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MONDAY, APRIL 28, 1866

BY AUTHORITY.

By THE PRESIDENT OF THE UNITED STATES OF AMERICA.

**A PROCLAMATION.**

WHEREAS a treaty between the United States of America and the Bashaw of Tripoli was concluded and signed on the 4th day of June, 1805, and was duly ratified and confirmed by the President of the United States on the 17th day of this present month, by and with the advice & consent of the Senate, which treaty is in the words following, to wit:

**TREATY**

Of Peace and amity, between the UNITED STATES OF AMERICA and the BASHAW BEY and SUBJECTS of TRIPOLI, IN BARBARY.

Article 1st. There shall be, from the conclusion of this treaty, a firm, inviolable and universal peace, and a sincere friendship between the President and citizens of the United States of America, on the one part, and the Bashaw Bey and subjects of the Regency of Tripoli, in Barbary, on the other, made by the free consent of both parties, and on the terms of the most favored nation. 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, where it is freely granted to such other nation; but where 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.

Art. 2d. The Bashaw of Tripoli shall deliver up to the American squadron now off Tripoli, all the Americans in his possession; and all the subjects of the Bashaw of Tripoli, now in the power of the United States of America, shall be delivered up to him; and as the number of Americans in possession of the Bashaw of Tripoli amount to three hundred persons, more or less, and the number of Tripoline subjects in the power of the Americans, to about one hundred, more or less, the Bashaw of Tripoli shall receive from the United States of America, the sum of sixty thousand dollars, as a payment for the difference between the prisoners herein mentioned.

Art. 3d. All the forces of the United States, which have been, or may be in hostility against the Bashaw of Tripoli, in the province of Derne, or elsewhere within the dominions of the said Bashaw, shall be withdrawn therefrom, and no supplies shall be given by or in behalf of the said United States, during the continuance of this peace, to any of the subjects of the said Bashaw, who may be in hostility against him, in any part of his dominions; and the Americans will use all means in their power to persuade the brother of the said Bashaw, who has cooperated with them at Derne, &c. to withdraw from the territory of the said Bashaw of Tripoli; but will not use any force or improper means to effect that object, and in case he should withdraw himself as aforesaid, the Bashaw engages to deliver up to him, his wife and children now in his power.

Art. 4th. 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.

Art. 5th. 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 their effects so captured shall be restored to their lawful owners, or their agents.

Art. 6th. 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 Tripoli, on meeting with merchant vessels, belonging to citizens of the United States of America, shall not be permitted to visit them with more than two persons, besides the rowers; these two 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 said subjects of Tripoli, 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 of America, resident at Tripoli, and on his producing sufficient proof to substantiate the fact, the commander or rais of said Tripoline ship or vessel of war, as well as the offenders shall be punished in the most exemplary manner. All vessels of

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

ART. 7th. 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 certificate of condemnation and bill of sale, shall be a sufficient passport for such vessel for two years, which, considering the distance between the two countries, is no more than a reasonable time, for her to procure proper passports.

ART. 8th. Vessels of either party, putting into the ports of the other, & having need of provisions or other supplies, they 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 duties; but in no case shall she be compelled to land her cargo.

ART. 9th. Should a vessel of either party be cast on the shore 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 disposition of the owners, and the crew protected and succoured, till they can be sent to their country.

ART. 10th. If a vessel of either party shall be attacked by an enemy with gun shot of the forts of the other, she shall be defended as much as 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 allowed to pursue her from the same port, within twenty-four hours after her departure.

ART. 11th. The commerce between the United States of America and the Regency of Tripoli; the protections to be given to merchants, masters of vessels and seamen; the reciprocal right 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, with those of the most favored nations respectively.

ART. 12th. The consul of the United States of America shall not be answerable for debts contracted by citizens of his own nation, unless he previously gives a written obligation so to do.

ART. 13th. On a vessel of war, belonging to the United States of America, anchoring before the city of Tripoli, the consul is to inform the Bashaw of her arrival, and she shall be saluted with twenty one guns, which she is to return in the same quantity or number.

ART. 14th. As the government of the United States of America has, in itself, no character of enmity against the laws, religion, or tranquility of Musselmans, and as the said states never have entered into any voluntary war or act of hostility against any Mahometan nation, except in the defence of their just rights to freely navigate 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 respectively, 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 consuls 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 vessel that they may think proper to visit. They shall have likewise the liberty to appoint their own drogman and brokers.

ART. 15th. 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 as the place where the dispute shall happen, shall not be able to settle the same, the government of that country shall state their grievances in writing, and transmit it to the government of the other; and the period of twelve calendar 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, or subjects of both parties reciprocally, shall be permitted to embark with their effects unmolested, on board of what vessel or vessels they shall think proper.

ART. 16th. If in the fluctuation of human events, a war should break out between the two nations, the prisoners captured by either party shall not be made slaves, but shall be exchanged rank for rank. And if there should be a deficiency on either side, it shall be made up by the payment of five hundred Spanish dollars for each captain, three hundred dollars for each mate and supercargo, and one hundred Spanish dollars for each seaman so wanting. And it is agreed that prisoners shall be exchanged in twelve months from the time of their capture; and that the exchange may be effected by any private individual legally authorized by either of the parties.

ART. 17th. If any of the Barbary states, or other powers, at war with the United States of America, shall capture any American vessel, and send her into any of the ports of the Regency of Tripoli, they shall not be permitted to sell her, but shall be obliged to depart the port, on procuring the requisite supplies of provisions; and no duties shall be exacted on the sale of prizes, captured by the vessels sailing under the flag of the United States of America, when brought into any port in the Regency of Tripoli.

ART. 18th. 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 Tripoli to enforce his decisions, it shall immediately be granted to him, and if any disputes shall arise between any citizen of the United States, and the citizens or subjects of any other nation having a consul or agent in Tripoli; such disputes shall be settled by the consuls or agents of the respective nations.

ART. 19th. If a citizen of the U. States should kill or wound a Tripoline, or, on the contrary, if a Tripoline 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 trial, and if any delinquent shall make his escape, the consul shall not be answerable for him in any manner whatever.

ART. 20th. Should any of the citizens of the United States of America, die within the limits of the Regency of Tripoli, the Bashaw 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 Bashaw or his subjects give hindrance in the execution of any will that may appear.

Whereas the undersigned Tobias Lear, consul general of the United States of America, for the regency of Algiers, being duly appointed commissioner, 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 18th day of November, 1805, for negotiating and concluding a treaty of peace, between the United States of America, and the Bashaw, Bey, and subjects of the Regency of Tripoli in Barbary.

Now know, ye that I, Tobias Lear, commissioner 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 said United States.

Done at Tripoli, in Barbary, the fourth day of June, in the year one thousand eight hundred and five; corresponding with the sixth day of the first month of Rabbia, 1220.

**TOBIAS LEAR.**

Having appeared in our presence, colonel Tobias Lear, consul general of the United States of America, in the Regency of Algiers, and commissioner for negotiating and concluding a treaty of peace and friendship between us and the United States of America, bringing with him the present treaty of peace, with the within articles, they were by us minutely examined, and we do hereby accept, confirm, and ratify them, ordering all our subjects to fulfil entirely their contents without any violation and under no pretext.

In witness whereof we, with the heads of our regency, subscribe it.

Given at Tripoli in Barbary the sixth day of the first month of Rabbia 1220, corresponding with the fourth day of June, 1805.

- (L. S.) JUSUF CARAMANLY, Bashaw.
- (L. S.) MAHMET CARAMANLY, Bey.
- (L. S.) MOHA ET, Kahia.
- (L. S.) HAMET, Rais de Marine.
- (L. S.) MAHMET DEGHEIS, First Minister.

- (L. S.) SALAH, Aga of Divan.
- (L. S.) SELIM, Hamadar.
- (L. S.) MURAT, Dulartile.
- (L. S.) MURAT RAIS, Admiral.
- (L. S.) SOLIMAN, Kehia.
- (L. S.) ASHALLA, Basa Aga.
- (L. S.) MAHMET, Soheig at Bclad.
- (L. S.) ALLI BEN DIALE, First Secretary.

Now THEREFORE to the end that the said treaty may be observed and performed with good faith on the part of the United States, I have caused the premises to be made public; and I do hereby enjoin and require all persons bearing office civil or military, within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty, and every clause and article thereof.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

Done at the city of Washington the twenty-second day of April, in the year of our Lord, one thousand eight hundred and six; and of the

independence of the United States of America, the twenty-ninth.

TH: JEFFERSON.

By the President,

JAMES MADISON.

Secretary of State.

**American,**

COMMERCIAL DAILY ADVERTISER

MONDAY, APRIL 28, 1866

The Monserrat, Davis, of this port, was left at St. Jago de Cuba, 24 days since.—Brig Philip, Brown, of do. at Honduras, 36 days.

Ship William Porter, Fitzgerald, was spoken on the 29th April, 49 days from London, for this port.

The Betsy, Baxter, hence, and Rebecca, Churchill, do. have arrived at Boston.

Charles Stewart, Isaac Hall, and Isaac Chancey, Esquires, are promoted to the rank of Captains in the Navy of the United States.

Commodore Rodgers, having applied to the Secretary of the Navy for permission to return to the United States, has obtained it. He is to be succeeded by Capt. James Barron, who will go out in the Chesapeake, and who when in the Mediterranean will assume the command of the squadron on that station.

Captain Stewart is to have the command of the Chesapeake, and orders have been or soon will be issued to him to repair to Washington.

The Tunisian Minister and his Suit will, it is said, return in this frigate. We understand he is previously to visit Baltimore, Philadelphia, New-York and Boston and that the Chesapeake will touch at Boston for him.

Francis Gore, governor of Bermuda, has extended the time for importing provisions and other articles into the ports of St. George and Hamilton, until the 20th day of June next inclusive. His proclamation bears date the 14th March, 1866.

By the arrival of Ferguson's Packet on Saturday we received Norfolk papers of the 23d and 26th—they state the arrival of the Protectress and Dumfries from London; but the accounts they furnish are not so late as those received here by the United States; the latest London date being February the 27th. The few articles which we see a new we have selected; and they appear to be those on which the Norfolk editor make the following remarks:—

"The peace of the continent does not appear so firmly established as hath been supposed.

Prussia and the other northern powers of Germany, are about to receive the rewards of their perfidious policy. They must submit to the mandates of Buonaparte, or prepare for resistance by force. With what success they will be able to resist, may be readily supposed. Buonaparte will not relinquish his plan of shutting the German ports and the Baltic against Britain; Prussia and Denmark cannot assent without relinquishing their independence, and bringing inevitable ruin upon the commerce of their subjects."

LONDON, February 27.

Bonaparte still prosecutes, with unremitting ardour, the plans he has formed for the exclusion of British manufactures from the Continent, and which were not suspended even during the late peace.

By negotiation, by intrigue, by promises, and by threats, he endeavors to bring other powers to adopt his views; that all the ports of the Continent, from the extremity of Italy to the Baltic, may be shut against our commerce. It is understood, that some sharp remonstrances on this subject have been made, but hitherto without effect, to the Court of Berlin. Denmark has been assailed in the same way, and neither temptations nor threats, we understand, have been spared to induce her to shut the Sound against us—a measure that would be as ruinous to the commerce of the Danes, as it would be injurious to the British trade.

(Star.)

The arrival of the Hamburg mail puts us in possession of interesting intelligence.

The Court of Berlin does not appear easy in its present position. On the 14th instant, orders were issued to the Prussian troops to hold themselves in readiness to march. His MAJESTY's field equipage was at the same time ordered to be prepared. These demonstrations can scarcely be the effect of idle apprehension. Prussia, we are persuaded, would not deviate from her regular line of policy, which is that of peace, or, at the least, neutrality, except she were driven out of it. When the Sovereign of Prussia assumes an hostile attitude under the present circumstances of Europe, we may be convinced that it is the result of imperious necessity.

For what, indeed, can Prussia have to contend, and particularly with France, except for two principles: It is impossible but the court of Berlin must be awake to the dangers of that system of degradation and inferiority, to which the obvious course of Bonaparte's policy would reduce the principal states of Europe. If Prussia will consent to place herself in the same rank with Austria, Bavaria and Wirtemberg, she may enjoy peace; but if she has the spirit to struggle for the high rank she has obtained, she cannot assert it without coming into collision with France. How can there be a doubt, indeed, of the hostility of the latter power, when we learn, that she is about to assem-

ble an army of two hundred thousand men on the Rhine? Officers are sent to Austria, Russia, British or Sweden to combat in this quarter. Against whom, then, can these formidable preparations be directed, but Hesse & Saxony, in the first instance, and Prussia ultimately?

ALTONA, Feb. 18.

They write from Vienna, that the Austrians may still remain for some months on the war footing.

BERLIN, February 15.

The order of the day, issued yesterday does not only renew the injunctions to the troops to hold themselves in readiness to march, but the regiment of gendarmes have also received orders to get their extra complement of men, and to hasten the delivery of their recruits. His majesty's field equipage is again getting in readiness.

MEXICO, Feb. 9.

Within these few days, every thing has assumed the appearance as if our army were again to take the field. All the furloughs which had been given had been recalled, and all the troops collected in the depots have received orders to hold themselves in readiness to march—it is hoped, however, that the circumstances which may have given rise to these measures, will be speedily adjusted. The Marshals Berthier and Bernadotte are arrived here.

The British ship of war Leander, of 50 guns; the frigate Cambrian; and the Driver sloop of war, are all cruising off Sandy Hook, and brought to and boarded every vessel that went out of the Hook yesterday; amongst which was the brig Comet, Captain Center, for Nantz, which the Driver had in her possession last evening at sunset, having brought her to 8 hours before.

(New-York paper.)

A remarkable large rock was exposed for sale on Friday last in our city. Its circumference below the fins, was full 3 feet.

Counterfeiting still goes on; and, in every instance, to the utter perdition of the individual—we hope, not to the disadvantage of the unsullied character of our city, since the perpetrators are, in every case, recent interlopers, either foreign or domestic. A fellow of the name of Green was yesterday committed for counterfeiting and passing a forged note of 150 dollars. Brokers, look sharp!

Fed. Gaz.

**FIRE!**

About 12 o'clock last evening a fire broke out in the rear of the office of this paper, which threatened alarming consequences; but, by the extraordinary vigilance of the firemen and the citizens it was got under without doing any other material damage than consuming the stable in which it originated. This is the third time, that these stables have caught fire during the last twelve months.

(N. Y. Merc. Adv.)

On Monday was launched at the Navy Yard Washington, in the presence of a great number of ladies and gentlemen, the United States brig WASP, pierced for sixteen 42lb. carronades, and two long 18 pounders. This beautiful vessel glided majestically from the stocks, and was received on the bosom of the Potomac, amidst the acclamations of the numerous spectators, who were highly gratified by the pleasing exhibition.

The Chesapeake it is said, is repairing for the Mediterranean.

(Wash. Fed.)

Mr. MURROZ, Minister of the United States to the English government, has transmitted, at the request of the Envoy of the King of Prussia, resident in London, and by order of the King, a Gold Medal, to Doctor RUSH, of this city, as an acknowledgement of the high sense entertained of his Medical writings. The Medal contains on the one side, a likeness of the King of Prussia, and on the other, an appropriate device.

(Phil. paper.)

**NEW-ORLEANS, March 19.**

It appears from some recent letters from Mobile, that since the arrival there of the intendan (Morales,) they are doing their utmost to prejudice the minds of the people against the Americans. It is reported that they are not even content with this, but that governor Folck has had conferences with different Indian chiefs. The object of these conferences are not particularly stated; but it is supposed that they are endeavoring to persuade the Indians to commit outrages on our frontiers. It is further reported, that sixty horse loads of gunpowder have been carried out of the town of Mobile by the Indians. Such is the line of conduct this jealous and infatuated people pursue. What they cannot accomplish by fair and upright means, they make up by the most base subterfuge.

**Marine Intelligence.**

PORT OF BALTIMORE.

From the Merchant's Coffee-House Books.

April 26.

Arrived schooner Fortitude, Holmes, 3 days from New York—teas, nankens, &c. sundry persons.

Also, ship William Murdock, Jerauld, 53 days from London—bale goods—different persons. March 23, in lat. 39, long. 40, 12, spoke ship Cumberland, 14 days from New-York, for Amsterdam. 25th, lat. 40, long. 47, ship United States, from New-Orleans, for Liverpool. April 17, lat. 37, 56, long. 59, ship Jane, from Bordeaux, for Philadelphia, out 56 days. 19th, lat. 37, 12, long. 73, a ship 65 days from Bordeaux, for Philadelphia. 21st, lat. 36, long. 70, ship Baltimore, Long, from Baltimore, for Calcutta.

Also, ship Olive, Richards, 87 days from Liverpool—salt, crates, &c.—John and James Caruthers. March 24, off the Western Islands, spoke ship Six Sisters, Auld, 28 days from Cork for Baltimore.