upchurch	XID – 14
Gillium Upchurch	XID – 6	Clegg Upchurch	XID – 16
Mary Upchurch	XID – 7	Sims Upchurch	XID – 17
Ruffin Upchurch	XID – 9	Courtney Upchurch	XID – 1109
Whitney Upchurch	XID – 11		

*XID numbers are Code numbers for Upchurches, Upchurch Spouses, and their Descendants and ancestors. The Upchurch Registry coordinating names and XID numbers is maintained by R P Upchurch, 2073 Miraval Quinto, Tucson, AZ 85718.

(48) Franklin Co, NC – Will Book C 1804 – 1812 – Bradley Page 24

(117) Account of estate of Captain William Jeffreys dec'd., by execrs. Simon Gray Jeffreys and Robert Nicholas Jeffreys. Covers 1802 – 1807. Persons mentioned: (for old notes and debts) Joel Hall, Samuel Liles, Osborn Jeffreys, John Ransom, Simon Jeffreys, Osborn P. Nicholson, James Hornsby, John McNeill, Burwell Bell, Edwin Holding, Henry Burnham, Jeremiah Sandy, Drewry Massey, (for amounts paid by the executors beginning 1802) Willie Jones, John Fowler, Phillip Pearce, Thomas Brickell, Goodrich & Wheaton, Durrell Rogers, Obadiah Green (constable), Michael Dent, Thomas Arendell, James Ferrell, George Hogwood, Bullard Fowler, Jacob Fox, Henry Jones, Richard Rives, Richard Upchurch (constable), Joseph Wheeler, Wm. Cook, Aron Walker, John Humphries, Francis Tate, Burwell Bell, Jessee Kemp (as cryer), James Young (constable), William Hayes, Noel Parrish, Nicholas Long (dep. Sheriff), Jones Fuller, Lucas Price, Brittain Acock, Robert Williams (att.), John Davis (sheriff), Ransom Sutherland, John Pullen (constable), Robert Crenshaw, Richard Fenner, Reuben Ransom, Simon G. Jeffreys,

Charles Parrish, **Moses Upchurch**, Thomas Curlin, Stephen Outterbridge, Wm. Glendenning, Samuel Cotton, Jesse Rhymes, Athey Brooks, Wm. Norwood (att.), Isaac Hunter, Nathan Clifton, Joseph Cook, Simon Turner, Kinchen Turner (att.), Jordan Thomas (sheriff), Agness Sanders, James Hilliard, Henry Seawell (att.), James Collier, James Felton, Saml. High, D. Justice, George Pullen (constable), James Lewis, Hardy Dean, Peter Browne, Osborn P. Nicholson, Oliver Felts (att.), John Moody, Little Berry May, Benjamin Pulliam, David Sills, John Stephens (constable), Lovatt Burgess, Mary Arrington, Simon Jeffreys Sr., Henry Burham (“dead and insolvent”), Drury Massey (“dead & insolvent”), Jarret Sanders (“dead and incolvent”), John McNeill, John Ransom (“run away and insolvent”). Nelson Nailing. June Court, 1808.

Richard Upchurch = Richard Upchurch, III – Head of Clan

Moses Upchurch = **Head of Clan**

(49)

NC Supreme Court Case No. 396

[Original in RPU deep biofile for Moses Upchurch - XID – 1]

State of North Carolina }
Chatham County }

Superior Court
March Term AD 1816

Good Title -?- -?- -?-
of Hugh McLean and others }

vs

Moses Upchurch

} case agreed

On the 2nd day of February 1804 Robert Harris was seized in fee simple of a tract of land situated in the County of Chatham containing five hundred and forty seven acres including the land in question in their cause; and being so seized duly conveyed the same in fee simple to Joseph Brantly [?] and John Crump, who by virtue thereof became and were seized in fee simple of the --- said tract of land and of the land in dispute being one hundred acre part thereof; and on the 5th day of April 1805 the said John Crump duly conveyed his moiety and share of the said tract of land, including the said hundred acres to the said Joseph Brantly in fee simple; who thereby became and was solely seized of the said tract of land and of the land in dispute being part thereof as aforesaid -. At a County Court of Pleas and Quarter Sessions held for the County of Chatham on the second Monday of November 1801 the said Joseph Brantly [?] [?] a judgment as the suit of Anderson Ramsey surviving Partner of Anderson and John Ramsey in the [?] and figures following, to wit – “Judgment [?] by the “Defendant in person for £160.2.6 with interest from the 2nd day of October” 1801 till paid, ? to ? when called for – (signed) Joseph Brantly [?] “ – No proof was found in the said judgment until November Session of the said court 1805, when a ? ? was ? thereon against the goods and chattels land and ? of the said Joseph Brantly returnable to February Sessions of the said court 1806.

Another ? was ? on the said judgment against the goods and chattels lands and tenants of the said Joseph Brantley from August Sessions of this said Court 1806 to November Sessions of the said Court 1806. – Another ? ? was found in the said judgment against the goods lands and tenants and chattels of the said Joseph Brantly from November Sessions of the said Court 1806 to February Sessions of the said Court 1807 at which ? ? duly delivered to the Sheriff ? by him – And another ? ? was found on the said judgment against the goods and chattels lands and tenants of the said Joseph Brantly form February Sessions to wit in the second Monday of February 1807 to May Sessions of the said Court 1807 which mentioned ? ? was by the Sheriff of Chatham County on the hundred acres of land in question which land was duly advertised and sold by the said sheriff, by of of the plaintiff for valuable considerations, and the said sheriff duly executed to the said Hugh McLean a deed for the said land, intending thereby to convey the same to him in fee simple. And the said last mentioned ? ? was duly returned to the said court at May Sessions 1807.

On the 4th day of February 1807 the said Joseph Brantly ? duly made and executed for valuable consideration a deed of conveyance of the same one hundred acres of land to the ? intending thereby to convey the same to him in fee simple, who entered upon and possessed himself of the said land and is still in possession thereof – If the opinion of this court be for the said ? judgment is to be entered for him; and if for the Defendant Judgment is to be entered for the Defendants.

Wm Norwood – for –
A D Murphy for Defendant

Ordered that this case be transmitted to the Superior Court for the opinion of that court ---.

2. Good title on the division of
Hugh McLean et al
vs McLean
Moses Upchurch vs
case agreed Upchurch
Chatham
amended case filed
July Term 1817
--- CSC
Recorded

McClain vs Upchurch

At the time when the sale was made by Brantly to Upchurch namely the 4 February 1807 there was in the Sheriffs hands Roussey's execution and the execution taken out from the term thereafter, though it is a different piece of paper, is still the same execution = we do not therefore

see upon what principle it can be contended the land was not bound, as the sale was made not only after the ? of the execution, but after the delivery to the sheriff.

If it be that these lands were as ? by Brady since the ? the ?. We think there nothing in that; for we do not decide how far a judgment binds land, but think this case the common one, if a party having lands and selling them after the ? execution is in the hands of the sheriff – there must be judgment for plaintiff.

Note: The original of Case 396 sent to RPU by Grace Williamson in her letter of 10 Jan 1983.

Note: The original of Case 396 sent to RPU by Grace Williamson in her letter of 10 Jan 1983.

(50) Index to Deeds, Mortgages and Real Estate Conveyances

Chatham Co., NC 1787 – 1935 – UPCHURCH – DATE FILED – BK, PG

U Grantee(s) [Bought]	Grantor(s) [Sold]
Feb - - 1826 Do [Ruffin R. U.] Ruffin	<u>Upchurch Moses</u> Deed A-A1 34-A
Aug 13 1831 Do [Ruffin R. U.] etal Ruffin	Eubanks Asa Mtge A-C1 89
May 08 1841 Do [Sidney U.] Sidney Tr	Upchurch Ruffin R* D-T A-F 36

U Grantor(s) [Sold]	Grantee(s) [Bought]
May 21 1841 Do [Ruffin R. U.] Ruffin	Council Caswell Tr D-T A-F 41

*Note: As of 20 Jan 2005 this is the first time I recall a middle initial being presented in writing for Ruffin U. Since the name RUFUS is used frequently in his family, I speculate that his full name was RUFFIN RUFUS U. – RPU

(51) Civil Action Papers 1775 – 1791 Wake Co, NC by Diane L Richards. To RPU by James Pell Jones via email 14 Feb 2009. Final version up to 1800 to appear in Wake Treasures.

#35, 640 acres

Date: March 2 1778

Isham Hendon enters six hundred & forty acres of vacant land in Wake County on the north side of Crab Tree Creek, joining his own line, the lines of John Belt, James Olive, Theophilus Hunter & Isaac Sawson's – Including his own improvement

Caveat entered against the above entry by **Moses Upchurch**

(52) From letter 15 Sep 2010 Gerald Thorp Leonard to RPU

Extract from Franklin Co, NC Court Minutes March Court 1801

Extract of Minutes, 1801 – 1805

Contributes by: Mark Murphy

[Extract of Franklin Co. Court Minutes, years 1801 – 1805]

[Film/Rolls 744/C.039.30001-7 NC State Archives]

[transcribed by Mark A. Murphy, 17 Jul 2001]

Minutes of March Court 1801

Ordered that **Moses Upchurch** be appointed overseer of the road in the room of Stephen Pierce & that he keep the same in repair with the usual hands.

Richard Upchurch came into Court & renewed his bond for one year & gave **Moses Upchurch** & Jeremiah Williams his securities according to Law in the £250.
[end of page]

Crossfile:	Moses Upchurch	Stephen Pearce
	Richard Upchurch, III	Jeremiah Williams

(53) Abstract of record of Wills, Inventories, Settlement of Estates – Volume I 1771 – 1802
Wake Co, NC – Frances Holloway Wynne – [Book E] page 146

Strickland, Sampson Estate Sale R. 8 Dec 1797 page 4
Buyers: Christo. Strickland Negro [unnamed], Obediah Strickland, Abel Strickland, Hardy Strickland, Charles Upchurch, Charles Austin, Sampson Strickland, John Pippin, **Moses Upchurch**, Robert Vick, Willis Wilder, William West, Matthew McCullers. 15 Mar 1782.
D[eputy] S[heriff]: Mat. McCullers

(54)

Subject: Chatham Co, NC Upchurch Land Grants
From: "Jim Jones" <jpjones@nc.rr.com>
Date: Sun, Apr 11, 2010 5:10 am
To: "Robert P Upchurch PhD" <phil@upchurchstory.com>

Phil, you're probably aware of these. While at the NC Archives yesterday, I located 6 late 18th c – early 19th c Upchurch Family NC State land grants:

John	100A	[stream name not recorded] [John Upchurch III]
<u>Moses</u>	50A	Pitts Cr
Samuel	42A	Shaddocks Cr (aka Shaddocks Cr)
Sims	14.5A	waters Foster's Br
Stephen	300A	Shaddox Cr
Stephen	90A	Long Branch Shaddox Cr

All appear to be located in present-day SE Chatham Co. At least one is adjacent to a David Mimms (Mims) Chatham Co grant that is positioned precisely on the south west corner of Chatham and Wake counties. By the time you arrive on your visit, I'll have more complete information and perhaps a tentative positioning.
Jim

(55) Item in letter 16 Oct 2004 Danny Calier Bunn to RPU

From: Baptist Biblical Recorder 25 Feb 1953 p2 c6 Raleigh NC [1853? – CJM 10 Apr 2020]

Died

In Chatham, on the 3d instant, Moses Upchurch, Esq., aged 103, a soldier of the Revolution.

In Orange county, on the 2d ult., after an illness of three months, Mr. Thomas Boroughs, in the 48th year of his age.

In Halifax county, on the 27th ult., Mr Robt A Walker. Also, on the 20th ult., Mr Thomas Turner, aged 80 years. Also on the 31st ult., Dr Thomas Morecock.

(56) From Book: Nail and Ray Families 2nd edition – 1997 – Abstracts of Ray and Pearce Records examined by Authors, Franklin Co, NC pages 948, 949, 50, 951

[John Pearce married () Upchurch, daughter of Richard Upchurch III. The Ray part of the book is about Elizabeth Pearce (sister of John) who married Thomas Ray – Rev Soldier. The two couples left the Moccasin Creek Area of NC and moved to Rutherford Co, NC → Rowan Co, NC → Shelby Co, IN.

1795 October 03, Deed Book 8, pg 163. Thomas Ray of Franklin Co, NC, sold 118a to Thomas Gay of Franklin Co, NC for 50 pounds Virginia money. Bounded: Phillip Pearce and Thomas Gay. Signed Thomas (his mark) Ray. Witnesses: Moses Upchurch and John Carpenter. Proved December Term 1795. (1)

(57) Abstract of Record of Wills, Inventories, Settlement of Estates – Vol II, 1802 – 1812, Wake Co, NC – Frances Holloway Wynne [Book 8]

Page 109

Jones, Tingnall Jr, dec'd Estate Sale Feb 1809 page 417

Buyers 22 Sep 1808:

Peggy Jones widow	<u>Moses Upchurch</u>	Thos Ward	Britain Jones
Aaron Johnston	Dempsey Blake	Henry Sears	George Barbee
Simon Jeffreys Jr	M D Jeffreys	Thos Lutor	Thomas Hudson
Merrill Beasley	Nicholas Perry	Henry Magehee	Willis McDade
Reuben Whitehead	Redding Jones	James Harwood	James Goodwin
Christopher Barbee	Thomas Morris	William Ward	
Sterling Beasley	James Bawcom	Fanning Jones	

Buyer 18 Nov 1808:

Marmaduke Jeffreys	Nathan Upchurch	Redding Jones	Henry Sears
Harmon Strickland	Joel Bird	Fanning Jones	William Ward
Reuben Whited	Peggy Jones widow		

(58) Wake Co, NC Court Minutes Sep 1772 – page 47

Ordered that a Road be laid off from Bute line to Marks Creek towit Beginning at said line opposite to Williams Andres's Plantation thence to Pettypool Masseys upon Moccason thence the Best and most Convenient way to James Boltons thence to Josiah Crudups Mill upon Little River at a large flat Rock thence to Arnals Bridge upon Buffelow thence into the New Road at Marks Creek' and that the following Jurors lay of the same towit:

William Pace	Pettypool Massey	Depsy Junbler	Richard Upchurch
William Wilder	Samuel Wilder	Josiah Crudup	Edward Hocut
James Jordan	William Hobb	Emanuel Earp	John Brown
William Marcy	Ezekiel Marcy? (Murray?)	Edward Parish	And the following Hands
work on sd. Road	Richard Marcy	Fred. Smith	Hezekiah Smith
Nowal Marcy	Benj. Upchurch	<u>Moses Upchurch</u>	Chas. Upchurch Charles Rawlings

Note: Richard Upchurch = Richard Upchurch, II or Richard Upchurch, III

(59) From Book: Nail and Ray Families 2nd edition – 1997 – Abstracts of Ray and Pearce Records examined by Authors, Franklin Co, NC pages 948, 949, 50, 951

[John Pearce married () Upchurch, daughter of Richard Upchurch III. The Ray part of the book is about Elizabeth Pearce sister of John) who married () Thomas Ray – Rev Soldier. The two couples left the Moccasin Creek Area of NC and moved to Rutherford Co, NC → Rowan Co, NC → Shelby Co, IN.

1787 October 04, Deed Book 6, pg 91. Thomas Gay of Franklin Co, NC sold 73a to Thomas Ray of same for 50 pounds specie. Located on both sides of Mockson swamp bounded by Stricklin and Price (Peirce). Witnesses: **Moses Upchurch**, James Price (Peirce), and Charles Upchurch. (2)

James Pearce presumed to be James Pearce born 1758 son of Nathan Pearce born 1735 – RPU 27 Jul 2010

(60) Wake Co, NC Court Minutes Mar 1781 – Jun 1781, pg 179

A deed from Nathan Johnson to Isaac Hunter was in open court duly proved by the oath of **Moses Upchurch**, a witness thereto, and ordered to be registered.

(61) Franklin Co, NC Will Book C 1804 – 1812 – Bradley pg 30

(147) Account of estate of John Richards dec'd., by Williams Richard execr. Covers 1796 – 1809. Persons mentioned: William Cook (tax collector), Ames & Rhymes, John Hunt, William Boykin, John Foster, Samuel Jones, **Moses Upchurch**, Jones & Eley, John Carpenter, executors of William Currens, executors of Josiah Reynolds, Edwd. Tansil, William Jeffreys, Doctor Richard Fenner, Rush Bledsoe, James Sanders, William Green, John Strother, John Chamblie, John Lockhart, John Hamilton, Lewis Webb, Joseph Pearce, Wm. Pearce, Benjamin Woods, William Richards, Ephraim Conyers, James Carpenter, Marshall. Negroes mentioned: Aimey,

child Tom, boy Bob. William Richards later called Williamson Richards. Examined June 10, 1809 by James Strother, Thomas Arendel, James Young. June Court, 1809.

(62) Abstract of Record of Wills, Inventories, Settlement of Estates – Volume I 1771 – 1802 Wake Co, NC – Frances Holloway Wynne – [Book A] page 32

Martin, Gibson Estate Sale R. 22 Mar 1782 p. 209 Buyers: Thomas Martin, Winefred Martin, John Pippin, William Martin, Benja. Upchurch, John Rogers, Richard Upchurch, Stephen Young, **Moses Upchurch**, David Martin, David Horton, Green Rogers, Eadith Benton, Charles Amos, Lewis Ren, George Martin, Isham Sims, Warren Alford, William Chapman, Alexander Frasher, John Martin Sr. D[eputy] S[heriff]: B. Sanders

(63) Civil Action Papers 1775 – 1791 Wake Co, NC by Diane L Richards. To RPU by James Pell Jones via email 14 Feb 2009. Final version up to 1800 to appear in Wake Treasures.

Date: 13 May 1778

Bondsmen: **Moses Upchurch** & Isham Simms

Amount: 50 pounds proclamation money

Why: Moses Upchurch hath sett up a claim and entered a caveat against an entry of land made by the above named Isham Hendon

(64) Franklin Co, NC Estate Papers 1777 – 1810 Vol I Bradley pg 57

(159) Arthur Pierce

4 Feb 1797. As by an order Dec Court 1796, John Norwood & William Ferrell “adjusted” the estate of Arthur Pierce dec’d now in the hands of **Moses Upchurch**, admr.

11 Dec 1798. Robert Norris, with Thomas Arrendell & John Alford securities, apptd guardian to Cordy & Willis Pierce orphans of Arthur Pierce.

March Court 1799. Petition of Robert Norris guardian of Cordy & Willis Pierce. He stated that said Arthur died intestate leaving the said two children, that administration had been granted to Phillip Pierce who gave up his right to administer & that **Moses Upchurch** was appointed in his place as also guardian to said Cordy & Willis, & later the said Norris; petition for said **Moses Upchurch** to settle, there having been a settlement by Jno Norwood & William Ferrell.

(65) Franklin Co, NC Court Minutes Vol I 1785 – 1789 Bradley Page 52 June 1787 Court 564- Ordered that the following Persons be appointed a Jury to Lay out a road from the end of the new road near John Dunns into the Tarbrough Road near where the Bull Ordinary Branch Crosses the same (To wit)

<u>Moses Upchurch</u>	Henry Baker	Thos Gay	Joseph Wheeler
Stephen Price	Phillip Price	Elisha Strickling	Richard Upchurch
Richard Upchurch Jr	Pettypool Massey	Benjamin Upchurch	Floyd Williams Junr
Edward Parish	Edward Parish Junr	Bridges Arrendell	William Dunn
Hezekiah Massey	John Mastin	Jesse Weathers	Elias Wrenn

John Jones Daniel McKinnish Shaw Driver John Dunn

(66) Deed: obtained by RPU and John Lee Upchurch, Jr on 15 Oct 1990

Franklin Co, NC

4 Oct 1787

Deed Book 6 Page 91 [Not found in Reference 91 [Reference 41? – CJM 16 Oct 2019]]

Thomas Gay to Thomas Ray

73 acres both sides of Moccasin Swamp

Adjoining Strickland

Pearce

Witness: **Moses Upchurch**

James Price

Charles Upchurch

(67) Franklin Co, NC Court Minutes – Vol I 1785 – 1789, Bradley pg 51 – Jun Court 1787

[77]

558-Ordered that the following Hands be added to the those under Kirby sanders (To witt) Jos Wheeler, Jos Wheeler Junr, Stephen Price, Phill Pride, **Moses Upchurch**, Thos Gay.

Then Court Adjoined till tomorrow Morning 9 O'clock.

(68) Franklin Co, NC Court Minutes – Vol 2 1789 – 1793, Bradley pg 18 – Sep Court 1790

182-Grand Jury Impaneled & Sworn as follows, Josiah Eley (foreman)

James Carlile Kirby Sanders John Warmoth Benja Morgan

Thos Hill William Johnson Jesse Webb Isaac Gordan

William Webb Eley Eley James Barrow William Ferrell

Moses Upchurch Julius Jackson John Nicolson Nicholas Murfree

Nathl Jarratt

Then Court adjourned till tomorrow morning oClock.

(69) Franklin Co, NC Court Minutes – Vol I 1785 – 1789, Bradley pg 65 – Mar Court 1788

704-Grand Jury impanell'd & Sworn as follows, (to Witt) Robert Bell (forman)

Jesse Webb Jas Perry James Boon Joel Conyers

Benja Westray **Moses Upchurch** Jere Perrey Thos Gay

John Merrit Menha Hill Wm Pace Stephen Pierce

Wm Farrell Jas Murfree Henry Baker John Pinnell

Kitchin Primm

(70) Franklin Co, NC Court Minutes – Vol I 1785 – 1789, Bradley pg 66 – Dec Court 1787

693-Ordered that the following Person be Summond to Attend on the Jury at Marh Court next (to Wit)

Joseph Freeman	William Farrell	Henry Baker	<u>Moses Upchurch</u>
Stephe Pierce	Thomas Gay	James Murfree	Jeremiah Perry
Jeremiah Perry (son of Burrell)		Benjamin Morgan	Charles Yarbrough
Joel Parish	Francis Taylor	Richard Clapton	John Merit
Robert Bell	Jacob Waddle	William Plummer	John Pinnell
John Williams (sadler)	Benjamin Hill	Benjamin Westray	James Murphey
John Watkins Jr	Hardy Hunt	James Boon	Jesse Webb
William Pace	Jowl Conyears	Kitchin Primm	

(71) Wake Co NC Court Minutes Mar 1784 pg 306

A deed from **Moses Upchurch** and wife to Henry Buffalow ordered to be registered.

(72) See letter 17 Mar 2002 Aileen Irvin to RPU

Per 1810 Tax List – Wake Co, NC, **Moses Upchurch** had 160 acres.

(73) Book “Historical Sketches of Franklin Co, NC” by Edward Hill Davis. Published by Edwards & Broughton Co, 1948, 298 pages. Inspected by RPU on 16 Jan 1980 in DAR Library, Washington, DC.

Page 77 Chapter XII. Patrollers for 1795 – Captain Arendell’s District: Arthur Pierce, Budgers Arendell, Simon Williams and **Moses Upchurch**.

(74) Deed: obtained by RPU & John Lee Upchurch, Jr 15 Oct 1990

Franklin Co, NC

14 Feb 1794

Deed Book 10 pg 165

Phillip Pearce	}	to	Arthur
Arthur Pearce			(Arther)
Steven (Stephen) Pearce			Pearce

160 acres

Adjoins: **Moses Upchurch**

Thomas Gay

Witness: **Moses Upchurch**, Thomas Gay,

Jun Court 1795

(75) From Book: **Nail and Ray Families** 2nd edition – 1997 – Abstracts of Ray and Pearce Records examined by Authors, Franklin Co, NC pages 948, 949, 50, 951

[John Pearce married () Upchurch, daughter of Richard Upchurch III. The Ray part of the book is about Elizabeth Pearce (sister of John) who married () Thomas Ray – Rev Soldier. The two couples left the Moccasin Creek Area of NC and moved to Rutherford Co, NC → Rowan Co, NC → Shelby Co, IN.

1794 March Term, County Court Minutes (original), pg 398(?). The Last Will and Testament of James Peirce was exhibited and proved by Benjamin Wheeler and **Moses Upchurch**, two of the subscribing witnesses thereto and on MOR and at the same time Thomas Ray qualified as executor thereto and returned an inventory of the estate of oath (?work) MOR. Ordered that the executor of James Pierce sell such part of the perishable estate as he thinks necessary and make report to the next court.

1794 March 24, Will Book A, pg 174. Sale of estate of James Pirce, dec'd. Buyers on 24 March 1794 were Mary Pirce, James Sanders, Dread Jones, James Butler, Richard Pirce, and John Crawley. Buyers on 20 December 1794 were Mary Pirce, William Parish, Elisha Strickland, Adam Barn, John Pirce, James Bud Lee, Benjamin Upchurch, Wille Garris, Daniel Bagwell, Joshua Cane, John Martin, Dred Wheeler, Jacob Strickland, Hardy, Griffin, William Dunn, James Bolton, Benjamin Wheeler, Philip Pirce, and Charles Upchurch, Thomas (R) Ray, Admr. (7)

1794 March, term, County Court Minutes (original), pg 399(?). Thomas Ray was appointed guardian to Beedy Pierce, Betsy Pierce, Penny Pierce, Patsy Pierce, and Willie Pierce, orphans of James Pierce, dec'd. Bond was 500 pounds with Richard Upchurch and Benjamin Wheeler, his securities.

(76) Item in letter 14 Mar 1984 Eleanor Grace Williamson to RPU

[In search for information on 1803 Upchurch → Carpenter name change]

Franklin Co, NC Tax Records

17 Sep 1798	Captain Upchurch's District	Moses Upchurch	632A	1WP 1BP
1806	Ferrells District (Insolvent?)	Moses Upchurch	0A	1WP

(77) Will Book A – Franklin Co, NC 1785 – 1797 – Page 22

(113) Sale of estate of Kimmin Loyd dec'd. Buyers were John Martin, Benjamin Harris, Thomas Arrendeale Sr., William Ferrell, Jesse Weathers, Thomas Ray, John Pippin, John Norwood Jr., Green Hill, Benjamin Robinson, Jeremiah Perry, James Pearce, Edward Cooly, Tobe Alford, Richard Upchurch, Joseph Freeman, Moses Upchurch, William Martin, William Finch. Jordan Hill, deputy sheriff. Undated.

Richard Upchurch, III

Moses Upchurch

Kimmin Loyd

(78) From Book: Nail and Ray Families 2nd edition – 1997 – Abstracts of Ray and Pearce Records examined by Authors, Franklin Co, NC pages 948, 949, 50, 951

[John Pearce married () Upchurch, daughter of Richard Upchurch III. The Ray part of the book is about Elizabeth Pearce (sister of John) who married () Thomas Ray – Rev Soldier. The two

couples left the Moccasin Creek Area of NC and moved to Rutherford Co, NC → Rowan Co, NC → Shelby Co, IN.

1794 January 15, Deed Book 10, pg 164. Philip Pearce, Stephen Pearce and John Pearce of Franklin Co, NC sold 47a on Spring Branch to Arter Pearce of Franklin Co, NC for 10 pounds. Bounded: **Moses Upchurch** and John Pearce. Signed Phillip Pearce, Stephen Perce, and John Perce. Witnesses: **Moses Upchurch** and Thomas Gay. (2)

RPU Note: 27 Jul 2010 – The four Pearce men are presumably brothers. Siblings James Pearce and Elizabeth Pearce not mentioned. All children of Nathan Pearce born 1735 – to Franklin County, NC 1771.

1794 February 14, Deed Book 10, p. 165. Deed 134 Philip Pearce, Steven Pearce, and Arthur Pearce of Franklin Co, NC sold 160a to John Pearce of same for 50 pounds. Bounded: Thomas Gay and **Moses Upchurch**. Witnesses: **Moses Upchurch** and Thomas Gay. (2)

(79) Wake Co, NC Court Minutes Sep – Dec 1781 pg 194.

Winney Martin appointed administratrix of her late husband (Gibson Martin) estate. Her bond of 200 pounds was secured by **Moses Upchurch** and James Simms.

(80) Franklin Co, NC Court Minutes – Vol 2 1789 – 1793, Bradley pg 47 – Sep Court 1791
504-The Grand Jury Impanelled and Sworn as follows (to Wit) Francis Taylor (foreman)
James Perry Samuel Jones John Nicholson Elisha Williams [cont'd]

[261]

William Thomas	Athelstan Andrews	James Barrow	Garratt Goodloe
Nathl Jarratt	<u>Moses Upchurch</u>	Joshua Perry	Daniel Harris
William Solomon	John Myrick		

(81) From: The NC Genealogical Society Journal Vol 30 No 4, Nov 2004 – Item in the Raleigh Register – 1849 – Marriages and Deaths – In the Wed 17 Jan 1849 issue there appeared this notice:

Died

In Chatham Co, on the 27th ult. Mrs Mary Upchurch, aged 94 years.

RPU Note: Circumstances dictate that Mrs Mary Upchurch is nee Mary Simms, wife of **Moses Upchurch**, Head of Clan. He died later in the 1850s. Ult. = ultimo which means the previous month – hence she died 27 Dec 1848 and being 94 at her death would have been born in 1754. These dates appear firm pending input from others regarding the basis for different birth and death dates for Mary Simms.

(82) Franklin Co, NC Court Minutes – Vol 2 1789 – 1793, Bradley pg 64 – Mar Court 1792

695-Ordered that the following persons be appointed to Attend as Jurors the next Court (to Wit)

Griffin Wright	Wm Johnson	Isaac House	Jas Gay
Major Richards	Jacob Waddle	Wm Solomon	Benja Ingram
John Johnson	John Gibbs	David Sayers	Elie Eley
Lewis Webb	Joshua Jones	Wm Pace	John Brown
Etheldred Taylor	Jesse Webb	James Boon	Wm Dunn
Alexr Frazier	<u>Moses Upchurch</u>	Richard Massey	Thos Arendell
Edward freeman	Jno Pippin	Jno Golston	David Jeffreys
James Harvey	Drury Jones	Charles Yarbrow	Wm Perry
Jno Warmoth	James Smith Jr		

(83) Richard Upchurch deed to James Upchurch in Franklin Co, NC

Witnessed by **Moses Upchurch** and Buckner Upchurch 7 Oct 1797.

Deed Book 11, pg 27 (41, pg 27)

(84) Abstract of Record of Wills, Inventories, Settlement of Estates – Volume II 1802 – 1812

Wake Co, NC – Frances Holloway Wynne [Book 9] Page 131

Jones, Tingnall Sr dec'd Acct current Feb 1810 p 148

Accts against:

Buckner Upchurch	Duke W Davis	Ozias Vinson	Jno Dennis
Tingnall Jones Jr	Francis Jones	Jno Morgan	Thos Williams
Benjamin Medearis	Redding Jones	Jno Bradford	Peter Dupree
Joseph Bohannon	<u>Moses Upchurch</u>	Gideon Goodwin	William Ship
Tingnall Jones Jr	Lewis Barker	P Hodge	Newsom Delk
Isaac Whitehead	Elijah Barker	Edith Sanders	Thomas Morris
Micajah Sorrell	Acol Myatt	David Delk	John King
Myrick Harwood	Meede Rogers	Samuel Alston	Henry Massey
Ellick Sanders	Henry Sears	Jno H Briggs	Dempsey Blake
Reuben Sanders	William Ward	Isaac Hunter	Robt T Daniel
Matthew Powell	James C Jones		

Judgments:

James Thomas	Edward Hampton	Newsom Delk	Samuel Alston
David Malone	Whitmel Hunter	Arthur Smith	Simon Harris
David Delk	Acol Burges	Jno J Briggs	Jacob Rich
Wm Dodd	Thomas Morris & Mother		

Rec'd from:

Gilliam Upchurch	Richardson	Oliver Thomas	Robt T Daniel
Mrs. Phill Jones	Penny Jones, widow		

Sale:

Redding Jones bought 200a. known as Jno Humphries tract; 296a. known as Pruitt tract; and a horse

Fanning Jones bought Negroes Amy and Jenny; 2100a. in Tennessee.

Solomon George bought 200a. known as Jordan tract.

Sale of property subject to an equal distribution among the legatees.

Buyers 22 Dec 1807:

Jno C Jones	Redding Jones	Francis Jones	Fanning Jones
Nicholas Perry	William H Burton	James Harwood	Solomon George
Washington Burgess	Lewis Page	Absalom Alston	Thomas Morris
George Cole	Jno Simons		

Buyers 4 Feb 1808: John C Hones, Redding Jones

Old bonds and judgments adjudged can never be collected:

William Card	Matthew Jones	Jno Odear	Wm Nash
Joseph Magee	B Leonard	Jno Wilmouth	Jno Holder
James Jones	Suit against Jno T Briggs		

Excr: Redding Jones. Comm: Jno G Rencher, E Pride, J Hinton

(85) Will Book B – Franklin Co, NC 1794 – 1804, pg 27

(98) Sale of estate of Capt. William Jeffreys dec'd. Buyers were Robert H Jeffreys, Edward Cooley, Williamson Richards, Isaac Hicks, Simon G Jeffreys, Lodwick Aoden (?), William Barham, Moses Upchurch, Joseph Hopkins, Richard Smith, Archabald Stokes, Lemuel Elliott, John Clifton, Jno Winters, Mary Jeffreys, William Green, Nathan Jean, Charles Austin, Moses Neal, Robert Flemming, David Bunch, Simon Jeffreys Jr, Benja Crews, David Mabry, James Jones, Josiah Massey, Aaron Rogers, George Hagwood, William Williams, Bailey Alford, Benjamin Maynard, Jesse Cawthon, Alsey High, Sarah Pon, Willis Richards, Archibald Stokes, Samuel Holding, Jesse Kemp, Nathan Clifton, Samuel Alston, William Fowler, Burwell Richards, Hickman Williams. Robert N Jeffreys, Simon G Jeffreys Excr. Undated.

William Jeffreys

Moses Upchurch

(86) Abstract of Record of Wills, Inventories, Settlement of Estates – Volume II 1802 – 1812
Wake Co, NC – Frances Holloway Wynne [Book 7] Page 84

Jones, Tignnall Sr dec'd Inventory Feb 1808 p 338
Taken 20 Dec 1807. 21 Negroes [unnamed]; livestock; household goods; farm tools; 24 books; tack. Above property given to widow for her life and then after her death to his son John C Jones. Following is inventory of that part of the estate in the hands of executor 500a in Wake Co., 296 a. in Chatham Co, 2100a. in State of Tennessee, 1 lot in Raleigh; horse; Negroes Jenny & Pruitt and their dau Amey; food stuffs; farm tools; bonds: [some in large amounts]
Buyers: Edward Hampton in the hands of Gillam Upchurch Const

Buckner Upchurch	Matthew Powell	Duke W Davis	Mathis Jones
Francis Jones	John Odear	Lewis Barker	Mede Rogers
Redding Jones	Joseph Magee	Reuben Sanders	Henry Sears
Tingnall Jones Jr	B Lenord	Micajah Sorrell	William Ward
<u>Moses Upchurch</u>	John Wilmouth	Tingnall Jones	Acol Myatt
James C Jones	Samuel Alston	Merack Harwood	James Thomas
Ozias Vinson	Fanning Jones	Newsom Delk	William Card
John Morgan	John J Briggs	Thomas Moras	David Maton
Gideon Goodwin	Isaac Hunter	Whitmel Hunter	John King
Benjamin Meadaris	Aler Smith	Isaac Whited	John Dennis
Joseph Buckhannon	Henry Masse	Simon Harris	P Hodge
Edith Sanders	Peter Dupree	Demsey Blake	Acol Burges
Thomas Morse Sr	William Ship	Robert Temple	David Delk
Hardy Sanders Judgt	Jacob Rich		
Judgments agst:			
John Holder	James Jones	John Powers	John J Briggs
Cash in the hands of:			
Gillom Upchurch	Oliver Thomas	Robt T Daniel	Mrs Phil Jones
Adm: Redding Jones, J C Jones			

Gillom Upchurch = same as Gillam Upchurch = same as Gillium Upchurch – RPU

Note: The presence of Buckner Upchurch in the above set is somewhat of a surprise as the set at first glance appears to belong to western Wake Co, NC whereas Buckner was thought to have resided in the Moccasin Creek area – RPU

(87) Franklin Co, NC Court Minutes – Vol 2 1789 – 1793, Bradley pg 45 – Jun Court 1791
 491-Ordered that the following persons be Summon'd to Attend as Jurors the next Court to Wit)

Francis Taylor	Jas Stone	Nathaniel Jarratt	Joseph Smith
Griffin Wright	William Solomon	James Gray	Young McLamore
John Myrick	John Pinnell	William Thomas	John Hoof
Athelston Andrews	Theophilus Bass	Howell Harris	Daniel Harris
Julius Jackson	Elisha Williams	James Barrow	Garrott Goodloe
Pettipool Massey	<u>Moses Upchurch</u>	William Farrell	Joshua Perry (son of William)
Thomas Cheaves	David Jeffreys	James Perry	Saml Jones
John Nichols	Moses Winston		

(88) Deed: obtained by RPU & John Lee Upchurch, Jr on 15 Oct 1990
 Franklin Co, NC
 Mar 1799 (Proved)
 Deed Book 11 pg 155
 Nathan Perry to

Adjoining

Witness: **Moses Upchurch**
Philip Pearce

[Note: this is the end of the document – need pg 154 – RPU]

(89) Franklin Co, NC Court Minutes – Vol 2 1789 – 1793, Bradley pg 16 – Jun Court 1790
174-Ordered that the following Persons be summoned to Attend next Court as Jurors (to Wit)

George Winston	Isaac Collier	Ephraim Conyers	John Nichols
John Warmoth	Benjamin Morgan	Nathl Jarratt	William Smith Jr
William Johnson	Isaac Gordan	William Plummer	James Gray
Etheldred Taylor	Julias Jackson	William Webb	<i>[cont'd]</i>

[203]

Jesse Webb	Thomas Ray	<u>Moses Upchurch</u>	Thomas Gay
William Ferrell	Kirby Sanders	Jacob Hartsfield	Thomas Hill
Nicholas Murfree	James Carlile	Richard Hill	Francis Wills
Elie Eley	James Barrow	Josiah Eley	William Jackson

(90) Summary of census records for Moses Upchurch born 1753 – Head of Clan

1790 Franklin Co, NC

Moses Upchurch age 37 fills a slot 16+ and is Head of Household
wife Mary Sims age 33 is present

1800 Franklin Co, NC

Moses Upchurch age 47 fills a slot 45+ and is Head of Household
wife Mary Sims age 43 fills a slot 26 – 45

1810 Chatham Co, NC

Moses Upchurch age 57 fills a slot 45+ and is Head of Household
wife Mary Sims age 53 fills a slot 45+

1820 Chatham Co, NC

Moses Upchurch age 67 fills a slot 45+ and is Head of Household
wife Mary Sims age 63 fills a slot 45+

1830 Chatham Co, NC

Moses Upchurch age 77 fills a slot 70 – 80 and is Head of Household
wife Mary Sims age 73 fills a slot 60 – 70

1840 Chatham Co, NC

In the home of Sims Upchurch one finds his parents
Moses Upchurch age 87 fills a slot 80 - 90
wife Mary Sims age 83 fills a slot 70 – 80 – She died 1847

1850 Chatham Co, NC

In the home of Sims Upchurch one finds his father
Moses Upchurch age 97 fills a slot 100

(91) Upchurch & Related Tax Listings – Franklin Co, NC 1798 – 1864 – To RPU from Carla Jones 29 Oct 2006

Insolvents in Captain Sherrod's, Captain Dunn's and Captain Ferrills District
1803

Moses Upchurch 1WP

Sion Upchurch 1WP

(92) Item in letter 14 May 1989 Eleanor Grace Williamson to RPU

[Grace was searching for information on 1803 Upchurch → Carpenter name change.]

Franklin Co, NC 1799 – 1809. Execution Docket C. R. 039.304.2

1. March Court 1800 #25 Robert Norris Guardian etc vs Moses Upchurch. Fi:Fa: Tax 5/ Office 1.15.7 – Debt £123.3.5. No sale for want of bidders. Lev'd on 60 or 70 barrells corn etc. 560a land ---

2. Sept Court 1802 #6 John G L Upchurch vs William Pleasants – Fi:Fa. Debt 36.1.0. Tax 5/2? Witness: Jas Cofield, Wm Clerk, Satisfied as to £15.0.0 levied on one mare and household furniture.

3. June 1806 #18. Charles Upchurch vs Ephraim Petty – Satisfied.

4. Dec Court 1806 #39 – John Carpenter vs James J Hill

5. Mar 1809 #43 – Office vs Ric'd Spivey, Keeton Upchurch, Theo. Ferrell, Eaton Upchurch & Kecal Upchurch – Satisfied.

(93) Upchurch & Related Tax Listings – Franklin Co, NC 1798 – 1864 – To RPU from Carla Jones 29 Oct 2006

District	Moses Upchurch
1798 Capt. Upchurch	632 1WP 1BP
1803 Insolvents in Capt Sherrod's, Capt Dunn's & Capt Ferrill's Dist	Moses Upchurch 1 WP

(94) See notes of RPU visit 5 Sep 1977 to Adelia Jane Upchurch

We rode south on Hwy 751 from the H O Kelly Place (Adelia residence) and just south of the Nursery on the west side of the road. Adelia pointed out the Mulholland Place which Adelia says was the place where **Moses Upchurch** and his son Sims Upchurch were buried in now unmarked graves. Adelia calls this the Sims Upchurch place – but at another place she indicates that Murray Upchurch, another son of **Moses Upchurch** was buried with **Moses** and Sims and as a conflict she refers to this as the Murray Upchurch place. Adelia says a distant relative of **Moses Upchurch** authorized the plowing over of the graves. The Mulhollands are apparently sensitive to many visits.

(95) See Upchurch Family by Belle Lewter West – pg 33

“**Moses Upchurch** and his wife nee Mary Sims are buried on what is called the “Sims Upchurch” place in Chatham Co, NC on land originally purchased by **Moses Upchurch** when he left Franklin Co, NC.” According to tradition **Moses Upchurch** died at 102 or 103 from a fall

from a horse while crossing a small stream in which he died. Neither **Moses Upchurch** nor his wife nee mary Sims left a will.

(96) Item from Patsy Pace Biofile – Entry 6 Nov 1987

A. Franklin Co, NC Deed Book 11 pg 27 Richard Upchurch to James Upchurch 7 Oct 1797, 200A. Witness: **Moses Upchurch** & Buckner Upchurch. Reg March Sessions 1898.

(97) Summary of census records for Bennett A Upchurch born 1834 – head of the Bennett A Upchurch Line in the Moses Upchurch/ Whitney Upchurch Subclan

1840 Wake Co, NC – White Oak Township

Bennett A Upchurch age 6 fills a 0 – 5 slot in home of father Whitney Upchurch

1850 Wake Co, NC – Western Division (District)

Bennett A Upchurch age 16 is listed as age 12 in house of father Whitney Upchurch

1860 Harnett Co, NC – Summerville Town/ Township

Bennett A Upchurch age 26 is listed as “Ben Upchurch” age 28 and Head of Household wife Sarah A Lawrence age 24 is listed as “sarah” age 22

1870 Harnett Co, NC – Buckhorn Township

Bennett A Upchurch (died 1872) age 36 is listed as 34 and is Head of Household & as “B Upchurch

wife Sarah A Lawrence age 34 is listed as 34 “Sarah”

1880 Wake Co, NC – Middle Creek Township

wife Sarah A Lawrence age 44 is listed as “Sarah Bobbit” having remarried to Willie P Bobbit. All 5 children of Bennett A Upchurch are in the home of their stepfather Willie P Bobbit age 56 born NC.

1890 Wake Co, NC No census record available

Sarah A (Lawrence) (Upchurch) Bobbit died 1897 (Wake Co, NC)

(98) Moses Upchurch deed to James Upchurch in Franklin Co, NC

Witnessed Gilum Upchurch & Richard Upchurch 12 Sep 1903 Deed Book 11 pg 281 (41, pg 36)

(99) Summary of census records for Murray Upchurch born about 1797 – head of the Moses Upchurch/ Murray Upchurch Subclan

1800 Franklin Co, NC

Murray Upchurch age 3 fills a 0 – 10 slot in home of father Moses Upchurch

1810 Chatham Co, NC

Murray Upchurch age 13 fills a 0 – 10 slot in home of father

1820 Chatham Co, NC

Murray Upchurch age 23 fills a 18 – 26 slot in home and is Head of Household wife Nancy Scott age 19 fills a 16 – 26 slot

1830 Chatham Co, NC

Murray Upchurch age 33 fills a 30 – 40 slot and is Head of Household wife Nancy Scott age 29 fills a 20 – 30 slot

- 1840 Chatham Co, NC
Murray Upchurch age 43 fills a 40 – 50 slot and is Head of Household
wife Nancy Scott age 39 fills a 20 – 30 slot
- 1850 Chatham Co, NC
Murray Upchurch age 53 is shown as 52 and as Head of Household
wife Nancy Scott age 49 is shown as 48
- 1860 Chatham Co, NC
Murray Upchurch age 63 is shown as 63 and as Head of Household
wife Nancy Scott age 59 is shown as 59 – She died 1864.
- 1870 Chatham Co, NC
Murray Upchurch age 73 is shown as 73 and as Head of Household – He died 1872
wife Sallie Temples age 58 is shown as 58.
- 1880 Chatham Co, NC
Sallie (Temples) Upchurch widow 68 is shown as 68 & Head of Household

(100) Franklin Co, NC Court Minutes Vol 2 178 – 1793 Bradley pg 76 Sep Court 1792
810-Bridges Arrendell having resigned his office of Constable on Motion Order'd that **Moses Upchurch** be appointed Const in Farrells District who entered into Bond in the sum of Five Hundred pounds with Jesse Weathers and Edward Cooley his Securities.

(101) Franklin Co, NC Court Minutes Vol 2 1789 – 1793 Bradley Page 53 December Court 1791
569-Ordered that Richard Massey be appointed admr of the Estate of Hezekiah Massey Dec'd with the Will of sd Dec'd annex'd who entered into Bond In the sum of Two Hundred & Fifty Pound with Richard Upchurch & **Moses Upchurch** his Sectys and at the same time Return'd an Inventory of sd Estate on Oath.

(102) Moses Upchurch – Head of Clan – His possible number of children – their probable birth dates and probable birth order – RPU 7 Apr 2004

[Note: Moses Upchurch married 1772 Mary Sims. She is reported to have been born in 1754 or 1757. Circumstances dictate 1757 as the best choice – which would make her age 15 at marriage (or 16 if the months fall right) and she would have been age 51 when her last child Clegg Upchurch was born in 1808-]

[I project 15 potential children as shown below assuming a child born every 2 years - #2, 3, 4 & #10 presumably involved miscarriages, still births or children who died as infants with no details surviving – RPU]

1. Letha Upchurch	born 1773	9. Parthenia Upchurch	born 1788
2. --- --- Upchurch	born 1775	10. --- --- Upchurch	born 1790
3. --- --- Upchurch	born 1777	11. Whitney Upchurch	born 1793
4. --- --- Upchurch	born 1779	12. Calorgy Upchurch	born 1795
5. Gillum Upchurch	born 1782	13. Murray Upchurch	born 1797
6. Courtney Upchurch	born 1785	14. Clegg Upchurch	born 1800

7. Mary Upchurch	born 1785	15. Sims Upchurch	born 1808
8. Ruffin Upchurch	born 1787		

(103) Summary of census records for Whitney Upchurch born about 1737 – head of the Moses Upchurch/ Whitney Upchurch Subclan

1800 Franklin Co, NC
Whitney Upchurch age 7 fills a 0 – 10 slot in home of father Moses Upchurch

1810 Chatham Co, NC
Whitney Upchurch age 17 fills a 16 – 26 slot in home of father

1820 Chatham Co, NC – Whitney Upchurch age 27 not present. He married in 1811 in Wake Co, NC and is likely in Wake Co, NC in 1820 – BUT there is no census available for Wake Co, NC in 1820

1830 Wake Co, NC
Whitney Upchurch age 37 fills a 30 – 40 slot and is Head of Household
wife Elizabeth Goodwin age 35 fills a 30 – 40 slot

1840 Wake Co, NC
Whitney Upchurch age 47 fills a 40 – 50 slot and is Head of Household
wife Elizabeth Goodwin age 45 fills a 40 – 50 slot

1850 Chatham Co, NC
Whitney Upchurch age 57 is listed as age 58 and is Head of Household
wife Elizabeth Goodwin age 55 is listed as 55

1860 Chatham Co, NC
Whitney Upchurch age 67 is listed as age 69 and as Head of Household – died 1863
wife Elizabeth Goodwin age 55 is listed as 64

1870 Wake Co, NC
Elizabeth (Goodwin) Upchurch, widow not found – probably died 1865 ±5

(104) Franklin Co, NC Court Minutes 178 – 1793 Vol 2, Bradley pg 28 Dec Court 1790 302-Ordered that **Moses Upchurch** be appointed Collector of taxes in Arrendells District the year 1790 Who Entered into Bond in the Sum of £500 with Benja Wright & John Norwood Jr his Sectys.

(105) Summary of census records for Gillium Upchurch born about 1782 – head of the Moses Upchurch/ Gillium Upchurch Subclan

1790 Franklin Co, NC
Gilliam Upchurch age 8 fills a slot 0 – 16 in the name of his father Moses Upchurch

1800 Franklin Co, NC
Gillium Upchurch age 18 – There is no slot of the correct age available for Gillium Upchurch 18 in the home of father. Presume Gillium Upchurch is elsewhere.

1810 Chatham Co, NC
Gillium Upchurch age 28 fills a 26 – 45 slot and is Head of Household
wife Sarah Smith age 18 years old fills a slot 16 – 26

[Note: Sarah appears too young to have given birth to all 5 of the children listed in the household in 1810 – RPU]

- 1820 Chatham Co, NC –
Gillium Upchurch age 38 fills a 26 – 45 slot and is Head of Household
wife Sarah Smith age 28 fills a 26 – 45 slot
- 1830 Chatham Co, NC
Gillium Upchurch age 48 fills a 40 – 50 slot and is Head of Household
wife Sarah Smith age 38 fills a 30 – 40 slot
- 1840 Wake Co, NC
Gillium Upchurch age 58 fills a 50 – 60 slot and is Head of Household
wife Sarah Smith age 48 fills a 40 – 50 slot
- 1850 Chatham Co, NC
Gillium Upchurch age 68 is listed as age 68 and is Head of Household – died 6 Oct 1854
wife Sarah Smith age 58 is shown as 58
- 1860 Wake Co, NC
Sarah (Smith) Upchurch age 68 is not found – presume she died 1855 ± 5

(106) Will Book B – Franklin Co, NC 1784 – 1804 pg 30

(116) Guardian account for orphans of Arthus Pearce, by Robert Norriss guardian. Covers 1798 – 1801. Moses Upchurch mentioned. Examined March Court, 1801 by G. Hill, John Foster.

Arthur Pearce

Robert Norris

Moses Upchurch

(107) 15 Jun 2007

Subject: franklin cty, Nc

From: “Cindy Mize” <cinderella 74477@valornet.com>

Date: Fri, Jun 15, 2007 5:37 pm

To: phil@upchurchstory.com

CC: “Cindy J Mize” cinderella74477@valornet.com

Abstracts of franklin co. NC

Deed book 7 #1018 pg 81

Elisha Trickland of Franklin Co to James Pearce of same, nov 23 1790 for 35 pds., specie a tract of 60 acres lying on the north bank of Mockcoson Creed and down said creek to the falls and to the Rocky Branch adjoining Pierce.

Wit: Richard Upchurch, Thomas Ray, Steven Phomlinson

Is this upchurch part of your clan.

cindy

(108) 15 Jun 2007

Subject: Franklin Co, N-

From: "Cindy Mize" <cinderella74477@valornet.com>

Date: Fri. Jun 15, 2007 5:40 pm

To: <phil@upchurchstory.com>

CC: "Cindy J Mize" <cinderella74477@valornet.com>

Abstracts of Franklin Co, NC

Bd Book 6, #782 page 9 Thomas Gay of Franklin Co., N.C to Thomas Ray of Same 10 4 1787, for 50 pds a specie a tract of 73 acres lying on both sides of mockson swamp adjoining Stricklin on Price (Pierce),

Wit: **Moses Upchurch**, James Price Chares Upchurch

cindy

Crossfile above 2 items:

Elisha Strickland

Thomas Ray

James Pearce

Steven Tomlinson

Richard Upchurch II

Thomas Gay

Richard Upchurch III

Moses Upchurch

Charles Upchurch

(109) Item in email 18 Jun 2008 Walter Carlyle Upchurch Jr to RPU

I read online the revolutionary war accounts of Nathan, Moses and Charles Upchurch which led me to the Battle of Camden and a better understanding of the Revolutionary War and information of a no-count General named Gates. I read were Moses Upchurch walked through Moncks Corner SC and on thru Charleston to Savannah and probably passed within a mile of where I live today.

(110) Will Book B – Franklin Co, NC 1794 – 1804 pg 4

(10) Inventory of estate of Arthur Peirce dec'd. Note appended dated May 29, 1795 has Nancy Peirce, widow of Arthur Peirce, relinquishing her right to administer the estate to Philip Peirce. Witnessed by Moses Upchurch.

Arthur Pearce

Philip Pearce

Moses Upchurch

(111) Index to Deeds, Mortgages and Real Estate Conveyances

Chatham Co., NC 1787 – 1935 – UPCHURCH – Date Filed – Bk, Pg

U Grantee(s) [Bought]

Grantor(s) [Sold]

May - - 1807	Do [Gillium U.] Gilliam	<u>Upchurch Moses</u>	Deed P 56
May - - 1809	Do [Gillium U.] Gilum	Luther Thomas by Shff	Deed P 342
Nov - - 1809	Do [Gillium U.] Gilum	Martin Sharrod	Deed P 387
Feb - - 1811	Do [Gillium U.] Gilum	Kelley Barbe	Deed R 37
Feb - - 1811	Do [Gillium U.] Gilum	Martin Cordy	Deed R 38
Feb - - 1813	Do [Gillium U.] Gilum	Wimbly David	Deed S 366
Feb - - 1815	Do [Gillium U.] Gillum	Barbee Geo	Deed T 299
Feb - - 1818	Do [Gillium U.] etal Gillum	Daniel Robert T	Mtge V 30
Feb - - 1818	Do [Gillium U.] Gilum	Martin Cordey	Deed V 63
Feb - - 1823	Do [Gillium U.] etal Gilliam	Daniel Robt T	Deed & Mtge Y 181

<u>U Grantor(s) [Sold]</u>		<u>Grantee(s) [Bought]</u>	
May - -1844	Do [Gillium U.] Gilliam	Wilson Samuel	Deed A-F 537
Feb - - 1826	Do [Gillium U.] G	Bynum J D	Deed A-A1 39
Feb - - 1818	Do [Gillium U.] Gilum	Laurence William H	Deed V 44
Nov - - 1818	Do [Gillium U.] Gilum	Yates Matthew	Deed V 306
May - - 1828	Do [Gillium U.] Gilum	Atwater Moses	Deed A-B1 34
Aug - - 1829	Do [Gillium U.]by Tr Gillum	Ward Wm	Deed A-B1 258
Dec 18 1885	Do [Gillium U.] Gilliam	Lutor Henry	Deed B-P 10
Aug - - 1809	Do [Gillium U.] Gilum	Jinkins Sanford	Deed P 360
Feb - - 1813	Do [Gillium U.] Gilum	Yeats Eley	Deed T 74

(112) Will Book B – Franklin Co, NC 1794 – 1804 – pg 37

(151) Guardian account for Cordy & Willis Pearce, by Robert Norris guardian. Dated March 14, 1803. Mose Upchurch mentioned. N Long, Wm Green, Commissioners.

Cordy Pearce

Willis Pearce

Robert Norris

Moses Upchurch

(113) Index to Deeds, Mortgages and Real Estate Conveyances

Chatham Co., NC 1787 – 1935 – UPCHURCH – Date Filed – Bk, Pg

<u>U Grantee(s) [Bought]</u>		<u>Grantor(s) [Sold]</u>	
Feb - -1805	Do [<u>Moses U.</u>] Moses	Cook Joel	Deed M 492
Feb - -1807	Do [<u>Moses U.</u>] Moses	Brantly J	Deed O 263
--- - -1824	Do [<u>Moses U.</u>] Moses	North Carolina State of	Grant Z 135
Feb - -1826	Do [Murray U.] Murray	Upchurch Moss (Moses)	Deed A-A1 60
Nov - - 1844	Do [Murray U.] Murray TR	Patrick Kincheon	D-T A-F 570
Feb - -1849	Upchurch [Murray U] Murrie	Upchurch S	Deed A-H 128
May - -1857	Do [Murray U] Murry	Carson Nancy T	Mrrge Cont A-K 244

Aug 4 1882	Do [Matthew Robt U] Mathew	Fearrington E B	Deed B-C 488
Dec 7 1891	Do [Matthew Robt U] M R	Lambeth A T etal	Deed C-H 381
Jun 14 1895	Do [Marceline Gatling U] Marshalline	Herndon M K etal	Mtge C-V1 56
Jul 14 1898	Do [Matthew Robt U] M R	Johnson W J etal	Mtge D-C 525

<u>U Grantor(s) [Sold]</u>		<u>Grantee(s) [Bought]</u>	
May - -1857	Upchurch [Murray U] Murry	Carson Nancy T	Mrrge Cont A-K 244
Jul 20 1885	Do [nee Roxannah A Bolling] [Matthew Robt U] R A & M R	Farrington E B	Deed B-K 453
Aug 21 1909	Do [Matthew Robt U] M R	Horton Willis G	Mtge E-K 280
Dec 22 1916	Do [Murray U] bu Exr Murry Est	Mulholland Paschal	Deed F-H 495
May 12 1917	Do Comr etal M R [Matthew Robert U]	Nevins & Flournoy	Deed F-H 336
Aug 9 1917	Do Roxie & M R [nee Roxanna A Bolling & Matthew Robt U]	Nevins & Flournoy	Tmbr Deed F-J 396

(114) Franklin Co, NC Court Minutes 178 – 1793 Vol 2, Bradley pg 95 Jun Court 1793
1046-A bill of sale from Jos Norris and Robt Norris to Thomas Gay was prov's by the Oath of **Moses Upchurch** and on MOR.

(115) Index to Deeds, Mortgages and Real Estate Conveyances

Chatham Co., NC 1787 – 1935 – UPCHURCH – Date Filed – Bk, Pg

<u>U Grantee(s) [Bought]</u>		<u>Grantor(s) [Sold]</u>	
Nov - -1825	Do [<u>Sims U.</u>] Sims	Upchurch Moses	Deed A-A1 2
May - -1826	Do [<u>Sims U.</u>] Sims	Upchurch G [Gillium U]	Deed A-A1 91
Nov - -1838	Do [<u>Sims U.</u>] Sims	Clifton John	Deed A-E 161
Nov 14 1848	Do [<u>Sims U.</u>] Sims TR	Lewter H C	D-T A-H 103
Aug - -1850	Do [<u>Sims U.</u>] Sims	Bynum Jos etal	Deed A-H 394
May - -1853	Do [<u>Sims U.</u>] Sims	Williams Tiletha D	Mrrge Cont A-I 99
--- - -1860	Do [<u>Sims U.</u>] Sims	North Carolina State of	Grant A-L 334
Dec 19 1876	Do [<u>Sims U.</u>] S	Bell Thomas Hrs of by Agt	QCD A-U 393

<u>U Grantor(s) [Sold]</u>		<u>Grantee(s) [Bought]</u>	
May - -1841	Do [<u>Sims U.</u>] Agt S	Whitehead Thomas	Deed A-F 63
Nov - -1851	Do [<u>Sims U.</u>] Sims TR	Council Kinbro	Deed A-H 589
Aug - -1851	Do [<u>Sims U.</u>] Sims TR	Lewter Barbee	Deed A-H 558
May - -1853	Do [<u>Sims U.</u>] Sims	Williams Tiletha D	Mrrge Cont A-I 99
Sep 17 1866	Do [<u>Sims U.</u>] S	Bell J B	Deed A-M 427
Mar 15 1868	Do [<u>Sims U.</u>] S	Steadman D P	Deed A-N 46

--- - -1868	Do [Sims U.] by Reg Sims Bkrpt	Lambeth C W	Bkrptcy Asgnmt A-N 100
Mar 13 1875	Do [Sims U.] S	Holland Able	Mtge A-S 230
Mar 27 1876	Do [Sims U.] Sims	Manning John	Mtge A-T 567
Jan 6 1879	Do [Sims U.] Sims + Tellitt [nee Tabitha Williams]	Sears R T D	Mtge A-X 428
Feb 15 1890	Do [Sims U.] by Admr S Est	Lewter H M	Deed C-B 445
Feb 191923	Do [Sims U.] Sims	Harward Ashwell	Deed F-Y 298

(116) Franklin Co, NC Court Minutes 178 – 1793 Vol 2, Bradley pg 96 Jun Court 1793
1047-A bill of sale from Henry Baker to **Moses Upchurch** was prov'd by the oath of Thomas Gay and on MOR.

(117) Wake Co, NC County Court Minutes – Book VI 1804 – 1807; Book page = *; Weynette Parks Haun page = **

27* 319** Wed 22 Feb 1804
A deed from Harris Williams to Meede Rogers proved by Nathan Upchurch [Nathan Upchurch, I]; A deed from William Strickland to Isham Rogers proved by Nathan Upchurch [Nathan Upchurch, I].

206* 142** Thur 22 Aug 1805
Buckner Upchurch with one poll is reported insolvent for the year 1804 per the Tax Collector.

225* 161** Tue 24 Dec 1805
A deed from George Dodd to Joseph Wheeler proved by Gillum Upchurch

240* 176** Mon 17 Feb 1806
A deed from Buckner Upchurch to Burwell Bel proved by William W Bell

352* 15** Tue 17 Feb 1807
Nathan Upchurch [Nathan Upchurch, I] appointed to serve on Jury of Wake Co, NC Superior Court

366* 29** Mon 18 May 1807
A deed from Joseph Wheeler, Jr to Gillam Upchurch proven by **Moses Upchurch**
A deed from Nathaniel Jones, Esquire, Sheriff to **Moses Upchurch** was in open court duly acknowledged

(118) From biofile of Irene McMillan Olive – entry 27 Feb 2008

Irene reported that there is an error in the West book which reports Moses Upchurch bought land from Matthew Olive. The Olive Book on page 104 makes it clear the purchase was not from Matthew Olive but rather from Anthony Olive.

(119) Partial Extract No. 1 from 26 pg document by Rebecca Lynn McLean to RPU 18 Oct 2009
D/O of **Beulah Maybelle Mann** MU/WUSC – Candis Upchurch Line.

84. **Moses Upchurch** was born on 13 Feb 1755 in Brunswick County, Virginia. He was the son of 168. Richard Upchurch III(II - RPU). He died on 23 Feb 1853 in , Chatham, North Carolina, USA. He married Mary Simms on 1772 in <Moccasin Creek, Franklin Co, NC>.
85. Mary Simms, born 1757 in Wake Co., NC, died 1847 in Chatham Co., NC, married 1772 in <Moccasin Creek, Franklin Co, NC> . She was the daughter of 170. Isham Simms and 171 Mary Murry.

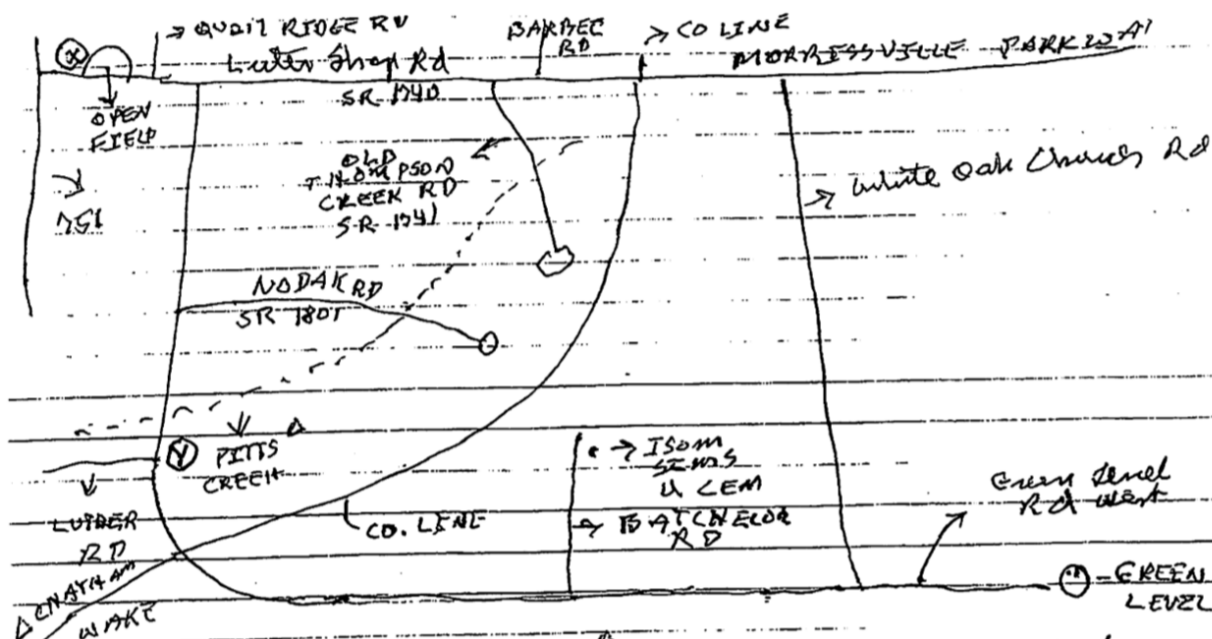
Children of **Moses Upchurch** and Mary Simms are:

- +40 i. Whitney Upchurch, [on partial extract 2 – RPU], born 1792 in Moccasin Creek, Franklin County, N. C., died 1863 in Green Level, Wake Co., NC, married Elizabeth Goodwin 03 Jan 1811 in Wake Co., NC.
- ii. Letha Upchurch, born 1773 in Wake, NC, married Hezekiah MASSEY 13 Jan 1807 in Franklin County, NC.
- iii. Gillium Upchurch, born 1782 in Wake, NC, died 06 Oct 1854, married Sarah Smith Abt. 1807 in North Carolina.
- iv. Mary Upchurch, born 1785 in Wake County, N. C., died 1866, married Adam BUNN 05 Feb 1806 in Wake County, NC.
- v. Ruffin Upchurch, born 1787 in Wake, NC, died 14 Mar 1866, married Elizabeth KELLEY Abt. 1812 in North Carolina: married Patsy GOODWIN Abt. 1841 in <Wake Co, NC>.
- vi. Parthenia Upchurch, born 1788 in Wake, NC, married SMITH Abt. 1808 in North Carolina.
- vii. Courtney Upchurch, born 1794 in <Franklin Co, NC>, died 1850 in Mareneo Co., AL, married Cynthia RICHARDSON 21 Apr 1814 in Chatham Co., NC.
- viii. Calorgy Upchurch, born 1795 in , , North Carolina, USA, died 1870.
- ix. Murray Upchurch, born 01 Nov 1797 in Franklin, NC, died 19 Feb 1872 in Chatham County, NC, married Nancy Scott 23 Aug 1820 in <Franklin Co, NC.; married Sally TEMPLES Chatham County, NC.
- x. Clegg Upchurch, born 1800 in Franklin, NC.
- xi. Rachel Upchurch, born Abt. 1802 in Franklin, NC. [New to RPU – needs explanation – RPU 21 Oct 2009]
- xii. Sims Upchurch, born 11 Dec 1808 in Franklin, NC, died 1880 in Chatham County, NC, married Abigail Olive Abt. 1833 in North Carolina; married Tabitha WILLIAMS Abt. 1835 in North Carolina; married Matilda Temples Abt. 1833 in North Carolina.

(120) Wake Co, NC Court Minutes Mar 1780 pg 136

A deed from Anthony Olive to **Moses Upchurch** was in open court duly acknowledged and ordered to be registered.

(121) Map and notes created by RPU on 6 Jun 2010 while in NC based on retracing steps of a trip guided by Billy Leonard Sears for RPU and Kim Beach on the previous day on the Wake Co/Chatham Co, NC border.



(X) = possible site of cemetery where Moses Upchurch, Head of Clan may be buried. [located at top left of the map – CJM 11 Apr 2020]

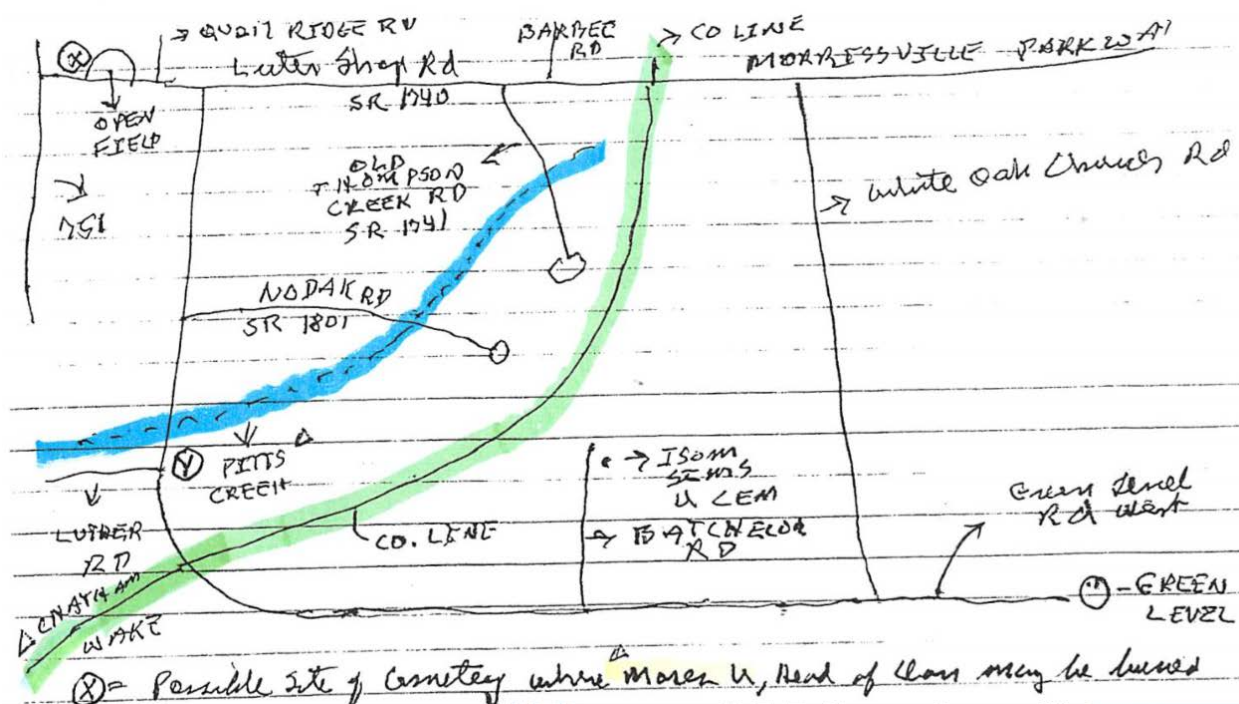
Note that the land of Isom Sims Upchurch extended North and West across Pitts Creek into Chatham Co, NC starting at the cemetery of Isom Sims Upchurch. His land may be a portion of what his grandfather Moses Upchurch owned – which land may have extended to (X). Site (X) at one point known as the Mulholland Place. (Y) = home of Matthew Robert Upchurch son of Isom Sims Upchurch. Question – Did Murray Upchurch [son of Moses & father of Isom Sims Upchurch] inherit land of father Moses Upchurch?

(122) Will Book B – Franklin Co, NC 1794 – 1804 pg 19

(67) Commissioners report on the estate of Arthur Peirce dec'd. February 4, 1797. Commission appointed to "settle and adjust" the estate of the late Arthur Peirce. John Norwood and William Ferrell commissioners appointed December Court, 1796. Moses Upchurch was administrator of estate. Widow was to receive 1/3 of the proceeds, and the children the remainder.

Arthur Pearce
Moses Upchurch

(121 – repeated number with color map) Map and notes created by RPU on 6 Jun 2010 while in NC based on retracing steps of a trip guided by Billy Leonard Sears for RPU and Kim Beach on the previous day on the Wake Co/Chatham Co, NC border.



(X) = possible site of cemetery where Moses Upchurch, Head of Clan may be buried. [located at top left of the map – CJM 11 Apr 2020]

Note that the land of Isom Sims Upchurch extended North and West across Pitts Creek into Chatham Co, NC starting at the cemetery of Isom Sims Upchurch. His land may be a portion of what his grandfather Moses Upchurch owned – which land may have extended to (X). Site (X) at one point known as the Mulholland Place. (Y) = home of Matthew Robert Upchurch son of Isom Sims Upchurch. Question – Did Murray Upchurch [son of Moses & father of Isom Sims Upchurch] inherit land of father Moses Upchurch?

(123) Upchurch Family of England, Virginia & North Carolina Belle Lewter West – pp 30 – 34, copied for Moses

MOSES UPCHURCH

From Revolutionary Pension File no. S 7-776, in the National Archives in Washington, D.C., this writer secured a photostat of the Application of MOSES UPCHURCH. for pension for his service in the War for Independence. In this application, which MOSES dictated to John Lassiter, J. P. of Chatham County, N. C. 23 Nov. 1836. he declared: "I was born in Brunswick County, Va., 13 Feb. 1755. but I have no record of my birth. I removed to Franklin Co., N. C. at the age of two." By this year of 1836, when MOSES was making this statement he was an old man and had a few of his facts confused. It has been shown that RICHARD UPCHURCH, father of MOSES, was first listed for tax in Granville County, N.C., in 1755. Thus, MOSES must have been born in 1753 or before, to have been two years of age when his father took him to Granville County. MOSES had also forgotten that Franklin County was not formed until 1779, from Bute County, which had been formed from Granville in 1764.

No marriage record of MOSES UPCHURCH has been found but papers have been filed with, and accepted by the Daughters of the American Revolution, giving his wife's name as Mary Simms (b 1757. d 1847) and the date of their marriage as 1772. This writer was assisted in proving that Mary Simms was the daughter of Isham Simms, Sr., and Mary, his wife (probably Mary Murry, of Granville Co., N. C.) by the late Jane Sims (Davison) Morris, in her Family History ADAM SYMES AND HIS DESCENDANTS, published in 1928. This proof is set forth in the Simms story which is in PART SIX of this book.

Key to above image:

Moses Upchurch	Revolutionary Pension File	John Lassiter	Richard Upchurch
Franklin County	Bute County	Chatham County	Granville County
Mary Simms	Isham Simms	Mary Murry	Adam Symes

RICHARD, MOSES AND MURRY UPCHURCH 31

MOSES made the following declaration in his Pension Application Papers: "I resided in Franklin Co., N. C. until 1775 when I enlisted in a Company of Light Horse, commanded by Captain Jones, Lt. Medici, and Ensign Armstrong, and mustered at Hunter's Old Tavern in said county. From thence we marched to Duplin Old Court House, from thence to Fayetteville and from thence to Charleston. While there the Battle of Sullivan's Island was fought, but I was not in the engagement. From thence we marched to Savannah. At Puryburg I was mustered into General Sumner's Army. From Savannah I marched back to North Carolina where I was actively engaged in subduing the Tories until my discharge at Halifax Court House on 28 June 1776, after having served a period of at least fourteen and a half months. In 1778 I volunteered my service in a Company of Horse in the County of Wake, commanded by Captain Hunter and served two months. My discharge was signed by Capt. Hunter but I am unable to produce same as it has been lost."

Key to above image:

Richard Upchurch	Moses Upchurch	Murray Upchurch	Franklin County
Fayetteville	Charleston	Sullivan's Island	Halifax Court House

The Court Minutes of Wake County, N. C. show many more land transactions of a number of UPCHURCHES than are listed in Wake County Indexes. Book 1 of the Court Minutes shows that MOSES UPCHURCH presented a deed of March 1780 for property he had bought from Matthew Olive, which was ordered registered. In 1784 at March Court, MOSES and his wife, Mary, presented a Deed of Sale to Henry Buffaloe, which was acknowledged and registered.

In 1787 a small part of Wake County was annexed to Franklin and MOSES UPCHURCH'S property was left lying in Franklin Co., N. C. . . . "That all that part of the County of Wake, lying east of Mockison Swamp, and a line running from the head of the westernmost prong thereof a north course to the Franklin line, be, and the same is hereby added to and made a part of Franklin County." (CORBITT'S FORMATION OF N.C. COUNTIES. Pg. 101)

In the 1790 census of Franklin County, MOSES UPCHURCH listed his family with 1 male over 16, 3 males under 16 and 4 females.

On the 1789 Tax List of Franklin County, N. C. MOSES UPCHURCH and Stephen Pierce declared joint ownership of 632 acres and 1 slave.

In 1794 MOSES bought 100 acres of land in Franklin County for £50 on the "S. side of Mockerson Creek" from Thomas Gay. (Reg. Dec. Court, 1801, FRANKLIN DEED BK. 3/167).

In 1794 MOSES witnessed the deed when RICHARD UPCHURCH sold a tract of land to JAMES UPCHURCH. (FRANKLIN CO. DEED BK. 11/27)

On the U.S. census of Franklin Co., N.C.. for 1800 MOSES listed 6 males and 7 females.

Key to above image:

Moses Upchurch	Matthew Olive	Henry Buffaloe	Franklin County
Wake County	Mockison Swamp	Mockerson Creek	Richard Upchurch

James Upchurch

32

UPCHURCH FAMILY

In 1801 MOSES bought 300 acres of land from Phillip. Steven, John and Arter Pierce in Franklin Co., for £100. (FDB 3/164)

In 1803 MOSES sold 170 acres in Franklin County to Thomas Gay for £90. (FDB 12/67)

In 1804 MOSES UPCHURCH sold 400 acres of land in Franklin County for \$600. to JAMES UPCHURCH. (FDB 11/281)

MOSES was apparently making plans to move further south to what appeared to be better tobacco lands, evidenced by the fact that on 25 July 1803, while still living in Franklin Co., he had bought 555 acres of land for £400, from Joel Cook in Chatham Co., N. C. This tract was described thus: "beginning in Joseph Taylor's line . . . to a stake along a line that has been partly run between John Pitts and Joseph Pitts to a white oak on the west side of Pitts Creek . . . to a pine on the west side of the road to Fayetteville to the University, supposed to be another dividing line run by Joseph Pitts . . . to a stake on Person's corner . . . to the county line." This deed was proved at February Court 1805 by NATHAN UPCHURCH, a brother of MOSES (CHATHAM CO., DEED BK. M/492).

MOSES UPCHURCH added to his acreage when he bought, at auction, on 16 Oct. 1806, 300 acres in Wake County, N.C., for £200/13, "On Davis line to Wm. Seagroves corner . . . Meady Rogers line, thence agreed line between MOSES UPCHURCH and Meady Rogers to red oak on NATHAN UPCHURCH line."

Signed: Nath. Jones, Sheriff.

(WAKE CO. DEED BK. U/121., 25 June 1807)

Key to above image:

Moses Upchurch	Phillip Pierce	Steven Pierce	John Pierce
Artur Pierce	Arthur Pierce	Franklin County	James Upchurch
Chatham County	Joel Cook	Nathan Upchurch	Nathaniel Jones
Wake County			

In 1807 MOSES bought 100 acres from Joseph Brantley in Chatham County for £100. This deed was proved at Feb. 1807 Court by GILLIAM UPCHURCH, a son of MOSES (CHAT. DEED BK. 0/263).

In 1807 MOSES sold to his son, GILLIAM, 150 acres of land for \$300. (CHAT. DEED BK. P/56).

In 1818 MOSES sold to his son GILLIAM. 300 acres in Wake Co., N. C. (WAKE CO. DEED BK. 2/111).

In the 1820 census of Chatham County, N. C. MOSES listed 6 in his family.

On 12 Dec. 1823, MOSES obtained a Land Grant—"50 acres on Pitts Creek," in Chatham County, N.C. (N.C. LAND GRANTS, Raleigh, N.C.).

On 10 Jan. 1824, MOSES sold to MURRY UPCHURCH, his son, 160 acres, "On John Clifton's Spring Branch . . . RUFFIN UPCHURCH'S corner." for \$250. (CHAT. CO. DEED BK. AA1/60) Reg. Feb. Sessions 1826.

On 10 Jan. 1824, MOSES sold to RUFFIN UPCHURCH, his son, 150 acres for £100, "on waters of Pitts Creek," in Chatham County, N. C. (CHAT. DEED BK. AA1/34).

On 5 Oct. 1825 MOSES gave a Deed of Gift to SIMS UPCHURCH, his son, "for natural love and affection, land lying on

Key to above image:

Moses Upchurch	Joseph Brantly	Chatham County	Gilliam Upchurch
Murry Upchurch	Ruffin Upchurch	Sims Upchurch	

RICHARD, MOSES AND MURRY UPCHURCH 33

Pitts Creek, including land and plantation where I now live . . . 232 ✓
acres." (CHAT. CO., N. C. DEED BK. AA1/2). Reg. Nov. ✓
Sessions 1825. ✓

In the 1830 census of Chatham County, N. C. MOSES UPCHURCH reported four in his family.

On 13 Nov. 1836 MOSES applied for Revolutionary Pension, before the J. P. of Chatham Co., N. C., which was granted. According to a photostatic copy of the papers relative to this case, he was granted \$25.31 per annum, retroactive to 4 March 1831.

In the 1840 census of Chatham Co., N.C. SIMS UPCHURCH ✓ reported 11 in his family, including "two up to 90 years" which must ✓ have been MOSES and Mary. ✓

In the 1850 census SIMS UPCHURCH reported his own age ✓ as "42, 10 children, MOSES UPCHURCH up to 100 years of age, ✓ and MOSES' daughter, Calorgy 55 years of age." Mary (Simms) ✓ UPCHURCH had died in 1847. ✓

The exact date of MOSES' death is not known. THE BIBLICAL RECORDER, a Baptist newspaper, carried an Obituary notice on 25 Feb. 1853: "MOSES UPCHURCH, Esq. of Chatham County, N. C."

MOSES and MARY (SIMS) UPCHURCH are buried on what is called the "SIMS UPCHURCH" place in Chatham County, N. C., which is on land originally purchased by MOSES when he left Franklin County, N. C.

According to tradition, MOSES UPCHURCH met his death because of an accident at the age of 102 or 103. He was riding horseback across a small stream and fell from the horse and drowned.

Key to above image:

Richard Upchurch	Moses Upchurch	Murry Upchurch	Chatham County
Revolutionary War Pension		Sims Upchurch	Mary Upchurch
Calorgy Upchurch	Mary Simms	Franklin County	

Neither MOSES nor MARY (SIMS) UPCHURCH left a will but there is documentary proof of many of their children as listed below:

LEATHA UPCHURCH (b ca 1773-74) in Franklin Co., N. C., m 13 June, 1807 Hezekiah ("Kiah") Massey. She was named "my granddaughter LEATHY UPCHURCH" in the will of her grandfather, Isham Simms, dated 26 March, 1791. (WAKE CO., N. C. WILL Bk. C/185).

PARTHENIA UPCHURCH (b 1780) in Franklin Co., N. C., m——Smith. Named in a statement of a descendant of SIMS UPCHURCH, dated 29 Oct. 1958).

GILLIAM UPCHURCH (b 1782) in Franklin Co., N. C., m Sarah——. Closely associated with MOSES UPCHURCH in land transactions.

MARY UPCHURCH (b 1785) in Franklin Co., N. C., m 5 Feb. 1806 Adam Burn (Bunn) (WAKE CO., N.C. MARRIAGE RECORDS).

RUFFIN UPCHURCH (b 1787) in Franklin Co., N. C., m—Williams m 2nd Patsy Goodwin—Affidavit of ORA (UP—

Key to above image:

Moses Upchurch	Mary Sims	Leatha Upchurch	Hezekiah Massey
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Isham Simms	Parthenia Upchurch	Gilliam Upchurch	Mary Upchurch
Adam Bunn	Adam Burn	Ruffin Upchurch	Patsy Goodwin
Ora Upchurch	Ora Lewter		

34

UPCHURCH FAMILY

CHURCH) LEWTER. who knew him personally. He is said to have had 22 children. ✓
 WHITNEY UPCHURCH (b 1793) in Franklin Co., N. C., ✓
 m 3 Jan. 1811 Elizabeth Goodwin in Wake Co., N. C.—state- ✓
 ment of one of his descendants. ✓
 CALORGY UPCHURCH (b 1795) in Franklin Co., N. C., nm— ✓
 Affidavit of ORA U. LEWTER. ✓
 MURRY UPCHURCH (b 1 Nov. 1797) in Franklin Co., N.C., ✓
 d 19 Feb. 1872 in Chatham Co., N.C.—m 23 Aug. 1820 Nancy ✓
 Scott in Wake Co., N.C. (See sketch in the text of this book). ✓
 CLEGG UPCHURCH (b 1800) Chatham Co., N.C.—named ✓
 in statement of descendant of SIMS UPCHURCH. dated 29 ✓
 Oct. 1958. ✓
 SIMS UPCHURCH (b 11 Dec. 1808) in Chatham Co., N. C., ✓
 m 11 Dec. 1832 Abigail Olive—m 2ndly Matilda Temples— ✓
 m 3rdly 23 Dec. 1852 Tabitha Williams.—See sketch of DR. ✓
 COY UPCHURCH in Part IV. ✓

Key to above image:

Ora Upchurch	Ora Lewter	Whitney Upchurch	Franklin County
Elizabeth Goodwin	Calorgy Upchurch	Murry Upchurch	Nancy Scott
Clegg Upchurch	Sims Upchurch	Chatham county	Abigail Olive
Matilda Temples	Tabitha Williams	Coy Upchurch	

MURRY UPCHURCH

MURRY UPCHURCH, son of MOSES and Mary (Simms) UPCHURCH. was born 1 Nov. 1797, in Franklin County, N. C. ✓
While still young, sometime before 1810, he moved with his family ✓
to Chatham County, N. C., where his father had bought a rather ✓
large acreage. No facts of his youth are known, but he presumably
grew up engaged in the growing of tobacco, along with his many
brothers and sisters.

On 23 Aug. 1820, MURRY married Nancy Scott. (b 29 Nov. ✓
1801 d 26 July 1864) daughter of John and Rachel (Baucom) Scott
of Wake County, N. C.

On 10 Jan. 1826, MURRY bought 160 acres of land from his
father, MOSES UPCHURCH, for \$250., "on Clifton's Spring Branch
... RUFFIN UPCHURCH'S corner . . . Hugh McLane's corner."
(CHATHAM COUNTY DEED BK. A-A/60).

In Feb. 1849, MURRY bought 100 acres from his brother, SIMS ✓
UPCHURCH. (CHATHAM CO. DEED BK. A-H/128). ✓

Key to above image:

Murry Upchurch	Moses Upchurch	Mary Sims	Franklin County
Chatham County	Nancy Scott	John Scott	Rachel Scott
Rachel Baucom	Ruffin Upchurch	Sims Upchurch	

(124) Lessons learned from petition of Moses Upchurch, Charles Upchurch & Nathan Upchurch,
I (sons of Richard Upchurch, II) for petitions based on service in the Revolution. Downloaded by
RPU 15 Mar 2010 (for copy see biofiles of each)

From Petition:

Moses

Filed 23 Nov 1836 in Chatham Co, NC age 81 hence born about 1755. He states born 13 Feb
1755 (Brunswick Co, VA) He moved at age 2 (hence married 1757) to Franklin Co, NC. Enlisted
Apr 1775 – hence 20 years old.

RPU Comments:

In 1757 he would have moved to Granville County as Bute Co formed 1764 and Franklin formed
1779.

From Petition:

Charles

Filed 7 Dec 1832 in Henry Co, GA at age 76 – hence born about 1756. Enlisted May 1776 –
hence 20 years old. He states born 11 Feb 1755. He states lived in NC – near William Dunn until
near 60 (hence moved about 1815) then moved to Greene Co, GA

RPU comments

Note his claimed birth date in 2 days before brother Moses. I would guess he meant 11 Feb 1756
or 11 Feb 1757.

From Petition:

Nathan Upchurch, I

Filed 22 Nov 1832 in Wake Co, NC at age 72 – hence born about 1760. Born Bute Co, NC.

Drafted age 20 – hence 17. Entered service 3 Apr 1780.

RPU comments:

If born 1760 would have been in Granville Co as Bute not founded until 1764.

OVERALL RPU COMMENTS

If Richard Upchurch, II moved his family from Brunswick Co, VA to NC in 1757 to the area to be known as Dunn Township he would have moved to Granville Co, with the Township becoming Wake in 1771, then Franklin in 1787. When Bute existed 1764 – 1779 the Dunn Township was in Wake Co, NC. Any Upchurch listings for Bute would be interesting.

It appears the three were drafted/enlisted at age 20. Older brothers Richard Upchurch, III and Benjamin Upchurch probably married and excused. Three younger brothers James born 1768, Jubal born 1772 [1772? – CJM 07 Jul 2019] and Abel, Sr born 1774 were too young to serve. Copy to Gettis and Monk 24 Mar 2010.

(124 – continued)

Southern Campaign American Revolution Pension Statements

Pension application of Moses Upchurch S7776 fn26NC

Transcribed by Will Graves

State of North Carolina, Chatham County

On this 23rd day of November A.D. 1836 personally appeared before me John Lasater a Justice of the Peace for said County Moses Upchurch a resident of said County aged 81 years who being first duly sworn according to law doth on his oath make the following declaration in order to obtain the benefit of the act of Congress passed June 7, 1832.

That he entered into the service of the United States and served as herein stated, he was born in the County of Brunswick in the State of Virginia on the 13th day of February A.D. 1755 (but has no record of his age) at the age of two years he removed to Franklin County North Carolina where he resided until April 1775 when he enlisted in a company of light Horse commanded by Captain Jones Lieutenant Medici and Ensign Armstrong and mustered at Hunters old Tavern in said County from thence he marched to Duplin old Court House from thence to Fayetteville from thence to Charleston whilst there the battle of Sullivan's Island was fought but he was not in the engagement from thence he marched to Savannah at Purysburg he was mustered in General Sumner's Army from Savannah he was marched back to North Carolina where he was actively engaged in subduing the Tories until his discharge at Halifax Court House North Carolina on the 28th day of June 1776 after having served a period of at least 14 months and half – his discharge was in writing and signed by Captain Armstrong at is now lost or destroyed and he is unable to procure the same.

In the year 1778 he volunteered his services in a Company of horse in the County of Wake commanded by Captain Hunter and was actively engaged in subduing the Tories in the Counties of Wake and Chatham until he was discharged at Wake Court house after having

served at least two months his discharge was written and signed by Captain Hunter but the same is now lost or destroyed and he is unable to procure the same.

He has no documentary evidence and knows of no person whose testimony he can procure to testify to his services.

He hereby relinquishes every claim whatever to a Pension or an annuity except the present and declares that his name is not on the pension roll of the agency of any State or Territory in the union.

Sworn to and subscribed the day and year aforesaid.

S/ John Lasater, JP

S/ Moses Upchurch, X his mark

[William Merritt and Daniel Johnston gave the standard supporting affidavit.]

State of North Carolina, Chatham County

On this the 4th day of February 1845, Personally appeared before us George Williams & Sims Upchurch both acting Justices of the peace & members of the Court of Pleas & Quarter Sessions in and for the said County of Chatham, Moses Upchurch, a resident of the aforesaid County & State, aged 89 years who being first duly sworn according to law doth on his oath make the following declaration in order to obtain the benefit of the provision made by the act of Congress passed June 7th 1832.

That he was a resident of Wake County N. C. in the War of the Revolution. And that he served the United States as follows in said war, To wit: that he volunteered in the Cavalry under Captain Jones of the said County & State in April 1776 – that Medecay [sic, Cosmo Medici or Medicie] was Lieutenant & James Armstrong Ensign that he was marched for Wilmington North Carolina but was halted at Duplin old Court House & was marched South through Fayetteville, crossed the Pedee River at Long Bluff & Santee at Nelson's ferry entered Charleston on the 28th day of June in the same year on the very day of the Battle of Sullivan's Island was Fought – that he was stationed there (at Charleston) some time – that during the time he was at Charleston his Captain James Jones went home & that the command fell to Lieutenant Medici and that he was marched to Savannah Georgia & remained at that place some time – then the Army was ordered back to Charleston South Carolina – that he was left at the said place Savannah to take care of his brother Charles & another soldier by the name of Blalock who were sick – that when they got well he & the said Blalock & his brother came on to Charleston where they learned that the Army was gone to Halifax N. C. -- that they saw their Lieutenant Medici at Charleston & he gave him a furlough to go by home & directed him to meet him at Halifax to whence the Army had gone.

This declarant states that from the time he entered the service till he arrived at home (which was in November) after he entered the service was about eight months, that he went to Halifax as he was ordered & saw his Lieutenant Medici & got another furlough to come on and to return again he thinks in June afterwards & that he did return to Halifax & obtained a discharge from the service. That when he was stationed at Charleston South Carolina Jethro Sumner was Colonel.

This declarant further states on his said oath that in the year he thinks of 1781 he again volunteered in Captain Hunter's company in the aforesaid County of Wake & state of North

Carolina & served two months, & was then discharged by the said Hunter.

That his discharges which certifies to all these particulars are lost – and that he hereby relinquishes every claim whatever to a Pension or annuity except the present & he declares that his name is not on the Pension Roll of any agency of any state.

Kept and further evidence of the said service this declarant refers the Commissioner to the proofs which he supposes is on file in his office.

Sworn to & subscribed on the aforesaid date before us.

S/ George Williams, JPJ

S/ Moses Upchurch, X his mark

S/ Sims Upchurch, JP

[On July 5, 1849, Moses Upchurch, still a resident of Chatham County North Carolina, filed for the issuance of a new certificate of his pension stating that he has lost his original certificate

(125) Books: The Upchurch Family of High Falls, NC (Moore Co) page 56

I. Moses Upchurch - Head of Clan

5 Moses Upchurch b: 13 Feb 1753 in Brunswick County, Virginia d: in Chatham County, North Carolina.

+ Mary Murry Simms b: 1757 in Wake County, NC m: 1772 in Wake County, NC d: 1847 in Chatham County NC

6 Leatha Upchurch b: 1773 in Franklin County, North Carolina d: 1837 in North Carolina

+Hezekiah Kiah Massey b: 1770 m: 13 Jun 1807 in Franklin, NC, USA

6 Gilliam Upchurch b: 1782 in Franklin County, North Carolina d: 06 Oct 1854 in Wake County, North Carolina

+Sarah Anderson b:1817 in Flynn's Lick, Jackson, TN, USA d: 1840 in Flynn's Lick, Jackson, TN, USA¹

*2nd Wife of Gilliam Upchurch

+Sarah Smith b: 1792 in North Carolina m: abt 1825

7 Joseph Upchurch b: 1827 in Marks Creek, Wake County, North Carolina

7 Mary E. Upchurch b: 1830 in Marks Creek, Wake County, North Carolina

7 Caroline Upchurch b: 1833 in Marks Creek, Wake County, North Carolina

7 Charles Upchurch b: 1836 in Marks Creek, Wake County, North Carolina

6 Mary Upchurch b: 1785 in Franklin County, North Carolina d: 1837 in North Carolina

+Odom Bunn b: 1760 in Northampton, NC, USA m: 05 Feb 1806 in Franklin, NC, USA d: 1840

6 Parthenia Upchurch b: 1788 in Franklin County, North Carolina

+Smith

*2nd Husband of Parthenia Upchurch

+Yates

¹ I do not believe Gilliam U. b 1782 lived in Jackson Co., TN. There was another Gilliam who lived in Jackson Co., TN. – RPU 4 Sep 2006

(126) Franklin Co, NC Tax Lists 1785 – 1820 (Two Bradley Books) [1987, 1990]

FRANKLIN CO, NC TAX LISTS 1785-1820 (TWO BRADLEY BOOKS) [1987, 1990]													
	YR/DIST	BENJAMIN	JAMES	JURAL	RICHARD, III	MOSES	JAMES	BUCKNER	ABEL, SR	EATON	SION	BRITTON, I	JOHN
XFD-1	1798 A	610 1/2	200 1/2	100 1/2	451 1/2	632 1/2							
	1798 B					- 1/2							
P653	1799 A	610 1/2	200 1/2	165 1/2	251 1/2		- 1/2						
	1799 B					- 1/2							
U	1804 A	516 1/2	400 1/2	525 1/2	451 1/2			175 1/2					
	1804 C										143 1/2		
	1804 D										250 1/2		
	1805 A	616 1/2	400 1/2	765 1/2	451 1/2		200 1/2						
	1805 C										143 1/2		
	1805 D									- 1/2			
	1806 A	616 1/2	400 1/2	725 1/2	441 1/2		200 1/2						
	1806 C										143 1/2		
	1806 D										50 1/2		
	1807 A	616 1/2	400 1/2	760 1/2	451 1/2		200 1/2						
	1807 C										143 1/2		
	1807 D										100 1/2		
MOSES	1808 A	616 1/2	400 1/2	925 1/2	450 1/2		- 1/2	50 1/2	- 1/2				
	1808 C										218 1/2		
	1809 A	616 1/2	400 1/2	975 1/2	450 1/2						- 1/2		
	1809 C						147 1/2				218 1/2		
	1809 D									50 1/2			
	1810 A	616 1/2	400 1/2	975 1/2	450 1/2						- 1/2		
	1810 C						147 1/2				218 1/2		
	1810 D										- 1/2		
	1820 A		487 1/2	2165 1/2							140 1/2	319 1/2	40 1/2
(126)	1820 C						66 1/2				421 1/2		319 1/2
	1820 E											- 1/2	135 1/2

DISTRICTS
 A. UPCHURCH (1798), DUNN (1800);
 STRICKLAND (1805-1809);
 DUNN (1810), WILLIAMS (1820)
 B. WEBB (1798, 1799)
 C. TAYLOR (1804-1808);
 HAMMONS (1809, 1810);
 DENSON (1820)
 D. FERRILLS (1804-1810)
 E. MAYS (1820)

(127) See letters 30 Oct 2000 and 16 Nov 2000 Larry Frederick Patrick to RPU

I. William Patrick born about 1760 died 1841 & had will – Chatham Co, NC

[He and wife (nee Elizabeth Kelly (Died 1844) probably buried Christian Cemetery, Chatham Co, NC]

A. Tilitha Patrick born 1803 married () Nathan Upchurch, II, Head of the Nathan Upchurch, I/Nathan Upchurch, II Subclan

B. Gilam H Patrick born 1806 (NC) – moved to TN – MS – AR

1. William Henry Patrick born Feb 1844 (MS)

a. --- --- Patrick (M)

i. --- --- Patrick (M)

I. Larry Frederick Patrick – cooperator

C. Kincheon Patrick born about 1808 – mentioned in father 1841 estate papers – What happened to him?

D. William H Patrick born 1810 (NC) died after 1880 Wake Co, NC)
married 30 Dec 1829 (Wake Co, NC) Sally Jinks born 1812 (NC)

Footnotes:

#1 There is a Patrick Cemetery in Wake Co, NC

#2 Names associated with the 1841 will:

There was a brother, of Tilitha and my great reat grandfather, named Kincheon Patrick. Kincheon was mentioned in the will and some indentures that were made after the estate was processed in 1841. He sounds to me that he may have lost the rights to the home place in Chatham County. I have never found anything else about him after these legal papers in 1841. Don't know if something happened to him or he moved out of North Carolina or what. You mentioned other surnames that were associated with the Upchurchs and Patricks in Wake County. On the Will and these indentures there was a Kimbro Council, Alvis Yates, Moses Upchurch, Leslie Herdon, A. Lassiter Rogers and Thom Whitehead. Kimbro Council, to me had an interest in the real estate and was the executor of the estate. Don aby of these men ring a bell? My great great grandfather left North Carolina and went first into Tennessee and then to Mississippi before going to Arkansas.

Kimbro Council [assume Kimbrel Council – RPU]

Alvis Yates

Moses Upchurch

Leslie Herdon [assume Leslie Herndon – RPU]

A Lassiter Rogers

Thom Whitehead

(128) Wake Co NC County Court Minutes Book II 1787 – 1792; Book page = *; Weynette Parks Haun page = **

[Note: At some date in 1787 present-day Moccasin Creek area was shifted from Wake Co to Franklin Co; hence some of the Upchurch entries for Book II Wake Co may be in present day Franklin Co – RPU]

5* 315** 6 Mar 1787 – Deed Charles Upchurch to Matthew Strickland proved by Elisha Strickland

12* 322** 8 Mar 1787 – Deed Elisha Strickland to Thomas M?ay proved by Richard Upchurch [Richard Upchurch, II vs Richard Upchurch, III?]

13* 323** 8 Mar 1787
Deed Benjamin Upchurch to Edward Parish, Jr proved by James Bolton
Deed Jesse Bradaway to Richard Upchurch (II vs III?) proved by James Bolton

Deed James Cone to Richard Upchurch (II vs III?) proved by James Bolton
Deed William Lambert to James Broadaway proved by Richard Upchurch (II vs III?)

Deed Julius Johnston to Nathan Upchurch proved by Richard Upchurch (II vs III?)

- 20* 330** 4 Jun 1787 Nathan Upchurch is one of 22 people authorized to lay off a road (in present day Franklin Co, NC) See separate sheet for the 22*** names.
- 45* 355** 5 Sep 1787 Benjamin Upchurch & hands replaced as road overseer by Josiah Crudup & hands Falls of Little River → Franklin Co Line on Moccasin Creek
- 55* 434** Tue after 1st Mon Sep 1790. Nathan Upchurch is one of 16 people authorized to alter/create a road from Franklin Co Line. See separate sheet for the 16*** names.
- 262* 641** 7 Sep 1792 Charles Upchurch declared insolvent (but with 150 acres & 1 poll) & excused from 1791 taxes – in Capt Horton's District – John Martin Tax Collector
- 227* 656** 4 Dec 1792 Deed Robert Rutheriford & James Rutheriford to **Moses Upchurch** proved by John Cooley.

***See separate sheet for the 22 & 16 names

(129) Item in Letter 14 May 1984 Eleanor Grace Williamson to RPU

[Grace was searching re the 1803 Upchurch → Carpenter name change]

Franklin Co, NC Misc. Records – C. – L. 1784 – 1933 C. R. 039.928.7

1. Year of 1827 – Account with Franklin Co Jury Tickets on list: James and Sion Upchurch

2. Dockets (Loose) – State vs. Woodson Carpenter

States Warrant – Fall Term 1844

3. Grand Jury Presentments – March Term 1795

Grand Jurors: Benjamin Upchurch and others

June Term 1799 – M. Upchurch and others **[Moses Upchurch]**

Dec. 1824 John Carpenter

Sept 1829 Sion Upchurch

Franklin Co, NC Misc. Records L. – P. 1784 – 1933 C. R. 039.928.8

1. Lists of Merchants' Licences 1834 – 1836, 1939

April 1839 – Calvin Upchurch – List of Tavern

Lic. For 1838: Calvin Upchurch and others

2. Misc. Lists: Specialties filed Sept Court 1811

Dunn's District: Benjamin Upchurch

3. Pension Records:

July 7, 1890 – Reapplication – approved – Mary Upchurch [Mary Mullins]

Widow of B. Upchurch – Co. B – 47th [Burkley Upchurch, Jr.]

July 1891 – Widows: Mary Upchurch widow of B. Upchurch – Co. B – 47th – Class 4

Cause of death: disease – Sutton P. Office [Burkley Upchurch, Jr.]

July 15, 1891 – Mary Upchurch age 56 widow of late Burkley A. Upchurch. Reapplication for pension [Burkley Upchurch, Jr.] Note "A"

June 4, 1892 Mary Upchurch still alive and unmarried [Burkley Upchurch, Jr.]
 --- ---, 18--- Mary Upchurch widow Benj. Still alive and unmarried [Burkley Upchurch, Jr.]
 [enter Benj. But probably Burkley] Sutton P. O.
 Candace Upchurch widow of John Upchurch – Co. B – 47th Class 4 – Died of Disease
 [Candace Stallings] [John W. Upchurch] P. O. Louisburg
 Louisa Upchurch widow of William Upchurch [William A. Upchurch] [nee Louisa L. P.
 Edwards] No date – died disease – Sutton P. O.
 Mar 27, 1893 – Willie Upchurch made oath that Louisa P. Upchurch is entitled to pension
 [presume her son William D. Upchurch] [Louisa L. P. Edwards]
 1903 – Mary Upchurch [nee Mary Mullins] still living (Stopped 1904)

(130) Summary of Census Records for the daughters of Moses Upchurch – Head of Clan – each daughter heads of a subclan

- 1790 Franklin Co, NC – Moses Upchurch has 3 daughters in his home as follows:
 Parthenia Upchurch age 2 born about 1788
 Mary Upchurch age 6 born about 1784
 Letha Upchurch age 16 born about 1774
- 1800 Franklin Co, NC – Moses has slots for 5 daughters in his home – 4 readily identified – the 5th is a puzzle
 Parthenia Upchurch age 12 fills a slot 10 – 16
 Mary Upchurch age 16 fills a slot 16 - 26
 Letha Upchurch age 26 fills a slot 16 – 26
 Calorgy Upchurch age 5 fills a slot 0 – 10
 #5 is a female 16 – 26 (born 1774 – 1784) – Not listed in the home of Moses Upchurch in 1790 and does not appear in the record later – not identified by Bell West in Upchurch Family.
- 1810 Chatham Co, NC
 Calorgy Upchurch age 16 fills a 10 – 16 slot and is the only daughter of Moses Upchurch remaining in his home. Parthenia, Mary and Letha all married between 1800 and 1810 and should be found in homes headed by their husbands in 1810.
- 1820 Chatham Co, NC
 Calorgy Upchurch age 26 fills slot 16 – 26 in Father's home
- 1830 Chatham Co, NC
 Calorgy Upchurch age 36 fills slot 30 – 40 in Father's home
- 1840 Chatham Co, NC
 Calorgy Upchurch age 46 fills slot 40 – 50 in Father's home
- 1850 Chatham Co, NC
 Calorgy Upchurch age 56 listed as 55 in brother Sims Home
- 1860 Chatham Co, NC
 Calorgy Upchurch age 66 listed as 60 “Domestic” in brother Sims Home
- 1870 Chatham Co, NC

Calorgy Upchurch age 76 is probably the “Claudia” Upchurch age 72 in home of Sister Parthenia

(131) Summary of Census Records for Courtney Upchurch b abt 1785 – Head of the Moses Upchurch/Courtney Upchurch Subclan – RPU

- 1790 Franklin Co., NC
Courtney Upchurch age 5 fills a 0 – 16 slot in home of father Moses U.
- 1800 Franklin Co., NC
Courtney Upchurch age 15 fills a 10 – 16 slot in home of father
- 1810 Chatham Co., NC
Courtney Upchurch age 25 fills a 16 – 26 slot in home of father
- 1820 Chatham Co., NC
Courtney Upchurch age 35 fills a 26 – 45 slot and is HOH
Wife Cynthia Richardson age 25 fills a 16 – 26 slot
- 1830 Chatham Co., NC [Moved to Marengo Co., AL]
Courtney Upchurch age 45 fills a 40 – 50 slot is HOH – Died 1835 (+/-) 5 years
Wife Cynthia Richardson age 35 fills a 30 – 40 slot
- 1840 Perry Co., AL
Cynthia (Richardson) Upchurch age 45 fills a 40 – 50 slot and is HOH and widow
- 1850 Dallas Co., AL
Cynthia (Richardson) Upchurch, widow, age 55 is listed as 55 and HOH
- 1860 Walker Co., TX
Cynthia (Richardson) Upchurch, widow, age 65 is listed as 65 in home of Calvin Burnett Upchurch
- 1870 Walker Co., TX
Cynthia (Richardson) Upchurch, widow, age 75 is listed as 77 in home of son Calvin Burnett Upchurch - Cynthia is presumed to have died 1875 (+/-) 5 years

(132) Summary of Census Records for Ruffin Upchurch b abt 1785 – Head of the Moses Upchurch/Ruffin Upchurch Subclan – RPU

- 1790 Franklin Co., NC
Ruffin Upchurch age 3 fills a 0 – 16 slot in home of father Moses U.
- 1800 Franklin Co., NC
Ruffin Upchurch age 13 fills a 10 – 16 slot in home of father
- 1810 Chatham Co., NC
Ruffin Upchurch age 23 fills a 16 – 26 slot and is Head of Household
wife Elizabeth Kelly age 21 ± 5 fills a slot 16 – 26 – died 1818 or 1823?? assume 1823 correct
- 1820 Chatham Co., NC
Ruffin Upchurch age 33 fills a 26 – 45 slot and is HOH Wife
wife Elizabeth Kelly age 31 ± 5 fills a slot 26 - 45
- 1830 Chatham Co., NC

- Ruffin Upchurch age 43 fills a 40 – 50 slot is HOH
 Wife Martha Goodwin age 18 fills a 15 – 20 slot
 1840 Chatham Co., NC
 Ruffin Upchurch age 53 fills a 50 – 60 slot is HOH
 Wife Martha Goodwin age 28 fills a 20 – 30 slot
 1850 Wake Co, NC
 Ruffin Upchurch age 63 [extracts show 37, 38, 35 – all wrong – RPU]. He is HOH
 Wife Martha Goodwin age 38 is shown as 38
 1860 Wake Co, NC
 Ruffin Upchurch age 73 is shown as 74 – died 12 Mar 1866 [before 1870]
 Wife Martha Goodwin age 48 is shown as 50
 1870 Wake Co, NC
 Martha (Goodwin) Upchurch “Patsy” age 58 is shown as 50 & Head of Household
 Three children are with her.
 1880 Wake Co, NC
 Martha (Goodwin) Upchurch “Margaret” age 68 is shown as 66, mother in law in home
 of daughter and husband. Abby (Upchurch) Jenkins
 1900 Wake Co, NC
 Martha not found – presumed to have died 1890 ± 10 years

(133) Book: Strickland Records and Family Groups Carla Tate 2007 Wake Co, NC Records –
 page 26 – 397 – Items of interest to RPU

1. Page 27 – Sampson Strickland, first Strickland in Wake Co, NC had Land Grant near Roger X Roads. After 1772 moved to land of his nephew Elisha Strickland on Moccasin Creek. [The 700 acres I suppose – RPU]
2. Page 28 – 1778 Land Grant of 73 acres on both sides of Moccasin Creek to Elisha Strickland – page 28 copied for Biofile of Elisha.
3. Page 30, 31 1779 Land Grant of 640 acres on Moccasin Creek to Elisha Strickland – copy to his Biofile – Land not later found – aborted?
4. 1779 Land Grant 640 acres to Joseph Strickland – on south side of Moccasin Creek – page 32, 33 – not extracted.
5. 1782 or 1783 Tax Records – Capt Earp’s District – 9 Stricklands listed with acres, value. [It seems quite likely this includes both sides of Moccasin Creek as between 1771 & 1787 Wake had both sides. Fully extracted – page 33] – One of the 9 = Jacob Strickland. Next article on page 33 shows Charles Upchurch witnessed his 1783 marriage.
6. Sampson Strickland died 15 Mar 1782 – subsequent sale shows **Moses Upchurch** & Charles Upchurch present – pages 36 – 38 – Extracted
7. Page 39 – Will of Lot Strickland written 31 Dec 1784 witnessed by Obediah Strickland and Benjamin Upchurch. Mentions brothers Matthew Strickland & Brazel Strickland & mother Chrischanea –

8. Page 55 – 57 Inventory of estate of Elisha Strickland – Isaac Strickland, Admr. Present at sales: Benjamin Upchurch, Nathan Upchurch, Moses Upchurch, James Upchurch[V] Charles Upchurch.
9. Page 111 – Sale – Estate of Marmaduke Strickland 16 Mar 1837 Buckley Upchurch [Burkely Upchurch] present.
10. Page 201 – Sale estate of Bryant Strickland – 15 Nov 1860 Upchurch Smith present
11. Page 246 – Sale estate of Mary Strickland 2 Dec 1873 Upchurch Smith present
12. Page 254 – Sale estate of Samuel D. Strickland 27 Dec 1879 Tom Upchurch present

(134) Input Re Julius Johnson – Upchurch Connections in NC – 17002. From email 26 Jun 2008
 Billy Key to RPU – 14 page document – In Julius Johnson Biofile
 Richard Upchurch, II & Richard Upchurch, III
 Page 4

“Francis Johnson is Appointed Overseer of the Road from a Certain White Oak to the County Line in the room of Julius Alford.”²⁰

²⁰Bute County, North Carolina Minutes of the Court of Pleas and Quarter Sessions, 1767 – 1779 Wednesday after the second Tuesday in February 1767, page 37.

“Ordered that John Rose by Overseer of the road from Davis’s Meadow to a Certain white oak Perrys bounds and that the hands of Francis Johnson, Richard Smith, Richard Upchurch, Samuel Wright & Floyd Williams assist him in Clearing the same in repair”²¹

Note: In Julius Alford’s Will, he left “the plantation John Rose lives on” to Goodrich Alford his son. The Will was written 13 July 1768 and probated in November 1771²².

1771 in Bute County Court

“Ordered that William Tant be Overseer of the road in the room of Francis Johnson & Ordered that he keep the Same in repair with the hands usually working thereon”²³

“Ordered that Jacob Hartsfield be Overseer of the road in the Room of Francis Johnson & it is further ordered that he keep the Same in repair with the hands usually working thereon”²⁴

Notes: Jacob Hartfield along with Julius Alford had crooked Creek grants. (See attached map.)

“Francis Johnston” is listed in the Bute County 1771 Tax List.²⁵

1771 Wake County was created in part from the Northwestern part of Johnston county
 September 1772, Wake County

Julius Johnston’s name appears on a “Jurors Road List” to lay off a new road from the Bute County line, crossing Moccasin Creek and continuing on and intersecting a new road at Mark’s Creek.

Some (but not in any order) on the list are William Pace (2), Benjamin, **Moses**, Richard and Charles Upchurch, Edward Hocutt, Pettypool Massey, Edward Earp²⁶.

1777 Nash County created from lands in western Edgecombe County

1778 Wake County Lan Warrant 640 20 Oct 1778

John Ledbetter enters 600 acres of land in Wake co, lying on the north side of Neuse river, and on both sides of Ricky Branch joining the lines of Julius Johnston, Lodwick Alford, and Isreal Privitt, including said Ledbetter improvements. 600:50/15³⁰

Page 5

1779 Wake County “Jany. 1st, 1779 Charles Upchurch enters three hundred acres of land in Wake county on the south side of Mokason Creek, joining the lines of Pettypool Massey, & Julias Johnstone. Including an improvement made by said Johnstone³⁴.

“Caveat Entered by Julias Johnston. Land given up by Upchurch to Johnston and the money returned”³⁵.

“Febry 1, 1779. Julias Johnstone Enters 640 acres of land in Wake county, Beginning at Elisha Strickland’s line at Pettypool Massey’s corner, running south to Joel Bolton’s corner, thence west, including said Johnstone’s improvements.³⁶

March Court 1782, Wake County

“A Deed from Richard Upchurch to Julius Johnston was in open court and duly acknowledged & ordered to be registered³⁸.

1782. Wake County, North Carolina, Court Records Book B1, p. 238, 20.

December 1782 Richard Upchurch conveyed deed to Julius Johnson³⁹. In 1782 or 1783, Julius Johnston is listed in Captain William Earps District in Wake County⁴⁰. He is the only Johns(t)on in the district. He owned 740 acres of land, 2 horses, 9 head of cattle and no Blacks. It appears that his neighbors were some from the earlier days on Crooked Creek but are probably a later generation.

Page 6

The list contains Lodwick Alford, Charles Upchurch and Julius Johnston next to one another. Two names away is Richard Upchurch Jr. and he is on the page with Benjamin Upchurch, Charles and William Pace⁴¹.

Nash County, 1786 Julious Johnston of Nash Co, NC, planter to Nathan Upchurch, planter, Aug 21, 1786, for 40 pds specie a tract of 250 acres on the waters of Mocason Creek and on Julious’s Branch adjoining James Bolton, it being part of a survey taken up by said Julious Johnston. Wit: Richard Upchurch, Benjamin Seegraves⁴².

Note: A search of the Nash County Court Minutes, Deeds, and Land Entries reveals no Julius Johnston records in Nash County. However, this deed shows that he was in Nash

County at the time. One must remember that the “corners” area of Johnston / Wake, Edgecombe / Nash and Granville / Bute / Franklin was not a large area.

Wake County, 1787 “A deed from Julius Johnston to Nathan Upchurch was in open court duly proved by the oath of Richard Upchurch a Witness thereto and ordered to be registered”⁴³

(135) Deed: obtained by RPU & John Lee Upchurch, Jr on 15 Oct 1990
Franklin Co, NC
14 Feb 1794

Deed Book 3 Page 167 [Not found in Reference 41]

Thomas Gay to **Moses Upchurch**

100 acres south side of Mockerson Creek, Meadors Branch

Adjoining Astor Price

Henry Baker

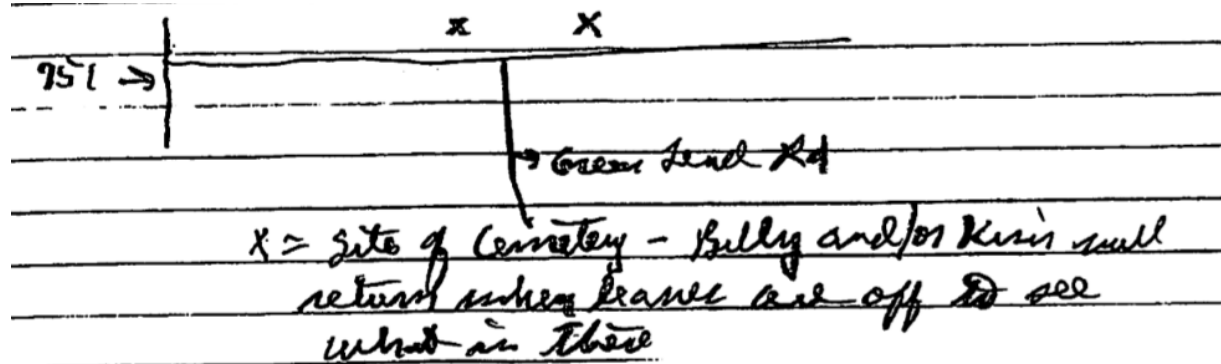
Moccasin Creek

Note: Second page seems to be the improper sheet – RPU

(136) From biofile of Hollie Olive Kelly Upchurch, Jr – Entry 5 Jun 2010, Input from HOK, Jr
We discussed the Mulholland Place where Moses Upchurch (brother of Nathan Upchurch) is supposed to be buried. I gained a little clarity.

#1 Earlier I had focused on a 2 story Mulholland house 1 mile south of Betty’s house on 751. This appears not to be the place where Moses was buried.

#2 The second Mulholland Place appears to be where Green Level Road terminates



X = site of cemetery – Billy and/or Kim will return when leaves are off to see what is there

#3 My question – If Moses Upchurch had land why was he buried on the Mulholland Place?
Answer – It was probably Upchurch Land when he was buried and became Mulholland Land later. Makes sense.

(137) Upchurch & Related Tax Listings – Franklin Co, NC 1798 – 1864 – To RPU from Carla Jones 29 Oct 2006

<u>Captain Upchurch's District</u> <u>1798</u> John Carpenter 311 acres 1 WP 2 BP Polly Massey 132 acres Richard Massey 1445 acres 1 WP 2 BP Phillip Pearce 300 acres 1 WP Anne Pearce 47 acres Benjamin Upchurch 610 acres 1 WP 1 BP James Upchurch 200 acres 1 WP Moses Upchurch 632 acres 1 WP 1 BP Stephen Pierce 10 acres 1 WP 1 BP Jubell Upchurch 100 acres 1 WP Richard Upchurch 451 acres 1 WP	<u>Captain John Norwood's District</u> <u>1799</u> Steven Pearce 10 acres 1 WP 1 BP Ansell Pearce 1 WP John Carpenter 311 acres 1 WP 2 BP Benjamin Upchurch 610 acres 1 WP 1 BP Richard Upchurch 451 acres 1 WP James Upchurch 200 acres 1 WP Phillip Pearce 300 acres 1 WP Anny Pearce 43 acres Buckner Upchurch 1 WP Jubell Upchurch 165 acres 1 WP	<u>Captain William Dunns District</u> <u>1804</u> Benjamin Upchurch 516 acres 1 BP Richard Upchurch 451 acres James Upchurch 400 acres 1 WP Abel Upchurch 175 acres 1 WP Jubal Upchurch 525 acres 1 WP Phillip Pearce 777 acres 1 WP Anne Pearce 63 acres Stephen Pearce 650 acres 1 WP 3 BP John Pearce 1 WP John Carpenter 601 acres 1 WP 3BP
<u>Captain Stricklands District</u> <u>1805</u> Benjamin Upchurch 616 acres 1 BP Jubal Upchurch 765 acres 1 WP 1BP Buck Upchurch 200 acres 1 WP (BUCKNER U) James Upchurch 400 acres 1WP Richard Upchurch 451 acres 1 WP Anna Pearce 63 acres Nathan Pearce 1 WP Stephen Pearce 650 acres 3 BP Phillip Pearce 777 acres 1 WP Jack Pearce 1 WP John Carpenter 603 acres 1 WP 3 BP	<u>Captain Obediah Stricklands District</u> <u>1806</u> John Carpenter 1003 acres 1 WP 3 BP Phillip Pierce 1337 acres Anna Pierce 63 acres Phillip Pierce guardian for orphans of Arthur Pierce 186 acres Nathan Pierce 1 WP John Pearce 1 WP Stephen Pearce 650 acres 1 WP 3BP James Upchurch 400 acres 1WP 1BP Benjamin Upchurch 616 acres 1 BP Richard Upchurch 441 acres Jubal Upchurch 725 acres 1 WP 1BP Buckner Upchurch 200 acres 1 WP	<u>Captain Stricklands District</u> <u>1807</u> John Carpenter 1131 acres 1 WP 3 BP Phillip Pearce 777 acres 1 WP Ann Pearce 63 acres Phillip Pearce guardian for the orphans of James Pearce 200 acres Stephen Pearce 693 acres 3 BP John Pearce 1 WP Nathan Pearce 2 BP Richard Upchurch 451 acres James Upchurch 400 acres 1WP 1BP Jubal Upchurch 660 acres 2 WP 1BP Benjamin Upchurch 616 acres 2 BP Buckner Upchurch 200 acres 1 WP
<u>Captain Stricklands District</u> <u>1808</u> John Carpenter 1131 acres 1 WP 3 BP Phillip Pearce 300 acres Eley Pearce 250 acres 1 WP Stephen Pearce 766 acres 4 BP Richard Upchurch 450 acres Benjamin Upchurch 616 acres 2 BP Eaton Upchurch 50 acres 1 WP Jubal Upchurch 925 acres 2 WP 2 BP Brittain Upchurch 1 WP Buckner Upchurch 200 acres 1 WP James Upchurch 400 acres 1 WP 1BP	<u>Captain Stricklands District</u> <u>1809</u> John Carpenter 1331 acres 2 WP 3 BP (note: if this second poll is Benjamin, he was born by 1788; from next year's tax records this does appear to be Benjamin) Phillip Pearce 300 acres Ely Pearce 250 acres 1 WP Anna Pearce 63 acres Phillip Pearce Guardian for J. Pearce's Orphans 200 acres Stephen Pearce 690 acres 4 BP Jubal Upchurch 975 acres 1 WP 2 BP James Upchurch 400 acres 1 WP 1 BP Richard Upchurch 450 acres 1 WP Benjamin Upchurch 616 acres 2 BP Brittain Upchurch 1 WP	<u>Captain Dunns District</u> <u>1810</u> Benjamin Carpenter 1 WP John Carpenter 1331 acres 1 WP 3 BP Eli Pearce 250 acres 1 WP Phillip Pearce 586 acres Anne Pearce 63 acres Stephen Pearce 690 acres 6 BP Jubal Upchurch 975 acres 2 WP 2 BP James Upchurch 400 acres 1 WP 1 BP Richard Upchurch 450 acres Brittain Upchurch 1 WP Benja Upchurch 616 acres 2 BP

1798 – 1810 Listings:

[Note: the following names appear in the listings below, some more than once. Variant spellings have been included. Names not included in original list written by RPU are marked with * – CJM 1 May 2019]

1. Phillip Pearce [Pierce]
2. Anne Pearce [Anna] [Anny]
3. Stephen Pearce [Steven] [Pierce]
4. John Pearce
5. Eli Pearce [Eley] [Ely]
6. Ansell Pearce
7. Nathan Pearce [Pierce]

16. **Moses Upchurch**
17. Jubal Upchurch, I [Jubell]
18. Richard Upchurch, III
19. Buckner Upchurch [Buck]
20. Abel Upchurch
21. Eaton Upchurch
22. Brittain Upchurch

8. Jack Pearce
9. Arthur Pearce [Pierce]
10. Polly Massey
11. Richard Massey
12. John Carpenter
13. Benjamin Carpenter
14. Benjamin Upchurch [Benja]
15. James Upchurch

23. * J. Pearce
24. * James Pearce
25. *Captain Upchurch
26. *Captain Strickland
27. *Captain John Norwood
28. *Captain Obediah Strickland
29. *Captain William Dunn
30. *Captain Dunn

(138) From Wake Treasures Vol 20 No. Winter/ Spring 2010

Wake County Civil Action Papers Concerning Land – Part 1

Abstracted by Diane L Richard, page 8

Few early records survive for Wake County. When combined with the cessation of land grants from 1763 – 1778, we find a dearth of early Wake County land records. One interesting set of records that do survive (though not in their entirety) are Civil Action Papers (CAPs) Concerning Land. These are a subset of the CAPs series at the North Carolina State Archives in Raleigh. These are extant court papers where there was an issue concerning land. The originals can be found in C. R. 099.325.93 (1773 – 1793). The surviving paperwork up to the year 1800 will eventually be abstracted and included in Wake Treasures.

You will note that the timing of many of these is in 1778. This would have been the first time that one could file for a land grant in about fifteen years. During those years, many moved to Wake County, made improvements on land, bought and sold land, and yet no land grants were issued. So, as soon as the land grant process was re-instituted by the State of NC, there were a lot of land grant entries made, and this caused a lot of caveats to also be filed.

Page 9

Date: 3 August 1778

Plaintiff: John Bunn

Defendant: Elisha Strickling

What: disputed claim of a certain improvement on tract of vacant land, 640 acres, entered in the book of entries, as No 151.

Resolution: found for the defendant

Jurors: Richard Upchurch, Richard Upchurch Sr, Benjamin Upchurch, James Pace, Paul Martin, Godfrey Martin, William Earp, Joseph, Wheobled, John Williams, Robert Chamlee. James Bolten, William Previt.

Page 10

Date: 1 August 1778

Plaintiff: James Jones

Defendant: William Green

What: dispute claim of vacant land entered by said William Green and caveated by said James Jones.

Resolution: find generally in favour of the plaintiff James Jones

Jurors: John Motley, Joseph Blake, Thomas Sorrill, Joseph Edwards, Stephen Lowe, Narrod Thornton, William Brazier, Adam Simmons, William Simms, Henry Cole, Charles Edwards, Mark Phillips

Page 10

Date: 19 Feb 1779

Plaintiff: Joshua Cone

Defendant: James Perce

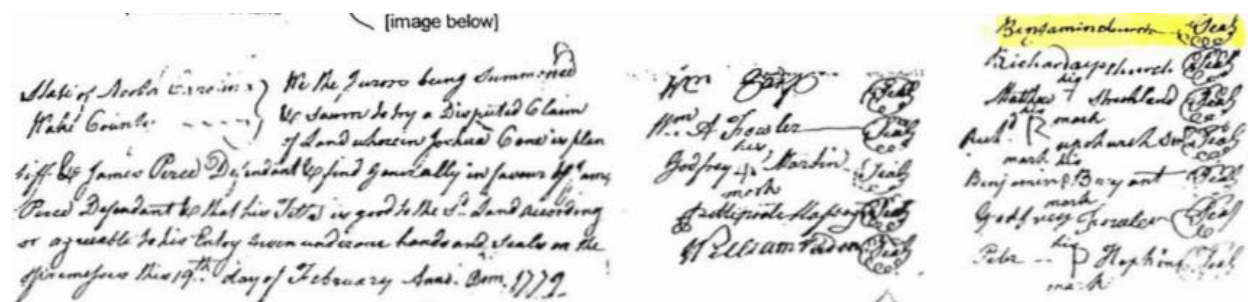
What: disputed claim of land

Resolution: find generally in favour of James Perce defendant that his title is good

Jurors: Wm Earp, Wm A Fowler, Godfrey Martin (his mark), Pettypoole Massey, William Vaden, Benjamin Church [Upchurch], Richardays Church [Richard Upchurch Jr], Matthew Shukland (his mark), Richd Upchurch Senr (his mark), Benjamin Bryan (his mark), Godfrey Fowler, Pater Hopkins (his mark)

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[exterior has name as Pearce]
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[image below]



Page 14

Date: 6 July 1778

Plaintiff: Godfrey Fowler

Defendant: Joshua Naughton

What: disputed ... claim of land

Resolution: found ... generally in favour of the defendant Joshua Naughton

Jury: Josiah Crudup, Pettypool Massey, Richard Upchurch [II]. Richard Upchurch [III], James Pace. Wills Esp, Elisha Stricklin, Benjamin Upchurch, John Williams, Nathan Pearce, Matthew Stricklin, William Wilder

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Date: July 27 1778

Plaintiff: Moses Upchurch

Defendant: Isham Hinton

What: disputed claim of land and a certain improvement or tract of vacant land containing 640 acres entered in the book of entries as 235.

Resolution: found for the defendant

Jurors: J G Thomas, Giles Thomas, Aventon McKelroy, Wm M Kelroy, Isaac Dawson, Isaac Hunter, James Chivas (sp?), David Lowry, Garrard Vanderpool, Henry Hill, John Hinton 2^d, Andrew Hartsfield.

Page 15

Date: August 27 1778

Plaintiff: James Coin of Bute County

Defendant: Robert Norris, same county

What: disputed claim of and to a certain improvement or tract of vacant land containing 100 acres situated in the county of Wake and entered in the book of entries of the said county as #155

Resolution: found for James coins plaintiff

Jurors: Richard Upchurch, Benjamin Upchurch, Richard Massey, James Bolton, David Houghton, Richard Upchurch, William Previt, Josiah Crudop, Peter Hopkins, Mosias Jones, Henry Baker, Joshua Houghton

Page 15

Date: 19 May 1779

Plaintiff: William Privit

Defendant: Randolph Rhodes

What: disputed claim of land

Resolution: find generally for the said Randolph Rhodes that is title is good agreeable to his entry

Jurors: Mathew Strickland, William Wilder, Josiah Anderson (sp?), Willis Wilder, Isim Sims, Thomas Markin, William Coop Benjamin Upchurch, Richard Upchurch, David Horton, James Pare (sp?), William Hobbs

Page 17

Date: 13 May 1778

Bondsmen: Moses Upchurch & Isham Simms

Amount: 50 pounds proclamation money

Why: Moses Upchurch hath sett up a claim and entered a caveat against an entry of land made by the above named Isham Hendon

Page 20

Date: 31 July 1778

Plaintiff: William Jeffreys

Defendant: Joshua Houghton

What: a certain controversy between them defending in a disputed claim of and to a certain improvement....Containing 2_0 acres situated in the County of Wake and entered in the book of Entries of the said County ...

Resolution: find generally for Joshua Houghton

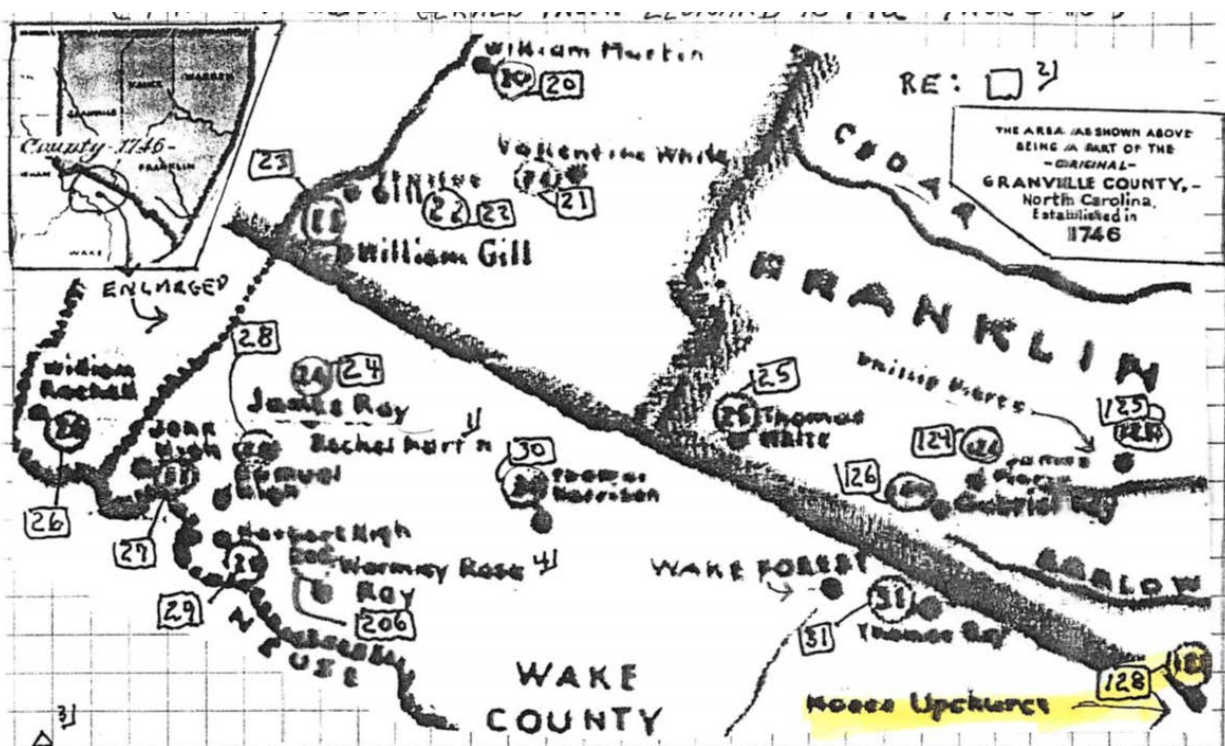
Jurors: ??? Crudup, Pettypool Massey, Ben Arendell, Richard Upchurch Se, Richard Upchurch [II, III] Elisha Strickland, A Graham Laurence, John Williams, Godfrey Martin, Nathan Pearce, Matthew Stricklin, Wm Wilder

Page 23

[Fragment]

Jurors: James Pace, Joshua Houghton, Wm Fowler, Willim Vadin, Abraham Lawrence, Paul Martin, Godfrey Martin, Richard Upchurch, George Jones, Joseph Sallsbury, John Lawrence, George Martin

(139) Enlargement of the southwest portion of the map showing location of home sites of Colonial families in Granville Co, NC – compiled by Worth S Ray, Drawn by Peter Brice Searcy 1943 – of special interest to RPU – 7 Sep 2010 (From version Gerald Thorp Leonard to RPU 9 Aug 2010)



³¹AKA Erasmus Gill]

22 Erastus Gill

20 William Martin

21 Valentine White

125 Phillip Pearce

124 James Pearce

26 William Rochell	23 William Gill	} elsewhere shown as husband & wife	25 Thomas White
	24 James Ray Rachel Martin ¹		
27 John High	28 Samuel High	Thomas Harrison	
	29 Herbert high "Harbert"	31 Thomas Ray	
	206 Wormley Rose Ray		128 Moses Upchurch ⁵

Notes:

¹No number shown for Rachel Martin but 25 would fit – RPU

²The numbers in squares [on the map above – CJM 11 Apr 2020] added by RPU as his best idea of [what appears in the circles – CJM 11 Apr 2020]

³[Triangle symbols on the map – CJM 11 Apr 2020] = copy of this sheet placed in biofile of person named – RPU

⁴Wormley Rose Ray 174 – 1822 was the grandfather of Aurora O Ray, the grandmother of RPU. My Ray ancestors were related somehow to some of the families listed above Gill & Martin?) but the relationships proposed by Worth S Ray need careful study – RPU

⁵Moses is brother of Nathan Upchurch I, the great great grandfather of RPU

(140) Internet records for family of Sims Upchurch - RPU 15 Jun 2011

I. Moses U. b 1750 (VA)

md 1772 () Mary Simms

A. Calorgy U. b 1795 (Franklin Co., NC) (Claise, Clargy) never married

B. Sims U. b 11 Dec 1808 (Chatham Co., NC) d Apr 1880 (Chatham)

md (1st) 11 Dec 1832 (Wake Co., NC) Abigail Olive d 1847

md (2nd) 1850 () Matilda Temples

1. Parthenia U. b 22 Sep 1833
2. Quinetta U. (twin) b 27 Jul 1834
3. Lucetta U. (twin) b 27 Jul 1834
4. Lewraney U. b 29 Jun 1836 (Lawrance)
5. James Henderson U. b about 1838
6. Williford U. b about 1841
7. Winslow U. b about 1842 (Winston)
8. Winship U. b about 18444
9. Courtney U. b Sep 1846
10. Alvania U. b 19 Jul 1848

NOTE: Sons 5 thru 9 died in the service of the Confederacy. On James Henderson had married. He had issue.

NOTE: Sims U. supposedly married 23 Dec 1852 (Chatham Co., NC) Tabitha Williams but the presence of wife Matilda in the 1860 and 1870 census brings doubt.

1840 Census NC, Chatham Co – Sims Upchurch

Free White Person – Males – under 5: 1 James Henderson Upchurch

Free White Person – Males – 15 thru 19:	1	Male born 1821 – 1825 – unidentified
Free White Person – Males – 30 thru 39:	1	Sims Upchurch
Free White Person – Males – 80 – 89:	1	Moses Upchurch
Free White Person – Females – under 5:	3	#2, 3, 4
Free White Person – Females – 5 – 9:	1	Parthenia Upchurch
Free White Person – Females – 30 – 39:	1	Abigail Olive
Free White Person – Females – 40 – 49:	1	Calorgy Upchurch
Free White Person – Females – 70 – 79:	1	Mary Sims

Slaves – Male – under 10:	1
Slaves – Female – under 10:	1
Slaves – Females – 24 – 35:	1
Total – All Persons (Free White, Free Colored, Slaves):	14
Persons Employed in Agriculture:	2
No. White Persons over 20 Who Cannot Read or Write:	4
Free White Persons – Under 20:	6
Free White Person – 20 – 49:	3
Total Free White Persons:	11
Total Slaves:	3
Total All Persons – Free White, Free Colored, Slaves:	14

1850 Census – NC Chatham Co, Lower Reg

Name	Age				
Sinas Upchurch (Sims)	1808 42	NC	Farmer		\$2700 RE
Parthing Upchurch	1834 16	NC			
Laurance Upchurch	1837 13	NC			
James H. Upchurch	1839 11	NC			
Williford Upchurch	1841 9	NC			
Winslow Upchurch	1842 8	NC			
Winship Upchurch	1844 6	NC			
Courtney Upchurch	1846 4	NC			
Alvaney Upchurch	1849 1	NC			
Claise Upchurch (Calorgy)	1795 55	NC			
Joseph Lawrence	1801 49	NC	Laborer		
Mossie Upchurch (Moses)	1750 100	VA			
Quinta Upchurch	1835 15	NC	Twin of Lucilla		
Lucilla Upchurch	1835 15	NC	Twin of Quinta		

1860 Census – NC Chatham Co, Eastern District – Grove Post Office

Name	Age			
Sinn Upchurch (Sims)	1808 52	Farmer		\$4500 RE \$8000 PE
Matilda Upchurch	1808 52			

Willerford Upchurch	1841	19	
Winston Upchurch (Winslow)	1842	17	
Winship Upchurch	1845	15	
Cortney Upchurch	1841	19	
Alvany Upchurch	1849	11	
Clargy Upchurch (Calorgy)	1800	60	
Sally Davis	1837	23	
Alfred Waldin	1837	23	Laborer
John Jeffers	1836	24	Laborer

1870 Census – NC Chatham Co, North Side Pittsboro Rd

Name	Age		
Sims Upchurch	1807 63	Farmer	\$3000 RE \$1500 PE
Matilda Upchurch	1807 63		
Courtney Upchurch	1846 24		
Alvaney Upchurch	1848 22		

(no number) From: NC Genealogical Society Vol 37 No 4 Nov 2011 – pgs 350 – 361

Page 350:

Abstracts from Fayetteville Newspapers, 1816 – 1820

by Carolyn N, Gibbons*

[continued from volume 37 (August 2011), page 265]

[30 July 1818]

Decided in Supreme Court of NC, July Term, 1818: Benjamin Rainey's Exrs vs. James Dunning – Rule for a new trial absolute.

Decided in Supreme Court of NC, July Term, 1818: Bertram Robeson & others vs. Allen Baufield – Judgment for the plaintiffs

Decided in Supreme Court of NC, July Term, 1818: Bertram Robeson & others vs. Allen Baufield – Judgment for the plaintiffs

Decided in Supreme Court of NC, July Term, 1818: Den on Demise of Hugh M'Lean vs. **Moses Upchurch** – Judgment for the plaintiff.

Decided in Supreme Court of NC, July Term, 1818: John Gardiner vs. Mark Jones – Rule for a new trial made absolute.

Decided in Supreme Court of NC, July Term, 1818: Tennent J Bower vs. John Holland – Rule for a new trial discharged.

*Carolyn N. Gibbons, 214 Chole Drive, Fayetteville, North Carolina 28301
North Carolina Genealogical Society Journal 37 (November 2011): 350 – 361.

(no number) For deep biofile of Moses Upchurch XIX – 1

on the Second Monday of February 1807 to the Supreme of the said Court
1807. which last mentioned Free Fair was held by the Sheriff of
Chatham County on the hundred acres of land in question, which
land was duly advertised and sold by the said Sheriff, by virtue of
the said Execution to Hugh Williams one of the Sps. of the plaintiff
for valuable consideration, and the said Sheriff duly received to the said
Hugh Williams a deed for the same land, intending thereby to convey the
same to him in fee-simple. And the said last mentioned Free Fair
was duly returned to the said Court at May Session 1807 —

On the 4th day of February 1807 the said Sheriff Brantly said: duly
made and executed for valuable consideration, a deed of conveyance
of the same one hundred acres of land ^{to the Defendant} intending thereby to convey the same
to him in fee-simple, who entered upon and possessed himself of the
said land, and is still in possession thereof. If the opinion of this
Court be for the said Sps. Defendant is to be intended for him; and
if for the Defendant Defendant is to be intended for the Defendant.

W. Woodward Att. for Sps.
Ed. Dillingham — for Defendant

Ordered that this case be brought to the Supreme Court
for the opinion of that Court thereon —

M. H. Hall

Received of the Sheriff of
Chatham County
the sum of
£ —
for the
said
deed of conveyance
of the hundred
acres of land
to the Defendant
Hugh Williams
this 4th day of February 1807
J. Dillingham
Sheriff

McClain vs. Upshurst

at the time when the sale was
made by Beatty to Upshurst namely,
the 4 July 1887, there was in the sheriff's hands,
Roussey's ^{execution} ~~deed~~ & the execution taken
out from the term thereafter, though
it is a different piece of paper; is this
the same execution: we do not think
so, upon what principle it can be
contended the lands were not bound,
as the sale was made not only after
the last of the execution, but, after the
delivery to the sheriff. If it be that
these lands were assigned ^{by Beatty} before the
obtainment of the deed: we think there is
nothing in that; for we do not decide
how far a judgment binds lands, but think
this case the common one, of a party
having lands & selling them after
the execution is in the hands of
the sheriff - ^{the} judgment for P. & C.

Exposure of Case #332

(No number)

obtained by RPU & John Lee Upchurch, Jr on 15 Oct 1990

Deed:

Franklin Co, NC

15 Jan 1794

Deed Book 10 Pg 164 [not found in Reference 41]

Philip Pearce [Phillip]	}	to	Artur
Steven (Stephen) Pearce			(Arthur)
John Pearce			Pearce

47 acres – Spring Branch

Adjoins: **Moses Upchurch**

John Pearce

Witness: Moses Upchurch, Thomas Gay

Jun Court 1795

(no number)Crossfile this email: **Moses Upchurch**

Subject: Re: Cooperation

Viola Upchurch

From: Marianne Morris <buffaloefarms@yahoo.com>

Marianne Lynette

Date: Wed, Jan 11, 2017 3:00 pm

Buffaloe

To: phil@upchurchstory.com <phil@upchurchstory.com>

Buffaloe Family

Hi Phil:

Please see my replies below in “RED” to your questions.

Hi Marianne---

As a start could you let me have a brief sketch as to how you trace back to Henry Webb Buffaloe? (Henry Webb Buffaloe is my 2nd great grandfather.)

Let me tell you where I am on several by the name of Henry Buffaloe as a start. I have good records on the following four:

1. Henry Buffaloe, I born 1745
2. Henry Buffaloe, II born 1790, con of I
3. Henry Buffaloe, III born about 1812, nephew of II. (This is my 2nd great-grandfather. He is the son of William Embrey Buffaloe, brother of Henry Jr (1790). His first wife was Viola Upchurch, daughter of James W Upchurch. Their marriage is noted in the Upchurch Bible. I do not know what happened to her.
4. Henry Buffaloe, IV son of William D Buffaloe by 2nd wife, a great grandson of II.

I have two by the nae of Henry Buffaloe about whom I have a question as follows:

5. In 1937, the WPA recorded slave stories. One owner was Henry Buffaloe. Do you know which Henry Buffaloe that was? I believe I have something on this and will keep looking, but I believe it is your no. 4 Henry.)

6. About 1784 **Moses Upchurch** and wife sold land to Henry Buffaloe. This was recorded on Page 300 or 306 of the Wake County Court Minutes for the March 1784, Court term. I do not know the acreage or the exact location of this tract. However from what I know of Moses Upchurch the tract would have been within five miles of Moccasin Creek which divides Wake and Franklin Counties. I assume this was Henry Buffaloe, I. Can you shed any more light on this? I am with you on this one. Henry #1. He owned 900 acres in the St. Matthews township just north of Raleigh at his death. He died without a will and it took about 2 years to settle it. It was a huge court battle. I will look, but I believe I have the file on this.

(no number) Land Transactions in Franklin Co, NC from: Colonial Granville Co, NC by: Worth S Ray, Pg 207

[Note: the original photocopied page is blurred and illegible in many parts. If using for genealogical proof, please check the original for accuracy. – CJM 12 Apr 2020]

Some Deeds to Land

Gabriel Ray and his wife Milly, of Franklin County, NC sell lands to Sylvanus Pumphrey, of Nash County, NC a tract beginning at the line of Jacob Bass on the lower side of Barlow's Branch, by line to Root Branon.

Dated December 2, 1786. Signed by Gabriel Ray and Milly Ray (both by their mark).

Gabriel Ray and wife Milly to Francis Wills, 140 acres on the Peter Will branch, witnessed by William Garner and Gray Andrews, March 10, 1789. John Wills witnessed.

[RPU Note: Gabriel Ray and wife Miley 2 Dec 1786

sell land to Sylvanus Pumphrey of Nash Vo, NC adjoining Jacob Bass
sell 140A to Frances Wills.]

Thomas Ray, of Franklin Count, N Carolina, to Thomas Gay, a tract of land beginning on the corner of Phillip Pierce, running South to Isaac Strickland's corner and to Thomas Gay corner. October 3, 1795. Signed by Thomas Ray his mark. Witnesses were Moses Upchurch, Richard Upchurch and John Carpenter.

[RPU Note: Thomas Ray on 3 Oct 1795 sells land to Thomas Gay – starts at Phillip Pearce corner – South to Isaac Strickland corner.

Wit: **Moses Upchurch**, Richard Upchurch, John Carpenter]

Thomas Gay sells land to Thomas Ray, on both sides of Moccason Swamp, 73 acres more or less, on Strickland and Pierce line. December Court 1787. Date of deed October 4, 1787. Signed Thomas Gay. Witnesses were, Moses Upchurch, James Price his mark) and Charles Upchurch.

[RPU Note: Thomas Gay deed written 4 Oct 1787 – moved in Dec 1787 court – to Thomas Ray 75A both sides of Moccasin Creek – Strickland & Pearce lines – Wit: **Moses Upchurch**, James Pearce, Charles Upchurch.]

Williamson Richards, of Franklin County, NC on November 1, 1800, sold land to Daniel Ray near the Franklin County line, containing 118 acres more or less. Signed Williamson Richards. Deed was witnessed by Jeremiah Bell.

[RPU Note: Williamson Richards on 1 Nov 1800 sells 118A to Daniel Ray near the Franklin Co line. Wit: Jeremiah Bell]

Daniel Ray executed a deed to James Ray in Franklin County, NC same being part of the said Daniel Ray's tract where he now lives (Jan 10 1825) beginning at Sandeford's line, then with Williamson Richard's line, fifty acres more or less. Signed Daniel Ray (by him mark); witnessed by I Pate and Ephraim Perry.

[RPU note: Daniel Ray on 10 Jan 1828 sells 50A to James Ray being part of tract where Daniel Ray now lives. Start Sandeford line with line of Williamson Richard.

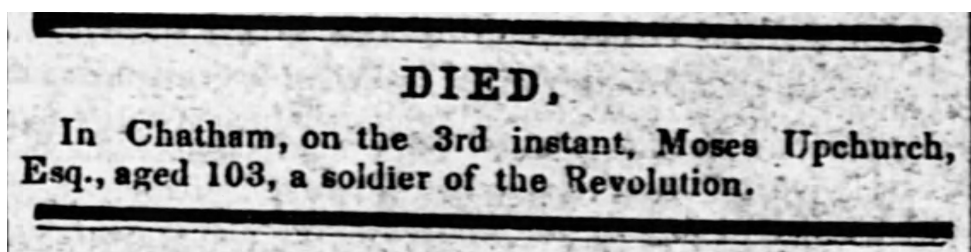
Elisha Strickland of Wake County sold to Thomas Ray, of Franklin County, NC 42 acres on the line of James Pierce, and his corner, to the line of Thomas Gay. November 18, 1794. Signed by Elisha Strickland. Witnesses were Phillip Pierce and Elisha Strickland.

[RPU Note: Elisha Strickland of Wake Co, NC sells 42A to Thomas Ray of Franklin Co, NC on line of James Pearce. 18 Nov 1794 – Witness: Phillip Pearce & Isaac Strickland.

(no number)

Moses Upchurch	spouse: Mary Upchurch
North Carolina Marriages, 175 – 1979	Child: S N Upchurch

Moses Upchurch	spouse: Mary Upchurch
North Carolina Marriages, 175 – 1979	Child: Sidney Upchurch



Weekly Standard (Raleigh North Carolina - 16 Feb 1853)