

MOROCCO : JUNE 28 AND JULY 15, 1786

Treaty of Peace and Friendship, with additional article; also Ship-Signals Agreement. The treaty was sealed at Morocco with the seal of the Emperor of Morocco June 23, 1786 (25 Shaban, A. H. 1200), and delivered to Thomas Barclay, American Agent, June 28, 1786 (1 Ramadan, A. H. 1200). Original in Arabic. The additional article was signed and sealed at Morocco on behalf of Morocco July 15, 1786 (18 Ramadan, A. H. 1200). Original in Arabic. The Ship-Signals Agreement was signed at Morocco July 6, 1786 (9 Ramadan, A. H. 1200). Original in English.

Certified English translations of the treaty and of the additional article were incorporated in a document signed and sealed by the Ministers Plenipotentiary of the United States, Thomas Jefferson at Paris January 1, 1787, and John Adams at London January 25, 1787.

Treaty and additional article ratified by the United States July 18, 1787. As to the ratification generally, see the notes. Treaty and additional article proclaimed July 18, 1787.

Ship-Signals Agreement not specifically included in the ratification and not proclaimed; but copies ordered by Congress July 23, 1787, to be sent to the Executives of the States (Secret Journals of Congress, IV, 369; but see the notes as to this reference).

The following twenty-six pages of Arabic text are a reproduction of the pages of the original treaty; but they are arranged in left-to-right order of pagination. Then is printed the text of the document embodying the certified translations of the treaty and additional article, and thereafter the text of the Ship-Signals Agreement. Following those texts is a comment, written in 1930, on the English translation of 1786.



الْحَمْدُ لِلَّهِ هَذَا تَقْيِيدٌ شَرِيحٌ
 الصَّحِيحُ الَّتِي جَعَلْنَا مَعَ الْمَارِكَانِ
 وَأَثْمَنَا فِي هَذِهِ الدَّفْتِ وَوَضَعْنَا
 عَلَيْهَا كِتَابَنَا لِنَبْنِي سِتْرًا
 اللَّهُ وَكَيْتٌ بِحُجْرَةِ الْكُتُبِ وَالْأَمْسِ
 وَالْعَمَلِ بِمَوْجِبَاتِ الْإِسْلَامِ مَا تَبَيَّنَ

الشَّخْبُ الثَّلَاثَةُ مَضَى
 كَاتِ الْعُقَّةِ مَعَ أَيِّ جَنْسٍ كَانَ
 فَلَا تَخْرُجُ سَعِيدَةً مِنْ أُخْرَى الْجَانِبَيْنِ
 وَتَعْمَلُ سَبْعَ الْعُرُوقِ وَتَذُفُّ هَبَّ
 نَجْمِ الْعُرُوقِ مَا مِنْ جِهَتِنَا وَمَا مِنْ
 جِهَةِ الْمَارِكِ أَنْوَسِ

2

3
 الشَّيْخُ الْثَلَاثُ أَنَّهُ مَتَى
 جَعَلَتِ الرَّقِيَّةَ مَعَ أَوْ جَنِينِ كَانِ
 وَفِيصَتْ سَعِيئَةً مِنْ أَهْلِ ذَلِكَ
 وَفِي جَرِيئَةٍ بِهَا مُسْلِمًا أَوْ نَصْرَانِيًّا
 وَلَمْ يَمُرَّ سَاعَةً فَلَمْ يَمُرَّ بِشَيْءٍ حَتَّى يَسْلَمَ مِنْ
 وَحَتَّى إِذَا كَانَ نَوَاحِي لَيْلٍ سَاعَةً جَمِينًا
 وَيَسْتَأْ وَيَسْتَأْ الرَّقِيَّةَ فَلَا تَوْخَرُ مِنْ أَيْدِيهِمْ وَلَا
 يَكْلَعُونَ بِئِزِّ وَلَهْلَاهِ مَا يَسْتَأْ وَيَسْتَأْ مِنْ الصَّلَاحِ

اللَّهُمَّ كَمَا لَا يَرَى بَعْضُكُمْ بَيْنَنَا
 عِلَلَةً يُعْرِفُ بِهَا بَعْضُنَا بَعْضًا
 فِي النَّجْمِ وَمَنْ لَمْ يَلْفِ أَحَدًا سَعِيدَةً
 الْكِرْبَاءُ لَا يَنْتُمُّ عَنْهَا وَأَنْتَ يَكْبِدُ
 كَلَامُ لَيْلٍ لَيْسَ فِيهَا
 مَعَ سَبْرٍ آخِرٍ

4

أَلَمْ تَرَ كَيْفَ أَرْسَلْنَاكَ
 قَلِيلًا مِّنَ الشَّعْرِ بِوَالَيْهِمْ
 فَارَكُوا وَاجْتَمَعُوا لِيُؤْتِيَهُمُ
 الْغَنَاءَ لِيُؤْتِيَهُمُ الْغَنَاءَ
 لِيُؤْتِيَهُمُ الْغَنَاءَ لِيُؤْتِيَهُمُ
 الْغَنَاءَ لِيُؤْتِيَهُمُ الْغَنَاءَ
 لِيُؤْتِيَهُمُ الْغَنَاءَ لِيُؤْتِيَهُمُ
 الْغَنَاءَ لِيُؤْتِيَهُمُ الْغَنَاءَ
 لِيُؤْتِيَهُمُ الْغَنَاءَ لِيُؤْتِيَهُمُ
 الْغَنَاءَ لِيُؤْتِيَهُمُ الْغَنَاءَ

5

الشَّكْرُ — السَّادَةُ الرَّاقِدَةُ
 فَبَصُرْتُ مِنْ أَهْلِ جَنَّةٍ سَاءِ لِمَا بَدَأْتُمْ
 وَأَتَقَلَّبُ مِنْ لَدُنْهُمْ فَأَنْصُرُ اللَّهَ وَآيَاتِهِ يَوْمَ
 الْحِسَابِ
 وَإِذْ لَكَ إِذْ أَقْبَضُوهُمْ مُسْلِمِينَ
 مِنْ غَيْرِ آيَاتٍ تَتَنَادَوْنَ خَلَوْا بِهِمْ لَا هِيَ
 وَأَيْسِنَا قُلُوبَهُمْ يُسْمِعُ هُنَّ لَمْ تَرَوْهَا
 لَقَدْ نَادَوْنَا مِنْ جَانِبِ يُسُفَى

6

الشَّيْخُ السَّابِغُ أَنَّهُ مَتَى
 وَتَطَقَ سَعِينَةُ لِأَخْرَى وَرَأَى إِفْخَانِي
 قَفِضُ كَمَا يَبْدُو أَوْ عَيْنِهَا فَإِنَّهَا
 قَفِضُ الْيَكْرِ مِنْ عَيْنِ مَشْفَعَةٍ
 وَاحِدٍ

7

الشَّيْءُ كَمَا فِي الْقَائِمِ أَنَّهُ مَشَى
 وَقَعَ بِأَخْرَجِ الشَّيْءِ سَيْدًا وَمَا لَيْتَ
 إِلَى الْبَيْتِ وَوَضَعَتْ وَسَعَتْ حَتَّى أَضَلَّتْ
 مَا أَفْسَدَ مِنْهَا قَبْلَئِنَّهَا مَضَى رَأَتْ حَيْثُ
 ذَاكَ الْوَسْوَسَ الَّذِي وَضَعَتْ قَبْلَئِنَّهَا
 حَيْثُ مِنْ عَيْنِ صَاكِبَةٍ وَمَا عَنَيْهَا

8

وَ الشَّحْكَ ————— التَّلْبِيعُ الْفَتَى
 حَمَّ ثَمَّ سَبِينَةَ فِي نَاحِيَةٍ مِنْ تَوَاحِيْدِهَا
 فَإِنَّهَا تَبْقَى عَلَى مَا لَهَا حَتَّى تَنْكُرَ مَا يَبْطُلُ
 بِهَا أَمَا الْخُرُوجُ مِنْ مَوْقِعِ صَبْعٍ وَ الْخُرُ
 أَوْ تَقْبَلُ لَتَسْلِعَ أَوْ عَيْنِ دَالِكِ مِنَ الْوَجُوْدِ
 إِلَيْ قَلِيْقٍ بِهَا وَ لَا يَغْرُبُ بِهَا الْحَرْ
 لِأَنَّهَا فِي أَمَانِنَا وَ كَرَالِكِ أَوْ أَدْخَلَتْ سَبِينَةَ
 لِلْمَرْثَةِ أَوْ لِحَاةِهَا أَوْ حَتَّى دَخَلَتْ لِلْمَرْثَةِ
 بِمَا تَكْتَلِفُ بِتَرْوِيلِ سَلْعَتِهَا بِلِ تَنْتَهَى عَلَى الْأَمَانِ
 حَتَّى تَجْمَعُ بِرِطَابِهَا

10
 الشَّيْخُ الْعَلَمِيُّ أَنَّهُ مَتَّى وَفَع
 فِتْلَالٌ مَرَاخِرِي الْفَجَائِيزِ مَعَ بَعْضِ أَهْلَانِهِ
 النَّطَارِي وَكَانَ الْفِتْلَالُ وَرِيَانِي بَعْضُ
 مَنُ الْفَجَائِيزِ فَإِنَّهُنَّ بَعْضُهَا عَلَى
 ذَلِكَ الْجَنَسِ حَتَّى يَغْلِبَ أَوْ يَكْثُرَ
 أَوْ حَرَّتْ تَبَعِيَّةً فِي وَادٍ نَوْنِي أَوْ غَيْرِهِ
 فَإِنَّ النَّطَارِي الَّذِينَ يَمْلَأُونَ الْإِيمَانَ حَتَّى يَصِلُوا
 بِمِلَّةٍ هُنَّ أَرْشَادُ اللَّهِ

11
 أَلَمْ يَكُنْ أَحَدًا مِنْ عَشْرِي
 لَفَتْ مَتَى كَلَّابِ الْقَوْلِ تَسْتَأْوِي عَيْشِي
 مِنْ أَهْلِي بِالنَّصْرِي وَكُنَّا بِلَدِّ سِتَّةِ
 وَأَرَادَتْ سَمِعْتَنَا لِحِي وَجْجٍ مِنْ لَدِّ سِتَّةِ
 وَأَرَادَتْ سَمِعْتَنَا الْعَدْوُ تَسْبَعَهَا فَلَا تَخْرُجُ
 تَسْبَعَهَا حَتَّى تَمُوتَ مِنْ لَدِّ قَائِلِ أَرْبَعَةٍ
 وَعَشْرِينَ سَاعَةً وَكَوَالِدِ سَفَرِ الْفَارِ كَأَقْوَمِي
 إِذَا كَانَتْ بِلَدِّ سِتَّةِ وَقَدْ زَمَلِي الْقَوْلِ وَأَرَادَتْ
 لِحِي وَجْجٍ فَلَا تَسْبَعَهَا سَمِعْتَنَا حَتَّى تَمُوتَ
 أَرْبَعَةَ وَعَشْرِينَ سَاعَةً مَوْلَى كَلَّابِ مِنْ
 سَبِيلِ الْمَسْجِدِ أَوْ مِنْ سَبِيلِ النَّصْرِي

12 الشَّهِ كَهـ الثَّانِي عَشْرَ أَنَّهُ مَتَى
 وَرَوَى السَّعِيدَةَ لِكَلِّمِ إِعْمَى إِخْرَى وَإِسْمِينَا
 جَانِبَهَا لَا تَقْبَشُهَا تَبْنَى عَلَافِهَا وَمَعْنَى
 كَانِ بِهَا أَسِيرٌ أَهَارِبًا فَإِنَّهُ لَا يَنْزِلُ
 مِنْهُ كَنْزٌ هَا وَرَأَيْتُكَ عَامِلٌ تَلِكِ
 الْبِلَادِ الْخَيْرِ بِهِ السَّعِيدَةَ فَرَبِ السَّعِيدَةَ
 فِيمَا شَاءَ الْكَالِ لَأَسِيرِ

13 **الشمس** الثالث عشر أنه متى
 وروت سبعين الكيلة على ابي رايح و
 وأخرجت الماء اربع دنانير أخرج علينا
 من تلك الفرس الأملأنا أخرجت من غير
 زيادة ولا نقصان

الشَّيْخُ ————— لِأَرْبَعِ عَشْرَ أَرْسَابٍ
 الشَّجَارِ يَكُونُونَ عَلَى عَادَةِ قَارِ الصَّيْبِ
 وَيَكُونُونَ مَمَيَّنِينَ وَيَدَّ هَبُونَ فِي النَّوْبِ
 وَالْمُرَائِي حَيْثُ نَشَاءُ وَلَا تَعْرِضُ لَهُمْ أَعْدَاءُ
 وَيَكُونُونَ مِثْلَ الْجَمْرِ الْعَمِيَّةِ عَسْرًا
 فِي النَّوْفِ

14

15 الشرح الخامس عشر
 أن الحمار يكون مشغولاً بالسباب
 وإذا أرادوا أن يعلقوا من يوفى معهن
 أو من جازوا بما سبوا الكواكب والنبي
 سبوا إلى آخره ولا تتفقد سبوا في
 المرساة وإذا أرادوا أن يعلقوا من يعاونهم
 على أمور التوسل أو غيرها فإنهم لا يخفون
 سوى القدر الذي يخفون الأجسام من مبلغ

الشَّهِيدُ كَمَا أَنَّ السَّاءَ بِنِعْمَتِ أُمَّةٍ
 مَتَّى كَانَتْ الرِّقَّةُ وَرِجَالُهَا بِنِعْمَتِ قَلْبٍ وَأَلْسَانِي
 يَكُونُونَ وَأَسَاءَ بِرَأْسِهِ وَالرَّاسِ بِإِلَهِ اسْمِهِ
 وَسَوَّكَ رَأْسِهِ بِسَوَّكَ رَأْسِهِ وَالْبَحْرُ
 بِالْبَحْرِ وَهَكَذَا وَانْزِعْ بِكُلِّ
 رِجْلَةٍ بِنِعْمَتِ عَيْنَيْهِ بِكُلِّ رَأْسِهِ بِإِجَابَتِي
 عَلَيْهِ رِيَالٍ بِشَيْءٍ أَوْ بِشَيْءٍ لَأَسْمِي
 رِجَالُهَا بِرَأْسِهِ وَهِيَ أَدَاةُ الرِّجَالِ
 وَكَانَتْ أَوْ تَجْرِي أَوْ رِجَالُهَا بِرَأْسِهِ
 بِرَأْسِهِ بِرَأْسِهِ

16

الشَّيْءُ مَخْفِيٌّ
 الشُّجَارُ لَا تَكَلِّبْ عَلَيْهِمُ السَّلَاحَ وَاسْتَرَوْا
 الْأَعْيَانَ وَأَعْرَجِيهِمْ أَنْفُسِهِمْ وَكَذَلِكَ
 السُّبْحُ لِلْإِنَاءِ كَأَنَّ هُنَاكَ مَسَائِلَ
 جَائِزٍ فِيهَا أَعَادَ لَمْ تَعْرِفْ قَبْلَهُمْ مِنْ أَجْنَاسِ
 النَّصَارَى يَجْمَلُونَ مَا قَلَّ بَاتِرِ سِرِّكَ

17

الشَّخْصُ الْثَامِسَ عَشْرًا
 الْبَيْتِ إِلَى تَوَسُّعِ تَوَسُّعِ وَتَفَلُّقِ بِنَوْضِهَا
 فِي السَّيِّئَةِ إِجْلٍ أَوْ تَقَبُّ السَّيِّئَةِ
 مِنْ أَجْلِ إِذَا تَقَفُّوا لَهَا كَحَرِّتِكُمْ
 وَإِنَّا كَأَنَّ كَرَالِكُمْ إِذَا أَلِيٍّ جَعَلَ
 لَكُمْ بِنَكْحِمْ مَوْلَا لِيٍّ يُؤَاهِرِيهِ إِلَيْكَ
 وَخَرُّهُ عَلَى الْعَادَةِ لِجَارِيَةٍ مِنْ قَبْلِهِ وَأَمَّا
 السَّيِّئَةِ وَالْبَيْتِ وَمَا مَعَهَا فَإِنَّهَا مِنْ
 مِنْ ذَلِكَ

18

وَالشَّيْءُ كَمَا تَتَّبَعُ عَمَّا أَنَّهُ
 لَا تَقْبَلُ سَبْعِينَ فِي وَهْمَةٍ وَلَا خَيْرَ لَيْسَ
 كَرَاهًا إِذَا كَانَ عَنْ كَيْفِ
 نَفْسٍ مِنْ رِيْسِهَا فَإِنَّهَا تَنْهَوْنِ مَعَهُ
 عَلَى حَمَلِ مَا لَرَأَى حَمَلَهُ

الشَّيْخُ 20
 الْاِعْتِرَافُ أَنَّهُ تَهَيَّأَ
 جَنَابًا حَرَمًا مِنْ أَهْلِ جَنَسِنَا جِنَابَةً أَوْ مِنْ هُوَ
 مَهْلِكًا قَتَلَتْ سَمُوفِنَا فَإِنَّهُ قَتَلَ بِرِيدِ فَوَنُضُوا
 جَنَسِيهِ وَإِنَّهُ الْاِحْتِاجُ الْفَوَنُضُوا الْاِقْطَاءُ
 بِدَائِمَةِ الْبِلَادِ وَيُعِينُهُ عَلَى الْاِكْتِ

21 الشَّيْخُ — أَفْحَانِ وَالْعَيْشُ وَق
 أَمَّا إِذَا فُتِيَ مِنْهُ نَصْرًا أَوْ الْعَكْسُ أَوْ جَرَحَهُ
 فَإِنَّهُ يَجْعَلُ عَلَيْهِ بِالْفَائِزِ الشَّيْخَ مِنْ عَيْشِ
 زِيَادَةٍ وَأَنْفَاصًا وَيَكُونُ الْفَتْحُ بِمَعْرِ
 الْفَوْنِضِ وَأَذَا هَرَبَ فَبَلَدٍ فَوَجَّعَ الْفَتْحُ
 فَلَا يُوَازِنُهُ الْفَوْنِضُ وَإِلْمَا جَنَى

22 **الَّتِي كَفَرْنَا بِهَا وَاللَّيْلَةَ وَالنَّجْمَ**

لَأَنَّهُ مَنَعَهُمْ مَاتَ أَحْرَمٌ مِنْ حَيْثُ الْمَارِ كَانُوا

بِجِلْدَانَا وَقَدْ بَوَّصَ بِنَا فَوَضَعَهُ

هُوَ الْبَاءُ يَفْعُ عَلِمْتُ وَكَيْ وَسَالَعْتُهُ

وَإِنْ فَعَلَ فَوَضَعَهُ فَوَضَعَهُ عِنْدَهُ

أَمِيرٌ حَتَّى يَكْفُرَ مِنْ يَسْتَفْعِلُهَا

وَإِذَا كَانَ عِنْدَ مَنْزِلِهِ فَيَتَعَكَّصُ لِقَوْلِهِ

مَنْ عَمِيَ تَعَرَّضَ وَأَوْصَى بِكَ يَرَى لِيْزِيدُ فَع

قَالَهُ بَلِّغْنَاكُمْ بِذَلِكَ لِقَوْلِهِ

23 الشَّيْءُ كَمَا فِي التَّالِثِ وَالْعِشْرُونَ
 أَنَّ الْفَوْنِصَاتَ يَكُونُ فَوْقَ فِي أَيْ وَفِي
 أَرَادُوا وَيَكُونُ فَوْقَ مَوْزُونٍ مِثْلَ الْخَنَاصِ
 مَن قَبْلَهُ مَن التَّنْصَارِي وَأَدَاتُ عَامِلٍ
 أَحَدٌ مِّنْ جِنْسِهِ مَعَ مُسَالِحٍ بِمَالٍ وَأَقْلَبَهُ
 لَهُ قَلْبًا يُوَاحِزُهُ الْفَوْنِصَاتُ وَأَيْضًا
 لِأَنَّهَا كَانَتْ الْفَوْنِصَاتُ الْعَمَلِيَّةُ بِرَأْسِهَا
 فَكَيْفَ يَدْرِي قَبِيحٌ فِيهَا وَأَمَّا إِذَا لَمْ يَكُنْ هَكَذَا
 يَدْرِي قَلْبًا كَلِمَةً مَعَهُ مِثْلَ جَمِيعِ الْفَوْنِصَاتِ

24 الشَّيْخُ الرَّابِعُ وَالْعِشْرُونَ

أَنَّهُ مَقْبُولٌ قَدْ رَوَى أَحْمَدُ بْنُ مُحَمَّدٍ مِنْ شَيْخَيْهِ
 الصَّالِحِ بِإِسْنَادٍ أَحْمَدٍ مُتَّفَقًا وَالدُّعَى لِأَخِي
 مُسْتَقْلَةً وَقَالَ إِنَّهَا لَيْسَتْ بِالشَّيْخِ
 وَكَمَا أَنَّ الشَّيْخَ رَأَى بَيْنَهُمَا قَبْلَ الصَّالِحِ يَنْفَعِي
 عَلَى خَالِهِ وَيَتَكَلَّمُ كُلُّ وَاحِدٍ مِنْهُمَا عَلَى مَلِكٍ
 يَتَّبِعُهُ حَتَّى إِذَا قَامَ يَقُولُ مَقُولًا أَحْمَدُ هُوَ مَا يَدْعَى
 الصَّالِحِ وَمِنْ غَيْرِهِ كُلُّ الْأُمَّتِ بِمَا قَالُوا فِيهِ
 فَعَمَلٌ حَسَنٌ وَجَمِيعُ النَّاسِ قَضَى لَهُمْ شَيْئًا
 الشَّيْخِ لِحَدِّثِهِ أَنَّ يَوْمَ بَعَثُوا سَلْعَةَ وَرَأَى قَبْلَهُ
 تَسِيرًا عَلَى حَسْبٍ مِنْ أَهْلِ النَّصْرَةِ فَتَمَرَّقُوا حَتَّى لَمَسُوا

25
 اللَّهُمَّ الْخَامِسُ وَالْعِشْرُونَ
 أَوْ هَذَا الصَّلَاةُ يَنْفَعُ مَسْتَبِينَ أَوْ مُتَلَدًا اللَّهُ
 عَزَّ وَجَلَّ اللَّهُ وَفَوْقَهُ مِنْ أَلْفِ خَمْسِينَ سَنَةً
 وَقَدْ نَمَّ بَعْدَ هَذِهِ الْأَرْقَمِ بِيَدِهِ كَمَا سَمِعْتُ
 بِرِشْكَالِ الْبُرْ كُونِ عِوَالِ تَوْجِ مَرِّ مَضَانِ
 الْبَارِكُ عَمَّا مَا يُبَيِّرُ وَالْفِي

[Certified Translation of the Treaty and of the Additional Article, with Approval by Jefferson and Adams]

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

Whereas the United States of America in Congress assembled by their Commission bearing date the twelvth day of May One thousand Seven hundred and Eighty four thought proper to constitute John Adams, Benjamin Franklin and Thomas Jefferson their Ministers Plenipotentiary, giving to them or a Majority of them full Powers to confer, treat & negotiate with the Ambassador, Minister or Commissioner of His Majesty the Emperor of Morocco concerning a Treaty of Amity and Commerce, to make & receive propositions for such Treaty and to conclude and sign the same, transmitting it to the United States in Congress assembled for their final Ratification, And by one other Commission bearing date the Eleventh day of March One thousand Seven hundred & Eighty five did further empower the said Ministers Plenipotentiary or a majority of them, by writing under their hands and Seals to appoint such Agent in the said Business as they might think proper with Authority under the directions and Instructions of the said Ministers to commence & prosecute the said Negotiations & Conferences for the said Treaty provided that the said Treaty should be signed by the said Ministers: And Whereas, We the said John Adams & Thomas Jefferson two of the said Ministers Plenipotentiary (the said Benjamin Franklin being absent) by writing under the Hand and Seal of the said John Adams at London October the fifth, One thousand Seven hundred and Eighty five, & of the said Thomas Jefferson at Paris October the Eleventh of the same Year, did appoint Thomas Barclay, Agent in the Business aforesaid, giving him the Powers therein, which by the said second Commission we were authorized to give, and the said Thomas Barclay in pursuance thereof, hath arranged Articles for a Treaty of Amity and Commerce between the United States of America and His Majesty the Emperor of Morocco, which Articles written in the Arabic Language, confirmed by His said Majesty the Emperor of Morocco & seal'd with His Royal Seal, being translated into the Language of the said United States of America, together with the Attestations thereto annexed are in the following Words, To Wit.

In the name of Almighty God,

This is a Treaty of Peace and Friendship established between us and the United States of America, which is confirmed, and which we have ordered to be written in this Book and sealed with our Royal Seal at our Court of Morocco on the twenty fifth day of the blessed Month of Shaban, in the Year One thousand two hundred, trusting in God it will remain permanent.

.1.

We declare that both Parties have agreed that this Treaty consisting of twenty five Articles shall be inserted in this Book and delivered to the Honorable Thomas Barclay, the Agent of the United States now at our Court, with whose Approbation it has been made and who is duly authorized on their Part, to treat with us concerning all the Matters contained therein.

.2.

If either of the Parties shall be at War with any Nation whatever, the other Party shall not take a Commission from the Enemy nor fight under their Colors.

.3.

If either of the Parties shall be at War with any Nation whatever and take a Prize belonging to that Nation, and there shall be found on board Subjects or Effects belonging to either of the Parties, the Subjects shall be set at Liberty and the Effects returned to the Owners. And if any Goods belonging to any Nation, with whom either of the Parties shall be at War, shall be loaded on Vessels belonging to the other Party, they shall pass free and unmolested without any attempt being made to take or detain them.

.4.

A Signal or Pass shall be given to all Vessels belonging to both Parties, by which they are to be known when they meet at Sea, and if the Commander of a Ship of War of either Party shall have other Ships under his Convoy, the Declaration of the Commander shall alone be sufficient to exempt any of them from examination.

.5.

If either of the Parties shall be at War, and shall meet a Vessel at Sea, belonging to the other, it is agreed that if an examination is to be made, it shall be done by sending a Boat with two or three Men only, and if any Gun shall be fired and injury done without Reason, the offending Party shall make good all damages.

.6.

If any Moor shall bring Citizens of the United States or their Effects to His Majesty, the Citizens shall immediately be set at Liberty and the Effects restored, and in like Manner, if any Moor not a Subject of these Dominions shall make Prize of any of the Citizens of America or their Effects and bring them into any of the Ports of His Majesty,

they shall be immediately released, as they will then be considered as under His Majesty's Protection.

.7.

If any Vessel of either Party shall put into a Port of the other and have occasion for Provisions or other Supplies, they shall be furnished without any interruption or molestation.

.8.

If any Vessel of the United States shall meet with a Disaster at Sea and put into one of our Ports to repair, she shall be at Liberty to land and reload her cargo, without paying any Duty whatever.

.9.

If any Vessel of the United States shall be cast on Shore on any Part of our Coasts, she shall remain at the disposition of the Owners and no one shall attempt going near her without their Approbation, as she is then considered particularly under our Protection; and if any Vessel of the United States shall be forced to put into our Ports, by Stress of weather or otherwise, she shall not be compelled to land her Cargo, but shall remain in tranquillity until the Commander shall think proper to proceed on his Voyage.

.10.

If any Vessel of either of the Parties shall have an engagement with a Vessel belonging to any of the Christian Powers within gunshot of the Forts of the other, the Vessel so engaged shall be defended and protected as much as possible until she is in safety; And if any American Vessel shall be cast on shore on the Coast of Wadnoon¹ or any Coast thereabout, the People belonging to her shall be protected, and assisted until by the help of God, they shall be sent to their Country.

.11.

If we shall be at War with any Christian Power and any of our Vessels sail from the Ports of the United States, no Vessel belonging to the enemy shall follow until twenty four hours after the Departure of our Vessels; and the same Regulation shall be observed towards the American Vessels sailing from our Ports.—be their enemies Moors or Christians.

¹ Or Ouadnoun, on the Atlantic coast, about latitude 29° N.

.12.

If any Ship of War belonging to the United States shall put into any of our Ports, she shall not be examined on any Pretence whatever, even though she should have fugitive Slaves on Board, nor shall the Governor or Commander of the Place compel them to be brought on Shore on any pretext, nor require any payment for them.

.13.

If a Ship of War of either Party shall put into a Port of the other and salute, it shall be returned from the Fort, with an equal Number of Guns, not with more or less.

.14.

The Commerce with the United States shall be on the same footing as is the Commerce with Spain or as that with the most favored Nation for the time being and their Citizens shall be respected and esteemed and have full Liberty to pass and repass our Country and Sea Ports whenever they please without interruption.

.15.

Merchants of both Countries shall employ only such interpreters, & such other Persons to assist them in their Business, as they shall think proper. No Commander of a Vessel shall transport his Cargo on board another Vessel, he shall not be detained in Port, longer than he may think proper, and all persons employed in loading or unloading Goods or in any other Labor whatever, shall be paid at the Customary rates, not more and not less.

.16.

In case of a War between the Parties, the Prisoners are not to be made Slaves, but to be exchanged one for another, Captain for Captain, Officer for Officer and one private Man for another; and if there shall prove a deficiency on either side, it shall be made up by the payment of one hundred Mexican Dollars for each Person wanting; And it is agreed that all Prisoners shall be exchanged in twelve Months from the Time of their being taken, and that this exchange may be effected by a Merchant or any other Person authorized by either of the Parties.

.17.

Merchants shall not be compelled to buy or Sell any kind of Goods but such as they shall think proper; and may buy and sell all sorts of Merchandise but such as are prohibited to the other Christian Nations.

.18.

All goods shall be weighed and examined before they are sent on board, and to avoid all detention of Vessels, no examination shall afterwards be made, unless it shall first be proved, that contraband Goods have been sent on board, in which Case the Persons who took the contraband Goods on board shall be punished according to the Usage and Custom of the Country and no other Person whatever shall be injured, nor shall the Ship or Cargo incur any Penalty or damage whatever.

.19.

No vessel shall be detained in Port on any pretence whatever, nor be obliged to take on board any Article without the consent of the Commander, who shall be at full Liberty to agree for the Freight of any Goods he takes on board.

.20.

If any of the Citizens of the United States, or any Persons under their Protection, shall have any disputes with each other, the Consul shall decide between the Parties and whenever the Consul shall require any Aid or Assistance from our Government to enforce his decisions it shall be immediately granted to him.

.21.

If a Citizen of the United States should kill or wound a Moor, or on the contrary if a Moor shall kill or wound a Citizen of the United States, the Law of the Country shall take place and equal Justice shall be rendered, the Consul assisting at the Tryal, and if any Delinquent shall make his escape, the Consul shall not be answerable for him in any manner whatever.

.22.

If an American Citizen shall die in our Country and no Will shall appear, the Consul shall take possession of his Effects, and if there shall be no Consul, the Effects shall be deposited in the hands of some Person worthy of Trust, untill the Party shall appear who has a Right to demand them, but if the Heir to the Person deceased be present, the Property shall be delivered to him without interruption; and if a Will shall appear, the Property shall descend agreeable to that Will, as soon as the Consul shall declare the Validity thereof.

.23.

The Consuls of the United States of America shall reside in any Sea Port of our Dominions that they shall think proper; And they shall be

respected and enjoy all the Privileges which the Consuls of any other Nation enjoy, and if any of the Citizens of the United States shall contract any Debts or engagements, the Consul shall not be in any Manner accountable for them, unless he shall have given a Promise in writing for the payment or fulfilling thereof, without which promise in Writing no Application to him for any redress shall be made.

.24.

If any differences shall arise by either Party infringing on any of the Articles of this Treaty, Peace and Harmony shall remain notwithstanding in the fullest force, untill a friendly Application shall be made for an Arrangement, and untill that Application shall be rejected, no appeal shall be made to Arms. And if a War shall break out between the Parties, Nine Months shall be granted to all the Subjects of both Parties, to dispose of their Effects and retire with their Property. And it is further declared that whatever indulgences in Trade or otherwise shall be granted to any of the Christian Powers, the Citizens of the United States shall be equally entitled to them.

.25.

This Treaty shall continue in full Force, with the help of God for Fifty Years.

We have delivered this Book into the Hands of the before-mentioned Thomas Barclay on the first day of the blessed Month of Ramadan, in the Year One thousand two hundred.

I certify that the annex'd is a true Copy of the Translation made by Issac Cardoza Nuñez, Interpreter at Morocco, of the treaty between the Emperor of Morocco and the United States of America.

THO^s BARCLAY

Translation of the additional Article

Grace to the only God

I the underwritten the Servant of God, Taher Ben Abdelhack Fennish do certify that His Imperial Majesty my Master /whom God preserve/ having concluded a Treaty of Peace and Commerce with the United States of America has ordered me the better to compleat it and in addition of the tenth Article of the Treaty to declare "That, "if any Vessel belonging to the United States shall be in any of the "Ports of His Majesty's Dominions, or within Gunshot of his Forts, "she shall be protected as much as possible and no Vessel whatever

“belonging either to Moorish or Christian Powers with whom the
 “United States may be at War, shall be permitted to follow or engage
 “her, as we now deem the Citizens of America our good Friends.

And in obedience to His Majesty’s Commands I certify this Declaration by putting my hand and Seal to it, on the Eighteenth day of Ramadan in the Year One thousand two hundred.

(Signed)

The Servant of the King my Master whom God preserve

TAHER BEN ABDELHACK¹ FENNISH

I Do Certify that the above is a True Copy of the Translation Made at Morocco by Isaac Cardoza Nunes, Interpreter, of a Declaration Made and Signed by Sidi Hage Tahar Fennish in addition to the Treaty between the Emperor of Morocco and the United States of America which Declaration the said Tahar Fennish Made by the Express Directions of His Majesty.

THO^o BARCLAY

Note, The Ramadan of the Year of the Hegira 1200 Commenced on the 28th June in the Year of our Lord 1786.

Now know Ye that We the said John Adams & Thomas Jefferson Ministers Plenipotentiary aforesaid do approve & conclude the said Treaty and every Article and Clause therein contained, reserving the same nevertheless to the United States in Congress assembled for their final Ratification.

In testimony whereof we have signed the same with our Names and Seals, at the places of our respective residence and at the dates expressed under our signatures respectively.

JOHN ADAMS. [Seal]

LONDON *January 25. 1787.*

TH: JEFFERSON [Seal]

PARIS *January 1. 1787.*

¹The spelling in the original document is uncertain, but *Abdelhack* is correct, *el-Hack* or *el-Haqq* being one of the names of God.

[Ship-Signals Agreement]

The following Signals are agreed upon between Commodore Rais Farache, on the Part of His Majesty the Emperor of Morocco, and the Honorable Thomas Barclay Esquire Agent for the United States of America on their Part, to the End that the Vessels of both Parties may be known to each other at Sea.

For Vessels of two or of three Masts,

In the Day, a blue Pendant is to be hoisted on the End of the Main Yard, and in the Night a Lantern is to be hoisted on the same Place.

For Vessels of one Mast only,

In the Day, a blue Pendant is to be hoisted at the Mast-Head, and in the Night a Lantern is to be hoisted on the Ensign Staff.

Done at Morocco the Ninth day of the Month of Ramadan in the Year One thousand two hundred.

THO^r BARCLAY

من حديم المغامر العالجه باله
عن اذن الرايس قرتج

COMMENT OF DR. C. SNOUCK HURGRONJE

In the above two lines of Arabic script (very badly written) there are two gross errors: In the first line instead of *'azim*, "great," which is evidently meant, there is written *'adim*, which means "destitute of." In the second line the word *idhn*, "authorization," "permission," has a letter too many, by which it becomes *adhân*, meaning "call to prayer." The two necessary corrections being made, the words run as follows: "From the Great in Position, the High in God [*i. e.*, the Emperor]. By authorization: Rais [*i. e.*, captain] Faraj."

THE ENGLISH TRANSLATION OF 1786

The Arabic original of this treaty and the English translation thereof of 1786 have been examined by Dr. C. Snouck Hurgronje, of Leiden, whose comments and notes, and translation of various articles, are as follows:

[The Seal]

The inner circle of the seal contains the name "Muhammed, son of Abdallah, son of Isma'il, God is his protector and his Lord." The border of the seal contains the verse taken from the well-known poem in praise of the Prophet, called the Burdah, which verse occurs in several other seals of these North African documents: "He who takes the Apostle of God for his helper, if the lions encounter him in their jungles, they will withdraw."

[The Text]

Praise be to God! This is the written document of the articles of peace which we have established with the Americans [Marikanos] and which we have confirmed in this book and sealed with our seal, in order that they may remain permanent, if God please. Written in Murakush [Marrakesh] the twenty-fifth of the blessed month of Shaban of the year two hundred and thousand.

I have given this literal translation of the introduction merely as a specimen, although it presents no essential difference from the translation of 1786. I have not thought it necessary to note all the merely formal differences occurring in the translation of the articles where they do not in the least affect the meaning.

The first article is that these articles mentioned in this book, being twenty-five articles, have been agreed upon by both parties. That took place in the presence of their agent, the Honorable Thomas Barclay, who came here from the side of the American States [Estados al-Marikanos] and whom they had sent to supervise their affairs and their treaty of peace with us.

The second article is that if there shall be war with any nation whatever, no ship of either of the parties shall sail out and take the colors of the enemy, going to help the enemy, neither from our side nor from that of the Americans.

The third article is that if war has been made with any nation whatever, and a ship has been captured from people belonging to that nation, and there shall be found on board a Moslem or a Christian with goods belonging to them, they shall be at liberty with their goods. Even if they were carrying goods belonging to a nation with whom we are at war [such goods] shall not be taken from their hands nor shall they be compelled to unload them, for the sake of the peace prevailing between us and them.

The fourth article. There shall be a signal [instead of "signal or pass" the original has only one word, '*alâmah*, meaning "signal," "sign," "token"] between us by which we may know each other at sea. Whenever one of us meets a warship, he shall not examine it, but the declaration of the commander shall suffice him concerning her [the warship] with other ships.

The fifth article. "If either of the parties shall be at war"—the original has only "if there shall be war."

The sixth article is that if Moslems shall capture people of our [meaning here the American] nation or their goods and bring them to our [here meaning of the Moroccans] Lord (may God give him victory!), he will set them at liberty. Likewise, if Moslems from other than our dominions shall capture them and bring them into any of our ports, they shall be set at liberty, because they are under our protection and on terms of peace with us.

The seventh article. Instead of "interruption" the original has a word meaning "difficulty".

The eighth article is that if any vessel meets with a disaster and runs ashore and unloads her cargo in order to repair, she shall be at liberty to reload her cargo whenever she likes without paying duty or anything.

The ninth article is that if any vessel shall be cast on shore on any part of our coasts, she will be left to herself that she may consider what suits her best, be it to sail out from [by] another place or to transfer her cargo, or whatever else may be convenient to her. Nobody shall approach her, as she is under our protection. Likewise, if a vessel enters a port or wind forces her to put into a port, she shall not be compelled to unload her cargo; on the contrary, she shall remain under our protection until she sails out by her own free will.

The tenth article is that if any of the parties shall have an engagement with any Christian nation, and the engagement takes place near a town of one of the parties, we shall help each other against that nation until she be defeated or have gone away; or if a vessel shall be cast ashore in Ouadnoun or in another place, the Christians being aboard shall be under [our] protection until they reach their country, if God please.

The eleventh article is that if we are at war with any Christian nation, and we shall be in a port and our ship intends to sail out of the port, and a ship of the enemy intends to pursue her, the latter shall not sail out in pursuit of her until twenty-four hours have elapsed; and likewise, ships of the Americans, if they are in a port during a war and they intend to sail out, no ship shall pursue her until twenty-four hours have elapsed, be they ships of the Mohammedans or of the Christians.

The twelfth article is that if a warship shall put into any of our ports, she shall not be examined but shall remain left to herself; and if there should be a fugitive prisoner on board her, he shall not be brought ashore by compulsion, nor shall the governor of the dominion where the ship stops demand from the commander of the ship the price of that prisoner.

The thirteenth article is without any important difference from the translation of 1786.

The fourteenth article is that the commerce of the merchants shall be on the same footing as that of the Spaniards, and they shall be honored and go in the towns and seaports where they like, without anybody bothering them, and they shall be like the most favored nation with us for the time being.

The fifteenth article is that the merchants shall pursue their business, and if they wish to employ assistants or interpreters, they shall be free to do so. No cargo shall be transported from one ship into another, and no ship shall be detained in the port; and if they wish to employ people to assist them in matters concerning the cargo or otherwise, they shall not have to pay more than other nations used to pay before them.

The sixteenth article has been well rendered in all essentials in the translation of 1786, but the words "are not to be made slaves" are not in the original, and the "Mexican dollar" is represented in Arabic by "royal" only.

The seventeenth article is that the merchants shall not be compelled to buy merchandise, but such as they like to buy by their free consent. The same rule is to be applied to sale, except in cases concerning which there have prevailed customs with other Christian nations before them, who carried them [the goods?], in which cases there will be no difficulty. [The meaning of the latter stipulation is not clearly expressed in the Arabic text.]

The eighteenth article is that goods to be loaded shall be weighed and examined before they are brought on board, in order that the ship may not be detained because they have ascertained that there is contraband on board. Now if this be the case, then only he who brought the contraband shall be punished, according to the usage applied to others before him, but the ship and its cargo and what belongs to it shall be free from guilt. [Possibly the Arabic text intended to say what is said in the translation of 1786, but in that case the attempt has entirely failed. Thus there is no expression corresponding to "unless" of that translation.]

The nineteenth article requires no correction.

The twentieth article is that if a person of our [can only mean here the American] nation or under our flag is guilty of misdemeanor, the

Consul of his nation shall pass sentence upon him. If the Consul wants the assistance of the officials of the Pasha of the place, it shall be granted to him.

The twenty-first article is that if there has been killed a Christian out of them or the reverse [*sic*] or has wounded him [*sic*], then he will be sentenced according to the rules of the Sacred [Mohammedan] Law, neither more nor less, and the trial is to take place in the presence of the Consul. If the delinquent escapes before having been sentenced, the Consul shall not be held responsible for him nor for the crime he committed. [The redaction of Article 21 is extremely inept.]

The twenty-second article is that if an American citizen shall die in our country and no will shall appear, their Consul shall supervise his estate and his goods [merchandise], and if there shall be no Consul, the effects shall be deposited in the hands of some person worthy of trust until the party shall appear who has a right to demand them, but if heirs of his are present, [the property] shall be given to the heirs without interference, or if he has designated in a will signed with his hand, the person to whom the property is to be delivered, then the question shall be submitted to the consideration of the Consul.

The twenty-third article is that the Consuls shall reside in any seaport they like, and they shall be respected like [consuls of] other Christian nations before them. If a person of their nation has had dealings with a Moslem concerning money, and he has caused it to be lost, the Consul shall not be held responsible for it, unless the Consul has given a written declaration to that effect, in which case he shall have to pay it. If he has not given such a declaration, then nobody has a claim upon him—like [this is the case with] all the consuls.

The twenty-fourth article is that if either party should protest concerning any articles of the peace treaty, so that one asserted a question and the other asserted a question and contended that this was not according to the article, and the controversy should last a long time, then peace is to be maintained and both parties have to argue the best they can. If in the end one of them does not agree to the treaty of peace and strenuously declines [or "if neither of them agrees to the treaty of peace and both strenuously decline"], so that war is declared [literally "put into action"], then nine months shall be granted to all the merchants to remove their goods. Whenever our Lord [*i. e.*, the Emperor of Morocco] shows a favor to any Christian nation, we [*i. e.*, the Americans] shall partake in it.

The twenty-fifth article is that this treaty of peace shall remain permanent, if God please, by God's might and power, a period from ["of" is evidently meant] fifty years. We have delivered this book to the above-mentioned Thomas Barclay on the first day of the blessed Ramadan of the year two hundred and thousand.

NOTES

The city of Morocco, where the treaty was signed, is now known as Marrakesh.

The dates given are those recited; some doubt is cast upon their accuracy, however, by a letter from Thomas Barclay, who negotiated the treaty with the Emperor of Morocco, addressed to Adams and Jefferson and dated at Morocco July 16, 1786, from which the following is extracted (Diplomatic Correspondence, 1783-1789, I, 814):

The 13th instant the treaty was sent to me by the Effendi, since which some important alterations have been made, which the villany and carelessness of the Talbe Houdrani (to whom the drawing was committed) made necessary; and yesterday it was again delivered from Tahar Fennish, to whose hands the King committed the arrangement of the matter. It still wants an additional article, or rather a declaration, which his Majesty has permitted to be made in his name, but which he desired might not make a part of the treaty.

In a letter of June 26, 1786, Barclay had written, "the last draft of the treaty is made, and will probably be signed in a few days" (*ibid.*, 805).

The document signed by Jefferson and Adams, including the English translations of the treaty and of the additional article, is printed in full after the Arabic text of the treaty; following it is printed the Ship-Signals Agreement, with a comment on its two lines of Arabic script; then come the observations of Doctor Snouck Hurgronje regarding the English translation of 1786, with his own rendering of various articles.

THE ORIGINAL DOCUMENTS

The original document signed by Jefferson and Adams is in 91 C. C. Papers, I, folios 213-31. The Department of State file contains a facsimile of that document, the original of the treaty, and the original of the Ship-Signals Agreement; but the original of the additional article has not been found and accordingly cannot be reproduced. As to this article, Barclay reported (letter to Adams and Jefferson, October 2, 1786, Diplomatic Correspondence, 1783-1789, II, 695):

The original of the declaration made by Mr. Fennish could not be placed in the same book with the treaty sealed by the Emperor, the Moorish forms not permitting it; therefore, Mr. Fennish wrote it in another book, which I had placed in his hands, with a copy of the treaty for examination, in order that he might certify the verity of it, lest any accident should happen to the original; which book, with authenticated copies of the other papers, remains in my hands.

The original of the additional article appears to have been enclosed in a letter from Thomas Barclay to Jefferson, dated at Madrid December 4, 1786 (signed "copy" in 91 C. C. Papers, I, folios 211-12), from which the following is an extract:

I now inclose you a Copy of the Declaration made by Tahar Fennish in addition to the 10th article of the Treaty with the Emperor of Morocco. It is in Arabic and sign'd by himself. the necessity of a Duplicate of that Declaration, did not appear obvious to me until I got to Tangier, and within this hour it has reach'd me. you have also the Translation annex'd to it.

In the calendar of letters to Jefferson (Bulletin of the Bureau of Rolls and Library, No. 8, pt. 2, 36) this letter is listed "Press copy. 4°. 2 pages." The letter, which is in the Library of Congress (26 Thomas Jefferson Papers, folio 4477), is not a press copy, however; it is an original. There is no enclosure with it. In Diplomatic Correspondence, 1783-1789, II, 34, is printed a translation of the additional article, certified by Thomas Barclay under the date of the above-mentioned letter and referring to "the annexed declaration, in Arabic"; but that certified translation has not been found.

NOTE REGARDING THE RATIFICATION

The United States instrument of ratification is copied in 135 C. C. Papers, I; also in Journals, 1823 ed., IV, 756-59. The two forms are not identical; the latter contains a paragraph mentioning the approval of the treaty by Jefferson and Adams which the former omits. Neither form mentions the Ship-Signals Agreement.

In the making of treaties, the procedure and customs of the various Barbary States differed somewhat *inter se* and were not in all respects those of usual diplomatic practice. Thus, in the present instance, the sealing on behalf of the Emperor of Morocco of the original treaty written in the "book," with the delivery thereof, was deemed a finality on the part of Morocco. The theory seems to have been somewhat similar to our notion of a unilaterally executed grant and its delivery, for the text in the "book" was not signed or sealed on behalf of the other party. It may be added that the "book" is literally a book, in leather covers, with the text running from the back leaf on alternate pages and the front pages blank.

The customs of Morocco were doubtless not known to Adams and Jefferson, for their commission to Barclay, following the language of their own commission from Congress (Diplomatic Correspondence, 1783-1789, I, 656-57), gave him authority only

. . . . under our directions and instructions, to commence and prosecute negotiations and conferences for the said treaty, with such person or persons on the part of the Emperor of Morocco as his Majesty shall appoint and empower for that purpose—

Provided always, that the treaty in question shall be signed by us, but that preliminary articles thereto may, if previously approved by us, be signed by the said agent.

Indeed, such "missions by deputation" were criticized by Adams as "unknown to Courts and Ministers, and to the law of nations" (*ibid.*, II, 802); but the practice had been suggested by him (Wharton, Diplomatic Correspondence, VI, 692).

The signing by Jefferson and Adams of the certified translations was therefore properly a part of their report to Congress of the result of the negotiation entrusted to them and delegated by them to Thomas Barclay; but the agreement was already complete on the part of Morocco and awaited only the ratification of Congress, and doubtless notice thereof, to become complete on both sides.

As was reported from Morocco some fifty years later:

The Treaty, it will be observed, being sealed by the Emperor according to the diplomatic custom observed in this Empire, bears the form of a grant. Hence, it would be out of rule to deface the original with my signature or seal. I have therefore attached these to the copy and translation which will accompany the original, according to the usage observed by Diplomatic Agents in other parts of Barbary. (D. S., 5 Consular Despatches, Tangier, No. 39, October 11, 1836.)

The necessity of acceptance on the part of the United States was recognized, however, for Barclay wrote in one of his reports (letter to Adams and Jefferson, September 18, 1786, Diplomatic Correspondence, 1783-1789, II, 723):

I was asked to sign an acceptation of the articles on the part of the United States; but as the treaty was not drawn up in the form expected, I excused myself, (without, however, giving any offence,) referring Mr. Fennish to Congress and the Ministers.

A letter from Congress to the Emperor of Morocco notified the ratification of the treaty; the same letter indicates that it had been published and proclaimed (Secret Journals of Congress, IV, 365, July 23, 1787). With this letter the United States instrument of ratification was transmitted (Diplomatic Correspondence, 1783-1789, II, 44, 86). The letter and ratification were duly delivered to the Emperor of Morocco some time prior to August 17, 1788. The original of the letter of acknowledgment on the part of the Emperor of Morocco, dated that day and written in Arabic, is in the archives of the Department of State; and there is an Italian translation of it in 88 C. C. Papers, II, folio 524, as one of the enclosures to a letter ("triplicate") of November 5, 1788, from William Carmichael, Chargé d'Affaires at Madrid, to Jay. In that letter (printed in Diplomatic Correspondence, 1783-1789, III, 370) Carmichael calls the acknowledgment of the Emperor of Morocco "the ratification of the treaty," and similarly in his letter to Jefferson of November 3, 1788 (43 Thomas Jefferson Papers, folio 7423), and in his letter to Jay of December 2, 1788 ("duplicate" in 88 C. C. Papers, II, folios 588-89, with no enclosures; that letter is printed in Diplomatic Correspondence, 1783-1789, III, 381-82; see also the two letters of Francisco Chiappe, *ibid.*, 371-72). But, while doubtless a confirmation of the treaty, the letter of the Emperor of Morocco can hardly be deemed a ratification in any formal or technical sense.

The seal of the letter, which follows its opening phrases, is the same as that of the treaty; and as translated by Doctor Snouck Hurgronje, the letter reads thus:

In the name of God, the Compassionate, the Merciful, and there is no might nor power but in God, the Great, the High.

From the servant of God, Muhammed, son of Abdallah, may God bestow His favor upon him. Amen!

{Seal}

To the Great One of the American States [Estados Amaricanos], the President. Peace be on those who follow the right guidance [*i. e.*, the Mohammedan religion]! To come to the point: Your letter has reached us and also have reached us the

articles of the Treaty of Peace which you have sent us, and we are with you on terms of complete truce and peace. We have now written what you wanted us to write to Tunis and Tripoli, and all that you have asked from us shall be fulfilled, if God please. Greetings! Written in the middle in [the month Dhu] al-Qa'dah [Zu'lkadah] of the year two and two hundred and thousand 1202.

Doctor Snouck Hurgronje makes also the following comment on the letter:

Placing the seal at the head of the letter denotes great superiority in rank of the writer in comparison with that of the person to whom the letter is addressed.

"The Great One of . . ." is the title by which infidel rulers are addressed in letters from the Prophet. The greeting formula, "Peace be on those who follow the right guidance," is the classical one to be addressed to unbelievers, implying that they are not worth greeting.

NOTE REGARDING PROMULGATION

There appears no official record of any separate proclamation of this treaty. The United States instrument of ratification, however, embodying the treaty and additional article in English, was published at the time (*e. g.*, the Daily Advertiser, New York, July 21, 1787). The Department of State file now contains a facsimile of the newspaper print.

Accordingly, the instrument of ratification seems to have served as a proclamation and to have been regarded as such upon publication. As published it follows the form in the Journals, referred to above, and recites that the treaty was "written in the Arabic language" and "translated into the language of the said United States of America"; it contains no mention of the Ship-Signals Agreement.

As stated above, copies of the Ship-Signals Agreement were, on July 23, 1787, ordered by Congress to be sent to the Executives of the States (Secret Journals of Congress, IV, 369, where the paper is called No. 6 instead of No. 7; see Diplomatic Correspondence, 1783-1789, II, 695). From that period to the present, however, the Ship-Signals Agreement seems never to have been printed, either in the diplomatic correspondence or elsewhere.

THE LATER CONFIRMATION

A treaty with Morocco was there regarded as to some degree personal on the part of the ruling Emperor, at least to the extent of requiring confirmation or recognition by a successor. Accordingly, soon after the death of the then Emperor, in April, 1790, negotiations to that end were initiated (see American State Papers, Foreign Relations, I, 104, 128, 288-90); but conflicts regarding the succession to the throne of Morocco continued for some years; after these were ended, a letter was written by the succeeding Emperor, dated at Rabat August 19, 1795 (2 Safar, A. H. 1210), recognizing the treaty with his father. For the papers in the matter, including a translation of the confirming letter, see *ibid.*, 525-27.