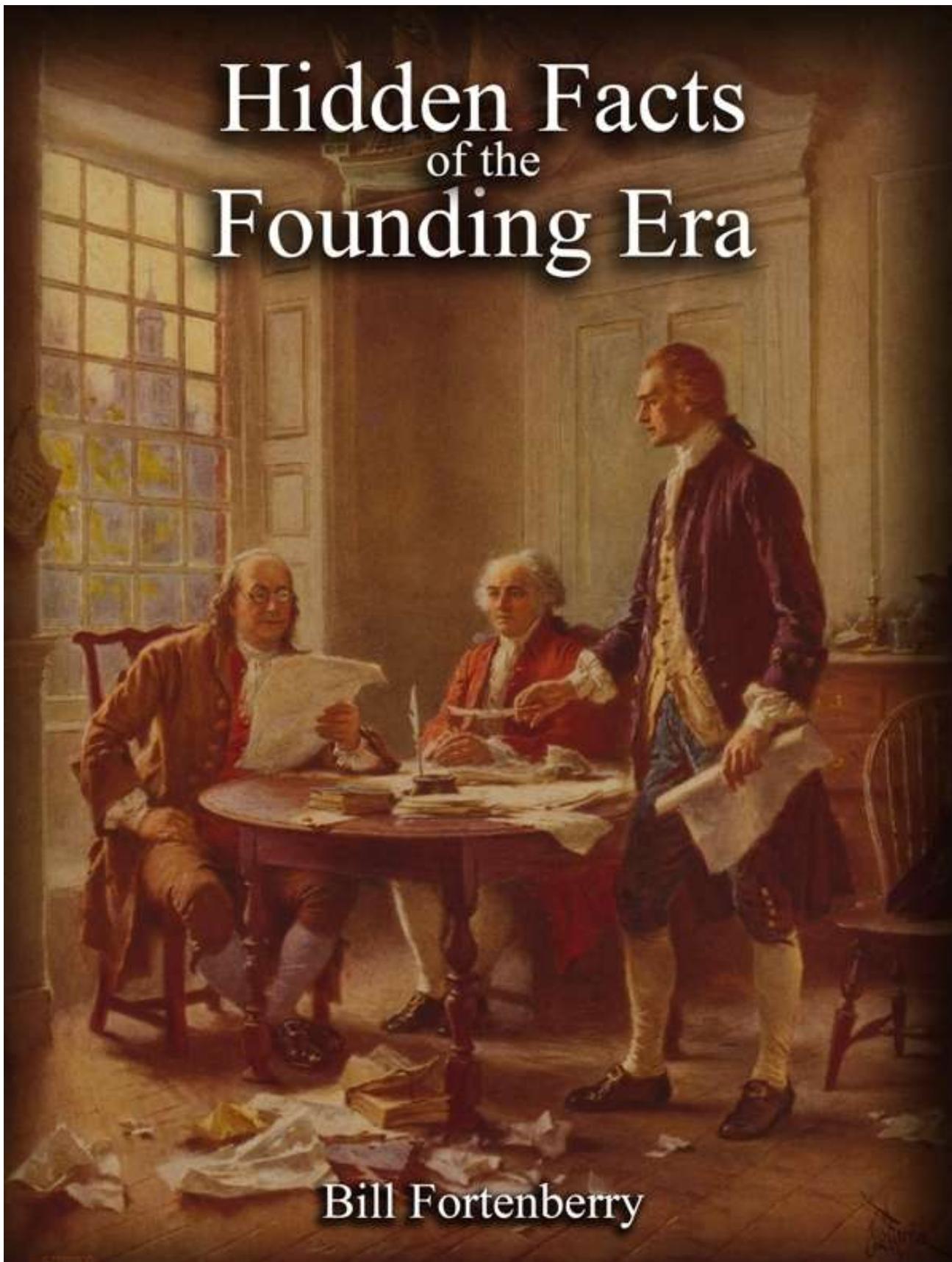


Hidden Facts of the Founding Era



Bill Fortenberry

The Treaty of Tripoli

No attempt to denigrate the Christian character of our founding fathers would be complete without an appeal to the Treaty of Tripoli, and Mr. Pinto's film is no exception. According to the film, Article Eleven of the Treaty of Tripoli is "the clearest declaration that the original founders of the United States of America did not believe that they were setting forth a Christian Nation." However, there are several facts about the Treaty of Tripoli that often ignored by modern scholars which give an entirely different view of that document's importance.

The Treaty of Tripoli was ratified in June of 1797 to establish terms of peace between America and the Muslim nation of Tripoli which had been attacking American merchant ships. Article Eleven of that treaty bears the infamous phrase, "the government of the United States of America is not in any sense founded on the Christian Religion."¹ In the film, Mr. Pinto made six assertions about this phrase, and I will address each of them individually. He claimed:

- 1) That this phrase was written specifically by the founding fathers of America.
- 2) That this phrase was intentionally included in the treaty by the founders in order to declare the non-Christian nature of our government.
- 3) That this phrase was unanimously approved by the Senate.
- 4) That this phrase was not opposed because nearly all of the founding fathers were infidels.
- 5) That there were no Christians in the early government of our nation.
- 6) That the text of Article Eleven was written personally by George Washington as part of our first treaty with a non-Christian nation.

Here are the actual facts regarding the Treaty of Tripoli which Mr. Pinto and other modern scholars have intentionally chosen to overlook:

First, it is important to note that Article Eleven of the Treaty of Tripoli was not written by any of the founding fathers of America. In fact, it was not even written by an American at all. Article Eleven is actually a letter that was written from the Dey of Algiers to the Pasha of Tripoli encouraging him to pursue friendly relations with the Americans. According to Hunter Miller's notes on the treaty:

"The Barlow translation is at best a poor attempt at a paraphrase or summary of the sense of the Arabic; and even as such its defects throughout are obvious and glaring. Most extraordinary (and wholly unexplained) is the fact that Article 11 of the Barlow translation, with its famous phrase, 'the government of the United States of America is not in any sense founded on the Christian Religion,' does not exist at all. There is no Article 11. The Arabic text which is between Articles 10 and 12 is in form a letter, crude and flamboyant and withal quite unimportant, from the Dey of Algiers to the Pasha of Tripoli. How that script came to be written and to be regarded, as in the Barlow translation, as Article 11 of the treaty as there written, is a mystery and seemingly must remain so."²

When modern scholars are confronted with this fact, it is common for them to respond that it was the English translation of the treaty which was ratified by the Senate and which should be the focus of the discussion. This is incorrect. While it is true that an English translation was

made of the treaty and that the English translation was provided to the Senate, it is wholly fallacious to claim that the translation was somehow made superior to the original treaty. Imagine for a moment that the translation of this treaty had disagreed with the original in regards to the amount to be paid by the United States to the nation of Tripoli. The Arabic original included a demand for twelve thousand Spanish dollars. If the English translation had erroneously recorded this amount as twelve hundred Spanish dollars, which of the two versions would be considered superior to the other? The answer, of course, is that the Arabic original is superior to the English translation. Any errors which may exist in the English translation are of no real consequence. It is the original treaty and only the original treaty which was made the law of the land by virtue of being ratified by the Senate.

Of course, one may ask what value should be placed in the English translation, and we could answer that it should not receive any value at all other than that of a curiosity of early American history. I am sure that Mr. Pinto would argue for a much higher value, but in order to give the translation any greater credence, he must first be able to demonstrate that the Senators of that time were ignorant of the fact that the translation contained errors. However, contrary to the impression that is given by Mr. Pinto's film, the Senate did not simply read the treaty out loud in English and then vote to ratify it. The Senate Executive Journal records that the treaty was delivered to the Senate by John Adams on May 26, 1797,³ that it was read before the Senate on May the 29th,⁴ that it was referred to a committee for consideration on May the 30th⁵ and that they did not give their consent to its ratification until June the 7th.⁶ The Senators had ample time and opportunity to familiarize themselves with actual Arabic treaty on which they were voting. There is no reason to assume that they simply read the English translation and gave their approval of it.

Furthermore, it was known at that time that the English translation was "extremely erroneous." About a month after the Senate gave their consent to the ratification of the treaty, they also gave their consent to the President's appointment of James Cathcart as Consul General of Tripoli. When Mr. Cathcart arrived in Tripoli, he obtained a copy of the English translation of the treaty, but he also procured an Italian translation and wrote the following explanation of its contents:

"Literal translation of the Treaty between the United States of America &: the Regency of Tripoli in Barbary-the translation in English sign'd by Joel Barlow Esq. on the 26th of November 1796 being extremely erroneous."⁷

It is important to note that this description of the errors in the English translation does not apply just to the contents of Article Eleven, but rather the entire translation was very poorly constructed. As Mr. Miller noted in his commentary on the treaty,

"The Barlow translation is at best a poor attempt at a paraphrase or summary of the sense of the Arabic; and even as such its defects throughout are obvious and glaring."⁸

In order for Mr. Pinto's position on the treaty to be considered as true, he must be able to demonstrate that the Senators who ratified that document were too ignorant to notice the translation errors which have been pointed out by multiple individuals throughout the history of the treaty.

Consider for a moment that one of the men on the Senate committee assigned to review the Treaty of Tripoli was Henry Tazewell. Very few people alive today have ever heard of Mr. Tazewell, but he was very well known during the latter part of the 18th century when the Treaty of Tripoli was signed. Prior to being elected to the Senate in 1794, Mr. Tazewell had graduated from the College of William and Mary with a degree in law, had been elected to serve as a member of the house of burgesses, was a delegate to the Virginia constitutional convention, was a member of the Virginia General Assembly, served as first a judge and then as chief justice of the Virginia General Court and also as a judge on the Virginia Supreme Court. And he had accomplished all of this by the time that he was forty one years of age.⁹ This was one of the men who was asked to review the Treaty of Tripoli before it was voted on by the Senate. Surely, Mr. Pinto is not suggesting that Mr. Tazewell was so incompetent that he was unable to recognize the errors in the English translation of the treaty. That leaves us with only two options. Either Mr. Tazewell consented to the insertion of the text of Article Eleven into the English translation in spite of his knowledge as a judge that the translation itself was non-binding, or he recognized the flaws of the English translation and decided that the errors contained in a non-binding translation of the treaty were not sufficient cause for rejecting the treaty itself. It seems only reasonable to me to conclude that the second option is more likely to be the path taken by a man of such intelligence and experience as Mr. Tazewell.

Mr. Pinto's second claim in regards to the Treaty of Tripoli was that the wording of Article Eleven was intentionally included in the treaty by the founding fathers in order to declare the non-Christian nature of our government. However, this claim is incompatible with the sequence of events which transpired in the writing, the translation and the ratification of the Treaty of Tripoli.

Contrary to popular belief, the Treaty of Tripoli was not directly negotiated by the founding fathers. It was actually negotiated by a man named Joel Barlow who had been appointed to negotiate with Tripoli by Col. David Humphreys. The original treaty book which was presented to the Senate for ratification contained the following letter from Col. Humphreys explaining Mr. Barlow's involvement:

“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 Most Illustrious the Bashaw, Lords and Governors of the City & Kingdom of Tripoli; whereas by a Writing under his Hand and Seal dated the 10th of February 1796, he did (in conformity to the authority committed to me therefore) constitute and appoint Joel Barlow and Joseph Donaldson Junior Agents jointly and separately in the business aforesaid; whereas the annexed Treaty of Peace and Friendship was agreed upon, signed and sealed at Tripoli of Barbary on the 4th Of November 1796, in virtue of the Powers aforesaid and guaranteed by the Most potent Dey and Regency of Algiers; and whereas the same was certified at Algiers on the 3d of January 1797, with the Signature and Seal of Hassan Bashaw Dey, and of Joel Barlow one of the Agents aforesaid, in the absence of the other.

“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.

“In testimony whereof I have signed the same with my Name and Seal, at the City of Lisbon this 10th of February 1797.”¹⁰

This letter gives us our first set of dates for determining the sequence of events regarding the Treaty of Tripoli. From this letter, we learn that George Washington appointed Col. Humphreys to negotiate with Tripoli on March 30, 1795, and that Col. Humphreys subsequently appointed Mr. Barlow to the task of negotiation on February 10, 1796. Mr. Barlow completed his negotiations with Tripoli with a treaty that was signed in Tripoli on November 4, 1796, and then signed again in Algiers on January 3, 1797. Mr. Barlow then traveled with the treaty to Lisbon where he presented it to Col. Humphreys on February 10, 1797.

We can now fill in a few additional dates which have already been mentioned. From Mr. Cathcart’s note we can see that the Treaty of Tripoli was translated into English by Mr. Barlow on November 26, 1796.¹¹ We have also previously noted that the treaty was delivered to the Senate by Mr. Adams on May 26, 1797, that it was read before the Senate on May 29, 1797, that it was referred to a committee for consideration on May 30, 1797, and that it was ratified by the Senate on June 7, 1797.

From this sequence of events, it is obvious that none of the founding fathers would have had an opportunity to directly influence the Treaty of Tripoli at any time from its negotiation by Mr. Barlow to its arrival in America. As we have already noted, Article Eleven of the treaty was part of the translation which Mr. Barlow completed on November 26, 1796. This means that the phrase “the government of the United States of America is not in any sense founded on the Christian Religion” was introduced into the translation of the Treaty of Tripoli 76 days before Col. Humphreys sent the completed treaty to America and 181 days before the treaty was presented to the Senate by Mr. Adams. The language of Mr. Barlow’s translation predates any possible direct involvement of the founding fathers with the Treaty of Tripoli.

Mr. Pinto’s third claim – that the Treaty of Tripoli was unanimously ratified by the Senate – is somewhat true but very misleading. According to the Senate Executive Journal, only 23 of the 32 senators were present at the time that the vote was taken,¹² so the claim that the treaty was ratified unanimously is not entirely accurate. Additionally, after making this claim, Mr. Pinto asked, “Where were all the Christian founders to leap to their feet and to lift up a shout against this treaty?” Mr. Pinto then answered his own question by saying that there was an absence of Christians in the early American government, but the truth is a great deal less conspiratorial. What Mr. Pinto failed to mention in his film is that the only founding father who was even a member of the Senate at that time was a single individual by the name of William Blount. We have already seen why there was no reason for anyone to object to the Treaty of Tripoli, but even if Mr. Barlow’s translation were an accurate representation of the actual treaty, it would still be very misleading for Mr. Pinto to claim that none of the founding fathers stood up to oppose the

treaty in the Senate. By Mr. Pinto's logic, we would have to conclude that the founding fathers were in favor of universal healthcare since none of them rose up to oppose it when it was being debated in Congress in 2010.

In a radio broadcast responding to my statement of the facts of the Treaty of Tripoli, Mr. Pinto also suggested that the Senate could have struck out Article Eleven and that they could have ratified the entire treaty except for that one article.¹³ There is only one, small problem with this suggestion. The Senate does not have the Constitutional authority to modify treaties. According to Section 2 of Article II of the Constitution, it is the President who has "Power, by and with the Advice and Consent of the Senate, to make Treaties."¹⁴ The Senate's role is that of advice and consent only. They have no negotiating authority. Therefore, when Mr. Adams presented the Treaty of Tripoli to the Senate for their consent, their only option was to either offer that consent or deny it. The Senate Executive Journal records that the treaty had not been printed at the time that it was presented to the Senate. Thus, the Senate had in their possession the original, handwritten version of the treaty along with the English translation by Mr. Barlow, and we have already seen that the discrepancies between the original treaty and Mr. Barlow's translation were both glaring and obvious. Why would the Senate refuse its consent to a much sought after and dearly purchased treaty based solely on the grounds that the non-binding, English translation of that treaty contained obvious flaws? These men would have correctly recognized that they were giving their consent only to the ratification of the original Arabic treaty, that Article Eleven of the original treaty was a non-binding letter from the Dey of Algiers to the Pasha of Tripoli and that they had no legitimate grounds for refusing their consent to its ratification.

Nonetheless, Mr. Pinto's suggestion actually does have some degree of merit. The Senate could have requested that the first sentence of Article Eleven be removed from the English translation of the treaty. Why could they have made such a request? Precisely because the English translation is not the actual treaty that they were asked to vote on. The translation had no constitutional protection beyond the protection guaranteed to it by the copyright clause of Article I, Section 8. The Senate could very easily have asked that a new and better translation be made available to them, but for what purpose? The very fact which would have allowed them to ask for a new translation is the same fact which proves that the translation itself is inconsequential. Why then should they waste resources on a second translation? Instead of bickering over the errors present in the English, they simply advised the President that they had given their consent to the treaty which everyone knew was written in Arabic. In either case, however, it is clear from the Constitution that the Senate could not have done as Mr. Pinto proposed by ratifying all of the treaty except for Article Eleven. To do so would have been an exercise of negotiating powers which are reserved solely to the executive branch of the government.

Mr. Pinto's fourth claim was presented as a quote from a nineteenth century sermon in which the founding fathers were said to have been "nearly all infidels." In the film, Mr. Pinto claimed that this sermon was preached by Dr. Bird Wilson who was the son of James Wilson, one of our founding fathers. However, there is a crucial fact about this sermon that Mr. Pinto has kept hidden, and that is that there are no records from the nineteenth century which link this sermon to Dr. Bird Wilson.

The sermon to which Mr. Pinto referred was originally published in October of 1831 in the Albany Daily Advertiser, and as far as I know, there are no surviving copies of that original publication. However, interesting stories from smaller newspapers are often picked up by larger papers to be distributed to a broader audience, and that is exactly what happened in the case of this sermon. The editors of the Evangelical Magazine reprinted the sermon from the Albany Daily Advertiser in their December 10, 1831, edition,¹⁵ and as you can imagine, this broad distribution of a sermon calling the founding fathers infidels produced a torrent of responses from the readers. The December 10, 1831, edition of the Evangelical Magazine attributed this sermon simply to Dr. Wilson of Albany, New York; but in their response to the letters from the readers, the editors of the magazine provided the following documentation of the source of this inflammatory sermon:

“A general consternation pervades the ranks of our Presbyterian brethren since the publication of Dr. Wilson's infamous sermon. Some call it a forgery -- manufactured in this village, and for this paper -- by calling on us, or examining a file of the Albany Daily Advertiser, these may learn their mistake. Others deny the Doctor to be a Presbyterian. Whether he is, or not, we have not stated positively -- we believe he is, and advise them, before they deny it, to inquire for themselves. Certain it is, Doctor Ely of Philadelphia, and Doctor Henry R. Wilson of Albany, contend who is the most orthodox in the Presbyterian faith, and agree in politics. (See Magazine and Advocate, No. 49, Vol. 2) Let, then, every honest and republican Presbyterian inquire for himself and act accordingly. There are, certainly, many patriotic men in that denomination and we solemnly call on them, as they love our country, its liberties and free institutions, to come out of this Babel of iniquity -- have no part nor lot in the treason of their leaders and openly oppose their iniquitous designs and unhallowed sentiments. If they do not inquire -- if they will not act against them -- then let them come out boldly in defence of the sermons of Doctors Wilson and Ely -- let them be men even in their treason.”¹⁶

As you can see, the editors of the Evangelical Magazine stated less than two months after Dr. Wilson gave his sermon that it was presented by Dr. Henry R. Wilson. The name of Dr. Bird Wilson was not associated with this sermon until Franklin Steiner's book which was published more than 100 years later in 1936.¹⁷ Mr. Pinto admitted in a subsequent radio broadcast that he relied partly on Mr. Steiner's book for his claim that the sermon was presented by Dr. Bird Wilson, but he failed to mention that this book was published more than a century after the fact.¹⁸

Mr. Steiner's book borrowed extensively from the work of John E. Remsburg of whom Mr. Steiner wrote, “John E. Remsburg, in his *Six Historic Americans*, has given the religious views of four Presidents, Washington, Grant, Lincoln and Jefferson, which is the only attempt I know of to do justice to the subject.”¹⁹ Mr. Remsburg, however, made a clear differentiation between the Rev. Dr. Wilson who preached the sermon published in the Albany Daily Advertiser and the Rev. Bird Wilson D.D. who wrote the *Memoir of Bishop White*.²⁰ This distinction is overlooked by Mr. Steiner, and many of those who have read his book have been led to believe that the two Dr. Wilsons were one and the same.

Moreover, the editors of the Evangelical Magazine clearly stated that the Dr. Wilson who preached the infamous sermon in Albany was believed to be a Presbyterian minister, and the

original article containing the text of the sermon declared that it was presented to Dr. Wilson's own congregation. This would make it very difficult for Dr. Bird Wilson to have been the source of this sermon since he never was a Presbyterian, and by 1831, he was no longer serving as a pastor but rather as the Professor of Systematic Divinity at the General Theological Seminary of the Protestant Episcopal Church.²¹

Thus we have a contemporary source which fully refutes Mr. Pinto's claim that this sermon was preached by a man with firsthand knowledge of the beliefs of our founding fathers. Of course, that fact alone does not refute the claims presented in the sermon. Most of those claims have been addressed in other sections of this book, and there is no need to repeat them here. I will only point out that one of the portions of the sermon that Mr. Pinto quoted in his film relies on the proceedings of the Constitutional Convention which were said to have been published by Charles Thomson. This is a direct contradiction of a fact which is presented in an earlier segment of the film. Mr. Thomson never published a book on the proceedings of the Constitutional Convention, and Dr. Wilson's claim to the contrary provides irrefutable evidence that his sermon is an unreliable source of information regarding the founding fathers.

This brings us to Mr. Pinto's fifth claim which was that there were no Christians in the early American government. We have already discussed the statements of faith which were made by George Washington, John Adams, Benjamin Franklin, Charles Thomson, Benjamin Rush and Elias Boudinot. These alone would refute Mr. Pinto's claim, but in addition to these, we could add the names of Samuel Adams, Charles Carroll, John Dickinson, Elbridge Gerry, Patrick Henry, Samuel Huntington, John Jay, George Mason, Thomas McKean, Frederick Muhlenberg, Robert Treat Paine, Roger Sherman, Jonathan Trumbull, John Witherspoon and many, many more.²² We have records from each of these men individually proclaiming their faith in the sacrificial death of Jesus Christ for their salvation, and yet Mr. Pinto still claims that our early government was devoid of Christians.

Mr. Pinto's admission that he has relied on the work of Mr. Steiner actually explains a great deal about his view of these men. In the introduction to the book *The Religious Beliefs of our Presidents*, Mr. Steiner wrote: "Two broad principles have guided me in seeking information about the religious opinions of public men. First, when such a man has in fact been religious, he has almost always made it known ... My second rule leads me to conclude that where a noted man has in fact been of a certain belief or a member of a certain Church, the fact has never been disputed."²³ Mr. Pinto seems to have applied these rules and especially the second one to his own investigations. The flaw in these two rules is aptly illustrated by a letter that Patrick Henry wrote to his daughter in 1796:

"Amongst other strange things said of me, I hear it is said by the deists that I am one of their number; and, indeed, that some good people think I am no Christian. This thought gives me much more pain than the appellation of Tory; because I think religion of infinitely higher importance than politics; and I find much cause to reproach myself that I have lived so long and have given no decided and public proofs of my being a Christian. But, indeed, my dear child, this is a character which I prize far above all this world has, or can boast."²⁴

Here we have a statement from one of the founding fathers of our nation who claimed that men like Mr. Steiner and Mr. Pinto might look on his life and wrongly conclude that he was not a Christian. This brings us to the question of Mr. Pinto's definition of a Christian. In his radio broadcast, Mr. Pinto correctly identified Christianity as a belief in the Gospel as presented in the Bible – that Jesus died for our sins according to the Scriptures, that He was buried and that He rose again on the third day according to the Scriptures.²⁵ There is nothing in the Gospel itself which requires a man to hold to any additional belief. The only requirement for salvation is a belief in and an acceptance of the sacrificial death of Jesus. If any man shall confess with his mouth the Lord Jesus and shall believe in his heart that God hath raised Him from the dead, that man shall be saved.²⁶ We can state with full assurance that any of the founding fathers who accepted the sacrificial death of Jesus for the forgiveness of his sins was a Christian regardless of any accusations to the contrary.

However, in spite of Mr. Pinto's correct definition of Christianity, he does not seem to have applied that definition to his study of the founding fathers. Rather, he seems to have a list of doctrines beyond the gospel by which he judges these men to be anti-Christ. For example, in one of his broadcasts, Mr. Pinto took exception to my inclusion of Charles Carroll in my list of founding fathers who were Christians, but he did not object on grounds of Mr. Carroll's belief in the sacrificial death of Jesus Christ. On the contrary, Mr. Pinto objected to calling Charles Carroll a Christian solely because Mr. Carroll was a member of the Catholic church.²⁷ Perhaps Mr. Pinto can provide us with a verse stating that no Catholic can ever enter into heaven. I certainly cannot find such a doctrine within the pages of Scripture. I agree that there is a great deal of error within the Catholic teachings and that those who rely on such false doctrines for their salvation will find themselves facing the wrath of God, but to claim that no one can be both Christian and Catholic is contrary to the clear teachings of the Bible. All one has to do to obtain salvation is accept the sacrificial death of Jesus Christ. Mr. Carroll proclaimed his acceptance of that sacrifice in a letter to Dr. Charles Wharton on September 27, 1825 in which he stated:

“On the mercy of my redeemer I rely for salvation and on his merits; not on the works I have done in obedience to his precepts.”²⁸

Additionally, Mr. Pinto focused a great deal on the doctrine of the Trinity in several segments of his film, and I agree with Mr. Pinto that this is a very important Christian doctrine. I do not, however, know of any place in Scripture which teaches that belief in this doctrine is necessary for salvation. I recently returned from a trip to Panama City, Panama where we were privileged to see thirty-five people accept Christ as their Savior. As far as I know, not a single one of these individuals professed a belief in the doctrine of the Trinity at the time of their profession of faith. Would Mr. Pinto deny that these people are now Christians? Suppose that one of these new believers was from another town, and when he returned there, he joined the only church which he could find and which happened to be a Unitarian church. Would this man lose his salvation if he came to accept the doctrines of Unitarianism? The Bible teaches otherwise. Both Ephesians 4:14 and Hebrews 13:9 speak of believers being deceived by strange doctrines and cunning craftiness of men, and it is obvious from the passage in Ephesians that this did not cause these people to lose their salvation. They remained Christians even while believing falsehoods.

Of course, Mr. Pinto is not alone in his opinion that those who do not hold to a particular set of

doctrines must be denounced as anti-Christ. I have often come across people, for example, who say that one must believe in the young age of the earth in order to be a “real” Christian, yet Dr. William Lane Craig who rejects that doctrine has a solid profession of faith in the finished work of Jesus Christ and is as assuredly a Christian as any young earth creationist could ever hope to be. Likewise, Dr. Wilson, in his sermon on the religion of the presidents, stated emphatically that George Washington was not a Christian solely because Mr. Washington did not partake of the Lord’s Supper, and he condemned John Adams solely because Mr. Adams partook of the Lord’s Supper in a Unitarian Church. Dr. Wilson makes no attempt whatsoever to discover if either of these men had accepted the sacrificial death of Jesus Christ for the forgiveness of their sins. He sought only to discover some area of practice in which they differed from his own beliefs, and then he condemned them as infidels based upon that practice alone.

To return to the topic, Mr. Pinto’s final claim was that the text of Article Eleven of the Treaty of Tripoli was written personally by George Washington. We have already demonstrated that the English version of this article was a mistranslation of a letter written from one Muslim ruler to another and that it therefore has no legal standing. This is why the text of Article Eleven has never been utilized in a federal court case to argue against the Christian foundation of our nation. If it were true that Mr. Washington wrote this text in order to establish legal proof of the secular nature of the American government, then the inclusion of this text in the English translation and not the Arabic original would mark one of the greatest blunders of his life. In reality, however, there is nothing that links Mr. Washington to the text of Article Eleven beyond the rantings of various humanists and free thinkers who have taken great liberties with the facts in order to make their claims.

For example, the “historian” that Mr. Pinto cites in support of this idea, Moncure D. Conway, was a disgruntled Unitarian pastor who eventually abandoned all Christian theology in favor of humanism and free thought. Here is Mr. Conway’s statement regarding Mr. Washington’s involvement in the Treaty of Tripoli:

“President Washington the first time that he ever came in treaty with a non Christian people (Tripoli) sent to the Senate (1776) a treaty which opened with the following...”²⁹

In this statement, Mr. Conway claimed that the Treaty of Tripoli was the first treaty that President Washington signed with a non-Christian nation, but the Treaty of Tripoli was actually the third of the Barbary Treaties. It was preceded by the Treaty with Algiers signed during Mr. Washington’s presidency in 1795³⁰ and the Treaty with Morocco ratified by the Continental Congress in 1786.³¹ Neither of these treaties contained the text of Article Eleven. Furthermore, as we have seen, the Treaty of Tripoli was not submitted to the Senate in 1776 by Mr. Washington as Mr. Conway claims but rather by Mr. Adams in 1797. In 1776, there was neither a Senate to receive the treaty nor a President to present it to them nor even an Ambassador to treat with Tripoli in the first place. Mr. Conway simply twisted the facts to make them comply with his free thinking ideology.

Thus the document which Mr. Pinto declares to be the strongest evidence against the Christian beliefs of the founding fathers is found to be no evidence at all. It was not written by the founding fathers; they did not choose to include it in the Treaty of Tripoli; there was no reason

for them to object to it, and Mr. Pinto's claims to the contrary have been shown to be false. Once the facts of the Treaty of Tripoli are brought to light, the declaration of Article Eleven is easily recognized as nothing more than a mere curiosity of American history.

¹ Miller, Hunter, *Treaties and Other International Acts of the United States of America* vol 2, Government Printing Office, Washington, 1931 (http://avalon.law.yale.edu/18th_century/bar1796t.asp)

² *ibid* (http://avalon.law.yale.edu/18th_century/bar1796n.asp#n6)

³ Journal of the Executive Proceedings of the Senate of the United States of America, Volume 1, pg 240-241 (http://memory.loc.gov/cgi-bin/ampage?collId=llej&fileName=001/llej001.db&recNum=247&itemLink=D?hlaw:3:/temp/~ammem_1P1k::%230010248)

⁴ *ibid*

⁵ *ibid*

⁶ Journal of the Executive Proceedings of the Senate of the United States of America, Volume 1, pg 244 (http://memory.loc.gov/cgi-bin/ampage?collId=llej&fileName=001/llej001.db&recNum=250&itemLink=D?hlaw:3:/temp/~ammem_1P1k::%230010248)

⁷ Miller, Hunter, *Treaties and Other International Acts of the United States of America* vol 2, Government Printing Office, Washington, 1931 (http://avalon.law.yale.edu/18th_century/bar1796n.asp#n3)

⁸ *ibid* (http://avalon.law.yale.edu/18th_century/bar1796n.asp#n6)

⁹ "Tazewell, Henry," *Biographical Directory of the United States Congress*, accessed online at: (<http://bioguide.congress.gov/scripts/biodisplay.pl?index=T000107>)

¹⁰ Miller, Hunter, *Treaties and Other International Acts of the United States of America* vol 2, Government Printing Office, Washington, 1931 (http://avalon.law.yale.edu/18th_century/bar1796t.asp#t3)

¹¹ *ibid* (http://avalon.law.yale.edu/18th_century/bar1796n.asp#n3)

¹² Journal of the Executive Proceedings of the Senate of the United States of America, Volume 1, pg 244 (http://memory.loc.gov/cgi-bin/ampage?collId=llej&fileName=001/llej001.db&recNum=250&itemLink=D?hlaw:3:/temp/~ammem_1P1k::%230010248)

¹³ "Answering Bill Fortenberry (Part 1)," *Noise of Thunder Radio*, July 9, 2012, (http://www.noiseofthunder.com/noise-of-thunder-radio-show-tw/2012/7/8/notradio_7912.html)

¹⁴ "The Constitution of the United States," Article II, Section 2, (http://www.archives.gov/exhibits/charters/constitution_transcript.html)

¹⁵ Skinner, Dolphus, *Evangelical Magazine and Gospel Advocate* vol 2, "Sermon of the Rev. Dr. Wilson, of Albany, to his Congregation, on Sunday, October 23d, 1831," A. B. and R. K. Grosh Printers, 1831, pg 363 (<http://books.google.com/books?id=-zMrAAAAYAAJ&pg=PA363#v=onepage&q&f=false>)

¹⁶ *Ibid* "It Works," pg 411

¹⁷ Steiner, Franklin, *The Religious Beliefs of our Presidents: From Washington to F.D.R.*, Prometheus Books, Amherst, New York, 1995, pg. 26 (http://www.infidels.org/library/historical/franklin_steiner/presidents.html)

¹⁸ "Answering Bill Fortenberry (Part 2)," *Noise of Thunder Radio*, July 10, 2012, (http://www.noiseofthunder.com/noise-of-thunder-radio-show-tw/2012/7/9/notradio_71012.html)

¹⁹ *Ibid* pg. 9

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²⁶ Romans 10:9

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