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5-26-60

THE DIPLOMATIC RELATIONS OF THE UNITED STATES

WITH

THE BARBARY COAST, 1790-1801.

by

ROBERT W. DALY

A thesis submitted in partial fulfillment  
of the requirements for the degree of Master of  
Arts in Loyola University.

#### VITA AUCTORIS

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CHAPTER I

THE BARBARY STATES

"The policy of exhibiting a naval force on the coast of Barbary has long been urged by yourself and the other consuls."

Madison to Eaton,  
20 May, 1801.

A. GENERAL DESCRIPTION AND HISTORY OF THE BARBARY STATES.

Barbary stretches some twenty-two hundred miles along the coast of northern Africa, and the world would have been a happier place without the Barbarians, who made their homes on that strip of sandy littoral.<sup>1</sup> Sailing into the Mediterranean, a ship would encounter the States in this order: Morocco, Algiers, Tunis and Tripoli. Traditionally, Morocco is considered an integral part of this society, but, as we shall see, there are reasons for deeming Morocco to be separate from her neighbors, who together, in turn, comprise the Barbary States.

Before steam replaced canvas, and respect, insolence, a ship expended four days battling the weather from Tangier at the Straits to Algiers, four or five more to reach Tunis, and five again before dropping anchor at Tripoli. A persevering courier labored twenty days racing from Algiers overland to Tripoli, and, consequently, travel by camel or horse

1) The History of the War from the Establishment of Louis XVIII, upon the Throne of France to the Bombardment of Algiers; including a copious narrative of the Battle of Waterloo, and the conduct and conversation of Napoleon Buonaparte with a copious description, accompanied by historical records, of the Barbary States in General and Algiers in Particular, by Hewson Clarke, Esq., of Emanuel College, Cambridge; T. Kinnersley, London, 1817. Page 1 of the section on Barbary.

was discouraged.<sup>2</sup>

In this wild land, no regular form of government could be said to exist.<sup>3</sup> A ruler was a simple autocrat until he died, and his death was seldom due to the deficiencies of Nature.<sup>4</sup> Except in Morocco, he was a Turk, and supported in the exercise of his tyranny by the armed might of other Turks,<sup>5</sup> who sought wealth and liberty on the Coast, after being banished from Asia Minor for various crimes against the authority of the Porte. Barbary was a colonial refuge for ruined men, and those who came were not the best of all possible Ottomans.<sup>6</sup> Viewed in this light, as a haven, there is a basis for understanding the later effortless conquest by Europeans—to the average inhabitant of the Coast, French, Italians and Spaniards merely represented a change of oppressors in the governments.

Here, as elsewhere, the people were stratified into classes. The Turks composed the top layer, dominating the Africans and Arabians. Moors and Arabs, poorly educated despite the proud tradition of their ancestors, were a polyglot composition.<sup>7</sup> It is said that the Berbers were descended from either the Carthaginians or their predecessors;<sup>8</sup> static, they clung to the shore-line. The Arabs, cultivators of the earth and breeders of cattle, were less content with permanency, and preferred a nomadic existence<sup>9</sup> on the sands in the interior.

2) The Barbary Wars, 1785-1801, Documents, by the United States Naval Records Department, Washington, D. C., 1939. Page 231. This work will hereafter be referred to as "B. W."

3) Clarke, 10.

4) Ibid., 88.

5) Algiers, by G. A. Jackson, Esq.; R. Edwards, London, 1817, Page 3.

6) B. W., 140.

7) Jackson, 13.

8) Ibid., 115.

9) Ibid., 119-20.

did not have an ethnic unity, being a compound of all the nations whose members had settled in northern Africa-- but the Saracenic element predominated.<sup>10</sup> In the three Barbary States, they were burdened by taxation sufficient to carry governmental expenses,<sup>11</sup> while Jews were barely tolerated and subjected to humiliating laws,<sup>12</sup> although they were invaluable in carrying on the commerce.<sup>13</sup>

The coast was probably first exploited by the Egyptians. Phoenicians built Utica and Carthage, the latter rising in power to challenge Rome. Later, in the dark days when the Mistress of the World was on the decline, the Vandals under Genseric over-ran most of Africa, except the Roman cities of Cirtha and Carthage. In 435, Genseric made peace, arranging to pay tribute to the Empire of the West, but four years later, he made the best of Rome's troubles with the Goths to capture Carthage. Outwitting the legions sent against him, the Vandal chieftan grew in strength that reached its climax in 455, when he plundered Imperial Rome herself. Eventually becoming master of Sicily, and all the other islands between Italy and Numidia, he thus successfully founded the Vandalic monarchy of Barbary within forty eventful years.<sup>14</sup>

Lustily vicious until 553, the coast was subdued by the Emperor Justinian, and thereafter was governed from Constantinople as a province of the Eastern Empire, up to the first half of the eighth century, when a Moslem army brought the green, conquering banners of the Prophet sweeping like a riptide against the outposts of Europe, relentlessly

10) Jackson, 132.

11) Clarke, 10.

12) Ibid., 18.

13) Jackson, 129-30.

14) Clarke, 1-3.



advancing as far as the field of Tours, and stubbornly retreating to the line of the Pyrenees. Then, for seven long centuries, the Moors held land in Iberia, and were not expelled from their last stronghold until Ferdinand and Isabella united their resources in a great effort against Granada.<sup>15</sup>

But during the bloody interim, Christianity suffered from these Moslems, for in the thirteenth century, Pope Innocent III authorized the formation of the Society of the Fathers of the Redemption, whose sole purpose was to ransom unfortunate Christians enslaved by the infidels. And it was not alone in its task, only the first.<sup>16</sup>

The peculiar species of war which now came to Europe had its origins in 1492, when, driven from Spain, the embittered Moors fitted out fleets of galleys and attacked the littoral for plunder to compensate Moorish losses in the peninsula. In retaliation, the victorious Spaniards, tempered through the years by the spirit of the reconquista, took up their arms, and struck boldly into Barbary, reducing several Algerian towns.<sup>17</sup> They seemed bound for overwhelming and complete success, until a new opponent, importuned by the desperate Moors, entered the fray: Barbarossa, the pirate.<sup>18</sup>

It is now, properly speaking, that the Barbary Wars begin. The Moors fought Spaniards; Barbarossa fought Christians. The Moors had fought against one nation; Barbarossa flung the gauntlet to all. Whereas the Moors had battled for lost territory, with a hope, perhaps, of regaining a strip, Barbarossa and his Turks fought for immediate profit;

15) Ibid., 4-7.

16) White Slavery in the Barbary States, by Charles Sumner, 1847. Page

50

17) Jackson, 233-4.

18) Clarke, 136-7.

interest had shifted from Aragon and Castille indiscriminately to all Europe.<sup>19</sup>

Brutally making himself governor of a grateful Algiers,<sup>20</sup> the pirate installed his brothers as rulers of the lesser Tripoli and Tunis; hence the nominal subservience of these two to the Dey. The successful Turkish seamen treated as slaves the people whom they had befriended, and the three masters became independent of Turkey, each acting as an absolute sovereign subject to deposition by his corsairs. Later, when pressed, a Barbarian did not scruple to claim the protection of the Sultan,<sup>21</sup> but now, life was high, and the Knights of Malta the only fearsome infidels.<sup>22</sup>

By the middle of the sixteenth century, corsairs were raiding as far north as the Straits of Dover, snatching captives from the very shores of the British Isles.<sup>23</sup> In the course of three centuries, it was estimated that the Algerines alone captured six hundred thousand slaves, while as late as 1798, a Tunisian foray carried nearly one thousand people off a small Italian island, completely depopulating it.<sup>24</sup>

19) Article by Lt. Comm. Charles Moran, U. S. N. R., in the United States Naval Institute Proceedings, Volume 63, pages 512-5. "Occupying an unbroken stretch of territory extending from Oran to the Egyptian border, abounding in practically impregnable fortresses, the Barbary States were in an admirable position for a war of commerce destruction. Nothing daunted by the elimination of the Turks as a first class naval power, they proceeded to carry on the fight with their own resources. That a harassing war is the inevitable recourse of a power whose main fleet cannot hold the sea is axiomatic. Such tactics never can win a war but they do furnish an invaluable diversion which can draw the fighting away from the main citadel. To the Barbary navies belongs the distinction of having exacted the maximum of effect such a war can yield and of having pursued it longer and more intensively than any other navy in history."

20) Jackson, 234-9.

21) Clarke, 8.

22) Moran, 516. Also, article by Comm. Holloway H. Frost, U. S. N., in the Proceedings, Volume 59, page 43.

23) Sumner, 36.

24) B. W., 327. The island was St. Peters, under Sardinia.

A Tripolitan Ambassador in Paris was not boasting idly when he said that the Mediterranean was a Barbary lake.

#### B. EUROPE AND THE BARBARY SYSTEM.

Spain was the first to feel the impact of the pirates' maurauding, and by 1509, Cardinal Ximenes, an officer of Ferdinand the Catholic, had the opportunity to liberate three hundred captives at Oran. The Emperor Charles V gallantly undertook to vanguish the States, in the manner of a crusade, and, in 1535, aided by rebelling slaves, his troops stormed and sacked Tunis, liberating twenty thousand prisoners.<sup>25</sup> Six years later, after he had forced Muley Hassan, Bashaw of Tunis, to sign a humiliating treaty, whereby Muley Hassan agreed to be a vassal of Spain and not harbor pirates or robbers, Charles sought to extend his program of cure by eradication to Algiers, but a gale defeated him. With the failure of the expedition, the Barbarians were at the height of their power.<sup>27</sup>

Innumerable wars were undertaken by the monarchs of Spain, but they were never able to repeat the victory at Tunis; 1588 merely made apparent to the world the actual feebleness which underlay the Escurial. The failures of these ventures fathered the notion that it was cheaper to purchase peace than to try and win it; Spain paid for respite, and thereby established what may be called the Barbary System: the payment of tribute in

25) Sumner, 30-2.

26) "The Barbary States in International Law," by J. E. G. de Montmorency, in Transactions of the Grotius Society, Volume IV, pages 87-94; London, Sweet and Maxwell, Ltd., 1919. Page 80. Hereafter, de Montmorency.

27) Sumner, 35. In 1505, the Count of Navarre took Oran and Algiers, making the latter tributary to Aragon, and erected a strong fort on an island commanding the city. Tenure was never secure, and Barbarossa roughly handled the garrison in the fort. Subsequent Deys of Algiers improved upon the Spanish fortifications as their chief defense. Jackson, 233.

exchange for guarantees of peace, guarantees, it may be observed, which were worth only the gold by which they were obtained.

In 1775, a Spanish force sailed from Cartagena against Morocco. It was, numerically, imposing; seven ships of the line, forty large frigates, twenty sloops, and four hundred transports, manned by nineteen thousand seamen and marines, and bearing an army commanded by Count O'Reilly, consisting of twenty thousand men and four thousand cavalry. The attack failed, because of poor discipline; O'Reilly's orders were flagrantly disobeyed. His men broke ranks to charge without orders upon the enemy, and it took all the skill of their officers to extricate what was left of them. Nonetheless, the size of the venture indicates the covetous eyes which were cast upon Morocco by her neighbor across the Straits. The expedition was as much political as punitive.<sup>28</sup>

Nine years later, after the United States had won independence, Don Antonio Barcelo attempted further pacification, in which nine ships of the line and fifty smaller vessels were involved, but he, too, was unsuccessful.<sup>29</sup> The vigor which had subjugated a New World was gone, and what was left, inadequate to the task of subduing a turbulent portion of the Old.

France was the next power to become actively interested in the System, when, in 1604, by one of the many friendly capitulations which bound her to Turkey, her government was given authority to chastize brigands on the Coast, over which the Sultan claimed suzerainty. In 1631, the French signed a treaty with Morocco, which set a fatal precedent; they exchanged arms and vessels for French slaves, and thereby stimulated a traffic,

28) Clarke, 140-2.

29) Ibid., 144. Jackson, 264-6.

30) de Montmorency, 89-90.

amplifying the scope of the System.<sup>30</sup> In 1635, there were three hundred and forty-seven unhappy Frenchmen in Algiers, and M. de Sampson, inquiring into their status, was proffered the privilege of purchasing his countrymen at the market price—a magnificent concession. The French proudly preferred war, but an expedition ten years later did not achieve the results anticipated, and more ships and weapons changed ownership.<sup>31</sup>

As long as material objects were to be obtained by making peace, piracy continued and flourished, so that the income of presents was expedited and expanded. In 1683, the great Admiral Duquesne hove to off Algiers and fired six thousand rounds of various ammunition into the town, killing about eight thousand people. Enraged, the Algerines loaded their guns with twenty-one Frenchmen, and shot them back at the fleet. After five years, another squadron went on the same mission, to make the Lilies of France, hitherto flaunted, respected, and on this occasion, the French Consul was transported via cannon to salute his compatriots.<sup>32</sup>

In 1689, six ships were taken, and forty-four Frenchmen were introduced to the indignities of slavery.<sup>33</sup> Eventually, Versailles solved the difficulty by compacting, 1692, a treaty of perpetual peace with Algiers—

30) de Montmorency, 90.

31) Sumner, 44.

32) Jackson, 253-9.

33) The American State Papers, Documents, legislative and executive, of the Congress of the United States, from the first session of the first to the second session of the twenty-second Congress, inclusive; commencing March 3, 1789, and ending March 3, 1837. Selected and edited, under the authority of Congress, by Walter Lowrie, Secretary of the Senate, and Matthe St. Clair Clarke, Clerk of the House. Washington, D. C. Foreign Relations, I, 105. Hereafter referred to as "A. S. P., F. R."

perpetual meaning one hundred years,<sup>34</sup> and in 1729, the same was arranged with Tripoli.<sup>35</sup>

This might seem to indicate a surrender to the extortions of the Barbarians, and surprising after Duquesne's achievement. On the surface, it was surrender, but the same Bourbon monarch had decided both the fighting and the compromise; a deeper policy underlaid this extension of the olive branch:

...Louis XIV said that if there was no Algiers he would build one; as it would be the cheapest way of depriving the Italian States of their natural right of navigating their own seas...<sup>36</sup>

It is ironic to recall that an Italian had produced Il Principe.

The Dutch, rising traders in the East Indies, also established early relations with the Coast, as we find by a treaty of 1612 with the Sultan, whereby the doughty Netherlander towns were given the right to chastize brigands.<sup>37</sup> In 1661, the famous Admiral de Ruijter, possibly the mightiest opponent of proud Britannia's seamen, augmented his continental reputation by obliging Algiers to emancipate hundreds of Christians.<sup>38</sup> However, Dutch interest became focused upon the Far East, where a colonial empire was being planted in the rich Indies, and we discover little further conflict between the stolid Dutchmen and the scourges of the Mediterranean.

Rather it was the Italian city-state that desperately strove to pluck the leeches from the sea lanes, for the sea lanes meant life to Venice and Genoa and their sisters. But by the end of the sixteenth

34) de Montmorency, 91.

35) Ibid., 91.

36) B. W., 149.

37) de Montmorency, 90.

38) Sumner, 46.

century, the proud city-states had lost their maritime prestige; their fighting ships were gone, and gold was asked to do the work of arms and men. As an example of Italian overtures in dealing with the System, we may cite Venice, which, by three treaties, 1540-66-75, endeavoured to secure the safety of her trade. But all attempts were futile; money readily given only encouraged the corsairs to further depredations so that more money would be raised by the frightened councils.<sup>39</sup> The Italians were the Allah-given prey of the Mohammedans, and furnished the majority of captives in bagnios.<sup>40</sup>

England, a tidy little island off the landfall of Europe, became engrossed in commerce during the reign of Henry VIII, and Tudor greatness reached its pinnacle in 1588, when Deus flavit et dissipati sunt, all for the glory of gory Elizabeth. Thereafter, the blunt bows of English ships began to probe into all corners of the world; English captains made their own laws, and enforced them with metal and yardarm. To a seadog, the ocean was a free and open highway, and any opposition to unhindered passage was a thing to be stoutly resisted. This attitude progressively brought them into conflict with the Spanish, the Dutch, and the French. Consequently, it is not surprising to find Vice-Admiral Sir Robert Mansel hammering unsuccessfully with eighteen ships against the works of Algiers, nor again, seventeen years after, Captain Rainsborough paying the same compliments to Morocco, more happily in the release of two hundred and ninety Englishmen.<sup>41</sup> By this year, as a result of sustained English efforts, the chalk

39) de Montmorency, 89.

40) When Lord Exmouth, R. N., finally demolished the System in 1816, under the commission of the Congress of Vienna, fully ninety percent of the released prisoners were from Italy.

41) Jackson, 251.

cliffs of Dover were safe— but not ships at sea.<sup>42</sup> The first treaty made by the demonstrators of sea power was with Algiers, 1646, during the Long Parliament.<sup>43</sup>

Cromwell's Robert Blake laid the foundations of English supremacy in Barbary affairs by teaching the Barbarians in 1655 that thirty ships could humble the proudest corsair state, or combination of states.<sup>44</sup> And yet, they were not broken— the advantages gained were discarded by the withdrawal of the victors. Numerous subsequent expeditions, all of which partially prostrated their objectives, did not break resilient spirits that rose Antaeus-like from the earth to devastate and raid anew.<sup>45</sup> Pressure was relaxed, as soon as advantages were won. And England came to subscribe to the System, paying tribute for protection.

In the year 1662, treaties were signed with Tunis and Tripoli, where by Great Britain received the rights of free trade and commerce, with British consuls as arbiters of international disputes. Despite the phraseology, Sir John Narborough was obliged, in 1675, to sign another treaty with Tripoli in order to free some Englishmen who had been taken during the firm peace. Still, Admiral Arthur Herbert found a further improvement to be made in these agreements, when, 1682, he made Algiers agree that no British subject could be sold into slavery. In order to give this a wider sanction, Sir John Soame, 1686, had the Sultan of Turkey endorse the Algerine treaty. Succeeding treaties were concerned with confirming the advantages gained.<sup>46</sup>

42) Sumner, 40.

43) de Montmorency, 90.

44) Jackson, 252-3.

45) Sumner, 41-3.

46) Ibid., 42-3.



A new phase entered into England's relations, when, in 1704, Sir George Rooke wrested Gibraltar away from Spain,<sup>47</sup> and Morocco passed under the maternal protection of the Mistress of the seas, whether Morocco would or no,<sup>48</sup> for the Straits of Gib el Tarek have two sides, and His Majesty's Royal Navy was powerful enough to realise the wildest dreams of His Majesty's deep-browed statesmen. Then, too, the victualling of Gibraltar would be facilitated by a friendly or a dependent Morocco; so England guaranteed the friendship of Morocco by making Gibraltar a naval base, thus neatly combining both objects in one solution.

Vice-Admiral John Baker deserves well of his country for having negotiated several compacts in the year 1716, whereby any Christian captive who reached the sanctuary of a British ship was automatically freed. He likewise introduced a system of passes, whereby his Britannic Majesty's subjects could be recognized and released to go their carefree ways.<sup>49</sup> In 1738, the Dey of Algiers released one hundred and fifty-two captives, under the persuasion of the Royal Navy.<sup>50</sup> Fifty-gun ships patrolled the Mediterranean. Eleven years later, English diplomats were back in Algiers treating for the release of the Captains and crews of twenty-seven English ships.<sup>51</sup> The Barbarians seemed incapable of understanding their obligations under treaties. In 1760, these agreements were all

47) de Montmorency, 90-1.

48) The Naval Side of British History, by Geoffrey Callender, Little Brown, Boston, 1924. Pages 137-9.

49) Le Maroc et L'Europe, par A. G. P. Martin, Paris, Libraire Ernest Leroux, 1928. Page 20.

50) de Montmorency, 91.

51) Clarke, 138. These ships were taken, of course, in violation of the sacred engagements made by the Dey of Algiers. However, the Turks did not operate under a philosophy of continuity of governmental responsibility; a Dey did not consider himself bound by the obligations assumed by his predecessors.

ratified by the English parliament— but never kept. As a British historian explains:

...The English ministers were for some time too deeply engaged in our memorable contest with the American Colonists to support our rights or revenge our injuries; the rest of Europe regarded the depredations of the pirates with unmanly terror, or inhuman indifference; and the evident folly and imbecility of their conduct is forcibly described in the manifestoes of the French.<sup>52</sup>

Perhaps there is truth in this explanation, but a later American diplomat, and an excellent one, suspected a more sinister purpose than mere pre-occupation with American Colonists as an explanation for British tolerance of the Barbary System; England suffered the antiquated anachronism to endure for the same reasons that motivated Louis XIV— so that her commerce would prosper at the expense of weaker states.<sup>53</sup> (The theory that there existed a definite volume of trade, and the corollary that one nation could prosper only by depriving another of its share, were slow to die.) In support of this view, it might be observed that Great Britain was not always squabbling with the troublesome thirteen colonies, certainly not during the seventeenth century. Indeed, we might find an indication of British policy in an episode that occurred in 1681, when a British squadron protected a Moroccan cruiser fleeing the vengeance of the French Admiral Jean Bart's flotilla.<sup>54</sup> Assuredly, this was the height of magnanimity, considering that the hand of every man in the civilised world was supposed to be against the throat-cutting Barbarians, but the mighty Royal Navy was, apparently, at the

52) Clarke, 143.

53) American Diplomacy and the Furtherance of Commerce, by Eugene Schuyler, Ph. D., New York, Charles Scribners Sons, 1886. Page 195. Also, Relations of the United States with the Barbary Coast, by Ray Irwin, Chapel Hill, 1936. Page 17.

54) Le Maroc, 22.

moment, beyond the pale of civilisation.

It is noteworthy that the two first class naval powers, Great Britain and France, competitors, nevertheless did work towards a common end: paradoxically, the preservation of the System. One might say that French policy countered the English, if one admits equality, or, in a less generous mood, that the French followed along.<sup>55</sup> Whichever attitude is taken, one truth is clear: an insolent, small group of Barbarians exacted tribute from all Europe, of whose sisterhood, three could have blasted into the dust every building and fort on the Mediterranean sands of Africa, and that with a fraction of the forces at their hands. One, we may exempt from blame; Holland was occupied with her East Indies; two, we must hold accountable— France and England.

Going into the long struggle that was to lead to Waterloo and Vienna, France possessed eighty-six ships of the line,<sup>56</sup> and her adversary, one hundred and fifty-three.<sup>57</sup> Why did not a handful of these goliaths find better occupation than rotting at docks until war should stalk the continent? A superabundance of power was there to effect a thorough catharsis, and yet that power was not set in motion until after a ridiculously insignificant Yankee force, its largest member weaker

55) Le Maroc, 22-3.

56) A ship of the line was one with 64 guns or more. The 74 gun model was the backbone of the Royal Navy. We will observe later what one lone Portugese 64 was able to accomplish at Tripoli, and its influence upon our Consul there, James Leander Cathcart. The Naval History of Great Britain, by William James, Macmillan Co., London, 1902, 6 Volumes. Volume I, 424. The French had also some seventy-eight frigates ranging in power from 32 to 40 guns.

57) Ibid., I, 445. The Royal Navy also possessed one hundred and forty-two frigates— ships which correspond to modern light cruisers. The Graf Spee, for example, would be equivalent to a 50 gun frigate, if her main battery was of 32 pounders. However, numbers alone must not be considered, but calibres and workmanship as well.

than one hundred and eighty-nine Royal Naval ships,<sup>58</sup> demonstrated irrefutably the superiority of gunpowder over diplomacy in dealing with the System. And the ease with which Lord Exmouth, in 1816, subsequently executed the international commission given him by the Congress of Vienna to suppress piracy in the Mediterranean is vociferously significant; commanding three ships of the line and ten frigates, he pacified powerful Algiers, making a rubble of the town and giving the quietus to outmoded extortion.<sup>59</sup> The stolid chroniclers of the event see only glory in the success of their Navy, rather than question why that giantess was kept chained for two centuries.<sup>60</sup>

#### C. AMERICA AND THE BARBARY SYSTEM.

But we are not concerned with the failure of Europe to stamp out this viper's brood; our attention is more properly directed to the interests of the United States in the System, and the reactions of her official representatives to it.

American ships were furrowing the Mediterranean prior to the Revolution, carrying one sixth of the total wheat and flour colonial exports, and one fourth of the dried fish.<sup>61</sup> Then, as part of the British Empire, they benefited by the immunities sparingly twisted from the Barbarians by our Mother Country. All this was changed by the successful Rebellion,

58) Ibid., III, 505. Our largest vessel was in the 44 gun class, of which the Constitution is the most famous. The class was so excellent, that the English, capturing the President, paid us the compliment of making it a model.

59) As in an Advertisement prefacing Jackson's book on Algiers. The praises are as bombastic as the bombardment itself.

60) The Writings of Thomas Jefferson, 20 Volumes, published by the T. J. Memorial Association, Washington, D. C., 1904, Andrew A. Lipscomb, chairman. Volume III, 94-5.

and the thirteen little colonies that were to become the United States were left to adventure into the family of nations without the guidance of experience or the support of reputation.

What remained of the Continental and State Navies perished in 1785, when the Federal frigate Alliance was sold; our seaborne commerce was thereby absolutely divested of protection.<sup>62</sup> In that same year, as an ominous harbinger, two American ships were taken by Algiers, and our State Department was called upon to effect the release of the enslaved crews. At the time, John Adams, Benjamin Franklin and Thomas Jefferson were our Ministers Plenipotentiary in Europe. Expressing the minority opinion that it would be cheaper to purchase peace, than to make war, Adams justified his contention by pointing out that a thirty-two gun frigate cost \$300,000, to say nothing of the annual cost of maintaining it at sea.<sup>63</sup> The reply of Jefferson to his colleague is worthy of quotation for two reasons: it indicates a complete break with the European tradition espoused by Adams, and points the way to an understanding of the rapidity with which armed force was on the way to Gibraltar four months after Jefferson had succeeded Adams as President of the United States; Jefferson, 1786, wanted to fight because:

1. Justice is in favor of this opinion.
2. Honor favors it.
3. It will procure us respect in Europe; and respect is a safeguard to interest.
4. It will arm the federal head with the safest of all the instruments of coercion over its delinquent members.
5. I think it least expensive.
6. Equally effectual.<sup>64</sup>

62) Quasi-War with France, 1798-1801, 7 Volumes, United States Naval Records Dept., 1936-8. Documents. Volume I, page v.

63) A. S. P., F. R., I, 107.

64) Jefferson's Works, I, 591, quoted in Schuyler, 201.

With the possible exception of his fourth reason, the same arguments may well have motivated him at a later date, for he was consistently an advocate of the coercive policy.

At the end of 1790, as Secretary of State, Jefferson reported to Washington on the condition of the Mediterranean trade, detailing the measures taken to treat with the Barbarians, and recounting our setbacks. The report went to Congress.<sup>65</sup> A Senate committee decided that the Mediterranean trade could not be protected except by a naval force,<sup>66</sup> and then unaccountably did nothing to create that force. The President was in favor of an establishment, stating:

...Would to heaven we had a navy able to reform these enemies to mankind, or crush them into non-existence....<sup>67</sup>

The Senate, however, had meanwhile changed its bellicose attitude, sponsored the System, and, in 1792, voted for an annual tribute of \$100,000 to Tripoli, Tunis and Algiers in return for their peace.<sup>68</sup> Much as if they were acquainted with the debility of our congressmen, the Algerines proceeded to seize eleven more American ships in the following year, and added more than a hundred stalwart seamen to their ransom lists.<sup>69</sup> In the face of this, Congress listened to the recommendations of Washington, and, January, 1794, passed an act to build six frigates for the protection of our commerce, particularly in the Mediterranean.<sup>70</sup>

The embryo Navy was legally smothered in 1795 by the successful

65) "Mediterranean Trade Report," Lipscomb, Jefferson, III, 92 sq.

66) A History of the United States Navy, by Capt. Dudley W. Knox, U. S. N., G. P. Putnam, New York, 1936. Page 58.

67) Article by Comm. Holloway Frost, U. S. N., in the U. S. N. I. Proceedings, Volume 59, page 44.

68) Knox, 58.

69) Sumner, 78.

70) Knox, 58.

negotiation of a treaty with Algiers, but Washington nonetheless continued to foster its existence, because:

...The most sincere neutrality is not a sufficient guard against the depredations of nations at war. To secure respect to a neutral flag requires a naval force, organized and ready to vindicate it from insult or aggression. This may even prevent the necessity of going to war....<sup>71</sup>

As a result of this message, Congress authorized the completion of three of the ships, April, 1796. Work went slowly, and was not hastened until French operations in 1798 threatened the security of our marine.<sup>72</sup> In April of that year, the Navy was established as an executive department in the government of the United States.<sup>73</sup>

But in 1798, John Adams was President, and the man who would wish as his epitaph the boast that he had kept us out of war with France was not of the disposition to expend treasure in a journey to a faroff strand. Resolute action awaited the man who ever favored action in this instance; a man of whom Joel Barlow, exasperated by Hassan, Dey of Algiers, and speculating upon the election of 1796 to bring a change in policy, could write, after recommending that his letters to the Secretary of State be read by the new President:

...If it is Jefferson he will not fail to be instructed, but if it is a new man of a different cast probably a Barbary war will not be the greatest evil to come....<sup>74</sup>

Without exception, all of the American representatives on the Barbary coast urged upon the American government the necessity of abol-

71) Article by Comm. Frost, 42.

72) Quasi-War, I, v.

73) E. W. 246-7.

74) Life and Letters of Joel Barlow, by Charles B. Todd, G. P. Putnam's Sons, New York, 1886. Page 147. Hereafter cited as "Barlow."

ishing the System. In Jefferson, their verdict reached an Executive who had been constantly advising the same course; he did not need Barlow's letters to be instructed; he had espoused force before Barlow, Humphreys, Eaton, and the rest had heard of the corsairs.

But their story, and how they came to the same conclusion relative to the System, deserves to be told.



CHAPTER II

MOROCCO

"The Americans, I find, are the Christian nation my father, who is in glory, most esteemed. I am the same with them my father was; and I trust they will be so with me.

Muley Soliman to Simpson,  
August, 1795.

The first of the Barbary States is Morocco. It is first in geographical position, and in its relations with the United States, chronologically and socially. When Muley Soliman told James Simpson that the United States was the nation he most esteemed, Muley Soliman was not employing the Micawberish phrases of the Orient, but spoke sincerely; we had a minimum of differences with his country. The one threat of war which darkened our friendship was due more to Yankee business enterprise than to Moroccan hostility.

The Berbers were the oldest inhabitants of the country, and the Moors were the descendents of those who had left Spain.<sup>1</sup> Their craftsmanship did not extend to the casting of iron— of which they possessed ore— so that the Moors were dependent upon Europe to furnish cannon, one way or another.<sup>2</sup> Backward in metallurgy, they were progressive in statesmanship, Muley Soliman distinguishing himself by the measures which set his country above and away from its neighbors; he refused to admit Turks to any pos-

1) Jackson, 74-5.

2) Ibid., 71.

ition of influence, and he abolished Christian slavery.<sup>3</sup> Since the Turks ran the other three States, and were economically interested in Christian slavery, this distinction alone should be sufficient to separate Morocco from the genus, because Morocco had graduated from the System.<sup>4</sup>

The United States was placidly unaware of Morocco's existence until the good ship Betsy, commanded by Captain James Erving, was carried into a Moroccan port in the summer of 1785. At the moment, we did not have a representative in the country, since our Ministers Plenipotentiary in Europe had just received orders to appoint agents to Morocco and Algiers,<sup>6</sup> and, consequently, we were indebted to the intervention of the Spanish Ambassador and the good will of the Emperor for the liberation of the crew and the restoration of the ship.<sup>7</sup> This affair opened the way to negotiations which readily produced a peace and a treaty remarkable for the insignificant sum of \$10,000.<sup>8</sup> It is possible that the humanity and civilised attitude of Sidi Mohammed was deleterious rather than beneficial to our further transactions in Barbary, inasmuch as his kindness led our Department of State officials to anticipate a similar spirit along the rest of the Coast, which spirit, they were to find, was non-existent. The treaty was of such justice that John Paul Jones, commissioned to deal with Algiers, was advised to use it as a model.<sup>9</sup> From the day Sidi Mohammed wrote to Congress that he ordered his officers to assist Americans and show them

3) Jackson, 94.

4) In footnote 19, page 5, Chapter I, it will be observed that the Barbary Coast is considered to start at Oran— which is in Algiers.

5) B. W., 23.

6) A. S. P., F. R., I, 104.

7) Jefferson's Writings, P. L. Ford, Ed., IV, 25.

8) Jefferson's Writings, Lipscomb, Ed., III, 95.

9) B. W., 39.

every favor as an indication of his friendship,<sup>10</sup> to the year in which we leave the country, 1801, the United States was at peace with Morocco. Therefore, our investigation will be happily brief.

Situated at the Straits, and flanking both approaches, Morocco's strong navy of light, fast ships<sup>11</sup> made a peace with her government a prerequisite for passage and use of the Mediterranean.<sup>12</sup> So long as the government was stable and strong enough to hold in check the more lawless elements of the population,<sup>13</sup> who preferred to make its livelihood at the expense of infidels— as Englishmen had chosen to make their fortunes from the galleons of Spain—, there was nothing to fear. But, when there was a change in succession, general wariness gripped the Powers of the world, until a responsible authority was established.<sup>14</sup> In 1790, the good Sidi complicated the affairs of nations interested in the Mediterranean by dying without securely seating his son, Mahomet El Mehedy El Yezid.<sup>15</sup> The United States voted \$20,000 to induce Yezid to recognize the treaty which his father had made,<sup>16</sup> and appointed, May, 1791, Thomas Barclay<sup>17</sup> as consul, with instructions to employ the money in the manner for which it had been appropriated. He was to stay in the country until April of the following year, and was cautioned to be moderate in his presents, remembering that

10) B. W., 13. This gesture was made prior to ratification of the treaty by the United States.

11) Clarke, 46.

12) B. W., 148.

13) It will be recalled that as late as 1814, a pirate helped an American General to win a battle; the fact being that Lafitte was nonetheless a pirate despite his assistance.

14) As all observers are wary until a de facto government assumes the garb of a de jure government.

15) B. W., 34. Yezid was a ferocious individual, brutally consolidating his claim to rule. None mourned his passing. Jackson, 95, 77-8.

16) A. S. P., F. R., I, 268.

17) Barclay had procured the original treaty.

he was establishing the course which future consuls would be obliged to follow; in this cautious admonition, we see the hand of Jefferson.<sup>18</sup> He was to refuse the payment of any tribute, and could invoke as arguments to support his refusal

...our poverty, and lastly our determination to prefer war in all cases, to tribute under any form, and to any people whatever, will furnish you with topics for opposing or refusing high or dishonoring pretensions;...<sup>19</sup>

When the Secretary of State scrawled these latter proud phrases, he was speaking for himself, and not the American Congress, which, within a year, was recommending an annual split of \$100,000 tribute for the benevolence of the three States.<sup>20</sup> In his private instructions, Barclay was passionately told not to exceed \$10,000 in presents.

Unfortunately or fortunately, by the time Barclay landed in Europe, Yezid had died in a hunting accident,<sup>21</sup> and civil war promptly ensued between two of his brothers. Consequently, Barclay had to wait to see who would be Emperor, before carrying his little bag of money across the Straits, but before the matter was settled, Thomas Barclay followed the example of Commissioner John Paul Jones, and died.<sup>22</sup>

As Muley Soliman fought his brother Muley Ishem for the heritage of Morocco,<sup>23</sup> it became clear that he had undisputed control of the north, which his brother could claim the south.<sup>24</sup> Over in Spain, Michael Morphy, our Consul at Malaga, wrote to Secretary of State Edmund Randolph that Soli-

18) B. W., 30-1.

19) A. S. P., F. R., I, 288-9.

20) Knox, 58.

21) Quarte Siecles d'Histoire Marocaine, par A. G. P. Martin, Paris, Libraire Felix Alcan, 1923. Page 101.

22) A. S. P., F. R., I, 289.

23) B. W., 152, 168.

24) Ibid., 86.

man had ordered his corsairs to bring in all ships belonging to nations not having a consul in Morocco.<sup>25</sup> This was a subtle maneuver to compel recognition of his sovereignty, and when James Simpson, Consul at Gibraltar, corroborated Morphy's warning,<sup>26</sup> Randolph acted, and appointed David Humphreys, United States Minister to Portugal, to secure an affirmation of the treaty, which by then was deemed by us to be worth an expenditure of \$25,000.<sup>27</sup>

Soliman, having received a letter from President George Washington stating that Humphreys had been appointed,<sup>28</sup> was possibly surprised when Simpson arrived instead, but Simpson had been deputised with full powers to act,<sup>29</sup> and soon procured from Soliman the statement which prefaces this chapter. The Emperor wished to write Washington in his own hand to state that he was on the same terms of peace with the United States that his father had been, and the treaty was renewed.<sup>30</sup> On August 18th, 1795, Simpson began to relay the news to our agents abroad.<sup>31</sup> In September, letter in hand, he was back at Gibraltar, waiting for Humphreys to approve of his activities, meanwhile sending a copy to the Department of State,<sup>32</sup> where, in January of the next year, if Humphreys did not sanction the work of his deputy, Pickering did, finding cause to recommend that the Senate express its satisfaction with the new arrangement, and the Senate obliged.<sup>33</sup>

- 25) B. W., 86.
- 26) Ibid., 92.
- 27) A. S. P., F. R., I, 525.
- 28) B. W., 96.
- 29) Ibid., 100-2.
- 30) A. S. P., F. R., I, 616.
- 31) B. W., 106.
- 32) A. S. P., F. R., I, 526.
- 33) B. W., 129.

As the civil war continued in Morocco, Humphreys began to insist that we should have a naval organization ready to protect our interests against that turbulent State, of whose ports no man knew from one day to the next the colors of the possessing flag. Soliman had the superior navy; Ishem the superior army. Ishem had the more desirable country. His land produced an exceptional amount of grain, which, exported to southern, Latin Europe,<sup>34</sup> was the prime attraction for European trade.<sup>35</sup> With bold disregard of his ability to maintain the policy, Ishem began to capture ships bound for his brother Soliman's domains, in April, 1796, having taken seven Portugese, Danes and Swedes.<sup>36</sup> In retaliation, Soliman threatened the neutral nations, including the United States, with war, if their ships did not stay away from Ishem's ports.<sup>37</sup> Such strategy was not unusual; Napoleon's Decrees of a later date invoked a similar measure in the British Orders. Now, it is very well to speak of free trade in the abstract, but in this instance Yankee skippers, who persisted in flaunting the interdict, had been served notice, and they merited whatever judgment would have befallen them if caught. Our government had sought out Soliman to obtain his concurrence to a treaty with his country made by his father; we had thereby acknowledged him as sovereign of Morocco, a State which included the territory of Ishem; our government had not seen fit to deem Ishem the independent head of an independent nation; therefore, Ishem was a rebel, and Soliman had the right to close his ports to commerce. Humphreys, in a warning circular, apprised our citizens of the threat, and cautioned Amer-

34) "Indeed, the southern provinces of Spain can hardly exist without this supply." Jackson, 66.

35) B. W., 153.

36) Ibid., 152.

37) Ibid., 186.

ican ships to stay away from the southern ports.<sup>38</sup> The brig Liberty scorned the warning, and was taken into Magadore for her effrontery.<sup>39</sup> There, the master and crew were liberated, but the ship and cargo were sold as material captured in contraband trade.<sup>40</sup>

Simpson, appointed Consul to Morocco, as a result of his success in renewing the treaty, arrived at Tangier early in December, 1797, and was received by the local officials with demonstrations of cordial friendship. Soliman was in the interior, as usual occupied with his brother Ishem, and the weather was such that Simpson deemed it inadvisable to go to the itinerant court. The Governor of Tangier, however, wrote to his ruler of the American's arrival, and was able to declare, some ten days later, that (1) Soliman was delighted to receive such an illustrious representative, and (2) Soliman was now, 16 December, the sole Emperor in the domains of his late father.<sup>41</sup>

He became a monarch at an unhappy time for monarchs. Over in France the Republicans were astounding the military men of the monarchies at the same time that they struck panic and fear into the propertied classes. In the first month of 1798, a trifle annoyed by the gigantic fleets which had been passing through the Straits in their checkerboard movements for position, Soliman informed all consuls at Tangier that the belligerents must respect the Moorish flag.<sup>42</sup> Mighty ships sometimes did harm little ships, as in the case of a British ship of the line which accidentally

38) B. W., 181.

39) Ibid., 186.

40) Ibid., 228.

41) Ibid., 227.

42) Ibid., 237.



sank an Algerine,<sup>43</sup> and Soliman did not wish to be inconvenienced by loss of men or vessels. However, he need not have had great fears of his maternal Great Britain, for his ports of supplies were absolutely vital in the maintainance of the sea power embracing the continent of Europe, and cruetacean Admirals trembled at the mere possibility of losing Moroccan meat and flour.<sup>44</sup>

Meanwhile, at Tangier, Simpson resolved to go over to Gibraltar to secure his consular presents for the agreeable Soliman, who had approved of the American's decision to wait until Spring before going to the Court.<sup>45</sup> In June, therefore, Simpson belatedly proffered his credentials to the Emperor at Meknes, and His Majesty was pleased to emphasize anew his friendship for the nation which Mr. Simpson represented so capably. He was satisfied with the ceremonial gifts, and wished to buy more of the same goods, but this Simpson refused to permit, offering to purchase additional items as a further gift, the acceptance of which justified him in writing to Pickering that we were on the best of terms.<sup>46</sup> Indeed, visiting Fez, after his departure from Meknes, Simpson found proof of His Majesty's cordiality in a specially equipped and appointed house provided for him by the government, without, it must be particularly noted, any obligation, stated or implied.<sup>47</sup>

The sole instance of serious friction in our relations was not ascrib-

43) And thereby set the stage for Bainbridge's humiliation.

44) To note the consternation caused by a rumor of a rift in Anglo-Moroccan relations, see a letter written by Cuthbert Lord Collingwood, in the Memoirs of Lord Collingwood, by G. L. Newnham Collingwood; James Ridgeway, London, 1828. Page 213.

45) B. W., 237.

46) Ibid., 251-2.

47) Ibid., 254.

able to the Emperor or his officials. Early in 1800, the Oswego out of Hudson, New York, was shipwrecked off Cape Nun, far in the south of Morocco, and beyond the actual control of Soliman. Captain Paddock and his crew of fourteen men were captured and enslaved by nomadic Arabs.<sup>48</sup> As soon as Simpson was apprised of the event, he set about to rescue his countrymen, assisted in the disaster by the full cooperation of Soliman's ministry. He was able to redeem and send home six men, two were left behind, one of whom was sick and the other a British subject, for an expenditure of \$1,322.30. Of four others who had remained behind at the wreck, only one was ever heard of, John Hill, who was in the hands of a Jew, living beyond the authority of Morocco. A price of \$160 was demanded for Hill's redemption— to be paid on the spot. Simpson was still searching for a trustworthy messenger to undertake the mission at the end of 1801.<sup>49</sup>

The account of American relations with Morocco is short, because, paradoxically, our relations were excellent. The rulers with whom we had to deal,<sup>50</sup> Sidi Mohammed and Muley Soliman, were men of reason, fit to claim membership in the society of nations; they stand in marked contrast to their Eastern neighbors. Perhaps an explanation lies in their long and intimate contact with European civilisation. They were almost eight centuries the masters of Iberia, and for three centuries within sight of every sail that entered the Sea between the Lands. Just as the Moors influenced the Spaniards, the Spaniards may be assumed to have reacted in some degree upon the Moors, and the Spaniards, we know, were famed for their "courtly, foreign grace." Certainly, a refinement exists in Moroccan statesmanship,

48) B. W., 352-3.

49) Ibid., 368.

50) Yezid did not see any American representative— which may be just as well.

rough though it might seem in Versailles, which is alien to the Turkish-dominated Barbary States. The Moors had a worthy culture and heritage of their own; the Turks, a tradition of rapine, blood and pillage.

And Simpson, Consul at Tangier, constantly got letters from his less fortunate fellow consuls on the Coast, and it was a resolution of their hardships, rather than his own, that he indicated, when, in response to the information that Commodore Dale had arrived at Gibraltar, he wrote to Madison:

...I beg leave to say, that this measure of Government, appears to me extremely likely to be productive of the best consequences in your negotiations with the Barbary Powers, and I sincerely hope it will prove to be the case.<sup>51</sup>

CHAPTER III

ALGIERS

"If we mean to have a commerce,  
we must have a naval force... to  
defend it."

Humphreys to Jefferson,  
25 December, 1793.

Algiers reached some four hundred and sixty miles between Morocco and Tunis,<sup>1</sup> and was ruled by a Turkish Dey. The capitol of the same name was excellently fortified, improvements having been made upon the old Spanish works.<sup>2</sup> The city contained some 100,000 Mohammedans and 15,000 Jews.<sup>3</sup> The majority were pirates, but only two ships in the harbor belonged to the government.<sup>4</sup> A force of twelve ships and sixty gunboats<sup>5</sup> cruised three times a year, in a season lasting from April to November, and knew no law but that of might, lending point to the theory of the survival of the fittest.<sup>6</sup>

A. RELATIONS OF THE UNITED STATES UP TO THE APPOINTMENT OF DAVID HUMPHREYS, 1793.

In 1785, America found that there was a Mediterranean state named Algiers, because in that year two American ships were taken, and twenty-

- 1) Clarke, 119.
- 2) Ibid., 120-1.
- 3) Jackson, 16.
- 4) A. S. P., F. R., I, 105.
- 5) Quasi-War, I, 40.
- 6) A. S. P., F. R., I, 105.

one Americans were suffered to undergo the torments of Algerine slavery.<sup>7</sup> Negotiations were instituted by our representatives in Paris, but the Dey's demand of \$59,496<sup>8</sup> was not commensurate with an authorized expenditure of \$4,200, and the negotiations necessarily fell through from lack of a common denominator.<sup>9</sup> The United States was aroused by a petition from the slaves, and fresh attempts were undertaken to free them.<sup>10</sup> Jefferson, as Secretary of State, interested the Mathurins, an order founded for the purpose of ransoming Barbary captives, in a covert effort to assist the unfortunate Americans, but at the moment when success seemed possible the Revolution exploded in France, and the funds of the Mathurins were cut off, a fact which the Algerians readily learned.<sup>11</sup> The chief obstacle to success rested in the desires of Congress to be economical about the whole affair; when prices ranged from \$1,200 to \$6,000,<sup>12</sup> our founding fathers considered an American worth a niggardly \$555.<sup>13</sup> However, if our legislative body had deliberated long enough, the problem might have been solved by Nature, inasmuch as six Americans were carried off in an epidemic during 1788, which reduced the slave population of Algiers by 780.<sup>14</sup>

7) Ibid., 100. The schooner Maria, Captain Issac Stevens, Boston, was taken 25 July, 1785, and five days later, the Dauphin, Captain Richard O'Brien, Philadelphia.

8) Jefferson, Lipscomb, III, 96.

9) A. S. P., F. R., I, 101. Our agent, John Lamb, wistfully offered \$200 per capita. Sumner, 76. Prices were \$6,000 for a Captain, \$4,000 for mate or passenger, and \$1,400 for seaman; subject to supply and demand.

10) Sumner, 79-90.

11) A. S. P., F. R., I, 102. The General of the Mathurins advised against too open an interest in the slaves, since that would boost the price.

12) Ibid., 102. In 1790, O'Brien thought a seaman should be worth about \$2,920.

13) Ibid., 102. This was the limit to which the Mathurins might go.

14) Ibid., 119. O'Brien to Jefferson, 12 July, 1790.

In a letter to Washington, December, 1790, Jefferson detailed the steps which had preceded that date, and suggested the feasibility of using force to capture Algerines and hold them for exchange;<sup>15</sup> this attitude had been as much induced by exasperation as by the earlier recommendations of Vergennes<sup>16</sup> and d'Estaing. D'Estaing, writing his thoughts both as a renowned Admiral and an American citizen, counseled the abandonment of negotiations and the establishment of a rigid blockade, as the most rapid method of achieving results.<sup>17</sup> Washington sent Jefferson's report into the House, which was probably surprised to learn of the situation and its alternatives, one of which was to buy a peace for an estimated cost ranging from \$332,000 to \$1,000,000.<sup>18</sup> The Senate heard the report of a committee which said indignantly:

....trade of the United States to the Mediterranean, cannot be protected but by a naval force; and ... it will be proper to resort to the same as soon as the state of the public finances will permit.<sup>19</sup>

Brave words for a nation which did not have a navy,<sup>20</sup> and it is not too surprising to find the Senate agreeing, the following February, to a redemption of the captives if the cost did not exceed \$40,000.<sup>21</sup>

Off in Algiers, the master of one of the captured vessels, Richard O'Brien, kept up a stream of letters to Jefferson, advising him of local conditions. It was the policy of the Barbarians to permit a prisoner

15) Ibid., 102.

16) Ibid., 106. Suggested to Jefferson, 1786, when he was Minister in Paris.

17) Ibid., 108. D'Estaing was the French Admiral who fought for us.

18) Ibid., 104-5.

19) Ibid., 108.

20) This was not to come until 1798.

21) A. S. P., F. R., I, 128.

the free use of his pen, for their System was not so much based upon slavery as upon ransom, and a gentleman's account of his hardships might spur his friends and family to exertions sufficient to ensure his release. And so, taking advantage of his opportunities, O'Brien laid the groundwork for his later appointment as Consul by becoming almost the sole source of information on Barbary affairs.<sup>22</sup> He warned against a Portugese peace, for then the corsairs would leave the Straits;<sup>23</sup> he made the practical suggestion that naval stores would be worth far more than money on the desolate coast.<sup>24</sup> Jefferson, as Secretary of State, read O'Brien's letters and cast about for a solution to our dilemma, whether to make a treaty or an outright purchase, in the meantime alleviating the actual physical distress of his wretched countrymen by a small disbursement.<sup>25</sup> His decision to combine both objects into one mission resulted in stopping even this small consolation, for, as he explained to John Paul Jones, the price would be knocked down if the United States apparently did not care what became of its citizens. Jones, then resident in Paris, after service in the Russian Navy, was appointed by Washington to be Commissioner for treat-

22) In his instructions to Jones, Jefferson said of O'Brien: "I must recommend to your particular notice Captain O'Brien, one of the captives, from whom we have received a great deal of useful information. The zeal which he has displayed, under the trying circumstances of his present situation, has been very distinguished. You will find him intimately acquainted with the manner in which, and characters with whom, business is to be done there; and perhaps he may be useful to you, especially in the outset of your undertaking, which will require the utmost caution, and the best information." A. S. P., F. R., I, 292. Jefferson could not but know that O'Brien was a poorly educated, unobservant seaman, but O'Brien was the only individual with whom our government was acquainted.

23) Ibid., 130.

24) Ibid., 129.

25) Ibid., 290. The calculation exercised by our Congressmen and statesmen to save a penny in the early days of our national existence seems at times to be brutally inconsiderate of humane sensibilities.



ing with the Barbary States.<sup>26</sup> While it is interesting to speculate upon the possible outcome of sending this redoubtable, uncompromising sailor to represent our cause, the sad fact remains that Pinckney, arriving in London towards the end of 1792 with Jones' commission, learned that Jones had died.<sup>27</sup>

After the death of the hero of Bon Homme Richard, Thomas Barclay was appointed to negotiate under Jones' commission. Like his predecessor, he died before he could initiate the business.<sup>28</sup> Finally, in March, 1793, David Humphreys, United States Minister to Portugal, was directed to wind up Barclay's affairs in Morocco, and thence proceed to Algiers.<sup>29</sup>

#### B. THE NEGOTIATIONS OF DAVID HUMPHREYS.<sup>30</sup>

The mission of David Humphreys was, from the start, unfortunate. War broke out between Great Britain and the new Republic of France, and thus made the transportation of money an unduly dangerous venture.<sup>31</sup> Then, too, he was delayed by the necessity of concluding Barclay's overtures to Morocco,<sup>32</sup> so that it was not until September that he was able to sail from Lisbon. At Gibraltar, he learned of a truce between Portugal and Algiers,<sup>33</sup> and O'Brien's prophecy regarding the dangers inherent in that

26) Ibid., I, 291-2. Jones was not to pay a ransom without a peace.

27) Ibid., 293. There were only thirteen Americans then left in Algiers.

28) Ibid., 293. Those prisoners who were ransomed by private efforts were reimbursed by Congress. A. S. P., F. R., I, 378.

29) Life and Times of David Humphreys, by Frank Landon Humphreys, 2 volumes; G. P. Putnam's Sons, New York, 1917. II, 162.

30) Humphreys, (1753-1818), educated at Yale, had been Washington's aide-de-camp during the Revolution, and was, subsequently, one of the President's intimate friends. National Portrait Gallery, Volume II.

31) Humphreys, II, 170.

32) Ibid., 176. Although the delay undoubtedly contributed to his failure to get a peace, Washington approved Humphrey's actions.

33) Ibid., 186-7.

contingency became apparent and true with the captures, during October, of ten American ships carrying a hundred and five men,<sup>34</sup> followed by one more in November, with seven men.<sup>35</sup> Quite as much affected by these mis-  
haps as by lost opportunities to supply the British fleet because of our virtual exclusion from the Mediterranean,<sup>36</sup> Humphreys proceeded to Ali-  
cante, seaport of Valencia, over against Algiers, and was there informed that the Dey refused to let a United States Commissioner set foot on his shores:

... He would not treat with us even if we were to lavish millions.<sup>37</sup>

This, of course, was due to the lamentable circumstance of the Dey's possessing the persons of some one hundred and thirty Americans, and his desire to make the commodities of more value by withholding them temporarily from the market.

In this awkward impasse, O'Brien helpfully sent Jefferson an estimate of the number of ships needed to put down these vainglorious pirates,<sup>38</sup> at the time that Humphreys, in Alicante, strongly urged upon Jefferson the

34) A. S. P., F. R., I, 417.

DATE	SHIP	TYPE	CAPTAIN	MEN	PORT
October 8,	<u>Dispatch</u>	Schnr	Wm. Wallace,	7	Richmond
" 8,	<u>Thomas</u>	Ship	Tim. Newman,	11	Boston
" 11,	<u>Jane</u>	Brig	Moses Moss,	8	Newburyport
" 11,	<u>Olive Branch</u>	Brig	Wm. Furnan,	7	Portsmouth
" 11,	<u>George</u>	Brig	James Taylor,	8	Newport
" 12,	<u>Jay</u>	Schnr	Sam Calder,	7	Gloucester
" 18,	<u>Minerva</u>	Ship	John McShane,	17	Philadelphia
" 23,	<u>President</u>	Ship	Wm. Penrose,	12	"
" 25,	<u>Polly</u>	Brig	Michael Smith,	9	Newburyport
" ?,	<u>Hope</u>	Ship	John Burnham,	19	New York

35) Ibid., I, 422. November ?, Minerva, Brig, Captain Joseph Ingraham, 7 men, out of New York.

36) Ibid., I, 295.

37) Humphreys, II, 188-9.

38) A. S. P., F. R., I, 417. 16 frigates, 4 brigs, and 2 schooners.

advisability of adopting a convoy system, if the more preferable expedient of war was not to be called upon.<sup>39</sup> Patience could be stretched to a limit, and Humphreys' admonitions did not fall beneath an unsympathetic eye, but Jefferson was, as yet, only Secretary of State, and the Navy of the United States, an unlikely potentiality.

Temporarily, Pierre Skjoldebrand, brother of the Swedish Consul, consented to handle United States interests.<sup>40</sup>

Despairing of entering Algiers, Humphreys in December decided to return to Lisbon, leaving instructions with Robert Montgomery, Consul at Alicante, to provide each of the Americans with an annual suit of clothes and a monthly pittance varying from \$8.00 for a Captain to \$3.65 for a common seaman.<sup>41</sup>

In Portugal, Humphreys devoted himself to constant reminders that a Navy would be the cheapest and best mode of maintaining peace,<sup>42</sup> but, more practically, undertook to discover if the Portuguese peace was permanent or temporary.<sup>43</sup> He found that Portugal was friendly to the United States, and, from the Secretary of State for Foreign Affairs, received a delicate suggestion that the United States could share in the expense of the impending renewal of war.<sup>44</sup> Convinced that some such course would be imperative, Humphreys undertook to prepare for the operations of an American squadron, by securing from the Minister of Genoa at Madrid a promise that the town would be hospitable to a United States flotilla.<sup>45</sup>

39) Humphreys, II, 189-90.

40) Ibid., 192.

41) A. S. P., F. R., I, 419.

42) The Miscellaneous Works of David Humphreys, T. & J. Swords, New York City, 1804. Pp. 69-71.

43) Humphreys, II, 200.

44) Ibid., II, 202.

45) Ibid., II, 203.

Off in Algiers, O'Brien, who had seen freedom within grasp, bitterly railed against Humphreys, and inaugurated a vitriolic correspondence to while away the winter.<sup>46</sup> Most blame for the fiasco was laid upon the Portuguese peace; personally, Humphreys regarded his orders to settle Barclay's affairs as ultimately responsible for the failure to establish diplomatic connections.<sup>47</sup>

Congress eventually realised the inadequacy of its appropriation, and authorized an expenditure of \$800,000 for the Algerine peace and ransom,<sup>48</sup> in meek compliance with the Dey's demands for a large sum down and annual tribute. Not knowing of this, Humphreys, in November of 1794, asked the Lisbon government to surrender his passports so that he might go to America and call Washington's attention directly to the plight of the prisoners.<sup>49</sup> It was the same month the money had been voted; Randolph's letter informing him of the fact passed him at sea.<sup>50</sup>

Immediately upon landing at Newport in February, Humphreys wrote to Washington, stating the reasons for his coming, and was surprised to learn that he had been precipitate.<sup>51</sup> Washington silenced most criticism by sanctioning his return in the interests of zeal; Humphreys visited Mount Vernon for a short vacation.<sup>52</sup> The brig Sophia was specially chartered for his voyage to Lisbon, and, after intimately informing the cabinet of European and Barbary conditions, he sailed for his post. As a result of his visit, the cabinet decided that Joel Barlow would be a suitable agent

46) Humphreys, II, 206-8.

47) Ibid., 210.

48) Ibid., 223.

49) Ibid., 224.

50) Ibid., 226-9.

51) Ibid., 225-6.

52) Ibid., 230-1.

to send to Algiers,<sup>53</sup> and Joseph Donaldson, Junior, to Tunis and Tripoli.<sup>54</sup>

In May, 1795, acting in accordance with his instructions, Humphreys deputed Donaldson to take soundings in Algiers; he was to seek the aid of the French Consul, and ascertain if the time was ripe for using the money Congress had grudgingly voted.<sup>55</sup> In September, Joel Barlow<sup>56</sup> was made agent at Algiers. He was selected for three reasons: (1) French was the court language of that country; (2) France was then highest in the Dey's barometric favor; and (3) Barlow was a complimentary citizen of France, as d'Estaing was of the United States.<sup>57</sup>

Before Barlow could take up his duties, Donaldson had surmounted the hitherto impossible, and made without warrant a treaty on the fifth of September, 1795.<sup>58</sup> He had been influenced by the pathetically eager anxiety of the prisoners, and encouraged by the willingness of various ministers to listen to overtures of peace. His agreement was contingent upon Humphreys' approval and ratification by actual payment of cash.<sup>59</sup> The Dey's geniality cost the United States about one million dollars.<sup>60</sup>

The most significant article of the treaty, relative to future negotiations with Tripoli and Tunis, was number fifteen, which gave the Dey jurisdiction over disputes between his subjects and citizens of the United

53) Humphreys, II, 231.

54) Ibid., 234.

55) B. W., 98-9.

56) Barlow, (1755-1812), was educated at Dartmouth and Yale, and served as a chaplain in the Army during the Revolution. He was one of America's minor poets, distinguished for his epic, The Columbiad. See— National Portrait Gallery, Volume I.

57) Barlow, Todd, 117.

58) B. W., 116.

59) Humphreys, II, 236-7.

60) Barlow, 118. The cost was \$992,465.25, of which \$522,500 was for ransom.

States. He nominally ruled Tripoli and Tunis, with a title harking back to the days of Barbarossa, and from this fact was derived the later clause in the Tripolitan treaty.<sup>61</sup>

Donaldson mentioned to Humphreys an indebtedness to an American prisoner, James Leander Cathcart. As chief Christian clerk, Cathcart had been most useful during the business, so that Humphreys<sup>62</sup> knew who he was upon getting a note of gratitude from him, in which Cathcart, casually calling attention to his long experience by expressing thanks for the remnant of 1785, unselfishly offered his services to his country, which had finally set him free. He was, subsequently, made Consul to Tripoli.<sup>63</sup>

#### C. RELATIONS TO THE ARRIVAL OF O'BRIEN AS CONSUL-GENERAL.

Barlow came to Algiers in February, some six months after the treaty had been signed, and was immediately confronted by a Dey angrily desirous of knowing the whereabouts of the money which had been promised for delivery three months previously.<sup>64</sup> Our embarrassed representative managed to assuage the outraged autocrat, despite the machinations of the British Consul, who was keeping the Dey informed of the location of American ships which could be seized. Barlow exclaimed bitterly, "It is certain that the most inveterate enemies we have on that place, as well as in all others under heaven, are the English."<sup>65</sup>

Cathcart, in his confidential position,<sup>66</sup> had sufficiently won the

61) B. W., 107-10.

62) Ibid., 120.

63) Ibid., 119.

64) Barlow, Todd, 119.

65) Ibid., 120-1.

66) B. W., 135.

respect of Humphreys, to have that gentleman write him a fifteen page letter concerning conditions in the Mediterranean,<sup>67</sup> and made strenuous exertions to keep smooth the way of American relations.<sup>68</sup> But words had a maximum effect on the Barbary coast, and that point was soon reached; the Dey's repetitious inquiry for the fulfillment of the terms reduced Barlow to the necessity of buying patience with the offer of an 18-gun ship. The Dey boosted the ante to a 32-gun frigate.<sup>69</sup> Barlow and Donaldson raised the bid to a 24-gun sloop, should the Dey oblige with an extension of six months. Barlow reported that the novelty of their proposal won their point, which, slightly altered, gave the credit of the United States three months' time in exchange for a frigate of 36 guns.<sup>70</sup> He expected that the new arrangement would cost some \$53,000 and some censure, but was willing to undergo both in the conviction that there had been no alternative.<sup>71</sup> It was, however, setting a dangerous precedent, and later caused our Consul at Tripoli much trouble.<sup>72</sup> Captain O'Brien was dispatched to Lisbon to secure hard cash.<sup>73</sup>

The United States had letters of credit on the Barings in London, but there was little money to be obtained in that metropolis, and while O'Brien scoured the seas in search of gold,<sup>74</sup> Barlow and Donaldson waited daily for a declaration of war, and meditated unhappily upon the French Consul, who, in former times, had been shot from the mouth of La Consul-

67) B. W., 133.

68) Ibid., 136-7.

69) Humphreys, II, 237-8.

70) Barlow, 130.

71) Ibid., 131.

72) See page 95.

73) Humphreys, II, 238.

74) Ibid., II, 239.

aire.

At home, as the months went by, Secretary of State Timothy Pickering was annoyed. Humphreys shouldn't have left Lisbon to try and raise money in Paris; Donaldson should have known how to estimate stores— he was short by half;<sup>75</sup>— Barlow should stop complaining about his miserable condition in Algiers.<sup>76</sup>

But Pickering wasn't in Algiers, where, in April, Barlow found himself alone, after Donaldson had moved on to Leghorn, and he was so patently worried about the money, that the Dey sympathetically presented him with a saddle horse for exercise and diversion.<sup>77</sup> Finally, Barlow resorted to what he admitted was an unsavory dodge to distract attention from himself; he arranged to have Cathcart sent by the Dey to the United States as the Dey's personal agent. It was a simple intrigue; there was a Jew who disliked the sturdy Cathcart, and he willingly carried the suggestion to His Highness, so that neither Cathcart nor the Dey was cognizant that the proposal had originated with the American official.<sup>78</sup> So, in May, 1796, the Yankee clerk found himself in a small ship bound for Philadelphia, where he was to impress upon the government of the United States that something should be done to redeem its collective honor, which was now in bad repute in the bazaars of the Coast.<sup>79</sup>

And then, without cash, Barlow accomplished the task which had instituted the diplomatic relations with Algiers; the slaves were freed. A new French Consul had come in June, and succeeded in reviving the influence of the Republic to such an extent that he was able to borrow

75) Humphreys, II, 245.      77) Barlow, Todd, 131.      79) B. W., 156-7.  
76) Ibid., II, 239-41.      78) Ibid., 133-4.



\$200,000 from the Dey's public treasury. Barlow, hearing of the transfer, subtly implied that both parties could prove their good will by lending him the money, and as much more as was necessary for the freeing of the Americans; bills on Donaldson at Leghorn to be security. As a result, the Dey loaned to Barlow the very money Barlow used to pay the Dey for his countrymen's ransom.<sup>80</sup> American diplomacy should not be too ridiculed.

As quickly as possible, Barlow sent the Americans out of Algiers, being obliged to employ the ship Fortune belonging to the Bacris,<sup>81</sup> which was the only ship available.<sup>82</sup> In writing home about the tearful leave-taking, Barlow remarked that the gratitude of the slaves was largely misplaced, and should have been bestowed upon Cathcart, who, by virtue of his tact and knowledge of Barbary psychology, had been greatly beneficial in promoting the success.<sup>83</sup> Then, having nothing better to do, Barlow acted upon his own initiative, and struck up communications with Tunis and Tripoli.<sup>84</sup>

Waiting impatiently for O'Brien to bring back the money, Barlow heard without affliction that two American ships had been taken to Tripoli.<sup>85</sup> Perhaps he would have been more concerned had he known at the time that one of the victims, whom he was maligning for stupidly venturing into the Mediterranean when every fool knew the sea was unsafe for Americans, was

80) Barlow, Todd, 134-5.

81) Jewish merchants in Algiers.

82) There was subsequent difficulty over the registry of the Fortune, after she was captured by a British cruiser. See page 45.

83) Barlow, Todd, 137.

84) As Barlow explained to his wife, "I acted without orders and without money." Ibid., 137.

85) Ibid., 139.

none other than the long-awaited O'Brien with a cargo of hard cash.<sup>86</sup>

He heard in September, 1796, that the money had been dispatched by Humphreys from Lisbon, and cleared the Straits six weeks previously. The news meant that the ship had either been taken or lost, presupposing the Captain was honest, and either eventuality was equally detrimental to the interests of the United States.<sup>87</sup> Still, he did not connect this intelligence with that from Tripoli, and learned of his inability to associate only when O'Brien arrived on October 1st, with a sad story of having been captive to Tripoli for three weeks, being freed through the sole medium of a passport from the Dey of Algiers.<sup>88</sup> Since O'Brien brought a substantial portion of the money required for the peace, he was made most welcome.<sup>89</sup>

Barlow took unscrupulous advantage of the Dey's new affability to urge as a proof of friendship the Dey's assistance in American negotiations with his vassal states of Tunis and Tripoli. To this, the capricious Dey not only consented, but proposed to lend Barlow the 90,000 piastres necessary for the peaces, and, if gold could not accomplish treaties, then sixty thousand horsemen would. And so, 10 October, 1796, O'Brien went bravely back to Tripoli, where he had so recently been humiliated, to make a peace under circumstances eminently propitious.<sup>90</sup>

Success in his hand, Barlow looked forward to leaving Barbary, and

86) Barlow, Todd, 138-9.

87) Ibid., 139-40. The other vessel was confiscated and broken up.

88) O'Brien brought \$180,000. The Life of Timothy Pickering, by his son, Octavius Pickering, four volumes, Little Brown, 1867. II, 272.

89) Barlow, Todd, 140-1.

90) Ibid., 142.

pointed out to Humphreys that the Dey had proved an adage of the Coast by declaring war on the Venetians the same day O'Brien weighed anchor.<sup>91</sup> Our poet and citizen of France was not deceived by the mercurial humours of Barbarians,<sup>92</sup> and while he waited for news from the vassalages, went pig-sticking with the Dey's ministers.<sup>93</sup> Over in Philadelphia, Cathcart searched for articles suited to the taste of his quondam master.<sup>94</sup>

4 November, 1796, O'Brien got his treaty, left ex-slave Joseph Ingraham as chargé d'affaires, and brought his triumph to Barlow, who induced the Dey to guarantee it with his signature on January 3rd, 1797.<sup>95</sup>

A few days later, the Dey commissioned O'Brien to buy him two ships in the United States,<sup>96</sup> and once again the plucky little Sophia plowed the waves of the Mediterranean. Arriving at Lisbon on the last day of the month, O'Brien informed Humphreys of his treaty, as well as of the Dey's efforts in making Tunis more amenable to American reason. Stepping out of his province, O'Brien suggested that it would be advisable to have Barlow remain at Algiers until the maritime stores could be delivered,<sup>97</sup> but Barlow, his work done, was almost ready to leave, and would, when Tunis delivered up a treaty.

91) Ibid., 143.

92) Ibid., 143-4. "Everybody here is astonished at this stroke of policy. There is nothing surprising, however; the Dey is of a certain temperament—difficult to manage, but easy to captivate. ... Without being sure of the sincerity of our Government, he saw in my tranquility and constancy something which won him. ... Today he would give me his beard, hair by hair, if I should ask it; but this humour cannot last long, for caprice is the first of his virtues; if his favor lasts while I am obliged to remain here it is all I can hope for."

93) Ibid., 144-5.

94) B. W., 182.

95) Ibid., 180.

96) Ibid., 192.

97) Ibid., 194.

Difficulty developed in Algiers. When Barlow sent the Americans away in the Fortune, he had given her commander an American bill of sale, so that Captain Calder could fly the American flag rather than the Algerine. The prisoners, who were to have been taken to Leghorn, ended up at Marseilles, where Calder, as requested by Barlow, destroyed the bill of sale, so that the ship reverted to her actual registry as an Algerine owned by the house of Bacri.<sup>98</sup> Somehow, Stephen Cathalan, Vice-Consul of the United States at Marseilles, was then prevailed upon by the Jews' agents to give the Fortune a United States passport, so that, when the ship, performing business for the Bacris, sailed in ballast for Bona to take a cargo of wheat back to Marseilles, she was, for all practical purposes, under American protection. On the fifth of February, she was picked up by two English frigates, the Blanche and the Inconstant, and taken to Porto Ferrajo, where she was declared to be English built and good prize.<sup>99</sup> A local court thereupon condemned the ship, and thereby placed Joel Barlow in an awkward position. There was a custom at Algiers, the standard law of Barbary, that the flag protects the cargo, and in event the cargo did not reach its destination, that flag was responsible, and had to pay.<sup>100</sup> Our association with Algiers had cost nearly a million dollars, and Barlow was now asked to answer for another forty thousand. The best that he could do was to get the Bacris to declare that the money had been paid, so that the Dey did not cause trouble.<sup>101</sup>

98) B. W., 208.

99) Ibid., 195.

100) Ibid., 208-9.

101) Ibid., 210.

In March, 1797, another serpent reared its ugly head, when Barlow found the new French Consul, Jean Bon St. Andre, one time supporter of Robespierre, acting in a manner hostile to the United States, and presuming that our Jay treaty with England was so obnoxious that we should soon be at war with the Republic, sending out a privateer from Algiers. Barlow resorted to the laws of Barbary, which held that a friend's flag covered enemy goods (in direct contradiction to the prevalent European assumption that a neutral flag did not cover enemy goods.)<sup>102</sup> Matters reached a crisis, when Barlow heard that an American ship had been seized and was being sent in. Uniting with the Danish and Swedish Consuls, he prevailed upon the Dey to close the ports of Algiers to such illegal captures— which might have taught the Barbarians a lesson unhealthy for European commerce.<sup>103</sup> Barlow felt that French influences similarly were responsible for retarding the signing of a treaty with Tunis, but optimistically looked forward to a rapid consummation of the business.<sup>104</sup>

On the twentieth of May, Barlow visited the Dey to inform him of news he had had from Cathcart, that the Independent had sailed six months previous. Therefore, the ship had either been lost or stopped by a belligerent. "You are a liar," the Dey replied, "and your government is a liar; and I will put you in chains at the Marine and declare war." In reporting the incident, Barlow was by then so conditioned to the pleasantries of the

102) The policy seemed to be "business as usual." Our government was unsuccessfully insisting upon this as a principle to France and England, but it had the force of law in Barbary.

103) B. W., 199-200.

104) Ibid., 201.

country that he advised the Secretary of State not to be offended at either the language or the threat, since they were common coin.<sup>105</sup> The affair was soon smoothed over.

He at last fulfilled the duties of his commission, receiving treaties from all three of the Barbary States, and could leave the desolation of the Coast. Before departing for home, he wrote a public certificate of gratitude for the assistance rendered him by Skjoldebrand, the Swedish chargé d'affaires, who would not accept presents worth \$2,500, compelling Barlow to acknowledge his indebtedness by another method.<sup>106</sup> Placing matters in the Swede's hands, Barlow left Algiers, giving the discontented Bacris what amounted to a nine months sight draft upon the United States.<sup>107</sup>

After various experiences, the Independent finally arrived in September, 1797, ten months late. The Dey was dissatisfied with goods which had been damaged at sea, and many sound articles were declared to be of an inferior material.<sup>108</sup>

In Philadelphia, Richard O'Brien was being constituted Consul-General of the United States on the Barbary Coast.<sup>109</sup> The appointment was due to his correspondence with Jefferson, which presumably made him an authority on Barbary statesmanship.

#### D. O'BRIEN'S CONSULATE TO 1800.

105) B. W., 209.

106) Ibid., 198-9.

107) Ibid., 210. The amount was \$40,387.

108) Ibid., 216.

109) "O'Brien is an old Irishman, who was once consul-general at Algiers, chiefly because he had been nine or ten years a slave there. He was a master of a vessel, and an exact copy of Smollett's novel sailors. His discourse was patched up entirely of sea phrases, and he prides himself upon nothing so much as his language." John Quincy Adams, Memoirs, IV, 403, quoted in Schuyler, 203.

O'Brien's instructions were copious and left him little excuse for not perceiving his duty under any contingency. Primarily, he was to explain the difficulties in the way of executing the stipulations, and secondarily to deliver the ships built in the United States for the Dey; and, under any and all circumstances, he was to avoid giving away any more vessels.<sup>110</sup> He left Portsmouth, N. H., 18 January, 1798, reached Gibraltar, 17 February, and Algiers nine days later. He thought he was welcome, but may have been mistaken,<sup>111</sup> though in all likelihood, the bestowal of the Crescent frigate, 36 guns, in which he had sailed, would tend towards harmony, as an evidence of fulfillment of a portion of the treaty.<sup>112</sup> He sent fifty thousand Spanish dollars to Tunis, entrusted to the care of Joseph Etienne Famin, a Jew who had made the treaty for Barlow, and our reputation was ensured in that quarter.<sup>113</sup>

Aside from his happy advent, O'Brien had difficulty comprehending his situation, and wrote a petulant letter to Pickering complaining that Barlow had left things in such disorder that no one knew how our matters were with the Barbary Coast.<sup>114</sup> But he knew by April, when he, too, had come to the universal American conclusion, and was writing to Humphreys that force alone would make us respected on the southern line of the Mediterranean.<sup>115</sup>

110) B. W., 231-3. The ninth section of his instructions was interesting, as presaging the present duties of the consular service: "You will enquire and collect the best information in your power concerning the commerce of the States of Algeria, Tunis and Tripoli, and communicate the same to this Department specifying the articles of commerce, their prices, with what nation 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."

111) Ibid., 239.

112) Quasi-War, I, 10.

113) B. W., 244.

114) Ibid., 242.

115) Ibid., 245.

On the 30th of April, O'Brien suspected that a sudden illness of the Dey was going to prove fatal, and bitterly foresaw that a successor to the dignity of Algiers would demand money and presents to renew the peace.<sup>116</sup> The key man was the Prime Minister, Mustapha, who had been a common soldier and promoted from the ranks by the favor of Hassan,<sup>117</sup> and, when on the fifteenth of May, Hassan departed this world, Mustapha assumed the royal attire. Daily expecting three ships from America,<sup>118</sup> O'Brien complacently thought he had weathered the transition by passing around some \$5,500 worth of gifts.<sup>119</sup> He may have been in Algiers for a decade or more, but in that time he had not, apparently, come to full understanding of Barbarian techniques.

Nevertheless, despite his failure to grasp haute diplomatie, he showed himself an adept in the less refined details of deception. Early in October, the brig Mary was captured and brought into Algiers. She did not carry a Mediterranean passport— at least, not a Mediterranean passport recognizable as such to the General of the Marine. However, her papers produced a bill of sale, which, possessing a cotton seal, O'Brien quietly declared to be a passport avant and consular certificate. The Dey's zealous ministers were slightly skeptical until O'Brien offered to wager \$2,500 they were wrong— to be distributed in the usual manner— and, surprisingly, they discovered that they had been mistaken, and the Mary was released.<sup>120</sup>

116) B. W., 247.

117) Ibid., 290.

118) Two were ships ordered in America by Hassan Bashaw, and the other was carrying part of the naval stores, which were specified by treaty and long overdue.

119) B. W., 250.

120) Ibid., 258-9.



The incident led O'Brien to make some suggestions to the Secretary of State, relative to the form and shape of passes, as well as the dress of ships. He pointed out that the Barbarians barely knew of the United States as a nation, not as an aggregate of state flags, and advised against the flying of state colours.<sup>121</sup> The strain of waiting for the ships induced the Consul-General to upbraid the United States for not keeping its agreements.<sup>122</sup>

In December, he was sent instructions to assist Eaton and Cathcart in changing some articles of the treaty with Tunis, and was surprised to hear that the Secretary thought the Dey's intervention in our behalf may have done more harm than good.<sup>123</sup> These negotiations will be discussed in their proper chapter.

The next month, Mustapha solemnly requested a favor, which O'Brien readily recognized as a genteel douceur, and estimated at a probable cost of \$20,000: the new Dey thought that twenty 24-pounder brass cannon would be an excellent addition to his defences, and promised to pay the American Consul, if the American Consul would be kind enough to have them purchased. Before O'Brien had ceased arguing,<sup>124</sup> the first of the treaty ships laden with part of the naval stores, the Lelah Eisha, arrived, 23 January, 1799.

Immediately, O'Brien was at loggerheads. Mustapha said he'd accept the ships ordered by his predecessor only as a free gift. He had not asked to have them built. It seemed there was not a natural continuity of national government, but rather a personal one, and a successor to the

121) B. W., 260-2.  
122) Ibid., 262.  
123) Ibid., 282.  
124) Ibid., 289-90.

executive was not obliged to abide by the actions of the former incumbent if he was so disinclined. Besides, Mustapha pointed out, the frigate Crescent had been built as a free gift; was he, Mustapha, any less than the lately reigning Hassan? O'Brien pointed out that no disrespect was intended for Mustapha, but that the Crescent had been promised by authority, and that he had none to do likewise. The other ships had been ordered by Algiers, and Algiers was honor-bound to pay for them. Angered, Mustapha directed that the Algerine flag hoisted in compliment aboard the Lelah Eisha be struck.<sup>125</sup>

All Algiers now expected war.

A few days later, Mustapha sent his General of Marine to tell O'Brien to rest until the other two ships arrived, when they'd renew their conversation. Resentfully, O'Brien mentioned to the Minister that the United States was no longer helpless, having forty corsairs at sea, and more building, but still preferred peace. The information did not, as he may have hoped, make the General chringe with terror, for the General was used to dealing with the English as well, and the Royal Navy had twenty times that number.<sup>126</sup>

Early in February, the Skoldebrand and the Hassan Bashaw, 22 guns, dropped anchor off Algiers, and Mustapha ordered O'Brien into his presence to find out the separate price of each of the American ships. Unhappily, O'Brien did not know, the information not having been sent on these ships, and he was constrained to wait until the Sophia should bring his brother

125) B. W., 290-1.

126) Ibid., 292.

Consuls, Eaton and Cathcart.<sup>127</sup>

The Algerines were entranced by the excellent workmanship of the vessels, and marvelled that they had crossed the open sea and sustained such little damage. O'Brien profited by their admiration because Mustapha would be the more willing to make concessions if the ships were so obviously worth having.

The Sophia came the day after the Hassan Bashaw, and within two hours, O'Brien was introducing his companions to the Dey, and stating that the price of the three ships was \$98,000. Probably because he was dealing with a Barbarian, he was able to justify an increase of almost twenty per cent over their cost in Philadelphia. He enlisted the support of the influential house of Bacri by promising the Jews the cargo of the Sophia, and thus the path was made clear.<sup>128</sup>

On the 16th of February, O'Brien induced the Dey to accept the two schooners at a valuation of 36,000 sequins,<sup>129</sup> and the brig as a free gift, explaining that the United States took particular pleasure in increasing the strength of Algiers against our common enemy the French.<sup>130</sup>

The good will engendered lasted until April, when O'Brien once more began insisting upon force as the only adequate means of dealing with the Coast.<sup>131</sup> Concessions were futile; cannonballs were the only arguments the Barbarians really understood.

127) B. W., 291-3.

128) Ibid., 293.

129) A sequin was worth approximately two dollars. Thus O'Brien had lost only about \$6,000 on the deal.

130) B. W., 294.

131) Ibid., 320.

A torturous year followed. A year in which O'Brien's reputation fluctuated in direct proportion to the days that passed and did not bring the cash balance and the annual tribute. The naval stores which had been brought in the three ships were quickly forgotten, and American credit fell to a low ebb. On an occasion of making obligatory presents to the four hundred officers of the regency, the only person in Algiers who took pity on his plight was the Dey himself, who loaned O'Brien twelve thousand dollars from his own treasury. The Dey's kindness went further, and he loaned O'Brien cloth to make gifts; cloth which the Dey claimed was the best in the world, but cloth which his officers refused to accept from the hands of O'Brien.<sup>132</sup>

He was further embarrassed to observe that the Crescent was beginning to show the encroachments of dry rot, and began praying that the Portuguese would capture her so that he would be spared explanations.<sup>133</sup> Nor was he happy to have Eaton and Cathcart draw bills upon him.<sup>134</sup>

But his crowning embarrassment was yet to come.

#### E. THE GEORGE WASHINGTON AFFAIR.

In May, 1800, Captain William Bainbridge, U. S. N., was sent to Algiers with tribute in the hold of the George Washington, 15 guns. He furled sail at the end of his voyage in September of the same year.<sup>135</sup> Unwittingly, he placed himself in an awkward position, and the \$67,600 he brought with him served to strengthen the claim which was to be made upon

132) B. W., 349-50.

133) Ibid., 351.

134) Ibid., 356.

135) Life of Commodore William Bainbridge, by Thomas Harris, M. D.; Philadelphia, 1837, Carey Lea & Blanchard. Page 43.

him and his ship.<sup>136</sup> When a commander enters a fortified port of a friendly nation, he is, ipso facto, in the power of that nation. Ordinarily, he assumes that international law will protect him, and takes only the precaution to have his ship ready to sail upon short notice. A study of the harbor of Algiers reveals the excellent nature of its fortifications, and it is hard to see where Bainbridge would have anchored without either being in the power of the Dey or insulting the Dey by a manifest lack of confidence.<sup>137</sup> Used to the manners of civilised nations, he would be unlikely to have any suspicion of the demand which was about to be made of him.

Nor could Bainbridge, coming in from sea, know that Mustapha, Dey of Algiers, had insulted his master, Selim III, Sultan of Turkey, by concluding a peace with the upstart First Consul of the French. Napoleon had brought an army into the Sultan's domains of the Near East, and it was still in Egypt, master of all it faced. So long as Turkey remained at war with France, Algiers was presumptuous in signing a treaty, and the Sultan demanded an explanation.<sup>138</sup> The public treasury of Algiers had some \$80,000,000 which might have proved attractive to the Corsican, so Mustapha had acted the better part of valor— now he had to account for his sudden timidity.<sup>139</sup>

It seemed that from the arrival of the George Washington in Algiers, everyone except the Americans assumed that she was going to carry the Dey's ambassador to Constantinople. On the 18th of September, when Bainbridge

136) B. W., 648.

137) Ibid., 373. Map of Algiers. The George Washington's 9-pounder cannon were toys compared to the guns in the forts.

138) Bainbridge, Harris, 44-5.

139) Quasi-War, II, 386.

went with O'Brien to pay his respects to the Dey, that gentleman startled the Mankee officer by petitioning the service of the American naval vessel.<sup>140</sup> Horrified, O'Brien observed that neither he nor Bainbridge had either orders or power to acquiesce; having no orders, they couldn't take the responsibility of such an undignified submission, because Bainbridge couldn't, under his orders to fire solely upon Frenchmen, protect his ship against the enemies of Algiers.<sup>141</sup> The Dey, however, had stated his wish, and was not interested in technical scruples.

O'Brien repeated his objections to the Prime Minister, and took his leave, his stand firmly emphasized. Bainbridge went back to his ship, and wondered how he, with one hundred and thirty men in a puny sloop, was going to defend his flag against the fortresses that smiled at him across the water.<sup>142</sup>

Matters remained static for eight days, when the Dey required the presence of O'Brien in company with John Falcon, the British Consul. He wished to know if the Americans were still unable to accede to the request and O'Brien thereupon left Mustapha few doubts upon the question. The Dey was embittered, said that other nations had rendered him the same service, and then, suddenly, inexplicably, threatened to detain the George Washington unless the British Consul would undertake to have an English ship of

140) The ensuing narrative to Note 146 is based on A. S. P., F. R., II, 353-4.

141) We were in the midst of our Naval War with France.

142) "Every effort was made by me to evade this demand, but it availed me nothing. The light in which the chief of this regency looks upon the people of the United States, may be inferred from his style of expression. He remarked to me, 'You pay me tribute by which you become my slaves, I have, therefore, a right to order you as I may think proper.'" Bainbridge Harris, 45.

war do the business. To this, Falcon assented, inasmuch as Lord Keith, commanding the Royal Navy in the Mediterranean, had promised to send a ship for that purpose; the ship was daily expected. Mollified, the Dey consented to wait a few days.

On October 3rd, a 24-gun British sloop came into the port and made an honest man out of Consul Falcon, and all seemed settled. But the Dey, possibly wishing to exert power over the stripling United States,<sup>143</sup> found objections to trusting his mission to a British sloop of war, and on the morning of the 9th, summarily solicited of O'Brien the George Washington's execution of the duty. If not, he would no longer be friendly to the United States. Forlornly, O'Brien parroted that he lacked orders, thus further enraging the Dey, who cried out that O'Brien was thinking up excuses; if the ship did not heed his request, he, the Dey, knew what to do.

O'Brien, shocked, stunned, repeated himself, until the Dey grimly remarked that he would personally justify the possible disobedience—the ship would go per force, without alternative. He and his ministers had taken a dislike to the British and O'Brien must yield. Concluding by saying that he'd send his banner to the marine to be hoisted at the Washington's masthead, Mustapha considered the discussion terminated, and probably did not pay much attention to O'Brien's declaration of regret that His Majesty was so obdurate.

143) Or perhaps the Dey remembered the insolence of Great Britain resulting from an interchange in 1798, over an Algerine demand for \$60,000 compensation for accidental damages to a cruiser which got in the way of one of Lord St. Vincent's ships of the line. The demand for cash was refused. B. W., 228.

Withdrawing, O'Brien spoke on the matter to the Prime Minister, and was accorded the same inflexible attitude, on a less grandiose scale.

At noon of that day, the Americans had an audience with the General of the Marine, who heard their arguments before reiterating that they had no choice but to comply. O'Brien gave up;<sup>144</sup>

Later, at the consular house, they were informed that the banner of Algiers must fly from the main topgallant masthead, and Bainbridge, who hadn't spoken to the Dey, braced O'Brien to make a last effort. They gained nothing except a promise from Mustapha that he'd write to the United States and explain his solicitation. He was certain the President would approve of their cheerful compliance.

At the Marine, trying to escape the indignity of lowering his country's flag, Bainbridge explained that by Christian custom, his ship with the Algerine colours at the main would be deemed an Algerine ship, and out of United States commission. The General was infuriated, insisting it was a usage, and the stout-hearted Bainbridge yielded when informed by O'Brien that other national ships had left Algiers with that flag in the place of honor— and hoisted their own, when clear of the batteries. Morosely, Bainbridge remarked that the whole was a forced business, and if there was a right to acquiesce in one point, there was no alternative but to acquiesce on the other. He went on board, hoisted the Algerine pendant, which

144) Sea Power in American History, by Hermann F. Krafft and Walter N. Norris, Associate Professors, United States Naval Academy; The Century Company, New York, 1923. Page 78.



was saluted by the batteries, and had, to console him, a letter from O'Brien describing the whole unfortunate trial, and his helplessness to resist.<sup>145</sup>

To John Marshall, Secretary of State pro tempore, O'Brien rationalized the submission:

...Captain Bainbridge has proceeded per force, in fact to save the peace of the United States with Algiers; to prevent capture and detention to the ship, officers, and crew, and prevent the pretence of a sudden war, and pillage and slavery to the citizens of the United States; I calculate that, if said ship goes and comes safe in five months, it will cost the United States forty thousand dollars. That, in comparison to what our losses might be if war, left me no time to hesitate in the choice of evils and difficulties which presented fully in view: in surveying both sides of the coast, and how we should stand on both tacks, I found there was no alternative but to proceed.<sup>146</sup>

He was, however, under no delusions of what would happen should the George Washington be taken or lost; in either misfortune, he was certain the corsairs of Algiers would compensate themselves with our helpless merchantmen.

In reviewing the incidents leading up to the disgrace of an American public vessel, one cannot help speculating on the outcome of the affair had William Eaton, Consul at Tunis, or James Leander Cathcart, Consul at Tripoli, been in O'Brien's shoes. Both were resolute in their dealings with their respective Barbarians; both had received more sinister threats of war. From a study of his letters, O'Brien is seen to be a rough, uneducated, slow-thinking sailor, whose appointment to the Consul-Generalship

145) A. S. P., F. R., II, 353-4. This letter forms the narrative for the material from footnote 140 to 145 inclusive.

146) Ibid., 354.

of the Barbary Coast must remain a mystery, even when explained by his correspondence with Jefferson during the dark days of his captivity. He must have known what the Government's attitude on the matter would be, inasmuch as Eaton, going to Tunis, was ordered to have changed in the treaty with that country a clause which, by implication, would give the Bey of Tunis the right to commandeer a United States public vessel. We cannot blame Bainbridge, whose ship would have been splinters and timbers within two minutes of any sign of resistance, because his orders led him to O'Brien. Upon O'Brien fell the responsibility, and, if nothing else, it is creditable to him that he did not attempt to shirk the onus.

Bainbridge left on the 19th of November,<sup>147</sup> with a cargo that O'Brien estimated was worth at least a million and a half dollars, together with about a hundred of the richest and most prominent Turks in the community, whose lives were to be Mustapha's pledge.<sup>148</sup> Arriving in November, Bainbridge had the satisfaction of being the first to carry the American flag into Constantinople, whose port officials wondered whence he had come. He created a favorable impression upon the Capudan Pasha, and formed the basis of a friendship which another naval officer was later to help expand into a treaty.<sup>149</sup>

Leaving Constantinople at the end of December, he returned to Algiers on 21 January, 1801, and hove to beyond range of the batteries, sending ashore the Sultan's reply.<sup>150</sup> The terms were drastic: Selim wanted an

147) Quasi-War, VII, 42.

148) A. S. P., F. R., II, 354.

149) Bainbridge, Harris, 46-55.

150) Ibid., 56.

immediate declaration of war against the French, one million piastres for presumption, and gave sixty days from the date of the Washington's departure for an answer.<sup>151</sup> Mustapha acted promptly. Almost on receipt of the ultimatum, he declared war on France, and took steps to enslave fifty-six Frenchmen in his provinces. This was an uncivilised proceeding which irritated Bainbridge, who was now, thanks to the Capudan Pasha's firman, somewhat respected in Algiers, and consequently, he went ashore to persuade the Dey to grant the French forty-eight hours in which to leave. The Dey, mindful of the powerful friendship back of the American Captain, amiably permitted the Frenchmen to be embarked upon the George Washington.

Importuned by the Republicans, at a time when our nations were virtually at war, Bainbridge humanely conveyed all fifty-six to Alicante, where they were forwarded to their homeland,<sup>152</sup> while O'Brien remained in Algiers speculating upon his own fate. This act of Bainbridge touched Napoleon so that he wrote a letter of gratitude, and may have served, in a measure, to readjust the dislocations which had produced our Quasi-War.

The Sultan had detained the Algerian embassy as a pledge for the fulfilment of his demands, and O'Brien feared that the United States might be called upon to make up the Dey's losses, apprehensively writing to the Secretary of State that the United States was two and a half years in arrears, and ending his letter with a decisive recommendation to show force in the Mediterranean.<sup>153</sup>

151) Ibid., 60.

152) Ibid., 57-60. The firman was produced on a prior occasion when the Dey domineeringly demanded the exchange of some of the George Washington's fine brass guns for some of his antiquated iron pieces. In explanation of the terror invoked by the firman, it should be realised that the ships of the Royal Navy were behind Selim.

153) A. S. P., F. R., II, 354.

The indignity undergone by the George Washington was resented in the United States, and O'Brien was censured by Madison, Secretary in the new Administration.<sup>154</sup> Previous to the election, President Adams had publicly approved of Bainbridge's conduct and exonerated him from culpability,<sup>155</sup> but that wretched, hardy soul, struck the strain of his country, when he said:

...I hope I may never again be sent to Algiers with tribute, unless I am authorized to deliver it from the mouth of our cannon.<sup>156</sup>

154) "The sending to Constantinople of the national ship of war the 'George Washington,' by force, under the Algerine flag, and for such a purpose, has deeply affected the sensibility, not only of the President, but of the people of the United States. Whatever temporary effects it may have had favorable to our interests, the indignity is of so serious a nature, that it is not impossible that it may be deemed necessary, on a fit occasion, to revive the subject. Viewing it in this light, the President wishes that nothing may be said or done by you that may unnecessarily preclude the competent authority from animadverting on that transaction in any way that a vindication of the national honor may be thought to prescribe." Madison to O'Brien, 20 May, 1801. A. S. P., F. R., II, 348.

155) Bainbridge, Harris, 60.

156) Ibid., 45.

## CHAPTER IV

### TUNIS

"The immense concessions he has received, the summer past, from Spain, Denmark, Sweden, Sicily, have so diminished the condition of our peace in his eye, that he says, 'it is a trifle for so great a commercial nation, in consideration for the advantages of a free trade in this sea.'"

Eaton to Marshall,  
8 December, 1800.

Tunis is between Algiers and Tripoli. Carthage and Utica were here in ancient times, but in 1790, Tunis was difficult to distinguish from Algiers in government, manners and general history. The sole virtue of the Turks comprising their ruling stratum was their politeness in listening to the complaints and grievances of Consuls.<sup>1</sup> Hamouda, the Bey of our period, was a semi-progressive man who utilised the services of a Dutch engineer to improve the defences of the town,<sup>2</sup> whose navy, according to the first American Consul, was superior to that of Algiers.<sup>3</sup> However, Hamouda was, unlike anyone else on the Coast, overly avaricious, and carried on his own monopolistic commerce,<sup>4</sup> aside from possessing some two thousand slaves.<sup>5</sup> Consul Eaton, whose discretion never hindered the expression of his perception, said:

...This Highwayman is much the most Gentlemanlike of the three [rulers of the Coast]. He seldom robs a

1) Jackson, Algiers, 49-52.

2) Ali Bey el Abassi, Travels of Ali Bey el Abassi; London, 1816, Longman, Hurst, Rees, Orme and Brown. Page 103.

3) B. W., 315.

4) Jackson, 274.

5) Ali Bey, 104.

man without first creating a pretext. He has some idea of justice and not wholly destitute of a sense of shame. He is vain of the notions of integrity and honor which he imagines the nations accord to him— and in this point he is vulnerable.<sup>6</sup>

#### A. RELATIONS TO THE SIGNING OF A TREATY WITH TUNIS, 1797.

Our diplomacy with Tunis was tinctured by a false notion of its dependence upon Algiers, and this conception remained an obstruction to harmony until Eaton was able to assuage its effects. As early as 1790, Jefferson told Congress that Tunis was comparatively insignificant, and that a peace with Tunis would be valueless without a corresponding peace with Algiers.<sup>7</sup> He put Tripoli in the same secondary class, so that the early history of our relations with both these States is really the history of our relations with Algiers.

And yet, the Tunisians were not so insignificant but that Richard O'Brien, in slavery, 1791, thought \$75,000 annually would be necessary to satisfy them,<sup>8</sup> while our doughty Senate, the next year, included them in a resolution to split an annual hundred thousand dollars.<sup>9</sup> But the instructions sent to Jones, when he was commissioned to deal with the Coast, directed him to attempt securing a treaty through Algiers, whereby Tunis was acknowledged dependent upon the former,<sup>10</sup> and it was upon this basis that Jones' successors proceeded.

Donaldson, landing at Algiers, did not endeavour to make a peace with Tunis, until matters had been concluded in Algiers, whose Dey seemed to

6) B. W., 431.

7) Ibid., 23.

8) Ibid., 30.

9) Ibid., 34-5.

10) Ibid., 38-9.

live up to American expectations of him by stating the terms which would be acceptable to Tunis: thirty thousand dollars' worth of peace presents, and yearly supplies of naval stores. Donaldson proposed a truce with Tunis and Tripoli, November, 1795, which was accepted six days later.<sup>11</sup> This served to strengthen the emphasis which O'Brien then laid upon the dependance of the two upon Algiers,<sup>12</sup> and when Joel Barlow, with the illness of Donaldson, succeeded to the sole execution of affairs, February, 1796,<sup>13</sup> he followed the same course, staying in Algiers rather than proceeding to Tunis.

The truce with Tunis expired, and a French Jew, Joseph Etienne Famin, in the interests of the United States, concluded another for six months in June, 1796.<sup>14</sup> Evidently the Bey of Tunis was unaware of the arrangement, because within two weeks, Edward Rand, owner of the Eliza schooner, was writing from captivity in Tunis to Barlow, pleading for succor from the distress of slavery; he had been taken after the signing of the truce, and Famin, the same who had performed these agreements, had been the one who advised him to approach Barlow.<sup>15</sup> Barlow, in August, unsympathetically answered Rand's plea, coldly remarking that Rand's stupidity in being in the Mediterranean was going to make a difference of at least \$30,000 in the arrangements with Tunis, and gave him the small satisfaction of release from slavery, while placing the Eliza under United States control.<sup>16</sup>

As a consequence of the business thus far transacted, Humphreys nom-

11) B. W., 121-2. A year truce.

12) Ibid., 132.

13) Ibid., 135, 137.

14) Ibid., 158.

15) Ibid., 157-8.

16) Ibid., 169, 175.



inated to Pickering the Frenchman Famin to be United States Consul to Tunis, because of the zeal on the work which had been given him, his intimacy and influence with the government, and his generosity in undertaking without gratuity to arrange a truce.<sup>17</sup> This approbation later came close to causing a disaster, inasmuch as Famin apparently thought with Humphreys that he should be Consul, while Pickering was not of the same opinion; the same influence and intimacy with the government which had served our interests was then turned against us.

In October, 1796, since he was an authority on Barbary matters, O'Brien went to Tunis, armed with gifts and letters from the Dey, to see what could be done about getting a treaty. At O'Brien's request, Famin escorted him to the palace, after an unpromising initial interview with the Algerian minister at the court, who had been instructed to assist the American. Advised by the Algerine to furnish a regalia or go home, O'Brien dispensed with intermediaries, kissed the Bey's hand himself, and bluntly enquired if Tunis would take a flat fifty thousand dollars. He was politely refused, the regalia was demanded as customary, so O'Brien prepared to leave Tunis.<sup>18</sup>

Puzzled by the obduracy, Barlow wrote home that the Bey, ... "notwithstanding the letters of the Dey of Algiers, ... has had the impudence to demand of O'Brien three times more than he himself had proposed formerly."<sup>19</sup> He therefore called upon the Dey to do his duty, and the Dey obliged by beginning a war against Tunis, all for the sake of the American and to prove himself a man of his word.<sup>20</sup> An army of fifty thousand cav-

17) B. W., 176.  
18) Ibid., 184-6.

19) Barlow, Todd, 143.  
20) B. W., 191, 194.

alrymen went as Ambassadors of the Dey's good will.<sup>21</sup> This endeared the Dey to Barlow, but it did not endear O'Brien to the Bey, who was adamant about coming to terms, until the warriors made it seem the more advisable alternative.<sup>22</sup>

Barlow attributed part of the delay to French intrigue,<sup>23</sup> and certainly Famin was responsible for much of the difficulty, although more for economic than patriotic reasons. The Bey's final terms totaled \$140,550; O'Brien's counter-proposal was \$101,350. The Algerine cavalry drew near, and the terms of \$107,000 were suddenly acceptable to both parties. Of this, \$35,000 went into a regalia, \$50,000 cash for a peace, and \$22,000 in various presents and bribes.<sup>24</sup> The treaty, written in Turkish, contained several objectionable clauses which were not apparent to O'Brien when he signed it in August, 1797, to Barlow, when he persuaded the Dey to guarantee it, nor to Humphreys, when he dispatched it to the United States.<sup>25</sup> However, the omniscient Senate found the objections, and ordered them remedied before ratification.

#### B. EATON AND THE REVISION OF THE TREATY.

At the time Cathcart was made Consul to Tripoli, William Eaton<sup>26</sup> received the appointment to Tunis. Together with O'Brien's distant influence and Cath-

21) Barlow, Todd, 144.

22) B. W., 191.

23) Ibid., 201.

24) A. S. P., F. R., II, 125.

25) Humphreys, II, 185.

26) General William Eaton, by F. R. Rodd; Minton, Balch and Co., New York, 1932. William Eaton, (1764-1811) joined the Continental Army in 1790, when sixteen years old, and rose to the rank of sergeant by the end of the war. He then entered Dartmouth, receiving his Bachelor of Arts degree in 1790. Two years later, he became a Captain in the Regular Army, participating in General Mad Anthony Wayne's campaigns against the Northwest Indians. His army life was terminated by the appointment to Tunis.

cart's immediate assistance, Eaton was ordered to have changes made in the 11th, 12th and 14th articles of the treaty,<sup>27</sup> of which the 14th was the most imperative.<sup>28</sup> Pickering said of it that the 14th article "would lay prostrate our whole revenue system; it is, besides, without reciprocity!"<sup>29</sup>

Besides this tampering with the treaty itself, Eaton was to try and get cash substituted for the naval stores; he could go as high as \$100,000. If cash was not acceptable, he was authorized to offer a cruiser in lieu, the ship not to exceed twenty-two guns, six pounders. And if negotiations

27) The 14th article read: "The citizens of the United States of America, who shall transport into the kingdom of Tunis the merchandise of their country in the vessels of their nation, shall pay three per cent duty. Such as may be laden by 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 Tunisian merchant wishes to carry merchandise from his country, under any flag whatever, into the United States of America, and on his own account, he shall pay three per cent duty." Humphreys, pages 185-6.

The revision was to be: "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: "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 being respectively." Life of William Eaton, by Jared Sparks, American Biographies, First Series, Vol. IX. Page 188.

As can plainly be seen in the first draught of the article, there is absolutely no reciprocity, and it is to the sterling advantage of any Tunisian merchant, and to the profound disadvantage of any American merchant. Eaton tried to get the second of the two proposed revisions accepted, as being most likely to cover contingencies.

28) Ibid., 190.

29) B. W., 241.

seemed unlikely to produce peace, he was to keep them dragging out as long as possible so that United States agents could war ships in the Mediterranean.<sup>30</sup>

This 14th article, to all appearances, had been inserted for the benefit of M. Famin, which can either be construed as a violation of the confidence which O'Brien placed in him, or as a demonstration of O'Brien's stupidity. Be that as it may, M. Herculais, principal agent of France in Barbary, had recommended Famin to Barlow, and France at the time was covertly hostile to the United States. Barlow, acting according to Humphreys' inclinations, hinted to Famin that he might be our Consul, so that Famin had to be conciliated by Eaton, who, to accomplish this, was to offer the French Jew the sum of \$2,000 for his services, which was equivalent to the consular salary for a year.<sup>31</sup>

The American peace before Eaton's arrival was definitely in danger. Sitting on the powder keg of Tripoli, Ingraham wrote nervously to Humphreys that Tunis had made overtures to Tripoli about a war on the United States which would net them both a profit.<sup>32</sup> The situation, however, was somewhat assuaged in March, 1798, when O'Brien, newly arrived in Algiers, sent \$50,000 to Famin to be applied on the peace.<sup>33</sup> Famin, however, seems to have cleverly used the payment of the money to ingratiate himself further in the affections of Tunis, so that the Bey finally demanded of O'Brien that the Frenchman be the United States Consul.<sup>34</sup> A month later,

30) Eaton, Sparks, 188-9. B. W., 268-71.

31) B. W., 190-1, 272.

32) Ibid., 254.

33) Ibid., 244.

34) Ibid., 247-8, 256.

the Tunisians demonstrated their potentiality to harm the United States by divesting the island of St. Peter's of nearly a thousand people.<sup>35</sup>

O'Brien, in Algiers, was doubtless puzzled as to his next move, inasmuch as Pickering caustically informed him that it was probable that the interference of the Dey had done more harm than good in Tunis.<sup>36</sup> Deprived of the strong arm of the Dey, which he was not, anyway, as able to invoke as well as Barlow had, O'Brien proceeded cautiously against Famin lest the Jew retain his influence and become hostile to our affairs. He avoided offending Famin by the simple expedient of doing nothing until Eaton should arrive.<sup>37</sup>

In February, 1799, Eaton and Cathcart came to Algiers,<sup>38</sup> and while O'Brien harangued with the Dey, Eaton took a look at the situation which confronted him. He at last concluded that the same arguments which had established Famin in the love of Tunis, would undoubtedly induce his fickle friends to transfer their attachment,<sup>39</sup> and looked forward to the settlement of Algerine troubles so that he and Cathcart could get on with the business in Tunis.

In March, they were on their way, and on the 15th, Famin introduced Eaton and Cathcart to the Bey, who instantly registered complaints: (1) the United States vessel should have been saluted, (2) why did a Jew have to mediate for them? and (3) the military stores were a year late. Diplomatically, Eaton ignored the second, answering the first by pleading ignorance of the custom (which would have cost about eight hundred dollars

35) B. W., 263.

36) Ibid., 282.

37) Ibid., 288.

38) See supra, 52.

39) B. W., 301.

in complimentary barrels of powder), and the third by the lamentable news that the treaty had been received only eight months before, when the plague was raging in Philadelphia.<sup>40</sup>

Eaton then said that he would pay a cash equivalent for the stores, but the Bey retorted that he had plenty of cash, and needed the stores much more, embarrassing the Americans by pointing out that they had filled their engagements with Algiers. Eaton explained that the three ships which had just come to Algiers had been ordered by the Dey, who was going to pay for them, but the Bey sarcastically doubted if they had been or would be paid for. Turning upon Famin, he asked the frightened Jew why he had hoisted the colors of the United States, if the treaty hadn't been ratified. Famin said he had orders to do so, but this was emphatically denied by Eaton and Cathcart, saying that the treaty would be ratified by the United States Senate as soon as a few little details had been ironed out.<sup>41</sup>

The Bey insisted upon the stores as a condition of peace, and the Consuls then stated that since stores were contraband in the Mediterranean, during the present disagreement between England and France, the generous Department of State wanted to furnish a cruiser of value equal to the presents— provided the alterations were agree to. The Bey thereupon said he'd expect an armed vessel as a gift, when the business was settled. He was at once told to expect nothing of the kind. The only reason the proposal was made was due to the ability of an armed vessel to protect itself.

40) Eaton, Sparks, 191. The "plague" was yellow fever.

41) Ibid., 192-3.

and the United States was anxious to discharge its obligations. The Bey terminated the day's discussion with the order not to approach him through the medium of a Jew.<sup>42</sup>

The second interview, three days later, was a little more hopeful. The Bey said he would be agreeable to the changes in the 14th article, providing the United States would make it reciprocal, and not demand partiality. Since this was fully in accord with his instructions, Eaton proposed the most favored nation version of the revision, but his hopes were spiked when the Bey insisted upon knowing what United States duties were. He suggested fixing the duty at ten per cent, his subjects to have the liberty of using any colors. Further discussion of this article was then postponed by mutual assent.<sup>43</sup>

The amendment to the 12th article, which would have given the Bey of Tunis the right to impress even a public vessel of the United States into his service if he desired, was agreed to after Eaton's firm insistence that this was a concession his country did not and would not and could not make to any nation whatsoever. A mild modification was relatively harmless.<sup>44</sup> This firmness of Eaton rising from his explicit instructions makes one doubt that O'Brien, the next year, was in any way justified by expediency in yielding to the humiliating demands of the Dey in the case of the George

42) Eaton, Sparks, 193-4.

43) Ibid., 195-7.

44) Ibid., 197. The modification: "If in case of emergency the government of Tunis should have need of an American vessel to facilitate dispatches to any port in the Mediterranean, such vessel being within the Regency, and not a vessel of war, nor belonging to the government of the United States, may be compelled to perform such service, on receiving a payment sufficient to indemnify the owners and others concerned for such service and detention."

Washington. Certainly, O'Brien knew Pickering's mind from the instructions to Eaton, Cathcart and himself on the revision of the Tunisian treaty; it is surprising that he could yield so readily after knowing the attitude of his superior.

But to return to Eaton. In his third interview, March 19th, he conceded that if it was expressly understood that the alteration of the 12th article extended only to emergency couriers, the United States might agree. As for the 14th, the Bey insisted upon a fixed duty, despite the explanations of the Consuls that reciprocity gave him the most favorable rates. Eaton acidly maintained that the article must be revised, or the negotiations were terminated, and there would be no presents. Accordingly, the Bey shifted ground, and wanted to know what was proposed regarding the 11th article.<sup>45</sup>

Eaton and Cathcart were short in their answer: no barrel of powder for each gunshot, and no fifteen gun salute. The Bey obligingly offered to make the article reciprocal, but the Consuls replied that it was that already. The expense was trifling, they maintained, but the demand was humiliating. The adjective detonated the Bey, who explained that the trifling fifteen barrels of powder would equip a cruiser which might take a prize worth \$100,000. He thought it would be all right, however, if the United States commuted the saluting to an annual contribution of fifty barrels of powder. The Consuls did not agree with him, and the Bey complained to his Prime Minister that these Americans were terribly hard to deal with. To the taunt that friends usually made good their fair words,

45) Eaton, Sparks, 197-9.



Eaton remarked that friendship was reciprocal, and probably thereby aggravated the Bey, who was hearing a little too much of that term. He rose, told the Americans to return in a few days for his decision on the 14th article, and left them to his Prime Minister, who suggested to Cathcart that the Bey might be induced by a small present to alter the article. Cathcart countered with the information that a gratuity might be expected for accommodation, but there would be no stipulation stating so; and whatever means were employed to make things come out satisfactorily, if they did, the United States wouldn't forget the kindness of a Minister.<sup>46</sup>

In the fourth interview, the Bey demanded again an established duty. Cathcart and Eaton testily remarked that they were all wasting time; the clause would be the most favored nation or nothing. The Bey then brought up an elaborate exchange system which depended upon nine month communications, and the discussion was hung. However, the 11th was finally settled: no salute except upon demand of the ship entering, and then one barrel for each gun in the salute. The further attempt to get a cruiser substituted\* for the stores was met with the statement that one was not enough; the Bey should be complimented with another. Refusing, the Consuls withdrew to another chamber to have the change agreed upon written into the treaty.<sup>47</sup> At least some progress had been made; the 11th article was acceptable.

March 26th, during an interview with the Prime Minister, the Consuls encountered Famin's duplicity. The Minister asked for a present for his master, and Famin pretended to have a letter from Barlow on the subject,

46) Eaton, Sparks, 200-1.

47) Ibid., 201-3.

but, when challenged to produce it, he would not. Cathcart and Eaton denied its existence, and said that the United States would never yield. To this, the Minister retorted that they could write to their government that they had a truce, but not a peace, with Tunis. The conference was ended by Eaton's agreeing to send home a list of articles given to Tunis by the Spanish government, although both Americans said that nothing would come of it.<sup>48</sup>

The next day, they had a letter from the Prime Minister claiming that the presents must be paid because the treaty had been altered. Eaton wrote back to learn what presents were usually given, saying that we could not follow Spanish precedent, but might Danish or Swedish.<sup>49</sup>

The last day in March, the Minister's letter informed the Americans that if the terms demanded by Tunis were distasteful, for them to come to the palace and the Bey would communicate something more precise for the American government.<sup>50</sup> At this felicitous juncture, Cathcart left for Tripoli, leaving Eaton to carry on alone.<sup>51</sup> Eaton wrote home that the revenue of the United States would be inadequate to pay the demands for money and gifts which were showered upon him.<sup>52</sup>

The Bey angrily told Eaton to leave if he would not subscribe to the final terms, and Eaton decided to go. The Bey generously gave him ten days grace. That, too, was agreeable to Eaton. The Bey was furious, as Eaton went back to his house. Tunis feared England, and Eaton slyly nourished a rumor that we had a defensive and offensive alliance with our erst-

48) Eaton, Sparks, 203-4.

50) Ibid., 205.

52) B. W., 321.

49) Ibid., 204.

51) Ibid., 206.

while mother country by being seen frequently in the company of the British Consul. He was, by now, a loquacious advocate of the alternatives of gold or cannon balls.<sup>53</sup>

Two days after he was supposed to have left Tunis, Eaton had an interview with the Prime Minister, in which he was told that the Bey still declined a cruiser in lieu of a present of jewels. Eaton then proposed to give \$50,000 in lieu of all demands, but the Minister said that stores were necessary, and the Bey would refuse as much as \$250,000 in their place. As for himself, the United States would have to provide a double-barrelled gun and a gold watch chain. This naive impudence broke down Eaton's self control, so that he sputtered the United States would find it a far cheaper policy to send a force, than to give in to these accumulated demands. This pleasantry was, of course, reported to the Bey, who, apparently oblivious of Eaton's temerity in defying the expulsion decree, told him that his government had six months to give an answer to the demand, and to send the presents. If they came within that time, well; if not, Eaton was to take down his flag and go home.<sup>54</sup>

Eaton improved his leisure by analyzing the sailing activities and strength of the Tunisian fleet. Further, he described their system of fighting, and the best means of combating them, which he judged to be nettles, muskets, lances and a proper distance to take advantage of Tunisian ignorance of maneuvers. When, in accordance with orders from the Sultan, Tunis declared war on France, the French were confined to prison, their treaty notwithstanding. Such infidelity coupled with an insistence upon

53) Eaton, Sparks, 206-8.

54) Ibid., 210-11.

the regalia of jewels and a cruiser led Eaton to think the insistence was designed to provide a pretext for war with the United States, and he urged the dispatching of a force to protect our merchantmen.<sup>55</sup>

In June, Eaton was driven to the limit of his instructions, telling the Prime Minister that if a final settlement and discharge of all demands could be procured for \$90,000, there would be an additional \$10,000 for him. This persuaded the Prime Minister to be an American, but he was sorry to inform Eaton that the scheme wasn't feasible, inasmuch as the Bey was buying all the ammunition he could procure, and would not take money, any sum, as a substitute.<sup>56</sup>

In July, Eaton wrote him:

...I now consider that my ultimatum, agreeably [sic] 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.<sup>57</sup>

He had stiffly again refused to grant a regalia, but to the Secretary he expressed a fervent hope that should Congress decide to send it, that at least one ship of war would escort it into the Mediterranean.<sup>58</sup>

Cathcart, in Tripoli, found material in the Bey's actions to criticize O'Brien:

55) B. W., 327-9.

56) Ibid., 332.

57) Ibid., 333.

58) Ibid., 328-9.

... The Bey's demand of jewels and a cruiser of thirty-two guns, and his orders to you to quit his kingdom in three days if you did not comply with his demand, will serve to show our Government for the future what reliance ought to be placed on O'Brien's most potent "Dey of Algiers," and in what manner we may suppose he uses his influence with the other Barbary States.<sup>59</sup>

Eaton did not have any animosity towards the Bey of Tunis. Indeed, he wrote complimentary letters concerning him home to the Department of State. He found him a reasonable and an accommodating man, but, unfortunately, influenced by those about him.<sup>60</sup> It is, of course, noteworthy that Eaton was given ultimata several times to leave the country, but never seemed to think twice about them, blithely attempting to persuade the Bey to accept \$10,000 worth of anything from England in lieu of a regalia of jewels.<sup>61</sup> In October, 1799, he cautioned the other Consuls in the Mediterranean of the possibility of trouble with Tunis.<sup>62</sup>

He had a demonstration of Tunisian psychology when the Bey exacted of Ragusa payment for a cargo in a ship taken by Portugal— because, as the Bey informed Eaton, Ragusa could not resist the requisition.<sup>63</sup> As we have seen, this happened to Barlow in the case of the Fortune.<sup>64</sup> Eaton thought it had an ominous ring.

And then, early in November, he somehow stumbled onto the crux of the whole difficulty: the Bey and all his corsairs resented that the United States had imposed a treaty upon them through the instrumentality of Algiers, and felt it to be a great indignity. Eaton apologised in behalf of

59) Tripoli, First War with U. S.: James Leander Cathcart, by J. B. C. Newkirk; La Porte, Ind., (c. 1901). Pages 61-2. Hereafter, "Cathcart."

60) Eaton, 214.

61) B. W., 335.

62) Ibid., 336.

63) B. W., 335.

64) See supra, 45.

the United States, pointing out that we had realised our error, and revised our diplomacy. The Prime Minister became very friendly, and offered to give Eaton a permit to ship as much wheat as he desired.<sup>65</sup>

In December, Eaton wrote that affairs now had a new and promising aspect because, (1) a Doctor Shaw had departed for the United States to explain in full how matters stood, (2) the Bey was assured of peace between the United States and France, and consequently an American force would be free to enter the inland sea, and (3) the Prime Minister was persuaded that war would be commercially deleterious to his interests; the Americans would be the safest carriers for his numerous shipments to Spain, since they were neutral. The difficulty had been due to— "French intrigue and Jewish infidelity."<sup>66</sup>

Famin tried to insinuate that the United States had no serious intentions of filling their engagements, but he now had little influence. The family physician of the Bey told Eaton that Famin had projected the extraordinary demand for jewels. The Prime Minister's hesitation to believe or act because there was no document, had been overcome by Famin's insistence that he'd find one to support the contention.<sup>67</sup>

Eaton joyfully informed the Secretary of State, 15 December, 1799, that the favorable aspect was confirmed, and made so primarily because of the Prime Minister's concern, all other neutrals being in danger from the Algerines. He intimated that the regalia had better come before peace

65) Eaton, Sparks, 217-8. Consuls were not too highly paid, and such trading concessions were much valued as adjuncts to their income.

66) B. W., 337.

67) Ibid., 338.

unleashed French commercial influence upon the Prime Minister.<sup>68</sup>

Some impression regarding the application of might was being made on the official mind, as the Secretary of State wrote that the Portugese action, whereby Commodore Campbell, in a single 64-gun ship of the line, had paid all his country's debts for several years and even compelled Tripoli to pay tribute, was encouraging to those sustaining arguments for the use of a Navy.<sup>69</sup> Eaton, a soldier, thought a file of Marines would be able to capture the entire Barbary Coast from Oran to Egypt.<sup>70</sup>

In January, Adams, prodded by Dr. Shaw, wrote a letter of explanation to the Bey of Tunis, and closed with the flattering phrase, "I remain your good friend."<sup>71</sup>

It came in March, 1800, just as the Bey was recovering from a dangerous illness. Eaton went at once to the palace to ask when he could make a formal communication to the Bey. The exasperated Prime Minister told Eaton that Tunisian cruisers had orders to bring in American ships. Eaton shrugged off the threat, saying that he had long ago warned United States shippers, and the only vessels in the Mediterranean would be well armed and well able to defend themselves. He took advantage of the Minister's stupefaction at the intelligence to explain that he had an official letter coming straight from the President. Without further ceremony, it was conveyed to the Bey, who, intensely pleased, declared himself satisfied with

68) B. W., 341.

69) Ibid., 343.

70) And later, during the war with Tripoli, he tried desert operations against Derne; his astonishing success is well told by Rodd.

71) B. W., 344.

the explanations and promises of the Americans, all difficulties were removed from the revision of the treaty, and we were genuinely at peace.<sup>72</sup> Eaton thereupon passed a pleasant month spreading the good news that there was no more danger, perfect health existing in Tunis.<sup>73</sup>

C. EATON AND TUNIS UP TO THE ARRIVAL OF COMMODORE DALE.

In April, to redeem the reputation of President Adams, the Hero arrived with a cargo of naval stores.<sup>74</sup> The ship was unmanageable and weakly manned, so that she deserved her name, venturing into that pirate-infested sea, but the material she brought was eminently welcome, and declared to be of very superior quality.<sup>75</sup> Eaton was, as a consequence, persona grata at the court.

Authentically Barbarian despite the admitted finesse of manner and method, the Tunisian government in June, 1800, declared war on Denmark—after having first captured eight ships and a hundred men.<sup>76</sup> Eaton, at the behest of Mr, Hammekin, the Danish Consul, took Danish affairs into his hands, and did what he could to relieve the discomforts of the wretches sentenced to slavery.<sup>77</sup>

He had always been sympathetically humane towards his fellow-men, contributing money to the relief of the unfortunate Sardinian subjects

72) Eaton, Sparks, 220-3.

73) B. W., 353.

74) Ibid., 354.

75) Eaton, Sparks, 224.

76) Cathcart, 164. This might be considered an early blitzkrieg.

77) Eaton, Sparks, 226-7. B. W., 356. Such cooperation among the Christian Consuls made life almost bearable on the Coast. A Consul would naturally entrust the affairs of his country to another sympathetic towards his people, but this was not necessarily the case.



taken from St. Peters,<sup>78</sup> and when the shipmasters of fourteen Danishmen asked him to redeem their vessels for them, he undertook to do so on the credit of the United States. Both Sweden and Denmark had been eminently friendly to us on the Barbary Coast, and the occasion was gladly seized by Eaton as an opportunity to discharge some of our debts to the Scandinavians. Consequently, he bid for the fourteen ships against Famin, but could not reach Famin's price, and left the place of sale, think that he had, at any rate, done his best. The Bey, however, strangely preferred the offer which Eaton had made to that of Famin, and our Consul found himself in possession of fourteen ships.<sup>79</sup> Now, somehow, the Danes found themselves unable to obtain credit, and Eaton had an anxious time until news of the war reached Denmark, and a settlement made.

Eaton celebrated the event by horsewhipping Famin in the streets of Tunis. At the subsequent tribunal before the Bey, the verdict was that the attack had been made upon provocation, and Eaton was exonerated, being extended the hand of the Bey in friendship.<sup>80</sup> The Bey seems to have had little love for Famin, scorning all Jews, but Eaton had not played upon racial or personal animosity to win his victory. It is very possible that Famin's ultimate downfall was attributable in some measure to the agreement by Adams to the purchase of a regalia, reluctant though he was.<sup>81</sup>

The mercurial Bey was impatient for his jewels, but in Eaton he was dealing with a man who was close to the brim of Barbary insolence, a man who said of the George Washington incident:

78) B. W., 327.

79) Ibid., 363-4.

80) Eaton, Sparks, 231.

81) B. W., 364.

82) Ibid., 397.

...Frankly I own, I would have lost the peace, and been empaled myself rather than yielded this concession-- Will nothing rouse my country!<sup>82</sup>

On the 25th of November, Eaton learned that an American ship was in the road of Porto Farino, and two days later a note from Captain Coffin, of the Anna Maria, reached him. The vessel had been ten days in the road without being able to communicate with the shore because of weather conditions. By the evening of the 30th, Eaton was on board, and before he left it, saw part of the cargo discharged, so that he was able to hear comments on the stores when he returned in December to Tunis. He bitterly wrote to the Secretary that the quality was acknowledged to be good,

... but it is objected that the plank and oars are too short, and the Government affect to be dissatisfied that the keels, guns, and powder are not come forward. I believe the fact to be, the Government is dissatisfied that anything is come forward. If this opinion requires evidence, I consider it sufficient to state that the United States are the only nation which have, at this moment, a rich unguarded commerce in the Mediterranean, and that the Barbary regencies are pirates.<sup>83</sup>

He further indicated that the immense concessions wrested in the last year from Spain, Denmark, Sicily and Sweden had minimized the extent of our concessions.<sup>84</sup>

Two weeks after the discontent with the stores, the ghost of the George Washington affair rose to trouble Eaton. The Prime Minister wanted a United States ship to go to Marseilles, and referred to the per force which had driven Bainbridge. Now, if ever, Eaton had the opportunity to

82) B. W., 398.

83) A. S. P., F. R., II, 355.

84) Ibid. Eaton had a quick temper, and indisposed to abide dictation, he had troubles which seemed to win him the dubious respect of the Bey, and kept peace until the arrival of the Anna Maria.

prove his bold words of November. He did so easily. He denied that the George Washington had gone per force, claiming that she was going to Constantinople anyway, and it was regarded as a fortunate coincidence that the Dey had an embassy going there also, else Bainbridge would have asked him for a few men to introduce him to the Porte. As for the Prime Minister's using force to impress the Anna Maria into his service, the force would have to accompany the ship to the port desired, for the instant she was at sea, she was going to return to America under Eaton's express commands. If the goods were put aboard, the affair could be settled by their respective governments. Eaton held firm to his rights under the revised article 12, and the Prime Minister finally consented to pay \$4,000 freight in advance. With some satisfaction, Eaton wrote the Secretary that he had made no dishonorable concession.<sup>85</sup>

In the meantime, Tripoli was becoming unhealthy for Cathcart, and Eaton pointed out to the Secretary that submission to the demands of Tripoli would necessitate the same in Tunis, and urged that Cathcart be supported. On the fifth of April, the Bey asked for some 24-pounders as a present; after three hours discussion, Eaton agreed to change the calibre of the guns already granted. The Bey thought it strange that Algiers should get so much, while he, who had been patient for four years, couldn't even get some guns, and couldn't even get Eaton to write his request. Eaton would not write, because, he said, the statement would then by Barbary usage be considered an obligation.<sup>86</sup> Thereupon, writing to the Secretary,

85) B. W., 403.

86) Ibid., 430-1.

Eaton announced that the Bey was going to pen the request in his own hand, and hoped that President Adams would himself answer it, since that would be flattering to the Bey. In the next sentence, he ventured to state that one thousand Marines and one frigate of 44 guns would suffice to take care of both Tripoli and Tunis.<sup>87</sup>

The Bashaw's wants were simple; if the first forty cannon had been already sent, he desired that as a test of friendship, the President would see that an additional forty, of the power denoted, would be also sent.<sup>88</sup>

In June, a fire in the palace consumed some 50,000 stand of arms, and on the 19th, the Bey requisitioned 10,000 from the arsenals of the United States. He declared that he had apportioned the loss among his friends, and they should be happy to assist him in his distress. Eaton refused, because of the peculiar organization of the American military forces, which had a tiny regular army, and a vast militia, which supplied its own weapons. There were no central depots such as were found in European armies. He advised that Hamouda address his wants to Europe. A minister tartly retorted that he was not called upon to give advice, but to make known the wishes of the Bey.<sup>89</sup>

Eaton refused to comply. His refusal and iron will were related to the fact that Tripoli had, in May, declared war on the United States. The ministers then told him not to bother, the Bey himself would communicate his wants. Angrily, Eaton wished to know when payments to Tunis were to end, and was told, "Never— it is a custom."

87) B. W., 430-1.

88) A. S. P., F. R., II, 358.

89) B. W., 491.

Eaton obdurately cautioned the ministers to abandon hope of future contributions, as Congress would prefer war to extortionate bribes. His choice of languages irritated the Tunisians, who told him he had better change his diction or prepare to leave. He pleasantly agreed to this alternative, and was proffered a month to pack up. He said he required only six hours. They then asked if he would write, and were surprised that the threats had not induced him to change his mind. "Your peace depends upon your compliance," they warned.

Confronted with that statement, Eaton cheerfully accepted the responsibility for any hostilities which might break out, and bade the officials good morning. As he left, he heard a minister exclaim, "By God, that man is mad! but we shall bring him to terms, never fear."

But Eaton, going to his consulate, narrated the whole episode to Madison, and grimly concluded his message,

...I do not know how this affair will end.  
I will not change my position.<sup>90</sup>

However, the affair ended peacefully. In July, 1801, Commodore Dale's squadron was in the Mediterranean, and Eaton's troubles were over.<sup>91</sup>

We must now look into Tripoli, with whom we went to war.

90) The narrative from note 88, is from B. W., page 492.

91) Ibid., 526.

CHAPTER V

TRIPOLI

"...Had the United States acted as the Portuguese have done here, it would have put the country to less expense and it would have established our peace on an honorable and more permanent basis...."

Cathcart to Eaton,  
12 August, 1799.

Tripoli's deserts spread along Africa between Tunis and Egypt. In the time of which we write, it supported a population of about two million people, dominated by the Turks living in the town of Tripoli proper. Described by an Arab traveller, this scorpion's nest was built with straight, wide streets, and had houses of a dazzling white; stone<sup>1</sup> even marble, buildings were common.

The forces of Tripoli were negligible; an army of fifty thousand men, including ten thousand cavalry, and a navy whose number of ships varied greatly, usually a dozen, carrying in all hardly a hundred and twenty<sup>2</sup> guns. This latter force was commanded by an English renegade named Peter Lisle, who was married to a relation of the Bashaw, and affected the name<sup>3</sup> of Marad Rais. He was the single competent commander of the Tripoline

1) Ali Bey. Pages 233 and 242.

2) Ibid., 236. Captain Richard O'Brien, when a prisoner at Algiers, was not above sending reports on the state of Tripoli.

3) Ali Bey, 236. Tripoli, First War with U.S.; James Leander Cathcart, by J. B. C. Newkirk, La Porte, Ind., (c.1901), 68. In 1792, Lisle, a mate aboard an English ship in the harbor of Tripoli, on being accused of plundering part of the cargo, fled ashore and became Mohammedan. Jackson, 283.

fleet, in the opinion of Consul Cathcart, and even this was not a compliment, for Cathcart was of the further opinion that Marad's seamanship did not compensate for a natural deficiency in courage.<sup>4</sup> In all, the maritime strength of Tripoli was not frighteningly formidable, and as was the case with the other Turkish Barbary States, inspired the representatives of the infant United States with a uniform idea; three medium frigates would suffice to drive these heartless corsairs from the seas, and blast them from their rocky fortresses.

#### A. EARLY NEGOTIATIONS OF THE UNITED STATES WITH TRIPOLI, AND THE TREATY.

The Ministers Plenipotentiary of the United States made our first acquaintance with the avarice of Tripoli, when, towards the end of 1790, they were approached in London by a man named Abrahaman,<sup>5</sup> who announced that for thirty thousand guineas, his master would make peace with the United States. Abrahaman further ventured to estimate that the Bashaw of Tunis might be amenable to a similar amount.<sup>6</sup> At the time, however, the United States was not in the dispirited mood to appropriate more than three hundred thousand dollars for the edification of Barbarians, and nothing came of the meeting.

Moreover, as we have seen, Tripoli and Tunis were regarded as subject to Algiers, and we had first to settle our problems with the papa bear

4) Cathcart, 296.

5) Jefferson, Lipscomb, III, 306. John Adams was not overly impressed by this exponent of the Tripolitan government— "...either a consummate politician in art or address, or he is a benevolent and wise man." Life and Works of John Adams, VIII, 392, quoted in Schuyler, page 199.

6) Which was a gratuitous assumption.



before dealing with the baby bears.<sup>7</sup> The commissions of our negotiators made a treaty with Algiers the object of prime importance, and treaties with Tripoli and Tunis, secondary.<sup>8</sup>

In 1793, David Humphreys was appointed to treat with the Barbary States.<sup>9</sup> He was, however, unable to land in Algiers, where the Dey had now collected a total of thirteen American ships, and all that he was able to do was to provide partial relief for the hundred-odd Americans confined in slavery.<sup>10</sup> In turn, Humphreys next delegated Joseph Donaldson and Joel Barlow, February, 1796, to enter Algiers and undertake to establish amicable relations.<sup>11</sup> Donaldson arrived first and found conditions so favorable that he at once formulated a treat, which was subsequently ratified by the Senate; Barlow then became the United States agent. Subsequently, in October of that same year, he deputised Captain Richard O'Brien to settle affairs with Tripoli.<sup>12</sup>

O'Brien had recently been in Tripoli, as the guest of Marad Rais, who had intercepted the Sophia on the high seas, laden with the treaty money for Algiers. The Bashaw of Tripoli released O'Brien only upon realisation that to keep such a valuable cargo might be a casus belli with the more powerful Dey. In high favor with this latter individual, as a result of the delivery of some 225,000 piastres,<sup>13</sup> Barlow was quick to seek his good offices in assisting the interests of the United States with the two

7) Clarke, 7, 136-7.

8) Barlow, Todd, 98-9, 107, etc. A. S. P., F. R., I, 294, 106.

9) Humphreys, II, 162.

10) Ibid., II, 194

11) B. W., 180.

12) Barlow, 137 sq.

13) Ibid., 140-1.

dependencies — which did not make the United States popular with either of them. So, carrying a letter from the Dey, who even went to the generous extent of lending Barlow the money to pay the first installment of the money exacted by Tripoli,<sup>14</sup> O'Brien had very little trouble inducing the Bashaw Jusef Karamanli to put his signature on a document that guaranteed the peace between his country and the United States.<sup>15</sup> Made 4 November, 1796, it was underwritten by the Dey and Barlow on the third of January, 1797, approved by Humphreys, 10 February, and ratified by the Senate on June 10th, 1797.<sup>16</sup>

Barlow was a poet, but his written reflections on Tripoli were not ephemeral, and had his suggestions been followed by the Department of State, it is possible that Cathcart would not have experienced the hardships he did.<sup>17</sup> The first United States agent in Tripoli was an illiterate seaman, a former captive in Algiers, Joseph Ingraham, to whom the Bashaw stated the simple policy which underlaid all his diplomacy: he did not make peace with one nation without declaring war on another.<sup>18</sup> In less than a month, despite the friendly assistance of the Spanish Consul, Ingraham was writing to Humphreys:

...there has been many striking things turned up in Tripoli — such as would not be credited only by them that is an eye witness to the same. These people have got so haughty that they pay little or no respect to either friend or foe.<sup>19</sup>

Then and there, Ingraham became converted to the general opinion that force

14) Barlow, 141.

15) Irwin, 84-6

16) Ibid., 86

17) B. W., 206-8

18) Ibid., 217

19) Ibid., 220

and force alone would make us respected in Barbary.

Unfortunately for Ingraham, and later for Cathcart, the Bashaw advanced a demand for a cruiser, which he incontinently claimed had been promised him by O'Brien at the time of making the treaty. Whether he did or not, the evidence discovered in this paper is unable to conclude, but in view of the fact that Barlow had been compelled to give a frigate to the Dey of Algiers in order to appease that individual's impatience, and Cathcart's ready belief that O'Brien had given the Bashaw grounds for pretension, we are inclined to suspect O'Brien's wariness on the matter and recall that he did not actually deny having yielded to the Bashaw.<sup>20</sup> Whatever the truth of the matter, it ultimately drove Ingraham from Tripoli, because this, added to the nonfulfillment of the treaty stipulations, made Jusef an unpleasant ruler with whom to deal.<sup>21</sup> At this promising stage, the friendly Dey of Algiers departed this life, leaving Jusef free to act, while the new Dey was consolidating his power in Algiers. O'Brien had recently arrived from the United States, and attempted to be a suave diplomat in dealing with Jusef, now that this awful calamity had occurred; his success is seen in Jusef's preliminary treatment

20) O'Brien, writing in July, 1798, to Ingraham about the promised ship, says: "...it is true that 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 eight or ten guns, would not be amiss to the Bashaw, as it would soften & mollerate, his passions, which seemed something hurt in making a forced peace, this circumstance I mentioned to Mr. 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,..." B. W., 252.

In view of the above statement, wherein O'Brien admits having disobeyed Barlow, it seems possible he may have zealously exceeded his instructions, been disappointed by Barlow's censure, and then forced to attempt to make good by a personal appeal to Congress, to whom he was an authority. Cathcart never doubted that the promise was made, and constantly referred to it; and O'Brien did not refute him. The term "corsair" may be a circumlocution.

21) B. W., 256.

of Consul Cathcart, appointed the last day of October, 1797, but delayed  
22  
in sailing for more than a year.

Cathcart's instructions were not such as to endear him to the out-  
raged Jusef: he was to discourage a request of the Bashaw to have an  
armed vessel built in the United States, but, if the peace would be other-  
wise endangered, he could agree to furnish a ship of ten to twelve guns,  
23  
to be delivered in eighteen months. He was to subordinate himself to the  
Consul-General, and submit to him for advice and opinions on all important  
matters. This was not an arrangement conducive to the best interests of  
our affairs in Barbary. It so happened that Cathcart and O'Brien had both  
been captured by the Algerines in 1785, and, while Cathcart quickly attain-  
ed the position of the Dey's Christian Clerk, coming to wield a measure of  
influence, O'Brien remained in the degraded status of being a slave in the  
24  
British Consulate. But there was this important difference between them,  
O'Brien took it upon himself to write incessantly to the United States  
government, and thus came to be known to Congress, while Cathcart did not  
25  
take up his pen until Humphrey's mission became known in Algiers. Later,  
when the appointments were being made, Cathcart's prior claim to that of  
Algiers was ignored for the preferment of the more articulate and ungrammat-  
ical O'Brien — who had finally met the Dey, only after soliciting Cath-

22) Ibid., 219

23) Ibid., 273

24) See The Captives, compiled from the journals of James Leander Cathcart,  
by his daughter, J. B. C. Newkirk, La Porte, Ind., 1897; evidently both  
Cathcart books were published privately.

25) Letters from O'Brien are incorporated in the American State Papers.  
Jefferson speaks of him as a valuable source of information, and tells  
Congress many times that O'Brien has placed his country in his debt. How-  
ever, much of the information supplied by O'Brien was conjecture rather than  
fact, and he neglected to distinguish them; for example, his estimates  
of the amounts to make peace.

26

cart for the introduction. This, coupled with the fact that O'Brien wooed and won the maid of Mrs. Cathcart, when that worthy lady was trying to become acclimated to the country in which her husband had been exiled while in the service of his nation, was enough to cause continual strain between the two representatives of the country without a navy. Further, Cathcart was to report on the offensive forces of Tripoli, its harbours, customs and times of cruises, and the best months for navigation.

27

28

While the above instructions were being written to the first Consul, our chargé d'affaires was becoming involved in difficulties. It was the habit of the Bashaw to extend the use of one of his houses to any foreigner who would accept this gracious hospitality — so Ingraham was obliged to spend about \$5,400 repairing the residence which sheltered him. Had he refused to disburse the money, the consequences might have been war. In such manner, the Bashaw extorted additional emoluments. Unhappy, Ingraham wrote home to Pickering that the United States shouldn't put too much trust in the Tripoline government; the Bashaw was embarrassing him by constant references to the brig and presents, saying that they had better arrive soon, "... or he knew well what steps to take. One American ship would pay him handsomely for his trouble."

29

30

Finally, 29 January, 1798, Ingraham was informed through Bryan McDonough, the British Consul, that five cruisers had been fitted out against

26) Joel Barlow admitted freely the assistance given him by Cathcart. See pages 39-41.

27) Repeatedly, Cathcart complained that O'Brien wouldn't answer letters.

28) B. W., 285-6

29) Ibid., 287

30) Ibid., 296-7

the Americans, having orders to sail with the first fair wind.<sup>31</sup> The next day, he went with McDonough to see what could be done; the Bashaw was in no wise tractable to the chargé's repeated assurances that everything was coming, if only the majesty of Tripoli would have a little more patience. The interview ended with Ingraham's surrender to the suggestion of the Bashaw that he, himself, go to Humphreys and see that the promises were fulfilled. His reasons were indicative for the future, since he was to employ virtually the same arguments when he caused the flagpole of the United States consulate to be cut down in May, 1801:

...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 intimidated by any state..

..<sup>32</sup>

It se happaned that the day Ingraham left Tripoli, Cathcart arrived at Algiers.<sup>33</sup>

#### B. CATHCART'S RECEPTION IN TRIPOLI.

Acting according to treaty, the Dey of Algiers gave Cathcart a letter to the Bashaw of Tripoli, which, since of measure of suzerainty theoretic-ally prevailed, should have ensured a polite audience.<sup>34</sup> The Bey of Tunis, when Cathcart paused at Bizerta, likewise gave him a letter; more pertinent, perhaps, Cathcart was loaned two thousand Algerine sequins to use in having

31) B. W., 207-8.

32) Ibid., 298. McDonough to Humphreys, 9 February, 1799.

33) Ibid., 298.

34) Ibid., 306. From Cathcart's Journal.

his credentials accepted.<sup>35</sup> Although the Bey of Tunis stated that he considered it to be the best interest of the Barbary States to remain at peace with America, Jusef Karamanli was thinking in terms of unredeemed promises when, 5 April, the brig Sophia halted in the road.<sup>36</sup>

It was 3:00 P. M. The Captain of the Port sent out a boat to enquire into the nature of the Sophia's business. Half an hour later, McDonough came aboard and took away with him the private letters for the Consuls; owing to unusual conditions, he had charge of Swedish and United States affairs, as well as Great Britain's. Towards 6:00 P. M., he returned and told Cathcart that the Bashaw was determined not to receive the American Consul, since he had not brought the promised stores; the contract, he maintained, was broken. He requested the Dey's and Bey's letters, and graciously gave permission for the Sophia to sail whenever her master wished; forty days following her departure, Tripoli would declare war in form against the United States.<sup>37</sup> He insisted that the brig had been promised him, and since not even that was forthcoming, he wanted an end to pretence.

Cathcart spent an uneasy night, and endeavoured to land the next morning, but was prevented from doing so by the Rais of the Mole, who said that the Bashaw was still asleep and the Americans would have to wait until the English doctor came aboard. At 10:00 A. M., McDonough showed up with a message that Cathcart couldn't see the Bashaw unless the brig was surrendered, but that he might speak to the Rais of the Marine, if he wished.<sup>38</sup>

35) Ibid., 306.

36) Ibid., 307.

37) Ibid., 307. 5 April.

38) Ibid., 307. 6 April.

Cathcart went ashore for the interview, and discovered that the Rais was adamantly interested in the promised naval supplies. He was willing to admit the possibility that the ship carrying them, the Hero, which had sailed eighteen days prior to the Sophia, could be lost, but he did not see that Tripoli should suffer because of an accident. When Cathcart endeavoured to wheedle the Rais to be as patient as the Bey of Tunis had proved to be, the Rais tartly retorted that some twenty or thirty thousand dollars had been paid for the condescension, to which Cathcart naively remarked that he hadn't wished to insult the Bashaw of Tripoli by offering money. The Rais laughed, and then brought up the Crescent frigate, which he had seen delivered. Cathcart stood his ground, and explained that it had been a written obligation. "Indeed," answered the Rais coldly, "have you any further proposals to make to the Bashaw?" Being told there were none, he demanded a list of the consular presents, which McDonough carried to the Bashaw, while Cathcart sat a prisoner in the apartments of the Rais. Again confronted with unyielding demands from the Bashaw, Cathcart withdrew to the Sophia, after first cleverly sowing a seed of doubt by the comment that Tripolitans would be disappointed if they expected to make easy prizes of American ships, for in consequence of the Quasi-War with France, American ships went well armed and would be difficult as well as costly to subdue.

That evening, he wrote a letter to the Bashaw, having decided to

39) B. W., 308. The Crescent frigate was a vessel of 36 guns built in the United States and delivered to the Dey of Algiers. See page 40. Three other vessels were built to accommodate the Dey. See pages 49-52. -

40) Ibid., 308



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40) Ibid., 308

employ the means which Pickering had placed at his discretion. First, he disclaimed knowledge of the promised brig, then explained anew that the stores had been shipped via the Hero, which was to be feared lost. In order to accommodate American matters, he promised to give the brig Sophia in lieu of the stores, to be delivered in nine months, and accepted in full of all demands on the United States. Upon being received and recognized as Consul, he would make handsome presents. Then, after chiding the Bashaw for his discourtesy in not seeing a Consul sent six thousand miles to his domain, Cathcart desired that the Bashaw at least write a letter to the President, so that Adams would know that he had done his best.<sup>41</sup>

Early the next afternoon, Cathcart had his audience with the Karamanli. It soon developed that the entire basis for contention was the brig, which Josef Shore had been promised him by O'Brien: not only that, but he informed Cathcart that Tripolitan cruisers had orders to hang O'Brien from a yardarm if ever he was caught by one of them. Majestically, he laid down his final terms: the Sophia at once, or \$18,000 in lieu; \$25,000 for the stores; and consular gifts equal to those of the Swedes or Danes. With dignity, Cathcart stiffly retorted that there was no sense continuing a discussion which was so unreasonable, and wished the Bashaw good afternoon. He had twenty-four hours in which to consider the proposition.<sup>42</sup>

McDonough next day carried Cathcart's decision: the Sophia in nine months, and \$5,000 for the stores. He pointed out that the brig was in

41) Ibid., 309.

42) Ibid., 309. 7 April.

much better condition now than she had been three years ago, having been newly coppered and rearmed with twelve excellent guns. Captain Geddes of the Sophia brought back the Bashaw's concessions: the brig and stores in a reasonable time, and a \$15,000 guarantee. In addition, he bore the news that the answers to the Dej and Bey were nearly completed and would be delivered that evening together with a personal letter for President Adams.

In all these negotiations, Cathcart was attempting to avoid giving the Sophia, transmuting that demand to one payable in cash, because should the United States give a brig to Tripoli, one would have to go to Tunis as well. Consequently, his next proposal through McDonough was to offer \$18,000 cash, and this to be in lieu of everything. Jusef countered by a proposal for \$10,000 cash, and the brig in nine months. Cathcart was making progress in the bargaining, and carried his point when, the next morning, McDonough brought him the tidings that, as authorized, he had concluded a peace in the name of the United States: \$10,000 cash outright, and \$8,000 in lieu of the brig, payment to be made as soon as possible.

And so, at 5:00 P.M., on the 10th of April, James Leander Cathcart went to the palace of the Bashaw of Tripoli to be recognized as Consul for the United States. Very sensibly, he took only a portion of the consular presents with him, so that he was able to meet an anticipated second demand without further cost to his country. The Jew Farfara, now

43) Ibid., 310. 8 April  
44) Ibid., 311. 10 April

that the trouble was over, and his friends, the Americans, out of royal disfavor, emerged from his shell and was very happy to furnish the balance of the money which Cathcart did not have.<sup>45</sup>

That evening, the Bashaw asked for two of the brig's brass guns, which Cathcart granted in place of the customary barrels of gunpowder exacted when a peace was made. Further, the Bashaw kindly wished Cathcart to use one of his houses, with the object, Cathcart noted in his Journal, of putting the United States to an expense of \$5,000 repairing it. If unavoidable, he would accept the offer, pay rent, and continue to live in the abode he had chosen. Thus, at an estimated cost of \$23,500<sup>46</sup> we have landed our representative on the shores of Tripoli. We will now investigate the benefits this country got in return for its investment.

C. UNITED STATES AFFAIRS IN TRIPOLI TO NOVEMBER, 1800.

The month following Cathcart's reception, Commodore Campbell of the Portugese Navy paid his country's consular presents in a manner which appealed to the American. Cruising in a sixty-four gun ship of the line, Campbell took two corsairs, one of them Marad Rais, and, bearing them to Tripoli, suggested to the Bashaw that it would be humiliating to have his high Admiral humbled. As a result, the Bashaw agreed to Campbell's

45) Ibid., 311. The presents included such items as: "3 Caftens of Brocaid @ \$348; 1 Gold Watch diamonded & chase @ \$300; 2 Gold Repng. Watches @ \$300; 1 gold smuff box @ \$110; 2 gold chanes @ \$100; 1 Brilliant diamond ring solitaire @ \$600." The list totaled \$2,930, Ibid., 312.

46) Cathcart, 21. "I do not think it prudent to forward a copy of our negotiations here to O'Brien, as he has too great an opinion of the influence of the Dey of Algiers, which I assure you in respect to this regency is only nominal." Ibid., 24

valuation of the corsair, and accepted its surrender by giving a receipt for it as payment of all consular presents. In effecting this service for Portugal, Campbell lost one man and one boat; then, as always, Cathcart wrote home that force was the demonstrable argument to be used in Tripoli. It was not the first time he had expressed that opinion; it was not to be the last.

Cathcart was wise in the ways of Barbary, though not through his own choice, and thus we find him embroiled in a few measures which would not be countenanced were he in a civilised state. First, recognizing Marad Rais as the most dangerous man in Tripoli, he undertook to organize an intrigue to get rid of him. Nothing came of it. Second, he asked O'Brien to secure some half-dozen passports from the Dey of Algiers specifying that whatever American vessel had them aboard would be protected by him; O'Brien was to endorse them on the back, but leave the dates blank. Then, whenever an American should be brought in, Cathcart planned to smuggle a passport to her captain, who would then claim its dubious protection. Still later, he was enthusiastically to support a plan for the deposition of Jusef Karmanli in favor of his elder brother. These activities of his make us blush slightly for the honor of our fair nation,

47) Cathcart 35-43. Again, "...Had I arrived at Tripoli in the United States frigate, I should have concluded our affairs here in a very different manner to what I was obliged to do — with barbarians we must enforce our arguments either with cannon balls or bags of dollars." Ibid., 67, to Pickering. And, more significantly, perhaps: "In this city we must maintain our peace with bags of gold or cannon balls." Ibid., 153 Cathcart was in favor of the latter.

48) Ibid., 48

49) Ibid., 46

50) This belongs more properly to the period subsequent to the paper; it has received a great deal of attention.

but they seemed in that day to be worthy of approval though not mantled by the dignity of diplomacy.

He was not fond of Jusef, and, writing to Eaton,<sup>51</sup> remarked, somewhat tritely perhaps but nonetheless accurately, "I have had another visit from the Bashaw who pretends a great deal of friendship for me, but there is no confidence to be place in him; he would sacrifice his own mother if she interfered with his interest, and he is as capricious as lady fortune herself."<sup>52</sup> Jusef had genteelly bankrupted Cathcart of all the glassware in his household— such articles were precious in Tripoli.<sup>53</sup> Consequently, nevering himself to the task, Cathcart wrote to O'Brien for a fresh supply of these domestic articles. He did not receive a reply; it was the beginning of continued bad relations.<sup>54</sup>

His first major disaster with Tripoli occurred over the United States Mediterranean passports. Printed as they were, they contained a clause by virtue of the "most favored nation" section of our treaty; this clause was specifically in the treaties of other nations, but not in ours.<sup>55</sup> Since other countries did not incorporate it in their passports, Marad Rais refused to acknowledge those of the United States— an attitude which Cathcart

51) His correspondence with Eaton was very friendly.

52) Cathcart, 60.

53) Ibid., 50.

54) He had written O'Brien six long letters without a line in reply. So, "Personal pique, in my opinion, ought to be sacrificed when the interest of our country is at stake." Ibid., 57-8, to Eaton. "I am surprised that I have not had a line from Mr. O'Brien since my arrival here, although I have written him several letters which require answers." Ibid., 73, to Pickering.

55) The "most favored nation" clause is a diplomatic instrument whereby the nation possessing it in their treaty automatically derives any benefits it may wish that had had been given by treaty to another country.

branded as a hypocritical pretext to seize American ships.<sup>56</sup> In the end, he was obliged to change them, and resort to the manuscript form used by Great Britain, else Marad would have gone to sea without ~~any~~ at all. Cathcart suspected that wily Jusef had engineered the objection,<sup>57</sup> because, as he observed, Jusef maintained a retinue of fifteen hundred men and had to keep them occupied.<sup>58</sup>

O'Brien was not overly helpful on this point, and Cathcart petulantly complained continually to Eaton about their official superior, and his lack of executive and diplomatic ability. Eaton, it is pleasant to note, ignored the personal elements in his colleague's missives, and attended to the business matters.<sup>59</sup>

Cathcart did not miss any opportunity to strengthen what was too patently a weak position; a Rais came into Tripoli and reported that he had fallen in with an American frigate and two brigs at the entrance of the Adriatic; immediately, Cathcart sent a messenger to the Bashaw with the information that these fighting ships constituted part of a flotilla sent by the United States to protect United States commerce in the Mediterranean against the French or any other aggressor. He knew, of course, that the United States Navy was then operating in the far-off West Indies, and that the Rais had mistaken either the strength or the public character of these vessels; unfortunately, the Bashaw likewise was aware that the report was unfounded, and we may perversely assume the incident actually did serve to bolster Cathcart's situation, since misrepresentation was the very soul

56) Cathcart, 69-71.

57) Ibid., 84.

58) Ibid., 76.

59) Ibid., 91-8.

of Barbary policy.<sup>60</sup> But, when in the first eight months of his consulate, Cathcart saw five Danes, three Swedes, and one Ragusan ship brought into port and sold, he was prepared to claim anything.<sup>61</sup> Within the next six weeks, moreover, the United States frigate L'Insurgent put in at Gibraltar; Cathcart, who would have been overjoyed to see the Stars and Stripes come to Tripoli, had to be content with circulating the report. He credited this intelligence with the forthcoming settlement of a debt which the Bashaw had incurred by purchasing some cloth from him.<sup>62</sup> ♦

Towards the end of his first full year of residence, he noted with satisfaction a series of mishaps which reduced the Tripolitan Navy by three fine ships: "... this happened all in one cruise and has somewhat discouraged the Bashaw."<sup>63</sup> It was, on the whole, a more or less peaceful year for Cathcart, as he came to realise in April, 1800, when His Excellency wondered if the President of the United States had received the letter sent upon Cathcart's arrival. The Consul replied that he had, and was pleased with the arrangements that had been made. The Bashaw was also pleased, particularly upon being reassured that the President considered him an independent prince, but continued to remark that "...had his protestations been accompanied with a frigate or brig of war, such as we had given the Algerines that he would be still more inclined to believe them genuine, that compliments

60) Cathcart, 100-1.

61) Ibid., 105.

62) Ibid., 122. It was a common practice for Consuls to eke out their wretched salaries by engaging in private business in the commerce of the country to which they were assigned. Adequate stipends were a thing of the future. Thus, Cathcart's trafficking with the Bashaw was not unusual except that he trusted the Bashaw to pay for the goods.

63) Ibid., 132-3.



although acceptable were of very little value and that the heads of the Barbary States knew their friends by the value of the presents which they received from them." As in the case of the Sophia, Cathcart reminded Jusef that the Algerine frigate had been stipulated in writing, the Bashaw repeated that he knew his friends by their presents, and the American felt that he had no choice but to let the subject drop. There was now no McDonough to help him; he had come to resent that gentleman's avarice as well as his condescension. He knew that the United States was not in high favor, and desperately prayed for the appearance of an American squadron in the Mediterranean. The news that Congress had appropriated funds to build six seventy-four gun ships of the line filled him with joy, and he was led to hope that matters were going to change

64) Cathcart, 134-7.

65) Ibid., 105. As an illustration of Cathcart's judgment of people, it may be interesting to note his remarks concerning Bryan McDonough. "He enjoys the entire confidence of the Bashaw, and in addition to the service he renders his family, he is his project maker, by which means he has amassed six or seven thousand dollars in a few years. In short, sir, he is the famin of Tripoli, and though it is necessary for the agent of the United States here to treat him with politeness, it would be very improper to intrust our affairs again to his guidance, as he is most certainly le tres humble serviteur des evenements, and would plead pro or con, or both, for money; his venality is remarked by all the consuls here, and what is very extraordinary, he is at once caressed and despised." Famin was the gentlemen in Tunis who afforded Eaton much trouble.

66) Ibid., 136. "Thus has the temporary calamities of our country — the capture of our vessels by the Algerines and the present disturbances with France — ultimately redounded to the true interests of America, by carrying a grand point in our legislation, which will be of infinitely greater use to posterity than any loss the present generation will sustain, and which never would have been the case had these calamities not existed, as there is no proportion between our landed and mercantile interests." Unfortunately, the seventy-fours were not built, the materials going into other types of craft.

in the Regency in which he found himself. He was unduly optimistic, for the United States Navy did not have seventy-fours until after the War of 1812 proved that it needed them, but he was nevertheless nerved in the conduct of his office at a time when he needed such inspiration, for His Excellency was now ready for any provocation, and grasped the first that raised its smiling head.

May 2nd, letters came for Cathcart that had been carried to Tunis on an American ship bearing a cargo of stores to discharge our obligations to that State. The Bashaw sent for Cathcart and demanded to know what the letters contained and the cargo of the ship. After the explanation, Jusef peevishly indicated that he had known the contents of the cargo, and had been interested in checking Cathcart's honesty, and was sorry to observe that it was not salutary, since the cargo was princely. Once again Cathcart was subjected to a disquisition upon the equality of the Barbary rulers and corsairs, and was informed that there was no reason the United States could not have sent a voluntary present. Cautiously, Cathcart avoided a commitment by the rejoinder that the United States had faithfully filled its Tripolitan obligations, and Jusef himself had expressed satisfaction in a letter to the President. Besides, His Excellency must realise that it took an act of the legislature to provide sums, and legislatures act slowly. His Excellency, an autocrat, didn't and couldn't quite comprehend the meaning of representation, testily explained that he did not care how money or gifts were provided, and served his guest a cup of coffee, intimating that the subject would be discussed again. Cathcart could drink the coffee without fear

67.

of being poisoned, for such methods were too subtle for Jusef; still, his self-righteous soul must have been as hot and bitter as the liquid he forced down his throat. It is a compliment to him that the Bashaw found occasion later to remark that the American was an extremely hard man with whom to deal. Certainly, he was of tougher fiber than poor, befuddled Ingraham.

The next day, Cathcart had company in the form of a pair of emissaries from the Bashaw, who were ostensibly acting on their own. They attempted to persuade him that it was necessary to make a little sacrifice in order to accommodate matters, but Cathcart, who had memorised the treaty under which he had been appointed, thought differently, and was determined that it meant something rather than nothing. They wandered away, and returned in the evening to report that the Bashaw was very displeased, inasmuch as mere ministers in Tunis had been given gifts equal to his, and he was certain that the United States did not mean to put him on a parity with them. The only course open to Cathcart was to deny the magnificence of the presents, which he did, adding, for good measure, that those bestowed upon Jusef amounted to something more than \$10,000. "And, besides," he added, "I haven't the power to give even a dollar." This the callers bore to the Bashaw, and, indefatigable in their endeavours to adjust differences, revisited Cathcart the same evening to announce Jusef's skepticism concerning his inability to make a present and bring a request that Cathcart write his President that when Jusef expressed satisfaction about the consular presents it had been with the confidence that they were proportionate to those for Tunis; however,

he had recently learned his mistake, and wished an adjustment. Cathcart was further directed to write in such terms that the wish would be forthwith granted; this was too much for that stout-hearted emissary, who read his visitor a lecture upon the impropriety of his presuming to dictate to his executive superior, the head of his great fatherland. However, he did agree to acquaint his Government with the particulars of their master's dissatisfaction. Admonishing him not to seal his letter until he had heard more from them, they left.<sup>68</sup>

May 6th, on the occasion of a festival, Cathcart had to go to the palace, where he was treated with marked politeness by the ruler— which favor did not make him happy.

After four anxious days of waiting, he was told that the Bashaw had decided to write himself to Adams, since he was unable to believe that Cathcart would express the case with sufficient forcefulness; Cathcart desired a copy of the letter.<sup>69</sup> To this date, Tripoli had been the recipient of cash and presents to the value of \$103,000 and it seemed that we had just begun to pay, a humiliating paraphrase of Jones' immortal battlecry.<sup>70</sup> While he was at it, the Bashaw also stated that he had been provoked because a Consul had been two years in coming to him, and then, when he did arrive, he did not bring the presents.<sup>71</sup> Convinced that Jusef was seeking an occasion to attack American ships, Cathcart said and did nothing

72) Ibid., 352.

73) Cathcart, 162.

74) Ibid., 163.

to give offense.

Two weeks later, Cathcart was handed a copy of the letter in the native language, which he translated and sent home; the Bashaw wanted a present, and would if necessary, take it for himself from an American ship. Cathcart tactfully called attention to the fact that he was now under obligation to wait for an answer, and suggested that the interval could be improved by dispatching a force to the Mediterranean.<sup>72</sup>

While waiting for an answer from America, Cathcart was given a demonstration of the ease with which Jusef broke his treaties. On July 28th, war was declared against the Swedish government because the Swedish Consul's bills were returned protested from Leghorn. Four days previously, Marad Rais had asked for the Swedish passports; now that war was declared, he would not return them, so that if he fell in with a Swede of superior force, he would produce the passports and make a pretence of checking them with those carried by the Swede, if with a ship of inferior force, he would forego the passports and make his prize.<sup>73</sup> Observing this treatment, Cathcart suspected that the United States was next on the extortion list, and urged, with the monotonous insistence of a high-pressure salesman, that the United States Navy be assigned an interest in the sea between the lands.<sup>74</sup> The Bashaw did not send the original letter to the President, for reasons upon which Cathcart could only speculate: he had remarked that the letter seemed to contain a threat, sounding more like a menace than a request, and thought possibly Jusef held it back rather than affront the

72) B. W., 352.

73) Cathcart, 162.

74) Ibid., 163.

Dey of Algiers, knowing that a copy had been sent to the United States, which would bear the same weight as the original. Cathcart concluded that His Excellency, while disclaiming any dependence upon Algiers, was nevertheless hesitant about incurring the Dey's wrath,<sup>75</sup> He improved the awkward interim by initiating a series of warnings to American ships discouraging them from calling at Tripoli.<sup>76</sup>

By September, a hundred Swedes languished in Tripolitan bagnios, and Cathcart was led to hope that a Swedish peace would not be concluded before he had heard from America, remembering the Bashaw's remark to Ingraham, that he did not make peace with one nation without making war on another.<sup>77</sup> One corsair told the Bashaw of having seen three splendid American ships during his voyage. "I intend having a long conversation with the American Consul soon," replied the Bashaw. Cathcart was amenable to a conversation, politely suggesting that His Excellency first read the treaty, so that they would both know what they were discussing, as well as their mutual rights.<sup>78</sup> He also wrote to O'Brien for advice, mentioning that eleven Swedish ships had now been taken.<sup>79</sup>

In October, Cathcart penned the following suggestive sentence in a letter to Pickering:

... This is the period that our national character ought to be established with this Regency; a well-timed energy will without doubt intimidate the present Bashaw and his successors from daring to insult our flag, while

75) Cathcart, 164-5.

76) Ibid., 166, to Thomas Appleton, Consul at Leghorn. Also, Ibid., 167, to Eaton: "Shun this place as you would a whirlpool, and discourage all Americans from ever coming here on any consideration whatever."

77) Ibid., 170.

78) Ibid., 170-2.

79) Ibid., 173.

too great condescension will seem to indicate that he may commit depredations upon our commerce with impunity.<sup>80</sup>

It might be said that this statement would also apply throughout the length and breadth of the Old World, but it was particularly true of the Barbary Coast. Gradually, the reports sent back by Humphreys, Barlow, Cathcart, Eaton and all Americans who had anything to do with a corsair State began to make an impression on the official consciousness in Washington, and soon a man was going to be President, who had said, as early as 1784:

...Our trade to Portugal, Spain and the Mediterranean is annihilated unless we do something decisive. Tribute or war is the usual alternative of these pirates. If we yield the power, it will require sums which our people will feel. Why not begin a navy then and decide on war? We cannot begin in a better cause nor against a weaker foe.<sup>81</sup>

Cathcart had only to wait for Thomas Jefferson to enter the White House.

Doubtful, Cathcart sought the counsel of the Consul at Lisbon on the matter of giving a present, since Smith would be the one called upon to furnish it.<sup>82</sup> The Bashaw was laying the foundation for hostilities by conciliating the Dey; a Portugese 74 put into his harbor with an Algerine schooner in tow. The Bashaw redeemed the vessel and her seventy-three men, and sent her as a gift to the Dey. This was a gesture calculated to dispose the Dey to look favorably upon a war with American commerce, or at least not interfere.<sup>83</sup>

Matters came to a head on 15 October, 1800, when the brig Catharine of

80) Cathcart, 176-7.

81) Jefferson, Ford, IV, 24.

82) Cathcart, 177.

83) Ibid., 179-80.

New York, Captain James Carpenter, was captured and brought into Tripoli. Cathcart was informed the evening of the arrival that the Bashaw had cleared her, because he was an honorable man, and had written to the President of the United States, and would await a reply before undertaking any action— since he felt that the President would prefer to send annual tribute rather than spasmodic, arbitrary presents. Cathcart, relieved that the brig was cleared, still did not in any effusion of gratitude permit himself to be influenced by the occasion, and sturdily told the Bashaw's minister that he could not enter into negotiations until he had heard from his government, and that His Excellency was still highly mistaken if he thought the United States intended to become tributary to Tripoli.

The next morning, Cathcart and Carpenter waited upon the Bashaw, demanding to know why the brig had been brought into Tripoli when her papers and passport were admittedly in order. The Bashaw made the practical observation that all nations paid him, and that so too must the United States, to which Cathcart undauntedly replied that all treaty obligations had been met. Jusef granted the truth of that, but remarked that the treaty had been instituted for the sake of peace, and to maintain the peace the United States had given him nothing. When he was reminded that he had signed a document stating that he had been paid in "full of all demands forever," he shrugged, and dismissed the reminder by the comment that he was informed an American frigate had visited Algiers, and wondered why he had not been similarly honored. Cathcart, who would have been overjoyed to have a frigate visit Tripoli, assumed that the ship mentioned was the George Washington, casually denied knowledge that she might have brought



tribute to the Dey, and explained that she was one of a squadron of three 44-gun frigates assigned to protect American commerce in the Mediterranean. The Washington was certainly not a 44-gun ship, and the squadron was ill-unionary, so the Bashaw ignored the implication, repeated that he must be paid, and gave the United States six months from the day to come to terms; if not, war would be declared in form at the expiration of the period. Cathcart desired to know what the Bashaw would consider a "Satisfactory" answer, and was told that it was hoped the answer would give the Consul powers to deal directly with the Bashaw, but, unhappily, until the reply did arrive, since the Consul had insisted that he could not spend a dollar without authorization, there was little sense in divulging what would be pleasing to His Excellency.

In his report to the Secretary of State, Cathcart detailed the entire story of the Catharine, and prayed for a prompt answer, sent in the company of two of the Navy's largest frigates.<sup>84</sup> The Catharine left Tripoli, 22 October, 1800, after a nervous week.<sup>85</sup>

29 October, Cathcart sent out a Circular of Protest against Jusef Bashaw, citing five grievances:

- (1) 17 August, 1799, Jusef had refused to receive American passports;
- (2) Jusef had been recalcitrant in a personal business deal with Cathcart, and still owed money to the Consul;
- (3) He had violated the 10th and 12th articles of the treaty, so that Cathcart called upon the Dey of Algiers to settle differences;
- (4) The Catharine case;
- (5) Jusef had indirectly called him a liar.<sup>86</sup>

84) Cathcart, 182-7; for narrative from previous note 83.

85) Ibid., 189.

86) A. S. P., F. R., II, 355-7.

A further cause for complaint happened in November, when, using the excuse that a plague had broken out in Tunis, the Bashaw subjected all letters to a quarantine and fumigation, which resulted in their being delivered open.<sup>87</sup> On the 12th, Cathcart sent out a warning circular to all American points in the Sea, stating that it would be unsafe for United States ships to trade after 22 March, 1801, but, in view of the Bashaw's habit of taking ships prior to declaring war, he advised that it would probably be unsafe at even an earlier date.<sup>88</sup>

D. UNITED STATES AFFAIRS IN TRIPOLI TO THE DECLARATION OF WAR, 14 MAY, 1801.<sup>89</sup>

In November, 1800, Cathcart was gratified to see Commodore Campbell negotiate antreaty with Tripoli, whereby the Bashaw was forced to disgorge \$11,250, and wrote a glowing letter to O'Brien stating that this was an illustration of what could be accomplished by one ship.<sup>90</sup> He asked O'Brien to solicit the Dey's mediation in the differences between the United States and Tripoli, as stipulated in the treaty.<sup>91</sup> In a letter to Smith, at Lisbon, he thus summarised the situation at Tripoli:

...The United States, in point of existence, is as a nation but of yesterday; we have settled a peace for a sum of money as other nations generally have done, but as yet we are classed by this Regency with no other nation. We are not respected as Great Britain, France and Portugal are, imposed upon in a friendly manner as Spain is, nor treated with the contempt that the tributary nations as Denmark or Sweden are; because our treaty is of so recent

87) A. S. P., F. R., II, 337.

88) Cathcart, 107-9. To the Agents and Consuls of the U. S.

89) Knox, 62.

90) Cathcart, 204-5.

91) Ibid., 210-2.

a date, and the Bashaw of Tripoli has been so unsettled unto the period, that he has not had an opportunity to make any demands upon us, nor time to consider what steps will be most likely to insure his success— he has now commenced.<sup>92</sup>

To all these signals of distress from Cathcart, O'Brien manfully replied that he was sick of Barbary and going home. Which was not very encouraging for the American Consul at Tripoli,<sup>93</sup> now that peace with Sweden was assured.

In January, on the occasion of the Swedish peace, the Bashaw addressed a few pregnant remarks to Cathcart, which Cathcart, being in company with the other Consuls, affected to believe were addressed to all, and did not answer. Thereupon the Bashaw spoke directly to him, employing several metaphors which pointed to an annuity of twenty thousand dollars. Turning to his High Admiral, he asked, "How many raises have I that know the way to the great sea?" The renegade Lisle answered, "Twenty," thereby distressing Cathcart's sense of honesty, for he believed Lisle to be the single capable seaman in Tripoli. "Well," said the Bashaw, "I will find them vessels. In Tripoli, consul, we are all hungry, and if we are not provided for, we soon get sick and perish." To this, our Consul replied that he'd be happy to administer a relieving dose when the chief physician prescribed the medicine; the analogy was ominously obvious. "Take care that the medicine does not come too late," remarked the Bashaw, "and if it comes in time, that it will be strong enough."

92) Cathcart, 221.

93) Ibid., 224.

Cathcart was becoming exasperated.<sup>94</sup> Moreover, he was fearful of impending hostilities, for Sweden's humiliating peace had cost that country two hundred and fifty thousand dollars outright, and an annual twenty thousand dollars for the "right" to take fifteen shiploads of salt from a Tripolitan port. Thus, aside from the lump sum, the Bashaw had established in precedent his demand from the United States of a yearly tribute.<sup>95</sup> Notifying our agents in the Mediterranean of the Swedish peace, Cathcart requested that they keep all American ships out of the Sea until they were informed by him to permit them to enter. In a letter to John Marshall, interregnum Secretary of State, Cathcart related another threatening conversation with the Bashaw, and peevishly complained about O'Brien, who had not given an explicit or direct answer to cries for instructions and advice.<sup>97</sup>

Wisely, Cathcart refused to yield to Jusef's pressure on the subject of an annuity, for, as he declared to Eaton, his submission would be the act of an intimidated Consul and very likely to be disavowed by his Government. Besides, and what was perhaps a better reason, he did not believe that even the \$20,000 outright would have an effect.<sup>98</sup>

In February, 1801, he changed this latter opinion. On the 8th and 16th, the Bashaw's demands crystallized. He desired two hundred and twenty-five thousand dollars at once, and the annuity. Cathcart's objection to the alternative of an immediate war was met by the concession that war would

94) A. S. P., F. R., II, 354.

95) Cathcart, 227-8.

96) Ibid., 228-30.

97) Ibid., 230-40.

98) Ibid., 256.

wait until the President had time to comply with the ultimatum, and, of course, for the inconvenience caused Jusef, the United States would pay. Cathcart finally obtained eighteen months by giving the Bashaw twenty thousand dollars in a bill upon Algiers, and a receipt for two thousand dollars personally due him after a commercial attempt the year previous to sell cloth.<sup>99</sup> This money was expended in much the same spirit that Russian travellers are by legend reputed to have thrown people overboard to delay pursuing wolves.

Discouraged, but his colors still flying, he wrote to Eaton:

...I received a letter from Captain Bainbridge, dated off Malta, January 10th, 1801. I informed several of the Bashaw's emissaries of it in order that they might be informed there really are such things in the world as American frigates, which they seem much to doubt.<sup>100</sup>

And so, too, it might be conjectured, did the distressed Cathcart doubt. The same day, he addressed another circular to the United States agents, telling them that in his opinion, all hopes of accommodation had subsided, and warned them to keep American merchantmen out of the Sea.<sup>101</sup>

Cathcart now began to secure his retreat, requesting Nissen, the Danish Consul, to assume charge of American affairs during his absence and until an accredited representative of the United States should again come to Tripoli: the favor was not presumptuous to ask, since during the recent warfare between Tunis and Denmark, Eaton, as we have seen, performed the same service for the Danes.<sup>102</sup> February 21st, he thanked Eaton for his

99) Cathcart, 264-6; 19 February, 1801, to Jusef Bashaw.  
100) Ibid., 271.  
101) Ibid., 274.  
102) Ibid., 275.

proffered hospitality, and told him to expect him within forty days from the date or not at all; he was none too sanguine about his prospects of leaving alive.<sup>103</sup>

His concessions, which almost cost him his self-respect, were soon summarily rejected by His Excellency, who wanted ten thousand dollars more, plus Cathcart's certificate that the demands would be met by the President of the United States.<sup>104</sup> His Excellency seemed unable to grasp the extent to which the representative American Senate participated in the ratification of treaties.<sup>105</sup> Cathcart complained to Marshall that O'Brien had mishandled affairs in Algiers, giving Jusef time to present a favorable case, in contravention of article twelve.<sup>106</sup> Whether or not O'Brien had failed to evoke the interposition of the Dey of Algiers, it was certainly true that Marad Rais was fitting out for a cruise, and could have but one prey.<sup>107</sup>

Cathcart did not feel justified in betreating further than he already had, knowing that he was secure until the Bashaw heard from Algiers.<sup>108</sup> He made the best of the interval by estimating the force and efficiency of the Tripolitan navy, and was not very apprehensive of their effectiveness against regular men-o'-war, reporting that there were only six ships of any consequence, the largest, Marad's, having pine quarters, which would splinter easily if tried with solid shot.<sup>109</sup>

103) Cathcart, 276. 21 February, 1801.

104) Ibid., 276-9. 23 February.

105) Ibid., 286. 25 February.

106) Ibid., 279-93. 25 February.

107) Ibid., 302. 18 March.

108) Ibid., 314-5. 17 April. A Swedish ship from Malta was to bring the Dey's answer to the Bashaw twenty days from the date.

109) Ibid., 310. 11 April.

In May, 1801, the emissaries of the Bashaw told Cathcart that he could remain in Tripoli during the war, if he wished, since the Bashaw respected him, or he could go away. In either case, the flagpole was going to be cut down. He replied that he had instructions to leave upon a declaration of war.<sup>110</sup>

On the 14th of May, with the arrival of the functionaries entrusted with the duty of chopping down consular flagpoles, Cathcart sent an offer of an additional ten thousand dollars. But he was three months late. The offer was refused, and the flagpole bearing the proud banner of the Stars and Stripes was hacked until the bright colors of the ensign trailed in the dust of a Tripolitan street.<sup>111</sup>

The United States was involved in its first foreign war.<sup>112</sup>

110) A. S. P., F. R., II, 355.

111) Ibid., II, 355.

112) Cathcart left Tripoli ten days later. Cathcart, 317.

CHAPTER VI

SUMMARY AND CONCLUSION

"The necessity of naval protection to extend our maritime commerce, and the conduciveness of that species of commerce to the prosperity of a navy are points too manifest to require a particular elucidation. They, by a kind of reaction, mutually beneficial, promote each other."\*

Alexander Hamilton

\* Frost, U. S. N. I. Proceedings, Vol. 59, 43.



Three points emerge as the contention of this thesis:

(1) Morocco, in her dealings with the United States, was not a member of what we have styled the Barbary System;

(2) The United States could easily have gone to war with any of the Turkish Barbary States;

(3) Jefferson's leadership determined executive action on the part of the United States.

The first point necessitates little recapitulation. We had the good fortune to strike a good relationship with Morocco, that survived even the strain of her civil war. Although at times Humphreys was perturbed by Muley Soliman's efforts to assert his sovereignty within the domains of his late father, our Consul Simpson easily secured the renewal of our treaty of 1785, and subsequently Muley kept good faith.

For the second, it is obvious that were conditions to remain as extortionate as the Barbarians desired, someone's patience was going to give. John Marshall, August, 1800, as Secretary of State, wrote to Eaton:

... The exorbitant and unwarrantable demands of the Barbary Powers set very uneasy upon us and are submitted to with difficulty,<sup>1</sup>

1) B. W., 369.

This was catching the spirit which flooded the offices of the Department of State:

... All of us, who have seen Barbary, agree in this point. That nothing but terror will check the insolence of these demands upon our generosity.<sup>2</sup>

... Did the United States know, the easy access of this barbarous coast called Barbary, the weakness of their garrisons, and the effeminacy of their people, I am sure they would not long be tributary to so pitiful a race of infidels.<sup>3</sup>

... America must shew [sic] a force in this sea. National interest, honour, safety demand it. The appearance of a few frigates would produce what the whole revenue of the country would not.<sup>4</sup>

... with barbarians we must enforce our arguments either with cannon balls or bags of dollars.<sup>5</sup>

These opinions came from everyone who had anything to do with Barbary, from Humphreys, from Barlow, from Church,<sup>6</sup> from Simpson, from all who knew the meaning of the term "corsair."

War could have broken out with Algiers, except that O'Brien was too accommodating, and yielded rather than endanger our peace. War smouldered in Tunis, but guttered out with word of the United States squadron. Eaton was resolute, and would not betray his trust. Cathcart was similarly firm, and the flagpole of his consulate was hacked down. Of the three States, hostilities were most likely to come in Tripoli or Tunis, owing to the personal characteristics of our representatives, and it is noteworthy that Cathcart and Eaton lost patience at about the same time, after about the

2) B. W., 358. From Eaton.

3) Ibid., 378. From Barlow.

4) Ibid., 329. From Eaton.

5) Cathcart, 67. To Pickering.

6) B. W., 45. From Edward Church, Consul at Lisbon.

same interval of dealing with their respective sovereigns. Had Eaton been our Consul-General at Algiers when the George Washington incident happened, judging by his express statement and his action in a somewhat similar case, it is at least possible to say that we might have been exchanging cannon balls several years before we fired upon Tripoli. Had Cathcart been there, the possibility is not quite as strong, for he was not quite so ready to accept responsibility.<sup>7</sup>

Of the three Consuls, Eaton was the most remarkable. He was well educated, alert, clear and unalterable in purpose, and a professional soldier, whose statements regarding the military and naval conditions prevailing in Barbary may be taken as authoritative. Cathcart was a plain, sensible man, sensitive upon points of dignity, coherent in his correspondence, if erratic in his spelling, and, withal, a zealous patriot, with not too much of an eye towards his own profit in Tripoli. And the least of the three was Consul-General O'Brien, who, from his letters, is a pompous, ignorant soul, uncursed with the niceties of grammar, spelling and diction, cheerfully obfuscating the sense of his correspondence in a labyrinth of nautical phraseology.

Of our Presidents, Washington, as we have seen, desired both the creation of a navy and the extirpation of the pirates, but his two terms were occupied with far more major problems, and we must satisfy ourselves by crediting his administration with the successful negotiation of treaties. If nothing else, he laid the keel of our Navy. His successor, Adams, was not inclined to go to war for any reason, and explicitly stood

7) B. W., 154. Barlow's appraisal of Cathcart.

for ransom and tribute. The problem was not going to be solved by him.

In March, 1801, Thomas Jefferson took office as President. A peaceful man, opposed to military or naval expenditures, he had nevertheless been consistently for a force in the Mediterranean.<sup>8</sup> His Secretary of the Treasury, the much-maligned Gallatin, was whole-heartedly concerned with the reorganization of national finances and the abolition of the public debt; was not not hostile to an Army or Navy except in the degree that they ate up public revenue.<sup>9</sup> In fact, he supported Jefferson's Mediterranean foray because it would protect and preserve our commerce in those waters.<sup>10</sup> He was neither for nor against war as such; he would endorse whichever was cheaper; that was the extent of his prejudice.<sup>11</sup>

Jefferson thus described the decision, made without a knowledge of Tripoli's declaration of war.

... In March, finding that we might with propriety call in our cruisers from the West Indies,<sup>12</sup> this was done; and as two were to be kept armed, it was thought best by Stoddert<sup>13</sup> and Gen. Smith that we should send three with a tender into the Mediterranean to protect our commerce against

8) Jefferson, Ford, IV, 25-6, 85; V, 195-6; etc. Jefferson, Lipscomb, XV, 401; etc.

9) The Writings of Albert Gallatin, edited by Henry Adams, three volumes, J. B. Lippencott & Co., Philadelphia, 1879; Vol. I, 24-5. Speaking of a reduction in military and naval establishments, he says: "All I wish to impress is the necessity of a great reduction there, if it be intended to repeal the internal duties [a campaign promise of Jefferson]. Savings in every department may be practicable; but we can save but thousands in the other, and we may save hundreds of thousands in those two establishments."

10) Ibid., I, 63.

11) Ibid., I, 88.

12) Where they had been conducting operations against the French during our so-called Naval War with that Power.

13) Stoddert was Secretary of the Navy.

Tripoli. But as this might lead to war, I wished to have the approbation of the new administration. In the meantime the squadron was to be prepared and to rendezvous at Norfolk ready to receive our orders. It was the 15th of May before Mr. Gallatin's arrival enabled us to decide definitely. It was then decided unanimously; but it was not until the 25th of May that the Philadelphia<sup>14</sup> reached the rendezvous. On the 1st of June they sailed.<sup>15</sup>

May 21st, Jefferson answered the Bashaw of Tripoli's letter. Politely professing to believe that the letter had suffered misconstruction through translation, he stated that peace was still between the two countries, and concluded by seeking hospitality for the squadron, whose commanders had orders to abstain from hostilities, since we were at all times desirous of peace.<sup>16</sup> A few days later, he wrote Monroe, intimating that he suspected Tripoli had already commenced depredations upon us, and remarked that it would have been expected from Algiers, to whom we owed three years arrears of tribute, but was totally without cause in the case of Tripoli.<sup>17</sup>

Because of Cathcart's activities, however, Jefferson felt that ample warning had been given American ships, so that they could escape if they wished.<sup>18</sup> Indeed, it is Cathcart's glory that no American merchantman was surprised by Marad's corsairs, and only the crew of an unlucky man-of-war came to suffer in Tripolitan bagnios. This, if nothing else, should ensure him the gratitude of his country, but Cathcart loses his identity as

14) Later lost to the Tripolitans through an accident, and destroyed spectacularly at her cables by Lieut. Stephen Decatur, Jr.

15) Jefferson, Ford, VIII, 62-3. To Wilson C. Nicholas.

16) A. S. P., F. R., II, 348-9.

17) Jefferson, Ford, VIII, 62. To Monroe.

18) Ibid., VIII, 62. To Nicholas.

an individual, and becomes representative of the United States. Placed in a situation which had been endured by generations of Euro-pean diplomats, for devious reasons, he reflects the impatience of the newborn republic, sturdily standing for its rights against tyranny, and, in the short space of twenty-six months, preferring the arbitrament of arms to the degradation of tribute. We were a free nation; he could not choose otherwise.

And so, in the relations of the United States with the Barbary Coast, we see signs of a national consciousness quite detached from partisan struggles; we see a people, desirous of being a state, exercising the so-called standards of convention, until the forms break down, whereupon those people abandon European manners, and prosecute the remedy which had initially appealed to their hearts, bringing to naval war their New World vigor which gave the coup de grace to an outmoded barbaric despotism.

Commodore Richard Dale, U. S. N., arrived at Gibraltar, 1 July, 1801, with his "squadron of observation," the President, 44, Philadelphia, 38, and Enterprise, 12; he there learned of the declaration of war.<sup>19</sup> After diplomats had spent more than two million dollars trying to bring us peace in Barbary,<sup>20</sup> the remainder of our relations with the Coast were now conducted by the newly created Navy Department— with complete success.

19) Room to Swing a Cat, F. J. Bell, Lieut., U. S. N.; Longmans, Green & Co., New York, 1938. Pages 36-7.

20) B. W., 369.

CHAPTER VII  
BIBLIOGRAPHY

Sir Robert L. Playfair, one-time Consul-General of Great Britain for Algiers and Tunis, has published three exhaustive bibliographies on the Barbary States, which are printed in the Supplementary Papers of the Royal Geographic Society, Volume II, Parts 2 and 4, and Volume III, Part 3. Although published in 1887-8, these seem to represent almost definitive work, and are of inestimable value of appraising material.

Primary sources on the subject of the Wars are at once voluminous and discouragingly repetitious. The same documents are to be found printed in several works, while there are gaps in the story which must be bridged by application to a secondary source. Of first rank in all the history of the early years of the United States is the collection known as the American State Papers, Documents, legislative and executive, of the Congress of the United States, from the first session of the first to the second session of the twenty-second Congress, inclusive; edited, under the authority of Congress, by Walter Lowrie, Secretary of the Senate, and Matthew St. Clair Clarke, Clerk of the House, Washington D. C., published by Gales and Seaton. In ten divisions, such as Foreign Relations, Indian Affairs, Pub-



lic : Lands, Naval Affairs, etc., the collection in general consists of the correspondence laid before Congress on any matter which necessitated documentary explanation. The chief criticism to be made concerning the Papers : lies in the laudable but unscholarly tendency of the editors to correct the spelling and grammar of their contemporaries, thus resulting in an almost uniform style. This fault is most clearly seen upon examining the most useful work employed in this thesis, The Barbary Wars, 1785-1801, documents, issued by the United States Naval Records Department in 1939. The Naval archivists, under the guidance of Captain Dudley W. Knox, a well-known naval historian, printed the documents as they deciphered them, so that it becomes possible to accuse certain characters of ignorance, if charity compels abstention from the sterner charge of stupidity.

Of all sources, the foregoing two are the most valuable, primarily because it is possible to believe that the editors were disinterested in proving a case. Further, they act as a check upon the next type, which are more concerned with vindication or accusation: The Barbary Wars, for example, serves as a cross-reference to Cathcart, many of the documents being duplicated-- with noteworthy differences in spelling.

Collectively, then, this next type may be called "Memoirs." Of these, Mrs. J. B. C. Newkirk produced two concerning her illustrious ancestor, James Leander Cathcart, compiling them from his journals. The Captives, La Porte, Ind., (circa 1897), concerns his sufferings in Algerine slavery from 1785 to 1796; and Tripoli, First War with the United States, La Porte, Ind., 1901, relates his experiences as United States

Consul to Tripoli, 1799-1801. By a judicious use of the Naval Archivists' work, it is possible to remove from these books the prejudices inflicted upon the collected papers by the filial devotion of Mrs. Newkirk.

Next in this category is The Life and Times of David Humphreys, by Frank Landon Humphreys, 2 volumes, G. P. Putnam's Sons, New York, 1917, which may be included as first source material since the volumes consist of letters interlocked with explanatory comment; it is important, because Humphreys, Minister to Portugal, had the general direction of our affairs in Barbary. The Miscellaneous Works of David Humphreys, T. & J. Swords; New York, 1804, offers a little further material from his viewpoint.

And then, there are The Writings of Thomas Jefferson, in both the twenty volume edition edited by Andrew A. Lipscomb, and the ten volume edition of Paul Leicester Ford, which must be investigated for an understanding of the promptness with which we went to war with Tripoli. The Writings of Albert Gallatin, edited by Henry Adams, three volumes, J. B. Lipponcott & Co., Philadelphia, 1879, gives the financial aspects conditioning Gallatin's attitude. The Life and Letters of Joel Barlow, by G. B. Todd; G. P. Putnam's, N. Y., 1886, has an informative chapter dealing with Barlow's stay in Algiers during the negotiations for the treaties with Tunis and Tripoli, as well as his own work in Algiers. The Memoirs of Lord Collingwood, by G. L. Newnham Collingwood; James Ridgeway, London, 1828, was cited to show the importance of Morocco to the British fleets at Gibraltar.

Of lesser importance are the seven volumes of the Quasi-War with France, published by the United States Naval Records Department, 1936-8,

inasmuch as the documents relating to our topic were principally saved for the new series of the Barbary Wars. The Life of Timothy Pickering, by his son, Octavius, four volumes, Little Brown, 1867, is barren of the Secretary's opinions concerning Barbary.

An illuminating picture of the coast is to be found in The Travels of Ali Bey el Abassi in Morocco, Tripoli, Cyprus, Egypt, Arabia, Syria and Turkey, between the years 1803 and 1807, London; Longman, Hurst, Rees, Orme and Brown, 1816. The name "Ali Bey" was, according to Playfair, the nom de guerre of a Spaniard. Better organized and more erudite are two general works by Englishmen: The History of the War from the Establishment of Louis XVIII on the Throne of France to the Bombardment of Algiers; including a copious narrative of the Battle of Waterloo and the conduct and conversation of Napoleon Buonaparte with a copious description, accompanied by historical records, of the Barbary States in General and Algiers in Particular, by Hewson Clarke, Esq., of Emanuel College, Cambridge, published by T. Kinnersley, London, 1817; and Algiers, by G. A. Jackson, Esq., published by R. Edwards, London, 1817. These volumes admirably, if unconsciously, complement each other, and give a fairly complete background of the Coast's history, although Clarke Anglophilically minimizes the efficacy of Preble's operations in 1804. However, the Britons find their country's glory tarnished somewhat by Monsieur A. G. P. Martin, who has concerned himself with the history of Morocco, writing Quatre Siecles d'Histoire Marocaine, Libraire Felix Alcan, Paris, 1923, and Le Maroc et L'Europe, Libraire Ernest Leroux, Paris, 1928; both these volumes are specialized, and are marred only by M. Martin's distrust of the British lion.

Secondary works of interest are many. General William Eaton, the Failure of an Idea, by Francis Rennell Rodd; Minton Balch and Company, New York, 1932, is interesting for reasons which can best be understood by consulting the book, which has a foreward containing the sentence: "Yet I hope that I have been fair to William Eaton," which is precisely what he has not been, when one compares his work with that of Jared Sparks, in the American Biography series, sympathetically dealing with the same individual, our Consul at Tunis. The National Portrait Gallery contains short sketches of most of the prominent individuals concerned. Again, The Life of Commodore William Bainbridge, by Thomas Harris, M. D., Carey Lea and Blanchard, Philadelphia, 1837, is valuable for a description of American feeling in 1800, while Charles Oscar Pauillin's Commodore John Rodgers, Ohio, 1910, represents a standard work on the early days of the Navy. White Slavery in the Barbary States, by Charles Sumner, 1847, is one of the first critical studies of the subject, later expanded by Stanley Lane-Poole, Story of the Barbary Corsairs, G. P. Putnam's Sons, New York, 1890, in the Story of the Nations series.

For diplomacy itself, American Diplomacy and the Furtherance of Commerce, by Eugene Schuyler, Ph. D., Charles Scribners Sons, New York, 1886, may be consulted in conjunction with the highly specialized Diplomatic Relations of the United States with the Barbary Powers, 1775-1816, by Ray Irwin, Chapel Hill, N. C., 1931. Irwin's work may best be described by quoting the opinion of James Baxter, as expressed in the Journal of Modern History, Volume 5, page 92:

...Despite this painstaking research, the synthesis is disappointing. Although the spec-

ialist can glean some new details from this rather uninspired account, the general student of American diplomacy will find a more suggestive, stimulating, and helpful account in Gardner Weld Allen's Our Navy and the Barbary Corsairs...

Irwin worked from many original sources, but the scope of his work was perhaps too ambitious. Nevertheless, his book can be read with profit by the general student, although, as Baxter remarks, the specialist will derive much more. And in justice to Irwin, it should be mentioned that his book was his thesis for a Doctoral degree at New York University, 1929.

The American Secretaries of State and their Diplomacy, edited by Samuel Flagg Bemis, two volumes, Alfred A. Knopf, New York, 1927, presents the student with the attitudes of the various incumbents of that responsible post during our troubles with Barbary. In the main, however, the set has little use for the purposes of the thesis.

There are many articles in magazines, but the bulk are concerned with the more spectacular phases of the topic, the war itself or slavery, such as those in The Edinburg Review, The Southern Messenger, and The Analectic Magazine. Quotations are made from the United States Naval Institute Proceedings, Annapolis, Md., and the Transactions of the Grotius Society, Volume IV, "Problems of the War." In reference to the latter, it should be remarked that J. E. G. de Montmorency was preoccupied with establishing a relation between the German submarine commanders and the Barbary pirates, and thus enervates the merit of his conclusions; however, his article offers an excellent summary of the principal treaty relations of Europe with the Coast.

The famous Naval History of Great Britain, from the Declaration of War

by France in 1793 to the Accession of George IV, by William James, six volumes, Macmillan and Co., London, 1902 edition, was called upon to furnish some statistics of the sea power in the world at the time of our Navy's founding, while The Naval Side of British History, by Geoffrey Callender, Little Brown and Company, Boston, 1924, analyzed the operations of sea power in the years preceding our subject.

Treatises on the war itself fill libraries. The best among those consulted were: History of the United States Navy, by Captain Dudley W. Knox, U. S. N., Putnam's, New York, 1936, superbly authoritative by virtue of the circumstance that made Captain Knox for many years the Archivist of our Navy; Allen's book, referred to in Baxter's criticism of Irwin; Sea Power in American History, by Herman F. Krafft and Walter B. Norris, Associate Professors, United States Naval Academy; The Century Company, New York, 1923, almost successfully attempts to synthesize the theories of Rear-Admiral Mahan into one volume; and Room To Swing A Cat, by Lieut. Frederick J. Bell, U. S. N., Longmans, Green and Company, New York, 1938, which is a popular history of the Navy, and remarkable for its feel of the period. Of these mentioned, the student is referred to Captain Knox; the searcher-for-general-information to Lieutenant Bell and Mr. Allen.

Aside from Mr. Irwin's book, there does not seem to be any volume dealing with American diplomacy in Barbary. It is hoped that this thesis, being confined to a shorter period, will partially remedy the defect in his effort, which is more of an outline than a history.

The above bibliography is admittedly incomplete on the subject, and the reader is referred to Playfair for further study. However, in The

Barbary Wars by the United States Naval Record Department, the reader will find the most important single record of the topic. The main sources are listed, and as far as possible, the works cited are those which are either primary material or secondary sources derived from primary material. The works omitted were, in the main, repetitious.

The thesis, "The Diplomatic Relations of the United States with the Barbary Coast, 1790-1801", written by Robert W. Daly, has been accepted by the Graduate School with reference to form, and by the readers whose names appear below, with reference to content. It is, therefore, accepted in partial fulfillment of the requirements for the degree of Master of Arts.

Paul Kiniery, Ph.D.	March 18, 1940
Rev. Joseph Roubik, S.J., Ph.D.	March 26, 1940
Rev. William E. Shiels, S.J., Ph.D.	March 25, 1940