

# PUBLIC TREATIES.

## ALGIERS.

[All of the treaties with Algiers ceased to be operative by reason of the French conquest of that country.]

### ALGIERS, 1795.

TREATY OF PEACE AND AMITY BETWEEN THE DEY OF ALGIERS AND THE UNITED STATES OF AMERICA, CONCLUDED SEPTEMBER 5, 1795; RATIFICATION ADVISED BY SENATE MARCH 2, 1796.

Sept. 5, 1795.

*A treaty of peace and amity, concluded this present day I—Ima Artasi, the twenty-first of the Luna Safer, year of the Hegira 1210, corresponding with Saturday, the fifth of September, one thousand seven hundred and ninety-five, between Hassan Bashaw, Dey of Algiers, his Divan and Subjects, and George Washington, President of the United States of North America, and the Citizens of the said United States.*

#### ARTICLE I.

From the date of the present treaty there shall subsist a firm and sincere peace and amity between the President and citizens of the United States of North America and Hassan Bashaw, Dey of Algiers, his Divan and subjects; the vessels and subjects of both nations reciprocally treating each other with civility, honor, and respect.

Peace and amity.

#### ARTICLE II.

All vessels belonging to the citizens of the United States of North America shall be permitted to enter the different ports of the Regency, to trade with our subjects, or any other persons residing within our jurisdiction, on paying the usual duties at our custom-house that is paid by all nations at peace with this Regency; observing that all goods disembarked and not sold here shall be permitted to be re-embarked without paying any duty whatever, either for disembarking or embarking. All naval and military stores, such as gunpowder, lead, iron, plank, sulphur, timber for building, tar, pitch, rosin, turpentine, and any other goods denominated naval and military stores, shall be permitted to be sold in this Regency without paying any duties whatever at the custom-house of this Regency.

Commercial intercourse.

#### ARTICLE III.

The vessels of both nations shall pass each other without any impediment or molestation; and all goods, moneys, or passengers, of whatsoever nation, that may be on board of the vessels belonging to either party shall be considered as inviolable, and shall be allowed to pass unmolested.

Vessels not to be molested.

## ARTICLE IV.

Visitation of vessels at sea.

All ships of war belonging to this Regency, on meeting with merchant-vessels belonging to citizens of the United States, shall be allowed to visit them with two persons only beside the rowers; these two only permitted to go on board said vessel without obtaining express leave from the commander of said vessel, who shall compare the passport, and immediately permit said vessel to proceed on her voyage unmolested. All ships of war belonging to the United States of North America, on meeting with an Algerine cruiser, and shall have seen her passport and certificate from the Consul of the United States of North America, resident in this Regency, shall be permitted to proceed on her cruise unmolested; no passport to be issued to any ships but such as are absolutely the property of citizens of the United States, and eighteen months shall be the term allowed for furnishing the ships of the United States with passports.

Passports for vessels of United States.

## ARTICLE V.

Restriction upon Algerine cruisers.

No commander of any cruiser belonging to this Regency shall be allowed to take any person, of whatever nation or denomination, out of any vessel belonging to the United States of North America, in order to examine them, or under pretence of making them confess anything desired; neither shall they inflict any corporal punishment, or any way else molest them.

## ARTICLE VI.

Stranded vessels of United States.

If any vessel belonging to the United States of North America shall be stranded on the coast of this Regency, they shall receive every possible assistance from the subjects of this Regency. All goods saved from the wreck shall be permitted to be re-embarked on board of any other vessel without paying any duties at the custom-house.

## ARTICLE VII.

Sale of vessels of war.

The Algerines are not, on any pretence whatever, to give or sell any vessel of war to any nation at war with the United States of North America, or any vessel capable of cruising to the detriment of the commerce of the United States.

## ARTICLE VIII.

Purchase of prizes.

Any citizen of the United States of North America, having bought any prize condemned by the Algerines, shall not be again captured by the cruisers of the Regency then at sea, although they have not a passport; a certificate from the Consul Resident being deemed sufficient until such time they can procure such passport.

## ARTICLE IX.

Captured American vessels.

If any of the Barbary States at war with the United States of North America shall capture any American vessel and bring her into any of the ports of this Regency, they shall not be permitted to sell her, but shall depart the port on procuring the requisite supplies of provision.

## ARTICLE X.

United States prizes.

Any vessel belonging to the United States of North America, when at war with any other nation, shall be permitted to send their prizes into the ports of the Regency, have leave to dispose of them without paying any duties on sale thereof. All vessels wanting provisions or refreshments shall be permitted to buy them at market price.

Purchase of provisions.

## ARTICLE XI.

All ships of war belonging to the United States of North America, on anchoring in the ports of the Regency, shall receive the usual presents of provisions and refreshments gratis. Should any of the slaves of this Regency make their escape on board said vessels, they shall be immediately returned. No excuse shall be made that they have hid themselves amongst the people and cannot be found, or any other equivocation.

Treatment of  
ships of war of  
United States.

## ARTICLE XII.

No citizen of the United States of North America shall be obliged to redeem any slave against his will, even should he be his brother; neither shall the owner of a slave be forced to sell him against his will, but all such agreements must be made by consent of parties. Should any American citizen be taken on board an enemy ship by the cruisers of this Regency, having a regular passport specifying they are citizens of the United States, they shall be immediately set at liberty. On the contrary, they having no passport, they and their property shall be considered lawful prize, as this Regency know their friends by their passports.

Slaves.  
Captured American.  
Slaves.

## ARTICLE XIII.

Should any of the citizens of the United States of North America die within the limits of this Regency, the Dey and his subjects shall not interfere with the property of the deceased; but it shall be under the immediate direction of the Consul, unless otherwise disposed of by will. Should there 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, when they shall render an account of the property. Neither shall the Dey or Divan give hindrance in the execution of any will that may appear.

Estates of citizens of United States dying in the Regency.

## ARTICLE XIV.

No citizen of the United States of North America shall be obliged to purchase any goods against his will, but on the contrary, shall be allowed to purchase whatever it pleaseth him. The Consul of the United States of North America, or any other citizen, shall not be amenable for debts contracted by any one of their own nation, unless previously they have given a written obligation so to do. Should the Dey want to freight any American vessel that may be in the Regency, or Turkey, said vessel not being engaged, in consequence of the friendship subsisting between the two nations he expects to have the preference given him, on his paying the same freight offered by any other nation.

Purchase of goods.  
Payment of debts.  
Charter of vessels by the Dey.

## ARTICLE XV.

Any disputes or suits at law that may take place between the subjects of the Regency and the citizens of the United States of North America shall be decided by the Dey in person, and no other. Any disputes that may arise between the citizens of the United States shall be decided by the Consul, as they are in such cases not subject to the laws of this Regency.

Settlement of disputes.

## ARTICLE XVI.

Should any citizen of the United States of North America kill, wound, or strike a subject of this Regency, he shall be punished in the same manner as a Turk, and not with more severity. Should any citizen of the United States of North America in the above predicament, escape prison, the Consul shall not become answerable for him.

Punishment for assault.

## ARTICLE XVII.

Privileges of the consul of the United States.

The Consul of the United States of North America shall have every personal security given him and his household. He shall have liberty to exercise his religion in his own house. All slaves of the same religion shall not be impeded in going to said Consul's house at hours of prayer. The Consul shall have liberty and personal security given him to travel, whenever he pleases, within the Regency. He shall have free license to go on board any vessel lying in our roads, whenever he shall think fit. The Consul shall have leave to appoint his own dragoman and broker.

## ARTICLE XVIII.

Case of war.

Should a war break out between the two nations, the Consul of the United States of North America, and all citizens of said States, shall have leave to embark themselves and property unmolested on board of what vessel or vessels they shall think proper.

## ARTICLE XIX.

Captured citizens to be liberated.

Should the cruisers of Algiers capture any vessel having citizens of the United States of North America on board, they having papers to prove they are really so, they and their property shall be immediately discharged. And should the vessels of the United States capture any vessels of nations at war with them, having subjects of this Regency on board, they shall be treated in like manner.

## ARTICLE XX.

Salutes.

On a vessel of war belonging to the United States of North America anchoring in our ports, the Consul is to inform the Dey of her arrival, and she shall be saluted with twenty-one guns, which she is to return in the same quantity or number. And the Dey will send fresh provisions on board, as is customary, gratis.

## ARTICLE XXI.

Free entry for consul.

The Consul of the United States of North America shall not be required to pay duty for anything he brings from a foreign country for the use of his house and family.

## ARTICLE XXII.

Violations of treaty.

Should any disturbance take place between the citizens of the United States and the subjects of this Regency, or break any article of this treaty, war shall not be declared immediately, but everything shall be searched into regularly. The party injured shall be made reparation.

Date of treaty.

On the 21st of the Luna of Safer, 1210, corresponding with the 5th September, 1795, Joseph Donaldson, jun., on the part of the United States of North America, agreed with Hassan Bashaw, Dey of Algiers, to keep the articles contained in this treaty sacred and inviolable, which we, the Dey and Divan, promise to observe, on consideration of the United States paying annually the value of twelve thousand Algerine sequins in maritime stores. Should the United States forward a larger quantity, the overplus shall be paid for in money by the Dey and Regency. Any vessel that may be captured from the date of this treaty of peace and amity shall immediately be delivered up on her arrival in Algiers.

[See Article IV, treaty of 1815, p. 6.]

Sum to be paid to the Dey.

Subsequent captures to be restored.

VIZER HASSAN BASHAW.  
JOSEPH DONALDSON, JUN.

[Seal of Algiers stamped at the foot of the original treaty in Arabic.]

To all to whom these presents shall come or be made known :

Whereas the underwritten, David Humphreys, hath been duly appointed Commissioner Plenipotentiary by letters-patent, under the signature of the President and seal of the United States of America, dated the 30th of March, 1795, for negotiating and concluding a treaty of peace with the Dey and Governors of Algiers; whereas, by instructions, given to him on the part of the Executive, dated the 28th of March and 4th of April, 1795, he hath been further authorized to employ Joseph Donaldson, junior, on an agency in the said business; whereas, by a writing under his hand and seal, dated 21st May, 1795, he did constitute and appoint Joseph Donaldson, junior, agent in the business aforesaid; and the said Joseph Donaldson, jun., did, on the 5th of September, 1795, agree with Hassan Bashaw, Dey of Algiers, to keep the articles of the preceding treaty sacred and inviolable:

Certificate of  
David Humphreys.

Now know ye that I, David Humphreys, Commissioner Plenipotentiary aforesaid, do approve and conclude the said treaty, and every article and clause therein contained; reserving the same, nevertheless, for the final ratification of the President of the United States of America, by and with the advice and consent of the Senate of the said United States.

Final ratification reserved to  
President of the  
United States.

In testimony whereof I have signed the same with my hand and seal, at the City of Lisbon, this 28th of November, 1795.

[L. S.]

DAVID HUMPHREYS.

## ALGIERS, 1815.

TREATY OF PEACE AND AMITY CONCLUDED BETWEEN THE UNITED STATES OF AMERICA AND HIS HIGHNESS OMAR BASHAW, DEY OF ALGIERS, JUNE 30 AND JULY 6, 1815; RATIFICATION ADVISED BY SENATE DECEMBER 21, 1815; RATIFIED BY PRESIDENT DECEMBER 26, 1815; PROCLAIMED DECEMBER 26, 1815.

June 30-July 6,  
1815.

[Renewed December 22-23, 1816.]

### ARTICLE I.

There shall be, from the conclusion of this treaty, a firm, inviolable, and universal peace and friendship between the President and citizens of the United States of America on the one part, and the Dey and subjects of the Regency of Algiers, in Barbary, on the other, made by the free consent of both parties and on the terms of the most favored nations. And if either party shall hereafter grant to any other nation any particular favor or privilege in navigation or commerce, it shall immediately become common to the other party; freely, when it is freely granted to such other nations, but when the grant is conditional, it shall be at the option of the contracting parties to accept, alter, or reject such conditions, in such manner as shall be most conducive to their respective interests.

Peace and friend-  
ship.

Favors granted  
to other nations to  
become common.

### ARTICLE II.

It is distinctly understood between the contracting parties, that no tribute, either as biennial presents, or under any other form or name whatever, shall ever be required by the Dey and Regency of Algiers from the United States of America, on any pretext whatever.

Abolition of  
tribute.

### ARTICLE III.

The Dey of Algiers shall cause to be immediately delivered up to the American squadron now off Algiers all the American citizens now in his possession, amounting to ten, more or less; and all the subjects of the Dey of Algiers, now in possession of the United States, amounting to

Prisoners to be  
restored.

five hundred, more or less, shall be delivered up to him; the United States, according to the usages of civilized nations, requiring no ransom for the excess of prisoners in their favor.

## ARTICLE IV.

Indemnification to American citizens.

[See Article XXII, treaty of 1795, p. 4.]

A just and full compensation shall be made by the Dey of Algiers to such citizens of the United States as have been captured and detained by Algerine cruisers, or who have been forced to abandon their property in Algiers, in violation of the twenty-second article of the treaty of peace and amity concluded between the United States and the Dey of Algiers on the fifth of September, one thousand seven hundred and ninety-five.

And it is agreed between the contracting parties that, in lieu of the above, the Dey of Algiers shall cause to be delivered forthwith into the hands of the American Consul residing at Algiers, the whole of a quantity of bales of cotton left by the late Consul-General of the United States in the public magazines in Algiers; and that he shall pay into the hands of the said Consul the sum of ten thousand Spanish dollars.

## ARTICLE V.

Enemy's property.

If any goods belonging to any nation with which either of the parties are at war should be loaded on board vessels belonging to the other party, they shall pass free and unmolested, and no attempts shall be made to take or detain them.

## ARTICLE VI.

Treatment of citizens taken on board an enemy's vessel.

If any citizens or subjects, with their effects, belonging to either party, shall be found on board a prize vessel taken from an enemy by the other party, such citizens or subjects shall be liberated immediately, and in no case, or on any other pretence whatever, shall any American citizen be kept in captivity or confinement, or the property of any American citizen found on board of any vessel belonging to any other nation with which Algiers may be at war be detained from its lawful owners after the exhibition of sufficient proofs of American citizenship and of American property, by the Consul of the United States residing at Algiers.

## ARTICLE VII.

Passports to vessels.

Right of visit restricted.

Abuse of right of visit.

Proper passports shall immediately be given to the vessels of both the contracting parties, on condition that the vessels of war belonging to the Regency of Algiers, on meeting with merchant-vessels belonging to the citizens of the United States of America, shall not be permitted to visit them with more than two persons besides the rowers; these only shall be permitted to go on board without first obtaining leave from the commander of said vessel, who shall compare the passport, and immediately permit said vessel to proceed on her voyage; and should any of the subjects of Algiers insult or molest the commander, or any other person, on board a vessel so visited, or plunder any of the property contained in her, on complaint being made by the Consul of the United States residing in Algiers, and on his producing sufficient proof to substantiate the fact, the commander or rais of said Algerine ship or vessel of war, as well as the offenders, shall be punished in the most exemplary manner.

Vessels with passports not to be molested.

All vessels of war belonging to the United States of America, on meeting a cruiser belonging to the Regency of Algiers, on having seen her passports and certificates from the Consul of the United States residing in Algiers, shall permit her to proceed on her cruise unmolested and without detention. No passport shall be granted by either party to any vessels but such as are absolutely the property of citizens or subjects of the said contracting parties, on any pretence whatever.

## ARTICLE VIII.

A citizen or subject of either of the contracting parties having bought a prize vessel condemned by the other party, or by any other nation, the certificates of condemnation and bill of sale shall be a sufficient passport for such vessel for six months; which, considering the distance between the two countries, is no more than a reasonable time for her to procure proper passports.

What shall be sufficient passport

## ARTICLE IX.

Vessels of either of the contracting parties putting into ports of the other, and having need of provisions or other supplies, shall be furnished at the market price; and if any such vessel should so put in from a disaster at sea, and have occasion to repair, she shall be at liberty to land and re-embark her cargo without paying any customs or duties whatever; but in no case shall she be compelled to land her cargo.

Vessels needing supplies or repairs.

## ARTICLE X.

Should a vessel of either of the contracting parties be cast on shore within the territories of the other, all proper assistance shall be given to her crew; no pillage shall be allowed; the property shall remain at the disposal of the owners; and, if reshipped on board of any vessel for exportation, no customs or duties whatever shall be required to be paid thereon, and the crew shall be protected and succored until they can be sent to their own country.

Wrecks.

## ARTICLE XI.

If a vessel of either of the contracting parties shall be attacked by an enemy within cannon-shot of the forts of the other, she shall be protected as much as is possible. If she be in port she shall not be seized or attacked when it is in the power of the other party to protect her; and, when she proceeds to sea, no enemy shall be permitted to pursue her from the same port within twenty-four hours after her departure.

Protection of vessels in ports.

## ARTICLE XII.

The commerce between the United States of America and the Regency of Algiers, the protections to be given to merchants, masters of vessels, and seamen, the reciprocal rights of establishing Consuls in each country, and the privileges, immunities, and jurisdictions to be enjoyed by such Consuls, are declared to be on the same footing, in every respect, with the most favored nations, respectively.

Most favored nation clause.

## ARTICLE XIII.

The Consul of the United States of America shall not be responsible for the debts contracted by citizens of his own nation, unless he previously gives written obligations so to do.

Consul not liable for debts of citizens.

## ARTICLE XIV.

On a vessel or vessels of war belonging to the United States anchoring before the city of Algiers, the Consul is to inform the Dey of her arrival, when she shall receive the salutes which are, by treaty or custom, given to the ships of war of the most favored nations on similar occasions, and which shall be returned gun for gun; and if, after such arrival, so announced, any Christians whatsoever, captives in Algiers, make their escape and take refuge on board any of the ships of war,

Salutes.

Christian captives.

they shall not be required back again, nor shall the Consul of the United States or commanders of said ships be required to pay anything for the said Christians.

#### ARTICLE XV.

**Religious liberty.** As the Government of the United States of America has, in itself, no character of enmity against the laws, religion, or tranquillity of any nation, and as the said States have never entered into any voluntary war or act of hostility except in defence of their just rights on the high seas, it is declared, by the contracting parties, that no pretext arising from religious opinions shall ever produce an interruption of the harmony existing between the two nations; and the Consuls and Agents of both nations shall have liberty to celebrate the rites of their respective religions in their own houses.

**Privileges of Consuls.** The Consuls, respectively, shall have liberty and personal security given them to travel within the territories of each other, both by land and sea, and shall not be prevented from going on board any vessels they may think proper to visit; they shall likewise have liberty to appoint their own dragoman and broker.

#### ARTICLE XVI.

**Violations of treaty.** In case of any dispute arising from the violation of any of the articles of this treaty, no appeal shall be made to arms, nor shall war be declared on any pretext whatever; but if the Consul residing at the place where the dispute shall happen shall not be able to settle the same, the Government of that country shall state their grievance in writing and transmit the same to the Government of the other, and the period of three months shall be allowed for answers to be returned, during which time no act of hostility shall be permitted by either party; and in case the grievances are not redressed, and a war should be the event, the Consuls and citizens and subjects of both parties, respectively, shall be permitted to embark with their effects unmolested, on board of what vessel or vessels they shall think proper, reasonable time being allowed for that purpose.

**Case of war.**

#### ARTICLE XVII.

**Prisoners of war.** If, in the course of events, a war should break out between the two nations, the prisoners captured by either party shall not be made slaves; they shall not be forced to hard labor, or other confinement than such as may be necessary to secure their safe-keeping, and shall be exchanged rank for rank; and it is agreed that prisoners shall be exchanged in twelve months after their capture; and the exchange may be effected by any private individual legally authorized by either of the parties.

#### ARTICLE XVIII.

**Treatment of prizes.** If any of the Barbary States, or other powers at war with the United States, shall capture any American vessel and send her into any port of the Regency of Algiers, they shall not be permitted to sell her, but shall be forced to depart the port on procuring the requisite supplies of provisions; but the vessels of war of the United States, with any prizes they may capture from their enemies, shall have liberty to frequent the ports of Algiers for refreshments of any kind, and to sell such prizes in the said ports, without any other customs or duties than such as are customary on ordinary commercial importations.

[See article additional and explanatory, treaty of 1816, p. 13.]

#### ARTICLE XIX.

**Settlement of disputes.** 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 the Government of Algiers to enforce his decision, it shall be immediately granted to him; and if any disputes shall arise between any citizens of the United States and the citizens or subjects of any other nation having a Consul or Agent in Algiers, such disputes shall be settled by the Consuls or Agents of the respective nations; and any disputes or suits at law that may take place between any citizens of the United States and the subjects of the Regency of Algiers shall be decided by the Dey in person, and no other.

## ARTICLE XX.

If a citizen of the United States should kill, wound, or strike a subject of Algiers, or, on the contrary, a subject of Algiers should kill, wound, or strike 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 trial; but the sentence of punishment against an American citizen shall not be greater or more severe than it would be against a Turk in the same predicament; and if any delinquent should make his escape, the Consul shall not be responsible for him in any manner whatever.

Punishment for assault.

## ARTICLE XXI.

The Consul of the United States of America shall not be required to pay any customs or duties whatever on anything he imports from a foreign country for the use of his house and family.

Free entry for Consul of United States.

## ARTICLE XXII.

Should any of the citizens of the United States of America die within the limits of the Regency of Algiers, the Dey and his subjects shall not interfere with the property of the deceased, but it shall be under the immediate direction of the Consul, unless otherwise disposed of by will. Should there 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, when they shall render an account of the property; neither shall the Dey or his subjects give hinderance in the execution of any will that may appear.

Estates of citizens of United States dying in the Regency.

I certify the foregoing to be a true copy of a treaty of peace negotiated by Commodore Decatur and myself with the Regency of Algiers, and signed by the Dey of that Regency on the 30th June, 1815.

Certificate of William Shaler.

On board the United States ship Guerriere, 6th July, 1815.

Date.  
Date.

WM. SHALER.

## ALGIERS, 1816.

## RENEWED TREATY WITH ALGIERS.

TREATY OF PEACE AND AMITY, CONCLUDED BETWEEN THE UNITED STATES OF AMERICA AND THE DEY AND REGENCY OF ALGIERS DECEMBER 22 AND 23, 1816; RATIFICATION ADVISED BY SENATE FEBRUARY 1, 1822; RATIFIED BY PRESIDENT FEBRUARY 11, 1822; PROCLAIMED FEBRUARY 11, 1822.

Dec. 22-23, 1816.

The President of the United States and the Dey of Algiers, being desirous to restore and maintain, upon a stable and permanent footing, the relations of peace and good understanding between the two powers, and for this purpose to renew the treaty of peace and amity which was concluded between the two States by William Shaler and Commodore Stephen Decatur, as Commissioners Plenipotentiary on the part of the United States, and His Highness Omar Pashaw, Dey of Algiers, on the 30th of June, 1815.

Contracting parties.

Negotiators.

The President of the United States having subsequently nominated and appointed, by commission, the above-named William Shaler, and Isaac Chauncey, Commodore and Commander in Chief of all the Naval Forces of the United States in the Mediterranean, Commissioners Plenipotentiary, to treat with His Highness the Dey of Algiers for the renewal of the treaty aforesaid; and they have concluded, settled, and signed the following articles:

#### ARTICLE I.

Peace and friendship.

There shall be, from the conclusion of this treaty, a firm, perpetual, inviolable, and universal peace and friendship between the President and citizens of the United States of America, on the one part, and the Dey and subjects of the Regency of Algiers, in Barbary, on the other, made by the free consent of both parties, and on the terms of the most favored nations; and if either party shall hereafter grant to any other nation any particular favor or privilege in navigation or commerce, it shall immediately become common to the other party; freely, when freely it is granted to such other nations, but when the grant is conditional, it shall be at the option of the contracting parties to accept, alter, or reject such conditions, in such manner as shall be most conducive to their respective interests.

Favors granted to other nations to become common.

#### ARTICLE II.

Tribute abolished.

It is distinctly understood between the contracting parties that no tribute, either as biennial presents, or under any other form or name whatever, shall be required by the Dey and Regency of Algiers from the United States of America, on any pretext whatever.

#### ARTICLE III.

Restitution of prisoners.

Relates to the mutual restitution of prisoners and subjects, and has been duly executed.

[See Articles III and IV, treaty of 1815, pp. 5, 6.]

#### ARTICLE IV.

Delivery of cotton, &c.

Relates to the delivery, into the hands of the Consul General, of a quantity of bales of cotton, &c., and has been duly executed.

#### ARTICLE V.

Enemy's property.

If any goods belonging to any nation with which either of the parties are at war should be loaded on board vessels belonging to the other party, they shall pass free and unmolested, and no attempt shall be made to take or detain them.

#### ARTICLE VI.

Treatment of citizens taken on board an enemy's vessel.

If any citizens or subjects, belonging to either party, shall be found on board a prize vessel taken from an enemy by the other party, such citizens or subjects shall be liberated immediately, and in no case, or on any pretence whatever, shall any American citizen be kept in captivity or confinement, or the property of any American citizen found on board of any vessel belonging to any nation with which Algiers may be at war, be detained from its lawful owners after the exhibition of sufficient proofs of American citizenship and American property, by the Consul of the United States residing at Algiers.

#### ARTICLE VII.

Passports to vessels.

Proper passports shall immediately be given to the vessels of both the contracting parties, on condition that the vessels of war belonging to the Regency of Algiers, on meeting with merchant vessels belonging to the citizens of the United States of America, shall not be permitted to

visit them with more than two persons besides the rowers; these only shall be permitted to go on board without first obtaining leave from the commander of said vessel, who shall compare the passports, and immediately permit said vessel to proceed on her voyage; and should any of the subjects of Algiers insult or molest the commander, or any other person on board a vessel so visited, or plunder any of the property contained in her, on complaint being made to the Consul of the United States residing in Algiers, and on his producing sufficient proofs to substantiate the fact, the commander or rais of said Algerine ship or vessel of war, as well as the offenders, shall be punished in the most exemplary manner.

Right of visit limited.

Abuse of right of visit.

All vessels of war belonging to the United States of America, on meeting a cruiser belonging to the Regency of Algiers, on having seen her passports and certificates from the Consul of the United States residing in Algiers, shall permit her to proceed on her cruise unmolested, and without detention. No passport shall be granted by either party to any vessels but such as are absolutely the property of citizens or subjects of the said contracting parties, on any pretence whatever.

Vessels with passports not to be molested.

#### ARTICLE VIII.

A citizen or subject of either of the contracting parties having bought a prize vessel condemned by the other party, or by any other nation, the certificates of condemnation and bill of sale shall be a sufficient passport for such vessel for six months; which, considering the distance between the two countries, is no more than a reasonable time for her to procure passports.

What shall be sufficient passport.

#### ARTICLE IX.

Vessels of either of the contracting parties putting into the ports of the other, and having need of provisions or other supplies, shall be furnished at the market price; and if any such vessel should so put in from a disaster at sea, and have occasion to repair, she shall be at liberty to land and reëmbark her cargo, without paying any customs or duties whatever; but in no case shall be compelled to land her cargo.

Vessels needing supplies or repairs.

#### ARTICLE X.

Should a vessel of either of the contracting parties be cast on shore within the territories of the other, all proper assistance shall be given to her and her crew; no pillage shall be allowed; the property shall remain at the disposal of the owners; and, if reshipped on board of any vessel for exportation, no customs or duties whatever shall be required to be paid thereon, and the crew shall be protected and succored until they can be sent to their own country.

Wrecks.

#### ARTICLE XI.

If a vessel of either of the contracting parties shall be attacked by an enemy within cannon shot of the forts of the other, she shall be protected as much as is possible. If she be in port, she shall not be seized or attacked when it is in the power of the other party to protect her; and when she proceeds to sea, no enemy shall be permitted to pursue her from the same port within twenty-four hours after her departure.

Protection of vessels in ports.

#### ARTICLE XII.

The commerce between the United States of America and the Regency of Algiers, the protections to be given to merchants, masters of vessels, and seamen, the reciprocal rights of establishing Consuls in each country, the privileges, immunities, and jurisdictions to be enjoyed by such

Most favored nation clause.

Consuls, are declared to be on the same footing, in every respect, with the most favored nations, respectively.

## ARTICLE XIII.

Consul not liable for debts of citizens. The Consul of the United States of America shall not be responsible for the debts contracted by the citizens of his own country, unless he gives previously written obligation so to do.

## ARTICLE XIV.

Salutes. On a vessel or vessels of war belonging to the United States anchoring before the city of Algiers, the Consul is to inform the Dey of her arrival, when she shall receive the salutes which are, by treaty or custom, given to the ships of war of the most favored nations on similar occasions, and which shall be returned gun for gun; and if, after such arrival, so announced, any Christians whatever, captives in Algiers, make their escape and take refuge on board any of the said ships of war, they shall not be required back again, nor shall the Consul of the United States or commander of the said ship be required to pay anything for the said Christians.

Christian captives.

## ARTICLE XV.

Religious liberty. As the Government of the United States has, in itself, no character of enmity against the laws, religion, or tranquillity of any nation, and as the said States have never entered into any voluntary war or act of hostility except in defence of their just rights on the high seas, it is declared, by the contracting parties, that no pretext arising from religious opinions shall ever produce an interruption of the harmony between the two nations; and the Consuls and Agents of both nations shall have liberty to celebrate the rights of their respective religions in their own houses.

Privileges of consuls. The Consuls, respectively, shall have liberty and personal security given them to travel within the territories of each other by land and sea, and shall not be prevented from going on board any vessel they may think proper to visit; they shall likewise have the liberty to appoint their own dragoman and broker.

## ARTICLE XVI.

Violations of treaty. In case of any dispute arising from the violation of any of the articles of this treaty no appeal shall be made to arms, nor shall war be declared on any pretext whatever; but if the Consul residing at the place where the dispute shall happen shall not be able to settle the same, the Government of that country shall state their grievance in writing, and transmit the same to the Government of the other, and the period of three months shall be allowed for answers to be returned, during which time no act of hostility shall be permitted by either party; and in case the grievances are not redressed, and a war should be the event, the Consuls, and citizens, and subjects of both parties, respectively, shall be permitted to embark with their effects unmolested on board of what vessel or vessels they shall think proper, reasonable time being allowed for that purpose.

Case of war.

## ARTICLE XVII.

Prisoners of war. If, in the course of events, a war should break out between the two nations, the prisoners captured by either party shall not be made slaves; they shall not be forced to hard labor, or other confinement than such as may be necessary to secure their safe-keeping, and shall be exchanged rank for rank; and it is agreed that prisoners shall be exchanged in twelve months after their capture; and the exchange may be effected by any private individual legally authorized by either of the parties.

## ARTICLE XVIII.

If any of the Barbary Powers, or other States at war with the United States, shall capture any American vessel and send her into any port of the Regency of Algiers, they shall not be permitted to sell her, but shall be forced to depart the port on procuring the requisite supplies of provisions; but the vessels of war of the United States, with any prizes they may capture from their enemies, shall have liberty to frequent the ports of Algiers for refreshment of any kind, and to sell such prizes in the said ports, without paying any other customs or duties than such as are customary on ordinary commercial importations.

Treatment of prizes.

## ARTICLE XIX.

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 the Government of Algiers to enforce his decision, it shall be immediately granted to him; and if any disputes shall arise between any citizens of the United States and the citizens or subjects of any other nations having a Consul or Agent in Algiers, such disputes shall be settled by the Consuls or Agents of the respective nations; and any disputes or suits at law that may take place between any citizens of the United States and the subjects of the Regency of Algiers, shall be decided by the Dey in person, and no other.

Settlement of disputes.

## ARTICLE XX.

If a citizen of the United States should kill, wound, or strike a subject of Algiers, or, on the contrary, a subject of Algiers should kill, wound, or strike 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 trial; but the sentence of punishment against an American citizen shall not be greater or more severe than it would be against a Turk in the same predicament; and if any delinquent should make his escape, the Consul shall not be responsible for him in any manner whatever.

Punishment for assault.

## ARTICLE XXI.

The Consul of the United States of America shall not be required to pay any customs or duties whatever on anything he imports from a foreign country for the use of his house and family.

Free entry for Consul of United States.

## ARTICLE XXII.

Should any of the citizens of the United States of America die within the Regency of Algiers, the Dey and his subjects shall not interfere with the property of the deceased, but it shall be under the immediate direction of the Consul, unless otherwise disposed of by will. Should there 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, when they shall render an account of the property; neither shall the Dey or his subjects give hindrance in the execution of any will that may appear.

Estates of citizens of United States dying in the Regency.

## ARTICLE ADDITIONAL AND EXPLANATORY.

The United States of America, in order to give to the Dey of Algiers a proof of their desire to maintain the relations of peace and amity between the two powers upon a footing the most liberal, and in order to withdraw any obstacle which might embarrass him in his relations with other States, agree to annul so much of the eighteenth article of the

Modification of Article XVIII, treaty of 1815. [See p. 6.]

foregoing treaty as gives to the United States any advantage in the ports of Algiers over the most favored nations having treaties with the Regency.

**Date.** Done at the palace of the Government, in Algiers, on the 22d day of December, 1816, which corresponds to the third of the Moon Safar, year of the Hegira 1232.

**Certificate of negotiation.** Whereas the undersigned William Shaler, a citizen of the State of New York, and Isaac Chauncey, Commander in Chief of the Naval Forces of the United States stationed in the Mediterranean, being duly appointed Commissioners, by letters-patent under the signature of the President and seal of the United States of America, bearing date at the city of Washington, the twenty-fourth day of August, A. D. 1816, for negotiating and concluding the renewal of a treaty of peace between the United States of America and the Dey and subjects of the Regency of Algiers: we, therefore, William Shaler and Isaac Chauncey, Commissioners as aforesaid, do conclude the foregoing treaty, and every article and clause therein contained, reserving the same, nevertheless, for the final ratification of the President of the United States of America, by and with the advice and consent of the Senate of the United States.

**Final ratification reserved to President of the United States.**

**Date.**

Done in the chancery of the Consulate General of the United States, in the city of Algiers, on the 23d day of December, in the year 1816, and of the independence of the United States the forty-first.

[L. S.]  
[L. S.]

WM. SHALER.  
I. CHAUNCEY.

[The signature of the Dey is stamped at the beginning and end of the treaty.]