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Bucklesberry, Back in the Day

Hickory Grove Church (Part 31)

Founded in 1860, Bucklesberry's first church was a Baptist work for about a quarter-century. In 1885, the congregation voted to align with the Methodist Protestant (M. P.) Church. The decision to switch denominations did not set well with former pastor and Union Baptist Association trustee, Rev. Bushrod Washington (B. W.) Nash.

He claimed that the Church had no authority to separate from the Baptists, because landowners Julius Eri Sutton (1847-1925) and wife, Nancetta Sutton (1857-1929), had deeded the building and property in 1872 to Hickory Grove Church (then-Baptist) and the Association.

Relentless to rectify the situation, Rev. Nash petitioned the Court to repossess the Church property for the Association in five separate lawsuits from 1889 to 1896. Hickory Grove prevailed throughout, despite several appeals to the North Carolina Supreme Court.

Further litigation should have been pointless, since both parties jointly agreed in the fifth suit that, "the answer of the jury to the issue as to whether the trustee [Rev. Nash] was the owner [of the Church property] and entitled to recover possession should settle the whole controversy..." (*The Southeastern Reporter, Vol. 25,* p. 959). The jury answered unequivocally, "No," and the Court ruled that Rev. Nash was to recover nothing.

A sixth and final lawsuit nonetheless was filed against Samuel Ivey (S. I.) Sutton (1834-1904 and others of Hickory Grove Church in 1898. From the outset, this suit was different. Strangely, it was not initiated by the Union Baptist Association or Rev. Nash, although he may have influenced it. Plaintiffs in this round, interestingly, were members of Rev. Nash's family, including his wife, Elizabeth C. Nash, son, Luther M. Nash, and daughter Mary Ella (Nash) Morris, all identified as members of Hickory Grove *Baptist* Church. Rev. Nash may have been advised by counsel that he should, or could, not personally file suit again.

Two other plaintiffs named in the sixth suit, but not included in any of the previous cases, were Bucklesberrians, Isaac Sutton Barwick, Sr. (1824-1899) and son, Levi B. Barwick (ca. 1854-aft. 1907). Why the Barwicks joined Nash family members as plaintiffs is largely a mystery. Their involvement may not have been so much a reflection of support for Rev. Nash's claim as it was bitter feelings toward one of the defendants, Jeremiah (Jerre) Sutton, Sr.

Years earlier, another son of Issac Barwick, John Franklin Barwick (1852-1929), had locked horns with Jeremiah that landed both parties in Court. The nature of the litigation centered on

John Franklin's wife, Martha Jane Parks (1852-1926), widow of Jeremiah's son, Alonzo Harold Sutton (1852-1875), who died prematurely. Martha Jane was the mother Alonzo's two young daughters, Tabitha (1872-1918) and Alonza (Lonnie; 1875-1947). They lived on a farm given to Alonzo by his father.

Few would have questioned Martha Jane's moral right to retain her late husband's farm for herself and her children. Yet when she married a second time, her father-in-law took offense. From Jeremiah's perspective, Martha Jane's new marriage effectively removed the long-held land from his direct family line and separated him from Alonzo's daughters.

Signaling his intent to reclaim the farm he had gifted to his late son, Jeremiah convinced the Court to appoint him guardian ad litem of his granddaughters. Martha Jane and John Franklin subsequently filed suit. After almost two days of legal wrangling, "with the chin music of lawyers and witnesses–the Judge's charge, in contrast, occupied only six minutes. The verdict gives 1/2 of land to plaintiff and 1/2 to her children," (*Kinston Journal,* December 23, 1880). Legend has it that Jeremiah sat on the front steps of the Courthouse in Kinston and wept.

Rev. Nash may have recognized the contentious family strife and used it to his advantage by having the Barwicks serve as plaintiffs, giving him yet another opportunity to litigate his complaint against Hickory Grove. Interjecting the Barwicks into the case, however, would prove to be a poor legal tactic in the long-run.