

Serve on
defendants

In The ^{A 138}
Circuit Court ¹⁹¹⁴
No. 2
Of Baltimore City.

Edward L. Bouldin
and
William W.B. Day

vs.

Ephram M. Tildon
Almac Butler
William P. Whitney
J. Franklin Johnson
Benjamin H. Selby

BILL OF COMPLAINT.

5-orders

Mr. Clerk:
1321 Ethington

Please file
Hawkins & McMechen
Solicitors for Plaintiffs
No 11167 A
1-3

Copy order 51 - Copy
HAWKINS & McMECHEN
ATTORNEYS AT LAW
21 EAST SARATOGA STREET
BALTIMORE, MD.
FD 18-June 1914

Copies of the within Order of Court, served on Ephram,
M. Tildon, and J. Franklin Johnson on the 19th
day of June, 1914, in presence of George B. Whorton,
Notary as to Almac Butler, William P. Whitney,
and Benjamin H. Selby. Thomas F. McVerty,
(Whorton & Kelly) Sheriff.

Fee \$1.00

Edward L. Bouldin

and

William W.B. Day

vs.

Ephram M. Tildon
 Almac Butler
 William P. Whitney
 J. Franklin Johnson
 Benjamin H. Selby

In The

Circuit Court No. 2

Of

Baltimore City.

To the Honorable the Judge of said Court:

Your Orators complaining say:

1. That they and the defendants named herein on the 4th day of November, 1918, perfected an organization known as the Negro Business Men's Protective Association, a voluntary organization whose objects and purposes among other things were to foster business enterprises conducted by persons of the Negro race.
2. That in the prosecution of the objects and purposes of the said organization your orators and the said defendants have paid into the treasury thereof, varying sums of money aggregating approximately the sum of two hundred dollars, that books of account have been purchased, literature explaining the purposes of the organization has been printed, and plans perfected to push the work of the said association.
3. That irreconcilable differences have arisen among the members of said association as to the plans of its operation, that J. Franklin Johnson and William P. Whitney, the secretary and president respectively of the said organization, in violation of the regulations thereof have misapplied the funds of said organization, and by the aid and assistance, or connivance of the other defendants have excluded your orators from all share in or control over the affairs of the said organization,

2.

have absolutely refused to permit them to inspect the books of account, or to attend any of the meetings of the said organization.

4. That the effects of the said organization, if properly administered, would not only discharge its obligations, but yield a large part of the claims of the members thereof, but if the said mismanagement heretofore referred to is continued, they will be so far diminished as to become inadequate to pay its debts, to the manifest injury of its creditors, as well as your orators.

5. That your orators are advised and therefore charge and aver that the said J. Franklin Johnson and William P. Whitney, the secretary and president respectively are about to abscond and take with them the remaining effects of the said organization.

To the End therefore,

1. That a receiver may be appointed to take charge of all the organization's books and papers of account, goods and effects, collect the debts due thereto, and to preserve or dispose of the same under the direction of this Honorable Court.

2. That the said J. Franklin Johnson and William P. Whitney may by injunction be restrained from selling or disposing of any of the effects of the said organization, or intermeddling in any other manner with the business thereof.

3. That the said organization may be declared to be dissolved, and that an account of its business may be taken under the direction of this Court, that its effects may be applied to the payment of its debts, and the residue thereof distributed among its members.

4. That your orators may have such other and further relief as their case may require.

May it please your Honor to grant unto your orators the writ of subpoena directed to the defendants, all of whom are residents of the City of Baltimore, commanding them to be and appear in this Honorable Court in person or by solicitor, and answer the premises and abide by and perform such decree as may be passed therein

And as in duty bound, etc.

Edw. L. Bouldin
William W. B. Day *Hawkins & McMechen*
Solicitors for Plaintiffs.

STATE OF MARYLAND, BALTIMORE CITY, TO WIT:

This is to certify that on this *17th* day of June, 1919, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared William W. B. Day, one of the plaintiffs, and made oath in due form of law that the matters and facts in the foregoing Petition are true to the best of his knowledge and belief.

Witness my hand and Notarial Seal.

Charles Jennings
Notary Public.

UPON THE FOREGOING BILL OF COMPLAINT AND AFFIDAVIT,
it is ORDERED by the Circuit Court No. 2 of Baltimore City this 18th
day of June, 1919, that a receiver be appointed to take charge of
the affairs of the Negro Business Men's Protective Association, unless
cause to the contrary be shown on or before the 3rd day of July
1919, provided a copy of this order be served on the said defendants,
Ephram M. Tildon, Almac Butler, William P. Whitney, J. Franklin,
Johnson and Benjamin Selby, on or before the 23rd day of June, 1919.

J. H. D. D. D.

11167

In The Circuit Court

of W-2-

(1938)

Baetman City 1919

Edward Boulder

vs.

Baetman T. Baetman
William Baetman
et. al.

Answer

per clerk please file -

No. 11167 A

J. Stewart Davis
attorney

118 E. Kensington St

Baetman, W-2

Filed 3rd June 1919

Edward L. Bouldin

and

William W. B. Day

Vs.

Ephraim M. Tilden

Almac Butler

William P. Whitney

J. Franklin Johnson

Benjamin H. Selby

In The

Circuit Court No. 2

of

Baltimore City

To The Honorable, The Judge of said Court:

The joint and several answer of ~~Ephraim M. Tilden, Almac Butler, William P. Whitney, J. Franklin Johnson, and Benjamin H. Selby~~, the defendants in this cause to the bill of complaint of Edward L. Bouldin and William W. B. Day vs. them in this Court exhibited.

These defendants respectfully say:

That they admit the first, paragraph of the bill of the complainants

That they deny the second, third, fourth, and fifth paragraphs of the bill of complaint

That the complainants are not entitled in law or equity for the relief asked for

To the end wherefor the defendants pray that the bill be dismissed with costs on the complainants.

(Signature)

attorney for defendants

B. H. Selby

J. Franklin Johnson

William P. Whitney

STATE OF MARYLAND)
) To Wit:
Baltimore City)

I hereby certify that on this 28th day of June in the year nineteen hundred and nineteen, before me the subscriber a notary public of the county of Baltimore, in and for the State of Maryland, aforesaid, personally appeared ~~Ephraim M. Tilden, Al-
mac Butler~~, William P. Whitney, J. Franklin Johnson, and Benjiman Selby and made oath in due form of law that the above answer was true to the best of their knowledge and belief.

Arthur H. Rogers

Notary Public



CIRCUIT COURT

UPON THE FOREGOING BILL OF COMPLAINT AND AFFIDAVIT,

it is ordered by the Circuit Court that a receiver be appointed to take charge of

the affairs of the Negro Business Man's Protective Association, to-wit:

James M. Dixon, James Butler, William L. Franklin, John and Benjamin Gaby, or either of them, provided a copy of this order be duly served on the said defendants,

and the contrary be shown on or before the day of June, 1919.

Witness my hand and seal of the said Court at the City of Baltimore, Maryland,

this 15th day of June, 1919.

John M. Dixon, Clerk of the Court.

Served on Alvin Butler,
401 N. Selmer

Boulden re
v.
Tildon et al

CIRCUIT COURT, No. 2,
BALTIMORE, CITY.

UPON THE FOREGOING BILL OF COMPLAINT AND AFFIDAVIT,

it is ORDERED by the Circuit Court No. 2 of Baltimore City this 18th
day of June, 1919, that a receiver be appointed to take charge of
the affairs of the Negro Business Men's Protective Association, unless
cause to the contrary be shown on or before the 3rd day of July
1919, provided a copy of this order be served on the said defendants,
Ephram M. Tildon, Almac Butler, William P. Whitney, J. Franklin
Johnson and Benjamin Selby, on or before the 23rd day of June, 1919.

John Pleasant

TRUE COPY TEST.

John Pleasant

CLERK.

News on Wm. P. Cottrill,
1321 S. 1st St.

Bouldin re

vs.

Tildon, et al

CIRCUIT COURT, No. 2,
BALTIMORE. CITY.

UPON THE FOREGOING BILL OF COMPLAINT AND AFFIDAVIT,

it is ORDERED by the Circuit Court No. 2 of Baltimore City this 18th day of June, 1919, that a receiver be appointed to take charge of the affairs of the Negro Business Men's Protective Association, unless cause to the contrary be shown on or before the 3rd day of July, 1919, provided a copy of this order be served on the said defendants, Ephram M. Tildon, Almac Butler, William P. Whitney, J. Franklin, Johnson and Benjamin Selby, on or before the 23rd day of June, 1919.

John J. Dabler

TRUE COPY TEST.

John Pleasant
CLERK.

Edward L. Bowdler
MS

John M. Tilden
Almon Ricker
William P. Whitney
J. Franklin Johnson
Benjamin H. Kelley

Samuel B. Kelley
537 N. Lafayette St. ans.

Bouldin
vs.
Tildon et al

**CIRCUIT COURT, No. 2,
BALTIMORE CITY.**

UPON THE FOREGOING BILL OF COMPLAINT AND AFFIDAVIT,
it is ORDERED by the Circuit Court No. 2 of Baltimore City this *18th*
day of June, 1919, that a receiver be appointed to take charge of
the affairs of the Negro Business Men's Protective Association, unless
cause to the contrary be shown on or before the *3rd* day of *July*
1919, provided a copy of this order be served on the said defendants,
Ephram M. Tildon, Almac Butler, William P. Whitney, J. Franklin,
Johnson and Benjamin Selby, on or before the *23rd* day of *June*, 1919.

TRUE COPY TEST.

John Pleasant
CLERK.

John J. Dabler

Cir. Ct. No. 2.

138
1919

Docket No. 28 A.

Edward L. Bouldin
et al

vs.

Ephraim M. Tildon
et al

GENERAL REPLICATION

Mr. Clerk,
Please file,

Hawkins & McMeekin

Solicitors for Plaintiffs

NO. 11167 A
6

Filed Sept. 19 1919

IN THE CIRCUIT COURT NO. 2
OF BALTIMORE CITY.

Edward L. Bouldier
et al

In the CIRCUIT COURT No. 2
of Baltimore City.

Ephraim Tildon,^{vs.}
et al

September

TERM

1919

To the Honorable

John J. Dobler

Judge of Said Court:

The Plaintiffs join issue on the matters alleged in the answer of

William P. Whitney, J. Franklin Johnson and Benjamin

H. Selby

so far as the same may be taken to deny or avoid the allegations of the bill

Hawkins & McMehee

Solicitors for Plaintiff.

Serve on

Stevan Davis
Solr

No 62

Circuit Court No. 2

138
1919

Docket No. *28 A.*

Edward L. Bouldier et al

vs.

Ephraim M. Tildon et al.

PETITION AND ORDER TO TAKE
TESTIMONY UNDER 35TH RULE.

19th September, 1919.

No. *11167 A*

7
Copies *6* kept

Filed

19th September 1919

5

Thomas J. McMully
Sheriff.

Non Est
(Kennedy)

Edward L. Boulder
et al

VS.

Ephraim M. Tildon

IN THE
Circuit Court No. 2
OF
BALTIMORE CITY.

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

The Plaintiff in this case respectfully show unto your Honor

That he desire 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 pray your Honor to pass an order, according to the Statutes for such cases made and provided

And as in duty bound will ever pray.

Hawkins & McMechen

Solicitors for Plaintiff

Upon the foregoing Petition and Application it is this 19th day of September

A. D. 1919, Ordered that the Petitioner have leave to take testimony as prayed and that the testimony to be offered be taken as required by the 35th Rule of this Court. And it is further Ordered that

a copy of this Petition and Order be served on the Defendants
or his Solicitor, on or before the 20th day of September, 1919

John D. Doble

Serve on

Circuit Court No. 2

138

191

A

Docket No. 28

Boulden

vs.

Tildon

Copy

PETITION AND ORDER TO TAKE
TESTIMONY UNDER 35TH RULE.

No.

Filed 191

Edward L. Boulden

et al

vs.

Ephraim M. Tildon

IN THE
Circuit Court No. 2
OF
BALTIMORE CITY.

To the Honorable, the Judge of the
Circuit Court No. 2 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 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.

Hawkins & McMechen

Solicitor for Plaintiff. S

Upon the foregoing Petition and Application it is this 19th day of September

A. D. 1919, Ordered that the Petitioner have leave to take testimony as prayed and that the testimony to be offered be taken as required by the 35th Rule of this Court. And it is further Ordered that

a copy of this Petition and Order be served on the Defendant or his Solicitor, on or before the 24th day of September, 1919

TRUE COPY TEST.

John Pleasant
CLERK.

John J. Dobler

Ct. Ct. No. 2.

138
191 9 No. A Docket 28

Buldon

v's.

Seldon

Summons for Witness

No. 11167A
8

Filed 9 day of Sept 1911

J S Davis

In the Circuit Court No. 2 of Baltimore City

Sept Term, 1919

returnable

Thursday, Nov 6-1919 at 10 AM
Before Judge Ambler
Room 241
2nd floor

The Sheriff will please summon the following witnesses,

14 J. Franklin Johnson sd
1303 Stricker St.

10-11 Benj. Seebach sd
1035 Grand Avenue

18- Wm Whitney sd
Morgan College

14 Mr. Tilden 557 Argyle Ave

to testify for

Defendant

in the case of

Edw. & Donaldson

vs.

Ephraim M. Tilden

3/23/60

28 N 138
1919

IN THE
CIRCUIT COURT NO. 2.
OF
BALTIMORE CITY

EDWARD L. BOULDIN
et al.

vs.

PHRAIM L. TILDON.
et al.

Order 12 November 1919

ORDER OF COURT

Mr. Clerk:

please file.

Hawkins & McMechen
Solicitors for Plaintiff

No 11167A
3468

HAWKINS & McMECHEN
ATTORNEYS AT LAW
21 EAST SARATOGA STREET
BALTIMORE, MD.

12 November

EDWARD L. BOULDIN
et al.

vs.

EPHRAIM L. TILDON
et al.

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

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This cause standing ready to be heard, and having been submitted, the counsel for the parties were heard and the proceedings read and considered,

It is thereupon this *10th* day of November, 1919, Ordered by the Circuit Court No. 2 of Baltimore City that W. Ashbie Hawkins and J. Steward Davis be, and they are hereby appointed Receivers of the voluntary organization known as the Negro Business Mens' Association, with power and authority to take charge of the books, papers and effects of, or belonging to the said voluntary organization, to collect the outstanding debts due to the same; that the said Ephraim Tildon, William P. Whitney, J. Franklin Johnson and Benjamin H. Selby and each of them are required to yield up and deliver unto the said W. Ashbie Hawkins and J. Steward Davis the books, papers and effects of the said voluntary organization, subject moretheless, to the further direction of this Court.

And it is further ordered that before the said W. Ashbie Hawkins and J. Steward Davis proceed to act as receivers by virtue of this Order, they give bond to the State of Maryland in the penalty of *two hundred* dollars, with a surety or sureties to be approved by this Court or the Clerk thereof, and conditioned for the faithful performance of the trust reposed in them by this Order, or which may be reposed in them by any further decree or order in the premises.

James M. Cumber