

IN THE CIRCUIT COURT

OF

BALTIMORE CITY

*56  
1929*

THE ABYSSINIAN BAPTIST  
CHURCH, INCORPORATED

VS.

GEORGE W. KING, et al

*Return to complainant*

Mr. Clerk:

Please file.

*J. Stewart Davis*  
ATTORNEY FOR COMPLAINANT

*J. Stewart Davis*  
DAVIS & EVANS  
ATTORNEYS AT LAW  
*March 1929*

*Copy of the within Petition and Order of Court served on  
George W. King on the 4th day of March 1929 in the presence  
of Michael P. Cosgrove*

*John D. Potee  
Sheriff*

*New 6075*

*W. King  
630 7th St*

*21*

THE ABYSSINIAN BAPTIST  
CHURCH, Incorporated

:

IN THE CIRCUIT COURT

VS.

:

OF

GEORGE W. KING,  
ROBERT D. WILSON,  
JOHN MOORE,  
GEORGE W. JOHNSON, trading  
as The Abyssinian Baptist  
Church

:

BALTIMORE CITY.

---

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Abyssinian Baptist Church, Incorporated, by its  
Attorney, J. Steward Davis, respectfully says:

1. That on or about the *30* day of *Aug. 1938* The Abyssinian Baptist Church was incorporated as a religious corporation of the State of Maryland; and that said articles of incorporation are now recorded among the records of Baltimore City in The Superior Court in Liber *S.C.S. 15 Feb 284* a copy of which articles is attached herewith marked "Exhibit A".
2. That the said Abyssinian Baptist Church, Incorporated, has contracted to purchase valuable property in the City of Baltimore, to be used as a place of worship by the members of the complaining corporation and that under the name of the Abyssinian Baptist Church, the complaining corporation enjoys an enviable reputation as one of the foremost congregations of the City.
3. That the said Abyssinian Baptist Church, Incorporated is now worshipping at Franklin and Poppleton streets, Baltimore City, and that *George S. Harris* is the regularly elected minister of the Abyssinian Baptist Church, Incorporated.

4. That the defendants, George W. King, Robert D. Wilson, John Moore, George W. Johnson at Pennsylvania Avenue and Mosher street, Baltimore City, are now wrongfully conducting religious services under the name of the Abyssinian Baptist Church; that of the aforementioned defendants, George W. King has been designated minister to said congregation and Robert D. Wilson, John Moore and George W. Johnson are officers of members of the aforementioned alleged Abyssinian Baptist Church, Incorporated; that the said defendants are now conducting negotiations in reference to acquiring church property in the name of the Abyssinian Baptist Church, Incorporated; that if the aforementioned defendants continue to hold themselves out as the Abyssinian Baptist Church, Incorporated and that if the aforementioned defendants acquire property in the name of the Abyssinian Baptist Church, Incorporated the Abyssinian Baptist Church, Incorporated will be damaged by the confusion that will result from the existence of two congregations of the same name; and that the Abyssinian Baptist Church, Incorporated will be irreparably damaged unless the defendants are restrained by this Court from using the name of The Abyssinian Baptist Church, Incorporated to designate their corporation.

TO THE END, THEREFORE, THE COMPLAINANT PRAYS:

(a) That the said George W. King, Robert D. Wilson, John Moore George W. Johnson, their agents, servants and assigns, they and each of them may be enjoined from using the name of the Abyssinian Baptist Church, Incorporated on any buildings or on any stationary to designate their congregation; that the said George W. King, Robert D. Wilson, John Moore and George W. Johnson, their agents, servants and assigns, they and each of them may be enjoined from executing or otherwise negotiating any contracts in the name of The Abyssinian Baptist Church, Incorporated; that they be so enjoined by assuming any obligations in the name of The Abyssinian

Baptist Church, Incorporated or otherwise using the name of Abyssinian Baptist Church in any manner whatsoever.

(b) Such other and further relief as the case may require.

May it please your Honor to grant unto the complainant the Writ of Subpoena directed against the said George W. King, Robert D. Wilson, John Moore and George W. Johnson to be and appear in this Court on some day certain to be named therein and answer the premises and abide by and perform such decree or order as may be passed therein.

AND as in duty bound, etc.

Pastor

George L. Harris  
SECRETARY OF THE ABYSSINIAN  
BAPTIST CHURCH, INCORPORATED

J. Stewart Davis  
ATTORNEY FOR COMPLAINANT

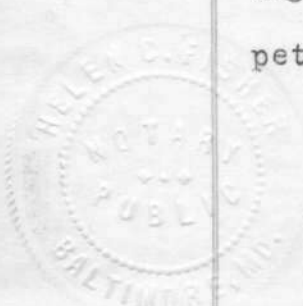
STATE OF MARYLAND, BALTIMORE CITY, to wit:

I HEREBY CERTIFY, that on this 2<sup>nd</sup> day of March, in the year one thousand nine hundred and twenty nine, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore aforesaid, personally appeared

George L. Harris and made oath in due form of law that the matters and facts in the foregoing petition are true to the best of their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Helen C. Fisher  
NOTARY PUBLIC





On the foregoing bill and exhibit, it is, this            day  
of            1929, by the Circuit Court of Baltimore City, ordered  
that a writ of injunction be issued as is prayed in said bill  
upon the filing of a bond by the plaintiff in the penalty of five  
thousand dollars, with security to be approved by the Clerk of  
this Court; but liberty is hereby reserved to the defendant to  
move for the rescinding of this order, and for a dissolution of  
the injunction to be issued as aforesaid, at any time after  
filing his answer to said bill, on giving the plaintiff five days  
**previous** notice of such motion. And the clerk is hereby directed  
to annex a copy of this order to the writ of injunction.

---

Ordered this 2<sup>nd</sup> day of March, 1929, by the  
Circuit Court of Baltimore City, that the de-  
fendant show cause within 15<sup>th</sup> days from this  
date why the relief prayed in the proposed ~~bill~~ *bill of Complaint*  
should not be granted, PROVIDED a copy of the  
proposed ~~bill~~ *bill of Complaint* together with copy of this order,  
be served on defendant or his Solicitor of rec-  
ord, on or before March 5<sup>th</sup>, 1929.

*Hubert Bond*  
Judge.

Exhibit A.  $\frac{52}{1959}$   
The Abyssinian Baptist  
Church, Inc.

vs.

George W. Fung et al

1602

Filed March 1959

THE TRUSTEES OF ABYSSINIA : ARTICLES OF INCORPORATION  
BAPTIST CHURCH OF BALTIMORE CITY, :  
INCORPORATED : Adopted.

CHARTER :  
the laws of the State of Maryland.

3. The trustees elected as provided herein shall serve for a period

KNOW ALL MEN BY THESE PRESENTS: That the members of The Abyssinian Baptist Church of Baltimore City, above the age of twenty-one years, being desirous of availing themselves of the Act of the General Assembly of the State of Maryland, providing for the incorporation of Religious Societies, did, in pursuance of a notice given, attend at said church, on the twentieth day of December in the year nineteen hundred and twenty-seven and did and then elect the following sober and discreet persons, to wit: Parker Stratton, Davis Norrell, William Pollock, Herman E. Beckenridge and Henry Fittz, which persons so elected are over the age twenty-one years and are citizens of the State of Maryland and who shall constitute a body corporate and shall, together with the minister in charge of said church, be the trustees of said church and they and their successors shall manage the estate, property, interest and inheritance of the same. And they did likewise mutually agree to unite and associate themselves as a Religious Corporation, and for such purpose did thereby make, execute and adopt the following Articles of Incorporation:

I. That the name of the Corporation (which is hereinafter called "The Corporation", is THE TRUSTEES OF ABYSSINIA BAPTIST CHURCH OF BALTIMORE CITY, INCORPORATED."

2. That the object of this Incorporated Church is the religious worship and to promote Christian piety in Christian Religion after the form and regulations and doctrines of the Missionary Baptist Church; and for the purpose of receiving, holding and purchasing of church property, real, personal and mixed, by gift, grant, bargain and sale, devise and bequest of any person or persons, body corporate or politic capable of making

determined by the by-laws to be adopted.



the same; and at its pleasure to alien, lease, transfer and dispose of such property in manner not inconsistent with the custom, usage and doctrine of said Missionary Baptist Church, and the Laws of the State of Maryland.

3. The Trustees elected as provided herein shall serve for a period of one year, or until the first annual meeting of said body corporate and until their successors are duly elected and qualified. They shall render a yearly report to the church of the expenditures and other business of the Church and shall elect their own Chairman and Secretary and hold its monthly meetings at such time and place as agreed upon.

IV

1. Regular monthly meetings for the transaction of business shall be held by the church on Thursday immediately prior to the first Sunday in every month and the time for the election of Trustees shall be the regular business meeting in December.

2. Fourteen bona fide members shall constitute a quorum.

3. Subject to the following provisions, the pastor in charge shall preside at the regular monthly business meetings of the church. PROVIDED- That in the event of the death, absence, refusal, or inability of the Pastor in charge, the church may elect one of its number to preside at any of its meetings.

PROVIDED FURTHER- That for cause, the Church, or the Congregation shall no longer require the services of the pastor, a majority of either may by written notice call a meeting giving two Lord's Day notices as to time, place and object of the same and shall there and then determine the facts before them and at the subsequent regular church meeting report such findings and recommendations, at which time and place final actions shall be made.

At all discussions of the tenure of the pastor's term of office, the meeting shall be presided over by the Chairman of the Deacon Board, or in his absence, refusal or inability, shall be presided over by the next senior Deacon or Trustee present.

4. Who shall constitute the voting membership shall be determined by the By-Laws to be adopted.



V. That after incorporation the official acts of the Corporation be signed by the Chairman of the Trustees Board and also by the Secretary of such Board and be sealed by a seal to be adopted by the Corporation. All deeds and conveyances and acts pertaining thereto and which shall require recording in the Land Office records or which by law ought to be recorded and acknowledged, shall be acknowledged on behalf of the Corporation, by its attorney duly designated and authorized.

VI. That any and all of the foregoing articles of agreement may be altered or amended at any meeting of the church, provided the object and intention of making such alterations and amendments shall have been read out at the regular services two Lord's Day previous to the action thereon, and provided further that three-fourths of the members in attendance at such meeting and voting shall be over twenty-one years of age and bona fide members.

VII. That the said body politic or church shall have all and enjoy all the rights and privileges and immunities granted to similar corporations, created under and by virtue of the Public General Laws of the State of Maryland for the regulation of such Religious Societies.

IN WITNESS WHEREOF, we have signed articles of Incorporations, this 21st day of August, one thousand nine hundred and twenty eight.

TEST:

CARLOS C. JENNINGS

PARKER STRATTON

(SEAL)

DAVIS NORRELL

(SEAL)

WILLIAM POLLOCK

(SEAL)

HERMAN E. BRECKENRIDGE

(SEAL)

HENRY FITTEY

(SEAL)

BALTIMORE CITY, STATE OF MARYLAND-To-Wit-

This is to certify that on the 21st day of August, 1928 personally appeared before me, a Notary Public, in and for Baltimore City, aforesaid, the above named subscribers and did severally acknowledge the foregoing presents to be their act and deed.

AS witness my hand and Notarial Seal.

CARLOS C. JENNINGS, NOTARY PUBLIC

To to Jan 28

Page 49

Ct. Ct.

56  
1929 Docket No. A-69

The Abyssinian Baptist  
Church, Incorporated.

vs.

George W. King, et al

SUBPOENA TO ANSWER BILL OF COMPLAINT

No. 116668

(12) (14)

Filed 11 March, 1929  
J. Stewart Davis,

SOLICITOR

*[Handwritten signature]*

Summoned George W. King and Robert D. Wilson and  
George W. Johnson  
and a copy of the Process left with each defendant  
was sent as to John Moore,

(Keele  
Langue)

Dec 20<sup>th</sup>

John E. Pate  
Sheriff

March 11<sup>th</sup> 1929

REISSUED TO

Return Day, 1929

*[Handwritten signature]* for John Moore.  
Clerk

was est.  
(Keele)

John E. Pate  
Sheriff



EQUITY SUBPOENA

The State of Maryland

On

George W. King, <sup>AS</sup> 3/4/29  
 Robert D. Wilson,  
 John Moore and  
 George W. Johnson  
 trading as  
 The Abyssinian Baptist Church

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 **March** next cause an appearance to be entered for you and your answer to be filed to the complaint of

The Abyssinian Baptist Church, Incorporated,

against you exhibited in the Circuit Court 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 **14th** day of **January** 19 **29**.  
 Issued the **2nd** day of **March**, in the year 19 **29**.

*Shas. K. Whiteford* Clerk

MEMORANDUM: You are required to file your answer or other defense in the Clerk's Office, room 206, in the Court House, Baltimore City, within fifteen days after return day.

5  
IN THE  
CIRCUIT COURT OF  
BALTIMORE CITY

56  
1929

THE ABYSSINIAN BAPTIST  
CHURCH, INCORPORATED

VS

GEORGE W. KING, ROBERT D.  
WILSON, JOHN MOORE, GEORGE  
W. JOHNSON, trading as THE  
ABYSSINIAN BAPTIST CHURCH

Answer

MR. CLERK:

21608

25  
Please file, etc.

*George W. Evans*  
Attorney for Defendants

GEORGE W. EVANS

ATTORNEYS AT LAW

508 St Paul St.

*H. E. Mach* 1929

THE ABYSSINIAN BAPTIST  
CHURCH, Incorporated

\*

IN THE

\*

Vs

\*

CIRCUIT COURT OF

GEORGE W. KING,  
ROBERT D. WILSON,  
JOHN MOORE,  
GEORGE W. JOHNSON, trading  
as THE ABYSSINIAN BAPTIST  
CHURCH

\*

BALTIMORE CITY

\*

\* \* \* \*

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Answer of your Respondents, George W. King, Robert D. Wilson, John Moore and George W. Johnson, trading as The Abyssinia Baptist Church, to the Bill of Complaint in this cause exhibited says:

FIRST: That your Respondents have no knowledge of the incorporation of the Complainant except in so far as it is set out in the Bill and exhibit, hence they neither admit nor deny the allegations contained in the first paragraph of the Bill of Complaint and demand strict proof thereof.

SECOND: Answering the second and third paragraphs of the Bill your Respondents say that they have no knowledge of the allegations contained therein except in so far as they are set out in the Bill, hence they neither admit nor deny the allegations therein contained but demand strict proof thereof.

THIRD: Answering the fourth paragraph of the Bill your Respondents admit that part of the paragraph alleging that they are conducting services at Pennsylvania Avenue and Mosher Street under the name of The Abyssinia Baptist Church and that George W. King has been designated Minister of said Congregation, and that the other Defendants are officers of the Congregation, but your Respondents deny with great emphasis that part of the paragraph alleging that the Congregation holds itself out as The Abyssinia Baptist



Church, Incorporated, or that they are conducting negotiations for the purchase of property in the name of The Abyssinia Baptist Church, Incorporated.

FOURTH: Further answering said Bill your Respondents say that the Congregation worshipping at Pennsylvania Avenue and Mosher Street, was organized a few years ago under the name of The Abyssinia Baptist Church and that it has continued to worship under the name of The Abyssinia Baptist Church from thence hitherto, that shortly after the organization, the Reverend George W. King was called as its Pastor and that he has continued to serve in that capacity.

FIFTH: That the Trustees of The Abyssinia Baptist Church, Incorporated, were up to and including the 20th day of August, 1928, members of The Abyssinia Baptist Church, ~~incorporated~~<sup>unincorporated</sup>, and that by their own acts and without any cause or reason, withdrew from the Church holding services at Pennsylvania Avenue and Mosher Street and attempted to divest said Church of its personal property as will more clearly be shown by the papers filed in the case of Rev. George W. King et al vs David Norrell et al, docket 68 A at page 383 of this Court, praying that said papers be made a part of these proceedings as if they were filed herewith.

SIXTH: That in an effort to further embarrass the Congregation worshipping under the name of The Abyssinia Baptist Church, and who had worshipped under that name for a considerable time, the Trustees of The Abyssinia Baptist Church, Incorporated, without right, authority or color of right, attempted to incorporate under the name of the Church from which they withdrew by filing with the Clerk of the Superior Court, ten days after their withdrawal, articles drawn by and for the original organization.

SEVENTH: Further answering said Bill your Respondents say that on the 4th day of March, 1929, they filed with the Clerk of The Superior Court, their articles of Incorporation, incorporating under the name of The Trustees of The First Abyssinia Baptist Church, as will appear from the records of the Superior Court, and that they are trading as the Trustees of the First Abyssinia Baptist Church, Incorporated, and that their Congregation is known and called The First Abyssinia Baptist Church; that they never did, nor do they have any desire to hold themselves out as The Abyssinia Baptist Church, Incorporated.

Having fully answered the material allegations in so far as they are advised, your Respondent prays that the Bill be dismissed with its proper cost.

*Georgew Evans*  
Attorney for Defendants

*George W. King*  
Pastor of The First  
Abyssinia Baptist Church, Inc.

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on the *15<sup>th</sup>* day of March, 1929, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore aforesaid, personally appeared George W. King, one of the Defendants, and made oath in due form of law that the matters and facts in the foregoing Answer are true to the best of his knowledge and belief.

AS WITNESS my hand and Notarial Seal.

*John Recktenwald*  
Notary Public

D

Serve on  
Geo. W. Evans,  
Jr.  
George Evans

RECEIVED AT  
THE CLERK'S OFFICE

MAR 21 1929 12 04 PM

IN THE CIRCUIT COURT OF  
BALTIMORE CITY.

26  
1929

THE ABYSSINIA BAPTIST CHURCH,  
INCORPORATED

VS.

GEORGE W. KING, et al.

508 St Paul St  
Vernon 7468

B/C & Order  
C

Mr. Clerk:

Please file.

J. Stewart Davis  
ATTORNEY FOR COMPLAINANT

20/6068  
26

J. Stewart Davis  
DAVIS & EWING  
ATTORNEYS AT LAW

1929

BAUMGARTEN & CO., INC.

copy of the within Bill of Complaint and Order of  
Court served on George W. King solicitor on  
the 22nd day of March 1929 in presence of  
Adam & Buck

John E. P. H.  
Hess

Also p. 70



THE ABYSSINIA BAPTIST CHURCH, : IN THE CIRCUIT COURT  
Incorporated

VS. : OF

GEORGE W.KING,  
ROBERT D.WILSON,  
JOHN MOORE,  
GEORGE W.JOHNSON, trading as  
THE ABYSSINIA BAPTIST CHURCH : BALTIMORE CITY.

---

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Complainant in the above case exhibited respectfully says:

That on or about the 11<sup>th</sup> day of March, 1929, the respondents in the above case filed an answer to the Bill of Complaint; that in said answer the respondents state that on March 4, 1929, a date subsequent to the filing of this suit, they, the said respondents, incorporated a certain religious body as The Trustees of The First Abyssinia Baptist Church; that the clerk of the Superior Court of Baltimore City has accepted said Articles of Incorporation for record; that the use of the name of The First Abyssinia Baptist Church further tends to the confusion complained of in the Bill of Complaint.

TO THE END, THEREFORE, YOUR PETITIONER PRAYS:

(a) That the said George W. King, Robert D. Wilson, John Moore George W. Johnson, their agents, servants and assigns, they and each of them may be enjoined from using the name of the <sup>First</sup> Abyssinia Baptist Church, Incorporated on any buildings or on any stationary to designate their congregation; that the said George W. King, Robert D. Wilson, John Moore and George W. Johnson, their agents, servants and assigns, they and each of them may be enjoined from executing or otherwise negotiating any contracts in the name of The Trustees of the First Abyssinia Baptist Church, Incorporated; that they be so enjoined by assuming any obligations in the name

of The Trustees of The First Abyssinia Baptist Church, Incorporated, or otherwise using the name of The Trustees of The First Abyssinia Baptist Church in any manner whatsoever.

(b) That the said Articles of Incorporation of The Trustees of The First Abyssinia Baptist Church recorded on the 4th day of March, 1929 be set aside.

(c) Such other and further relief as the case may require.

AND as in duty bound, etc.

*J. Stewart Davis*

ATTORNEY FOR COMPLAINANT

Ordered on this the 21<sup>st</sup> day of March 1929 by The Circuit Court of Baltimore City that the Writ of Injunction be issued as is prayed, unless cause to the contrary be shown on or before the 5<sup>th</sup> day of April, 1929, provided that a copy of this order is served on the defendants or their attorney on or before the 30<sup>th</sup> day of March, 1929.

*W. R. Howard*

Delivered Paris  
Service admitted  
this 12<sup>th</sup> day of April  
1929  
George W. Evans

**CIRCUIT COURT**

a-569  
1929 Docket No.

Hyperiana Baptist Church  
VS.

George Kung et al

**PETITION AND ORDER TO  
TAKE TESTIMONY UN-  
DER 30th RULE**

No. 16068  
(9)

Fd. Cyrie 1929  
X-2

copy of the within Petition and Order of Court served  
on George W. Evans Solicitor on the 12<sup>th</sup> day of April 1929  
In presence of Albert E Buehler  
John E. Stille  
Deo 1075  
Sheriff

a-16068

Service on  
Geo W Evans  
215 St Paul Place

The Abbeville Baptist Church  
Dne.

vs.

George King et al

IN THE  
Circuit Court  
OF  
BALTIMORE CITY

To the Honorable the Judge of the  
Circuit Court of Baltimore City:

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 therefor prays your Honor to pass an order, according to the Statutes for such case made and provided.

And as in duty bound will ever pray.

J. Stewart Davis

Solicitor for Plaintiff.

Upon the foregoing Petition and Application it is this 8th day of April, A. D., 19 29, 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 defendant or their Solicitor, on or before the 18th day of April, 19 29

W. H. King



56  
1929

IN  
THE CIRCUIT COURT  
of  
BALTIMORE CITY

THE ABYSSINIA BAPTIST  
CHURCH, INCORPORATED

VS

GEORGE W. KING, ROBERT D.  
WILSON, JOHN MOORE, GEORGE  
W. JOHNSON, trading as  
THE ABYSSINIA BAPTIST  
CHURCH

Answer

MR. CLERK:

216568

27

Please file, etc.

*George W. Evans*  
Attorney for Respondents.

GEORGE W. EVANS  
ATTORNEY AT LAW

*J. S. [unclear] 1929*

THE ABYSSINIA BAPTIST  
CHURCH, INCORPORATED

\*

IN

\*

THE CIRCUIT COURT

VS

\*

of

\*

BALTIMORE CITY

GEORGE W. KING,  
ROBERT D. WILSON,  
JOHN MOORE,  
GEORGE W. JOHNSON, trad-  
ing as THE ABYSSINIA  
BAPTIST CHURCH

\*

\* \* \* \* \*

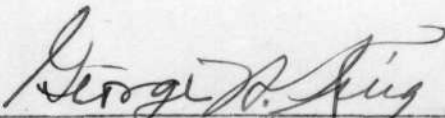
TO THE HONORABLE, THE JUDGE OF SAID COURT.

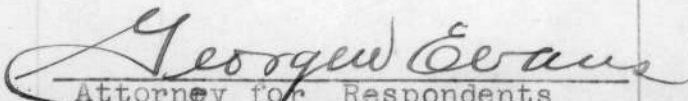
The Answer of your Respondents to the Nisi Order passed on the 21st day of March says:

That in answer to the allegations set forth in the supplementary Bill, your Respondents say that at the time of the filing articles of incorporation by The Trustees of The First Abyssinia Baptist Church, on the 4th day of March 1929, they had no knowledge of the pending action in this case, that they had not been served with the order of Court and that their action in filing the articles was <sup>in</sup> keeping with a resolution passed by the Church on the 28<sup>th</sup> day of Feb. 1929.

That the filing of the articles subsequent to the passage of this Order was not in an effort to evade the Order of this Honorable Court.

WHEREFORE your Respondents pray that the Bill be dismissed with its proper cost.

  
\_\_\_\_\_  
Pastor of the "First Abyssinia  
Baptist Church

  
\_\_\_\_\_  
Attorney for Respondents