

IN THE
SUPERIOR COURT
KERN COUNTY, CALIFORNIA

ANCIENT MYSTICAL ORDER
ROSÆ CRUCIS

A. M. O. R. C.

Goes to Court charging two of its former members with conspiracy to wreck it. They answer alleging that it is clandestine, a fraudulent scheme and a "racket."

*Of Special Interest to all
Masons, Rosicrucians, Students of the
Occult and Fraternal Organizations*

THE CASE

of

The Ancient and Mystical Order
Rosæ Crucis

against

George L. Smith and E. E. Thomas

in

The Superior Court of the State of
California, in and for the
County of Kern



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FOREWORD

TO ALL WHO ARE INTERESTED:

The case of A. M. O. R. C. against two of its former members is of special interest to all regular Masons, real Rosicrucians, sincere students of the occult sciences, fraternal and secret societies, and other like and similar organizations. Therefore, in order to make the information available to all those who are interested, The Philosophical Publishing Company, Quakertown, Pennsylvania, prints the Pleadings and Allegations in said case.

Additional copies of this pamphlet may be had upon application to

THE PHILOSOPHICAL PUBLISHING COMPANY
QUAKERTOWN, PENNSYLVANIA

ADDENDA

The following excerpt is reprinted from the American Rosæ Crucis (the then official organ of AMORC), Vol. I, No. 1, January, 1916, pages 3 and 4, under the title, "The Authentic and Complete History of the Ancient and Mystical Order Rosæ Crucis," by H. Spencer Lewis:

"The claim has always been made that the A. M. O. R. C. is the oldest fraternal or secret order known to man. This claim makes the order antedate Freemasonry, and the latter has always claimed great antiquity. Here again the casual, aye, the deep investigator, is confronted with a mass of details purporting to be the history of Freemasonry, but gradually classifying themselves into two groups which one may label 'inexact' and 'indefinite.'

"Right here is where some of the mystery becomes clarified. Rosicrucians claim, and can prove, that the Order of Free and Accepted Masons is an offspring of the A. M. O. R. C., and for this reason its origin is so veiled and indefinite except to those who have passed through the Scottish Rites. Because of its frankness, publicity and public propaganda, Freemasonry has grown into a powerful organization, overshadowing in the public's mind all other secret and fraternal orders.

"On the point of its connection with the A. M. O. R. C., Freemasonry is very silent. It traces its antiquity to 'Solomon's Temple' and refers to characters whose history, if not actual existence, are cloaked with doubt. Its published history is very esoteric and mystical, although its actual history, as known to all advanced Rosicrucians, is a living testimonial to the truth of the noble principles of brotherhood which underlie Freemasonry.

"So closely are the two orders allied that many of the great exponents of the one are active workers in the other. Freemasonry has acknowledged its debt to the A. M. O. R. C. by adding a Rosicrucian degree to the Ancient and Accepted Scottish Rite, making it the 18°. It has also established 'Societas Rosicruciana' in England and various parts of the United States, to which none but an advanced Mason may apply for admission.

"In these Rosicrucian societies, as in the A. & A. S. R. 18°, certain elements of the Rosicrucian initiations and doctrines are used (in the crude form resulting from tradition by word

of mouth, since none but the legitimate lodges of the A. M. O. R. C. have the correct work), and the tendency on the part of these brother Masons in such degrees and societies is to practice and emulate the noble rules and doctrines of the A. M. O. R. C.

"Naturally, all genuine Rosicrucian lodges practice many of the elements of the work of Freemasonry, *since the latter adapted its WORK from that of the A. M. O. R. C.* The first degree in all Rosicrucian lodges is very similar to the third (or Master Mason's) degree in Freemasonry. Many of the latter's symbols and terms are taken from Rosicrucianism (as explained elsewhere), and in general the two orders are aiming to accomplish the same great and noble purpose, except that the R. C. work is OPERATIVE while Freemasonry is SPECULATIVE." (The italics are ours—Masons, please note.)

Reprinted from the "Triangle" (the official organ of A. M. O. R. C.), dated September 29, 1921, under title "Regarding Our Affiliations."

"One other item may interest our members. A large and interesting document was received during the month of August [1921] from a Sovereign Sanctum of Freemasonry abroad conferring upon our Emperor [H. Spencer Lewis] the highest Masonic degrees, such as Honorary 33rd and the 90th and 95th Degrees of the Ancient and Primitive Rites of Memphis and Mizraim (under a charter of authority issued by John Yarker 33rd, the eminent Masonic authority and historian and sovereign Grand Master General of England), whereby our Emperor is given the Masonic title of Prince of Memphis (Egypt), member of the Sovereign Tribunal and Defender of the order; and Sovereign Patriarchal Conservator of the rites, Sublime Prince of the Magi. The honorary 33rd Degree carries with it the title of Knight *Grand Inspector General*. The document further makes the Emperor an honorary member of the Sovereign Sanctuary of Switzerland, Austria and Germany. These Masonic honors are conferred under the charter of authority of Grand Orient of Ancient Gaul and Supreme Sanctuary of Great Britain. Also the *Ordo Templi Orientia* (Oriental Order of the Temple, Fraternity of the Hermetic Light), has conferred its high degrees upon our Emperor with the title of *Most Illustrious Sir Knight and Frater R. C.*, appointing our supreme lodge in this country as *Gage of Amity*, for the *Ordo Templi Orientis* of Europe.

"Furthermore, the world council of the Rosicrucian Order, under its official title (translated), 'The Supreme High Council of the Universe,' through its great white collegium (Lodge),

announces its forthcoming annual pronouncements, conferring upon our order some high honors and making our high degree members of the Supreme Grand Lodge of North America, Honorary Members of the Grand Shrine of Egypt and of the Illuminati of India by virtue of the power of the Magister of the Temple R. S. at Calcutta. This Supreme High Council of the Universe has under its immediate direction more than thirty of the Secret Orders of the world which have existed since the dawn of civilization, which means all the esoteric Orders or Fraternities, including the Essenes, Oriental Theosophists, Esoteric Masonry, Rose Croix de Heredom, Krata Repoa of Egypt, Rites of Mithras, Knights of Jerusalem, Oriental Druids, L'ordre du Martinisme, Oriental Knights of Templar, the Order Rosæ Crucis, etc. The practice of all the ancient and primitive rites of these orders, the conferring of their degrees and the establishment of their Lodges are under the control of this Supreme Council, and thereby all are united into one large and co-operative, harmonious, secret organization. Our Imperator is a high officer of this Council and all our members who reach the Twelfth (Illuminati) Degree of our Order will be appointed official representatives of this Council.

"By all this it will be seen that the A. M. O. R. C. is the only organization, body, society or group of Rosicrucians in America (or in the world, for that matter) having the approval, recognition and direction of the Supreme High Council of all ancient and modern Secret Rites."

IN THE
Superior Court of the State
of California

IN AND FOR THE COUNTY OF KERN

THE ANCIENT AND MYSTICAL ORDER
ROSE CRUCIS, a Corporation,
Plaintiff,
vs.
GEORGE L. SMITH and E. E. THOMAS,
Defendants.

No. 26344
COMPLAINT

I.

"During all times herein mentioned plaintiff was, and now is, a fraternal lodge corporation, organized, existing and doing business under and by virtue of the laws of the State of California.

II.

"As such corporation plaintiff has and conducts rituals, ceremonials, lessons, instructions and imparts other sundry information to its duly qualified admitted members in good standing only.

III.

"Plaintiff corporation has a large membership throughout the continental United States and elsewhere and for the use, benefit, instruction and administration of its members, owns and maintains administration buildings, printing plant and other property and equipment representing a large investment. Plaintiff has in the past engaged and does now engage in propaganda and dissemination of information concerning the order and its aims and objects for the purpose of increasing its membership, which activities have in the past and do now entail great expense. That plaintiff order has been and now is maintained and supported through initiation fees and membership dues paid in by its members.

IV.

"Heretofore defendants were members of plaintiff organiza-

tion and as such members were imparted and entrusted with lessons, rituals, ceremonials and other information, all of which was imparted to them as such members for their own use only and in confidence.

V.

"Defendants severed their membership in the plaintiff order and thereafter associated themselves with Alfred Saunders, one John Doe Clymer, Myrtle Crane, Stanley Daines and others, and the defendant, together with said persons, formed and effected a conspiracy for the purpose of injuring the plaintiff, diminishing its revenue and otherwise inflicting loss on the plaintiff by circulating false and defamatory statements, coercing the members of the plaintiff to withdraw from their membership and by other and divers acts as hereinafter alleged, all for the purpose of depriving the plaintiff of its membership, revenues, property, and thereby wrecking the plaintiff organization.

VI.

"For the purpose of lessening the value of membership in plaintiff order, and thereby to prevent the acquisition of new members by the plaintiff, defendants wrongfully and contrary to their respective oaths and solemn promises and undertakings, given to the plaintiff, made copies of the private, confidential and secret lessons and rituals of plaintiff order, and otherwise published them and turned them over to persons not members of plaintiff.

VII.

"For the purpose of carrying into effect the aforementioned conspiracy, defendants, together with said other conspirators, circulated writings throughout the membership of the plaintiff order and to other persons who were likely to become such members, accusing the executive head of plaintiff order of being a person who has been guilty of acts of felony, and that he was insane; that the plaintiff order was about to be prosecuted for divers frauds and other illegal acts, and advised said members and other persons to withdraw their membership in plaintiff order, and advising non-members not to seek membership therein.

VIII. H.

"During all times herein mentioned A. Spencer Lewis was, and now is, the executive head of plaintiff order and as such he is widely known throughout the membership of plaintiff order and among large numbers of non-members throughout the United States, in Europe and elsewhere.

IX.

"That the defendants, E. E. Thomas and the said conspira-

tors John Doe Clymer, Stanley Daines and Alfred Saunders, have been, and now are, associated with and/or officials, and/or members of other organizations purporting to conduct an organization similar in purpose to that of plaintiff order, and by said acts of said conspirators attempted to gain members and adherents to their respective organizations, and against the interest and at the expense of plaintiff order.

X.

"Defendants, together with said conspirators, gave out in writing and orally to a large number of plaintiff's members, and to divers other persons, that probable exposure of plaintiff order for criminal and fraudulent acts was imminent and intimidated many of plaintiff's members to cease their membership in plaintiff order, and prevented a large number of prospective members from seeking membership in plaintiff order, and held out to such persons and members coercing them into believing that when such purported exposure occurred their membership in such order would reflect adversely upon them by reason of such membership, and the defendants, together with the other conspirators, and by means of such acts did cause divers persons to cease their membership in plaintiff order, and did cause other persons to refrain from seeking membership therein.

XI.

"That all of said statements made and circulated by the defendants and their co-conspirators, either in writing or orally, as hereinabove stated, were and are false, and that the defendants and their co-conspirators, and each of them, made said statements maliciously and for the purpose of injuring the plaintiff order, and for the purpose of gaining adherents and revenues for themselves by increasing their membership in other organizations, as hereinabove mentioned, and that all of said acts of the defendants and of their co-conspirators were and are in pursuance of said conspiracy.

XII.

"That the acts of the defendants were committed within one year immediately preceding the commencement of this action.

XIII.

"By reason of the acts of the defendants and of their co-conspirators plaintiff has lost existing members, and has lost the opportunity of gaining a large number of prospective members, and the public esteem concerning the plaintiff order has been damaged and its revenues impaired, all to its damage in the sum of ten thousand dollars (\$10,000.00).

XIV.

"The defendants and the other mentioned persons as such co-conspirators are now continuing and persisting in all of said

acts hereinabove mentioned, and threaten to so continue, and will do so unless restrained by this Court. By reason of the nature of the damages inflicted upon plaintiff by the activities and acts of the defendants and their co-conspirators, and by reason of the far-flung membership and influence of the plaintiff it will be difficult and impossible to estimate the damages which the plaintiff will suffer in the future, and by reason of the nature of said acts and the damages consequent thereon, pecuniary damages will be wholly inadequate; that unless the defendants are restrained by this Court, plaintiff will be forced to institute successive and repeated actions, thereby necessitating multiplicity of actions.

XV.

"Neither defendants nor any of their co-conspirators can respond in pecuniary damages and any monetary judgment for damages against either of them would yield nothing to the plaintiff. That plaintiff has no plain, adequate, speedy or efficacious remedy at law, and unless defendants are restrained by this Court, plaintiff will be without remedy.

"WHEREFORE, plaintiff prays for judgment against the defendants in the sum of ten thousand dollars (\$10,000.00), together with its costs of suit herein, and for such injunctive and other relief as to the Court may seem meet and proper in the premises and necessary for the protection of the rights of plaintiff.

"FREDERICK W. WELSH,
"ALFRED ARAM,
"*Attorneys for Plaintiff.*

"STATE OF CALIFORNIA }
"COUNTY OF KERN } ss.

"FREDERICK W. WELSH, being first duly sworn, deposes and says: He is the attorney for the plaintiff in the foregoing action, and he makes this verification for and on behalf of the plaintiff for the reason that the said plaintiff is outside of the County of Kern, wherein this affiant maintains his offices; that he has read the foregoing complaint and knows the contents thereof, and he believes it to be true.

"FREDERICK W. WELSH.

Subscribed and sworn to before me
this 26th day of October, 1932.

"HENRIETTA G. PALMER,
"*Notary Public in and for said*
(SEAL) *County and State.*"

The foregoing complaint was filed December 9, 1932, and is certified to be a true copy by the Clerk of said Court.

CORRECTION OF NAME

On February 1, 1933, the plaintiff's attorney filed its application to correct plaintiff's name (omitting the title and formal parts), as follows:

"STATE OF CALIFORNIA }
"COUNTY OF KERN } ss.

"FREDERICK W. WELSH, being first duly sworn, deposes and says: I am one of the attorneys for the plaintiff in the above-entitled action and have immediate charge of the action. In the preparation of the complaint in this action a mistake was made in the name of the party plaintiff. The correct name of the party plaintiff is THE SUPREME GRAND LODGE OF THE ANCIENT AND MYSTICAL ORDER ROSÆ CRUCIS, a corporation.

"The mistake occurred because the complaint was drawn in Bakersfield, Kern County, California, and the office of the corporation is in another county and the party giving me the information as to the name inadvertently omitted the words 'The Supreme Grand Lodge of' from the title.

"The Court is respectfully requested to correct this mistake in the name of the plaintiff by changing the name of the plaintiff from THE ANCIENT AND MYSTICAL ORDER ROSÆ CRUCIS, a corporation, to THE SUPREME GRAND LODGE OF THE ANCIENT AND MYSTICAL ORDER ROSÆ CRUCIS, a corporation.

"I make this application for and on behalf of the plaintiff because none of the officers of the plaintiff are in the County of Kern, where I reside and have my office, and I am familiar with the facts.

"FREDERICK W. WELSH.

Subscribed and sworn to before me,
this 1st day of February, 1933.

"HENRIETTA G. PALMER,

"Notary Public in and for said
(SEAL) County and State."

The foregoing is certified to be a true copy by the Clerk of said Court.

DEFENDANT'S AMENDED ANSWER

The defendants filed their original answer and on March 9, 1933, filed their amended answer (omitting the title and formal parts), as follows:

"Comes now the defendants, George L. Smith and E. E. Thomas, and answers the complaint of the plaintiff herein; admits, denies and alleges as follows, to wit:

I.

"Answering paragraph 1, denies that plaintiff is now or ever has been a fraternal lodge or corporation, and further denies that said plaintiff is or ever has been organized to do business under and by virtue of the laws of the State of California, or the laws of any State.

II.

"Answering paragraph 2, denies that said plaintiff does now or ever has conducted rituals, ceremonials or lessons, and further denies that said plaintiff instructs or imparts sundry information or any information to its qualified members in good standing or in any standing.

III.

"Answering paragraph 3, denies that plaintiff has a large membership or any membership in the United States or elsewhere, and denies that plaintiff owns or maintains administration buildings or printing plants for the benefit or instruction of said members. Admits that the plaintiff has engaged, and does now engage, in propaganda and dissemination of information concerning plaintiff and its aims and objections; denies that the activities of the plaintiff have in the past or do now entail any expense; denies that the plaintiff has been or now is maintained and supported through initiation fees and dues paid to it by its members.

IV.

"Answering paragraph 4, admits that the defendants were members of plaintiff organization, and denies that as such members there was imparted or entrusted to them lessons, rituals and ceremonials and other information, and denies that if such information were given them it was for their own use and to be used only in confidence.

V.

"Answering paragraph 5, admits that the defendants severed their membership with the plaintiff and denies that they

associated themselves with Alfred Saunders, John Doe Clymer, Myrtle F. Crane, Stanley Daines and others, or that they are now associated with said mentioned persons, and denies that they formed and effected a conspiracy or that they are now conspiring for the purpose of injuring the plaintiff, diminishing its revenue and/or otherwise inflicting loss on plaintiff; denies that they, or either of them, circulated false or defamatory statements and coerced the members of the plaintiff order to withdraw their membership, and deny that either of them did any other acts for the purpose of depriving plaintiff of its membership, revenue and property.

VI.

"Answering paragraph 6, denies that defendants, or either of them, made copies of private, confidential or secret rituals of plaintiff; denies that they were published or turned over to persons not members.

VII.

"Answering paragraph 7, denies that they, together with anyone else, circulated writings to the members of the plaintiff, or circulated any writings to anyone; denies that they ever circulated any writing accusing the head of the plaintiff order of being guilty of acts of felony, or that he was insane, or that he was about to be prosecuted for divers frauds and other illegal acts; denies that they advised the members of the plaintiff order, or the members of any order to withdraw their membership; denies that they advised non-members not to seek membership in said plaintiff order.

VIII.

"Answering paragraph 8, denies that H. Spencer Lewis was and now is the executive head of plaintiff order. Admits that he is widely known throughout the plaintiff order; denies that he is widely known to large numbers of non-members; denies that he is known in Europe or any place outside of the United States.

IX.

"Answering paragraph 9, denies that the defendants and E. E. Thomas have been or now are associated with John Doe Clymer, Stanley Daines and Alfred Saunders, with and/or officials, and/or members of any organization purported to conduct an organization similar in purpose to that of plaintiff order; denies that defendants, and E. E. Thomas, either for themselves or anyone of the above-mentioned parties, has attempted to gain members and adherents to any organization against the interest and at the expense of plaintiff order.

X.

"Answering paragraph 10, denies that defendants, or either

of them, together with any persons or all the persons mentioned in plaintiff's complaint gave out in writing and/or orally to the members of plaintiff order, or any persons, any statements that there was a probable exposure of plaintiff order for fraudulent acts, and denies that any of plaintiff's members were intimidated to cease their membership in plaintiff's order, and denies that they, or either of them, prevented a large number of prospective members from seeking membership in plaintiff order, and denies that the defendants, or either of them, held out or coerced such members and persons into believing that if there was such an exposure that it would reflect adversely upon them, and further denies that nothing has been done or is being done by said defendants, or either of them, to cause such members and persons to cease their membership in plaintiff order.

XI.

"Answering paragraph 11, denies that any false statements were made by defendants, or either of them, and further denies that any malicious statements were made for the purpose of injuring said plaintiff order or that any statements were made for the purpose of gaining adherents and revenues for themselves, or that the defendants, or either of them, or any people known to them, did any acts for the purpose of increasing the membership of any organization, and that the defendants, or either of them, have performed any acts for the furtherance of any conspiracy, and that the fact is that there never was or is any conspiracy.

XII.

"Answering paragraph 12, having no information or belief as to the matter set forth in paragraph 12, and basing their denial upon that ground, denies that the defendants, or either of them, committed any acts within one (1) year immediately preceding the commencement of this action, as alleged in said complaint.

XIII.

"Answering paragraph 13, having no information or belief as to the matter set forth in paragraph 13, and basing their denial upon that ground, denies that the plaintiff, by reason of any acts of the defendants, or either of them, have caused the plaintiff to lose any existing members, and denies that the plaintiff has lost the opportunity of gaining a large number of prospective members, and denies that public esteem of plaintiff has been damaged and revenues impaired, and/or that plaintiff has lost any prospective members, and/or suffered any damages, and denies that plaintiff order has suffered damages in the sum of ten thousand (\$10,000.00) dollars, or any sum, or that plaintiff has been damaged at all.

XIV.

"Answering paragraph 14, denies that defendants, or either of them, together with any persons mentioned in plaintiff's complaint, are now or have been doing any of the acts mentioned in plaintiff's complaint, or threatened to continue to do any of said mentioned acts, and further denies that any damages have been inflicted upon plaintiff; denies that if any damage has been done it would be difficult and impossible to estimate the damage plaintiff has suffered, and further denies that if any damage were done, that pecuniary damages would be wholly adequate, and further denies that unless the said above-mentioned Court makes its order restraining defendants, that plaintiff would be forced to institute successive and repeated actions.

XV.

"Answering paragraph 15, denies that defendants, or either of them, alone or together with any persons mentioned in said complaint, can not respond in pecuniary damages, and further denies that plaintiff has no plain, adequate, speedy or efficacious remedy at law.

"FOR A FURTHER SEPARATE AND DISTINCT ANSWER AND DEFENSE AND BY WAY OF NEW MATTER DEFENDANTS AFFIRMATIVELY ALLEGE:

"That they, and each of them, are informed and believes and on such information and belief state it to be a fact, as follows:

I.

"That plaintiff, the Ancient and Mystical Order Rosæ Crucis and Harvey Spencer Lewis, are, in truth and fact, one and the same; that the said Lewis created, organized and has perpetuated Plaintiff Order as a device and/or vehicle for the accomplishment and perpetuating of one of the cleverest and most gigantic frauds ever conceived by a clever mind and/or executed by a wicked and depraved heart; that when he organized Plaintiff Order, as and in the manner as hereinafter alleged, he appointed or 'elected' himself 'Grand Master' and later nominated and named himself 'Imperator' of said alleged and pretended Plaintiff Order; that he has appointed his son, Ralph Lewis, Grand Secretary and officered it solely with members of his immediate family; that at all times since its organization he has, and does now, absolutely control, dominate and use Plaintiff Order as a device and/or vehicle for his own benefit and pecuniary profit and for the selfish and sordid enrichment of himself and members of his immediate family.

II.

"That Plaintiff Order, claiming and purporting to be a Rosi-

crucian organization, is clandestine, having and possessing at no time any warrant of authority from the authentic or any authentic Rosicrucian organization; that it was conceived as a fraudulent scheme and at all times since its alleged origin, about the years 1915, 1916 or 1917 to the present time, it has been conducted as a fraudulent scheme, and is now being so conducted, all of which fully appear from the detailed statement of facts as hereinafter alleged and set forth:

III.

"That prior to the organization of Plaintiff Order, as and in the manner hereinafter set forth, Harvey Spencer Lewis, then a pupil in attendance at Public School No. 16, in the City of New York, possessing a brilliant, erratic and imaginative mind, bent and inclined towards deception and trickery, with an unusual love for the mystic, illusionary and magical, abandoned his schooling at said public school before graduation therefrom and accepted employment at McIntire's Magic Store, on Forty-second Street, in said City of New York, which dealt in all manner and kind of tricks, magical chemical formulas, mechanical magical devices and means of deception and for creating false illusions, and also in all kinds of mystical and magical literature, books on fortune telling, astrology, palmistry and the like.

IV.

"That at said time and afterwards the said Harvey Spencer Lewis began, and so continued, to read metaphysical, mystical books, a number of which he found in the New York Public Library, dealing with the Rosicrucian Fraternity; that although he was unable to obtain any of the secrets of the 'Rose Cross' or any of the inner and secret teachings of the Rosicrucian Fraternity from said books, and though he knew nothing whatever of said secrets or inner and esoteric teachings and practices of said Rosicrucian Fraternity, he did perceive and realize that it was an historical, august fraternity of good repute, mystical and alluring, and that it numbered among its members some of the world's best and most distinguished scholars, prominent persons, historical characters and people of renown. That then and there his imagination was thereby fired beyond his control and it was then in said mental state and with said background of false, deceptive magic that he conceived the idea of organizing a false, fraudulent and clandestine Rosicrucian organization, to be completely controlled and dominated by himself, as a fraudulent device and commercial scheme for his own profit and primarily as a means of making money in a manner entirely contrary and counter to landmarks and basic principles of the authentic Rosicrucian Fraternity,

and/or of any other worthy, mystical, religious, occult or fraternal society or organization of sound principles and high ethics.

V.

"That the said Harvey Spencer Lewis, from the reading of said books and other information available to the public generally, knew that the authentic, original and regular Rosicrucian organization, also known by other and derivative titles and names, was generally known and designated as a 'fraternity' and/or 'brotherhood,' and well knowing that he had not been initiated into and had no knowledge of its inner workings or teachings, and that he possessed no warrant of authority from the authentic fraternity or brotherhood to organize a Rosicrucian body, but knowing the value of the name 'Rosicrucian' and the words 'Rose Cross,' 'Rosy Cross' and their equivalents in Latin and other languages, he conceived the idea of designating his false, fraudulent, psuedo and clandestine organization as an 'order' instead of a fraternity and of naming it Ancient and Mystical Order Rosæ Crucis, of giving it the appearance of being both Rosicrucian and Masonic, of making certain signs, seals and symbols, some of which were to be Rosicrucian and Masonic in their origin, others were to be of his own designing and of having the same copyrighted, all in accordance with his said fraudulent scheme.

VI.

"That as a part of said fraudulent scheme, H. Spencer Lewis conceived the idea and design of connecting the Rosicrucian and Masonic Fraternities into one grand fraudulent scheme; of using and profiting by and from the prestige of both; of later joining and being initiated into the Masonic Order or Fraternity with the design and sole purpose of securing the secret work of Masonry and of using and embodying it in the work of his proposed fraudulent and clandestine Rosicrucian Order; that he afterwards attempted to carry out said design by seeking membership in the said authentic Masonic Order or Fraternity, as hereinafter fully set forth; that he now claims to be a high Mason and falsely represents the Plaintiff Order is closely allied to or connected with the Masonic Order or Fraternity.

VII.

"That the said Harvey Spencer Lewis, well knowing that he possessed no true knowledge of real Rosicrucianism and having no warrant of authority as aforesaid from said Rosicrucian Fraternity, conceived the idea of pretending to be possessed of such knowledge, of having been duly prepared and initiated into said Rosicrucian Fraternity and of collecting what he imagined

and conceived to be the necessary jewels, and of manufacturing, forging and/or faking the necessary documents to purport to show and tend to prove such knowledge, initiation and authority, or to at least give the appearance of plausibility.

VIII.

"That during, prior or subsequent to the year 1913 the said Harvey ~~Lewis~~ ~~Spencer~~ prepared, faked and forged certain papers and documents purporting to give him the necessary and proper authority to organize a Rosicrucian body; that on or about December 15, 1913, he made an attempt, in furtherance of said fraudulent scheme, to organize such a body by assembling some twenty persons at a place on Madison Avenue near Thirty-fourth Street, in the City of New York, but none were impressed with his faked, manufactured and forged documents or pretended authority, and all declined to take any part in the same, whereupon the said Lewis retired into 'silence,' a habit he formed during his early career, which he often found advantageous; that during said 'retired silence' he proceeded to polish up the 'jewels,' to collect others, to revise his documents, to make and fix up others, to concoct a better, more plausible and convincing story and to revise and perfect his said fraudulent scheme for another attempt.

IX.

"That some time during the years 1915, 1916 or 1917, the exact date these defendants are unable to determine from the conflicting claims and inconsistent published statements made by the said Harvey Spencer Lewis and Plaintiff Order, the said Harvey Spencer Lewis, in furtherance of his said fraudulent scheme, in the City of New York, did form an alleged mystical, occult and/or Rosicrucian organization, which was named or called the Ancient and Mystical Order Rosæ Crucis, being the plaintiff herein.

X.

"That in truth and fact it was and is not mystical, unless mystical means deceptive; that it is not ancient because it has no actual history or antecedents prior to the said uncertain date of its organization; that it was not then, has not been at any time since and is not now a Rosicrucian or Rose Cross organization; that it was not organized, has not existed and does not now exist by virtue of any warrant of authority issued by or from any regular or authentic Rosicrucian Fraternity or organization, or with the consent or sponsorship thereof; that said name was adopted and has since been used by the said Harvey Spencer Lewis and Plaintiff Order with the intent to deceive; that it has and does deceive the gullible, the uninformed and the unthinking public generally; that it has

deceived and led large numbers of persons really and truly interested in the mystical and/or occult who have not taken the time nor the pains to investigate and/or who have not had the means and opportunity to investigate and learn the truth into believing that it, the Plaintiff Order, is truly mystical and/or occult; that it is ancient and has a long, honored and renowned history and that it is duly authorized and chartered by the regular, authentic and genuine Rosicrucian Fraternity, whereas it is nothing of the kind, but is, in truth and fact, a mere device for the better carrying out and execution of said fraudulent scheme of the said Harvey Spencer Lewis for the obtaining of money for his own use and benefit and for the use and benefit of his family, who completely dominate, control and/or own said Plaintiff Order, as hereinafter fully alleged and set forth.

XI.

"That as a part of his said fraudulent scheme and in furtherance thereof, the said Harvey Spencer Lewis adopted, copyrighted and published in the year 1915 in a copyrighted pamphlet, designated 'Official Publication Number Two, A. M. O. R. C.,' certain copyrighted signs, symbols and seals for Plaintiff Order, photostatic copies of the title page of said pamphlet and the page therein containing or having printed thereon said symbolisms, seals and signs, appearing opposite page IV in said pamphlet, are hereto attached and made a part of this answer and marked 'Exhibit A.'

XII.

"That among the signs and symbols so adopted in the manner aforesaid for use of the Plaintiff Order is a cross with a rose thereon at the intersection thereof, commonly and generally known as the 'Rose Cross' or 'Rosy Cross'; that said symbol is truly Rosicrucian in its nature and one of the symbols of the authentic fraternity, and that it was adopted for Plaintiff Order, in the manner aforesaid, with intent and design to deceive in furtherance of said fraudulent scheme by misleading the uninformed and the public generally to believe that Plaintiff Order is a Rosicrucian organization.

XIII.

"That among the said signs, emblems and symbols so adopted, in the manner aforesaid, for the use of Plaintiff Order is a compass, well, commonly and generally known as a sign and symbol of regular and authentic Ancient Free and Accepted Masonry; that because the Masonic Order is a popular, well-known, highly reputed secret and fraternal organization with a large membership of highly reputed and distinguished men, said sign or symbol, to wit: the compass, was adopted with the

intent, design and purpose of leading the public to believe and conclude that Plaintiff Order is approved, vouched for or sponsored by Masons and the said Masonic Fraternity or Order, in furtherance of said fraudulent scheme; that the Plaintiff Order and the said Lewis have often attempted by various deceptive means and methods to lead the public to believe that Plaintiff Order is in some way connected with Masonry and is vouched for and approved by Masonry—that is, by individual Masons and/or the Masonic Fraternity—as will fully appear from other allegations herein made and set forth.

XIV.

“That among said signs, seals and symbols so adopted, in the manner aforesaid, for the use of Plaintiff Order, are two in particular, as follows, to wit: (1) An inverted triangle with a cross therein, being the ‘Grand Symbol of the Order of the World.’ meaning Plaintiff Order, and (2) an inverted triangle interlaced with a broken circle, with a cross and compass therein, being the ‘Great Seal of the Grand Master General’ or Plaintiff Order, meaning the great seal of the said Harvey Spencer Lewis; that said ‘Grand Symbol’ and ‘Great Seal’ are not symbols of the Rosicrucian nor Masonic Fraternities nor of any well-reputed mystical or occult organization of true principles, high ethics and noble purpose; that while they were adopted as a part of said fraudulent scheme and intended to deceive and do deceive the ignorant and those unadvised of their true and highly significant meaning, they were then adopted by the said Harvey Spencer Lewis in full and complete ignorance of their true meaning and significance, and that even though they were, in all probability of accidental adoption, nevertheless they truly and exactly symbolize and indicate the fraudulent nature of the Plaintiff Order and the lack of spiritual development of the ‘Grand Master General’ that is of H. Spencer Lewis, as well as his fraudulent character and practices, to all who know and understand the true significance and meaning of said symbols.

XV.

“That the inverted triangle is the sign, symbol and/or insignia of an unworthy, phony, fraudulent organization of injurious, dangerous and questionable methods—that is to say, it is the sign and symbol of ‘Black Magic’ and is so understood and regarded by all informed and knowing people. That the broken circle, among other things, symbolizes and indicates incompleteness and is the sign of one whose knowledge is elementary and limited and whose preparations, training and development is incomplete, it symbolizes the exact opposite of ‘Mastership,’ illumination and advanced development which the

said Lewis as 'Grand Master' and 'Imperator' of Plaintiff Order wrongfully, deceptively and fraudulently claims to possess. That the inverted triangle within and interlaced in the broken circle constituting the 'Great Seal of the Grand Master General' or of the said Harvey Spencer Lewis, is the sign and/or symbol of a 'Black Magician' and trickster of unworthy motives and questionable and dangerous practices, and that it is generally so regarded and understood by all who know and understand its true meaning and full significance.

XVI.

"That in furtherance of his said fraudulent scheme and to give Plaintiff's Order the appearance of Masonic approval and sponsorship, the said Harvey Spencer Lewis, in the year 1917, in the City of New York, made his application for membership to Normal Lodge, No. 523, in the City of New York, under the jurisdiction of the Grand Lodge of Ancient Free and Accepted Masons of the State of New York, and was accepted an Entered Apprentice, passed to the degree of Fellowcraft, when and whereupon the officers and members of said Normal Lodge, after due investigation, found that he, the said Lewis, was connected with and promoting a phony, fraudulent and clandestine Rosicrucian organization, and that it was his design, intention and purpose to secure the secret work of authentic Masonry to use and embody it in the so-called secret work of the said phony, fraudulent and clandestine Rosicrucian order, which he was then promoting and organizing or attempting to organize; that thereupon said Masonic Lodge proceeded to stop, black-ball and expel the said Lewis from its membership; that the said Lewis has since made persistent and repeated efforts and applications to be reinstated as a member and to be raised to the sublime degree of a Master Mason of the regular and authentic Ancient Free and Accepted Masonry, but has been firmly refused and forever barred therefrom.

XVII.

"That in furtherance of his said fraudulent scheme the said Lewis, as Grand Master and Imperator of Plaintiff Order, at all times herein mentioned, and especially since he was expelled and forever barred from authentic Masonry, has by persistent efforts and constant subtle, deceptive and misleading propaganda, alleged the association with him and his said Order, being Plaintiff Order, of many high Masons and by such means and methods has attempted to deceive the public and has deceived a large number of uninformed people by leading them to believe that Plaintiff's Order is vouched for and approved by regular Masons and in some way associated with Masonry; and that in furtherance of said design and purpose he an-

nounced in his and Plaintiff's Order official organ, 'The Triangle,' under date of September 29, 1921, that he was a member of the Masonic Rites of Memphis and claimed that the highest Masonic degrees, such as that of the Honorary Thirty-third, Ninetieth and Ninety-sixth degrees of Ancient and Primitive Rites of Memphis and Mizraim, had been conferred upon him, without advising the public but designedly concealing the fact that said Rites of Memphis and Mizraim is clandestine Masonry and has long since been discredited and outlawed by all worthy Masons and all regular, authentic Masonic bodies; that he has also made many other claims and subtle misrepresentations of his Masonic affiliations, all in accordance with and in furtherance of his said scheme.

XVIII.

"That on the night of June 17, 1918, at No. 316 West Twenty-third Street, in the City of New York, the police of said city raided the then headquarters of plaintiff's alleged Order and seized all of its paraphernalia and documents; that among the papers seized was a parchment headed 'Pronunziamento F. R. C. No. 987601,' adorned with a number of crude seals, dated Toulouse, France, September 20, 1916, signed by one Jean Jordan. After the signature followed a series of hieroglyphics in the body of the document, addressed to Le Secrétaire-General, Thor Kiimalehto, appeared the announcement that a separate jurisdiction of the Rosæ Crucis Order had been established in America under Supreme Pontiff, High Ancient Shekah El Moria Ra of Memphis and that the official seal was being forwarded to the Most Perfect Master Profundis, H. Spencer Lewis, at New York; that at the same time the Most Perfect Master Profundis Grand Imperator Lewis, meaning the said Harvey Spencer Lewis, was arrested on a charge of larceny of money through the sale of bonds of the American Order of the Rosæ Crucis, the charge being that he had disposed of several thousands of dollars of worthless bonds, upon the representation that his Order was a recognized branch of a world-wide institution; that following said raid and arrest, all his associates abandoned him in the carrying out of his said alleged fraudulent scheme and all of the officers and members of said Grand Lodge deserted said enterprise and the said Harvey Spencer Lewis 'retired into silence.'

XIX.

"That the said Lewis based his said fraudulent scheme upon the premises that he was of foreign initiation in the Rosicrucian Fraternity, that he spent many years in preparation of Rosicrucian work under the guidance and sponsorship of foreign and European masters and teachers of a foreign Rosicrucian

Fraternity; that he was finally initiated into the high and twelfth degree of Illuminati of a foreign jurisdiction and that said foreign jurisdiction, as such, authorized him to form, cause to be re-born and/or reorganized in America in the years 1915, 1916, 1917 or 1918, according to the different, conflicting and varied statements of the said Harvey Spencer Lewis; that he has often asserted and likewise as often denied that he held a warrant of authority from Rosicrucian organizations of a foreign jurisdiction to organize the plaintiff's so-called Order in America, and that although he had in his possession the said 'Pronunziamento F. R. C. No. 987601,' purporting on its face to confer authority upon him and announcing that his was a separate jurisdiction established in America under the Supreme Pontiff High Ancient Shekah El Moria Ra of Memphis (Egypt), nevertheless and notwithstanding immediately after the police had seized said document and after his said arrest he admitted that he held no warrant of authority from any foreign Rosicrucian jurisdiction and stated, 'We have never claimed to hold any warrant, charter, patent or authority from any foreign country.'

XX.

"That originally the said Harvey Spencer Lewis falsely represented, as aforesaid, that he was initiated into the French Rosicrucian Order and by it duly authorized to organize said Order in the United States, but failing to impress any considerable number of people with said false claims and forged documents, he proceeded to make other false representations and to manufacture other false documents and devices and to have a non-existing, fictitious 'Mystic and Ancient' Rosicrucian Order in Egypt sponsor his said original false claims of authority from France, as evidenced by and set forth in said forged and manufactured document, designated 'Pronunziamento F. R. C. No. 987601'; that later he falsely claimed German Rosicrucian authority; that at another and other times he falsely claimed said authority from a Rosicrucian Council in Switzerland, and that at other times and in more recent years he has claimed authority from an International Rosicrucian Council of the world, which (he) has recently organized as a part of Plaintiff Order, thus making said false conflicting and/or supplemental claims as and when convenient or necessary for the better carrying out of his said fraudulent scheme.

XXI.

"That the said Lewis falsely represents and has caused Plaintiff Order to falsely represent that it is a part of a world-wide revival of the original and authentic Rosicrucian Order, Brotherhood and/or Fraternity; that it, the original Rosicrucian

Fraternity, has organizations all over the earth; that he and his said son, Ralph M. Lewis, are high and mighty officers of a world-wide Supreme Rosicrucian Council; whereas, in truth and in fact, the only foreign organization with which he, his said son and Plaintiff Order are in any way connected are a few scattered organizations in Europe, greatly exaggerated and misrepresented, which he has recently organized, as aforesaid, as a part of his said fraudulent scheme, and/or numerous mysterious fictitious organizations falsely alleged to be scattered all over the world, which have no existence, in fact; that in truth and in fact said 'High Rosicrucian Council of the World' is a greatly exaggerated fiction and an overworked farce, existing only in the imagination of the said Lewis and in the printed and widely circulated literature and high pressure, fraudulent advertising matter of Plaintiff Order.

XXII.

"That after his said enforced period of silence, to wit: about the year 1920, the said Harvey Spencer Lewis crossed the continent and appeared in the City of San Francisco, flockless, with all of his former members and officers having deserted him, as aforesaid, and then and there began the reorganization of Plaintiff Order in further pursuance of his said fraudulent scheme and misrepresentations; that he succeeded in inducing many people to believe his representations and to put up the money necessary for reorganization of Plaintiff's Order and the building of its temple in San Francisco; that said people devoted their time and money to said enterprise until they finally became disillusioned and learned the truth about the said Lewis and Plaintiff Order and withdrew therefrom; that after running amuck with the prohibition officers for the alleged misuse of the sacramental wines, said Lewis was again suspicioned or accused of violating the law of the land, whereupon he very promptly denied any connection whatever with his so-called Order or any Rosicrucian Order and 'folded his tent like the Arabs' and 'silently' secured passage to Tampa, Florida.

XXIII.

"That about the year 1924 or 1925, when the said Harvey Spencer Lewis moved the headquarters of Plaintiff Order to Tampa, Florida, in further pursuance of his said scheme, and by continued misrepresentations of Plaintiff Order, his own attainments and authority, the said Lewis induced a certain citizen of Tampa, Florida, to contribute or furnish a considerable sum of money for the locating of his headquarters in Tampa, the building of a temple there and for a wide and extended campaign of newspaper, magazine and circular propaganda, by which he succeeded in greatly enlarging the contrib-

uting and paying membership of Plaintiff Order. However, notwithstanding his apparent financial success, all was not well in Tampa, and he abandoned his said headquarters in Tampa, Florida, and the 'Magnificent Rosicrucian Temple' which the said citizen thereof had built for him.

XXIV.

"That shortly after the moving of his business, the Plaintiff Order, to Tampa, Florida, the said Harvey Spencer Lewis began, and has continued to this day, a campaign of high-pressure advertising of Plaintiff Order through magazines, newspapers, pamphlets, by use of the United States mails and radio, as well as other modern means of advertising, using alluring, deceptive advertising, appealing to the selfish instincts of humanity, seeking members and supporters indiscriminately by questionable methods and ways entirely contrary to the principles and landmarks of the Rosicrucian and Masonic Fraternities and of every other high-class, mystical and occult organizations.

XXV.

"That one of the favorite, subtle, deceptive methods of the said Lewis, constantly employed by him in the furtherance of his said fraudulent scheme, from its inception to the present time, has been and is the creating of mythical, fictitious persons and by alluring description building them up and representing them to be noted, renowned, learned experts of various types, and also of taking ordinary natural persons and by a subtle method of propaganda, misrepresenting and building them up until they appear to be persons of renown, ability and unusual attainments; that not only has the said H. Spencer Lewis built up mythical and other persons as aforesaid, but he has also used the same deceptive, subtle methods in building himself up and representing himself to be a most extraordinary person of extremely unusual attainments and supernatural power, and of high social, scientific and educational standing.

XXVI.

"That although it is well known that the said H. Spencer Lewis has never attended any college or university that may of right confer the degree of Ph.D., and that he only attended the public school of New York City, from which he did not graduate, yet, nevertheless a short time after he conceived said gigantic fraudulent scheme he tacked upon his name the degree of Ph.D., representing to the world that he was a Doctor of Philosophy, whereas in truth and in fact, the said Harvey Spencer Lewis never attended any recognized educational institution such as is qualified and authorized to grant said degree, and that said degree is fraudulent and fictitious and used in further-

ance of his said scheme.

XXVII.

"That of all the many methods and means employed by the said H. Spencer Lewis in the execution of his said fraudulent scheme and the promotion of Plaintiff Order, the most unworthy and disgusting of them all, that reveals and stamps him as the supreme scoundrel of the age and the greatest impersonation of 'nerve supreme' and bald-faced audacity the world has ever known is his constant practice of conferring upon himself fictitious titles, as are used in Plaintiff's literature and advertising matter, such as follows, to wit: H. Spencer Lewis, F. R. C., 12° Illuminati, Toulouse, France; Dr. H. Spencer Lewis, H. Spencer Lewis, Ph.D.; H. Spencer Lewis, Doctor of Metaphysics and Psychology; H. Spencer Lewis, Dignitaire Supreme of the Rosicrucian Order; H. Spencer Lewis, Fellow Rose Cross; H. Spencer Lewis, Fellow of the France Ecole R. C.; H. Spencer Lewis, Rex Universitatis Illuminati; H. Spencer Lewis, Grand Master General; H. Spencer Lewis, Imperator; H. Spencer Lewis, Most Perfect Master Profundis, and many others equally false and absurd; and also the audacious and brazen practice of conferring upon himself of fellowships, responsible offices and 'high honors' in many societies and institutions of learning, art, music and science, real and fictitious, as published in the literature and advertising matter of Plaintiff Order, such as the following, to wit: Fellow of the Rose Cross College of France; President of the New York Institute for Psychical Research; membership in and high honors conferred by the International Fine Arts Society in Europe, the Societe Philomatique of Verdun, France; the Internaciona Ciencala Societe of Spain; Societe di Arti e Cienci of France, and many other fine arts and dramatic societies of Europe, which he falsely claims the Plaintiff Order represents in America.

XXVIII.

"That another favorite, subtle, deceptive method constantly used by the said Lewis in the execution of his said fraudulent scheme has been, and is, the writing and publication of articles, sketches, statements, proclamations, 'pronunziamentos,' etc., under fictitious names, nom de plumes and deceptive devices, some of which are after the manner and in imitation of some early and perhaps real Rosicrucian writers, others wholly conceived and concocted in the diseased imagination of the said Lewis; and the employment of strange terms, foreign names and historical characters, real and fictitious, with a view of mystifying, bewildering and deceiving others into believing that Plaintiff Order is a real, ancient, mystic and authentic occult order, fraternity or brotherhood and/or that it is a genuine and

worthy organization, as represented; that among many of the names and terms so used and employed by the said Lewis are the following, to wit: Roy~~le~~ Thurston; Roy~~le~~ Thurston, Ph. D.; Roy~~le~~ Thurston, formerly a professor of Psychology of Columbia Scientific Academy; Hatchuep; Ancient R. C.; Ptharos; Veritas, 6th Degree; Moderatrix, S. R. C.; Fra Fideles; Peusator; Magus Veritas; Simplicitas; Profundis XII; Rex Lux; Frater Lumminus; Frater Illuminati; Frater Cosmos; Frater Alexandre; Chevalier, K. R. C.; Frater Gamui; Frater Selvius; Frater Tammartus; Supreme Colombe Zina; Puritia; Frater Deigne; Factor Luminis; Sri Ramatherio; Master Amatuof; Agrippa X°—32°, R. C. 8°; Rama, and many others far too numerous to mention herein.

XXIX.

"That while he was employed in McIntire's said Magical Store on Forty-second Street, in the City of New York, the said Harvey Spencer Lewis became acquainted with certain chemicals that would affect zinc by turning it a yellow or golden color and the necessary ingredients to accomplish said effect, together with all the paraphernalia in connection therewith; that a short time after he had organized the Plaintiff Order in the City of New York he had the audacity at one of the meetings of said order to invite newspaper reporters to witness the transmutation of zinc into gold, and thus by such trickery and deceptive illusionary means he intended and hoped to mislead the public into believing that as Grand Master General of said Plaintiff Order he possessed most extraordinary secrets and occult powers as a part of his purpose and intent to carry out said fraudulent scheme and to gain additional members and the consequent initiation fees and dues.

XXX.

"That the said H. Spencer Lewis, in the furtherance of his said scheme, has organized other institutions or claimed to have organized the same, some or all of which in fact only exist upon paper and have no real organization that are also used in connection with Plaintiff Order as mere devices and vehicles for the carrying out of said fraudulent scheme and the accomplishment and fulfillment thereof; that among such associated organizations, fictitious or real, was and is the Pristine Church, organized by the said Harvey Spencer Lewis while he had his principal place of business and his Plaintiff Order in San Francisco, and of which the said Lewis became 'The Most Worshipful, Perfect, Profound, Profundis Bishop,' or words to that effect; that acting in such capacity, the said H. Spencer Lewis purported to and attempted to perform legal and religious ceremonies of marriage, although and notwithstanding the said

H. Spencer Lewis has continually represented that the Plaintiff Order and all institutions associated therewith were entirely of a non-religious and non-sectarian character.

XXXI.

"That as a part of and in furtherance of his said scheme, the said Harvey Spencer Lewis, along about the year 1915 or 1916, created from his imagination a mythical history of the origin of Plaintiff's Order, giving it an origin dating back into the night of time, before the beginning of civilization, and, in an indirect, elusive and general way, falsely connecting it with well-known historical characters, kings, rulers, philosophers and divines, purporting to correctly and accurately describe his own connection with the Rosicrucian Fraternity in France, his initiation therein and his warrant of authority from a Rosicrucian organization in said country, and also purporting to be a history of his said order in the United States and in America; that he represented it to be 'A complete Authentic History' of Plaintiff Order, whereas, in truth and in fact, it was nothing of the kind, but a gross misrepresentation and juggling of facts; that during the years 1916 and 1917 the said H. Spencer Lewis published said complete authentic history of Plaintiff order in Plaintiff Order's official magazine and again revised and republished the same in said official magazine about the year 1927, and still again revised and republished the same about the year 1929 in a book entitled 'Rosicrucian Questions and Answers, with Complete History of Rosicrucian Order,' by H. Spencer Lewis, F. R. C., Imperator of the Rosicrucian Order, and still further revised the same and published a second (edition) thereof in the year 1932; that no two of said revisions of said history agree with one another, but the same are a mass of irreconcilable, deceptive contradictions.

XXXII.

"That another favorite, subtle, deceptive method employed by the said Lewis in the execution of his said fraudulent scheme, with a view of falsely leading others to believe that Plaintiff Order was a part of a revived world-wide movement of the original and authentic Rosicrucian Fraternity, was to represent that Plaintiff Order was in constant touch with said falsely alleged and wholly fictitious world-wide movements, by and through its representatives or 'Legates' residing throughout the world; that in the said year 1915 in said 'Official Publication Number Two,' on page XVII thereof, he published a list of said alleged representatives or Legates, said list and the description thereof being word for word as follows, to wit:

" 'THE FOREIGN LEGATION OF THE ORDER IN THE

UNITED STATES.

“The following Legates have been selected and appointed to represent the American Order in their own countries. Each forms a link in the Rosicrucian chain of strength, fellowship and influence which encircles the earth.

Representation	Legate
Lower Egypt	Luke Bactor
Upper Egypt	Emanuel S. Camilleri
Bombay	Prof. G. Magala Desai
Madras Presidency	Chavakar Annasame Rao
Ceylon	Mohamed Ismail, I. G. O. H.
Bengal	Sir N. Irnathellickerjo Lemindar
British West Indies	Miss Louise Aitcheson
Central America	Miss C. Arrhenins
Mexico	Miss C. Arrhenins
Costa Rica	Mme. Ellen Clemenston
Panama	Mme. Ellen Clemenston
England	Lady Florence Burgess
Scotland	Mary A. Baker
Portugal	John Jose de Macedo, Y. B. S.
Spain	John Jose de Macedo, Y. B. S.
New Zealand	Prof. George Brown
South Africa	Miss Anna Brew
West Africa	Thomas Hahn
East Africa	Sir William Samuel Grant
China	Lady Ida Brooks
Australia	Miss M. Earsman
Germany	Jacobus Muir
France	Raynaud E. de Bellicastle-Ligne'

“That a photostatic copy thereof is hereto attached and made a part hereof, marked ‘Exhibit B’; that he thereafter continued to publish said list and/or similar lists in the official magazine and other literature published by him under the name and guise of Plaintiff Order; that the names on said list or lists so published as foreign representatives of Plaintiff Order were wholly fictitious except in only two or three instances, where the name(s) of the natural persons were wrongfully and fraudulently used without the knowledge or consent of such persons; that during the month of April, 1916, Alfred Saunders, then a member of Plaintiff Order and the accredited editor of the official magazine, wrote to all of the persons, fictitious and real, set forth on said lists and directed his letters to them with legal postage paid to and at the address of each furnished by the said H. Spencer Lewis; that all of said letters were returned marked ‘addressee unknown,’ or words to the same effect, except in two or three instances, where the persons so ad-

dressed replied indicating that they knew nothing of Plaintiff Order and inquired to know what it was all about.

XXXIII.

"That at or about the time that the said Harvey Spencer Lewis organized the Plaintiff Order he represented and claimed that the ancient secret work of the Rosicrucian Fraternity had been transmitted to him in secret documents written in fictitious hieroglyphics and in French and other foreign languages; that he himself translated the documents in hieroglyphics from a mystic key which had been mysteriously furnished to him and that he employed expert translators of the other languages to translate the said ancient and secret documents; that at various times since he has claimed and represented to have received other documents containing the ancient teachings of said Rosicrucian Fraternity and of other well-known occult and theosophical organizations, all of which is false and untrue, and these defendants here and now allege that said Plaintiff Order and the said Harvey Spencer Lewis do not now have in their possession and cannot produce a single ancient document, as claimed by them, in hieroglyphics or in other foreign languages, except certain phony, fraudulent documents made, manufactured and concocted by the said Harvey Spencer Lewis or his associates or under his direction.

XXXIV.

"That the said H. Spencer Lewis, in the furtherance of said scheme, represented and claimed that the lessons, teachings and degree work of said plaintiff organization was transmitted to him in ancient documents, written in hieroglyphics and foreign languages, and that the same were translated into the English and thus made available, all of which was untrue and false, whereas in truth and in fact all of said lessons are modern in their nature and have been copied from books available to the public and/or were compiled from the fertile imagination of the said Lewis and/or by others recently employed by him to compile the same.

XXXV.

"That the said H. Spencer Lewis, in furtherance of his said scheme, has copied a great deal of material from old and rare books not in general circulation and not generally available to the public and also from recent and copyrighted works and books and has published the same representing the same by positive representation, by inference and by innuendo to be his own and original with himself; that he has republished the same in the form of multigraphed lectures, which he has sold and distributed to the members of said plaintiff organization in consideration of their payment of initiation fees and dues,

and has also published the same in pamphlets and books which he or Plaintiff Order has sold to said members and the public at large, thus building up a large and lucrative publishing business, which he conducts under the trade name of the Rosicrucian Press as a printing and publishing department of the Plaintiff Order.

XXXVI.

"That when the said H. Spencer Lewis left Tampa, Florida, under compulsion and the force of necessity, about the year 1927, he removed his place of business and Plaintiff Order to San Jose, California, where he has built a magnificent temple, provided himself with spacious and luxurious offices and established a large printing and publishing business with his ill-gotten gains, secured by the operation of Plaintiff Order in the manner aforesaid; that since said time he has been, and is now, operating Plaintiff Order as a device in furtherance of his said fraudulent schemes.

XXXVII.

"That when the said H. Spencer Lewis first located with Plaintiff Order in the City of San Jose, by his artful and deceitful methods he soon won the confidence of the good people of said city and the general approval of Plaintiff Order; however, as time has passed and they have had time and the opportunity to appraise the true worth of the said Lewis and have gradually learned the true nature and character of Plaintiff Order, operated as an unusual device and an entirely new, clever and unique 'racket,' the said H. Spencer Lewis and Plaintiff Order have gradually fallen into general disrepute to such an extent that these defendants verily believe that it will not be long until the said H. Spencer Lewis and Plaintiff Order shall again go into 'the silence,' seek(ing) greener pasture and another location and domicile for the rebirth and/or re-establishment of Plaintiff Order.

XXXVIII.

"That first and last, from the time the said H. Spencer Lewis first organized Plaintiff Order to the present time, he has contacted through said Plaintiff Order as a device thousands of persons, some of whom were quick to discover the true nature of Plaintiff Order, others tarried longer, were slower in getting their eyes opened, and still others who remained to be fleeced more and longer, and although the membership of Plaintiff's Order has been a constantly changing one, with new suckers being constantly brought in by said high-powered methods of advertising, nevertheless, first and last and during said time, the said Lewis, through Plaintiff Order as a device, has collected from said members in initiation fees and dues large sums

of money, with which he has enriched himself, his family and so continues to carry on his deceptive propaganda and fraudulent scheme as aforesaid.

XXXIX.

"That recently, to wit: within the past two years, a large number of the contributing and paying members of Plaintiff Order have been making careful investigation of it and have learned the truth about the said H. Spencer Lewis and Plaintiff Order and withdrawn their support, which has steadily decreased its contributing membership and income; that during the said time many other persons, organizations and institutions moved entirely by worthy motives and interested only in truth, justice and the protection of the public against swindlers and racketeers, have made independent and impartial investigation of Plaintiff Order and have all discovered the true character of Plaintiff Order and its 'Most Perfect Master Profundis,' H. Spencer Lewis; that by reason thereof Plaintiff Order has gradually fallen into disrepute; that these defendants verily believe that said independent and impartial investigations will continue, making it increasingly more difficult and finally impossible for the said H. Spencer Lewis to continue to operate Plaintiff Order as a fraudulent device and as a racket extraordinary, and that by virtue alone of its inherent vice and fraudulent nature Plaintiff Order will disintegrate and pass from the face of the earth and from among honest people and worthy institutions, as it rightly and justly should so do.

XXXX.

"That the injury and damage claimed and alleged by plaintiff to have been sustained and/or suffered by it is the natural, approximate and probable result of its own fraudulent nature and its deceitful and unlawful acts, and further that the loss of reputation, future injury and damage anticipated by the plaintiff will rightfully and justly be the natural, approximate and probable result of its own fraudulent character and the fraudulent and unlawful manner in which its affairs and business have been and now are being conducted, and that said injury, damage or loss of reputation suffered or about to be suffered by the plaintiff is not and cannot be the natural, approximate or probable result of any act done by these defendants, or either of them, or that may possibly be committed by these defendants, or either of them.

"WHEREFORE defendants pray, and each of them prays that plaintiff take nothing by its complaint and that these defendants, and each of them, may go hence with costs."

EUGENE B. GRATAN,

Attorney for Defendants.

"STATE OF CALIFORNIA
 "COUNTY OF SANTA CLARA } ss.

"GEORGE L. SMITH, being first duly sworn, deposes and says:
 That he is one of the defendants in the within entitled action;
 that he has read the within- amended answer to the plaintiff's
 complaint and knows the contents thereof; that the same is
 true of his own knowledge except as to matters therein stated
 on his information or belief, and that as to those matters he
 believes it to be true.

"That affiant makes this verification for and on behalf of
 all the defendants in the within entitled action."

GEO. L. SMITH.

GEORGE L. SMITH.

Subscribed and sworn to before me,
 this 1st day of March, 1933.

"M. FLORENCE TAYLOR,
 "Notary Public in and for the County
 of Kern, State of California. "
 (NOTARIAL SEAL)

FILED

Book.....Page.....

1933, Mar. 9, P. M. 2.00

F. E. SMITH, Clerk Kern County, Cal.

By A. M. CHAPLIN, Deputy.

STATE OF CALIFORNIA }
 COUNTY OF KERN } ss.

I, F. E. Smith, County Clerk and ex-officio Clerk of the Su-
 perior Court, do hereby certify that the foregoing to be a
 full, true and correct copy of the original on file in my office
 and that I have carefully compared the same with the original.

Witness my hand and seal of the Superior Court, this 11th
 day of March, 1933.

F. E. SMITH,

County Clerk and ex-officio Clerk, Superior Court.

By G. A. BROWNE,

Deputy Clerk.

(SEAL)

The
Ancient and Mystical Order
Rosae Crucis
IN THE UNITED STATES OF AMERICA

ITS HISTORY, PURPOSES
AND SYMBOLISM

By H. SPENCER LEWIS, F. R. C.
(12° ILLUMINATI, TOULOUSE, FRANCE)

OFFICIAL PUBLICATION
NUMBER TWO
A. M. O. R. C.



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THE PUBLICATION COMMITTEE,
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"EXHIBIT A"

AMERICAN OFFICERS

The following Officers of the Grand Lodge of America constitute the Foundation Board for the United States and Dependencies:

H. Spencer Lewis, F. R. C.,
Grand Master General,
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Address: 1125 ~~Union Avenue~~, N. Y. City

MAY BANKS-STACEY, S. R. C., Matre.

NICHOLAS STORM, K. R. C., Deputy Master General.

Miss ADALINE WHEELLOCK, S. R. C.,
Secretary, American Supreme Council, A. M. O. R. C.

All communications regarding membership, Initiations and dates of meetings, should be addressed to the Secretary General. Applications for State or Local Lodges, courses of reading or study, and official private correspondence should be addressed to the Grand Master General. All remittances should be made payable and addressed to the Treasurer General.

~~WM. P. M.~~ SIMS, Prelate and Organizer-at-Large.

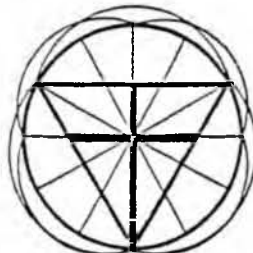
"EXHIBIT B"

R+C Symbolism

The signs and seals shown below are the only true marks of the ORDER, and distinguish this society from all others.



General Symbol of the Order in the World



The Great Seal of the American Supreme Council



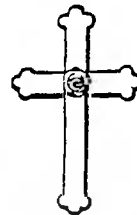
Sign of the American Publication Committee



The Seal of the Founder



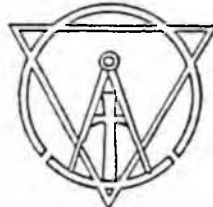
Emblem worn by the Brothers and Sisters



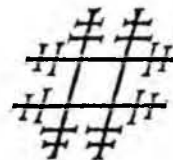
The Rosae Crucis (Official)



The Seal and Sign of the Secretary-Gen.



Great Seal of Grand Master General.



The Sacred Insignia of the Grand Master Gen.

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"EXHIBIT A"

THE FOREIGN LEGATION OF THE ORDER IN THE UNITED STATES

The following Legates have been selected and appointed to represent the American Order in their own countries. Each forms a link in the Rosaecrucian chain of strength, fellowship and influence which encircles the earth.

Representation	Legate
Lower Egypt	Luke Boctor
Upper Egypt	Emanuel S. Camilleri
Bombay	Prof. C. Magala Desai
Madras Presidency	Chavakar Annasame Rao
Ceylon	Mohamed Ismail, I. G. O. H.
Bengal	Sir. N. Irnathellickerjo Lemindar
British West Indies	Miss Louise Aitcheson
Central America	Miss C. Arrhenins
Mexico	Miss C. Arrhenins
Costa Rica	Mme. Ellen Clemenston
Panama	Mme. Ellen Clemenston
England	Lady Florence Burgess
Scotland	Mary A. Baker
Portugal	John Jose de Macedo, Y. B. S.
Spain	John Jose de Macedo, Y. B. S.
New Zealand	Prof. George Brown
South Africa	Miss Anna Brew
West Africa	Thomas Hahn
East Africa	Sir William Samuel Grant
China	Lady Ida Brooks
Australia	Miss M. Earsman
Germany	Jacobus Muir
France	Raynaud E. de Belcastle-Ligne

"EXHIBIT B"