

An Expose

THE UNITED STATES  
IS STILL A BRITISH COLONY

EXTORTING  
TAXES FOR THE CROWN!

A DOCUMENTARY REVIEW  
OF CHARTERS AND TREATIES

August 17, 1996

An introduction by the "Informer"

This is the latest from a man who visits me quite often. He and another man researched my theory that we have never been free from the British Crown. This disc shows the results. I have stated that we will never win in their courts. This shows conclusively why. We have the hard copy of the treaties that are the footnotes. This predates Schroder's material, my research of the 1861 stats by Lincoln that put us under the War Powers confiscation acts, and John Nelson's material. All our material supports that the real Principal, the King of England, still rules this country through the bankers and why we own no property in allodium. This is why it is so important to start OUR courts of God's natural (common) Law and break away from all the crap they have handed us. This is one reason Virginia had a law to hang all lawyers but was somehow, by someone, (the King) set aside to let them operate again. Some good people put in the original 13th amendment so that without the lawyers the King could not continue his strangle hold on us. James shows how that was quashed by the King. I am happy that James' research of six months bears out my theory, that most people would not listen to me, that we are still citizen/subjects under the kings of England. My article called "Reality" published in the American Bulletin and the article of mine on the "Atocha case," wherein Florida in 1981 used it's sovereignty under the British crown to try to take away the gold from the wreck found in Florida waters supports this premise. James makes mention of the Law dictionaries being England's Law Dictionary. You will note it lists the reign of all the Kings of England. It never mentions the reign of the Presidents of this country. Ever wonder Why? Get this out to as many people as you can.

The Informer.

**The United States is still a British Colony**  
**[Chapter 1]**

The trouble with history is, we weren't there when it took place and it can be changed to fit someone's belief and/or traditions, or it can be taught in the public schools to favor a political agenda, and withhold many facts. I know you have been taught that we won the Revolutionary War and defeated the British, but I can prove to the contrary. I want you to read this paper with an open mind, and allow yourself to be instructed with the following verifiable facts. You be the judge and don't let prior conclusions on your part or incorrect teaching, keep you from the truth.

I too was always taught in school and in studying our history books that our freedom came from the Declaration of Independence and was secured by our winning the Revolutionary War. I'm going to discuss a few documents that are included at the end of this paper, in the footnotes. The first document is the first Charter of Virginia in 1606 (footnote #1). In the first paragraph, the king of England granted our fore fathers license to settle and colonize America. The definition for license is as follows.

"In Government Regulation. Authority to do some act or carry on some trade or business, in its nature lawful but prohibited by statute, except with the permission of the civil authority or which would otherwise be unlawful." Bouvier's Law Dictionary, 1914.

Keep in mind those that came to America from England were British subjects. So you can better understand what I'm going to tell you, here are the definitions for subject and citizen.

"In monarchical governments, by subject is meant one who owes permanent allegiance to the monarch." Bouvier's Law Dictionary, 1914.

"Constitutional Law. One that owes allegiance to a sovereign and is governed by his laws. The natives of Great Britain are subjects of the British government. Men in free governments are subjects as well as citizens; as citizens they enjoy rights and franchises; as subjects they are bound to obey the laws. The term is little used, in this sense, in countries enjoying a republican form of government." Swiss Nat. Ins. Co. v. Miller, 267 U.S. 42, 45 S. Ct. 213, 214, 69 L.Ed. 504. Blacks fifth Ed.

I chose to give the definition for subject first, so you could better understand what definition of citizen is really being used in American law. Below is the definition of citizen from Roman law.

"The term citizen was used in Rome to indicate the possession of private civil rights, including those accruing under the Roman family and inheritance law and the Roman contract and property law. All other subjects were peregrines. But in the beginning of the 3d century the distinction was abolished and all subjects were citizens; 1 sel. Essays in Anglo-Amer. L. H. 578." Bouvier's Law Dictionary, 1914.

The king was making a commercial venture when he sent his subjects to America, and used his money and resources to do so. I think you would admit the king had a lawful right to receive gain and prosper from his venture. In the Virginia Charter he declares his sovereignty over the land and his subjects and in paragraph 9 he declares the amount of gold, silver and copper he is to receive if any is found by his subjects. There could have just as easily been none, or his subjects could have been killed by the Indians. This is why this was a valid right of the king (Jure Coronae, "In right of the crown," Black's forth Ed.), the king expended his resources with the risk of total loss.

If you'll notice in paragraph 9 the king declares that all his heirs and successors were to also receive the same amount of gold, silver and copper that he claimed with this Charter. The gold that remained in the colonies was also the kings. He provided the remainder as a benefit for his subjects, which amounted to further use of his capital. You will see in this paper that not only is this valid, but it is still in effect today. If you will read the rest of the Virginia Charter you will see that the king declared the right and exercised the power to regulate every aspect of commerce in

his new colony. A license had to be granted for travel connected with transfer of goods (commerce) right down to the furniture they sat on. A great deal of the king's declared property was ceded to America in the Treaty of 1783. I want you to stay focused on the money and the commerce which was not ceded to America.

This brings us to the Declaration of Independence. Our freedom was declared because the king did not fulfill his end of the covenant between king and subject. The main complaint was taxation without representation, which was reaffirmed in the early 1606 Charter granted by the king. It was not a revolt over being subject to the king of England, most wanted the protection and benefits provided by the king. Because of the king's refusal to hear their demands and grant relief, separation from England became the lesser of two evils. The cry of freedom and self-determination became the rallying cry for the colonist. The slogan "Don't Tread On Me" was the standard borne by the militias.

The Revolutionary War was fought and concluded when Cornwallis surrendered to Washington at Yorktown. As Americans we have been taught that we defeated the king and won our freedom. The next document I will use is the Treaty of 1783, which will totally contradict our having won the Revolutionary War. (footnote 2).

I want you to notice in the first paragraph that the king refers to himself as prince of the Holy Roman Empire and of the United States. You know from this that the United States did not negotiate this Treaty of peace in a position of strength and victory, but it is obvious that Benjamin Franklin, John Jay and John Adams negotiated a Treaty of further granted privileges from the king of England. Keep this in mind as you study these documents. You also need to understand the players of those that negotiated this Treaty. For the Americans it was Benjamin Franklin Esqr., a great patriot and standard bearer of freedom. Or was he? His title includes Esquire.

An Esquire in the above usage was a granted rank and Title of nobility by the king, which is below Knight and above a yeoman, common man. An Esquire is someone that does not do manual labor as signified by this status, see the below definitions.

"Esquires by virtue of their offices; as justices of the peace, and others who bear any office of trust under the crown....for whosever studieth the laws of the realm, who studieth in the universities, who professeth the liberal sciences, and who can live idly, and without manual labor, and will bear the port, charge, and countenance of a gentleman, he shall be called master, and shall be taken for a gentleman." Blackstone Commentaries p. 561-562

"Esquire - In English Law. A title of dignity next above gentleman, and below knight. Also a title of office given to sheriffs, serjeants, and barristers at law, justices of the peace, and others." Blacks Law Dictionary fourth ed. p. 641

Benjamin Franklin, John Adams and John Jay as you can read in the Treaty were all Esquires and were the signers of this Treaty and the only negotiators of the Treaty. The representative of the king was David Hartley Esqr..

Benjamin Franklin was the main negotiator for the terms of the Treaty, he spent most of the War traveling between England and France. The use of Esquire declared his and the others British subjection and loyalty to the crown.

In the first article of the Treaty most of the king's claims to America are relinquished, except for his claim to continue receiving gold, silver and copper as gain for his business venture. Article 3 gives Americans the right to fish the waters around the United States and its rivers. In article 4 the United States agreed to pay all bona fide debts. If you will read my other papers on money you will understand that the financiers were working with the king. Why else would he protect their interest with this Treaty?

I wonder if you have seen the main and obvious point? This Treaty was signed in 1783, the war was over in 1781. If the United States defeated England, how is the king granting rights to America, when we were now his equal in status? We supposedly defeated him in the Revolutionary War! So why would these supposed patriot Americans sign such a Treaty, when they knew that this would void any sovereignty gained by the Declaration of Independence and the Revolutionary War? If we had won the Revolutionary War, the king granting us our land would not be necessary, it would have been ours by his loss of the Revolutionary War. To not dictate the terms of a peace treaty in a position of strength after winning a war; means the war was never won. Think of other wars we have won, such as when we defeated Japan. Did McArthur allow Japan to dictate to him the terms for surrender? No way! All these men did is gain status and privilege granted by the king and insure the subjection of future unaware generations. Worst of all, they sold out those that gave their lives and property for the chance to be free.

When Cornwallis surrendered to Washington he surrendered the battle, not the war. Read the Article of Capitulation signed by Cornwallis at Yorktown (footnote 3)

Jonathan Williams recorded in his book, *Legions of Satan*, 1781, that Cornwallis revealed to Washington during his surrender that "a holy war will now begin on America, and when it is ended America will be supposedly the citadel of freedom, but her millions will unknowingly be loyal subjects to the Crown."...."in less than two hundred years the whole nation will be working for divine world government. That government that they believe to be divine will be the British Empire."

All the Treaty did was remove the United States as a liability and obligation of the king. He no longer had to ship material and money to support his subjects and colonies. At the same time he retained financial subjection through debt owed after the Treaty, which is still being created today; millions of dollars a day. And his heirs and successors are still reaping the benefit of the king's original venture. If you will read the following quote from Title 26, you will see just one situation where the king is still collecting a tax from those that receive a benefit from him, on property which is purchased with the money the king supplies, at almost the same percentage:

-CITE-

26 USC Sec. 1491

HEAD-

Sec. 1491. Imposition of tax

-STATUTE-

There is hereby imposed on the transfer of property by a citizen or resident of the United States, or by a domestic corporation or partnership, or by an estate or trust which is not a foreign estate or trust, to a foreign corporation as paid-in surplus or as a contribution to capital, or to a foreign estate or trust, or to a foreign partnership, an excise tax equal to 35 percent of the excess of -

(1) the fair market value of the property so transferred, over

(2) the sum of -

(A) the adjusted basis (for determining gain) of such property in the hands of the transferor, plus

(B) the amount of the gain recognized to the transferor at the time of the transfer.

-SOURCE-

(Aug. 16, 1954, ch. 736, 68A Stat. 365; Oct. 4, 1976,  
Pub. L. 94-455, title X, Sec. 1015(a), 90 Stat. 1617; Nov. 6, 1978,  
Pub. L. 95-600, title VII, Sec. 701(u)(14)(A), 92 Stat. 2919.)

-MISC1-

### AMENDMENTS

1978 - Pub. L. 95-600 substituted 'estate or trust' for 'trust' wherever appearing.

1976 - Pub. L. 94-455 substituted in provisions preceding par.

(1) 'property' for 'stocks and securities' and '35 percent' for '27 1/2 percent' and in par.

(1) 'fair market value' for 'value' and 'property' for 'stocks and securities' and in par.

(2) designated existing provisions as subpar. (A) and added subpar. (B).

### EFFECTIVE DATE OF 1978 AMENDMENT

Section 701(u)(14)(C) of Pub. L. 95-600 provided that: 'The amendments made by this paragraph (amending this section and section 1492 of this title) shall apply to transfers after October 2, 1975.'

### EFFECTIVE DATE OF 1976 AMENDMENT

Section 1015(d) of Pub. L. 94-455 provided that: 'The amendments made by this section (enacting section 1057 of this title, amending this section and section 1492 of this title, and renumbering former section 1057 as 1058 of this title) shall apply to transfers of property after October 2, 1975.'

A new war was declared when the Treaty was signed. The king wanted his land back and he knew he would be able to regain his property for his heirs with the help of his world financiers. Here is a quote from the king speaking to Parliament after the Revolutionary War had concluded.

(Six weeks after) the capitulation of Yorktown, the king of Great Britain, in his speech to Parliament (Nov. 27, 1781), declared "That he should not answer the trust committed to the sovereign of a free people, if he consented to sacrifice either to his own desire of peace, or to their temporary ease and relief, those essential rights and permanent interests, upon the maintenance and preservation of which the future strength and security of the country must forever depend." The determined language of this speech, pointing to the continuance of the American war, was echoed back by a majority of both Lords and Commons.

In a few days after (Dec. 12), it was moved in the House of Commons that a resolution should be adopted declaring it to be their opinion "That all farther attempts to reduce the Americans to obedience by force would be ineffectual, and injurious to the true interests of Great Britain." The rest of the debate can be found in (footnote 4). What were the true interests of the king? The gold, silver and copper.

The new war was to be fought without Americans being aware that a war was even being waged, it was to be fought by subterfuge and key personnel being placed in key positions. The first two parts of "A Country Defeated In Victory," go into detail about how this was done and exposes some of the main players.

Every time you pay a tax you are transferring your labor to the king, and his heirs and successors are still receiving interest from the original American Charters.

The following is the definition of tribute (tax).

"A contribution which is raised by a prince or sovereign from his subjects to sustain the expenses of the state.

A sum of money paid by an inferior sovereign or state to a superior potentate, to secure the friendship or protection of the latter." Blacks Law Dictionary forth ed. p. 1677.

As further evidence, not that any is needed, a percentage of taxes that are paid are to enrich the king/queen of England. For those that study Title 26 you will recognize IMF, which means Individual Master File, all tax payers have one. To read one you have to be able to break their codes using file 6209, which is about 467 pages. On your IMF you will find a blocking series, which tells you what type of tax you are paying. You will probably find a 300-399 blocking series, which 6209 says is reserved. You then look up the BMF 300-399, which is the Business Master File in 6209. You would have seen prior to 1991, this was U.S.-U.K. Tax Claims, non-refile DLN. Meaning everyone is considered a business and involved in commerce and you are being held liable for a tax via a treaty between the U.S. and the U.K., payable to the U.K.. The form that is supposed to be used for this is form 8288, FIRPTA - Foreign Investment Real Property Tax Account, you won't find many people using this form, just the 1040 form. The 8288 form can be found in the Law Enforcement Manual of the IRS, chapter 3. If you will check the OMB's paper - Office of Management and Budget, in the Department of Treasury, List of Active Information Collections, Approved Under Paperwork Reduction Act, you will find this form under OMB number 1545-0902, which says U.S. withholding tax-return for dispositions by foreign persons of U.S. real property interests-statement of withholding on dispositions, by foreign persons, of U.S. Form #8288 #8288a.

These codes have since been changed to read as follows; IMF 300-309, Barred Assessment, CP 55 generated valid for MFT-30, which is the code for 1040 form. IMF 310-399 reserved, the BMF 300-309 reads the same as IMF 300-309. BMF 390-399 reads U.S./U.K. Tax Treaty Claims. The long and short of it is nothing changed, the government just made it plainer, the 1040 is the payment of a foreign tax to the king/queen of England. We have been in financial servitude since the Treaty of 1783.

Another Treaty between England and the United States was Jay's Treaty of 1794 (footnote 5). If you will remember from the Paris Treaty of 1783, John Jay Esqr. was one of the negotiators of the Treaty. In 1794 he negotiated another Treaty with Britain. There was great controversy among the American people about this Treaty.

In Article 2 you will see the king is still on land that was supposed to be ceded to the United States at the Paris Treaty. This is 13 years after America supposedly won the Revolutionary War. I guess someone forgot to tell the king of England. In Article 6, the king is still dictating terms to the United States concerning the collection of debt and damages, the British government and World Bankers claimed we owe. In Article 12 we find the king dictating terms again, this time concerning where and with who the United States could trade. In Article 18 the United States agrees to a wide variety of material that would be subject to confiscation if Britain found said material going to its enemies ports. Who won the Revolutionary War?

That's right, we were conned by some of our early fore fathers into believing that we are free and sovereign people, when in fact we had the same status as before the Revolutionary War. I say had, because our status is far worse now than then. I'll explain.

Early on in our history the king was satisfied with the interest made by the Bank of the United States. But when the Bank Charter was canceled in 1811 it was time to gain control of the government, in order to shape government policy and public policy. Have you never asked yourself why the British, after burning the White House and all our early records during the War of 1812, left and did not take over the government. The reason they did, was to remove the greatest barrier to their plans for this country. That barrier was the newly adopted 13th Amendment to the United States Constitution. The purpose for this Amendment was to stop anyone from serving in the government who was receiving a Title of nobility or honor. It was and is obvious that these government employees would be loyal to the granter of the Title of nobility or honor.

The War of 1812 served several purposes. It delayed the passage of the 13th Amendment by Virginia, allowed the British to destroy the evidence of the first 12 states ratification of this Amendment, and it increased the national debt, which would coerce the Congress to reestablish the Bank Charter in 1816 after the Treaty of Ghent was ratified by the Senate in 1815.

### **Forgotten Amendment**

The Articles of Confederation, Article VI states: "nor shall the united States in Congress assembled, or any of them, grant any Title of nobility." The Constitution for the united States, in Article, I Section 9, clause 8 states: "No Title of nobility shall be granted by the united States; and no Person holding any Office or Profit or Trust under them, shall, without the Consent of the

Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State."

Also, Section 10, clause 1 states, "No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque or Reprisal; coin Money; emit Bills of Credit; make any Thing but Gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto of Law impairing the Obligation of Contracts, or grant any Title of nobility."

There was however, no measurable penalty for violation of the above Sections, Congress saw this as a great threat to the freedom of Americans, and our Republican form of government. In January 1810 Senator Reed proposed the Thirteenth Amendment, and on April 26, 1810 was passed by the Senate 26 to 1 (1st-2nd session, p. 670) and by the House 87 to 3 on May 1, 1810 (2nd session, p. 2050) and submitted to the seventeen states for ratification. The Amendment reads as follows:

"If any citizen of the United States shall Accept, claim, receive or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever, from any emperor, king, prince or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."

From An "American Dictionary of the English Language, 1st Edition," Noah Webster, (1828) defines nobility as: "3. The qualities which constitute distinction of rank in civil society, according to the customs or laws of the country; that eminence or dignity which a man derives from birth or title conferred, and which places him in an order above common men."; and, "4. The persons collectively who enjoy rank above commoners; the peerage."

The fore-mentioned Sections in the Constitution for the united States, and the above proposed Thirteenth Amendment sought to prohibit the above definition, which would give any advantage or privilege to some citizens an unequal opportunity to achieve or exercise political power. Thirteen of the seventeen states listed below understood the importance of this Amendment.

Date Admitted to the Union	State	Date voted the Amendment	Date Voted Against the Amendment
1788	Maryland	Dec. 25, 1810	
1792	Kentucky	Jan. 31, 1811	
1803	Ohio	Jan. 31, 1811	
1787	Delaware	Feb. 2, 1811	
1787	Pennsylvania	Feb. 6, 1811	
1787	New Jersey	Feb., 13, 1811	
1791	Vermont	Oct. 24, 1811	
1796	Tennessee	Nov. 21, 1811	
1788	Georgia	Dec. 13, 1811	
1789	North Carolina	Dec. 23, 1811	
1788	Massachusetts	Feb. 27, 1812	
1788	New	Dec. 10, 1812	



	Hampshire		
1788	Virginia	Mar. 12, 1819	
1788	New York		Mar. 12, 1811
1788	Connecticut		May 1813
1788	South Carolina		Dec. 7, 1813
1790	Rhode Island		Setp. 15, 1814

On March 10, 1819, the Virginia legislature passed Act No. 280 (Virginia Archives of Richmond, "misc." file, p. 299 for micro- film):

"Be it enacted by the General Assembly, that there shall be published an edition of the laws of this Commonwealth in which shall be contained the following matters, that is to say: the Constitution of the united States and the amendments thereto..."

The official day of ratification was March 12, 1819, this was the date of re-publication of the Virginia Civil Code. Virginia ordered 4,000 copies, almost triple their usual order. Word of Virginia's 1819 ratification spread throughout the states and both Rhode Island and Kentucky published the new Amendment in 1822. Ohio published the new Amendment in 1824. Maine ordered 10,000 copies of the Constitution with the new Amendment to be printed for use in the public schools, and again in 1831 for their Census Edition. Indiana published the new Amendment in the Indiana Revised Laws, of 1831 on P. 20. The Northwest Territories published the new Amendment in 1833; Ohio published the new Amendment again in 1831 and in 1833. Connecticut, one of the states that voted against the new Amendment published the new Amendment in 1835. Wisconsin Territory published the new Amendment in 1839; Iowa Territory published the new Amendment in 1843; Ohio published the new Amendment again, in 1848; Kansas published the new Amendment in 1855; and Nebraska Territory published the new Amendment six years in a row from 1855 to 1860. Colorado Territory published the new Amendment in 1865 and again 1867, in the 1867 printing, the present Thirteenth Amendment (slavery Amendment) was listed as the Fourteenth Amendment. The repeated reprinting of the Amended united States Constitution is conclusive evidence of its passage.

Also, as evidence of the new Thirteenth Amendments impending passage; on December 2, 1817 John Quincy Adams, then Secretary of State, wrote to Buck (an attorney) regarding the position Buck had been assigned. The letter reads:

"...if it should be the opinion of this Government that the acceptance on your part of the Commission under which it was granted did not interfere with your citizenship.

It is the opinion of the Executive that under the 13th amendment to the constitution by the acceptance of such an appointment from any foreign Government, a citizen of the United States ceases to enjoy that character, and becomes incapable of holding any office of trust or profit under the United States or either of them... J.Q.A.

By virtue of these titles and honors, and special privileges, lawyers have assumed political and economic advantages over the majority of citizens. A majority may vote, but only a minority (lawyers) may run for political office.

After the War of 1812 was concluded the Treaty of Ghent was signed and ratified (footnote 6). In Article 4 of the Treaty, the United States gained what was already given in the Treaty of Paris 1783, namely islands off the U.S. Coast. Also, two men were to be given the power to decide the borders and disagreements, if they could not, the power was to be given to an outside sovereign power and their decision was final and considered conclusive. In Article 9 it is admitted there are citizens and subjects in America. As you have seen, the two terms are interchangeable, synonymous. In Article 10 you will see where the idea for the overthrow of this country came from and on what issue. The issue raised by England was slavery and it was nurtured by the king's emissaries behind the scenes. This would finally lead to the Civil War, even though the Supreme Court had declared the states and their citizens property rights could not be infringed on by the United States government or Congress. This was further declared by the following Presidential quotes, where they declared to violate the states rights would violate the U.S. Constitution. Also, history shows that slavery would not have existed much longer in the Southern states, public sentiment was changing and slavery was quickly disappearing. The Civil War was about destroying property rights and the U.S. Constitution which supported these rights. Read the following quotes of Presidents just before the Civil War:

"I believe that involuntary servitude, as it exists in different States of this Confederacy, is recognized by the Constitution. I believe that it stands like any other admitted right, and that the States where it exists are entitled to efficient remedies to enforce the constitutional provisions." Franklin Pierce Inaugural Address, March 4, 1853 - Messages and Papers of the Presidents, vol. 5.

"The whole Territorial question being thus settled upon the principle of popular sovereignty-a principle as ancient as free government itself-everything of a practical nature has been decided. No other question remains for adjustment, because all agree that under the Constitution slavery in the States is beyond the reach of any human power except that of the respective States themselves wherein it exists." James Buchanan Inaugural Address, March 4, 1857 - Messages and Papers of the Presidents, vol. 5.

"I cordially congratulate you upon the final settlement by the Supreme Court of the United States of the question of slavery in the Territories, which had presented an aspect so truly formidable at the commencement of my Administration. The right has been established of every citizen to take his property of any kind, including slaves, into the common Territories belonging equally to all the States of the Confederacy, and to have it protected there under the Federal Constitution. Neither Congress nor a Territorial legislature nor any human power has any authority to annul or impair this vested right. The supreme judicial tribunal of the country, which is a coordinate branch of the Government, has sanctioned and affirmed these principles of constitutional law, so manifestly just in themselves and so well calculated to promote peace and harmony among the States." James Buchanan, Third Annual Message, December 19, 1859 - Messages and Papers of the Presidents, vol. 5.

So there is no misunderstanding I am not rearguing slavery. Slavery is morally wrong and contrary to God Almighty's Law. In this divisive issue, the true attack was on our natural rights and on the Constitution. The core of the attack was on our right to possess allodial property. Our God given right to own property in allodial was taken away by conquest of the Civil War. If you

are free this right cannot be taken away. The opposite of free is slave or subject, we were allowed to believe we were free for about 70 years. Then the king said enough, and had the slavery issue pushed to the front by the northern press, which so formed northern public opinion, that they were willing to send their sons to die in the Civil War.

The southern States were not fighting so much for the slave issue, but for the right to own property, any property. These property rights were granted by the king in the Treaty of 1783, knowing they would soon be forfeited by the American people through ignorance. Do you think you own your house? If you were to stop paying taxes, federal or state, you would soon find out that you were just being allowed to live and pay rent for this house. The rent being the taxes to the king, who supplied the benefit of commerce. A free man not under a monarch, democracy, dictatorship or socialist government, but is under a republican form of government would not and could not have his property taken. Why! The king's tax would not and could not be levied. If the Americans had been paying attention the first 70 years to the subterfuge and corruption of the Constitution and government representatives, instead of chasing the money supplied by the king, the Conquest of this country during the Civil War could have been avoided. George Washington had vision during the Revolutionary War, concerning the Civil War. You need to read it. footnote

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### **Civil War and The Conquest that followed**

The government and press propaganda that the War was to free the black people from slavery is ridiculous, once you understand the Civil War Thirteenth and Fourteenth Amendments. The black people are just as much slaves today as before the Civil War just as the white people are, and also we find ourselves subjects of the king/queen of England. The only thing that changed for black people is they changed masters and were granted a few rights, which I might add can be taken away anytime the government chooses. Since the 1930's the black people have been paid reparations to buy off their silence, in other words, keep the slaves on the plantation working. I do not say this to shock or come across as prejudiced, because I'm not. Here's what Russell Means said, for those that don't remember who he is, he was the father in the movie called, "Last Of The Mohicans". Russell Means said " until the white man is free we will never be free", the we he is referring to are the Indians. There has never been a truer statement, however the problem is the white people are not aware of their enslavement.

At the risk of being redundant; to set the record straight, because Lord only knows what will be said about what I just said regarding black people, I believe that if you are born in this country you are equal, period. Forget the empty promises of civil rights, what about you unalienable natural rights under God Almighty. All Americans are feudal tenants on the land, allowed to rent the property they live on as long as the king gets his cut. What about self-determination, or being able to own allodial title to property, which means the king cannot take your property for failure to pay a tax. Which means you did not own it to begin with. The king allows you to use the material goods and land. Again this is financial servitude.

"The ultimate ownership of all property is in the state; individual so-called `ownership' is only by virtue of government, i.e., law, amounting to a mere user; and use must be in accordance with law

and subordinate to the necessities of the State." Senate Document No. 43, "Contracts payable in Gold" written in 1933.

The king controlled the government by the time the North won the Civil War, through the use of lawyers that called the shots behind the scenes, just as they do now and well placed subjects in the United States government. This would not have been possible if not for England destroying our documents in 1812 and the covering up of state documents of the original 13th Amendment.

According to International law, what took place when the North conquered the South? First, you have to understand the word "conquest" in international law. When you conquer a state you acquire the land; and those that were subject to the conquered state, then become subject to the conquerors. The laws of the conquered state remain in force until the conquering state wishes to change all or part of them. At the time of conquest the laws of the conquered state are subject to change or removal, which means the law no longer lies with the American people through the Constitution, but lies with the new sovereign. The Constitution no longer carries any power of its own, but drives its power from the new sovereign, the conqueror. The reason for this is the Constitution derived its power from the people, when they were defeated, so was the Constitution.

The following is the definition of Conquest:

"The acquisition of the sovereignty of a country by force of arms, exercised by an independent power which reduces the vanquished to submission to its empire."

"The intention of the conqueror to retain the conquered territory is generally manifested by formal proclamation of annexation, and when this is combined with a recognized ability to retain the conquered territory, the transfer of sovereignty is complete. A treaty of peace based upon the principle of *uti possidetis* (q.v.) is formal recognition of conquest."

"The effects of conquest are to confer upon the conquering state the public property of the conquered state, and to invest the former with the rights and obligations of the latter; treaties entered into by the conquered state with other states remain binding upon the annexing state, and the debts of the extinct state must be taken over by it. Conquest likewise invests the conquering state with sovereignty over the subjects of the conquered state. Among subjects of the conquered state are to be included persons domiciled in the conquered territory who remain there after the annexation. The people of the conquered state change their allegiance but not their relations to one another." *Leitensdorfer v. Webb*, 20 How. (U.S.) 176, 15 L. Ed. 891.

"After the transfer of political jurisdiction to the conqueror the municipal laws of the territory continue in force until abrogated by the new sovereign." *American Ins. Co. v. Canter*, 1 Pet. (U.S.) 511, 7 L. Ed. 242. Conquest, In international Law. - Bouvier's Law Dictionary.

What happened after the Civil War? Did not U.S. troops force the southern states to accept the Fourteenth Amendment? The laws of America, the Constitution were changed by the conquering government. Why? The main part I want you to see, as I said at the beginning of this paper, is watch the money and the commerce. The Fourteenth Amendment says the government debt can not be questioned. Why? Because now the king wants all the gold, silver and copper and the land. Which can easily be done by increasing the government debt and making the American people sureties for the debt. This has been done by the sleight of hand of lawyers and the bankers.

The conquering state is known as a Belligerent, read the following quotes.

Belligerency, is International Law

"The status of de facto statehood attributed to a body of insurgents, by which their hostilities are legalized. Before they can be recognized as belligerents they must have some sort of political organization and be carrying on what is international law is regarded as legal war. There must be an armed struggle between two political bodies, each of which exercises de facto authority over persons within a determined territory, and commands an army which is prepared to observe the ordinary laws of war. It is not enough that the insurgents have an army; they must have an organized civil authority directing the army."

"The exact point at which revolt or insurrection becomes belligerency is often extremely difficult to determine; and belligerents are not usually recognized by nations unless they have some strong reason or necessity for doing so, either because the territory where the belligerency is supposed to exist is contiguous to their own, or because the conflict is in some way affecting their commerce or the rights of their citizens...One of the most serious results of recognizing belligerency is that it frees the parent country from all responsibility for what takes place within the insurgent lined; Dana's Wheaton, note 15, page 35." Bouvier's Law Dictionary

Belligerent, In International Law.

"As adj. and noun. Engaged in lawful war; a state so engaged. In plural. A body of insurgents who by reason of their temporary organized government are regarded as conducting lawful hostilities. Also, militia, corps of volunteers, and others, who although not part of the regular army of the state, are regarded as lawful combatants provided they observe the laws of war; 4 H. C. 1907, arts, 1, 2." Bouvier's Law Dictionary.

According to the International law no law has been broken. Read the following about military occupation, notice the third paragraph. After the Civil War, title to the land had not been completed to the conquerors, but after 1933 it was. I will address this in a moment. In the last paragraph, it says the Commander-in-Chief governs the conquered state. The proof that this is the case today, is the U.S. flies the United States flag with a yellow fringe on three sides. According to the United States Code, Title 4, Sec. 1, the U.S. flag does not have a fringe on it. The difference being one is a Constitutional flag, and the fringed flag is a military flag. The military flag means you are in a military occupation and are governed by the Commander-in-Chief in his executive capacity, not under any Constitutional authority. Read the following.

Military Occupation

"This at most gives the invader certain partial and limited rights of sovereignty. Until conquest, the sovereign rights of the original owner remain intact. Conquest gives the conqueror full rights of sovereignty and, retroactively, legalizes all acts done by him during military occupation. Its only essential is actual and exclusive possession, which must be effective."

"A conqueror may exercise governmental authority, but only when in actual possession of the enemy's country; and this will be exercised upon principles of international law; MacLeod v. U.S., 229 U.S. 416, 33 Sup. Ct 955, 57 L. Ed. 1260."

"The occupant administers the government and may, strictly speaking, change the municipal law, but it is considered the duty of the occupant to make as few changes in the ordinary administration of the laws as possible, though he may proclaim martial law if necessary. He may

occupy public land and buildings; he cannot alienate them so as to pass a good title, but a subsequent conquest would probably complete the title..."

"Private lands and houses are usually exempt. Private movable property is exempt, though subject to contributions and requisitions. The former are payments of money, to be levied only by the commander-in-chief...Military necessity may require the destruction of private property, and hostile acts of communities or individuals may be punished in the same way. Property may be liable to seizure as booty on the field of battle, or when a town refuses to capitulate and is carried by assault. When military occupation ceases, the state of things which existed previously is restored under the fiction of postliminium (q.v.)"

"Territory acquired by war must, necessarily, be governed, in the first instance, by military power under the direction of the president, as commander-in-chief. Civil government can only be put in operation by the action of the appropriate political department of the government, at such time and in such degree as it may determine. It must take effect either by the action of the treaty-making power, or by that of congress. So long as congress has not incorporated the territory into the United States, neither military occupation nor cession by treaty makes it domestic territory, in the sense of the revenue laws. Congress may establish a temporary government, which is not subject to all the restrictions of the constitution. *Downes v. Bidwell*, 182 U.S. 244, 21 Sup Ct. 770, 45 L. Ed. 1088, per Gray, J., concurring in the opinion of the court." *Bouvier's Law Dictionary*

Paragraph 1-3 of the definition of Military Occupation describes what took place during and after the Civil War. What took place during the Civil War and Post Civil War has been legal under international law. You should notice in paragraph 3, that at the end of the Civil War, title to the land was not complete, but the subsequent Conquest completed the title. When was the next Conquest? 1933, when the American people were alienated by our being declared enemies of the Conquer and by their declaring war against all Americans. Read the following quotes and also (footnote 8).

The following are excerpts from the Senate Report, 93rd Congress, November 19, 1973, Special Committee On The Termination Of The National Emergency United States Senate.

Since March 9, 1933, the United States has been in a state of declared national emergency....Under the powers delegated by these statutes, the President may: seize property; organize and control the means of production; seize commodities; assign military forces abroad; institute martial law; seize and control all transportation and communication; regulate the operation of private enterprise; restrict travel; and, in a plethora of particular ways, control the lives of all American citizens.

A majority of the people of the United States have lived all of their lives under emergency rule. For 40 years, freedoms and governmental procedures guaranteed by the Constitution have, in varying degrees, been abridged by laws brought into force by states of national emergency....from, at least, the Civil War in important ways shaped the present phenomenon of a permanent state of national emergency.

In Title 12, in section 95b you'll find the following codification of the emergency war powers: The actions, regulations, rules, licenses, orders and proclamations heretofore or hereafter taken, promulgated, made, or issued by the President of the United States or the Secretary of the

Treasury since March 4, 1933, pursuant to the authority conferred by subsection (b) of section 5 of the Act of October 6, 1917, as amended (12 USCS, 95a), are hereby approved and confirmed. (March 9, 1933, c. 1, Title 1, 1, 48 Stat. 1)

It is clear that the Bankrupt, defacto government of the united States, which is operating under the War Powers Act and Executive Orders; not the Constitution for the united States, has in effect issued under its Admiralty Law, Letters of Marque (piracy) to its private agencies IRS, ATF, FBI and DEA, with further enforcement by its officers in the Courts, local police and sheriffs, waged war against the American People and has classed Americans as enemy aliens.

The following definition is from BOUVIER'S LAW DICTIONARY (P. 1934) of Letters of Marque, it says: "A commission granted by the government to a private individual, to take the property of a foreign state, or of the citizens or subjects of such state, as a reparation for an injury committed by such state, its citizens or subjects. The prizes so captured are divided between the owners of the privateer, the captain, and the crew. A vessel to a friendly port, but armed for its own defence in case of attack by an enemy, is also called a letter of marque."

#### Words and Phrases, Dictionary

By the law of nations, an enemy is defined to be "one with whom a nations at open war." When the sovereign ruler of a state declares war against another sovereign, it is understood the whole nation declares war against that other nation. All the subjects of one are enemies to all the subjects of the other, and during the existence of the war they continue enemies, in whatever country they may happen to be, "and all persons residing within the territory occupied by the belligerents, although they are in fact foreigners, are liable to be treated as enemies." *Grinnan v. Edwards*, 21 W.Va. 347, 357, quoting *Vatt. Law.Nat.bk. 3, c. 69-71*.

So we find ourselves enemies in our own country and subjects of a king that has conquered our land, with heavy taxation and no possibility of fair representation.

The government has, through the laws of forfeiture, taken prize and booty for the king; under the Admiralty Law and Executive powers as declared by the Law of the Flag. None of which could have been done with the built in protection contained in the true Thirteenth Amendment, which has been kept from the American People. The fraudulent Amendments and legislation that followed the Civil War, bankrupted the American People and put the privateers (banksters) in power, and enforced by the promise of prize and booty to their partners in crime (government).

The following is the definition of a tyrant.

Webster's New Universal Unabridged Dictionary defines tyrant as follows: "1. An absolute ruler; one who seized sovereignty illegally; a usurper. 2. a cruel oppressive ruler; a despot. 3. one who exercises his authority in an oppressive manner, a cruel master."

"When I see that the right and means of absolute command are conferred on a people or upon a king, upon an aristocracy or a democracy, a monarchy or republic, I recognize the germ of tyranny, and I journey onwards to a land of more helpful institutions." Alexis de Tocqueville, 1 *DEMOCRACY IN AMERICA*, at 250 [Arlington House (1965)].

So we pick up with paragraph 4, which describes the taxation under Military Occupation and that you are under Executive control and are bound under admiralty law by the contracts we enter, including silent contracts and by Military Occupation.

Notice the last sentence in paragraph 5, Congress may establish a temporary government, which is not subject to all the restrictions of the Constitution. See also Harvard Law Review - the Insular Cases. This means you do not have a Constitutional government, you have a military dictatorship, controlled by the President as Commander-in-Chief. What is another way you can check out what I am telling you? Read the following quotes.

"...[T]he United States may acquire territory by conquest or by treaty, and may govern it through the exercise of the power of Congress conferred by Section 3 of Article IV of the Constitu- tion...

In exercising this power, Congress is not subject to the same constitutional limitations, as when it is legislating for the United States. ...And in general the guaranties of the Consti- tution, save as they are limitations upon the exercise of executive and legislative power when exerted for or over our insular possessions, extend to them only as Congress, in the exercise of its legislative power over territory belonging to the United States, has made those guarantees applicable."  
[Hooven & Allison & Co. vs Evatt, 324 U.S. 652 (1945)]

"The idea prevails with some indeed, it found expression in arguments at the bar that we have in this country substantially or practically two national governments; one to be maintained under the Constitution, with all its restrictions; the other to be maintained by Congress outside and independently of that instru- ment, by exercising such powers as other nations of the earth are accustomed to exercise.

I take leave to say that if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will be the result. We will, in that event, pass from the era of constitu- tional liberty guarded and protected by a written constitution into an era of legislative absolutism.

It will be an evil day for American liberty if the theory of a government outside of the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the constitution."  
[Downes vs Bidwell, 182 U.S. 244 (1901)]

### **A Military Flag**

And to further confirm and understand the significance of what I have told you, you need to understand the fringe on the United States flag. Read the following.

First the appearance of our flag is defined in Title 4 sec. 1. U.S.C..

"The flag of the United States shall be thirteen horizontal stripes, alternate red and white; and the union of the flag shall be forty-eight stars, white in a blue field." (my note - of course when new states are admitted, new stars are added.)

A foot note was added on page 1113 of the same section which says: "Placing of fringe on the national flag, the dimensions of the flag, and arrangement of the stars are matters of detail not



controlled by statute, but within the discretion of the President as commander-in-chief of the Army and Navy." 1925, 34 Op.Atty.Gen. 483.

The president, as military commander, can add a yellow fringe to our flag. When would this be done? During time of war. Why? A flag with a fringe is an ensign, a military flag. Read the following.

"Pursuant to U.S.C. Chapter 1, 2, and 3; Executive Order No. 10834, August 21, 1959, 24 F.R. 6865, a military flag is a flag that resembles the regular flag of the United States, except that it has a YELLOW FRINGE, bordered on three sides. The President of the United states designates this deviation from the regular flag, by executive order, and in his capacity as COMMANDER-IN-CHIEF of the Armed forces."

From the National Encyclopedia, Volume 4:

"Flag, an emblem of a nation; usually made of cloth and flown from a staff. From a military standpoint flags are of two general classes, those flown from stationary masts over army posts, and those carried by troops in formation. The former are referred to by the general name flags. The latter are called colors when carried by dismounted troops. Colors and Standards are more nearly square than flags and are made of silk with a knotted Fringe of Yellow on three sides...use of the flag. The most general and appropriate use of the flag is as a symbol of authority and power."

"...The agency of the master is devolved upon him by the law of the flag. The same law that confers his authority ascertains its limits, and the flag at the mast-head is notice to all the world of the extent of such power to bind the owners or freighters by his act. The foreigner who deals with this agent has notice of that law, and, if he be bound by it, there is not injustice. His notice is the national flag which is hoisted on every sea and under which the master sails into every port, and every circumstance that connects him with the vessel isolates that vessel in the eyes of the world, and demonstrates his relation to the owners and freighters as their agent for a specific purpose and with power well defined under the national maritime law." Bouvier's Law Dictionary, 1914.

Don't be thrown by the fact they are talking about the sea, and that it doesn't apply to land. Admiralty law came on land in 1845 with the Act of 1845 by Congress. Next a court case:

"Pursuant to the "Law of the Flag", a military flag does result in jurisdictional implication when flown. The Plaintiff cites the following: "Under what is called international law, the law of the flag, a shipowner who sends his vessel into a foreign port gives notice by his flag to all who enter into contracts with the shipmaster that he intends the law of the flag to regulate those contracts with the shipmaster that he either submit to its operation or not contract with him or his agent at all." *Ruhrat v. People*, 57 N.E. 41, 45, 185 ILL. 133, 49 LRA 181, 76 AM.

I have had debates with folks that take great issue with what I have said, they dogmatically say the constitution is the law and the government is outside the law. I wish they were right, but they fail to see or understand that the American people have been conquered, unknowingly, but conquered all the same. That is why a judge will tell you not to bring the Constitution into his court, or a law dictionary, because he is the law, not the Constitution.

You have only to read the previous Senates report on National Emergency, to understand the Constitution and our Constitutional form of government no longer exists.

## **Further Evidence Social Security**

I fail to understand how the American people could have been so dumbed down as to not see that the Social Security system is fraudulent and that it is based on socialism, which is the redistribution of wealth, right out of the communist manifesto. The Social Security system first, is fraud, it is insolvent and was never intended to be. It is used for a national identification number, and a requirement to receive benefits from the conquerors (king).

The Social Security system is made to look and act like insurance, all insurance is governed by admiralty law, which is the king's way of binding those involved with commerce with him. "The Social Security system may be accurately described as a form of Social Insurance, enacted pursuant to Congress' power to "spend money in aid of the 'general welfare'," *Helvering vs. Davis* [301 U.S., at 640]

"My judgment accordingly is, that policies of insurance are within... the admiralty and maritime jurisdiction of the United States." Federal Judge Story, in *DELOVIO VS. BOIT*, 7 Federal Cases, #3776, at page 444 (1815).

You need to know and understand what contribution means in F.I.C.A., Federal Insurance Contribution Act. Read the following definition.

**Contribution.** Right of one who has discharged a common liability to recover of another also liable, the aliquot portion which he ought to pay or bear. Under principle of "contribution," a tort-feasor against whom a judgment is rendered is entitled to recover proportional shares of judgment from other joint tort-feasors whose negligence contributed to the injury and who were also liable to the plaintiff. (cite omitted) The share of a loss payable by an insurer when contracts with two or more insurers cover the same loss. The insurer's share of a loss under a coinsurance or similar provision. The sharing of a loss or payment among several. The act of any one or several of a number of co-debtors, co-sureties, etc., in reimbursing one of their number who has paid the whole debt or suffered the whole liability, each to the extent of his proportionate share. (Black's Law Dictionary 6th ed.)

Thereby making you obligated for the national debt. The Social Security system is one of the contractual nexus' between you and the king. Because you are involved in the king's commerce and have asked voluntarily for his protection, you have accomplished the following. You have admitted that you are equally responsible for having caused the national debt and that you are a wrong doer, as defined by the above legal definition. You have admitted to being a Fourteenth Amendment citizen, who only has civil rights granted by the king. By being a Fourteenth Amendment citizen, you have agreed that you do not have standing in court to question the national debt. Keep in mind this is beyond the status of our country and people, which I covered earlier in this paper. We are in this system of law because of the conquest of our country.

Congress has transferred its Constitutional obligation of coining money to the federal reserve, the representatives of the king, this began after the Civil War and the overturning of the U.S. Constitution, as a result of CONGEST. You have used this fiat money without objection, which is a commercial benefit, supplied by the king's bankers. Fiat money has no real value, other than the

faith in it, and you CANNOT pay a debt with fiat money, because it is a debt instrument. A federal reserve note is a promise to pay and is only evidence of debt. The benefit you have received is you are allowed to discharge your debt, which means you pass on financial servitude to someone else. The someone else is our children.

When you go to the grocery store and hand the clerk a fifty dollar federal reserve note you have stolen the groceries and passed fifty dollars of debt to the seller. Americans try to acquire as much of this fiat money as they can. If Americans were aware of this; it wouldn't matter to them, because they don't care if the merchandise is stolen as long as it is legal. But what happens if the system fails? Those with the most fiat money or real property, which was obtained with fiat money will be forfeited to the king, everything that was obtained with this fiat money reverts back to the king temporary, I will explain in the conclusion of this paper. Because use of his fiat money is a benefit, supplied by the king's bankers; it all transfers back to the king. The king's claim to the increase in this country comes from the original Charter of 1606. But, it is all hidden, black is white and white is black, wealth is actually debt and financial slavery.

For those that do not have a Social Security number or think they have rescinded it, you are no better off. As far as the king is concerned you are subject to him also. Why? Well, just to list a couple of reasons other than conquest. You use his money and as I said before, this is discharging debt, without prosecution. You use the goods and services that were obtained by this fiat money, to enrich your life style and sustain yourself. You drive or travel, which ever definition you want to use, on the king's highways and roads for pleasure and to earn a living; meaning you are involved in the king's commerce. On top of these reasons which are based on received benefits, this country HAS BEEN CONQUERED!

I know a lot of patriots won't like this. Your (our) argument has been that the government has and is operating outside of the law (United States Constitution). Believe me I don't like sounding like the devils advocate, but as far as international law goes; and the laws that govern War between countries, the king/queen of England rule this country, first by financial servitude and then by actual Conquest and Military Occupation. The Civil War was the beginning of the Conquest, as evidenced by the Fourteenth Amendment. This Amendment did several things, as already mentioned. It created the only citizenship available to the conquered and declared that these citizens had no standing in any court to challenge the monetary policies of the new government. Why? So the king would always receive his gain from his Commercial venture. The Amendment also eliminated your use of natural rights and gave the Conquered civil rights. The Conquered are governed by public policy, instead of Republic of self-government under God Almighty. Your argument that this can't be, is frivolous and without merit, the evidence is conclusive.

Nothing has changed since before the Revolutionary War.

All persons whose activities in King's Commerce are such that they fall under this marine-like environment, are into an invisible Admiralty Jurisdiction Contract. Admiralty Jurisdiction is the KING'S COMMERCE of the High Seas, and if the King is a party to the sea-based Commerce (such as by the King having financed your ship, or the ship is carrying the King's guns), then that Commerce is properly governed by the special rules applicable to Admiralty Jurisdiction. But as for that slice of Commerce going on out on the High Seas without the King as a party, that

Commerce is called Maritime Jurisdiction, and so Maritime is the private Commerce that transpires in a marine environment. At least, that distinction between Admiralty and Maritime is the way things once were, but no more. George Mercier, *Invisible Contracts*, 1984.

What Lincoln and Jefferson said about the true American danger was very prophetic.

"All the armies of Europe, Asia and Africa combined could not, by force, take a drink from the Ohio, or make a track on the Blue Ridge in a trial of a thousand years. At what point then is the approach of danger to be expected? I answer, if it ever reach us it must spring up amongst us. It cannot come from abroad. If destruction be our lot, we ourselves must be its author and finisher. Abraham Lincoln

"Our rulers will become corrupt, our people careless... the time for fixing every essential right on a legal basis is [now] while our rulers are honest, and ourselves united. From the conclusion of this war we shall be going downhill. It will not then be necessary to resort every moment to the people for support. They will be forgotten, therefore, and their rights disregarded. They will forget themselves, but in the sole faculty of making money, and will never think of uniting to effect a due respect for their rights. The shackles, therefore, which shall not be knocked off at the conclusion of this war, will remain on us long, will be made heavier and heavier, till our rights shall revive or expire in a convulsion. Thomas Jefferson

Below are the political platforms of the Democrats and the Republicans, as you can see there is no difference between the two, plain socialism. They are both leading America to a World government, just as Cornwallis said, and that government will be the British empire or promoted by the British.

"We have built foundations for the security of those who are faced with the hazards of unemployment and old age; for the orphaned, the crippled, and the blind. On the foundation of the Social Security Act we are determined to erect a structure of economic security for all our people, making sure that this benefit shall keep step with the ever increasing capacity of America to provide a high standard of living for all its citizens." DEMOCRATIC PARTY PLATFORM OF 1936, at page 360, *infra*.

"Real security will be possible only when our productive capacity is sufficient to furnish a decent standard of living for all American families and to provide a surplus for future needs and contingencies. For the attainment of that ultimate objective, we look to the energy, self-reliance and character of our people, and to our system of free enterprise.

"Society has an obligation to promote the security of the people, by affording some measure of protection against involuntary unemployment and dependency in old age. The NEW DEAL policies, while purporting to provide social security, have, in fact, endangered it.

"We propose a system of old age security, based upon the following principles:

1. We approve a PAY AS YOU GO policy, which requires of each generation the support of the aged and the determination of what is just and adequate.
2. Every American citizen over 65 should receive a supplemental payment necessary to provide a minimum income sufficient to protect him or her from want.
3. Each state and territory, upon complying with simple and general minimum standards, should receive from the Federal Government a graduated contribution in proportion to its own,

up to a fixed maximum.

4. To make this program consistent with sound fiscal policy the Federal revenues for this purpose must be provided from the proceeds of a direct tax widely distributed. All will be benefitted and all should contribute.

"We propose to encourage adoption by the states and territories of honest and practical measures for meeting the problems of employment insurance.

"The unemployment insurance and old age annuity of the present Social Security Act are unworkable and deny benefits to about two-thirds of our adult population, including professional men and women and all engaged in agriculture and domestic service, and the self-employed, while imposing heavy tax burdens upon all."

- REPUBLICAN PARTY PLATFORM OF 1936, at page 366.

Both PLATFORMS appear in NATIONAL PARTY PLATFORMS -- 1840 TO 1972; compiled by Ronald Miller [University of Illinois Press, Urbana, Illinois (1973)

## CONCLUSION

Jesus gave us the most profound warning and advise of all time, Hosea 4:6 "My people are destroyed by a lack of knowledge." This being our understanding and spiritual development in His Word. When applied to the many facets of life, His Word exposes all of life's pit falls. Jesus Christ's Word covers all aspects of life.

The working class during the 1700's were far more educated than now, but this was still not enough to protect them from the secret subterfuge practiced by the lawyers and bankers. Only with understanding of Jesus Christ's Word, can the evil application of man's law be exposed and understood for what it is. This is why Jesus Christ also warned of the beguilement of the lawyers and the deceit and deception they practice.

Another reason, the working class have been unable to understand their enslavement, is because of the time spent working for a living. At wages supplied by the upper class, sufficient to live and even prosper, but never enough to attain upper class status. This is basic class warfare. This system is protected by the upper class controlling public education, to limit and focus the working class's knowledge, to maintain class separation.

What does this have to do with this paper? Everything! This is the reason our upper class fore fathers submitted to the king in the Treaty of 1783. After this Treaty and up to the Civil War, the working class were busy making this the greatest Country in the history of the world. You see they believed they were free, a freeman will work much harder than a man that is subject or a slave. As a whole, the working class were not paying attention to what the government was doing, including its Treaties and laws. This allowed time for the banking procedures and laws to be put in place over time, while the nation slept, so the nation could be conquered during the Civil War. The only way to regain this county is with the re-education of the working class, so they can make informed decisions and vote the mis-managers of our government out of office. We could then reverse the post Civil War socialist laws and the one world government laws, that have been gradually put in place since the Civil War. Until the defeat of America is recognized, victory will never be attainable. Only through reliance by faith on Jesus Christ and the teaching of His

Kingdom will we realize our freedom. As I said earlier, just as this Country has been conquered, when Jesus Christ returns he conquers all nations and takes possession of His Kingdom and rules them with a rod of iron (Rev. 11:15-18). His right of ownership is enforced by THE LAW, God Almighty.

The preceding 11214 words are not to be changed or altered in any way, except by permission of the author, James Montgomery. I can be reached through Knowledge is Freedom BBS.

"...And to preserve their independence, we must not let our rulers load us with perpetual debt. We must make our election between economy and liberty or profusion and servitude. If we run into such debts as that we must be taxed in our meat and in our drink, in our necessaries and our comforts, in our labors and our amusements, for our callings and our creeds, as the people of England are, our people, like them, must come to labor sixteen hours in the twenty-four, and give the earnings of fifteen of these to the government for their debts and daily expenses; and the sixteenth being insufficient to afford us bread, we must live, as they now do, on oatmeal and potatoes; have not time to think, no means of calling the mismanager's to account; but be glad to obtain subsistence by hiring ourselves to rivet their chains on the necks of our fellow sufferers..." (Thomas Jefferson) THE MAKING OF AMERICA, p. 395

## FOOTNOTES

Footnote 1

### FIRST CHARTER OF VIRGINIA (1606)

[This charter, granted by King James I. on April 10, 1606, to the oldest of the English colonies in America, is a typical example of the documents issued by the British government, authorizing "Adventurers" to establish plantations in the New world. The name "Virginia" was at that time applied to all that part of North America claimed by Great Britain.]

I. JAMES, by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. WHEREAS our loving and well-disposed Subjects, Sir Thomas Gates, and Sir George Somers, Knights, Richard Hackluit, Prebendary of Westminster, and Edward-Maria Wingfield, Thomas Hanham, and Raleigh Gilbert, Esqrs. William Parker, and George Popham, Gentlemen, and divers others of our loving Subjects, have been humble Suitors unto us, that We would vouchsafe unto them our License (authors footnote: remember a license granted by the king is a privilege), to make Habitation, Plantation, and to deduce a Colony of sundry of our People into that Part of America, commonly called VIRGINIA, and other Parts and Territories in America, either appertaining unto us, or which are not now actually possessed by any Christian Prince or People, situate, lying, and being all along the Sea Coasts, between four and thirty Degrees of Northerly Latitude from the Equinoctial Line, and five and forty Degrees of the same Latitude, and in the main Land between the same four and thirty and five and forty Degrees, and the Islands thereunto adjacent, or within one hundred Miles of the Coasts thereof;

II. And to that End, and for the more speedy Accomplishment of their said intended Plantation and Habitation there, are desirous to divide themselves into two several Colonies and Companies; The one consisting of certain Knights, Gentlemen, Merchants, and other Adventurers, of our City

of London and elsewhere, which are, and from time to time shall be, joined unto them, which do desire to begin their Plantation and Habitation in some fit and convenient Place, between four and thirty and one and forty Degrees of the said Latitude, along the Coasts of Virginia and Coasts of America aforesaid; And the other consisting of sundry Knights, Gentlemen, Merchants, and other Adventurers, of our Cities of Bristol and Exeter, and of our Town of Plimouth, and of other Places, which do join themselves unto that Colony, which do desire to begin their Plantation and Habitation in some fit and convenient Place, between eight and thirty Degrees and five and forty Degrees of the said Latitude, all alongst the said Coast of Virginia and America, as that Coast lyeth:

III. We, greatly commending, and graciously accepting of, their Desires for the Furtherance of so noble a Work, which may, by the Providence of Almighty God, hereafter tend to the Glory of his Divine Majesty, in propagating of Christian Religion to such People, as yet live in Darkness and miserable Ignorance of the true Knowledge and Worship of God, and may in time bring the Infidels and Savages, living in those Parts, to human Civility, and to a settled and quiet Government; DO, by these our Letters Patents, graciously accept of, and agree to, their humble and well-intended Desires;

IV. And do therefore, for Us, our Heirs, and Successors, GRANT and agree, that the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, and Edward-Maria Wingfield, Adventurers of and for our City of London, and all such others, as are, or shall be, joined unto them of that Colony, shall be called the first Colony; And they shall and may begin their said first Plantation and Habitation, at any Place upon the said Coast of Virginia or America, where they shall think fit and convenient, between the said four and thirty and one and forty Degrees of the said Latitude; And that they shall have all the Lands, Woods, Soil, Grounds, Havens, Ports, Rivers, Mines, Minerals, Marshes, Waters, Fishings, Commodities, and Hereditaments, whatsoever, from the said first Seat of their Plantation and Habitation by the Space of fifty Miles of English Statute Measure, all along the said Coast of Virginia and America, towards the West and South west, as the Coast lyeth, with all the Islands within one hundred Miles directly over against the same Sea Coast; And also all the Lands, Soil, Grounds, Havens, Ports, Rivers, Mines, Minerals, Woods, Waters, Marshes, Fishings, Commodities, and Hereditaments, whatsoever, from the said Place of their first Plantation and Habitation for the space of fifty like English Miles all alongst the said Coast of Virginia and America, towards the East and Northeast, or towards the North, as the Coast lyeth, together with all the Islands within one hundred Miles, directly over against the said Sea Coast; And also all the Lands, Woods, Soil, Grounds, Havens, Ports, Rivers, Mines, Minerals, Marshes, Waters, Fishings, Commodities, and Hereditaments, whatsoever, from the same fifty Miles every way on the Sea Coast, directly into the main Land by the Space of one hundred like English Miles; And shall and may inhabit and remain there; and shall and may also build and fortify within any the same, for their better Safeguard and Defence, according to their best Discretion, and the Discretion of the Council of that Colony; And that no other of our Subjects shall be permitted, or suffered, to plant or inhabit behind, or on the Backside of them, towards the main Land, without the Express License or Consent of the Council of that Colony, thereunto in Writing first had and obtained.

V. And we do likewise, for Us, our Heirs, and Successors, by these Presents, GRANT and agree, that the said Thomas Hanham, and Raleigh Gilbert, William Parker, and George Popham, and all others of the Town of Plimouth in the County of Devon, or else-where, which are, or shall be, joined unto them of that Colony, shall be called the second Colony; And that they shall and

may begin their said Plantation and Seat of their first Abode and Habitation, at any Place upon the said Coast of Virginia and America, where they shall think fit and convenient, between eight and thirty Degrees of the said Latitude, and five and forty Degrees of the same Latitude; And that they shall have all the Lands, Soils, Grounds, Havens, Ports, Rivers, Mines, Minerals, Woods, Marshes, Waters, Fishings, Commodities, and Hereditaments, whatsoever from the first Seat of their Plantation and Habitation by the Space of fifty like English Miles as is aforesaid, all amongst the said Coast of Virginia and America, towards the West and Southwest, or towards the South, as the Coast lyeth, and all the Islands within one hundred Miles, directly over against the said Sea Coast; And also all the Lands, Soils, Grounds, Havens, Ports, Rivers, Mines, Minerals, Woods, Marshes, Waters, Fishings, Commodities, and Hereditaments, whatsoever, from the said Place of their first Plantation and Habitation for the Space of fifty like Miles, all amongst the said Coast of Virginia and America, towards the East and Northeast, or towards the North, as the Coast lyeth, and all the Islands also within one hundred Miles directly over against the same Sea Coast; And also all the Lands, Soils, Grounds, Havens, Ports, Rivers, Woods, Mines, Minerals, Marshes, Waters, Fishings, Commodities, and Hereditaments, whatsoever, from the same fifty Miles every way on the Sea Coast, directly into the main Land, by the Space of one hundred like English Miles; And shall and may inhabit and remain there; and shall and may also build and fortify within any the same for their better Safeguard, according to their best Discretion, and the Discretion of the Council of that Colony; And that none of our Subjects shall be permitted, or suffered, to plant or inhabit behind, or on the back of them, towards the main Land, without the express License of the Council of that Colony, in Writing thereunto first had and obtained.

VI. Provided always, and our Will and Pleasure herein is, that the Plantation and Habitation of such of the said Colonies, as shall last plant themselves, as aforesaid, shall not be made within one hundred like English Miles of the other of them, that first began to make their Plantation, as aforesaid. VII. And we do also ordain, establish, and agree, for Us, our Heirs, and Successors, that each of the said Colonies shall have a Council, which shall govern and order all Matters and Causes, which shall arise, grow, or happen, to or within the same several Colonies, according to such Laws, Ordinances, and Instructions, as shall be, in that behalf, given and signed with Our Hand or Sign Manual, and pass under the Privy Seal of our Realm of England; Each of which Councils shall consist of thirteen Persons, to be ordained, made, and removed, from time to time, according as shall be directed, and comprised in the same instructions; And shall have a several Seal, for all Matters that shall pass or concern the same several Councils; Each of which Seals shall have the King's Arms engraven on the one Side thereof, and his Portraiture on the other And that the Seal for the Council of the said first Colony shall have engraven round about, on the one side, these Words; *Sigillum Regis Magnae Britanniae, Franciae, & Hiberniae*; on the other Side this Inscription, round about; *Pro Concilio primae Coloniae Virginiae*. And the seal for the Council of the said second Colony shall also have engraven, round about the one Side thereof, the aforesaid Words; *Sigillum Regis Magnae, Britanniae, Franciae, & Hiberniae*; and on the other Side; *Pro Concilio secundae Coloniae Virginiae*:

VIII. And that also there shall be a Council established here in England, which shall, in like Manner, consist of thirteen Persons, to be, for that Purpose, appointed by Us, our Heirs and Successors, which shall be called our Council of Virginia; And shall, from time to time, have the superior Managing and Direction, only of and for all Matters, that shall or may concern the Government, as well of the said several Colonies, as of and for any other Part or Place, within the aforesaid Precincts of four and thirty and five and forty Degrees, above-mentioned; Which



Council shall, in like manner, have a Seal, for Matters concerning the Council of Colonies, with the like Arms and Portraiture, as aforesaid, with this Inscription, engraven round about on the one Side; Sigillum Regis Magnae Britanniae, Franciae, & Hiberniae; and round about the other side, Pro Concilio suo Virginiae.

IX. And moreover, we do GRANT and agree, for Us, our Heirs and Successors, that the said several Councils, of and for the said several Colonies, shall and lawfully may, by Virtue hereof, from time to time, without any Interruption of Us, our Heirs, or Successors, give and take Order, to dig, mine, and search for all Manner of Mines of Gold, Silver, and Copper, as well within any part of their said several Colonies, as for the said main Lands on the Back-side of the same Colonies; And to Have and enjoy the Gold, Silver, and Copper, to be gotten thereof, to the Use and Behoof of the same Colonies, and the Plantations thereof; YIELDING therefore, to Us, our Heirs and Successors, the fifth Part only of all the same Gold and Silver, and the fifteenth Part of all the same Copper, so to be gotten or had, as is aforesaid, without any other Manner or Profit or Account, to be given or yielded to Us, our Heirs, or Successors, for or in Respect of the same:

X. And that they shall, or lawfully may, establish and cause to be made a Coin, to pass current there between the People of those several Colonies, for the more Ease of Traffick and Bargaining between and amongst them and the Natives there, of such Metal, and in such Manner and Form, as the said several Councils there shall limit and appoint.

XI. And we do likewise, for Us, our Heirs, and Successors, by these Presents, give full Power and Authority to the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, Edward-Maria Wingfield, Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and to every of them, and to the said several Companies, Plantations, and Colonies, that they, and every of them, shall and may, at all and every time and times hereafter, have, take, and lead in the said Voyage, and for and towards the said several Plantations and Colonies, and to travel thitherward, and to abide and inhabit there, in every the said Colonies and Plantations, such and so many of our Subjects, as shall willingly accompany them, or any of them, in the said Voyages and Plantations; With sufficient Shipping and Furniture of Armour, Weapons, Ordinance, Powder, Victual, and all other things, necessary for the said Plantations, and for their Use and Defence there: PROVIDED always, that none of the said Persons be such, as shall hereafter be specially restrained by Us, our Heirs, or Successors.

XII. Moreover, we do, by these Presents, for Us, our Heirs, and Successors, GIVE AND GRANT License unto the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, Edward-Maria Wingfield, Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and to every of the said Colonies, that they, and every of them, shall and may, from time to time, and at all times for ever hereafter, for their several Defences, encounter, expulse, repel, and resist, as well by Sea as by Land, by all Ways and Means whatsoever, all and every such Person and Persons, as without the especial License of the said several Colonies and Plantations, shall attempt to inhabit within the said several Precincts and Limits of the said several Colonies and Plantations, or any of them, or that shall enterprise or attempt, at any time hereafter, the Hurt, Detriment, or Annoyance, of the said several Colonies or Plantations.

XIII. Giving and granting, by these Presents, unto the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, Edward-Maria Wingfield, and their Associates of the said first Colony, and unto the said Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and their Associates of the said second Colony, and to every of them, from time to time, and at all times for ever hereafter, Power and Authority to take and surprise, by all Ways and Means

whatsoever, all and every Person and Persons, with their Ships, Vessels, Goods and other Furniture, which shall be found trafficking, into any Harbour or Harbours, Creek or Creeks, or Place, within the Limits or Precincts of the said several Colonies and Plantations, not being of the same Colony, until such time, as they, being of any Realms or Dominions under our Obedience, shall pay, or agree to pay, to the Hands of the Treasurer of that Colony, within whose Limits and Precincts they shall so traffick, two and a half upon every Hundred, of any thing, so by them trafficked, bought, or sold; And being Strangers, and not Subjects under our Obedience, until they shall pay five upon every Hundred, of such Wares and Merchandise, as they shall traffick, buy, or sell, within the Precincts of the said several Colonies, wherein they shall so traffick, buy, or sell, as aforesaid, WHICH Sums of Money, or Benefit, as aforesaid, for and during the Space of one and twenty Years, next ensuing the Date hereof, shall be wholly employed to the Use, Benefit, and Behoof of the said several Plantations, where such Traffick shall be made; And after the said one and twenty Years ended, the same shall be taken to the Use of Us, our Heirs, and Successors, by such Officers and Ministers, as by Us, our Heirs, and Successors, shall be thereunto assigned or appointed.

XIV. And we do further, by these Presents, for Us, our Heirs, and Successors, GIVE AND GRANT unto the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, and Edward-Maria Wingfield, and to their Associates of the said first Colony and Plantation, and to the said Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and their Associates of the said second Colony and Plantation, that they, and every of them, by their Deputies, Ministers and Factors, may transport the Goods, Chattels, Armour, Munition, and Furniture, needful to be used by them, for their said Apparel, Food, Defence, or otherwise in Respect of the said Plantations, out of our Realms of England and Ireland, and all other our Dominions, from time to time, for and during the Time of seven Years, next ensuing the Date hereof, for the better Relief of the said several Colonies and Plantations, without any Custom, Subsidy, or other Duty, unto Us, our Heirs, or Successors, to be yielded or paid for the same.

XV. Also we do, for Us, our Heirs, and Successors, DECLARE, by these Presents, that all and every the Persons, being our Subjects, which shall dwell and inhabit within every or any of the said several Colonies and Plantations, and every of their children, which shall happen to be born within any of the Limits and Precincts of the said several Colonies and Plantations, shall HAVE and enjoy all Liberties, Franchises, and Immunities, within any of our other Dominions, to all Intents and Purposes, as if they had been abiding and born, within this our Realm of England, or any other of our said Dominions.

XVI. Moreover, our gracious Will and Pleasure is, and we do, by these Presents, for Us, our Heirs, and Successors, declare and set forth, that if any Person or Persons, which shall be of any of the said Colonies and Plantations, or any other, which shall traffick to the said Colonies and Plantations, or any of them, shall, at any time or times hereafter, transport any Wares, Merchandises, or Commodities, out of any of our Dominions, with a Pretence to land, sell, or otherwise dispose of the same, within any the Limits and Precincts of any the said Colonies and Plantations, and yet nevertheless, being at Sea, or after he hath landed the same within any of the said Colonies and Plantations, shall carry the same into any other Foreign Country, with a Purpose there to sell or dispose of the same, without the License of Us, our Heirs, and Successors, in that Behalf first had and obtained; That then, all the Goods and Chattels of such Person or Persons, so offending and transporting, together with the said Ship or Vessel, wherein such Transportation was made, shall be forfeited to Us, our Heirs, and Successors.

XVII. Provided always, and our Will and Pleasure is, and we do hereby declare to all Christian Kings, Princes, and States, that if any Person or Persons, which shall hereafter be of any of the said several Colonies and Plantations, or any other, by his, their or any of their License and Appointment, shall, at any time or times hereafter, rob or spoil, by Sea or by Land, or do any Act of unjust and unlawful Hostility, to any the Subjects of Us, our Heirs, or Successors, or any the Subjects of any King, Prince, Ruler, Governor, or State, being then in League or Amity with Us, our Heirs, or Successors, and that upon such Injury, or upon just Complaint of such Prince, Ruler, Governor, or State, or their Subjects, We, our Heirs, or Successors, shall make open Proclamation, within any of the Ports of our Realm of England, commodious for that Purpose, That the said Person or Persons, having committed any such Robbery or Spoil, shall, within the Term to be limited by such Proclamations make full Restitution or Satisfaction of all such Injuries done, so as the said Princes, or others, so complaining, may hold themselves fully satisfied and contented; And that, if the said Person or Persons, having committed such Robbery or Spoil, shall not make, or cause to be made, Satisfaction accordingly, within such Time so to be limited, That then it shall be lawful to Us, our Heirs, and Successors, to put the said Person or Persons, having committed such Robbery or Spoil, and their Procurers, Abettors, or Comforters, out of our Allegiance and Protection; And that it shall be lawful and free, for all Princes and others, to pursue with Hostility the said Offenders, and every of them, and their and every of their Procurers, Aiders, Abettors, and Comforters, in that Behalf.

XVIII. And finally, we do, for Us, our Heirs, and Successors, GRANT and agree, to and with the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, and Edward-Maria Wingfield, and all others of the said first Colony, that We, our Heirs, and Successors, upon Petition in that Behalf to be made, shall, by Letters-patent under the Great Seal of England, GIVE and GRANT unto such Persons, their Heirs, and Assigns, as the Council of that Colony, or the most Part of them, shall, for that Purpose nominate and assign, all the Lands, Tenements, and Hereditaments, which shall be within the Precincts limited for that Colony, as is aforesaid, TO BE HOLDEN OF US, our Heirs, and Successors, as of our Manor at East-Greenwich in the County of Kent, in free and common Soccage only, and not in Capite:

XIX. And do, in like Manner, Grant and Agree, for Us, our Heirs, and Successors, to and with the said Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and all others of the said second Colony, That We, our Heirs, and Successors, upon Petition in that Behalf to be made, shall, by Letters-patent under the Great Seal of England, GIVE and GRANT unto such Persons, their Heirs, and Assigns, as the Council of that Colony, or the most Part of them, shall, for that Purpose, nominate and assign, all the Lands, Tenements, and Hereditaments, which shall be within the Precincts limited for that Colony, as is aforesaid TO BE HOLDEN OF US, our Heirs, and Successors, as of our Manour of East-Greenwich in the County of Kent, in free and common Soccage only, and not in Capite.

XX. All which Lands, Tenements, and Hereditaments, so to be passed by the said several Letters-patent, shall be sufficient Assurance from the said Patentees, so distributed and divided amongst the Undertakers for the Plantation of the said several Colonies, and such as shall make their Plantations in either of the said several Colonies, in such Manner and Form, and for such Estates, as shall be ordered and set down by the Council of the said Colony, or the most Part of them, respectively, within which the same Lands, Tenements, and Hereditaments shall lye or be; Although express Mention of the true yearly Value or Certainty of the Premises, or any of them, or of any other Gifts or Grants, by Us or any of our Progenitors or Predecessors, to the aforesaid

Sir Thomas Gates, Knt. Sir George Somers, Knt. Richard Hackluit, Edward-Maria Wingfield, Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, or any of them, heretofore made, in these Presents, is not made; Or any Statute, Act, Ordinance, or Provision, Proclamation, or Restraint, to the contrary hereof had, made, ordained, or any other Thing, Cause, or Matter whatsoever, in any wise notwithstanding. In Witness whereof we have caused these our Letters to be made Patents; Witness Ourselves at Westminster, the tenth Day of April, in the fourth Year of our Reign of England, France, and Ireland, and of Scotland the nine and thirtieth.

Footnote 2

#### THE PARIS PEACE TREATY (PEACE TREATY of 1783):

In the name of the most holy and undivided Trinity.

It having pleased the Divine Providence to dispose the hearts of the most serene and most potent Prince George the Third, by the grace of God, king of Great Britain, France, and Ireland, defender of the faith, duke of Brunswick and Lunebourg, arch-treasurer and prince elector of the Holy Roman Empire etc., and of the United States of America, to forget all past misunderstandings and differences that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore, and to establish such a beneficial and satisfactory intercourse, between the two countries upon the ground of reciprocal advantages and mutual convenience as may promote and secure to both perpetual peace and harmony; and having for this desirable end already laid the foundation of peace and reconciliation by the Provisional Articles signed at Paris on the 30th of November 1782, by the commissioners empowered on each part, which articles were agreed to be inserted in and constitute the Treaty of Peace proposed to be concluded between the Crown of Great Britain and the said United States, but which Treaty was not to be concluded until terms of peace should be agreed upon between Great Britain and France and his Britannic Majesty should be ready to conclude such Treaty accordingly; and the Treaty between Great Britain and France having since been concluded, his Britannic Majesty and the United States of America, in order to carry into full effect the Provisional Articles above mentioned, according to the tenor thereof, have constituted and appointed, that is to say his Britannic Majesty on his part, David Hartley, Esqr., member of the Parliament of Great Britain, and the said United States on their part, John Adams, Esqr., late a commissioner of the United States of America at the court of Versailles, late delegate in Congress from the state of Massachusetts, and chief justice of the said state, and minister plenipotentiary of the said United States to their high mightinesses the States General of the United Netherlands; Benjamin Franklin, Esqr., late delegate in Congress from the state of Pennsylvania, president of the convention of the said state, and minister plenipotentiary from the United States of America at the court of Versailles; John Jay, Esqr., late president of Congress and chief justice of the state of New York, and minister plenipotentiary from the said United States at the court of Madrid; to be plenipotentiaries for the concluding and signing the present definitive Treaty; who after having reciprocally communicated their respective full powers have agreed upon and confirmed the following articles.

Article 1:

His Britannic Majesty acknowledges the said United States, viz., New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be free sovereign and independent states, that he treats with them as such, and for himself, his heirs, and successors, relinquishes all claims to the government, propriety, and territorial rights of the same and every part thereof.

Article 2:

And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz.; from the northwest angle of Nova Scotia, viz., that angle which is formed by a line drawn due north from the source of St. Croix River to the highlands; along the said highlands which divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean, to the northwesternmost head of Connecticut River; thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude until it strikes the river Iroquois or Cataraquy; thence along the middle of said river into Lake Ontario; through the middle of said lake until it strikes the communication by water between that lake and Lake Erie; thence along the middle of said communication into Lake Erie, through the middle of said lake until it arrives at the water communication between that lake and Lake Huron; thence along the middle of said water communication into Lake Huron, thence through the middle of said lake to the water communication between that lake and Lake Superior; thence through Lake Superior northward of the Isles Royal and Phelipeaux to the Long Lake; thence through the middle of said Long Lake and the water communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most northwesternmost point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi until it shall intersect the northernmost part of the thirty-first degree of north latitude, South, by a line to be drawn due east from the determination of the line last mentioned in the latitude of thirty-one degrees of the equator, to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint River, thence straight to the head of Saint Mary's River; and thence down along the middle of Saint Mary's River to the Atlantic Ocean; east, by a line to be drawn along the middle of the river Saint Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid highlands which divide the rivers that fall into the Atlantic Ocean from those which fall into the river Saint Lawrence; comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part and East Florida on the other shall, respectively, touch the Bay of Fundy and the Atlantic Ocean, excepting such islands as now are or heretofore have been within the limits of the said province of Nova Scotia.

Article 3:

It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand Bank and on all the other banks of Newfoundland, also in the Gulf of Saint Lawrence and at all other places in the sea, where the inhabitants of both countries

used at any time heretofore to fish. And also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use, (but not to dry or cure the same on that island) and also on the coasts, bays and creeks of all other of his Britannic Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbors, and creeks of Nova Scotia, Magdalen Islands, and Labrador, so long as the same shall remain unsettled, but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement without a previous agreement for that purpose with the inhabitants, proprietors, or possessors of the ground.

Article 4:

It is agreed that creditors on either side shall meet with no lawful impediment to the recovery of the full value in sterling money of all bona fide debts heretofore contracted.

Article 5:

It is agreed that Congress shall earnestly recommend it to the legislatures of the respective states to provide for the restitution of all estates, rights, and properties, which have been confiscated belonging to real British subjects; and also of the estates, rights, and properties of persons resident in districts in the possession on his Majesty's arms and who have not borne arms against the said United States. And that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States and therein to remain twelve months unmolested in their endeavors to obtain the restitution of such of their estates, rights, and properties as may have been confiscated; and that Congress shall also earnestly recommend to the several states a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent not only with justice and equity but with that spirit of conciliation which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several states that the estates, rights, and properties, of such last mentioned persons shall be restored to them, they refunding to any persons who may be now in possession the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights, or properties since the confiscation.

And it is agreed that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

Article 6:

That there shall be no future confiscations made nor any prosecutions commenced against any person or persons for, or by reason of, the part which he or they may have taken in the present war, and that no person shall on that account suffer any future loss or damage, either in his person, liberty, or property; and that those who may be in confinement on such charges at the time of the ratification of the Treaty in America shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

Article 7:

There shall be a firm and perpetual peace between his Britannic Majesty and the said states, and between the subjects of the one and the citizens of the other, wherefore all hostilities both by sea and land shall from henceforth cease. All prisoners on both sides shall be set at liberty, and his Britannic Majesty shall with all convenient speed, and without causing any destruction, or carrying away any Negroes or other property of the American inhabitants, withdraw all his armies, garrisons, and fleets from the said United States, and from every post, place, and harbor within the same; leaving in all fortifications, the American artillery that may be therein; and shall also order and cause all archives, records, deeds, and papers belonging to any of the said states, or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper states and persons to whom they belong.

Article 8:

The navigation of the river Mississippi, from its source to the ocean, shall forever remain free and open to the subjects of Great Britain and the citizens of the United States.

Article 9:

In case it should so happen that any place or territory belonging to Great Britain or to the United States should have been conquered by the arms of either from the other before the arrival of the said Provisional Articles in America, it is agreed that the same shall be restored without difficulty and without requiring any compensation.

Article 10:

The solemn ratifications of the present Treaty expedited in good and due form shall be exchanged between the contracting parties in the space of six months or sooner, if possible, to be computed from the day of the signatures of the present Treaty. In witness whereof we the undersigned, their ministers plenipotentiary, have in their name and in virtue of our full powers, signed with our hands the present definitive Treaty and caused the seals of our arms to be affixed thereto.

Done at Paris, this third day of September in the year of our Lord, one thousand seven hundred and eighty-three.

D. HARTLEY (SEAL)  
JOHN ADAMS (SEAL)  
B. FRANKLIN (SEAL)  
JOHN JAY (SEAL)

Source: United States, Department of State, "Treaties and Other International Agreements of the United States of America, 1776-1949", vol 12, pp8-12

Footnote 3

ARTICLES OF CAPITULATION (1781)

Settled between his Excellency General Washington, Commander-in-Chief of the combined Forces of America and France; his Excellency the Count de Rochambeau, Lieutenant-General of the Armies of the King of France, Great Cross of the royal and military Order of St. Louis, commanding the auxiliary troops of his Most Christian Majesty in America; and his Excellency the Count de Grasse, Lieutenant-General of the Naval Armies of his Most Christian Majesty, Commander of the Order of St. Louis, Commander-in-Chief of the Naval Army of France in the Chesapeake, on the one Part; and the Right Honorable Earl Cornwallis, Lieutenant-General of his Britannic Majesty's Forces, commanding the Garrisons of York and Gloucester; and Thomas Symonds, Esquire, commanding his Britannic Majesty's Naval Forces in York River in Virginia, on the other Part.

Article I. The garrisons of York and Gloucester, including the officers and seamen of his Britannic Majesty's ships, as well as other mariners, to surrender themselves prisoners of war to the combined forces of America and France. The land troops to remain prisoners to the United States, the navy to the naval army of his Most Christian Majesty.

Article II. The artillery, arms, accoutrements, military chest, and public stores of every denomination, shall be delivered unimpaired to the heads of departments appointed to receive them.

Article III. At twelve o'clock this day the two redoubts on the left flank of York to be delivered, the one to a detachment of American infantry, the other to a detachment of French grenadiers. The garrison of York will march out to a place to be appointed in front of the posts, at two o'clock precisely, with shouldered arms, colors cased, and drums beating a British or German march. They are then to ground their arms, and return to their encampments, where they will remain until they are despatched to the places of their destination. Two works on the Gloucester side will be delivered at one o'clock to a detachment of French and American troops appointed to possess them. The garrison will march out at three o'clock in the afternoon; the cavalry with their swords drawn, trumpets sounding, and the infantry in the manner prescribed for the garrison of York. They are likewise to return to their encampments until they can be finally marched off.

Article IV. Officers are to retain their side-arms. Both officers and soldiers to keep their private property of every kind; and no part of their baggage or papers to be at any time subject to search or inspection. The baggage and papers of officers and soldiers taken during the siege to be likewise preserved for them. It is understood that any property obviously belonging to the inhabitants of these States, in the possession of the garrison, shall be subject to be reclaimed.

Article V. The soldiers to be kept in Virginia, Maryland, or Pennsylvania, and as much by regiments as possible, and supplied with the same rations of provisions as are allowed to soldiers in the service of America. A field-officer from each nation, to wit, British, Anspach, and Hessian, and other officers on parole, in the proportion of one to fifty men to be allowed to reside near their respective regiments, to visit them frequently, and be witnesses of their treatment; and that their officers may receive and deliver clothing and other necessaries for them, for which passports are to be granted when applied for.

Article VI. The general, staff, and other officers not employed as mentioned in the above articles, and who choose it, to be permitted to go on parole to Europe, to New York, or to any other



American maritime posts at present in the possession of the British forces, at their own option; and proper vessels to be granted by the Count de Grasse to carry them under flags of truce to New York within ten days from this date, if possible, and they to reside in a district to be agreed upon hereafter, until they embark. The officers of the civil department of the army and navy to be included in this article. Passports to go by land to be granted to those to whom vessels cannot be furnished.

Article VII. Officers to be allowed to keep soldiers as servants, according to the common practice of the service. Servants not soldiers are not to be considered as prisoners, and are to be allowed to attend their masters.

Article VIII. The Bonetta sloop-of-war to be equipped, and navigated by its present captain and crew, and left entirely at the disposal of Lord Cornwallis from the hour that the capitulation is signed, to receive an aid-de-camp to carry despatches to Sir Henry Clinton; and such soldiers as he may think proper to send to New York, to be permitted to sail without examination. When his despatches are ready, his Lordship engages on his part, that the ship shall be delivered to the order of the Count de Grasse, if she escapes the dangers of the sea. That she shall not carry off any public stores. Any part of the crew that may be deficient on her return, and the soldiers passengers, to be accounted for on her delivery.

Article IX.

The traders are to preserve their property, and to be allowed three months to dispose of or remove them; and those traders are not to be considered as prisoners of war. The traders will be allowed to dispose of their effects, the allied army having the right of preemption. The traders to be considered as prisoners of war upon parole.

Article X. Natives or inhabitants of different parts of this country, at present in York or Gloucester, are not to be punished on account of having joined the British army. This article cannot be assented to, being altogether of civil resort.

Article XI. Proper hospitals to be furnished for the sick and wounded. They are to be attended by their own surgeons on parole; and they are to be furnished with medicines and stores from the American hospitals. The hospital stores now at York and Gloucester shall be delivered for the use of the British sick and wounded. Passports will be granted for procuring them further supplies from New York, as occasion may require; and proper hospitals will be furnished for the reception of the sick and wounded of the two garrisons.

Article XII. Wagons to be furnished to carry the baggage of the officers attending the soldiers, and to surgeons when travelling on account of the sick, attending the hospitals at public expense. They are to be furnished if possible.

Article XIII. The shipping and boats in the two harbours, with all their stores, guns, tackling, and apparel, shall be delivered up in their present state to an officer of the navy appointed to take possession of them, previously unloading the private property, part of which had been on board for security during the siege.

Article XIV. No article of capitulation to be infringed on pretence of reprisals; and if there be any doubtful expressions in it, they are to be interpreted according to the common meaning and acceptation of the words.

Done at Yorktown, in Virginia, October 19th, 1781.

Cornwallis, Thomas Symonds.

Done in the Trenches before Yorktown, in Virginia, October 19th, 1781.

George Washington, Le Comte de Rochambeau,

Le Comte de Barras, En mon nom & celui du Comte de Grasse.

#### Footnote 4

Though the debate on this subject was continued till two o'clock in the morning, and though the opposition received additional strength, yet the question was not carried. The same ground of argument was soon gone over again, and the American war underwent, for the fourth time since the beginning of the session, a full discussion; but no resolution, disapproving its farther prosecution, could yet obtain the assent of a majority of the members. The advocates for peace becoming daily more numerous, it was moved by Gen. Conway that "a humble address be presented to his Majesty, that he will be pleased to give directions to his ministers not to pursue any longer the impracticable object of reducing his Majesty's revolted colonies by force to their allegiance, by a war on the continent of America." This brought forth a repetition of the former arguments on the subject, and engaged the attention of the house till two o'clock in the morning. On a division, the motion for the address was lost by a single vote...

The ministry as well as the nation began to be sensible of the impolicy of continental operations, but hoped that they might gain their point, by prosecuting hostilities at sea. Every opposition was therefore made by them against the total dereliction (i.e., abandonment) of a war, on the success of which they had so repeatedly pledged themselves, and on the continuance of which they held their places. General Conway in five days after (Feb. 27), brought forward another motion expressed in different words, but to the same effect with that which he had lost by a single vote. This caused a long debate which lasted till two o'clock in the morning. It was then moved to adjourn the debate till the 13th of March. There appeared for the adjournment 215 and against it 234.

The original motion, and an address to the King formed upon the resolution were then carried without division, and the address was ordered to be presented by the whole house.

To this his majesty answered, "that in pursuance of their advice, he would take such measures as should appear to him the most conducive to the restoration of harmony, between Great Britain and the revolted colonies." The thanks of the house were voted for this answer. But the guarded language thereof, not inconsistent with farther hostilities against America; together with other suspicious circumstances, induced General Conway to move another resolution, expressed in the most decisive language. This was to the following effect that, "The house would consider as

enemies to his majesty and the country, all those who should advise or by any means attempt the further prosecution of offensive war, on the continent of North America, for the purpose of reducing the colonies to obedience by force." This motion after a feeble opposition was carried without a division, and put a period to all that chicanery by which ministers meant to distinguish between a prosecution of offensive war in North America, and a total dereliction of it. This resolution and the preceding address, to which it had reference, may be considered as the closing scene of the American war (emphasis added).

The History of the American Revolution, Vol. 2, Ramsay, 617-9.

Footnote 5

The Jay Treaty

Treaty of Amity Commerce and Navigation Concluded November 19, 1794; ratification advised by the senate with amendment June 24, 1795; ratified by the President; ratifications exchanged October 28, 1795; proclaimed February 29, 1796.

- I. Amity. Discrimination on vessels, imports, etc.
- II. Withdrawal of forces; vessels, imports, etc. Consuls.
- III. Commerce and navigation; duties. Capture or detention of neutrals
- IV. Survey of the Mississippi. Contraband.
- V. St. Croix River XIX. Officers passengers
- VI. Indemnification by on neutrals. United States. XX. Pirates.
- VII. Indemnification by Great XXI. Commission from foreign Britain. states.
- VIII. Expenses. XXII. Reprisals.
- IX. Land tenures. XXIII. Ships of war.
- X. Private debts, etc. XXIV. Foreign privateers.
- XI. Liberty of navigation XXV. Prizes. and commerce. XXVI.
- Reciprocal treatment
- XII. West India trade; duties. of citizens in war.
- XIII. East India trade; duties. XXVII. Extradition.
- XIV. Commerce and Navigation. XXVIII. Limitation of Article XII: ratification.

His Britannic Majesty and the United States of America, being desirous, by a Treaty of amity, commerce and navigation, to terminate their difference in such a manner, as, without reference to the merits of their respective complaints and pretensions, may be the best calculated to produce mutual satisfaction and good understanding; and also to regulate the commerce and navigation between their respective countries, territories and people, in such a manner as to render the same reciprocally beneficial and satisfactory; they have, respectively, named their Plenipotentiaries, and given them full powers to treat of, and conclude the said Treaty, that is to say:

His Britannic Majesty has named for his Plenipotentiary, the Right Honorable William Wyndham Baron Grenville of Wotton, one of His Majesty's Privy Council, and His Majesty's Principal Secretary of State for Foreign Affairs; and the President of the said United States, by and with the advice and consent of the Senate thereof, hath appointed for their Plenipotentiary, the Honorable John Jay, Chief Justice of the said United States, and their Envoy Extraordinary to His Majesty;

Who have agreed on and concluded the following articles:

#### ARTICLE I.

There shall be a firm, inviolable and universal peace, and a true and sincere friendship between His Britannic Majesty, his heirs and successors, and the United States of America; and between their respective countries, territories, cities, towns and people of every degree, without exception of persons or places.

#### ARTICLE II.

His Majesty will withdraw all his troops and garrisons from all posts and places within the boundary lines assigned by the Treaty of peace to the United States. This evacuation shall take place on or before the first day of June, one thousand seven hundred and ninety six, and all the proper measures shall in the interval be taken by concert between the Government of the United States and His Majesty's Governor-General in America for settling the previous arrangements which may be necessary respecting the delivery of the said posts: The United States in the mean time, at their discretion, extending their settlements to any part within the said boundary line, except within the precincts or jurisdiction of any of the said posts. All settlers and traders, within the precincts or jurisdiction of the said posts, shall continue to enjoy, unmolested, all their property of every kind, and shall be protected therein. They shall be at full liberty to remain there, or to remove with all or any part of their effects; and it shall also be free to them to sell their lands, houses or effects, or to retain the property thereof, at their discretion; such of them as shall continue to reside within the said boundary lines, shall not be compelled to become citizens of the United States, or to take any oath of allegiance to the Government thereof; but they shall be at full liberty so to do if they think proper, and they shall make and declare their election within one year after the evacuation aforesaid. And all persons who shall continue there after the expiration of the said year, without having declared their intention of remaining subjects of His Britannic Majesty, shall be considered as having elected to become citizens of the United States.

#### ARTICLE III.

It is agreed that it shall at all times be free to His Majesty's subjects, and to the citizens of the United States, and also to the Indians dwelling on either side of the said boundary line, freely to pass and repass by land or inland navigation, into the respective territories and countries of the two parties, on the continent of America, (the country within the limits of the Hudson's Bay Company only excepted.) and to navigate all the lakes, rivers and waters thereof, and freely to carry on trade and commerce with each other. But it is understood that this article does not extend to the admission of vessels of the United States into the seaports, harbours, bays or creeks of His Majesty's said territories; nor into such parts of the rivers in His Majesty's said territories as are between the mouth thereof, and the highest port of entry from the sea, except in small vessels trading bona fide between Montreal and Quebec, under such regulations as shall be established to prevent the possibility of any frauds in this respect. Nor to the admission of British vessels from the sea into the rivers of the United States, beyond the highest ports of entry for foreign vessels from the sea. The river Mississippi shall, however, according to the Treaty of peace, be entirely open to both parties; and it is further agreed, that all the ports and places on its eastern side, to whichever of the parties belonging, may freely be resorted to and used by both parties, in as

ample a manner as any of the Atlantic ports or places of the United States, or any of the ports or places of His Majesty in Great Britain.

All goods and merchandize whose importation into His Majesty's said territories in America shall not be entirely prohibited, may freely, for the purposes of commerce, be carried into the same in the manner aforesaid, by the citizens of the United States, and such goods and merchandize shall be subject to no higher or other duties than would be payable by His Majesty's subjects on the importation of the same from Europe into the said territories. And in like manner all goods and merchandize whose importation into the United States shall not be wholly prohibited, may freely, for the purposes of commerce, be carried into the same, in the manner aforesaid, by His Majesty's subjects, and such goods and merchandize shall be subject to no higher or other duties than would be payable by the citizens of the United States on the importation of the same in American vessels into the Atlantic ports of the said States. And all goods not prohibited to be exported from the said territories respectively, may in like manner be carried out of the same by the two parties respectively, paying duty as aforesaid.

No duty of entry shall ever be levied by either party on peltries brought by land or inland navigation into the said territories respectively, nor shall the Indians passing or repassing with their own proper goods and effects of whatever nature, pay for the same any impost or duty whatever. But goods in bales, or other large packages, unusual among Indians, shall not be considered as goods belonging bona fide to Indians.

No higher or other tolls or rates of ferriage than what are or shall be payable by natives, shall be demanded on either side; and no duties shall be payable on any goods which shall merely be carried over any of the portages or carrying places on either side, for the purpose of being immediately re-embarked and carried to some other place or places. But as by this stipulation it is only meant to secure to each party a free passage across the portages on both sides, it is agreed that this exemption from duty shall extend only to such goods as are carried in the usual and direct road across the portage, and are not attempted to be in any manner sold or exchanged during their passage across the same, and proper regulations may be established to prevent the possibility of any frauds in this respect.

As this article is intended to render in a great degree the local advantages of each party common to both, and thereby to promote a disposition favorable to friendship and good neighborhood, it is agreed that the respective Governments will mutually promote this amicable intercourse, by causing speedy and impartial justice to be done, and necessary protection to be extended to all who may be concerned therein.

#### ARTICLE IV.

Whereas it is uncertain whether the river Mississippi extends so far to the northward as to be intersected by a line to be drawn due west from the Lake of the Woods, in the manner mentioned in the Treaty of peace between His Majesty and the United States: it is agreed that measures shall be taken in concert between His Majesty's Government in America and the Government of the United States, for making a joint survey of the said river from one degree of latitude below the falls of St. Anthony, to the principal source or sources of the said river, and also of the parts adjacent thereto; and that if, on the result of such survey, it should appear that the said river

would not be intersected by such a line as is above mentioned, the two parties will thereupon proceed, by amicable negotiation, to regulate the boundary line in that quarter, as well as all other points to be adjusted between the said parties, according to justice and mutual convenience, and in conformity to the intent of the said Treaty.

#### ARTICLE V.

Whereas doubts have arisen what river was truly intended under the name of the river St. Croix, mentioned in the said Treaty of peace, and forming a part of the boundary therein described; that question shall be referred to the final decision of commissioners to be appointed in the following manner. viz.:

One commissioner shall be named by His Majesty, and one by the President of the United States, by and with the advice and consent of the Senate thereof, and the said two commissioners shall agree on the choice of a third; or if they cannot so agree, they shall each propose one person, and of the two names so proposed, one shall be drawn by lot in the presence of the two original Commissioners.

And the three Commissioners so appointed shall be sworn, impartially to examine and decide the said question, according to such evidence as shall respectively be laid before them on the part of the British Government and of the United States. The said Commissioners shall meet at Halifax, and shall have power to adjourn to such other place or places as they shall think fit. They shall have power to appoint a Secretary, and to employ such surveyors or other persons as they shall judge necessary. The said Commissioners shall, by a declaration, under their hands and seals, decide what river is the river St. Croix, intended by the Treaty. The said declaration shall contain a description of the said river, and shall particularize the latitude and longitude of its mouth and of its source. Duplicates of this declaration and of the statements of their accounts, and of the journal of their proceedings, shall be delivered by them to the agent of His Majesty, and to the agent of the United States, who may be respectively appointed and authorized to manage the business on behalf of the respective Governments.

And both parties agree to consider such decision as final and conclusive, so as that the same shall never thereafter be called into question, or made the subject of dispute or difference between them.

#### ARTICLE VI.

Whereas it is alleged by divers British merchants and others His Majesty's subjects, that debts, to a considerable amount, which were bona fide contracted before the peace, still remain owing to them by citizens or inhabitants of the United States, and that by the operation of various lawful impediments since the peace, not only the full recovery of the said debts has been delayed, but also the value and security thereof have been, in several instances, impaired and lessened, so that, by the ordinary course of judicial proceedings, the British creditors cannot now obtain, and actually have and receive full and adequate compensation for the losses and damages which they have thereby sustained: It is agreed, that in all such cases, where full compensation for such losses and damages cannot, for whatever reason, be actually obtained, had and received by the said creditors in the ordinary course of justice, the United States will make full and complete compensation for the same to the said creditors: But it is distinctly understood, that this provision

is to extend to such losses only as have been occasioned by the lawful impediments aforesaid, and is not to extend to losses occasioned by such insolvency of the debtors or other causes as would equally have operated to produce such loss, if the said impediments had not existed; nor to such losses or damages as have been occasioned by the manifest delay or negligence, or willful omission of the claimant.

For the purpose of ascertaining the amount of any such losses and damages, five Commissioners shall be appointed and authorized to meet and act in manner following, viz.: Two of them shall be appointed by His Majesty, two of them by the President of the United States by and with the advice and consent of the Senate thereof, and the fifth by the unanimous voice of the other four; and if they should not agree in such choice, then the Commissioners named by the two parties shall respectively propose one person, and of the two names so proposed, one shall be drawn by lot, in the presence of the four original Commissioners. When the five Commissioners thus appointed shall first meet, they shall, before they proceed to act, respectively take the following oath, or affirmation, in the presence of each other; which oath, or affirmation, being so taken and duly attested, shall be entered on the record of their proceedings, viz.: I, A. B., one of the Commissioners appointed in pursuance of the sixth article of the Treaty of Amity, Commerce and Navigation, between His Britannic Majesty and the United States of America, do solemnly swear (or affirm) that I will honestly, diligently, impartially and carefully examine, and to the best of my judgment, according to justice and equity, decide all such complaints, as under the said article shall be preferred to the said Commissioners: and that I will forbear to act as a Commissioner, in any case in which I may be personally interested.

Three of the said Commissioners shall constitute a board, and shall have power to do any act appertaining to the said Commission, provided that one of the Commissioners named on each side, and the fifth Commissioner shall be present, and all decisions shall be made by the majority of the voices of the Commissioners than present. Eighteen months from the day on which the said Commissioners shall form a board, and be ready to proceed to business, are assigned for receiving complaints and applications; but they are nevertheless authorized, in any particular cases in which it shall appear to them to be reasonable and just, to extend the said term of eighteen months for any term not exceeding six months, after the expiration thereof. The said Commissioners shall first meet at Philadelphia, but they shall have power to adjourn from place to place as they shall see cause.

The said Commissioners in examining the complaints and applications so preferred to them, are empowered and required in pursuance of the true intent and meaning of this article to take into their consideration all claims, whether of principal or interest, or balances of principal and interest and to determine the same respectively, according to the merits of the several cases, due regard being had to all the circumstances thereof, and as equity and justice shall appear to them to require. And the said Commissioners shall have power to examine all such persons as shall come before them on oath or affirmation, touching the premises; and also to receive in evidence, according as they may think most consistent with equity and justice, all written depositions, or books, or papers, or copies, or extracts thereof, every such deposition, book, or paper, or copy, or extract, being duly authenticated either according to the legal form now respectively existing in the two countries, or in such other manner as the said Commissioners shall see cause to require or allow.

The award of the said Commissioners, or of any three of them as aforesaid, shall in all cases be final and conclusive both as to the justice of the claim, and to the amount of the sum to be paid to the creditor or claimant; and the United States undertake to cause the sum so awarded to be paid in specie to such creditor or claimant without deduction; and at such time or times and at such place or places, as shall be awarded by the said Commissioners; and on condition of such releases or assignments to be given by the creditor or claimant, as by the said Commissioners may be directed: Provided always, that no such payment shall be fixed by the said Commissioners to take place sooner than twelve months from the day of the exchange of the ratifications of this Treaty.

#### ARTICLE VII.

Whereas complaints have been made by divers merchants and others, citizens of the United States, that during the course of the war in which His Majesty is now engaged, they have sustained considerable losses and damage, by reason of irregular or illegal captures or condemnations of their vessels and other property, under color of authority or commissions from His Majesty, and that from various circumstances belonging to the said cases, adequate compensation for the losses and damages so sustained cannot now be actually obtained, had, and received by the ordinary course of judicial proceedings; it is agreed, that in all such cases, where adequate compensation cannot, for whatever reason, be now actually obtained, had, and received by the said merchants and others, in the ordinary course of justice, full and complete compensation for the same will be made by the British Government to the said complainants.

But it is distinctly understood that this provision is not to extend to such losses or damages as have been occasioned by the manifest delay or negligence, or willful omission of the claimant.

That for the purpose of ascertaining the amount of any such losses and damages, five Commissioners shall be appointed and authorized to act in London, exactly in the manner directed with respect to those mentioned in the preceding article, and after having taken the same oath or affirmation, (*mutatis mutandis*.) the same term of eighteen months is also assigned for the reception of claims, and they are in like manner authorized to extend the same in particular cases. They shall receive testimony, books, papers and evidence in the same latitude, and exercise the like discretion and powers respecting that subject; and shall decide the claims in question according to the merits of the several cases, and to justice, equity and the laws of nations. The award of the said Commissioners, or any such three of them as aforesaid, shall in all cases be final and conclusive, both as to the justice of the claim, and the amount of the sum to be paid to the claimant; and His Britannic Majesty undertakes to cause the same to be paid to such claimant in specie, without any deduction, at such place or places, and at such time or times, as shall be awarded by the said Commissioners, and on condition of such releases or assignments to be given by the claimant, as by the said Commissioners may be directed.

And whereas certain merchants and others, His Majesty's subjects, complain that, in the course of the war, they have sustained loss and damage by reason of the capture of their vessels and merchandise, taken within the limits and jurisdiction of the States and brought into the ports of the same, or taken by vessels originally armed in ports of the said States:

It is agreed that in all such cases where restitution shall not have been made agreeably to the tenor of the letter from Mr. Jefferson to Mr. Hammond, dated at Philadelphia, September 5, 1793,



a copy of which is annexed to this Treaty; the complaints of the parties shall be and hereby are referred to the Commissioners to be appointed by virtue of this article, who are hereby authorized and required to proceed in the like manner relative to these as to the other cases committed to them; and the United States undertake to pay to the complainants or claimants in specie, without deduction, the amount of such sums as shall be awarded to them respectively by the said Commissioners, and at the times and places which in such awards shall be specified; and on condition of such releases or assignments to be given by the claimants as in the said awards may be directed: And it is further agreed, that not only the now existing cases of both descriptions, but also all such as shall exist at the time of exchanging the ratifications of this Treaty, shall be considered as being within the provisions, intent and meaning of this article.

#### ARTICLE VIII.

It is further agreed that the Commissioners mentioned in this and in the two preceding articles shall be respectively paid in such manner as shall be agreed between the two parties such agreement being to be settled at the time of the exchange of the ratifications of this Treaty. And all other expenses attending the said Commissions shall be defrayed jointly by the two parties, the same being previously ascertained and allowed by the majority of the Commissioners. And in the case of death, sickness or necessary absence, the place of every such Commissioner respectively shall be supplied in the same manner as such Commissioner was first appointed, and the new Commissioners shall take the same oath or affirmation and do the same duties.

#### ARTICLE IX.

It is agreed that British subjects who now hold lands in the territories of the United States, and American citizens who now hold lands in the dominions of His Majesty, shall continue to hold them according to the nature and tenure of their respective estates and titles therein; and may grant, sell or devise the same to whom they please, in like manner as if they were natives and that neither they nor their heirs or assigns shall, so far as may respect the said lands and the legal remedies incident thereto, be regarded as aliens.

#### ARTICLE X.

Neither the debts due from individuals of the one nation to individuals of the other, nor shares, nor monies, which they may have in the public funds, or in the public or private banks, shall ever in any event of war or national differences be sequestered or confiscated, it being unjust and impolitic that debts and engagements contracted and made by individuals having confidence in each other and in their respective Governments, should ever be destroyed or impaired by national authority on account of national differences and discontents.

#### ARTICLE XI.

It is agreed between His Majesty and the United States of America, that there shall be a reciprocal and entirely perfect liberty of navigation and commerce between their respective people, in the manner, under the limitations, and on the conditions specified in the following articles.

#### ARTICLE XII.

His Majesty consents that it shall and may be lawful, during the time hereinafter limited, for the citizens of the United States to carry to any of His Majesty's islands and ports in the West Indies from the United States, in their own vessels, not being above the burthen of seventy tons, any goods or merchandizes, being of the growth, manufacture or produce of the said States, which it is or may be lawful to carry to the said islands or ports from the said States in British vessels; and that the said American vessels shall be subject there to no other or higher tonnage duties or charges than shall be payable by British vessels in the ports of the United States; and that the cargoes of the said American vessels shall be subject there to no other or higher duties or charges than shall be payable on the like articles if imported there from the said States in British vessels.

And His Majesty also consents that it shall be lawful for the said American citizens to purchase, load and carry away in their said vessels to the United States, from the said islands and ports, all such articles, being of the growth, manufacture or produce of the said islands, as may now by law be carried from thence to the said States in British vessels, and subject only to the same duties and charges on exportation, to which British vessels and their cargoes are or shall be subject in similar circumstances.

Provided always, that the said American vessels do carry and land their cargoes in the United States only, it being expressly agreed and declared that, during the continuance of this article, the United States will prohibit and restrain the carrying any molasses, sugar, coffee, cocoa or cotton in American vessels, either from His Majesty's islands or from the United States to any part of the world except the United States, reasonable seastores excepted.

Provided, also, that it shall and may be lawful, during the same period, for British vessels to import from the said islands into the United States, and to export from the United States to the said islands, all articles whatever, being of the growth, produce or manufacture of the said islands, or of the United States respectively, which now may, by the laws of the said States, be so imported and exported. And that the cargoes of the said British vessels shall be subject to no other or higher duties or charges, than shall be payable on the same articles if so imported or exported in American vessels.

It is agreed that this article, and every matter and thing therein contained, shall continue to be in force during the continuance of the war in which His Majesty is now engaged; and also for two years from and after the date of the signature of the preliminary or other articles of peace, by which the same may be terminated.

And it is further agreed that, at the expiration of the said term, the two contracting parties will endeavour further to regulate their commerce in this respect, according to the situation in which His Majesty may then find himself with respect to the West Indies, and with a view to such arrangements as may best conduce to the mutual advantage and extension of commerce. And the said parties will then also renew their discussions, and endeavour to agree, whether in any and what cases, neutral vessels shall protect enemy's property; and in what cases provisions and other articles, not generally contraband, may become such. But in the mean time, their conduct towards each other in these respects shall be regulated by the articles hereinafter inserted on those subjects.

ARTICLE XIII.

His Majesty consents that the vessels belonging to the citizens of the United States of America shall be admitted and hospitably received in all the seaports and harbors of the British territories in the East Indies. And that the citizens of the said United States may freely carry on a trade between the said territories and the said United States, in all articles of which the importation or exportation respectively, to or from the said territories, shall not be entirely prohibited. Provided only, that it shall not be lawful for them in any time of war between the British Government and any other Power or State whatever, to export from the said territories, without the special permission of the British Government there, any military stores, or naval stores, or rice. The citizens of the United States shall pay for their vessels when admitted into the said ports no other or higher tonnage duty than shall be payable on British vessels when admitted into the ports of the United States. And they shall pay no other or higher duties or charges, on the importation or exportation of the cargoes of the said vessels, than shall be payable on the same articles when imported or exported in British vessels. But it is expressly agreed that the vessels of the United States shall not carry any of the articles exported by them from the said British territories to any port or place, except to some port or place in America, where the same shall be unladen and such regulations shall be adopted by both parties as shall from time to time be found necessary to enforce the due and faithful observance of this stipulation.

It is also understood that the permission granted by this article is not to extend to allow the vessels of the United States to carry on any part of the coasting trade of the said British territories; but vessels going with their original cargoes, or part thereof, from one port of discharge to another, are not to be considered as carrying on the coasting trade. Neither is this article to be construed to allow the citizens of the said States to settle or reside within the said territories, or to go into the interior parts thereof, without the permission of the British Government established there; and if any transgression should be attempted against the regulations of the British Government in this respect, the observance of the same shall and may be enforced against the citizens of America in the same manner as against British subjects or others transgressing the same rule. And the citizens of the United States, whenever they arrive in any port or harbour in the said territories, or if they should be permitted, in manner aforesaid, to go to any other place therein, shall always be subject to the laws, government and jurisdiction of what nature established in such harbor, port or place, according as the same may be. The citizens of the United States may also touch for refreshment at the island of St. Helena, but subject in all respects to such regulations as the British Government may from time to time establish there.

#### ARTICLE XIV.

There shall be between all the dominions of His Majesty in Europe and the territories of the United States a reciprocal and perfect liberty of commerce and navigation. The people and inhabitants of the two countries, respectively, shall have liberty freely and securely, and without hindrance and molestation, to come with their ships and cargoes to the lands, countries, cities, ports, places and rivers within the dominions and territories aforesaid, to enter into the same, to resort there, and to remain and reside there, without any limitation of time. Also to hire and possess houses and warehouses for the purposes of their commerce, and generally the merchants and traders on each side shall enjoy the most complete protection and security for their commerce; but subject always as to what respects this article to the laws and statutes of the two countries respectively.

## ARTICLE XV.

It is agreed that no other or high duties shall be paid by the ships or merchandise of the one party in the ports of the other than such as are paid by the like vessels or merchandize of all other nations. Nor shall any other or higher duty be imposed in one country on the importation of any articles the growth, produce or manufacture of the other, than are or shall be payable on the importation of the like articles being of the growth, produce or manufacture of any other foreign country. Nor shall any prohibition be imposed on the exportation or importation of any articles to or from the territories of the two parties respectively, which shall not equally extend to all other nations. But the British Government reserves to itself the right of imposing on American vessels entering into the British ports in Europe a tonnage duty equal to that which shall be payable by British vessels in the ports of America; and also such duty as may be adequate to countervail the difference of duty now payable on the importation of European and Asiatic goods, when imported into the United States in British or in American vessels. The two parties agree to treat for the more exact equalization of the duties on the respective navigation of their subjects and people, in such manner as may be most beneficial to the two countries. The arrangements for this purpose shall be made at the same time with those mentioned at the conclusion of the twelfth article of this Treaty, and are to be considered as a part thereof. In the interval it is agreed that the United States will not impose any new or additional tonnage duties on British vessels, nor increase the nowsubsisting difference between the duties payable on the importation of any articles in British or in American vessels.

## ARTICLE XVI.

It shall be free for the two contracting parties, respectively, to appoint Consuls for the protection of trade, to reside in the dominions and territories aforesaid; and the said Consuls shall enjoy those liberties and rights which belong to them by reason of their function. But before any Consul shall act as such, he shall be in the usual forms approved and admitted by the party to whom he is sent; and it is hereby declared to be lawful and proper that, in case of illegal or improper conduct towards the laws or Government, a Consul may either be punished according to law, if the laws will reach the case, or be dismissed, or even sent back, the offended Government assigning to the other their reasons for the same. Either of the parties may except from the residence of Consuls such particular places as such party shall judge proper to be so excepted.

## ARTICLE XVII.

It is agreed that in all cases where vessels shall be captured or detained on just suspicion of having on board enemy's property, or of carrying to the enemy any of the articles which are contraband of war, the said vessels shall be brought to the nearest or most convenient port; and if any property of an enemy should be found on board such vessel, that part only which belongs to the enemy shall be made prize, and the vessel shall be at liberty to proceed with the remainder without any impediment. And it is agreed that all proper measures shall be taken to prevent delay in deciding the cases of ships or cargoes so brought in for adjudication, and in the payment or recovery of any indemnification, adjudged or agreed to be paid to the masters or owners of such ships.

## ARTICLE XVIII.

In order to regulate what is in future to be esteemed contraband of war, it is agreed that under the said denomination shall be comprised all arms and implements serving for the purposes of war, by land or sea, such as cannon, muskets, mortars, petards, bombs, grenades, carcasses, saucisses, carriages for cannon, musketrests, bandoliers, gunpowder, match, saltpetre, ball, pikes, swords, headpieces, cuirasses, halberts, lances, javelins, horsefurniture, holsters, belts, and generally all other implements of war, as also timber for shipbuilding, tar or rozin, copper in sheets, sails, hemp, and cordage, and generally whatever may serve directly to the equipment of vessels, unwrought iron and fir planks only excepted, and all the above articles are hereby declared to be just objects of confiscation whenever they are attempted to be carried to an enemy.

And whereas the difficulty of agreeing on the precise cases in which alone provisions and other articles not generally contraband may be regarded as such, renders it expedient to provide against the inconveniences and misunderstandings which might thence arise: It is further agreed that whenever any such articles so becoming contraband, according to the existing laws of nations, shall for that reason be seized, the same shall not be confiscated, but the owners thereof shall be speedily and completely indemnified; and the captors, or, in their default, the Government under whose authority they act, shall pay to the masters or owners of such vessels the full value of all such articles, with a reasonable mercantile profit thereon, together with the freight, and also the demurrage incident to such detention.

And whereas it frequently happens that vessels sail for a port or place belonging to an enemy without knowing that the same is either besieged, blockaded or invested, it is agreed that every vessel so circumstanced may be turned away from such port or place; but she shall not be detained, nor her cargo, if not contraband, be confiscated, unless after notice she shall again attempt to enter, but she shall be permitted to go to any other port or place she may think proper; nor shall any vessel or goods of either party that may have entered into such port or place before the same was besieged, blockaded, or invested by the other, and be found thereafter the reduction or surrender of such place, be liable to confiscation, but shall be restored to the owners or proprietors there.

## ARTICLE XIX.

And that more abundant care may be taken for the security of the respective subjects and citizens of the contracting parties, and to prevent their suffering injuries by the menofwar, or privateers of either party, all commanders of ships of war and privateers, and all others the said subjects and citizens, shall forbear doing any damage to those of the other party or committing any outrage against them, and if they act to the contrary they shall be punished, and shall also be bound in their persons and estates to make satisfaction and reparation for all damages, and the interest thereof, of whatever nature the said damages may be.

For this cause, all commanders of privateers, before they receive their commissions, shall hereafter be obliged to give, before a competent judge, sufficient security by at least two responsible sureties, who have no interest in the said privateer, each of whom, together with the said commander, shall be jointly and severally bound in the sum of fifteen hundred pounds sterling, or, if such ships be provided with above one hundred and fifty seamen or soldiers, in the

sum of three thousand pounds sterling, to satisfy all damages and injuries which the said privateer, or her officers or men, or any of them, may do or commit during their cruise contrary to the tenor of this Treaty, or to the laws and instructions for regulating their conduct; and further, that in all cases of aggressions the said commissions shall be revoked and annulled.

It is also agreed that whenever a judge of a court of admiralty of either of the parties shall pronounce sentence against any vessel or goods or property belonging to the subjects or citizens of the other party, a formal and duly authenticated copy of all the proceedings in the cause, and of the said sentence, shall, if required, be delivered to the commander of the said vessel, without the smallest delay, he paying all legal fees and demands for the same.

#### ARTICLE XX.

It is further agreed that both the said contracting parties shall not only refuse to receive any pirates into any of their ports, havens or towns, or permit any of their inhabitants to receive, protect, harbor, conceal or assist them in any manner, but will bring to condign punishment all such inhabitants as shall be guilty of such acts or offences.

And all their ships, with the goods or merchandizes taken by them and brought into the port of either of the said parties, shall be seized as far as they can be discovered, and shall be restored to the owners, or their factors or agents, duly deputed and authorized in writing by them (proper evidence being first given in the court of admiralty for proving the property) even in case such effects should have passed into other hands by sale, if it be proved that the buyers knew or had good reason to believe or suspect that they had been piratically taken.

#### ARTICLE XXI.

It is likewise agreed that the subjects and citizens of the two nations shall not do any acts of hostility or violence against each other, nor accept commissions or instructions so to act from any foreign Prince or State, enemies to the other party; nor shall the enemies of one of the parties be permitted to invite, or endeavor to enlist in their military service, any of the subjects or citizens of the other party; and the laws against all such offences and aggressions shall be punctually executed. And if any subject or citizen of the said parties respectively shall accept any foreign commission or letters of marque for arming any vessel to act as a privateer against the other party, and be taken by the other party, it is hereby declared to be lawful for the said party to treat and punish the said subject or citizen having such commission or letters of marque as a pirate.

#### ARTICLE XXII.

It is expressly stipulated that neither of the said contracting parties will order or authorize any acts of reprisal against the other, on complaints of injuries or damages, until the said party shall first have presented to the other a statement thereof, verified by competent proof and evidence, and demanded justice and satisfaction, and the same shall either have been refused or unreasonably delayed.

#### ARTICLE XXIII.

The ships of war of each of the contracting parties shall, at all times, be hospitably received in the ports of the other, their officers and crews paying due respect to the laws and Government of the country. The officers shall be treated with that respect which is due to the commissions which they bear, and if any insult should be offered to them by any of the inhabitants, all offenders in this respect shall be punished as disturbers of the peace and amity between the two countries. And His Majesty consents that in case an American vessel should, by stress of weather, danger from enemies, or other misfortune, be reduced to the necessity of seeking shelter in any of His Majesty's ports, into which such vessel could not in ordinary cases claim to be admitted, she shall, on manifesting that necessity to the satisfaction of the Government of the place, be hospitably received, and be permitted to refit and to purchase at the market price such necessaries as she may stand in need of, conformably to such orders and regulations at the Government of the place, having respect to the circumstances of each case, shall prescribe. She shall not be allowed to break bulk or unload her cargo, unless the same should be bona fide necessary to her being refitted. Nor shall be permitted to sell any part of her cargo, unless so much only as may be necessary to defray her expences, and then not without the express permission of the Government of the place. Nor shall she be obliged to pay any duties whatever, except only on such articles as she may be permitted to sell for the purpose aforesaid.

#### ARTICLE XXIV.

It shall not be lawful for any foreign privateers (not being subjects or citizens of either of the said parties) who have commissions from any other Prince or State in enmity with either nation to arm their ships in the ports of either of the said parties, nor to sell what they have taken, nor in any other manner to exchange the same; nor shall they be allowed to purchase more provisions than shall be necessary for their going to the nearest port of that Prince or State from whom they obtained their commissions.

#### ARTICLE XXV.

It shall be lawful for the ships of war and privateers belonging to the said parties respectively to carry whithersoever they please the ships and goods taken from their enemies, without being obliged to pay any fee to the officers of the admiralty, or to any judges whatever; nor shall the said prizes, when they arrive at and enter the ports of the said parties, be detained or seized, neither shall the searchers or other officers of those places visit such prizes, (except for the purpose of preventing the carrying of any of the cargo thereof on shore in any manner contrary to the established laws of revenue, navigation, or commerce,) nor shall such officers take cognizance of the validity of such prizes; but they shall be at liberty to hoist sail and depart as speedily as may be, and carry their said prizes to the place mentioned in their commissions or patents, which the commanders of the said ships of war or privateers shall be obliged to show. No shelter or refuge shall be given in their ports to such as have made a prize upon the subjects or citizens of either of the said parties; but if forced by stress of weather, or the dangers of the sea, to enter therein, particular care shall be taken to hasten their departure, and to cause them to retire as soon as possible. Nothing in this Treaty contained shall, however, be construed or operate contrary to former and existing public treaties with other sovereigns or States. But the two parties agree that while they continue in amity neither of them will in future make any treaty that shall be inconsistent with this or the preceding article.

Neither of the said parties shall permit the ships or goods belonging to the subjects or citizens of the other to be taken within cannon shot of the coast, nor in any of the bays, ports or rivers of their territories, by ships of war or others having commission from any Prince, Republic or State whatever. But in case it should so happen, the party whose territorial rights shall thus have been violated shall use his utmost endeavors to obtain from the offending party full and ample satisfaction for the vessel or vessels so taken, whether the same be vessels of war or merchant vessels.

#### ARTICLE XXVI.

If at any time a rupture should take place (which God forbid) between His Majesty and the United States, and merchants and others of each of the two nations residing in the dominions of the other shall have the privilege of remaining and continuing their trade, so long as they behave peaceably and commit no offence against the laws; and in case their conduct should render them suspected, and the respective Governments should think proper to order them to remove, the term of twelve months from the publication of the order shall be allowed them for that purpose, to remove with their families, effects and property, but this favor shall not be extended to those who shall act contrary to the established laws; and for greater certainty, it is declared that such rupture shall not be deemed to exist while negotiations for accommodating differences shall be depending, nor until the respective Ambassadors or Ministers, if such there shall be, shall be recalled or sent home on account of such differences, and not on account of personal misconduct, according to the nature and degrees of which both parties retain their rights, either to request the recall, or immediately to send home the Ambassador or Minister of the other, and that without prejudice to their mutual friendship and good understanding.

#### ARTICLE XXVII.

It is further agreed that His Majesty and the United States, on mutual requisitions, by them respectively, or by their respective Ministers or officers authorized to make the same, will deliver up to justice all persons who, being charged with murder or forgery, committed within the jurisdiction of either, shall seek an asylum within any of the countries of the other, provided that this shall only be done on such evidence of criminality as, according to the laws of the place, where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial, if the offence had there been committed. The expence of such apprehension and delivery shall be borne and defrayed by those who made the requisition and receive the fugitive.

#### ARTICLE XXVIII.

It is agreed that the first ten articles of this Treaty shall be permanent, and that the subsequent articles, except the twelfth, shall be limited in their duration to twelve years, to be computed from the day on which the ratifications of this Treaty shall be exchanged, but subject to this condition. That whereas the said twelfth article will expire by the limitation therein contained, at the end of two years from the signing of the preliminary or other articles of peace, which shall terminate the present war in which His Majesty is engaged, it is agreed that proper measures shall by concert be taken for bringing the subject of that article into amicable Treaty and discussion, so early before the expiration of the said term as that new arrangements on that head may by that time be



perfected and ready to take place. But if it should unfortunately happen that His Majesty and the United States should not be able to agree on such new arrangements, in that case all the articles of this Treaty, except the first ten, shall then cease and expire together.

Lastly. This Treaty, when the same shall have been ratified by His Majesty and by the President of the United States, by and with the advice and consent of their Senate, and the respective ratifications mutually exchanged, shall be binding and obligatory on His Majesty and on the said States, and shall be by them respectively executed and observed with punctuality and the most sincere regard to good faith; and whereas it will be expedient, in order the better to facilitate intercourse and obviate difficulties, that other articles be proposed and added to this Treaty, which articles, from want of time and other circumstances, cannot now be perfected, it is agreed that the said parties will, from time to time, readily treat of and concerning such articles, and will sincerely endeavor so to form them as that they may conduce to mutual convenience and tend to promote mutual satisfaction and friendship; and that the said articles, after having been duly ratified, shall be added to and make a part of this Treaty. In faith whereof we, the undersigned Ministers Plenipotentiary of His Majesty the King of Great Britain and the United States of America, have signed this present Treaty, and have caused to be affixed *thereto* the seal of our arms.

Done at London this nineteenth day of November, one thousand seven hundred and ninetyfour.

(SEAL.) GRENVILLE.

(SEAL.) JOHN JAY.

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Letter from Thomas Jefferson to George Hammond.

PHILADELPHIA, September 5, 1793.

Sir: I am honored with yours of August 30. Mine of the 7th of that month assured you that measures were taken for excluding from all further asylum in our ports vessels armed in them to cruise on nations with which we are at peace, and for the restoration of the prizes the *Lovely Lass*, *Prince William Henry*, and the *Jane of Dublin*; and that should the measures for restitution fail in their effect, the President considered it as incumbent on the United States to make compensation for the vessels.

We are bound by our treaties with three of the belligerent nations, by all the means in our power, to protect and defend their vessels and effects in our ports, or waters, or on the seas near our shores, and to recover and restore the same to the right owners when taken from them. If all the means in our power are used, and fail in their effect, we are not bound by our treaties with those nations to make compensation.

Though we have no similar treaty with Great Britain, it was the opinion of the President that we should use towards that nation the same rule which, under this article, was to govern us with the other nations; and even to extend it to captures made on the high seas and brought into our ports done by vessels which had been armed within them.

Having, for particular reasons, forbore to use all the means in our power for the restitution of the three vessels mentioned in my letter of August 7th, the President thought it incumbent on the United States to make compensation for them; and though nothing was said in that letter of other vessels taken under like circumstances, and brought in after the 5th of June, and before the date of that letter, yet when the same forbearance had taken place, it was and is his opinion, that compensation would be equally due.

As to prizes made under the same circumstances, and brought in after the date of that letter, the President determined that all the means in our power should be used for their restitution. If these fail, as we should not be bound by our treaties to make compensation to the other Powers in the analogous case, he did not mean to give an opinion that it ought to be done to Great Britain. But still, if any cases shall arise subsequent to that date, the circumstances of which shall place them on similar ground with those before it, the President would think compensation equally incumbent on the United States.

Instructions are given to the Governors of the different States to use all the means in their power for restoring prizes of this last description found within their ports. Though they will, of course, take measures to be informed of them, and the General Government has given them the aid of the customhouse officers for this purpose, yet you will be sensible of the importance of multiplying the channels of their information as far as shall depend on yourself, or any person under your direction, or order that the Governors may use the means in their power for making restitution.

Without knowledge of the capture they cannot restore it. It will always be best to give the notice to them directly; but any information which you shall be pleased to send to me also, at any time, shall be forwarded to them as quickly as distance will permit.

Hence you will perceive, sir, that the President contemplates restitution or compensation in the case before the 7th of August; and after that date, restitution if it can be effected by any means in our power. And that it will be important that you should substantiate the fact that such prizes are in our ports or waters.

Your list of the privateers illicitly armed in our ports is, I believe, correct.

With respect to losses by detention, waste, spoilation sustained by vessels taken as before mentioned, between the dates of June 5th and August 7th, it is proposed as a provisional measure that the Collector of the Customs of the district, and the British Consul, or any other person you please, shall appoint persons to establish the value of the vessel and cargo at the time of her capture and of her arrival in the port into which she is brought, according to their value in that port. If this shall be agreeable to you, and you will be pleased to signify it to me, with the names of the prizes understood to be of this description, instructions will be given accordingly to the Collector of the Customs where the respective vessels are.

I have the honor to be, c., TH: JEFFERSON. GEO: HAMMOND, Esq.

ADDITIONAL ARTICLE.

It is further agreed, between the said contracting parties, that the operation of so much of the twelfth article of the said Treaty as respects the trade which his said Majesty thereby consents may be carried on between the United States and his islands in the West Indies, in the manner and on the terms and conditions therein specified, shall be suspended.

1796.

EXPLANATORY ARTICLE TO THE THIRD ARTICLE OF THE TREATY OF NOVEMBER 19, 1794, RESPECTING THE LIBERTY TO PASS AND REPASS THE BORDERS AND TO CARRY ON TRADE AND COMMERCE.

Concluded May 4, 1796; Ratification advised by Senate May 9, 1796.

Whereas by the third article of the Treaty of amity, commerce and navigation, concluded at London on the nineteenth day of November, one thousand seven hundred and ninetyfour, between His Britannic Majesty and the United States of America, it was agreed that is should at all times be free to His Majesty's subjects and to the citizens of the United States, and also to the Indians dwelling on either side of the boundary line, assigned by the Treaty of peace to the United States, freely to pass and repass, by land or inland navigation, into the respective territories and countries of the two contracting parties, on the continent of America, (the country within the limits of the Hudson's Bay Company only excepted,) and to navigate all the lakes, rivers, and waters thereof, and freely to carry on trade and commerce with each other, subject to the provisions and limitations contained in the said article: And whereas by the eighth article of the Treaty of peace and friendship concluded at Greenville on the third day of August, one thousand seven hundred and ninety-five, between the United States and the nations or tribes of Indians called the Wyandots, Delawares, Shawanoes, Ottawas, Chippewas, Putawatimies, Miamis, Eel River, Weas, Kickapoos, Piankashaws, and Kaskaskias, it was stipulated that no person should be permitted to reside at any of the towns or the hunting camps of the said Indian tribes, as a trader, who is not furnished with a licence for that purpose under the authority of the United States: Which latter stipulation has excited doubts, whether in its operation it may not interfere with the due execution of the third article of the Treaty of amity, commerce and navigation: And it being the sincere desire of His Britannic Majesty and of the United States that this point should be so explained as to remove all doubts and promote mutual satisfaction and friendship: And for this purpose His Britannic Majesty having named for his Commissioner, Phineas Bond, Esquire, His Majesty's ConsulGeneral for the Middle and Southern States of America, (and now His Majesty's Chargé d'Affaires to the United States,) and the President of the United States having named for their Commissioner, Timothy Pickering, Esquire, Secretary of State of the United States, to whom, agreeably to the laws of the United States, he has intrusted this negotiation: They, the said Commissioners, having communicated to each other their full powers, have, in virtue of the same, and conformably to the spirit of the last article of the said Treaty of amity, commerce and navigation, entered into this explanatory article, and do by these presents explicitly agree and declare, that no stipulations in any treaty subsequently concluded by either of the contracting parties with any other State or nation, or with any Indian tribe, can be understood to derogate in any manner from the rights of free intercourse and commerce, secured by the aforesaid third article of the Treaty of amity, commerce and navigation, to the subjects of his Majesty and to the citizens of the United States, and to the Indians dwelling on either side of the boundary line

aforesaid; but that all the said persons shall remain at full liberty freely to pass and repass, by land or inland navigation, into the respective territories and countries of the contracting parties, on either side of the said boundary line, and freely to carry on trade and commerce with each other, according to the stipulations of the said third article of the Treaty of amity, commerce and navigation.

This explanatory article, when the same shall have been ratified by His Majesty and by the President of the United States, by and with the advice and consent of their Senate, and the respective ratifications mutually exchanged, shall be added to and make a part of the said Treaty of amity commerce and navigation, and shall be permanently binding upon His Majesty and the United States.

In witness whereof we, the said Commissioners of His Majesty the King of Great Britain and the United States of America, have signed this present explanatory article, and thereto affixed our seals.

Done at Philadelphia this fourth day of May, in the year of our Lord one thousand seven hundred and ninetysix.

(SEAL.) P. BOND. (SEAL.) TIMOTHY PICKERING.

1798.

EXPLANATORY ARTICLE TO THE TREATY OF NOVEMBER 19, 1794, RELEASING THE COMMISSIONERS UNDER THE FIFTH ARTICLE FROM PARTICULARIZING THE LATITUDE AND LONGITUDE OF THE RIVER ST. CROIX.

Concluded March 15, 1798; Ratification advised by Senate June 5, 1798.

Whereas by the twentyeight article of the Treaty of amity, commerce, and navigation between His Britannic Majesty and the United States, signed at London on the nineteenth day of November, one thousand seven hundred and ninetyfour, it was agreed that the contracting parties would, from time to time, readily treat of and concerning such further articles as might be proposed; that they would sincerely endeavour so to form such articles as that they might conduce to mutual convenience and tend to promote mutual satisfaction and ,friendship; and that such articles, after having been duly ratified, should be added to and make a part of that Treaty: And whereas difficulties have arisen with respect to the execution of so much of the fifth article of the said Treaty as requires that the Commissioners appointed under the same should in their description particularize the latitude and longitude of the source of the river which may be found to be the one truly intended in the Treaty of peace between His Britannic Majesty and the United States, under the name of the river St. Croix, by reason whereof it is expedient that the said Commissioners should be released from the obligation of conforming to the provisions of the said article in this respect. The undersigned being respectively named by His Britannic Majesty and the United States of America their Plenipotentiaries for the purpose of treating of and concluding such articles as may be proper to be added to the said Treaty, in conformity to the above mentioned stipulation, and having communicated to each other their respective full powers, have agreed and concluded, and do hereby declare in the name of His Britannic Majesty and of the United States of America that the Commissioners appointed under the fifth article of the above

mentioned Treaty shall not be obliged to particularize in their description, the latitude and longitude of the source of the river which may be found to be the one truly intended in the aforesaid Treaty of peace under the name of the river St. Croix, but they shall be at liberty to describe the said river, in such other manner as they may judge expedient, which description shall be considered as a complete execution of the duty required of the said Commissioners in this respect by the article aforesaid. And to the end that no uncertainty may hereafter exist on this subject, it is further agreed, that as soon as may be after the decision of the said Commissioners, measures shall be concerted between the Government of the United States and His Britannic Majesty's Governors or Lieutenant Governors in America, in order to erect and keep in repair a suitable monument at the place ascertained and described to be the source of the said river St. Croix, which measures shall immediately thereupon, and as often afterwards as may be requisite, be duly executed on both sides with punctuality and good faith.

This explanatory article, when the same shall have been ratified by His Majesty and by the President of the United States, by and with the advice and consent of their Senate, and the respective ratifications mutually exchanged, shall be added to and make a part of the Treaty of amity, commerce, and navigation between His Majesty and the United States, signed at London on the nineteenth day of November, one thousand seven hundred and ninetyfour, and shall be permanently binding upon His Majesty and the United States.

In witness whereof we, the said undersigned Plenipotentiaries of His Britannic Majesty and the United States of America, have signed this present article, and have caused to be affixed thereto the seal of our arms. Done at London this fifteenth day of March, one thousand seven hundred and ninetyeight.

(SEAL.) GRENVILLE. (SEAL.) RUFUS KING.

Footnote 6

1814 Treaty of Ghent 1814 to end the War Of 1812

Treaty of Peace and Amity between His Britannic Majesty and the United States of America, Concluded at Ghent, December 24, 1814; Ratification Advised by Senate, February 16, 1815; Ratified by President; February 17, 1815; Ratifications Exchanged at Washington, February 17, 1815; Proclaimed, February 18, 1815. His Britannic Majesty and the United States of America, desirous of terminating the war which has unhappily subsisted between the two countries, and of restoring, upon principles of perfect reciprocity, peace, friendship, and good understanding between them, have, for that purpose, appointed their respective Plenipotentiaries, that is to say:

His Britannic Majesty, on his part, has appointed the Right Honorable James Lord Gambier, late Admiral of the White, now Admiral of the Red Squadron of His Majesty's fleet, Henry Goulburn, Esquire, a member of the Imperial Parliament, and Under Secretary of State, and William Adams, Esquire, Doctor of Civil Laws; and the President of the United States, by and with the advice and consent of the Senate thereof, has appointed John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell, and Albert Gallatin, citizens of the United States;

Who, after a reciprocal communication of their respective full powers, have agreed upon the following articles:

Article I

There shall be a firm and universal peace between His Britannic Majesty and the United States, and between their respective countries, territories, cities, towns, and people, of every degree, without exception of places or persons. All hostilities, both by sea and land, shall cease as soon as this Treaty shall have been ratified by both parties, as hereinafter mentioned. All territory, places, and possessions whatsoever, taken by either party from the other during the war, or which may be taken after the signing of this Treaty, excepting only the islands hereinafter mentioned, shall be restored without delay, and without causing any destruction or carrying away any of the artillery or other public property originally captured in the said forts or places, and which shall remain therein upon the exchange of the ratifications of this Treaty, or any slaves or other private property. And all archives, records, deeds, and papers, either of a public nature or belonging to private persons, which, in the course of the war, may have fallen into the hands of the officers of either party, shall be, as far as may be practicable, forthwith restored and delivered to the proper authorities and persons to whom they respectively belong. Such of the islands in the Bay of Passamaquoddy as are claimed by both parties, shall remain in the possession of the party in whose occupation they may be at the time of the exchange of the ratifications of this Treaty, until the decision respecting the title to the said islands shall have been made in conformity with the fourth article of this Treaty. No disposition made by this Treaty as to such possession of the islands and territories claimed by both parties shall, in any manner whatever, be construed to affect the right of either.

## Article II

Immediately after the ratifications of this Treaty by both parties, as hereinafter mentioned, orders shall be sent to the armies, squadrons, officers, subjects and citizens of the two Powers to cease from all hostilities. And to prevent all causes of complaint which might arise on account of the prizes which may be taken at sea after the said ratifications of this Treaty, it is reciprocally agreed that all vessels and effects which may be taken after the space of twelve days from the said ratifications, upon all parts of the coast of North America, from the latitude of twenty-three degrees north to the latitude of fifty degrees north, and as far eastward in the Atlantic Ocean as the thirty-sixth degree of west longitude from the meridian of Greenwich, shall be restored on each side: that the time shall be thirty days in all other parts of the Atlantic Ocean north of the equinoctial line or equator, and the same time for the British and Irish Channels, for the Gulf of Mexico, and all parts of the West Indies; forty days for the North Seas, for the Baltic, and for all parts of the Mediterranean; sixty days for the Atlantic Ocean south of the equator, as far as the latitude of the Cape of Good Hope; ninety days for every other part of the world south of the equator; and one hundred and twenty days for all other parts of the world, without exception.

## Article III

All prisoners of war taken on either side, as well by land as by sea, shall be restored as soon as practicable after the ratifications of this Treaty, as hereinafter mentioned, on their paying the debts which they may have contracted during their captivity. The two contracting parties respectively engage to discharge, in specie, the advances which may have been made by the other for the sustenance and maintenance of such prisoners.

## Article IV

Whereas it was stipulated by the second article in the Treaty of peace of one thousand seven hundred and eighty-three, between His Britannic Majesty and the United States of America, that the boundary of the United States should comprehend all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries, between Nova Scotia on the one part, and East Florida on the other, shall respectively touch the Bay of Fundy and the Atlantic Ocean, excepting such islands as now are, or heretofore have been, within the limits of Nova Scotia; and whereas the several islands in the Bay of Passamaquoddy, which is part of the Bay of Fundy, and the Island of Grand Menan, in the said Bay of Fundy, are claimed by the United States as being comprehended within their aforesaid boundaries, which said islands are claimed as belonging to His Britannic Majesty, as having been, at the time of and previous to the aforesaid Treaty of one thousand seven hundred and eighty-three, within the limits of the Province of Nova Scotia. In order, therefore, finally to decide upon these claims, it is agreed that they shall be referred to two Commissioners to be appointed in the following manner, viz: One Commissioner shall be appointed by His Britannic Majesty, and one by the President of the United States, by and with the advice and consent of the Senate thereof; and the said two Commissioners so appointed shall be sworn impartially to examine and decide upon the said claims according to such evidence as shall be laid before them on the part of His Britannic Majesty and of the United States respectively. The said Commissioners shall meet at St. Andrews, in the Province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said Commissioners shall, by a declaration or report under their hands and seals, decide to which of the two contracting parties the several islands aforesaid do respectively belong, in conformity with the true intent of the said Treaty of peace of one thousand seven hundred and eighty-three. And if the said Commissioners shall agree in their decision, both parties shall consider such decision as final and conclusive. It is further agreed that, in the event of the two Commissioners differing upon all or any of the matters so referred to them, or in the event of both or either of the said Commissioners refusing, or declining or wilfully omitting to act as such, they shall make, jointly or separately, a report or reports, as well to the Government of His Britannic Majesty as to that of the United States, stating in detail the points on which they differ, and the grounds upon which their respective opinions have been formed, or the grounds upon which they, or either of them, have so refused, declined, or omitted to act. And His Britannic Majesty and the Government of the United States hereby agree to refer the report or reports of the said Commissioners to some friendly sovereign or State, to be then named for that purpose, and who shall be requested to decide on the differences which may be stated in the said report or reports, or upon the report of one Commissioner, together with the grounds upon which the other Commissioner shall have refused, declined, or omitted to act, as the case may be. And if the Commissioner so refusing, declining, or omitting to act, shall also wilfully omit to state the grounds upon which he has so done, in such manner that the said statement may be referred to such friendly sovereign or State, together with the report of such other Commissioner, then such sovereign or State shall decide ex parte upon the said report alone. And His Britannic Majesty and the Government of the United States engage to consider the decision of such friendly sovereign or State to be final and conclusive on all the matters so referred.

Article V

Whereas neither the point of the highlands lying due north from the source of the river St. Croix, and designated in the former Treaty of peace between the two Powers as the northwest angle of Nova Scotia, nor the northwesternmost head of Connecticut River, has yet been ascertained; and whereas that part of the boundary line between the dominions of the two Powers which extends from the source of the river St. Croix directly north to the above mentioned northwest angle of Nova Scotia, thence along the said highlands which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic Ocean to the northwesternmost head of Connecticut River, thence down along the middle of that river to the forty-fifth degree of north latitude; thence by a line due west on said latitude until it strikes the river Iroquois or Cataraguay, has not yet been surveyed: it is agreed that for these several purposes two Commissioners shall be appointed, sworn, and authorized to act exactly in the manner directed with respect to those mentioned in the next preceding article, unless otherwise specified in the present article. The said Commissioners shall meet at St. Andrews, in the Province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said Commissioners shall have power to ascertain and determine the points above mentioned, in conformity with the provisions of the said Treaty of peace of one thousand seven hundred and eighty-three, and shall cause the boundary aforesaid, from the source of the river St. Croix to the river Iroquois or Cataraguay, to be surveyed and marked according to the said provisions. The said Commissioners shall make a map of the said boundary, and annex to it a declaration under their hands and seals, certifying it to be the true map of the said boundary, and particularizing the latitude and longitude of the northwest angle of Nova Scotia, of the northwesternmost head of Connecticut River, and of such other points of the said boundary as they may deem proper. And both parties agree to consider such map and declaration as finally and conclusively fixing the said boundary. And in the event of the said two Commissioners differing, or both or either of them refusing, declining, or wilfully omitting to act, such reports, declarations, or statements shall be made by them, or either of them, and such reference to a friendly sovereign or State shall be made in all respects as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

## Article VI

Whereas by the former Treaty of peace that portion of the boundary of the United States from the point where the forty-fifth degree of north latitude strikes the river Iroquois or Cataraguay to the Lake Superior, was declared to be "along the middle of said river into Lake Ontario, through the middle of said lake, until it strikes the communication by water between that lake and Lake Erie, thence along the middle of said communication into Lake Erie, through the middle of said lake until it arrives at the water communication into Lake Huron, thence through the middle of said lake to the water communication between that lake and Lake Superior"; and whereas doubts have arisen what was the middle of the said river, lakes, and water communications, and whether certain islands lying in the same were within the dominions of His Britannic Majesty or of the United States: In order, therefore, finally to decide these doubts, they shall be referred to two Commissioners, to be appointed, sworn, and authorized to act exactly in the manner directed with respect to those mentioned in the next preceding article, unless otherwise specified in this present article. The said Commissioners shall meet, in the first instance, at Albany, in the State of New York, and shall have power to adjourn to such other place or places as they shall think fit. The



said Commissioners shall, by a report or declaration, under their hands and seals, designate the boundary through the said river, lakes, and water communications, and decide to which of the two contracting parties the several islands lying within the said rivers, lakes, and water communications, do respectively belong, in conformity with the true intent of the said Treaty of one thousand seven hundred and eighty-three. And both parties agree to consider such designation and decision as final and conclusive. And in the event of the said two Commissioners differing, or both or either of them refusing, declining, or wilfully omitting to act, such reports, declarations, or statements shall be made by them, or either of them, and such reference to a friendly sovereign or State shall be made in all respects as in the latter part of the fourth article is contained and in as full a manner as if the same was herein repeated.

#### Article VII

It is further agreed that the said two last-mentioned Commissioners, after they shall have executed the duties assigned to them in the preceding article, shall be, and they are hereby, authorized upon their oaths impartially to fix and determine, according to the true intent of the said Treaty of peace of one thousand seven hundred and eighty-three, that part of the boundary between the dominions of the two Powers which extends from the water communication between Lake Huron and Lake Superior, to the most northwestern point of the Lake of the Woods, to decide to which of the two parties the several islands lying in the lakes, water communications, and rivers, forming the said boundary, do respectively belong, in conformity with the true intent of the said Treaty of peace of one thousand seven hundred and eighty-three; and to cause such parts of the said boundary as require it to be surveyed and marked. The said Commissioners shall, by a report or declaration under their hands and seals, designate the boundary aforesaid, state their decision on the points thus referred to them, and particularize the latitude and longitude of the most northwestern point of the Lake of the Woods, and of such other parts of the said boundary as they may deem proper. And both parties agree to consider such designation and decision as final and conclusive. And in the event of the said two Commissioners differing, or both or either of them refusing, declining, or wilfully omitting to act, such reports, declarations, or statements shall be made by them, or either of them, and such reference to a friendly sovereign or state shall be made in all respects as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

#### Article VIII

The several boards of two Commissioners mentioned in the four preceding articles shall respectively have power to appoint a secretary, and to employ such surveyors or other persons as they shall judge necessary. Duplicates of all their respective reports, declarations, statements, and decisions, and of their accounts, and of the journal of their proceedings, shall be delivered by them to the agents of His Britannic Majesty and to the agents of the United States, who may be respectively appointed and authorized to manage the business on behalf of their respective Governments. The said Commissioners shall be respectively paid in such manner as shall be agreed between the two contracting parties, such agreement being to be settled at the time of the exchange of the ratifications of this Treaty. And all other expenses attending the said commissions shall be defrayed equally by the two parties. And in the case of death, sickness, resignation, or necessary absence, the place of every such Commissioner, respectively, shall be supplied in the

same manner as such Commissioner was first appointed, and the new Commissioner shall take the same oath or affirmation, and do the same duties. It is further agreed between the two contracting parties, that in case any of the islands mentioned in any of the preceding articles, which were in the possession of one of the parties prior to the commencement of the present war between the two countries, should, by the decision of any of the boards of commissioners aforesaid, or of the sovereign or State so referred to, as in the four next preceding articles contained, fall within the dominions of the other party, all grants of land made previous to the commencement of the war, by the party having had such possession, shall be as valid as if such island or islands had, by such decision or decisions, been adjudged to be within the dominions of the party having had such possession.

#### Article IX

The United States of America engage to put an end, immediately after the ratification of the present Treaty, to hostilities with all the tribes or nations of Indians with whom they may be at war at the time of such ratification; and forthwith to restore to such tribes or nations, respectively, all the possessions, rights, and privileges which they may have enjoyed or been entitled to in one thousand eight hundred and eleven, previous to such hostilities. Provided always that such tribes or nations shall agree to desist from all hostilities against the United States of America, their citizens and subjects, upon the ratification of the present Treaty being notified to such tribes or nations, and shall so desist accordingly. And his Britannic Majesty engages, on his part, to put an end immediately after the ratification of the present Treaty, to hostilities with all the tribes or nations of Indians with whom he may be at war at the time of such ratification, and forthwith to restore to such tribes or nations respectively all the possessions, rights, and privileges which they may have enjoyed or been entitled to in one thousand eight hundred and eleven, previous to such hostilities. Provided always that such tribes or nations shall agree to desist from all hostilities against His Britannic Majesty, and his subjects, upon ratification of the present Treaty being notified to such tribes or nations, and shall so desist accordingly.

#### Article X

Whereas the traffic in slaves is irreconcilable with the principles of humanity and justice, and whereas both His Majesty and the United States are desirous of continuing their efforts to promote its entire abolition, it is hereby agreed that both the contracting parties shall use their best endeavours to accomplish so desirable an object.

#### Article XI

This Treaty, when the same shall have been ratified on both sides, without alteration by either of the contracting parties, and the ratifications mutually exchanged, shall be binding on both parties, and the ratifications shall be exchanged at Washington, in the space of four months from this day, or sooner if practicable.

In faith whereof we, the respective Plenipotentiaries, have signed this Treaty, and have thereunto affixed our seals. Done, in triplicate, at Ghent, the twenty-fourth day of December, one thousand eight hundred and fourteen.

Gambier Henry Goulburn, William Adams, John Quincy Adams, J. A. Bayard, H. Clay, John Russell, Albert Gallatin

#### Footnote 7

These are the words of a first-hand observer, Anthony Sherman, who was there and describes the situation: "You doubtless heard the story of Washington's going to the thicket to pray. Well, it is not only true, but he used often to pray in secret for aid and comfort from God, the interposition of whose Divine Providence brought us safely through the darkest days of tribulation."

"One day, I remember it well, when the chilly winds whistled through the leafless trees, though the sky was cloudless and the Sun shown brightly, he remained in his quarters nearly all the afternoon alone. When he came out, I noticed that his face was a shade paler than usual. There seemed to be something on his mind of more than ordinary importance. Returning just after dusk, he dispatched an orderly to the quarters who was presently in attendance. After a preliminary conversation of about an hour, Washington, gazing upon his companion with that strange look of dignity which he alone commanded, related the event that occurred that day."

#### Washington's Own Words

"I do not know whether it is owing to the anxiety of my mind, or what, but this afternoon, as I was sitting at this table engaged in preparing a dispatch, something seemed to disturb me. Looking up, I beheld standing opposite me a singularly beautiful being. So astonished was I, for I had given strict orders not to be disturbed, that it was some moments before I found language to inquire the cause of the visit. A second, a third, and even a fourth time did I repeat the question, but received no answer from my mysterious visitor except a slight raising of the eyes.

"By this time I felt strange sensations spreading through me.

I would have risen but the riveted gaze of the being before me rendered volition impossible. I assayed once more to speak, but my tongue had become useless, as though it had become paralyzed. A new influence, mysterious, potent, irresistible, took possession of me. All I could do was to gaze steadily, vacantly at my unknown visitor.

"Gradually the surrounding atmosphere seemed to fill with sensations, and grew luminous. Everything about me seemed to rarefy, the mysterious visitor also becoming more airy and yet more distinct to my eyes than before. I began to feel as one dying, or rather to experience the sensations which I have sometimes imagined accompany death. I did not think, I did not reason, I did not move. All were alike impossible. I was only conscious of gazing fixedly, vacantly at my companion.

"Presently I heard a voice saying, "Son of the Republic, look and learn," while at the same time my visitor extended an arm eastward. I now beheld a heavy white vapor at some distance rising fold upon fold. This gradually dissipated, and I looked upon a strange scene. Before me lay spread out in one vast plain all the countries of the world--Europe, Asia, Africa, and America. I saw rolling and tossing between Europe and America the billows of the Atlantic, and between Asia

and America lay the Pacific. "Son of the Republic," said the same mysterious voice as before, "look and learn."

"At that moment I beheld a dark, shadowy being, like an angel, standing, or rather floating in mid-air, between Europe and America. Dipping water out of the ocean in the hollow of each hand, he sprinkled some upon America with his right hand, while with his left hand he cast some on Europe. Immediately a cloud arose from these countries, and joined in mid-ocean. For a while it seemed stationary, and then it moved slowly westward, until it enveloped America in its murky folds. Sharp flashes of lightning gleamed through it at intervals, and I heard the smothered groans and cries of the American people.

"A second time the angel dipped water from the ocean, and sprinkled it out as before. The dark cloud was then drawn back to the ocean, in whose heaving billows it sank from view.

"A third time I heard the mysterious visitor saying, "Son of the Republic, look and learn," I cast my eyes upon America and beheld villages, towns, and cities springing up one after another until the whole land from the Atlantic to the Pacific was dotted with them. Again, I heard the mysterious voice say, "Son of the Republic, the end of the century cometh, look and learn."

"And this the dark shadowy angel turned his face southward. From Africa I saw an ill-omened specter approach our land. It flitted slowly over every town and city of the latter. The inhabitants presently set themselves in battle array against each other. As I continued looking I saw a bright angel on whose brow rested a crown of light, on which was traced the word "Union." He bearing the American flag. He placed the flag between the divided nation, and said, "Remember ye are brethren."

"Instantly, the inhabitants, casting down their weapons, became friends once more and united around the National Standard.

"And again I heard the mysterious voice saying, "Son of the Republic, look and learn." At this the dark, shadowy angel placed a trumpet to his mouth, and blew three distinct blasts; and taking water from the ocean, he sprinkled it upon Europe, Asia, and Africa.

"Then my eyes beheld a fearful scene. From each of these countries arose thick, black clouds that were soon joined into one.

And through this mass there gleamed a dark red light by which I saw hordes of armed men. These men, moving with the cloud, marched by land and sailed by sea to America, which country was enveloped in this volume of the cloud. And I dimly saw these vast armies devastate the whole country and burn the villages, towns, and cities that I beheld springing up.

"As my ears listened to the thundering of the cannon, clashing of swords, and the shouts and cries of millions in mortal combat, I heard again the mysterious voice saying, "Son of the Republic, look and learn." When the voice had ceased, the dark shadowy angel placed his trumpet once more to his mouth, and blew a long fearful blast.

"Instantly a light as of a thousand suns shone down from above me, and pierced and broke into fragments the dark clouds which enveloped America. At the same moment the angel upon whose head still shone the word "Union," and who bore our national flag in one hand and a sword in the other, descended from the heavens attended by legions of white spirits. These immediately joined the inhabitants of America, who I perceived were well-nigh overcome, but who immediately taking courage again, closed up their broken ranks and renewed the battle.

"Again, amid the fearful noise of the conflict I heard the mysterious voice saying, "Son of the Republic, look and learn." As the voice ceased, the shadowy angel for the last time dipped water from the ocean and sprinkled it upon America. Instantly the dark cloud rolled back, together with the armies it had brought, leaving the inhabitants of the land victorious.

"Then once more I beheld the villages, towns and cities springing up where I had seen them before, while the bright angel, planting the azure standard he had brought in the midst of them, cried with a loud voice: "While the stars remain, and the heavens send down dew upon the earth, so long shall the Union last." And taking from his brow the crown on which blazoned the word "Union," he placed it upon the Standard while the people kneeling down said, "Amen."

"The scene instantly began to fade and dissolve, and I at last saw nothing but the rising, curling vapor I at first beheld. This also disappeared, I found myself once more gazing upon the mysterious visitor, who, in the same voice I had heard before, said, "Son of the Republic, what you have seen is thus interpreted.

Three great perils will come upon the Republic. The most fearful for her is the third. But the whole world united shall not prevail against her. Let every child of the Republic learn to live for his God, his land and Union. With these words the vision vanished, and I started from my seat and felt that I had seen a vision wherein had been shown me the birth, progress, and destiny of the United States."

Thus ended General George Washington's vision and prophecy for the United States of America as told in his own words.

#### Footnote 8

"In Title 1, Section 1 it says: The actions, regulations, rules, licenses, orders and proclamations heretofore or hereafter taken, promulgated, made, or issued by the President of the United States or the Secretary of the Treasury since March 4, 1933, pursuant to the authority conferred by subdivision (b) of section 5 of the Act of October 6, 1917, as amended, are hereby approved and confirmed."

"Section 2. Subdivision (b) of section 5 of the Act of October 6, 1917, (40 Stat. L. 411), as amended, is hereby amended to read as follows: emergency declared by the President, the President may, through any agency that he may designate, or otherwise, investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions in foreign exchange, transfers of credit between or payments by banking institutions as defined by the President, and export, hoarding, melting, or earmarking of gold or silver coin or bullion or currency, **BY ANY PERSON WITHIN THE UNITED STATES OR ANY PLACE SUBJECT TO THE JURISDICTION THEREOF.**"

Here is the legal phrase subject to the jurisdiction thereof, but at law this refers to alien enemy and also applies to Fourteenth Amendment citizens:

"As these words are used in the first section of the Fourteenth Amendment of the Federal Constitution, providing for the citizenship of all persons born or naturalized in the United States and subject to the jurisdiction thereof, the purpose would appear to have been to exclude by the fewest words (besides children of members of the Indian tribes, standing in a peculiar relation to

the National Government, unknown to the common Law), the two classes of cases, children born of \*ALIEN ENEMIES(emphasis mine), in hostile occupation, and children of diplomatic representatives of a foreign state, both of which, by the law of England and by our own law, from the time of the first settlement of the English colonies in America, had been recognized exceptions to the fundamental rule of citizenship by birth within the country." United States v Wong Kim Ark, 169 US 649, 682, 42 L Ed 890, 902, 18 S Ct 456. Ballentine's Law Dictionary.

Congressman Beck had this to say about the War Powers Act:

"I think of all the damnable heresies that have ever been suggested in connection with the Constitution, the doctrine of emergency is the worst. It means that when Congress declares an emergency there is no Constitution. This means its death....But the Constitution of the United States, as a restraining influence in keeping the federal government within the carefully prescribed channels of power, is moribund, if not dead. We are witnessing its death-agonies, for when this bill becomes a law, if unhappily it becomes law, there is no longer any workable Constitution to keep the Congress within the limits of its constitutional powers." (Congressman James Beck in Congressional Record 1933)

The phrase Alien Enemy is defined in Bouvier's Law Dictionary as: One who owes allegiance to the adverse belligerent. 1 Kent 73.

He who owes a temporary but not a permanent allegiance is an alien enemy in respect to acts done during such temporary allegiance only; and when his allegiance terminates, his hostile character terminates also; 1 B. & P. 163.

Alien enemies are said to have no rights, no privileges, unless by the king's special favor, during time of war; 1 Bla. Com. 372; Bynkershoek 195; 8 Term 166. [Remember we've been under a declared state of war since October 6, 1917, as amended March 9, 1933 to include every United States citizen.]

"The phrase Alien Enemy is defined in Words and Phrases as: Residence of person in territory of nation at war with United States was sufficient to characterize him as "alien enemy" within Trading with the Enemy Act, even if he had acquired and retained American citizenship." Matarrese v. Matarrese, 59 A.2d 262, 265, 142 N.J. Eq. 226.

"Residence or doing business in a hostile territory is the test of an "alien enemy: within meaning of Trading with the Enemy Act and Executive Orders thereunder." Executive Order March 11, 1942, No. 9095, as amended, 50 U.S.C.A. Appendix 6; Trading with the Enemy Act 5 (b). In re Oneida Nat. Bank & Trust Co. of Utica, 53 N.Y.S. 2d. 416, 420, 421, 183 Misc. 374.

"By the modern phrase, a man who resides under the allegiance and protection of a hostile state for commercial purposes is to be considered to all civil purposes as much an 'alien enemy' as if he were born there." Hutchinson v. Brock, 11 Mass. 119, 122.

"The trading with the enemy Act, originally and as amended, is strictly a war measure, and finds its sanction in the provision empowering Congress "to declare war, grant letters of Marque and reprisal, and make rules concerning captures on land and water." Stoehr v. Wallace 255 U.S.

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James Brought up the term residence and my research has brought forth the following which is why the gov't wants you to declare yourself as a "resident." Resident has one purpose in tax law and commercial law. Resident is the opposite of non-resident, "Resident" is legally defined in *United States v. Penelope*, 27 Fed. Case No. 16024, which states: "But admitting that the common acceptance of the word and its legal technical meaning are different, we must presume that Congress meant to adopt the latter.", page 487. "But this is a highly penal act, and must have strict construction. \* \* \* The question seems to be whether they inserted 'resident' without the legal meaning generally affixed to it. If they have omitted to express their meaning, we cannot supply it.", page 489.

Ask yourself this question, has the State or United States, in their tax statutes, defined the word "resident" in its legal technical meaning? The *Penelope* Court stated the legal meaning of the term "resident" at page 489: "In the case of *Hylton v. Brown* [Case No. 6,981] in the Circuit Court, and cases in this court, the following has always been my definition of the words 'resident,' or 'inhabitant,' which in my view, means the same thing. An inhabitant, or resident, is a person coming into a place with an intention to establish his domicile, or per-manent residence: under this intention he takes a house, or lodgings, as one fixed and stationary, and opens a store or takes any step preparatory to do business or in execution of this settled intention." [Emphasis added ]

The other legal definition for "resident" can be found in *Jowitt's English Law Dictionary*, 1977 edition which states; "RESIDENT, An agent, minister or officer residing in any distant place with the dignity of an ambassador: the chief representative of government at certain princely states; Residents are as class of public ministers inferior to ambassadors and envoys, but, like them, they are protected under the law of nations."

This bears out James' work that the resident, who is a government agent, official, etc., is doing business for the British Crown to collect the debt of those residents who are claiming citizenship of the States or United States because that would make them subjects liable to pay the pecuniary contribution, disguised as a "Gross Income Tax," to the Crown.