

Tabitha Upchurch**XID – 86**

Commentary: Tabitha Upchurch was the daughter of Nathan Upchurch I, head of Upchurch Clan #3. She was born circa 1791 and died in 1848. She had two children by an unknown spouse or spouses. They were Golden Almon and Martha Jane Upchurch. She lived her entire life in Wake County, NC

Acknowledgements: This Biofile was transcribed by Carla J. Michaels, coordinator of the UAFA Biofile Project.

(1) Will: Tabitha Upchurch (XID – 86) – Wake Co, NC, Written: 8 Jul 1848; Probated: Feb 1855; Book Rec 29, Page 230, File 957

Tabitha Upchurch Last Will and Testament

In the name of God, Amen,

I, Tabitha Upchurch, of Wake County in the State of North Carolina being of sound mind and disposing memory blessed be to God do this eighth day of July in the year of our Lord one thousand eight hundred and forty eight make publish and declare this my last will and testament in manner and form as follows, viz,

1st I commend my spirit to the Lord who gave it and desire that my mortal remains may (be) decently entered.

2nd I give and bequeath unto my daughter Martha Jane Upchurch one negro girl by the name of Judah and one feather bed and furniture.

3rd I give and bequeath unto my son Golden Almon Upchurch and my daughter Martha Jane Upchurch (jointly) my negro woman by the name of Milly to stay and live time about with each other of them as she Milly may prefer, that is to say a part of her time with Golden Almon and a part of her time with Martha Jane.

4th I give and bequeath unto my son Golden Almon Upchurch and my daughter Martha Jane Upchurch seven negroes namely: Charles, Malion, Samuel, Peter, George, Emaline, and Harriet to be equally divided between the aforesaid Golden Almon and Martha Jane Upchurch to share and share equal in the division of the aforesaid seven negroes.

5th It is my wish and desire that my land, and plantation stock of (all) kinds, household and kitchen furniture together with all the property that I may die seized and possessed of not herein before bequeathed and given away may be sold and the money arisen from such sale be applied to the payment of our debts and should there not be a sufficiency of money arising from such sales to pay my just debts it is my wish and desire that my son Golden Almon and my daughter Martha Jane should pay the balance of all such as have been contracted for the use of my family each one paying an equal part out of the property I herein bequeathed unto them.

6th It is my wish and desire that my son Golden Almon Upchurch and my friend Willis J Fuller be appointed and I do hereby appoint them Executors to this my last will and testament. Signed, sealed and delivered in presence of us.

her

Thos J Utley
Lewis Yates

Tabitha X Upchurch {seal}
mark

Wake County Court February Term 1855

The foregoing last will of Tabitha Upchurch deceased was exhibited in open court and propounded for probate and the due execution thereof proven by the oath of Thomas J Tuely one of the subscribing witnesses thereto and ordered to be recorded and filed.

Thomas J Utley, Clerk

die seized and disposed of not herein before bequeathed and given away may be sold and the money arising from such sale be applied to the payment of our debts and should there not be a sufficiency of money arising from such sales to pay my just debts it is my wish and desire that my son Golden Almon, and my daughter Martha Jane, should pay the balance of all such as have been contracted for the use of my family each one paying an equal part out of the property I have bequeathed unto them.

It is my wish and desire that my son Golden Almon Upchurch and my friend Miller S. Fuller be appointed and act as hereby appointed their executors to this my last Will and Testament. Signed sealed and delivered in presence of us

Thos J. Utley
Lewis Yates

^{his}
~~Tabitha~~ Upchurch ^{Wife}
^{deceased}

Wake County Court February Term 1855 -

The foregoing last Will and Testament of Tabitha Upchurch deceased was exhibited in open Court and pronounced for probate, and the due execution thereof proven by the oath of Thomas J. Utley one of the subscribing witnesses thereto and ordered to be recorded and filed.

Thomas J. Utley clerk

John Scarborough Last Will & Testament

In the name of God Amen,

I, John Scarborough of the County of Wake and State of A. Carolina - Being of sound mind and memory, do make and publish this my last Will and Testament in manner and form following, Wit, 1st I give and bequeath to my son Amos Scarborough one hundred and eleven acres of Land ad-

① In the name of God Amen
Sabitha Upchurch Last Will & Testament

I, Sabitha Upchurch of Wake County in the State of North Carolina being of sound mind and disposing memory blessed be God, do this eighth day of July in the year of our Lord one thousand eight hundred and forty eight make public and this my last Will and Testament in manner and form, as follows, viz:

1st I commend my spirit to the Lord who gave it, and desire that my mortal remains may ^{be} ~~be~~ decently entred.

2nd I give and bequeath unto my daughter Martha Jane Upchurch one negro girl by the name of Suedah and one Feather Bed and furniture.

3rd I give and bequeath unto my son Golden Almon Upchurch and my daughter Martha Jane Upchurch (jointly) my negro woman by the name of Milly to stay and live time about with each brother of them as she Milly may prefer that is to say, a part of her time with Golden Almon and a part of her time with Martha Jane.

4th I give and bequeath unto my son Golden Almon Upchurch and my daughter Martha Jane Upchurch seven negroes namely, Charles, Alton, Samuel, Peter, George, Emaline, and Harriet to be equally divided between the aforesaid Golden Almon and Martha Jane Upchurch to share and share equal in the division of the aforesaid seven negroes.

5th It is my wish and desire that my Land and Plantation Street of kinds Massachusetts and kitchen Furniture together with all the property that I may

(2) Extract of Upchurches found in: Wake Co, NC Census and Tax Lists 1830 & 1840 by Frances Holloway Wynne. All entries except one unidentified fall under Clan headed by 3 brothers as follows; [14 Upchurches mentioned]

- (1) I. Nathan Upchurch, I – Head of Clan – On 1830 Census and 1830 Tax List – White Oak Township
- (2) A. Burtis Upchurch – On 1830 and 1840 Census & 1830 & 1840 Tax List – Kitts Creek District
- (3) 1. Abel Upchurch – On 1840 Census and 1840 Tax List – Kitts Creek District
- (4) 2. William C Upchurch on 1840 Census & 1840 Tax List – Raleigh, NC
- (5) B. Hubbard Upchurch – On 1830 & 1840 Census and 1830 & 1840 Tax List – White Oak Township
- (6) C. **Tabitha Upchurch** – On 1830 Census & 1840 Tax List – White Oak Township
- (7) 1. Golden Almon Upchurch, Sr. on 1840 Census & 1840 Tax List – White Oak Township
- (8) D. Gilbert Upchurch – On 1840 Census – not on 1830 or 1840 Tax List
- II. Moses Upchurch – Head of Clan – Lived in Chatham Co, NV
- (9) A. Whitney Upchurch – on 1830 and 1840 Census – Not on 1830 or 1840 Tax list
- (10) B. Gillium Upchurch – on 1840 Census – Not on 1840 or 1840 Tax List
- (11) 1. Hanson Upchurch (*Presumed* son of Gillium Upchurch) on 1840 Census and on 1840 Tax List St Matthews Township
- III. Richard Upchurch, III – Head of Clan – died 1817 Franklin Co, NC (12)
- A. James Upchurch, VII died about 1835 lived Franklin Co, NC
- (12) 1. Kearney Upchurch – on 1840 Census & on Cross Roads District Tax List

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- (13) Richard Upchurch not on 1830 or 1840 Census; on 1840 Tax List White Oak Township presumed Richard Dillard Upchurch, Sr, son of Whitney Upchurch
- (14) William Upchurch, identity unknown, lists 493A on 1840 Tax List in Swift Creek Township for Jane (Yates) Betts, widow of Barzilla Betts, Sr
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1830	Upchurch, Burt	M	2	2	1	1	-	1	
	Census page 475								
		F	-	-	-	-	-	-	1
1840	Upchurch, Burtin	M	-	1	-	1	2	-	-
	Census page 179	F	-	-	-	1	-	-	-
	Burtis 1830 White Oak Township 163A, \$325 O Poll 65¢								page 246
	Burtess on 1840 White Oak Township 206A \$309 O pol 1 slave \$1.30								page 258

(1) Tabitha Upchurch was listed by Nathan Upchurch, son of Richard Upchurch, Sr in his will dated 26 Feb 1835 as a daughter as was Mackey Upchurch & Aquilla Upchurch. She was a sister of Gilbert Upchurch. The will names 2 children of Tabitha Upchurch.

1. Golden Almon Upchurch (why does he have Upchurch name??)

2. Martha Jane

(2) Per Attachment #1 West letter 18 May 1975 – lists 2 children of Tabitha Upchurch as Golden Almon and Mary Jane.

(3) Per Attachment #21 West letter 18 May 1975 – Extract Nathan Upchurch Will 26 Feb 1835

“3. Daughter Tabitha – 1 tract of land known as place where Burtis formerly lived and bounded as follows viz beginning at Flat Branch in John Scott’s line – 150 acres and negroes Milly, Charles, Emmaline, Ruben and son and 1 feather bed and furniture.

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

10. Granddaughter Martha Jane Upchurch, daughter of my daughter Tabitha, 1 feather bed and furniture”

(4) Per Attachment #24 West letter 18 May 1975 – Upchurch Wills/ Clerk of Court Wake Co NC
“Tabitha Upchurch to Martha Jane Upchurch – 1 Feb 1855 – Rec 29, Page 230, file 957”

(5) See Will File for will of Nathan Upchurch father of Tabitha.

(6) See Will of Tabitha Upchurch – Wake Co NC – written – 8 Jul 1848

Names children Martha Jane Upchurch and Golden Almon Upchurch.

Appoints son Golden Almon Upchurch & friend Willis I Fuller Executors

Witnesses: Thos J Utley, Lewis Yates

(7) See 1850 Census – Wake Co NC – Western Division

Tabitha Upchurch age 59 F born in NC is listed in home of her son Golden A Upchurch 35 M Farmer \$255 RE, born in NC.

Golden A Upchurch wife – Nancy Upchurch 38F. They have 5 children in home plus Golden A Upchurch sister Mary Jane Upchurch age 29F.

(8) See 1830 Census – Wake Co NC = Tabitha Upchurch is listed as head of household. Age Brackets are as follows [Names approximated by RPU] 0 slaves.

Male
one 0-5 years

Female
one 20-30 years – Tabitha Upchurch would have been age 39 years

[Maybe this is a Mrs Tabitha Upchurch, widow of an Upchurch male of the John Upchurch, III Clan?? – RPU 27 Nov 2003

one 0-5 year
 one 0-5 year
 one 5-10 year
 one 5-10 year

[Note: the above is a great puzzle – The one female in 10 years too young for Tabitha Upchurch, unwed daughter of Nathan Upchurch – However, her two known children would have been age 15 (Golden Almon Upchurch, Sr) and age 9 (Mary Jane) neither of which fit the above – This is 1st record for the 6 males listed above.]

(10) See 1840 census – Wake Co NC – No Tabitha listed as head of household – Also the 26 Upchurch heads of households for all of NC does not include a Tabitha Upchurch [My guess – she was living with “a friend”. – RPU]

(11) See the Minutes Mount Pisgah Baptist Church 1814 – 1869 Chatham Co, NC
 Tabitha Upchurch is shown on the list compiled in 1821 but not on the original 1814 list. She is shown as deceased Nov 1854. Her daughter Martha Jane Upchurch is also on the 1821 list as modified over time and is shown as joining by experience August 1843 and as dismissed by letter 1855.

(12) Lawrence Family of Western Wake Co, NC – From Wake Co, NC Heritage Book – Families 460 – 467; Note: [] = Family history filed with principals

I. William Lawrence

married () Lucy --- ---

A. Thomas Ruffin Lawrence [467]

married () Temperance Ragan “Tempie” [467] ←

1. Calvin Lawrence “Callie”

2. Sexton Lawrence

3. Serena Lawrence “Rena”

married () Asa Goodwin

4. Henry Thomas Lawrence, Sr [461], [463], [464]

born 19 Jun 1863 (Wake Co, NC); died 24 Mar 1941

married (1st) 28 Oct 1886 () Frances Deanna Olive¹ [463]

born 6 Apr 1862 (Wake Co, NC) daughter of Merril Olive* and Jane Upchurch

[Martha Jane Upchurch], daughter of **Tabitha Upchurch**

married (2nd) 18 Jun 1899 () Mary Katherine Bland^{2**} “Katy” [464], [465]

born 24 Apr 1875, died 11 May 1944

a.¹ Roger Glenn Lawrence [466]

b.¹ Clara Louise Lawrence

I. James Ragan

A. William Ragan married ()

Sarah Womble “Sallie”

1. Tempie Ragan →

- c.¹ --- --- Lawrence – died at birth as did mother
- d.² Henry Thomas Lawrence, Jr born 11 Feb 1901 [462]
- e.² Mary Lois Lawrence
- f.² Arthur Craig Lawrence [460]
- g.² Alice Belle Lawrence
- h.² Dorothy Miriam Lawrence

I. William Olive, Sr

- A. William Olive, Jr
- married () Elizabeth Barker
 1. William S Olive, MOG
 2. James H Olive
 3. Martha Olive
 4. Tabitha Olive
- married () --- --- Page
- 5. Merrill Olive*

I. James Bland

- married () Catherine Lasater
- A. James Sextus Bland
- married () Isabella Cameron, daughter of Lemuel Cameron
 1. Mary K Bland**
 2. Isabella Bland
 3. Evelyn Bland
 4. Johnnie Bland
 5. Rachel Bland + James Sexton Bland raised cousins Robert Olive and Eugene Olive

(13) From: Wake Treasures Vol 3 No. 3 Fall 1993 Page 29 – 33

Bastardy Bonds and Records (Part 10)

Continued from Vol III, No. 2

abstracted by Madlyn Jamison

From CR099.102.1, Folder: 1823 – 1826. [*Note: Three 1818 Bastardy Records were found in this file and are presented first.*]

6. **Tabitha Upchurch**/ ----- Agaws/ Agers?

Receipt. Mr Benjamin D King Sir please to pay Nathan Upchurch Ten Dollars that Agaws? pade in the office for me for begattin one Child on my boddey and this order shall be your recpt? for the Sam- this 21 of April 1823 signed: **Tabitha (mark) Upchurch**, Gilbard Upchurch

I. Nathan Upchurch, I – Head of Clan

A. Gilbert Upchurch

B. **Tabitha Upchurch**

1. Martha Jane Upchurch born about 1821

Note: **Tabitha Upchurch** had 2 children out of wedlock – one in 1815 and one about 1821. The above \$10 has to represent the 2nd child and could have been one of several ongoing payments by the father of Martha Jane Upchurch. More clarity/ detail is desired on Agaws/ Ager?? - RPU