

1919-007 Chancery Causes: Petition of the Trustees of Morning Star Baptist Church

Dale of Wight County

other surnames: Coleman,
Saunders, Roberson, White,
[Morning Star Colored Baptist Church]
[Virginia Railway & Power Company],
Edwards, Butler, Winfield,
Bailey

Petition of Morning
Star Baptist Church
To seek Easement
of Right of Way to
the Virginia Railway
and Power Co.

VIRGINIA: CLERKS OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT

4/2 1919
Filed
Teste, W. J. Harris Clerk

G. A. HARRIS
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA

Church now stands, the land being in a square shape and bounded by walnut trees on three sides and the County road leading from Windsor to Blackwater Bridge on the other side, adjacent the lands of W. H. White, or that which was his, on three sides and the lands of Isaac Jones and J. L. Clements Estate on the other side, as will be shown from a Blue Print marked "Virginia-Railway and Power Company. Petersburg-Suffolk Transmission Line", which is filed herewith, marked "Exhibit C", and made a part of this petition.

Now Therefore, In accordance with said Resolution and to carry into effect the wish of the said congregation, your Petitioners ask leave to sell the said Easement of Right-of-Way to the said Virginia Railway and Power Company for the sum of FIFTY (\$50.00) DOLLARS, and to apply the proceeds of said sale to the current expense of the said Church, and further prays that this Court will caused to be entered such order as will be necessary in order to effect the property hereinabove mentioned.

Charles Coleman
Abstract Roberson
E. H. White
Ms Saunders

STATE OF VIRGINIA.

County of Isle of Wight:

I W. J. Shuck, a Notary Public in and for the County of Isle of Wight, State of Virginia, do certify that Charles Coleman, M. L. Saunders, Absent Roberson and E. H. White and Richard Edwards whose names are signed to the foregoing petition, this day personally appeared before me in my County aforesaid and made oath that the statements made in the foregoing petition are true.

Given under my hand this 21 day of January, 1918.

W. J. Shuck
My com Expires June 8 1919

To the Honorable B. D. White, Judge of the Circuit Court of
Isle of Wight County, Virginia:

Your Petitioners, Charles Coleman, L. S. Saunders, Absent
Roberson and *E. H. White*, respectfully represent that they
are the Trustees of the Morning Star Baptist Church for the
religious congregation worshipping as said Church in Isle of Wight
County, Virginia, duly appointed according to law, as will appear
from the copy of the Order appointing them as such Trustees, here-
in filed, marked "Exhibit A", and made a part hereof:

That the legal title is vested in them as such Trustees
to a certain lot of land lying and being in Isle of Wight County
in the State of Virginia, on which the said Morning Star Colored
Baptist Church building now stands, on the County road leading
from Windsor, Isle of Wight County, Virginia, to Zuni, Isle of
Wight County, Virginia, and fully described in a certified copy
of the deed to the Trustees of the said Morning Star Baptist
Church, herewith filed and marked "Exhibit B", and made a part
hereof, which said property is held for the use, benefit,
purposes and object for the said religious congregation as a
place for public worship; that at a called meeting of the said
religious congregation, after due notice having been given as
required by the laws of said church, held on the 28th day of
Sept, 1918, resolutions were introduced and
adopted stating that it was the wish of the said congregation
to sell an Easement of Right-of-Way over and across the said
property and authorized and directed your said Petitioners to
petition this Honorable Court for leave to sell to the Virginia
Railway and Power Company, its successors and assigns, the
perpetual right and privilege of Easement of Right-of-Way through
and across that certain piece or parcel of land containing one
(1) acre and lying and being in Isle of Wight County, in the
State of Virginia, in which land the said Morning Star Baptist

Order to See
Easement of
Right-of-Way of the
Morning Star Baptist
Church to the
Virginia Railway and
Power Company.

1919
Feb. 3.
Euterhis
J. H. W.

VIRGINIA, CLERK OF THE
CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT

7/3 1919
Filed
Teste, Asphum Clerk

G. A. HARRIS
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, VIRGINIA, THE
_____ day of NOVEMBER, 1918.

In the matter of the petition of)
Charles Coleman, *M. L.* Saunders,)
Absent Roberson and Richard Edwards,)
Trustees of Morning Star Baptist)
Church in Isle of Wight County, Virginia.)

This day came Charles Coleman, *M. L.* Saunders, Absent ^{*salem*}
Roberson and *E. H. Whites*, Trustees of the Morning Star Baptist
Church in Isle of Wight County, Virginia, and presented a petition
asking leave to sell and Easement of Right-of-Way to the Virginia
Railway and Power Company, over and across the lot of land in
Isle of Wight County, Virginia, title to which is vested in them
as Trustees and fully described in a copy of the deed and Blue
Print filed with the said petition, marked "Exhibit A".

And upon evidence being produced before the Court that it
is the wish of the congregation of said Church to sell the Easement
of Right-of-Way, mentioned in said petition ~~and apply the~~
~~proceeds of the sale to the current expenses of the church,~~ it is
adjudged, ordered and decreed that the said Charles Coleman, *M. L.*
Saunders, Absent ^{*salem*} Roberson and *E. H. Whites*, Trustees of the
aforesaid church be, and they hereby are, authorized and directed
to sell the said Easement of Right-of-Way to the said Virginia
Railway and Power Company, by private sale for the consideration
of Fifty (\$50.00) Dollars, to be paid in cash to the said Trustees
to execute deed to the said Virginia Railway and Power Company,
to collect the said purchase price, and when collected cause same
to be paid to the Treasurer of said Church.

Request to
Appoint Trustees
Morning Star Baptist
Church

Howe, August 1919
Wm. H. Harris

VIRGINIA: CLERKS OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT

7/3 1919
Filed
Teste, Wm. H. Harris Clerk

G. A. HARRIS
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA

Return to Mr. Harris

At a called meeting of the Members of the Morning Star Baptist Church in Isle of Wight County, Virginia, held in the said Church on the 28th day of November, 1918, the following preamble and resolution was introduced and adopted:

WHEREAS, It does not appear from the records of the Circuit Court of Isle of Wight County, Virginia, that any Trustees have been appointed for the religious congregation known as the Morning Star Baptist Church -

And Whereas, It is the desire of the said congregation that Charles Coleman, *M L.* Saunders, Absent Roberson and *Richard E. H. White* be appointed as said Trustees-

Now Therefore Be It Resolved: That the Honorable B. D. White, Judge of the Circuit Court of Isle of Wight County, in the State of Virginia, be, and is, hereby requested to appoint the said Charles Coleman, *M L.* Saunders, Absent ^{*Alvin*} Roberson and *Richard E. H. White*, Trustees of the religious congregation known as the Morning Star Baptist Church, to serve as such until their successors are duly appointed, or they are removed from office.

Be it further Resolved: That a copy of these Resolutions be spread on the minute book of the Church and a copy presented to the Honorable B. D. White, Judge of the Circuit Court of Isle of Wight County, Virginia.

James Bailey
Clerk.

Ralph B. Page
Moderator.

Authority
~~Anticipation~~ To Sell
Property Mornung
Star Baptist Church

VIRGINIA CLERKS OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT

7/2 1919
Filed
Teste, At Johnson Clerk.

G. A. HARRIS
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA

is willing to pay, and has offered to pay, to the Trustees of the said Church, the sum of FIFTY (\$50.00) DOLLARS, for said Easement of Right-of-Way, as above specified, and the members of the said Church being satisfied with the said offer, believing the same to be ample to compensate for any damage sustained or to be sustained by the said Morning Star Baptist Church by reason of said Easement of Right-of-Way across said property-

Now Therefore be it Resolved by the Members of the Morning Star Baptist Church of Isle of Wight County, Virginia-

First: That the said offer of the Virginia Railway and Power Company for Easement of Right-of-Way as above stated, be accepted-

Second: That the Trustees of the said Morning Star Baptist Church be, and they are hereby authorized and instructed to petition the Honorable Circuit Court of the County of Isle of Wight in the State of Virginia, to enter proper order authorizing the said Trustees to execute and deliver a good and proper deed with Special Warranty, to the Virginia Railway and Power Company for said Easement of Right-of-Way, and the deed to be conditioned as set out in the preamble of this Resolution.

Be it further Resolved that the said Trustees collect the purchase price of said Easement of Right-of-Way from the Virginia Railway and Power Company and pay same over to the Treasurer of the said Morning Star Baptist Church, and the said Treasurer is authorized and instructed to apply the said purchase price to the general fund of the said church to be used in the payment of the current expense of the said church.

Copy. Teste:

James Bailey
Clerk

Ralph B. Page
Moderator

At a called meeting of the members of the Morning Star Baptist Church, held in the Church building in Isle of Wight County, in the State of Virginia, after due notice having been given as required by the laws of said Church, on the 28 day of Sept, 1918, the following preamble and resolution was introduced and adopted:

WHEREAS, The Virginia Railway and Power Company, a corporation duly organized and existing under the laws of the State of Virginia, desires the right to construct and maintain in, upon and through the premises of the said Morning Star Baptist Church in Isle of Wight County, in the State of Virginia, with poles and towers, wires and other necessary appliances and apparatus, a line or lines for the purpose of transmitting power by electricity, together with the right at all times, to enter upon said premises for the purpose of inspecting the same, and making necessary repairs and alterations thereon or extensions and additions thereto, together with the right to cut away and keep clear of said lines all trees or other like obstructions that may, in any way, endanger the appliances or the proper operation of the same, with the right reserved to the said Morning Star Baptist Church to use the land which they desire to acquire, and over which the said Transmission Line or Lines will be erected, for agricultural or any other purpose not inconsistent with the rights and privileges hereinabove stated, provided such use will not injure or interfere with the proper operation, maintenance or repair of or extension or addition to the said line or lines; and provided further that no building or structure other than fences may be erected upon the said land by the said Morning Star Baptist Church-

And Whereas, The said Transmission Line will in no way effect the church property of the said Morning Star Baptist Church as a place of worship, or for other church purposes-

And Whereas, The said Virginia Railway and Power Company

Rt- No Ry & Co
" Morning Star Gap
Church

Copy of deed
filed with petition

VIRGINIA: CLERKS OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT

13 1919
Sept
Teste At Johnson Clerk

G. A. HARRIS
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA

In the Clerk's Office of the County Court of the County of Isle
of Wight, the 21st. day of July, 1886. This deed from W. H.
White and wife to L. E. White and others, Trustees of Mor-
ning Star Colored Baptist Church, was admitted to record on
the annexed certificates of W. S. Holland, a Notary Public.

Teste, N. P. Young, Clerk

By G. M. Cooke, D.C.

A Copy,

Teste,



Clerk.

Witness the following signatures and seals, the day
and year first above mentioned.

W. H. White (SEAL)

E. E. White (SEAL)

State of Virginia,

County of Isle of Wight, to-wit:

I, W. S. Holland, a Notary Public in and for the County aforesaid, in the State of Virginia, do certify that E. E. White, the wife of W. H. White, whose names are signed to the writing above bearing date the 25th. day of January, 1886, personally appeared before me in the County aforesaid, and being examined by me privily and apart from her husband, and having the writing aforesaid fully explained to her, she, the said E. E. White acknowledged the said writing to be her act, and declared that she had willingly executed the same, and does not wish to retrace it.

Given under my hand this 25th. day of Jan'y. A.D.1886.

W. S. Holland, Notary Public.

State of Virginia,

County of Isle of Wight, to-wit:

I, W. S. Holland, a Notary Public in and for the said County, in the State of Virginia, do certify that W. H. White, whose name is signed to the writing above, bearing date the 25th. day of January 1886, has acknowledged the same before me in my County aforesaid.

Given under my hand this 25th. day of January A.D. 1886.

W. S. Holland, Notary Public.

THIS DEED, made this, the 25th. day of January, in the year eighteen hundred and eighty six, between W. H. White and E. E. White, his wife, of the County of Isle of Wight in the State of Virginia, of the first part, and L. E. White, Moses Saunders, Eley Butler, Chas. Winfield and Jacob Bailey, Trustees of the Morning Star Colored Baptist Church, Isle of Wight County Virginia, of the second part:

WITNESSETH: That in consideration of the sum of six dollars, cash in hand paid, the receipt whereof is hereby acknowledged, the said W. H. White and E. E. White, his wife, do grant, with general warranty, unto the said Trustees and their successors in office, forever, the following property, to-wit: All that certain piece or parcel of land, containing one acre, lying and being in the County of Isle of Wight, in the State of Virginia, and is the land on which said Morning Star Colored Baptist Church building now stands, the land being in a square shape and bounded by marked trees on three sides and the County Road leading from Windsor to Blackwater Bridge on the other side, adjacent the lands of said W. H. White on three sides and the lands of Isaac Jones and J. R. Clements estate on the other side. This land is conveyed to said Trustees for the use and benefit of the said Morning Star Baptist Church forever, together with all and singular the appurtenances belonging to the same.

The said W. H. White covenants that he is seized in fee of the said land, that he has the right to convey the said land to the grantee; that the grantee shall have quiet possession of the said land free from all encumbrances, that he, the said party of the first part, will execute such further assurances of the said land as may be requisite; and that he has done no act to encumber the said land.

Home	18
Key	75
All.	10
Ch. Inver	25
Ordt	50
Copy	30
	65
	27 3