

THE UNITED STATES AND THE BARBARY STATES
1785 - 1801

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CHAPTER I

INTRODUCTION

Piracy began in the Barbary States at the beginning of the sixteenth century, when Ferdinand and Isabella expelled the Moors from Spain. On leaving their homeland, the Moors crossed the strait and settled along the northern coast of Africa. Too weak to oppose the Spanish on the open battlefield, they employed their knowledge of the coast and the sea to retaliate against Spain. Employing a form of guerrilla tactics, the Moors struck the Spanish at their weak points, attacking either unarmed ships or undefended areas near the coast. When the Spanish attempted to remove this nuisance, the Moors allied with the Turkish Corsairs to form the forerunner of the Barbary Pirates.¹

The pirates made their home in the Barbary States which, in the eighteenth century, consisted of Morocco, Algiers, Tunis, and Tripoli. This was the part of northern Africa bounded on the east by Egypt, west by the Atlantic, south by the Sahara, and north by the Mediterranean. By their geographic location, the Barbary States dominated Mediterranean shipping, pirating ships of all nations that did not pay ransom or tribute. As one Tripolitan Ambassador stated,

. . . the Barbary States, and Turkey, were the 'sovereigns of the Mediterranean', and would permit no nation to navigate it without a treaty of peace.²

The Corsairs also made frequent raids into the Atlantic, going as far north as the English Channel and west to the West Indies,³ capturing ships of any country not protected by treaty or cannon.

In order to protect their Mediterranean shipping, European nations customarily purchased treaties with the Barbary States. The weaker nations purchased treaties because they did not have the power to destroy the pirates. However, the stronger nations elected to pay tribute and leave the pirates to damage the commerce of other nations. This tactic of reducing competition was a particular favorite of Great Britain, whose aim was to secure a monopoly of the world's carrying trade and commerce. To accomplish this purpose she encouraged the pirates of the Mediterranean by paying them a small tribute to harass the commerce of weaker maritime nations, while leaving British ships unmolested.⁴ Lord Sheffield a member of Parliament summed up the British attitude when, speaking of American trade, he stated,

It is not probable the American States will have a very free trade in the Mediterranean; it will not be to the interest of any of the great maritime powers to protect them there from the Barbary States. If they know their interest, they will not encourage the Americans to be carriers--that the Barbary States are advantageous to the maritime powers is obvious. . . . The Americans cannot protect themselves. . . . They cannot pretend to a Navy.⁵

Reporting on Britain's attitude to R. R. Livingston, Secretary of Foreign Affairs, Benjamin Franklin wrote on July 25, 1783, ". . . I have in London heard it is a maxim among the

merchants, that if there were no Algiers, it would be worth England's while to build one."⁶

American merchants found it difficult to adjust to this British policy, since before the Revolutionary War, Great Britain had protected a substantial amount of American commerce from the pirates. The loss or destruction of the records of many of the custom houses in the early days of the war preclude an exact account of Colonial trade, but as Secretary of State, Thomas Jefferson estimated to Congress, before the Revolution,

. . . about one-sixth of the wheat and flour exported from the U.S. and about one-fourth in value of their dried and pickled fish, and some rice, found their best markets in the Mediterranean ports. That commerce loaded outwards, from eighty to one hundred ships, annually, of twenty thousand tons.⁷

Other commodities exported in considerable quantities to Southern Europe and Africa before the Revolution included rum; rice; pine, oak, and cedar lumber; beeswax; and onions. The value of American articles shipped to the Mediterranean in 1770 was estimated at £ 707,000. In the same year, American bottoms transported foreign merchandise to Mediterranean ports worth an estimated £ 6,287.⁸ Colonial imports for 1769 were estimated at £ 228,682 consisting largely of wines, salt, oil, and Moroccan leather.⁹

This was a substantial amount of trade for a young and growing merchant fleet and was expected to grow even more after peace was established. However a new nation, inexperienced in diplomacy and possessing a weak central government, was ill-equipped to deal with the problems of

piracy that had developed after 1783. The situation might have been handled had the nation been domestically sound and enjoyed well established diplomatic relations abroad. Since this was not the case, its only feasible alternative was to stall for time until it became domestically and internationally strong.

George Washington probably understood this far better than any other statesman. He realized during his presidency that the United States was not in a position to dictate the terms of treaties, but needed time to grow and mature. He emphasizes this view to his friend the Marquis De Lafayette in March 1787:

It seems almost nugatory to dispute about the best mode of dealing with the Algerines, when we have neither the money to buy their friendship nor the means of punishing them for their depredations upon our people and trade.¹⁰

He restated this view when, in his Farewell Address of September 1796, he remarked,

With me a predominant motive has been, to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency, which is necessary to give it humanly speaking, the command of its own fortunes.¹¹

Washington's two successors, John Adams and Thomas Jefferson, had opposing points of view concerning methods of dealing with the pirates. Having formed their ideas while the nation was still governed under the Articles of Confederation and while they were serving as Ministers in Europe, they carried these views into their respective administrations.

John Adams had considered using force to reduce the

piracy, but had ruled it out because he did not think the southern states would support a war.¹² After considerable thought, he concluded that the United States should follow in the footsteps of the European nations by purchasing peace from the Barbary States. As Minister to Great Britain, he wrote Jefferson in July 1786,

I lay down a few simple propositions. 1. We may at this time have peace with them, in spite of all the intrigues of the English or others to prevent it, for a sum of Money. 2. We shall never have peace, though France, Spain, England, and Holland should use all their influence in our favor, without a sum of money. 3. That neither the benevolence of France, or the malevolence of England, will be ever able materially to diminish or increase the sum. 4. The longer the negotiation is delayed, the larger will be the demand. From these premises, I conclude it to be wisest for us to negotiate and pay the necessary sum without loss of time. . . .¹³

Adams did not consider ransom a violation of American honor, but rather as an added rate to the insurance normally purchased by maritime merchants in order to protect against losses at sea. Being from New England, however, and concerned with protecting the investment of his friends engaged in international trade, he never proposed that the merchant pay the added expense, believing it should be paid by the government, so that all sections would have to share in the expense. It is difficult to understand why he believed the south would not support a war to further the interest of the New England merchants, but would contribute large sums of money to purchase a treaty for the same purpose.

In contrast to Adams, Thomas Jefferson rebelled at the idea of paying tribute to the North African pirates. As

Minister to France, he argued quite correctly that there would be no end to the payments once the American government showed a willingness to pay blackmail. Considering his own personal honor and the honor of his country to be at stake, he saw only one course for the United States, war--either unilaterally, or in convention with a league of maritime nations, which would reduce the expense to the United States. On July 11, 1786, he wrote Adams:

. . . I should prefer the obtaining it (treaty) by War. 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 safest of all the instruments of coercion over its delinquent members. 5. I think it least expensive. 6. Equally effectual.¹⁴

Jefferson estimated that a fleet of 150 guns, which would cost only slightly more than the purchase of peace, would be large enough to humble the pirates. Realizing the United States did not have the money to build such a large fleet, he looked around for ways to reduce the expense to the United States. While not interested in trade in the Mediterranean, Portugal conducted a large commerce in the West Indies and found it necessary to blockade the pirates at the Straits in order to prevent losses in the Atlantic. Jefferson felt therefore, that Portugal would welcome a joint effort to destroy the pirates. Similarly, because Italy was barred from maritime commerce because of its fear of the pirates, Jefferson was convinced Naples would also accept a share in constructing the fleet. Therefore, in order to reduce the expense to the United States Jefferson recommended that

a convention be formed between the United States, Portugal, and Naples all of whom would share the expense of eliminating the pirates, according to their respective wealth.¹⁵

Neither Adams nor Jefferson had Washington's foresight. Both recommended that their plan be initiated immediately, apparently not realizing the limitations of the government under the Articles of Confederation. Foreign nations, aware of the weakness and inefficiency of the American government, refused to enter into commercial treaties; therefore, Adams' hope for a bargained treaty was reduced, and if a treaty could have been negotiated there was no money to conclude it. Jefferson's plan of war was just as far-fetched, since a navy would cost an enormous sum, and the treasury was empty and there was little hope of improvement.

As John Jay noted in a letter to Jefferson on December 14, 1786,

If Congress had money to purchase peace of Algiers, . . . it certainly would . . . but the truth is that no money is to be expected at present from hence, nor do I think it would be right to make new loans until we have at least some prospect of paying the interest due on former ones.¹⁶

Jay realized that under the Articles of Confederation the federal government had virtually no power. He knew that the central government could not regulate commerce among the states, nor provide adequate revenue, nor establish a sound monetary system. He also knew that relations with foreign countries were limited because, even though the central government could make treaties with foreign countries, it had no power to compel the States to abide by the treaties.

However, he anticipated that by their actions the Barbary States might force the Americans to form a stronger central government. Writing to the President of Congress in 1785 about the reported declaration of war against the United States by Algiers, Jay said, "This war does not strike me as a great evil. The more we are ill treated abroad the more we shall unite and consolidate at home."¹⁷ George Washington had virtually the same attitude about the Articles of Confederation. In 1789, he wrote, "Vain is it to look for respect from abroad, or tranquillity at home . . . till the wisdom and force of the union can be more concentrated and better applied."¹⁸

It was certain that the United States would wait until a strong government was formed to complete satisfactory negotiations with the Barbary States, but the question remains why freedom to navigate the Mediterranean was so important to the American merchant. To clear up that point it is necessary to look at the action of the British and French.

As mentioned above, prior to the American Revolution a lucrative Mediterranean trade was developed under British protection, but when peace was restored, Americans found themselves facing a closed mercantile world.¹⁹ The Treaty of Paris of 1783 closed the British West Indies to American vessels, thereby taking away a very profitable market, and England only allowed British goods to be shipped to the United States in British ships, which also cut into American profits. In 1789, the British placed heavy duties on the

chief products of the Northern states, including breadstuff, provisions, and fish in order to protect British domestic agriculture and to encourage domestic fisheries.²⁰ Also, most of the important European nations either prohibited the importation of tobacco and rice altogether, or placed heavy duties on them.²¹ Additionally, during the 1790's, because England was at war with France, the British issued at least thirty acts to reduce the flow of supplies to the French, which adversely affected American commerce.²²

When war broke out between France and England, the French demanded American assistance under the Treaty of 1778, but Washington, not prepared to risk war, issued the Neutrality Proclamation of April 22, 1793. Also, the Jay Treaty negotiated in 1794 with England, further widened the gap in American-French relations. To the French it appeared that the United States was aligning with England to defy France. Negotiations with France, after the Jay Treaty, led to the XYZ Affair by which agents representing the French Foreign Minister, Talleyrand, demanded an apology from President Adams and payment of a \$250,000.00 bribe. The American ministers left Paris in disgust.²³ Though war was not declared and President Adams was able to bring about a peace in February 1801, several French/American skirmishes did take place at sea during the period 1796-1800. Moreover, France, as well as England, restricted American commerce by issuing eighteen decrees from May 1793 through April 1808. While not as damaging as the British acts they

did take a toll, and also made the Mediterranean ports more important.

The British and French decrees were designed to further each country's respective war efforts as well as its own commerce. This was particularly true in the case of England. All ocean commerce was hampered by arbitrary rules and orders. The French declared that all provisions were contrabands of war; therefore, the French Navy was ordered to seize all vessels destined for British ports carrying such commodities. The English insisted that they had the right to stop and search American vessels and remove sailors suspected of English citizenship.²⁴ After one of the English searches, it was not uncommon for an American merchant ship to be so stripped of crew that it could not continue to operate.

While the action of the British and French restricted American trade, the European wars from 1793 to 1805 gave American merchants exceptional opportunities to expand as neutral carriers. Since the United States was the only major neutral carrier, trade grew rapidly. Having already discovered the profits of trade with the East Indies and China, the New England merchants were eager to expand trade with the Mediterranean countries.²⁵ Competition was almost nonexistent, especially since the British merchants had always favored the Western Atlantic or the Far East,²⁶ and paid little attention to the markets in the Mediterranean. The French, who had been the dominant carrier in the Mediterranean,

were forced to stay in port by the British Navy which had the strategic mission of preventing contraband from reaching French ports. The Italians, who might have claimed a large part of this trade, chose to remain in port rather than risk the possibility of capture by the pirates. This left the trade of the Mediterranean open, and American merchants, who had lost many former markets to the British, French, and Spanish were determined to claim a large portion of it. However, the Barbary States were still the menace of the Mediterranean; therefore, the United States was compelled to take some type of positive action to protect its commerce and allow the American merchant to fulfill his destiny.

CHAPTER II

THE FAILURE OF DIPLOMACY

When peace between England and America was restored, four possible alternatives existed concerning Mediterranean trade. America could continue the suspension of shipping into areas dominated by the pirates, obtain protection from another country, pay tribute to the pirates for protection or form a navy strong enough to protect American commerce by war, or threat of war.

While American leaders made a concentrated effort at solving the Mediterranean question through diplomatic efforts, by 1801 it was quite evident that only war could solve the dilemma. To understand why war was required, it is necessary to examine the first three alternatives and outline reasons for the failure of each.

It was not feasible to continue the suspension, as the markets were too lucrative and an alternate market had to be found to replace the West Indies, which had been closed to American ships as a result of the war. While American goods were still admitted to the West Indies, they had to be transported in British ships, and this severely injured the American shipping trade, since during the Colonial period British ships handled most of the commerce between America and England leaving, for American ships, the trade with the

West Indies and Southern Europe.¹ Emory R. Johnson in History of the Domestic and Foreign Commerce of the United States reported that:

The restriction of the trade of the British West Indies to British ships reduced the profits of a relatively large share of American shipping. Prior to the Revolution the trade with the British and foreign West Indies had given employment to fully a third of the Colonial shipping engaged in over-sea commerce.²

Attempts were made to secure a commercial treaty with England that would reopen the West Indies to American ships, but all efforts failed; consequently, it was necessary to secure trading opportunities elsewhere. James A. Field in America and The Mediterranean World reports there were three possible areas. The first was to bypass the established European markets on the north, seeking markets in Russia and the small commercial states along the Baltic. The second was to skirt Europe's southern flank, entering the Mediterranean and trading with all the small states enroute to Turkey. The final prospect was in the Orient, but of the three the Mediterranean trade was the most appealing.³ However, to open those markets the Barbary Pirates had to be dealt with.

The easiest method of harnessing the pirates appeared to be by obtaining a guarantee of protection from one of the stronger European powers. This means of protection was considered early, and in the plan of a treaty with France, which was discussed in September 1776, one article provided that the King should protect America's commerce from the Barbary Pirates. The American Commissioners to France were

unable to gain the desired degree of protection, but in accordance with Article VIII of the Treaty of Amity and Commerce of February 6, 1778,⁴ the King agreeded that he would,

. . . employ his good Offices and Interposition with the . . . Barbary States, . . . in order to provide as fully and efficaciously as possible for the Benefit, Conveniency and Safety of the Said United States . . . against all Violence, Insult, Attacks, or Depredations.
. . .⁵

In August 1778, the United States tested French sincerity by requesting their assistance in moving some ships through the Mediterranean to Italy. The French replied that it would be impossible to make the American Flag respected by the corsairs, but if the Americans wanted to form treaties with the Barbary States, they would assist.⁶ Congress realized that the aid France was willing to give would not afford adequate protection; therefore, additional assistance was needed.

The United States then turned to the Netherlands for support. A letter from W. Lee, Commissioner of the United States to the courts of Vienna and Berlin, read in Congress of February 22, 1779, proposed that a treaty of commerce be entered into between the United States and the Netherlands, and that the treaty should contain an article which would guarantee the protection of American shipping from the Barbary powers.⁷ The treaty which was finally negotiated at the Hague by John Adams on October 8, 1782, contained an article which stated,

If at any time, the United States of America, shall

judge necessary, to commence negotiations . . . with the Barbary States, . . . Their High-Mightnessess promise, that, upon the Requisition, which the United States of America shall make of it, they will second such negotiations, in the most favourable manner, by means of Their Consuls, residing near the said King, Emperor, and Regencies.⁸

This agreement with the Netherlands provided little if any assistance; therefore, a third attempt to obtain European aid occurred in June 1783. The American Commissioners, negotiating the peace treaty with Great Britain, asked to have a provision included that would provide British aid to repel any attack by the Barbary powers against the United States. The British Cabinet refused to approve such a guarantee⁹ seeking to damage American trade, and to punish the former colonies for rebelling against British rule. While Great Britain did agree to a peace treaty, they refused to enter into a commercial treaty with the United States until Jay's Treaty of 1794.

Due to inexperience in diplomacy and the pressing problems of initiating a new government, the United States was extremely slow in establishing relations in the Mediterranean. Since all efforts were directed at soliciting European support, no attempt was made prior to 1784 to negotiate directly with the Barbary States. Finally, however, on May 12, 1784, Congress authorized a commission to conclude treaties of peace and amity with the Barbary Powers.¹⁰

Benjamin Franklin, John Adams and Thomas Jefferson were appointed to carry out the negotiations. Due to failing health, Franklin returned to America shortly after

the appointment, leaving Adams and Jefferson to conduct the negotiations. On March 11, 1785 Congress, realizing it would be more expedient to make treaties in the respective Barbary States, further authorized the Ministers to appoint agents to go to each state and negotiate treaties of peace and amity. A sum of eighty thousand dollars was appropriated for the purpose of financing Barbary Treaties.

Before beginning talks with the Barbary States, the Ministers realized that they needed to establish an order of priority for the negotiations. Algiers was the most powerful of the states,¹¹ but Spain, which was at war with the Dey of Algiers, maintained a naval blockade in the Straits of Gibraltar. This forced the Algerine Pirates to stay in the Mediterranean which, in effect, protected America's commerce with Europe. Tunis and Tripoli, which were very weak, maintained their fleets close to home. Morocco, with its western boundary on the Atlantic, was the only state able to damage American commerce in the Atlantic. Under Sidi Muhammand, Morocco was gaining in political stability and international prestige, and had almost given up sea raiding.¹² To show his good will Sidi Muhammand had attempted several times to establish relations with the United States, but the new nation was slow to respond; therefore, to get America's attention, a corsair of Morocco captured the American brig "Betsey" in October 1784. To demonstrate his friendship, the Emperor did not enslave the crew, and released it, and the vessel six months later.

With these facts in mind the Ministers agreed that Morocco must be contacted first, then Algiers and finally Tunis and Tripoli.

On October 5, 1785, the Ministers appointed Thomas Barclay to conclude a treaty with Morocco. Even though inexperienced in diplomacy, Barclay had the foresight to stop in Madrid to learn the latest intelligence on Morocco, and to seek Spanish aid in his negotiations. Spain was extremely cooperative in providing assistance and Barclay's mission was a complete success, terminating with a treaty signed June 28, 1786.¹³

The United States opened negotiations with Algiers but not before a treaty was concluded between that country and Spain, resulting in the withdrawal of the Spanish squadron blockading the Straits of Gibraltar. Immediately Algiers sent out her corsairs and captured two American ships--the "Maria" on July 25, 1785 off Cape St. Vincent, and the "Dauphin" on July 30, 1785 about fifty leagues west of Lisbon.¹⁴ Both ships were taken to Algiers where the twenty-one crew members were relegated to slavery.

The capture of the two ships increased the need for immediate negotiations with Algiers; therefore, Adams and Jefferson appointed John Lamb as their agent. Lamb was a merchant who had been engaged in Barbary trade; consequently, he knew the country. But apparently that was his only qualification for the job. Richard O'Brien, one of the captives in Algiers, reported that Lamb was not informed of

the methods generally used in redeeming captives, that he was despised by all the Consuls in Algiers, and that he threatened Madrid with the seizure of Spanish territory in America if he did not receive Spanish assistance in negotiating with Algiers.¹⁵ Furthermore Lamb spoke only English and he did not have the foresight to employ a reliable interpreter before leaving Europe.¹⁶ Neither Adams nor Jefferson had confidence in Lamb's ability, but felt obligated to appoint him as an agent since Congress apparently had sent him to Europe for that purpose.

While Lamb was in Algiers and Barclay in Morocco, the Tripolitan Ambassador in London met with John Adams and demanded thirty thousand guineas for peace with Tripoli, and a like sum for Tunis.¹⁷ Surprised by such a demand, Adams requested Jefferson to confer with him in London on the Tripolitan ultimatum. They decided to reject the terms since the price was too high and a peace with Tripoli would be useless until a treaty was concluded with Algiers.

As it happened, Lamb's mission to Algiers was a complete failure, but he cannot be blamed entirely for its lack of success. His instructions were completely inadequate. Because Jefferson and Adams had not received any instructions from Congress concerning the redemption of the captives held by Algiers, they were reluctant to initiate any action. While Jefferson, out of pity for the sailors in captivity, elected to secure their release, but not knowing how Congress would react to ransoming captives, decided to keep the price

low. He instructed Lamb to ransom the prisoners if he could do so without paying more than two hundred dollars per man, and with a provision that each prisoner agreed to repay the amount if Congress should require it.¹⁸

When Lamb arrived in Algiers the Dey refused to discuss a peace treaty, but he did consider ransom for the prisoners. Lamb's instructions allowed him to pay up to \$4,200.00 for the twenty-one captives, but the Dey demanded \$59,496.00.¹⁹ Lamb departed Algiers without a treaty and without redeeming the prisoners in captivity.

Even though the amount Lamb was authorized to offer for the captives was completely inadequate, Jefferson maintained that the ransom paid had to be low in order to discourage the pirates from seeking American captives. He was convinced that if America initially paid a large ransom, the pirates would refuse to make peace and would seek out other American ships, while demanding a higher price with each new capture; consequently, his plan was to offer a ransom so low that the pirates would not find it profitable to seize American ships.

Jefferson's position concerning ransom never varied. In 1790, as Secretary of State, he and President Washington discussed the situation and agreed that the ransom should be kept low to avoid establishing a ". . . precedent which would always operate and be very burthensome if yielded to: and become a much stronger inducement to captivate our people than they now have. . . ." ²⁰ Jefferson reinforced

this view in a letter of June 1, 1792, appointing John Paul Jones to be Consul to Algiers. Jefferson told Jones that the captives would have been ransomed long before had it not been for the desire to keep the price low. He wrote, "The mere money for this particular redemption neither has been, nor is an object with anybody here. . . ."21

While refusing to pay the ransom demanded by Algiers, Jefferson did not ignore the prisoners. Instead he secretly asked the assistance of the Order of the Holy Trinity and Redemption of Captives, a Roman Catholic organization popularly known as the Mathurins. The Mathurins agreed to help by attempting to ransom the prisoners, but before they could do anything, the French Revolution broke out and all religious institutions, including the Mathurins, were abruptly liquidated.

Except for Jefferson's effort through the Mathurins, no attempt was made to negotiate with Algiers from 1786, when Lamb departed North Africa, to June 1792 when John Paul Jones was appointed to negotiate for peace and the ransom of the prisoners. Jones died before receiving his commission and Thomas Barclay was named in his place. Unfortunately, as Barclay was completing preparations for his mission, he also took sick and died. When this became known to the administration, Colonel David Humphreys, then U.S. Minister to Lisbon, was appointed to secure the peace. Humphreys received his commission and instructions in September 1793, and began making preparation to depart for

Algiers.

The United States tolerated this long delay in negotiations primarily because, as long as the American treaty with Morocco remained in effect, the only danger posed to American shipping was inside the Mediterranean. Tunis and Tripoli had a small, weak fleet that remained close to home and Portugal, at war with Algiers, maintained a naval blockade in the Straits of Gibraltar preventing Algiers from sending cruisers into the Atlantic; therefore, American merchants had access to any European or African port except those bordering the Mediterranean. The only real problem was the American sailors who were being held captive in Algiers. By 1792 they had been in slavery for seven years, and President Washington felt it was time they were released.

However, other problems developed as Great Britain, watched the rapid growth in the carrying trade of her former colony. The first problem resulted when Great Britain authorized Charles Logie, the British Consul-General and Agent at Algiers to treat with Algiers and conclude a treaty on behalf of Portugal.²² Logie concluded the truce for Portugal on September 12, 1793. Luiz Pinto de Sousa, Minister and Secretary of State for Foreign Affairs of Portugal, claimed Portugal was not aware that England was negotiating a peace between his country and Algiers. He reported that even though the truce was not unwelcome it was not completely agreeable, because Portugal lacked time to give notice to her friends who could be damaged by Algiers.

However, de Sousa did acknowledge that about six months earlier, Portugal had conferred with England and Spain concerning a peace treaty with Algiers, and had expressed a desire to end that war; however, no action was expected until Portugal appointed a minister to negotiate.²³

Most Americans, especially David Humphreys, United States Minister to Lisbon, and Edward Church, United States Consul to Lisbon, were convinced that the British concluded the treaty solely to restrict American trade. On October 12, 1793 Church, reporting to the Secretary of State, wrote, ". . . The conduct of the British in this business leaves no room to doubt, or mistake their object, which was evidently aimed at us. . . ." ²⁴ Self-interest frequently breeds shortsightedness and in this case the Americans were so concerned with their own problems they failed to fully comprehend the British position. While the damage to American trade was probably fully appreciated by the British merchant, the primary purpose for the British intervention had a much deeper reason. Britain was becoming increasingly concerned with the success of the French Revolutionary Armies and wanted to maintain as many friends as possible. Portugal and Algiers were both British allies but to serve the English purpose they had to end this war; therefore, Britain intervened to conclude the truce.

This unexpected turn of events opened the Straits for Algiers and in October and November 1793, she captured eleven American vessels and made slaves of the 105 American

seamen on board.²⁶ Humphreys had attempted to avoid these captures by sending out letters of warning to all Americans engaged in shipping, and by securing conveyances to protect United States vessels in European ports, but his efforts proved generally unavailing. Insurance rates on American shipping immediately leaped from ten to thirty percent²⁷ and American ships in England had to return home in ballast because the English would not risk their property in American bottoms.²⁸ The only nation that offered any assistance to the United States during those difficult months was Portugal, who conveyed American ships to safety, even though it was prohibited by the truce and was opposed by the Spanish and British Ministers.²⁹

Distressed with the large number of ships captured, Humphreys stepped up his efforts to conclude a truce with Algiers. In November 1793, he requested an interview with the Dey to discuss the terms of a peace treaty, but received a curt refusal because of the excitement generated by the capture of the large number of American ships. The Portugese truce had unleashed his corsairs into the Atlantic for the first time in many years and the Dey intended to take full advantage of the situation.

Even though the truce had been concluded by Consul Logie, terms had not been agreed upon. Therefore, in November 1793, Portugal asked Algiers to state the provisions upon which the Dey would be prepared to sign a full peace treaty. The financial demands were so huge, report-

edly over two million Spanish dollars,³⁰ that Portugal dismissed all thoughts of an Algerian peace, and sent their blockading squadron back to the Straits. This enraged the Dey of Algiers who, already angry with Logie for forming a truce without Portugal's consent, and threatened to declare war on Great Britain. Anger at the English greatly influenced the Dey and probably had some bearing on his agreeing to negotiate again with an American agent.

While England's bungling of the treaty between Algiers and Portugal had some influence in convincing the Dey to conclude a treaty with the United States, the largest influence was the development of the United States Navy. As early as January 1791, members of Congress began to realize that a navy would be required to obtain a solution in the Mediterranean. On January 6, the Senate Committee on Mediterranean trade reported ". . . that the trade of the United States to the Mediterranean, cannot be protected but by a naval force; and that it will be proper to resort to the same as soon as the state of the public finances will admit."³¹ Due to a lack of funds, nothing was done to establish a navy until January 20, 1794, when a committee from the House of Representatives reported on the naval force necessary to protect American commerce from Algerine Corsairs. The Committee reported that four ships of forty-four guns and two ships of twenty-four guns would be adequate and could be financed by an increase in certain taxes and duties.³²

The debates in the House of Representatives concerning the formation of an American Navy raised some interesting points. Representative Samuel Smith from Maryland, arguing on behalf of the navy, estimated that the extra insurance paid because of the pirates was approximately two million dollars a year.³³ However, James Madison objected to fitting out a navy because he felt the United States could probably buy peace cheaper, that there was more danger of war with Britain if the United States had a navy, and that the number of ships would be too small and would have to sail too great a distance for a decisive advantage.³⁴ Congressman Abraham Clark of New Jersey thought it would be less expensive and more effective to hire the Portuguese to cruise against the Algerines than to build a navy.³⁵ William B. Giles of Virginia supported Congressman Clark in maintaining that a naval force would foster a tendency to war.³⁶ In spite of the opposition, Congress passed an act on March 27, 1794 providing ". . . that the President of the United States be authorized to provide, by purchase or otherwise, equip and employ four ships to carry forty-four guns each and two ships to carry thirty-six guns each."³⁷ The opposition to the navy did succeed in limiting the act by a section which provided ". . . that if a peace shall take place between the United States and the Regency of Algiers, . . . no farther proceeding /would/ be had under this act."³⁸

At last there was some protection for American

commerce, and when news of this naval construction reached Africa, the Dey was more agreeable to negotiations, therefore, Humphreys dispatched Joseph Donaldson, Junior to Algiers. Donaldson was not sent in any official capacity, but merely as a messenger to deliver letters to the Consul of France. He was to confer with the French Consul to see if it was feasible to conclude a treaty. Only if conditions appeared favorable was he to enter into negotiations with the Dey. When Donaldson found the Dey cooperative he immediately entered into negotiations and concluded a treaty on September 5, 1795.³⁹

However, even this agreement for a peace treaty with Algiers was not the end of American problems in the Mediterranean. Donaldson had promised a cash payment of \$642,500.00 plus an annual tribute of \$21,600.00 in naval stores.⁴⁰ Now Humphreys' had to find the funds to make the initial payment. War in Europe had made money scarce and when a long delay occurred in making the payment, Joel Barlow, who had been sent by Humphreys to assist in the negotiations, was forced to promise the Dey an additional gift of a thirty-six gun ship. This added present was enough to calm the Dey and convince him to wait for payment rather than to declare war against the United States.

Eventually the money was collected. The Dey was so pleased by the payment that he promised not only to assist in obtaining a treaty with Tunis and Tripoli, but also to loan the money to conclude those treaties. When the frigate

which was part of the payment arrived the Dey was so pleased with its performance that he even contracted for two more.

However, the American navy was not as successful as the Dey in getting ships constructed. The Act of 1794 had provided that naval construction would halt when peace was concluded with Algiers. But the advocates of a naval force argued that an armed squadron was needed to deal with the remaining Barbary States. A few far-sighted politicians saw trouble with France, and stressed the need for a naval force in case of a French war. Also, President Washington called attention to the loss and disadvantage that would result from abandoning the work already well advanced.⁴¹ After heated debate in Congress a compromise was finally reached that called for completion of three of the six frigates.

The treaty with Morocco and Algiers cleared two of the major hurdles in opening the Mediterranean to American merchants. All that remained was to negotiate with Tunis and Tripoli, and that was expected to be an easy task, especially since the Dey of Algiers had promised to assist in acquiring these agreements. Richard O'Brien, formerly a prisoner in Algiers, was dispatched to conclude treaties with both countries, but on his arrival at Tunis, the Bey demanded three times his original price; therefore, negotiations were delayed. In contrast, at Tripoli, where a new Pasha was assuming power, negotiations went more smoothly. O'Brien and the Pasha agreed on the terms of a

treaty on November 4, 1796, and the terms were approved and guaranteed by the Dey of Algiers on January 3, 1797. The treaty cost the United States fifty-six thousand dollars.⁴² Tunis finally agreed to a treaty on August 28, 1797 at an estimated expense of one hundred and seven thousand dollars.⁴³

The terms of the treaties with Algiers and Tunis were much more liberal than the one with Tripoli, and the young Pasha, Yusuf, soon realized that he had not made as good a bargain as his fellow pirates. Tripoli was the weakest of the Barbary States, but Yusuf, being ambitious and extremely militant, had plans to change that fact. He had already killed one brother and had another exiled so that he could assume power on his father's death. Now he set out to increase his country's strength and before long he rivaled the Dey of Algiers. By August 1797, Joel Barlow was reporting that Tripoli's marine was almost equal to Algiers', and that it would not be strange if the Pasha should soon openly oppose the Dey.⁴⁴ On November 4, 1797 Joseph Ingraham, United States Charge d' Affaires in Tripoli, observed that Tripoli was becoming exceedingly belligerent, "They pay little or no regard to any nation except the English, French and Spaniards and Americans, and its fear that induces them to pay any respect to them. How long they may be friends with the Americans after their presents is delivered, I cannot pretend to say. . . ."⁴⁵ Watching the growing, unprotected American commerce in the Mediterranean, Yusuf waited for an excuse to break the

treaty with the United States, since he felt that treaties were to be observed only as long as convenience dictated. He was also unhappy because the United States treated him as a subordinate to Algiers. He was the ruler of his country and was not answerable to anyone. He is reported to have said, ". . . that he was under no restraint or fear of the Dey of Algiers, and only respected him as a neighbouring Prince."

By 1798, the United States realized that the actions of the Dey in helping to maintain a peace with Tunis and Tripoli were only aggravating the smaller countries; therefore, the Consuls to Tunis and Tripoli were instructed by the Secretary of State not to solicit the influence of the Dey of Algiers but to deal directly with the ruler of their respective country. This new approach appeared to ease the tensions in Tripoli and the Pasha relaxed his demands. Therefore, by the spring of 1798, it appeared that the United States had succeeded in assuring peaceful relations with all of the Barbary States but this tranquility was to be short lived.

However, as a result of the calm, American trade in the Mediterranean expanded rapidly and in the spring of 1799 alone, eighty American ships entered that sea.⁴⁶ All of the Barbary States watched this commerce with greedy eyes since it was not protected by one round of shot. To compound the problem, the United States was far behind with her payments to Algiers, Tunis and Tripoli. On April 10, 1801,

the Bey of Tunis complained that he had waited four years for his treaty stipulations, and on April 13, 1801, Richard O'Brien Consul at Algiers, expressed surprise at not having had any communication from the Department of State for ten months. Then in May 1801 O'Brien warned that war with Algiers was imminent if the United States did not fulfill the treaty stipulations. He wrote to the Secretary of State, "At Algiers we are two and a half years in arrears in the Annuities we are threatened with war if The Stores does not arrive Shortly. . . ." ⁴⁷ The Secretary of State was repeatedly warned that the United States must bribe the corsairs to keep the peace, by quickly delivering promised stores, or else frighten them into behaving by a show of naval force. Unfortunately, the government did neither, primarily because of the Quasi-War with France, the movement of the Governmental seat from Philadelphia to the new city of Washington, and the political conditions in the United States. John Adams, as President was having major disagreements with Timothy Pickering, his Secretary of State and when Pickering refused to resign, Adams dismissed him on May 12, 1800. The frequent quarrels between the two men, during the months preceding Pickering's dismissal, caused many important matters of state to be delayed. ⁴⁸

At this time the United States could ill afford to disregard diplomacy in the Mediterranean. Treaties had been concluded with all of the Barbary States and payment had to be made, or the pirates would declare the treaties null and

void and begin capturing American ships. America's only hope was for a period of stability, but January 1801, saw a treaty concluded between Tripoli and Sweden; therefore, it stood to reason that the Pasha would follow the Barbary policy by declaring war against someone that he was presently at peace with. In February 1801, the Pasha, after complaining that Tunis and Algiers were treated more liberally by the United States than Tripoli, declared the American treaty void and demanded, as an alternative to war, a new treaty without reference to Algiers, for which he was to be paid two hundred and fifty thousand dollars and an annual tribute of twenty thousand dollars. These were the same terms that he had accepted in the treaty just concluded with Sweden.

The Pasha demanded that James Cathcart, the American Consul in Tripoli, agree to his terms and was so intent on declaring war on the United States that he would not permit Cathcart time to communicate with the President. Cathcart tried to delay the declaration of war by offering \$30,000.00 and presents if the Pasha would wait ten months for a reply from the President. This offer was refused and on May 14, 1801, the Pasha had the American flag-staff cut down as his declaration of war.⁴⁹

By this time the United States had a small but effective squadron afloat and was proud of the successes it had gained in the just ended quasi-war with France.⁵⁰ As early as April 1801, the Administration, in anticipation of

trouble, had determined to send a squadron of observation to the Mediterranean. Four vessels, under the command of Comondore Richard Dale, were readied and set sail from Hampton Roads on June 1, 1801.

Dale's orders from Samuel Smith, the acting Secretary of the Navy were very explicit. He was instructed to "show" himself in the ports of each of the Barbary States and to declare his intentions as friendly, if war had not been declared.⁵¹ Dale was given detailed instructions on how to respond if war had been declared by any one, or all of the Barbary States. He was told,

. . . should you find on your arrival at Gibraltar that all the Barbary Powers have declared War against the United States, you will then distribute your force in such manner, as your judgment shall direct, so as best to protect our commerce and chastise their insolence--by sinking, burning or destroying their ships and Vessels wherever you shall find them.⁵²

The remaining instructions detailed the squadron's actions if any one of the powers had declared war alone. In the case of Tripoli, the instructions were very restrictive in that they directed the squadron to proceed to and blockade the port at Tripoli preventing any vessels from going in or coming out, but did not give the squadron authority to seize the pirate ships at any other location.

When Dale reached Gibraltar in July 1801, he discovered how restrictive the orders were. On his arrival, he was informed that Tripoli had declared war on the United States and that two Tripolitan Corsairs were in the port. The squadron was not authorized to interfere with the two

Corsairs since they were not in port at Tripoli, but Dale knew that if he allowed them freedom of movement they would begin capturing American merchant ships; therefore, violating instructions, he ordered one of the ships of his squadron to lay off the port of Gibraltar, watch the motions of the Tripolian vessels and to take them if they attempted to leave the port.⁵³ With this action Commadore Dale initiated the war with Tripoli which did not end until 1805.

For twenty-five years the United States attempted to negotiate with the Barbary States, and in the end learned that the only effective argument against the pirates was an armed squadron. It is understandable how in the early years, when the United States was concerned with independence and the formation of a new government, that a correct course for dealing with the pirates was not laid out. When the correct course was devised, the politicians and the people were slow to follow, primarily because it required the formation of a navy and the possibility of war. They preferred a course which seemed easiest and cheapest at the moment, as evidenced by the first attempts at solving the Mediterranean dilemma. The easiest and cheapest method was to convince one or more of the European countries to guarantee the protection of American merchants, but when proper protection could not be obtained from France, the Netherlands or Great Britain, an attempt was made to negotiate directly for a peace, resulting in the missions of Barclay, Lamb, Humphreys, Donaldson and others. The treaties negotiated

by the above named individuals were short lived; therefore, it was necessary to resort to armed force to make the American flag respected in the Mediterranean.

CHAPTER I

FOOTNOTES

¹Stanley Lane-Poole, The Story of the Barbary Corsairs (New York: G. P. Putnam's Sons, 1896), p. 8.

²Ray W. Irwin, The Diplomatic Relations of the United States with the Barbary Powers (Chapel Hill: The University of North Carolina Press, 1931), pp. 69-70.

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⁴Edgar Staton Maclay, A History of the United States Navy (New York: D. Appleton and Company, 1894), p. 217.

⁵Luella J. Hall, The United States and Morocco 1776-1956 (Metuchen, New Jersey: The Scarecrow Press, 1971), p. 46.

⁶Gardner W. Allen, Our Navy and the Barbary Corsairs (Hamden, Connecticut: Archon Books, 1965), p. 27.

⁷Naval Documents, op. cit., p. 22; see also Walter Lowrie and Matthew St. Clair Clarke (eds.), American State Papers, Class I. Foreign Relations, Vol. I (Washington: Gales and Seaton, 1832), p. 104.

⁸Irwin, op. cit., pp. 17-18.

⁹Hall, op. cit., pp. 44-45.

¹⁰John C. Fitzpatrick, The Writings of George Washington, Vol. 29 (Washington: United States Government Printing Office, 1931), p. 185.

¹¹Marcus Cunliffe, George Washington: Man and Monument (Boston: Little, Brown and Company, 1958), p. 177.

¹²Allen, op. cit., pp. 36-38.

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¹⁴Naval Documents, op. cit., p. 10.

¹⁵Julian P. Body (ed.), The Papers of Thomas Jefferson (Princeton, New Jersey: Princeton University Press, 1954), p. 124.

¹⁶Allen, op. cit., p. 34.

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¹⁹James A. Field, Jr., America and the Mediterranean World 1776-1882 (Princeton, New Jersey: Princeton University Press, 1969), p. 28.

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²¹Ibid., p. 82.

²²Walter W. Jennings, A History of Economic Progress in the United States (New York: Thomas Y. Crowell Company, 1926), p. 177.

²³Ibid., p. 176.

²⁴Issac Lippincott, Economic Development of the United States (New York: D. Appleton and Company, 1922), p. 265.

²⁵Louis B. Wright and Julia H. Macleod, The First Americans in North Africa (New York: Greenwood Press, 1969), p. 20.

²⁶H. G. Barnby, The Prisoners of Algiers (London: Oxford University Press, 1966), p. 69.

CHAPTER II

FOOTNOTES

¹Emory R. Johnson, et al, History of the Domestic and Foreign Commerce of the United States, Vol. II (Washington, D.C.: Carneige Institute of Washington, 1915), p. 10.

²Ibid., p. 12.

³James A. Field, Jr., America and the Mediterranean World 1776-1882 (Princeton, New Jersey: Princeton University Press, 1969), pp. 28-29.

⁴Garnder W. Allen, Our Navy and the Barbary Corsairs (Hamden, Connecticut: Archon Books, 1965), p. 25.

⁵Hunter Miller (ed.), Treaties and other International Acts of the United States of America (Washington: United States Government Printing Office, 1931), pp. 8-9.

⁶Ray W. Irwin, The Diplomatic Relations of the United with the Barbary Powers (Chapel Hill: The University of North Carolina Press, 1931), pp. 21-22.

⁷Worthington C. Ford (ed.), Journals of the Continental Congress, Vol. XIII (Washington: Government Printing Office, 1909), pp. 219, 223-224.

⁸Miller, op. cit., p. 78.

⁹Luella J. Hall, The United States and Morocco 1776-1956 (Metuchen, New Jersey: The Scarecrow Press, 1971), p. 46.

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¹²Hall, op. cit., p. 43.

¹³Naval Documents, op. cit., pp. 6-9.

¹⁴Ibid., p. 36.

¹⁵Ibid., pp. 2-6.

¹⁶Allen, op. cit., p. 30.

¹⁷Ibid., p. 33.

¹⁸Irwin, op. cit., pp. 37-38.

¹⁹Ibid., p. 38.

²⁰John C. Fitzpatrick, The Diaries of George Washington, Vol. IV (Boston: Houghton Mifflin Company, 1925), p. 107.

²¹Naval Documents, op. cit., p. 39.

²²Ibid., p. 48.

²³Ibid.

²⁴Ibid.

²⁵H. G. Barnby, The Prisoners of Algiers (London: Oxford University Press, 1966), pp. 102-103.

²⁶Naval Documents, op. cit., p. 56.

²⁷Irwin, op. cit., p. 60.

²⁸Naval Documents, op. cit., p. 51.

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³⁰Barnby, op. cit., p. 110.

³¹Naval Documents, op. cit., p. 26.

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³³Debates and Proceedings in the Congress of the United States, Vol. 4 (Washington: Gales and Seaton, 1849), p. 435.

³⁴Ibid., p. 433.

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³⁶Ibid., p. 436.

³⁷Naval Documents, op. cit., p. 69.

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³⁹Allen, op. cit., p. 23.

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⁴¹Allen, op. cit., p. 57.

⁴²Ibid., p. 60.

⁴³Ibid.

⁴⁴Naval Documents, op. cit., pp. 206-207.

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⁴⁶Allen, op. cit., p. 69.

⁴⁷Naval Documents, op. cit., p. 451.

⁴⁸Wright and Macleod, op. cit., pp. 62-63.

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⁵⁰Stanley Lane-Poole, The Story of the Barbary Corsairs (New York: G. P. Putnam's Sons, London: T. Fisher Unwin, 1896), p. 276.

⁵¹Naval Documents, op. cit., pp. 465-466.

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THE UNITED STATES AND THE BARBARY STATES
1785 - 1801

by

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THE UNITED STATES AND THE BARBARY STATES
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The purpose of this report is to examine America's diplomatic attempts to resolve the problem of piracy in the Mediterranean immediately following the Revolutionary War. Prior to the Revolution, American commerce had been protected by Great Britain, but after 1776 the new nation was forced to proceed without the aid of the Mother Country.

When peace between England and America was restored, four possible alternatives existed concerning Mediterranean trade. America could continue the suspension of shipping into areas dominated by the pirates, obtain protection from another country, pay tribute to the pirates for protection or form a navy strong enough to protect American commerce by war, or threat of war.

It was not feasible to continue the suspension, as the markets were too lucrative and an alternate market had to be found to replace the West Indies, which had been closed to American shipping as a result of the war.

The second alternative was to seek an agreement with one of the European powers that would guarantee protection for American commerce. That attempt failed when France, the Netherlands and England refused to offer the required assistance. Therefore, a new approach was attempted. The

Continental Congress authorized the Minister to France, Thomas Jefferson and the Minister to Great Britain, John Adams, to appoint agents to negotiate directly with the four Barbary States. The agent appointed to treat with Morocco concluded a highly favorable treaty, but the agent sent to Algiers was completely unsuccessful. Not only was he unable to conclude a treaty, but he was also unsuccessful in obtaining the release of the twenty-one American captives who had been captured by the Algerine Pirates in July 1785.

America made no direct attempts to negotiate with the Barbary States between 1785 and 1793 when David Humphreys, Minister to Lisbon, reopened negotiations. An expensive treaty was finally concluded with Algiers on September 5, 1795, with Tripoli on November 4, 1796, and with Tunis on August 28, 1797. However, since the terms of the treaties with Algiers and Tunis were much more liberal than the one with Tripoli, the Pasha became jealous and demanded that his treaty be renegotiated. On May 14, 1801, after the American agents refused to reconsider the treaty, the Pasha declared war on the United States.

By this time the United States had a small but effective squadron afloat which arrived in the Mediterranean in July 1801. On discovering that war had been declared by Tripoli, the Commander of the American Squadron immediately initiated action to defend the flag of the United States.

The declaration of war by Tripoli ended twenty-

five years of unsuccessful negotiations by the United States and emphasized that the only effective instrument of negotiation with the Barbary Pirates was an armed squadron.