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Accompanying the Preſident's meſſage to Congreſs, of Dec. 8, 1801.

[CONTINUED]

Extract of a letter from the ſame, dated May 12 1800.

"Give me leave to inform you in addition to mine of the 18th of April, a copy of which is encloſed with this diſpatch, that on the 21ſt of ſaid month a board of conſuls were called by the Baſhaw, relative to the affairs of Sweden, in order to facilitate as much as poſſible his depredations and unjuſt demands upon that nation. As I have already forwarded to you the particulars of their laſt arrangement; I at preſent refer you to the copy of the certificate herewith encloſed for the reſult. During the courſe of converſation the Baſhaw obſerved 'that he never made repriſals on any nation, or declared war but in conſequence of their promiſes not being fulfilled, or for a want of due reſpect being ſhewn him; that he conceived himſelf entitled to the ſame reſpect that was ſhewn to the Baſhaws of Algiers and Tunis, but that ſome nations gave more to the officers in each of thoſe regencies than they had given to him for their peace.' The laſt remark was evidently pointed at the United States, but as it was made in general terms, I thought proper not to ſeem to underſtand it eſpecially as I could ſay very little more on the ſubject than what I have already communicated to him through the agency of Signior Farſara.

"On the 2d of May a courier arrived from Tunis, which brought me the copies of your letters of the 15th of Jan. which arrived in the ſhip Hero. Before I had time to read them, Farſara came and informed me that the Baſhaw wanted to ſee me immediately. I aſked him if he knew what his excellency wanted, he ſaid he did not, that he had received letters from Tunis, and ſeemed very much irritated. It being late in the evening I waited on him in diſhabille, when the following converſation took place, which I have endeavored to render verbatim.

'You have received letters from America: how were they brought to Tunis?

'In a veſſel direct from America.

'What is her buſineſs at Tunis?

'She has brought the ſtores ſtipulated by treaty with that regency.

'What do they conſiſt of?

'I do not know the particular articles which compoſe her cargo, but it chiefly conſiſts of lumber and articles, ſuch as were promiſed to your excellency when our peace took place.

'What do your letters from your government contain?

'They are merely copies of what I had already received, the contents of which your excellency was informed by Farſara.'

"This being a favorable opportunity to know whether our broker had acted with candor, I repeated what was contained in mine of the 18th of April, and found by the Baſhaws's anſwers (which were exactly what Farſara had before informed me) that he had acted honeſtly.

"The Baſhaw obſerved that the United States had made liberal preſents to Algiers and Tunis, that he was informed of the particulars of all our negotiations, that he even had a liſt of the cargo which had arrived at Tunis, that it is worth a *treaſure*. 'Why do not the United States ſend me a voluntary preſent? They have acted with me as if they had done every thing againſt their will. Firſt, they ſolicited the interference of the Dey of Algiers, in conſequence of which I concluded a peace with them for almoſt nothing in compariſon to what I have received from other nations, I having received many favors from Haſſan Baſhaw, during the continuance of the revolution in this kingdom. They next made me wait more than two years before they ſent their conſul, and then be came without the ſtipulated ſtores. Nevertheleſs, in order to convince them of my good and friendly intentions, I accepted of the ſmall ſum of eighteen thouſand dollars in lieu thereof, not doubting but they would be grateful enough to make me ſome return for my civility; but I have the mortification to be informed that they have now ſent a ſhip load of ſtores to Tunis beſides promiſing a preſent of jewels, and to me they have ſent compliments. But I have cruiſers as well as Tunis, and as good Raizes and ſailors. I am an independent prince as well as the Baſhaw of Tunis, and I can hurt the commerce of any nation, as much as the Tuniſians. Why then ſhould ſo great a difference be made?'

"From the tenor of the Baſhaw's harangue I perceived that his aim was to intimidate me, to ſay ſomething that might hereafter be interpreted into a promiſe of a preſent, the value of which he would probably dictate himſelf. I therefore anſwered him as follows:—

"Whatever information your excellency has received relative to the value of the preſents or ſtores which have been given to Tunis, it has been amazingly exaggerated. We have never made any but what were ſtipulated by treaty, nor can we ever make voluntary preſents, it being incompatible with our form of government, the funds of the United States not being at the diſpoſal of the Preſident until an appropriation is made by an act of the legiſlature. The funds for carrying our treaty with Tripoli into effect are exhauſted, and laſt year your excellency wrote to the Preſident of the United States that you were contented with what you had already received. You, therefore, in juſtice, could not expect any thing at preſent from the United States, but a reciprocal tender of friendſhip. Had your excellency preferred the ſtores to caſh, and waited with patience until they were forwarded, as the Bey of Tunis has done, I am convinced they would have arrived long ere now. But at preſent, as the United States have fulfilled the ſtipulations of the treaty, they are not in arrears to this regency, and any demands upon them muſt naturally be very unexpected. The Baſhaw obſerved it was late, had coffee ſerved, and ſaid he would converſe with me upon the ſubject at ſome other opportunity. I wiſhed him a very good evening.

"May 4, the Siddi Mahomed Daguize, and Signior Farſara, came to the American houſe and informed me that the Baſhaw had ordered them to aſk me if I had taken any reſolution in conſequence of the converſation which I had with him on the 2d inſt. I informed them that I had taken none whatever, and that it ſeemed unaccountable to me that his excellency ſhould expect any other anſwer after what I had informed him in their preſence; they ſtayed about an hour, during which time their converſation tended to perſuade me that, conſidering the Baſhaw's character, it was certainly the intereſt of the United States to make a ſacrifice, that otherwiſe it would be impoſſible to remain long on good terms with him. I made uſe of the ſame arguments which I had done before. I, therefore, will not tire you with a repetition.

"At 6 P. M. they returned and informed that the Baſhaw was very much diſpleaſed, and had ordered them to acquaint me that he was informed that the Sahibtappa at Tunis had received more than forty thouſand dollars from the United States in caſh beſides preſents; that he had received very little more, and that he had never imagined the United States meant to put him on an equality with one of the Bey of Tunis's miniſters.

"I obſerved that the Baſhaw was miſinformed by his correſpondent, who, in order to ingratiate himſelf in his favor, had informed him of things which had never taken place, that he was giving himſelf as well as them and me a great deal of trouble, without any hopes of reaping the leaſt benefit therefrom; that I requeſted them to inform his excellency that I had not power to offer him a dollar, and that there were no funds in the United States appropriated for maintaining our peace with Tripoli, as we had carried our treaty into effect already; that he had wrote to the Preſident of the United States, the Dey of Algiers, and Bey of Tunis, that he had ſettled with the agent of the United States, and had received a caſh payment in lieu and in full of all demands, and that he was content; that only three years and an half had elapſed ſince our treaty commenced, that the firſt year he had received 40,000 dollars in caſh, and the value of eight thouſand in preſents, that the ſecond he had received 12,000 dollars, and that laſt year he had received 18,000, and preſents to the value of 4,000 more; that on the circumciſion of his ſon, Siddi Aly, I had made him a preſent, ſuperior to the preſents which were made him by the conſuls of other nations on the ſame occaſion; that conſequently the government of the United States, were not deficient either in their reſpect to him, or tokens of friendſhip, as he had received in the ſhort period of three years and an half, caſh and preſents to the amount of 83,000 dollars, excluſive of 10,000 meaſures of grain which Haſſan Baſhaw had made him a preſent of, in conſequence of his having concluded a treaty with the United States, which was worth at Tripoli near 20,000 dollars more; that I was perſuaded that if his excellency would give himſelf the trouble to reflect on the circumſtances which had taken place ſince the commencement of the treaty between the United States and this regency, that he would not heſitate a moment in acknowledging the juſtice and propriety of my obſervations.

"In the evening the Baſhaw's emiſſaries returned and informed me that they had encountered great difficulty in perſuading the Baſhaw to believe that the conſul had not power to make him a preſent without an expreſs order from his government. His excellency ſaid that he had received many preſents from the conſuls of other nations and that their conduct had afterwards been approved. They obſerved that the form of government of the United States was vaſtly different from the government of every other nation, with whom his excellency was at peace, that he had a recent example that the powers of a conſul were limited, in the reſult of the Swediſh conſuls negociation, he having arranged the affairs of his nation without receiving orders from his court; that he knew the conſequence—his bills were proteſted, he had received a ſevere reprimand from the king of Sweden, and was immediately ſuſpended, and that his excellency might depend that the American conſul would take care never to be reduced to a ſimilar predicament, whatever might be the conſequence of his non-compliance with his excellency's demand.

"They further informed me that the Baſhaw had ordered them to requeſt me to write to my government, to inform them that when he had wrote to the Preſident of the United States he was contented with what he had received, that he really was ſo, on a ſuppoſition that the preſents to him bore ſome proportion to thoſe that had been promiſed to Tunis, that at preſent he was informed to the contrary, and that he felt himſelf amazingly hurt when he conſidered that he had been treated with indifference, and that he never would be convinced that the friendſhip of the United States was ſincere until there was a greater equality obſerved in their donations between the two nations, or in other words, until he received ſome further marks of the Preſident's eſteem more ſubſtantial than mere compliments. They ſaid that although the Baſhaw was inclined to credit the impoſſibility of the Conſul's making him a preſent without orders from his court, that he likewiſe was ſenſible how much depended on the manner of his repreſentation, that he believed he had treated him with every reſpect ſince his arrival at Tripoli, & he requeſted I would write in ſuch terms as would inſure him from the mortification of being diſappointed, adding, this he expected from the conſul as he values my future favor and a happy reſult to the objects of his miſſion. I replied that the object contemplated by the U. States in ſending an agent the vaſt diſtance of near 6,000 miles was to endeavor to maintain a friendly intercourſe between the two nations on honorable and equitable terms, that as it had pleaſed God to employ me as the inſtrument to promote ſo deſired an effect, he might reſt aſſured I ſhould take pleaſure in repreſenting facts for the conſideration of government in as favorable a manner as the dignity annexed to my office would admit, that as it would be the height of preſumption in me to dictate to the Preſident of the United States what he ought to do in the preſent caſe, ſo on the other hand, I by no means conſidered it to be a part of my official duty in any means to oppoſe the liberal intentions of government, ſhould they be found diſpoſed to make him a preſent, but on the contrary ſhould I receive orders to that effect, I would take pleaſure in executing them, but muſt again beg leave to repeat that the iſſue depended on them only. They retired, promiſed to make a faithful report to his excellency, proteſted they would uſe their influence in favor of the United States, and requeſted me not to cloſe my letters until I heard farther from the Baſhaw either direct or through their agency.

"May the 6th, I waited on the Baſhaw to pay my compliments to him in conſequence of the feſtival, he treated me with great politeneſs, But I could eaſily diſcern that it was againſt his inclination, there was ſomething in his countenance that indicated his ſmiles were not ſincere and ought not to be depended on.

"May the 10th, Farſara came to the American houſe, and informed me that the Baſhaw had concluded to write to the Preſident of the United States himſelf, as he entertained ſome ſuſpicion that I would not write to government with ſufficient energy, that the Baſhaw would ſend me his letter the firſt opportunity that ſhould preſent, to forward it, which he hoped I had no objection to do. I replied, none in the leaſt, and requeſted Farſara to procure me a copy if poſſible, which he promiſed to do. Having waited until the date of this diſpatch without having heard any thing more on the ſubject, I haſten to get my diſpatches in readineſs to forward by the firſt conveyance. Should any thing intervene worthy of notice before I receive the Baſhaw's letter it ſhall be the ſubject of another diſpatch."

Extract of a letter from the ſame to the Secretary of ſtate, dated

May 27, 1800.

"Since the date of the encloſed diſpatch, I heard nothing from the Baſhaw until the evening of the 25th inſt. when Siddi Mahomed Daguize ſent me the original in Arabic, of which the encloſed is a literal tranſlation. The only concluſion which can be drawn from the Baſhaw's proceedings is, that he wants a preſent, and if he does not get one, he will forge pretences to commit depredations on the property of our fellow citizens. His letter to the Preſident will be the means of keeping him quiet until he receives an anſwer provided no unneceſſary delay is made, as he will expect to reap a benefit therefrom. Should government think proper to make him a preſent, it will have the deſired effect probably for one year but not longer. I therefore can ſee no alternative but to ſtation ſome of our frigates in the Mediterranean, otherwiſe, we will be continually ſubject to the ſame inſults which the Imperials, Danes, Swedes, and Raguſans have already ſuffered, and will ſtill continue to ſuffer."

Tranſlated extract from a letter of the Baſhaw of Tripoli, to the Preſident of the United States, dated

May 25th, 1800.

"After having cultivated the branches of our good will and paved the way to a good underſtanding and perfect friendſhip which we wiſh may continue for ever, we make known that the object and contents of this our preſent letter, is, that whereas your conſul who reſides at our court in your ſervice, has communicated to us, in your name, that you have written to him, informing him that you regarded the regency of Tripoli in the ſame point of view as the other regencies of Barbary, and to be upon the ſame footing of friendſhip and importance. In order to further ſtrengthen the bonds of a good underſtanding, bleſſed be God, may he complete and grant to you his high protection. But our ſincere friend, we could wiſh that theſe your expreſſions were followed by deeds, and not by empty words. You will therefore endeavour to ſatisfy us by a good manner of proceeding. We on our part will correſpond with you, with equal friendſhip, as well in words as deeds. But if only flattering words are meant without performance, every one will act as he finds convenient. We beg a ſpeedy anſwer, without neglect of time, as a delay on your part cannot but be prejudicial to your intereſts. In the mean time we wiſh you happineſs.

"Given in Tripoli in Barbary, the 29th of the moon Hegira, the year of the Hegira 1214, which correſponds with the 25th May, 1800."

Extract of a letter from the ſame to the ſame, dated

Tripoli, Oct. 18, 1801.

"On the 16th, I waited on the Baſhaw in company with captain Carpenter to demand ſatisfaction for the inſult our flag had ſuffered in having one of our veſſels brought in here without any viſible cauſe, her papers and paſſport being in perfect order; and likewiſe to demand reſtitution of property plundered from the brig.

"The Baſhaw anſwered, that he had not given orders to the Raize to bring in American veſſels, that he had broke him, and diſmiſſed him from his ſervice, and then gave orders to the miniſter of marine to have every article that was plundered from the brig returned."

The Baſhaw then commenced thus—'Conſul, there is no nation I wiſh more to be at peace with than yours; but all nations pay me, and ſo muſt the Americans.' I anſwered, 'we have already paid you all we owe you and are nothing in arrears.' He anſwered, 'that for the peace we had paid him it was true, but to maintain the peace we had given him nothing.' I obſerved, that the terms of our treaty were to pay him the ſtipulated caſh, ſtores, &c. in full of all demands for ever,' and then repeated nearly to the ſame effect as is contained in my diſpatch of the 12th of May, which, to avoid repetition, I forbear inſerting. The Baſhaw then obſerved, that we had given a great deal to Algiers and Tunis, and that the Portugueſe captain informed him, that when he paſſed by Algiers about the middle of laſt month, that he had ſeen an American frigate in the bay which he ſuppoſed had brought more preſents to the Dey—'Why do they neglect me in their donations, let them give me a ſtipulated ſum annually, and I will be reaſonable as to the amount?'

"In anſwer to the firſt I replied, that it was true that one of our frigates was at Algiers, being one of a ſquadron of three 44 gun ſhips and ſome ſmaller veſſels, which were appointed to protect our commerce in the Mediterranean; but whether they had preſents on board for the regency of Algiers, or not, I could not inform him: that ſome of them would have been at Tripoli before now, had I not informed them that they had better ſtay away until the ſpring, upon account of the badneſs of this road, which renders it very unſafe at this ſeaſon—And in anſwer to his propoſal of an annuity, I replied with ſome warmth exactly what I had requeſted Daguize to inform him of in my name yeſterday evening. 'Well then,' replied the Baſhaw, 'let your government give me a ſum of money and I will be content, but paid I will be, one way or other. I now deſire you to inform your government that I will wait ſix months for an anſwer to my letter to the Preſident; that if it did not arrive in that period, and if it was not ſatisfactory, if it did arrive, that I will declare *War* in form againſt the United States; inform your government,' ſaid he, 'how I have ſerved the Swedes, who concluded their treaty ſince yours; let them know that the French, Engliſh, and Spaniards, have always ſent me preſents from time to time to preſerve their peace, and if they do not do the ſame, I will order my cruiſers to bring their veſſels in whenever they can find them.' He then turned to Daguize and told him to explain to captain Carpenter what he had informed me, (they both ſpeaking French) and added 'that he did not wiſh to make it a private affair between the conſul and him, and deſired him to make it public, as he wiſhed the whole world to know it; he then told Daguize to tell the captain that he hoped the United States would not neglect him, as ſix or eight veſſels of the value of his would amount to a much larger ſum than he ever expected to get from the United States for remaining at peace'; beſides,' ſaid he, 'I have a great deſire to have ſome captains like you here to learn me to ſpeak Engliſh.'

"I anſwered that it was abſolutely impoſſible for to receive anſwers to the letters which he deſired me to write by capt. Carpenter in ſix months, as it would be nearly that time before he would get home, upon account of the winter ſeaſon; that I expected his excellency would wait until the anſwer arrived, let that be long or ſhort, and obſerved that none but thoſe who held a correſpondence with the *Devil* could determine whether he would be content with the Preſident's anſwer or not; as neither the Preſident nor myſelf knew what would content him. I therefore requeſted him to inform me explicitly what was his expectations. To the firſt he anſwered, 'I will not only wait for anſwers from your Preſident, but I will now detain the brig and write to him again—but I expect when he ſends his anſwers that they will be ſuch as will empower you to conclude with me immediately—if they are not, I will capture your veſſels; and as you have frequently informed me that your inſtructions do not authorize you to give me a dollar, I will therefore not inform you what I expect until you are empowered to negotiate with me; but you may inform your Preſident, that if he is diſpoſed to pay me for my friendſhip, I will be moderate in my demands.' The Baſhaw then roſe from his ſeat and went out of the room, leaving me to make what comment I thought proper upon his extraordinary conduct.

Copy of a letter from Mr. O'Brien, to Capt. Bainbridge.

Sir,

Your letter to me of this date I have received and ſeriouſly conſidered its con-