MESSAGE

From the President of the United States, respecting the application of HAMET CARAMALLI, *ex-bashaw of Tripoli.*

To the Senate and House of Representatives of the U. States.

I lay before Congress the application of Hamet Caramalli, elder brother of the reigning bashaw of Tripoli, soliciting from the United States attention to his services and sufferings in the late war against that state: and in order to possess them of the ground on which that application stands, the facts shall be stated according to the views and information of the executive.

During the war with Tripoli, it was suggested that Hamet Caramalli, elder brother of the reigning bashaw, and driven by him from his throne, meditated the recovery of his inheritance, and that a concert in action with us was desirable to him. We considered that concerted operations by those who have a common enemy were entirely justifiable, and might produce effects favorable to both, without binding either to guarantee the objects of the other. But the distance of the scene, the difficulties of communication, and the uncertainty of our information, inducing the less confidence in the measure, it was committed to our agents as one which might be resorted to if it promised to promote our success.

Mr. Eaton, however, our late consul, on his return from the Mediterranean, possessing personal knowledge of the scene, and having confidence in the effect of a joint operation, we authorized commodore Barron, then proceeding with his squadron, to enter into an understanding with Hamet, if he should deem it useful: and as it was represented that he would need some aids of arms and ammunition, and even of money, he was authorised to furnish them to a moderate extent, according to the prospect of utility to be expected from it. In order to avail him of the advantages of Mr Eaton's knowledge of circumstances, an occasional employment was provided for the latter as an agent for the navy in that sea. Our expectation was, that an intercourse should be kept up between the ex-bashaw and the commodore; that while the former moved on by land, our squadron should proceed with equal pace, so as to arrive at their destination together, and to attack the common enemy by land and sea at the same time. The instructions of June 6th, to commodore Barron, shew that a co-operation only was intended, and by no means an union of our object with the fortune of the ex-bashaw; and the commodore's letters of March 22 and May 19, prove that he had the most correct idea of our intentions. His verbal instructions, indeed, to Mr. Eaton and capt. Hull, if the expressions are accurately committed to writing by those gentlemen, do not limit the extent of his co-operation as rigorously as he probably intended; but it is certain from the ex-bashaw's letter of January 3, written when he was proceeding to join Mr. Eaton, & in which he says, "your operations should be carried on by sea, mine by land," that he left the position in which he was, with a proper idea of the nature of the co-operation. If Mr. Eaton's subsequent convention should appear to bring forward other objects, his letter of April 29 and May 1, views this convention but as provisional, the 2d article, as he expressly states, guarding it against any ill effect, and his letter of June 20 confirms this construction. In the event it was found, that, after placing the ex-bashaw in possession of Derne, one of the most important cities and provinces of the country, where he had resided himself as governor, he was totally unable to command any resources, or to bear any part in co-operation with us. This hope was then at an end; and we certainly had never contemplated, nor were we prepared to land an army of our own, or to raise, pay or subsist an army of Arabs, to march from Derne to Tripoli, and to carry on a land war, at such a distance from our resources. Our means and our authority were merely naval; and that such were the expectations of Hamet, his letter of June 29 is an unequivocal acknowledgment. While, therefore, an impression from the capture of Derne might still operate at Tripoli, and an attack on that place from our squadron was daily expected, col. Lear thought it the best moment to listen to overtures of peace then made by the bashaw. He did so, and while urging provisions for the U. S. he paid attention also to the interests of Hamet; but was able to effect nothing more than to engage the restitution of his family, and even the persevering in his demand suspended for some time the conclusion of the treaty.

In operations at such a distance it becomes necessary to leave much to the discretion of the agents employed: but events may still turn up beyond the limits of that discretion. Unable in such a case to consult his government, a zealous citizen will act as he believes that would direct him were it apprized of the circumstances, and will take on himself the responsibility. In all these cases the purity and patriotism of the motives should shield the agent from blame and even secure a sanction where the error is not too injurious. Should it be thought by any that the verbal instructions said to have been given by commodore Barron to Mr Eaton, amount to a stipulation that the U. S. should place Hamet Caramalli on the throne of Tripoli; a stipulation so entirely unauthorized, so far beyond our views, and so onerous, could not be sanctioned by our government; or should Hamet Caramalli, contrary to the evidence of his letters of January 3 and June 29, be thought to have left the position which he now seems to regret, under a mistaken expectation that we were at all events to place him on his throne, on an appeal to the liberality of the nation, something equivalent to the replacing him in his former situation, might be worthy its consideration.

A nation by establishing a character of liberality and magnanimity, gains in the friendship and respect of others more than the worth of mere money. This appeal is now made by Hamet Caramalli to the U. S. The ground he has taken being different, not only from our views but from those expressed by himself, on former occasions, Mr. Eaton was desired to state whether any verbal communications passed from him to Hamet which had varied what we saw in writing. His answer of December 5th, is herewith transmitted, and has rendered it still more necessary, that in presenting to the legislature the application of Hamet, I should present them at the same time an exact statement of the views and proceedings of the executive, through this whole business, that they may clearly understand the ground on which we are placed. It is accompanied by all the papers which bear any relation to the principles of the co-operation, and which can inform their judgment in deciding on the application of Hamet Caramalli.

TH: JEFFERSON.

January 13, 1806.

Extract of a letter from the secretary of state to Mr. Cathcart, dated 22d August, 1802.

"According to information given by Mr. Eaton, he has prevailed on the brother of the bashaw of Tripoli to repair to Malta, with a view to be with our squadron before Tripoli, and to be made use of against the bashaw. At this distance, it is difficult to judge accurately of the project, or to give particular instructions for the management of it. Although it does not accord with the general sentiments, or views of the United States, to intermeddle with the domestic controversies of other countries, it cannot be unfair in the prosecution of a just war, or the accomplishment of a reasonable peace, to take advantage of the hostile co-operation of others. As far, therefore, as the views of the brother may contribute to our success, the aid of them may be used for the purpose. Should this aid be found inapplicable, or his own personal object unattainable, it will be due to the honor of the United States, and to the expectations he will have naturally formed, to treat his disappointment with much tenderness, and to restore him, as nearly as may be, to the situation from which he was drawn, or to make some other convenient arrangement, that may be more eligible to him. In case of a treaty of peace with the ruling bashaw of Tripoli, perhaps it may be possible to make some stipulation, formal, or informal, in favor of the brother, which may be a desirable alleviation of his misfortunes."

To all who shall see these presents—GREETING:

Know ye, that reposing special trust and confidence in the zeal, fidelity, and abilities of William Eaton, I do hereby appoint him agent of the navy department of the United States of America, for the several Barbary regencies.

In testimony whereof, I have hereunto subscribed my name, and affixed the seal of the navy de- (L. s.) partment of the United States of America, at the city of Washington, this 26th day of May, 1804.

(Signed) R. SMITH,
Secretary of the Navy.

Registered,
Ch. W Goldsborough,
Chief Clerk of the Navy Department.

Copy of a letter from the secretary of the navy to William Eaton, Esq. dated May 30th, 1804.

SIR,

Herewith you will receive an appointment as navy agent for the several Barbary regencies.

You will receive instructions from, and obey the orders of commodore Barron; and will render to our squadron in the Mediterranean every assistance in your power.

As a compensation for your services, you will be allowed at the rate of twelve hundred dollars per annum, and the rations of a lieutenant in the navy of the United States.

I am respectfully, &c.
(Signed) R. SMITH.

Extract of a letter from the Secretary of the Navy to commodore Samuel Barron, dated June 6th, 1804.

"With respect to the ex-bashaw of Tripoli, we have no objection to your availing yourself of his co-operation with you against Tripoli, if you shall, upon a full view of the subject, after your arrival upon the station, consider his co-operation expedient. The subject is committed entirely to your discretion. In such an event you will, it is believed, find Mr. Eaton extremely useful to you.

"Col. Tobias Lear, our consul general at Algiers, is invested by the President with full power and authority to negociate a treaty of peace with the bashaw of Tripoli, and also to adjust such terms of conciliation as may be found necessary with any of the other Barbary powers. He is, therefore, to be conveyed by you to any of these regencies, as he may request of you, and you will cordially co-operate with him in all such measures as may be deemed the best calculated to effectuate a termination of the war with Tripoli, and to insure a continuance of the friendship and respect of the other Barbary powers."

Commodore Barron to Captain Hull. September 13th, 1805.

SIR,

The state and condition of the Argus, under your command, requiring that she should go into port, for the purpose of refitting, &c. I request you to proceed with all practicable expedition to Malta, or Syracuse, and there refit your vessel, which being completed, you will take on board 2 months provisions and water, and proceed for the port of Alexandria, and if at that port or Smyrna, you find any American vessels, you will give them convoy as far as Malta, and immediately after join the squadron off this place.

You will take under your care the ship St. Michael, intercepted by the squadron, in the attempt to enter the blockaded port of Tripoli. You will find commodore Preble at Malta or Syracuse, with two other ships, captured in making the same attempt. You will receive his orders with respect to the disposition of the St. Michael, cause all her papers to be delivered to him, and furnish him with all the information you may be able to gain from her crew, &c. on your passage. You will inform the commanders of vessels you may find at Syracuse, that I shall be off Tripoli."

Verbal orders of Commodore Barron to captain Hull, of the United States brig Argus, in presence of the undersigned, on board the President. September 13th, 1804.

SIR,

"The *written orders* I here hand you, to proceed to the port of Alexandria or Smyrna, for conveying to Malta any vessels you may find there, are intended to disguise the real object of your expedition, which is to proceed with Mr. Eaton to Alexandria, in search of Hamet Bashaw, the rival brother and legitimate sovereign of the reigning bashaw of Tripoli; and to convey him and his suite to Derne, or such other place on the coast as may be determined the most proper for co-operating with the naval force under my command, against the common enemy: or, if more agreeable to him, to bring him to me before Tripoli.

Should Hamet Bashaw not be found at Alexandria, you have the discretion to proceed to any other place for him, where the safety of your ship can be, in your opinion, relied upon.

The Bashaw may be assured of the support of my squadron at Bengazi or Derne, where you are at liberty to put in, if required, and if it can be done without too great risk. And you may assure him also, that I will take the most effectual measures with the forces under my command, for co-operating with him against the usurper, his brother, and for re-establishing him in the regency of Tripoli. Arrangements to this effect are confided to the discretion with which Mr. Eaton is vested by the government."

ATTEST.

ISAAC HULL,
WILLIAM EATON.

EXTRACTS.

Mr. Eaton to Captain Hull.
GRAND CAIRO, *January 8—8 P. M.*

Scarcely had my letter of this morning gone off by your courier express, when a letter from Hamet Bashaw came to hand, of which the following is a copy, by translation.

"Thanks be to him to whom gratitude is due. To our friend and the very good friend of our highness, the American agent Mr. Eaton.

"We have received your letter, and after having understood the contents, we gave thanks to God, for having preserved your health. Know that I am ever the same as you knew me at Tunis; my friendship is constant and uniform; but you have been tardy. We must, however, make this delay subserve a good purpose.

"From the date of the present I shall leave this for Behera, and shall there take quarters at the house of the Arab chief, Abdelgiver el be Kourchi, where I propose to you to meet me. I have written to my subjects and to my minister Mahmoud Kogea, and also the governor of police, Muhammed, son of Abdulrahmen, that they may treat with you; and whatever you conclude with them, will be ratified by me. Your operations should be carried on by sea; mine by land; and may God assist us to re-establish peace and harmony. The 28 Namadan, 1219.

Signed,
"HAMET BASHAW,
Son of Ali Bashaw Caramalli."

The date of the Bashaw's letter corresponds with the 2d instant. The place of meeting about 8 hours march from Alexandria, so that he will probably arrive thither before we can with you.

COPY.

Captain Bainbridge to George Davis, Esq. at Tunis.
TRIPOLI, *Jan. 27th, 1805.*

Sir,

I have been anxiously expecting to hear from you, and to receive some information on the determination of our government. Not one word on that subject have I yet heard. I am anxiously expecting letters from commodore Barron. I believe the bashaw is very desirous of peace, and has great apprehensions of the intended attack, and was a negociation to be attempted, I think it very probable that it would succeed, for the apprehension of the attack might have as great an effect as the attack itself; and should the attack prove unsuccessful, he will no doubt continue in demanding a considerable sum. As I am quite ignorant of the force that will be brought against this place, I cannot give any opinion of the probable effect it may have. We offer our most fervent prayers that the greatest success may attend it. I cannot say what the bashaw's demand will be, but I believe he would take at this moment much less than what he demanded of commodore Preble last August. Our funds are all exhausted, and bills on Tunis are at a great exchange against the drawer. Pray, have you heard of Eaton? In your next, which I anxiously expect soon, I shall receive a great deal of news I hope. I assure you, was it not for our friend, Mr. Nissen, we should suffer considerably for necessaries in our close confinement; but he is a friend in need, of course, a friend indeed.

P. S. By the Danish consul. "The bashaw is now very attentive upon your transactions with his brother in Alexandria. A camp is going against Derne. Give me leave to tell you that I found your plan with the bashaw's brother very vast, and that you sacrifice your prisoners' lives here in case of success."

EXTRACTS.

William Eaton, Esq. to the secretary of the navy.
ALEXANDRIA, *13th Feb.* 1805.

"The letters which have passed between capt. Hull and myself, copies of which are herewith annexed to a duplicate of that I had the honor to address you on the 13th December, convey a detail of our transactions since that date. The apprehensions then entertained of impediments on the part of the Mameluke beys were just. The bashaw separated himself from them with his suite immediately on receiving my first letter from Cairo, and repaired to Fiaum, a neutral province; but the evening of his departure thirty Arab chiefs were put in chains by the Mameluke bey Osman Bey Berdici, to prevent their following him with their tribes. Of four copies of the vice-roy's letter of amnesty, which I dispatched by different conveyances, not one reached him. Three mattees in disguise of Arabs, charged with one of them, entered the Mameluke camp, were arrested, the packet taken from them and they sentenced to death. They intoxicated the centinel, who was an European renegado and escaped to Fiaum; by whom the bashaw obtained the first information of that act of grace, and it was not till he joined me at Demanhour that he first saw the letter. This has delayed our measures and given us embarrassments. My three enterprising mattees are with me, but we have no returns from any of the other three couriers.

"The bashaw had already determined to take the desart of Lybia to Derne, giving for his reason, which I think a sound one, that by taking shipping and separating himself from the Arabs, they would lose all patience if not confidence also, and abandon his cause. He has consequently moved round the lake and will to-morrow take his station at Arabs Ten, 30 miles westward of the old port of Alexandria, where I am to join him with a detachment from the city, next Sunday, and proceed with him to Bomba, at the head of 500 men, and there take post. Mean time capt. Hull repairs to the rendezvous for suitable reinforcements and supplies to secure an establishment at Derne and Bengazi. Those provinces in our possession will cut off from the enemy and turn into our own channel a source of provisions; and will open a free intercourse with the interior of the country. I have requested of the commodore, for this purpose, an hundred stand of arms with cartridges, and two brass field pieces with trains and ammunition, and also a detachment of 100 marines, if necessary, to lead a *coup de main*.

"I calculate the whole expenditure of cash in this expedition, including expences in Egypt, will amount to dolls. 20,000. Further disbursements and supplies will be necessary to carry this plan into final effect. But to indemnify the United States, I have entered into covention with Hamet Bashaw, to pledge the tribute of Sweden, Denmark, and the Batavian republic; which convention I shall reduce to writing and forward by captain Hull, if time permit; otherwise by the earliest occasion.

"Day before yesterday, an envoy arrived in a ketch from Jussuff, Bashaw of Tripoli, to the governor and admiral of this place, for the express purpose of prevailing on them to stop Hamet Bashaw from going out of the country. Intelligence of our having left Syracuse for this place, with a view of taking him away, was conveyed to the enemy by a resident at Malta, known by the name of Soluquet H. Conte Gallini. I do not know his real name. The agent made great promises in the name of his master, to these Turkish commanders: But perceiving they seemed not to have full faith in his assurances, he resorted to the sensibility of their compassion; said, *if Hamet Bashaw was permitted to return, Jussuff must fly the kingdom or lose his head. The subjects of Tripoli were getting weary of the war with these new infidels; they could not learn from their movements their intentions, and were attacked unaware: The Bashaw believed he could resist them upon his batteries; but if they made a descent with his brother, his people would all leave him.* This statement comes from the private secretary of the governor, who is secured in our interest, who heard the cause of Jussuff Bashaw argued before the governor and admiral. I don't learn what effect it has taken, but if the client has not the means of touching a more sensible nerve than a Turk's pity, his case is forlorn. At any rate we are secure against his influence by the secure position we have taken. Except therefore, some unforeseen accident thwart us, my next will be dated at Bengazi. The Arabs and Moors are universally with us, and, if we had the means of subsistence, we might march 20, or 30,000 from the borders of Egypt, who from time to time have taken refuge here since the usurpation of Jussuff Bashaw.

EXTRACTS.

Mr. Eaton to commodore Barron.
ALEXANDRIA, 14th Feb. 1805.

"I calculate to leave this on Sunday, and in two days after to proceed on our march with Hamet Bashaw to Bomba, by the desert, where it is hoped we shall meet reinforcements, and supplies sufficient to secure positions at Derne and Bengazi. This, we are of opinion, will require two additional small vessels and a bomb ketch. A gun boat also would be useful, if the navigation at this season should not be thought too hazardous. Two brass field pieces (4 pounders) with their trains and ammunition, and 100 stand of arms, with their cartridges, will be requisite. And, to place the succes of the expedition beyond the caprice of accident, 100 marines, with bayonets, should be at hand, to lead a *coup de main*, in case of necessity. By the time we shall have arrived at Bomba, I shall have disbursed about 10,000 dollars which we have taken up on credit of Messrs Briggs and Brothers, 4000 dolls. of which sum capt. Hull has drawn bills on Malta and London: the balance we have promised shall be sent up in one of the small vessels. Ten thousand dollars more at least, will be necessary, to accomplish our views on Derne and Bengazi. The Bashaw assures me he will be able immediately to refund these sums when established in those provinces. And to indemnify the United States for all expences, arising out of a co-operation with him, he pledges the tribute of Denmark, Sweden and the Batavian republic, in case of recovering his throne, which may be calculated upon as a certain event, if measures to that effect are supported by suitable energy and address. He engages also to release to you, without ransom, captain Bainbridge, his officers, and all American prisoners who may be in captivity at Tripoli: to stipulate with the United States a permanent peace, without tribute, and on the footing of the most favored nation. He engages that in case of future war, captives shall be treated as *prisoners* and not as *slaves*, and subject to reciprocal exchange. He will surrender the enemy and his family and chief admiral into our hands, in case he does not escape by flight, to be held as hostages. And he agrees to deliver up to you, if required, all vessels of war, which shall have been employed against the United States by Jussuff Bashaw.

In consideration of the friendly offices of his majesty the king of the two Sicilies, towards the United States, Hamet Bashaw invites his majesty to renew with him their ancient friendship, and proffers to him a peace on the same footing as that to be stipulated in his convention with the United States. If time and circumstances admit, we shall reduce this convention to writing, and forward copies by captain Hull; otherwise it will be done at Bomba. At the invitation of the Bashaw and divan, and in conformity to the sentiments expressed to me by the Secretary of the navy, I have taken on myself the command in chief of the Bashaw's army, and the direction of all operations by land, and I cannot but flatter myself we may realise success of our expectations on this coalition; and that you will have the glory of carrying the usurper a prisoner in your squadron to the United States and of relieving our fellow citizens from the chains of slavery, without the degrading condition of a ransom.

CONVENTION between the United States of America and his highness Hamet Caramanly, bashaw of Tripoli.

GOD IS INFINITE.

ARTICLE I. There shall be a firm and perpetual peace and free intercourse between the government of the United States of America, and his highness Hamet Caramanly, bashaw, the legitimate sovereign of the kingdom of Tripoli, and between the citizens of the one and the subjects of the other.

Art. II. The government of the United States shall use their utmost exertions, so far as comports with their own honor and interest, their subsisting treaties, and the acknowledged laws of nations, to re-establish the said Hamet bashaw in the possession of his sovereignty of Tripoli, against the pretensions of Joseph bashaw who obtained said sovereignty by treason, and who now holds it by usurpation and who is engaged in actual war against the United States.

Art. II. The United States shall, as circumstances may require, in addition to the operations they are carrying on by sea, furnish the said Hamet bashaw on loan, supplies of cash, ammunition and provisions, and if necessity require, debarkations of troops, also to aid and give effect to the operations of the said Hamet bashaw by land against the common enemy.

Art. IV. In consideration of which friendly offices, once rendered effectual, his highness Hamet Caramanly bashaw engages, on his part, to release to the commander in chief of the forces of the United States, in the Mediterranean, without ransom, all American prisoners who are, or may hereafter be, in the hands of the usurper, said Joseph bashaw.

Art. V. In order to indemnify the United States against all expense they have or shall incur in carrying into execution their engagements expressed in the 2d and 3d articles of this convention, the said Hamet bashaw transfers