

Bucklesberry, Back in the Day

Hickory Grove Church (Part 20)

A Baptist church for nearly a quarter-century, Hickory Grove aligned with the Methodist Protestant (M. P) Church in 1885. But the transition proved to be a struggle for Bucklesberry's first church. In particular, the last decade of the nineteenth century presented significant challenges. Legal problems emerged as a major obstacle.

What should have been celebration of, and thanksgiving for, thirty years of ministry in 1890 was overshadowed by the sensational announcement in several newspapers of a civil suit that involved Hickory Grove. Former Church pastor, Rev. Bushrod Washington (B. W.) Nash, trustee for the Union Baptist Association, claimed that the Church property had been deeded years earlier to the Baptists.

The implications of Rev. Nash's allegation were unsettling and far-reaching. If the Church building and grounds were, in fact, owned by the Baptists, then Hickory Grove had no authority to operate on its own as an M. P. Church.

Causing untold damage to its public testimony and outreach to the community, the Church remained legally embroiled with Rev. Nash and the Association for the rest of the decade and well into the early-1900s. The case would eventually be heard several times by the North Carolina Supreme Court.

A protracted litigation that included multiple rounds, the first claim was filed by Rev. Nash on behalf of the Association in Lenoir County Superior Court on December 10, 1889. Oddly, the target of the initial civil suit was not Hickory Grove Church per se, but rather Junius Eli Sutton (1847-1941), local Bucklesberrian and member of the Church. In its entirety, the text of the complaint follows:

"B. W. Nash, Trustee of Union Association of Baptists, Plaintiff vs Junius E. Sutton, Defendant }
Complaint. The Plaintiff complaining of the defendant alleges 1st That he is the equitable owner and entitled to the possession of a certain tract of land situated in the township of Falling Creek in the County of Lenoir, known as Hickory Grove Church, containing about one acre and situated in a district and in said County known as Bucklesberry on the north side of the public road leading from White Hall to Kinston surrounded by the lands of Junius E. Sutton and the said road. 2nd That the defendant is in the possession of said land. 3rd That the defendant now withholds and has since May A. D. 1885 withheld the possession of said land from the plaintiff.

4th That said withholding is unlawful and wrongful, and the plaintiff hath been damaged thusly to the amount of five hundred dollars. Wherefore the plaintiff demands judgment 1st For possession of said land. 2nd For said sum of five hundred dollars damages. 3rd For his suit and displacement, and such other relief as the court deems appropriate. George V. Strong, Attorney for Plaintiff." (*North Carolina Archives, Raleigh*)

In short, Rev. Nash wanted the Court to issue an order for the Association to repossess the Church property that it believed was theirs and to assess punitive damages for the five years that Hickory Grove had operated as an M. P. Church apart from the Association. His baseless claim rang hollow with presiding Judge Robert Franklin Armfield, however, who roundly dismissed the case in the August, 1890 term of the Court:

"B. W. Nash vs. Junius E. Sutton } Judgment. This action coming on to be heard and in motion of attorney for plaintiff it is ordered by the Court that the plaintiff be non-suited and that the defendant go without day in Court and recover his costs." (*North Carolina Archives, Raleigh*)

Relentless in his determination to repossess the Church property, Rev. Nash filed a second claim on behalf of the Association within two years. This time, though, the defendants were Junius' twin brother, Julius Eri Sutton (1847-1925) and wife, Nancetta Sutton (1857-1929) along with Bucklesberrians, Levi Hill (1830-1893), Benjamin Franklin Sutton (1838-1897), Jeremiah Sutton, Sr. (1836-1900), Samuel Ivey Sutton (1834-1904), and Thomas Sutton (1826-1894).