

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF PORTSMOUTH
2022 MAY -3 PM [2:43]

COMMONWEALTH OF VIRGINIA

Plaintiff,

v.

Case No.: CR15-1899

ALFRED DARNELL LANE

Defendant.

FINAL ORDER

In the above styled case, comes now Defendant, Alfred Darnell Lane, to be heard upon his MOTION TO VACATE VOID JUDGMENT. On May 26, 2016, a jury found Defendant guilty of one count of statutory burglary with a deadly weapon, one count of abduction, one count of robbery, one count of felony first-degree murder, and three counts of use of a firearm in the commission of a felony, for which he was sentenced to a total of sixty-nine years' incarceration. Defendant here seeks to vacate the sentencing orders on grounds that they are void *ab initio*.

The Rules of the Supreme Court of Virginia prescribe a strict twenty-one (21) day period during which a circuit court retains jurisdiction over a case in which it has already entered a final judgment. Va. Sup. Ct. R. 1:1. That strict statutory period is inviolate, except in certain specific and limited scenarios. See, e.g., *Charles v. Commonwealth*, 270 Va. 14, 17 (2005). Defendant calls upon the circuit courts' continuing jurisdiction to vacate judgments deemed void *ab initio*, which may be attacked at any time. See, e.g., *Jones v. Commonwealth*, 293 Va. 29, 47 (2017). See also Va. Code Ann. § 8.01-428(D). A void judgment is a judgment that is (1) entered by a court lacking subject matter jurisdiction over the controversy, (2) of such a character that "the court had no power to render it," or (3) reached by a mode of procedure that the court could not lawfully adopt. *Singh v. Mooney*, 261 Va. 48, 51-52 (2001).

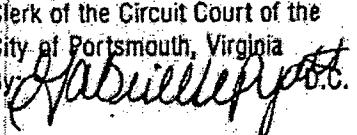
Here, Defendant argues that the Court's sentencing orders are void under the first prong – that the Court lacked subject matter jurisdiction. Defendant seeks to support this claim by citing the "1787 Treaty of Peace and Friendship Between Morocco and the United States." He argues that the grand jury indictments, returned as a true bill on December 2, 2015, contained a "derivative of [his] legal name," and as such were defective. He further argues that he is a sovereign citizen and has not ceded that sovereignty, resulting in the lack of a "valid contract" between Defendant and the United States. However, subject matter jurisdiction refers to "a court's power to adjudicate a class of cases or controversies." *In re Commonwealth of Va.*, 278 Va. 1 (2009). Subject matter jurisdiction "can only be acquired by virtue of the Constitution or of some statute." *Morrison v. Bestler*, 239 Va. 166 (1990). Va. Code § 17.1-513 is the primary grant of subject matter jurisdiction to the circuit courts. It provides, in part, that circuit courts "shall have original jurisdiction of all indictments for felonies and of presentments, informations and indictments for misdemeanors." As such, no argument from Defendant can alter the fact that the Court possessed subject matter jurisdiction in this matter. Therefore, Defendant's MOTION TO VACATE VOID JUDGMENT is hereby DENIED.

Pursuant to Rule 1:13, the endorsements of counsel and the *pro se* Defendant are waived. The Court directs the Clerk of Court to forward a copy of this Order to Defendant and all counsel of record.

It is so ORDERED.

ENTERED this 3rd day of May, 2022.


The Honorable Johnny E. Morrison, Judge
Circuit Court of the City of Portsmouth

A copy, Teste: Cynthia P. Morrison
Clerk of the Circuit Court of the
City of Portsmouth, Virginia
By: 

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ALFRED LANE-BEY,)
also known as Moorish-American)
also known as Alfred Darnell Lane,)
Plaintiff,) Civil Action No. 7:22-cv-00656
)
v.)
) By: Elizabeth K. Dillon
ALFRED DARNELL LANE, et al.,) United States District Judge
Defendants.)

MEMORANDUM OPINION

Alfred Lane-Bey, an inmate in the custody of the Virginia Department of Corrections and proceeding *pro se*, commenced this civil action under 42 U.S.C. § 1983. The case was conditionally filed, and Lane-Bey has provided all of the documents in support of his application to proceed *in forma pauperis*. He also has filed three separate motions for leave to amend his complaint. (Dkt. Nos. 8, 9, 10.)

The case is before the court for screening under 28 U.S.C. § 1915A(a). Under that statute, the court must conduct an initial review of a “complaint in a civil action in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity.” 28 U.S.C. § 1915A(a). The court must “dismiss the complaint, or any portion of the complaint,” if it is frivolous, fails to state a claim on which relief may be granted, or “seeks monetary relief from a defendant who is immune from such relief.” 28 U.S.C. § 1915A(b)(1)–(2). *See also* 28 U.S.C. § 1915(e)(2)(B) (requiring the court to dismiss an *in forma pauperis* action at any time, regardless of whether the filing fee or any portion of it has been paid, when the action fails to state a claim on which relief may be granted, among other reasons).

Pleadings of self-represented litigants are given a liberal construction and held to a less

stringent standard than formal pleadings drafted by lawyers. *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam). Liberal construction does not mean, however, that the court can ignore a clear failure in pleadings to allege facts setting forth a claim cognizable in a federal district court. *See Weller v. Dep't of Social Servs.*, 901 F.2d 387, 391 (4th Cir. 1990).

Applying these standards to Lane-Bey's complaint, the court concludes that his complaint is subject to dismissal as frivolous and for failure to state a claim. Additionally, the court has considered the allegations in his various motions to amend. Even considering them, he still fails to state a claim. The court will therefore dismiss Lane-Bey's complaint and will deny his motions to amend as moot.

I. LANE-BEY'S ALLEGATIONS¹

Lane-Bey's original complaint names himself as a defendant (using the name under which he was convicted), a judge in the Circuit Court of Portsmouth, Virginia, and that court's Clerk. He also names three individuals at Wallens Ridge State Prison, where he was housed at the time he filed his complaint: Warden Davis, Rivero (an investigator), and K. Paderick (an ombudsman). (Dkt. No. 1.)

In his first motion for leave to amend, he asks for leave to amend the defendants. The court construes his motion as seeking to add new defendants, rather than replace any, although that is not clear from his motion. Most of those defendants are personnel at his new facility, Red Onion State Prison, and his proposed amendment does not add any additional allegations. (*See generally* 1st Mot. Amend, Dkt. No. 8.)

In his second motion for amend, he seeks to add as defendants the governor of Virginia

¹ The complaint also references two other prisoners, who he describes as "co-counsel." (Compl. 2.) But a litigant unassisted by counsel may not represent other plaintiffs. *Oxendine v. Williams*, 509 F.2d 1405, 1407 (4th Cir. 1975). Any claims on behalf of other prisoners are thus dismissed without prejudice.

and the Supreme Court of the United States, who failed to “correct, fix, or remedy . . . the wrongs committed by denying Plaintiff[’s] writ of habeas corpus.” (2nd Mot. Amend 3, Dkt. No. 9; *see generally id.*)

His third motion to amend seeks to add as defendants the “Commonwealth of Virginia by way of [Governor] Glenn Youngkin,” the “United States Supreme Court by way of President Joe Biden,” and two individuals employed by VDOC. (3rd Mot. Amend 2, Dkt. No. 10.) The two individuals, according to his proposed amendment, are using “fraudulent records” because they do not identify him as a “Moorish-American ‘in propria persona.’” (*Id.* at 3.)

Lane-Bey’s complaint and his claims appear to be premised on a combination of two overarching theories. The first is based on his citizenship as a “Moorish American,” which he says means that the name “Alfred Darnell Lane #1655108” and its various derivatives is a “fictitious entity that [was] created to obtain jurisdiction over this Moorish-American plaintiff.” (Compl. 2.) The second is the theory underlying the so-called “sovereign citizen” movement.²

Throughout his complaint he uses language from both of these theories. For example, he repeatedly refers to himself as “in propria persona” and “sui juris.” (*Id.* at 1, 8; 1st Mot. Amend 1.) He also describes himself in his signature as “a real, live flesh and blood, breathing, non-fictional, and natural being, born of a natural mother.” (1st Mot. Amend 5.)

The bulk of Lane-Bey’s complaint provides background information explaining what he describes as the “status,” “indigenous status,” and “origin” of Moorish Americans. (Compl. 2–4.) It contains very few allegations specific to him. In a section labeled “Legal Claims,” he

² Followers of this movement believe that they have special rights and often object to jurisdiction on frivolous and unfounded grounds. *See United States v. Schneider*, 910 F.2d 1569, 1570 (7th Cir. 1990) (noting that sovereign citizen jurisdictional arguments have “no conceivable validity in American law”); *United States v. Jagim*, 978 F.2d 1032, 1036 (8th Cir. 1992) (sovereign citizen arguments “are completely without merit, patently frivolous, and will be rejected without expending any more of this Court’s resources on their discussion”). In some instances, the two concepts inexplicably began to merge, as summarized by one court. *See Abdullah v. New Jersey*, No. 12-4202, 2012 WL 2916738, at *2–3 (D.N.J. July 16, 2012).

asserts that labeling him “Black” violates Article I, Sections 9 and 10 of the Constitution, the Thirteenth Amendment, and ex post facto laws. (*Id.* at 4.) He also asserts that imprisoning “Moorish-American sovereigns” “is not justified” and violates the Eighth Amendment and the Fifth Amendment’s due process clause. (*Id.* at 5.) He also appears to be challenging an order from the Circuit Court of Portsmouth, although his complaint does not specify what the order is or says, such as whether it is his criminal judgment, an order denying him habeas release, or some other order. (*Id.* at 2.)

He asks for declaratory relief, an injunction prohibiting the application of VDOC policies to “the Moorish-American sovereign,” and compensatory and punitive damages. (*Id.* at 6–7.) His proposed amended complaints all request similar relief from the new defendants. (See generally Dkt. Nos. 8–10.)

II. DISCUSSION

As an initial matter, the court notes that Lane-Bey’s underlying premise regarding his status as a Moorish American, as a non-United States citizen, or as a sovereign citizen does not mean that his judgment of conviction was invalid or that he is being unlawfully imprisoned. Indeed, courts have repeatedly rejected such claims, both in the context of challenging the jurisdiction of criminal courts and in civil cases challenging the propriety of the plaintiff’s incarceration. *E.g.*, *United States v. White*, 480 F. App’x 193, 194 (4th Cir. 2012) (rejecting a claim that a federal court lacked jurisdiction over a Moorish American because “[n]either the citizenship nor the heritage of a defendant constitutes a key ingredient to a district court’s jurisdiction in criminal prosecutions”); *Kerr v. Hedrick*, 89 F. App’x 962, 964 (6th Cir. 2004) (rejecting as “without merit” the petitioner’s claim that he was exempt from punishment for his federal crimes because his rights derived exclusively from the Moorish Science Temple of

America); *Bond v. N.C. Dep't of Corr.*, No. 3:14-cv-379, 2014 WL 5509057, at *1 (W.D.N.C. Oct. 31, 2014) (stating that “courts have repeatedly rejected arguments” that a plaintiff is not subject to federal or state law because of their Moorish-American citizenship); *Jones-El v. South Carolina*, No. 5:13-cv-01851, 2014 WL 958302, at *8 (rejecting claim based on status as Moorish American as “completely frivolous, whether raised under § 2254, § 2241, or by way of a civil complaint”); *Hampton v. City of Durham*, No. 1:10cv706, 2010 WL 3785538, at *2–3 (M.D.N.C. Sept. 22, 2010) (collecting cases and holding that “[a]ny claims or arguments raised by Plaintiff which are based on his membership in the Moorish American Nation are frivolous”).

For the same reasons expressed by those courts, Lane-Bey’s claims based on these theories and principles will be dismissed for failure to state a claim, and the court will not address them further. *Cf. United States v. Jagim*, 978 F.2d 1032, 1036 (8th Cir. 1992) (refusing to expend “any more of the Court’s resources” on discussing sovereign-citizen arguments).

Similarly, the fact that VDOC’s records, or the records of Lane-Bey’s criminal conviction, use the name he was given at birth or list him as “Black” does not rise to the level of a constitutional violation, nor does it render him a “slave” in violation of the Thirteenth Amendment. *See Allen-El v. Eaves*, Civil Action No. GJH-22-966, 2022 WL 1997202 (D. Md. June 6, 2022) (dismissing *sua sponte* claims of Moorish-American prisoner that defendants violated his constitutional rights by labeling him as Black or African-American); *Foggel v. McKoy*, No. 5:14-CT-3053-FL, 2014 WL 11996389 (E.D.N.C. Aug. 15, 2014) (dismissing similar claims for failure to state a claim); *Gregory v. United States*, No. 5:13-CT-3157-FL, 2014 WL 1814299 (E.D.N.C. May 7, 2014) (explaining that Moorish-American plaintiff was not entitled to an injunction requiring prison officials to amend their records and change his racial classification from “Black” to “Moorish American” because he failed to state a constitutional

violation); *see also Whitfield v. Westville Corr. Facility*, No. 3:19-CV-692-JD-MGG, 2019 WL 4597357, at *2 (N.D. Ind. Sept. 19, 2019) (dismissing claims based on allegations that labeling plaintiff as a member of a “black Muslim group” violated his religious rights).

Because Lane-Bey’s claims are frivolous and fail to state a claim for which relief can be granted, his complaint will be dismissed. The court will dismiss his motions to amend as moot. The court notes, though, that even if it granted the motions to amend and allowed Lane-Bey all the amendments he seeks, those amendments would not change the court’s conclusion that his claims are subject to dismissal.

III. CONCLUSION

For the foregoing reasons, the court will summarily dismiss Lane-Bey’s complaint pursuant to 28 U.S.C. § 1915A(b)(1) and 28 U.S.C. § 1915(e)(2)(B)(i)–(ii) because his allegations are frivolous and fail to state a claim for which relief may be granted. His three motions to amend will be denied as moot.

An appropriate order will be entered.

Entered: May 3, 2023.

/s/ Elizabeth K. Dillon
Elizabeth K. Dillon
United States District Judge

Proclamation And Declaration of
Nationality And Sovereignty
And Affidavit of Facts

Appendix B

I, Alfred Lare-Bey, In Propria Persona- Proper
Self, "sui Juris (not Pro se nor colorable) is a
aboriginal/indigenous moonish American Sov-
ereign and affiant do declare by my signature
that the following statements are factucl and true
to the best of my knowledge and belief and are
not meant to deceive or to mislead.

- a) That affiant is a moonish American Sov-
ereign.
- b) That affiant nationality is moonish Amer-
ican.
- c) That affiant is moonish American because
I am a noble of the Al moroccan Empire and
a descendant of the Ancient moabites.
- d) That affiant is indigenous because the Al
moroccan (American) continents are the land
of the moons/moonish Americans; being North,
South and Central America; including the ad-
joining islands. Affiant have, acknowledge, claim
and possess, by said inheritance and primo-
geniture the free hold status thereto.

e). Being moorish American, affiant have and possess the recognized right to determinid his own 'status of state' absent of threat, coercion, or arquiescence to a color of law, a color of office nor to be subjected to an imposed color of authority.

f) That noble Drew Ali is affiant teacher. He was born Timothy Drew, January 8, 1886 in the State of North Carolina. He is a moorish American

g) That affiant, unequivocally refuse and can not be made to be labeled as, placed in the status of, categorized as, nor identified as a Black, Negro or colored person, nor African American. I am not an united states citizen or any of the numerous misnomers that delude to property servitude and /or slavery (commercial or otherwise) that originated within the United States.

h) That affiant emphatically assert and affirm that my proper status is that of a moorish American Sovereign.

i) That what affiant ancient fore-fathers were I am today without doubt or contradiction. There is no one who is able to change man from the descendant nature of his fore-fathers unless his powers extends beyond the Great God Allah the universal creator himself.

j) That affiant is a real live, flesh and blood, breathing, nonfictional, and a natural being man. Possessing all 5.5th components of spirit, soul, body, nationality and Greed.

k) That affiant is a moonish American Sovereign in a collective capacity with other sovereigns.

l) That affiant rights existed by the law of the land long antecedent to the organization of the territory (or state)

m) That affiant rights exist even in light of the united states bankruptcy AKA The National Emergency and that includes the rights to redemption.

n) That the persons named in all of the court (commercial) documents is not the affiant.

o) That the persons named in all of the court (commercial) documents is a corporate entity only existing in the contemplation of law (commerce)

p) That affiant is not an accomodating party to that corporate entity (ALFRED DARNEIL LANE) named in all of the court documents.

q) That all capital letters are used to not only identify sovereign-less corporates but all of their properties as well (names on Birth certificates)

r) That all states (and territorial us.) certified Birth certificates, u.s. social security

numbers, Driver licenses and other state identifications rest upon the crime of denunciation and thus ex post facto law.

3). That affiant at no time has willingly, knowingly, intentionally or voluntarily agreed to abdicate affiant position as a sovereign through signature, words, actions or inactions and any assumption, presumption or implied consent is emphatically refuted.

4). That affiant is not a party to or signatory to any valid contracts nor compact (by oath or otherwise) with the states (or its sub contracts) that requires affiant to perform in any manner nor to tender payments of any amount of money to the states nor has the state disclosed under good faith and clean hands any contract agreement or otherwise evidencing that affiant is required to perform or tender payment there under.

5). That affiant at no time has requested nor accepted extraordinary benefits nor privileges from the state nor any judicial subconstruct thereof.

6). That affiant incorporates all statement of facts made in affiant's writ of habeas corpus and Proclamation and Declaration of Injunctionality and Sovereignty and Affidavit of facts.

(w) That affiant is not a person regulated by the state nor hold any position or office where affiant is subjected to the legislature.

x) Explicit reservation and use of "All Rights Reserved without Prejudice" u.c.c. 1-207/308 u.c.c. 1-103, is noted to all Federal, state, city and municipal peace officers; in harmony with states statutes and indicates the reservation of my Rights.

Hibe (Love), Haqq (Truth), Salam (Peace), Huriyatun (Freedom), Adi (Justice).

Further;

This affiant saith not
Done this 245 day of April, 2021
without Prejudice

By: A. L. B.

Alfred Lane-Bey
In Propria Persona, Sui Juris
(not Pro Se nor Colorable)

Moanish American Sovereign
Falsely Imprison at: S.B.C.C.
P.O. Box 8000, Shirley, MA 01464



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

PROCLAMATION

WHEREAS, the Moorish Americans are the descendants of the ancient Moabites, Hamatities, and Canaanites who were permitted by the Old Pharaohs of Kemet to traverse from East Africa and later formed themselves kingdoms extending from the northwestern and southwestern shores of Africa, the Atlantic Islands onto the present day Continental Americas; and

WHEREAS, the indigenous Moorish Peoples of the Americas are now united in order to again link themselves with the family of nations; and

WHEREAS, the Moorish Americans, being aboriginal to the territories of North, Central and South Americas, have formed a sovereign Theocratic Government guided by the command principles of love, truth, peace, freedom, and justice through virtue of the universal right to self-determination as well as with the Declaration on the Rights of Indigenous Peoples guaranteed in the Charter; and

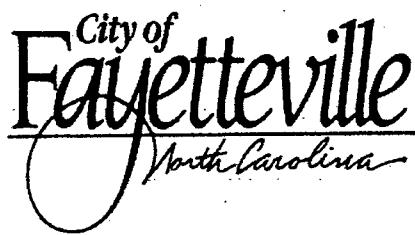
WHEREAS, on January 8, 1886, Noble Drew Ali was born in the State of North Carolina destined to become the first Patriot of his mentally enslaved Moorish American People. In 1912 he was later anointed as "El Hajj Sharif Abdul Ali" by the Heads of Egypt and Holy City of Mecca to return to the United States as the Last Prophet and Founding Father of the newly risen Nation of Moorish Americans. As a result of the 13th amendment, Moorish people were emancipated from slavery in 1865:

NOW, THEREFORE, I, RAHM EMANUEL, MAYOR OF THE CITY OF CHICAGO, do hereby proclaim January 8-15, 2012, to be MOORISH AMERICAN WEEK IN CHICAGO. and urge all residents to recognize the events planned for this time.

Dated this 22nd day of December, 2011.

Rahm Emanuel
Mayor

Appendix
C1



PROCLAMATION

WHEREAS, Moorish Americans are the descendants of the ancient Moabites, Hamatites, and Canaanites who were permitted by the Old Pharaohs of Kemet to cross from East Africa and later formed kingdoms extending from the northwestern and southwestern shores of Africa, the Atlantic Islands onto the present day Continental Americas; **AND**

WHEREAS, the native Moorish Peoples of the Americas are now united in order to again link themselves with the family of nations; **AND**

WHEREAS, the Moorish Americans have formed a sovereign Theocratic Government guided by the principles of love, truth, peace, freedom, and justice through virtue of the universal right to self-determination as well as with the Declaration on the Rights of Indigenous Peoples guaranteed in the Charter of the United Nations; **AND**

WHEREAS, on January 8, 1886, Noble Drew Ali was born in the State of North Carolina and destined to become the first Patriot of the Moorish American People; **AND**

WHEREAS, in 1912, Noble Drew Ali was anointed as El Hajj Sharif Abdul Ali by the heads of Egypt and the Holy City of Mecca to return to the United States as the Last Prophet and Founding Father of the newly risen Nation of Moorish Americans; **AND**

WHEREAS, as a result of the Congressional ratification of the 13th amendment in 1865, the Moorish peoples were emancipated from slavery.

NOW THEREFORE, I, Anthony G. Chavonne, Mayor of the City of Fayetteville, North Carolina, do hereby proclaim January 8-15, 2012, to be

MOORISH AMERICAN WEEK

A handwritten signature in cursive ink that reads "Anthony G. Chavonne".

Anthony G. Chavonne
Mayor

Appendix

City of Charlotte, North Carolina Proclamation

WHEREAS, the Moorish Americans are descendants of Moabites, Hamatites and Canaanites whom inhabited the northwestern and southwestern shores of Africa; and

WHEREAS, the Moorish Americans being aboriginal to the territories of North, Central and South Americas, have formed a sovereign Theocratic Government from among themselves and guided by the command principles of love, truth, peace, freedom, and justice through virtue of the universal right to self-determination and the Declaration on the Rights of Indigenous Peoples; and

WHEREAS, on January 8, 1886, Noble Drew Ali was born in North Carolina destined to become the first Patriot of his mentally enslaved Moorish American people, in 1912 he was later anointed as "El Hajj Sharif Abdul Ali" by the Heads of Egypt and Holy City of Mecca to return to the United States as the Last Prophet and Founding Father of the newly risen Nation of Moorish Americans; and

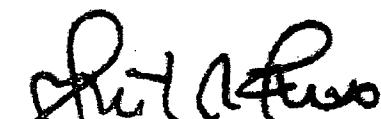
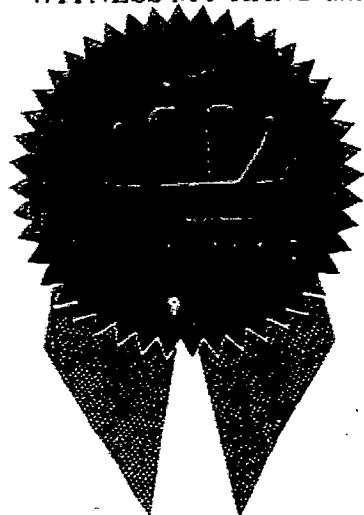
WHEREAS, there are planned events during Moorish American week where citizens of Charlotte can learn about the history of Moorish Americans:

NOW, THEREFORE, I, Anthony R. Foxx, Mayor of Charlotte, do hereby proclaim January 8 -15, 2012 as

"MOORISH AMERICAN WEEK"

in Charlotte and commend its observance to all citizens.

WITNESS MY HAND and the official Seal of the City of Charlotte.



Anthony R. Foxx
Mayor

Appendix
C

PROCLAMATION

Whereas, The Moorish Americans are the descendants of the ancient Moabites, Hamatities, and Canaanites who were permitted by the Old Pharaohs of Kemet to traverse from East Africa and later formed themselves kingdoms extending from the northwestern and southwestern shores of Africa, the Atlantic Islands onto the present day Continental Americas; and

Whereas, the indigenous Moorish Peoples of the Americas are now united in order to again link themselves with the family of nations; and

Whereas, The Moorish Americans, being aboriginal to the territories of North, Central and South America, have formed a sovereign Theocratic Government guided by the command principles of love, truth, peace, freedom and justice through virtue of the universal right to self-determination as well as with the Declaration in the Rights of Indigenous People guaranteed in the Charter; and

Whereas, on January 8, 1886, Noble Drew Ali was born in the state of North Carolina and in 1912 was anointed as "El Hajj Sharif Abdul Ali" by the Heads of Egypt and Holy City of Mecca to return to the United States as the Last Prophet and Founding Father of the newly risen nation of Moorish Americans. As a result of the 13th amendment, Moorish people were emancipated from slavery in 1865.

Now, Therefore, I, Jim Suttle, Mayor of the City of Omaha, do hereby proclaim January 8-15, 2012, to be:

Moorish American Week

In Witness Whereof, I have set my hand and caused the Official Seal of the City of Omaha to be affixed this 5th day of January, 2012.

Jim Suttle
Jim Suttle, Mayor
City of Omaha

Appendix
C3



RESOLUTION No. 75

Mr. WITKIN, Mr. Speaker, I desire at this time to call up Resolution No. 75, Printer's No. 1034.

The Resolution was read by the Clerk as follows:

In the House of Representatives, April 17, 1933. Many sons and daughters of that proud and handsome race which inspired the architecture of Northern Africa and carried into Spain the influence of its artistic temperaments have become citizens of this Nation.

In the City of Philadelphia there exists a Moorish-American Society made up of Moors who have found here the end of their quest for a home and of the children of those who journeyed here from the plains of Morocco.

This Society has done much to bring about a thorough absorption by these people of those principles which are necessary to make them good American citizens. These Moorish-Americans have since being here missed the use of the titles and name annexations that were so familiar at home and which are used in accordance with the doctrines of the religious faith to which they are adherents therefore be it, Resolved That this House commends the Moorish-American Society of Philadelphia for the efficient service it has rendered the Nation in bringing about a speedy and thorough Americanization of these former Moors and that in accordance with the fullest right of religious independence guaranteed every citizen we recognize also the right of these people to use the name affixes El or Ali or Bey or any other prefix or suffix to which they have heretofore been accustomed to use or which they may hereafter acquire the right to use.

On the question, Will the House Adopt the resolution?

It was Adopted May 4, 1933

App. CA

Treaty of Peace & Friendship

1787

Between Morocco and The United States

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL COME OR BE MADE KNOWN: WHEREAS THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED BY THEIR COMMISSION BEARING DATE THE TWELFTH DAY OF MAY ONE THOUSAND, SEVEN-HUNDRED AND EIGHTY-FOUR THOUGHT PROPER TO CONSTITUTE JOHN ADAMS, BENJAMIN FRANKLIN AND THOMAS JEFFERSON THEIR MINISTERS PLENIPOTENTIARY, GIVING TO THEM OR A MAJORITY OF THEM FULL POWERS TO CONFER, TREAT & NEGOTIATE WITH THE AMBASSADOR, MINISTER OR COMMISSIONER OF HIS MAJESTY THE EMPEROR OF MOROCCO CONCERNING A TREATY OF AMITY AND COMMERCE, TO MAKE & RECEIVE PROPOSITIONS FOR SUCH TREATY AND TO CONCLUDE AND SIGN THE SAME, TRANSMITTING TO THE UNITED STATES IN CONGRESS ASSEMBLED FOR THEIR FINAL RATIFICATION.

AND BY ONE OTHER COMMISSION BEARING DATE THE ELEVENTH DAY OF MARCH ONE-THOUSAND SEVEN-HUNDRED & EIGHTY-FIVE DID FURTHER EMPOWER THE SAID MINISTERS PLENIPOTENTIARY OR A MAJORITY OF THEM, BY WRITING UNDER THE HANDS AND SEALS TO APPOINT SUCH AGENT IN THE SAID BUSINESS AS THEY MIGHT THINK PROPER WITH AUTHORITY UNDER THE DIRECTIONS AND INSTRUCTION OF THE SAID MINISTERS TO COMMENCE & PROSECUTE THE SAID NEGOTIATIONS & CONFERENCES FOR THE SAID TREATY PROVIDED THAT THE SAID TREATY SHOULD BE SIGNED BY MINISTERS: AND WHEREAS, WE THE SAID JOHN ADAMS & THOMAS JEFFERSON TWO OF THE SAID MINISTERS PLENIPOTENTIARY (THE SAID BENJAMIN FRANKLIN BEING ABSENT) BY WRITING UNDER THE HAND AND SEAL OF THE SAID JOHN ADAMS AT LONDON, OCTOBER FIFTH, ONE-THOUSAND SEVEN-HUNDRED AND EIGHTY-FIVE, & OF THE SAID THOMAS JEFFERSON AT PARIS OCTOBER THE ELEVENTH OF THE SAME YEAR, DID APPOINT THOMAS BARCLAY, AGENT IN THE BUSINESS AFORESAID, GIVING HIM THE POWERS THEREIN, WHICH BY THE SAID SECOND COMMISSION WE WERE AUTHORIZED GO GIVE, AND THE SAID THOMAS BARCLAY IN PURSUANCE THEREOF, BATH ARRANGED ARTICLES FOR A TREATY OF AMITY AND COMMERCE BETWEEN THE UNITED STATES OF AMERICA AND HIS MAJESTY THE EMPEROR OF MOROCCO & SEALED WITH HIS ROYAL SEAL, BEING TRANSLATED INTO THE LANGUAGE OF SAID UNITED STATES OF AMERICA, TOGETHER WITH THE ATTESTATIONS THERETO ANNEXED ARE IN THE FOLLOWING WORDS, TO WIT:

IN THE NAME OF ALMIGHTY GOD.

THIS IS A TREATY OF PEACE AND FRIENDSHIP ESTABLISHED BETWEEN US AND THE UNITED STATES OF AMERICA, WHICH IS CONFIRMED, AND WHICH WE HAVE ORDERED TO BE WRITTEN IN THE BOOK AND SEALED WITH OUR ROYAL SEAL AT OUR COURT OF MOROCCO IN THE TWENTY-FIFTH DAY OF THE BLESSED MONTH OF SHA-

punished according to the usage and custom of the country, and no other person whatever shall be injured, nor shall the ship or cargo incur any penalty or damage whatever.

ARTICLE 19

No vessel shall be detained import on any pretense whatever, nor be obliged to take on board on any articles without the consent of the commander, who shall be at full liberty to agree for the freight of any goods he takes on board.

ARTICLE 20

If any of the citizens of the United States, or any persons under their protection, shall have any disputes with each other, the consul shall decide between the parties, and whenever the consul shall require any aid or assistance from our government, to enforce his decisions, it shall be immediately granted to him.

ARTICLE 21

If any citizen of the Untied States should kill or wound a Moor, or, on the contrary, if a Moor shall kill or wound a citizen of the United States, the law of the country shall take place, and equal justice shall be rendered, the consul assisting at the trial; and if any delinquent shall make his escape, the consul shall not be answerable for him in any manner whatever.

ARTICLE 22

If an American citizen shall die in our country, and no will shall appear, the consul shall take possession of his effects; and if there shall be no consul, the effects shall be deposited in the hands of some person worthy of trust, until the party shall appear, who has right to demand them; but if the heir to the person deceased be present, the property shall be delivered to him without interruptions; and if a will shall appear, the property shall descend agreeable to that will as soon as the consul shall declare the validity thereof.

ARTICLE 23

The consuls of the United States of America, shall reside in any port of our dominions that they shall think proper; and they shall be respected, and enjoy all the privileges which the consuls of any other nation enjoy; and if any of the citizens of the United States shall contract any debts or engagements, the consul shall not be in any manner accountable for them, unless he shall have given a promise in writing for the payment or fulfilling thereof, without which promise in writing, no application to him for any redress shall be made.

ARTICLE 24

If any differences shall arise by either party infringing on any of the articles of this treaty, peace and harmony shall remain notwithstanding, in the fullest force, until a friendly application shall be made for an arrangement, and until that application shall be rejected, no appeal shall be made to arms. And if a war shall break out between the parties nine months shall be granted to all the subjects of both parties to dispose of their effects and retire with their property. And it is further declared, that whatever indulgences, in trade or otherwise, shall be granted to any of the Christian Powers, the citizens of the United States shall be equally entitled to them.

ARTICLE 25

This treaty shall continue in full force, with the help of God, for fifty years. We delivered this book into the hands of the before mentioned Thomas Barclay, on the first day of the blessed month of Ramadan, in the year one thousand two hundred.

I certify that the annexed is a true copy of the translation made by Isaac Cardoza Nunez, interpreter at Morocco, of the treaty between the Emperor of Morocco and the United States of America.

THOMAS BARCLAY

BAN, IN THE YEAR ONE THOUSAND TWO HUNDRED, TRUSTING IN GOD IT WILL REMAIN
PERMANENT.

ARTICLE 1

We declare that both Parties have agreed that this Treaty consisting of twenty five Articles shall be inserted in this Book and delivered to the Honorable Thomas Barclay, the Agent of the United States now at our Court, with whose Approbation it has been made and who is duly authorized on their part, to treat with us concerning all the matters contained therein.

ARTICLE 2

If either of the parties shall be at war with any nation whatever, the other party shall not take a commission from the enemy nor fight under their colors.

ARTICLE 3

If either of the parties shall be at war with any nation whatever and take a prize belonging to that nation, and there shall be found on board subjects or effects belonging to either of the parties, the subjects shall be set at liberty and the effect returned to the owners. And if any goods belonging to any nation, with whom either the parties shall be at war, shall be loaded on vessels belonging to the other party, they shall pass free and unmolested without any attempt being made to take or detain them.

ARTICLE 4

A signal or pass shall be given to all vessels belonging to both parties, by which they are to be known when they meet at sea, and if the commander of a ship of war of either party shall have other ships under his convoy, the Declaration of the commander shall alone be sufficient to exempt any of them from examination.

ARTICLE 5

If either of the parties shall be at war, and shall meet a vessel at sea, belonging to the other, it is agreed that if an examination is to be made, it shall be done by sending a boat with two or three men only, and if any gun shall be bread and injury done without reason, the offending party shall make good all damages.

ARTICLE 6

If any Moor shall bring citizens of the United States or their effects to His Majesty, the citizens shall immediately be set at liberty and the effects restored, and in like manner, if any Moor not a subject of the dominions shall make prize of any of the citizens of America or their effects and bring them into any of the ports of His Majesty, they shall be immediately released, as they will be considered as under His Majesty's Protection.

ARTICLE 7

If any vessel of either party shall put into a port of the other and have occasion for provisions or other supplies, they shall be furnished without any interruption or molestation.

ARTICLE 8

If any vessel of the United States shall meet with a disaster at sea and put into one of our ports to repairs, she shall be at liberty to land and reload her cargo, without paying any duty whatever.

ARTICLE 9

If any Vessel of the Untied States shall be cast on Shore on any Part of our Coasts, she shall remain at the disposition of the Owners and no one shall attempt going near her without their Approbation, as she is then considered particularly under our Protection; and if any Vessel of the United States shall be forced to put in to our Ports, by Stress of weather or otherwise, she shall not be compelled to land her Cargo, but shall remain in tranquility until the Commander shall think proper to procced on his Voyage.

ARTICLE 10

If any Vessel of either of the Parties shall have an engagement with a Vessel belonging to any of the Christian Powers within gunshot of the Forts of the other, the Vessel so engaged shall be defended and protected as much as possible until she is in safety; and if any American Vessel shall be cast on shore on the Coast of Wadnoon or any Coast thereabout, the People to her shall be protected, and assisted until by the help of God, they shall be sent to their Country.

ARTICLE 11

If we shall be at War with any Christian Power and any of our Vessels sail from the Ports of the United States, no Vessel belonging to the enemy shall follow until twenty four hours after the Departure of our Vessels; and the same Regulation shall be observed towards the American Vessels sailing from our Ports—be the enemies Moors or Christians.

ARTICLE 12

If any ship of war belonging to the United States shall put into any of our ports, she shall not be examined on any pretense whatever, even though she should have fugitive slaves on board, nor shall the governor or commander of the place compel them to be brought on shore on any pretext, nor require any payment for them.

ARTICLE 13

If a ship of war of either party shall put into a port of the other and salute, it shall be returned from the fort with an equal number of guns, not with more or less.

ARTICLE 14

The commerce with the United States shall be on the same footing as is the commerce with Spain, or as that with the most favored nation for the time being; and their citizens shall be respected and esteemed, and have full liberty to pass and repass our country and seaports whenever they please, without interruption.

ARTICLE 15

Merchants of both countries shall employ only such interpreters, and such other persons to assist them in their business, as they shall think proper. No commander of a vessel shall transport his cargo on board another vessel; he shall not be detained in port longer than he may think proper; and all persons employed in loading or unloading goods, or in any labor whatever, shall be paid at the customary rates, not more and not less.

ARTICLE 16

In case of a war between the parties, the prisoners are not to be made slaves, but to be exchanged one for another, captain for captain, officer for officer, and one private man for another; and if there shall prove a deficiency on either side, it shall be made up by the payment of one hundred Mexican dollars for each person wanting. And it is agreed that all prisoners shall be exchanged in twelve months from the time of their being taken, and that this exchange may be effected by a merchant or any other person authorized of by either of the parties.

ARTICLE 17

Merchants shall not be compelled to buy or sell any kind of goods but such as they shall think proper, and may buy and sell all sorts of merchandize but such as are prohibited to the other Christian nations.

ARTICLE 18

All goods shall be weighed and examined before they are sent on board, and to avoid all detention of vessels, no examination shall afterwards be made, unless it shall first be proved that contraband goods have been sent on board, in which case, the persons who took the contraband goods on board, shall be

• O. Box 8000
Woburn, MA [01801]

(15)

to: **Alfred Lane-Bey**
Inmate Name

Comm# **T 98017**

Unit

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RE: **Inmate Correspondence**

Date: **4-16-24**

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ADDITIONAL ARTICLE

Grace to the only God.

I, the under-written, the servant of God, Taher Ben Abdellack Fennish, do certify, that His Imperial Majesty, my master, (*whom God preserve*), having concluded a treaty of peace and commerce with the United States of America, has ordered me, the better to complete, it, and in addition of the tenth article of the treaty, to declare, "That if any vessel belonging to the United States, shall be in any of the ports of his Majesty's dominions, or within gun-shot of his forts, she shall be protected as much as possible; and no vessel whatever, belonging either to Moorish or Christian Powers, with whom the United States may be at war, shall be permitted to follow or engage her, as we now deem the **citizens** of America our good friends."

And, in obedience to this Majesty's commands, I certify this declaration, by putting my hand and seal to it, on the eighteenth day of Ramadan, (a) in the year one thousand two hundred.

The servant of the King, my master, whom God preserve.

TAHER BEN ABDELACK FENNISH.

I do certify that the above is a true copy of the translation made at Morocco, by Isaac Cordoza Nunez, interpreter, of a declaration made and signed by Sidi Hage Taher Fennish, in addition to the treaty between the Emperor of Morocco and the United States of America, which declaration the said Taher Fennish made by the express directions of his Majesty.

THOMAS BARCLAY.

TREATY WITH MOROCCO. 1787

Now, KNOW YE, That we, the said John Adams and Thomas Jefferson, Ministers Plenipotentiary aforesaid, do approve and conclude the said treaty, and every article and clause therein contained, reserving the same nevertheless to the United States in Congress assembled, for their final ratification.

In testimony whereof, we have signed the same with our names and seals, at the places of our respective residence, and at the dates expressed under our signatures respectively.

JOHN ADAMS, (L.S.)
London, January 25th, 1787.

THOMAS JEFFERSON, (L.S.)
Paris, January 1st, 1787.