

270

459 1936

IN THE
CIRCUIT COURT #2
OF
BALTIMORE CITY

ORVILLE PENN

vs.

THE PROGRESSIVE GRAND ANCIENT
UNITED SUPREME HOST OF ISRAEL
OF THE U.S.A OR OF THE WORLD
AT LARGE, INC.; THE EUTAW
SAVINGS BANK, THE CALVERT BANK
and HARRY O. WILSON'S BANK

PETITION TO INTERVENE
AND
ORDER

No 21438A

Mr. Clerk: 12
Please file, etc.

Thurgood Marshall
ATTORNEY FOR PETITIONERS

SERVICE OF COPY OF PETITION
AND ORDER THIS 3rd DAY OF MAY
1936

Gregory Hawkins
Attorney for Complainants.

THURGOOD MARSHALL
ATTORNEY AT LAW
PHOENIX BUILDING
4 E. REDWOOD STREET
BALTIMORE, MD.

FILED *8 May 1936*

ORVILLE PENN

IN THE CIRCUIT COURT NO. 2

VS

THE PROGRESSIVE GRAND ANCIENT UNITED
SUPREME HOST OF ISRAEL OF THE U.S.A.
OR OF THE WORLD AT LARGE, INC.: THE
EUTAW SAVINGS BANK, THE CALVERT BANK
AND HARRY O. WILSON'S BANK

OF

BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The petition of James Williams and Ella Williams respectfully shows:

First: That the Bill of Complaint in the above entitled case was filed in the Honorable Court against the Progressive Grand Ancient United Host of Israel of the U.S.A. or of the World at Large, Inc.; the Eutaw Savings Bank, the Calvert Bank and Harry O. Wilson's Bank.

Second: That the return of the sheriff shows service on the Progressive Grand Ancient United Host of Israel of the U.S.A. or of the World at Large, Inc., a corporation by James Williams, President, Service was also made on the banks named as Defendants in the action.

Third: That James Williams and Ella Williams were named in the Bill of Complaint as officers of the defendant order. James Williams is not the presiding officer nor is Ella Williams the Secretary of the order named as one of the Defendants in the Bill of Complaint.

Fourth: That the said James Williams and Ella Williams are officers of the St. James Tabernacle #5 of the defendant order; the said Tabernacle being a subordinate unincorporated branch of the defendant order.

Fifth: That the answer of the Eutaw Savings Bank, one of the defendants herein, shows that: ". . . There is carried on its books Account #271731 in the name 'St. James Tabernacle #5 P.G.A.U.S.H. of I.' which said Account was opened on December 8, 1929 with a deposit of \$20.00 and now has a present balance of \$486.50, said Account being subject to the order of any two members of the Banking Committee with the seal attached; that other than such interest, if any, as the Defendant. The Progressive Grand Ancient United Supreme Host of Israel of the U.S.A. of the World at Large, Inc. has in and to the said Account, this Defendant has on deposit no funds to or in the

name of said Defendant The Progressive Grand Ancient Supreme Host of Israel of the U.S.A. or of the World at Large, Inc."

- Sixth: That the St. James Tabernacle #5 has been unable to withdraw any of the money in the above mentioned account to pay sick benefits or other expenses of the said Tabernacle; that the petitioners and other members of the St. James Tabernacle #5 are suffering and will suffer irreparable injury by being unable to pay sick benefits.
- Seventh: That the Bill of Complaint filed herein was made for the purpose of coercing the members of St. James Tabernacle to yield to certain proposals of the orator and others of the Grand Order.
- Eighth: That the answer of the Grand Lodge does not make any claim to the money in the Eutaw Savings Bank or the other bank but prays this Honorable Court to continue the Order Nisi which prevents the said James Williams and other members of the St. James Tabernacle from carrying on the business of said Tabernacle.
- Ninth: That the petitioners are informed by counsel that they have an interest in the subject matter of this action that can only be protected by their being included as parties thereto.

WHEREFORE your Petitioners pray that an Order of Court may be passed permitting them to intervene as parties in the above entitled case.

Harwood Marshall
Attorneys for Petitioners.

James Williams

Ella Williams
Petitioners.

State of Maryland, Baltimore City, to wit:

I hereby certify that on this eighth day of May, 1936, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Ella Williams, one of the Petitioners herein, who made oath in due form of the law, that the matters and facts set out in the

above Petition are true to the best of her knowledge and belief.

Sarah J. Ambler
Notary Public



NOTAR

Upon petition and affidavit filed in the above entitled case by
James Williams and Ella Williams, on the 5th day of May, 1936,
James Williams and Ella Williams, hereby
REQUEST that the said petitioners be permitted to intervene in the above
entitled case as defendants in the said Complaint and to be made
defendant, unless cause to the contrary be
parties thereto, shown and before the 18th day of May, 1936,
procured a copy of this order by service
upon the plaintiff, Osவில்ලා Perum as
his solicitor and as before the 13th
day of May 1936.

Robert F. Stanton

ORDER

Upon petition and affidavit filed in the above entitled case by James Williams and Ella Williams, it is this ^{5th} day of May, 1936 *James Williams and Ella Williams are hereby* ORDERED that the said petitioners, ~~be~~ permitted to intervene in the above entitled case as defendants to said Bill of Complaint and to be made ^{defendant} ~~parties~~ thereto, unless cause to the contrary be shown and before the 18th day of May 1936. *Proceeded a copy of this order be served upon the plaintiff Orville Penn at his solicitor and before the 13th day of May 1936*

Robert J. Stanton

IN THE
CIRCUIT COURT #2
of
BALTIMORE CITY

220
459 1936

ORVILLE PENN

vs.

THE PROGRESSIVE GRAND ANCIENT
UNITED SUPREME HOST OF ISRAEL
OF THE U.S.A. OR OF THE WORLD
AT LARGE, INC., THE EUTAW
SAVINGS BANK, THE CALVERT BANK
and HARRY O. WILSON'S BANK

ANSWER OF
JAMES WILLIAMS, and
ELLA WILLIAMS.

No 21438A

Mr Clerk: 13
Please file, etc.

Thurgood Marshall
Attorney for Defendants

SERVICE OF COPY OF ANSWER
ADMITTED THIS 13th DAY OF
MAY, 1936

Gregory Hawkins
Attorney for complainants.

THURGOOD MARSHALL
ATTORNEY AT LAW
PHOENIX BUILDING
4 E. REDWOOD STREET
BALTIMORE, MD.

FILED

19 May 1936

ORVILLE PENN

IN THE CIRCUIT COURT NO. 2

VS

THE PROGRESSIVE GRAND ANCIENT UNITED
SUPREME HOST OF ISRAEL OF THE U.S.A.
OR OF THE WORLD AT LARGE, INC.: THE
EUTAW SAVINGS BANK, THE CALVERT BANK
AND HARRY O. WILSON'S BANK

OF

BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The answer of James Williams and Ella Williams to the Bill of Complaint in the above entitled case respectfully shows:

- First: That they have no knowledge of the allegations in the first paragraph of the Bill of Complaint other than that they believe the orator is a member of the said lodge and, therefore, can neither admit nor deny the allegations of the said paragraph but demand strict proof thereof.
- Second: That they have no knowledge of the allegations in the second paragraph of the Bill of Complaint and, therefore, can neither admit nor deny the allegations of said paragraph but demand strict proof thereof.
- Third: That they have no knowledge of any monies which the Defendant, The Progressive Grand Ancient United Supreme Host of Israel of the U.S.A. or of the World at Large, Inc., may have on deposit in the defendant banks and can neither admit nor deny these allegations but demand strict proof thereof; that the Defendants, James Williams and Ella Williams are officers of the St. James Tabernacle #5 of the defendant order; that the said Tabernacle is an unincorporated branch of the defendant order, that all money belonging to this Tabernacle has been deposited by members thereof and the defendant Grand Order has neither title nor right to any of this money.
- Fourth: That these Defendants deny all the allegations of paragraph four of the Bill of Complaint.
- Fifth: That these Defendants deny all the allegations of paragraph five of the Bill of Complaint.
- Sixth: That answering paragraph six of the Bill of Complaint these defendants deny that the orator is entitled to the relief prayed for; that they have no knowledge of any monies deposited in the defendant banks in

James Williams
Counsel for Defendants

Ella Williams
Counsel for Defendants

State of Maryland, Baltimore City, to wit:

I hereby certify that on this eighth day of May, 1936, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Ella Williams, one of the Defendants herein, who made oath in due form of the law, that the matters and facts set out in the above Answer are true to the best of her knowledge and belief.

Sarah J. Ambler
Notary Public



IN THE CIRCUIT COURT NO. 220

45A ²²⁰ OF 45A ²²⁰ 1936

BALTIMORE CITY

ORVILLE PENN

VS

THE PROGRESSIVE GRAND ANCIENT UNITED SUPREME HOST OF ISRAEL OF THE U.S.A. OR OF THE WORLD AT LARGE, INC.: THE EUTAW SAVINGS BANK, THE CALVERT BANK AND HARRY O. WILSON'S BANK

DEMURRER

No 21438A
7

MR. CLERK, PLEASE FILE.

Thurgood Marshall
6246
Attorney for Defendants

THURGOOD MARSHALL
ATTORNEY AT LAW
PHOENIX BUILDING
4 E. REDWOOD STREET
BALTIMORE, MD

FILED

2 April 1936

ORVILLE PENN

IN THE CIRCUIT COURT NO. 2

VS

THE PROGRESSIVE GRAND ANCIENT
UNITED SUPREME HOST OF ISRAEL
OF THE U.S.A. OR OF THE WORLD AT
LARGE, INC.: THE EUTAW SAVINGS
BANK, THE CALVERT BANK AND HARRY
O. WILSON'S BANK

OF

BALTIMORE CITY

To the Honorable, the Judge of said Court: *James Williams, one of the*
defendants The defendants, James Williams and Ella Williams, demur to the
plaintiff's bill, and for cause of demurrer show: *as follows:*

1. That the plaintiff has not stated in his bill such a case as entitles him to any relief in equity against these defendants.
2. That the allegations of the bill are vague and ambiguous and indefinite.
3. That it appears from paragraph four of said bill that Bertha Davenport, Mrs. James, and several others are included along with these defendants in the necessary allegations of the bill. That it appears that these parties are necessary parties to the bill but only two of the said parties are named in the bill and even these are not included in the prayer for process.
4. That no reason is given for the omission of such necessary parties to the bill.
5. That the defendant corporation, The Progressive Ancient United Supreme Host of Israel of the U.S.A. or of the World at large is also not included in the prayer for process.
6. That the basis and grounds for the bill of complaint and jurisdiction of this Court is based on a certain Constitution of the Order as appears in paragraph four of the bill. Yet, neither the Constitution nor a copy thereof has been filed as an exhibit with the bill of complaint, nor any reason given for the failure to do so.
7. And for other reasons to be shown at the hearing of this demurrer.

Harwood Marshall
Attorney for Defendant

James Williams
Defendant

STATE OF MARYLAND, BALTIMORE CITY, to wit:

I hereby certify that on this 31st day of March, 1936, before me the subscriber, a Justice of the Peace of the State of Maryland, in and for Baltimore City aforesaid, personally appeared James Williams, one of the defendants in the above entitled cause and made oath in due form of the law that the demurrer filed by him therein is not intended for delay.

Sarah J. Ambler
Notary Public.

2 April 1936 Ordered to be filed
by Judge Stanton
R. P. A.

IN THE CIRCUIT COURT NO. 2
OF BALTIMORE CITY

220
VS A *1936*

ORVILLE PENN

VS.

THE PROGRESSIVE GRAND AN-
CIENT UNITED SUPREME HOST
OF THE U.S.A. OR OF THE
WORLD AT LARGE, INC.: THE
EUTAW SAVINGS BANK, THE
GALVERT BANK AND HARRY O.
WILSON BANK

BILL (for order)

No 21438A

copy of Bill of

Mr. Clerk:

Please file.

Gregory Hawkins
Solicitor for Plaintiff

Gregory Hawkins
Attorney at-Law
1210 Pennsylvania Ave.
Baltimore, Maryland

FILED

18 March 1936

4-11-13

ORVILLE PENN

IN THE CIRCUIT COURT NO. 2

VS.

THE PROGRESSIVE GRAND ANCIENT
UNITED SUPREME HOST OF ISRAEL
OF THE U.S.A. OR OF THE WORLD
AT LARGE, INC.; THE EUTAW SAV-
INGS BANK, THE CALVERT BANK
AND HARRY O. WILSON'S BANK

OF

BALTIMORE CITY

*@ J. McKenzil
asst Cash
3/19/36-9*

*3/19/36-9. Kunkland C. Buck
asst Treas*

3/19/36-9

To the Honorable, the Judge of said Court:

Your orator, complaining says:

1. That for twenty-five years he has been a member in good standing in the fraternal order known as the Progressive Grand Ancient United Supreme Host of Israel.

2. That the orator is the presiding officer of the second Subordinate Past and Supreme Officers' Council.

3. That the orator believes that the order has on deposit in the Eutaw Savings Bank, Eutaw and Fayette Streets, the Calvert Bank, Howard and Saratoga Streets, and in Harry O. Wilson's Bank, 407 W. Franklin Street over \$400.00. Said \$400.00 having been deposited in these banks to pay the sick and death claims of its members and to defray the general expenses of the order.

4. That the orator has learned that it is the plan of the presiding officer, James Williams, and of Ella Williams the Secretary, and of Bertha Davenport the Recording Secretary, and of Mrs. James, the Treasurer, and of several others to draw the money on deposit out of the banks and dissolve the order and to form a club without first allowing the members of the Order to vote upon the proposition as is provided in the Constitution of the Order. In short said members are about to waste the assets of the corporation.

5. That since most of the members of the Order are now old they would not be eligible for membership in other Orders and no doubt many would not be able to obtain insurance in private companies because of the high rates for those of their age and because of their physical condition; therefore if these officers

were permitted to dissolve the Order and waste the assets many of the members would be greatly harmed thereby.

6. Wherefore your Orator prays that an Order Nisi may issue from this Honorable Court directed unto James Williams, presiding officer, 1927 Druid Hill Avenue, of The Progressive Grand Ancient United Supreme Host of Israel of the U.S.A. or of The World at Large, Inc.; the Eutaw Savings Bank, Eutaw and Fayette Streets, The Calvert Bank, Howard and Saratoga Streets, Harry O. Wilson's Bank, 407 W. Franklin Street, all of said persons and institutions being in the City of Baltimore, State of Maryland, commanding them or their agents or servants not to permit any monies belonging to The Progressive Grand Ancient United Supreme Host of Israel of the U.S.A. or of The World at Large, Inc. to be withdrawn from these banks.

7. That your Orator may have an Order directing the said Progressive Grand Ancient United Supreme Host of Israel of the U.S.A. or of the World at Large, Inc. requiring their agents or servants, to render an accounting of the monies paid into the Order by the members.

8. May it please your Honor to grant unto your Orator the writ of subpoena directed unto James Williams, the Presiding Officer, 1927 Druid Hill Avenue, Ella Williams, Secretary, 628 N. Fremont Avenue, The Eutaw Savings Bank, Eutaw and Fayette Streets, Calbert Bank, Howard and Saratoga Streets, Harry O. Wilson's Bank, 407 W. Franklin Street, commanding them to be and appear in this Court, in person or by Solicitor, on some day certain to be therein named and perform such decree as may be passed in the premises.

And that your Orator may have such other and further relief as the case may require.

Orville Penn
Plaintiff

Gregory Hawkins
Solicitor for Plaintiff

State of Maryland, Baltimore City to wit:

I hereby certify, that on this 17th day of March, 1936, before me, the subscriber a Notary Public of the State of Maryland; in and for Baltimore City aforesaid personally appeared **Orville Penn** the orator, and made oath in due form of law, that the matters and facts set out in the above Bill, are true to the best of his knowledge and belief.

Maud P. Bell

My Commission

Expires May 3, 1937.

Orville Penn
of Baltimore City
this 18th day
of March 1936. That an
Injunction issue as prayed
in the Bill of Complaint,
never came to the Court
be shown on or before the 31st
day of March 1936. Provided
a copy of the Bill of Complaint
and the order be served on
the defendant on or before the 23rd
day of March 1936.

Orville Penn

Ordered by the Circuit Court No. 2 of Baltimore City
this day of 1936, that an Injunction
Issue as prayed unless cause to be contrary be shown on or
before the day of 1936.

Ordered by the Circuit Court No. 2
of Baltimore City, this 18th day
of March 1936. That an
Injunction issue as prayed
in the Bill of Complaint,
unless cause to the contrary
be shown on or before the 31st
day of March 1936. Provided
a copy of the Bill of Complaint
and this order be served on
the defendant on or before the 23rd
day of March 1936

Robert F. Hallen

Copy of the Hithin Petition and Order of Court served on
The Progressive Grand Ancient United Supreme Host of
Israel of the U. S. A. or of the World at Large Incorporated
a Corporation by service James Williams President on the
20th day of March 1936 in the presence of William Hill.

Also Copy of the Hithin Petition and order of Court served on
the Butter Saving Bank a Corporation by service of Kuckland Bush
assistant Treasurer on the 19th day of March 1936 in presence of
Robert M. Hyatt. Also copy of the Hithin Petition and Order of Court
served on the Calvert Bank a Corporation by service on J. M. Kenzie
Assistant Cashier on the 19th day of March 1936 in presence of
Robert M. Hyatt. Also Copy of the Hithin Petition and Order of Court
served on Harry A. Nilson's Bank a Corporation by service on
Harry A. Nilson President on the 19th day of March ¹⁹³⁶ in
presence of Robert M. Hyatt.

Joseph C. Deegan
Sheriff

Fee \$ 3.⁰⁰



1936
MAR
18

IN THE CIRCUIT COURT NO. 2

OF BALTIMORE CITY

459 ²²⁰
1936

ORVILLE PENN

VS.

THE PROGRESSIVE GRAND ANCIENT
UNITED SUPREME HOST OF ISRAEL
OF THE U.S.A. or of The WORLD
at Large, Inc., et al.

ORDER

No 21438A

11

FILED

17 April 1936

ORVILLE PENN

* IN THE CIRCUIT COURT

VS.

* NO. 2 OF

THE PROGRESSIVE GRAND ANCIENT
UNITED SUPREME HOST OF ISRAEL
OF THE U. S. A. or of The WORLD
at Large, Inc., The EUTAW SAVINGS
BANK, The CALVERT BANK and
HARRY O. WILSON'S BANK.

* BALTIMORE CITY

This cause having coming up for hearing on the question
of Demurrer and the same having been heard, It is hereby this
17th day of April, 1936, by The Circuit Court No. 2 of
Baltimore City, Ordered that the Demurrer be and the same is
hereby over-ruled with leave to answer within fifteen days.

Robert F. Stanton

*Time to file answer extended
until May 8th 1936 inclusive*

Robert F. Stanton

Heard by Ct.

459 ⁶⁶⁷
1936

Orville Penn
on

The Progressive
Grand Ancient
United Supreme
Rite of the
A. O. U. W. etc

Deed

No 27438A

17

Mr. Clerk:

Please Enter.

Charles R. Smith
Scri for Defendants.

fd 3 December 1937

costs of these proceedings be paid by the defendant.
The above is the original of the deed entered in the
county of ... State of ...
I hereby authorize, empower and direct the
undersigned to execute and deliver the
above described deed, and to do all such
acts and things as may be necessary to
carry out the intent and purpose of the
above described deed.
Witness my hand and seal this 2nd day of
December 1937.

Orville Penn

452220
1936

no 21438A

The Progressive Grand
Ancient United Supreme
West of the A. O. G.
etc.

DECREE.

In the Circuit
Court No 2 of
Baltimore City

This cause having come on for hearing in open Court upon Bill and Answer; and after testimony at some length on the part of the Complainant herein, it is this 3rd. day of December 1937 ^{Adjudged} Ordered, and Decreed by the Circuit Court No. 2 of Baltimore City, that the Bill of Complaint herein be and the same is hereby dismissed; that the funds referred to in the Pleadings and any and all additions thereto, deposited in the Eutaw Savings Bank of Baltimore City and with Harry O. Wilson, Banker, are hereby declared to be the lawful property of the St. James Tabernacle No. 5, P.G.A.U.S. H of I, and that the said Bank and Banker are hereby authorized, empowered and directed to honor withdrawals thereof by the said owner in the same manner as, ~~had the~~ ^{if said} Bill of Compliant, ~~had~~ ^{had} ~~herein~~ never been filed; and it is further ordered that the costs of these proceedings be paid by ~~the~~ ^{the} plaintiff.

George A. Salter
Judge

Judge.

IN THE CIRCUIT COURT No. 2
OF BALTIMORE CITY

ORVILLE PENN

VS.

459 ²²⁰/₁₉₃₆

THE PROGRESSIVE GRAND ANCIENT
UNITED SUPREME HOST OF ISRAEL
OF THE U.S.A. OR OF THE WORLD
AT LARGE, INC., THE EUTAW
SAVINGS BANK, THE CALVERT BANK
AND HARRY O. WILSON'S BANK

ANSWER OF EUTAW SAVINGS
BANK OF BALTIMORE

To 21438A

Mr. Clerk:

Please file.

F. Fulton Brantley

Solicitors for Defendant, Eutaw
Savings Bank of Baltimore

Service of copy admitted this
day of March, 1936.

March 1936

BARTON, WILMER, AMBLER & BARTON
ATTORNEYS AT LAW
806 MERCANTILE TRUST BLDG
BALTIMORE, MD

John Fleasants, Clerk of Circuit Court No. 2 of
Baltimore City, to bring with him all the papers and pleadings
Penn vs The Progressive Grand Ancient United Supreme Most of
Israel of the United S. A., et al, 45A 220, No. A21438.

459 220

ORVILLE PENN, *
Plaintiff, *
vs. *
THE PROGRESSIVE GRAND ANCIENT *
UNITED SUPREME HOST OF ISRAEL *
OF THE U.S.A. OR OF THE WORLD *
AT LARGE, INC.; *
THE EUTAW SAVINGS BANK, *
THE CALVERT BANK and *
HARRY O. WILSON'S BANK *
Defendants. *

IN THE
CIRCUIT COURT

No. 2

OF
BALTIMORE CITY

* * * * *

ANSWER OF EUTAW SAVINGS BANK
OF BALTIMORE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Eutaw Savings Bank of Baltimore, one of the Defendants in the above entitled case, for answer to the Bill of Complaint exhibited in said case against it and others says:

1. Answering Paragraphs 1, 2, 4, 5, 6, 7, and 8 of said Bill of Complaint and each of said Paragraphs, this Defendant has no personal knowledge of the matters and facts therein alleged and, therefore, can neither admit nor deny the same but demands strict proof thereof.

2. Answering Paragraph 3 of said Bill of Complaint, this Defendant has no personal knowledge except as hereinafter set forth of the matters and facts therein alleged and, therefore, can neither admit nor deny the same but demands strict proof thereof; further answering said Paragraph of said Bill, this Defendant says that there is carried on its books Account #271731 in the name "St. James Tabernacle #5 P.G.A.U.S.H. of I.", which said Account was opened on December 8th, 1920 with a deposit of \$20.00 and now has a present balance of \$486.50; said Account being subject to the order of any two members of the Banking Committee with the seal attached; that other than such interest, if any, as the Defendant, The Progressive Grand Ancient United Supreme Host of Israel of the U.S.A. or of the World at Large, Inc. has in, and to the said Account, this Defendant has on deposit no funds belonging to or in the name of

459 220

said Defendant, The Progressive Grand Ancient United Supreme Host of Israel of the U.S.A. or of the World at Large, Inc.

And having fully answered said Bill of Complaint this Defendant prays that it may be hence dismissed with its costs.

AND AS IN DUTY, ETC.

EUTAW SAVINGS BANK OF BALTIMORE

By Franklin P. Whitcraft, Jr.
Vice President

L. Fulton Bramble

Solicitors for Defendant,
Eutaw Savings Bank of Baltimore

STATE OF MARYLAND:

SS:

CITY OF BALTIMORE:

I HEREBY CERTIFY that on this 24th day of March, 1936, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City aforesaid, personally appeared FRANKLIN P. WHITCRAFT, JR., Vice President of the Eutaw Savings Bank of Baltimore, one of the Defendants in the above case, and made oath in due form of law that the matters and facts set forth in the foregoing Answer are true to the best of his knowledge, information and belief, and further that he is the Vice President of said Eutaw Savings Bank of Baltimore, and duly authorized to make this affidavit.

AS WITNESS my hand and Notarial Seal.

Wallace E. Grathaus
Notary Public



P 381

Circuit Court No. 2

220
193 6 DOCKET No. 45

Orville Penn

vs.

The Progressive Grand
Ancient United Supreme Host
of Israel etc et al

SUBPOENA TO ANSWER BILL OF COMPLAINT

480

No. 21438A

copy 2 & copy 4

Filed 24 day of March, 1936

Gregory Hawkins
Solicitor.

11-13

EQUITY SUBPOENA

The State of Maryland

To

President & Worthy Ancient Master 3/20/36-11

3/21/36-13

Kirkland C. Buck asst. Treas 3/19/36-9

Q J Mc Kenzie asst. cash 3/19/36-9

The Progressive Grand Ancient United Supreme Host of Israel of the U. S. A. or of the World at Large, Inc. S. of James Williams President 1927 David Hill ave or Ella Williams, Secretary 628 N. Fremont ave. The Gutaw Savings Bank. Gutaw and Fayette sts The Calvert Bank

of Baltimore City, Greeting:

WE COMMAND AND ENJOIN YOU, That all excuses set aside, you do within the time limited by law, beginning on the second Monday of April, next, cause an appearance to be entered for you, and your Answer to be filed to the Complaint of

Orville Penn.

against you exhibited in the CIRCUIT COURT No. 2 of BALTIMORE CITY.

HEREOF fail not, as you will answer the contrary at your peril:

WITNESS, the Honorable SAMUEL K. DENNIS, Chief Judge of the Supreme Bench of Baltimore City, the 9 day of March, 1936 Issued the 18 day of March, in the year 1936

John Pleasants Clerk.

MEMORANDUM:

You are required to file your Answer or other defense in the Clerk's Office, Room No. 235, in the Court House, Baltimore City, within fifteen days after the return day. (General Equity Rule 11.)

Summomed The Progressive Grand Ancient United Supreme Court
 of Israel of the U.S.A. or of the World at large, Incorporated a
 Corporation, by service on James Williams President and a copy
 of the Process left with said President. Also notice of said
 summons left at the Principal Office of said Corporation. also
 Summomed the Gustaw Savings Bank ~~Incorporated~~ a Corporation,
 by service on Hickland C. Buck Assistant Treasurer and a
 copy of the Process left with said Assistant Treasurer. Also
 notice of said summons left at the Principal Office of said Corporation
 also Summomed The Belmont Bank ~~Incorporated~~ a Corporation by
 service on C. J. Mc Kenzie Assistant Cashier and a copy of
 the Process left with said Assistant Cashier. Also notice of
 said summons left at the Principal Office of said Corporation
 also Summomed Ella Williams and a copy of the Process left
 with the Defendant.

Joseph C. Leigan
 Sheriff

Lee Wyatt
 3/20/36. 3/29/36
 Wyatt Sebato
 3/19/36 3/21/36

Fee \$4.⁴⁰

Harry O Wilson

Calcut Bank

Eastern Savings Bank

AMOBUS YUO
ULLY SUBROEMV



P 384

Circuit Court No. 2

220
193 6

9 45
DOCKET No.....

Carville Penn

vs.

The Progressive Grand
Ancient United Supreme Host
of Israel of the U. S. A et al

SUBPOENA TO ANSWER BILL OF COMPLAINT

407 W Franklin St

3/26/36 Po

No. 21438A

copy 4
Gregory Hawkins

Filed 27 day of March, 1936

Gregory Hawkins
Solicitor.

9

EQUITY SUBPOENA

The State of Maryland

To

Harry C. Wilson's Bank
407 W Franklin St

of Baltimore City, Greeting:

WE COMMAND AND ENJOIN YOU, That all excuses set aside, you do within the time limited by law, beginning on the second Monday of April, next, cause an appearance to be entered for you, and your Answer to be filed to the Complaint of

Arville Penn

against you exhibited in the CIRCUIT COURT No. 2 of BALTIMORE CITY.

HEREOF fail not, as you will answer the contrary at your peril:

WITNESS, the Honorable SAMUEL K. DENNIS, Chief Judge of the Supreme Bench of Baltimore City, the 9 day of March, 19 36
Issued the 24 day of March, in the year 1936

John Pleasants
Clerk.

MEMORANDUM:

You are required to file your Answer or other defense in the Clerk's Office, Room No. 235, in the Court House, Baltimore City, within fifteen days after the return day. (General Equity Rule 11.)

Summoned Harry O Wilson's Bank a corporation by service on
Harry O Wilson President and a copy of the Process left with said President
also notice of said Summons left at the Principal Office of said Corporation

(Wyatt)
3/26/36

Joseph C Deegan
Sheriff

Geo J. / 15

EQUITY SUBPOENA

The State of Maryland



Handwritten text, likely a name and address, mostly illegible due to fading.

RECEIVED AT THE SHERIFF'S OFFICE NO. 1
MAY 24 1936

Circuit Court No. 2

970

1936

a

45

DOCKET No.

Orville Penn

vs.

The Progressive Grand
Ancient United Supreme
Host of Israel etc

NOTICE AS TO HEARING

(11)

No. 214389

copy enclosed

2 April

Filed

, 1936

w

Orville Penn

vs.

The Progressive Grand
Ancient United Supreme Host
of Israel etc

IN THE

Circuit Court No. 2

-OF-

BALTIMORE CITY

Upon application made by the Solicitor for the *James Williams and Ella Williams*

the above entitled cause has been placed upon the Trial Calendar in accordance with the provisions

of the First Equity Rule, and the same will stand for hearing on *demurrer*

when reached in due course on the said calendar.

JOHN PLEASANTS,

Clerk Circuit Court No. 2.

Copy of the within Notice served on Gregory Hawkins
Solicitor on the 2nd day of April 1936 in presence of
August Bichy.

Joseph C. Deegan
Sherriff

See p. 75

SERVE ON

Gregory Hawkins

2nd

1210 Pennsylvania Ave



Account Ct. No 2

of

450

220

1936

Baltimore, Md.

Orville Penn

vs

James William & Ella Williams

The Progressive Branch American
United Supreme Court of Justice

Memo

Unincorporated assoc-
tion or organization
causeting of several
more persons, having
a recognized group
name may sue or be
sued etc

Code Art 23 sec 104

File in papers
of Penn vs Hagmann
Hos of Israel etc

Circuit Court No. 2

220
1926

DOCKET No. 45-A

Orville Penn

vs.

James Williams, Eled
Williams and The Progress
Grand American United Supreme
Nat of Israel of the U.S.A & c

ORDER FOR APPEARANCE

No. 21438A
15

Filed 1 day of June 1926

45-a

220

1936

Orville Penn

IN THE

Circuit Court No. 2

-OF-

BALTIMORE CITY

James Williams^{vs.} Ella Williams
The Progressive Grand American
United Supreme Hook of
Scepter of the U.S.A. or of the
World at Large, Inc. The
Exchange Savings Bank, The
Coast Bank and Harry Q.
Wilson's Bank

May
Hallett

TERM, 1936

MR. CLERK:

PLEASE ENTER MY APPEARANCE FOR DEFENDANTS

James Williams and

Ella Williams

Clarke L. Smith

Solicitor.

142

49

Circuit Court No. 2

220

45

1936

DOCKET No.

Orville Lane

vs.

The Progressive Grand Ancient
United Synagogue of Israel et al.

Motion for Hearing

No. 21438A
8

Filed 2 day of April, 1936

Smith Penn

vs.

The Progressive
Grand United Supreme Head of
Israel of the U.S.A. et al

IN THE
Circuit Court No. 2

-OF-
BALTIMORE CITY

The defendants, James Williams & Ella Williams by

Thurgood Marshall Solicitor, applies to have the above entitled cause placed in the

Trial Calendar for a hearing on Remuner to Bill of Complaint

In conformity with the First Equity Rule.

Thurgood Marshall
Solicitor for Defendants

SERVE ON

116

40

Circuit Court No. 2

Gregory Hawkins
Sole

220
1936

DOCKET No. 45-a

1710 Penna ave

Orville Penn

vs.

James Williams, Eled
Williams and the Grand
Ingraham Grand Jurors
United Supreme Court
Case No. 10,000 at
Large. etc. etc.

(11)
PETITION AND ORDER TO TAKE
TESTIMONY UNDER 30TH RULE.



NO.

21438A

16
copy - brief

Filed June 7, 1937

10

Orville Penn

IN THE

Circuit Court No. 2

—OF—

BALTIMORE CITY

*James Williams, Esq. Williams
and the Progressive Grand Jurors
United Supreme Hot Springs
of the U.S. & c.*

To the Honorable, the Judge of the

Circuit Court No. 2 of Baltimore City:

Defendants James Williams and Esq. Williams
The Plaintiff in this case respectfully shows unto your Honor

That he desires to examine orally, in open Court and in the presence of your Honor, certain witnesses who can testify to the facts and matters relevant to the allegations in the Bill of Complaint filed in this case.

Your Petitioner therefore prays your Honor to pass an order, according to the Statutes for such cases made and provided.

And as in duty bound will ever pray.

Beane L. Smith
Solicitor for Plaintiff *James Williams and Esq. Williams*

Upon the foregoing Petition and Application it is this 10th day of June,

A. D. 1937, Ordered that the Petitioner have leave to take testimony as prayed and that the testimony to be offered be taken as required by the 30th Rule of this Court. And it is further Ordered

that a copy of this Petition and Order be served on the Plaintiff

or his 18 Solicitor, on or before the 7th day of June, 1937.

Edwin Decker

Copies of the within Petition and Order of Court
Served on Gregory, Hawkins, Solicitor on the 3rd
Day of June 1937 in Presence of August S. Beckey

Joseph C. Deegan
Sheriff

See p. 75

142
119

49

Circuit Court No. 2

41

220

1936

A DOCKET No. 45

Orville Penn

vs.

The Progressive Grand National United
Hat of Brazil etc.

(11)

PETITION AND ORDER TO TAKE
TESTIMONY UNDER 30TH RULE.

No. 214389

copy 14
Copied

Filed 15 June, 1936

13

Orville Penn

vs.

The Progressive Grand Ancient
United Supreme Hall of Masons etc.

IN THE

Circuit Court No. 2

-OF-

BALTIMORE CITY

To the Honorable, the Judge of the
Circuit Court No. 2 of Baltimore City:

Defendant

The ~~Plaintiff~~ in this case respectfully shows unto your Honor

That he desires to examine orally, in open Court and in the presence of your Honor, certain witnesses who can testify to the facts and matters relevant to the allegations in the Bill of Complaint filed in this case.

Your Petitioner therefore prays your Honor to pass an order, according to the Statutes for such cases made and provided.

And as in duty bound will ever pray.

Freugod Marshall
Solicitor for ~~Plaintiff~~
Defendants.

Upon the foregoing Petition and Application it is this *15th* day of *June*,

A. D. 193*6*, Ordered that the Petitioner have leave to take testimony as prayed and that the testimony to be offered be taken as required by the 30th Rule of this Court. And it is further Ordered

that a copy of this Petition and Order be served on the *Plaintiff*

or h/ *S*olicitor, on or before the *20th* day of *June*, 193*6*.

Wm. F. Statton

Copy of the within Petition and Order of Court served on
Gregory Hawkins Solicitor on the 16th day of June 1936
in the presence of Joseph Roberts

Joseph C. Deegan
Sheriff.

Dec 10. 75

SERVE ON

Gregory Hawkins

Solo.

1210 Penn Ave



1210

1210 Penn Ave

1905

BALTIMORE CITY

IN THE CIRCUIT COURT NO. 2
OF BALTIMORE CITY:

220
459 1936

ORVILLE PENN

VS.

THE PROGRESSIVE GRAND
ANCIENT UNITED SUPREME HOST
OF ISRAEL OF THE U. S. A. AND
THE WORLD AT LARGE, INC.

A N S W E R -

for
Grand Lodge

Mr. Clerk:

Please file &c.

No 21438A
10

E. Jackson

SOLICITOR FOR DEFENDANT.

Grand Lodge

FILED

3 April 1936

ORVILLE PENN

*

IN THE CIRCUIT COURT NO. 2

7. That the action in the Bill of Complaint was directed at a sub-ordinate Tabernacle but since

*

*

OF

THE PROGRESSIVE GRAND ANCIENT
UNITED SUPREME HOST OF ISRAEL
OF THE U. S. A. AND THE WORLD
AT LARGE, INC.

*

BALTIMORE CITY

*

*

Having answered fully and in due time the Defendant prays

the Court to continue the matter for the time being and give the

parties time to have a hearing in the course of ten days or two weeks, at which time a statement will be filed in this Honorable Court defining the position of the parent Lodge and its several

- The answer of the Defendant to the Bill of Complaint and injunction filed therewith respectfully says:
1. That there is no unusual situation in the Grand Lodge of the Host of Israel, Inc., referred to in the Bill of Complaint and that there is no real reason for these proceedings.
 2. That there has been for some time a disposition on the part of one/ of the Subordinate Tabernacle's of the Grand Lodge to dominate the parent body and promote to a degree a feeling of unrest among the members thereof.
 3. That there is now on foot, a plan to adjust the differences and that such plan seems to be gaining strength among the members generally and that the future for said parent organization is unimpaired.
 4. That the Defendant respectfully asks this Honorable Court to hold jurisdiction in the premises without making the Order Nisi for an injunction final until there is a meeting of the said subordinate Tabernacle and an understanding agreed upon.
 5. That the money in the several Banks is intact and that there is an assurance that none will be withdrawn till the said understanding above referred to shall have been reached.
 6. That the Parent organization has no desire to punish any of its subordinate Tabernacles and will issue a pronouncement in due time of the status of its relation to its subsidiaries.

(Grand Lodge Inc)

7. That the action in the Bill of Complaint was directed at a subordinate Tabernacle but since the parent organization is the only incorporated body, it is advised by Counsel that it is proper to make the above answer for ~~_____~~ *Salt Spring Lodge*.

Having answered fully and in due time the Defendant prays the Court to continue the matter for the time being and give the parties time to have a meeting in the course of ten days or two weeks, at which time a statement will be filed in this Honorable Court defining the position of the parent Lodge and its several subsidiaries.

AND as in duty bound, etc.

E. Jackson
Solicitor for Defendant.
(Grand Lodge Inc.)

John Pleasants, Clerk of Circuit Court No. 2 of
Baltimore City, to bring with him all the papers and pleadings
Penn vs. The Progressive Grand Ancient United Supreme Host of
Israel of the United S. A., et al, 45A 220, No. A21438.

Knight

vs.

Curtaw Savings Bank

Circuit Court No. 2 of Baltimore City

FLOOR 2, ROOM ~~202~~, COURT HOUSE

202 May Term, 19*28*

Mr. *Johni Pleasants et al out no 2*

You are hereby summoned to attend this Court, on *Wed* the *11* day of *May* 19*28*, at 10 o'clock A. M., to testify for *Defendant*


By order of the Court,

JOSEPH C. DEEGAN, Sheriff of Baltimore City

(Bring this summons with you.)

Issued

5-9-28

 Be punctual in attendance or you will be attached.

IN THE CIRCUIT COURT NO. ²
OF
BALTIMORE CITY *459* *220*
1936

ORVILLE PENN

v.

THE PROGRESSIVE GRAND ANCIENT
UNITED SUPREME HOST OF ISRAEL
OF THE U. S. A. OR OF THE WORLD
AT LARGE, INC., THE EUTAW
SAVINGS BANK, THE CALVERT BANK
AND HARRY O. WILSON'S BANK

ANSWER

No 21 43 8A
Mr. Clerk: *6*
Please file, etc.

Preston & Field
Solicitors for Calvert Bank

Service of Copy admitted this
30th day of March, 1936

Gregory Hawkins

fd 1 april 1936

459

ORVILLE PENN

v.

THE PROGRESSIVE GRAND ANCIENT
UNITED SUPREME HOST OF ISRAEL
OF THE U. S. A. OR OF THE WORLD
AT LARGE, INC., THE EUTAW SAVINGS
BANK, THE CALVERT BANK AND HARRY
O. WILSON'S BANK

"
"
" IN THE CIRCUIT COURT NO. 2
"
" OF
" BALTIMORE CITY
"
"
"
"

To the Honorable, the Judge of said Court:

The Calvert Bank, a body corporate, one of the
defendants in the above entitled case, by Preston and Field
its Attorneys, answering the Bill of Complaint exhibited
against it and others, respectfully shows:

1. That your respondent neither admits nor
denies the allegations contained in the first and second
paragraphs of said Bill of Complaint, as it has no knowledge
thereof.

2. That your respondent denies the allegations
contained in the third paragraph of said Bill of Complaint
and avers that it had not, at the time of serving the said
Bill of Complaint, nor has it now any of the monies of the
said, The Progressive Grand Ancient United Supreme Host of
Israel of the U. S. A. or of the World at Large, Inc.

3. That your respondent neither admits nor
denies the allegations contained in the fourth and fifth
paragraphs of said Bill of Complaint, as it has no knowledge
thereof.

Having thus answered all of the paragraphs in
said Bill of Complaint, requiring an answer, your respondent
prays that it may be dismissed with its proper costs.

And as in duty bound, etc.

Preston & Field

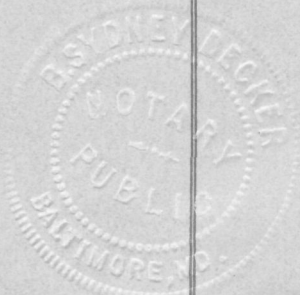
Solicitors for Calvert Bank

459

STATE OF MARYLAND, BALTIMORE CITY, to wit:

I HEREBY CERTIFY, that on this 27th day of March, 1936 before me, the subscriber a Notary Public of the State of Maryland in and for Baltimore City aforesaid personally appeared W. Howard Dashiell, Cashier of the said Calvert Bank, a body corporate and made oath in due form of law, that the matters and facts set out in the above Answer are true to the best of his knowledge and belief.

WITNESS my hand and Notarial Seal.



Sydney Becker
Notary Public

IN THE CIRCUIT COURT NO. 2

-for- 459 ⁰⁰⁰
1936

BALTIMORE CITY

ORVILLE PENN

-VS-

THE PROGRESSIVE GRAND ANCIENT
UNITED SUPREME HOST OF
ISRAEL OF THE U. S. A.,
et al

by Harry O. Wilson Bank
ANSWER TO BILL OF COMPLAINT

No 21438A

MR. CLERK:

5
PLEASE FILE.

Gen. W. F. McMechen

SOLICITOR FOR HARRY O.
WILSON'S BANK.

HAWKINS & McMECHEN
ATTORNEYS AT LAW
14 E. PLEASANT STREET
BALTIMORE, MD.

FILED

26 March 1936

ORVILLE PENN

IN THE CIRCUIT COURT NO. 2

-vs-

-for-

THE PROGRESSIVE GRAND
ANCIENT UNITED SUPREME
HOST OF ISRAEL OF THE
U. S. A.,
et al

BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Answer of HARRY O. WILSON'S BANK to the Bill of
Complaint filed herein, respectfully represents:

-First-

That ~~it~~^{it} has on deposit to the credit of the PROGRESSIVE
GRAND ANCIENT UNITED SUPREME HOST OF ISRAEL OF THE U. S. A., et al,
subject to the order of ELIZA MORROW, BERTHA JACKSON and SARAH BROWN,
the sum of fourteen dollars (\$14.85) and eighty-five cents.

-Second-

As to the other paragraphs of plaintiff's Bill of
Complaint, said defendant has no knowledge.

Having answered said Bill of Complaint, prays that the
same be hence dismissed.

And as in duty bound, etc.

Geo. L. M. Meehan
SOLICITOR FOR HARRY O. WILSON'S
BANK.

667

IN THE CIRCUIT COURT NO. 1936

OF
BALTIMORE CITY

ORVELLE PENN,
Complainant

vs

The Progressive Grand
Ancient United Supreme
Host of Isreal etc, et al
Respondents

ORDER FOR APPEAL

No 21438A

Mr. Clerk,

18

Please file,

G. L. Pendleton

Solicitor for Complainant.

1311 Druid Hill Ave.

G. L. PENDLETON

ATTORNEY AT LAW
BALTIMORE, MD.

FILED

February 1938

45A 820
1936

ORVELLE PENN,
Complainant

vs

The Progressive Grand
Ancient United Supreme
Host of Isreal, etc
The Eutaw Savings Bank,
Harry O. Wolson,
James J. Williams &
Ella Williams
Respondents.

IN THE CIRCUIT COURT NO. 2

OF

BALTIMORE CITY

TO THE COURT:

Mr. Clerk,

Please enter an appeal from the order dated the 3rd day of December 1937 and transmit the record to the court of appeals of Maryland.

Orvelle Penn
Complainant

Solicitor for Complainant

Brought into Clerk's Office 230 p.m.