1899-023

Nansemond County (Suffolk)

Chancery Causes: Petition of trustees of the Fair-Ground Third Baptist Church

Powell, Magett, Jackson, Smith, Sharp

Larkin, Rawles

At a conference of the members of the Fair-Ground Third Baptist Church (Col.), near Suffolk in Nansemond County, Virginia, held at said church on the 1st day of Novr. 1899, Alfred Smith, a deacon of said church being in the chair, and William Moore, secretary of said church acting as such:-

On motion it is ordered that the trustees of this church do borr ow the sum of Eight hundred & eight . Dollars for the purpose of liquidating the debts owed by the members of this church for the church building, recently caused to be erected by the members of this church, on that certain lot of land situated in the Eastern suburbs of the Town of Suffolk, in the County of Nansemond and State of Virginia, and situated on the East side of Tynes Street in said suburb and bounded as follows: Beginning at the Southeast corner of the old Richard Tynes lot on Tynes Street, in the County and State aforesaid, and running thence East along the line of the lots formerly belonging to Richard Tynes, M.Jones and J.P.Johnson, One hundred feet, to the other part of this same lot (which is not a part of this church's property); thence South along the rear end of said lot Fifty feet; thence West along the line of the lot formerly belonging to W.B.Wellons, One hundred feet to Tynes Street; thence North along Tynes Street Fifty feet to the beginning; being One-half of the lot conveyed to Frank Larkin by R.N.Rawles Trustee by deed dated the 9th. day of October 1897, and all of the lot conveyed by Frank Larkin to L.G.Powell, Stephen Magett, Thomas Jackson, Alfred Smith and Jenkins Sharp, Trustees of this church, for the use and benefit of the congregation of this church, by deed of bargain and sale dated the 23d day of Feby. 1899.

And said trustees are authorized to execute their bond or notes for said sum of money, payable to the lender of the money in such manner and bearing such interest, not to exceed the legal rate, as to them shall seem best; and to take such steps by proceedings in court

as may be required by law to enable them to execute a good and valid Deed of Trust, conveying the above described church-building and lot of land to secure the payment of said bond or notes and interest thereon; it being the wish of the members of this church and of this conference representing said members, that said money shall be borrowed for the purpose aforesaid and said building and lot encumbered as aforesaid to secure its payment.

A copy, Alford his X mark Smith, Chairman

Teste: William Moore, Secretary

Witness
Wm Moore

In the Circuit Court of Nansemond County, Virginia, In Vacation.

In the matter of the petition of the trustees of the Fair-Ground Third Baptist Church (Col.) near Suffolk in the County of Nansemond, State of Virginia, to encumber certain real estate which they hold for the use and benefit of said church.-- Ex Parte.

To the Hon. Robert R. Prentis, Judge of the Circuit Court of Nansemond County, Virginia.

Your petitioners, L.G.Powell, Stephen Magett, Thomas Jackson, Alfred Smith and Jenkins Sharp, respectfully represent and show unto your honor the following case:

That by a deed of bargain and sale, dated the 23rd day of February, 1899, and duly recorded in the Clerk's Office of Nansemond Court in Deed -Book No. 44 page 141, Frank Larkin and wife sold and conveyed, with general warranty, unto L.G.Powell, Stephen Magett, Thomas Jackson, Alfred Smith and Jenkins Sharp, trustees for the purposes stated in said deed, the following real estate, to-wit:-

All that certain lot or parcel of land situated in the Eastern suburbs of the town of Suffolk, in the County of Nansemond and State of Virginia, and situated on the East side of Tynes Street in said suburb and bounded as follows: Beginning at the Siutheast corner of the old Richard Tynes lot on Tynes Street, in the County and State aforesaid, and running thence East along the line of the lots formerly belonging to Richard Tynes, M.Jones and J.P.Johnson, one hundred feet, to the other part of this original lot, (which other part is not a part of this Church's property); thence, South along the rear end of said lot Fifty feet; thence, West along the line of the lot formerly belonging to W.B.Wellons, One hundred feet to Tynes Street; thence, North along Tynes Street Fifty feet to the beginning. Being one-half of the lot conveyed to Frank Larkin by R.H.Rawles, Trustee, by deed dated the 9th.day of October 1897, and all

of the lot conveyed by said Frank Larkin to L.G.Powell, Stephen Nagett, Thomas Jackson, Alfred Smith and Jenkins Sharp, Trustees of the Fair-Ground Third Baptist Church (Col.), for the use and benefit of the congregation of said church, by deed of bargain and sale dated the 23 day of Feby 1899.

That your petitioners are the lawful trustees of said church, and as such trustees hold the said land in trust for the uses and purposes named in said deed.

That the congregation of said church ~~have~~ has caused to be erected on said lot of land a church building, and that they owe debts thereon.

That the said building and lot are held specially by your petitioners as a place of worship, for the use of the congregation of said church.

That the said church, the members and congregation thereof and your petitioners, wish to borrow, and have arranged to borrow the sum of Eight hundred & eight dollars to enable them to liquidate their debts, and they wish further to execute a valid Deed of Trust conveying the said building and land above described to secure the payment of the said sum of money or any lesser part thereof, it being the wish of the said church, the members and congregation thereof and their lawful authorities to borrow said money for the purposes aforesaid and to secure its payment by said Deed of Trust, as will appear by the paper filed herewith and marked "Exhibit A."

Your petitioners prey, therefore, that your honor will make such an order as may be proper, providing that said building and land held by them as aforesaid, may be encumbered in the manner specified to secure the payment of such sum of money as they may see fit to borrow, not to exceed the sum of Eight hundred & eight dollars, for the purpose aforesaid. And your petitioners will ever prey etc.

Lowry

G. G. Burrell
Thomas Jackson
~~B. B. Berry Brown~~
Jenkins Sharp
his
Alfred X Smith
mark
his
Stephen X Magett
mark

(Witness, R. W. Wilkins)

Trustees.

Virginia, Nansemond County, to-wit:-

This day Jenkins Sharp one of the trustees of the Fair-Ground Third Baptist Church (Col.), appeared in person before me E. E. Haccard a notary public in and for the County and State aforesaid, and made oath that the statements contained in the foregoing petition are true to the best of his knowledge and belief.

Jenkins Sharp

Subscribed and sworn to before me, in my county aforesaid, this 2nd day of Nov, 1899.

E. E. Haccard N.P.

Circuit Court of Nansemond County; In Vacation;

On the 2nd day of November 1899.

In the matter of the petition of the trustees of the Fair-Ground Third Baptist Church (Col.), near Suffolk in the County of Nansemond and State of Virginia, to enable said trustees to encumber certain real estate which they hold for the use and benefit of said church. Ex Parte.

This cause came on this day to be heard on the petition of L.G. Powell, Stephen Magett, Thomas Jackson, Alfred Smith and Jenkins Sharp, Trustees of Fair-Ground Third Baptist Church (Col.), in Nansemond County Virginia, and the exhibit filed with said petition, and was argued by counsel:-

On consideration whereof, it appearing from said petition and exhibit and from evidence this day produced, that it is the wish of the said church and of said congregation and members to borrow money, not to exceed in amount Eight hundred and eight - dollars, and to encumber the building and land mentioned in said petition for that purpose, being the lot on which the church building is now located, fronting fifty (50) feet on the East side of Jones Street in the Eastern suburbs of Suffolk, the court doth adjudge, order and decree that the said trustees be and they are hereby authorized to borrow the said sum of money as aforesaid to enable them to liquidate the debts owed by the congregation aforesaid by reason of their having caused to be built the church building aforesaid; and they are further authorized to execute a valid Deed of Trust conveying said property to secure the payment of said sum of money to the lender thereof, it being the wish of said church, the members and congregation thereof and its lawful authorities to borrow said sum of money for the purpose afore said and to secure its payment by a Deed of Trust as aforesaid. And they shall make report to court.-

Robert R. Martin

To the Clerk of the Circuit Court of Nansemond County, Virginia.

Fair-Ground Third
Baptist Church (Col.).

Petition to borrow
money by Deed of Trust
on Church property.

Enter Nov. 2, 1899
Robert R. Prentis

Entered in Chancery
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