

**Naval Documents
related to the
United States Wars
with the Barbary Powers**

**Volume I
Part 2 of 4**

**Naval Operations
including diplomatic background
from 1785 through 1801**

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[January 1797]

Presents to be given after concluding peace with Tunis

Presents sent by Capt — OBrien to Tunis — and delivered by him to M^r Famin, to be employed at the conclusion of the peace — [28 August 1797]

PURCHASED IN ALGIERS —		Seq.
1 Ring—ruby—surrounded with diamonds.....		90
1 Gold snuff box with musick Sent hither by Montgomery, and credited in my acct with the U. S.....		200
2 Gold watches—double case, with chains—62.....		124
2 do..... do..... without chains—32.....		64
1 Silver watch—double case.....		15
		493
PURCHASED IN PARIS. —		Livres
1 Ring—yellow brilliant and emerald.....		1920
1 Snuff box—Jasper set in gold.....		480
1 Cup & vase—of Jade.....		2400
1 Gold watch.....		336
1 do..... double case—repeater.....		648
1 do..... do..... do..... very elegant.....		1060
1 do..... rich in diamonds.....		4560
4 Snuff boxes—tortoise shell.....		48
		11472

ALGIERS Jan^y 1797

JOEL BARLOW

[NA. SDA. CL, Algiers, Vol. II, Jan–Dec. 1797.]

To Josiah Parker, Chairman of Committee on Naval Equipments from Secretary of War

[PHILADELPHIA]
War Office January 12th 1797 —

SIR In Compliance with your letter of the 21st Ult^o. I have the Honor to submit the enclosed Statements which exhibit as particular a view of the Material Objects of your enquiries as could be Obtained without occasioning a delay that might have counteracted your intentions —

The measures that have been taken to prepare the Rigging and Sails, and to procure the necessary stores, and the advances made towards the final equipment of the Frigates render it probable that they may be got ready for Sea in about 2 Months after being launched.

While on this subject permit me to observe, that if Congress perceive advantages in the Extension of their Marine, or think it expedient that early precautions should be taken, to secure to the United States a lasting fund of live Oak for future Use, it will be proper, that Authority should be given for the purpose, as well as to purchase a Scite for a Navy Yard —

The probability is that an Article so important to Maritime Nations as live Oak will be sought after with much avidity and that the land which is clothed with it may pass into hands that may make its attainment hereafter more expensive if not impracticable —

But whether it is aright that the United States should be the purchaser of such lands is a question which no doubt you have examined — — —

Statement of the progress made in Building a Frigate at Philadelphia to Carry Forty Four Guns—

The Hull is all planked inside and out, and all the principal Decks are laid and Caulked excepting a part of the Gun deck:

The Upper Deck Beams are in and a part of them Knead: about half of the Bottom is dubbed off and a considerable part Caulked: The Braces and Pintles for the Rother are all cast: The Knee of the Head together with the Figure are nearly ready: All other parts of the Hull is in such forwardness that it is expected she may be launched by the beginning of April next, provided the Winter does not prove severe —

The Rigging is all made and nearly fitted: The Yarns for the Cables are Spun: The Anchors and Iron ballast on hand: and the Blocks, Deadeyes, Water Casks, Boats, Lanthorns, and all the Tin work are provided. The other Materials are in part procured and the Work in general progresses rapidly towards Completion —

Statement of the progress made in Building a Frigate at Boston to Carry Forty Four Guns —

The whole of the Frame is raised and is ready for Planking: The Wales are prepared and it is expected will be on and fastened this Month: The Keelsons are in their places and bolted off. The Masts are now in hand: and the Boats are building: All the Deadeyes for Lower and Topmast Shrouds are made and Strapped: The Knees for all the Decks are procured as well as the Beams, Carlings, Ledges &c, Iron ballast sufficient is in Store: and the necessary Materials for Compleating the Hull are procured and received — — The Hemp for the Cables Rigging &c. and Blocks are in the Hands of the Respective Tradesmen manufacturing: and if the Winter should prove favourable there is no doubt but this Ship may be Launched in July next — —

Statement of the progress made in Building a Frigate at Baltimore to Carry Thirty Six Guns—

The whole of the Frame is raised, The Wales, Black Strakes: Flush, Quarter, and Fore drifts on and dressed off: The Cieling, Clamps for Gun, Lower, and Orlop decks are all in and dubbed off: The Beams are prepared and ready to be put into their respective Stations: The Bottom is now planking, and the Knees are getting ready for the decks: other parts of the Hull are progressing as fast as the Workmen can be employed to advantage, and from present Appearances this Ship may be Launched in May next —

The Lower, Topmast, and Top gallant Shrouds with all their respective Stays are fitted and ready to go over the Mast Heads. The other Rigging is also in great forwardness —

The Boats are all built the Water Casks mostly made together with the Blocks, Deadeyes, Hearts &c &c —

The Cannon for the Gundeck are all in the Navy Yard, trimmed, and are ready for Mounting on the Carriages which are made —

Estimate of the Sums necessary to Compleat and Equip the Frigates *United States*, and *Constitution* of 44 Guns and *Constellation* of 36 Guns —

To Compleat the Frigate building at Philadelphia (<i>United States</i>)	55. 950. —	
To Compleat the Frigate building at Boston (<i>Constitution</i>)	96. 571. 71	
To Compleat the Frigate building at Baltimore (<i>Constellation</i>)	47. 375. —	
		199. 896. 71
Salaries of 2 persons to have Charge of the Timber in the Navy Yards at Norfolk and New York	1. 000. —	
Rent of Navy Yards at New York & Portsm ^o (N H)	1. 200. —	
		202. 096. 71
Ballance of Appropriation unexpended		24. 133. 78
To be provided for to Compleat & equip the above Frigates &c		\$177. 962. 93

An Estimate of the Expençe for pay and Subsistance of the Captains and Crews of two 44 Guns, and one 36 Gun, Frigates — —

Pay of the Officers Seamen and Marines of Two Frigates of 44 Guns each

	Drs P. Mo	12 Months
2 Captains.....	75	1800
8 Lieutenants.....	40	3840
2 Lieutenants of Marines.....	26	624
2 Chaplains.....	40	960
2 Sailing Masters.....	40	960
2 Surgeons.....	50	1200
4 Surgeons Mates.....	30	1440
2 Purser.....	40	960
2 Boatswains.....	18	432
2 Gunners.....	18	432
2 Sailmakers.....	18	432
2 Carpenters.....	18	432
4 Boatswains Mates.....	13	624
4 Gunners Mates.....	13	624
2 Sailmakers Mates.....	13	312
16 Midshipmen.....	13	2496
4 Masters Mates.....	13	624
2 Captains Clerks.....	13	312
2 Cockswains.....	13	312
2 Yeomen of the Gun room.....	13	312
22 Quarter Gunners.....	13	3432
4 Carpenters Mates.....	13	624
2 Armourers.....	13	312
2 Stewards.....	13	312
2 Coopers.....	13	312
2 Masters at Arms.....	13	312
2 Cooks.....	13	312
300 Seamen.....	11	39. 600
206 Midshipmen and ordinary Seamen.....	9	22. 248
2 Serjeants.....	10	. 240
2 Corporals.....	10	. 240
2 Drummers.....	9	. 216
2 Fifers.....	9	. 216
100 Marines.....	9	10. 800
		98. 304. —

4096 Dollars Per Month for each Frigate of 44 Guns —

Pay of the Officers, Seamen and Marines for one Frigate of Thirty Six Guns —

	Drs P. Mo	12 Mo
1 Captain.....	75	900
3 Lieutenants.....	40	1440
1 Lieutenant of Marines.....	26	312
1 Surgeon.....	50	600
1 Surgeons Mate.....	30	360
1 Sailing Master.....	40	480
1 Purser.....	40	480
1 Boatswain.....	18	216
1 Gunner.....	18	216
1 Sail Maker.....	18	216
1 Carpenter.....	18	216
8 Midshipmen.....	13	1248
2 Masters Mates.....	13	312
1 Captains Clerk.....	13	156
2 Boatswains Mates.....	13	312
1 Cockswain.....	13	156
1 Sailmakers Mate.....	13	156

Pay of the Officers, Seamen and Marines for one Frigate of Thirty Six Guns—Con.

	D ^r P M ^o	12 M ^o
2 Gunners Mates.....	13	312
1 Yeoman of the Gun room.....	13	156
9 Quarter Gunners.....	13	1404
2 Carpenters Mates.....	13	312
1 Armourer.....	13	156
1 Steward.....	13	156
1 Cooper.....	13	156
1 Master at Arms.....	13	156
1 Cook.....	13	156
130 Able Seamen and Midshipmen.....	11	17. 160. —
90 Ordinary Seamen.....	9	9720. —
1 Serjeant.....	10	120
2 Corporals.....	10	240
1 Drummer.....	9	108
1 Fifer.....	9	108
40 Marines.....	9	108
3513 Dollars Per Month		140. 820

Subsistence — Rations per Day

	D ^r P M ^o	12 M ^o
3 Captains.....	6	6570
11 Lieutenants.....	3	12045
3 Lieutenants of Marines.....	2	2190
2 Chaplains.....	2	1460
3 Surgeons.....	2	2190
5 Surgeons Mates.....	2	3650
3 Sailing Masters.....	2	2190
3 Pursers.....	2	2190
3 Boatswains.....	2	2190
6 Boatswains Mates.....	1	2190
3 Gunners.....	2	2190
6 Gunners Mates.....	1	2190
3 Sail makers.....	2	2190
3 Sail makers Mates.....	1	1095
3 Carpenters.....	2	2190
6 Carpenters Mates.....	1	2190
24 Midshipmen.....	2	8760
6 Masters Mates.....	1	2190
3 Captains Clerks.....	1	1095
3 Cocksains.....	1	1095
3 Yeomen of the Gun rooms.....	1	1095
31 Quarter Gunners.....	1	11315
3 Armourers.....	1	1095
3 Stewards.....	1	1095
3 Coopers.....	1	1095
3 Masters at Arms.....	1	1095
3 Cooks.....	1	1095
726 Able Seamen, Midshipmen and Ordinary Seamen.....	1	264990
3 Serjeants.....	1	1095
4 Corporals.....	1	1460
3 Drummers.....	1	1095
3 Fifes.....	1	1095
140 Marines.....	1	51100
Rations.....		400770
400770 Rations, at 20 Cents Per Ration is.....		80. 154
Dollars.....		220. 974

Two Hundred and Twenty Thousand, nine hundred and Seventy Four Dollars — — —

WAR OFFICE Decem^r 29th 1796 —

[NDA. Correspondence, when Navy was under War Department, 1790-1798.]

To David Humphreys, U. S. Minister to Lisbon, Portugal, and in charge of negotiations with Barbary Powers, from Joel Barlow, U. S. Agent, Algiers

ALGIERS 12 Jan^r 1797 —

My DEAR SIR I have never since the 9 Oct — found an occasion to send to Europe. My communication which have accumulated very much since that time will now be handed you by Capt — OBrien. By him I send the treaty concluded with Tripoli. I beg leave to refer to his verbal communications for the details on that affair. And I believe you will be convinced that we have done as well as it was possible under the circumstances.

With respect to Tunis, I enclose to you the copies of some of the first letters that passed between Famin, OBrien & myself after the Bey had manifested his obstinacy & bad faith on that subject. What has passed since is little more than a continuation of the same pretensions on both sides — But there is very little doubt in my mind but the affair will soon be accommodated. You may be assured that the present war which the Dey of Algiers has undertaken against Tunis is wholly on account of our Treaty — He will succeed, and our peace with Tunis as well as with Tripoli will be established on the most solid foundation.

My accounts on the peace of Algiers are not yet closed. I have kept back the payment of the 180,000 Dollars to the Dey himself for a good reason. If I had pushed the Jews to finish it, I must have given them bills on Leghorn for the whole amount, which would have occasioned a great loss. And I was expecting for 4 months the 100,000 dol — from Leghorn. These have at last arrived — about 111,000. — and as the Dey insists on having the whole of his sum in Algerine Sequins, we are getting them fabricated at the mint. And the accounts cannot be closed till this operation is completed.

As soon as this [is] finished I shall close the business here; and if the treaty of Tunis arrives by that time, which I expect, I shall then leave the country, & forward my accounts to you. * * *

* * * * *

[NA. SDA. CL, Algiers, Vol. II, Jan.-Dec. 1797.]

[12 January 1797]

Memorandum of Richard O'Brien, Algiers

The Dey requests and requires the frigate [*Crescent*] as soon as possible to be complete, her guns 12 pounders, Stores, powder and ball Coppered, every thing complete and requisite, prepared for Sea. The Dey gives OBrien Commission for building or purchasing two or three complete corsaires for which he will pay for them on their arrival at Algiers. The Dey wants a complete Cruiser, Constructor a single Man one of abilities and sobriety — Also wants a Master Sail maker, a very capable man. 25 Chests of tea of 4 different qualities. 6 Quintal of loaf sugar refined. some elegant penknives, some small Guilt thimbles, scissor cases & calculated for the Queen

and daughter, a few shawls, with roses curiously wrought in them — a few rosed China Cups & 20 lb. of fine Tea for the prime Minister, the Hasnagee. Drafting pencils and sweeps for the Constructor Seddi Ali Mistrillia Pencils for Hadge Usef — Plank for Hadge Omar & Hadge Hamita the Brother in laws of the Deys. a few fineries also. Joseph Cowen Backries Commission — for Sundries from Philadelphia with my Passports & — a Few Crates of Plates & —

These brilliant Stones (twine) to be for a gold ring for the head Cook and other of the great men — to be completed in Philadelphia Passports & received — These are remarks, Commissions & for — to attend to in America — by

ALGIERS *January 1797.* —

OBRIEN.

[NA. SDA. CL, Algiers, Vol. 2, Jan.-Dec. 1797.]

[12 January 1797]

Certificate concerning the Commission of the Dey of Algiers to Richard O'Brien to purchase Two Cruisers in America

I certify and attest that this paper written in the Turkish Language is a Commission from the Dey of Algiers to Captain OBrien to purchase for him in America two new Cruisers at the choice and taste of the said OBrien, and to bring them to Algiers, and the Dey engages to pay for the same on their arrival in this place.

ALGIERS *12th Jan^y 1797.*

JOEL BARLOW

DEPARTMENT OF STATE to wit:

I hereby certify That the above is a true copy of the original certificate of Joel Barlow Esquire on the back of a paper written in the Turkish Language, under the seal of Algiers.

29 DECEMBER 1797. —

GE^o TAYLOR J^r *Chief Clerk*

[NA. SDA. CL, Algiers, Vol. 2, Jan.-Dec. 1797.]

Report of Committee, to the United States Senate, concerning Appropriation for Treaty with Algiers

REPORTED TO THE SENATE, JANUARY 16, 1797.

Mr. Marshall, from the committee to whom was referred the President's message of the 9th inst. relative to our affairs with the Dey and regency of Algiers, having considered the same, made the following report:

That the further sum of two hundred and fifty-five thousand seven hundred and fifty-nine dollars and three cents, being a balance of nine hundred and ninety-two thousand four hundred and sixty-three dollars and twenty-five cents, not yet provided, will be necessary to carry into effect the treaty with Algiers, agreeably to primary stipulations, including the frigate of thirty-six guns, promised the Dey; that, for the balance of the annuity granted by the said treaty, calculated for two years, at one hundred and forty-four thousand two hundred and forty-six dollars and sixty-three cents, the further sum of ninety-six thousand two hundred and forty-six dollars and sixty-

three cents; that for the ten thousand sequins promised the Jew broker by Mr. Donaldson, the sum of eighteen thousand dollars; and that, for the expenses of the captives performing quarantine at Marseilles, and transporting them to America, the sum of six thousand dollars will also be necessary; making in the whole three hundred and seventy-six thousand eight hundred and five dollars and sixty-six cents, which sum, in the opinion of your committee, ought to be appropriated out of some effective fund, for the purposes aforesaid.

[Am. State Papers, Foreign Rel., Vol. 1.]

To Secretary of the Treasury from Josiah Fox, Naval Constructor

[PHILADELPHIA]

War Office January 28. 1797.

Sir — I inclose you a statement of the quantity of Canvass that will be wanted for the Frigate building for the Dey of Algiers —

[Statement]

Estimate of the Quantity of Canvass necessary for Sails &c for the Frigate Building for the Dey of Algiers —

		Names of Sails	Quantity of Canvass in each sail	No of Sails	Total quantity of Canvass
of Canvass of 30 Inches in width —		Mainsail.....	371½	2	743
		Foresail.....	263½	2	527
		Mizzen.....	107	2	214
		Maintopsail.....	392	2	724
		Foretopsail.....	321	2	642
		Spritsail.....	96¼	1	96¼
		Forestaysail.....	60	2	120
		Mainstaysail.....	93½	2	187
		Mizzen staysail.....	101	2	202
		Awnings.....	415	1	415
		Waste and Quarter Cloths.....	258	1	258
		Fore Main and Mizzen Top Cloths.....	39	1	39
		Masts and Rudder coats.....	55	1	55
		Windsails.....	80	1	80
			Yards		4362¼
of Russia Duck of 28 Inches in width —		Mizzen Topsail.....	225	2	450
		Maintoppallantsail.....	99	2	198
		Foretopgallantsail.....	77	2	154
		Mizzenoppallantsail.....	52	2	104
		Spritsail topsail.....	88¼	1	88¼
		Maintopmaststay sail.....	205	2	410
		Foretopmaststay sail.....	81	2	162
		Middlestay sail.....	108	2	216
		Mizzenopmaststay sail.....	72	2	144
		Maintoppallantstay sail.....	81	2	162
		Lower Main studding sail.....	130	4	520
		Lower Forestudding sail.....	129	4	516
		Main Topmast studding sail.....	150	4	600
		Foretopmast studding sail.....	120	4	480
		Maintoppallant studding sail.....	47	4	188
		Foretopgallant studding sail.....	37	4	148
		Jibb.....	172	2	344
	Main Royal.....	45	2	90	
	Fore Royal.....	35	2	70	
	Mizzen Royal.....	22	2	44	
	Spanker.....	235	2	470	
			Yards		6558½

2) 4 of each ordered by Captain O'brian

WAR OFFICE January 28. 1797

[NDA. Correspondence, when Navy was under War Department, 1790-1798.]

To Secretary of State from David Humphreys, U. S. Minister to Lisbon, Portugal,
and in charge of negotiations with Barbary Powers

(N^o 83.)

LISBON Jan^y 31st 1797

SIR I hasten to inform you of the safe arrival of Captⁿ O'Brien, in a passage of five days, from Algiers. Altho' he is still in quarantine he has communicated to me the agreeable & interesting intelligence, that a Peace was concluded between the United States & the Bey of Tripoli, on the 4th of Nov^r last. He farther advises, that, as the Bey of Tunis had refused to accede to the terms which had been insisted upon by the Dey of Algiers, on behalf of the United States; the Dey had taken upon himself the accomplishment of that pacification. It appears he had actually invaded the Tunisian territories, principally to effect that object. M^r Barlow seems to imagine that no other Christian Nation possesses so much of the good will of the Dey at present as the United States; and that there is a high degree of probability a peace will soon be concluded with Tunis.

P. S. I have some letters which I wish to transmit to you, but cannot prepare the Copies in time for this conveyance.

Admiral Jervis has left this Port. — A Convoy arrived, on Sunday, from England with nearly 2000 Emigrant troops, to serve in this Country — & the day before yesterday Admiral Parker with five sail of line of battle ships, to reinforce Admiral Jervis —

It is believed (but not certainly known) that the Expedition from Brest was destined against Ireland, & has miscarried — Seven Ships of war had, by the last accounts from France, got back to Brest. Nothing material from any of the Armies.

Feb^y 1st 2nd

P. S. In a note this moment received from Captⁿ O'Brien (still in quarantine) he expresses an opinion that the *Sophia* will not be able to sail for Philadelphia before the middle of this month — as she wants cleaning &c^o He likewise intimates his idea of the expediency of M^r Barlow's being prevailed upon to remain at Algiers, until the Maritime Stores &c^o shall be delivered there.

[NA. SDA. Disp. Spain Vol. 3, 1795-1797]

To Josiah Parker, Chairman of Committee on Naval Equipments from Secretary
of War

[PHILADELPHIA]

W. O. February 2nd 1797 —

SIR In reply to your letter of the 30th of January Ulto — I have the Honor to subjoin, 1st An estimate of the probable Cost of a Scite for a Navy Yard, and the Buildings necessary thereto. 2nd a like estimate of the Sum that will be required to purchase live Oak and red Cedar sufficient for a Frigate and a Ship of two Tier of Guns — and 3rd an Estimate of a sum supposed competent to purchase a quantity of Land sufficient to yield live Oak by succeeding growth equal to the Current demands of the United States.

N^o 1

N^o 1 — An Estimate of the probable Cost of a Scite for a Navy Yard, and the Buildings necessary thereto —

Cost of 100 Acres of Land for a Navy Yard within 15 or 20 miles of a Large City.....at 53 dollars Per Acre..	D ^{rs}	5, 300. —
Wharfing say 500 feet front.....		12. 410. —
Mould loft with Stores under neath.....		4. 000. —
Blacksmiths Shop.....		1. 000. —
Stores, Sail and Rigging Loft.....		6. 000. —
Sheds for Timber.....		3. 000. —
Mast and Yard Shed.....		. 500. —
Rope Makers Shed.....		3. 000. —
Stores for Hemp & Cordage.....		2. 000. —

Dollars .. 37. 210

N^o 2

N^o 2. An Estimate of the Sum that may be required to purchase Live Oak and Red Cedar, sufficient for a Frigate and Ship of two Tier of Guns — — —

An annual supply of live Oak and Red Cedar sufficient for a Frigate and Ship of two Tier of Guns will average 25,000 Cubical Feet; each at 7-1/6 delivered.....	D ^{rs}	25. 000.
(or 7 /6)		

N^o 3

3rd An Estimate of a Sum supposed competent to purchase quantity of Land sufficient to yield live Oak by successive Growth equal to the Current demands of the United States —

An Island (say on the River St ^l Mary) Containing about 16.000 Acres at 4 dollars Per Acre.....	64. 000 —
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[NDA. Correspondence, when Navy was under War Department, 1790-1798]

[5 February 1797]

Protest of Michael Smith, master of the ship *Fortune*, Newburyport, Mass.

LEGHORN the 15 March 1797 —

PERSONALLY appeared before me Philip Filicchj Esq^r Consul for the U. S. of America in Leghorn —

Michael Smith of Newbury Port (State of Massachessetts) late Master of the Ship *Fortune* Navigating under American Colours, who being Sworn on the Holy Evangelists, deposed that after his release from Algiers, he went to Marseilles, where he took charge of the afore-said Ship *Fortune*, haveing a Passport from Stephen Cathalan Jun^r Esq^r Vice Consul of the U. S. of America at Marseilles, that he manned the Said Ship with Fifteen hands all American Citizen released from Algiers, & Sailed for Bona (on the Coast of Barbary) the 17 November 1796 — in ballast to take a Load of wheat for Marseilles with clearance for Genoa, that on the 5 Feb^r being at about 4 leagues from Marseilles he was brought to by the English Frigates the *Inconstant* Commanded by Capⁿ Fremantle & the *Blanche* Capⁿ [space]; that Capⁿ Fremantle took possession of the Ship *Fortune*, & carried her to Porto Ferrajo, where he arrived the 15 Feb^r D^o that Capⁿ Fremantle declared to him, he would keep both Vessel & Cargoe, the Vessel because he knew her to be an English Built Ship, & that no Document could be produced of her haveing been legally condemned, & the Cargoe, because by the

course She was Steering when he Stopped her, & her proximity to Marseilles, it appeared evident to him, She was not bound to Genoa, as Specified in the Bills of Loading that after useless efforts to induce Capⁿ Fremantle to give up the Vessel & Cargoe he was obliged to send his Crew to Leghorn, & to go there himself, as Capⁿ Fremantle Would not Allow them either to remain on Board the Frigate, or Ship *Fortune*, that he was refused the payement of the Freight because he had no Charter party & no Freight was expressed in the Bills of Loading, that Knowing of no Competent Office in Porto Ferrajo to enter a Protest, he did it at this Consulate on Arrival, that there being no Admiralty Court at Porto Ferrajo, the Vessel & Cargoe Could not be Condemned, but that Capⁿ Fremantle delivered him a Certificate of which the followeing is a faithful Copy. —

Inconstant at Porto Ferrajo

March the 4th 1797

This is to certify unto all whom it may Concern, that the Ship *Fortune* under American Colours was detained by H. M's Ships *Inconstant & Blanche*, and as the Ship & Cargoe are of a Suspicious Nature any Person haveing a Claim, may make it in the Admiralty Court —

Given on Board the Said Ship —

(Signed) THO^s FRA^s FREMANTLE —

* * * * *

Also John Foss of Newbury Port appeared before me, & being Sworn on the Holy Evangelists declared, that he Shipt himself at Marseilles, on Board the aforesaid Ship *Fortune* in quality of first Mate, & confirmed the foregoing Declaration of Capⁿ M^l Smith in every respect, protesting against all those it may Concern for the Wages due him, while he Served on Board the Aforesaid Ship with the reserve made by Capⁿ M^l Smith aforesaid —

Also John Edwards of Manchester (State of Massachusetts) Second Mate of the Ship *Fortune*, who confirmed the above on Oath & made the same Protest & Reserve nothing deviating therefrom —

SEAL

Signed { MICHAEL SMITH
JOHN FOSS —
JOHN EDWARDS —

Faithfully extracted & copied ver batim from the Register of the American Consulate Leghorn 18. Aug^t 1797 —

PHILIP FELICCLJ
*Consul for the United States
of America*

[NA. SDA. CL, Algiers, Vol. II, Jan-Dec. 1797.]

[28 February 1797]

Quasi-War, United States and France

[NOTE. See report of Secretary of State to the Fourth Congress of the United States, setting forth the losses sustained by American citizens, by the capture of their property by French armed vessels on the high seas; printed in "Naval Documents, Quasi-War, United States and France", first volume (February 1797 to October 1798), pp. 1 to 4.]

[3 March 1797]

Act pertaining to the U. S. Navy

UNITED STATES STATUTES AT LARGE. FOURTH CONGRESS. SESS. II
 AN ACT AUTHORIZING THE PRESIDENT OF THE UNITED STATES TO
 APPLY A FURTHER SUM TO THE EXPENSE OF NEGOTIATIONS WITH
 THE DEY AND REGENCY OF ALGIERS.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby authorized to apply a sum, not exceeding two hundred and eighty thousand two hundred and fifty-nine dollars and three cents, to the expenses which may have been incurred in any negotiations with the Dey and Regency of Algiers, beyond the sums heretofore appropriated; and that the said sum of two hundred and eighty thousand two hundred and fifty-nine dollars and three cents, be, and the same is hereby appropriated for that purpose.

SEC. 2. *And be it further enacted,* That a further sum, not exceeding ninety-six thousand two hundred and forty-six dollars and sixty-three cents, be, and the same is hereby appropriated for discharging the two first years' annuity to the Dey and Regency of Algiers, pursuant to treaty, in addition to the sum appropriated for that purpose, by the act of the sixth of May, one thousand seven hundred and ninety-six.

SEC. 3. *And be it further enacted,* That the said several sums shall be paid and discharged out of any monies arising from the revenues of the United States, beyond the appropriations heretofore charged thereupon, to the end of the year one thousand seven hundred and ninety-seven.

APPROVED, *March 3, 1797.*

[Statutes Vol. I, p. 505-506.]

To Joel Barlow, U. S. Agent, Algiers, from Joseph Ingraham

TRIPOLIA *March the 4 — 1797*

SIR on the 16 of Feabery in the afternoon I had audition with the Bashaw and told him my Collors was ready to hoist when Ever he pleased he told me to hoist them on friday the 17 after 12 Oclock and he would Sulute them with 21 guns I Left him well Pleased and after I got home I Caused Curculer Letters to be wrote to the Consuls to inform them, the incoused is a Copy and Each Consul honered me with theirs at the same time Exsept the french who sent his Jew Brocker to inform me by word of mouth that he was sorry he Culd not hoist his and that he had received advice from the national assimby that all Communications between france and the united States was suspended and by that means he Could not think of hoisting his Collors which he was sorry for it I sent my Compliments to him and thank^t him for his good intentions and since that we have not spok together all thoug before we used to be togetather verry oftain he was Every night in the Spanish hous waire I live but sence that time he has not Com theire I have met with him in several Places but he will not speck to me Tuesday the 21th I gave a dinner to all the Consuls a thing Custer merry in this Place but Culd not invite the french Consul on account of the mesage he was Pleas to send me Tuesday the 28 the french Consul and Farrar met together he sent his Compliments to

the Spanish Consul and was sorry he could not come to the house as usual on account of his horribly that American as he thought him to be as great an enemy to the French nation as the English the Spanish Consul sent word back that his doors were always open for him when ever he pleases to call since that time he has told the Spanish Consul his letters were from the French Consul at Tunis but he had every reason in the world to believe it was true if not a war between the two nations that is all that has happened between since I have been here and all I hope will happen tell such times I can hear from you my friends is much surprised at your long silence even the Bashaw thinks it strange you have not wrote the Corair arrives from Tunis once a month he has been informed of Cap^t O'Brien arrival in Algiers but nothing more at present from

your Most Obed^t Hum^l Servant

[NA. SDA. CL, Algiers, Vol. II, Jan-Dec. 1797.]

[5 March 1797]

A Certificate of Gratitude to Pierre Eric Skjoldebrand, Chargé d'Affaires, Sweden, from Joel Barlow, U. S. Agent, Algiers

Copy

I Joel Barlow, Agent and Consul General for the United States of America for the city and Regency of Algiers, certify and attest to all whom it may concern, particularly to my much esteemed friend M^r Pierre Eric Skjoldebrand, chargé d'affaires of his Majesty the King of Sweden, that on my arrival in this place in the year 1796 for the purpose of redeeming our prisoners and establishing a peace with this Regency I was deeply affected with gratitude towards the said M^r Skjoldebrand, as well as towards his brother M^r Mathias Skjoldebrand, at that time Consul general of his said Majesty in this place, for the singular acts of humanity which they had exercised towards our said prisoners in protecting them as far as possible against the severities incident to their situation, and advancing them pecuniary succours, before the American Government had made any provision for that purpose, and before there could be any certainty that such provision ever would be made or such advances reimbursed.

My sentiments of Gratitude could not but be farther increased towards the said M^r P. E. Skjoldebrand by the following additional proofs that all his conduct in this business had been perfectly disinterested: — when the American Government made provision for regular pensions to be paid monthly to the said prisoners, he was charged with the payment & the distribution; for which service, continued for several years, he refused to receive any commission or compensation: — the said Government afterwards offered him the Consulate General of the United States for this Regency, which he likewise declined accepting.

I shall say nothing of his unmerited friendship to me as an individual; this public certificate not being a proper vehicle to convey the feelings of personal obligation. The sensible heart can only treasure them up, in hopes one day to find the means of expressing them in a way more suitable to the delicacy of their nature.

The principal objects of my mission being accomplished, and I being about to retire from this country, I thought it expedient, for

the honour of my government, that I should make another effort to induce M^r Skjoldebrand to accept of some acknowledgement on the part of my country for the services rendered to its citizens. I accordingly offered him a trifling present composed of such articles [valued at about \$2500] as I thought it not inconsistent with the delicacy that accompanies the most generous minds to accept. This again he has absolutely refused; declaring that the consciousness of having followed the dictates of humanity in what he had done for the Americans was a reward which he would not barter for any emolument whatever.

He has thus forced upon me the necessity of offering him this certificate; which I do with the more regret, as it respects the only object of my mission which I have not been able to accomplish according to my desire.

Given under my hand & the Seal of the Consulate of the United States of America, at Algiers this 5th day of March 1797 —

JOEL BARLOW

* * * * *

[NA. SDA. CL, Algiers, Vol. II, Jan-Dec. 1797.]

To U. S. Minister to Paris, France, from Joel Barlow, U. S. Agent, Algiers

Copy

ALGIERS 14 March 1797 —

To the Minister Plenipotentiary
of the United States — at Paris

SIR One of the most unfortunate circumstances that have attended our affairs in this place has been the opposition and decided enmity of the French consuls, who, from the nation they represent, must be supposed to enjoy an uncommon share of influence. The one who was here when our peace was made did us all the mischief in his power, as I took the liberty to explain to you in my letter of the 24 May. That man acted in this without orders from his government; and, as I believe, against their intentions; as they were at that time friendly to us. * * *

The present Consul of France, the famous Jean Bon S^t André, formerly one of the most fiery Satellites of Robespierre, has founded his opposition on a different principle. When he first arrived he gave me to understand that our treaty with England was likely to produce a war with France: an opinion which seemed to afford him a good deal of pleasure. In his great zeal to do what he can to produce a rupture it is probable that he will entertain his government with a relation, after his manner, of a transaction which has taken place here within a few days, and in which I conceived it to be my duty to take a decided part; as it affects one of the most important principles on which all the treaties with Barbary are founded: I mean that of *the Flag covering the cargo*. (I speak of the principle only as it applies to Barbary.) It is well known that the nations who purchase peace with Barbary are the carriers for those who remain at war. And this is one of the principal advantages purchached with the peace. These States (contrary to those of Europe) consider it as the law of nations that the persons and property of enemies are sacred under the flag of a friend. If by our folly they should be taught to adopt the contrary principle, the carrying trade is at an end. But this is not all: — every

vessel would be searched for the property and subjects of Portugal, Naples, Genoa &c, — and as they cannot read our papers, every vessel must be brought into port, part of the cargo pillaged, papers destroyed in their eagerness to condemn, the vessel detained a long time and reduced to the necessity of performing quarantine when she arrives finally at her destination.

* * * * *

But Jean Bon St Andre, who armed a privateer some time ago in this place, gave her orders to take every neutral she could find; and, wherever taken, to send them to this port to his tribunal. A few days ago they began to come in. * * *

When the Dane arrived she brought news of an American taken the same day and likewise ordered to this place. The Swedish consul and myself agreed to unite our influence with the Danish consul in vindicating a principle so extremely delicate in Barbary, that goods on board a neutral vessel under capture should not be discharged in this place. We therefore agreed — 1st — to use every argument that can be used with a madman to engage the French Consul to send the vessel back to Spain or France, under the responsibility of the Danish consul in case of recapture by the English. 2^d If we failed in this, to engage the Dey to order her off, alledging that it was a question between his friends that he could not decide and in which justice could not be done here. 3^d If he would not do this, to engage him to take no part in the affair nor suffer his people to lend any aid on either side; — and then the Danish Consul was to order the crew to carry the vessel to Marseilles by force, for trial. And the prize master and four other French men who were on board might remain on board, or leave the vessel, as they chose.— The Sweed and myself agreed to do the same thing when vessels of our nations should arrive under like circumstances.

We failed in the two first propositions, and the way was prepared for the third, the Dey declaring to us all that he would decide nothing, nor suffer his people to act; as he did not like to disoblige his friends either on the one side or the other. Thus the vindication of the principle was left in the power of the Danish consul; — and he (in a dishonorable manner in my opinion) agreed to give it up, and wrote an order for the captain to deliver the cargo to the French Consul. Luckily the order was not delivered that night; and the next day we were saved by the appearance of a Swedish vessel sent in by the same privateer. * * * He [the Swede] convinced the Dey of the necessity of shutting his port against all such vessels and of ordering the Sweed immediately to sea; which was done, & the vessel has sailed. The Dane is likewise ordered to sail; and no more are to be allowed to enter the port. The American has not yet arrived, though we are to expect many of them, as well as Danes & Sweeds, before it can be known that they will not be recieved.

You will be pleased to observe that in this business we have paid no attention to the nature of the cargoes, or what degree of evidence or suspicion there may be that they might belong to the enemies of France. The only point was the honour of the flag in Barbary, for which we pay so much money, * * *

As the representative of the United States in this place, I am sensible that it is my duty to avoid all occasions of giving unnecessary umbrage to the belligerent Powers. I know likewise that Jean Bon

S^t Andre will endeavour to point the resentment of his government against the United States for the part I took in this business.

* * * * *

Our peace with Tunis is not yet concluded; owing, as I believe, to the intrigues of the French consul in that place. But I think it will soon be concluded.

[Postscript, March 15]

I open my letter to inform you that orders are this day sent to all the ports of the Regency to forbid the entrance of all prizes whatever that shall be sent in by foreign nations. And a courier has arrived this day from Oran which brings news of a Swedish vessel sent to that port by the English, supposed to be loaded for French account, which was not suffered to enter, but ordered to sea again immediately.

* * * * *

[NA. SDA. CL, Algiers, Vol. II, Jan-Dec. 1797.]

[8 April 1797]

Circular to the Collectors of Revenue, Treasury Department

(CIRCULAR.)

TREASURY DEPARTMENT, *April 8, 1797.*

TO THE COLLECTORS OF THE REVENUE

SIR, The depredations, to which the commerce of the United States is at present exposed, have given rise to a question, which being of general concern, is therefore made the subject of a circular communication.

The question is, *Whether it be lawful to arm the merchant vessels of the United States for their protection and defence, while engaged in regular commerce.*

It is answered—that no doubt is entertained, that defence, by means of military force against mere pirates and sea rovers, is lawful;—the arming of vessels, *bona fide* engaged in trade to the East-Indies, is therefore on account of the danger from pirates to be permitted as heretofore, but as the arming of vessels destined for European or West-India commerce, raises a presumption, that it is done with hostile intentions against some one of the belligerent nations, and may cover collusive practices inconsistent with the Act of Congress of June, 1794, unless guarded by provisions more effectual than have been hitherto established; it is directed that the sailing of armed vessels, not *bona fide* destined to the East-Indies, be restrained, until otherwise ordained by Congress.

Information has been received that some vessels are arming by strangers for the purpose of capturing the vessels of the United States. The utmost vigilance on the part of the Collectors to prevent the progress of this evil is enjoined; where there is reasonable ground to believe that vessels are equipped for the purpose of being employed against the commerce of this country, they are to be arrested, and the circumstances stated to this Department.

I am very respectfully, Sir,
Your obedient servant,

OLIVER WOLCOTT, Jun.

[LC. "Connecticut Courant", 8 May, 1797.]

To Joel Barlow, U. S. Agent, Algiers, from Secretary of State

DEPARTMENT OF STATE

Philadelphia May 13. 1797.

SIR The Swedish Ship *Jupiter*, Captain Olof Schale, having been chartered by our Consul at Marseilles to bring our citizens late Captives in Algiers to Philadelphia, and for a return voyage to Europe, we have loaded her with Stores for Algiers, agreeably to the invoices inclosed, one of which exhibits the articles and their quantities, and the other their prime cost, with insurance and freight. This second invoice is sent you to show how much the stores stipulated will exceed the estimate formed by M^r Donaldson when he agreed to the terms of peace with the Dey. The most egregious error is yet to appear: The enormous masts estimated by M^r Donaldson at only thirty dollars each, will cost probably five hundred, perhaps considerably more, delivered at Algiers. It is only a large Ship which can furnish room for them, and then only for a small number. They have been cut, and partly floated down the Susquehannah; and wait another fresh to get them to tide-water; and such a fresh at this season is uncertain. However, all practicable means will be used to fulfil our engagements in this as well as every other particular. But even if we get them to navigable water, on account of the difficulty and heavy expense of transportation, we hope for ample indulgence in point of time; and perhaps a favourable moment may be found to obtain the Dey's consent to substitute masts of a much less size for a part of them. The frigate building for the Dey we reckoned upon as being able to transport some of the masts: but from the information I have lately received, it is at least doubtful. The Invoice of prices will also enable you properly to dispose of those articles which are no part of the articles originally stipulated, but which were necessary to accommodate the stowage of the stipulated Stores; and considering the Oak and pine planks six inches thick cost more than three time the price estimated by M^r Donaldson, perhaps the thinner planks may be accepted as substitutes. Besides the great difficulty and expense in procuring the six inch plank, the freight of such long heavy timber will be enormous. Indeed if the whole list were revised, it is possible you may obtain some favourable relaxation. All the changes suggested are however submitted to your discretion. Nothing is to be done to hazard the good opinion of the Dey, or to excite the most distant idea of trespassing on his distinguished benevolence towards the United States.

I have attended to your memorandum of the 12th of January. A part of the tea and sugar is on board the *Jupiter*: the residue will be sent by the frigate or some other vessel destined for Algiers.

The proposition of sending the Dey a complete Master Shipbuilder will be well considered: Such men qualified to construct *vessels of war* are not numerous; and perhaps hardly one may be found who is "not married".

I do not know any objection to the building or purchasing two complete Brigs (or a Brig and a large Schooner, which Capt^o O'Brien thinks more eligible) for the Dey, to be paid for on the delivery at Algiers. Captain O'Brien will direct the choice or construction of them. Congress are to commence an extraordinary Session next Monday; and I apprehend the subject must be laid before them, that they may make the requisite appropriations of money.

You say "the Dey requires the frigate as soon as possible". She is to be launched on the 4th of July next. Captⁿ Newman (late a captive in Algiers) writes me under date of May 1st that he has been at Portsmouth to see her, and finds her as "complete a piece of workmanship as he ever saw". But she will be incapable of carrying *twelve pounders*, which you say the Dey has now desired. You will recollect that your original agreement, accepted by the Dey, was for a frigate of 36 guns, *nine-pounders* on the *main* deck. In exact conformity to your orders, I procured one of the ablest naval architects in the United States to give me a draught of such a frigate and of her dimensions; agreeably to which she has been constructed. To put *twelve-pounders* upon her would ruin her and disappoint the Dey's expectations. She must now be finished on the original Plan, and she will be "completed with guns stores, powder, ball &^s and coppered".

* * * * *

The Treaty concluded with Tripoli I presume will be very satisfactory: it will next week be laid before the Senate for their approbation. We hope the treaty with Tunis has been accomplished; although we have no later intelligence than yours by Captⁿ O'Brien.

* * * * *

[NA. SDA. Dip. Cor., Inst. to Min., Bk 4, Feb. 1797–Nov. 1798.]

To Samuel Hodgdon, Intendant of Military Stores from Secretary of War

[PHILADELPHIA]

War Office June 12. 1797

SIR I have inclosed you a statement of Military Stores requisite for the Frigates — You will be pleased to inform me what part may be drawn from the Stores of the United States and where they are deposited. —

Military Stores wanted as p^r requisition for the three Frigates

- 300 Musketts with Bayonets &c complete —
100 d^o sent to Baltimore May 4.
1797 making 400 stand —
- 250 pair Pistols
- 300 Boarding Axes
- 550 Cutlasses
- 44 Blunderbusses
- 300 Boarding Pikes with Staffs
- 120 Battle Lanthorns
- 24 signal D^o . . N^o 1
- 24 d^o D^o . . " 2
- 6 Doz: of Tin . D^o
- 1½ Doz: Dark . d^o
- 670 Barrels of Cannon Powder
- 10000 Round Shot for 24 pounders
- 1600 Chain and double Headed shot — 24 pounders
- 2200 stools of Grape and Cannister shot — 24 pounders
- 4600 Round shot for 12 pounders
- 720 double Headed & Chain shot for 12 pounders
- 900 stools of Grape and Cannister shot for 12 pounders
- 600 Hand *granadoes*
- 100 Rounds of Muskett & pistol Balls
- 12 speaking Trumpets
- 15 Tons of Sheet Lead
- 18 Howitzers — eight inch or of 4 or 6 pounders
a set of Implements for each Gun
- 30 Barrels Powder for Musketts & Pistols. —

[NDA. Correspondence, when Navy was under War Department, 1795–1798.]

[21 June 1797]

Quasi-War, United States and France

[NOTE.—See letter to House of Representatives from President John Adams, enclosing report of Secretary of State, in which he summarizes 316 cases of depre-dations upon American ships; printed in "American State Papers, Foreign Relations", volume II, pp. 28-63, and in "Naval Documents, Quasi-War, United States and France", first volume, pp. 5-6.]

[1 July 1797]

Act Providing for Naval Armament

[NOTE.— In the first volume of "Naval Documents, Quasi-War with France" (February 1797 to October 1798), pages 7 to 9, is printed an Act providing a Naval Armament, dated 1 July 1797.]

To Samuel Hodgdon, Intendant of Military Stores, from Secretary of War

[PHILADELPHIA]

War Office July 1, 1797.

SIR You will be pleased to take order to have the undermentioned Military Stores destined for the Naval service transported to the following places — viz —

To Philadelphia for the Frigate *United States*

600 Round Shot for 24 pounders

To Baltimore for the *Constellation*

200 Hand granadoes

5 Tons of Sheet Lead

2800 Round Shot for 24 pounders

To Boston for the *Constitution*

150 Musketts with Bayonets Cartouch Boxes &c complete —

200 Hand granadoes

5 Tons of Sheet Lead

24 Tin Lanthorns

3600 Round Shot for 24 pounders

[NDA. Correspondence, when Navy was under War Department, 1795-1798.]

To Captain Thomas Thompson, Portsmouth, N. H., from Secretary of War

[PHILADELPHIA]

W. O. July 7th 1797 —

SIR, It being necessary to fix on a Name for the Frigate intended for the Dey of Algiers before she sails from Portsmouth: I have therefore concluded to call her the *Crescent*, which Name you will be pleased to have inserted in her papers and other documents —

I have just received your favor of the 29th Ult^o and I congratulate you and M^r Hackett on the safe Launching of the Frigate into her proper element —

[NDA. Correspondence, when Navy was under War Department, 1790-1798.]

[19 July 1797]

Certificate of Joel Barlow, U. S. Agent, Algiers, as to amount due and payment for loss of ship *Fortune*

Whereas the United States of America are indebted to Naftali Busnah, & Joseph Coen Bacri, the sum of forty thousand nine hundred & eighty seven Spanish Dollars, for the value of the Ship *Fortune*, lately commanded by Michael Smith & her Cargo of Wheat, taken on her passage from Bona to Genoa in the month of February last, by the English & condemned by them.

I Joel Barlow Agent & Consul General, of the United States above mentioned, for the City and Kingdom of Algiers, declare that in case the Consul General, or Chargé d'Affairs, of the s^d United States, shall not in the term of six months from this time, pay the s^d sum, either in Money at this Place, or Bills on Philadelphia, or on some other places; then at the end of s^d term of six months the Naftali Busnah & Joseph Coen Bacri, are authorized to draw their Bills on the Government of the s^d United States, payable in Philadelphia, in three months after sight for the s^d sum of 40987 Spanish Dollars.

SEAL Given under my hand & Seal in Algiers,
this 19th day of July 1797

(signed) JOEL BARLOW.

* * * * *

[NA. SDA. CL, Algiers, Vol. II, Jan-Dec. 1797.]

To George Claghorne, Naval Constructor, Boston, Mass., from Secretary of War

[PHILADELPHIA]

W. O. July 27th 1797 —

SIR It being of importance to the United States that the Frigate *Constitution* should be coppered on the Stocks before she is Launched into the Water — you will therefore be pleased to cause the said Ship to be coppered as high as light water mark as soon as the Bottom is prepared, as it will prevent heaving down afterwards and a Consequent heavy expence —

light draught of Water forward will be about 13.6
d^o aft d^o 19.—

[NDA. Correspondence, when Navy was under War Department, 1790-1798.]

To James Simpson, U. S. Consul, Tangier, from Thomas Elphinstone

(Copy)

Hamadryad GIB^t BAY

August 2^d 1797

SIR I beg leave to acknowledge the receipt of yours & have to inform you that the Men pressed by the *Hamadryads* Boat calling themselves American's have no protections — Joseph Anderson says he was born at Liverpool — and it is the Earl S^t Vincents orders to me to press every man calling himself an American, unless he can produce a protection countersigned by the British Minister or British Consuls in America — Christopher Smith being ruptured and unfit for His Majesty's Service, I discharged Yesterday — the other 3 as not producing Protections will not be discharged

[NA. SDA. CL, Tangier, Vol. I, 1797-1803.]

To Auditor of the Treasury from Josiah Fox, Naval Constructor

[PHILADELPHIA]

War Office August 15th 1797 —

SIR The following extract of a letter from Capt Thomas Thompson, will show that M^r James Hacket has completed the Algerine Frigate, named the *Crescent* agreeably to his Contract with the United States; also the head and Galleries; and has provided such spare yards, and Masts as were directed by Captain Thompson —

Extract of a letter from Capt Thomas Thompson dated Portsmouth (N. H.) 1 August 1797 to the Sec.^y of War

SIR "I have been waiting for the Carved-work only, to say the Frigate *Crescent* is completely finished in every part by James Hackett agreeable to his contract: also the Head and Galleries — He has also provided such spare yards and Masts as are mentioned to him in his dimensions of Masts and Yards (Boats Masts &c I shall provide and charge in my account) inclosed you have his receipts for Treenails and some plank and Timber from the Yard. I can assure you that nothing on his part has been neglected, but has done every thing to make the Ship complete as possible in doing of which, he will have but a very small sum left for his Services"

Extract of orders to Capt Thomas Thompson from the Secretary of War dated War Office 12 Jan^y. 1797 —

"It is expected, you will carefully examine all parts of the Hull and Materials that nothing unsound or defective be used in any part thereof; and that the Contracts entered into by M^r Hackett and Mess^{rs} Hills are strictly adhered to"

I hereby Certify that the foregoing Extract of a letter from Capt Thomas Thompson Superintendent of the Algerine Frigate *Crescent* is an exact Copy from the Original letter on file in this Office. And also that the Extract of orders to Captain Thompson from the Secretary of War is copied from the Marine Book page 212 —

JOSIAH FOX

[NDA. Correspondence, when Navy was under War Department, 1790–1798.]

To Secretary of State from Joel Barlow, former U. S. Agent, Algiers

LAZARET OF MARSEILLES 18 Aug. 1797.

SIR, I beg leave to enclose herewith such of the letters recieved from Capt — Ingraham as will serve to give you a general view of the state of affairs at Tripoli. * * * I have informed him that in conformity to his advice and the desire of the Bey I have paid to the Bey's Agent in Algiers — 6000 — dol. in part of the 12,000 — promised the Bey on account of the peace; and that I have desired M^r Clarke & M^r Famin to send Capt — Ingraham such articles as he may want for his own use, as well as some jewelry, cloth &c for presents to the Brother of the Emperor of Morocco on his return from Mecca. The Bey's agent at Algiers was soon to return to Tripoli, and give M^r Clark an occasion to send.

* * * * *

I have written several times to the Spanish Consul in Tripoli, to thank him for his friendship to Capt. — Ingraham & to our cause, and to assure him that our government will not forget its obligations to him. I beg leave to suggest the propriety of your addressing a letter to him on this subject. He is a man well known & respected in Algiers, where he was once a slave. The Dey has a particular friendship for him.

Captain Ingraham's letters, and other accounts I have had in confirmation of them will naturally give rise to some very interesting reflections: —

First. The present Bey of Tripoli (who is known to set every principle of honor at defiance more than any prince in Barbary) is becoming powerful. His marine, which before he took Capt Sampson last year consisted of only two small cruisers, is now almost equal to

that of Algiers. He appears to receive such encouragement from Constantinople that it would not be strange if in a short time he should set the Dey of Algiers at defiance. Though it is possible that such a step might cost him his life, yet it is possible that it might not, and that one of his first objects would be to break our treaty which is guaranteed by the Dey.

Secondly. The rupture with the Danes, & the manner in which it has been healed, affords a serious lesson. Ingraham says it might have been prevented at first for — 6000 — dollars. It has cost that nation in the whole at least half a million. Their commerce & navigation in these seas have been interrupted by it for one year. During this time they have maintained a squadron of two Frigates & several other ships of war, sometimes blockading the port & sometimes trying to negotiate. And they have had five vessels taken. Last March one of the frigates came to Algiers to ask the Dey's interference, in imitation of what he had done for the Americans. After some hesitation, the Dey wrote a letter, which I was told was a feeble one, and sent an Ambassador in the frigate. At the end of two month's he returned without having accomplished any thing. It was in consequence of the battle mentioned by Capt — Ingraham that they purchased the peace for — 100,000—dol. & a tribute of—14,000— to be paid every 4 years. It is probable that if our peace there had been delayed a few months longer, so that the Danes had made theirs first, & we had not been aided by the Dey, it would have cost us at least — 200,000 — Dollars.

* * * * *

Thirdly. Whatever may be the opinion formed at a distance, I am well convinced that Capt. Ingraham's apprehensions of a combination to exclude us from these seas is not without foundation. The Danes, Venitians, & probably the Sweeds, have already suffered greatly by our success. It is certain that the Spanish Consul in Algiers had orders during the whole of last year to drive me from that place if it could be done for — 50,000 — dollars. The sum was not sufficient. It was not more than ought to have been given to the house of Bacry, besides a much greater bribe to the Dey. M^r Herculaïs told me, before he left Algiers, that the French never would have suffered us to get a footing in Barbary, had they not supposed that it was to be under their wing; but since they found we had done it without their aid, and found too that our commercial relations were likely to be strengthened with the English & weakened with them, they certainly would force us out of Barbary very soon; and it was his opinion that they ought to do it. No person I suppose will doubt but that the English will suffer by our success as much as any of these nations, & that they will be disposed to do as much to prevent it. They have hitherto done a great deal more.

* * * * *

Fourthly. To oppose ourselves with success both to the intrigues from Europe and the caprices of the Barbary Princes, it appears to me that Americans of substantial talents, and salaries almost equal to those of our plenipotentiaries in Europe, ought to be placed as consuls general in each regency. It seems indispensable likewise that they should have a liberal credit for funds, to be applied on extraordinary occasions. And I beg leave to repeat what I once suggested,

that it would be expedient that the consuls general at Tunis & Tripoli should be instructed to communicate with the one at Algiers, and to be in some measure under his direction.

* * * * *

To what height is this Barbary system to be carried? And where is it to end? —

[NA. SDA. CL, Algiers, Vol. I, Part II, Feb–Nov. 1796.]

To Secretary of State from Joel Barlow, former U. S. Agent, Algiers

LAZARET OF MARSEILLES 24 Aug. 1797

SIR This is to accompany the papers that I have been able to collect relative to the Ship *Fortune* and her cargo, of which it is probable you may have had some account either from M^r Humphreys, M^r Donaldson or Capt — Smith.

The facts, so far as it comes within my power to relate them, are these: — At the moment when I was enabled to liberate the American prisoners in Algiers the state of the plague rendered it dangerous for them to remain longer in the place; and there was no vessel on which they could embark, but the ship *Fortune* belonging to the house of Bacri, and bound to Leghorn with about 50 Neapolitans. As the Algerines were at war with Genoa & Tuscany, I thought it might be inconvenient to the American passengers that the vessel should go under the Algerine Flag. I therefore took a bill of sale of the ship in [word mutilated] name, gave her the American Flag, and appointed Capt — Calder to command her as far as Leghorn. When I delivered him the Bill of Sale, I gave him an order in writing nearly in the following words (as my haste prevented me from taking a copy of it I quote it here from memory.) “Sir, I recieved this bill of sale “of the Ship *Fortune* for no other purpose than to secure your passage “against the enemies of Algiers. I do not & will not own any part of “her, and she shall not stand in my name after the present voyage. “I intreat you therefore not to suffer this bill of sale to go out of “your hands, but to burn it the moment you arrive in port.” I wrote to the same effect to M^r Donaldson. The ship went to Marseilles instead of Leghorn. My order however for burning the bill of sale was punctually complied with. How the ship came afterwards to be put in the name of M^r Donaldson, I leave him & M^r Cathalan & Capt — Smith to explain. M^r Cathalan’s declaration will probably be enclosed herewith.

About the first of March 1797 — news came to Algiers that the ship *Fortune*, Capt — Smith, had been loaded in Bona for account of the house of Bacri, destined for Genoa, and taken on her passage near Marseilles by the English. As soon as I found occasion to send (March 26) I wrote M^r Donaldson the letter of which the following is an extract: “You doubtless know that the Ship *Fortune*, commanded “by Capt — Smith, which I understand is in your name as ostensible “proprietor, is taken by the English with a cargo of the Bacri’s on “board. You know how these things are managed here since the “examples that the Danish Consul gave last year. It is very prob- “able that the United States will have to pay for that cargo; though “I would not wish that Solomon should know that I have any such “apprehension. I treat it here as a thing that I have not, & will “not, have any thing to do with, and I tell the Jews that if they do

“not get it of the English Consul, or if they say one word to the “Dey of forcing me to pay, I will expose more of their crimes than “they are aware of. It is possible that the fear of my vengeance will “induce them to throw it on the English. Nothing else certainly will “save us.

“I hope you understand better than I do the motive that induced “you to cover that ship with your name, unless she belongs to you. “And the Jews confess to me that she belongs to them.”

The rule universally established in the Barbary States is that the flag shall protect the cargo. * * *

In consequence of this rule, when any property of the Dey or his subjects, having been shipped on board a vessel belonging to any of his friends, is taken or turned from its destination, he requires the nation, whose vessel it is, to pay the value of the property at the port of destination. On this principle the Danes & Sweeds have had a number of cargoes to pay for to Algerine subjects during the present war. And then they make their reclamations on the captors or their governments. The Danish Consul told me lately that the English had already refunded all the money that he had paid for property taken by them, which has amounted to at least — 200,000 — dol.

After these examples it was in vain for me to dispute the principle, or its application to the American Flag. The only argument for avoiding the payment was that the ship *Fortune* was not American property, and ought not to have borne the Flag. It would be useless to enter into the details of the opposition that I made on this ground. It is well known that the house of Bacri are the Kings of Algiers, and that it is easier to oppose the Dey's interest than theirs. They promised me at first that as to the cargo, they would recover from the English Consul, and leave me out of the question; and as to the value of the ship, she being in M^r Donaldson's name, he must recover from the English government, and pay that house. Though they did not deceive me with this promise, or make me believe that they meant to keep their word, yet it was out of my power to force them to it.

It was unfortunate for me that during the time of this dispute the Dey had become exceedingly angry at the delay of our store-ships. He had been waiting with the impatience of a petulant child all winter; and after the beginning of April it became impossible to speak to him with safety on any subject. He had become so furious that I went to him on the 20 of May to try to soften him. I carried in my hand a letter I had received from M^r Cathcart in Philadelphia dated in nov^r informing me that the Polaca *Independant* was to sail in a few days. After reading and explaining the letter, & desiring him to call his clerk to verify the hand writing, I told him that the vessel must either be lost at sea or stopped by some of the belligerent powers. Says he “You are a liar, & your government is a liar; and I will put you in chains at the Marine, and declare war.” Now I beg all those whom it may concern, not to be offended at good Hassen Bashaw for this sort of language. There is not a government, King or Consul that he has any thing to do with, but what has been saluted with precisely the same expressions, as occasion has offered, during his reign. It has become the law of nations. As to his threat, it has been too often repeated to excite much alarm.

Some time before this last ebullition of his wrath the Dey pronounced his decision relative to the ship *Fortune* and cargo, — that the American consul should pay, & pay immediately. I was still in hopes to avoid it; but it has been impossible. All that I could do was to obtain a delay from the Jews, and make them declare to the Dey that the money was already paid, that he might give the certificate that you will find enclosed. I obtained likewise such other papers as will, I hope, enable us to recover of the English government the value of the cargo. As to the ship and the freight, I likewise enclose such papers as I am able to obtain; and it seems regular that M^r Donaldson, who I understand is gone to America, should pursue his claim on the English Government; or that you should pursue it in his name.

* * * * *

On the 19 July, the day I left Algiers, I gave the house of Bacri a certificate to this effect: — that the United States are indebted to them in the sum of — 40387—2/3 dol. as the value of the ship *Fortune* & her cargo; that in case the American Agent does not pay that sum in six months in Algiers, then they shall have a right to draw at three months sight on the government for the same sum payable in Philadelphia.

This business has given me infinite pain in every stage of it. But it was impossible for me, in the disadvantageous situation in which I was placed, to terminate it on more favorable terms. * * *

[NA. SDA. CL, Algiers, Vol. II, Jan.—Dec. 1797.]

[28 August 1797 and 10 January 1800]

Tunis—Treaty

[NOTE.—In “Treaties and other International Acts of the United States of America”, by Hunter Miller, Volume 2, is printed the Treaty between Tunis and the United States. The following is copied from the above publication:

“Treaty of Peace and Friendship, signed at Tunis August 28, 1797, and, with alterations, March 26, 1799. Original in Turkish.

“Submitted to the Senate February 21, 1798. Resolution of advice and consent, on condition, March 6, 1798. Resubmitted to the Senate December 13, 1799. Resolution of advice and consent to altered Articles 11, 12, and 14, December 24, 1799. Ratified by the United States January 10, 1800. As to the ratification generally, see the notes. * * *”]

[Translation]

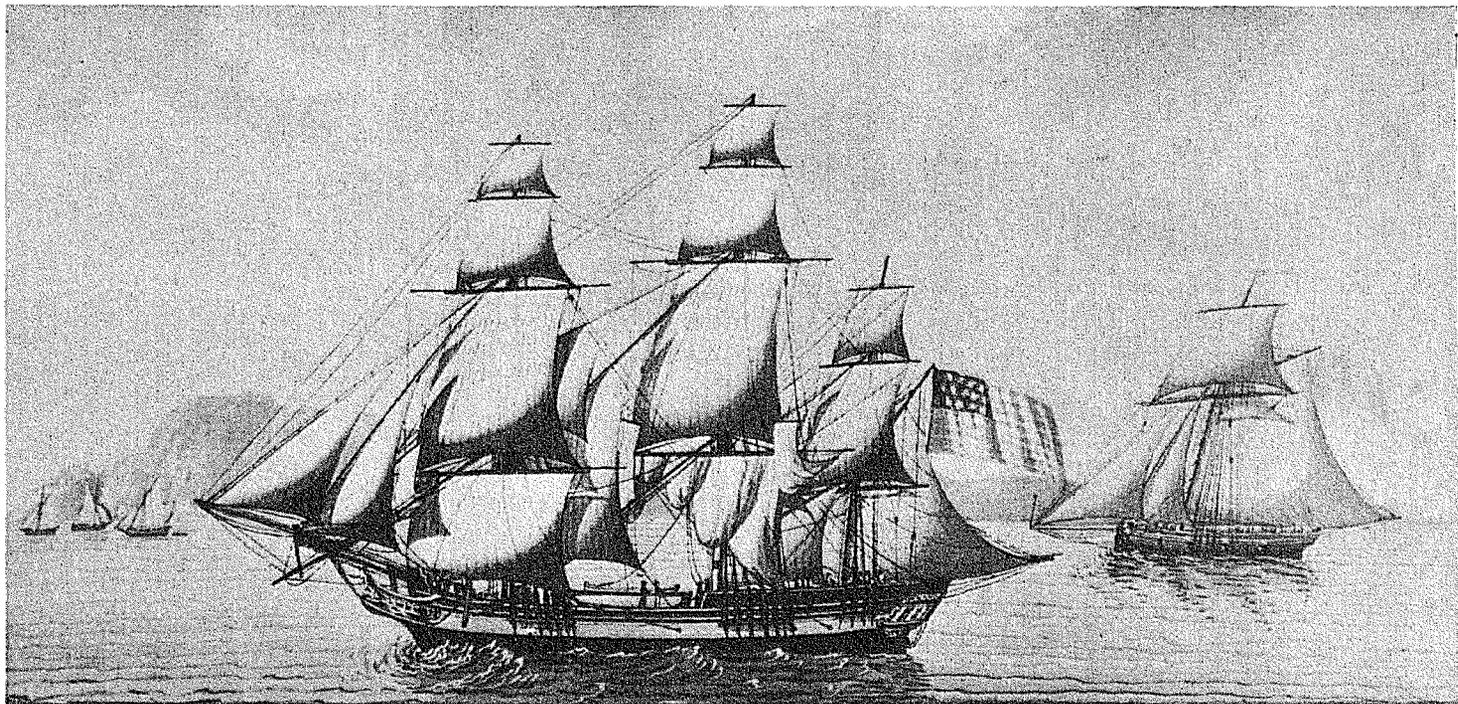
God is infinite.

Under the auspices of the greatest, the most powerful of all the princes of the Ottoman nation who reign upon the earth, our most glorious and most august Emperor, who commands the two lands and the two seas, Selim Khan¹ the victorious, son of the Sultan Moustafa, whose realm may God prosper until the end of ages, the support of kings, the seal of justice, the Emperor of emperors.

The most illustrious and most magnificent Prince Hamuda Pasha, Bey, who commands the Odgiak of Tunis, the abode of happiness; and the most honored Ibrahim Dey; and Suleiman, Agha of the Janizaries and chief of the Divan; and all the elders of the Odgiak; and the most distinguished and honored President of the Congress of the United States of America, the most distinguished among those who profess the religion of the Messiah, of whom may the end be happy.

We have concluded between us the present Treaty of Peace and Friendship, all the articles of which have been framed by the intervention of Joseph Stephen Famin, French merchant resident at Tunis, Chargé d’Affaires of the United States of America; which stipulations and conditions are comprised in twenty-three articles, written and expressed in such manner as to leave no doubt of their contents, and in such way as not to be contravened.

¹ Selim III, Sultan of Turkey from 1789 to 1807.



A Tunisian Corsair boarding the ship Mercury of Boston off Isl. of Sardinia

ARTICLE 1.

There shall be a perpetual and constant peace between the United States of America and the magnificent Pasha, Bey of Tunis, and also a permanent friendship, which shall more and more increase.

ARTICLE 2.

If a vessel of war of the two nations shall make prize of an enemy vessel in which may be found effects, property, and subjects of the two contracting parties, the whole shall be restored; the Bey shall restore the property and subjects of the United States, and the latter shall make a reciprocal restoration; it being understood on both sides that the just right to what is claimed shall be proved.

ARTICLE 3.

Merchandise belonging to any nation which may be at war with one of the contracting parties, and loaded on board of the vessels of the other, shall pass without molestation and without any attempt being made to capture or detain it.

ARTICLE 4.

On both sides sufficient passports shall be given to vessels, that they may be known and treated as friendly; and considering the distance between the two countries, a term of eighteen months is given, within which term respect shall be paid to the said passports, without requiring the congé or document (which at Tunis is called *testa*), but after the said term the congé shall be presented.

ARTICLE 5.

If the corsairs of Tunis shall meet at sea with ships of war of the United States having under their escort merchant vessels of their nation, they shall not be searched or molested; and in such case the commanders shall be believed upon their word, to exempt their ships from being visited and to avoid quarantine. The American ships of war shall act in like manner towards merchant vessels escorted by the corsairs of Tunis.

ARTICLE 6.

If a Tunisian corsair shall meet with an American merchant vessel and shall visit it with her boat, she shall not exact anything, under pain of being severely punished; and in like manner, if a vessel of war of the United States shall meet with a Tunisian merchant vessel, she shall observe the same rule. In case a slave shall take refuge on board of an American vessel of war, the Consul shall be required to cause him to be restored; and if any of their prisoners shall escape on board of the Tunisian vessels, they shall be restored; but if any slave shall take refuge in any American merchant vessel, and it shall be proved that the vessel has departed with the said slave, then he shall be returned, or his ransom shall be paid.

ARTICLE 7.

An American citizen having purchased a prize-vessel from our Odgiak, may sail with our passport, which we will deliver for the term of one year, by force of which our corsairs which may meet with her shall respect her; the Consul on his part shall furnish her with a bill of sale; and considering the distance of the two countries, this term shall suffice to obtain a passport in form. But after the expiration of this term, if our corsairs shall meet with her without the passport of the United States, she shall be stopped and declared good prize, as well the vessel as the cargo and crew.

ARTICLE 8.

If a vessel of one of the contracting parties shall be obliged to enter into a port of the other and may have need of provisions and other articles, they shall be granted to her without any difficulty, at the price current at the place; and if such a vessel shall have suffered at sea and shall have need of repairs, she shall be at liberty to unload and reload her cargo without being obliged to pay any duty; and the captain shall only be obliged to pay the wages of those whom he shall have employed in loading and unloading the merchandise.

ARTICLE 9.

If, by accident and by the permission of God, a vessel of one of the contracting parties shall be cast by tempest upon the coasts of the other and shall be wrecked or otherwise damaged, the commandant of the place shall render all possible assistance for its preservation, without allowing any person to make any opposition; and

the proprietor of the effects shall pay the costs of salvage to those who may have been employed.

ARTICLE 10.

In case a vessel of one of the contracting parties shall be attacked by an enemy under the cannon of the forts of the other party, she shall be defended and protected as much as possible; and when she shall set sail, no enemy shall be permitted to pursue her from the same port, or any other neighboring port, for forty-eight hours after her departure.

ARTICLE 11.

When a vessel of war of the United States of America shall enter the port of Tunis, and the Consul shall request that the castle may salute her, the number of guns shall be fired which he may request; and if the said Consul does not want a salute, there shall be no question about it.

But in case he shall desire the salute, and the number of guns shall be fired which he may have requested, they shall be counted and returned by the vessel in as many barrels of cannon powder.

The same shall be done with respect to the Tunisian corsairs when they shall enter any port of the United States.

ARTICLE 12.

When citizens of the United States shall come within the dependencies of Tunis to carry on commerce there, the same respect shall be paid to them which the merchants of other nations enjoy; and if they wish to establish themselves within our ports, no opposition shall be made thereto; and they shall be free to avail themselves of such interpreters as they may judge necessary, without any obstruction, in conformity with the usages of other nations; and if a Tunisian subject shall go to establish himself within the dependencies of the United States, he shall be treated in like manner.

If any Tunisian subject shall freight an American vessel and load her with merchandise, and shall afterwards want to unlade or ship them on board of another vessel, we will not permit him until the matter is determined by a reference of merchants, who shall decide upon the case; and after the decision, the determination shall be conformed to.

No captain shall be detained in port against his consent, except when our ports are shut for the vessels of all other nations, which may take place with respect to merchant vessels but not to those of war.

The subjects of the two contracting powers shall be under the protection of the Prince and under the jurisdiction of the chief of the place where they may be, and no other persons shall have authority over them. If the commandant of the place does not conduct himself agreeably to justice, a representation of it shall be made to us.

In case the Government shall have need of an American merchant vessel, it shall cause it to be freighted, and then a suitable freight shall be paid to the captain, agreeably to the intention of the Government, and the captain shall not refuse it.

ARTICLE 13.

If among the crews of merchant vessels of the United States, there shall be found subjects of our enemies, they shall not be made slaves, on condition that they do not exceed a third of the crew; and when they do exceed a third, they shall be made slaves. The present article only concerns the sailors, and not the passengers, who shall not be in any manner molested.

ARTICLE 14.

A Tunisian merchant who may go to America with a vessel of any nation soever, loaded with merchandise which is the production of the kingdom of Tunis, shall pay duty (small as it is) like the merchants of other nations; and the American merchants shall equally pay, for the merchandise of their country which they may bring to Tunis under their flag, the same duty as the Tunisians pay in America.

But if an American merchant, or a merchant of any other nation, shall bring American merchandise under any other flag, he shall pay six ¹ per cent duty. In like manner, if a foreign merchant shall bring the merchandise of his country under the American flag, he shall also pay six ¹ per cent.

¹ See the note regarding Article 14.

ARTICLE 15.

It shall be free for the citizens of the United States to carry on what commerce they please in the kingdom of Tunis, without any opposition, and they shall be treated like the merchants of other nations; but they shall not carry on commerce in wine, nor in prohibited articles; and if any one shall be detected in a contraband trade, he shall be punished according to the laws of the country. The commandants of ports and castles shall take care that the captains and sailors shall not load prohibited articles; but if this should happen, those who shall not have contributed to the smuggling shall not be molested nor searched, no more than shall the vessel and cargo; but only the offender, who shall be demanded to be punished. No captain shall be obliged to receive merchandise on board of his vessel, nor to unlade the same against his will, until the freight shall be paid.

ARTICLE 16.

The merchant vessels of the United States which shall cast anchor in the road of the Gouletta, or any other port of the Kingdom of Tunis, shall be obliged to pay the same anchorage for entry and departure which French vessels pay, to wit: Seventeen piasters and a half, money of Tunis, for entry, if they import merchandise; and the same for departure, if they take away a cargo; but they shall not be obliged to pay anchorage if they arrive in ballast and depart in the same manner.

ARTICLE 17.

Each of the contracting parties shall be at liberty to establish a consul in the dependencies of the other; and if such consul does not act in conformity with the usages of the country, like others, the government of the place shall inform his Government of it, to the end that he may be changed and replaced; but he shall enjoy, as well for himself as his family and suite, the protection of the government. And he may import for his own use all his provisions and furniture without paying any duty; and if he shall import merchandise (which it shall be lawful for him to do), he shall pay duty for it.

ARTICLE 18.

If the subjects or citizens of either of the contracting parties, being within the possessions of the other, contract debts or enter into obligations, neither the consul nor the nation, nor any subjects or citizens thereof, shall be in any manner responsible, except they or the consul shall have previously become bound in writing; and without this obligation in writing they cannot be called upon for indemnity or satisfaction.

ARTICLE 19.

In case of a citizen or subject of either of the contracting parties dying within the possessions of the other, the consul or the wakil shall take possession of his effects (if he does not leave a will), of which he shall make an inventory; and the government of the place shall have nothing to do therewith. And if there shall be no consul, the effects shall be deposited in the hands of a confidential person of the place, taking an inventory of the whole, that they may eventually be delivered to those to whom they of right belong.

ARTICLE 20.

The consul shall be the judge in all disputes between his fellow citizens or subjects, as also between all other persons who may be immediately under his protection; and in all cases wherein he shall require the assistance of the government where he resides to sanction his decisions, it shall be granted to him.

ARTICLE 21.

If a citizen or subject of one of the parties shall kill, wound, or strike a citizen or subject of the other, justice shall be done according to the laws of the country where the offense shall be committed. The consul shall be present at the trial; but if any offender shall escape, the consul shall be in no manner responsible for it.

ARTICLE 22.

If a dispute or lawsuit on commercial or other civil matters shall happen, the trial shall be had in the presence of the consul, or of a confidential person of his choice, who shall represent him and endeavor to accommodate the difference which may have happened between the citizens or subjects of the two nations.

ARTICLE 23.

If any difference or dispute shall take place concerning the infraction of any article of the present treaty on either side, peace and good harmony shall not be interrupted until a friendly application shall have been made for satisfaction; and resort shall not be had to arms therefor, except where such application shall have been rejected; and if war be then declared, the term of one year shall be allowed to the citizens or subjects of the contracting parties to arrange their affairs and to withdraw themselves with their property.

The agreements and terms above concluded by the two contracting parties shall be punctually observed with the will of the Most High. And for the maintenance and exact observance of the said agreements, we have caused their contents to be here transcribed, in the present month of Rabia Elul, of the Hegira one thousand two hundred and twelve, corresponding with the month of August of the Christian year one thousand seven hundred and ninety-seven.

The BEY's signature
[Seal]

IBRAHIM DEY's signature
[Seal]

The AGHA SULEIMAN's signature
[Seal]

To all to whom these Presents shall come or be made known.

Whereas the Underwritten David Humphreys hath been duly appointed Commissioner Plenipotentiary by letters patent under the signature of the President and seal of the United States of America, dated the 30th day of March 1795, for negotiating and concluding a Treaty of Amity and Commerce with the Most Excellent & Illustrious Lord the Bey and Supreme Commander of the State of Tunis; whereas in conformity to the necessary authority committed to him therefor, he did constitute and appoint Joel Barlow an Agent in the business aforesaid; and whereas the annexed Treaty was in consequence thereof agreed upon, in the manner and at the time therein mentioned, through the intervention of Joseph Stephen Famin invested with full Powers for the said purpose.

Now, know ye, that I David Humphreys Commissioner Plenipotentiary aforesaid, do approve and conclude the said Treaty and every article and clause therein contained, reserving the same nevertheless for the final Ratification of the President of the United States of America, by and with the advice and consent of the Senate of the said United States. In Testimony whereof I have signed the same with my name & affixed thereto my Seal, at the City of Madrid this fourteenth day of November 1797.

[Seal] DAVID HUMPHREYS.

[Negotiations concerning alterations to Articles 11, 12 and 14 were concluded by William Eaton and James L. Cathcart, 26 March 1799.]
["Treaties, * * *," by Hunter Miller.]

To Pierre Eric Skjoldebrand, Agent in behalf of the United States, and Joseph C. Bacri and Company, from Secretary of State

[PHILADELPHIA]

Department of State Aug^t 31. 1797.

GENTLEMEN This letter I address to you by the advice of Captⁿ Richard O'Brien, who understands that in the absence of M^t Barlow, you were so good as to accept an Agency in behalf of the United States.

The Ship *Newport* is laden with timber (including two large masts and four yards) planks and staves for the Dey, on account of the stipulations of the treaty of the United States with him. Some of the articles are not precisely such as the treaty-agreement prescribed, but were necessary to be put on board to fill up the Ship and make good stowage. If not wanted by the Dey, and accepted towards our stipulations, you will sell the articles (not specifically stipulated) here referred to for the best advantage of the United States.

This is the third Ship laden with naval and other Stores for the Dey pursuant to our agreement; and we shall continue to forward the residue as fast as possible. The entire performance of our contract may absolutely be relied on.

The freight which will be due to Captain Tew on the delivery of the cargo of the Ship *Newport* at Algiers, is eight thousand nine hundred and thirty two dollars 88/100. He will want a part of this for port charges at Algiers, or elsewhere in the Mediterranean, — where he may go for freight back to America. Such portion as he shall require I must intreat you to pay to him; to refund which I shall immediately lodge a credit at Lisbon, with the House of Mess^{rs} John Bulkeley and son, on whom you will draw for the sum you shall advance, as above mentioned to Captain Tew. The owner of the Ship, or his Agent here, informs me that he has an expectation that Captain Tew will go to S^t Ubes and take in a load of Salt. In this case, you will only have the trouble to give to Captⁿ Tew an *order* on the Mess^{rs} Bulkeleys for such a sum as the Captain shall request. The bills you may have occasion to draw on that House may be at thirty days sight. The Agent of the owner has entire confidence in Captⁿ Tew, and that he will demand no more of his freight than will be requisite to fulfil his orders. The whole sum I hope he will not want, as it will be more convenient for the United States to pay the freight in Philadelphia. If however he demands the whole 8932 88/100 dollars, you will have the goodness to pay and draw to that amount, in the manner already mentioned. If any of the articles of the cargo should be sold, the proceeds will so far enable you to pay on account of Captⁿ Tew's freight. There may have been the like sales of parts of the two former cargoes, the proceeds of which may in like manner be applied. I wish to give you as little trouble in this business and to ask for as small advances as possible.

[NA. SDA. Dip. Cor., Inst. to Min., Bk 4, Feb. 1797–Nov. 1798.]

To Francis Da Costa, from Secretary of State

TRENTON *September 5. 1797.*

SIR, I received last evening your letter of the 2nd. A fatality seems to attend every thing relative to the affairs of the United States with Algiers, to induce dangerous delays. I am wholly uninformed respecting the draught or model of the guns designed for the frigate going to Algiers. It is so very important to the public interest to complete her guns with the least possible delay, I do not hesitate to authorize you to make a new draught for the six pounders and to have them instantly cast and bored. Excuse my desiring you to examine the matter well, so as that the draught or model you furnish shall *certainly* answer the purpose. I think there were to be twelve six pounders and 24 nines.

It would be well if in the boring, the external surface could be turned, at least to take off the greater roughness. —

Please advise me of the progress and success of this business.

[NA. SDA. Dom. L, Vol. 10, Mar. 1797–June 1798.]

To Secretary of State from Naval Constructor Joshua Humphreys, U. S. Navy

HAVERFORD TOWNSHIP, HUMPHREYS MILLS AT THE

NINE MILE STONE ON THE HAVERFORD ROAD

Sep^r 25. 1797

SIR I was in hopes of soon returning to the City and until yesterday was very sanguine of having both Vessels compleated to sail before

the river closes this season, but the unfavourable report of the Contagion and the great number of deaths in the vicinity of the yard will prevent for the present my return there, the number is much greater than in the year 93, I know of no family that have escaped the Clerk of the yard was taken sick in the counting house and is now dead.

M^r Hutton is driving on the small Vessel very fast she will be all compleatly timbered this week, and will begin to put on the plank & wales, if he is fortunate enough to continue healthly she will be soon compleated — The Stem & Stern of the Brig^t will be raised to morrow, she will progress as fast as possible under the present calamity. I have engaged the stuff for the gun carriages which will be cut immediately & piled up to season —

M^r Francis nor myself have a copy of M^r Huttons proposals, it will be necessary for one of us to be possessed of them in Order to Know, at what times M^r Hutton is to receive his payments, Altho' I know very near the sum and time yet I may be mistaken; I have drawn two orders on M^r Francis for five hundred dollars each on acc^t of his first payment, the first was paid before I left the City, the last I am not advised of, but have no doubt of its being paid

I recieved a letter from Cap^t OBrien dated 11 Ins^t at Baltimore, wherein he states his being extreemly ill of a fever for eight days — Any commands you may please to give will be immediately sent to me if they should be left at the Buck Tavern Kept by M^r Miller on the turnpike road near the eight mile stone

I am with great Respect

JOSHUA HUMPHREYS
Constructor of the U States Navy

[NA. SDA. CL, Algiers, Vol. II, Jan-Dec. 1797.]

To David Humphreys, U. S. Minister to Madrid, Spain, from George Clark, U. S. Chargé d'Affaires, Algiers

ALGIERS 1st Oct^r 1797

SIR I had the honour of addressing you on the 10th Ult^o via Genoa advising the arrival of the swedish Ship *Jupiter* from Phil^a & *Independant* from Cadiz both which Vessels are entirely discharged, but as yet I have not been able to regulate with the Regency which of those articles are to be placed to peace Presents & which to annual Tribute, many of the articles which composed the former Vessels' cargo especially the large Pine Plank, have proved of a very inferior quality, this circumstance has caused the Dey to be very angry with us & given me much trouble to pacify him, this however I have effectually done & passed the above mentioned Stores as good, but it would be well you would mention to the Secretary of State that he recommends the Purveyor to be more cautious for the future in the choice of those articles he sends here, for should this happen another time, we shall not escape so easily. The *Independent* had some Sail Cloath, One White Rope & nine Bundles of Yarns damaged which the Dey would not receive. This I shall make sale of for account of the U. S. but as they are much injured I am affraid there will be a great loss on them.

I received two Days ago a Courier from M^r Famin with the inclosed Copy of our Treaty with Tunis & a letter directed for you, he informs me that he has forwarded another Copy via Marseilles to M^r Barlow.

(signed) GEORGE CLARCK

[NA. SDA. Disp. Spain, Vol. 4, 1797-1799.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Joseph Ingraham,
U. S. Chargé d'Affaires, Tripoli

(Copy)

TRIPOLI 4th of October 1797.

SIR, I have the pleasure to inform you that the affairs of the United States in Tripoli is very favorable at present, as I hold in friendship the Bashaw and all the head men of this Regency. Our peace made here by the Spanish consul is on a much better footing than any other nation that is at peace with the Barbary Powers. By this our government lays under every obligation to Consul Souza, and our consul, whoever he is, that is sent out here, can keep our peace for many years, if he takes great care not to disclose his mind to any other consul in this place, for if he cannot keep his own secrets, depend on it there is no person here will keep them for him, and by that means he will always be at variance with the Bashaw, and more over it will cost government 8 or 10,000 Dollars a year, if they wish to have their consul respected in this place, and their flag respected at sea, and not to have their shipping robbed and stripped by the cruizers whenever they meet with them. Our government must not trust to the Algerines to hold their peace with either Tunis or Tripoli. If they trust to the Algerines, rely on it, on the death of this present Dey of Algiers there will be a war with Tunis, and possibly with Tripoly, in consequence if such a thing takes place, the consuls of Tripoli & Tunis must be empowered to sacrifice, perhaps 60 or 70,000 Dollars or even 100,000 — sooner than have our shipping captured and our seamen made slaves of again, and have to seek for another peace, which will never be as favorable nor on so good a footing as it now is, besides the loss of commerce for 5 or 6 years. The Bashaw told the Spanish consul and me he never meant to make peace with one nation without making war with another, and I believe he means to stand to his word, for he has already made war with two nations since I've been here — Danes and Swedes — the Danes has made peace again after the loss of six sail of shipping which was captured and brought in here safe, their peace amounts to more than 100,000 Doll^s in money and presents, besides their being obliged to pay 14,000 Dollars every three years. They have captured six sail of Swedes already and sent them in here, there are five cruizers at sea, and how many more they will capture I cannot say, there [were] eighty slaves brought in, and nine of them is turn'd Turks already, they have come to no terms for a peace, altho the consul is on the spot, till such times as the Bashaw finds what success his other cruizers meets with. * * * This regency, when I first arrived here, was in a poor state, but now it is on the rise, growing very powerful. They have frigates from 26 to 36 guns, besides a number of galleys from 6 to 12 guns. They always keep more or less ready for sea. The Bashaw has received some great presents from the Grand Seigneur, 2 frigates, 1000 barrels of powder, cannon, mortars, shot, shells, cordage, canvas, spars, pine and oak plank, and a promise of as much more as the Bashaw stands in need of, to raise this regency to its former dignity which was the first state in Barbary. Our present for this place according to the treaties of peace, is much smaller than was expected, but I hope our government will take it into consideration and send something more than is put in the treaties of peace. It is much better to have the principal people to be our friends than our enemies, and by giving a trifle to one, and a trifle to another is the way to hold our ground good in Barbary. We have

no christian friends here, and in course we must hold our friendship with the Turks. * * * I have been instructed by the Spanish consul in every thing that is requisite relative to the management of our affairs since I have been here, and have informed M^r Barlow by every opportunity, which I make no doubt he has informed you of.

(Signed) JOSEPH INGRAHAM,
charge d'affairs for the U. S. of America,
at Tripoli.

[NDA. SDA. Disp. Spain, Vol. 4, 1797-1799.]

[About 4 October 1797]

Ordnance and Military Stores for Algerine Frigate *Crescent*

Return of Ordnance & Military Stores shipped in good Order by order of Samuel Hodgdon Esq^r Superintendent of Military Stores by George Fleming, on board the Sloop *Federalist*, John Gee, master consigned to M^r Melancton Smith, Merchant at New York, to be by him forwarded to Portsmouth in New Hampshire, for the use of the Frigate, building there for the Algerines. Viz^t

	cu ^t	qt ^s
2 long 9 pounder Cannon, weight each about 26		2
2100, nine pounder round Shot.		
800 Six pounder d ^o d ^o .		
520 rounds of Grape Shot, for 9. pounders, & 200 rounds of Grape Shot for Six pounders. All in 28 Boxes, marked U S. * * * * *		
[Gross weight 6314 pounds		
Tare 434 "		

5880 " Net weight of Grape Shot for 9 & 6 pounders.]

[NA. SDA. CL, Algiers, Vol. II, Jan.-Dec. 1797.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Secretary of State

DEPARTMENT OF STATE *Trenton October 31. 1797.*

SIR By my letter of July 18th committed to M^r T. Bulkeley, and which he has advised me was forwarded to you at Madrid, you will have seen that it was intended to send from America all the money necessary to complete our Barbary negotiations. But the information of the treaty with Tunis having been concluded, and that the price of the treaty was to be paid in a short time, together with your knowledge of other known demands for Barbary affairs, induced you, to prevent a subversion of all that had been done, to make eventual provision of funds in Europe. By M^r King's letter of August 5th received on the 17th instant, I find that he has secured with the Mess^{rs} Barings, the credit you desired. This arrangement will produce some embarrassment; as we shall not certainly know whether you will or will not have been obliged to draw on that fund. Should the monies not have been drawn, and the Dey's frigate reach Algiers without taking the money from hence, the consequences might be unpleasant. If you should have drawn the money from London, and we send it to Algiers, expense and risk will attend the transfer. Yet the precaution you took to insure the payment, if demanded, before the money arrived from the United States, appears to have been exceedingly proper and prudent. When I meet the Secretary of the Treasury in Philadelphia, next week, we shall consider what is most advisable on this subject. Perhaps the Dey's frigate may not depart until further information shall enable us to decide with certainty.

The failure of guns has alone caused a detention of the frigate beyond the time of her being ready for sea which was indicated in a former letter.

One of the two vessels building for the Dey at Philadelphia I suppose must be nearly ready to launch. Both would have been in equal forwardness, if the yellow fever had not again visited Philadelphia; and particularly Southwark, where the two vessels were building. The mortality was principally in that quarter. This disease has frequently of late been called the *plague*; and as such it may be mentioned to the Dey, to account for the delay in the building his two Cruisers. I rely that one of the two will be equipped and sent for Algiers before Christmas: perhaps in the beginning of December. The two vessels are under the direction of our chief naval constructor, and will be built with the best materials.

* * * * *

I expect that Capt^s Cathcart, Consul for Tripoli, and Capt^s William Eaton (late of our Army) Consul for Tunis, will embark this fall for their several Stations, and Capt^s O'Brien for Algiers.

[NA. SDA. Dip. Cor., Inst. to Min., Bk 4, Feb. 1797–Nov. 1798.]

[November 1797]

Form of Shipping Paper for the Frigate *Crescent* for Dey of Algiers

UNITED STATES OF AMERICA

ARTICLES OF AGREEMENT between the United States of North America, and the Officers, Seamen and Mariners on board the Frigate *Crescent* in the service of the said United States, whereof TIMOTHY NEWMAN, Esq. is Commander, bound to the Kingdom of Algiers, and there to be delivered up to the Dey and Regency for the fulfilment of Treaty Stipulations, and other special engagements entered into between the two nations.

For and in consideration of the Monthly Wages set against our respective names and stations, do agree with the said Commander, or his successor, to ship ourselves on board of the said Frigate and perform a voyage from this Port to Algiers, there to be removed on board such vessels as may be appointed to bring the crew back to the United States. — During the whole time we promise to conduct ourselves as good and faithful officers and seamen, to obey every lawful command of said Captain and our superior officers, and to do our duty on board said Frigate, her boats and any other vessel that we may return in to the United States, and conform ourselves to the Laws of the United States, and to the Rules and Regulations for Seamen in the American Navy, or any other Regulations specially made for this present voyage.

We further agree that we will defend the said Frigate against all pirates and enemies of the United States, that may attack, insult or molest her on the high seas.

In consideration of which the United States, promises and engages, that all the officers and seamen shall be safely returned to the United States in vessels provided with every necessary for the return voyage at the expence of the United States, and continue the monthly pay of the officers and seamen until they are safely landed in the United States twenty-four hours; then to be discharged and paid the monthly pay due to each officer and seaman.

The United States further agrees, that should the crew be landed in any port to the southward of Boston, that a reasonable sum shall be paid to each officer and seaman for his expence and travel to this port of Portsmouth, over and above his monthly wages, but if landed at Boston, no travelling expences to be allowed — and that in case of wounds or sickness, they shall be treated with the same care and attention that officers and seamen are, serving in other ships of the American Navy.

The United States will not hold themselves responsible for any act committed on shore by any officer or seaman in a foreign county, contrary to the laws of such countries.

Each officer and seaman shall receive one months pay before sailing from this port, also wages due shall be paid up, provided they have been on board a longer time than one month, when the Ship is paid and ready for sailing.

Portsmouth, New-Hampshire, November, 1797.

Time of Entry.	Time of commencing Pay.	Mens' Names.	Stations.	Wages per Month.	Wages advanced.	Witnesses to their Signing.

[NA. SDA. CL, Algiers, Vol. II, Jan-Dec. 1797.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Joseph Ingraham, U. S. Chargé d'Affaires, Tripoli

TRIPOLI 4th of November 1797.

DAVID HUMPHREYS Esquire

*Minister plenepotentiary from the U. S. of America,
to the Court of Madrid.*

SIR, Since my last of the 4th of October, of which the inclosed is a copy, there has many striking things turned up in Tripoly — such as would not be credited only by them that is an eye witness to the same. These people has got so haughty that they pay little or no respect to either friend or foe. After making peace with the Danes, they took the Swedes in hand, and has captured seven sail, but one having an Algerine passport was given up again, but not without the loss of 3 or 4000 dollars, besides the detention of the ship. They have also captured an Imperial ship that had the governor of Smyrna's pass. This ship and cargo was condemn'd, the cargo sold, and the ship made a cruizer of. The ship and cargo worth 84,000 dollars. They have also captured a Greek laden with wheat. she sailed under the Grand Seigneur [space] the cargo was taken on suspicion that it belonged to a Neapolitan merchant, her papers being destroy'd and having nothing to prove to the contrary the ship and people set at liberty. This is the proceeding of the government of Tripoly. They pay little or no regard to any nation except the English French and Spaniards and Americans, and its fear that induces them to pay any respect to them. How long they may be friends with the Americans after their presents is delivered, I cannot pretend to say unless they keep a few frigates constant in these seas to keep them under subjection: if they do that, it is possible to hold our peace for some years, and not otherways. If our government considers the small

presents that is given for a perpetual peace to what other nations has given, they cannot doubt the truth of what I write you now. Depend on it that these people is not to be bound under writings. On the death of this present Bashaw of Tripoli there will be great alterations in the regency either for the better or worse and before they can be brought to love or respect a christian, they must be first taught to fear them: this is the only method that can be taken with the states of Barbary by a nation that means to hold a perpetual peace and friendship with them and without this method's taking place you cannot trust much to the [ms mutilated] and honor of a nation that thinks of deceiving any christian that comes their way or they think themselves in duty bound to spoil a christian if possible.—

[NA. SDA. Disp. Spain, Vol. 4, 1797-1799.]

To Josiah Fox, Naval Constructor, Philadelphia, Pa., from Edmund H. Quincy
PORTSMOUTH NEW HAMPSHIRE Nov^r 5. 1797

DEAR FRIEND My not hearing from you since the prevailing epidemic in Philad^a has made myself & wife quite uneasy; it was some relief, to hear the public officers, were removed out of the City, as we presumed you would of course follow: but your distress we fear has been great — We sincerely sympathize with you & M^r Fox, lament^g the sorrowful occasion — I hope this will meet you safe returned to Philad^a with your family — Our last accounts from thence are encourageing if true & may God, in his providence, give you health, with every attendant blessing & avert every evil, from that devoted City — There has been liberal contributions made in this & the neighbouring towns, for the relief of the poor & distressed inhabitants of your city: who could not flee from the pestilence & we hope it will be received, as a mark of brotherly affection and be blessed to their use & benefit — I, a little expected a visit from you here, with your family; where I presume you would have found a comfortable assylum: altho' your business might have called you away, it would have been our chief pleasure, to have render'd the tarry of your family, as agreeable as possible —

You would be pleased I am sure to see the Frigate *Crescent*, riding at anchor the pride of our river and the boast of our seamen; indeed, she is a beautiful Ship & it is confidently asserted, the handsomest vessel, in the United States — but of this you would be an able Judge & in as much as you have largely contributed, towards the handsome model, I think you would feel great satisfaction in beholding the completion of your wishes.

I had the pleasure to hear from you by Col^o Hacket, who was much pleased with the attention shewn him at Philad^a —

I have nothing of importance to communicate to you of the state of our Navy Yard — every possible attention is paid to the preservation of the Materials & every necessary precaution used for their safety — I have deferred making a return of the articles delivered for the Algerine Frigate, as Col^o Thompson has made requisitions, from time, to time, of sundry small articles, that I have tho't it best, to keep it open, 'till the Ship was compleated & then make a return of the whole — I shall now forward my Return very soon — M^r Timothy Mountford who takes passage in a little Brig of M^r Jacob Sheafe's for Philad^a will hand you this — I have also desired his care of a barrel of Potatoes, which I am to beg your acceptance of, as a *small* token of my remembrance of you — they were raised in my

garden & I beleive are tolerably good — M^{rs} Quincy unites with me in our kind regards to M^{rs} Fox & M^r Sheafe & family desires their best Respects — & beleive me to be my D^r Freind * * *

[Peabody Museum No. 156.]

To Secretary of State from David Humphreys, U. S. Minister to Madrid, Spain

(N^o 120)

MADRID Nov^r 14th 1797

SIR I have the honour to transmit to you herewith the original Treaty [28 August 1797] lately concluded between the United States & Tunis, for the consideration of the Executive; & I cannot refrain from recommending at the same time to the favorable notice of Government the persevering, intelligent & honorable conduct of M. Joseph Stephen Famin, in the management of this tedious & difficult negociation.

On the great & interesting event of procuring a free Navigation in the Mediterreneon for our enterprising Citizens, by the conclusion of Treaties with all the Barbary Powers, I cannot suppress the pleasure of offering my sincere felicitations, accompanied by my ardent desires that adequate means may be taken for perpetuating so distinguished an advantage, so happily calculated for the improvement & extension of our commerce.

* * * * *

[NA. SDA. Disp. Spain, Vol. 4, 1797-1799.]

[25 November 1797]

Invoice of Sundries for the Frigate for Algiers

Invoice of Sundries Shipd on account of the United States by TENCH Francis, Purv^t on board the Brig^t *Abigail* Josiah Smith M^r for Portsmouth N Hampshire to be embarked in the Frigate for Algiers —

***6 bales Nankeens containing 100 pieces each is 600 pieces @ 6/9 & permit 5	202	15	-----
3 Boxes Pekoe Souchong @ 20 [?] p ^r Box	22. 10		
1 d ^e Young Hyson Tea	3. 15		
9 boxes Souchong Tea — 320 lb Neat @ 7/6	120	26	5
1 q ^t Chest Imperial d ^e 106 lb N ^l @ 14/	74. 4		
1 q ^t Chest Young Hyson d ^e 81 lb n ^t @ 11/3	45. 11. 3		
1 Box Imperial Tea	26 2/3 lb	20. 12. 6	
Porterage & permit		12. 0	
1 barrel — 12 loaves dble ref ^d Loaf Sugar		260	19
lb oz			
108. 10. 2/6	13. 11. 7		
5 d ^e 57 d ^e Single d ^e — 542. 2/2	58. 14. 4		
bis & porterage	16. 6		
		73	2
t lb			
20 bags India Sugar 27. 0. 25 @ 15 [?]	408. 35		
16 bags Pepper 1354 lbs @ 30/100 tbs	406. 20		
3 barrels of Cloves 287 lbs @ 1 [?]	287		
1 Box — containing Nutmegs 60 lb @ 7 [?] — 420			
Cloves 60 lb @ 1 [?] 60	480		
24 pieces Red Bandanaces 5-1/3 [?]	128		
Porterage barrels &c	7. 33		
	88		
	1716		
100 tbs		643	16
			7
£	1206	. 18	9
is Dollars	3218	50	
		100	tbs

Errors Excepted Nov^r 25, 1797

for TENCH FRANCIS Purv^t
Wth GOVETT.

[NA. SDA. CL, Algiers Vol. II, Jan-Dec. 1797.]

To the Dey of Algiers, from Richard O'Brien

PHILADELPHIA, December 4th 1797.

BISMILLAH

MOST EXCELLENT Hassien Bashaw, Dey of the warlike city and Kingdom of Algiers.

By the remarkable fast sailing schooner *Hamdullah* Rice Montgomery, I first pray God your Excellency and all your people is well.

The United States of America has sent the following vessels with stores for Algiers

The Polacre in January last.

The large Swede ship in May last.

A large American ship in September last.

The accident happening to the guns destined for the frigate [*Crescent*], which this government gives to Algiers, has retarded her sailing. Please God said frigate will sail for Algiers in december. I shall come to Algiers in said frigate, and will have some stores — all under the firman of Algiers

There is building in this city on account of your Excellency 3 corsairs —

A Brig to mount on one deck 22 six-pounders

A Schooner to mount 20 guns—4 pounders

A schooner to mount 18 guns, 4 pounders.

The Brig will be copper-bolted and spiked and copper-bottomed. — These corsairs is the finest ever built in this country and preferable to any ever built by any nation in Europe — will sail faster than any vessels, that ever was in the Mediterranean. These vessels please God will sail for Algiers in March. The great sickness, which happened in this country, has retarded the Algerine business: but the Government of this country wishes to procure and send to Algiers the best materials, which requires time to collect them. The United States of America has heard with the greatest satisfaction your making the Spaniards and French give up the Polacre and Swede ship, which they intended to plunder and rob: we have thank God heard of their arrival at Algiers. The depredations and sea-robberies of those nations in unjustly capturing the American vessels has much retarded the Algerine business: but God is great; — in him we confide, and hope for your Excellency's lasting friendship.

N. B. At present a large ship is loading for Algiers and Tripolia

Brig is called the *Hassien Bashaw*

Schooner *Lelah Eisha*

Schooner *Skjoldebrands*

[NA. SDA. CL, Algiers, Vol. II, Jan-Dec. 1797.]

To George Clark, U. S. Agent, Algiers, from Secretary of State

[PHILADELPHIA]

Department of State December 4. 1797.

SIR I inclose the invoice and bill of Lading of the cargo of the United States Schooner, named the *Hamdullah*. The cargo is for the Dey and Regency of Algiers, agreeably to the treaty stipulations of the United States of America with that power. You will, on the arrival of the Schooner, make the same known to the Dey, in the most proper man-

ner, and receive his orders for the delivery thereof. I enclose another invoice of articles, among which are six shawls and forty four penknives for the Dey of Algiers: the rest of the articles in this invoice you will deliver to Joseph Cowen Bacri & Co.

The frigate destined for the Dey will sail in the course of the present month. Captain O'Brien will embark in her. Perhaps she may arrive nearly as soon as the *Hamdullah*.

As soon as the *Hamdullah* shall be unladen, Cap^t Montgomery is to clear and put her in good order, and then you will deliver her to the Dey, as a vessel purchased for his use, at the expense of the United States. Captain O'Brien on his arrival will further explain the object of this purchase and delivery.

Capt. O'Brien has written a letter to the Dey, of which I enclose a copy, to inform you of the progress made in building the vessels, which the Dey gave Capt. O'Brien orders to procure.

If an opportunity offers for the return of Capt. Montgomery and his crew to the United States, you will embrace it. A direct conveyance from Algiers to the United States is hardly to be expected: you will therefore engage passages for the Captain and crew of the *Hamdullah* by the way of Alicante, or otherwise, as you shall judge most proper and economical, unless Capt. O'Brien should arrive soon after the *Hamdullah*; in which case he will do what is requisite.

[NA. SDA. Dip. Cor., Inst., to Min. Bk 4, Feb. 1797–Nov. 1798.]

To Andrew Montgomery, Master of the Schooner *Hamdullah*, from Richard O'Brien

PHILADELPHIA December the 4th 1797

SIR you are appointed master of the united States Schooner, *Hamdullah*, destined from this port for Algiers. haveing with. youre papers. The dey of Algiers passport. youre haveing. powder and Many Valuable articles on board. you will take the greatest. care and precaution

On youre leaving the Capes of the delaware Keep a Sharp look.out and avoied. the track of corsairs and avoid Speaking of Vessels. take a good Oppertunity in entering the Straits. and when Once within Ceauta and Gibraltar, Keep the Barbary Shore. untill you Come adjacent to Algiers. you will, then hoist y^r american Colours aft. and y^r Algerine. flag at the Mⁿ topmast head, and Enter the port of Alg^{rs} deliver. youre letters. and dispatches to the American Agent and folow his Orders. if you Should. be sometime in Algiers or that the Schooner remains in Algiers. untill the arrival of the frigate. you will Consult. with the American Agent. act with precaution. and policy. and with every prudent Oeconomie untill you return to America, for so doing. this is my advice & instructions to you

by RICH^d O'BRIEN
Consul. for Algiers

If. you are taken by any nation write to the Dey — and American Agent. If. you. receive. any orders from the Secretary of State Obey them and disregard. these Orders

[NA. SDA. CL, Algiers, Vol. II, Jan–Dec. 1797.]

[5 December 1797]

To Andrew Montgomery, Master of Schooner *Hamdullah*, from Secretary of State

To M^r ANDREW MONTGOMERY, Master of the Schooner called the *Hamdullah*, now riding at anchor in the Port of Philadelphia, & destined for the City of Algiers

SIR, You will proceed with the schooner *Hamdullah*, under your command, for Algiers. The quality of your cargo requires the utmost care.

On your passage beware of cruisers, & avoid as much as possible, speaking with any vessels. When you arrive at the Straits of the Mediterranean, observe the directions which Captain O'Brien has given for your sailing thence to the port of Algiers. On your arrival there, find M^r George Clark the agent of the United States, & deliver the letter addressed to him. Follow his directions for the delivery of your cargo, & afterwards of your Vessel. He will provide for the return of yourself & crew to the United States.

If M^r Clark should not be at Algiers, enquire who is the American agent there; & if you find none, then open the letter addressed to M^r Clarke & execute my orders therein contained. If M^r Pierre Eric Skjoldebrand should be at Algiers, request his advice & assistance & ask also the advice & assistance of M^r Joseph Cowen Bacri to whom, as you will see by one of the invoices, sundry articles of the cargo to be delivered.

In the absence of an American Agent at Algiers, I shall rely on your attention & foresight to take the most proper means of returning with your crew to the United States, or otherwise disposing of them to their satisfaction. I hope however that Cap^t O'Brien will arrive so soon after you as to relieve you in this respect.

Given under my hand & Seal of Office, the 5th day of December 1797.

T[IMOTHY] P[ICKERING] Sec^y of State

[NA. SDA. Dom. L, Vol. 10, Mar. 1797–June 1798.]

[9 December 1797]

Petition to Congress for restoration of Schooner *Eliza* to former owners, Gorham Parsons and Edward Rand, Boston, Mass.

To the Honourable the Senate, and the Honourable the House of Representatives in Congress assembled — Humbly shew Gorham Parsons and Edward Rand of Boston and citizens of the state of Massachusetts, that in the month of October in the year of our Lord One thousand seven hundred and ninety five, after intelligence had been receiv'd from the American consul at Alicante, that a treaty had been formed between the United States and the Barbary Powers; they sent their Schooner call'd the *Eliza* Samuel Graves Master, and the said Edward [Rand] Supercargo, on a voyage to Gibraltar with directions to proceed from thence to some of the Southern parts of France for the purchase of Brandy, if information should be receiv'd at Gibraltar that the navigation wou'd not be interrupted by the depredations of the Barbary Corsairs — That on the arrival of the said Schooner at Gibraltar such information was received, and she proceeded for Cette a French port in the Mediterranean, on her passage by a gale of wind she was driven into Adge a French port in

the neighbourhood of Cette where Ten thousand dollars the property of your petitioners and part of the cargo of the said Schooner was taken away in the night time by certain Robbers whom your petitioners have never been able to discover; that the Super cargo after tarrying in vain for some time to discover the Robbers and to obtain redress, purchas'd about sixteen pipes Brandy with the small remainder of the cargo, and the said Schooner sailed from the port of Cette bound for Malaga and on her passage was seized by a corsair from Tunis and carried into that port three days before the expiration of a Truce which had been agreed to by the United States and the Bey and guaranteed by the Dey of Algiers; — That certain Stipulations having since been agreed to between the United States and the Bey of Tunis, the Master Super cargo and crew have in consequence thereof been liberated, and the said Schooner and Brandy restored to the order of the Consul of the United States then residing at Algiers — That the Schooner after being rigged as a Brigantine at Palermo, has returned to Boston where she now is under the care of the said Parsons as Agent of the Secretary of State, and the said Brandy has also been receiv'd at Boston by the Assignee of the said Secretary, but it has not yet been decided whether the said Brigantine and Brandy shou'd be restor'd to your petitioners or whether the United States shou'd retain it for their own use — Your petitioners wou'd submit to the consideration of Congress whether by any laws recognized among nations their property in the said Brigantine & Brandy has been divested? Whether as the seizure was during the existence of the truce, it ought not to be deemed such an infraction of a national compact; as will not vest a legal property in the Spoliators? but if the legal property may be considered to have been acquired by the seizure yet your petitioners would humbly suggest, that upon the restoration of the vessell and cargo, it would not be consistent with the national honour to detain the same from the original owners, that it cannot be supposed that the United States would negotiate with the Bey for the purchase of a vessell and sixteen Pipes Brandy for their own benefit especially when the same had been taken from their own citizens and made prize of contrary to a truce stipulated between the two governments, That if the idea of such trafic should be rejected, no other rational idea seems to present itself but a ransom for the benefit of the original owners — how far this is supported by the equitable claims which every citizen has upon its Sovereign for the protection of a lawful commerce, when such protection can be granted without a public injury, or for compensation for illegal capture where the compensation is in the possession of government and can be made by a restoration of the captured property your petitioners would request the consideration of Congress. — Your petitioners would submit this further consideration, that the same sum was probably paid to the Bey for the liberation of the captives and the restoration of the property, as must have been paid for the liberation of the captives only, as will appear by comparing the sum paid to the Bey with the price paid for the ransom of slaves only to the Dey of Algiers, as also by considering that the vessell and Brandy had the same not been restored wou'd have been quite useless to the Tunisians. — your petitioners have also understood that expences have been incurred in altering the said Schooner into a Brigantine since her restoration, and that wages are due to the seamen for navigating her to Boston, and also that the said

Brigantine has earned a freight about equal to those expences, wherefore your petitioners humbly pray that Congress wou'd take the premises into its wise consideration; and order the said Brigantine and Brandy to be restored to the original owners, as some alleviation of their misfortunes arising from this disastrous voyage and as in duty bound shall ever pray. —

GORHAM PARSONS
EDWARD RAND by his
Attorney G. PARSONS. —

BOSTON DECEMBER 9th 1797.

[See document dated 14 June 1796.]

[NA. SDA. CL, Algiers, Vol. II, Jan-Dec. 1797.]

To Secretary of State from James Simpson, U. S. Consul, Tangier

N^o 3.

TANGIER 16th December 1797. —

SIR I have the honor to advise my arrival at this place on the Evening of the 6th Inst — the day following I landed, and was received by the Governor His Excell^y Alcayde Habu Ben Maleck, as Consul General of the United States for this Empire, with marks of cordial Friendship, under the usual complimentary Salute of 11 Guns. —

His Imperial Majesty Muley Soliman having sat out for Morocco, the season of the year rendered it impossible for me to follow him there immediately, accompanied by a sufficient number of Mules to carry, and Guards to escort the Articles provided, to be presented His Imperial Majesty, in the name of the United States; for this reason and having no place of safety to secure the Articles of Present here, they remain at Gibraltar, untill wanted. —

The Roads during the rainy season in this Country are render'd almost impassable for Horsemen, but perfectly so for Cattle with burthens, unless at a very great hazard of having every article so transported, destroyed; — the Governor sensible of this, very readily sent off a Horseman to Morocco at my arrival, with letters from me for Muley Soliman and Sid Mohamet Ben Ottman, with an apology for not waiting on His Majesty untill the Journey can be undertaken with safety to the Articles compose the Present, which I have not a doubt but will be well received. —

I have delayed doing myself the honor of making this Communication to you, untill Official advice should be received of Muley Solimans arrival at Morocco, which happy event has this morning been announced by Salutes from the Garrison, the Governor having received the intelligence last Night; — This Prince now Reigns sole Emperor of his Father's Dominions; and the Country thro'out, is in a state of the most perfect tranquility, which it is hoped under a Sovereign of Solimans innate good qualitys, will continue; as a blessing to his People and a Comfort to Christians they have for some years back been strangers to. —

* * * * *

Before my departure from Gibraltar, M^r Pintard gave orders to the Master of his Brig *Mary* to land the Guns were on board of her, which was done, and I returned the Vessels Rudder — the Master of the Privateer brought the Brig to Gibraltar on suspicion of the Cargo being Spanish property, was compelled by Sentence of the Vice Admiralty Court to pay Captain Gardener damages — in those were comprehended demurrage up to the 6th August notwithstanding Ship

& Cargo were liberated by decree bearing date 4th or 5th July, at issue of the Trial — Gardner (Master of the *Mary*) pleaded that as one of his Ship papers had wrongfully been delivered to me by the Captor, he could not receive the others without it — in my former letters on this subject, I have told you the strong motives induced me to retain that paper, and now I am here I can assure you, it was a happy circumstance I did, for some of the Consuls have told me, every part of the busyness is well known on this side, and that my conduct was watched. —

M^r Chiappi of Mogodor writes me, that by the Emperors order the Brig *Liberty* and her Cargo carried to S^a Cruz by one of his Cruizers, as mentioned in dispatch N^o 1 (of Morocco communications) have been confiscated as taken on a Contraband trade — the Master & Crew have been liberated. — I am very desirous of receiving Cutts of the Mediterranean Passes, and hope I shall, before any of the Cruizers of this Country be fitted out, at present they are all laid up. —

The Consuls resident here are those of England — Spain — France, Holland — Denmark — Sweden — Portugal and Genoa — the latter also acts for Ragusa, and did for Venice; they are all my old acquaintances, I have the satisfaction of being in habits of strict Friendship with most of those Gentlemen, and intimately acquainted with the whole. —

I have not failed to send to His Imperial Highness Muley Taib, who who resides at Fez, a handsome remembrance on the part of the United States — we understand he goes to Command at Morocco, on the Emperor's return to Mequinez. * * *

[NA. SDA. CL, Tangier, Vol. 1, 1797-1803.]

[16 December 1797]

Agreement between the Secretary of State, and Richard O'Brien, and William R. Prichett, Ship Joiner of Point Pleasant for work on the *Lelah Eisha*

Articles of Agreement made the Sixteenth Day of December in the Year of our Lord One Thousand Seven Hundred and Ninety Seven by Timothy Pickering Secretary of State with Capt^r Richard OBrien of the one Part and William R. Prichett Ship Joiner of Point Pleasant on the other part, WITNESSETH that he the said William R. Prichett promises or cause to be done the Joiners Work for the Schooner now on Stocks in M^r Samuel Bowers's Ship Yard in a compleat Workmanship like manner — THAT is to say as follows to be finished in the same way that the other Algerine Schooner is to be done, the Bottom to be planed the Wales, the upper Works Quick Work the Plank Shear plain, with a Molding on it a String planed & Beaded on the lower Edge of the string, the Channels to be planed if requested the upper edge of the Wale to be beaded and black Streak'd, the Quarter Pieces to be Planed, with a Molding on the Stern to be lined, with false Moldings for forming Cabin Windows, the Stern to be lined inside the Clamps to be planed & Beaded, the Beams ditto the Nees to be Worked Head Ledges & Comings the Cabin to be two bulk Heads & two Births twelve feet apart to form the Cabin, Fore & aft pieces Partners Karlings Bits & Water Ways all to be planed and beaded. and shot Lockers to be planed the lower part of the Deck ditto. William R. Prichett to find the Boards. all this work to be done to the liking of M^r Samuel Bowers. Timothy Pickering and Captain

Richard O'Brien on their part promise to pay unto William R. Prichett the Sum of Four Hundred and Fifty Dollars for Compleating the said Work:

Wth R. PRICHETT

Approved, by RICH^d O'BRIEN
 Approved, TIMOTHY PICKERING,
Sec^y of State

[NA. SDA. CL, Algiers, Vol. II, Jan-Dec. 1797.]

To Secretary of the Treasury from Secretary of State

[PHILADELPHIA]

Department of State Dec^r 20. 1797.

SIR By the best accounts I have received relative to our Barbary negotiations it appears that we are indebted to the house of Bacri at Algiers in the sum of about fifty Thousand Dollars.

	50, 000
To the Dey of Algiers, for the forty thousand Dollars he advanced for our peace with Tripoli.....	40, 000
To the Bey of Tunis for the peace understood to have been negotiated with him "upwards of".....	60, 000
To the Bey of Tripoli, to be paid when the Consul of the U. States presents himself.....	12, 000
For presents promised or expected by some influential Officers.....	3, 000
For the sum "upwards of 60,000\$" for Tunis we may Safely add.....	5, 000

170, 000

Cap^t O'Brien must provide for the return of the crew of the *Crescent* frigate which he is to deliver to the Dey of Algiers, & for the crew of the *Hamdullah* Schooner sent for Algiers with Stores — for this object & unforeseen contingences, I think must be added Ten Thousand Dollars.....

10, 000

Total 180, 000 Dolls

Col^o Humphreys writes from Madrid the 5th of September last, that M^r Barlow had actually passed his bills upon him without Saying for what sum; but I suppose for the sums referred to in M^r Barlow's letter to him of the 23^d of May last, of which an extract is enclosed. Col^o Humphreys refers to two of his letters to me covering some from M^r Barlow which I conclude give the details, but which have not come to hand. But on the 5th of Sept^r no bills had appeared when Col^o Humphreys wrote last summer to M^r King to procure a credit with the Mess^{rs} Baring's to enable him in that way to discharge M^r Barlow's draughts, the credit desired was from 170,000, to 200,000 dollars. Hence the 180,000, the amount of my estimate in the preceeding page, would seem to me as low as can be expedient.

As it is possible, perhaps probable, that the bills may have been paid in London, it would seem prudent to lodge the money in Europe, as mentioned in conversation with you to-day, in a Situation to be

commanded, with the least inconvenience, for London or Algiers, as the case may require.

[NA. SDA. Dom. L, Vol. 10, Mar. 1797–June 1798.]

To Captain Timothy Newman from Secretary of State
DEPARTMENT OF STATE
PHILADELPHIA Dec^r 23. 1797.

SIR, I am glad that the time of your sailing for Algiers is at hand. Cap O'Brien will leave this City the beginning of the ensuing week. —

This day I send orders to Boston for transporting to the frigate one hundred & eighty thousand dollars, for which you will provide a suitable birth, & give your receipt to the person who shall deliver them. It is possible & not improbable that the dollars may be landed before you reach Algiers: the birth you give them should be chosen with this view.

Their weight will be about four tons & a half. Capt O'Brien will have orders on this Subject.

As far as possible I would have this affair of the money kept a secret.

[NA. SDA. Dom. L, Vol. 10, Mar. 1797–June 1798.]

To Secretary of State from Richard O'Brien

[PHILADELPHIA]
December the 23^d 1797

SIR The 4 pounder, which is Cast at the foundery. I have particularly observed, and think that 16, of that Size will do. for the Schooner, building by M^r Bowers, Said Gun is 4½ feet long,

The Schooner. building by M^r Hutton, Should, have Guns 5 feet long, and the Six pounders for the Brig Should, be, 5½ feet long, all this I have explained to M^r Humphreyes, whom wrote to M^r D^e Costa, on Said business and he informs me, he Cannot, make the draft, or plan, without. he first. receives the orders of the purveyor, as this Seems to retard the business. I think it incumbent, on me to give you this information So that youre Orders, will be the means of facilitating and removeing the Obstacles, herein Mentioned

NB. M^r Humphrey^s & M^r D^e Costa Knows the necessity of the Stern Chace Guns. to be longer then the battery Guns —

[NA. SDA. CL, Algiers, Vol. II, Jan–Dec. 1797.]

[25 December 1797]

To the Dey of Algiers, from President John Adams

[From] John Adams, President of the United States of America

To His Excellency HASSAN BASHAW,
Dey of the City and Kingdom of Algiers

Having received many proofs of the ability and fidelity of Richard O'Brien, Esquire a citizen of the United States, and believing that his intimate acquaintance with the manner of transacting public affairs at Algiers may render him particularly useful to his country as well as acceptable to your Excellency, I have selected, & by and with the advice & consent of the Senate of the U. S. appointed him their Consul General for the Kingdom of Algiers. Wherefore I request you to receive him as such, and to allow him all the privileges and distinctions granted to the Consul of any other nation connected with

you by the bond of peace and friendship. And as he is charged to make it his constant care to maintain the subsisting peace and friendship, I desire you favourably to view all his endeavours to that end, & to give full credence to his assurances of the good faith of the U. S. and of their sincere determination to fulfil all their engagements with the Dey & Regency of Algiers. Many unfortunate circumstances have retarded the performance of those engagements, which our Consul General will explain to you; and some of them are so difficult to accomplish, still further time will be necessary for that purpose; but any further delays will arise not from any indisposition to perform our promises, but solely from the great obstacles which are in the way of their execution. These circumstances, I doubt not your Excellency will duly estimate, whereby the harmony and good understanding so happily begun, may continue and be firmly established. —

To these expressions of Truth & Good Will, I have only to add my prayers, That the Great God may long preserve your life, and crown your days with felicity and honour.

Written at Philadelphia the 25th day of December one thousand seven hundred and ninety seven.

J. A. [JOHN ADAMS]
By the P. of the U S of Am
 T P. [TIMOTHY PICKERING]
Sec^r of State

To the most Excellent and
 most Illustrious HASSAN BASHAW
 Dey of the City and Regency of Algiers.

[Added in different writing]

Algiers to Tunis about 450 miles, by land, as the couriers travel — who are about 10 days on the journey.

Tunis to Tripoli, about 450 miles D^o

Algiers to Tunis, four or five days sail with a fair wind — Same from Tunis to Tripoli. Current always setting eastward — except close in with Algerine shore.

Algiers to Alicant, 24 hours sail (only about 180 miles)

Algiers to Gibraltar, about 4 days sail with a fair wind. N. B. Capt O'Brien had an extraordinary run from Algiers to Lisbon, in 6 days.

[NA. SDA. CL, Algiers, Vol. II, Jan-Dec. 1797.]

To Richard O'Brien, U. S. Consul General, Algiers, from Secretary of State

DEPARTMENT OF STATE, PHILAD^a Dec^r 29th 1797.

To RICHARD OBRIEN Esquire

Consul General of the United States for the Kingdom of Algiers.

Your intimate acquaintance with the Government of Algiers, and their principles of conduct towards Christian Nations, with your practical knowledge of the means and mode of preserving peace, render minute Instructions unnecessary. Indeed much must be left to the discretion of a Christian Consul at Algiers, hence you will feel the weight and importance of your office, and your high responsibility. This responsibility is magnified by the addition[al] charge of a general superintendance of the affairs of the United States in the Regencies of Tunis and Tripoli. This is hereby committed to you. These proofs of the high confidence reposed in you by your Country cannot

fail to enforce the corresponding duties of fidelity, vigilance, and zeal to fulfil the great objects of your mission.

I. You well know the great difficulties in the way of executing the stipulations of our Treaty with Algiers; while you are sensible that the good faith of the United States is a sure pledge of their eventual performance. You will, therefore, on all necessary occasions explain these difficulties. Among the causes of delay may be mentioned —

- 1st The capture, detention, pillage and frequent condemnation of our vessels by the belligerent powers.
2. The scarcity and excessive high prices of many of the stipulated stores.
3. The real and almost unsurmountable obstacles in the way of procuring other articles, particularly the large masts, which were sought for in the exterior country, several hundred miles from the sea — and their transportation to Algiers will be a work of great difficulty; especially as we have no vessels constructed for that service.
4. The fact that altho' we contended with the force of Great Britain and successfully, in the establishment of our Independence, and had many vessels of war on the Ocean; yet these were chiefly the property of private Citizens, who with the conclusion of the war, laid aside all armed vessels, and the Government, loaded with heavy debts in the war for their Independence have hitherto avoided the expensive establishment of arsenals and dockyards: Hence the delays in procuring cannon and building vessels of war. The forming of these establishments being reserved for the urgent occasion commenced or apparently unavoidable.

II. The *Crescent* Frigate in which you are to embark, you will deliver to the Dey and Regency, for whom it has been constructed and equipped, conformably to the stipulation of M^r Barlow. After the Frigate had been so far advanced as not to admit of alteration, M^r Barlow signified that she should be mounted with 12 instead [of] 9 pounders. My answer on this subject of which you will receive a copy, I presume has satisfied the Dey. Captain Newman is instructed to keep the Frigate in the best possible order to render her the more acceptable.

III. The Schooner *Hamdullah*, which has lately sailed with Stores for Algiers is also to be delivered to the Dey. A copy of the orders, to the master, captain Montgomery, is inclosed for your information. This Schooner has been purchased, and the Schooner *Lelah Ersha* is now building here, for the Dey, in the expectation that they will not only soothe him under the past delays & disappointments in the fulfilment of our stipulations, but serve as acceptable substitutes for the stipulated, Masts, Yards, and heavy planks, which are so costly and difficult to procure, and so exceedingly expensive to transport — the former, when delivered at Algiers will cost the United States perhaps thirty times their estimated price in the stipulations. You will, therefore, exert all your talents to effect these objects. And for your full information concerning them, the copies of the original agreement and of the articles for the annual presents, and of the Invoices of articles furnished in pursuance thereof, are herewith delivered to you. We shall be anxious to receive the details of your negotiations in this business & their result.

IV. The Schooner *Skjoldibrand*, & Brigantine *Hassan Bashaw* now building here on the special Commission from the Dey, will be completed as soon as possible. Had not the Yellow fever interrupted the work-men, both would have been ready to launch at the first opening of the Spring at farthest. As the cost of them is to be reimbursed by

the Dey & Regency you will of course count on receiving the same on the delivery of the two vessels. This circumstance is noted as a resource for any unforeseen demands, and because we do not know the precise state of our pecuniary affairs at Algiers and Tunis. As soon as it shall be practicable, after your arrival, you will transmit to the Department of State the best information you can obtain concerning them.

V. The building of armed vessels for the Dey and Regency of Algiers. the Government of the United States would willingly have avoided: altho' the European Nations have long been in the practice: But the critical situation of our affairs left us no alternative. In time to come, however, we shall be well pleased if further engagements of the kind could be avoided. If demands should be made, you will transmit them, with full information of all the facts and circumstances which may be requisite to enable the Government to judge of the necessity or expediency of complying with such demands, postponing any peremptory engagements, while it can be done with safety.

VI. Considering the preponderance of the Dey of Algiers in the Councils of Tripoli, and his weight in those of Tunis; and that the Consulate of Algiers is of superior importance, the establishments of the three Consulates in those Kingdoms have reference to this state of things. Our Councils at Tunis and Tripoli, will, therefore, constantly correspond with our Consul General at Algiers, and especially in all cases of difficulty in relation to our peace with those powers, and to the property and persons of our citizens. All pecuniary demands from the two Eastern Regencies are to be communicated to our Consul General at Algiers, and if they appear to him necessary to be granted, and are so urgent as not to admit of delay — if also the sums in question are not of very burthensome magnitude, and they can be procured at the place where they are demanded or at Algiers, they are to be furnished accordingly by the orders or with the approbation of the Consul General, he transmitting information of the affair, as soon as practicable, to William Smith Esquire, the Minister of the United States in Portugal. But if these demands are very extensive, or are not so pressing as to require immediate decision, the Consul General will state them, with all the requisite circumstances, together with his opinions, to our Minister at Lisbon, and await his advice and direction. The Consul General will, in like manner consult with him in case of any difficulties or unforeseen demands in his own Consulat at Algiers. And considering that Lisbon is not very remote, probably few affairs of great moment will arise, in which he will not have time thus to advise with that Minister.

The same course of proceeding is to be observed in the case of other demands than those for money from the Barbary Regencies: and even greater precaution seems requisite before such other demands are admitted; because in their nature they are more embarrassing, or eventually are likely to be more burthensome, than any pecuniary concessions.

If however the cases here considered admit of the delay, they are to be transmitted to the Department of State, to receive the decision of the Government.

It is not easy to mark the utmost extent of the powers thus to be exercised by the Consul General for Algiers. The nature of the barbary Regencies often subjecting the Affairs of peace and War to be

determined by the will of an individual whose continuance in power is itself precarious, such affairs cannot always be brought into previous negotiation with the Christian Nation to be affected by the decision: and hence the necessity of that discretionary power hereby vested in our Consul General for Algiers. But the nature of the Trust being thus delicate and important, he will be impressed with the necessity of deep and unremitting attention to the duties of his station, and of adopting all particular precautions, not only to perform those duties with prudence, diligence, and integrity, but to render those essential qualities of his station manifest to his Government & fellow citizens.

In proportion as this great trust is liable to abuse should be the zeal of the Trustee, to exhibit a fair, candid and upright execution, that should place him beyond the reach of suspicion.

VII. Make up your accounts half yearly on the last day of June and December, and where your pecuniary transactions admit of proofs, take duplicate vouchers, one set of which you will transmit half yearly with your accounts to the Department of State.

VIII. The yearly salary of Four thousand dollars is the compensation for all your personal services and expences.

IX. Regularly once a month write to the Department of State, and as much oftener as any business or event interesting to the Government shall occur. And every six Months transmit by a safe conveyance a copy of your Journal in which you will note every transaction, the knowledge of which may be useful to our Government, whether it immediately respects ourselves or the other Christian Nations.

X. You will enquire and collect the best information in your power concerning the commerce of the States of Algiers, Tunis and Tripoli, and communicate the same to this Department specifying the articles of commerce, their prices, with what nations now carried on, and your ideas of the practicability of introducing our own citizens to a participation therein, and the precautions necessary for rendering safe and advantageous.

[NA. SDA. Dip. Cor., Inst. to Min., Bk 4, Feb. 1797–Nov. 1798.]

[29 December 1797]

To Richard O'Brien, U. S. Consul General, Algiers, from Secretary of State

Special Instructions to Richard O'Brien Esquire, Consul General of the United States of America for the Kingdom of Algiers.

Not being possessed of certain information relative to the peace reported to have been concluded with Tunis, nor of the precise state of our pecuniary affairs depending at Algiers, the Government could only make an estimate of the sums requisite to discharge all demands against us, grounded on the general information received from Mr Barlow — He puts down the following round numbers, Viz.

For our Peace with Tunis, "upwards of".....	Doll ^r ..	60,000
To repay the sum lent by the Dey of Algiers to } purchase our peace with Tripoli.....	}.....	40,000
To be paid to the Bey of Tripoli when our Consul } arrives there pursuant to treaty.....	}.....	12,000
To reimburse the sums paid from time to time on account } of the United States, by the House of Bacri.....	}.....	50,000
		162,000

To these may be added for the surplus above the sixty thousand dollars required by Tunis—for the hire or purchase of a vessel to bring home the crews of the <i>Crescent Frigate</i> and of the Schooner <i>Hamdullah</i> — and other contingencies.....	}----- 18, 000
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Amounting to... 180, 000

dollars, and this sum you will have under your care on board the Frigate.

By the last intelligence from Col^o Humphreys, under the date of September 5th it would appear that M^r Barlow had drawn bills on him, say for 150,000 dollars, to answer which a credit had been obtained by M^r King on the House of John & Francis Baring in London. But at the date just mentioned no bills had been presented to Col^o Humphreys. In this state of uncertainty it has been concluded most eligible for the frigate to touch at Gibraltar, where it is not improbable you may learn from our Consul whether the Bills of M^r Barlow have or have not been paid. If you can ascertain that they still remain at Algiers, then you will proceed thither with the whole sum in your hands, and there take them up. If, on the contrary, you find that the Bills have been remitted for payment in London, then lodge at Gibraltar the 150,000 dollars, and write from thence to Col^o Humphreys at Madrid — to William Smith Esq^r our Minister at Lisbon, and to Rufus King Esq^r our Minister in London, advising them of the deposit. You will at the same time advise them of the rate of exchange Gibraltar and London, and whether the whole or what part of that sum can be there negotiated either on Government account or by individuals. The object of giving advice in this matter to our Minister in Lisbon, is only to multiply the chances of its reaching M^r King, that he may take the necessary measures to draw the money from Gibraltar to repay the Mess^{rs} Barings. You will desire M^r Smith to communicate the advice accordingly. The money thus deposited will perhaps be safest in the military chest under the orders of the Commander in Chief of the Garrison and this would seem the most expedient; because it is probable that the Government may pay M^r King in London, and apply the money you deposit at Gibraltar for the payment of the troops or other purposes of the Garrison. But if you can learn nothing certain concerning M^r Barlow's bills, yet seeing the chance is in favor of their having been remitted to London, it appears advisable to make the Deposit of 150,000 dollars at Gibraltar. You will then have with you thirty thousand dollars to answer any pressing calls immediately on your arrival at Algiers: and if it should happen that M^r Barlow's bills have remained there, you will then see how you can draw the money from Gibraltar to the best advantage, either by bills, or by sending a vessel for it. The latter will be attended with some risk which you will duly estimate.

In your transactions at Gibraltar you will of course advise with M^r Simpson, if there, or with his successor in the American Consulate, John Gavino Esq^r

You will probably find at Gibraltar some vessels bound to the United States by which you can write. We shall be anxious to hear of your arrival at that place and how you have disposed of the money. If[t] will be well to write a duplicate by way of Cadiz, under the care of M^r Iznardi our Consul — and triplicate by way of England. Twelve thousand dollars of the money you will take on to Algiers are

to be observed for Tripoli, for which our Consul will call on you, on his way to that City.

[NA. SDA. Dip. Cor., Inst. to Min., Bk 4, Feb. 1797–Nov. 1798.]

Captain Richard O'Brien's negotiations with Barbary Powers, 1796 and 1797

[NOTE.—There are included in volume II of Consular Letters, Algiers, (State Department records in National Archives, Washington, D. C.) one hundred and thirty-six pages (115–139 of script entitled "Captain O'Brien's Negotiations in Barbary 1796–1797". These notes are so voluminous and so interspersed with tentative plans, suppositions, historical comment and mere opinion, that they have been omitted from this volume of "Naval Documents".]

To Rufus King, U. S. Minister to London, England, from Secretary of State

DEPARTMENT OF STATE, PHILADELPHIA *January 1. 1798.*

D^r SIR. Yesterday Captain Richard O'Brien, our Consul General for Algiers, received all his dispatches, and to day was to take his passage in a stage for Portsmouth N. Hampshire, where he will forthwith embark in the *Crescent* frigate for Algiers. This frigate carries thirty six nine and six pounders, and has been constructed for the Dey and Regency, in fulfilment of our stipulations.

We are yet uninformed whether the bills drawn by M^r Barlow on Col^o Humphreys have been presented: they had not reached him on the 5th of September — the date of his last letter from Madrid. In this state of uncertainty, we have concluded to ship the money, to pay those bills, in the *Crescent* frigate, which is to touch at Gibraltar, with the hope that our Consul there may be able to inform Captain O'Brien whether the bills have or have not been presented and forwarded to London. If they have, he is to leave there, in the guardianship of the commanding officer of the garrison, one hundred and fifty thousand dollars, subject to your orders, to reimburse Sir John & Francis Baring & Co. who agreed with you to honor M^r Barlow's (or Col^o Humphrey's) bills, should they be presented. If Cap^t O'Brien cannot get the requisite information at Gibraltar, then also he is to leave the \$150,000. subject to your orders, should the bills have been remitted to London, or to his own, if on reaching Algiers he finds the bills there. I have desired him to write you by different conveyances of his arrival at Gibraltar, and the deposit of the money, which consists wholly of Spanish milled dollars.

You will readily see why Gibraltar was preferred as the place of deposit. If the bills should have been sent to London, it was supposed that sum could easily and advantageously be negotiated with the British Government, which must require large sums to supply and pay the Garrison and ships of war which rendezvous there, if it could not be accomplished as well or better in the mercantile line: — If the bills remained at Algiers, Gibraltar being within four or five days sail, the money could readily be transported thither; if it could not be advantageously negotiated.

[NA. SDA. Dip. Cor., Inst. to Min., Bk 4, Feb. 1797–Nov. 1798.]

[24 January 1798]

Translation of a letter from His Imperial Majesty Muley Soliman, Emperor of Morocco, to the Consuls resident at Tangier

THANKS BE TO GOD ALONE.

L. S.

THERE IS NO POWER OR STRENGTH BUT FROM GOD.

To the Assembly of Consuls at Tangier.

Now Know ye, that the Vessels which navigate under Our Flag, and with Our Passports, are so permitted by Us for the Good of Nations, the greater part of which are now engaged in War; and who stand in need of many necessary articles, with which they ought to be furnished.

It was for this Reason, and for the general Good that We authorized this Navigation.

We wished to abolish that Coasting Trade as you all know, but your common Interest restrained Us.

For this Reason We desire, that Our Flag be respected, that it be violated by no one, that the Belligerent Powers do not attack it themselves, nor suffer that any violence be done thereto; as well in regard to the Papers as the Cargoes.

If any Subject of your Nations shall violate Our Flag, we will have recourse to his respective Government.

It has been represented to Us that the English Consul would not give Papers to Our Vessels agreeably to the ancient custom of Consuls residing in our dominions — We are ignorant of what can be his motives.

In the mean Time when the Governor shall in consequence of Our orders, send to any of your Houses, and demand such passports, We desire that you do give them, and that you will affirm & authenticate, that those we may give are certainly Ours, and sealed with our real Seal.

Given the 6th Shaban 1212. at Morrocco. —

Of the Christian Aera 24th Jany. 1798.

[NA. SDA. CL, Tangier, Vol. 1, 1797-1803.]

To Secretary of State from James Simpson, U. S. Consul, Tangier

N^o 4.

TANGIER 25th January 1798

SIR I beg leave to inclose with this, copy of N^o 3 forwarded by way of Cadiz, under cover to M^r Yznardy. —

I have had the satisfaction to receive a very Friendly letter from Sid Mohamet Ben Ottman, in answer to that I wrote him on my arrival in this Country — my delaying to go to Court during Winter, has met His Majestys fullest approbation, and both him and Muley Taib have given me proofs of their attention, in the very strong commands they have respectively laid on this Governor to do me every service. —

I purpose shortly going over to Gibraltar, in order to bring the Articles provided for the Present to the Emperor, for in these times

of danger even to so short a Navigation, I should not consider it safe, under any other persons charge. —

The Emperor continues at Morocco, but we have hopes, he may return to Fez about the Month of March — before then I hope I may receive a letter for His Majesty from the Government of the United States, as I am very much of opinion he will look for one. —

I find the British Consul has left Algiers, in consequence of that Regency demanding 60,000 dollars for the people killed, and injury done their Frigate last Winter by a Ship of Lord St Vincents Squadron. — You will no doubt have been advised that the Dey of Algiers some time ago demanded a Frigate from Denmark and another from Sweden — both Courts have positively refused complying. —

An English Squadron continues to Cruize off Cadiz, and a Frigate of same Nation keeps constantly in the Entrance of the Straits, doubtless with a view of watching the approach of the Squadron of French Ships said to be ordered to pass to the Westward. —

[NA. SDA. CL, Tangier Vol. 1, 1797-1803.]

To Secretary of State from James Simpson, U. S. Consul, Tangier

Copy.

N^o 5.

TANGIER 10th Feb. 1798.

SIR I beg leave to inclose with this Copy of my last dispatch forwarded by way of Lisbon.

The 31st ult^o I had the Honor to receive the Letter you wrote me 2^d Nov^r last Year —

The Confirmation of Health being restored to the City of Philadelphia is most welcome, & I sincerely wish the Almighty may bless some means for preventing another return of the dreadful calamity.

Your Approbation of what I did in respect to M^r Pintard's Brig *Mary*, is extremely pleasing to me, and I beg you will accept my best Thanks for your Kind intention of transmitting to me early, the President's sentiments on the same subject. — The consciousness I enjoy of the rectitude of my interference on that occasion; to prevent a very probable public Evil, makes me hope they will coincide with yours. —

As I trust you will have received my former Advices, it is not necessary to say further in respect to the directions you transmitted me in April last, to draw on Mess^{rs} Baring of London.

For some Time past both Vessels of Gibraltar, and Spanish, have enjoyed a free Trade in these seas, when provided with passports from Muley Soliman — Some Portuguese, and Genoese Vessels availed of these Passes to carry the Moorish Flag, but about two Months ago the Algerine Cruizers under this pretext, captured all Moorish Vessels they met — in consequence of which the Emperor recalled his Passes, but by a subsequent order again gave them force.

The British Cruizers have of late taken those Vessels they suspected to be Spanish, and some have actually been condemned as such at Gibraltar. —

Muley Soliman having been informed of this, wrote a Letter 24th ult^o to the Consuls here which was read, and delivered to us on Monday last by the Governor — I inclose a Translation for your Perusal — The English Consul continues to with-hold his certificate to the Emperor's Passes, in consequence of which none have been issued for some Months. —

It is reported the ci-devant Venetian Fleet passed to the Westward in the night of the 7th Instant, but we saw nothing of them here.

I obtained a Moorish Pass for a Brig of M^r Eben Parsons of Boston laden with Bacalao, when laying at Algeciras watched by some French Cruizers — She hoisted the Moorish Flag, and under it carried the Cargo to Cadiz — The necessity of the Measure, to save the property of a Citizen of the United States, I trust will justify it.

[NA. SDA. CL, Tangier, Vol. 1, 1797-1803.]

[15 October 1796 to 16th February 1798]

Statement of the account of Boatswain Augustin Serry

The UNITED STATES

To Augustin Serry.....	D ^r
For his pay as Boatswain on board of the Brig <i>Sophia</i> , from the 15 th of October 1796 to the 16 th of February 1798, being 16 Months at 20 dollars p ^r month.....	320.
Subsistence for the aforesaid period, being 490 days at 2 Rations p ^r day is 980 Rations at 28 Cents p ^r Ration.....	274. 40
	Dollars. 594. 40
	Dollars. 594. 40

Auditors Office
 January 19th 1809
 P. FERRALL

Compt^{rs} Office
 Jan^y 21. 1809
 AND^y Ross

See Act of 1st July 1797 for pay & rations
 [GAO. No. 21,222.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Richard O'Brien, U. S. Consul General, Algiers

ALGIERS March 1st 1798.

My DEAR SIR, I sailed from Portsmouth the 18th of January in the *Crescent* frigate destined for Algiers. On the 17th of February we arrived at Gibraltar, the governor of said place would not take the money which I wished to deposit with him under his protection, as the fact is, that the Military Chest was not sufficient to contain it, and that if it was deposited any where else in Gibraltar, he did not think it safe, and could not give me the requisite receipts we wanted agreeable to my orders. Finding that the money had not been paid to the Dey and the Bacris, or to the Bey of Tunis, and hearing of unfavourable reports relative to our affairs with these States, I thought it for the interest of the United States to proceed immediately for Algiers. I gave the letters I had for you to Consul Simpson, whom I met luckily at Gibraltar, and sailed from said place on the 20th, arrived here on the 26th having with us the United States schooner *Hamdullah*. I immediately had a long conference with the Dey, and, from being something dissatisfied he got well pleased, and I fully explained all our difficulties which retarded the Algerine business. We discharged those stipulated articles which were on board the *Crescent*, Captain Newman, and the schooner *Hamdullah*, Captain Montgomery, so that this day the frigate and schooner was delivered

up to the Dey and Regency of Algiers. The crew of the frigate and officers I have agreed for their passage on board of a Boston ship. The crew of the schooner goes in a ship for Charlestown. There is three American vessels here which fled from the coast of Spain on account of the French and 12 Spanish privateers. These vessels I shall obtain the Dey's protection for. The Tunisean Government was uneasy and threatned us: I immediately dispatched a courier to Mons' Famin and to the Bey, informing them of my arrival and with the funds, and our friends the Jews here, the Bacris had sent a letter of credit to advance the Bey of Tunis the sum requisite if immediately necessary. Also I have wrote to Tripoli the Bacris have advanced here to the order of the Bashaw of Tripoli on our affairs Six thousand dollars of the stipulated sum, so that I hope we shall shortly give full security to our affairs in these States. I expect will sail from Philadelphia in April the three Corsairs on account of the Dey, and a large store ship with timber. Then we shall have a full arrangement on all our affairs. It was a lucky circumstance both vessels arriving safe. The officers and crews made great exertions. We had bad weather, and, Thank God we and the one hundred and eighty thousand dollars we had on board is arrived and all well.

I hope you will send a copy of this letter to our Minister in Portugal, and by three conveyances to the Government of the U. S. I shall write fully by these vessels, and by all other conveyances. The uncertainty of your receiving this letter prevents me of being more explicit. Hoping you and M^r Humphreys enjoys good health.

[NDA. Area 4, March 1, 1798, Copy of original in Yale University Library.]

Marine Force of Algiers 1 March 1798

	<i>Guns</i>
One Ship of	36
One do. of	24
One do. of	22
Xebeck of	24
Xebeck of	24
Xebeck of	22
Xebeck of	12
Xebeck of	12
Cutter of	18
Schooner of	12
Xebeck building of	20
Xebeck do. of	12

Marine force guns..... 238

60 Gun boats.

Y^{rs} OB [O'BRIEN]

[SDA. CL, Algiers, Vol. 3, 1798.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Secretary of State
N^o I.

[PHILADELPHIA]

Department of State, March 3. 1798.

SIR, Your letter with the original of the treaty with Tunis came safe to hand, and was laid before the Senate, who for some days have had it under consideration. There are some exceptionable articles

which must be suspended for further negotiation; and with those exceptions, I suppose the treaty will be ratified.

In the 12th article it is said that "The subjects of the two nations shall be protected by the government or commandant of the places where they may be, and not by the other authorities of the Country".— This is not very intelligible to us, and if it would operate in the United States, it would go to vest the separate state-governments with National concerns, to the exclusion of the general government.

In the same article it is stipulated that if the government of Tunis shall have need of an American vessel for its service, the Cap^t shall not be allowed to refuse *at such freight as the government shall be pleased to prescribe*, however inadequate to the service to be performed. And thus not only that government, but any resident merchants, of whatever nation, who by the well known means of procuring favours, obtain a Governmental order for an American vessel, may practice the most injurious and galling oppression. The 19th Article of our treaty with Morocco forms a striking contrast.

But the most exceptionable article is the 14th, which would lay prostrate our whole revenue system; it is, beside, without reciprocity. Citizens of the United States may, *in our own vessels*, carry the merchandize of our Country to Tunis and pay a duty of only three per cent. But if our citizens transport their goods to Tunis *under a foreign flag*, or if *foreigners* transport merchandize *in our vessels*, from any place whatever (even from the U. S.) a duty of *ten per cent* must be paid. Whereas a Tunissian merchant may send the merchandize of his country, *under any flag*, in to the United States, and pay no more than *three per cent duty*. — Now you will find that in all our commercial treaties (except that with Spain) we have stipulated to impose no higher duties or imposts than those which the most forward nations are or shall be obliged to pay.

M^r Barlow with his original instructions to M^r Famin, sent the project of a treaty with Tunis: of the Instructions I received a copy; but not of the project: but I think it impossible that M^r Barlow should have proposed such unequal and inadmissible stipulations: nor can I imagine that the Bey of Tunis interested himself in than [them]: but they might quadrate with the mercantile views of the negotiator. It is presumable that by a new negotiation, thro' Cap^t O'Brien, or the Consul who is going to Tunis, these articles may be properly altered and amended. — With the stipulations for money and stores, altho' the latter will be found very burthensome, the President & Senate will doubtless acquiesce. When the Senate shall have passed upon the treaty I shall write you again upon the subject.

Captain O'Brien with the *Crescent* frigate are by this time, I hope in Algiers, she sailed from Portsmouth with a fair wind on the 18th of January, with one hundred and eighty thousand dollars on board, most of which he will leave at Gibraltar, to answer your draughts on the Mess^{rs} Barings; unless our Consul there should have received advice that you had drawn for only the 77,640 dollars of which you have informed me, or other definite sum. Upon receiving your letter with this information, I wrote instantly to Portsmouth to land dollars to that amount, seeing we could easily remit hence to the Mess^{rs} Barings; but the *Crescent* had sailed the day before my letter arrived.

Your efforts to relieve our commerce in the ports of Spain against oppressive captures & condemnations are at once so zealous and so well founded, it is to be hoped they will produce good effects. — I sincerely regret the recall of such a Minister as General Perignan: for though with the best dispositions towards us and neutrals in General, he could not *controul* the Consular operations under superior orders; yet a French Ambassador with inclinations similar to those of Consuls in General might have influence enough to aggravate the sufferings of our captured citizens.

We have lately received such intelligence from New-Orleans as induces a confident belief that Governor Gayoso has received orders to evacuate the posts of the Natchez and Walnut Hills, and to run the boundary line. Besides a number of private letters, one of which I have seen, and several of which have been published, I have a New-Orleans News-paper of the 15th of January in which is the following passage. "*Monsieur le Gouverneur de cette province ayant recu, par ce dernier Courier, les ordres de S. M. pour evacuer les Postes de Nogales (Walnut Hills) & Natchez, a pris immédiatement les dispositions convenables pour l'exécution, faisant partir les avis nécessaires, qui doivent être à Natchez.*"

The papers relative to the spanish spoliations on our commerce which M^r Rutledge was so long since desired to send hither, have not yet arrived: The Commissioners will soon stand still for want of them: Pray have the goodness to enquire where they are, and, if not dispatched for America, to forward them without delay.

Not one line yet from our Envoys since they left Holland! We have London News-papers to the fourth of January, with Paris intelligence to the 31st. of December.

[NA. SDA. Dip. Cor., Inst. to Min., Bk 4, Feb. 1797–Nov. 1798.]

To Secretary of State from Richard O'Brien, U. S. Consul General, Algiers

ALGIERS *March 6th 1798*

D^r SIR Sorry I am to inform you that M^r Barlow has not left with any one person in Algiers an account of how our affairs were in the regency of Algiers, Tunis, & Tripolia, or how our affairs were in the Bockries hands but from the information I have from M^r Skjoldebrand & by the account of the Bockries which I transmit you with these dispatches & ascertained with as much accuracy as is possibly in my power * * *

As to the account of the cargoes of the 3 vessels that has arrived before the *Crescent & Hamdullah* I finde the marine receipts given for them falls far short on Many of these Articles, particularly on things of value so that from this circumstance it will be difficult to ascertain the real state of our Stipulated Articles in Maritime & Military Stores which have been received here the Oars taken out of the polacre Cap^t Robertson will be Oblidged to be made good by the U. S. who must claim these Oars from Spain — the detention of said vessels proved very prejudicial to the U. S. the canvas got wet was rotted — the wet with detention damaged the cordage the Timber was Moulded & in consequence both Plank & Scantling were rejected So that I presume Spain shou'd make all the losses good to the United States —

The Swede Ships cargo did not on many Articles turn out agreeable to the envoice — the weight of the U S & Algiers is 19 or 20 P^r C^t difference here the balls are weighed & of course falls short. the timber

& plank were certainly of a bad Quality many peices of the Scantling are now here and are rotten in many parts. —

By the Ship *Newpoort* Cap^t Tew met a gale of wind and threw over 35 pieces of large timber a quantity of Scantling and staves the way those Articles are taken an account of in Algiers & that they are measured & weighed in the United States is much different & I am sorry to see has [not] been attended too with that due attention that it ought to have been so that the account of the Clerk of the Algerine Marine & those of the envoices sent from America differs much & cannot be ascertained here suddenly or by this conveyance in time not to occasion suspicion of our own ignorance on these affairs — I shall have ascertained & the regency^s certificates given of all that is received, both of the Stipulated Articles & those of what has come or is to come on the annual Stipulation I expect by the return of the officers of 3 corsairs from this place that all those documents you will receive & those requisite vouchers & statements —

The Oars which were taken out of the Polacre the Dey makes the Spaniards pay for them at his own price but this does not assist us, it is to punish the Spaniards & to turn to his own Emolument —

The Consular presents & the presents of friendship as customary to give every two years I am Oblidged to take from the Bockries these presents will amount to nearly forty thousand dollars and it so hapning that the Consular presents with 2 years presents is given at one time leaves me the oppertunity of keeping both within the limits of 40 thrd dollars you will Observe that these presents used formerly to be procured from France, England & Genevie but in those times it is attended with the greatest difficulty. * * *

* * * * *

Mons^r famin at Tunis I observe in his letter which I have seen here & that is directed to M^r Barlow & M^r Clark mentions for the peace 50 thousand Dollars for the Jackataba or Chamberlain of Tunis the sum of 10 th^d dollars which has been paid — and the States presents which he gave or procured to give to the amount 10 th^d dollars — Some of this money he has drawn for as you will observe by the account current the remaining sum I have not paid or ordered untill I see the accounts & that they are examined and will evade this part all in my power untill Consul Eaton arrives here & having no orders from you on this business the 50 thousand dollars for Tunis goes by land from here to day

relative to Tripolia — the Bashaw of Tripolias brother has arrived here 3 days past as ambassador he is of great weight and enfluence & on account of the detention of our Stipulated Articles for Tunis not being there and to have him our friend I see the necesaty of giving him one good goald watch 1 piece of Caftan a few yards of Cloath 2 loaves of sugar & a few lbs Tea he departs Tripolia in a few days you will see the money Cap^t Ingraham has drawn or expended by the account current & within these few days has drawn for nearly one thousand dollars, he is there married to a relations of the British Consuls — and sarry I am to say report says he has a wife in Connecticut

The Dey has said some months past that the Turkish Passports shou'd only be good against the Barbary States As to the Christian Nations he says he can put no confidence in as he does not know how soon he will be at war —

To Joseph Etienne Famin, Chargé d'Affaires for the United States at Tunis, from
Richard O'Brien, U. S. Consul General, Algiers

(Copy)

ALGIERS 6th March 1798

SIR I send by the Deys Curriers and Carrivans of this day, fifty Thousand Spanish Milled Dollars, which is the sum in Money for his Excellency the Bashaw of Tunis, Agreeable to Our Treaty of Peace with him. —

Will thank you to deliver it immediately, and forward on the rec^d for the same —

[NA. SDA. CL, Algiers, Vol. 3, Jan-Dec. 1798.]

[27 March 1798

Act for an additional appropriation to provide and support a Naval Armament

[NOTE.—In the first volume of "Naval Documents, Quasi-War with France", (February 1797 to October 1798), page 46 is printed an Act for an additional appropriation to provide and support a Naval Armament.]

[2 April 1798]

Extract from a letter to Edward Livingston, Chairman of the Committee of Congress appointed to enquire into the expenditures of the money appropriated for the Naval Armament, from Secretary of War, James McHenry

EXPENDITURES FOR NAVAL ARMAMENT, viz

	<i>Dols.</i>	<i>Cts.</i>	<i>Dols.</i>	<i>Cts.</i>
Labour for <i>Constitution</i> , of 1444 tons	110,	759		94
Materials do	75,	286		68
Freight	4,	020		00
Fixtures	17,	008		64
			207,	075
Labour for the <i>United States</i> , of 1444 tons	83,	701		55
Materials	77,	497		15
Freight	2,	372		00
Fixtures	14,	889		37
			178,	460
Labor for <i>Constellation</i> of 1145 tons	112,	777		24
Materials	85,	987		74
Freight	6,	754		75
Fixtures	15,	964		10
			221,	483
Fixtures at Portsmouth	2,	066		68
Labor	9,	603		18
Materials	12,	570		54
Freight	155	00		
			24,	395
Fixtures at N. York	5,	073		16
Labour	13,	197		12
Materials	16,	063		77
Freight	3,	748		58
			38,	082
Fixtures at Norfolk	6,	836		33
Labour	9,	895		16
Materials	10,	010		26
Freight	668	24		
			*27,	410
				00

General Expences for Copper &c-----	178, 340 18
Cost of Timber in Georgia, for the above ships-----	124, 918 37
Do. of Freight to different yards-----	114, 013 12
To which add so much accounted for in the War Department being payments made by the Treasurer of the U. States to Officers of the Navy-----	33, 500 00
	†1, 147, 679 70

N. B. The *United States* was built in Philadelphia,
 The *Constitution* in Boston, and
 The *Constellation* in Baltimore.

[*27,409.99; †1,147,678.86]

[LC. "The Daily Advertiser", (N. Y.), 2 June 1800.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Richard O'Brien,
 U. S. Consul General, Algiers

(Copy)

ALGIERS *April 12 1798.*

ESTEEMED SIR, Yours of the 21st ultimo I have received the 9th instant yours of the 20th February and 9th of March 21st ultimo to Rufus King his of London the 19th February yours to Mons^r Famin and copy of his letter to you I have seriously perused these sundry dispatches I forward to you by this conveyance and inclosed the copy of the account current with the Bacris and another estimate account and a copy of my letter to M^r Barlow by the two conveyances for America I sent copies of the account current to the Secretary of State M^r Clark sailed from Algiers the 13th March by him I sent copies of the account current and of all dispatches which I sent by the other two vessels so that our Minister M^r Smith at Lisbon has full information on this business (that is if he received the dispatches) You will observe my dear Sir by the account current and my supposed estimate & the copy of my letter to M^r Barlow that I have no money of the 180 thousand dollars to spare except that it would be to destroy our affairs with Algiers Tunis and Tripoly there is you well know no great way of reasoning with those people and we should always in case of a storm have an anchor ready and when we have an extended commerce in the Mediterranean depend a few frigates in commission and stationed in Europe is necessary to give security to commerce and check any sudden war or our loss will be great. * * *

* * * * *

[NA. SDA. Disp. Spain, Vol. 4, 1797-1799.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Secretary of State
 N^o 3.

DEPARTMENT OF STATE
Philadelphia April 13th 1798.

D^r SIR, I now enclose a copy of the act of the Senate relative to the Tunissian Treaty. When the armed vessels preparing for the Dey of Algiers shal sail, instructions will be given, probably to Cap^t O'Brien to negotiate with Tunis concerning the 14th Article, if any others in which it shall be deemed advisable to attempt an amendment. These vessels will soon be ready for sea. One has been launched, a second will be launched this day, and the third in two or three weeks.

On the 4th of March, in the evening, arrived the first dispatches from our envoys since they arrived at Paris; and in a day or two after, the missing numbers, thus completing the series from 1 to 5; and we have none since. To a copy of those dispatches I now add a copy of their instructions, which have since been printed by order of the Senate. The publication of both appears to be producing its natural, and proper effects indeed it was high time that we were roused from that state of apathy into which a lucrative commerce and a real love of peace had lulled us. Doubtless the resentments of the American people will rise in proportion to the long enduring patience with which they have borne unmerited insults and injuries. I never despaired of the commonwealth; and I have now no doubt of the requisite union and spirit of our citizens. Congress are deliberating on the necessary measures of defence, by sea and land.

The Senate have concurred in the appointment of Moses Young Esq^r to be Consul of the U. S. at Madrid. Their resolve has just been received: duplicate commissions will be made out and forwarded without delay — one by this conveyance, if practicable.

We have no late news from the Mississippi: the journey by land from the Natchez is usually performed in about forty days. Congress have passed a law erecting a temporary government there, similar to that for the territory northwest of the river Ohio; with the exception that slavery is not excluded. This exception will apply to the slaves existing there and their descendants, & to such as shall be introduced by our own citizens immigrating with them for some of the States.

Your latest letter received is that of the 14th of January.

[NA. SDA. Dip. Cor., Inst. to Min., Bk 4, Feb. 1797–Nov. 1798.]

[30 April 1798]

An Act to establish an Executive Department, to be denominated the Department of the Navy

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be an executive department under the denomination of the Department of the Navy, the chief officer of which shall be called the Secretary of the Navy, whose duty it shall be to execute such orders as he shall receive from the President of the United States, relative to the procurement of naval stores and materials and the construction, armament, equipment and employment of vessels of war, as well as all other matters connected with the naval establishment of the United States.

SEC. 2. *And be it further enacted,* That a principal clerk and such other clerks as he shall think necessary, shall be appointed by the Secretary of the Navy, who shall be employed in such manner as he shall deem most expedient. In case of vacancy in the office of the secretary, by removal or otherwise, it shall be the duty of the principal clerk to take the charge and custody of all the books, records and documents of the said office.

SEC. 3. *And be it further enacted,* That the Secretary of the Navy be and he is hereby authorized and empowered, immediately after he shall be appointed and shall enter upon the duties of his office, to

take possession of all the records, books and documents and all other matters and things appertaining to this department, which are now deposited in the office of the Secretary at War.

SEC. 4. *And be it further enacted*, That there shall be allowed to the Secretary of the Navy an annual salary of three thousand dollars, payable quarter yearly at the treasury of the United States, and the respective clerks in the office of the said department shall receive the same compensations and be subject to the same regulations, as are provided by an act, supplemental to the act, establishing the treasury department, and for a further compensation to certain officers, in the office of the other executive departments.

SEC. 5. *And be it further enacted*, That so much of an act, entitled "An act to establish an executive department, to be denominated the department of war," as vests any of the powers contemplated by the provisions of this act, in the Secretary for the department of War, shall be repealed, from and after the period when the Secretary of the Navy shall enter on the duties of his office.

APPROVED, *April 30, 1798.*

[Statute II. Page 553.]

To William Smith, U. S. Minister to Lisbon, Portugal, from Richard O'Brien, U. S. Consul General, Algiers

Copy

ALGEIRS *April 30th 1798*

WILLIAM SMITH Esq^r
*Minister Plenipotentiary
 for the U. States of America
 at Lisbon*

D^r SIR, The bearer of these dispatches is M^r Joshua Blake of Boston, who has been with me in this City, since I arrived from America, he has a good knowledge of our affairs, relative to Algiers as M^r Blake proceeds for Spain in order to return to America & intends if possible for Philadelphia, in consequence he will deliver the original dispatches, to the Secretary of State, I have entrusted him with these dispatches, which is under a flying cover & unsealed in, order if he reaches Spain, to forward you & the Secretary of State copies, this will be favourable in order to thrive the chance, of you & the Secretary of State being informed of the State of our affairs with this Regency, Tunis & Tripoli, my supposed account or estimate of the affairs of the U. S. with the Dey & Regency, & the House of Joseph Coen Bacri & C^o & the money acc^t current, & estimate of all our affairs.

The Dey continues unwell, & as far as I can learn & Judge, he will shortly go to his long home, there are great parties formed here & I believe there will be great commotions: The new Dey as customary will demand to renew the peace, many valuable presents, in Maritime & Military presents, & watches, rings, Cloths, Caftans, & perhaps if his demands are not acquiesced with, we shall have war, however I have great hopes, that with 3 corsairs & their cargoes, I shall make a good arrangement on our affairs with this Government. —

The 50 thousand Dollars for the Peace for Tunis which I sent by land, has arrived at Tunis, Mons^r Famin has drawn a Bill on me for 8000 Dollars which I have paid: You will observe that Mons^r Famin at Tunis, made our Peace with that Government and I believe under promise of M^r Barlow, that if he succeeded, he shou^d be appointed

Consul for the United States, or that M^r Barlow wou'd strongly recommend him to our Government, to be their Agent at Tunis, M^r Famin succeeded in the Peace, & finally the Bey of Tunis & the Ministry, are much the friends of Mons^r Famins & concluded he wou'd be the American Consul, they having heard that the United States, has appointed a Consul for Tunis. The Tunis Government, seems dissatisfied, and are I beleive not willing to have any other Person the Agent of the United States at Tunis but Mons^r Famin. The Algerine Ambassador resident at Tunis is expected daily at Algiers, & is charged by the Government of Tunis, to explain & interceed, with this Government for Mons^r Famin to remain the Agent at Tunis, for the United States: * * *

When Consul Eaton arrives in Algiers, I shall not forward him on to Tunis, fearing under these circumstances it woud endanger our whole affairs, & I shall let him remain with me untill that I receive, your possitive orders & instructions how I shall act on this business, & then I shall try & act accordingly.

* * * * *

[NA. SDA. CL, Algiers, Vol. 3, Jan-Dec. 1798.]

[21 December 1795 to 12 May 1798]

Expenses in connection with Treaties with the Mediterranean Powers

D^r John Bulkeley, & Son of Lisbon, In Acco^t Current with the United States, In relation to Treaties with the Mediterranean Powers. C^t

To John & Francis Baring & Co for amount of Sundry Remittances from and drafts on them, from Decem ^r 21 st 1795 to May 12 th 1798, P ^r Report N ^o 21631 £21,472.7.10 Sterling at par equal to.....	95,432.	35	By Joel Barlow Agent for Negotiating a Treaty with Algiers for amount of his drafts on David Humphreys and for the payment of which they placed funds in the hands of Sant ^e Du Fremoul fls & Co of Leghorn in Septem ^r 1797. P ^r Account herewith..... N ^o 1.....	72,000.	..
" Joel Barlow Agent for Negotiating a Treaty with Algiers, for this Sum, being so much they credit as paid by him for their acco ^t in Aug ^t 1796 to Richard Hales [sic] at Algiers.....	50.		" Joseph Donaldson Jun ^r Agent for Negotiating Treaties with the Mediterranean powers, for the Sum of £138.4.3 Sterling drawn by you on Mess ^{rs} Baring & Co to reimburse Robert Montgomery the amount of a bill drawn on him by said Donaldson, said to be for balance due on Acco ^t of his Agency p ^r Acco ^t N ^o 2, equal to.....	614.	27
			" Treaties with the Mediterranean powers for amount of the following Sums. P ^r Account N ^o 3..... Viz		
			Payment to Robert Montgomery in Reimbursement S. Cathalans drafts on him for expenses of and Supplies to the Captives redeemed at Algiers in 1796..... R ^r 9,555.928.		
			Disbursements for the Public Brig <i>Sophia</i> at different times in 1796 and 1797.....	1,838.	542.
			Compensation to R. O'Brien as Agent.....	737.	600
			Gold Spoons, Sweet Meats and plank sent to Algiers as a present.....	219.	730.
			Commission and Brokerage.....	255.	026.
			So much Supplied George Tilly a Captive redeemed at Algiers..... p ^r Acco ^t N ^o 4.....	44.	119
				R ^r 12,650.	945
			R ^r 12650.945 at 800 R ^r p ^r dollar equal to.....	15,613.	08
			Disbursements of Brig <i>Sophia</i> in 1795 and for which D Humphreys drew a bill in your favor Dec ^r 22 ^d of that year on John & Francis Baring & Co for £435.9.8 Sterling at Par equal to.....	1,935.	48
			Loss in the Negotiation of bills, including charges of drawing and redrawing.....	5,119.	42.
				22,888.	58
Dollars.....	95,482.	85	Dollars.....	95,482.	85

AUDITORS OFFICE }
June 6th 1809 }
P. FERRALI

Compt^r Office
Aug^t 3. 1809
AND. ROSS

WARS WITH BARBARY POWERS

249

Explanation of account of John Bulkeley and Son

The whole Sum received by Mess ^{rs} Bulkeley & Son from	
Mess ^{rs} Baring & C ^o as within Stated is £21.472.7.10	
Sterling estimated at par is equal to	\$95, 432. 85
For which they have accounted	
P ^r Account N ^o 1	£17. 209. 8. 9
2	138. 4. 3
3.	3. 676. 7. 10
4.	12. 17. 4
disbursements of <i>Sophia</i> in 1795	
No account	*435. 9. 8
<hr/>	
Sterling	£21. 472. 7. 10

And on account of the proceeds of these bills they are credited for Payments to —

Barlow	72. 000	
Donaldson	614. 27	
For expenditures on acco ^t of the Treaty	17. 749. 16	
		90, 363. 43
		<hr/>
		5, 069. 42
Add payment to Hales		50. 00
		<hr/>

Leaves a difference of this Sum, being Loses in Exchange and Commission & Charges, in part, on drawing and redrawing Dollars 5, 119. 42

* A bill for these disbursements was drawn by D. Humphreys Dec^r 22^d. 1795, which being charged to Mess^{rs} Bulkeley it is but just that they obtain a corresponding Credit. No particular account of these or any other disbursements for the *Sophia* are found among the papers, but there can be no doubt of their having been regularly rendered —

[GAO. No. 21,663.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Richard O'Brien, U. S. Consul General, Algiers

Copy

ALGIERS 21st May 1798

D^r SIR There has of late some important Changes taken place in this Regency. the Dey Hassan Bashaw early on the Morn^g of the 15th made his exit, and immediately was succeeded by the Prime Minister at present (Mustapha Dey) & a regular Succession of Officers took place. all in tranquility. All the Consuls paid their respects to the new Dey. He rec^d me well & renewed the treaty, & also the guarantee of the Treaty of the U. S. with Tripoli — we all Nations at Peace here was obliged to make presents to the Dey & Ministry, they will amount to about 5 thousand or 5½ thousand dollars, So I think we have On this occasion come off tolerably well; I expect daily to see the arrival of the 3 expected Corsairs —

The Algerine Ambassador at Tunis has been here, I have laid in with him Strongly, Relative to his aiding our affairs &^c have Consul Eaton Rec^d as American Consul at Tunis.

please to Communicate this intelligence to the Secretary of State.

[NA. SDA. Disp. Spain, Vol. 4, 1797-1799.]

To Secretary of State from Captain Timothy Newman, who delivered the frigate
Crescent to Algiers

BOSTON June 7th 1798.

SIR, I can inform you of my safe Arrival at this place, with my Crew, I have but this moment got up to town from Nantaskett Roads, where I left the Ship in which I came Passenger. (The *Sarah* Cap^t Hopkins) in order to forward your Dispatches by this Mornings Post, The *Crescent* was very Joyfully Recieved and a very fine Ship. The Post going out in a few minutes will not admit of my being so Particular as I could wish. Nothing very Particular turn'd up on our very long passage of 90 days from Algiers, Except our falling in and Exchangeing a few Shott with a French Privateer Cutter near the Island of Madeira, She fired several Shott at us under English Colours, which our being very certain she was French, we Returnd & proved to our Satisfaction, it being calm and her Companion, (in sight) not being able to come to her assistance proved favourable to us. The English Consul at Madeira sent off Three Boats to our Assistance, and to inform us they were Two French Privateers, In your dispatches from Algiers and Gibraltar you will be informed of the disagreeable State of our Commerce in the Medeteranian, and the Necessity of some force to protect it

Not knowing wheither any Provision is made here for paying the *Crescents* Porterage Bill, I am to se General Jackson (in one Hour) on that subject, and shall give you Information.

As soon as the People are paid off shall proceed to Newbury, and shall then send you on the Porterage Bill Receipts &ce

Haveing an ardent desire of Serveing my Country which at great Expenche has Relieved me from Slavery, and heareing their is a Number of Sloops of War, preparing to protect our Commerce, I would willingly devout the Remainder of my life in its Service, your Informing me wheither those Vessells Commanders is appointed, and your Intrest in pointing out to me the most proper method to make Application will be Acknowledgd with Gratitude, Should esteem it a favour if you will write me a line.

[SDA. CL, Algiers, Vol. 3, 1798.]

To Secretary of State from James Simpson, U. S. Consul, Tangier

N^o 8.

TANGIER 8th June 1798.

SIR N^o 5 was the last I had the honor of addressing you from this Country — 6 & 7 were written at Gibraltar, 24th February & 17th March. —

I have now to advise my return on Sunday last from Mequinez, where I had the honor of meeting with His Imperial Majesty Muley Soliman, and presenting my Commission as Consul of the United States for this Empire; on which occasion His Majesty was pleased to give me the strongest assurances of his resolution, on his part to maintain the Peace made with his Father. — The articles I presented to His Majesty, were acceptable, some part so much so, that the day I was about to leave Mequiniz, Sid Mohamet Ben Ottman, brought me a message to say so from His Majesty, & to request I would obtain some more, which he offer'd to pay for, but that I would not admit, especially as the expence will not be considerable. —

As I do not consider the Channel of Cadiz, a perfect safe conveyance, I am induced in this only to add, that I can safely say the affairs of the United States at the Court of Morocco, is at this time on the best footing, as you will see when I come to detail particulars of my transactions with His Majesty and the Minister, which you will be pleased to acquaint His Excellency the President, with my respectfull Compliments.

* * * * *

[NA. SDA. CL, Tangier, Vol. 1, 1797-1803.]

To Joseph Ingraham, U. S. Chargé d'Affaires, Tripoli, from Richard O'Brien, U. S. Consul General, Algiers

Copy

ALGIERS July 12th 1798

DR SIR, I have rec^d four of your Letters dated the 14th of May & two of the 29th, — I thank you for the information they contain — I have seriously observed their contents, & shall be observe, that you being with me, in Tripoli, when the Peace was made, you know positively what I agreed to, you have the Terms, sealed signed & certified, by the Spanish Consul, the same from under my hand; next as the Bashaw of Tripoli made a reference, & sent his Ambassadors, with me to the Dey of Algiers, the Treaty made here by the Dey & Tripoline Ambassadors & M^r Barlow; this Treaty you have, & in s^d Treaty you will find there is no Corsair Stipulated; it is true the Bashaw wanted the Brig *Sophia*, but he did not get her, and I made him no promise of any Corsair; the Spanish Consul & I thought that a small Schooner of 8 or 10 Guns, wou'd not be amiss to the Bashaw, as it wou'd soften & moilerate, his passions, which seemed some thing hurt in making partly a forced Peace, this circumstance I mentioned fully to M^r Barlow, he disapproved of it; I still thought it my duty, to represent this business to Congress; this I did personally, & finally they did not approve, or disapprove—what I proposed, * * *

As to what the Rice [Raiz] of the Marine said of his having any conversation with me relative to a Corsair, or relative to the Spanish Consul, as god is my Judge not one word passed, on the subjects I went to see him as customary, & took with me the Dr[algoman & Macaiah, & a Regala which cost 180 Sequins, he got this Luncheon, & then declared how much he was & wou'd be, the friend of the Americans, it is his tricks & Jealousy, seeing Frigate & Schooner here for Algiers, & the three expected ones which we give in Lieu, of the vast & heavy articles, which M^r Donaldson, agreed to give at the making of the Peace, & he being nettled to the soul, in not with all his grandure, in not being able once to see the face of Hassien Bashaw, now sir on his leaving the port I & Macaiah went on board, & wished him adieu, & had no, conversation with him, * * *

M^r Simpson writes me that the Corsairs for Algiers, were not Launched before the latter end of April, that the Winter in the U. S. was so severe, that the Carpenters cou'd not work; this circumstance has detained them six weeks longer than was calculated on; I daily expect to see them in sight, & considering the Spoilations on our commerce, the numerous privateers, the extent of Sea between Philadelphia & Tripoli; the great danger, a Merchant Vessel wou'd run solus; I think the U. S. has acted right, in not sending the stipulated Articles & the Consul for Tripoli forward, untill the Corsairs for Algiers will be ready, in order to come under their Convoy, this

occasions the detention of the Tripoli business, & all that is stipulated by Treaty will be brought, & I beleive no more; I hope Al Seignor Farfara, continues to give our affairs, his best assistance, he is a man of Talent & abilities & I trust he will do us all the service in his power,— Bacri writes him by this conveyance; — when the Corsairs arrive here I shall write you immediately, * * *

* * * * *

[NA. SDA. CL, Algiers, Vol. 3, Jan-Dec. 1798.]

[12 July 1798]

Report of the state of the cruisers now fitting out by the Government of the United States for His Excellency the Dey of Algiers

	Hull	Hold	Boats, &c*	Masts & Spars	Rigging	Sails	Artillery	Provisions	When ready for Sea	Men wanted for Immediate Service	Full Compl ^t
Brig HASSAN BASHAW	Compleat ready for taking on board Stores & Cargo	Wanted 50 Tons of Shot or other heavy articles for Ballast	Compleat, Ship chandlers coopers Block Makers Stores &c* ready to take on board	Compleat & in their places	Standing compleat running ready for reeving	Compleat	13 pieces mounted 9 do. not proved	Ready to take on board	In twenty Days	Twenty	52 —
Schooner SKJOLDEBRAND	do. do. do...	40 Tons. do.	do. do. do...	do. do. do...	do. do. do...	do.....	Compleat.	do.....	Fifteen days	Fifteen	40
Schooner LELLA AISHA	do. do. do...	30 Tons. do.	do. do. do...	do. do. do...	do. do. do...	do.....	do.....	do.....	Ten days	Twelve	35 —

PHILADELPHIA July 12th 1798
JAMES LEA^r CATHCART

[SDA. CL, Tripoli, Vol. 1, 1796-1799.]

WARS WITH BARBARY POWERS

[16 July 1798]

An Act to make a further appropriation for additional Naval Armament

[NOTE.—In the first volume of "Naval Documents, Quasi-War with France", (February 1797 to October 1798), page 211, is printed an Act to provide for building and equipping three ships not less than 32 guns.]

Extract from letter to Secretary of State from James Simpson, U. S. Consul, Tangier

Copy
N^o 9

TANGIER 17th July 1798.

SIR * * * Sidy Mahommed Ben Ottman gave me every proof of steady Friendship, and I hope I have succeeded in my endeavors to secure a continuance of it.

I visited Fez at my departure from Meguinez, and had the satisfaction at my arrival there, to find a House, and an abundant daily Supply of Provisions, provided for me by His Majesty's Special Command.

Having thus detailed particulars for your Information, I shall only detain you further to add, that His Imperial Majesty gave the strongest proofs of his wish to maintain Peace & good Friendship with the United States. —

I am happy to tell you there was not a Syllable said on the subject of Military Stores.

The Portuguese Ambassador has just returned from renewing with Muley Soliman, the Treaties between His Nation and Morocco, and we have now here an Ambassador from Denmark on the same Business — Their Presents are very considerable — The former had 160 Mules, and 50 Camels — The latter employes 140 Mules — We daily expect the Swedish Ambassador; that from Spain is named, but is not expected, until the English Fleet leave their Station off Cadiz.

Three Cruizers of 12 and 16 Guns are about to sail from Sallee — We do not know if they have any particular destination, but their Admiral takes with him an Interpreter for the English Language.

I beg to be favored with your Instructions on the Manner I am to receive my Salary as Consul for this Empire.

[NA. SDA. CL, Tangier, Vol. 1, 1797–1803.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Joseph Ingraham, U. S. Chargé d'Affaires, Tripoli

Copy

TRIPOLI July 19th 1798.

SIR, Twenty months has already passed without the least signs of our presents coming forward which in due course gives the Bashaw room to think that the United States are very backward in performing their engagements here in Tripoli, and more so as M^r O'Brien has come out with the Presents to Algiers he promised as making Peace here that our government would send to this Regency a small Cruiser besides the other Presents this was promised before the Bashaw the Spanish Consul and all the leading men of this Regency but since his arrival in Algiers the Bashaw sent an Ambassador to the Dey of Algiers this man saw M^r O'Brien and asked him what time the Bashaw of Tripoli was to get his Presents He told the Ambassador

that the Presents were ready as soon as the winter would permit them to come forward. He asked him if the Brig was to come at the same time as the Cruizer was expected to be a Brig. M^r O'Brien seemed much surprized and replied that he knew nothing of any Brig or Cruizer that was to be sent here and that if any such agreement was made it must be between the Bashaw and Spanish Consul that the Bashaw must look to His Catholic Majesty or Consul Resident at Tripoli to fulfill any such agreements. This the Ambassador reported on his return to Tripoli. Such a reply made to the third man of this Regency is very much against our affairs here. If M^r O'Brien thinks that he can secure our Peace through the influence of Algiers in Tripoli he is greatly deceived and if he has informed our Government that he can he has led them into an error that will cost Government some thousands of Dollars to extricate themselves out of it again. You may depend on it that the Algerines have no influence over this Regency whatever they may have over Tunis they must hold the confidence of each Regency separate they must give greater presents to this Regency than what is appointed already if they wish to hold their peace good in this place and not depend on the Presents that's coming and Algiers to hold a perpetual peace in Tripoli be assured it never will be the case till such time as the United States keep a force in these seas to keep these people under subjection and less than three good frigates will not answer and one to visit these ports every 3 or 4 months. In Tunis they only wait for our Peace to break here that they may do the same. If our Government considers well who they have to deal with they will not hesitate a moment to fit out a few frigates for these seas to protect their commerce. If not Government will too soon find the necessity they will have of doing it and perhaps when too late. Consider we have not Christians to deal with but Turks. If they are our friends it's by the force of money or the force of arms. Money is the surest at present. Proposals have already been made by the Bey of Tunis to break our Peace here that they may do the same.

[NA. SDA. Disp. Spain, Vol. 4, 1797-1799.]

To Richard O'Brien, U. S. Consul General, Algiers, from the Bashaw of Tripoli

TRIPOLI IN BARBY 7th Sept^r 1798



It afforded me not a little pleasure, when I was informed of your being appointed Consul General for Algiers; At the present I can not but express my regrett at the loss of my ever memorable Brother the deceased Dey of Algiers; & the same love & friendship I always entertained for him, shall be the same with your present Dey; which I request you will in my Name, make him acquainted with. —

I am at a loss to know the reason the American Nation, have so long neglected Tripoli, you know perfectly well, (Consul OBrien) the time that elapsed, without hearing from them, since the conclusion of

our Peace; but I sincerely hope they will not neglect me much longer.

The bearer Hadge Mahomed ben Salim is my Ambassador for Algiers, and I request you will pay him, the six thousand Dollars, that remained due to me, after the conclusion of the Peace; this I am the more anxious for, as he is to bring me several Articles from Algiers; The payment of this money I hope you will not neglect, & shou'd the American Ship, arrive here in the intream, I shall not receive the 6000 Dollars, I order you to pay to my Ambassador.

By order of HIS EXCELLENCY THE BASHAW OF TRIPOLI.	}	Certified to be a true Copy, by R ^d OBRIEN
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[NA. SDA. CL, Algiers, Vol. 3, Jan-Dec. 1798.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Richard O'Brien,
U. S. Consul General, Algiers

copy

ALGIERS *September the 18th 1798.*

DEAR SIR, Your esteemed favour of the 19th June I rec'd the 3^d instant I am much obliged to you for your information but is sorry that you and M^r Smith did not receive my last letters I had expected answers thereto The Spanish courier remained in Spain two months and I am much afraid these letters have miscarried indeed it is the fate of many in those extraordinary times.

I wrote you that I received letters from Tripolia informing me that our affairs in that quarter are something gloomy on account of the detention of the stipulated stores and that the Bashaw of Tripolia threatens much I have wrote by several conveyances to Tripolia and have had no letters from thence since May.

The Potent Dey of Algiers is very uneasy and anxious to see the expected corsairs.

The Bashaw and government of Tunis are interested very much to have Mons^r Famin to be the American Consul and indeed to remove him contrary to that governments inclination would be a very expensive and difficult an affair. When the corsairs arrive which I expect daily I shall see what can be done on this business relative to Tunis.

Since my leaving the U. S. what you have communicated to me as an extract from the letter of the Secretary of State of the 13th of April relative to the corsairs is the only account with certainty that I could count on since my arrival in this country And during the time I have been here I have considered myself or our affairs with Barbary like unto a ship in a gale of wind trying if possible to keep within the latitudes prescribed to me in my orders and be convinced my dear Sir considering all circumstances I have done every thing that possibly lay in my power and have warded off much difficulties and not until the arrival of the expected corsairs in Algiers shall I be able to have an adjustment with the regency on our affairs depend we must act with more energy.

The Bacris and Busnahs make many enquiries of me relative to the price of the ship *Fortune* and cargo, valued at 40,987 Dollars I have repeatedly stated this affair to the government of the U. S. and have as yet no answer. I have wrote fully to M^r Smith by this conveyance and by a safe channel via Gibraltar.

[NA. SDA. Disp. Spain, Vol. 4, 1797-1799.]

To the Bashaw of Tripoli from Richard O'Brien, U. S. Consul General, Algiers

ALGIERS 24th Sept^r 1798

Copy of an Answer to a letter from the Bashaw of Tripoli

BASHAW OF TRIPOLI

Your Excellency's letter, dated Tripoli the 7th Inst, I had the honour of receiving the 22nd of this date: I humbly thank your Excellency for your kind wishes, & the satisfaction you are pleased to express, on my being appointed the Agent for the U. States of America, at Algiers. —

We condole with your Excellency on the exit of our mutual friend, the late Dey of Algiers, who be convinced considered you, as an adopted Son, —

The present Potent Dey of Algiers, Bobba Mustapha is much pleased with your assurances of friendship & is fully sensible of your high character, & good faith on all affairs, & declares to me that your Excellency, will always find him your Sincere friend.

I have agreeable to your Excellencys desire, paid unto your Ambassador, Hadge Mahomed ben Salim the 6000 Dollars, which remained due to your Excellency, which was to fulfill the Stipulation, as expressed in the Treaty with your Excell^y & the U. S. of America

Relative to the detention of the Vessels destined for Algiers, I have to inform your Excellency that the Winter in America has been so severe, that no Carpenters work cou'd be done, which retarded the business for Algiers and Tripoli, something more than was expected: My last letters from the American Ambassador at Madrid informs me, that the Vessels were expected to sail, from America destined for Algiers about the latter end of July, & that all the Stores Stipulated for Tripoli by the Treaty, & with the Consul, wou'd come under convoy, of those to Algiers, & wou'd proceed from this place, with dispatch for Tripoli.

In consequence of this information, I expect shortly to see them arrive at Algiers, the dangers of the Seas excepted.

Permit me to observe to your Excellency, that the Potent Dey of Algiers & Ministry, depends much, on your Excellency, for information relative to the movements of the French at Alexandria &, particularly, what is the State of Affairs at Constantinople.

[NA. SDA. CL, Algiers, Vol. 3, Jan-Dec. 1798.]

To Tench Francis, U. S. Purveyor, from Secretary of State

TRENTON, Oct. 5. 1798.

SIR, I received your letter of the 3^d and delayed an answer because I was at a loss to determine what ought to be done. However, I had concluded to detain M^r Murrays ship, loading for Algiers, until the three armed vessels bound thither were ready to convoy her. Since I had come to this conclusion, this morning, M^r Murray fortunately called upon me. I observed to him, that I originally expected his ship would have been ready to take in her loading long before she came round to Philadelphia; and in that case the three armed vessels would have been also got ready and sailed before the yellow fever deranged all business; that this delay of his Ship induced me to order the armed vessels to receive no more men than were requisite to keep them in port; and that now it was impracticable to man them: that probably

in two weeks such a change as to the fever might take place as would enable us to proceed; and then as much dispatch as possible should be given.

M^r Murray acquiesces willingly; and will give orders to delay manning his ship: he is equally anxious with us that she should go under convoy. He is going to M^r Warder's (at Peele Hall) where perhaps you may see him, and converse about the ships bringing back the crews of the armed vessels.

P. S. It will be important to arm M^r Murray's Ship: I suppose the public could loan some guns, M^r Murray engaging for their value if lost. Please to confer on this point with him. — —

[SDA. Dom. L, Vol. 11.]

To Secretary of State from Richard O'Brien, U. S. Consul General, Algiers

ALGIERS *October the 12th 1798.*

SIR I have to inform you that on the 5th Ins^t was Sent into this port by an Algerine Corsaire of 16 Guns the Brig *Mary*, belonging to Philadelphia Joseph Isreal master, with a valuable Cargo of wines which Cost. in S^t Lucar. in Spain 18 thousand dollars. Consigned To James Yard Esq^r of Philadelphia. Said Brig had an American Register & Sea letter, and unfortunately no Meditteranian passport.

"This Vessel haveing no Meditteranian pass. by the Algerine marine Laws and the Custom of this government. with all nations the[y] are at peace with, is that, it is by the meditteranian pass & the Colours that Said Vessel is known by the Barbary States to be A nation the[y] are at peace with. The fatal Consequence of haveing no Meditteranian pass is that the master and Crew is liable to be made Slaves of, and the Vessel and Cargo, declared a legal prize

"The latter part of the 4th article of the treatie of the United States with Algiers, runs thus, That Eighteen months Shall be the term allow^d for furnishing the Ships of the United States with passports. As this Vessel Came in Sight I was Very Suspicious, by her appearance, that Said Vessel was an American, and therefore I went to the Marine, and had prepared the Minds of. the necessary persons, in Case I should want their assistance, and when The Captain of the port returned on Shore after Visiting the Brig & brought on Shore a letter from the prize master, written by the Captain of the corsaire, giving an account of the manner of his taking Said Vessel and his Motives for Sending her in. This acc^t or Circumstance was Mentioned in My presence. I told the general of the Marine that before I could Judge relative to this Vessel I must first See her papers, and as the Cap^t apert must go and make the Report to the Dey, I tryed to Bias him to make it as favourable on my part as possible, as the news Spread & Seemed that the general Cry was a good prize. — On this I requested that the papers of Said Vessel would be brought on Shore. The general Sent Of. for Said papers, and I then found her Register & Sea letter to be American and no Meditteranian pass. The Register being indorsed & haveing allso a Bill of Sale

Richard O'Brien
By M^r Carr
11 Octr 1798

of Said Brig. with a button Seal. The property transfered by M^r Pintard to Cap^t Isreal and Rob^t Stevenson: of Philadelphia. I declar'd that the bill of Sale was: A Pass. avant and Consular Certificate. This I seen the necessity of to Save the Crew. The Cap^t apert returned to the marine and told the general it was the dey^s orders that Said Crew of Said Brig Should be Sent to the Slave prison, but I declaring that the Pass avant or Consular Certificate was given on account of this Vessel haveing been taken and plundered both by the french and British, and papers deranged, and her detention in Europe — that Said Vessel was proceeding to America to Obtain A Meditteranian pass. and aided in this report by the General, the Cap^t apert was Sent to the dey at my request and with this Statement &^e requested that the Crew Should not be Sent to the Slave prison. The dey permitted she Should remain in my Custody untill that. The board of admiralty Should determine on S^d Crew — The master Crew and passengers was permitted to go to the American house, and the Brig *Mary* left and kept in the plosion of the Algerines. I was fully employed with the Bocries, whose assistance depend has been very great to me on this affaire, as well as on all Occasions relative to the affairs of the U States.

“On the morning of the 6th of October I went to the Marine The general of Marine and the board of Admiralty being met with the general as the president. The[y] Contended that this Vessel haveing no Meditteranian pass, that Vessel and Cargo was a legal prize, that it was Customary for Algiers to act so with all nations, but I declareing s^d Vessel to have been taken and her papers plundered & her Pass avant or Consular Certificate and my promises of 2500 Dollars to be divided in the usial way. The[y] declared that this altered the Case and made this report of the pass avant to the Dey, and that the[y] hoped & that it was there request that the Dey would for once pardon this vessel the American peace being new &^e we as yet not fully acquainted with the nature & Consequence of not haveing a good Meditteranian pass — The Cap^t apert went to the dey and made no favourable report. The Dey desired the admiralty to take Care that the[y] were not Bribed. That this vessel haveing no Meditteranian pass. was a good prize, and that, he Should take a few days to Consider fully on this business. The Cap^t apert with the owners of the corsaire was of One party against Clearing the Vessel. I, immediatly with those of more powerfull influence dureing this interval I immediatly Commenced my plans against the next decision, and made out a strong Consular Certificate which would back & Strengthen any thing I had Said or Could Say, relative to a pass. avant, this I seen the necessity of — — In order at all events to Save the Crew and passengers, the[re] being 21 — &^e Knowing them to be worth at least 42 Thousand dollars, if Condemned The U. S. would have to redeem them & the invoice of the Cargo. I made out anew in the room of Eighteen Thous^d I reduced it to 8, and by Miciah Bocries Calculation to the dey it was reduced to 3 Thous^d d^{1^{re}} On the Morning of the 9th of October, the board of admiralty met again when all

the papers was examined into, and other persons Called to read & explain their Contents, now, when the pass avant and Consular Certificate was read, the[y] declared I had told them the truth and examined their books to 150 years back, and in S^d Book of Marine laws and Customs on the like Occasions. One leafe Condemns & the other Clears — & the[y] determined the 2^d time as the[y] did at first and finally the dey declared Said Vessel a Legal prize, but that, for my acc^t and his good Opinion of the U S. he Cleared Said Vessel and Cargo, declaring that he favoured me on this Occasion but Could never again &^e — that any Vessel without a pass. would be Condemned, and that no Consular Certificates Should with him or his people be Sufficient to Save either Vessel Or Cargo — and for me to give this information to the United States

I have examined fully our passports, and find them defective in Consequence. I Send you with these dispatches a Spanish Meditteranian pass. which I think much Superior done than. Those of the U S — our passes is too long & broad the great Breadth the more liable to Error, and therefore, the Cut or top which the barbary Corsairs has does not agree with that nicety that is requisite and with the pass. which the Merch^t Vessels of the United States has in Consequence it is the Custom here, and all nations at peace with those people has Submitted to it. That when the top does not exactly agree with the bottom that the Cargo is Condemnd — and in Consequence of these very visable defects in the present American passports many of our Vessels will be met with and unavoidably their Cargoes Condemned. This requires remidying immediately and I Should propose Something Similar to the Spanish pass. on better paper, or on Such parchment as would be thick not liable to Shrink or extend, One part being damp the other part perhaps folded & dry, would Occasion the top not agreeing with the bottom, and in Consequence a due Cargo. government gives both top & bottom & if the[y] do not agree & in Consequence the Merchants Suffer will the[y] not blame their government, which gave them the pass will the[y] not Sue &^e recover damages from the government.

I inclose you an american pass & 2 tops or Cuts to Shew you the defect and I point out the necessity of remidying it. The N^o 1 on top and bottom of the American pass being kept Close or on the line. The top is longer then the bottom by 1/10th of an inch and this defect will be the means of Confiscateing many A Cargo if not remedied —

As the french Spanish and British has taken and Condemned & Sold So Many American Vessels the[y] haveing of Course with them their Meditteranian pass. Of Course many of those Vessels has been resold to other nations & of Course the[y] have many of our passports. Under this pretence we Claim it as a right to Change our passports on this plan which I presume to Suggest to you Sir, taking 18 Months for all American Vessels to have the new pass. given out, and the Same time, for the Old pass. to be good untill the Vessels has procured the new and as the[y] have the new the[y] need not Carry the Old, the tops of the new passes to Send to Algiers

Tunis & Tripolia So that we might furnish the new passes. and with them the old untill that all American Vessels has got the new passes. which I think the[y] Can have in the run of 18 Months or 2 years, and from what I State and Suggest I hope that I Shall Shortly have youre Ans^r on these great affairs — which I think will draw youre most Serious attention and prevent many Valuable american Cargoes from being Condemned on account of a deficiency in the pass. many instances of this nature I have known during my Captivity of 10 y^r & 41 days.

I would propose a Ship under Sail with her American Ensign aft to her top G^{1st} mast heads. The American Flag — the top to Cut by the 1st reefe in the main top Sail and to the 3^d or Close reefe in the fore topsail and by the Close reefe of the Mizzen topsail, with a Star on the Close reefed fore topsail a half Moon on the 1st reefe of the Main topsail and a Star on the head of the Mizzen top Sail, all this to be done, very elegantly, well engraved and Cut with the greatest exactness.

Those Meditteranian passes when Once on this plan we might then expect Safety and those passes Should not be doubled, but rolled up and a tin Canister made to keep it in

this Meditteranian pass. Sea letter on good paper. Register on parchment. Role D ^s Equipage — & Each Sailor his protection and Real American Colours. Crews 2/3 ^d Americans No fancy flags, enforce the Laws &	on Each of these documents Should be Stamp ^t the arms of the United States None of y ^r buton Seals Now. The public Seal or its Stamp Should be to all those documents
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I shall Observe that the Dey was not Satisfyed that this Brig *Mary* was an American Vessel untill that I compared & Shewn the Public Seal of my Consular Commision which I Convinced the Ministry was the Same, and exactly alike unto the Public Seal on the Brig *Mary*^s Sea letter and a M^r Abraham K. Bracher had a Lieut^s Commision in the New York Militia and the Seal of New York thereto, Signed under the Seal John Jay — This I knew & with persuasion I Could make the Algerines know why because the[y] Could not read English & the Seal had not the Stars or Eagle on it — for if those people Cannot read the Christian print or writing if the[y] See the Seal of the United States, or the arms thereof the[y] know it, but the[y] Cannot read the writeings, but the Seal is expressive. I presume if I have not fully described, that you very easily perceive what I would wish to explain and point out, and Shall Observe that all persons that Grants Certificates to any persons going to Europe Should have the Seal of the United States, or its arms on the Seal — Supose the port of Norfolk, Collectors Seal, the arms of the U. S. & the requisite writeings on the Seal, I hope that those that might frequent the Meditteranian will have the real American Colours — if the[y] have those State flags, the[y] will not do, with even a good pass.

The Algerines will not believe or know them to be Americans. Why because the[y] have not American Colours & the[y] know nothing about y^e State Colours — The[y] will declare the[y] made a peace with one nation & one flag, not with 16 nations &^e 16 flags — look out. O'Brien will give you true Soundings

[SDA. CL, Algiers, Vol. 3, 1798.]

To Secretary of State from Richard O'Brien, U. S. Consul General, Algiers

ALGIERS. *October the 14th 1798.*

SIR, The Bearer of. these dispatches. is M^r James Carr whom has been with me Since my arrival in the frigate. he having untill this date. acted as my Secretary. and finding. the Situation of American affairs with. Algiers Tunis and Tripolia not to be. favourable. Particularly the deficiency of our parses for the Meditteranian to be So. defective which with many Other important affairs. contained in these dispatches. which accompanies this. letter I have prevailed, on the Said James Carr to. proceed in this Said Brig *Mary*. with Captain Isreal. and to make the greatest Speed to Philadelphia and deliver to you these dispatches. which I presume will draw youre most Serious attention. in Consequence I have agreed with this Said James Carr. on the part of the United States to give him at the Rate of 30. dollars per Month. from this date. untill the delivery of These dispatches to you which money I hope will be paid him by the United States.

As to the affairs of the United States with This Regency you will. be able to form. a true Idea. by the purport of the dispatches. depend Sir we shall have war. declared against. us if those expected Corsairs. and stores does not shortly arrive. which is for Algiers. and Tripolia — or that. you. will. heare of my being put in Chains — depend if it was Hassien. Bashaw. the late dey that. he would not. have patience. untill. this time. war would have been the result. of extraordinary. neglect. and. detention. or I should be necessiated. to make the promise of a Corsaire. or Sacraficed a large Sum of Money and presents. — Since I have been in this Country I have had. no one letter from you and all that. has been Communicated To me was in a letter. of The 16th of June last. informing me of an extract. of a letter from you dated the 13th of April. giving an Account of One Corsaire launched the 2^d to be that day & the 3^d in. 3 weeks. and that M^r Butlers Ship being freighted. for Algiers. now Sir Say the[y] took at furthest June and July, to fit, and load. to this date. the[y] would have 74 day^s to come to Algiers. and in fact. God knows. what detains them.

I have as Much confidence in the dey. and present Ministry. Relative to the United States. as I could ever expect. and believe that if we did not neglect. those people. So Shamefully. as we have done. that our peace was as secure. As if it was Made with Any Nation.

I believe it and shall ever consider it my duty. to write you with Candoure and Truth. My Sentiments. and Ideas you have with these dispatches. and if you. and the United States intends to Keep. youre peace with. The Barbary States. These dispatches Should be attended to.

This summer the Algerines. has been Occupied takeing Greek Vessels which is navigated with the Subjects of the Grand Signior. under pretence. of deficiency^r in there pass. and of. there navigateing to the West^d of Sicilly. and Carrying grain to the french and Spaniards.

and That. those greek Vessels. is the property. of the Enemies of the Algerines Many of those greek Vessels. is fast Sailors. & 3. of them the Algerines has made Corsairs of. which will. of Course. lessen the Value of the expected Corsairs from Philadelphia. however. you may depend. if they] arrive here dureing the time that I might be permitted to. remain in this Country. be assured. I shall do all posibly in my power —

This government seems to threaten. the french with war and. the losses. of the french in the Levant. & destruction of there fleete. and other Circumstances. Occasions algiers about this time to Treat the french. with Much Contempt. So that Shortly. the french must Either. bow to Algiers or the latter be more Moderate.

The British. has no Consul. here he is expected. with Valuable presents. in March. The new Dey. and late Victory. is in favoure of British affairs with this regency.

The Swedes. & deans. Stands well with this government. The[y] are punctual in giving there annual tributes. and Customary presents. The Span^d 2 Munths past. was Much threatened. but as usial with Money and presents. they] Keep there ground —

The Tunicians has full 50 Sail of Corsairs. The[y] have lately. landed on the Island of S^t Pierre. adjacent to Sardignia. and has taken off] 950. men women & Children. These unfortunate Captives is at Tunis —

Tripolia — is much increased in Corsairs and Seems to be. a new Algiers Those Barbary States, is attentive plundering and robing the Christian nations whom Seems Occupied in new projects. of Revolution.

I have mentioned to the Algerine Ministry. relative to our prepareing by land & Sea & the[y] Observ^d we Should have done it years past.

For Many particulars relative to Algerine affairs. I refer you to M^r Carr. whom by this time has a good Idea of Algerine affairs

[NA. SDA. CL, Algiers, Vol. 3, Jan-Dec. 1798.]

To Naval Constructor Joshua Humphreys, U. S. Navy, from Secretary of State

DEPARTMENT OF STATE TRENTON Oct. 22, 1798.

SIR, I have concluded to send the *Sophia* to Algiers to bring home the officers and crews of the three armed vessels destined thither. Capt. Geddes informs me that the *Sophia* is not calculated to be mounted with the complement of cannon proportioned to her tonnage on account of the height of her deck: but that she could take on board a few carriage guns. Carronades would be best, if we could get them. I beg you immediately to consult with Capt. Geddes and arm her in such manner as you and he shall think best.

I understand that Captain Maley is ready for sea, or can be ready in two days. I have concluded that he should sail with the large Store Ship, and convoy her to Algiers. The ship being a dull sailer, by having the start of the other vessel by a fortnight, or ten days, she may arrive about as soon as the other two armed vessels and the *Sophia*. Captain Geddes says the *Sophia* wants a mainmast and perhaps some spars, and a pump. I shall rely on your providing these things expeditiously.

Whatever is wanting to complete the armed brigantine and the other Schooner I must desire you to have provided without delay. For whatever depends on M^r Francis you will write to him.

If any difficulties present, inform me without delay.

[SDA. Dom. L, Vol. 11.]

To Naval Constructor Joshua Humphreys, U. S. Navy, from Secretary of State

DEPARTMENT OF STATE TRENTON Oct. 31, 1798.

M^r JOSHUA HUMPHREYS

Chester or Marcus Hook

SIR, Captain Robinson master of the Ship *Hero*, laden for Algiers has just called on me. He is now on his way to his ship, which is ready for Sea. I wrote you lately, desiring that Capt. Maley's schooner might sail with him as a convoy: and that the *Sophia* should be prepared to go with the other two armed vessels to Algiers, to bring back all their crews. I have not since heard from you.

Captain Robinson expressed a desire to have two or four of Maley's guns, with amunition, put on board his ship; informing at the same time that his owners refused to make any kind of provision for arming him.

I see but one objection to his request — that his ship is a dull sailer, and might be taken, when Maley's Schooner might escape from a superior force; whereby so many guns, adapted to the Schooner might be lost. I would therefore prefer putting two, or even four other guns on board the *Hero*, which might be taken out at Algiers, and put into the hold of the *Sophia* for ballast.

I will thank you for an immediate answer concerning the vessels destined for Algiers.

[SDA. Dom. L, Vol. 11.]

To Tench Francis, U. S. Purveyor, from Secretary of State

DEPARTMENT OF STATE TRENTON Nov^r 10, 1798.

SIR, The Schooner *Lelah Eisha* being Armed, and Captain Maley being ordered to defend her and whatever she has under her convoy, I thought it prudent that he should be furnished with a Commission as a Naval officer in the service of the United States. I have accordingly made out one for him as a lieutenant in the Navy, and now inclose it. You will have the goodness to get the War-Office seal affixed to it, before you send it to Maley. At the same time he should be informed that the Commission is designed only for the present voyage, and not to ground any claim for permanent employment. Altho' his good conduct in his present undertaking will recommend him to the further attention of the Government. All the papers now transmitted herewith for him are noted below. I presume he will have obtained a sea letter, Mediterranean passport, clearances and other customary papers (Register excepted) from the Custom House. I wish you to ascertain this, and see it done, if not already accomplished. You will write of course to Capt. O'Brien, and send him invoices of all the articles on board, and copies of the invoice of the cargo of the ship *Hero*, for which I inclose a passport, leaving a blank for you to insert the master's name, which I have forgotten. If as I have suggested to M^r Humphreys, the Captain of the *Hero* puts guns on board her, he will consider whether he had not better take out a commission, at the Custom House, to secure him against being treated as a pirate, in case he fights and should be taken. It will cost him but some trifling fee; and I suppose he knows people enough in Philadelphia who will be his bondsmen for observing his instructions as commanding a private armed vessel.

[SDA. Dom. L, Vol. 11.]

Enclosures in Letter of Secretary of State to Tench Francis,
dated November 10, 1798

1. A Commission of lieutenant for Capt. Maley.
2. A passport from the Secretary of State.
3. A Passport in the Turkish Language from the Dey of Algiers.
4. Instructions to Captain Maley to fight &c.
5. Private Instructions to ditto.
7. A letter to James Simpson Esq^r Consul of the U. States for Morrocco, at Tangier.
6. A letter to Captain O'Brien, Consul General at Algiers.
3. A letter for John Gavino Esq^r Consul of the U. States at Gibraltar.

[Enclosure No. 2]

Passport for the armed Schooner *Lelah Eisha*

To all who shall see these presents Greeting.

I Timothy Pickering, Secretary of State of the United States of America, do hereby certify and make known That the armed Schooner *Lelah Eisha* whereof lieutenant William Maley is Commander, has been built in the United States for the Dey of Algiers, pursuant to a Stipulation of Richard O'Brien Esq^r now the American Consul General at Algiers; and that the Stores on board of her are also destined for the Dey of Algiers, in pursuance of existing Stipulations with that power. The whole to confirm and secure the peace entered into between the said United States and the Dey and Regency of Algiers. Wherefore in the name of the President of the United States, I request all who may meet with the said Schooner *Lelah Eisha* either at sea or in port, to allow her to pass not only unmolested, but with every necessary aid, to enable her to reach her destined port, the City of Algiers, in safety.

Given under my hand and the Seal of my Office at Philadelphia, the tenth day of November 1798.

TIMOTHY PICKERING

[SDA. Dcm. L, Vol. 11.]

[Enclosure No. 3]

Passport for the armed Schooner *Lelah Eisha*

This passport in the Turkish language, under the Seal of the Dey & Regency of Algiers, I commit to lieutenant William Maley, commander of the armed schooner call the *Lelah Eisha*, which with her guns, tackle, apparel, furniture, stores, boats, and goods on board her, being the property of the United States of America, are destined for Algiers, there to be delivered to the Dey on account of the Stipulations and agreements entered into between the United States & the Dey and Regency of Algiers. This passport being furnished by that power to protect the said schooner, her equipments, goods, and all persons & things on board her, against all nations with whom the Dey and Regency are at Peace, in like manner as the passports from the Executive & Officers of the United States are designed to protect them from molestation by any powers with whom the United States are at peace.

In Witness whereof I have hereunto set my hand, and seal of office,
at Philadelphia, the tenth day of November 1798.

U. S.
SEAL

TIMOTHY PICKERING.
Secretary of State of the
United States of America.

[NA. SDA. CL, Algiers Vol. 3, Jan.-Dec. 1798.]

[Enclosure No. 4]

Instructions to Lieutenant William Maley, commander of the armed Schooner
called the *Lelah Eisha*

You being appointed to the command of the armed Schooner above named, are to proceed forthwith to the City of Algiers, and there deliver her with her guns, tackle apparel and Stores to the Dey of Algiers, for whom she has been built, armed and equipped, according to the directions you shall receive from Richard O'Brien Esquire, the Consul General of the United States of America, at that City to whom as soon as possible you will make known your arrival.

As you have a crew competent to the defence of the *Lelah Eisha* against ordinary cruisers, so you are to defend her accordingly against all attacks but those

of superior force. You are therefore to prepare your officers and crew for such defence and maintain the necessary order and discipline among them for this object as well as for the safe navigating of the Schooner to her destined port.

The Ship *Hero*, laden with timber and Stores on account of the United States, to be delivered at Algiers pursuant to the Stipulations between that Regency and the United States, I presume has not yet sailed, if so, you are to take her under your convoy.

Besides the warlike and other equipments properly belonging to the *Lelah Eisha*, there are certain Stores by way of Cargo, which are also for the Dey of Algiers in pursuance of the stipulations above mentioned. The invoice of these articles, as well as an inventory of every thing properly belonging to the Schooner, you will take with you and deliver to Captain O'Brien our Consul at Algiers, whose orders respecting the delivery of the whole you will strictly observe; or in his absence, the orders of the person left there in charge of the officers of the United States.

The orders for using your arms, you will observe point only to the defence of the Schooner under your command, and the protection of the Ship *Hero*, under your convoy. You are therefore not to give chase to or attempt to take any vessel you may meet with. Nevertheless, should you meet at sea with any vessels of the United States, in the hands of French captors, you may retake them. And you will understand that it is against the French Cruisers, that the orders for defence are mainly intended. The Government of that nation having laid aside all regard to the law of nations, and the most plain and acknowledged principles of justice in the arrears and regulations it has made in regard to the capture and condemnation of neutral vessels, and especially those of the United States. But you will consider well the strength of such captured American Vessel, and attempt nothing at the risque of the *Lelah Eisha* or of the Ship *Hero*. So likewise you may take under your protection any American vessels holding the same course with you. In case of a recapture you are not materially to deviate from your proper course, nor essentially diminish the force of your crew.

It is expected that the other armed vessels and the Brig *Sophia* will reach Algiers nearly as soon as the *Lelah Eisha*, and that the crews of the whole will come home in the *Sophia*.

Relying on your vigilance, bravery and prudence, I have only to wish you a prosperous voyage to your destined port, and a safe return to your Country.

Given under my hand and the Seal of the Department of State at Philadelphia the Tenth day of November, 1798;

L.S.

TIMOTHY PICKERING,
Secretary of State.

[SDA. Dom. L, Vol. 11.]

[Enclosure No. 5]

Private instructions to Lieutenant William Maley, commander of the armed Schooner *Lelah Eisha*

If visited by a European vessel of War of Superior force, and your papers are demanded, you will exhibit your sea-letter and the Special passport or certificate under my hand and seal: If by any cruiser of the Barbary powers, you will exhibit your Mediterranean passport, and the passport of the Dey of Algiers in the Turkish language and under the Dey's Seal. These ought to satisfy any vessel of war which may visit you. If however other papers shall be required, you may exhibit the inventory of the Schooner and her equipments, the invoice of goods and stores on board her, your clearance and any other customary papers. If you should have an engagement with any other armed vessel, and your right of fighting should be questioned, you will show your Commission, and your instructions to fight and defend your vessel and convoy.

If not inconvenient to touch at Gibraltar, you may do it and make known your destination to our Consul, John Gavino Esq^r. If any unexpected change should have taken place to render your going to Algiers improper or unsafe, he can inform you: and in this case you will secure your vessel until you can get advice from Captain Richard O'Brien our Consul at Algiers, how to proceed; contriving to let him know as soon as possible your situation. In such case also you will get Mr Gavino to write an account of it to Col^o Humphreys our Minister at Madrid, and to William Smith Esq^r our Minister at Lisbon. What they or either of them shall finally advise, you are to do. But this caution is suggested only because it is possible (for it is not probable) that there may be reasons to forbid you to proceed to Algiers.

If you should fall in on the coast of Morrocco, off Tangier, you will there find James Simpson Esq^r American Consul, with whom you may in like manner advise and Consult.

But the chance of there being any objection to your proceeding directly to Algiers is so very small, and the danger so great of meeting with French privateers near the Streights mouth, seeing they frequent the Spanish ports of Algeciras on one hand and Ceuta on the other — if the wind should be favourable it will be best for you to push forward and go directly to Algiers.

The letters and packets addressed to M^r Simpson and M^r Gavino you will contrive to convey to one or the other of those gentlemen, either going or returning: but do not go out of your way to deliver them to either, if you bring the letters and packets home again.

Given at Philadelphia the tenth day of November 1798.

LS.

TIMOTHY PICKERING,
Secretary of State.

[SDA. Dom. L, Vol. 11.]

[7 December 1798]

Quasi-War, United States and France

[NOTE.—See letter of 7 December 1798 from Secretary of the Navy to Captain John Barry, U. S. Navy, setting forth the disposition of the naval forces of the United States in the West Indies and vicinity, for protection against the depredations of French armed vessels; printed in "Naval Documents, Quasi-War, United States and France", second volume (November, 1798 to March, 1799), pp. 70–72.]

[11 December 1798]

Sea Letter for Brig *Sophia*

JOHN ADAMS,

President of the United States of America

To all who shall see these presents, GREETING:

BE IT KNOWN, That leave and permission, are hereby given to ----- master or commander of the ----- called ----- of the burthen of 118 6/95 tons or thereabouts, lying at present in the port of ----- bound for ----- and laden with ----- to depart and proceed with his said ----- on his said voyage, such ----- having been visited, and the said ----- having made oath before the proper officer, that the said ----- belongs to one or more of the citizens of the United States of America, and to him or them only.

IN WITNESS WHEREOF, *I have subscribed my name to these Presents, and affixed the Seal of the United States of America thereto, and caused the same to be countersigned by ----- at ----- the ---- day of ----- in the Year of our Lord Christ, one thousand seven hundred and ninety -----*

By the PRESIDENT.

TIMOTHY PICKERING *Secretary of State*

GEO LATIMER *Coll^r*

MOST Serene, Serene, most Puissant, Puissant, High, Illustrious, Noble, Honourable, Venerable, wise and prudent, Lords, Emperors, Kings, Republics, Princes, Dukes, Earls, Barons, Lords, Burgomasters, Schepens, Counsellors, as also Judges, Officers, Justiciaries and Regents of all the good cities and places, whether Ecclesiastical or Secular, who shall see these patents, or hear them read. We Clement Biddle Notary make known, that the master of Brig *Sophia* appearing

before us has declared upon oath, that the vessel, called the *Sophia* of Philad^a of the burthen of about 118 6/95 tons, which he at present navigates, is of the United States of America, and that no subjects of the present belligerent powers have any part or portion therein, directly nor indirectly, so may God Almighty help him. And, as we wish to see the said master prosper in his lawful affairs, our prayer is, to all the before-mentioned, and to each of them separately, where the said master shall arrive, with his vessel and cargo, that they may please to receive the said master, with goodness, and to treat him in a becoming manner, permitting him, upon the usual tolls and expences, in passing and re-passing, to pass, navigate, and frequent the ports, passes and territories, to the end to transact his business, where, and in what manner he shall judge proper: Whereof we shall be willingly indebted.

IN WITNESS and for cause whereof, we affix hereto the Seal of
Me Notary at Philadelphia
this 11th December 1798

CLEMENT BIDDLE
Not^y Pub

Sworn by Captain Henry Geddis to the Annexed Sea Letter at Philadelphia this 11th December 1798

CLEMENT BIDDLE
Not^y Pub

SEAL

[NA. SDA. CL, Algiers, Vol. 3, Jan.-Dec. 1798.]

[18 December 1798]

Instructions to Richard O'Brien, U. S. Consul General, Algiers; William Eaton, U. S. Consul, Tunis; and James Leander Cathcart, U. S. Consul, Tripoli, from Secretary of State

By the powers herewith delivered to you, from the President of the United States of America, you are authorized to confer, negotiate and conclude with the Bey and Regency of Tunis, on the alterations to be made in the Treaty between the United States and that power as arranged in the month of August 1797, by the Agency of Joseph Etienne Famin who was employed by Joel Barlow Esq^r Agent and Consul General of the United States at Algiers.

The important object of discussion arrises, out of the fourteenth article of that Treaty of which the following is a translation.

“Article fourteenth”

“The citizens of the United States of America who shall transport into the Kingdom of Tunis the Merchandize of their country, in the vessels of their nation, shall pay three per cent duty. Such as may be laden by such citizens under a foreign Flag coming from the United States, or elsewhere, shall pay ten per cent duty: Such as may be laden by foreigners on board of American vessels, coming from any place whatever, shall also pay ten per cent duty. If any Tunissian Merchant wishes to carry merchandize of his country, under any flag whatever, into the United States of America, and on his own account, he shall pay three per cent duty.”

This article is subversive of our great revenue system: it is besides without reciprocity. It cannot be important to the Bey and Regency, tho' ruinous to us.

The revenues of the United States arise chiefly from duties on goods imported. These duties generally exceed ten per cent. They are imposed on our own merchants; and increased on the Merchants of foreign nations. Our treaties with those nations stipulate that no higher duties shall be paid by their subjects, than by those of the most favoured nation. Consequently if this article in the Treaty with Tunis should be ratified by the American Government, the duties on all the goods imported into the United States by the subjects of those foreign nations, must be reduced to three per cent. This would necessarily involve the reduction of the duties imported in our own vessels, or our whole navigation would sink under the unequal burthen. This sacrifice then, it is impossible to make. We should thereby deprive ourselves of the means of supporting our own government, of paying our public debts and even of fulfilling our engagements with the Bey and other Barbary powers. While no advantage would arise to the Bey and his *proper subjects*; probably a few European and Jewish Merchants settle[d] at Tunis would alone be benefitted.

For these reasons, the President cannot apprehend any difficulty in your obtaining the Bey's consent to abolish the fourteenth article before mentioned. In its place may be substituted a stipulation that the commerce of the United States with Tunis, and of Tunis with the United States, shall be on the footing of the commerce of the most favoured nations for the time being, respectively. At all events the fourteenth article must be rejected, if war should be the consequence. This evil, however, by every soothing and persuasive measure, you will endeavour to prevent. Should it nevertheless be insisted on, it will evidently be for the purpose of extorting further stipulations for the delivery of money or stores: but the demand must be resisted. As the article is destitute of any reasonable foundation, without a precedent in any treaty with any other Barbary Power, and strikingly wanting in reciprocity, a submission to it would be dishonor[able] to the United States. If to prevent a war any thing should be added to the very burthensome contract already made, that addition should not have any reference to the fourteenth article, but be stipulated at large, on the conclusion of the new article or articles which you may negotiate.

The Senate have advised the ratification of the treaty, with the exception of the fourteenth article alone: but the eleventh & twelfth articles are objectionable. In firing salutes in the ports of the two powers reciprocally, to return gun for gun will be proper: but as the Tunissian vessels of war would probably never enter the ports of the United States, while the vessels of war of the latter were likely often to enter the ports of Tunis, to stipulate for the donation of a barrel of powder for every gun which shall be received for the salute, was to authorize the levying of a contribution in a way not very honorable on either side. It will therefore be desirable to expunge this stipulation; and to confine this article to mutual salutes, gun for gun: and it will be very well to limit the number to *fifteen*, the federal salute. The twentieth article of the treaty with algiers requires a mutual salute of twenty one guns: and if there be any motive to induce the Bey of Tunis to require a salute of more than fifteen guns, the number may be increased to twenty one. If nevertheless the Bey should persist in claiming a barrel of powder for every gun fired in his forts, for a salute to a vessel of war of the United States then it will be of more conse-

quence to limit the number of guns to at least fifteen, and at most to twenty one.

In the twelfth article it is stipulated that the "subjects or citizens "of the two nations shall be protected by the Government or Com- "mandants of the places where they may be, and not by the other "authorities of the Country." This is not very intelligible. Possibly it may mean that the officers on the spot shall furnish such protection, without obliging the United States in the Tunissian dominions, on the subjects of Tunis in the United States to seek it at a distance, if the seat of Government be distant: but if such protection be withheld by subordinate officers, the persons needing protection ought to be forbidden to resort for justice to the chief authority in each nation. But the clause most exceptionable in this Article is that which permits the *government* of Tunis to compel an American Captain to put his vessel into its service, at such freight as the Government itself shall prescribe. They will put it in the power of any merchant resident at Tunis who has the ear of the Bey or one of his chief officers to command the service of American vessels for compensations wholly inadequate and unreasonable. The fourteenth Article of the Treaty with Algiers is proper and honorable. "Should the Dey want to "freight any American Vessel that may be in the Regency or Turkey, "*said Vessel not being engaged*, in consequence of the friendship sub- "sisting between the two nations, he expects to have the preference "given him, *on his paying the same freight offered by any other nation.*"

The three Articles in question may be changed into the following forms.

Article XI

'When a vessel of war of one of the parties shall enter a port of the 'other in which there is a fortification, she shall be saluted with fifteen 'Guns, which salute the vessel of war shall return gun for gun.'

Article XII

The first part may stand as it is, as far as the word (in the English translation) "which may extend to merchant vessels, but [not] to those of war"— After which, the Article may be thus continued — 'The 'subjects and citizens of the two nations, respectively, shall be pro- 'tected in the places where they may be by the officers of the Govern- 'ment, there existing; but on failure of such protection, and for redress of every injury, the party may resort to the chief authority in each 'country, by whom adequate protection and complete justice shall be 'rendered.'

'In case the Government of Tunis shall have need of an American 'vessel for its service service vessel being within the Regency, (and 'not previously engaged), the government shall have the preference, 'on its paying the same freight as the Tunissian Merchants usually 'pay for the same service; or at the like rate, if the service be without 'a customary precedent'. — The words in hooks [parentheses] (and not previously engaged) if objected to, may be omitted.

Article XIV

'All vessels belonging to the citizens and inhabitants of the United 'States shall be permitted to enter the different ports of the Kingdom 'of Tunis, and freely trade with the subjects and inhabitants thereof

'on paying the usual duties that are paid by all other nations at peace with the Regency. In like manner all vessels belonging to the subjects and inhabitants of the Kingdom of Tunis shall be permitted to enter the different ports of the United States, and freely trade with the citizens and inhabitants thereof on paying the usual duties that are paid by all other nations at peace with the United States.'

Or if preferred, the fourteenth article may be in the following form.

'The commerce of the citizens and inhabitants of the United States with the Kingdom of Tunis, and of the subjects and inhabitants of the Kingdom of Tunis with the United States shall be on the footing of the most favored nations for the time respectively.'

Some such form is indispensable: it is impossible to place the commerce of the Tunisian subjects on a better footing than that of the most favored nation; and there must be an exact reciprocity in the stipulation.

A copy of the Act of the Senate on this subject is inclosed. By that you will see that an alteration in the fourteenth article only is essential: but you will aim at the proposed alterations in the eleventh and twelfth articles.

The Bey and chief officers of Tunis have probably an erroneous idea of the cost of the naval and military stores stipulated to be delivered at Tunis by the United States. Subjoined is an estimate of their probable cost, so far beyond their own estimate, that perhaps for the amount of the latter in money, with the addition of some thousands of dollars, they would release the United States from the obligation to deliver those stores. Without intimating what will be the probable cost to the United States to deliver the stores at Tunis, you may offer the amount of the Tunisian estimates, viz, thirty five thousand dollars; with the addition of twenty five thousand dollars; if that be not accepted you may add twenty thousand dollars more; if this also should be rejected, propose at once as your highest and final offer One Hundred thousand dollars in lieu of the stores and all other demands for the peace.

If the delivery of the stores be finally insisted, and the alteration of the fourteenth article should be refused without an additional stipulation, you may go as far as five thousand dollars in cash, payable in six or rather in nine months, or immediately, if it be indispensable, and the sum can be procured on the credit of the United States. But this sum should not be yielded without a struggle; because there is no reasonable colour for demanding any thing. If more should be required, and the alternative must be immediately war, you may go as far as Ten thousand dollars; if [that] does not satisfy, you must refer the matter to your Government. In the mean time and until we know that the terms of the Treaty are finally settled, agreeably to those instructions, no part of the stores can be forwarded. Instead of them the United States will send a naval force into the Mediterranean for the protection [of] their commerce. If instead of the regalia, or present of naval and military stores stipulated to be delivered at Tunis, and which will be so extremely burthensome and difficult to accomplish, a cruizer not exceeding twenty two guns, six pounders would be accepted, you may agree that such a cruizer shall be delivered, either one to be built for the purpose, or one already belonging to the United States. But take care to obtain time enough for the fulfilment of such a stipulation. All circumstances considered eighteen

months should be allowed, if the Cruizer should be built, and half that time if one already built should be found suitable for the service of the Bey. But there will be no unnecessary delay.

If after entering on the new negotiation, you find you cannot secure the continuance of peace, you must keep the negotiation pending as long as possible and dispatch letters to algiers to the Consul General O'Brien, if he is not present at Tunis, and to our Consuls in all the ports of the Mideterranean Sea, and to our Ministers in Spain & Portugal, stating that our war with Tunis is inevitable, or highly probable; in order that American vessels may avoid entering that Sea, until effectual measures shall be taken for their security. It will be particularly important to send such letters to our Consul at Gibraltar, where so many American Vessels touch before they enter the Mediterranean.

DEPARTMENT OF STATE
Philad^a 18 Dec^r 1798

[NA. SDA. Dip. Cor., Inst. to Min., Bk 5, Dec. 1798–Sept. 1800.]

To William Eaton, U. S. Consul, Tunis, from Secretary of State

[PHILADELPHIA]

Department of State, December 20. 1798.

SIR, In addition to the instructions for farther negotiations with Tunis, some explanations may be useful; as well as general observations on the conduct proper to be pursued by you in the exercise of the office of Consul.

To account for the extraordinary stipulation in the 14th article of the treaty, it is to be noted, That the negotiator, M^r Famin, is a French *merchant* residing at Tunis, and much in favor with one or more of the influential officers of that government. M^r Barlow asserts that neither this stipulation nor that of the eleventh article nor the one the last paragraph in the twelfth was comprehended in the first project of the treaty transmitted to him by M^r Famin in April 1798: and he can account for the insertion of the fourteenth article only on the ground that M^r Famin, *being a merchant*, might expect to derive great commercial advantages from the direct trade he might carry on to the United States.

In order to favour his projects or perhaps entirely ignorant of the consequences of the article, the Bey and his chief officers agreed to it. It is possible, however, that there might be a further view: The Bey and his Chief either aware of the effects of the article, or informed by M^r Famin, might contrive this article as the instrument of obtaining a new sacrifice to their avarice; expecting it would not be agreed to by the United States; and that in order to get it expunged, an additional sum of money would be offered. It is farther to be considered that the hostile measures and designs of France against the United States were well known to M^r Famin before the conclusion of the treaty; and that as M^r Herculais the principal French Agent in Barbary who recommend M^r Famin to M^r Barlow, as well as all the other agents of that nation at Algiers, Tunis or Tripoli, were thwarting the interests of the United States, so M^r Famin might be willing to join his countrymen, with the like national view. He and M^r Herculais, nevertheless, reproach each other and perhaps very justly. The result of this negotiation demonstrates that neither deserves the confidence of the United States.

* * * * *

It is to be remembered that as the policy of the Barbary Powers constantly leads them to make war on some of the christian nations, so the agents of these nations respectively endeavour to ward off the mischief; and thus are, in some sort, in a state of hostility among themselves. Whenever therefore the interests of the United States are in question, you must chiefly rely on your own means to secure them. Among the foreign Consuls, however, there may be some whom your experience of their candour may authorize you to confide in; and by a friendly intercourse and mutual assistance the common interests of the several nations you and they represent may be advanced. While with such you will cultivate an acquaintance, you will endeavour to live on terms of civility and good neighbourhood with all. * * *

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[NA. SDA. Dip. Cor., Inst. to Min., Bk 5, Dec. 1798–Sept. 1800.]

To James Leander Cathcart, U. S. Consul, Tripoli, from Secretary of State

DEPARTMENT OF STATE, Philadelphia Dec^r 20. 1798.

SIR, Your intimate acquaintance with Barbary affairs and with the means of preserving peace with the Regencies of the Country, renders it unnecessary to multiply instructions. There are some points, however, on which you have asked direction, and on which I will state the President's opinion.

All the stores stipulated for Tripoli not admitting a transportation thither at this time, you can only take from Algiers such of the articles as are now on board the Ship *Hero* Capt. Robinson destined for that port, but which make no part of the stipulated stores still due to Algiers. You will even take them in larger quantities than those stipulated, if on enquiry at Algiers you should be of opinion, that they will be accepted at Tripoli in lieu of others not forwarded.

A small consular present may be made to the Bey of Tripoli: the articles and their quality to be determined by you and Captain O'Brien, and taken with you from Algiers

* * * * *

It is to be recollected, that the twelve thousand dollars to be paid to the Bey of Tripoli, on the arrival of the American Consul, were to be in full of all demands, the naval stores to be delivered at the same time excepted. In making up an additional Consular present, therefore, you must study to make it as little expense as possible.

You know it was proposed to lade the naval stores for Tripoli, including the planks &c on board a ship selected for the purpose just before the spreading of the yellow fever, which has so retarded and deranged business, as to render it impracticable to embark those articles till the ensuing spring, when they will be forwarded.

Should the Bey of Tripoli desire an armed vessel to be built for him in the United States, even if he proposes to pay for her, you will as much as possible discharge the request, and if you cannot evade it, you may propose to report it to your Government: But if you find our peace will be endangered without your agreeing to furnish an armed vessel of ten or twelve guns, you may give your consent; but stipulate for time enough to deliver the vessel at Tripoli; and considering the great distance and numerous accidents to cause delays, eighteen months may be not too much.

You know the opposing interests of the European nations in regard to the Barbary states, and thence how little the sincere aid of their Consuls is to be relied on: yet you know that we experienced the friendship of the Swedes at Algiers, and the Spanis[h] Consul, Gerardo Joseph de Souza at Tripoli, has manifested by his acts such good will to the United States as to merit the warmest acknowledgements from the Government. He was very useful to Captain O'Brien in forming the Treaty; and to Captain Ingraham he has been a father as well as friend. The letter addressed to him you will be careful to deliver, with such expressions of respect and gratitude as his friendly conduct merits.

Among the three regencies eastward of Morocco, the United States have considered Algiers as the most important; and in consequence have there established a Consul General; the Government intending that the Consuls at Tripoli and Tunis should regularly correspond with him, state all difficulties and demands which occur, and on all material points request his opinion and advices. This is not an arrangement of the moment, but intended for a permanent system: no personal considerations will therefore contravene it. There will still be a wide field for the exercise of the talents of the Consuls; and on the questions they suggest for the consideration and advice of the Consul General at Algiers, they may mark out a line of conduct to be pursued and exhibit their reasons for preferring it to any other: these it must be presumed will have their just weight with the Consul General, and the Consuls will receive the credit due to them from the Government of the United States. For besides corresponding with the Consul General, the Consuls of Tripoli and Tunis will maintain a constant communication with the Department of State. If no special occurrence requires a letter: yet let it be a standing rule to write once a month if it be only to say that *all's well*.

* * * * *

In the present state of things it seems desirable that American vessels should avoid the Barbary ports: for either by the peremptory powers, or tempted by offers of good freights, they may take on board the persons or goods of their subjects, when if inevitable misfortunes and losses ensue, the United States will be required to make indemnities — and at exorbitant valuations. Such was the case of the Ship *Fortune*, belonging to the Bacris at Algiers. After having been put under the American flag to carry our captives from Algiers to Marseilles, she was afterwards kept or placed anew under that flag for the purposes of the Bacris alone; and when laden on their account, and captured and condemned by the British, the Bacris demanded and compelled M^r Barlow to give his obligation to pay them 40,987 Dollars.

* * * * *

The office of Consul of the United States for one of the States of Barbary is a trust of high importance. On your good conduct may depend the peace of your country and the consequent extensive interests of your merchants. These will require your vigilant attention. The abuses of which a Barbary Consulate is capable, renders the trust reposed in your integrity and fidelity the more honorable. The President relies on your acquitting yourself in a manner to prove that this confidence was well deserved.

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[NA. SDA. Dip. Cor., Inst. to Min., Bk 5, Dec. 1798–Sept. 1800.]

To James Leander Cathcart, U. S. Consul, Tripoli, from Secretary of State

DEPARTMENT OF STATE, Philadelphia, Dec^r 20th 1798.

SIR, You were so obliging as to propose several questions relative to Barbary affairs. Without repeating them, I will answer them in their order.

1. It will neither be "necessary" nor expedient to solicit the Dey of Algiers to use his influence with the Bey of Tunis, either to procure a reception of Captain Eaton, notwithstanding any opposition by M^r Famin, or to effect the requisite alteration of the Treaty he negotiated in agust 1797, with the Bey. The interposition of the late Dey, Hassan Bashaw, served only to kindle the resentment of the Bey of Tunis, & to embarrass the negotiation & aggravate the terms of the Treaty.

2.) For answers to these I refer to the instructions addressed jointly
3. } to Capt. Richard O'Brien, Capt. Eaton, & yourself [18 December
4.) 1798].

5. The Senate having, in their examination of the treaty arranged by M^r Famin with Tunis, explicitly objected only to the fourteenth article, and advised a new negotiation only on the account, it would not be expedient to form a new treaty, which also would probably be more difficult than to procure an alteration in one or a few articles: You will see, too, by the instructions before mentioned, that altho' you are to endeavour to get altered the eleventh & twelfth articles of the treaty, the alterations in the fourteenth are alone to be insisted on. Besides, excepting these three articles, the treaty is well enough

6. My letter to M^r Famin (of which capt. Eaton will have a copy) and the arguments which you and your colleagues are to use, according to your instructions, together with the compensation for services which you are authorized to make him, it is expected will remove his objections, & prevent his injuring our affairs: at all events, however, he is not to be appointed our Consul. If in opposition to all these means and arguments he should persist to demand the Consulate, he would thereby demonstrate that he was unworthy of the trust.

7. It is the obvious interest of the United States to receive the good offices of the Consuls of any nation who shall manifest a sincere disposition to serve us: and at the present time, I believe no nation whatever is better disposed to befriend us and to cultivate our good will, than the British: and this spirit will of course actuate their Consuls & ministers. Their aid is not only to be accepted, but requested, is found necessary: and the interposition of no other national agents can be equally effected; for certainly the unparelled victory of Admiral Nelson, on the African coast, must be well known in all the Barbary Regencies, whence must arrive the most elevated ideas of their power; and to be the known friend of such a power, and to receive its assistance thro' its public agents, cannot fail of promoting our interests, if it should not insure to us success. — As to the French, whether we have an open and declared war with them or not, we are to expect no aid from their Consuls. M^r Barlow states, that from first to last, they have been our determined enemies in Barbary. Even his friend Herculais, who recommended M^r Famin to negotiate for us at Tunis, has since avowed it to be the interest of France and the duty of its agents, to oppose the interests of the United States

among the Barbary Powers. Herculais has also accused M^r Famin as unfit to be trusted with our negotiation, and Famin in his turn accuses and reproaches Herculais: on both sides the reproaches may be well founded.

8. }
 9. } I refer you to your separate instructions.
 11 }

10. This is a subject for the consideration of the government, not necessary now to be decided.

[NA. SDA. Dip. Cor., Inst. to Min., Bk 5, Dec. 1798–Sept. 1800.]

[20 December 1798]

Instructions to Captain William Penrose, commander of the armed Schooner
Skjoldebrand

You being appointed to the command of the armed Schooner *Skjoldebrand*, are forthwith to proceed to the City of Algiers, and there deliver her with her cargo, Stores and equipments, to Richard O'Brien Esquire the Consul of the United States at that City.

As you have a crew competent to the defence of the Schooner against ordinary cruisers so you are to defend her accordingly against all attacks but those of superior force. You are therefore to prepare your officers and crew for such defence, and maintain the necessary order and discipline among them as well for this object as for the safe navigating of the Schooner to her destined port.

The Brig *Hassan Bashaw* and the Brigantine *Sophia*, also the property of the United States, and armed for defence, are to sail with you for Algiers. You are to use all your endeavours to keep company together, and for your mutual protection and defence.

These orders for using arms, you will observe point only to *defence*: you are therefore not to give chase to or attempt to take any vessel you may meet with. Nevertheless, Should you at sea fall in with any American vessels in the hands of French captors, you may retake them. And you will understand that it is against the French Cruisers that these orders for defence are mainly intended: the Government of that nation having laid aside all regard to the law of Nations and the most plain and acknowledged principles of justice, in the arrests and regulations it has made in regard to the capture and condemnation of neutral vessels, and especially those of the United States. In attempting a recapture of an American vessel, you will consider well her Strength, and attempt nothing at the risque of the Schooner under your command, or of her consorts. You may also take under your convoy any American vessel holding the same course and sailing so well as not to retard your voyage. In case of making a recapture, you are not materially to deviate from your proper course, nor essentially diminish the force of your crew. If you chance to overtake the Schooner *Lelah Eisha* and her convoy the Ship *Hero*, you will endeavor to keep company with them, and enter the Port of Algiers together.

The United States brig^e *Sophia* is to be considered as the Commodore of this little fleet. The Signals to be observed at sea have doubtless been concerted between her commander, Capt. Geddes, Capt. Smith, and yourself, and also with Captain Maley of the

Lelah Eisha and Captain Robinson of the Store Ship *Hero*, who have sailed for Algiers, but whom you may chance to overtake.

DEPARTMENT OF STATE,
Philadelphia Dec^r 20. 1798.

[SDA. Dom. L, Vol. 11.]

[20 December 1798]

Private instructions to Captain William Penrose, commander of the armed Schooner *Skjoldbrand*

If visited by an European vessel of War of Superior force, and your papers are demanded, you will exhibit your Sea letter and Commission from the President of the United States: If by any Barbary Cruizer, you will exhibit your Mediterranean Passport, and the passport of the Dey of Algiers in the Turkish language and under the Dey's Seal. These ought to Satisfy any vessel of War. If, however, other papers shall be required, you may exhibit the inventory of the Schooner and her equipments, the invoice of goods and stores on board her, your clearance and any other customary papers.

If practicable, you will avoid all communications with Portuguese armed vessels, because the Portuguese are at War with Algiers; and although not desirous to molest us, yet if their Ships should meet any of ours destined for Algiers, with contraband articles (and the armed vessels now destined for Algiers are eminently contraband) disagreeable consequences may follow. There can be no objection to your speaking with any British armed vessels: because from them you may expect friendly attentions, and if necessary, assistance.

If not inconvenient to touch at Gibraltar, you may do it, and make known your destination to our Consul, John Gavino Esq^r — If any change should have taken place to render your going to Algiers improper or unsafe, he can inform you: and in this case, you will secure your vessel until you can get advice from Captain O'Brien at Algiers, how to proceed; contriving to let him know, as soon as possible, your Situation. In such case also you will get M^r Gavino to write an account of it to Col^o Humphreys, our Minister in Madrid, and to William Smith Esq^r our Minister in Lisbon. What they, or either of them shall finally advise, you are to do. But this caution is suggested only because it is possible (for it is not probable) that there may be reasons to forbid you to proceed to Algiers.

If you should fall in on the coast of Morocco, off Tangier, you will there find James Simpson Esq^r American Consul with whom you may in like manner advise and consult. But the chance of there being any objection to your proceeding directly to Algiers is so small, and the danger so great of meeting with French privateers near the Streight's mouth, seeing they frequent the Spanish ports of Algesiras on one hand and Ceuta on the other — if the wind should be favourable, it will be best for you to push forward, and go directly to Algiers.

TIMOTHY PICKERING.

DEPARTMENT OF STATE
Philadelphia Dec^r 20. 1798.

[SDA. Dom. L. Vol. 11.]

[20 December 1798]

Instructions to Captain John Smith, commander of the armed Brigantine
Hassan Bashaw

You being appointed to the command of the Armed brigantine *Hassan Bashaw*, are forthwith to proceed to the city of Algiers, and there deliver her with her cargo Stores and equipments, to Richard O'Brien Esquire the Consul of the United States at that City.

As you have a crew competent to the defence of the brigantine against ordinary cruizers, so you are to defend her accordingly against all attacks but those of Superior force. You are therefore to prepare your Officers and crew for such defence, and maintain the necessary order and discipline among them as well for this object as for the safe navigating of the Brigantine to her destined port.

The Schooner *Skjoldebrand* and the Brigantine *Sophia* also the property of the United States, and armed for defence, are to sail with you for Algiers. You are to use all your endeavours to keep company together, and for your mutual protection and defence.

These orders for using arms, you will observe point only to defence: You are therefore not to give chase to or attempt to take any vessel you may meet with. Nevertheless, should you at Sea fall in with any American vessels in the hands of French captors, you may retake them and you will understand that it is against the French cruisers that these orders for defence are mainly intended: the government of that nation having laid aside all regard to the law of nations and the most plain and acknowledged principles of justice, in the arrears and regulations it has made in regard to the capture and condemnation of neutral vessels, and especially those of the United States. In attempting a recapture of an American vessel, you will consider well her strength, and attempt nothing at the risque of the Brigantine under your command, or of her consorts. You may also take under your convoy any American vessel holding the same course and sailing so well as not to retard your voyage. In case of making a recapture, you are not materially to deviate from your proper course, nor essentially diminish the force of your crew.

If you chance to overtake the Schooner *Lelah Eisha* and her convoy the Ship *Hero*, you will endeavour to keep company with them, and enter the port of Algiers together.

Captain Geddes of the *Sophia* is to be considered as the Commodore of this little fleet. The Signals to be observed at sea have doubtless been concerted between you, Captain Geddes and Captain Penrose, and also with Captain Maley of the *Lelah Eisha*, and Captain Robinson of the Store Ship *Hero*, who have sailed for Algiers, but whom you may chance to overtake.

TIMOTHY PICKERING.

DEPARTMENT OF STATE }
December 20th 1798 }

[SDA. Dom. L, Vol. 11.]

[20 December 1798]

Private instructions to Captain John Smith, commander of the armed Brigantine
Hassan Bashaw

If visited by an European vessel of war of superior force, and your papers are demanded, you will exhibit your sea letter and commission from the President of the United States. If by any Barbary cruiser,

you will exhibit your Mediterranean passport, and the passport of the Dey of Algiers in the Turkish language and under the Deys Seal. These ought to satisfy any vessel of war. If however other papers shall be required, you may exhibit the inventory of the brigantine and her equipments, the invoice of goods and stores on board her, your clearance, and any other customary papers.

If practicable, you will avoid all communications with Portuguese armed vessels; because the Portuguese are at war with Algiers; and altho' not desirous to molest us, yet if their Ships should meet any of ours destined for Algiers with contraband articles (and the armed vessels now destined for Algiers are eminently contraband) disagreeable consequences may follow. There can be no objection to your speaking with any British armed vessels: because from them you may expect friendly attentions, and if necessary, assistance.

If not inconvenient to touch at Gibraltar, you may do it and make known your destination to our Consul John Gavino Esq^r — — If any change should have taken place to render your going to Algiers improper or unsafe, he can inform you, and in this case you will secure your vessel until you can get advice from Captain O'Brien at Algiers, how to proceed, contriving to let him know as soon as possible, your situation. In such case also you will get M^r Gavino to write an account of it to Col^o Humphreys, our Minister in Madrid, and to William Smith Esq^r, our Minister in Lisbon. What they or either of them shall finally advise, you are to do. But this caution is suggested only because it is possible (for it is not probable) that there may be reasons to forbid you to proceed to Algiers.

If you should fall in, on the coast of Morocco, off Tangier you will there find James Simpson Esq^r American Consul, with whom you may in like manner advise and consult.

But the chance of there being any objection to your proceeding directly to Algiers is so small, and the danger so great of meeting with French privateers near the Streight's mouth, seeing they frequent the Spanish ports of Algesiras on one hand and Ceuta on the other — if the wind should be favourable, it will be best for you to push forward, and go directly to Algiers.

TIMOTHY PICKERING

DEPARTMENT OF STATE,
Philadelphia Dec^r 20. 1798.

[SDA. Dom. L. Vol. 11.]

[20 December 1798]

To Captain Henry Geddes, commander of the armed Brigantine *Sophia*

You are hereby appointed to act as Commodore of the little fleet destined for Algiers, consisting of your own Brigantine *Sophia*, — the *Hassan Bashaw* brigantine commanded by Captain John Smith and the Schooner *Skjolvebrand* commanded by Captain William Penrose.

You will, if it has not already been done agree on the signals to be observed on your voyage. If you fall in with the Schooner *Lelah Eisha* and Store Ship *Hero*, now on their voyage to Algiers, they are to join the fleet; and the whole to use their endeavours to keep company, and enter the port of Algiers together. TIMOTHY PICKERING.

DEPARTMENT OF STATE }
Phila. December 20. 1798 }

[SDA. Dom. L. Vol. 11.]

[20 December 1798]

To Captain Henry Geddes from President John Adams

JOHN ADAMS, PRESIDENT OF THE UNITED STATES OF AMERICA,

To Captain Henry Geddes, commander of armed brigantine Sophia.

The said brigantine and her cargo, which are the property of the United States, you are to conduct to her destined port, the City of Algiers, and there deliver her cargo to Richard O'Brien Esq^r the Consul General of the United States.

Being armed and manned for the protection of the brigantine and her cargo, you are to defend the same against every attack and hostile attempt to seize and take her: you are to preserve order and discipline on board your said brigantine, and your officers and men are to be obedient to your command. For all which this is your Commission: and in case of accident to yourself, it is to serve equally for each of your officers who may succeed to the command of the said brigantine.

Given under my hand and the Seal of the United States, at Philadelphia, the twentieth day of December, in the year of our Lord 1798.

BY THE PRESIDENT.

[SDA. CL, Algiers, Vol. 3, 1798.]

To Richard O'Brien, U. S. Consul General, Algiers, from Secretary of State

DEPARTMENT OF STATE, *Philadelphia Dec^r 21. 1798.*

SIR, After so long delay, the armed vessels destined for Algiers are now departing. The schooner *Lelah Eisha*, Captain William Maley commander, has indeed sailed, taking under her convoy the ship *Hero*, Captain Robinson, laden with timber and stores for Algiers. The *Hassan Bashaw*, the Schooner *Skjoldebrand*, and the brigantine *Sophia*, are now ready to sail, and it is expected will reach Algiers as soon as the *Lelah Eisha* and the *Hero*.

I have received your letters of the 2^d, 6th & 7th of March, with sundry documents. From the state of our affairs at Algiers and the other two eastern regencies, it is unfortunate that the cash you took with you was not lodged at Gibraltar: it is only to be lamented that Barbary proves such a devouring gulph. But no one demand appears more provoking than that of the two Jews, Joseph Coen Bacri and Niftali Busna, for the estimated price of the Ship *Fortune* and Cargo, being 40,987 dollars, under pretence that she was an American bottom, because at their instance, or that of their partners at Leghorn, American papers were given to her, to enable her to hoist the American flag — for the interest not of the United States, but solely for the interest of the Jews. Had the Ship been really American, we could not complain of the demand for the value of her cargo, which, according to the usage in Barbary, that the flag shall be responsible for the cargo, we should not hesitate to pay. But after M^r Barlow's efforts, to parry this unreasonable claim, and after his giving bond for the payment, doubtless all further remonstrance will be fruitless. If, however, Bacri & Busna will not relinquish or abate in this demand, it is not too much to ask longer forbearance of payment. The cargo of the *Sophia* is intended to cancel a large part of their demand; and this shipment has exhausted the remainder of the vast appropri-

ations for Barbary affairs. An estimate is now before Congress for additional grants; and in the ensuing Spring further progress will be made in fulfilling our Barbary engagements. If however the three armed vessels destined for the Dey and Regency reach Algiers in safety we earnestly hope you will with them, be able to cancel our most burthensome stipulations with Algiers. As to the large masts in particular, it [is] barely possible that we should ever furnish them; and as they are too big for any Algerine cruizers, others might be substituted, if masts cannot wholly be dispensed with. So extremely expensive have been and must be the attempts to procure them, that each mast, originally estimated at Algiers to cost thirty dollars, delivered there, will cost the United States from six to eight hundred.

Herewith you will receive invoices of the cargoes of the store ship *Hero*, Captain Robinson, the brigantine *Hassan Bashaw*, Captain Smith, the Schooner *Skjoldebrand*, Captain Penrose, and the schooner *Lelah Eisha*, Captain Maley, all which cargoes are on account of our stipulations with the Algerines, some articles excepted which were put on board to fill up vacancies, and which it was expected would pay a freight to Algiers. Among these articles are some which may serve for Tripoli, of which you and Captain Cathcart will make such a selection as you shall think will be most acceptable, either directly in discharge of the stipulations with that power, or as substitutes for others still behind. I also inclose you the invoice of the cargo of the United States brigantine *Sophia*, Captain Henry Geddes, containing parts of the goods which Bacri & Busnah desired to have shipped on account of M^r Clarke's bill in their favor for the 40,987 dollars which M^r Barlow engaged to pay them for the Ship *Fortune* and Cargo. You mentioned in your letter of March 6th that these goods must be shipped on the account and risk of the United States: this has been done: I consider them as the property of the United States: and consequently you will have a right to charge Bacri & Busna with their amount at the current wholesale prices of the like goods at Algiers. They cannot make any reasonable objection to this. But before the delivery of the articles to them you may select such small portions of each as you and captains Eaton & Cathcart shall think important to apply in presents at Tunis & Tripoli.

The Schooner *Maria*, converted into a brig by Captain Graves, returned to Boston, where when sold with some trifling cargo, she scarcely defrayed the wages of the crew: The loss sustained in this case having arisen from the fraud or folly of the American master we must be content to bear.

M^r Donaldson's protested bill, now in the hands of the Bacris, for £473.14. — Sterling must rest a little while, until the accounts of M^r Donaldson, who has lately returned to the United States, can be examined. This I expect will be accomplished in a few weeks, when I will immediately address you on the subject.

On the first of November last I received a letter from M^r George Clarke, with his account of monies received and expended at Algiers while officiating as the Agent of the United States, under M^r Barlow's appointment. A copy of that account I now enclose for your examination; and I beg you to report to me your opinion upon its various items. Besides an apparent of economy in general, some articles are extremely exceptionable and others inadmissible. For these reasons, I shall decline accepting his bill, whenever it arrives, for the balance

he has stated to be due to him. This balance is not equal to the sums which are evidently inadmissible in his account. My letter to him stating my principal objections, is inclosed for your information.

I inclose the instructions directed by the President of the United States to be given to you and to Captains Eaton & Cathcart, relative to a new negotiation with Tunis. Those instructions are so full, I need only refer you to them for your information of the President's mind on the subjects to be discussed. If without any disadvantage to our affairs in Algiers, you can go with the other two Consuls to Tunis, the President will be well pleased in your doing it. Otherwise you will consent and agree with them on the mode of proceeding which shall appear most proper to insure success — I will make only one remark, that after considering yours and M^r Barlow's communications on Tunissian affairs, it appears very evidently, that the interference of the Dey of Algiers, to force a peace for the United States with Tunis, did us much harm: it irritated the Bey, and aggravated his demands.

In the event of a successful negotiation with Tunis, a Consular present may be necessary. So also may one be expedient for Tripoli. You will advise with captain Eaton and Captain Cathcart on the articles to compose these presents, and reduce them to as low a scale as possible.

For the convenience of the Consuls at Tunis and Tripoli, in receiving their salaries, and in emergences to prevent any injury to the United States by delay, it will be expedient to establish a credit at each of those places, with some substantial House on which the Consuls may draw. This matter you will well consider, and arrange with them in such limits as shall appear to be best for the interest of the United States.

The extraordinary emergences requiring instant disbursements of money, the Consuls at Tunis and Tripoli are as expeditiously as possible to report to you: on all other occasions of consequence, they are previously to request your advice and opinion. Those Consuls, in their instructions, are informed, that among the three regencies eastward of Morocco, the Government has considered Algiers as the most important; and in consequence have there established a Consul General; it being intended that the Consuls at Tunis and Tripoli should regularly correspond with him, state all difficulties and demands which occur, and on all material points request his opinion and advice; and this is not an arrangement for the moment, but intended as a permanent system.

By a letter from M^r Ingraham, our temporary Agent at Tripoli, communicated by M^r Barlow, it appears that he had provided and fitted up a House for the residence of our Consul. It seems proper that the like provision should be made at Tunis, in case the peace should be confirmed.

The United States brigantine *Sophia* accompanies the other armed vessels to Algiers, for two purposes: to transport the articles intended to cancel a part of M^r Barlow's bond to Bacri & Busnah; and bring home the crews of the *Hassan Bashaw*, *Skjoldebrand* and *Lelah Eisha*. But it may happen that crews may be conveniently sent home in American vessels at Algiers coming to the United States; while it may be necessary to employ the *Sophia* in a voyage to Tunis and Tripoli, with the Consuls. This is a matter on which you will consult with

them. The Government is engaged to bring home those crews; it is important to secure the return of so many seamen; and the continuance of their wages until they are sent home, is an object not to be overlooked. Let all circumstances be weighed, and the best interests of the United States govern the decision. But at all events the crews are to be provided with passages to the United States, and without unreasonable delay.

I inclose several other papers besides those already mentioned, and the whole are noted below.

* * * * *

[NA. SDA. Dip. Cor., Inst. to Min., Bk 5, Dec. 1798–Sept. 1800.]

To Captain Henry Geddes of the Brigantine *Sophia*, from Secretary of State

DEPARTMENT OF STATE PHILADELPHIA Dec^r 21. 1798

SIR, The United States armed Brigantine *Sophia*, under your command being laden on their account and destined for Algiers, you will proceed thither and deliver your cargo to Richard O'Brien Esquire the Consul General of the United States at that place.

The armed Brigantine *Hassan Bashaw* and armed Schooner *Skjoldebrand* being to sail at the same time, you will endeavour to keep company with them; and if you meet with any armed vessel, and she attacks or attempts to capture either of your vessels, you are to defend yourselves to the utmost of your power. Such attacks or attempts you may expect only from the French cruisers, or cruisers equipped in Spain under the influence or countenance of the French. From British Cruisers you will apprehend no annoyance; on the contrary, from them you may expect every friendly assistance, when they shall know the character and destination of the *Sophia*.

The Brigantine *Sophia* is to be considered as the Commodore of this little armament. The signals to be observed at sea have doubtless been concerted between the *Hassan Bashaw* Captain Smith, Captain Penrose of the *Skjoldebrand*, and yourself; and also with the *Lelah Eisha*, Captain Maley and Captain Robinson of the Ship *Hero*, should you come up with them on your passage to Algiers.

In case of Separation, you will make the best of your way to Algiers. Should it be perfectly convenient, you may touch at Gibraltar, where John Gavino, the American Consul will advise you of any dangers respecting the further prosecution of your voyage, and especially if any circumstances should forbid your proceeding thither, without information from Captain O'Brien: and in the mean time M^r Gavino will have the goodness to write to our ministers at Madrid and Lisbon, and ask their advise on the State of things. —

If you should fall in on the coast of Morocco, and it should be convenient to touch at Tangier, you may do it: You will there find James Simpson Esq^r the American Consul for Morocco, who will give you any necessary advise and assistance. — But there is so little reason to apprehend any difficulty in going to Algiers, if on your arrival at the Straights the wind proves fair, it will be best to take advantage of it, to push thro' and proceed directly to Algiers. The greatest danger to be apprehended from hostile cruisers is conceived to be near the entrance of the Mediterranean Sea, as those cruisers frequent the Spanish ports of Algesiras on one side, and Ceuta on the other.

The primary objects of sending the *Sophia* to Algiers are, to carry her present cargo thither, and then to bring home the crews of the *Hassan Bashaw*, the *Skjoldebrand*, and *Lelah Eisha*, which three vessels are to be delivered and left at that city. It may happen however, that American vessels may be returning from Algiers to the United States, in which the crews of those three armed vessels may be conveniently embarked; and that it may be important for you to proceed in the *Sophia* with the Consuls Eaton and Cathcart, to Tunis and Tripoli. On this point, the Consul General at Algiers, Capt. O'Brien, and the Consuls Eaton and Cathcart will consult, and determine as the best interests of the United States shall appear to require; bearing in mind that the crews of the three Armed vessels must be provided with passages to America; it has been promised to them; and it is important that the promise should be performed, as well to secure the future services of such a number of mariners, as in point of economy, because their wages will go on until their return; unless they *voluntarily* come into some new agreement at Algiers.

If it should be determined that the *Sophia* should proceed to Tunis and Tripoli, I hope it will be agreeable to you to continue in the command of her: but if it should be inconvenient and you prefer returning immediately to the United States, the *Sophia* may be transferred to the Command of one of the American Captains now going to Algiers, whom Captain O'Brien shall select for that purpose.

[SDA. Dom. L. Vol. 11.]

[21 December 1798]

Instructions to John Shaw, Surgeon, from Secretary of State

SIR, You being appointed Surgeon for the Armed vessels, the Brigantine *Hassan Bashaw*, the Schooner *Skjoldebrand*, and the Brigantine *Sophia*, belonging to the United States and now about to sail for Algiers, are to proceed with them thither, and to demean yourself as becomes that character. As the *Sophia* accompanies the other two, for the purpose of bringing home their crews, as well as the crew of the Schooner *Lelah Eisha*, lately dispatched thither, you will return with those crews conformably with the orders of Richard O'Brien Esq^r the American Consul at Algiers. Your compensation and allowance will be upon the footing of a Surgeon's mate in the Navy of the United States.

Given under my Hand and the Seal of the Department of State, at Philadelphia, this 21st Dec^r 1798.

L. S.

TIMOTHY PICKERING

[SDA. Dom. L, Vol. 11.]

[21 December 1798]

Endorsement on the Passport of the Dey of Algiers, given by Captain Smith, Master of the armed Brigantine *Hassan Bashaw*

"This passport in the Turkish language, under the Seal of the Dey and Regency of Algiers I commit to Captain John Smith commander of the Armed Brigantine called the *Hassan Bashaw*, which with her guns tackle, apparel, furniture, Stores, boats and goods on board her, being the property of the United States of America, are destined for Algiers, there to be delivered to the Dey on account of the Stipulations

and agreements entered into between the United States and the Dey and Regency of Algiers. This passport being furnished by that power to protect the said Brigantine, her equipments, goods and all persons and things on board her against all nations with whom the Dey and Regency are at peace, in like manner as the passports from the Executive and Officers of the United States are designed to protect them from molestation by any powers with whom the U. States are at peace."

In Witness whereof I have hereto Set my hand and seal of Office at Philadelphia the 21st day of December 1798.

L. S.

TIMOTHY PICKERING
Secretary of State.

A similar certificate was endorsed on the Dey of Algier's passport given to Captain William Penrose, Commander of the Armed Schooner *Skjoldebrand*, and also upon another given to Lieutenant William Maley, Master of the Armed Schooner *Lelah Eisha*, but the latter was dated on the 10th of Nov^r 1798.

[SDA. Dom. L. Vol. 11.]

To Captain John Smith from Secretary of State

[PHILADELPHIA]

Department of State Dec^r 22. 1798.

Captain JOHN SMITH,
of the *Hassan Bashaw*.

SIR, I am happy to inform you that every thing is now prepared for the departure of the vessels bound to Algiers. Your Commission and instructions will be handed you by Mess^{rs} Eaton and Cathcart.

As the *Sophia* is to accompany the *Hassan Bashaw* and *Skjoldebrand*, and has the consuls on board; as Captain Geddes also is an old Sea-commander; there is a propriety in his acting as Commodore for the little fleet. The interest of the United States and your common ease and safety require the utmost harmony and readiness, to give assistance mutually.

[SDA. Dom. L. Vol. 11.]

To Tench Francis, U. S. Purveyor, from Secretary of State

[PHILADELPHIA]

Department of State Dec^r 22. 1798.

I request you to purchase immediately so many pieces of the best superfine cloths as can be stowed in such a large trunk as can be carried behind a Stage waggon. Captain Cathcart will designate the colours. They must be packed to-day, and be ready for moving to morrow with Captains Eaton and Cathcart to the *Sophia*.

[SDA. Dom. L. Vol. 11.]

To James Leander Cathcart, U. S. Consul, Tripoli, from Secretary of State

DEPARTMENT OF STATE, PHILADELPHIA Dec^r 24th 1798.

SIR, In my letter of the 20th instant, I omitted to desire what I wish may receive your earliest attention — a communication to the Department of State of the most correct information attainable, of the naval force of Tripoli, the species of armed vessels, the number of their guns and men; also the nations with which that Regency is at

War, the times in the year when those armed vessels usually put to sea; their common cruising ground, and their modes of attack. It will likewise be very desirable to obtain the most accurate information of the several ports of Tripoli, the quality of their roads and the bars as to the depth of water and exposure to winds, and the manner of entering them with safety. As soon also as you can get correct information of their form of government; their military force, how many regular troops, and their state of discipline, and their numbers and condition of the militia, you will communicate the same.

If there be some months in the year when the navigation on the Barbary coast is more dangerous than in others, you will note them accordingly; and general course of the winds, and their violence and moderation at the different seasons.

In the estimate of the stores stipulated for Tunis, of which a copy was given to Capt^s Eaton, instead of twelve hundred read twelve thousand cannon ball: — They are supposed to weigh 60 tons which is right.

As the cypher in *words* will be found less embarrassing than the one in letters with a *key word*, it will in general be best to use the former, as will between the three Consuls at Algiers, Tunis and Tripoli, and William Smith Esq^r our Minister at Lisbon as with the department of State. But if there should be any thing to communicate among the Consuls or to the department of State requiring impenetrable secrecy, then use the *letter cypher* with the key agreed on.

Great care must be taken in writing in cyphers, to avoid errors, which might have injurious consequences.

N. B. A copy of the above letter to W^m EATON Esq^r *Consul for Tunis*.

[NA. SDA. Dip. Cor., Inst. to Min., Bk 5, Dec. 1798–Sept. 1800.]

[24 and 29 December 1798]

Quasi-War, United States and France

[NOTE.—See report of Secretary of the Navy to Speaker of the House of Representatives, concerning vessels employed in, and preparing for, the service of the United States; printed in “Naval Documents, Quasi-War, United States and France”, second volume (November, 1798 to March, 1799), pp. 113 to 121, 24 December.

See also report of Secretary of the Navy to House of Representatives, dated 29 December, 1798, concerning the augmentation of the Navy to ensure protection to the United States; printed in the above-mentioned volume, pp. 129 to 134.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Richard O'Brien, U. S. Consul General, Algiers, to be forwarded to Secretary of State

ALG^m *decemb^r 27th to the 30th 1798.*

D^r SIR “On the 20th ins^t the grand Signiors ambassador arrived in this City, with orders and letters to the dey and Regency to declare war against france. On the Morning of the 21st the dey and Divan of Algiers Ordered the french Consul and all the free french in Algiers to the number of 18 in Chains The[y] are employed as Captives

“The Dey Sent orders to his Eastern general to Surprize and Send to Algiers all the french that is in the factory of Le Calla, or the Bastion a place the french has on this Coast for the Coral fishery —

"On the 25th Sailed 6 Algerine Corsairs and is ordered by the Dey to take all the french the[y] meet with.

"The Tunician Government, in Obedience to the grand Signiors Orders, Observed that the[y] would act as the Algerines would. The dey has Sent Orders to Tunis to declare war and Secure the french. The number of french at Tunis is 250. The[y] will all be made Slaves of, and of Course Tripolia will adopt the Same plan.

"The grand Signiors firman is forwarded to Morrocco, and backed Strongly by the dey's influence. So that you may depend that all the Barbary States and Ottoman Empire is at war with the terrible Republic of France, whom if necessiated will find the want of Supplies from Barbary.

"I have received a letter from Consul appleton, of Livorn dated the 14th of November, informing me that, in August last the Corsairs, built in Philadelphia — and destined for Algiers, was ready for Sea, and that the[y] would wait a month longer, to take under Convoy, a large Ship with Stores for Algiers, but My God what Can detain them — My Conjecture is that the yellow fever was not Cleare of Philadelphia untill the 1st of novemb^r and that the[y] would Sail about the 15th now Sir I have no information relative to what Stores, or Vessels might be prepared, or intended for Tunis. That Government is Anxious for Some of the Stores, and has enquired of me if any is expected out with or under Convoy of the Corsairs, and I could not give them a definitive Ans^r as I know not what might be Sent. I am informed by Consul Appleton that I might. Consuls Eaton and Cathcart, I suppose with the latter the Stores for Tripolia — will be Sent, indeed the[y] are Anxiously expected.

"Captain Ingraham, the American Charge des affairs at Tripolia has forwarded his accounts. The[y] are very exorbitant and expensive, and he in my Opinion, has expended 5400 dollars — on repairs for a house, to my knowledge. he Should, and might have taken a temporary house for 60 Mauboes a yeare * * *

relative to Tunis and M^r famin, he had without any intimation to me procured presents for Tunis to the Amount of 18: or 20 thousand do^{l^{rs}} he had a bill paid in April as you will Observe of 8000 dollars this without any intimation, or advice but informing me that he has done it agreeable to his orders from M^r Barlow of Course. Sometime past, on this Occasion I find, that between him and a Brother of his in Mersielles, that he had Obtained this credit for these presents, and that Said articles was not to be delivered to Mons^r famin untill that the Money was paid, but kept in Tunis untill that I Should order the money paid I have not ordered the bill to be paid, but as M^r famin is a french man, and all french will find themselves in a difficult Situation at Tunis — I suppose his present port will protect him, but I have Considered this a favourable time to adopt a plan, and determination in the Bacries, and has got this government to order the algerine agent, at Tunis to have an Eye on our affairs — that if any thing Should turn up relative to M^r famin, to take Charge of the American affairs — The algerine agent I well know, and Can So fur Confide in him —

* * * * *

To Enquire and be well informed relative to Mons^r famin if there was no alternative for all the Motives I have heretofore explained, he should be the American Consul, but I am affraid if my information Can be depended on, that he is much in debt. This Consideration and from what you Can pry into, what I write you on this business and the favourable oppertunity of the french war with Alg^o and Tunis, and the hopes of daily Seeing those expected Corsairs arrive to give me the oppertunity of reinforcing My plans by having the potent dey^s influence. I Shall try, at all events, and unship M^r famin, from Being American Cons^l at Tunis — takeing Care, if he is unshipped that he might have the protection of an American, that he can leave Tunis free, and let him proceed to the U. S. or france and there Settle his accounts, which Should be well looked into.

“All my endeavours is to try to adopt plans of Occonomie, and to Save extra demands on the United States, and as god is My Judge, there is left no Stone unturned on my part on this task but Sir we want Energie, make good our Stipulations with Algiers Tunis and Tripolia. our peace with those States has Cost us large Sums of Money, and by the robberies of the Contending nations, we Cannot have our Colours free. So that we might derive Some profits if we had our Colours free in the Meditteranian, be assured we Should have a Cleare gain annually of 1½ Millions of dollars, and if war and we had to keep up Corsairs would Cost us 1½ Millions and no profits.

You Can Easily Conceive how anxious I am to heare from you on all these important affairs and be Convinced of the Sincere regard and Esteem of Sir

youre Most Ob^t Serv^t

RICH^d OBRIEN

On the business of Tunis I am necessiated to act in the greatest precaution, as I am fearfull that M^r famin might mentain his influence, and in Consequence be an inviterate Enemie to our aff^o and as the whole of the Stipulations for Tunis, not one article of them, in Maritime and Military Stores is Sent forward, and on this account, he might Occasion the government of Tunis to declare our treatie Void, or to make Some new demand on account of their detention, and that we engaged to Supply our Vessels with passes in one yeare. The Tops or Cuts of D^o for the Tunis Corsairs is not Sent forward, and there is none to give I brought out 82 for the Corsairs of Algiers 50 of these I Sent to Tripolia and 50 Old passes, which remained in the office from the time of M^r Barlow. These I Sent to Tunis to Mons^r famin whom informed me that Tunis has 100 Sail of Corsairs, and that the government, without these tops or Cuts has given their word that American Vessels Shall pass Unmolested untill that the[y] have news from the U. S. which the[y] daily expect. Thus Sir you will perceive the Situation of our affairs with the Barbary States. The fault is we do not act with Punctuality or Energie and knowing these Circum-

stances I point Out to you the Shoals that is under the Lee of the good Ship the CONGRESS.

Sir, I am Very respectfully
yours most Ob^t Serv^t

RICH^d OBRIEN

To Colonel HUMPHREY^d at Madrid
the Minister Plenipotentiary for
the United States of America
to be perused by him and forwarded to the American Ambassador at
Lisbon Whom will be pleased to forward these dispatches to the
Secretary of State of the U. S. —

To John Gavino, U. S. Consul, Gibraltar, from Richard O'Brien, U. S. Consul
General, Algiers

(Copy)

ALGIERS *January the 10th 1799*

D^r SIR

* * * * *

In November last I purchased from this Regency a Polacre 3 Masts which I call the *O'Brien* — My Motive then in purchasing this vessel was to have her in readiness in order to carry the Crews of the 3 expected Corsairs after their delivery in Algiers, to the United States, but Sir, the pressing necessity and urgency of our affairs at present with Algiers, Tunis and Tripoly, necessitates me in a few days to Send this said Polacre *OBrien* to Spain with my Dispatches by the Dey's orders to the American Ambassador at Madrid & to our Ambassador at Lisbon — and having in this place no Americans to Navigate said Polacre, I am necessitated to take a Crew of Italians, and as this vessel you will observe is employed on important business relative to the affairs of the United States and considering the Friendship subsisting between the British Nation and the United States it is requested that said Polacre called the *OBrien*, will pass free and unmolested — You will please communicate this request of mine in behalf of the United States to His Excellency General O'Hara and to Lord S^t Vincent and to the Commander of Minorca —

Should the Corsairs expected for Algiers touch at Gibraltar, I request you will exert yourself in facilitating all in your power their approach for Algiers as they are very anxiously expected * * *

[NA. SDA. CL, Algiers, Vol. 4, Jan-Nov. 1799.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Richard O'Brien,
U. S. Consul General, Algiers

Copy

ALGIERS *January 20: 1799.*

ESTEEMED SIR, The Dey of Algiers has desired me to write and procure for him 20 brass Cannon, 24 pounders, calculated for batteries, with their carriages complete, also worms, ladles and sponges, and that the Dey will pay for them on their arrival at Algiers, or account for the sum they should cost — and considering the situation of the affairs of the U. S. with Algiers, Tunis and Tripoli I complied with the Dey's request, and give you this information so that you might communicate it to the Secretary of State. I would Sir, propose to you to write on this business to our Ambassador at London for him to be

charged to procure said Guns in London, and by his influence with the British Government these Guns can be procured immediately and shipped in the armed Transports destined from England for Mahon, and when once there we shall in Algiers adopt a plan for their arriving safe in this city. I believe these Guns will cost at least 20,000 Doll^s but it is presumed they will be procured good and as cheap as possible, and that on this business, as well as on all other affairs required you will give me answers as soon and as fully as possibly in your power.

[ND. SDA. Disp. Spain, Vol. 4, 1797-1799.]

[23 January to March 1799]

To Secretary of State from Richard O'Brien, U. S. Consul General, Algiers

SEAL

DISPATCH N^o 1

PARTICULARS RELATIVE TO THE AFFAIRS OF THE UNITED STATES OF AMERICA AT ALGIERS COMMENCING IN FEB^r TO THE END OF MARCH 1799

On the 23^d Jan^r at Meridian arrived in Algiers the United States Schooner the *Lelah Eisha*, commanded by Captain Maley in 38 Days from Philadelphia, whom sailed in company with the Ship *Hero* Captain Robertson, loaded by the United States with stores for Algiers. That the 3^d night after we [they] were at Sea, the Ship *Hero* separated in a severe gale of wind & from Captain Maley's account of said Ship, I have my fears, that she has foundered at Sea, or so distressed that she has put into port, or fallen into the hands of the French —

On the arrival of this vessel, destined for this governm^t I acquainted the general of the Marine & minister for foreign affairs that the Corsairs built in the United States, on account of Algiers, that the other two I expected woud arrive in a few days, the General assured me he was well pleased, that he was always my friend, but that I well knew Algiers, & the nature of its Governm^t Yes thinks I, the Dey's will in a great measure governs all affairs. —

On the 24th commenced discharging the *Lelah Eisha* on this occasion the French Consul, & the whole of the french legation, were employed, they were 18 in number, employed as captives —

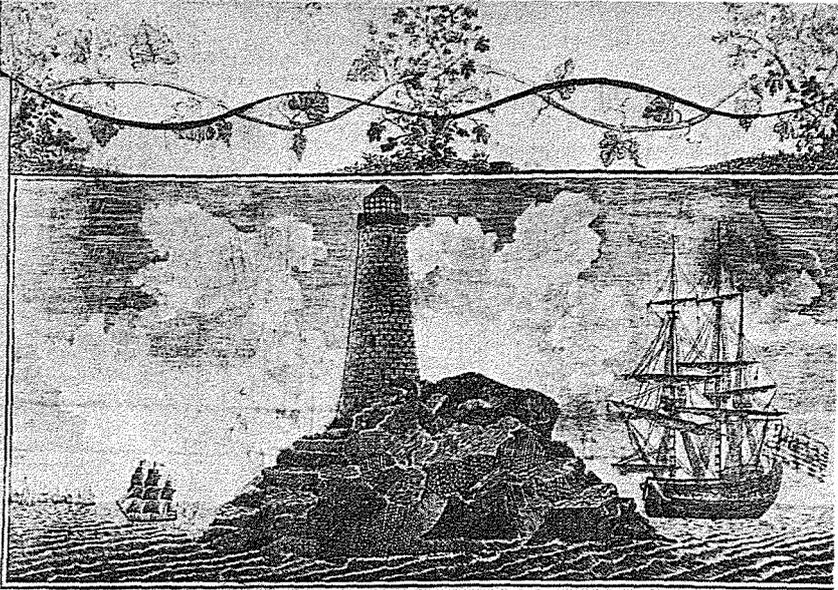
The General of Marine desired of me to be informed when I would deliver up to the regency the Schooner, I answ^d that when she was discharged of the stores, & when I would be assured by him, that it would be on the terms for which said vessel, with the other two was built — We then discussed the business. I informing him of Hassen Bashaws request to me OBrien & M^r Barlow that these vessels shoud be built & equipt at the particular request of the Government of Algiers & that when they arrived from the U: States at Algiers they shoud be paid for, I added that the late Dey desired them in lieu of annuity, their am^t to be deducted from our annual payments —

I shewed the General of Marine Hassen Bashaw's order relative to these corsairs & under the seal of the regency & he & I agreed, that by shewing it to the Dey, it woud only kindle his rage, & we agreed to adopt other plans that looked likely to ensure tranquility —

NOTE — The present Dey Babba Mustapha was prime minister to the late Dey & notwithstanding he cannot bear his name mentioned, or any thing relative to him, but what it kindles his anger, it will be observed the present Dey, originally was a common Soldier but promoted by the influence of the late Dey Hassen Bashaw —

On the morning of the 26 Jan^r the Dey sent for the American Dragoman, & desired him to acquaint me that the American corsairs in port with the two expected ones, he woud only accept of as free gifts from the U: S: as tokens of the Americans friendship to the Dey & regency. — I answered that the Consul for the U: S: always did assure the Dey & regency of the friendship of the U: S: that we had it not in our power to give such extraordinary tokens of friendship as the Dey requested he well knowing these Corsairs were sent here at the particular request of the Algerine government to be paid for & accounted for out of the annuity

The Dey answered if I could not give them to him gratis, that he could not admit them to be rec^d as deducting from our annual Stipulations, & that I of course knew best what was for the interests of my Country —



By the President of the United States of America

STERER the Master or commander of the burthen of _____
 tons or thereabouts, mounted with _____
 guns, navigated with Eight _____ men

TO PASS with her Company, Passengers,
 Goods and Merchandise without any hindrance, seizure or molesta-
 tion the said _____ appearing by good testimony to belong to
 one or more of the Citizens of the United States, and to him or them
 only!

Given under my Hand and the Seal of the
 United States of America the
 day of _____ in the year of our Lord one
 thousand _____ hundred and _____

W. Jefferson

By the President.

James Secretary of State

State of _____
 Mayor of _____

Countersigned by *Joseph M. Nepp* Collector

To all Persons whom
 these pass concern

I answered that I could not give them gratis, that I had no orders, & never need expect any on this business, in giving these vessels as free gifts, that the honor of Algiers was at stake, on this affair which I received in a very delicate light. — That the present Dey was announced to the world as one of the most righteous Kings — that the 3 Corsairs would be in his power but that the world would judge on the circumstance, This was after prayers on Friday which is Turks Sunday —

The Dey declared by his faith & honor as a Musselman, that the Consul of the U. S. had arrived to trick him relative to obliging the regency to take the corsairs for payments in Money or to be accounted for in lieu of the Stipulations annually That we had promised those Corsairs to the late Dey when the agent of the U. S. seen the necessity of securing the American peace & for the friendship of the Dey relative to the other Barbary states, That he was present with the late Dey when the agent of the U. S. made this promise, & that if I would not acquiesce & give them to him we might try a long time & make another peace — This was communicated to me secretly from a real friend —

On the evening of the 25th the Dey sent his own Dragoman to me with this interrogation, did not the U. S. give the Frigate to Hassen Bashaw as a free gift from the Govern^t of the U. S. & under this consideration is not the present Dey to be as much noticed, respected & honor'd as the late Dey who had such large Sums of Money from the U. S., & intimating that he had renewed the peace & kept it, & only rec^d a few trifling presents

I answered that the U. S. gave the frigate to the Dey & regency as a stipulation for the peace, that the *Hamdullah* was a commission business, & was paid for, that the money we gave for the peace & the frigate with every thing else, was at present in the power of the present Dey, he being by the almighty will at the head of this Govern^t — which OBrien must observe is an iron bound republic —

That I did not want to take any money from the public treasury. that the United States were in arrears in their annual stipulations, & that it would be found in viewing the business in its true light by balancing one circumstance against the other, that finally these 3 corsairs would be found under the discussion or arrangement, as gratis, I have carried no funds from Algiers to have these vessels built, & that we on this point entirely depended on the honor of the Dey & Ministry of this regency —

Next the Dey sent for me & asked me if it was known in the U. S. that Hassan Bashaw was mort, & that he was on the throne, & If I had any letter for him from the Govern^t of the U. S., I observed on his coming to the throne I announced the happy circumstance to the Govern^t of the U. S. by several conveyances that I built on his friendship, that in consequence the U. S. had full confidence in what I assured them on his part, & observed from the favorable reception he gave me on his coming to the throne, that it made the most favorable impression on me, that the Gov^t of the U. S. in sending these corsairs fully demonstrated the confidence they had in the Dey & ministry of Algiers, & that we were of the opinion of the Algerines, that friendship did not consist in words but in deeds, to be judged of by many other circumstances, & that I hoped by the Deys seriously viewing this business in its true light, it would have the consideration that was necessary from a great & wise prince — on this he said he would consider —

The schooner *Lelah Eisha* had her American colors, aft & Jack forward, & as a usual compliment to the City, the Algerine flag at the main — The Dey sent to me & the same time to the Gen^l of Marine, & desired that the red flag, would be hawled down as I would not give him these vessels as a free gift —

On this I went to the Marine & ordered the flag to be hawled down, & the same time ordered Capt. Maley to hoist his American pendant & fire a gun — after this all Algiers declared that the Dey intended to make war with the Americans —

This occasioned my letters to Consuls Appleton & Montgomery, dated the 26th Jan^r 1799 —

On the arrival of the *Lelah Eisha*, or any vessel it is customary to enquire what news The Dey sent to me, I answered, that said vessel was attacked off Tariffa by French & Spanish Gun boats, that the Gut was swarming with sea pirates, that the whole sea ports of the U: S. was during the summer visited by the plague, that we were making great preparations against the French —

That the King of England had requested of the U. S. to make an alliance for 100 years, that it took the U. S. 8 days to consider on the answer to be returned, & that the U. S. answered, they would take one year to consider of it — & to return a definitive answer to this important business —

HARD SQUALLS

Saturday the 26th Jan^r. This morning the Gen^l of Marine informed me that he had with the prime minister prevailed on the Dey to let, the American affairs

rest a while until the arrival of the other two corsairs I told the general I was fully convinced of his & the prime Ministers intercession relative to the american affairs — That he well knew I was the Agent of the U: S: not sent here to lavish away, their interests, & sacrifice my own character which I held in as high estimation as my life — That if the Dey insisted on those vessels to be given gratis, that I woud never acquiesce in it — that if they were to be detained by force this was a different affair — that the U. S. woud sooner lose the Ship in ballast, than with a valuable cargo, he desired I woud explain —

I observed that the U. S. never did any injury to the Algerines or the other Barbary States, that we gave a great sum for the peace & ransom that we gave the Frigate & consulary presents that we had brot to Algiers 8 cargo's & 5 corsairs, that those 3 corsairs were valuable that we wanted them much ourselves, that we were preparing for defence, that we had 40 Sail of corsairs at sea, that many more were building that notwithstanding we were faithful to our engagements, & that we woud sooner lose our peace at this time — than at some other period that the Medettranean has been a burying ground for our commerce, that I could assure him that the Americans were a brave people, that I should be sorry, the result of our affairs woud be war, but that he well knew the gov^t of Algiers woud be in the fault That the fact was that we did not want the peace if we could fully rely on this governm^t in strictly observing the treaty we made, that the peace could be no object under any other consideration —

This was my explanation to lose the Ship in ballast not with a cargo when the U. S. woud have 2, or 300 merch^t vessels in the Medettranean after this the general observed I had much reason in my argument & that he hoped we woud peacably settle —

At this time our affairs remained something quiet, & be convinced I was fully occupied, tacking & sounding all parties & Classes —

Our best friend of the Jew party is Miciah Bacri he unfortunately during these squalls & since is every unwell, & on the exit of the late Dey, Miciahs influence declined whilst Naphthali Busnah one of the parties of the House, sprung up with the present Dey, & said Busnach is as much in the favor of the present Dey, as Miciah was of the late Dey — So that I had on hard terms to purchase the influence of Naphthali Busnah, & in fact they or no one else, will do any service except they are well rewarded for it, it is my Dear Sir the nature of this extraordinary government —

On monday the 4th Febr, at Meridian arrived the U. S. Schooner the *Skolderbrand* in 29 Days from the Delaware. The wind was fresh I went on board, & crouded said vessel in a crowd of Sail. They Dey and ministry were well pleased at her fast Sailing —

Capt: Penrose informed me that he parted Company with Capt. Smith of the *Hassen Bashaw* on the 6th & also that he parted with the *Sophia* — that the weather was very Severe, Capt: Penrose was fired at off Tariffa by the French & Spanish Gun boats, & seen an American Ship taken by them —

The Minister of the Marine informed me that it was the Deys request to know what each of the Schooners had cost, I answered that they sailed in a hurry, & that the documents on this business woud come with the Brig or with the expected Consuls — He next desired to be informed, what was the am^t of all 3 with the Store ship expected, I said I could not well guess, that on the arrival of the other vessels he should be particularly informed —

On the 8th Febr^y arrived in Algiers the U: S: Brig the *Hassen Bashaw* Capt: John Smith in 32 days from Philad^a, this brig is the most beautiful & most compleat vessel ever seen by OBrien —

It being Turks Sunday & on this vessels coming in Sight, & arriving off the City under sail, OBrien on board, fired a full salute. — The whole City was viewing said vessel, & finally the concourse of people, that was assembled on this occasion, were more than I ever seen on the arrival of any vessel in this Country —

9th This morning the Dey desired I woud acquaint him what was the separate price of each of these corsairs, I said that this acct was not sent by any of them, as the rivers, were closing with ice, & that the *Sophia* with the Consuls woud bring the whole dispatches —

I shall observe that it was very prejudicial to the interests of the U. S. at this crisis of the business, that the separate price of each of these vessels, was not known, the prices should be forwarded by each vessel & if an accident happened the *Sophia*, I had no Cape or head land to go by in order to know these prices, it woud be of some service, but OBrien woud not be lost, even that he had no compass, it was enough for me to find out, the North Star, the interests of the U. S. & to try & steer by it —

The whole maratime class of the Algerines were captivated with those vessels & observed generally that after they had traversed the boisterous ocean they had arrived in Algiers, without carrying away a rope yarn, these three corsairs arrived in perfect order & from their manouvering in sight of all Algiers, the regularity & that all essential maratime order, amazed the Algerines, & from this sample of American construction, Officers & Men, comprising the Crews of these vessels, the Algerines are convinced that we have abilities & resources in the United States to be a very active & stubborn enemy in case war was to be the result or reward of all our endeavors to cultivate peace —

This evening the Dey sent his purveyor or Jew Broker Naphthali Busnach to inquire secretly of me what the 3 Corsairs cost, it was vexatious & incredible to the Dey to be informed that I could not give him the requisite information on this business, & the Dey seemed determined in having the Brig *Hassen Bashaw* to himself, & would not renounce the idea of, but what the U. S. gave the Frigate to the late Dey, & that he would have the Brig or finally he would not be content, & if we had a peace it would be on a sandy foundation — & without doubt the Dey being displeased his marine officers would see under what pretence, they would send in American vessels in order to try to make a plea or pretence for condemning them — & the Dey not being satisfied, would be of the condemning party — however under these & many other important considerations, I had to consider what plan I had to adopt to content the Dey & Ministry —

Gain their friendship in order to give strength & security to our affairs, & from fully viewing our affairs relative to Algiers, Tunis & Tripoli, many of our Merchant Vessels in the Medettiranean, I found there would be a necessity to sacrifice one of these vessels, which was the Brig for the Obdurate Dey — The same time to see the necessity to see on what terms I should manage the other important affairs, indeed at this period of the business, I should have been happy to have had the advice of the U. S. Governm^t, how in the name of God I should act & timid, fearing that I could not well see my way in piloting our affairs, out from amongst the shoals, & alarmed that I might, if once, acquiesce in giving the Brig, that by the same rule I would give the 2 schooners, no, one person knew, or had hardly any idea of what was my opinion on these affairs —

It had been urged by the ministry at least by a part of them in the run of this business, that as I had no orders to give the Dey these Corsairs, to write & bring the Dey an answer, but during the time would not this governm^t use these corsairs as their own & if the answer from the U. S. was no would not this governm^t keep them, so well knowing the consequence — I prayed to the Almighty to direct me for the best —

On Saturday the 9th Febr^y at 1 P M arrived the U. S. Brig *Sophia*, Commodore Geddis in 33 days from the Delaware having on board Consuls Eaton & Cathcart, I rec^d the dispatches of the Secy of State, & escorted the eastern Bashaws on Shore, introduced them to the minister of the Marine, & proceeded up to the old & dismal American house & attended strictly to my official duty —

At 7 P M went to the Minister of Marine's house & presented to him the following prices of the 3 corsairs, my mind had got a start from reading the presidents message to congress of June the 21st 1798 it certainly had that effect on me, that I raised my voice & considered myself as the representative of a great, free, powerful, & independent nation, & I viewed the U. S. at war with Algiers & then at peace, & be convinced it was not much of a balance from either —

	Doll ^s		Doll ^s
Brig <i>Hassen Bashaw</i>	39, 848	Brig.....	49, 000
Schooner <i>Skjoldebrand</i>	21, 088	Schooner.....	28, 000
d ^o <i>Lelah Eisha</i>	17, 941	2 d ^o	21, 000
	78, 877		98, 000
Philad ^a Price.....		OBriens Price....	78, 877
			19, 123
		Difference.....	Dollars

* * * I had a full discussion with the prime Minister & he understanding me, I found he was ignorant of the terms of our treaty & then I was determined to see how far I could work on him, also on the sec^y & general of Marine — I informed these that I well knew our stipulations — that on making the peace we agreed to give the amount of 40,000 Doll^s to the treas^r & to the am^t of 60,000 Doll^s in maratime & military stores, that after I had returned from Tunis & Tripoli the late Dey finding the regency much in want of corsairs, requested of me to have Corsairs built in the U. S. in lieu of the Stores —

I observed that the U. S. also gave the Frigate [*Crescent*] to the Algerines that said vessel cost the U. S. 150,000 Dollars, & that plainly there was no nation the Algerines got so much by, as they did by the Americans, that Algiers might see the necessity on that day she would be at war with Denmark, Sweden & Holland, that she would have no supplies from the Baltic, & that they had the U. S. for their friends, observing the U. S. Government, had the greatest Confidence in the Algerine Government & hoped on this occasion we should fully experience a demonstration of their friendship & equity —

Finding my scheme likely to take place, that the late Dey was no more, & no evidence against me but the Jews, I went to the Bacri's & Busnah's & by degrees brot them into my views — The necessity was that I should in douseurs sacrifice the whole of the *Sophia's* Cargo, between the Jews & the Ministry, & as a preliminary to this scheme promised the Jews the goods which were on board the *Sophia* at the first cost, this there was the greatest necessity of as Miciah Bacri & Busnah knew the stipulation, & as they had a half promise on this business during the painful detention of the Corsairs, for their influence in pacifying the Dey, who almost got out of patience on account of their detention, & not to reduce me to the necessity of more important Sacrifices — as this plan or scheme was fully established and determined on, on my part & that — I had the whole influence of the ministry I was determined at all events to make no great sacrifice to the Dey, who thought to scare me, but sir I must declare to you that my friend was so far made up on this business, that even the result, should be war, it could not well be avoided sooner than indulge them in so great an imposition, particularly it being an affair from first to last in which I was so particularly interested, & that I knew so much of in all its diff^t channels & stages —

16th Febr^y a courier arriving from Alicant with dispatches from William Smith Esq^r our Minister at Lisbon, the Dey immediately sent to me to know if I had rec^d orders to give him the Corsairs gratis, I said that as I told him from first to last, that I would only on the terms for which they were originally stipulated for & not giving the Dey time to reflect — I sent my Dragoman to the Dey & desired that I would request to be immediately admitted to an audience this was in the afternoon when I knew the Prime Minister & Minister of the Marine would be in company with the Dey —

I observed that we did not wish to draw any money from the treasury, that if the Dey would put the 2 Schooners at 36,000 sequins he might have the Brig gratis — as a present from the U. S. —

That the Portuguese ambassador in Philad^a had offered for these 3 Corsairs the sum of 120,000 Dollars if Delivered in Lisbon, that I knew this to be a fact, that I was so much the friend of Algiers, that I could assure the Dey it was the policy of the Christian Nations to do every possibility to reduce the Marine of Algiers, that the U. S. found a pleasure particularly at present in encreasing the strength of Algiers in order to crush the French, who had turned the robbers & persecutors of the Musselmen & of the Neutral Nations —

NOTE. what are these 3 corsairs employed in, I say, in these Seas, to look out, take, sink, burn & destroy, French Corsairs that is robbing & pirating Americans, so that from this circumstance it will be the means of our commerce having less obstructions in this quarter —

HARD GALES, OBRIEN, OFTEN BROUGHT UNDER BARE POLES

16th Febr^y at 3½ P M Conference with the Dey continued, I observed, that the Dey would recollect that the Maratime & Military stores, stipulated for the Peace was 60,000 Dollars, that we had on the 2 years & 3 years annuity, brot 10 Cargoes, that the Brig he would have to himself, provided that he would allow me 3 years annuity for the 2 schooners, the Dey & ministry suddenly observed it was too much, the Dey said I might either have allowed, 30,000 Sequins for the 2 Schooners, & under this consideration he would have the Brig to himself — or that he never would be the friend of the Americans, I immediately finding I carried the point of the treatie Stipulation for, 60,000 Doll^r gave the Brig in the name of the U. S. to the Dey in the presence of all the Ministry. On this occasion they all congratulated the Dey — The Dey & Ministry observed that it was only this day that the Americans made and secured their peace, that we might fully depend on the great friendship of Algiers, that he really was never angry with me, but could not help considering, I had it in my power to let the 2 Schooners go at 30,000 Doll^r. I observed that even as the business was settled, that I was afraid of my head with the American Governm^t & hoped if requisite the Dey & Ministry would give me a certificate, which would in some respects plead an excuse for me relative to my Conduct, on this occasion, Aye Says the Dey, we should have a new consul here one that did not so well know the place as you do —

On the 18th delivered up to the regency the 3 Corsairs which gave to the whole inhabitants great satisfaction, from the 3 Corsairs was first discharged their provisions on board of the *Sophia* & the Polacre called the *Dey* purchased by OBrien to carry the crews of the *Hassen Bashaw* & *Lelah Eisha* to the U. S., said Polacre will be commanded by Capt: Smith a very active Man — [See 10 January 1799]

On the 21st I went into the palace to settle the accounts & in calling over the list of articles sent by the U. S. agreeable to the Inv^o & bills of Lading sent by the Purveyor I found not more than 2/3^{ds} of the articles were taken notice of. The receipts of the Secy in the Palace did not agree with those procured by Mr Clarke from the Marine it was certainly a great neglect or omission on his part, & there was no alternative on mine but to settle the accounts, agreeable to the articles or receipts for the cargoes as they were in this Governm^t books in the palace, under this consideration I had no alternative but to make the best of it as you will observe by the military & maratime store account current as settled by me with this regency —

The Cargoes of the *Independent*, *Jupiter* & *Newport*, there was no Marine Turk receipt, for Mr Clarke shamefully neglected, the duty he should attend to, & to answer our affairs & his own made presents of part of these cargoes to the Dey & ministry, for repairs they were making to their houses, in town and country, & relative to the Ship *Newport* Capt: Tew lying so long in Algiers without being discharged, I believe it was owing to a private understanding between Tew & Clarke, such Sir has been their conduct —

Finding I had gained my object in settling the peace business at 60,000 Doll^s & that the whole of the Stores sent, only turned out 66,000 Doll^s I was determined to obtain the Deys certificate, which he gave me under the seal of the regency, certifying that I had on the part of the U. S. settled the whole of the peace business, & another certificate, that our annual Stipulations were paid for 2 years & 9 Mo^s —

Finding I had gained this point, I declared that our peace was in a great measure declared null or void by Hassen Bashaw, & that in consequence by a new Settlement, by the Dey & Mr Barlow, that it was only reckoned from the time Mr Barlow landed which was the 4th March 1796 —

This Argument I mentioned with all my force, & finally the Prime Minister declared that I had much reasoning in the argument & that he would look more into the business, 2 of the Secy^s shewed some seeming reluctance in acquiescing, as I suppose from this circumstance they knew better, but one of the Busnah's & Bacri's was called in — and if I can gain this point, they must again be bribed or paid, as is the usual way, they are to be compensated for the services they render the affairs of any nation — On this circumstance of the treaty being dated, 4th March 1796, respecting our annuities, I cannot say any thing on this point with certainty — As since the morning of the 22^d I again visited the prime Minister with some friends & presents & he was of the opinion, that by right the treaty should take its date from the 4th March 1796 —

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[NA. SDA. CL, Algiers, Vol. 4, Jan-Nov. 1799.]

To Timothy Williams, Merchant, Boston, Mass., in charge of settling the affairs of brigantine *Eliza*, formerly schooner *Maria*, from Secretary of State

[PHILADELPHIA]

Department of State January 25th 1799

DEAR SIR As you have been charged with the final settlement of the affairs of the brigantine *Eliza*, formerly the Schooner *Maria*, Captain Graves, I trouble you to obtain and communicate to me, information of Captain Graves — where he is, and whether he has any property.

The United States have been obliged to pay eleven thousand dollars for a cargo he took on board at Tunis, belonging to some Algerine and Tunisian merchants, but which he embezzled. He also caused a great expense by repairs at Cadiz, thro' the American Consul.

The sooner you can favour me with the information the better

[SDA. Dom. L. Vol. 11.]

[28 January 1799]

To Secretary of State from Richard O'Brien, U. S. Consul General, Algiers
No. 17.

Ten days after Sight

Please pay this my third bill, first & Second not paid, unto William Maley, or Order, the sum of five hundred & Seventy eight dollars, for Value received of him as herein Sett forth —

This is to Certify, that the under Written Consul for the United States, has received of Captain William Maley, one thousand, two hundred & twenty lbs, of loaf Sugar, for which, I have agreed to give him this bill on the Secretary of State, for the Sum of five hundred & Seventy eight dollars, said sugar in Algiers being worth the said Sum, and that the said sugar has been given by me to the dey & Ministry, to Answer the Affairs of the United States, with the Regency of Algiers — * * *

[NA. SDA. CL, Algiers, Vol. 4, Jan–Nov. 1799.]

[About 9 February 1799]

To Secretary of State from Joseph Ingraham, U. S. Chargé d'Affaires, Tripoli

DEAR SIR I take the liberty to inform you of the measures that has been taken by the Bashaw of Tripoli with the different nations, that he has made war & peace with during my residence in that re-agency. Likewise. relative to the mode of Conducting the affairs of the united States with the different States of Barbary.

first its necessary that our Peace should be held separately with each reagency, and the consul resident there, and not depend on one reagency to hold our peace with the others. Secondly, that the gov^t of the united Stats should keep two good frigats in the mediterranean, and one constantly on a Cruise to Convoy and protect our Shipping, from the many insults they are daly & ourly exposed to, and visit the differant Ports of Barbary every 2 or three months at least, to keep these reagency's under some subjection which cannot be dun other-ways, and a small arm'd vessel to be Constant going & returning, with dispatches, too and from the united States to the Commander of these frigats, he likewise ought to have power given him to make up any Breach of friendship that may happen between our Consul resident in either of these reagency's which is not in the power of a Consul to do, and even to Sacrifise 20 or 30000 dollars sooner than risk a war, & our Shipping Captured and our Citizens made Slaves of again, which will suerly be the case, no Consul in barbary ought to be invested with more Power than the other, when that's the case the Different reagency's Plays into Each other's hands, to draw Preasents and money from them, our Consuls in barbary having a sufficient Salary to maintain them, ought to be Strictly forbidden not to Enter into any line of Commerce what ever, that being the first Step taken by the Heads of these reagency's to declare war with the Differant nations.

Relative to our Peace with Tripoli; and under the guarantee of the Dey of alger, I would not have our gov^t place too much Confidence in, least they should be deceiv'd, I have every reson to beleave it will not Stand good long, as the Bashaw and the Head People of that reagency is discontented with there Presents, as well as in Tunis.

The Bashaw bid me inform our Minister at Madrid, and Captain O'Brien if the Presents and Brig did not arrive soon, he well knew what Steps to take fitting out of twenty Cruisers, and Capture one american ship, would pay him very Handsomly for his Trouble, which he was deterrned to put into Execution, and had actually given orders for fitting out five sail, that he would lett them know that Joseph Bashaw Commanded in Tripoli; that he was under no restraint or fear of the Dey of Algiers, and only respected him as a nabouring Prince, that the motive for his making so favourable a Peace with the united States, was oing to the long friendship that had Subsisted between him and the former Dey, that he did not know how the Presant Dey Could undertake to guarantee his Peace, without first Consulting him, on this Important Point.

The Pride of the Bashaw is Such, and being urged on by His own Subjects as well as the Consuls of other nations, he will not Hisitate one moment, to fit out his Cruisers take the Consul's Passport and Capture our Shiping, the same he has dun by other nations during my residence there, at the same time the Consul may Suppose him to be his greatest friend * * *

* * * * *

many nations has alredy been dupte by these artfull people and we cannot expect to receive more favour then them. if our gov^t keep a few Ships in the Mediterranean and show them we are not backward in Protecting our Traid there, it may put a Stop to there fowl proceeding hereafter. this is the time wile all Europ is Ingaged in a worse war to Establish our Commerce in that Sea, when a general Peace takes place Every Exertion will be made to rute our Consuls out of Barbary by the Differant nations in Europ and depend on it they will succeed without the greatest precaution is taken in time to prevent it.

The greatest Cruilitys has been used During my time to force the Christians to turn Turks two Deans and nine Sweds fell a Sacrifise to there Barbarity's and obliged to renounce there religion, if in so small a number they force so many what will be the Consequence of our youth's in case we have 20 or 30 sail Capturd.

The Bashaw has told me in Public that he never would make Peace with one nation till he had made up his mind to make war with another at that time his Intentions was against the Americans concerning the Brig promised to him at the making the Peace — — — —

[Received 26 September 1799. This letter is printed in full in "Naval Documents, Quasi-war with France", fourth volume, pp 231-233 under date received.]

[SDA, Misc L. Jul-Dec-1799.]

To David Humphreys, U. S. Minister to Madrid, Spain, from B. W. McDonogh, British Consul, Tripoli

Copy

TRIPOLI IN BARBARY 9th feb. 1799.

SIR, The bearer Capt. Ingraham, will naturally explain to Your Excellency the purport of his leaving Tripoli; however as I am partly concerned with his mission to Your Excellency I think it a part of my duty to transmit a true statement of every occurrence of what passed relative to your affairs between His Excellency the Bashaw and me. Having on a former occasion by the request of Capt^o O'Brien the American affairs trusted to my care, what I have done to his knowledge and

to the rest of the American subjects then captives in this State, I flatter myself I have not been less zealous on this occasion. His Excellency the Bashaw sent for me the 29th of last month by one of his Raisés, I immediately waited on his Excellency to know his commands, and to my utter astonishment informed me that he gave orders to his cruisers (who had then five, to sail by the first fair wind) to make reprisals on all American vessels, and requested that I would acquaint captain Ingraham with his intentions: I reply'd that I w^d obey His Ex^{ty}'s orders but hoped that he w^d countermand his orders until I informed M^r Ingraham what was best to be done on this trying occasion. I accordingly went to the American House and communicated to M^r Ingraham what had passed, we agreed (as I was charged with the message from His Ex^{ty}) to call next day and know his Ex^{ty}'s final determination whether he wished that the American Chargé d'affaire would remain or go. Next morning we waited on His Ex^{ty} and when we were announced he requested to see the American Consul and me, without any attendance. I informed him that I delivered his message to M^r Ingraham, he thanked me very politely, & told us his motives for declaring war with the American States. "That he thought himself not treated like a Sovereign, being so long neglected by the United States, that he was credibly informed from Algiers that his cruisers dare not presume to molest the Commerce of America without the consent of the Algerines, but now that he was determined to let them and all Europe know what the Bashaw of Tripoli could do, and that he was not to be intimidated by any power or state."

Those were his words in the presence of M^r Ingraham myself and the American Broker, who I requested to be present. After His Ex^{ty} had finished, I expostulated with him, and made him understand that in these troublesome times business could not be done with that facility as in peaceable times, and that he must not attribute such ideas to any neglect on their part, likewise that he must consider the distance from America to Tripoli. He condescendingly replied that he would leave the affair solely to me, knowing my friendship for him, as well as my former services for the Americans, but that he thought it necessary that M^r Ingraham would go to Spain by a vessel of his own, and lay this matter before Your Ex^{ty} hoping by such a step matters may the sooner be accommodated. M^r Ingraham is constrained for the benefit of his nation to depart in a few days, and leaves me here charged with his affairs.

(signed) B. W. DONOGH.

[NA. SDA. Disp. Spain, Vol. 4, 1797-1799.]

To Secretary of State from James Leander Cathcart, U. S. Consul, Tripoli

ALGIERS Feb^y 15th 1799 —

MY DEAR SIR I take this opportunity of informing you that we arrived here on the 9th ins^t where we found the three arm'd vessels which had arrived before us? The *Lela Aiesha* arrived on the 23rd of Jan^y the *Skjoldebrand* on the 4th of Feb^y the *Hassan Bashaw* on the 8th & the *Sophia* on the 9th do — I am sorry to inform you that the ship *Hero* has not arrived nor has she been heard of by her Consort since the 3rd day of their departure from the Capes —

The arm'd Vessels are now discharging & will be rec^d by this Regency at an advantageous valuation 'tho not yet ascertain'd it is presumed it will amount considerably above their first cost, which sum will be

placed to the credit of the United States & receiv'd in lieu of the same value in stores as p^r stipulation

You will be inform'd before the receipt of this that Algiers & Tunis has declared against the great Republic, it was occasioned by the Grand Segnior sending a Chaoux in character of Ambassador from the Port to said Regency's with a positive order so to do — The Ambassador arived here on the 19th of last december & war was declared on the 21st do. the whole French legation were immediately put in chains & sent to the severest labour where they remaind forty six days, they are now permitted to remain in their houses to wait the result of Buonapartes expedition who at present is fortified at Grand Cairo & possesses fifteen of the principal villages in Egypt, this is the current report of this City —

M^r Eaton & myself will proceed to Tunis in the *Sophia* in about eight days from this date, I anticipate a happy conclusion with that Regency for a much smaller sum than our instructions limits us to —

From Tunis I shall write to Tripoli in order to be informd if their will be a probability of prevailing on the Bey to accept a moderate sum in cash, say to the amount of the value of the stores in lieu thereof, if it should be found practicable I will proceed direct to Tripoli if not I will return to Algiers & wait the arival of the stores which ought to be immediately dispatched, if not already on their passage Should we have settled with the Bey of Tripoli for cash the stores will be accepted by the Algerines in part payment of our annual stipulations

From the crews of the arm'd vessel we intend reinforcing the *Sophia* with 15 men the remainder will return in a Polacre [*Dey*] belonging to M^r OBrien which you may expect nearly as soon as you will receive this —

I am sorry to inform you that M^r Ingraham seems to be unworthy the confidence reposed in him by the Executive; his acc^{ts} will prove my conjecture not to be without foundation, the amount of them from the 21st of Feb^r 1797 unto Augst 1st 1798 is 8974½ Mahaboobs equal to Spanish dollars 12115 — 53 cents — his acc^t current has been forwarded to M^r Smith at Lisbon by M^r OBrien last december & I will send you a copy of it by the vessel that will take the crews of the arm'd vessels home —

You will observe that this is wrote in haste, indeed every thing in this Regency is done precipitately — for example a Sweedish Frigate arived here yesterday with Matthias Skjoldebrand Esq^r his Sweedish Majesty's Consul General on board, on his first visit to the Dey his Excel^{ty} made the following modest request, that the Consul would send the Frigate with the Turkish Ambassador to Constantinople this M^r Skjoldebrand could not grant & to avoid farther importunity on the subject he thought proper to dispatch his Brother with her today for Malaga by which opportunity I send this under cover to M^r Smith at Lisbon —

Al'tho the effective funds of the United States are entirely exhausted I am happy to have it in my power to inform you that their credit is fully establish'd by the arival of the arm'd vessels & that we shall not be at any inconvenience in procuring the necessary funds for carrying into effect our negotiations with Tunis & Tripoli —

M^r Eaton nor myself has not yet paid our respects to the Dey nor have we went through the necessary ceremonial of visiting the grandees, it was thought expedient to postpone the performance of this etiquette

untill the Cruisers are deliverd to the Algerines & our acc^{ts} arranged which will be done on the 17th or 18th instant

The rupture between France & Tunis will without doubt favour the interests of the United States at the latter place & I think in the present state of affairs we need be under no apprehension from M^r Famin as his influence has depreciated considerably and is of little moment at present —

JAMES LEA^r CATHCART

[SDA. CL, Tripoli, Vol. 1, Part 1, Nov. 1798–Dec. 1799.]

Extract of a letter from Captain William Penrose, Master of the schooner *Skjoldebrand* (one of Algerine fleet) concerning his voyage

ALGIERS, February 17, '99.

"I have met with an opportunity of informing you of my arrival at this port, by a Swedish frigate, which put in here last night. I had a very good passage from the Delaware, though a very wet one, being perfectly under water all the time. We made the run in 30 days, which was ten days less than capt. Maley, five days less than capt. Smith, and six days less than capt. Geddes; and was fortunate enough to fall in with no cruisers that we were afraid of. In the Straights of Gibraltar, 6 large gun boats rowed off to us in a calm, under French and Spanish colors, but after firing a few shot they thought it prudent to retire. They then went and attacked two large ships and a schooner, about 6 miles from us — we were then laying becalmed: one of the ships and the schooner they took, but the other ship got clear, which proved to be the *Five Brothers*, capt. Philips, of and from Boston, bound to Leghorn, carrying 12 six pounders and 40 men. Capt. Philips informed me that the ship which had struck was from Boston also, bound to Leghorn, mounting 16 guns, but could not learn the captain's name. The schooner which was captured, was the *Experiment*, capt. Bender, of and from Philadelphia bound to Gibraltar. The Algerine fleet which sailed from Philadelphia, are all safe arrived, except the ship *Hero*, capt. Robinson."

[LC, Baltimore "Federal Gazette & Baltimore Daily Advertiser" 18 June, 1799.]

Marine Force of Algiers

MARINE FORCE OF ALGIERS, OR A LIST OF ALGERINE CORSAIRS ON FEBRUARY THE 20th 1799

1 Corvette french built. Old in port . . . of	26 Guns
1 Corvette Levant built. old in port . . . of	22 Guns.
1 frigate the <i>Crescent</i> at Sea of	36 Guns —
1 Corvette Mahone built at Sea of	18 Guns.
1 Cutter Old a prize taken from the Venitians	18 Guns in port.
1 Sciabecke Old Spanish built in port	24 Guns.
1 D ^o Moorish or Algerine built at Sea	26 Guns
1 D ^o D ^o D ^o	26 Guns
1 half Galley with Sails & Sweeps in port	4 Guns —
1 Carling Geese or Xebeck	14 Guns
1 Large greek polacre at Sea	26 Guns.
1 Greek polacre Do . . . at Sea . . . of	22 Guns
1 Brig The <i>Hasien Bashaw</i> at Sea of	22 Guns
1 Schooner the <i>Skjoldebrand</i> of	20 Guns
1 Ditto the <i>Lelah Eisha</i> . . . of	18 Guns.
1 Ditto of the <i>Hamdullah</i> of	14 Guns

1 Xebeck Particular of.....	8 Guns
1 Xebeck building & ready to launch of.....	26 Guns
65 Gunboats ½ may be Considered in tolerable reparaire —	
<hr/>	
18 Corsairs Mounting.....	Total, 366 Guns

Remarked by Rich^d OBrien

NB Those 7 at Sea sailed the 23^d Ultimo. I daily expect to see the[y] will send in some of those new pirates —

To the SECRETARY, OF STATE, Philadelphia —

[NA. SDA. CL, Algiers, Vol. 4, Jan.-Nov. 1799.]

To Secretary of State, from William Eaton, U. S. Consul, Tunis, and Richard O'Brien, U. S. Consul General, Algiers

ALGIERS 22^d Feb. 1799 —

SIR, On the tenth instant I had the honor to communicate information of the arrival, in this port, of the Brigantine *Hassan Bashaw* — the Schooners *Skjoldebrand* and *Lala Eisha*, and the United States brig *Sophia*; also Cap^t Maley's report of his having parted with the Ship *Heroe* on the American coast. Of this Ship we have yet no account — She must be either captured, gotten into some port in distress, or lost at Sea —

On the 18th the Officers, appointed by the Dey for the purpose, took formal possession of the vessels; and this morning Consul Gen. OBrien informed me that he had just now concluded a Settlement of all accounts between the Dey and the United States, which he desired me to sketch in the following cypher [Translation of coded message] *The whole of our stipulation for naval and military stores I have entirely done away and paid our stipulated annual tribute with this regency up to two years and one half from the date of the treaty.*

He has been assiduously employed in the business since the arrival of the vessel: particulars will be reserved for a more certain conveyance —

I can state nothing with certainty on the affairs of Tunis — M^r Famin has formed flattering expectations of the consulate, and has artfully secured the friendship of the Bashaw and principal officers of the government by having procured, at the expense of 19 or 20 thousand dollars, and distributed among them the customary presents. The Bashaw has declared that he will receive no other consul from the United States — and did, in fact, discriminate him from the general mancipation which involved his countrymen on the declaration of War — Whether this respect was paid to the *Citizen Famin*, or to the *American Agent* is problematical — But the same argument, which established him, will undoubtedly induce his friends to transfer their attachment — The Sapatapa must be gained by this inducement —

The *Sophia*, being reinforced with the crew of the *Skjoldebrand*, will proceed to Tunis in a few days with M^r Cathcart and myself — It has been thought most proper to wait here until after an adjustment of our affairs with this Regency, in order to avail ourselves of the *friendly* interposition of the Dey and his ministers — or, in the language of Cap^t OBrien "To get out an anchor to windward."

The crews of the *Hassan Bashaw* and the *Lala Eisha* will return to America in a polacre, purchased by the Agent of the United States, in this place.

M^r Ingraham has exhibited an account current against the United States commencing Feb. 1, 1797 up to Aug. 1, 1798, exclusive of Salary, amounting to the enormous sum of *twelve thousand one hundred & fifteen* 53/100 dollars — and he has conducted the business in such a manner that it will be difficult, if not impossible, for the United States to evade payment.

The french are said to have taken possession of Naples — Buona-parte has established himself in Grand Cairo, planted his generals in the government of the principal provinces of Egypt, and reinforced his army with Arabs and Christians. Is it not possible that he will turn his eye towards the treasures of Algiers, (The *public treasury* of Algiers is supposed to contain eighty million of dollars!) and the empire of Morocco — project the conquest of the Barbary States * * *

* * * * *

[Signed by Eaton and O'Brien.]

[SDA CL, Tripoli, Vol. 1, 1796-1799.]

[22 February 1799]

Account Current of the United States, with the Dey & Regency of Algiers

[Here follows an itemized list, amounting to:] 66,096 Dollars

Price of two vessels.....	30,000 Sequins or..	54,000 Doll ^s
24,000 Sequins is equal to 2 years annuity.....		43,200 "
		<u>10,800</u>
		<u>6,096</u>

Doll^s 16,896 equal to 9836 Sequins in advance to the Algerine Government on the third year of Annuitys 22^d February 1799, commencing from the treaty with Algiers —

RICH^d OBRIEN

[NA. SDA. CL, Algiers, Vol. 4, Jan-Nov. 1799.]

[22 February 1799]

Accounts of sundry cargoes, shipped by the United States for Algiers

	Dollars
Brig <i>Independant</i>	40,268
<i>Jupiter</i>	22,853
<i>Newport</i>	9,455
<i>Hamdullah</i>	4,493
<i>Crescent</i> Supposed.....	7,000
<i>Lelah Eisha</i>	6,307
<i>Skjoldebrand</i>	9,962
<i>Hassan Bashaw</i>	4,255

Price of the Schooner <i>Skjoldebrand</i>	104,593
	<u>39,029</u>

Doll^s 143,622

By it it is hoped that our Consul General will be able, if those armed vessels arrive safely, to cancel the demands for the large masts and other cumbrous and very expensive articles and reduce the claims of Algiers more than the amount of the cost of the vessels.

I should observe that the number of large masts remaining to be furnished is set at 39 only. This is certainly an error in the Purveyors statement; for I have heard of but three or four yet sent; but others of a smaller size have been forwarded, and these have been deducted from the original stipulation as if of the stipulated size.

I should further observe, that money only has yet been paid to Tunis: the furnishing of the stipulated stores (which will cost upwards of a hundred thousand dollars) has been suspended, until an essential alteration in one article of the treaty shall be effected, and on which our consuls are instructed to negotiate with that power. If they succeed, they are to endeavour to substitute something less burthensome than masts and timber & other maritime stores.

In the original estimate presented during the present session, my object in proposing an appropriation of 100,000 doll^r — was not to provide for all that must eventually be furnished: but to discharge some balances of debts incurred, and to enable the Purveyor to forward some additional supplies. By the foregoing statement it appears that my estimate was too low; and that it will be expedient to make it up to about 140,000 doll^r or 150,000 dollars, the latter in preference, seeing that in the course of the present year the value of 10,000 dollars, may probably be necessary for Tripoli. Expecting too, a favourable conclusion of the further negotiation with Tunis, it would seem expedient to provide at least for a partial fulfilment of the original stipulations, — say to the amount of 50,000 dollars, which would build one or two armed vessels (according to their size) and cancel the demand of upwards of 100,000 dollars. But if instead of armed vessels the new stipulation should be for *money*, this can hardly be expected to fall below the original stipulation for masts, timber, and maritime and military stores. And considering that nine months will elapse before the next meeting of Congress, it would be *safest* to provide for such a conclusion of the negotiation — say 100,000 dollars. —

A state of former appropriations and payments and estimate of the sum wanting to discharge claims relative to the S^t Croix boundary accompanys the documents relative to the Barbary affairs herewith presented.

[SDA. Dom. L, Vol. 11.]

[25 February 1799]

An Act for the augmentation of the Navy

[NOTE. — In the second volume of "Naval Documents, Quasi-War with France" (November 1798 to March 1799), pages 399 and 400 is printed an Act providing for additional naval armament of six 74 gun ships, six sloops of war not exceeding 18 guns, and for employing revenue cutters. It also provides for increasing the force of other ships in the service.]

[26 February 1799]

Estimated Value of the Stores for Tripoli

N^o 19.

3 Cables of 10 inches.....	500 dollars
5 hausers of 8 inches.....	400
25 Barrels of Tar.....	125
25 Barrels of Pitch.....	125
10 Barrels of Rosin.....	50
500 pine boards.....	500
500 oak-ditto.....	1000
10 Masts.....	1000
12 Yards.....	360
50 Bolts of Canvass.....	400
4 Anchors.....	200
	dollars 4660

O'Briens Estimate

Proposed in lieu of the above Regalia to offer a cash payment	
Viz, 1 st propose this sum in dollars.....	4660
2 ^d If this fail of Effect go as far as.....	8000
3 ^d for the Service of Farfaro.....	1000
4 Consular presents to the great Men.....	3000
	dollars — 12, 000

Opinion of R^d O'BRIEN
Algiers Feb^y 26th 1799

[NA. SDA. CL, Algiers, Vol. 4, Jan.—Nov. 1799.]

To William Smith, U. S. Minister to Lisbon, Portugal, from Richard O'Brien, U. S. Consul General, Algiers

ALGIERS the 28th of February 1799

DEAR SIR we have finally settled our affairs with this regency, I say — Considering all Circumstances favourable, no more Stores is to be sent to Algiers, untill you will hear from me, which will be after the return of the *Sophia* from Tunis —

Consuls Eaton & Cathcart will proceed in two days for tunis the Dey & Ministry & Bockerie's will Write to tunis in Order to have famin unshiped & Consul Eaton Established in his post, After this is done Eaton will Commence on all requisite affairs agreeable to his Orders —

At tunis a Vessel is to be freighted immediately to carry Consul Cathcart to Tripoli, he will have a strong letter of introduction & friendship from the Dey to the Bashaw of Tripoli, & the Bockeries assures me they will advance the Necessary Sums, if we can on Good terms, make cash payments, at tunis & Tripoli, in Lieu of our Stipulations; We have no Account of the Ship *Hero* —

Please to forward Copies of this letter to the Secretary of State —

[NA. SDA. CL, Algiers, Vol. 4, Jan.—Nov. 1799.]

Marine Force of Algiers 28 February 1799

1 French Sloop of War of 20 nines & Six fours.....	26
1 Turkish D ^o of 18 eights & four fours.....	22
1 American Frigate of 24 nines & 12 Sixes.....	36
1 Mahonese Ship of 18 fours & Sixes.....	18
1 Venitian Cutter of 18 double fortified Sixes.....	18

1 Xebeck built at Algiers of 20 eights & four fours.....	24
1 D ^o D ^o of 26 eights Sixes & fours.....	26
1 D ^o D ^o of 26 D ^o D ^o D ^o	26
1 Half Galley.....	1
1 Guerlino Ghiccia Grecian prize of 14 fours.....	14
1 large Polacca of 26 4 ^s & sixes a prize.....	26
1 — D ^o of 22 D ^o	22
1 — D ^o of 20 D ^o	20
1 American Brig of 22 double fortified Sixes.....	22
1 D ^o Schooner of 20 D ^o fours.....	20
1 D ^o D ^o of 18 Single D ^o	18
1 D ^o D ^o of 14 5 & 4 pounders.....	14
1 Xebeck private property of 8 4 pounders.....	8
1 D ^o a building of 26 8 ^s sixes & fours.....	26
About 60 Gunboats with a brass 24 pounder each.....	60
	447
About 12 Boats with Mortars of diff ^t Sizes —	Mortars 12
	Slaves 1051

The Algerines are continually a building Gunboats but the[y] rot nearly as fast as they are built for want of care being taken of them

The number of Slaves belonging to the Regency of diff ^t nations are.....	948
Besides ten french Citizens of the french Legation.....	10
And 93 D ^o which were brought from La Calla a french Garrison near Bona & made Slaves of on the 23 rd inst.....	93
	1051

Yesterday the Jews prevail'd on the Dey to permit eighteen of the principle Characters that was brought from La Calla to retire to the french consuls house the rest remains at hard labour —

N B Their are about 120 Christian Slaves the property of private Citizens of this infernal Regency —

(This is the whole Marine force of this Regency which makes all Christian Nations become tributary to them, oh! humiliating reflection. J. L. C.)

[SDA. CL, Tripoli, Vol. 1, Part I, Nov. 1796–Dec. 1799.]

Journal of James L. Cathcart, U. S. Consul, Tripoli, 28 February to 13 April 1799

Journal of Negotiation & ratification of the Treaty between the United States of America and the Regency of Tripoli in Barbary — [Received via the Brig *Sophia*]

Algiers thursday the 28th of Febr^y 1799 I rec^d a letter from the Dey of Algiers directed to the Bashaw of Tripoli by David Bacri 29th do I rec^d letters for Leon Farfaro who I am inform'd is a person of great influence in Tripoli I likewise rec^d presents from said Bacri as p^r my receipt forwarded to the Secretary of State in my dispatch N^o 1 —

Tunis March 18th 99 I rec^d a packet from M^r Famin which was left here by M^r Ingraham, directed to M^r OBrien copy's of which I have likewise forwarded to the Secretary of State in dispatch N^o 1 during my stay at Tunis I rec^d two thousand Algerine Sequins from Soloman Azulai for the use of the U S at Tripoli I likewise rec^d a letter from the Bey of Tunis to the Bashaw of Tripoli which informd him that the Regency of Algiers & Tunis had concluded their affairs amicably with the U S of America hoping the Bashaw of Tripoli would do the same as in the present state of affairs it was more to the interest of the Barbary States to be at Peace than at War with America The letter from the Dey of Algiers was only complimentary I likewise rec^d a letter from the Vikil of Algiers for the Bashaw & a packet from the Tripoline Ambassador at Tunis with a chest and sundry other articles for him with a Tripoline sailor passenger —

April 1st I left Tunis & embark'd on board the *Sophia* we did not sail until the next day the wind being contrary —

Tripoli Friday the 5th of April 1799 At 3 P M came to an anchor in the Bay of Tripoli we having an Algerine flag at the fore top gall^t mast head & our own colours aft as customary — the Captain of the Ports boat came on board & asked from whence we came & what was our business — we inform'd him the American Consul was on board who had letters from the President of the U S of America the Dey of Algiers & Bey of Tunis to his Excellency the Bashaw of Tripoli — At 3½ P M, Mr Bryan M^rDonogh came on board in a boat with American colours flying — I gave him all the private letters I had on board he being charged with the British Swedish & American affairs the Consuls of said nations being absent on business —

Mr M^rDonogh inform'd me that it was customary for the Consul or chargé des affaires of all nations at Peace with Tripoli to inform the Bashaw when a vessel of their Nation arriv'd & get permission for the officers to land that he would perform this ceremony, & would inform us when the Bey would give us an audience — At 25 minutes before six he came on board with a Chaoux & inform'd that he was sorry to inform me that the Bashaw had determined not to receive me as consul of the U S of America, as I had not brought the stores & brig promised by Cap^{tn} OBrien when our peace was first agreed on here two years ago that the Americans had not fulfill'd their contract & that he did not consider himself obliged to fulfill his that he had waited until the consul arriv'd in hopes that he would have brought the stores with him, but as it was not the case he would wait no longer that he requested I would send the letters from the Dey of Algiers and Bey of Tunis to him & he would answer them immediately & we might depart when we pleased, that he would allow forty days from our departure before he would order his cruisers to capture American vessels — that at the expiration of that period he would order the American flag to be haul'd down & would make known to the whole world that the Bashaw of Tripoli is an independent Prince and would be respected as such in spite of the Dey of Algiers Bey of Tunis or even the grand Signore —

I gave the letters to the Chaoux and desired him to inform the Bashaw that I had a letter from the President of the U S of America for him which I could not trust to any person to deliver, I therefore requested he would give me an audience and let me hear from himself his determination as I never put implicit faith in messages — Mr M^rDonogh inform'd me that I might depend the Bashaw would insist to have the Brig as Cap^{tn} OBrien absolutely promised her to him in the presence of Mess^{rs} de Souza & Farfaro and Mr M^rDonogh declares that he has heard them tell Ingraham so repeatedly — I inform'd Mr M^rD that I never had heard of any such promise that I was prepared the Bashaws dem^d for the stores by paying him an equivalent in cash but to give him the Brig was out of the question entirely —

At 7 P M — The Chaoux came onboard & inform'd me the Bashaw would be glad to see me two hours after day light — I requested him to inform the Bashaw I would come on shore as soon as the Fortifications saluted the Brig as customary — he said their would be no difficulty about that ceremony provided we would promise to return the salute I told him the Bashaw might depend we would — He then said the Bashaw requested we would send him the letters chest & other articles which we rec^d from his Vikil at Tunis as the passenger inform'd him we had such things on board — I requested Cap^{tn} Geddes to let him have the chest promising to send the rest of the things on shore in the morning I gave him five letters for the Bashaw from dif^t people in Tunis —

Saturday April 6th 1799 — We having waited until 8 oClock & no salute being fired from the fortifications Cap^{tn} Geddes & myself went on shore & was stop^t at the mold head by the Rais of the marine who in a very impolite manner sent to inform us that the Bashaw had order'd that we should not be permitted to land & that we must go on board again and remain until the English Doctor went on board that the Bashaw was now asleep & could not be disturbed At 10 A M Mr M^rDonogh came onboard & inform'd me what is contain'd in his report — N^o 1 of the enclosures I express'd a desire to see the Bashaw myself he said it was impossible unless I promised him the Brig, I inform'd him that I was not authorized to do any such thing even should war be the consequence — He said I might come on shore if I thought proper & speak to the Rais of the Marine — I embraced the offer & went on shore — I was receiv'd with a great deal of hauteur, by the Rais of the Marine who ask'd me where the stores were that was promis'd to the Bashaw two years ago — I inform'd him that they were ship'd on board a vessel

[*Hero*] which had saild from the U S eighteen days before us that I had reason to suppose she was either lost, or taken that the stores for Tunis were likewise on board of her & that the Bey had politely promised to wait nine or ten months longer for them on his being inform'd by our consul of the misfortune? Yes said the Rais & on your giving him twenty or thirty thousand doll^r for his condescension — I declared that he never hinted to us, that he wish'd us to give him one dollar and that I really believ'd that if we had offer'd him a pecuniary reward that he would have been highly affronted & was better pleas'd with our acknowledgment, which he consider'd quite sufficient especially as we were now engaged in the same cause namely a war with France? I added that I hoped the Bashaw of Tripoli would at least act with as much politeness. —

The Rais laugh'd & said the Bey of Tunis was the first moor that ever he had heard of that would be affronted with a christian for offering him money, & added he I suppose your friend the Dey of Algiers would likewise be affronted at your offering him money but I was in Algiers when a Frigate [*Crescent*] arriv'd from America of 36 Guns loaded with guns & ammunition & the Dey was so far from not receiving her that he seem'd very well pleas'd I inform'd him the Frigate was sent in lieu of cash for the redemption of our captives which had been redeem'd upon credit above a year before, dont say any more interrupted the Rais I know as well about your peace with Algiers as you do yourself, I was in Algiers some months & if the Americans has friends there, so has the Bashaw of Tripoli, have you any new proposals to make to the Bashaw? I answer'd I had not, he then insisted to know what the consular presents consisted of I inform'd M^r M^oDonogh who took a note of about two thirds of them & carried it to his Excellency — during his stay I was kept a prisoner in his apartment at the Marine

In about half an hour the Rais return'd from the Castle with M^r M^oDonogh & inform'd me of the Bashaws terms see N^o 1 of the enclosures — the Rais added that I had rec^d instructions from the lying dog OBrien who had inform'd him when he was at Algiers that he was Consul for Tunis & Tripoli likewise, and as the Bashaw of Tripoli & Bey of Tunis were dependent upon Algiers so were the Consuls there dependent upon him & could do nothing without him — I told him that it was impossible that OBrien could be so weak, that I did not believe he had ever said any such thing & wish'd him a good morning — What answer shall I give the Bashaw added he — tell him said I that his proposals are beyond all bounds, that I imagine he does not wish to be at Peace with the United States, that he supposes we have some rich ships in the Mediterranean — but you may inform him that in consequence of our being at war with France, that our ships are all to well arm'd to be captured by any of his Cruisers & that I am very sorry that his making such exorbitant demands upon us will oblige us to turn the very arms against him which are now turn'd against our common enemy the French Well said he? I am order'd by the Bashaw to inform you that you may wait for the answers to the letters from the Dey of Algiers & Bey of Tunis if you think proper, if not you may let it alone that he is an Independent Prince & not to be intimidated by Algiers Tunis nor even the Grand Signore, that if we wish to be at Peace with him we must pay him for it & that he commands in his Kingdom as well as the Dey of Algiers does in his — While I was on shore I sent a man (by stealth) to inform Farfaro that I had letters of importance for him from the Baeries & Bushnaes at Algiers? he sent me word that he requested me to send them by M^r M^oDonogh to him & to take care that none of the moors should see them, & beg'd for Godsake that I would not mention his name as it would be ruinous to him as well as detrimental to the affairs of the United States —

I requested the doctor to come on board to dine with me & wrote the following letter to the Bashaw & sent it by him accompanied with the one from the President he having very politely offer'd to explain them to his Excellency —

I requested Cap^t Penrose to go on shore with M^r M^oDonogh & wait for an answer from the Bey who was out on horseback viewing his fortifications — he delivered the letters to Farfaro and told Cap^t Penrose that he would come on board in the morning —

To his Excellency the Bashaw of Tripoli &
Most Illustrious Prince

Being inform'd by your Ex^t Rais of the marine and M^r M^oDonogh American chargé des affaires that you would not receive me as Consul of the U S of America unless I would agree to fulfill the promise made by their Agent Cap^t OBrien — I now beg leave to inform yr Excellency that the Government of the U S of America was never acquainted that any promise of the Brig had ever been made & therefore I have rec^d no orders relative to her — That the stores which were stipulated by Treaty

were ship'd from the United States on board the Ship *Hero* which I fear is either lost or taken by the French, that in lieu of which, I am authorized to pay his Excellency an equivalent in cash according to a just valuation to be made by impartial people but if your Excellency prefers having the stores I promise you they shall be deliver'd here in four months from this date —

As the U S of America wishes nothing more than to continue the peace & harmony which has so happily subsisted between the two nations since the forming of the treaty — I will take it on myself to promise the Bashaw the Brig *Sophia* in lieu of the stores & to deliver her to him in nine months from this date the dangers of the sea & enemy excepted to be rec'd by him in full of all demands from the U S of America for ever and on my being rec'd & recognized as Consul of the U S I promise to deliver a handsome consular present to his Ex^y and chief officers —

By the letter from the President of the U S of America your Excellency will be informed of my rank and accordingly give me credence, & give me leave to observe that if any misunderstanding exists between the former Agents of the U S and your Ex^y it cannot be deem'd a sufficient cause for your Ex^y to declare war against a nation that never was at war with you and who has sent an Agent the vast distance of six thousand miles to endeavour to cultivate peace & harmony between our two nations respectively & that without your Ex^y even giving him an audience — this is an act which I believe is unprecedented even in the annals of Barbary —

Should your Ex^y not think proper to agree to the above terms you will please to write to the President of the U S your ultimate determination explaining to him your reasons for not receiving the Consul sent by him — I should likewise be happy to receive your Excellency's answers to the Letters from the Dey of Algiers and Bey of Tunis which I pledge myself to have forwarded immediately — The U S Brig *Sophia* will sail tomorrow at twelve o'clock & until her return from America it is hoped your Excellency will suspend any further declaration of hostilities against the U S of America —

Should your Excellency wish to detain the Brig a few hours will make no great difference —

I remain most illustrious Prince
your Excellency's
most Hum^d and Ob^d Serv^t

JAMES LEAF CATHCART
Consul for the U S of America
at the Bashawlic of Tripoli

U S Brig *Sophia* Bay of Tripoli April 6th 1799

Sunday 7th [April] At meridian rec'd a letter from M^r M^cDonogh which inform'd me that he had obtain'd leave of audience from the Bashaw for me I went on shore & waited upon his Excellency at 1 P M in company with M^r M^cD when I repeated nearly to the same purport as I had done before to the Rais of the Marine — the whole bone of contention was the brig which I refused him without hesitation, he was very much enraged against Cap^t O'Brien and made use of every invective & term of reproach he could think of he then swore by God & his Phrophe^t that O'Brien had promised him the brig that had it not been for that, that he would not have concluded the Treaty with the U S, that he would have her or her equivalent in cash that O'Brien had reported that he was dependent on the Algerines that he would now let the world see that he was not, that O'Brien would not be always at Algiers that all his Cruisers had orders to bring him to Tripoli if ever they found him onboard a neutral vessel & again swore that if ever he was found that he would have him hung like a dog onboard of the vessel that brought him in —

After an hours bravado & huckstering he told me that his ultimate terms were — the Brig to be deliver'd to him immediately or the sum of eighteen thousand dollars on the spot in her lieu and for the stores which you say are lost or taken 25000 dollars payable in a few weeks, and a consular present equal to the Danes and Sweeds — I told his Excellency that I imagined he did not wish to prolong the Peace, that his demands were as exorbitant as unjust & that I could not treat with him until he was in a better humour, I then wish'd him a good morning He said he would give me twenty four hours to consider of it & that from the morning of the next day the term of forty days should commence before he would order his cruisers to capture american vessels —

On my return from the Castle I rec'd a letter from Farfaro enclosure N^o 2 informing me that he was sorry he could render me no assistance whatever —

Monday 8th [April] I requested M^r M^cDonogh to carry the following letter to the castle & explain to the Bashaw its contents which he accordingly did & in return brought me a note in Arabic which I sent to Farfaro to translate The terms contain'd therein I rejected with disdain see N^o 3 of the enclosures —

His Excellency the Bashaw of Tripoli &c —

SIR — I having verbally communicated to your Excellency my reasons for not complying with your demands on the United States, a repetition now becomes unnecessary I therefore beg leave to inform you that I have deliberated on the nature of the promise you say Cap^t O'Brien made you of the Brig *Sophia* and having taken the advice of Cap^t (Geddes who now commands her) I now promise your Excellency that said brig shall be deliver'd to you in nine months from the time of her departure from this port, the dangers of the sea & enemy excepted and that the stores which are stipulated by treaty shall be brought forward at the same time or if your Excellency would prefer the value of said stores in cash — I will give you five thousand dollars this day in lieu thereof — enclosed I send your Excellency a valuation of said stores by M^r M^cDonogh which you may depend is just an[d] equitable, he having

no interest whatever in being partial to one party more than another — Should your Excellency accept of the above terms in full of all demands from the U S I will deliver your Excellency the Consular presents which I inform'd you I had on board if not you will please to answer the letters to his Excellency the President of the U S & their Excellency's the Dey of Algiers & Bey of Tunis, and if your Excellency does not wish that I should remain here I will proceed to Tunis & send the Brig to America with your answer to the Presidents letter & until her return it is hardly probable your Exy will commence hostility's against the United States when you recollect that you have already rec^d from them to the value of Sixty thousand dollars in cash and presents & that their agent now offers to become responsible for the rest of Captⁿ OBriens stipulations & even more as your Excellency well knows that the *Sophia* when here before was neither arm'd nor sheath'd she now mounts twelve guns & two swivels six of which are iron the rest brass, she has been lately sheath'd and is every way completely fitted for a Cruiser —

This is a very advantageous offer for yr Excellency & will serve to convince you how much the U S wishes to continue the harmony which has subsisted between the two nations since the conclusion of the Treaty and which as an individual you may depend I shall take every means to cultivate consistent with the honour & interest of the nation I represent

I am with respect
Your Excellency's
most Ob^o Serv^t

JAMES LEA CATHCART
Consul of the U S of America at
Tripoli

HENRY GEDDES
Commander of the U S brig *Sophia*

Chancery of the U S of America at Tripoli
April 8th 1799

I then wrote a short statement of our affairs & presented it to Capⁿ Geddes requesting his advice & opinion on the subject before I would come to a conclusion — The Doctor inform'd Capⁿ Geddes that the Bashaw desired to see him alone in the evening — I advised him to go by all means but to be very circumspect in his answers to the Bashaw? he went about 4 P M and after a great deal of invective against OBrien & other frivolous questions which Capⁿ Geddes will inform you, the Bashaw inform'd him that if we would promise him the Brig & the stores stipulated by treaty in a reasonable time and give him 13,000 dollars for the detention of said vessel & stores he would be content — Capⁿ Geddes inform'd him that he had nothing to do with the negotiation that if he thought proper he might apply to me, but that he could tell him before hand that my instructions were limited & that I dare not advance one dollar more than I was order'd —

Well then answer'd the Bashaw you may tell him I have order'd the answers to be wrote to the letters he brought for me I will send them in the morning when he may go about his business — In the evening the Rais of the Marine came to the house with two letters from the Bashaw one for the Dey of Algiers & the other for the Bey of Tunis I ask'd him for the answer to the Presidents letter he said it was not ready but I should have it in the morning, and ask'd me what he should inform the Bey I inform'd him he might say that I was sorry our negotiation was at an end as his terms were so unreasonable that I would talk no more on the subject as it would only be wasting time — for farther particulars see Mr McDonoghs declaration & advice to me enclosure N^o 4 — It is something remarkable that the letters were seal'd in three diff^t places so that it was impossible to open them, this is contrary to the custom of Mussulmen who always sends their letters open

Tuesday 9th [April] — Farfaro's brother came to me this morning & inform'd me that the Bashaw had sent for the Governor of the Jews & ask'd him if the American Consul had been at Farfaro's house or if Farfaro had visited him the Governor said he was certain we had not seen each other take care they do not said the Bashaw for if they do I know how to dispose of you and Farfaro, the Rais of the marine said that he had placed spies on both our actions and if we visited each other he would report us to his Excellency—

The whole of this day we waited for an answer to the Presidents letter, Capⁿ Geddes sent me his answer to mine of yesterday evening enclosure N^o 5 —

This day Capⁿ Geddes and myself circulated a report that the Americans had a number of vessels of war in the Mediterranean to protect their commerce against the depredations of the French — we likewise reported that the *Sophia* would immediately proceed to Malta on business of the U S — the reason we propagated this story was because the Tripolines has five Cruisers now at Sea, & they would naturally suppose that we would give information to the Portuguese squadron that acts in conjunction with Admiral Nelson —

Finding it necessary to come to some resolution & not having it in my power to ask the opinion of our Consul at Algiers I wrote a note to Capⁿ Geddes on the subject and rec^d his answer N^o 6 of the enclosures —

9 P M The Rais of the Marine came from the Bashaw and brought an answer (*seal'd up in three places*) to the Presidents letter, I ask'd him in what Language it was wrote he ans^d in Italian, I then ask'd for a copy of the letter, he said the Bashaw never gave copy's of his letters to any one, that the Prince of America was the only person he wanted to know what was contain'd in it, M^r M^cDonogh said he would go by himself to the Castle and hear what the Bashaw had to say and at the same time inform him that we would come and take leave of him in the morning — previous to this I had authorized M^r M^cDonogh to offer the Bashaw in full of all demands for Brig & stores — eighteen thousand dollars, this was done and refused by the Bashaw, but his Excellency said if we would agree to give him ten thousand dollars on the spot & promise him the Brig in Nine months from her departure he would be content — M^r M^cD told him he would endeavour to persuade the Consul to agree to these proposals but that he was affraid it would be out of his power

Wednesday 10th April 1799 M^r M^cDonogh went to the Pallace to give the Bashaw an answer from me — I advised him to try & persuade the Bashaw to accept cash in lieu of the Brig my particular reason for so doing was? because I am convinced that if we give a cruiser to the Bashaw of Tripoli we would be inevitably obliged to give at least as large a one to the Bey of Tunis —

At 10 A M, M^r M^c Donogh came from the pallace and gave us joy saying he had agreed in the name of the Consul of the United States on the following terms —

Viz^t That we should pay the Bashaw ten thousand dollars immediately for the stores and detention — and eight thous^d dollars for the Brig as soon as possible? that said sum should be consider'd in full of all demands from the United States of America, the Consular present excepted — this I agreed to immediately & I assure you to many encomiums cannot be pass'd on the conduct of M^r M^cDonogh during the whole of this negociation to whom the U S are certainly much indebted as Cap^{tn} Geddes will inform you more particularly on his arrival in America —

At 5 p m I went to the Castle with the consular present and deliverd it to the Bashaw — I now saw Leon Farfaro for the first time, who promised the Bashaw the he would be responsible for the residue of the money I only having three thousand Mauboobs in cash which I deliver'd with the presents — while we were in the Castle the Flag of the U S was saluted with 21 Guns — the Bashaw orderd his colours to be hoisted on all the fortifications the different christian consuls paid the U S the same compliment — the *Sophia* return'd the same number of Guns and thus ended this ceremony —

While the Bashaw was looking over the presents he ask'd me if the United States had sent the two pieces of holland as a sample I told him it was to dear to give much away at a time — he then said I must give him two more com^v gold watches I told him I would if I could purchase them here — I very fortunately had Kept back a number of things belonging to the presents expecting a second demand — I therefore gave him the two watches without puting the U S to any farther expense —

In the evening he sent his Compliments to me & beg'd it as a very particular favor that I would let him have two of the brigs brass Guns as they would be very serviceable to him for field pieces and that he would give the Brig two iron guns in their place — I told the messenger I would consult Cap^{tn} Geddes & send him an answer in the morning — A few moments afterwards one of the Chaouxes came with an order from the Bey to receive a handsome present for proclaiming the Peace, the Bashaw not having consider'd himself at Peace with the U S before now & that this await or present had not been paid before by any of the former Agents — I told Farfaro to give him ten dollars, he said that he must have one hundred at least Not long afterwards he sent for some rum I had none but sent him eight bottles of Cordials which I had purchased at Tunis for my own use —

I forgot to mention that the Bashaw desired me to take a house of his own which was unoccupied — I inform'd him that I had not seen it, but that I would give him an answer in a few days — I have since found that it is an old house entirely out of repair & that he wants me to take it in order that he may ask me to repair it at the expense of the United States I have therefore requested M^r M^cDonogh to inform the Bashaw that I would much rather live in the house where I now am — & if their is no other alternative sooner than displease the Bashaw I will

take it and pay the annual rent which is one hundred Maubooos a year & remain in the house which I now occupy, which will be much better than to repair it which would cost at least five thousand dollars —

Thursday 11th [April] It is customary when ever a peace takes place to give the Bashaw from three to five barrels of powder this I knew could not be procured here, I therefore thought proper to give the Bashaw the two brass cannon in lieu of the powder & not to receive the iron guns which he promis'd in their place supposing they would be good for very little —

5 P M Cap^{tn} Geddes M^r M^rDonogh & myself waited on the Bashaw & was rec^d in a quite diff^r manner from what we were before — after some common place conversation drinking coffee & he said he would write other letters to the Prince of America the Dey of Algiers & Bey of Tunis & desired I would send him the letters he had sent before saying he had wrote them in a passion that we were now at Peace and if the United States of America were disposed to acknowledge him to be a free & Independent Prince he was likewise disposed to do them every favor in his power — I could not thank him for my soul — we retired and on our turning round from the Audience seven guns were fired from the Castle the colours hoisted as yesterday — the *Sophia* returnd the salute and thus ends our negociation with this Regency —

JAMES LEA^r CATHCART

Tripoli in Barbary
April 13th 1799

We whose names are here unto annexed do Solemnly attest and declare that the above is a true statement of M^r Cathcarts negociation with the Bashaw of Tripoli —

B. M^r DONOGH
HENRY GEDDES

Expences attending this negociation with Tripoli

	Dollars
Promised to the Bashaw in lieu of the stores & gratification for their detention.....	10, 000
Promised to do, in lieu of the Brig <i>Sophia</i> which Cap ^{tn} OBrien promised the Bashaw.....	8, 000
Contingency's — about.....	1, 500
Consular presents including the cloth.....	4, 000
Whole amm ^t including every expence.....	\$23, 500

JAMES LEA^r CATHCART

Tripoli in Barbary
April the 13th 1799

[SDA. CL, Tripoli, Vol. 1, Part 1, Nov. 1796–Dec. 1799.]

{1 March 1799}

Presents for Tripoli

N^o 21.

Presents from Algiers by the Consul for Tripolie, to Viz

3 Caftens of Brocaid.....	348
1 Gold watch diamonded & Chane.....	300
2 Gold Rep ^{ns} watches..... @/150 dr.....	300
4 Gold plain ditto..... @/45.....	180
10 Silver ditto..... @/18.....	180
1 Gold snuff Box.....	110
2 Gold Chanes..... @/50.....	100
8 Silver gilt snuff boxes..... @/10.....	80
3 Pieces of Holland..... @/30.....	90
1 Brilliant diamond Ring solitaire.....	600
2 ditto — Small " " @/300.....	600
6 doz ^s Handkerchiefs..... @7 p ^r doz ^s	42

2930 Doll^s

ALGIERS March 1st 1799

Rec^d of Mess^{rs} Joseph Cohen Bacri & C^o the articles contained in the above acc^t amounting in the whole to two thousand nine hundred & thirty spanish dollars to be distributed *if requisite* to the Bashaw & Grandees of Tripoli on acc^t of the United States of America

JAMES LEA^r CATHCART

\$2930 dollars

Consul & Agent for the U S of America
at Tripoli in Barbary

[NA. SDA. CL, Algiers, Vol. 4, Jan-Nov. 1799.]

To David Humphreys, U. S. Minister to Madrid, Spain, from Joseph Ingraham, former U. S. Chargé d'Affaires, Tripoli

copy

CARTHAGENA 18th March 1799.

SIR, Yours of the 15th ultimo came safe to hand, wherein I am happy to learn that M^r Cathcart with the presents is gone on to Tripoli, had I been informed of that before, this disagreeable journey might have been put a stop to and I still remained in Tripoli, but Captain O'Brien's last letter of Sept^r 25th 1798 wherein he desires me to inform the Bashaw that he was daily in expectations of the arrival of the Consul and Presents, as they were to leave America the last of July, which I did, but they not arriving as soon as was expected, and the Bashaw hearing of the great Presents that were delivered at Tunis the 20th of January on hoisting the flag of the U. S. the first time, the Bashaw thought himself greatly offended and neglected by our government, and gave immediate orders to fit out his Cruisers to make reprisals on American vessels. This w^o have taken place had it not been for the influence of M^r M^oDonogh who was formerly charged with our affairs by Captain O'Brien. This gentleman expostulated with the Bashaw and got him to recal his orders, if in case I would consent to come with his letter and deliver it to Your Excellency. I proposed writing to Algiers: this he would not listen to, and told me in presence of M^r M^oDonogh, that as the Dey commanded in Algiers, so he commanded in Tripoli. The Bashaw likewise ordered me to inform Your Excellency that Captain O'Brien on making the Peace, promised him a Brig, supposed to be the *Sophia*; that now, if the U. S. wished a perpetual Peace with him he expected a Ship coppered, of 28 or 30 guns to be sent to him, as he had waited so long for the Presents.

I forward you the Bashaw's letter, as well as that of M^r M^oDonogh

[NA. SDA. Disp. Spain, Vol. 4, 1797-1799.]

[20 March 1799]

To Secretary of State from Richard O'Brien, U. S. Consul General, Algiers

N^o 25

Supposed debts of the United States, in the Negotiation pending or to be incurred, Relative to our affairs with Algiers, Tunis & Tripoli —

Estimate of OBrien for to do away the Maratime & Military Stores

Stipulated by Treaty for Tunis.....	dollars	36000
debts of the United States at Tunis by Famins Statement.....		15000
Supposed debts of Tripoli.....		6000
Tripoli Regalia, Stipulated Stores, Valued by OBrien, at.....		12000
In 4 Months, Regalia in 2 Years Presents.....		12000
debts of the loss of the Ship <i>Fortune</i> & Cargo...at.....		47987
For extraordinary's for 1799.....		20000

ALGIERS the 20th March 1799

dollars — 141987

[NA. SDA. CL, Algiers, Vol. 4, Jan-Nov. 1799.]

To Richard O'Brien, U. S. Consul General, Algiers, from Joseph Ingraham, former U. S. Chargé d'Affaires, Tripoli

CARTHENGENA 23 March 1799

DEAR SIR Before this Coms to hand I make no doubt but You will be inform'd of the Circumstance & Cause of my leaving Tripoli. boath by M^r M^rdonogh's & my letters by the way of Tunis, it was not tell too days before my Quarantine was out that I was aquanted with M^r Cathcart arival in algiers or any Exspectations of his Coming Soon. I try'd to the utmost of my Powar with His Excellency to retard my departure and let me remain in Tripoli till the arival of the Consul or we had Sum news from algiers this he would not listen to, I Proposed writing to You this he refused & in Short His Excellency would not Consent to any thing but my Immediate Departure for Spain in one of vessals with his letter for our Minister at madrid, or Immediate war that his Cruisers was ready for Sea & he had already given orders to make reprisals on our Shiping that he was determed on one or the other, and in Short left it to be determed in a short time the Step I have taken was adviseable boath by M^r M^rdonogh & Farfar — which I am sorry for as I had no other dependence then the *Independent* & Meading with M^r Cathcort for a Settlement, but Since my arival here M^r Montgomery informs me that She was unfortently Captured & Condemed by the french loded with wine & Brandy which has now left me in a verry unpleasent Sittevation

I have Sent His Excellency Letter on to madred and wait M^r Humphreys's answar to be forwarded on by Marad Raice who is now in the Port of Carthergena — waiting for the Same, I beleave His E: has wrote for a Brig on my Leaving him he told me if the united States wished a Prepeatule Peace with him they must send him a Ship Coppered of 28 or 30 guns

[NA. SDA. CL, Algiers, Vol. 4, Jan.-Nov. 1799.]

Consular Present, made at Tunis, 26 March 1799 and promised by the United States

To the				
Bashaw & Son	2 pieces linen.....	60		
	2 caftans brockade.....	232		
	1 diamond set watch and chain.....	1650		
	1 gold snuff box set in diamonds.....	1500		
	1 diamond ring, solitaire.....	600		3592
Sahiptapa.	1 piece linen.....	30		
	2 caftans brockade.....	232		
	1 gold repeating watch and chain.....	460		
	1 ring solitaire.....	575		
	6 handkerchiefs.....	12		1309
Veckil of Alg ^s	1 Caftan brockade.....	116		
	1 gold watch and chain.....	130		
	1 ring, solitaire.....	550		
	4 handkerchiefs.....	8		
	1 bag coffee.....	40		
	1 ditto pepper.....	40		
	8 loaves sugar.....	50		
	1 piece holland.....	30		964
Mustapha Hodea	1 gold repetition watch.....	150		
	1 ring, solataire.....	270		
	1 caftan brockade.....	116		536
Bash Cusac	1 gold watch and chain.....			} Promised —
Guarda Golph	1 ditto.....			
Prin ^l Sec ^r	1 ditto.....			

[SDA. CL, Tunis, Vol. 1, July 1797-Dec. 1800.]

[April 1799]

Concerning Defences of Algiers and Tunis

Copy from the Register in the U S Chancery at Tunis Ap. 1799

Quality.	Guns.	Swivels.	N ^o men.	To whom belonging.	From whence sailing
Galley	10	-----	70.	The Sahibtaba	The Goulette
Galley	16	-----	140.	Proprietors	"
Barque	22	-----	125.	Mah ^t Galloulee	Sfacs
Barque	10	-----	50.	Idem	"
Xebeck	22	-----	150.	Government	The Goulette
Corvet	22	-----	170.	The Sahibtaba	"
Barque	14	12	60.	Agi	"
Barque	18	4	110.	Mah ^t Caiasci	Monastier
Xebeck	14	10	60.	Hameida Ben ^t	Goulette.
Xebeck	14	4	60.	Mah ^t Galloulee	Sfacs.
Tartana	8	4	40	Idem	"
Galley	10	-----	70	Hameida Ben ^t	Goulette
Xebeck	10	4	50	Mah ^t Galloulee	Sfacs —

This copy is forwarded to shew the average strength of the Tunisien cruisers The guns are from four to nine pounders — In the ports of Farena, Byzerte, Sfacs and Susa are an hundred and twenty cruisers: but not in general so large as the above. Neither time nor opportunity has yet enabled me to procure an exact list of the marine strength of Tunis. It is much superior to Algiers. The vessels are better preserved and managed, and the men are much more enterprising. For the time of their cruising and cruising ground reference must be had to Captain OBriens journal, which is accurate. Their manner of attack is uniformly *boarding*. It is however owing more to the weakness and timidity of the enemy they engage than to their own superior valor or management that they make such progress in their mischief. I have seen nothing yet, neither in Algiers nor Tunis but what appears contemptible when contrasted with the force which a warlike European, or even American might oppose to it. The whole marine of both kingdoms would hardly give a *relish* to a british squadron — and would not furnish a *breakfast* to such force as the United States could without much inconvenience fit out, provided we were at peace with France. Algiers is as vulnerable by land as sea. The city is defended in its rear by an enormous stone castle about 30 feet high, standing on an elevated site which overlooks the town. About one mile west of this is an eminence which commands the castle. There is nothing formidable to the gaining of these heights by a *coup de main*. The troops may be landed in a bay one mile and an half northwest of the city without annoyance; and in one night effect the object. A battery of a few guns on the western eminence would reduce the Castle at discretion: Or the latter may be carried by an escalade, there being no ditch, pickets nor abatis to prevent it. From these two positions vengeance may be poured upon the city and water batteries below as irresistably and as effectually as the torrent upon Sodom and Gomorrow, and with as much justice —

The world have been astonished and alarmed at the failure of the great expeditions formed against Algiers. But if the world were to see the conduct of those expeditions its astonishment and alarm would cease [?] together. Orileys assault was fitted to the genius of indolent Spaniards. He landed in a bay, and encamped in a plain commanded on all sides by high ground — and he suffered his retreat to be cut off from the sea — In this situation he delayed the attack till the moors from the country collected and came upon him in clouds —

Nor did he fight judiciously when attacked. The french bombardment was bought off — And the number of shells which the Admiral had orders to throw into the city were in fact thrown one mile on its right, and are now many of them lying in the same place entire — a proof that they were not charged. All the batteries of Algiers are in a ruined condition: the gun carriages almost uniformly rotten; and garrisoned by undisciplined, half-starved turks, who devote much more time to their pipes and prayers than to their arms and police. It was impossible to get the exact number of guns mounted on all their batteries I intruded myself into every fort of importance: but it was dangerous to make any surveys with accuracy from the extreme jealousy of the Mahometans. It was very obvious however that their guns like their carriages were in a neglected situation: I could discover but one single apron among perhaps one hundred and seventy guns. The iron guns appear never to have been scaled — and the brass are with very few exceptions two thin for use —

Tunis is less vulnerable because more inaccessible. Not a gun can be brought by water to bear within twelve miles of it; and no landing can be effected within fifteen miles of it. But if once approached it has nothing like defence. Its walls are very low; without ditches and tumbling to the ground in many places. It has many commanding eminences, untenanted, within reach of it — and no defence.

But should the United States ever again have occasion to treat with this government and redeem captives (and the thing is not impossible for they will have war with somebody) Byzerte offers hostages to secure a reciprocal treaty. This city about, thirty five miles from Tunis, contains twelve thousand souls, principally moors, and of course without arms. The defence consists of three batteries, or castles, of free stone: one at the N. W. angle of the city walls, the other two opposite to each other at the entrance of the mole; the whole mounting about sixty cannon. The walls which are also of free stone are about thirty feet high, six feet deep — and have parapets and loopholes at top for musketry; but they are without ditches. The castle at the N. W. angle commands the town and other forts. This is easy of access by landing troops on the west point of Cape Blanco (where Scipio Africanus is said to have disembarked his army to march to Carthage) about six miles distant, under cover of *darkness*, and proceeding in a right line and without obstruction to its walls. An escalade might be effected with ladders without loss; for the castle has no garrison, and is only watched by an old pensioner, who every night with perfect confidence and security commits his trust, with his soul, to the guardianship of Mahomet. The parapets of the wall are now to be manned, and the garrison secured at the mole, which consists only of seventy men commanded by a turk from Tunis. The whole city are coupéd at once without a possibility of escape or resistance, for there is not one stand of arms among the citizens nor other defensive weapon, and may be forced on board the vessels before the least succour could be given from any quarter. These hostages in America would give the command of terms; for being principally moors it would produce a general insurrection in the country if they should not be redeemed at any price. Eight regular battalions could effect this enterprise. It would be more feasible and more productive than an attempt to retaliate insults upon their cruisers, which may be viewed as the wolves of the forests, it is almost impossible to catch them, and when caught they are worth

nothing. We have heard much of the irresistible intrepidity of the turkish military here. It is all hyperbola. Here is nothing like an organized military. The camp, as their force is termed, is an *awkward squad* of insolent turks, whose only feats of valor consist in swaggering once a year into the country among the wretched, defenseless moors to gather taxes. They have neither tactics nor discipline. There is not a bayonet in Barbary.

Not much should be feared nor expected from a people whose principal ministers, principal merchants and principal generals consume day after day in the same company smoking tobacco and playin at chess — While the citizens and soldiers are sauntering in rags, sleeping under walls, or praying away their lives under the shrines of departed saints — Such is the military, and such the industry of Barbary — Yet to the shame of humanity they dictate terms to powerful nations!!!

NB. The *Sahibtaba* is the proper mode of spelling ye title which I have spelt *Sahiptappa*.

[NA. SDA. CL, Algiers, Vol. 4, Jan.-Nov. 1799.]

[2 April 1799]

To Secretary of State from Richard O'Brien, U. S. Consul General, Algiers

Nº 28 —

WANTED FOR THE REGENCY —

10 barrels of tin in sheets, 4 different Sizes	} The guns, Cariages, britchens tackles, worms, Spunges & all belonging thereto must be returned to the Regency, at the return of the Polacre
200 long handled tar Brushes —	
200 long handled paint dº large —	
200 Dº Dº Dº Dº size less —	
100 Small dº dº —	
30 Sheets of Lead —	
40 or 50 barrels of lamb black —	
100 Barrels of Pitch & Tar, if requisite in the hole as ballast —	

WANTED FOR THE DEY —

600 Wt of fine loaf Sugar —
 600 dollars worth of Mahogany boards —
 300 dollars worth of Ebony boards (is there such a thing)
 100 dollars worth of black Walnut boards —
 Tamarins & Sweatmeats, W. India produce — 200 dollars worth
 6 pieces of fine India Muslins, fitting for Turbans —
 20 dozº of Madrass handkerchiefs, Different Qualities & Colours —
 10 pieces of the finest dimity — dº —
 4 pieces of the finest Linen —
 100 best, English Penknives, of different Qualities
 30 pieces of large damask, fine, for Napkins,
 20 pieces, of India Silks, with & without flowers, of different Qualities

ARTICLES, REQUISITE TO BE SENT TO ALGIERS, WITH DISPATCH ON ACCOUNT OF THE UNITED STATES—

	Dollars
Coffee green of Martinic & St domingo, amount in bags.....	20,000
Sugar in boxes & Barrels, 1º, 2º, 3º & 4 Quality dº.....	8,000
Pepper in bags.....	8,000
Conchineal to the Amount of.....	8,000
Pimento in bags.....	2,000
Rum Jamaica, in bottles to the Amount of.....	600
Cottons Ordinary, of different Qualities (I believe india).....	16,000
Cloves in butts, to the Amount of.....	5,000
Nankeens — Amount of.....	2,000
Irish Linnens, Amount 1º, 2º, 3º, 4º & 5º Quality.....	2,000
China, in Coffee & Tea Setts, dishes, bowles, & plates, of } Red, Green, & Blue, flowered or fashioned.....	1,000

	Dollars
Tin in Sheets as p ^r Pattern.....	2, 000
Horn or Ising Glass for Lanthorns amount of.....	600
Cinnamon, as p ^r Sample to the Amount of Note N ^o 1.....	1, 000
Salmon Pickle'd in Barrels & half Barrels — Amount of.....	1, 000

Amount in dollars — 77, 200

Note of N ^o 1 amount of 1000 dollars.....	1, 000
Note of N ^o 2 to the Amount of.....	1, 500
Note of N ^o 3 to the Amount of.....	3, 000
Note of N ^o 4 to the amount of.....	1, 500
Note of N ^o 5 as p ^r Samples, of amount.....	3, 000
Chintzes, Variety ^s to the amount of.....	1, 000
Muslins, Ordinary, in pieces of different Qualities.....	2, 000
Crates of Liverpool ware Amount of.....	1, 000
Ginger best Quality to the Amount of.....	1, 000
Handkerchiefs, Coloured, of Cotton, different Qualities.....	1, 500
N ^o 6. of this Fustick wood, amount of.....	2, 000
15 Barrels of Smoak'd herrings —	
75 Barrels of Pickle'd herrings —	doll ^r 95,700

To the SECRETARY OF STATE OF THE UNITED STATES.

ALGIERS *April the 2^d 1799.*

by RICHARD O'BRIEN—

Copy.

It will be necessary the Polacre to mount 16, Six pounders & 40 Men, and to be loaded with these Articles with the greatest dispatch, it will be a plan and the means of Saving heavy Sums being expended or demanded. of the U, S

[NA. SDA. CL, Algiers, Vol. 4, Jan.—Nov. 1799.]

To Richard O'Brien, U. S. Consul General, Algiers, from William Eaton,
U. S. Consul, Tunis

N^o 8

TUNIS 4th of April 1799 —

SIR, Inclosed herewith I send you a copy of our Negotiation from which you will learn, that the principal object of our Government, on alteration in the 14th article, is obtained: also a copy of the note of the articles demanded by the bey, as a present for himself on the occasion of hoisting the flag; He says it is the same which he received from Spain on the like occasion and what he resolved to have from United States, I resisted the demand, till he ordered me to accede to it or prepare to leave the Kingdom; It has been all along understood that he should receive a present, but I am suspicious our cidevant agent has projected this demand for the sole purpose of improving a refusal as an apology from procuring my expulsion from the Country with a view of recovering his place; I have indeed no reason to cherish this opinion from any thing discover'd in his treatment personally; this is obliging, friendly and officiously good natured but every body of respectability here seem to agree in pronouncing him a perfidious scoundrel; possibly the one half of this is meant as complimentary to my feelings, & so it is illy timed: for I have no concerne from influence let his projects be what they will — His disappointment is manifest, nor is it unexpected; It would indeed be a singular circumstance if he were not so, and it is natural to suppose this disappointment may produce dispositions to embarrass me: hitherto however I have experienced nothing serious of this nature, except it be this demand, nor am I certain that this suspicion is fairly founded, whatever may be the truth of the fact, situated as he is, he is rather to be considered an object of Commiseration than alarm, I believe him embarrassed in his circumstances, I know him

extreemly mortified in loosing the consulate, & think he deserves Consideration — after every other effort had failed to procure a passage for the Consul — for Tripoli, I have thought it necessary to dispatch the brig with him he accordingly embarked the 1st inst for that place, and the morning following doubled cape bon with a fair wind, the Vickele of Algiers and signior Azulia, made great exertion to procure a Vessel, and both pronounced it impossible; neutral Vessels cannot be prevailed on to touch at that port, for fear of the treachery of the bey, who, as I have before stated, is suspected of a Coalition with Buonaparte, this might also be used as an argument against risking the brig: but the emergency of our affairs there, require the immediate agency of the Consul: the utmost which can be sacrificed by the brigs going there, bears no proportion to the loss which might be sustained in consequence of delaying to prevent a war, I have advised Captain Geddess not to come to anchor in the harbour of Tripoli, and Ordered him, in case the Bashaw should demand the brig, to resist the demand by all the means in his power, — I cannot but hope this measure will be productive of good, as soon as I shall have adjusted the accounts of the United States with M^r Famin, and the Contingencies of the Negotiation you will be furnished with my report

* * * * *

We want from Algiers 3 Gold watches and Chains one of them a repeater, moderate price, two of them on the Christian Construction for the Bashcasal, Gorda Golps & principal secretary I also pray you to send me some tea, and charge in acc^t

Certified to be a true Copy by,

RICH^d OBRIEN —

P, S, 5. of April

I have received of Sigr Solomon Azulia		\$28, 000 —
this morning I closed a final settlement with M ^r Famin, and have his receipt in full, I have paid him, the balance of his		
Acc ^t Current	\$14, 960. 70/100	
Two years salary, as p ^r your advice	4, 000	
Two years house rent @ 500.....	1, 000	19, 960. 70/100
<hr/>		
Add expenditures —		
Secret service	4010 —	
paid Azulia p ^r your advice.....	400 —	
“ provisions for the brig.....	383. 98/100	
“ Consul Cathcart, advance salary.....	250 —	
Incidental Charges.....	892. 52	5 936. 50
<hr/>		
Out fit.....	2000	2 000.
<hr/>		
		27, 896. 20
		103. 80
Balance		\$28, 000 —
<hr/>		

In the incidental charges is this sum for Subsistance during my detention, after my arrival in Philadelphia and supplies for the Voyage..... 382. 52 Cts

I have taken on myself all payments of a public nature since leaving Philadelphia —

Certified to be a true Copy by

RICH^d OBRIEN

To Secretary of State from Richard O'Brien, U. S. Consul General, Algiers

N^o 36.

ALGIERS April the 6th 1799 —

DEAR SIR, You will observe that the letter I had from Consul Eaton was dated the 21st of March, but Bockeris & Busnahs had a letter from thier friend Solomon Azuli, Eatons Banquire at Tunis, this letter was dated 5 days after Eatons, and Mentioned that the Articlees, which were in the Treaty, & objected too by the Senate, would be alter'd, agreeable to the request, or as Consul Eaton thought proper to have them & that the whole business in Tunis, relative to the affairs of the United States, would be settled on the plan proposed, if so, the government of Tunis will accept of Cash payments, in lieu of the Maratime & Military Stores, I am not too sanguine on this business, as I have not this Officially from Eaton, but I shall know by the return of the *Sophia*, which I expect here the first Easterly winds and with the first spurt of said Winds, the polacre will sail from here — destined for Philadelphia —

Consul Cathcart still remains at Tunis, I have advised him to proceed and for Eaton to push him on for Tripoli, as there is a Necessity of his being there on many important Considerations —

* * * * *

I will now observe to you my D^r Sir, & I pray God that you or the United States, will never loose sight of it, or of this National Object, that is the great and urgent Necessity of keeping up a Marine force the frigates, sloops of war, brigs & Schooners, for it is my Candid & Sincere Opinion that there is the greatest necessity for this Marine, that there is no great dependance to be put in any of those Barbary or Christian States, we might have an extended Commerce, a sudden WAR, out starts the Corsairs, in comes 60 Sail of Americans, and all this might be prevented, by our having a fleet of Corsairs Armed and prepare'd, & ready to act on any sudden emergencies, those people would know, & should see, that we had some ships of force, to defend and protect our Just Rights, & without Corsairs, we have no business of an extended Commerce, or Occupying these out posts, the deans, Swedes, British and infact all nations that has Commerce in the Mediteranian and Seas Adjacent, has at all times, frigates & Corsairs, ready to afford it the Necessary protection, and now and then one or two of the United States, frigates, might call in or off Algiers and Tunis, & towards Italia, it would shew them the United States had if Necessiated some Corsairs to protect their Commerce —

OBrien, Eaton & Cathcart might be compare'd unto 3 light houses erected on 3 dangerous shoals, said light houses erected to prevent Valuable commerce runing thereon; said light houses has been erected, at a Vast expence to the Commerce of the United States, to prevent Merchant Ships runing thereon, it will cost the United States some money to keep said light houses in Repair, to keep the requisite lamps burning and other Necessary expences, * * *

* * * * *

The time is favourable for the United States peace with Constantineople, and might be made easily through the Channel of Algiers, If I had powers; The algerine General of the Marine goes for Constantineople, and fearing, that the Turkish Corsairs might fall in with American Vessels, he has promised me to sound Soften and Meliorate, and use his influence, on our affairs, if it should be Necessary in any

respect — There will always be Veering and hauling business of 30 or 40 thousand dollars, between the United States, and Algiers, —

O'Brien got Married the 25th of March, if there is a possibility You will permit, M^r Walcott and M^r Francis, to peruse these dispatches; I beg my best respects to them and be Convinced my Dear Sir,

RICH^d O'BRIEN

[NA. SDA. CL, Algiers, Vol. 4, Jan–Nov. 1799.]

A List of Captives in Algiers 8 April 1799

Genovisa.....	109	Sardinians.....	4	
Napolitana.....	92	Tuscans.....	2	
Venizania.....	76	Francaisa de Oran..	63	
English.....	8	d ^r from le Calla....	91	
Ragusees.....	3	Spaniards.....	12	
Portuguese.....	37	Romans.....	4	
Imperialia.....	62	Greeks.....	376	
Malteese.....	39			
Piedmonteese.....	29	total.....	1026	belonging to Govt
Corsicans.....	19			

To this account should be added 300 more who are slaves to particulars, as also 250 French daily expected, supposed to be emigrants from Leghorn fled and taken by the Algerines.

(Signed) RICH^d O'BRIEN

[NA. SDA. Disp. Spain, Vol. 4, 1797–1799.]

To Richard O'Brien, U. S. Consul General, Algiers, from William Eaton, U. S. Consul, Tunis

N^o 9

TUNIS 10th of April 1799 —

DEAR SIR, On the 4th inst, I forwarded you the result of our negotiation —

On the 6th the prime Minister — Mustapha Hogeia, returned his present to me, from a resentment he felt on account of its being less, than the Sapatapa's, who he says is the second Minister, and demanded the balance —

On the 7th a demand came from the Admiral, for a gold headed cane, a gold watch and Chain, and twelve picks of cloth, which is said to be Customary, & which it will be difficult to evade —

This morning a demand came from the Aga of the Goulette for the customary present on the occasion of the first Vessel of War coming to anchor in the Bay, In answer to this I have said I will make him a present of a copy of the Treaty —

But what is more extraordinary is a demand of Mr. Famins brought forward Yesterday, for the sum of one thousand nine hundred and eighteen dollars 21/100, on account, of repairs alterations, paper hangings, &c for the house, including nine months additional house-rent, and a few articles of furniture I have not answer'd this demand, nor will I, without being compelled, this afternoon is appointed for the Adjustment a Combination of beggars and thieves! I would as soon contract to satisfy the grave, the barren womb, and the devouring fire, as to Content these scoundrels with presents the revenue of our Country would be inadequate to it; the prime Minister must be silenced, with the smaller Rascals, I will hold a parley and play them off, if possible

I have made an endorsement on the two receipts which Signior Azulia has on hand, which explains its self —

M^r Cathcart's packet was omitted in my last through forgetfulness — [Signed by W. Eaton.]

Certified to be a true Copy
by RICH^d OBRIEN

[NA. SDA. CL, Algiers, Vol. 4, Jan.—Nov. 1799.]

To Richard O'Brien, U. S. Consul General, Algiers, from James Leander Cathcart,
U. S. Consul, Tripoli

TRIPOLI IN BAR^y April 13th 1799

SIR, When I was at Algiers, you gave me to understand, that I would have no difficulty whatever to encounter at Tripoli, on my arrival here I found it Otherwise; I have however surmounted them all by the help of our friend Doct^r McDonogh who I am sorry you have so much neglected; I am now happy to inform you, that the United States of America is in perfect harmony with this Regency (if I may be allow'd the term) the particulars of our negotiation you will be informed of by Captⁿ Geddes, as I do not think proper to detain the brig longer than I can avoid, otherwise I would give you a detail of the Negotiation, which you must now request of the Secretary of State —

I have been informed from Indubitable authority that you promised the Brig *Sophia* to the Bashaw of Tripoli, and Captⁿ Geddes informed me that you told him, you had made the Bashaw a Kind of a promise by the way, of *Greasing the way*, now Sir you know that such promises must be fulfilled, I therefore was Oblidged to redeem your promise by Giving the Bashaw 8,000 dollars, in lieu of said Vessel, and for the Stores, and his condescension in waiting so long for them, 1000 [10,000], the Contingent expences will be about 1500 which in all makes 19,000 [19,500], Consular presents excepted out of which I have saved one diamond ring one repeating watch, four Silver ditto, two snuff Boxes, one piece of holland and two dozen of handkerchiefs —

M^r Farfara has become responsible for said Sum which is to be paid immediately, I therefore request you will honour said Farfara's bills upon sight, to the amount of 17,000 dollars, the two thousand Algerine Sequins, which I received from Azulia, I have given to the Bashaw, in part payment, Farfara has not made out his accounts yet, when he does, I will forward them onto you, —

M^r Ingraham has not left one single document in this Office, he has taken even the treaty away with him, I am Credibly informed that he has not spent above fifty dollars on the house I now live in and as for his public dinners, there is no body here to eat them —

M^r Eaton and myself has found by experience that the interference of the dey of Algiers with either of the other regencies has been detrimental to the affairs of the United States, our Government must therefore drop the Idea of Soliciting his mediation, & endeavour to Cultivate the friendship of the reigning Princes for the time being, as both here and at Tunis they are determined to be respected as independent princes —

* * * * *

Certified to be a true Copy
by RICH^d OBRIEN

I never Say'd to M^r Cathcart that I herd M^r OBrian Say he had promis'd the Brig *Sophia* to the Bashaw of Tripoli

HENRY GADDES

[NA. SDA. CL, Algiers, Vol. 4, Jan.-Nov. 1799.]

[15 April 1799]

Quasi-War, United States and France

[NOTE.—See letter of 15 April 1799 from Secretary of the Navy to Captain Thomas Truxtun, U. S. Navy, summarizing the disposition of the United States naval forces, and the progress made in creating protection to American commerce against French privateers; printed in "Naval Documents, Quasi-War, United States and France", third volume (April to July, 1799) pp. 49-51.]

[15 April 1799]

To President John Adams from the Bashaw of Tripoli

[*Translation from the Italian*]

To His Excellency JOHN ADAMS, *President of the United States of America &c &c &c.*

(Seal)

By the arrival of your Consul, James Cathcart, We have received your kind Letter dated the 21st of December last, the contents of which have been duly attended to. In answer we have now to inform you that we have been much surprised to see the said Consul arrive without bringing with him, after a two years expectation the present of ammunition agreed upon at the conclusion of the last Peace, — as well as the Brig which was promised us by Captain O'Brien. This your negligence with regard to us, had in such a manner offended us, that we were resolved not to receive the said Consul; But our Doctor B. M. Donogh has made us so great intreaties to prevail upon us to enter into a negociation with the said Consul respecting the points alluded to, that with a View to gratify his desire and to preserve unaltered the friendship which subsists between us, we have agreed to do it; And after some controversy on the subject, we have agreed to receive the inconsiderable sum of ten thousand *Pezzi duri*[*] (a coin) in the place of the Present of ammunition, and that of Eight thousand *Pezzi duri* as a substitute for the Brig aforesaid; Whereby we have consummated the Peace which shall, on our side, be inviolate provided you are Willing to treat us as you do the two other Regencies, without any difference being made between us. — Which is the whole of what we have, at present, to say to you, wishing you at the same time the most unlimited prosperity.

Done at Tripoli of Barbary,
this 15th of April 1799.

The above was written by command of his Excellency Yusuf Caramanli, Basha of Tripoli who affixed his seal at the top of it.

[* hard dollars.]

[SDA. CL, Tripoli, Vol. 1, Part I, Nov. 1796-Dec. 1799.]

[23 April 1799]

To Secretary of State from Richard O'Brien, U. S. Consul General, Algiers

On the Morning of the 22^d of april I received this information, [*] which I immediatly Communicated to the general of the marine. and requested — he would fully acquaint The Dey — and Sent on the same business — to the prime minister. The result is that the dey declares again. that the United States. treatie with Tripolia is fully under his gaurentee. and has forcibly wrote to the Bashaw of tripolia on this business declaring that as to the Maratime and military stores stipulated by the U.S. for Tripolia — that the Dey is in all respects. responsable, this letter goes by a direct conveyance for Tunis & is to be forwarded from thence by the Algerine Agent. by a Special Currier for Tripolia. more is not in the power of The Subscriber —

Algiers — April The 23^d 1799

[*See Letter to Richard O'Brien from Joseph Ingraham dated 23 March 1799.]

[NA. SDA. CL, Algiers, Vol. 4, Jan-Nov. 1799.]

[about 30 April 1799]

Effects granted to Tunis by United States

Note of the effects granted to the regency of Tunis by the peace with the United States of America.

26 cannon, 12 pounders.	
14 ditto, 8 D°	
40 carriages.	
12000 cannon balls of 24, 18, 12, 8 & 6 pounds.	
250 quintals of gun powder. Understood quintals at the Palace	
50 d° priming powder.	
20 Keels of 52 feet length.	
500 Knees of oak.	
200 forked knees of D°	
x 60 masts	
300 ash oars, of 34 feet length.	
a 800 oak planks for sheathing, 4½ Inches thick & 32 feet long.	
b 5000 pine D°, 4 Inches thick & 18 feet long.	
c 300 pieces of scantling, 14 inches square and 40 feet long.	
10 cables of 14 Inches.	
10 ditto 12 D°	
15 hawsers of 6, 7, & 8 Inches, — and 120 fathom in length.	
600 quintals wrought iron.	
200 barrels of pitch.	
200 ditto rosin	
200 ditto tar.	
40 quintals match rope.	
† 200 quintals cordage, of 1, 2, 3, 4, & 5 inches.	
(Regala supposed to amount in dollars.....	35, 000
Peace cost in money.....	50, 000
Peace presents.....	12, 000
Consuls presents.....	4, 000
Lack atappa or secret service.....	6, 000
Total amount in dollars.....	107, 000)

x In Captain O'Briens list of stores as originally stipulated, the 60 masts had not any prescribed dimensions.
 a. In ditto, these planks were to be only 2½ to 3 inches thick, & 12 to 16 feet long.
 b. In ditto these pine planks were to be only 3 inches thick 12 broad & 12 to 16 f. long.
 c. In ditto — the ranging timber was to be pine, 9, 10, 11 & 12 inches square, without any prescribed length.
 † These 200 quintals of cordage are an entire addition.

T. PICKERING.

To David Humphreys, U. S. Minister to Madrid, Spain, from Richard O'Brien, U. S. Consul General, Algiers

copy

ALGIERS May 6th 1799

Dear SIR — Your esteemed favors of the 15th of March I rec'd the 22nd of April and a letter dated March 24th from Cap. Ingraham, then at Carthage which was the first information I had on that affair, but it was what I daily expected owing to the detention of the stipulated articles, the peace being made 2½ years on this affair of Tripoly I apply'd to the Dey he wrote immediately with all his force M^r Cathcart sailed in the *Sophia* the 1st of April from Tunis. He had a strong letter from the Dey telling the Bashaw Algiers was responsible on American affairs and had some presents and cash from here which with his powers from the government of the U. S. I suppose he has studied and arranged our affairs as I have information from Tunis that the *Sophia* returned there from Tripoly the 18th of April but my letters from Consul Eaton is of the 16th by the Dey's influence Eaton is in his post Famin is unshipped and remains a poignant enemy to the interests of the U. S. I perceive by Consul Eaton's statement to me that since he has been in Tunis he has paid 32 thousand dollars The presents he carried from here was upwards of 6000 Dollars and it seems the Bey demands presents of friendship of nearly 41,000 Dollars. The three articles which prevented the Senate from ratifying the treaty with Tunis was so modified or agreed to by the Bey A few days afterwards he retracted and that part of the business is unfinished Consul Eaton made the Bey an offer in lieu of the maritime and military stores and all demands 50,000 Dollars. The Bey rejected it and added, as viz. "Consult your government I give them six months to give me an answer and to send the presents If they come in that time well if not take down your flag and go home" Under all those considerations I intend to send the *Sophia* to Lisbon with the whole dispatches and statements of our affairs to M^r Smith and with bills for him to pay those debts incurred I have no money but what we get on credit from the Jews they must be paid Also there is 24,000 Dollars relative to the ship *Fortune* In fact Sir these are all unavoidable expences incurred in making our peace and fulfilling some parts of our negotiations and they must be either paid or there must be an end to our affairs It will be in my opinion a question with the U. S. Is it our interest to be on those terms at peace or war with the Barbary States If peace pay those bills and expect others If War first send forward your corsairs withdraw your commerce and be prepared for maintaining a young Marine in Europe for periods of years. On the 22nd of february I had a full settlement of our affairs with this regency The whole peace stipulation is settled and 2 years and 9 months of our annuity Depend I have saved on this business to the U. S. full 150 fathom of cable The 1/3rd of the cargoes of the *Independent Jupiter* and *Newport* was not receipts for so that on account of the ignorance or neglect of M^r Clark this was a dead loss to the U. S. and I had no alternative but to give the brig corsair to the Dey He said the U. S. gave the frigate & great sums to the late one Cap. Smith in the U. S. Polacre the *Dey* sailed the 25th of April having eight guns 9 pounds with 60 men The crew of the late *Hassan Bashaw* and *Lelah Eisha* I expect by this time he is well advanced on his passage to Philadelphia The *Sophia* is reinforced with the officers and crew of the *Skjoldbrand* and has 58 men I expect her here daily The *Hero* Captain Robertson we have no account of and I suppose said vessel is foundered.

On the 23^d of March sailed seven sail of Algerine corsairs to this date none has returned * * *

* * * * *
[NA. SDA. Disp. Spain, Vol. 4, 1797-1799.]

To Secretary of State from William Eaton, U. S. Consul, Tunis

TUNIS 1. June 1799

SIR, On the fourth ultimo the United States' brig, *Sophia*, departed this port with dispatches for the department of State, the substance of which was, The treaty with alterations — The consent of the Bey for six months forbearance in expectation of the regalia of maritime and military stores — this demand for a present in jewels — and his request for a cruiser — Also a copy of my journal during the negotiation — Nothing of immediate moment has transpired since her departure —

I am collecting information with a view of answering the enquiries of the additional instructions of Dec. 24. which will be communicated in the report of next month — Should this arrive before the *Sophia* it may apprise our government of the necessity of immediate exertion to send forward the stipulated regalia as the only mean of preserving the peace —

I forward to Captain OBrien a general statement of my account of payments for the United States up to the day of the *Sophia's* departure, accompanied with a triplicate of Citizen Famin's receipt in full; a copy of which he is desired to forward, through a safe medium, to the Secretary of the United States —

[SDA. CL, Tunis, Vol. 1, July 1797-Dec. 1800.]

To Secretary of State from William Eaton, U. S. Consul, Tunis

(Triplicate)

TUNIS 15th June 1799.

SIR,

* * * * *

Muslins, stuffs, fine cloths, iron, coffee, sugar, pepper, and spices of all kinds, bleached wax candles, cochineal, dried fish, and lumber, are articles of importation much wanted and which would command great prices in cash, at least three hundred per cent more than in America. — But no adventures should be made hither by merchants of the United States until a full confidence in the integrity of our government shall be established and the twelfth article of the treaty, which admits merchantmen being pressed into the service of the Beylique, shall be altered or expunged — and perhaps it may not be improper to advise the public of this caution. — If a commercial intercourse with this kingdom should ever become a sufficient object to the citizens of the United States to induce a disposition to alter that article, it is probable it may be done without difficulty, provided a good understanding shall be obtained with the Bey.

Tunis — Cruises in each month from 1790 to 1799

Months	1790.	1791.	1792.	1793.	1794.	1795.	1796.	1797.	1798.	1799.	Total
January	3.	1.	2.	3.	3.	1.	1.	3.	2.	6.	17.
February		1.				1.	2.		2.	5.	6.
March	3.	3.		2.	3.	4.	4.	5.	5.	4.	29.
April	8.	7.	2.	7.	2.	7.	7.	2.	17.	3.	59.
May	7.	4.	8.	3.	4.	9.	8.	13.	9.	2.	65.
June	4.	6.	8.	10.	9.	15.	13.	11.	10.		86.
July	7.	3.	5.	4.	5.	7.	7.	11.	6.		55.
August	2.	4.	6.	17.	5.	8.	10.	16.	6.		74.
September	2.	5.	3.	9.	5.	8.	4.	5.	14.		55.
October	5.	2.	1.	6.		4.	5.	9.	13.		46.
November	1.	3.	8.	2.	5.	3.	2.	4.	7.		35.
December		1.	1.	4.	1.	4.	5.	11.	3.		30.
Total	42.	40.	44.	69.	42.	71.	70.	90.	94.		

N. B. The whole number of cruisers including half gallees mounting swivels and patereroes only are between an hundred and twenty and an hundred and thirty. None of their guns exceed 12 pounds.

The foregoing list and annexed schedule exhibit in a summary view the most correct information attainable of the naval force of Tunis, the species of armed vessels, the number of their guns and men, and the times of the year they go to sea, also the increase of the navy the last ten years. * * * But twenty cruisers have gone out this year as will be seen by the schedule. These are not carried out in my columns of total numbers because of preserving the monthly proportion of cruises.

* * * * *

The cruising ground of the corsairs of this Kingdom has heretofore been in the vicinity of Corsica, Sardinia, and Sicily, on the coast of Genoa, Tuscany, Naples, Calabria, and in the entrance of the Adriatic Sea, — and even as far up as Venice. But these coasts, having fallen under the protection of the belligerent powers, now afford no game. Their mode of attack is uniformly boarding. For this their vessels are peculiarly constructed. Their long latteen yards drop on board the enemy and afford a safe and easy conveyance for the men who man them for this purpose. But being always crowded with men, they throw them in from all points of the rigging and from all quarters of the decks, having their sabres grasped between their teeth and their loaded pistols in their belts, that they may have the free use of their hands in scaling the gunnels or netting of their enemy. In this mode of attack they are very active and very desperate. Taught by revelation that war with the Christians will guarantee the salvation of their souls, and finding so great secular advantages in the observance of this *religious* duty their inducements to desperate fighting are very powerful. Proper defence against them are high nettings with chains sufficiently strong to prevent their being cut away — buskshot plentifully administered from musquets or blunderbusses — and lances. But it is always best to keep them at distance that advantage may be taken of their ignorance at manoeuvre. —

* * * * *

Among the other miscellany of this letter the aggressions of these pirates which have lately happened, and some reflexions on the affairs which intimately concern our nation I hope may not be considered wholly impertinent.

* * * * *

(Triplicate)

On the eighth of September last five Tunisian corsairs, carrying nine hundred and ninety men, landed in the grey of the morning upon the island of St Peters in the dependence of Sardinia, captured and brought prisoners to Tunis seven hundred women and children and two hundred and twenty men. The description given me by the British consul of the barbarous and brutal conduct practised upon these unfortunate defenceless wretches would shock a savage. The able bodied men of the island being at their vintages in the country these people fell a feeble sacrifice to the merciless assailants. Decrepit age, delicate youth, and helpless infancy were tumbled head-long from their beds, precipitated down flights of stairs, shoved out of street windows, driven naked in an undistinguished croud, without respect to sex or circumstance, through the streets, and crammed promiscuously into the filthy hold of one of their cruisers; in this manner bro't across the sea, and in this wretched plight goaded with thongs thro' the streets of the city by their relentless captors; driven to the common auction square, and consigned to slavery. — The King of Sardinia, distressed as he has been on the other hand by the crimes of the republic, has not hitherto found the ability to redeem them at the enormous sum of six hundred and forty thousand dollars, which the Bey demanded. He has lately appointed an aged and respectable Count Porcile, who has been four times before an ambassador to this court, and who is now here to negotiate the terms of their redemption. He has at length prevailed on the Bey to accept the sum of two hundred and seventy thousand dollars, but the terms of payment are not yet agreed upon. There is however a prospect of their release.

The old, the infirm, and the infants, who were unfit for slaves have been obliged to shift for themselves. They could not find subsistence. Charity dealt her sparing morsel to them. — They have suffered much; but the consuls severally contributed something to their relief. I received a letter from the Sardinian Secretary of State, and another from the Consul General appointed to be charged with the affairs of all nations who have not a consul established in that Kingdom, soliciting the good offices of the American Consul in this affair: the latter seemed to claim as an obligation, intimating that he had often rendered disinterested services to Americans in Sardinia. — I gave one hundred dollars.

When war was declared against France the consul and all his countrymen were confined in close prison and their property sequestered, notwithstanding a treaty stipulation that the consul and others of his nation should be allowed one year after declaration of war to adjust their affairs and depart the Kingdom. * * * I am at this moment convinced that it was with a view of finding pretext for a war that the bey and his minister laboured with so much perseverance to dragoon or manoeuvre me into a promise of a regalia of jewels and a cruiser. It is my decided opinion that except something shall appear for us before the first of February the die will be cast against us and a sweep made among our merchantmen. I wish my alarm may prove the child of timidity, but since, from arguments already given, it has taken possession of my belief, I cannot forbear my importunity on a subject of so much importance. We owe our peace at this moment to the victory of Lord Nelson.

I submitted my opinion by Captain Geddes that a small cruiser of 18 or 20 guns would be well given. I am still of that opinion in case a force be not sent out. I have before said that there is no access to these courts without paying the way with gold or cannon balls. Humanity condemns the policy of putting arms into the hands of these madmen, but we are not singular in this policy. Besides, considering the intrigues of our rivals here we ought perhaps to feel no remorse on this score other than what the danger of those arms being turned against ourselves should produce. I have also advanced my opinion that a respectable armed force in this sea would be among the best precautions against a predatory war. How often is the Maxim repeated in America, "To preserve peace be prepared for war?" But how should this preparation be productive of its object if the world are ignorant of it? * * *

Were I to dictate measures to the United States they would read thus. — "Send out the *stipulated regalia*; for being stipulated it is become a debt, — accompany it with a respectable force and under our guns make the tender on the legal principles of a tender, that if refused they should annul the obligation. After this act of justice is performed, if the President should think proper to offer something conciliatory, something 'to turn away wrath' let it be done gratuitously, and in such a manner as not only to confer an obligation, but to impose a sense of it also. Pray let nobody suspect I am for war: Otherwise. — These measures I do believe necessary precautions against so serious an evil. — But they will be attended with expenses.

* * * * *
 The Brest and Cadiz fleets are in this sea, The former consisting of nineteen ships of the line and eleven frigates; the latter of twenty four ships of the line and [space] frigates. The English are said to have fifty one ships of the line here watching their motions.

* * * * *
 [The deletions cover material of a general nature, giving a brief history of the political, geographical and commercial conditions of Tunis and other countries.]

[S.D.A. CL, Tunis, Vol. 1, July 1797–Dec. 1800.]

[24 June 1799]

To William Smith, U. S. Minister to Lisbon, Portugal, from William Eaton, U. S. Consul, Tunis

(Duplicate)

TUNIS, 18th July 1799.

SIR

* * * * *
 I have earnestly insisted on the necessity of showing a force in this sea. — The arguments advanced in favour of the measure accompany this in two letters to Colonel Pickering. If they should coincide with conclusions you may form from the premises it is hoped they will have your support. The patience and submission with which we have suffered spoliation and robbery from Algiers have encouraged the insolence and avarice of Tunis. The consequent demands of the Bey I consider as inadmissible as they are unjust. It would be degrading to the United States to yield to them. I have given him no reason to expect it so far as it respects the demand of jewels; but on the contrary

have assured him that my government would reject the demand. We must at some period dare begin to resist demands of this nature. — Why should farther sacrifices be made before we try the experiment of resistance? Humility invites insult. The greater our concessions the more accumulated will be the demands upon us. Nothing can be more absurd than to expect by presents to satisfy the demands of these marauding and beggarly courts, who have no sense of gratitude, no sentiments of honour, no respect for justice, no restraint from fear, and whose avarice is as insatiable as death. — * * * But what is still more extraordinary and still worse, we have really been stupid enough to engage the friendly mediation of Algiers to obtain a peace with Tunis, and have solicited the guarantee of the former for the good faith of the latter! This is placing money in the hands of one highwayman to keep it out of the hands of his companion, and taking one horsejockey to guarantee the word and honour of another. The consequence is we are plundered and disgraced without securing our object, while our agents have shared the booty. These arrangements were brought about by a brace of Frenchmen and their Hebrew coadjutors who have been allied and sharers with the regency in the produce of their agency. * * *

I am more and more convinced that the mode of our negociation with these regencies must be so reformed as to remove the impressions that weakness and fear have dictated the measures to which we have hitherto yielded.

Already have the United States expended more than one hundred thousand dollars in their negociations with Tunis, without securing a peace. — The stipulated regalia and extraordinary demands of the Bey, if complied with, will amount to little short of two hundred thousand more. Without this compliance we are threatened with war. — I do not believe we are much more safe at Algiers. For the least delinquency the government of the United States will be arraigned at the tribunal of the potent Dey, and ammerced in damages a frigate or a 74. — One half of these expenses the United States may place to the account of French agency. My predecessor here is a slave, and a base one because a voluntary one, besides being a swindler and a Frenchman.

* * * * *

But to return to the subject. America must shew a force in this sea. National interest, honour, safety demand it. The appearance of a few frigates would produce what the whole revenue of a country would not. They would produce impressions of terror and respect. Without force we are neither safe nor respectable here. Does not good policy dictate this caution against aggression before we shall be compelled to the measure to chastise outrage? * * *

* * * * *

Let the government of the United States at least send one ship of war to convoy out the regalia to Tunis that these people may be persuaded that defense grows in our country.

N. B. The original of this duplicate was forward through the American house at Algiers on the 24 ult accompanying dispatches to the department of State — of which the inclosed are copies —

To William Eaton, U. S. Consul, Tunis, from Captain Henry Geddes

LISBON 26th June 1799.

DEAR SIR I take the first Opportunity of informing you I Arriv'd here the 18th and of Course was put into Quarters but by the Exertions of L^t Buckley was Cleared on the 21st when I waited Upon Lt^t Smith, who proposes my Sailing in the Course of 4 or 6 Days for Philadelphia. he Read to me a Letter From You in which You Mention my having your Dispatches on board and Your wish of his Seeing them. In Consequence of which I have handed to him all your Disp^{ts} Except that Directed immediately for Me. as to news we have none. The Day we Got Pratick a Small fleet of Americans Sail'd two of which was for Phil^a I wrote to the Sec^{ry} by them I also had an Opp^{ty} of writing by Gibraltar which I Embraced

I Sail'd From Algiers on the 28th Ult. on the 2 Ins^t fell in with a British Convoy Under the *Uropa* Com^d Stephenson who politely took me Under his protection and Requested I woud keep a head of the Fleet. he gave me the Gen^l Instructions also private ones. on the 4th the Philadelphia Ship *Belvedere* Capⁿ Frankford Joyn'd us he was from Alicante to Stop at Gibraltar Some time. in his Vesell was M^r and M^{rs} Ingraham the Late Charge Du Affaires at Tripoli on the 5th the Fleet Came in in Tituan Bay when M^r Ingraham Came Along-side but Could not Come On board. He Did not tell me he was going for Philadelphia but from his being on board the *Belvedere* I suppose he is —

* * * * *

[Notes on back of letter]

The *Sophia* leaves Lisbon July 10 — arrives in America Sept. 10 3 m^{os} required for fitting out and 3 m^{os} for passage — Returns may be had from America March 10. Possibly by the 10. Jan^y next.

Henry Geddes Captain U. S. N. Commanded the 20-Gun Penn^a State Cruiser *Congress* in 1781; in which he fought and captured the British 16-Gun Sloop of War *Savage*.

[HS of Pa., NDA photostat.]

To Secretary of State from James L. Cathcart, U. S. Consul, Tripoli

Duplicate

TRIPOLI IN BAR^y July 9th 1799

D^r SIR * * * [Comments regarding marriage of Richard O'Brien omitted.]

By the dispatches entrusted to the care of Cap^{tn} Geddes & the enclosed acc^t cur^t (a) you will be inform'd that in lieu of the brig & stores promised to this Regency I agreed to pay cash 18,000 dollars & that the contingent expences amounted to 1500 more the whole making the sum of 19,500 dollars — to discharge the above sum I have paid cash 2000 Algerine Sequins drawn by me at Tunis equal here to 3500 dollars — On the 10th of May I gave Sig^{re} Leon Farfaro a bill upon M^r Eaton at Tunis payable 50 days after sight to the order of said Farfaro for 10,000 dollars & two upon M^r OBrien for 3000 each payable 15 days after sight — M^r Eaton in his of the 4th of June informs me that he will make provision for the payment of the above when it becomes due & at Algiers there is no doubt but M^r OBrien will do the same — When said bills (which I have been so fortunate as to negociate at their full value) are paid this Regency will have no claim

whatever on the United States of America, some small presents excepted which custom has made a rule for all nations to pay which are at peace with them —

* * * * *

Should these Pirates capture any of our vessels on any pretense whatever & that I should find it impossible to clear them by fair means? pray Sir how ought I to act, ought I to submit to the insult offer'd our flag as the Sweeds have done & wait the determination of government, or ought I to bribe as the Danes have done & by that means encourage those villains to commit greater depredations on our commerce — Was I to follow the dictates of my own reason I would leave the country immediately & advise our government to send two of our largest Frigates with four boats capable of carrying a 12 pounder in their bow *each*, besides the ships boats which is a sufficient force to send against these poltroons — I would join them at Tunis or some other rendezvous & on my arrival in the Bay of Tripoli I would make a formal demand of all the property plunder'd from the United States with every loss occasioned by the alteration of the voyage detention &c and 20 or 30,000 dollars as a fine for their presumption, if this was not acceded to immediately I would destroy every Cruizer in their Port which might be done with the greatest ease by the above force? Their being ten in number mounting from 10 to 32 Guns each & defended by two fortifications which could not bring above seven guns to bear upon any object to seaward — If we put up with the first insult you may depend Sir we will be continually exposed to a repetition of them? at any rate our commerce in the Mediterranean will never be upon a respectable footing unless our Ships of War occasionally makes their appearance in those seas — It is now time Sir to consider what steps ought to be taken in case of necessity for when the evil happens it will be to late to ask advice; I have wrote to M^r OBrien on the subject & shall act as may advise untill I have the honor of hearing from you which I pray may be soon—

Comodore Donald Campbell in the *Alphonso* a Portuguese Ship of 64 Guns arrived here May 6th & remain'd untill the 20th in which time he took the Tripoline Admiral & burn'd another Cruiser of 18 Guns he then concluded a Peace for Portugal with this Regency, their treaty to be as favorable in every respect as the existing Treaty with Great Britain — I have sent copy's of the whole proceeding to Mess^{rs} OBrien & Eaton who I have requested to forward copy's to you & M^r Smith —

(b) Enclosed you will receive the terms on which the peace between Portugal & this Regency was concluded & you will please to reflect that this was effected by one 64 Gun ship only — I shall endeavor to forward to you copys of my Journal & acc^{ts} cur^t every six months if opportunity serves & shall constantly correspond with Mess^{rs} OBrien & Eaton who will transmit to you copy's of my letters as it sometimes happens that a vessel does not sail from here for Europe in six months —

I have rec^d a visit from the Bashaw & Grandees which has put me to a small expense, I have likewise deliver'd presents to him in consequence of the circumcision of his Son Aly to the value of about 700 dollars, the articles which composed said presents the value of 65 dollars excepted I had saved from the Consular presents which I got at Algiers —

This letter goes Via Ivyca & Alicant that it may arrive soon & find you enjoying as good health as I wish you is the sincere prayer of

JAMES LEA^r CATHCART

* * * * *

[SDA. CL, Tripoli Vol. 1, Part I, Nov. 1796–Dec. 1799.]

To Secretary of State from William Eaton, U. S. Consul, Tunis

July 15th 1799.

SIR,

* * * * *

Interest was making with the governor of Porto Farina and the Sappatappa to influence the Bey into the measure, and the prospect was considered not wholly desperate though not flattering. I had assured the Sappatappa that if he would procure a final settlement and discharge of all demands for any sum short of ninety thousand dollars he should be entitled to receive ten thousand dollars promptly in consideration of his good offices. — He seemed much inclined to the argument.

On the 28th ult. he gave a dinner at his garden, Present, the English and Imperial consuls, the Portuguese and Sicilian ambassadors and the american agent, besides several principal Turks. In the morning of this day I took the opportunity to obtain his decided opinion relative to the cash substitute. He gave it that the project was not feasible; said that the Bey had purchased and was purchasing all the ammunition he could procure: that he had sent vessels to Trieste, Mahon, and Spain for maritime and military stores, such as he expected from America, without being able to procure them. That he was sending to Gibraltar and England with the same views. That the delinquency of the United States had occasioned great disappointment, particularly so at the present crisis. It had operated to retard and indeed to defeat plans of national defence and enterprize the entire execution of which depended on these munitions of war. He was authorised again to declare that no sum of money would be considered an equivalent to that regalia. He hoped, if the timber could not be procured immediately, for I told him it was yet growing on the sources of our rivers, that the guns, ammunition, pitch, tar, rosin, cordage, and such other articles as are to be found in our magazines, would be forwarded without delay.

It is worthy of remark here that while we were at dinner a body of Turks came armed to the garden, and even into the court-yard, and demanded money, alledging *that the government having made peace with every body had reduced them to famine; but they were resolved not to starve!* This circumstance confirms the opinion heretofore advanced that they must be let loose upon some body.

On the 29th the Portuguese and Sicilian Embassadors embarked for their respective courts; the former having concluded a peace with this regency for three years, the latter during the present war in Europe. This raised a new spectre of alarm to my vision. What now is to block the corsairs within the straits? What now shall hinder them from cruising from the cape of Good Hope to the Orkney islands? England is in a kind of alliance with them — and France will not op-

pose their outrage against Americans. I resolved therefore once more to see the Bey and push if possible the project of a cash payment. Accordingly on the fourth of July I waited on him at his palace and requested him to state what sum of money would satisfy his claims and cancel all his demands? He laconically answered "No sum whatever, — you need not think more of it". He observed that his minister had communicated to him my proposals on this subject and had received his instructions to give me a conclusive and final answer to them; which he presumed had been done. I said the minister had made the communication, but as he was daily lessening the number of his enemies and of course diminishing the necessity of these munitions of war, I hoped he would consider the impediments which might retard their arrival and would prolong the time. He said it would be early enough to enter upon this subject after the given time shall have expired.

I now consider that my ultimatum, agreeably to instructions, has been proposed in a manner best calculated to insure success, but finally rejected. It remains with the exertions of the United States to preserve the peace. Everything conspires to confirm my suspicion that the regency does not wish it, and that the commerce of the United States is marked out as the victim of Tunisian piracy. I thought I had exhausted the subject of this suspicion in my last letter; but new evidence appears to support it.

* * * * *

[SDA. CL, Tunis, Vol. 1, July 1797—Dec. 1800.]

[16 August 1799]

Coins of Tripoli in Barbary with their comparative value in the money of the United States

<i>Gold Coins</i>		
	<i>piastres</i>	
1 old Tripoline Sequin is equal to.....	1400	<i>or reales</i>
1 Mahaboob of Tripoli Cairo or Tunis.....	1000	do —
1 Venitian Sequin.....	2000	do —
1 Algerine Sequin.....	1400	do —
<i>Silver mix'd with alloy —</i>		
1 Yuslick.....	400	do
1 Gersh.....	160	do
1 Bu Kumsine.....	50	do
Half a Bu Kumsine.....	25	do
1 Para.....	4	do

Piastres are small bits of Copper of diff^t shapés with a small stamp on each —

Acc^t are generally Kept in Mahaboobs & piastres — one dollar is equal to 200 paras or — 800 piastres in exchange, but them that has dollars sells them privately for 960 piastres as the inhabitants are glad to exchange the Bashaws base metal for silver or gold 8 piastres or reales makes 1/100 therefore divide any of the above sums by eight & it will reduce it to hundredths of a dollar or one Cent pieces

JAMES LEA^r CATHCART

[SDA. CL, Tripoli, Vol., 1 Part I, Nov. 1796—Dec. 1799.]

To John Gavino, U. S. Consul, Gibraltar, from Richard O'Brien, U. S. Consul General, Algiers

(Duplicate Copy)

(Circular)

ALGEIR the 16th Aug^t 1799

D^r SIR I have to inform you that on the 8th Ins^t [*] was sent into this Port by an Algereen Cruiser the American Brig *Babba Cedi Tho*^t Clifton Master with a Cargo of Wine from Valencia said to be destind for Philadelphia, said Brig had a Turkish Pass granted by the late Dey for one Year and on Examining said Pass, it was found to be out of date one year, and Ten Months therefore the Regency Condemnd said Cargo as a Legal Prize to the Captors. The Crew five in Number being foreigners and belonging to Nations at War with Algeirs were made Slaves of, The Brig and Master Cleard. On the 15th Ins^t the Regency gave up those five Captives as a particular favour to the United States. —

All American Vessels should have The Mediteranean Pass, real American Collours and two thirds of the Crew should be Citizens of the United States. As it is supposed, Sundry American Vessels has Algereen Turkish Passes — This is to inform them that said Passes is out of date that the[y] will not be respected, by the Present Dey of Algeirs, and if the[y] have not the American Mediterranean Pass their Cargos will be Condemnd. —

[*See letter to Michael Morphy under date of 8 October 1799, in "Naval Documents Quasi-war with France" fourth volume.]

[NA. SDA. CL, Algiers, Vol. 4, Jan–Nov. 1799.]

[9 September 1799]

Quasi-War, United States and France

[NOTE.—See letter of 9 September 1799 from Secretary of the Navy to Captain Richard V. Morris, U. S. Navy, setting forth the urgent need of concentrating large naval forces in the West Indies for operations against French privateers; printed in "Naval Documents, Quasi-War, United States and France", fourth volume (August to December, 1799), pp. 170–172.]

To Secretary of State, from William Smith, U. S. Minister to Lisbon, Portugal

(Private)

LISBON, Sep. 22^d 1799

DEAR SIR While Lord Elgin was here I saw him frequently & we contracted an intimacy which will be of good service to me personally & to the U. S. also, sho^d I go to Const^o: He goes as Amb^t Extr^y & from the recent services of Eng^d which have saved Syria & perhaps the Ott. Emp. his Influence will be very great; of course his private friendship for me will not fail to be extrem^y advantag^y —

Having understood that the *Insurg^e* frigate was to cruize towards Gibraltar, he expressed a wish she might sail when he did & keep company thus far, as a greater security; I was not a little flatter'd, as you may suppose, by this intimation, but still did not venture to suggest any thing on the subject to Cap^t Murray, least he might be influenced to alter his arrangem^{ts}; but as the two Bulkeleyes were at my house when L^d E. expressed the wish, I desir'd M^r B. the father to write to Cap^t M. & inform him of what had passed; this had the desir'd effect, for Cap. M. immed^y assented & waited for the *Phaeton* frigate, of which Cap^t Morris her comm^t was apprized, & they both sailed together a few days ago. — When L^d E. heard an Am. frigate

had just arriv^d he suppos'd she was come for me, & expressed his disappoint^t that I was not to accompany him. —

I was much pleased with our frigate & her Crew; she is in fine order, well regulated, well manned & does us great credit. —

We have nothing new since my last; no acco^{ts} from London later than the 2^d, we have Paris papers to the same date, which mention their hav^g recover'd Coire in the Grisons, but little credit is due to it. Fauchet & Adet are said to be sent as Commiss^{rs} to S^t Domingo & Victor Hughes to Cayenne, not as *Prisoner*, but as Commiss^t — new Comm^{rs} are also ment^d for Guadaloupe. In a french paper they have *Knighted* the Presid^t & called him *Sir John Adams*. — Ancona & Tortona are said to have fallen; Genoa capitulated. The Russians are arriv^d in Swiss^d —

[Mass. HS. Pickering Papers, Vol. 25.]

To Secretary of State from William Eaton, U. S. Consul, Tunis

TUNIS 6th Oct. 1799

SIR, The Bey of Tunis still holds an imperious tone — I can add little on this subject to the communications already forwarded but a confirmation that nothing will secure our peace here but implicit concessions to all the demands of the regency or formidable resistance — Having resolved to know whether any relaxation of the Bey's claims could, by any means, be obtained, I waited on him in his palace yesterday and proposed that he should recieve, in lieu of the jewels demanded, the amount of ten thousand dollars in such articles as he should chuse to commission for from England — He answered, *that he was not a merchant, he knew nothing of the value of the regalia, they were the usance; and he should neither abate nor commute.*

The fact is, the regalia has been stipulated by the proper agent of the United States, and the Government have no alternative but to ratify the act or go to war — The first of January is declared to be the ultimate moment of forbearance for the maritime and military regalia: The jewels three months later — This being the situation of affairs here I have thought prudent to communicate the annexed CAUTION (A) to the different Consuls in the Mediterranean: * * *

* * * * *

On the fourteenth of September a squadron of seven corsaires sailed in company, carrying in all one hundred and fifty eight guns and one thousand five hundred & forty men, the property of the regency, under a pretext of convoying a few merchant vessels to Spain; real destination unknown; conjecture says into the Atlantic.

A few days previous to the arrival of Don Roderigo De Pinto at Tunis, the Portuguese Ambassador, the ships of her M. F. M'y had captured a Regusee laden with merchandize from Smyrna consigned to proprietors in Tunis — The Bey did not reclaim this cargo of the Portugese, because, he said, according to the law of nations, it was a good prize; and it would be dishonorable in him to ask it as a favor of an enemy — But on the cargo being condemned and sold, the Bey demands indemnity of the Republic of Regusa; and has ordered their Chargé des Affaires to inform that government that except this indemnity be made within three months he will send out his cruisers to make reprisals — Although he admits the general principle that *Free botoms do not make free goods*, he finds no difficulty in making the neutral responsible for goods of his subjects thus legally captured and

condemned — His argument is, *Regusa cannot resist it*. The same thing might happen to an American.

* * * * *

Circular. A.

CAUTION against Barbary Pirates —

The Bashaw of the kingdom of Tunis having limited the period of his forbearance with the United States for the delivery of the regalia, stipulated by treaty, to the first of January next and having menaced us with war in case of a failure of said delivery, It results from my duty to communicate as well to the owners and master's of American vessels, which navigate the Mediterranean as to the government of the United States this state of affairs, that suitable precautions may be used to save their property from Capture and our citizens from Slavery in case that any thing should operate to impede, beyond the limited period, the discharge of said stipulated obligation — It is also to be noted that the kingdom of Tunis has a truce with Her Most Faithful Majesty, the Queen of Portugal, during the present war in Europe, which admits the corsairs of the former into the Atlantic —

WILLIAM EATON
Consul & Agent
of the United States of America
Kingdom of Tunis
 5. Oct. 1799 —

To ————— &c

[SDA. CL, Tunis, Vol. 1, July 1797–Dec. 1800.]

[11 November 1799]

Quasi-War, United States and France

[NOTE.—See letter of 11 November 1799 from Secretary of the Navy to Captain Thomas Truxtun, U. S. Navy, in the U. S. frigate *Constellation*, concerning orders to join the U. S. squadron on Guadeloupe Station, and setting forth conditions in the West Indies and vicinity; printed in "Naval Documents, Quasi-War, United States and France", fourth volume (August to December, 1799), pp. 377–380.]

To Secretary of the Navy from Secretary of State

[PHILADELPHIA] DEPARTMENT OF STATE

Nov^r 22. 1799.

D^r SIR I inclose lists of the stores and articles called for by our Consuls at Algiers and Tunis for those regencies respectively.

I propose that the ship *Hero* laden last year with lumber for Algiers, including a number of masts, should now go to Tunis, where her cargo with the substitutions and additions will better apply: she is now loading at New York.

I propose that the U States brig *Sophia* now in Philadelphia, should take in 500 barrels of powder and other articles for Algiers to be found in the inclosed list.

The residue of the articles must be provided in the course of the winter, to be shipped in the Spring. This residue cannot be ascertained until the *Hero* & *Sophia* are loaded: But the invoice of the *Hero's* original cargo, now inclosed, will give you a pretty just idea of the *bulkey* articles which will remain to be transported. The lumber can be procured in New Hampshire & Maine; at least the articles required for Tunis, Col^o Thompson of Portsmouth has offered to procure; and he will do the business faithfully & punctually.

[Mass. HS. Pickering Papers, Vol. 12.]

[4 December 1799]

Quasi-War, United States and France

[NOTE.—See letter of 4 December 1799 from Charles W. Goldsborough of the Navy Department, to Captain Edward Preble, U. S. Navy, giving the number of U. S. vessels in commission; printed in "Naval Documents, Quasi-War, United States and France", fourth volume (August to December, 1799), pp. 483-484.]

To Secretary of State from William Eaton, U. S. Consul, Tunis

TUNIS 6th Dec. 1799 —

SIR, With infinite satisfaction I have the honor to inform you that within a few days our affairs have assumed a new and promising aspect* — Since the departure of Doctor Shaw for America on the 17th Oct. I have paid court to the vanity and avarice (predominant passions) of the Sapatapa: and have at length persuaded him, what is undoubtedly true, that he would find his real interest more secure in a commercial intercourse than in a war with the United States; and that Americans would be his safest carriers to Spain, where he has opened an extensive commerce, the ships of all other nations being interrupted either by the belligerent powers of Europe or by the Corsaires of Algiers — I observed to him that the conditions of these advantages were known to him; that I had during the short time of my residence here received propositions from the American Consuls of Leghorn and Barcelona to introduce a trade here, and also applications from two American Masters of vessels to get them freight here: in reply to which I had stated to them the articles of our treaty. Since which I had heard no more on the subject — It was only necessary to inform my Countrymen that they were not equally respected here with other nations to determine them against coming here let the considerations of individual profit be what they would — He now experienced the truth of what I eight months ago declared to him That an American merchantman would never enter a port of Tunis, except compelled, until they should be informed that the terms of our treaty were more favorable —

The Sapatapa acknowledged a propriety in my observations expressed an earnest desire to employ Americans as carriers to Spain, and intimated his opinion, that if the regalia arrived in season, there would then be no impediment to an arrangement of our affairs more satisfactorily — He promised to open the subject to the Bey, and to give it his support — He entered very candidly into a detail of the causes which had embarrassed our negotiations here, which shall appear at large on my journal but which may be reduced here to two words *French intrigue* and *Jewish infidelity* —

I saw the Bey this morning, and have his promise of forbearance sixty days — in the mean time, it is hoped, we may have arrivals from America — Famin has tried to insinuate that the Government of the United States have no serious intentions of fulfilling their engagements with Tunis — He has not succeeded — That slave has been a thorn in my side — But he has now no influence at court. The Bey's family Physician informed me, a few days since at dinner with me, that the extraordinary demand for jewels was actually projected by him, (Famin) and stipulated after my arrival in Tunis — That the Sapatapa hesitated to introduce it as it had not been stated in any of his former communications and that Famin

told him not to hesitate — he (Famin) could find document to support the demand — I have uniformly treated this *french pirate* with polite attention, taking care to keep the commanding grounds, till I have finally defeated all his projects of mischief — And, if nothing interfere with my present arrangements, have now a flattering prospect of ultimately terminating our affairs with this regency more favorably to the interests of the United States and more conformably to the instructions of the Government.

*Three things have operated to produce this change of projects at Court. 1 Doc. Shaw's departure for America. 2 My assuring the Bey of a prospect of an accommodation between the United States and the French Republic, and consequently an American armed force in this sea. 3 A conviction on the mind of the Sapatapa that if he make war with U. S. he may as probably loose as win — and that by cultivating harmony he may avail himself of American enterprise to aid his commercial views — all other botoms being precarious —

[SDA. CL, Tunis, Vol. 1, July 1797–Dec. 1800.]

To David Humphreys, U. S. Minister to Madrid, Spain, from James L. Cathcart,
U. S. Consul, Tripoli

TRIPOLI IN BAR^y Dec^r 14th 1799

D^r SIR Want of opportunity join'd to an indifferent state of health, & I may add want of matter worthy y^r attention has occasioned my not renewing the correspondence I was formerly honor'd with when in captivity, give me leave at presn^t to solicit a continuance of that honor, & to transmit for your perusal the most prominent transactions of this government since my arrival here, which since the adjustment of our affairs with this Regency for the Sum of 18,000 dollars to the Bashaw for the stipulated stores, detention, & the Brig *Sophia*, which it seems had either been promised to him by our Agents or he had forged the demand, as you have already been inform'd by the Bashaws letter transmitted to you by M^r Ingraham, there has nothing worthy notice taken place since except Comodore Campbells expedition against this place & the depredations committed by the Cruisers of this Regency upon the commerce of Nations with whom they are at Peace & who has paid them considerable sums to insure the continuance of their friendship. I have transmitted a detailed acc^t of said expedition & every other political transaction of this Regency at different times to M^r OBrien which I presume he has already inform'd you of I therefore shall not tire your patience with a long repetition —

On my arrival at Tripoli on the 5th of April I was refused permission to land & was inform'd that the Bashaw would not receive me as Consul from the United States as I had not brought the Stipulated Stores & had positively refused him the Brig which he declared was promised him by M^r OBrien, M^r Bryan M^rDonogh who was charged with our affairs by Ingraham was the messenger employ'd on this occasion by both parties and in every respect espous'd the cause of the Bashaw, he was piqued that neither our government nor OBrien had taken any notice of him for the services he had render'd them & the crew of the Ship *Betsy* when here. I therefore thought it advisable to secure his interest by a *douceur* which had the desired effect as he afterwards proved very usefull to us here & facilitated the negotiation as much as lay in his power, at the same time I have reason to believe that he occasioned the first obstacle & by his influence persuaded the Bashaw not to give me an audience in order

that I should be necessitated to employ him by that means founding a plea for a reward he enjoys the entire confidence of the Bashaw & in addition to the medical assistance he renders his family, he is his Excellencys project maker by which means he has amass'd six or seven thousand dollars in a few years in short Sir he is the *Famin* of Tripoli, and altho' it is necessary to treat him with politeness it would be very improper to entrust the affairs of the United States again to his guidance as he is certainly *le très humble serviteur des eve-nements*, & would plead pro, or con, or both, for money his venality is remark'd by all the Consuls here, & what is very extraordinary he is at once both caress'd and despised. —

On the 6th M^r M^cDonogh came on board & gave me the Bashaws demand in writing the substance of which was that if M^r Cathcart did not promise the Bashaw the brig or fifty thousand dollars in lieu of her the Stores Stipulated by treaty & Consular presents that he would not receive him as Consul from the United States of America but would declare war against said states in forty days from this date —

After a good deal of menacing & huckstering on the part of the Bashaws Agents, & opposition to his unreasonable demands on mine I obtain'd an audience on the 7th when the Bashaw confirm'd what I was before inform'd by his emissaries, & added a great many invectives against OBrien for denying that he had promised him the brig & said that he was neither dependent on Algiers or the Grand Senior and that by declaring war against the United States of America he would let the world see that he was an Independent Prince and would be respected as such, I combated his insinuations & unjust demands but with little success, finding it impossible to treat with him verbally, I retired & wrote him a letter where in I remonstrated on the impropriety of his conduct to a Nation that had never injured him or his subjects, but on the contrary had already paid him a considerable sum to insure his friendship & whose Agent was now prepared to fulfil every Stipulation of the Treaty subsisting between the two nations, that the Stores were ship'd for Tripoli before I left America & their not arriving in time was owing to some accident over which human foresight had no control? that never theless I had no objections to pay his Excel^v an equivalent in cash for them, provided he would confine his demand within the bounds of reason and equity — the Doctor explain'd my letter to the Bashaw who answer'd it in Arabic a translation of which in Italian is as follows —

P ^r importo del Brich.....	Duri..	18, 000 —
Simile per il Regalo.....		25, 000 —
	Pezze duri..	43, 000

Deve pagare di questa somma 13,000 duri prontamente e li restante 30,000 duri li diamo il respiro di mesi sei de contare dalla data della presente — Passato il detto termine e non portando la sudetta somma sara rotta la Pace, e volendo partire il Console potra partire, ma si resta sara schiavo, non avendo noi accordata del periodo al primo incaricato, e accordato al presente Console il termine di sei mese, che per riguardo del dottore Iⁿglese per compiacere il suo desiderio — LS —

[Translation:

Amount for brig.....	Dollars..	18, 000 —
Same for present.....		25, 000 .—
	Dollars..	43, 000 .—

Of this sum 13,000 dollars shall be paid promptly and for the balance of 30,000 dollars we grant a respite of six months counting from the date of the present. If upon the expiration of the said time the aforementioned sum is not forthcoming, the Peace shall be broken, and should the Consul want to leave, he can leave, but if he remains he shall be a slave. We did not grant time to the first agent and we have granted to the present Consul a period of six months only out of consideration for the Italian doctor and in compliance with his wish.]

The above proposal I instantly rejected with disdain & returned to the Bashaw by the Doctor with the contempt such an unreasonable demand merited — On the 8th the Minister of Marine was employ'd by the Bashaw to negotiate with me — this evening I requested him to inform the Bashaw that I could not comply with his demand that it was of no service whatever for us to talk any farther on the subject, that I was sorry his conduct towards the United States would oblige them to turn the arms against him, which were now employ'd against our common enemy the French, for he might depend the United States would never put up with so palpable an imposition — I father requested him to inform the Bashaw that I would do myself the honor to wait on him in the morning to hear his *ultimatum* & if he did not alter his opinion by that time, that I would sail in the brig for Tunis & Algiers the first fair wind —

On the 10th the interest of the Minister of Marine & M^r Donogh being previously purchased I agreed to pay his Excellency in full of all demands from the United States, the sum of ten thousand dollars for the Stores & eight thousand for the Brig *Sophia* which I have every reason to believe was promised to him by M^r OBrien — the contingent expences amounted to 1500 dollars & the Consular presents which I procured at Philadelphia & Algiers cost about 4000 more the whole amounting to the sum of 23,000 Dollars The Flag of the United States was saluted with 21 Guns & they ended our Negotiation — I immediately paid the Bashaw 3500 dollars in cash which I had drawn at Tunis, & gave Bills on Tunis & Algiers for the rest which were duly honor'd, & I am happy to inform you that nothing has happen'd since to disturb the harmony subsisting between the United States & this Regency —

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[SDA. CL, Tripoli, Vol. 1, 1796-1799.]

Marine Force of Tripoli, 14 December 1799

One old Ship of 32 Guns English bottom but rep ^d in the Levant was made a present by the British to the Emperor of Morocco who made her a present to the Grand Signior who presented her to the Bashaw of Tripoli.....	32
The <i>Betsy</i> an American prize copper'd by the Spaniards mounts 28 nines & sixes commanded by an Infamous Scotch renegade formerly call'd Peter Lisle but now Morad Raiz.....	28
An English built Ship taken under imperial Colours without a passport copper'd by the spaniards mounts 16 nines & sixes.....	16
A Guerlinoguichi taken from the greeks of Morea mounts.....	16
A Polacca taken from the Maltese.....	16
A Xebeque taken from the Napolitans.....	10
A do taken from the Genoese pinque stern.....	10
A Polacca brig taken under imperial colours without a passport mounts at present only Six guns but sometimes mounts.....	12
A half Galley of 22 Oars & Guns.....	4
One Gun boat with one 24 pounder in the bow.....	1
Whole Marine Force of Tripoli—Guns.....	145

Caliber fours Sixes & nines badly mounted and worse Man'd Not one of the aforesaid Cruisers were built for vessels of War nor do they sail even tolerable Not one of their Commanders Morad Raiz excepted, is capable of navigating one of them to Minorca nor do they know how, either to stay a ship or back & fill her in a narrow fair way Their crews are numerous, thirty or forty of each are call'd sailors these are such as have been fishermen or have been out in their vessels three or four Cruises the rest of the crew is composed of inferior moors & arabs who are no better than live lumber on their decks and only serve to pull & haul —

The Tripolines never ventures near a vessel of equal force if they can possibly avoid it, their mode of attack is first to fire a whole broadside & discharge their musquetry into their enemy, they then set up an hideous howl & lay you along side if you let them & board you with as many men as they can, some arm'd with attagans [yataghans] & pistols some only with attagans, & some with common knives? if you beat them off[] the first onset, they seldom return to a second charge and two broadsides well directed will insure you a compleat victory, Cap^{ts} Barry & Truxton with the Frigates under their command is a sufficient force to take or sink the whole Marine of Tripoli should they fall in with their whole Fleet together, but to destroy them in port it would be necessary to have four boats capable of carrying a twelve pounder in each of their bows besides the ships boats to send into the harbour to cut the vessels out or to burn them as their is not water enough for large vessels to come into the harbour without running a great risque — each Frigate should likewise have an eighteen or twenty inch mortar on board to play during the execution which would drive the people from the Fortifications & City & ensure the success of the expedition with the boats, how I should glory to be employ'd on this service if ever their should be occasion —

JAMES LEA^t CATHCART

TRIPOLI

Dec^r 14th 1799

NB. Since my arrival here the cruisers are continually kept at Sea their are three out now — of course their seamen will improve in manœuvring their vessels —

Hon^{ble} DAVID HUMPHREYS Esq^r &^c &^c &^c

[SDA. CL, Tripoli, Vol. 1, Part I, Nov. 1796–Dec. 1799.]

To Secretary of State from William Eaton, U. S. Consul, Tunis

TUNIS 15. Dec. 1799 —

SIR, On the 6. instant I had the honor to inform you of the more favorable prospect of our affairs — I now confirm that information — The principal cause of which is the interest which the Sapatapa views in his future employment of American bottoms to carry for him to Spain — all others of neutral powers being in danger from the Algerines. This circumstance promises an issue of our negociations corresponding with the wishes of our government, provided the regalia arrive before a negociation for a peace be set on foot in Europe in which case we shall have to combat the whole commercial influence of France. —

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[SDA. CL, Tunis, Vol. 1, July 1797–Dec. 1800.]