

Bucklesberry, Back in the Day

Hickory Grove Church (Part 27)

Bucklesberry's first church endured six lawsuits from 1889 to 1910, all initiated by Rev. Bushrod Washington (B. W.) Nash, agent of the Union Baptist Association. The claim in each instance was that Hickory Grove Church did not own its building and property because trustees had deeded it to the Baptists in 1872.

Chartered in 1860, Hickory Grove operated as a Baptist church for the first twenty-five years of its existence. In 1885, the Church voted to align with the Methodist Protestant Church.

The complaint filed with the third lawsuit in 1892 included more information about the alleged offense than the complaints filed with the first two lawsuits, both dismissed. The seven points of the lengthy third complaint were presented in previous Bucklesberry articles.

Provided below is the second cause of action contained in the 1892 complaint. Included was a purported copy of the 1872 deed in which Julius Eri Sutton and wife, Nancetta Sutton, transferred land to Hickory Grove Church, then affiliated with the Baptists:

"For a second cause of action Plaintiff complains and alleges 1. That the deed of trust made and executed by the Defendants Julius E. Sutton & wife Nancetta Sutton unto the Defendants B. F. Sutton, Jr., S. I. Sutton, Jerre [Jeremiah, Sr.] Sutton, Thomas Sutton and Levi Hill as mentioned paragraph 4 is lost or destroyed, and that on the __ day of __ 1878 the Records in the office of the Register of Deeds were destroyed by the burning of the Court House at Kinston at that time, and this Plaintiff is informed and believes that the following is a true copy of said deed which was so destroyed on said Records to wit:"

"North Carolina Lenoir County. This indenture made and entered into by and between Julius E. Sutton and wife Nancetta Sutton of the County of Lenoir and States aforesaid parties of the first part and B. F. Sutton, Jr., S. I. Sutton, Thomas Sutton, Jerre Sutton, and Levi Hill Trustees of the Baptist Church at Hickory Grove parties of the second part. Witnesseth that for and in consideration of their love and affection we feel toward the Church at Hickory Grove and the Baptist Denomination and for the further consideration of the sum of one Dollar to us in hand paid by the said Trustees of the Baptist Church at Hickory Grove, the receipt where of is hereby acknowledged. We Julius E. Sutton and wife Nancetta Sutton have this day bargained, granted, sold, conveyed and confirmed and by these presents do bargain, grant, sell, convey, confirm, and deliver unto the said parties of the second part Trustees of the Baptist Church at Hickory Grove and this succession a certain tract or lot of land lying and being in Falling [Creek] Township,

Lenoir County, State of North Carolina and adjoining the lands of Julius E. Sutton and more particularly described as follows to wit: Beginning at a dogwood tree on the North side of the public road leading from White Hall [Seven Springs] in Wayne County to Kinston in the County of Lenoir and running thence about North East seventy (70) yards to a stake thence North West seventy yards to a stake thence about South West seventy (70) yards to the public road then with said road to the beginning containing one acre more or less, to have and to hold unto the said parties of the second part and their successors this above described land and tenements and appurtenances anywise there to belonging in fee simple forever: and we the said parties of the first part, the said Julius E. Sutton and wife Nancetta Sutton do for ourselves bind ourselves and heirs to warrant and defend the title to the same unto the said parties of the second part and their successors against the claims of all persons whatsoever. In testimony we Julius E. Sutton and wife Nancetta Sutton do hereunto set our own hands this __ the __ day of __ 1872 signed. Julius E. Sutton {seal} Nancetta Sutton {seal}" (*State Archives of North Carolina, Raleigh*)

The complaint concluded with a fourfold judgment demanded by Rev. Nash and the Association. This, along with the ruling rendered in 1893 by the Honorable Herbert Graves Connor, U. S. District Judge, will be shared in an upcoming Bucklesberry article.