

sons who, being charged with murder or forgery, committed within the jurisdiction of either, shall seek an asylum within any of the countries of the other: provided, that this shall only be done on such evidence of criminality, as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial, if the offence had there been committed. The expense of such apprehension and delivery shall be borne and defrayed by those who make the requisition and receive the fugitive.

ART. 28. It is agreed that the first ten articles of this treaty shall be permanent, and that the subsequent articles, except the twelfth, shall be limited in their duration to twelve years, to be computed from the day on which the ratifications of this treaty shall be exchanged, but subject to this condition, that, whereas the said twelfth article will expire, by the limitation therein contained, at the end of two years from the signing of the preliminary or other articles of peace which shall terminate the present war in which His Majesty is engaged, it is agreed that proper measures shall, by concert, be taken, for bringing the subject of that article into amicable treaty and discussion, so early before the expiration of the said term, as that new arrangements on that head may, by that time, be perfected, and ready to take place. But, if it should, unfortunately, happen, that His Majesty and the United States should not be able to agree on such new arrangements, in that case all the articles of this treaty, except the first ten, shall then cease and expire together.

Lastly. This treaty, when the same shall have been ratified by His Majesty, and by the President of the United States, by and with the advice and consent of their Senate, and the respective ratifications mutually exchanged, shall be binding and obligatory on His Majesty and on the said States, and shall be by them respectively executed and observed, with punctuality and the most sincere regard to good faith. And whereas it will be expedient, in order the better to facilitate intercourse, and obviate difficulties, that other articles be proposed and added to this treaty, which articles, from want of time and other circumstances, cannot now be perfected, it is agreed that the said parties will, from time to time, readily treat of and concerning such articles, and will sincerely endeavor so to form them as that they may conduce to mutual convenience, and tend to promote mutual satisfaction and friendship; and that the said articles, after having been duly ratified, shall be added to, and make a part of, this treaty.

In faith whereof, we, the undersigned, ministers plenipotentiary of His Majesty the King of Great Britain and the United States of America, have signed this present treaty, and have caused to be affixed thereto the seal, of our arms.

Done at London, this nineteenth day of November, one thousand seven hundred and ninety-four.

GRENVILLE, [L. s.]
JOHN JAY. [L. s.]

Website Note: Document of Interest Starts here: "4th Congress, 1st Session, 1795, References to Treaty Of Peace and Friendship (No.107).

4th CONGRESS.

No. 107.

1st SESSION.]

MOROCCO.

COMMUNICATED TO THE SENATE, DECEMBER 21, 1795.

Gentlemen of the Senate:

Herewith I transmit, for your information and consideration, the original letter from the Emperor of Morocco, recognizing the treaty of peace and friendship between the United States and his father, the late Emperor, accompanied with a translation thereof, and various documents relating to the negotiation by which the recognition was effected.

G. WASHINGTON.

UNITED STATES, December 21, 1795.

Extract from Instructions from the Secretary of State to Colonel David Humphreys, dated

MARCH 28, 1795.

"With respect to Morocco, it is proposed to obtain from the Prince Muley Soliman, a recognition of the treaty between the United States and his father, the former Emperor. This you will endeavor to effect, if possible, for twenty thousand dollars; but if you shall find that it cannot be accomplished under twenty-five thousand dollars, you are authorized to go to that amount. This negotiation you may either accomplish yourself, or by such agency as you shall deem best calculated for the purpose, according as you shall find the state of affairs in Morocco upon your arrival in Europe."

GEORGE WASHINGTON, PRESIDENT OF THE UNITED STATES OF AMERICA,

To His Imperial Majesty the Emperor of Morocco.

Being desirous of establishing and cultivating peace and harmony between our nation and his Imperial Majesty the Emperor of Morocco, I have appointed David Humphreys, one of our distinguished citizens, a commissioner plenipotentiary, giving him full power to negotiate and conclude a treaty of amity and commerce with you. And I pray you to give full credit to whatever shall be delivered to you on the part of the United States by him, and particularly when he shall assure you of our sincere desire to be in peace and friendship with you and your people. And I pray God to give you health and happiness.

Done at Philadelphia, this thirtieth day of March, one thousand seven hundred and ninety-five, and in the nineteenth year of the independence of these States.

G. WASHINGTON.

By the President of the United States of America:

EDM. RANDOLPH, *Secretary of State.*

To all concerned, to whom these Presents shall come.

BE IT KNOWN, That I, David Humphreys, minister resident from the United States of America at the court of Lisbon, being duly empowered and instructed on the part of the President of the United States of America to negotiate and conclude a treaty of amity and commerce between the United States of America and His Imperial Majesty the Emperor of Morocco, or to renew with his said Imperial Majesty Muley Soliman, the treaty established at the court of Morocco between the late Emperor Sidi Mahomet (of glorious memory) and the United States of America, do constitute and appoint James Simpson, consul of the United States at Gibraltar, agent in the business aforesaid, (in conformity to the authority committed to me) hereby giving to him the said James Simpson, all

the power necessary to arrange and agree upon the same, and to certify and sign a convention thereupon; reserving the same, nevertheless, when concluded, to be transmitted by me to the President of the United States, for his final ratification, by and with the advice and consent of the Senate of the said United States.

Given under my hand and seal, at Gibraltar, this 21st day of May, 1795.

D. HUMPHREYS.

Mr. Simpson to the Secretary of State.

RHABAT, August 18, 1795.

SIR:

I have at last the happiness to acquaint you, and request you will be pleased to inform His Excellency the President, that this morning, by appointment, I attended his Imperial Majesty Muley Soliman, at Meshooar, when he was pleased to say to me in public, nearly as follows: "The Americans, I find, are the Christian nation my father, who is in glory, most esteemed. I am the same with them as my father was; and I trust they will be so with me. I have given orders to Sid Ben Ottman to write my answer to their letter, which will be given to you, and to tell them I am upon the same footing with them as my father was."

I did not fail to assure his Majesty that the United States would, on their part, be equally emulous to maintain that peace and good friendship which had so happily subsisted between them and his father. His Majesty came out of the palace on horseback; and immediately after the recited conversation, proceeded for Mequinez and Fez. The Secretary of State, who remains a few days to give the Swedish ambassador and myself our despatches, has assured me the letter for the President shall be written immediately; and as he is also entrusted with His Majesty's seal, there needs be no delay. My next will, of consequence, convey the original, or translation, as the conveyance may appear to be secure.

From what I have said, you will readily observe that all I shall (to appearance) obtain will be a letter from Muley Soliman, declaratory of his being on the same terms of peace with the United States as his father was.

I am sorry that the resistance made to my solicitations of a recognition of the old treaty, in form, has been spun out to the last hour of the Emperor's being here, and that I have thereby been prevented from exerting the powerful interest I had happily raised, for accomplishing, in a more satisfactory manner, the end of my mission; though I trust the promised letter will be expressive of what is in fact wished to be established, namely, that peace shall subsist between Morocco and the United States, as in the time of Sidi Mahomet, which, in my opinion, will fully answer the purpose of keeping peace during the present reign, and of resisting any unpleasant demands, should succeeding emperors make such.

Muley Soliman's sudden departure for Fez is differently accounted for. Some allege he is gone purposely with the army to quell some disturbances which have lately happened in the vicinity of that city and Mequinez; others, that it is the consequence of the defeat the troops he sent to the southward, under Muley Cadour, have sustained. In my opinion, both occurrences have their part in it, and that he will not, for the present, contest with his brother, Muley Ishem, the possession he certainly enjoys of the country south of the Morbeya. The garrison of Mazagar have quitted that fortress as untenable, and are expected here by sea.

I have the honor to be, &c.

JAMES SIMPSON.

Mr. Simpson to the Secretary of State.

GIBRALTAR, September 14, 1795.

SIR:

During my residence at Tangier and Rhabat, I had the honor of addressing you seven despatches, whose originals, or copies, I trust will have reached you, and afforded His Excellency the President and yourself that ample information on my proceedings there I was desirous of communicating. Since my return to this place, 5th instant, I have continued without advice of Colonel Humphreys' return to Lisbon. I have sought for information, or when he may be expected, from Mr. Short, at Madrid, and if I find he cannot satisfy me, I shall no longer delay forwarding, by the first good opportunity which may offer, for the United States, the original of His Imperial Majesty Muley Soliman's letter for the President, which, as I mentioned to you, the Colonel wished should go through his hands. In the mean time, I have thought well to send, with this copy, a translation of that letter, done with the assistance of my interpreter, which I hope will be found correct, when compared with the original. I might have satisfied myself on this particular, but that I declined imparting the contents to any other person for the present.

I had it in charge from Sidi Mahomet Ben Ottman, by His Majesty's directions, to recommend the appointment of a consul for Morocco, and that vessels of the United States might be furnished with sea passes, cut as those of European nations, to prevent accidents. On these subjects it may be necessary to say more hereafter.

In expenditure of the public money and articles for presents put into my charge, I hope it will be found I observed every consistent economy; and although the great length of time I was detained in the country, and unexpected obstacles I met, have not allowed me to succeed, in that particular, equal to my wishes, yet I have satisfaction in acquainting you that a balance of both remain, as you will see by the ample statements which will be transmitted so soon as Colonel Humphreys' return to Lisbon may enable me to determine whether it will be proper to transmit them direct, or through his hands.

Muley Soliman's retreat from Rhabat to Fez showed that he had no immediate intention to act against Benassar, and the others have taken upon themselves to command in the name of Ishem, who in fact is only a mere cipher; for he is never consulted on any occasion, nor even allowed to come to the encampments of those chiefs who command in his name. Islema has also lately promoted some disturbances at and near Tetuan; but yesterday a boat arrived with advice of part of Muley Soliman's army from Fez having reached that neighborhood on Friday, and that he was himself at Alcassar with the main body. Islema, in consequence, immediately returned to the sanctuary from whence he had come, and his adherents to their mountains. We may in consequence expect that order will again be speedily re-established in the north, and that the division of the empire I have had the honor of mentioning to you, will continue for some time to come. Whilst Soliman continues possessed of the fleet, and the only ports suitable for its protection, it is to him commercial nations will pay regard.

I have the honor to be, &c.

Soliman Ben Mahomet, Ben Abdullah, to whom God be merciful, to the President of America, a Prince, and to all the States.

In the Name of the Almighty God. There is no Power but that proceeding from God, the Great God.

After this we have received the letter where you mention your ambassador at Lisbon, whom you had appointed to come to us; and also we have received your said ambassador's power to your Consul Simpson, who resides at Gibraltar, by which he gives him power to act in every particular as he himself was authorized to do at our Imperial court, (which God have in his keeping) had he come to meet with us

By the present you sent us, and your letter, we know you still esteem us, and that you have regard for every thing that concerns us.

Your care to preserve our friendship is very agreeable to us; and you will experience the like from us, or more, because you were faithful to our father, who is in glory.

Your messenger, whom we esteem, we have received in a manner worthy of the friendship which subsists between you and us. Also we have received the present at his hands with satisfaction; and we have mentioned to him those articles of your present which were in particular acceptable and to our liking. Continue writing letters to us at our court, that our present friendship may be made the more secure, and still increased. And we are at peace, tranquillity, and friendship, with you, in the same manner as you were with our father, who is in glory. Peace.

Sealed at Rhabat, the second of the moon Zafar, in the year 1210.

GIBRALTAR, *September 14, 1795.*

I hereby certify that the foregoing is a true copy of the translation, done from the Arabic by Sidi Mahomet, Emfadal, of a letter from his imperial Majesty Muley Sóliman, to the President of the United States of America.

JAMES SIMPSON.

Website Note: End of Document of Interest Starts here: "4th Congress, 1st Session, 1795, References to Treaty Of Peace and Friendship (No.107).

4th CONGRESS.

No. 108.

[1st SESSION.

FRANCE.

COMMUNICATED TO CONGRESS, JANUARY 4, 1796.

UNITED STATES, *January 4, 1796.*

Gentlemen of the Senate and of the House of Representatives:

A letter from the minister plenipotentiary of the French republic, received on the 22d of the last month, covered an address, dated the 21st of October, 1794, from the Committee of Public Safety to the Representatives of the United States in Congress; and also informed me that he was instructed by the committee to present to the United States the colors of France. I thereupon proposed to receive them last Friday, the first day of the new year, a day of general joy and congratulation. On that day, the minister of the French republic delivered the colors, with an address, to which I returned an answer. By the latter, the House* will see that I have informed the minister, that the colors will be deposited with the archives of the United States. But it seemed to me proper, previously, to exhibit to the two Houses of Congress, these evidences of the continued friendship of the French republic, together with the sentiments expressed by me on the occasion, in behalf of the United States. They are herewith communicated.

G. WASHINGTON.

The Representatives of the French people composing the Committee of Public Safety of the National Conventi on charged, by the law of the 7th Fructidor, with the direction of Foreign Relations, to the Representatives of the United States of America in Congress assembled:

CITIZENS REPRESENTATIVES:

The connexions which nature, reciprocal wants, and a happy concurrence of circumstances, have formed between two free nations, cannot but be indissoluble. You have strengthened those sacred ties by the declarations which the minister plenipotentiary of the United States has made, in your name, to the National Convention, and to the French people. They have been received with rapture by a nation who know how to appreciate every testimony which the United States have given to them of their affection. The colors of both nations, united in the centre of the National Convention, will be an everlasting evidence of the part which the United States have taken in the success of the French republic.

You were the first defenders of the rights of man in another hemisphere. Strengthened by your example, and endowed with an invincible energy, the French people have vanquished that tyranny which, during so many centuries of ignorance, superstition, and baseness, had enchained a generous nation.

Soon did the people of the United States perceive that every victory of ours strengthened their independence and happiness. They were deeply affected at our momentary misfortunes, occasioned by treasons purchased by English gold. They have celebrated with rapture the successes of our brave armies.

None of these sympathetic emotions have escaped the sensibility of the French nation. They have all served to cement the most intimate and solid union that has ever existed between two nations.

The citizen Adet, who will reside near your Government in quality of minister plenipotentiary of the French republic, is especially instructed to tighten these bands of fraternity and mutual benevolence. We hope that he may fulfil this principal object of his mission, by a conduct worthy of the confidence of both nations, and of the reputation which his patriotism and virtues have acquired him.

An analogy of political principles; the natural relations of commerce and industry; the efforts and immense sacrifices of both nations in the defence of liberty and equality; the blood which they have spilled together; their avowed hatred for despots; the moderation of their political views; the disinterestedness of their counsels; and, especially, the success of the vows which they have made, in presence of the Supreme Being, to be free or die; all combine to render indestructible the connexions which they have formed.

Doubt it not, citizens; we shall finally destroy the combination of tyrants; you, by the picture of prosperity, which, in your vast country, has succeeded to a bloody struggle of eight years: we, by that enthusiasm which glows in the breast of every Frenchman. Astonished nations, too long the dupes of perfidious kings, nobles, and priests, will eventually recover their rights, and the human race will owe to the American and French nations their regeneration and a lasting peace.

The members of the Committee of Public Safety.

J. S. B. DELMAS,
MERLIN, (of Douai.) &c. &c.

PARIS, 30th Vendemaire, 3d year of the French Republic, one and indivisible, (Oct. 21, 1794.)

The Minister Plenipotentiary of the French republic to the President of the United States.

MR. PRESIDENT:

I come to acquit myself of a duty very dear to my heart: I come to deposite in your hands, and in the midst of a people justly renowned for their courage and their love of liberty, the symbol of the triumphs and of the enfranchisement of my nation.

When she broke her chains; when she proclaimed the imprescriptible rights of man; when, in a terrible war, she sealed with her blood the covenant she had made with liberty, her own happiness was not alone the object of

* Addressed to the Senate, also.