

Nancy Upchurch**XID – 8312**

Commentary: Nancy is the daughter of Sherwood Upchurch, head of Upchurch Clan #10. She was born circa 1800 in Rutherford County, NC.

Acknowledgements: This Biofile was transcribed by UAFA volunteer, Hope Blackford.

(1) Cross-reference of family name – 19 May 2016 RPU.

- I. Sherwood Upchurch, Head of Clan
 - A. **Nancy Upchurch** married 1813 Rutherford Co., NC
Michael Painter

Exchanges with Polly Olson in May 2016 reveals that the heritage of Michael Painter involved other spellings, such as Panther, Bender, Binder in addition to Painter

There are some details on these alternate names in the Biofile of Michael Painter; but for my purposes, I do not need to pursue or go into detail on these historic “other” spellings since I carry descendants of **Nancy** and Michael under the name Painter. I leave it to Polly and family to follow these interests.

(1) Records for the Sherwood Upchurch Family - RPU - 20 Mar 2013

NANCY U (1-2) XIA- 8312

RECORDS FOR THE SHERWOOD U FAMILY - RPU - 20 MAR 2013

1790 CENSUS - LISTED AS SHERWOOD UPKIRCH - NC MORGAN DISTRICT - RUTHERFORD CO, NC [VS LINCOLN COUNTY?]

| SEX | AGE |
|-----|------------------------------|
| M | 16+ [SHERWOOD U] |
| F | 16+ [ELIZABETH TOMBERLINSON] |

1800 CENSUS - SHERWOOD U NOT FOUND BUT HE WAS IN RUTHERFORD CO, NC - RPU

- I. SHERWOOD U - HEAD OF CLAN
 - b 1771 (DUNSWICK CO, VA)
 - d 1850+ (CAMPBELL CO, GA)
 - MD (1ST) 21 OCT 1790 (RUTHERFORD CO, NC) ELIZABETH TOMBERLINSON
 - b ABOUT 1771 (?) d 180+ (RUTHERFORD CO, NC)
 - MD (2ND) 2 JAN 1804 (RUTHERFORD CO, NC)
 - Δ MARY (SMITH) PELL "POLLY"
 - b ABOUT 1776 (NC) d AFTER 1850 (GA)
 - Δ A. ELIAS U b 1791
 - Δ B. LUCY U b 1793
 - Δ C. MILDRED U b 1795
 - Δ D. ELIZABETH U b 1796
 - Δ E. ADAM U b 1799
 - Δ F. NANCY U b 1799

- POSSIBLE GC OF SHERWOOD U:
- Δ 1. JOHN U b 1824 MD 1849 - A. BARDELL
 - Δ 2. SUSAN U b 1827 MD 1861 - M. MOODE
 - Δ WITNESS: DANIEL U
 - Δ 3. JAMES U b 1828 - IN CAMPBELL CO, GA IN 1850

1810 CENSUS RUTHERFORD CO, NC

| NO | AGE | BORN | NAME | AGE |
|----|---------|-----------|-------------------|------|
| 1 | M 26-44 | 1766-1784 | SHERWOOD U | 1771 |
| 2 | F 26-44 | 1766-1784 | MARY (SMITH) PELL | |
| 3 | M 16-25 | 1785-1794 | ELIAS U | 1791 |
| 4 | F 16-25 | 1785-1794 | LUCY U | 1792 |
| 5 | M 10-15 | 1795-1800 | ADAM U | 1799 |
| 6 | F 10-15 | 1795-1800 | MILDRED U | 1795 |
| 7 | F 10-15 | 1795-1800 | ELIZABETH U | 1796 |
| 8 | F 0-10 | 1800-1810 | NANCY U | 1800 |
| 9 | F 26-44 | 1766-1784 | | |
| 10 | F 26-44 | 1766-1784 | | |
| 11 | F 26-44 | 1766-1784 | | |

* PROBABLY SISTERS OF SHERWOOD OR MARY

1820 CENSUS RUTHERFORD CO, NC

| | | | | |
|---|---------|-----------|-------------------|------|
| 1 | M 45+ | <1775 | SHERWOOD U | 1771 |
| 2 | F 26-44 | 1776-1794 | MARY (SMITH) PELL | |
| 3 | M 16-25 | 1795-1804 | ADAM U | 1799 |
| 4 | F 16-25 | 1795-1804 | MILDRED U | 1795 |
| 5 | F 16-25 | 1795-1804 | ELIZABETH U | 1796 |

1830 CENSUS - RUTHERFORD CO, NC

| | | | | |
|---|---------|-------------|-------------------|------|
| 1 | M 50-59 | 1771-1780 | SHERWOOD U | 1771 |
| 2 | F 50-59 | 1771-1780 | MARY (SMITH) PELL | |
| 3 | M 15-19 | 1811-1815** | | |
| 4 | F 5-9 | 1821-1825** | | |
| 5 | F 0-10 | 1820-1830** | | |

1840 CENSUS - RUTHERFORD CO, NC

| | | | | |
|---|---------|-----------|-------------------|------|
| 1 | M 70-79 | 1761-1770 | SHERWOOD U | 1771 |
| 2 | F 60-69 | 1771-1780 | MARY (SMITH) PELL | |
| 3 | F 15-19 | 1821-1825 | | |

1850 CENSUS - GA - CAMPBELL CO. - DISTRICT 10

| | | | |
|--|------------------|------|-------|
| ** POSSIBLY GRANDCHILDREN OF SHERWOOD | John Tomlin | 1815 | 35 NC |
| NEE ELIZABETH U - D/O SHERWOOD UPKIRCH | Elizabeth Tomlin | 1796 | 54 NC |
| | Sherod Upchurch | 1771 | 79 VA |
| | Mary Upchurch | 1776 | 74 NC |
| | Joseph Upchurch | 1828 | 22 NC |

Cline Family Tree
Sherwood Upchurch
 Birth 1771 in Brunswick, Virginia,
 Death 1850 in Campbell, Georgia
1790
 21 Oct Marriage to Elizabeth Tomerlin
 Age: 19 Rutherford, North Carolina, United States

1804
 2 Jan Marriage to Mary Polly Smith
 PELL Age: 33 Rutherford, North Carolina

1790 Census – listed as Sherwood Upchurch – NC Morgan District – Rutherford Co, NC [vs Lincoln County?]

| | |
|-----|------------------------------|
| Sex | Age |
| M | 16+ [Sherwood Upchurch] |
| F | 16+ [Elizabeth Tomberlinson] |

1800 Census – Sherwood Upchurch not found but he was in Rutherford Co, NC – RPU

1810 Census Rutherford Co., NC

| No | Sex | Age | Born | | |
|-----|-----|-------|-----------|------------------------------|------|
| 1 | M | 26-44 | 1766-1784 | Sherwood Upchurch | 1771 |
| 2 | F | 26-44 | 1766-1784 | Mary (Smith) Pell | |
| 3 | M | 16-25 | 1785-1794 | Elias Upchurch | 1791 |
| 4 | F | 16-25 | 1785-1794 | Lucy Upchurch | 1792 |
| 5 | M | 10-15 | 1795-1800 | Adam Upchurch | 1797 |
| 6 | F | 10-15 | 1795-1800 | Mildred Upchurch | 1795 |
| 7 | F | 10-15 | 1795-1800 | Elizabeth Upchurch | 1796 |
| 8 | F | 0-10 | 1800-1810 | <u>Nancy Upchurch</u> | 1800 |
| 9* | F | 26-44 | 1766-1784 | | |
| 10* | F | 26-44 | 1766-1784 | | |
| 11* | F | 26-44 | 1766-1784 | | |

*Probably sisters of Sherwood or Mary

1820 Census Rutherford Co., NC

| | | | | | |
|---|---|-------|-----------|--------------------|------|
| 1 | M | 45+ | <1775 | Sherwood Upchurch | 1771 |
| 2 | F | 26-44 | 1776-1794 | Mary (Smith) Pell | |
| 3 | M | 16-25 | 1795-1804 | Adam Upchurch | 1797 |
| 4 | F | 16-25 | 1795-1804 | Mildred Upchurch | 1795 |
| 5 | F | 16-25 | 1795-1804 | Elizabeth Upchurch | 1796 |

1830 Census Rutherford Co., NC

| | | | | | |
|-----|---|-------|-----------|---------------------------------------|------|
| 1 | M | 50-59 | 1771-1780 | Sherwood Upchurch | 1771 |
| 2 | F | 50-59 | 1771-1780 | Mary (Smith) Pell | |
| 3** | M | 15-19 | 1811-1815 | | |
| 4** | F | 5-9 | 1821-1825 | [arrow drawn to 1840 Census entry #3] | |
| 5** | F | 0-10 | 1820-1830 | | |

** Possibly grandchildren of Sherwood Upchurch

1840 Census Rutherford Co., NC

| | | | | | |
|---|---|-------|-----------|---------------------------------------|------|
| 1 | M | 70-79 | 1761-1770 | Sherwood Upchurch | 1771 |
| 2 | F | 60-69 | 1771-1780 | Mary (Smith) Pell | |
| 3 | F | 15-19 | 1821-1825 | [arrow drawn to 1830 Census entry #4] | |

1850 Census Campbell Co., District 10, GA

John Tomlin 1815 35 NC

Elizabeth Tomlin 1796 54 NC

[nee Elizabeth Upchurch daughter of Sherwood Upchurch]

Sherod Upchurch 1771 79 VA

Mary Upchurch 1776 74 NC

Joseph Upchurch 1828 22 NC

I. Sherwood Upchurch – Head of Clan

born 1771 Brunswick Co., VA

died 1850+ Campbell Co., GA

married (1st) 21 Oct 1790 Rutherford Co., NC Elizabeth Tomberlinson

born about 1771 () died 180? Rutherford Co., NC

married (2nd) 2 Jan 1804 Rutherford Co., NC Mary (Smith) Pell “Polly”

[Did she have issue by 1st husband or by Sherwood? RPU]

born about 1776 NC died after 1850 GA

A.¹ Elias Upchurch born 1791

B.¹ Lucy Upchurch born 1793

C.¹ Mildred Upchurch born 1795

D.¹ Elizabeth Upchurch born 1796

E.¹ Adam Upchurch born 1797

F.¹ **Nancy Upchurch** born 1799

¹ -children from 1st marriage

Possible grandchildren of Sherwood Upchurch:

1. John Upchurch born 1824 married 1849 A. Bridges
2. Joseph Upchurch born 1827 married 1861 M. Moode
Witness Daniel Upchurch
3. James Upchurch born 1828, in Campbell Co., GA in 1850

Cline Family Tree

Sherwood Upchurch

born 1771 Brunswick, VA

died 1850 Campbell, GA

married age 19 21 Oct 1790 Elizabeth Tomerlin, Rutherford, NC

married age 33 2 Jan 1804 Mary Polly Smith Pell, Rutherford NC

(no number) RPU download – 20 Mar 2013

wint Family Tree

Nancy Upchurch

Birth 1781 in Rutherford, North Carolina

Death in Rutherford, North Carolina

1813 4 Sep Age: 32 Marriage to Michael Painter Rutherford, North Carolina, United States

Parents:

Sherwood Upchurch 1771 – 1850

Elizabeth Tomerlin 1769 – 1804

Spouse and Children:

Michael Painter 1781 – 1870

George J Banther [George J Painter – RPU] 1815 – 1872

(no number) From email 20 May 2016 Polly Kaye Heisinger to RPU

I Sherwood Upchurch – Head of Clan

A. Nancy Upchurch

married () Michael Banther

1 – 7 listed below

Descendants of Michael Painter Banther
[Polly later deleted the “Painter” part – RPU]
Generation 1

1. Michael Painter¹ Banther [was Michael Painter – RPU] was born on 18 Jul 1781 in Rockingham Co, VA. He died in 1870 in Rutherford Co, NC. He married **Nancy Upchurch**, daughter of Sherwood Upchurch and Elizabeth Tomerlin, on 04 Sep 1813 in Rutherford Co, NC. **She** was born in 1799 in Rutherford Co, NC. **She** died in Rutherford Co, NC.

Notes for Michael Painter Banther:

Michael Banther (Johann Georg's 1st child) Born in 1780 in Rockingham County, Virginia, he died after 1870 in Rutherford County, North Carolina. He married Nancy Upchurch September 04, 1813, in Rutherford County, North Carolina. Children of Michael and Nancy (Upchurch) Banther (All born in Rutherford County, NC)

1. George J Banther, born August 15, 1815, died October 27, 1872. Married Mary Ann Nanney on November 26, 1834.
2. Elizabeth Banther, born, April 16, 1821, died July 26, 118; Married James Bradley, April 18, 1839, Rutherford County, North Carolina.
3. Eve Banther, born April 16, 1823, died July 26, 1918. Married William Bradley on July 1, 1841.
4. Barbara Usilla Banther, born 1826. (Death date unknown) Married John Hall on March 1, 1847.? Hardin born about 1829, Rutherford County, North Carolina.
5. Sherod U. Banther, born 1830, (Killed during Civil War, body never returned.) married Mary Queen, in Rutherford County, North Carolina
6. Nancy E Banther born 1832. (Death date unknown). Married Moses Hall on October 19, 1854 in Rutherford County, North Carolina.

<http://www.banther.com/JohannGeorg'sDescendants/2ndGeneration/01.Michael.htm>

1840 census: He was in Rutherford Co, NC

1850 census: He was in Cathlies Creek, Rutherford Co, NC

1870 census: He was living in Morgan, Rutherford Co, NC

Notes for Nancy Upchurch

1870 census: She was living with Michael.

Michael Painter Banther and **Nancy Upchurch** had the following children:

2. i. George Johan²Banther was born on 15 Aug 1815 in Rutherford Co, NC. He died on 27 Oct 1872 in Transylvania Co, NC. He married Mary Ann Nanney, daughter of Shadrach Nanney and Mary Wheeler, on 26 Nov 1824 in Rutherford Co, NC. She was born on 25 Oct 1829 in Rutherford Co, NC. She died in 1898 in NC.
3. ii. Elizabeth Banther was born on 16 Apr 1821 in Rutherford Co, NC. She died on 26 Jul 1918. She married James Bradley on 18 Apr 1938 in Rutherford Co, NC . He was born in 1818. He died in 1884.
4. iii. Eve Banther was born on 16 Apr 1823 in Rutherford Co, NC. She died on 26 Jul 1918. She married William Bradley on 01 Jul 1841. He was born on 25 Oct 1821. He died in 1920.
- iv. Barbara Ursilla Banther was born in 1826 in Rutherford Co, NC. She died in 1905. She married John Hall on 10 Mar 1847. He was born in 1821. He died in 1853.
- v. Hardin Banther was born about 1829 in Rutherford Co, NC.
5. vi. Sherod U. Banther was born in 1830 in Rutherford Co, NC. He died between 1861 – 1864. He married Mary Jane Queen in Rutherford Co, NC. She was born in 1831. She died in 1911.
- vii. Nancy E Banther was born in 1821 in Rutherford Co, NC. She died in 1859. She married Moses Hall on 19 Oct 1854 in Rutherford Co, NC. He was born in 1830.

Notes for Nancy E Banther:
1850 census: living at home

(2) From *Upchurch-Bright Family Newsletter*, Volume 8, Number 2, Jun 1997

The A-E items below are all on page 18 and presumably related. RPU presumes the **Nancy Upchurch** is the daughter of Sherwood Upchurch, Head of Clan.

A = a reprinted item

B = a descendancy chart presented by Sue Bright Richter

C = a reprinted item

D = Sue's letter to author of C

E = ?

A – *Genealogical Helper*, May-June 1991, Page 80

Selma J. McRae, 5405 West Wernett, Pasco, WA 99301 (Franklin).

Need information on George Panther, born 15 Aug 1815, married Mary (Polly Ann) Nanney 26 Nov 1834, Rutherford Co., NC. Believe parents were Michael Painter and **Nancy Upchurch**.

Need proof.

Note: I have the family of Michael Painter and **Nancy Upchurch** in my database with a son George, however there is no wife entered therefore I cannot be sure it is the same person.

B – Descendancy Chart [See notes 1 and 2. RPU]

24 Sep 1996 Page 1

1. Michael Painter-6134 (1781) Rutherford Co., NC
 married 4 Sep 1813 in NC
 spouse **Nancy Upchurch**-6133
 - 2 George Painter-6149 (1814)
 - 2 Elizabeth Painter-6150 (1818-1918)
 spouse James Bradley-6173 (1818-1918)
 - 3 George Bradley-6174
 - 3 Michael Bradley-6175
 - 3 Monroe Bradley-6176
 - 3 Mary Bradley-6177
 - 3 Sherrod Bradley-6178
 - 3 William Bradley-6179
 - 3 Arcilla Bradley-6180
 - 3 Caroline Bradley-6181
 - 3 Sarah Bradley-6182
 - 3 John Bradley-6183
 - 3 Francis Bradley-6184
 - 2 Eva Painter-6151 (1824)
 - 2 Barbara Ursilla F. Painter-6152 (1826)
 - 2 Sherod Painter-6153 (1830)
 - 2 Nancy Painter-6154 (1832)

Note 1: See Item 4, Page 3 which questions the Descendancy Chart. RPU

Note 2: [nothing entered. HB]

C – Source: *Family Puzzlers*, Number 1455, 1996

PAINTER – Mrs. Karen Patterson, Travelers Rest, SC 29690

found **Nancy Painter** was heading a household in High Shoals District, Rutherford Co., NC 1820-1850. During this period she had 5 children, but at no time was a husband shown. The children were born 1814-1823.

"What circumstances during this time period would have a husband away from home? I assume there was a husband as I cannot locate any bastard(y) bonds.

"On the other hand I cannot locate a marriage bond for a Nancy anybody. According to the census **Nancy** was born 1795, and her first child born when she was 19. What am I overlooking?

E*

John Painter was born Rutherford Co., NC, married 1871 Fannin Co., GA to Rose Ann Shope, and he died 1889 in Union Co., GA. Their children were Louisa, Jane, Joseph, Mellie, Alice, Samuel, George, Carrie, and Sarah. John married 2nd Jane Ratcliff and had two children Caty and Oliver.

"Is there someone out there who can help me find any of these children?"

*Note: It is not clear to me if E is a part of C or if E is a special note entered by Sue Bright Richter (editor of the *Upchurch-Bright Family Newsletter*). RPU

D

Karen, I saw your query in *Family Puzzlers* lately. I have a **Nancy Upchurch** Painter in my family tree. Do the children here ring any bells with you? I have not looked for this family on the census. So do not know if Michael lived through the years that you listed Nancy without a husband. I may have some more help if this is good. My Upchurch family was in Rutherford Co., NC from 1790, when Nancy's parents were married in Rutherford Co.

(3) Nancy Upchurch born 1799 married 17 Apr 1813 Michael Painter. Witness: John Freeman, Nancy is daughter of Sherwood Upchurch, Head of Clan by his 1st wife Elizabeth. (From page 40 of The Upchurch Story by Olive A Morgan).

(4) From letter 4 Dec 1997 Glenn A Anderson to RPU

I was recently contacted by a Caroline Borque [nee Edith Carolyn Denham] with regards to some family history information and she informed me that you were researching the Upchurch family. I don't have much to offer but perhaps the following will be of some assistance to you. [error – RPU] My great-great-great grandmother on my grandmothers side of the family was **Nancy Upchurch** born 1795 in Rutherford County, North Carolina. Michael and Nancy Upchurch) Painter had five children: The first two were unnamed females that most likely died at or shortly after birth, one about 1815 and the other about 1819; the third child was James Madison Panter born 1821, the fourth my great-great grandfather, William M Panter born 21 Apr 1826, and the fifth Alfred Panter born 1828 all in Rutherford Co, NC.

The place of **Nancy (Upchurch)** Panter's death is unknown, but the circumstances are somewhat interesting. She apparently died around 1850, after the census was taken, at age 55. Notes handed down from the previous generations contain the following referring to her. "Smith Fortner [Fortner – RPU] shot the panther that ate great grandmother.

Two of her sons, William M and James M married sisters, Angeline Clementine Gee and Gynthia Gee, respectively. I have the family histories of all three of her sons if you are interested in that line.

I. **Nancy Upchurch** born 1795 (Rutherford Co, NC) died about 1850 at age 55. [Smith Fortner killed the panther that ate her]

married 14 Sep 1815 9Rutherford Co, NC) Michael Panter

A. An unnamed daughter born about 1815 (Rutherford Co, NC)

B. An unnamed daughter born about 1819 (Rutherford Co, NC)

C. James Madison Panter born 1821 (Rutherford Co, NC)

married () Cynthia Gee*

D. William M Panter born 21 Apr 1826 (Rutherford Co, NC)

married () Angeline Clementine Gee* - great-great-grandparents of Glenn A Anderson

E. Alfred Panter born 1828 (Rutherford Co, NC)

* sisters

(5) From letter 9 Dec 1997 Glenn A Anderson to RPU

3. With reference to page 2 of your letter and profile sheet “X” regarding the marriage of **Nancy Upchurch** to Michael Panter. Our information differs only slightly. My documented resource was Rutherford North Carolina Marriage bonds, which shows **Nancy Upchurch** married on 4 September 1813 to Michael Panter. Bondsman for the marriage was John Freeman. Witness was O Lewis, DC.

4. You list **Nancy**’s date of birth as 1799 – the data sent to me by James Panter [James F Panter] lists her as being born in 1795 in Rutherford Co, North Carolina. This birth date of 1795 agrees with Karen Patterson on your profile “Y” item C.

5. While the Panter name has been both spelled and pronounced in many various ways, by their descendants, the data James Panter provided me shows the exclusive usage of Panter for Michael Panter., his father Johann George Panter, Sr. and his grandfather Johann Panter/Bender. Jim can undoubtedly further explain the change from “Bender” to Panter.

6. The children of Michael and **Nancy (Upchurch)** Panter are exactly as given to me by James F Panter. This more or less checks out with Karen Pattersons information in your profile “Y”, item C in that **Nancy** had her first child about 1814 or 1815. So once again I’m afraid you will do better to go back to them as “the source” in order to work out any differences.

7. Let me just finish up commenting on profile sheet “Y” item C, while I’m at it: (a) I have had prior contact with Karen Patterson, (B) somebody was sure home at least part-time between 1814 and 1828 in order for **Nancy** to have the five children. I previously listed (c) What circumstances kept Michael away from home between the 1820 and 1830 census I do not know – but he supposedly died sometime between 1837 and 1840 which would account for his absence on the 1840 census and thereafter (d) Karen probably missed the Rutherford County NC marriage bond for males showing the marriage of Michael Panter and **Nancy Upchurch**. I’ll send Karen a letter with this same information.

Item A – I do not show either a George Panther or a Mary (Polly Ann) Nanney anywhere in my computerized files. No help here.

Item B – First, this looks suspiciously like an LDS PAF Dependency Chart, which need to be more fully documented before you can take anything for granted.

Second, about the only thing I find correct in Item B is Michaels b. day, their marriage date and place of marriage. My frank opinion is that somebody took liberties with the spelling of Michael Panters name, changing it to Painter to make it fit and then shoved the other Painter names under it as they seemed to work with the first childs 1814 birth date. Could be wrong but I find absolutely no Painters in my files, so George or Elizabeth Panters, and no Bradley family names appended to any Panters. Likewise I show no Eva, Barbara, Sherod, or Nancy Panters of either the same or different birth dates as shown in item B. Unless you have absolutely positive documentation to the contrary. I would say this line is quite possibly in error. Especially so if it is an un proven LDS Decendancy Chart.

Third, the worst part of Item B is that if what you show therein is correct, then nothing either Jim Panter or I might add will make any difference as it automatically takes us out of the Michael Panter-Nancy Upchurch loop in that we believe firmly we are descended from William M Panter whom I absolutely know to be married to Angeline Clementine Gee, my great-great grandmother. A great aunt of mine, Josephine Panter, a sister of Jim Panters father, personally vouched for the Gee family connection to the Panters before she passed away. So I’m sticking

with what I have for children of Michaels and Nancy until documented otherwise beyond a shadow of a doubt.

Item E – Again I show no Painters in my files, nor do I have a Rose Ann Shope or a Jane Ratcliff. No idea if items “C” and “E” belong together. No help here.

10. I noted on your 11x17 master chart that Nancy's father, Sherwood Upchurch, has a second wife named Mary “Polly” (Smith) Pell. It may be coincidence, but Michael Panter's brother George Panter Jr married a Sarah Pell. I don't have any other data on her.

11. Last thought – I would love to add the Upchurch family history to my own but it is so extremely extensive that I hesitate to do so without firm documentation that your Nancy Upchurch 8312, daughter of Sherwood Upchurch is without any doubt, my Nancy Upchurch born 1795, Rutherford Co, NC married to my Michael Panter born 1781, Rutherford Co, NC in Rutherford County North Carolina on Sept 4, 1813 with Bondsman John Freeman and witness O Lewis DC attending according to the Rutherford NC Marriage Bonds.

(6) From: Family Puzzlers No 1455 7 Sep 1996 Pages 12 – 13

Painter – Mrs Karen Patterson, 14 Paris View Dr, Travelers Rest, SC 29690 found Nancy Painter heading a household in High Shoals District, Rutherford Co, NC 1820 – 1850. During this period she had 5 children, but at no time was a husband shown. The children were born 1814 – 1828.

“What circumstances during this time period would have a husband away from home? I assume there was a husband as I cannot locate any bastard[y] bonds.

On the other hand, I cannot locate a marriage bond for a Nancy anybody. According to the census Nancy was born 175, and her first child born when she was 19. What am I overlooking?” John Painter was born Rutherford, NC, married 1871 Fannin Co, GA to Rose Ann Shope, and he died 1889 in Union Co, GA. Their children were: Louisa, Jane, Joseph, Mellie, Alice, Samiel [sic], George, Carrie, and Sarah. John married 2nd Jane Ratcliff and had two children Caty and Oliver. “Is there someone out there who can help me find any of these children?”

Editor's Note: The marital status of Nancy Painter does present a problem. She could head a household if her husband were in military service and away from home the greater part of the time.

Do you find that Nancy owned and in her own right during this period? Check deed records, and watch for a deed of gift to her, or a trust being set up.

Look into tax records if any have survived for this time period. Does Nancy return taxes for herself (a feme sole), or does another person act as her agent?

Bastardy bonds were demanded when the grand jury of the county, on “information” learned that a baby was born (or about to be born) to an unmarried mother, AND the baby was expected to become a welfare case “chargeable to the county.” Except for the moral implications, if Nancy had plenty of money or land, and was financially stable enough to raise her illegitimate children, the county fathers may have overlooked her “transgressions.”

Doubt that the church did, though, so if you know what denomination she was a member of, look in their parish register or minutes for some details.

(7) See letter 26 Feb 1998 James F Panter to RPU – page 29
Michael Painter married 4 Sep 1813 (Rutherford Co, NC) **Nancy Upchurch**. Bondsman = John Freeman, Witness = Jas O Lewis DC.

(8) See letter 30 Apr 1999 Flora Pauline Upchurch to RPU
Nancy Upchurch born 1795 (Rutherford Co, NC) died Rutherford Co, NC married 17 Apr 1813 (Rutherford Co, NC. Five children listed.

(9) See pages 56 – 59 of Miles Philbeck Article in biofile of Leonard Painter, born 1728 bearing upon children of Michael Painter and Nancy Upchurch, daughter of Sherwood Upchurch, Head of Clan and Michael's ancestor.

I. Wendel Binder married 1637 (Eschelbach, Germany) Margretha --- ---

A. Michel Bender "Schaf Michel" born 1 Dec 1653 died 1735

married 6 Feb 1677 Eschelbach died 1719

1. Johann Jacob Bender born 17 Oct 1693 → to America 1752

married (1st) 22 Nov 1717 () Maria Elizabetha Zimmerman born 7 Nov 1700 ()
died 2 Jul 1748;

married (2nd) 14 Jan 1749 () Anna Margaretha (Rucker) Hartlieb born () died 23
May 1758

a. Johan Leonhardt Bender¹ (AKA Leonard Painter born 28 Mar 1728 [→
America 1752] will made 10 May 1805 Rutherford Co, NC

married 1 Jan 1756 (Lancaster Co, PA) Catharina Haug

i. Johann Georg Binder^{1 2 3} born 5 Aug 1759 (PA) [AKA George
Painter] died 15 May 1839 (Rutherford Co, NC) (Bur – Brittain
Presbyterian Church Cemetery Rutherford Co, NC)

married (1st) about 1780 () Eve Tanner died 1828 daughter of
Michael Tanner

married (2nd) 18 Aug 182 () Rebecca Harris Freeman, [daughter of
Benjamin Freeman and Catharine --- ---] died 28 Apr 1879

¹ moved from Rockingham Co, VA to Rutherford Co, NC after the Revolution

² provided for a Caty Burnett in his will

³ AKA George Panther and George Bender

I. Michael Painter, born about 1781

married 4 Sep 1813 Nancy Upchurch

A. George Painter born about 1814

married 26 Nov 1834 Polly Nanny

B. Elizabeth Painter born about 1818

married 18 Apr 183 James Bradley

C. Eve Painter born about 1824

married 1 Jul 1841 William Bradley

D. Barbara Ursilla F Painter born about 1826

married 10 Mar 1847 John Hall

E. Sherod Painter born about 1830

married 1 Oct 1856 Mary Queen

- F. Nancy Painter born about 1832
 married 19 Oct 1854 Moses Hall
- II. Catherine Painter born about 1783
 married 18 Feb 1804 James Truelove
- III. Leonard Painter born about 1785
 married 22 Jun 1807 Lucy Smith
- IV. Barbara Painter born about 1787
 married 12 Jul 1804 John Freeman
- V. George Painter born about 1791
 married 10 Aug 1813 Sarah Pell
- VI. Eve Mary Painter born 17 Jun 1793; died 25 Jul 1844
 married 6 Mar 1812 Jacob Deck, Jr, her first cousin
- VII. Elizabeth Painter born about 1795
 married 5 Jan 1836 William Shemwell
- VIII. Benjamin Freeman Panther born 11 May 1825; died
 27 Jun 1859
 married Jemima Short
- IX. Joel Panther born about 1828
 married 15 Nov 1848 Jane Stewart
- X. Sarah Panther born about 1830
 married William Brackett

(10) From letter 26 Feb 1998 James F Panter to RPU (page 17). This article originally from The Heritage Book of Rutherford Co, NC Vol 1984. [Note that the last line on both columns did not reproduce and the 3rd column was not included. Hence the authors name is missing – RPU]

California Descendants of Willis Bradley 131

My great-great-grandfather, Willis Bradley, was born about 17970 in North Carolina. He married Ruth Self on 17 Nov 1812 in Lincoln County and the 1820 census shows them living in Rutherford County. The 1850 census places them in the Montford's Cove District. They had five known children: James, John, William, Hampton and Caroline. I have been informed by several living relatives that Willis and Ruth are buried near Old Fort in now McDowell County but no one knows the exact location.

James, the first son born about 1818, married Elizabeth C Painter, daughter of Michael and Nancy Upchurch Painter on 18 Apr 1839. Their children were: George, twins Michael and Monroe, Mary, Sherrod, William, Arcilla, Caroline, Sarah, John and Francis. In 1850 they lived in McDowell County where James died in 1884 and Elizabeth in 1918.

John, my great-grandfather, was born 16 Feb 1819 and married Sarah Reed, daughter of William and Mary Clements Reed on 4 Jun 1840. They raised their family on a farm in the Second Broad River District. William born 1841 married Elizabeth McCormick, Joseph born in 1843 was killed in 1863 at the Battle of Lookout Mountain. Cornelius, born in 1845, married Ruth Morgan in 1873. Mary, born 1847, married John Reel in 1866. George, born in 1849, moved to Indiana. James Hampton, my grandfather who was born in 1852 mar- [portion cut off per explanation above – CJM 2 Apr 2020] [text continues – CJM 2 Apr 2020] Grayson, born in

1862, married Olive Johnson; Margaret, born in 1866, married Thomas Porter; Carrie, born 1868, married a cousin John Bradley; and Logan, born 1870, married Nona. My great-grandfather John died in 1895 and his wife Sarah in 1886 in McDowell County.

William Bradley, son of Willis, was born 25 Oct 1821 and married Eve Painter, a sister of Elizabeth who married William's brother. Their home was next door to his parents in Montford's Cove where they raised eight children, Eva, Nancy, Ruth, Martha, Charles, William, Emma and Sarah. "Great Aunt Sarah" as she was known married Moses Parker and lived to be 108 years of age.

Hampton Bradley, born 1827, married Martha Glendown, daughter of Eli and Mary, on 20 Oct 1884. Hampton died in 1919.

Caroline Bradley, born 1813, married Levi York, Jr. Their six sons and two daughters were: Willis, Thomas, James, Ruth, Frances, John, Mills and George. Caroline died in 1893.

All of the children of Willis and Ruth Self Bradley were born in Rutherford County but died in McDowell County when it was formed from Rutherford in 1841.

My grandfather James Hampton Bradley and Mary Etta Leatherwood, daughter of William and Clara Welch Leatherwood, were married at the bride's home and lived in Haywood County, North Carolina until he moved his family to a farm near Kingsport, Tennessee about 1890. He worked for the railroad until he settled down to farming. His son Edward Burgin born 1883; my father Guy Wilbur, born 1884 and Annie Lou, born 1885, came with them from North Carolina while John, Walter, George, Grace, Bessie and Howard were born at the farm in Tenn.

Edward rode the train to Los Angeles, California in 1905 and married Hilda Newman in 1910. They moved north to Walnut Creek where he opened a soda and candy store on Main Street. He was also the Mayor for ten years. They had three children: Cecile, James and Paul. "Uncle Ed" will celebrate his 100th birthday 18 Aug 1983. He is the oldest living descendant of Willis Bradley as far as I have been able to determine.

My father Guy first came to California in 1905 and worked in the fields of the Imperial Valley and later drove a horse drawn bakery wagon in Covina. In 1916 he came to Walnut Creek to visit his brother and stayed to become his business partner. The business was known as "Bradley Brothers", a confectionery where people from the San Francisco Bay Area would stop for ice cream on their Sunday drive in the country.

In 1922 Guy went home to visit his parents and met Lorena Smith and on 23 Jan 1923 the thirty-nine-year-old bachelor married the niece of former Governor (1905 – 1907) John I Cox of Tennessee. I was born in 1924 and married Jack Fisher Varner in 1941. His parents also came from western North Carolina. Our daughter... [photocopy on page ends here – CJM 02 Apr 2020].

I. Nancy Upchurch [daughter of Sherwood Upchurch – Head of Clan]

(married) 4 Apr 1813 (Rutherford Co, NC) Michael Painter

A. Elizabeth C Painter died 1918 (Rutherford Co, NC)

married 18 Apr 1839 James Bradley¹ born about 1818 (Rutherford Co, NC) died 1884 (McDowell Co, NC) [lived in McDowell Co, NC formed 1841 from Rutherford]

- | | | |
|--------------------|---------|---------------------|
| 1. George Bradley | | 6. William Bradley |
| 2. Michael Bradley | } twins | 7. Arcilla Bradley |
| 3. Monroe Bradley | | 8. Caroline Bradley |
| 4. Mary Bradley | | 9. Sarah Bradley |

5. Sherrod Bradley

10. John Bradley

11. Frances Bradley

B. Eva Painter

married William Bradley¹ born 25 Oct 1821 (Rutherford Co, NC) died (McDowell Co, NC) lived in Monford's Cove

1. Eva Bradley

2. Nancy Bradley

3. Ruth Bradley

4. Martha Bradley

5. Charles Bradley

6. William Bradley

7. Emma Bradley

8. Sarah Bradley lived to be 108

married Moses Parker

¹ Sons of Willis Bradley born 1790 (NC) married 17 Nov 1812 (Lincoln Co, NC) Ruth Self

(11) Census records for 1850 & 1860 Montforts Cove, Rutherford Co, NC – from page 26 – 28 of letter 26 Feb 1998 James F Panter to RPU

[\$/\$ = real estate/ personal]

1850

| | | | | | |
|----------|----------------|----|---|---------|-------------------------------------|
| 647, 657 | Michael Panter | 69 | M | Farmer | [Michael Painter] |
| | Nancy Panter | 69 | F | | [nee <u>Nancy Upchurch</u>] |
| | Sherard Panter | 20 | M | born NC | [Sherod Painter] |
| | Nancy Panter | 18 | F | born NC | [Nancy Painter] |

1860

| | | | | | | |
|----------|-------------------------------------|----|---|---------|-------------|--------|
| 935, 935 | Michael Panther | 79 | M | born NC | \$90/\$265 | farmer |
| | [Michael Painter] | | | | | |
| | Nancy Panther | 79 | F | born NC | | |
| | [nee <u>Nancy Upchurch</u>] | | | | | |
| 936, 936 | Sherard Panther | 30 | M | born NC | \$0/\$100 | farmer |
| | [Sherod Painter] | | | | | |
| | Mary Panther | 27 | F | born NC | | |
| | [nee Mary Queen] | | | | | |
| | Mira Panther | 3 | F | born NC | | |
| | [Mira Painter] | | | | | |
| 937, 937 | W A Queen | 55 | M | | \$550/\$155 | |
| | Mira Queen | 54 | F | born NC | | |

The supplier who supplied this to James F Panter concludes: “935 and 936 concern Michael Panter and wife nee **Nancy Upchurch** both born 1781. On 3 Oct 1854 the daughter Nancy E Panter married Moses Hall and Sherard Panther was a witness. He signed with an X and the 1850 census shows he could not read or write.”

[The extractor also proposes that Mary Queen is the daughter of W A Queen shown in 937 – RPU]

(12) Item from pages 23, 24 of letter 26 Feb 1998 James F Panter to RPU

Will of George Painter in Rutherford Co, NC

[Note that this establishes that George Painter had a son Michael Painter. Thee current presumption of RPU is that this is the Michael Painter who married Nancy Upchurch, daughter of Sherwood Upchurch.

E:129 “Paper writing purporting to be Will of Geo. Painter proven in Rutherford County Court of Pleas & Quarter Sessions 9 Feb 1844, I W Webb, Clerk, Fall 1844 Superior Court, Rutherford County, Will of Geo. Panter having been duly proven by David Johnson one of the subscribing witnesses and found to be last Will and Testament of sd Geo. Painter to be recorded transmitted by Clerk of Court of Pleas and Quarter Sessions together with record of Certificate of Probate in this case sd. record & will to be recorded. Will of George Painter (E:130 – 132) 30 Aug 1828; Daughter, Cary Truelove, 10 shillings; Son, Leonard 10 shillings; daughter, Barbary Freeman (Froman?) 10 shillings; Son, George, 10 shillings; to Micheal Painter 10 Shillings; Daughter, Eve Deck, 10 shillings; Daughter, Elizabeth Painter, 10 shillings; Benjamin Freeman Painter 10 shillings; Son, Samuel Painter, 10 shillings; wife, Rebecca Harris 170 a. land where I now live, my till & Machine, cattle, furn,. tools. If she marrys she is to have only a child’s part. Caty Burnett, 1 bed & furniture, 1 cow & calf. Extr. Benjamin Freeman, wife, Rebecca. Wit: Robert Johnson, David Johnson.