

U P S H A W

F A M I L Y

J O U R N A L



OFFICIAL PUBLICATION OF THE

Upsilon Psi Chi Association  
of America

VOL IV

SUMMER 1977

NO 3

# UPSHAW FAMILY JOURNAL

---

Volume IV

Summer 1977

Number 3

---

<u>Table of Contents</u>	<u>Page</u>
The Editor's Desk	83
Notes and News	84-86
Member's Roster	86-87
North Carolina	87-88
South Carolina	89-94
Upshaw Family Album	95
Allied Family Notes Burnett	96-107
Bits 'N' Pieces	107
Upshaw Family Group Record Sheet #1B92) Mildred ("Milly") Upshaw & Jeremiah Burnett, Sr.	108,109

## Managing Editor

Ted O. Brooke 79 Wagonwheel Ct., NE Marietta, Georgia 30067

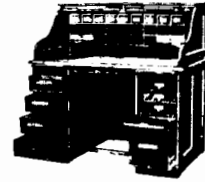
## Contributing Editors

Mrs. June B. Bork	Mrs. Alice M. Smith
Mrs. Pam G. Brooke	Mr. C. B. Upshaw, Jr.
Mrs. C. O. Mangold	Mr. Haskell Upshaw
Mrs. R. U. Parrott	Mr. W. Roy Upshaw

Their seed shall remain forever, and their glory  
shall not be blotted out.  
Their bodies are buried in peace; but their  
name liveth forevermore.

Ecclesiasticus 44:13-14  
The Apochrypha

# THE EDITORS DESK



This issue contains some important new references to Upshaws in North and South Carolina. William and Thomas Upshaw have been located in Granville county, North Carolina, circa 1758-1762.

In South Carolina, we have discovered a Patience Upshaw on the Annuity Reports, circa 1791-1804, whom I believe to be the widow of William Upshaw who died in the siege of Charleston (see UFJ, Vol III, page 80). Several of the more unusual names on these reports are found in the 1790 census index of South Carolina, in the south part of Orangeburgh District (Benj. Odam, Reuben Roundtree, Ephrm. Sizemore, James Ward, and Joseph Youngblood), while several others are found in 96 District, Abbeville County (Andr. Pickens, Hezek. Posey, Joseph Reed, Henry Weems), so it seems likely that Patience Upshaw lived in one of those areas, probably in the household of a relative, as she is not found in the 1790 or 1800 census indexes.

Two deeds concerning Forrester Upshaw, circa 1805-1806, have been located in Anderson County (Pendleton District), South Carolina, which is adjacent on the east to Georgia and slightly northeast of Elbert County. The Editor has deed records of the Greenwood family which indicate that these families moved together from Elbert County to Pendleton District. You will note that a William Faulkner was the purchaser of one of the tracts from Forrester Upshaw (Book H, page 447) and that there is no record of Forrester having purchased this land, so the possibility exists that he may have received it as an inheritance through his wife Ann, who is believed to be a daughter of a William Faulkner. Although no Faulkner estate records have been found in Pendleton District which indicate the parentage of Ann (Faulkner) Upshaw, wife of Forrester, it is believed that a closer examination of the deed (and other) records is warranted.

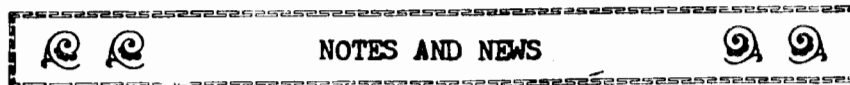
We are thankful to Mrs. June B. Bork, Huntington Beach, California, who is researching the Burnett family, for locating in Lunenburg County, Virginia, the wills of Jeremiah Burnett and his wife, Mildred ("Milly") (Upshaw) Burnett, who was the sister of John and Leroy Upshaw, the early emigrants to Elbert County, Georgia. Their family group record sheet, although scant, appears in this issue; more information on their family, especially their children, will be appreciated. It is interesting to note that two of their children were named Leroy and Forrester!

Our Fall issue will contain Upshaw records of all non - Deep South states, except Missouri, from our files. Georgia records are being prepared for publication in volume V, 1978.

May our Lord keep each of us in good health, with His abundance of love and peace and joy in our lives.

*Ted O. Brooke*

Ted O. Brooke,  
Editor



Mr. W. Roy Upshaw, our member, sent a copy of Westminister Chimes, 30 January 1977, Westminister Presbyterian Church, Portland, Oregon, which contains the following article:

Salute to Billie Bailey

Today we honor Billie Bailey, our oldest living member, who joined Westminister on January 12, 1923, as member #580. Billie will celebrate her 99th birthday on Saturday, January 29, having been born in 1878. Her address is 1706 N.E. 114th Avenue, where she receives excellent care from her landlady, Mrs. Teague.

Billie was born Doris Upshaw in Alabama 14 years after the Civil War ended. She was the daughter of a Baptist minister and received an excellent education at Judson College, Marion, Alabama. Later she met and married Luther R. Bailey, a student in architecture. They lived in the Boston area 5 years, where her husband graduated from MIT. In those happy years Billie was an avid student of literature and history. Boston was a wonderful city to indulge a patriotic nature. There their first son was born. Later the couple had another son and a daughter.

After the Bailey's came to Portland, Billie joined Westminister Church. She was an ardent worker in the Women's Association, dating back to Dr. Pence's days. For some time she was the Church Hostess in charge of dinners and luncheons, which meant obtaining much volunteer help. She assisted in the organization of a senior citizen's group at the Church. During the war she was very active in the group which sewed at Westminister for the Red Cross.

Mr. Bailey designed and had constructed many buildings along Sandy Blvd. Billie, a serious student and reader, felt a dire need for a branch library on the east side of the river. She was the motivating force in the establishment of the Rose City Park library near 44th and Sandy.

Billie was a charter member of the Robert E. Lee chapter of the United Daughters of the Confederacy and took an active part in this organization for many years.

She is brave, dignified and cheerful, and possesses a character above reproach. She exemplifies 99 years of a wonderful life of devotion, love and service to others and to her Church. Congratulations, Billie!

Gladys Wright



Mrs. C. O. Mangold, our member, grand daughter of Mrs. Willie Mae (Upshaw) Steward Kirby, sent the following notice from the Pampa Daily News, Pampa, Texas, 17 March 1977:

Mrs. John (Willie Mae) Kirby

Funeral services are pending with Carmichael - Whatley Funeral Directors for Mrs. John (Willie Mae) Kirby, 92, of Walnut Creek, Calif. She died Monday at her son's home in Walnut Creek.

Mrs. Kirby was born in 1885 in Holland, Texas, and she lived in Pampa in the 1930s. She was a member of the Church of Christ.

Survivors include one daughter, Mrs. Cassie Wilson of Dumas; two sons, Max M. of Walnut Creek and Selmer M. of Kilgore; one daughter - in - law, Mrs. Weldon Steward of Pampa; three sisters, Mrs. Grace Archer, Mrs. Floyd Hays and Miss Lora Vernon, all of Spearman; three brothers, Jennings Vernon of Kilgore, Pete Vernon of Spearman and Cecil Vernon of Bakersfield, Calif.; seven grandchildren and six great - grandchildren.

\*\*\*\*\*

Mrs. C. O. Mangold, our member, grand daughter of Mrs. Willie Mae (Upshaw) Steward Kirby, also sent the following:

Willie Mae Upshaw Steward Kirby

Funeral services for Willie Mae Upshaw Steward Kirby were held at 2:00 p.m. May 19, 1977 at the Carmichael-Whatley Colonial Chapel in Pampa, Texas. She was born April 4, 1885 at Holland, Texas as the eldest child of John Allen Upshaw and his wife, Mary Alice Parker Upshaw.

Mr. Glen Walton, minister of Mary Ellen-Harvester Church of Christ, officiated. Burial was at Fairview Cemetery, Pampa, Texas.

Willie died at 2:00 p.m. at the home of her son, Max Kirby, of Walnut Creek, California, at the age of 92 after a brief illness.

When Willie was six years old, her father, John Allen Upshaw, died. Her two sisters, Lora Upshaw Vernon and Grace Upshaw Archer survive her. Her brother Fancher Upshaw, Sr. died in 1974.

Willie's mother's second husband was I. P. Vernon. They moved to a ranch south of Silverton, Texas in 1896. A half sister and half brothers of this union were Beuna, Jennings, Pete, and Cecil Vernon.

The family moved to John's Creek near Adobe Walls in Hutchinson County, Texas. Willie had met Will T. Steward at Silverton, Texas. Will went to Adobe Walls to marry Willie. Their marriage was performed by Billy Dixon, the famous Indian fighter, acting as Justice of the Peace on January 27, 1901.

Willie and Will Steward lived on the caprock at the present McKenzie Dam near Silverton, Texas. Three children were born to this union: Cassie, Weldon, and Wayland. Will was very ill for a year and died May 9, 1911.

Willie married John Kirby, who operated a country store near Silverton and Tulia, Texas. Their two children were two sons: Selmer and Max.

Two of Willie's sons preceded her in death: Wayland died in Amarillo, Texas in 1924 and Weldon died in Pampa, Texas in 1973.

Willie and John Kirby lived in Pampa, Texas and Amarillo, Texas until their later years when they moved to California and New York to live with their son, Max. In the 1950's they returned to Pampa to live until John's death in May, 1958. Willie lived alone until 1970 when she was no longer able to care for herself.

She was an excellent seamstress, a "stickler" for cleanliness, and extremely style conscious. In every sense of the word, she was a pioneer. Weldon, her first born son, was born in Elida, New Mexico, where she and her husband with his parents had homesteaded. They traveled from Silverton, Texas to Elida via covered wagon.



The following notice is from the Atlanta Constitution, 14 July 1977:

UPSHAW

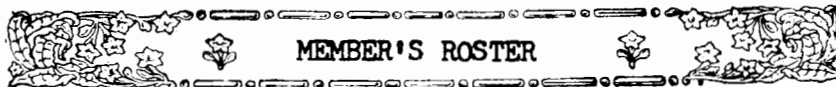
Mrs. Harvey L. (Mildred Smith) Upshaw, Raymond, Ga., died July 12, 1977. Surviving are husband, Mr. Harvey L. Upshaw; sister, Mrs. Martha Chambly, Raymond; brothers, Mr. Sidney Smith, Sharpsburg, Mr. Ralph Smith, Ft. Mead, FL., Mr. Cecil Smith, Raymond; nieces and nephews. Funeral services Thursday July 14, 1977 at 11 o'clock at Raymond Baptist Church with remains placed in state at 10 o'clock. Rev. J. C. Howard, Rev. Fred Cooke officiating. Interment Mt. Gilead Methodist Church Cemetery. McKoon Funeral Home, Newman.



Mr. Charles B. Upshaw, Jr., M. D., our member, sent the following auction announcement from the J. L. Todd Auction Co., dated May 14, 1977:

AUCTION

Gwinnett County - Rosebud Community; 80 acres of choice Gwinnett County land; better known as the Upshaw farm. Location: From downtown Snellville, go east on highway 78 for 3 miles to caution light. Turn right on Rosebud Road. Go 4 miles to property. "Haines Creek crosses this property". (Brochure includes 6 photographs of property).



This column will present each member's name and direct Upshaw lineage, which will facilitate research on related lines. This information will be presented once only, upon joining our membership. The dates in parenthesis following the names indicate (birth - death) dates; a question mark indicates an unknown date. If any member wants corrections or additions made in their Upshaw lineage as presented here, please send that information to the Editor, who will make such changes.

The following memberships have been received since our last issue:

Mrs. Clinton Wilson Box 223 Dumas, Texas 79029  
(Please refer all correspondence on this line to Mrs. C. O. Mangold,  
2405 Navajo Rd., Pampa, Texas 79065)

Cassie Steward (b 10 Jun 1904) m (1920) Clinton Wilson (1901-1954)  
M) Willie Upshaw (1885-1977) m Will T. Steward (1870-1911)  
GF) John Allen Upshaw (1861-1891) m (1884) Mary Alice Parker (1866-1904)  
GGF) Thomas Allen Upshaw (1832-1924) m Mary Jane Fancher (1837-1915)  
2GGF) John Upshaw (ca 1799-1850+) m Tabitha Lawliss (1800- ?)  
3GGF) Forrester Upshaw (ca 1772-1830+) m Ann Faulkner (ca 1775-1830+)  
4GGF) Leroy Upshaw (RS) (ca 1749-1800+) m Elizabeth Bradley (ca 1750-1818+)  
5GGF) Forrest Upshaw (ca 1720-1759) m Ann Hunt (wid) (1725-1795)  
6GGF) William Upshaw (ca 1666-ca 1720) m Hannah Carber (ca 1679-ca 1763)



Mrs. Albert J. Braun 3120 N.W. 70th Street Oklahoma City, Oklahoma 73116

Eula Bell Prather (b 13 Jul 1908) m (1931) Albert J. Braun (b 9 Oct 1909)  
M) Sallie E. Upshaw (1882-1929) m (1901) John Joshua Prather (1887-1967)  
GF) Leroy Columbus Upshaw (1855-1939) m (1879) Emma Bell Young (1860-1929)  
GGF) Middleton Upshaw (1817-1883) m (1st) Susannah Berry (1817-1859)  
2GGF) Forrester Upshaw (ca 1772-1830+) m Ann Faulkner (ca 1775-1830+)  
3GGF) Leroy Upshaw (RS) (ca 1749-1800+) m Elizabeth Bradley (ca 1750-1818+)  
4GGF) Forrest Upshaw (ca 1720-1759) m Ann Hunt (wid) (1725-1795)  
5GGF) William Upshaw (ca 1666-ca 1720) m Hannah Carber (ca 1679-ca 1763)

#### NORTH CAROLINA

Index to the 1800 Census of North Carolina; compiled by Elizabeth Petty Bentley, Baltimore, Md., 1977.

No Upshaw references.

1820 North Carolina Census Index; by Dorothy Potter.

No Upshaw references.

North Carolina 1830 Census Index; Accelerated Indexing Systems, Bountiful, Utah, 1976.

No Upshaw references.

North Carolina 1850 Census Index; Accelerated Indexing Systems, Bountiful, Utah, 1976.

No Upshaw references.

Abstracts of North Carolina Wills, 1690-1760; compiled from the original and recorded wills in the office of the Secretary of State, by J. Bryan Grimes, 1910. (fully indexed)

No Upshaw references.

An Abstract of North Carolina Wills, from about 1760 to about 1800; supplementing Grimes' Abstracts of North Carolina Wills 1663 to 1760; by Fred A. Olds, 1954. (indexed by name of testator only)

No Upshaw references.

North Carolina Historical Review; Vol I - L (1924-1973). (fully indexed)

No Upshaw references.

Marriage and Death Notices from Raleigh Register and North Carolina State Gazette, 1799-1855; Biennial report of the State Librarian of North Carolina, 1944.

No Upshaw references.

Granville County

Abstracts of the Early Deeds of Granville County, North Carolina, 1746-1765;  
by Zae Hargett Gwynn, 1974 (fully indexed).

Deed Book C, page 602: 18 January 1758.

William Moore and wife Mary of Orange County, North Carolina,  
to Natl. Holly of Granville County, North Carolina, for 20 pounds,  
200 acres on both sides of Island Creek on Howlets line.

Witnesses: Julius Howlet, William Upshaw.

Deed Book F, page 44: 27 July 1761.

Grant to John Reynolds for 300 acres on Little Island Creek on  
Upshaw's line, Kirkland's line, in Granville County.

Deed Book F, page 261: 1 December 1762.

John Reynolds and wife Mary to Thomas Person, Esq., for 50 pounds,  
325 acres on north side of Island Creek, being part of two tracts heretofore  
the property of John Reynolds, except about 75 acres set apart and  
agreed upon for John Kirkland by said Reynolds, on Island Creek on  
Upshaw's line, Kirkland's line. Witnesses: Rachel Williams,  
Catherine Roberson.

(Editor's note: Island and Little Island Creeks are in the extreme  
northern part of (present-day) Vance County, North Carolina, flowing  
northwardly to the Virginia line)

Abstracts of the Wills and Estate Records of Granville County, North Carolina,  
1746-1808; by Zae Hargett Gwynn, Rocky Mount, N. C., 1973 (fully indexed).

Unrecorded wills, 1746-1771; in back of Will Book 29:

No. 14- June 15, 1760- proved Nov. court 1761- RICHARD DAVIS  
wills to wife all estate real and personal during her widowhood but,  
if she marry, to be divided to my children; to my daughter KEZIAH  
DAVENPORT, a negro slave and, at her death, to her children; to daughter  
PATCION COYNY, a negro slave and if negro have offspring, the first to  
go to my granddaughter LOVINAH DAVIS and to my daughter, another negro,  
and if she have child, that child slave to go to my granddaughter CORIAH  
COYNY; to daughter SOPHAH YANCEY, a negro slave, and at her death to  
her children; to daughter JUDY DAVIS, a negro slave; to son ABRAHAM  
DAVIS; to son CYRUS DAVIS; to son SOLOMON DAVIS; son GIDEON; son  
ABSALOM; grandson RICHARD DAVIS; to son GIDEON's children; son  
ZACHARIAH DAVIS; MARY DAVIS, my daughter; SOPHIA PORRY (?) (can't  
read this well enough to be sure of any part of it. zhg) Exrs:  
ABSALOM DAVIS and AUGUSTIN DAVIS, sons. Wts: THOMAS UPSHAW,  
WILLIAM UPSHAW.

Hicks History of Granville County, North Carolina, Vol I, Marriage Bonds  
(1754-1868); by Elizabeth Hummel, Oxford, N. C., 1965 (indexed by grooms  
and brides).

No Upshaw references.



SOUTH CAROLINA

South Carolina 1800 Census; Accelerated Indexing Systems, Bountiful, Utah, 1973.

No Upshaw references.

South Carolina 1810 Census Index; Accelerated Indexing Systems, Bountiful, Utah, 1976.

Drury Upshaw	Pendleton County	page 145
Peter Upshaw	Pendleton County	page 145

(Editor's note: see UFJ, Vol II, page 30 for census data of these families)

South Carolina 1820 Census Index; Accelerated Indexing Systems, Bountiful, Utah, 1976.

No Upshaw references.

South Carolina 1850 Census Index; Accelerated Indexing Systems, Bountiful, Utah, 1976.

No Upshaw references.

The Neglected Thread; A Journal from the Calhoun Community, 1836-1842.

Diary of Mary Moragne<sup>1</sup> Davis, wife of Rev. William Hervey Davis.

(contributed by Mrs. Charlotte D. Parrott).

Mrs. Davis lived until she was almost sixty (60) years old, in the area of South Carolina including the present Abbeville and McCormick Counties and part of Greenwood County, which lies along the Savannah River about 40 miles upstream from Augusta, Georgia.

The Calhoun's had been among the first to come into this region (1756) eight years before the Huguenots arrived. The settlement for the Huguenots was New Bordeaux, 3 1/2 miles from the Savannah River. Willington, also close to the Savannah River, was the site of Rev. Moses Waddell's Academy - people moved there to educate their children and remained permanently, and led to the organization of a Presbyterian Church in 1813. Rev. Waddell's successor was Rev. William Hervey Davis, who married Mary Moragne in 1842. This Church was eight miles from Hopewell and was the oldest church in the region. It was at Hopewell that the Calhouns had worshipped in Colonial days when the Rev. John Harris, it's earliest Pastor, preached with a powder horn around his neck and his gun by his side in the pulpit (George Howe's History of the Presbyterian Church in South Carolina, 1870). The Moragne children spent much time with their mother's relatives at Willington and Cambridge.<sup>1</sup> (1 Background, page xv)

(page 37). 12 Friday 1837 - I was reading this morning when I heard a strange voice below stairs, informing my mother that Mrs. Upshai(sic) and Mrs. Thompson, two ladies from Elbert (County), Georgia, would dine with us today. This was a strange announcement certainly, as we had never seen either of the ladies, but I was pleased to hear it, as I had a curiosity to see Mrs. Upshai, who had frequently been down to her plantation here. Accordingly, about

11 o'clock they came. I was surprised; first to find Mrs. Upshai so good looking and next to find her so pleasant. I love to find my way to the heart of a new acquaintance and besides, I had a particular desire to please Mrs. Upshai, but I employed no means but the natural promptings of my heart, and we were soon on intimate terms. I observed with a sort of curious pleasure, that when she first addressed me it was with "Miss Moragne", then "Miss Mary" - but before the dinner hour she called me Mary. The other lady was a plain neat woman dressed in black. I didn't know until she had left that she was the widow of the Indian agent who was killed by Oseola, at Columbus.

(page 121). 1839, 21st Sunday - In the evening before mother had returned (from church at Willington to hear Mr. Davis preach), a handsome young man came in, whom we recognized as James Upshai(sic), the heir of the plantation of that name below us. Having come on a visit to his father's plantation he had called to see me as he remembered seeing me two years ago at Dr. Richardson's in Elbert, Georgia. This gallant and handsome youth, with a little more polish, would be very interesting. I was very pleased with his naivete, and that freshness of feeling which belongs to the young and unhackeyed. I was sorry that I had not a copy of the Partisan to give him, as he declared that he knew of but one copy in Elbert, and that had yet to go through some six or eight hands before he could obtain it. In coming to Carolina he had expected that favor from me, he said ...

The Southern Literary Messenger was a publication in 1839.

(page 155-156). They had gone to Georgia on a visit at Goshen, a small town in Elbert County, Georgia, and in the last paragraph of the page she mentions a Mr. Stovall.

The South Carolina Historical and Genealogical Magazine; published quarterly by the South Carolina Historical Society (fully indexed); Vol 1 - 75 (1900-1974); (one Upshaw reference only, as follows):

Vol. 55 (1954); page 45: A. Upshaw.

"Proposed Catawba Indian Removal, 1848"; by James W. Covington, University of Tampa.

(A. Upshaw to Medill, 8 Jan 1849, R.B.I.A., 1849 Chickasaw U 55)

Chickasaw Agency  
January 8th 1849.

Honl Wm. Medill Comn. of Ind. Affairs.

Sir;

A short time since I received your letter of the 6th Nov. respecting the Catawba Indians and their wish to live with the Chickasaws. Since it's reception I have seen several of the principal man of the Chickasaws and they all appear willing to take them, but the letter must be read in Council which will be in next month. At the payment of the second half of the annuity of 1848, I have no doubt but what all the Chickasaws will agree to take the Catawbas, I shall do all I can to carry out the wishes of the Government on the subject. So soon as the Chickasaws decide to take them, I will give you my opinion which will be the best route for them to emigrate by. Agreeable to your regard.

Very Respectfully,  
A. Upshaw

n.b. The Chickasaw District is large enough for three such tribes as the Chickasaws.

Service Records of Veterans of the War of 1812 of South Carolina; by Edna A. Manning, 1963 (fully indexed).

No Upshaw references.

Indexes to the County Wills of South Carolina; compiled by W. P. A.; published by the University of South Carolina, Columbia, South Carolina, 1939.

The will books contain the wills of all the Counties formed before 1853, with the exception of Beaufort County, and of those six counties whose records were destroyed in 1865, namely: Chesterfield, Colleton, Georgetown, Lancaster, Lexington, and Orangeburg. The Beaufort County records were destroyed by fire soon after the War Between the States.

Wills of ninety Six District are included in the will books of Abbeville, Edgefield, Laurens, Newberry, Spartanburg, and Union.

Wills of Pendleton County are included in the will books of Anderson, Greenville, and Pickens counties.

The early wills of Counties formed since 1853 are to be found among the records of the parent County or Counties.

The following South Carolina Counties and dates of extant will records are included in this index to names of testators only:

No Upshaw references found!

<u>County</u>	<u>Vol</u>	<u>years</u>	<u>County</u>	<u>Vol</u>	<u>years</u>
Abbeville	1-3	1787-1855	Marion	1	1796-1855
Anderson	1,2	1791-1857	Marlboro	1	1787-1853
Barnwell	1,2	1787-1856	Newberry	1-4	1776-1858
Chester	1-3	1789-1853	Pickens	1	1828-1862
Darlington	1,2	1785-1853	Richland	1-4	1787-1864
Edgefield	1,2	1785-1853	Spartanburg	1-3	1787-1858
Fairfield	1-3	1787-1857	Sumter	1,2	1774-1853
Greenville	1,2	1787-1853	Union	1,2	1777-1849
Horry	1	1799-1853	Williamsburg	1	1802-1853
Kershaw	1-3	1770-1853	York	1-3	1770-1853
Laurens	1,2	1766-1853			

Indexes to the County Wills of South Carolina; compiled by Martha Lou Houston; the Genealogical Publishing Co., Baltimore, Md., 1964.

No Upshaw references.

South Carolina Department of Archives and History

Lists of Annuities paid;

House Records Annuities Reports, 1791-1804; folder 1, page 10.  
(name of Patience Upshaw on List of Annuities Paid)

person's name: Patience Upshaw

arrears due to Mar. 1791: £ 25

sums paid: £ 10

remain to be paid: £ 15

in whose favor orders were drawn: Jno. Boatner, assignd. to  
T. Jennings.

(Editor's note: I find that orders were drawn to "Jno. Boatner and assignd. to T. Jennings" for Eliza. Watkins on the same page of this record, so there is reason to believe these men were not related to her, but probably acting in an official capacity)

House of Representatives Annuities Report, 1791-1804, folder 2.  
(name of Patience Upshaw on Annuities paid c. 1794-94)

Patience Upshaw        £ 30

Green's index to Early Land Records: no Upshaw references.

Index to Land Surveys or Plats 1731 - 1776: no Upshaw references.

Index to Royal Land Grants 1696 - 1776: no Upshaw references.

Index to Memorials of Land Titles (duplicate series) 1732-1776 (1674-1776):  
no Upshaw references.

Recorded State Plats, Index I, 1784 - 1840: no Upshaw references.

Recorded State Plats, Index II, 1784 - 1840: no Upshaw references.

Recorded State Plats, Index III, 1840 - 1882: no Upshaw references.

Index to State Grants, 1784-1821: no Upshaw references.

Index to Land Grants, 1822-1845: no Upshaw references.

Index to Land Grants, 1845-1872: no Upshaw references.

General Index, miscellaneous records and bills of sale, Vol VII, 1729-1825:  
no Upshaw references.

Index to Executive Journals, 1800-1810: no Upshaw references.

Index to Miscellaneous Records; Book UU, XX, WW: no Upshaw references.

Index to Marriage Settlements, 1846-1870: no Upshaw references.

Index to Mortgages; by South Carolina Historical Commission: no Upshaw references.

Index to Miscellaneous Records, One Letter series, 1776-1846: no Upshaw references.

Card Index to Citizenship Index: no Upshaw references.

Card Index to War of 1812: no Upshaw references.

Card Index to Miscellaneous Records, 5-letter series: no Upshaw references.

Card Index of Loyalists: no Upshaw references.

Card Index to Auditor General's Accounts, 1778-1780: no Upshaw references.

Card Index to Mexican War Service (Palmatto Regiment): no Upshaw references.

Card Index to Militia Pay Rolls, Expedition to Fort Prince George, Oct. 1759-Jan. 1760: no Upshaw references.

Card Index to South Carolina Civil War Soldiers: no Upshaw references.

Card Index to Confederate Pension Applications (counties A-O only): no Upshaw references.

#### Anderson County

Bills in Equity (Box 1, part 1), 1819-1824: no "U" entries in index.

South Carolina Pleas Papers; Pendleton District, 1809-1828: no index, not searched.

Common Pleas Papers; Pendleton District, 1800-1810: no index, not searched.

Common Pleas and Judgements; rolls of Pendleton District (part 3), index S to Z (years not noted): no Upshaw references.

Index to Petitions, 1833-1873: no Upshaw references.

Probate Records, 1791-1834 (indexed by names of testators only): no Upshaw references.

Mesne Conveyances, Vol E, 1798-1800: no index, not searched.

Register of Mesne Conveyances, 1799-1870 (indexed by grantor and grantee):

#### Grantors:

- F. Upshaw to Garret Fitzjarrell; Book H, page 385.
- F. Upshaw to William Faulkner; Book H, page 447.

#### Grantees:

- F. Upshaw from Garret Fitzjarrell; Book H, page 385.
- F. Upshaw from William Faulkner; Book H, page 447.

(Editor's note: The above index is evidently in error - abstractions of the deeds show that Forrester Upshaw was the grantor, not the grantee, of these parcels)

#### Pendleton District

Pendleton District, South Carolina, Deed Abstracts.

Pendleton District, South Carolina, Mesne Conveyance Book H, page 385.  
Instituted: 12 September 1805; recorded: 18 August 1806.  
Grantor: Forester(sic) Upshaw of Pendleton District, South Carolina.  
Grantee: Garret Fitzjarrell of Pendleton District, South Carolina.  
Amount paid: \$300. Acres: 200.

Description: "In said District on Coffee Creek, a branch of Toogalou River, being part of a tract of 417 acres originally granted to William M. Caleb by his excellency Charles Pinkney bounded on all sides by surveyed land. Beginning at a pine and running along the conditional line between John and William Doss to the first branch below the mill, thence down the creek to Smithins(sic) line, thence on east course to Pugh's line, thence to the beginning ... "

Witnesses: Enoch Berry, William Berry.

Signed: Forrester Upshaw (seal)

(Sworn to by Enoch Berry)

Pendleton District, South Carolina, Mesne Conveyance Book H, page 447.

Instituted: 8 September 1806; recorded: 27 October 1806.

Grantor: Forrester Upshear(sic) of Pendleton District, South Carolina.

Grantee: William Faulkner of "the state of Georgia".

Amount paid: \$300. Acres: 180.

Description: "lying on north side of Chauga on a small creek called Richland, being the place whereon the said Forister(sic) Upshear(sic) now lives, beginning on a white oak running N 40 W 65 chains ..." etc., to the beginning.

Witnesses: Rhoda Barton, Anna Barton.

Signed: Forister(sic) Upshear(sic) (seal)

(8 September 1806): "This day came before me John Barton, one of the Justices for said District, Forister Upshear and acknowledged the within deed to be his act and deed ..."

(Editor's note: "Coffee Creek" is not found on the 1820/1825 map of Pendleton District. The Tugaloo River extends down the southwestern side of Oconee County, South Carolina, and borders Stephens County, Georgia.

Oconee County, South Carolina, was made from Pickens County in 1868, which was made from Pendleton District in 1825. The lower portion of Stephens County, Georgia, was made from Franklin County in 1905.

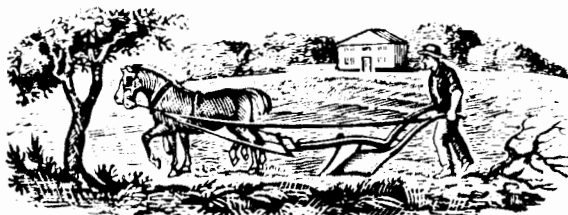
"Richland Creek" is located near the present-day town of Richland, South Carolina, in Oconee County, and is where Forrester Upshaw lived in 1806 and possibly for several years before and after.)

Old Naturalization Papers of Pendleton District, 1805-1825: (microfilm at South Carolina Archives) no index; not searched.

Index to Pendleton District Plat Books, 1803-1869: (microfilm at South Carolina Archives); No Upshaw references.

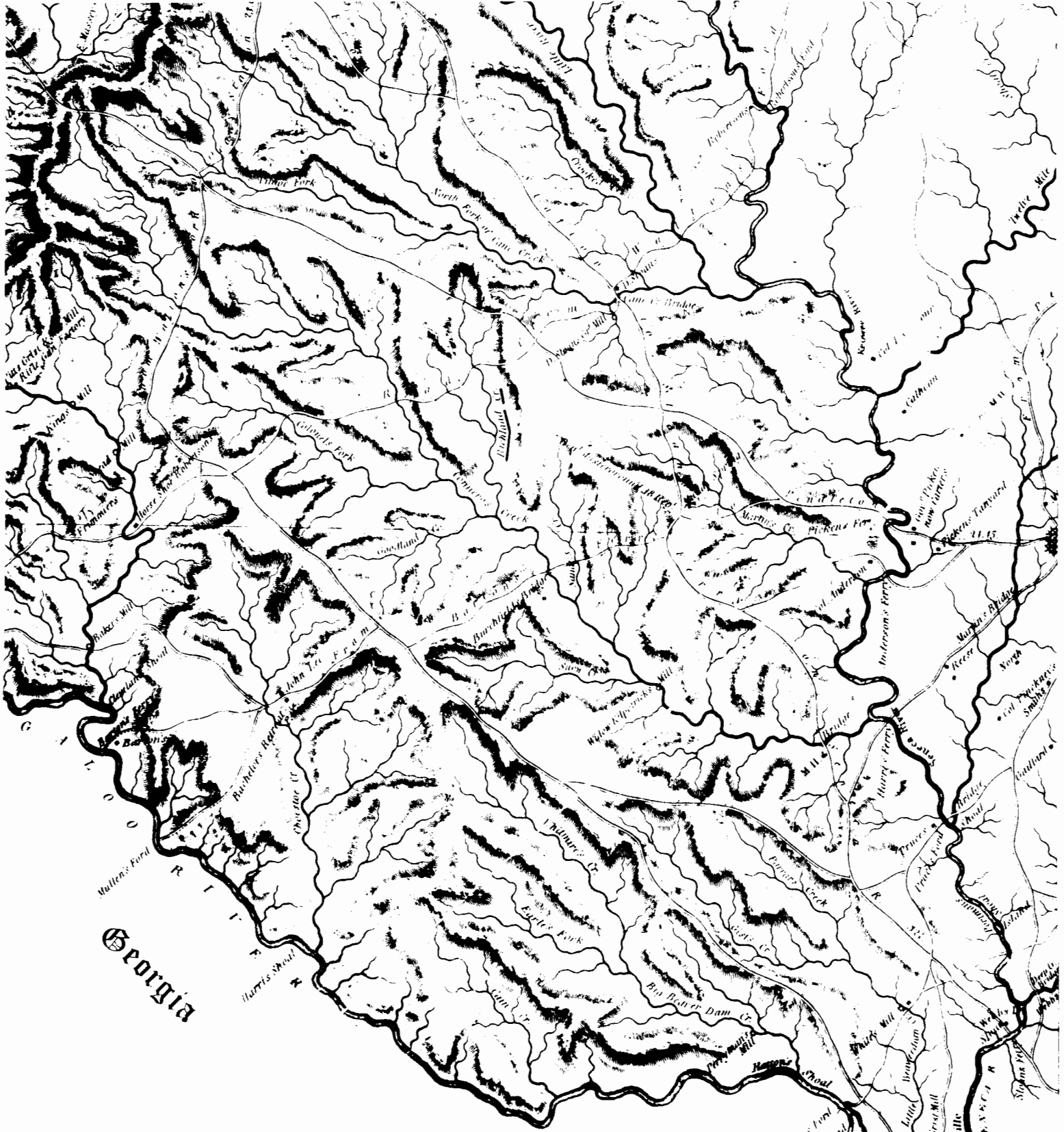
Pendleton Census, 1800; by William Stewart: No Upshaw references.

Pendleton District, South Carolina, Genealogy; by Richard W. Simpson. (History of old Pendleton District with genealogies of leading families of the District, contributed by Mrs. Alice M. Smith): No Upshaw references.



# Upshaw Family Album

Pendleton District, South Carolina; 1820, improved for Mill's Atlas, 1825  
Richland Creek (center) and Tugaloo River (left) areas  
(North: top of page. Scale: 2 miles to an inch)



Allied Family Notes

This regular column presents research material from our files for various families allied with the Upshaw family. Our entire inventory of research data for each allied family is presented as each is published. Genealogical problems on any family line can often be solved through research of an allied family, as they often have common records in many areas. The Editor solicits contributions of material on any family allied with Upshaw.

Burnett

Miscellaneous Burnett family notes; contributed by Mrs. June Bork, Huntington Beach, California, 1976.

Jeremiah Burnett, husband of Mildred Upshaw, died in Lunenburg County, Virginia, in 1812 when his will is recorded. The deed records have been searched up to 1825 and Mildred was alive at that time (see DB 26, pg 459) in Lunenburg County. I have no further record of her, but I am sure she probably died there (see Mildred Burnett will, Lunenburg County Will Book 11, pages 338,339). I have made no connection between the Patrick County, Virginia, and Wayne County, Kentucky, Burnetts with the Lunenburg group. I do know that of Jeremiah Burnett of Lunenburg, his cousins went to Spartanburg County, South Carolina, where the Hurts were. These Hurts did settle in Wayne County, Kentucky. Jeremiah lived in Mecklenburg County, Virginia, before moving to Lunenburg County, so there may be a marriage record there of him to Mildred Upshaw.

Jeremiah Burnett was a son of Joseph Burnett who died in 1771 in Essex County, Virginia, giving him a number of slaves. Joseph Burnett died intestate and his son, Richard, was the administrator. Joseph had land in Essex, Caroline, and Dinwiddie counties and had sold land in Amelia in 1762 to David Eubanks. Joseph's estate was not settled until 1784, some 11 years after he died. His widow, Clara (Gatewood) was still living at this time. His children were: Jeremiah, who married Mildred Upshaw; Joseph (no further record); Thomas; Rachel Burnett, who married Benjamin Gatewood; Clara Burnett, who married John or Henry Gatewood; Leonard, who married Amy Gatewood; and Richard, who married Mary Baughan.

Concerning the Burnett-Hurt family connections, we find that a John Burnett married Mary H. Hurt on 22 November 1821 in Lunenburg County, Virginia; bondsman was Allen Hurt.

American Revolution; widow's pension of Mildred Burnett (search by National Archives): no Mildred Burnett reference.

Kentucky; 1810 and 1820 census indexes (researched by Ms. Anne McDonnell, Librarian, Kentucky Historical Society: no Jeremiah Burnett references.

Virginia

Virginia Wills and Administrations, 1632-1800 (an index); Clayton Torrence, Richmond, Va., 1930.



(Virginia Wills and Administrations, 1632-1800; continued)

<u>Name</u>	<u>County</u>	<u>Year</u>	<u>Instrument</u>
William Burnet	Essex	1717	Inventory
Jos. Burnet	Essex	1772	Inventory
Ann Burnet	Isle of Wight	1729	Inventory
Thos. Burnet	Northumberland	1742	Inventory
Lucretia Burnett	Essex	1709	Will
Jno. Burnett	Essex	1717	Will
Thos. Burnett	Essex	1749	Will
Jno. Burnett	Essex	1773	Will
Leonard Burnett	Essex	1777	Will
Ann Burnett	Isle of Wight	1729	Will
Robt. Burnett	Isle of Wight	1679	Will
Chas. Burnett	King George	1785	Administration
Jas. Burnett	Pittsylvania	1798	Inventory
Benj. Burnett	Pittsylvania	1799	Will
Thos. Burnett	Surry	1702	Inventory
Jno. Burnett	Mecklenburg	1775	Will
Wm. Burnett	Mecklenburg	1781	Will

Index to the 1810 Virginia Census; by M. W. Crickard, Rt. 1, Box 218, Beverly, West Virginia, 1971. (Note: The 1810 census schedules of all Virginia counties, except those destroyed in the War of 1812, are indexed herein; tax lists for those missing county census schedules are printed and indexed in "A Supplement to the 1810 Census of Virginia", by Nettie Schreiner-Yantis, 1971)

<u>County</u>	<u>Name</u>	<u>County</u>	<u>Name</u>
Amherst	Jacob Burnett	Hanover	Joshua Burnett
Brunswick	Dugger(?) Burnett	"	Kitty Burnett
"	Lewis Burnett	"	Mary Burnett
"	John Burnitt	"	Nathan Burnett
Buckingham	James Burnett	"	Richard Burnett
"	Thomas Burnett	"	Sanders Burnett
Campbell	William Burnett	"	William Burnett
Caroline	Reuben Burnett	Jefferson	William Burnit
Dinwiddie	Joshua Burnett	King and Queen	Elizabeth Burnett
"	Thomas Burnett	Lunenburg	Elizabeth Burnett
Essex	Joseph Burnett	"	Jeremiah Burnett
"	Leonard Burnett	"	Leroy Burnett
Goochland	Jesse Burnett	"	Philip Burnett
Hanover	Anderson Burnett	"	Robert Burnett
"	Cornelius Burnett	Madison	William Burnett
"	David Burnett	Montgomery	John Burnett
"	Elizabeth Burnett	Fendleton	Robert Burnett
"	Elizabeth Burnett	Rockbridge	John Burnet
"	Fanny Burnett	Spotsylvania	Elizabeth Bernet
"	John Burnett	"	John <u>B</u> ernet

1810 Virginia Census (Supplement); a supplement to the 1810 census of Virginia - tax lists of the counties for which the census is missing. Transcribed and edited by Netti Schreiner - Yantis, 1971.

Burnett Mill - shown on 1821 map of Patrick County, on south branch of Smith River, in north center of county.

Absolam Burnet - Grayson County;

1 white tithable, 0 slaves over 12 years, 2 horses.

Barnett Burnett and son - Pittsylvania County;

2 white tithables, 0 slaves over 12 years, 4 horses.

Benjamin Burnett - Pittsylvania County;

2 white tithables, 0 slaves over 12 years, 3 horses.

Cornelius Burnett - Patrick County;

1 white tithable, 0 slaves over 12 years, 0 horses.

Crawford Burnett - Patrick County;

1 white tithable, 0 slaves over 12 years, 1 horse.

Edward Burnett - Pittsylvania County;

1 white tithable, 0 slaves over 12 years, 3 horses.

Faney Burnett - Mecklenberg County;

0 white tithables, 7 slaves over 12 years, 4 horses.

Gilbert Burnett - Pittsylvania County;

2 white tithables, 0 slaves over 12 years, 5 horses.

Godfrey Burnett - Pittsylvania County;

1 white tithable, 4 slaves over 12 years, 9 horses.

Capt. Henry Burnett - Pittsylvania County;

1 white tithable, 7 slaves over 12 years, 5 horses.

Jeremiah Burnett - Pittsylvania County;

1 white tithable, 0 slaves over 12 years, 2 horses.

Jeremiah Burnett - Patrick County;

1 white tithable, 0 slaves over 12 years, 1 horse.

Jeremiah Burnett Jr. - Patrick County;

1 white tithable, 0 slaves over 12 years, 2 horses.

Jeremiah Burnette, Sr. - Patrick County;

2 white tithables, 2 slaves over 12 years, 5 horses.

John Burnett and son - Pittsylvania County;

2 white tithables, 0 slaves over 12 years, 2 horses.

John Burnett - Patrick County;

1 white tithable, 7 slaves over 12 years, 9 horses.

John Burnett, Jr. - Patrick County;

1 white tithable, 0 slaves over 12 years, 2 horses.

Matthew Burnett - Mecklenberg County;

1 white tithable, 4 slaves over 12 years, 2 horses.

Obediah Burnett - Patrick County;

2 white tithables, 0 slaves over 12 years, 6 horses.

Pleasant Burnett - Mecklenberg County;

1 white tithable, 4 slaves over 12 years, 1 horse.

Richard Burnett - Mecklenberg County;

2 white tithables, 9 slaves over 12 years, 4 horses.

Thomas Burnett - Pittsylvania County;

1 white tithable, 0 slaves over 12 years, 2 horses.

Thomas Burnett - Pittsylvania County (Sugar Tree);

1 white tithable, 0 slaves over 12 years, 1 horse.

William Burnett - Pittsylvania County;

1 white tithable, 0 slaves over 12 years, 0 horses.

William Burnett - Patrick County;

2 white tithables, 0 slaves over 12 years, 5 horses.

(Lunenburg County, Virginia); Sunlight on the Southside; List of Tithes, 1748-1783; by George S. Ferguson Co., Philadelphia, Pa., 1931 (fully indexed). Includes lists for 1748, 1749, 1750, 1751, 1752, 1764, 1769, 1772, 1773, 1774, 1775, 1776, and 1783.

- page 70: A list of Tythables for the year 1748; (Lewis) Deloney's list:  
Thomas Burnet - 1 tithe.
- page 142: List for 1750; taken by William Howard:  
Thomas Burnet - 1 tithe.
- page 191: List for 1752; taken by Field Jefferson:  
Richard Burnet (taxed to Edward Davis is "Dinwidly County") - 3 tithes.
- page 195: List for 1752; taken by Field Jefferson:  
Thos. Burnet - 1 tithe.
- page 271: 1769; A list of tithes taken in Cumberland Parish, Lunenburg County, June 10, 1769, by Everard Dowsing, Gent.:  
John Burnett, Sr. - 3 tithes - 245 land  
John Burnett, Jr. - 1 tithe  
Nathaniel Burnett - 1 tithe  
James Burnett - 1 tithe
- page 301: List of tithes taken by Capt. Jonathan Patteson, 1772, for Lunenburg County:  
John Burnett  
James Burnett  
Nathl. Burnett - 5 tithes  
John Burnett, Jr. - 1 tithe
- page 317: List of tythes for the year 1773; John Ragsdale, Gent.:  
John Burnett  
James Burnett - 4 tithes  
John Burnett, Jr. - 1 tithe
- page 328: A list of tythes for the year 1774:  
John Burnett, Jr. - 1 tithe
- page 350: A list of tithes taken in Lunenburg County for the year 1775:  
Jeremiah Burnett's tithes  
James Jones - 2 tithes
- page 401: A list of taxable Property and Souls taken by Charles Hamlin, Gent., for Lunenburg County, for the year 1783:  
Jeremiah Burnett - 9 tithes  
1 age 21 years, 10 white "soles", 14 black.

Lunenburg County, Virginia; General Index to Wills, estates, etc., 1746-1860:

- 1813 - Jeremiah Burnett.  
Will: Will Book 7, page 73  
Inventory: Will Book 7, page 98  
Accounts: Will Book 7, page 100; Will Book 8, page 533.
- 1814 - Fielding Burnett.  
Will: Will Book 7, page 116  
Inventory: Will Book 7, page 345  
Accounts: Will Book 8, page 56
- 1816 - Spencer Burnett.  
Will: Will Book 7, page 222  
Inventory: Will Book 7, page 277  
Orders: Will Book 7, page 276

- 1818 - Joel Burnett.  
 Will: Will Book 8, page 1  
 Inventory: Will Book 8, page 38  
 Accounts: Will Book 8, page 58, 186
- 1838 - Mildred Burnett.  
 Will: Will Book 11, page 338  
 Inventory: Will Book 11, page 365  
 Accounts: Will Book 11, pages 393a, 416, 417, 417  
 (Editor's note: There are no Upshaw references in the will,  
 Inventory, or accounts of Mildred Burnett's estate)
- 1838 - Nicholas B. Burnett.  
 Will: Will Book 11, page 300  
 Orders: Will Book 11, page 369
- 1844 - Philip Burnett.  
 Inventory: Will Book 12, page 163  
 Accounts: Will Book 12, page 209, 302
- 1855 - Mary A. Burnett.  
 Inventory: F. 1, 593.  
 Accounts: F. 2, 214; F. 1, 594.

Lunenburg County, Virginia; Index to Devises and Heirs, 1746-1900:

- 1813 - Fielding, Forrester, Matilda, Mildred, Phillip, Spencer Burnett;  
 heirs of Jeremiah Burnett, Book 7, page 73.
- 1813 - Judah, Leroy, Robert Burnett; heirs of Jeremiah Burnett, Book 7,  
 page 73.
- 1813 - Joel, Jeremiah Burnett; heirs of Jeremiah Burnett, Book 7, page 73.
- 1814 - Forrester, Judith, Matilda, Spencer Burnett; heirs of Fielding  
 Burnett, Book 7, page 116.
- 1814 - Mrs. Jeremiah Burnett; heir of Fielding Burnett, Book 7, page 116.
- 1815 - Kiturah Burnett; heir of Richard Stone, Book 7, page 208.
- 1816 - Joel, Mildred, Robert Burnett; heirs of Spencer Burnett, Book 7,  
 page 222.
- 1818 - Mildred, Jeremiah Burnett; heirs of Joel Burnett, Book 8, page 1.
- 1818 - Matilda Burnett; heir of Joel Burnett, Book 8, page 1.
- 1818 - Mildred, Jeremiah Burnett; heirs of Joel Burnett, Book 7, page 358.
- 1818 - Matilda Burnett; heir of Joel Burnett, Book 7, page 358.
- 1821 - Martha W., Philip Burnett; heirs of George Andrews, Book 8, page 181.
- 1827 - Mary Burnett; heir of Absolam Hurt, Book 9, page 150.
- 1828 - Dianna Burnett; heir of Zachariah Davis, Book 9, page 337.
- 1829 - Chloe, Nancy, Polly N. Burnett; heirs of Lucretia Maddux, Book 9,  
 page 462.
- 1836 - Mary H. Burnett; heir of Sarah Hurt, Book 11, page 162.
- 1838 - Jeremiah, Martha, Children Burnett; heirs of Mildred Burnett,  
 Book 11, page 338.
- 1838 - Joel, Melissa Burnett; heirs of Mildred Burnett, Book 11, page 338.
- 1838 - Mrs. Nicholas Burnett; heir of Nicholas B. Burnett, Book 11, page 300.

Lunenburg County, Virginia; miscellaneous abstracts (by Ted O. Brooke):

Jeremiah Burnett will; Will Book 7, pages 73-75: (copy by Mrs. June B. Bork)

In the name of God Amen. I Jeremiah Burnett of the County of  
 Lunenburg do make and ordain this my last Will & Testament in manner

(Jeremiah Burnett will, continued)

and form following (to wit) I give & devise the Tract of land whereon I now reside together with my Mill & Still to my beloved wife Mildred Burnett for and during her life. I also give & bequeath to my said wife the following negroes (to wit) old Robert, Daniel Big Harry Chloe America Ellick Moses Ruzie Rolley & Lew the miller together with their increase and one half of my stock of cattle sheep hogs &c & all my household & kitchen furniture to dispose of as she Thinks proper. I lend to my daughter Catharine Murrell for and during her natural life the house she now lives in together with twenty five acres of Land to be laid off as convenient to the said house as possible & at the death of my said daughter my Will and desire is that the said twenty five acres of land return and be annexed to the Track of land to which it now belongs. I also lend to my said daughter Catharine two negroes named Isaac and Lucy for and during her life & at her death I give and bequeath the said Isaac & Lucy with their increase to her two daughters Melissa Murrell & Narcissa Murrell but should either of the said daughters die without a child or children lawfully begotten living at the time of her death then & in that case it is my Will & desire that her proportion of the two negroes last aforesaid together with their increase be equally divided between Fielding Burnett & Matilda Burnett. I give & bequeath to my son Leroy Burnett the land on which he now resides lying on the north side of Trap Branch to him and his heirs forever together with the following negroes: Hannah Jenney Amy & Rhoda & also one cow & calf all of which property has been delivered into his possession. I give & desire to my son Phillip Burnett the tract of land on which he now resides called & known by the name of Merediths tract. I also give & bequeath to my said son Philip the following negroes to wit Kary Piddy Simon Simson & Arthur together with all the stock upon the tract of land last aforesaid all of which property he has had in possession. I give & bequeath to my Exors herein after named the following negroes Sarah Absalom & Jordan in Trust to convey the same to my son Joel Burnett who is now absent in the event of his returning & excepting of the same at any time within ten years after my death but if my said son Joel should not return within ten years after my death the said Slaves are to be equally divided among Spencer Burnett, Fielding Burnett & Matilda Burnett & my said Exors. are for the said two years after my death if the said Joel should be absent during that time or for such part of said two years as the said Joel may be absent to permit the said Spencer, Fielding & Matilda to receive the services of the said Three Slaves. I give & devise to my son Jeremiah Burnett half of my land lying in Washington County on the north Prong of Holstern River. I also give & bequeath to my said son Jeremiah the negroes Peter Nathan & Gabriel & one cow and calf which have been delivered into his possession. I give & devise to my son Spencer Burnett the other half of my land lying in Washington County on Wolf Run & the north fork of Holstern River. I also give & bequeath to my said son Spencer the following negroes, to wit Daniel Reubin Solomon & Edmund & one cow & calf & one feather bed & furniture also a horse saddle & bridle worth twenty five pounds out of my estate. I give & devise to my son Robert Burnett all the land lying on the east side of the Cedar Road.

(Jeremiah Burnett will, continued)

I also give & bequeath to my said son Robert the negroes Pamela Essex & Will & the Stock on his plantation all of which property he has had in possession. I give & devise Forrester Burnett the tract of land lying on the north side of Crooked run. I also give and bequeath to my said son Forrester the negroes Sam Nile Griffin & Vina together with one cow & one bed & furniture which property has been delivered into his possession. It is my Will & desire that after the death of my Wife my son Fielding Burnett have the Tract of land and Still herein before given to her to him and heirs forever & that the Mill be held equally & jointly by said sons Fielding and Forester forever & that my said son Fielding also have out of the Stock & furniture herein before given to my wife a Desk, Mahogany table, six blue chairs one cow & calf one sow & pigs six ewes & one bed & furniture. I also give & bequeath to my said son Fielding the following negroes to wit David Oliver Rose & Freeman. I give & bequeath to my daughter Judah Burnett the following negroes (to wit) Alsey Mary Jacob Humphrey & Matt two beds & furniture one cow & Calf & one horse bridle & Saddle but if my said daughter Judith should die without having at the time of her death any child or children lawfully begotten then & in that case I give the said property to my two daughters Joanna Davis & Matilda Burnett to be equally Divided between them. I give & bequeath to my daughter Joanna Davis the following negroes (to wit) Abram Franky, Pat, Anthony and Fanny with their increase also one mare bridle & saddle one cow & calf one sow & pigs & one bed & furniture which property has been Delivered. I give to my daughter Matilda Burnett the following negroes to wit little Harry Lewis Silvia Ivory Rachel and two beds & furniture one horse bridle & Saddle one cow & calf but if the said Matilda should die without having at the time of her death a child or children lawfully begotton then and in that Case the said property to be divided equally between my Daughter Joanna Davis & Judith Burnett. I will & desire that at my death the half of my stock not herein abefore bequeathed to my wife be equally divided among Forrester Burnett, Spencer Burnett, Fielding Burnett, Judith Burnett & Matilda Burnett. Lastly I nominate & appoint my son in law William Davis & my Friend John Brichett Exors. of this my last will and Testament. Signed, Sealed & Published this 18th day of December 1812.

Witnesses  
Allen Love, Lemuel Jones, John Prichett

Jeremiah Burnett (Seal)

In Lunenburg County Court 11th November 1813. The within written last will and Testament of Jeremiah Burnett decd. was presented in Court and proved by the oaths of two of the witnesses thereto subscribed and ordered to be Recorded and on the motion of John Prichett one of the Exors therein named who having made oath according to law certificate is granted him for obtaining probate of the said Will in due form whereupon he gave bond with approved security for that purpose conditioned as the law directs. William Davis the other Exor. therein named personally appeared in Court and refused to take upon himself the burden of the execution thereof.

Teste: William Taylor, CLC

Jeremiah Burnett inventory; Will Book 7, page 98: recorded 12 May 1814.

Jeremiah Burnett sale; Will Book 7, page 100: recorded 12 May 1814:

Purchasers: Mildred Burnett, Phillip Burnett, Jeremiah Burnett, Catherine Hardy, John Prichett, James Dixon, James Gunn, Benjamin Jackson, William Buckner, Robert Burnett, Joseph Winn, Doct. Asa Barnes, Elisha Moore, Vincent Ingress(?), Judith Burnett, John Laffoon, Robert Chappell, John Peace, Forester Burnett.

Jeremiah Burnett return; Will Book 8, page 533: recorded 12 Dec 1825:

(Mentions lawsuits in Lunenburg County and in City of Richmond;  
no Upshaw references)

Mildred Burnett will; Will Book 11, pages 338-339:

In the name of God Amen. I mildred Burnett of the County of Lunenburg and State of Virginia do make and publish this my last will and testament in manner and form following to wit; Item 1st My will and desire is that at my death for the whole negro property to be equally divided between all my surviving children except one negro child by the name of Claborn, said child I give and bequeath unto my grand daughter Martha Burnett a daughter of Phillip Burnett, to them and their heirs forever.

Item. I give unto my grand daughter Lucintha Young one choice cow and calf to her and her heirs forever.

Item 3rd. I give unto my son Jeremiah Burnett my desk to him and his heirs forever.

Item. I give unto my son Joel Burnett one feather bed to him and his heirs forever.

Item. And my will and desire is that the whole of stock of every description, crop, plantation untensels(?), household and kitchen furniture, except the above named articles that I have already disposed of to be sold and after paying all of just debts, I give unto my two grand daughters Melissa and Narcessy Murrel fifty pounds in money to be equally divided between them to them and their heirs forever.

Item 6th. And the remainder part of the money, if there be any, to be equally divided between all of my surviving children to them and heirs forever.

Item 7th. And lastly I do nominate and appoint Sterling Nebbett, Thomas Adams, Washington Maddux, and Samuel Maddux executors to this my last will and Testament. Given under my hand and seal this 13 day of January 1835.

Witnesses:

Samuel Maddux  
Samuel A. Moore  
Joseph Peace

her  
Mildred + Burnett (seal)  
mark

NB. I also give and bequeath unto Lucintha Young one negro child by the name of Rachel; said child was born after the making of the above will. given under my hand and seal this 10 day of November 1838.

(Mildred Burnett will, continued)

Witness

Witness to the within

Samuel Maddux  
Samuel A. Moore  
Joseph Peace

her

Mildred + Burnett  
mark

In Lunenburg County Court 10 December 1838.

The foregoing last will and testament of Mildred Burnett deceased produced in court and was proved by the oaths of (each?) of the witnesses thereto and ordered to be recorded.

And on the motion of Washington Maddux, one of the exor's thereon named, who having made oath and entered into bond and security and bound as the law requires, a certificate is granted him for obtaining probate thereof in due form reserving liberty to the other executors named in said will to join in probate when they may think fit.

Teste

Wm. H. Taylor

Mildred Burnett return; Will Book 11, page 417: recorded 8 June 1840:

6 legatees named, by division of \$1111 cash on hand - \$185 per share: William Parrish, in right of wife Judith, Forrester Burnett, Philip Burnett, Leroy Burnett, Jeremiah Burnett, Robert Burnett.

Lunenburg County, Virginia; Index to Deeds, 1746-1835 (Jeremiah and Mildred Burnett references only; there are many entries to deeds, circa 1814-1825, of Leroy and Forrester Burnett):

<u>Instrument</u>	<u>Grantor</u>	<u>Grantee</u>	<u>Vol.</u>	<u>Page</u>	<u>Date</u>
Power Atty Deed	Jeremiah Burnett Sr.	Leroy Upshaw	20	211	1806
Coroner's Inq.	Jeremiah Burnett	Commonwealth of Va.	26	247	1824
Power Atty Deed	Mildred Burnett	Thomas M. Burnett	26	459	1825
Coroner's Inq.	Jeremiah Burnett	Commonwealth of Va.	27	88	1826
Coroner's Inq.	Clements, Jeremiah, Osborn Burnett	Commonwealth of Va.	28	146	1828
Covenant	Jeremiah, Diana Burnett	Jeremiah, Diana Burnett	29	38	1830
Covenant	Jeremiah, Diana Burnett	Jeremiah Baxter, Martha Davis	29	38	1830
Deed	Wm., Elizabeth Meredith	Jeremiah Burnett	12	311	1773
Deed	John Graham	Jeremiah Burnett	13	9	1777
Deed	John Hightower	Jeremiah Burnett	13	34	1777
Deed	Stephen May	Jeremiah Burnett	13	363	1780
Deed	David Moore	Jeremiah Burnett	13	509	1783
Deed	Joel Pewit	Jeremiah Burnett	15	228	1788
Tr. Deed	Joel Pewit	Jeremiah Burnett	15	299	1788
Dower release	Joel, Anne Pewit	Jeremiah Burnett	15	327	1789



Deed of Gift	Joseph Burnett	Jeremiah, Thomas Burnett	21	15	1806
Tr. Deed	Thomas Anderson	Jeremiah, Tr. Burnett	22	207	1812
Power Atty	Larkin Anderson	Jeremiah Burnett	23	364	1815
Deed	Larkin Anderson	Jeremiah Burnett	23	363	1815
Covenant	Jeremiah, Dianna Burnett		29	38	1830
		Jeremiah, Dianna Burnett			
Deed	Zachariah, Dianna Davis		24	466	1818
		Jeremiah Burnett			
Covenant	Sterling, Paschal, Baxter, Martha Davis	Jeremiah, Dianna Burnett	29	38	1830

Mecklenburg County, Virginia; Index to Deeds, 1765-1840 (Jeremiah and Mildred Burnett references only):

<u>Instrument</u>	<u>Grantor</u>	<u>Grantee</u>	<u>Vol.</u>	<u>Page</u>	<u>Date</u>
Apptmt Gdn	Benjamin Bugg, et al	Jeremiah Burnett	21	373	1825
P of A Gdn	Jeremiah Burnett	Benjamin Bugg	21	372	1825

Mecklenburg County, Virginia, Marriage Records, 1765-1810; collected and compiled by Katherine B. Elliott, 1963 (Mrs. Elliott notes that "This volume is not a reprint of 'Mecklenburg County Marriage Bonds, 1765-1810', which was published in 1928 by Stratton Nottingham")

Edmund Burnett to Rebecca Crowder, M.B. 31 Oct 1797, M. 20 Nov 1797.  
 Minister: Charles Ogburn. Surety: Isaac Arnold.  
 Consent: John Crowder, father of Rebecca.

Henry Burnett to Milly Crowder, M.B. 21 Oct 1789.  
 Surety: John Crowder.

Matthew Burnett to Polly Thompson, M.B. 1 Nov 1800.  
 Minister: William Creath. Surety: John Thompson.

Phillip Burnett to Martha W. Andrews, M.B. 10 Jul 1799,  
 Surety: Isaac Arnold. Consent: George Andrews, father of Martha.  
 Minister: Charles Ogburn.

Robert Burnett to Nancy Whoberry (name later written by descendants as Hoobry), M.B. 23 Oct 1798.  
 Surety: William Whoberry. Consent: Jacob Whoberry, father of Nancy.

Thomas Burnett to Elizabeth Jeffries, M.B. 4 Aug 1785.  
 Surety: George H. Baskerville. Consent: Swepson Jeffries, father of Elizabeth.

William Burnett to Martha Jeffries, M.B. 1 Oct 1794, M. 2 Oct 1794.  
 Minister: Charles Ogburn. Surety: Swepson Jeffries, Jr.  
 Consent: Swepson Jeffries, Senr., father of Martha.

William Burnett to Nancy Williams, M.B. 13 Feb 1799.  
 Surety: Hutchins Burton. Minister: John Adkinson.

Sally Burnett to John Bland, M.B. 22 Apr 1794, M. 26 Apr 1794.  
 Minister: Charles Ogburn. Surety: Anselm Bugg.  
 Consent: Elizabeth Burnett, mother of Sally.

Sally Burnett to Richard Hill, M.B. 17 Jul 1806, M. 11 Aug 1806.  
 Minister: Thomas Hardie. Surety: Jesse Burnett.

Polly Jeffries Burnett to Joseph Lett, Jr., M.B. 28 Jan 1804.  
 Surety: Matthew H. Davis. Consent: Thomas Burnett, father of Polly.

Elizabeth Burnett to Joseph Smith, M.B. 11 Sep 1792, M. 20 Sep 1792.  
 Minister: Rice Haggard. Surety: Silvanus Ingram.

Nancy Burnett to John Thompson, M.B. 13 Apr 1801.  
Surety: Richard Burnett. Minister: William Creath.

Mecklenburg County, Virginia, Marriage Records, 1811-1853; collected and compiled by Prestwoud Chapter, DAR, South Hill, Virginia, 1962.

Thomas Burnett, Jr., to Lillia Crowder, M.B. 15 Apr 1811, M. 16 Apr 1811.  
Minister: William Richards. Surety: Joseph Lett.  
Willis Burnett to Mildred Smith, M.B. 15 Apr 1821.  
Surety: John Smith. Minister: Charles Ogburn.  
Elizabeth Burnett to George T. Barnes, M.B. 1 Mar 1821.  
Surety: Lewis Winn.  
Mary Burnett to James P. Brown, M.B. 21 Nov 1814, M. 24 Nov 1814.  
Minister: Milton Robertson. Surety: Richard Burnett.  
Mary Ann Burnett to Robert Brummell, M.B. 4 Nov 1811.  
Surety: Jonathan Bennett.  
Mariah V. Burnett to Alex S. Hagerman, M.B. 17 Dec 1838.  
Surety: George J. Dabbs.  
Isabella Burnett to Dabney P. Hill, M.B. 18 Jan 1828, M. 24 Jan 1828.  
Minister: James Smith. Surety: Mark A. Burnett.  
Jane Burnett to George W. Oliver, Jr., M.B. 6 Apr 1812, M. 16 Apr 1812.  
Minister: James Meacham. Surety: Richard Burnett.  
Martha Burnett to Robert Reynolds, M.B. 20 Dec 1830, M. 23 Dec 1830.  
Minister: James Smith. Surety: John Winckler.  
(Addendum to Marriage Records, 1765-1810.)  
Phillip Burnett to Martha W. Andrews, M.B. 10 Jul 1799.  
Surety: Isaac Arnold. Consent: George Andrews, father of Martha.

Mecklenburg County, Virginia; General Index to Wills and List of Heirs, Decedents, 1765-1825:

<u>Instrument</u>	<u>Date of Probate</u>	<u>Decedents</u>	<u>Book</u>	<u>Page</u>
Will	1775	John Burnett	1	203
Will	1781	William Burnett	1	361
Appr.	1781	William Burnett est.	1	371
Will	1808	Nathaniel Burnett	6	78
Inv.	1808	Nathaniel Burnett est.	6	85
Appr.	1808	Spencer Burnett est.	6	107
Will	1824	Richard Burnett	9	477
Acct. Sales	1825	Thomas Burnett, Jr. est.	10	295
Acct.	1825	Thomas Burnett, Jr. est.	10	303
Appr.	1825	John Burnett est.	10	396

<u>Devises, Heirs, etc.</u>	<u>Book</u>	<u>Page</u>
Catherine Burnett, et al	1	203
Catherine, Benjamin, Nathaniel, Jas., John, Sally Burnett, et al	1	203
Elizabeth Burnett, et al	1	326
Elizabeth, Betsey, Sally Burnett, et al	1	361
Henry, Edmund, John, Thomas, Reuben Burnett, et al	1	361
Brukin, Bobby, Joseph, William, Phebe Burnett, et al	1	361
Elizabeth Burnett, et al	3	15
Elizabeth, Martha Burnett, et al	5	126

Fanny Burnett	6	78
John, Matthew, Richard, Pleasant Burnett, et al	6	78
Jesse, Jinsy, William, Polley Burnett, et al	6	78
Milley, Rebeccah Burnett, et al	6	286
Jesse, Pleasant Burnett	9	477
(Editor's note: no reference to Jeremiah or Mildred Burnett found up to 1900 in this index)		

Marriages of Patrick County, Virginia, 1791-1850; compiled by Lela C. Adams.

No references to Jeremiah Burnett found in index.

page 66: 28 July 1797; Joseph Hurt and Milley Burnett. M.R. 22 Sep 1797.  
Surety: Moses Hurt. Minister: Jesse Jones.

Bits 'N' Pieces

Upshaw "genealogical" report; by National Studios, North Carolina Genealogical Bureau, Charlotte, North Carolina, (no date, but appears to be circa 1940s; contributed by Mr. Haskell Upshaw)

UPSHAW. (Upshore, der. fr. de la Upshur, companion in arms of the Conqueror. Of this line was Baron Henri de la Upshur, famous advocate.)

Arms: Ar. three eagles displ. gu. ducally crowned or.

Crest: In a ducal coronet or, an eagle displ. aaz.

Motto: 'Tout-pour-Dieu-et-ma-patrie'. (Wholly for God and my country.)

Authority: J. B. Reitstap's 'Memorial General'.

Lineage:

This family was established for a long series of generations at Montauban, in Languedoc, France. By documents that escaped the persecution to which the Protestants were exposed towards the sixteenth century, we are able to go as far back as Baron Henri de La Upshur, Baron of La Boissonade and St. Cran Barre, who, to exonerate himself from the national burdens (from which only the noblesse were exempt) produced a certificate, bearing date 18 June 1547, to prove his descent, and to secure himself and his family from those requisitions to which every subject of inferior rank was exposed. This Henry de La Upshur married Louise, daughter of De Fumel. Their eldest son,

Jean de la Upshur, married Rachel, daughter of de Provost. Their eldest son,

Samuel de La Upshur, married Isabeau, daughter of de Valets, and had issue.



# Family Group Record

# 1B92 (1 of 2)

<b>HUSBAND</b> Jeremiah BURNETT, Sr.						
VITAL DATA	DAY	MONTH	YEAR	CITY, TOWN or PLACE	COUNTY or PROVINCE	STATE or COUNTRY
Birth		circa	1750			(Virginia?)
Marriage						
Death			1813		Lunenburg	Virginia
Burial						
Biographical Data						
Other wives, if any:						
Husband's Father			Joseph BURNETT		Husband's Mother	
					Clara GATEWOOD	
<b>WIFE</b> Mildred ("Milly") UPSHAW						
VITAL DATA	DAY	MONTH	YEAR	CITY, TOWN or PLACE	COUNTY or PROVINCE	STATE or COUNTRY
Birth		circa	1753		Essex	Virginia
Death		Nov/Dec	1838		Lunenburg	Virginia
Burial						
Biographical Data:						
Other Husbands, if any:						
Wife's Father			Forrest UPSHAW		Wife's Mother	
					Ann ( ) HUNT (widow)	
SEX	CHILDREN'S NAMES IN FULL			DATA	DATE	LOCATION
F	1. Catharine BURNETT			Birth		
	Full name of Spouse			Marriage		
	_____ MURRELL			Death	after 1812	
				Burial		
M	2. Leroy BURNETT			Birth		
	Full name of Spouse			Marriage		
				Death	after 1840	
				Burial		
M	3. Phillip BURNETT			Birth		
	Full name of Spouse			Marriage		
				Death	after 1840	
				Burial		
M	4. Joel BURNETT			Birth		
	Full name of Spouse			Marriage		
				Death	after 1835	
				Burial		
M	5. Jeremiah BURNETT, Jr.			Birth		
	Full name of Spouse			Marriage		
				Death	after 1840	
				Burial		
M	6. Spencer BURNETT			Birth		
	Full name of Spouse			Marriage		
				Death	1816	Lunenburg county, Virginia
				Burial		
Authorities: Will of Jeremiah Burnett, Sr., Lunenburg county, Va., Will Book 7, pg 73-75, dated 18 Dec 1812, proved 11 Nov 1813; Will of Mildred Burnett, Lunenburg Co., Va., Will Book 11, pg 338-339, dated 13 Jan 1835, proved 10 Dec 1838; information from Mrs. June B. Bork, Huntington Beach, Cal., 1976						

Copyright 1976, by Ted O. Brooke  
 79 Wagonwheel Ct., N.E., Marietta, Ga. 30067

# Family Group Record

<b>HUSBAND</b> Jeremiah BURNETT, Sr.						
VITAL DATA	DAY	MONTH	YEAR	CITY, TOWN or PLACE	COUNTY or PROVINCE	STATE or COUNTRY
Birth		circa	1750			
Marriage						
Death			1813			
Burial						
Biographical Data						
Other wives, if any:						
Husband's Father			Joseph BURNETT	Husband's Mother		
				Clara GATEWOOD		
<b>WIFE</b> Mildred ("Milly") UPSHAW						
VITAL DATA	DAY	MONTH	YEAR	CITY, TOWN or PLACE	COUNTY or PROVINCE	STATE or COUNTRY
Birth		circa	1753			
Death		Nov/Dec	1838			
Burial						
Biographical Data:						
Other Husbands, if any:						
Wife's Father			Forrest UPSHAW	Wife's Mother		
				Ann ( ) HUNT (widow)		
SEX	CHILDREN'S NAMES IN FULL			DATA	DATE	LOCATION
M	x 7. Robert BURNETT			Birth		
	Full name of Spouse			Marriage		
				Death	after 1840	
				Burial		
M	x 8. Forrester BURNETT			Birth		
	Full name of Spouse			Marriage		
				Death	after 1812	
				Burial		
M	x 9. Fielding BURNETT			Birth		
	Full name of Spouse			Marriage		
				Death	1814	Lunenburg county, virginia
				Burial		
F	x 10. Judith BURNETT			Birth		
	Full name of Spouse			Marriage		
	William PARRISH			Death	after 1840	
				Burial		
F	x 11. Matilda BURNETT			Birth		
	Full name of Spouse			Marriage		
				Death	after 1812	
				Burial		
F	x 12. Joanna BURNETT			Birth		
	Full name of Spouse			Marriage		
	William DAVIS			Death	after 1812	
				Burial		
Authorities: (see sheet 1)						

Copyright 1976, by Ted O. Brooke  
79 Wagonwheel Ct., N.E., Marietta, Ga. 30067