THE PAPERS OF
THOMAS JEFFERSON

From James Madison

DEAR SIR

New York Octr. 8. 1788

Herewith inclosed are a letter for yourself forwarded to my hands from General Washington, and two others for the Marquis, one from the same quarter, the other from myself. I put both the last under cover to you, not knowing what regard may be due to newspaper authority, that the Marquis is under the open displeasure of the Court, and may therefore be the less likely to receive letters thro' any other channel. Sometimes the report runs that he is in the Bastile; at another that he is at the head of a revolt in some one of the Provinces.

My last letters have followed each other so quickly and the last of all is of such recent date that this opportunity by a gentleman going to France, enables me to add little to what has been already communicated. The result of the meeting at Harrisburg was the latest event worthy of notice at the date of my last. Nothing has since taken place in relation to the new Government, but the appointment of Mr. Robt. Morris, and a Mr. McClay, to represent Pennsylvania in the Senate. A law has also passed in that State providing for the election of members for the House of Representatives and electors of the President. The act proposes that every Citizen throughout the State shall vote for the whole number of members allotted to the State. This mode of election will confine the choice to characters of general notoriety, and so far be favorable to merit. It is however liable to some popular objections urged against the tendency of the new system. In Virginia, I am inclined to think the State will be divided into as many districts, as there are to be members. In other States, as in Connecticut the Pena. example will probably be followed. And in others again a middle course be taken. It is perhaps to be desired that various modes should be tried, as by that means only the best mode can be ascertained. There is no doubt that Genl. Washington will be called to the Presidency. For
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the vice Presidency, are talked of principally Mr. Hancock and Mr. Adams. Mr. Jay or Genl. Knox would I believe be preferred to either, but both of them will probably chuse to remain where they are. It is impossible to say which of the former would be preferred, or what other Candidates may be brought forward.

I have a letter from Mr. George Lee Turberville of Virginia requesting me to mention to you a report proceeding from Greenwich that a Docr. Spence and his lady, (the former a Virginian of respectable family in the lower End of the Northern Neck, and whose mother is still living, in a second marriage with a Docr. Thomson of Westmoreland County) were captured on their way to Virginia and carried into Algiers. This event is said to have happened seven or eight years ago, though discovered but lately, it having been taken for granted that the vessel and all on board had perished at sea. I am much inclined to believe that this supposition is the true one, and that the Greenwich story has no foundation. I communicate it nevertheless as requested by Mr. Turberville, that you may have an opportunity of collecting for the friends of Docr. Spence any information which may be interesting to them, and of taking any steps that such information may suggest in behalf of the distressed.

I have already acquainted you with the result of my enquiries in the case of Mrs. Burke. The effects in the hands of Wm. S. Brown had been delivered over to a Mr. Kemble a respectable merchant here, who is administrator to the deceased Burke and who tells me that the whole Estate of the latter does not pay his debts.

I shall send along with this a few seed of the sugar maple, the first and the whole that I have been able to obtain. I wish you all happiness and remain Dr. Sir Yrs. most affectionly,

Js. Madison Jr.

From David Ramsay

DEAR SIR

Charleston Octob. 8th 1788

Your favor of May 7th came to hand in September last. I thank you for your obliging conduct respecting my book. My losses on that subject have been so great that I must make use of the liberty you gave me to draw on Mr. Madison for 133½ dollars which is equal to 936 livres reckoning the dollars at 2/6 and the livres at 10d. This has been done this day. Your services on this occasion demand my highest acknowledgements. I have the honor to be your most obedient & very humble servant,

DANIEL RAMSAY

RC (DLC). Recorded in SJL as received 4 Feb. 1789.

From Vanet

Le Havre, 8 Oct. 1788. Expects to embark on a vessel just arrived from Baltimore and returning there in ten or twelve days. Will take TJ's box of papers with him, and any further commissions can be sent to him at same address. [In postscript:] News has been received from Port-au-Prince of a hurricane so violent that five vessels were destroyed and thirty-five damaged.

RC (DLC); 2 p.; in French; endorsed.

From Nicolas van Staphorst

SIR

Antwerpen 8 Oct. 1788

On the desire of our mutual Friend Mr. Daniel Parker I have the honour to advise your Excellency, that he delivered me your Favour of last friday to Messieurs Willinks and our house in Amsterdam, inclosing the Act of Ratification by Congress of the Loan of one million of Florins, made by Mr. Adams in March last. I intend to return for Amsterdam after tomorrow, and since I will stay a couple of days in Breda and Rotterdam I shall only be home tuesday, when I will communicate the contents of your favor to our Copartners in Congress business, and so I must refer you for a reply to that after that time. In the interim you may rest assured that nothing will be omitted what will depend upon us, to dispose of the Bonds in a manner to procure the money for the demands stated in your estimate of which we have the Copy. And I wish the Success of our endeavours may be more fortunate, than I have

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reason to fear from the wretched state of affairs in my unfortunate Country. My Brother who after our Separation intends to stay a little time in this Country, and Flanders, before he returns to Paris, desires to have his best compliments made to your Excellency and I have the honour to be with great esteem Sir Your most humble & most obedie[n]t Servant,

Nics. van Staphorst

RC (DLC); endorsed.

From C. W. F. Dumas

The Hague, 10 Oct. 1788. The approval of his conduct, as evidenced by TJ's letter of 30 Sep., is the only satisfaction he has had for a long time except a "mens conscientia recti" in the midst of a veritable purgatory. The enclosure for Congress makes it unnecessary to say more.—His duty to Congress and his family forces him to live like a hermit, in physical discomfort, without companionship or consolation. Encloses a letter he received from Mr. L[uzac] which gives him reason to think that Mr. Diodati no longer has reason for complaint. Hopes to be informed soon of accession of North Carolina and Rhode Island. His family send their respects.

RC (DLC); 2 p.; in French; endorsed. FC (Dumas Letter Book, Rijksarchief, The Hague; photostats in DLC). Enclosures: (1) Dumas to Jay, 6 Oct. 1788 (FC in same), which is described in Dipl. Corr., 1783-89, III, 628, as being among Dumas' dispatches between 20 Aug. 1788 and 1 Jan. 1789 that are missing, two others of which are listed as dispatches of 9 and 12 Oct. However, this enclosure is shown by FC to have been regarded by Dumas as "postscripts" dated 6, 9, and 12 Oct. to his dispatch No. 48 of 26 Sep. 1788, which had already been transmitted to TJ (see Vol. 13: 639-40, note). As recorded in FC, these "postscripts" may be summarized as follows: 6 Oct.: Dumas encloses copy of the Courier du Bas-Rhin No. 80 of 4 Oct. which contains an article concerning him, and another about the charge des affaires of the emperor, both of which undoubtedly originated at The Hague; from the way things are going, he would not be surprised if the conjecture regarding himself should be verified arbitrarily, and, as for the other, he does not doubt that he will be supported by his court. Distance from the United States will expose Dumas and his family to every suffering; his wife and daughter will be abandoned to his implacable enemies; he will not discuss what position the United States will be placed in if so violent an affront should take place as the arbitrary dispossessing of their agent from their residence: "La sagesse du Congrès en décidera selon son auguste dignité." 9 Oct.: Yesterday morning he was summoned to appear before the Deputy Councillors of the Province of Holland; although ill, he complied and was informed that, while it was true he had obeyed their resolution requiring him to remove from the door of one of his houses the term "Agent des Etats Unis," he had violated its spirit by substituting another, "Correspondant des Etats Unis"; they therefore ordered him to remove that sign also, as well as the arms of the United States from the balcony, an order accompanied by the haughty and peremptory word " obeisse"; he answered that the residence belonged not to him, but to the United States, having been bought by him as their agent and for their account, as directed by their minister; that the arms of the United States had been sculpted by order of their minister when the decayed balcony was repaired; that, as the inscription at the

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10 October 1788

door was done by his own order, he would remove the word "correspondant" but leave the words "Etats-Unis d’Amerique"; to this they replied that it was necessary to remove the entire inscription, "repetant avec l'hauteur l’obeissance"; they told him that they had learned he intended to reoccupy his own house, but he said that they had been misinformed—only his wife and daughter were to live there in order, if possible, to achieve greater safety and tranquility, and he himself would continue to live in the hôtel of the United States until he received orders from Congress to dispose of it or was relieved by a minister; they said that Dumas could do as he pleased but, whether in the hôtel or in the street, he was under the power of the sovereign; upon which, bowing and saying nothing, he withdrew; he had removed the inscription from the door; he felt it his duty to delay his dispatch in order to add the above, while renewing assurances "de ma fidelite, depuis près 13 ans inviolables, au milieu des plus rudes Epreuves, pour les Etats-Unis, leur honorable Congrès, mes seuls et uniques maîtres, et pour votre Excellence," &c. 12 Oct.: Finally the famous placard of the forced loan has been published, which he encloses; this piece is worth the trouble of translating and bringing to the attention of Congress and all the good citizens of the United States; it will serve as a basis for comparing their fortunate situation with the plight of others; there is a fixed plan to humiliate and mortify him; deprived of the protection of the droit des gens by the Estates General although a foreigner and an agent of the United States, abandoned to the will of the local government, he will be required to contribute to the forced loan as any other subject, both for his house at The Hague and for his farm in Gueldre, which will be ruinous; the Holland obligations of 2½% have been worth only 68% in the past fifteen days and continue to fall; God knows whether they will stop at half of the capital; his duty to Congress and solicitude for his wife and daughter require him to live alone like a hermit, ill, without society, without consolation; he awaits the disposition of his masters and resigns himself to the Supreme Wisdom; he encloses a letter for the magistrate of Philadelphia from that of Nassau Idstein in Germany and another from a father in Holland to his son in Philadelphia (enclosures not further identified; on 17 Oct. 1788 Dumas wrote to Willink & Van Staphorst enclosing dispatch No. 48 to Jay and stating that he was preparing two others; it is possible therefore that the present letter to TJ did not include the "postscript" of the 15th; FC in same). (2) The letter from Luzac has not been found.

To Ferdinand Grand

Sr. [10 Oct. 1788]

Be pleased to pay to M. le C. de L. 2750 livres in full for all rent due or to become due for the house I hold of him till the determination of our lease which is to be on the 16th. of Apr. next according to our agreement of this day, of all which this order and his receipt will be witness.

Dft (DLC: Short Papers); on scrap of paper bearing this notation at bottom and upside down: "so as that this may be it’s translation"—presumably an instruction to Short to translate, but whether it pertains to this or to some other document cannot be determined; at foot of text TJ made calculations for the amount of this order; verso contains notes concerning the conversion of the “Dutch debt . . . into dollars.” Undated, but date established from following entry in Account Book under 10 Oct. 1788: “Gave Ct. Langesc order on Mr. Grand for 2750½ rent in full to the 16th inst. and notified that the lease should finish Apr. 16. 1789.”

For general queries, contact webmaster@press.princeton.edu
To De Langeac

Monsieur le Comte
à Paris ce 10me. Octobre 1788

J'ai l'honneur de vous prevenir de la resiliation que je fais du bail de la maison que j'occupe de vous, dès le seizième jour d'Avril de l'année prochaine, selon le privilege qui m'a été donné par l'acte de bail meme de le resilier à tel moment qu'il me conviendroit, en vous en avertissant 6. mois d'avance. Pour cet effet j'ai l'honneur de vous ecrire cette lettre, double, dont vous aurez la bonté de garder l'une, et de me renvoyer l'autre en y souscrivant l'acceptation de la resiliation, selon l'assurance que vous avez bien voulu me donner, qu'entre nous deux il n'y auroit besoin d'employer un officier quelconque. Cela fait, j'aurai l'honneur de vous faire toucher dans l'instant les loyers echus et qui doivent echoir a la fin du quartier actuel, c'est a dire au seizième du mois present; les six derniers mois qui finiront le 16me. Avril ayant ete payes au commencement du bail. Pour ce qui regarde l'état de la maison, dont vous m'avez fait l'honneur de m'écrire, vous aurez la bonté de vous rappeler qu'il y ait là dessus quelques petites articles lesquels n'étant pas selon le veritable etat des choses j'ai eu l'honneur de vous le remettre pour le faire corriger avant de le signer. Nous les reconnoitrions en les constatant avec leurs objets, et la signature aura lieu quand il vous plaira. Et dans tous les cas ou la con-fiance mutuelle nous a fait negliger les formes regulieres, la bonne foi qui y a donne lieu y supplera aussi de part et d'autre. J'ai l'honneur d'etre avec une estime et attachement parfait Monsieur le Comte votre tres humble et tres obeissant serviteur,

Th: Jefferson

RC (DLC: Short Papers); on verso, in De Langeac's hand: "Je soussigne reconnais que M. de Jefferson m'a donné congé de ma maison et je l'accepte suivant nos conventions a paris ce 10obre 1788. Le Cte. de Lespinaisse Langeac."

The enclosed duplicate was evidently a press copy which De Langeac retained, returning this recipient's copy with its endorsement. TJ also presumably enclosed the order on Grand of this date.

From De Langeac

10 octobre 1788

Jai lhonneur de vous envoyer, Monsieur, le double de votre lettre avec l'acceptation du congé que vous me donnez suivant nos conventions. Je regrette un locataire tel que vous et suis fiché que ma maison nait pù vous convenir pour un plus longtemps. A legard
10 October 1788

de l'état des lieux qui vous appartient, je l'ai retrouvé en effet; je ne
lai pas vérifié encore. La lenteur que j'ai mise a m'écrire en règle a
cet égard vous prouve ma confiance en un homme tel que vous et
je suis aussi tranquille que si nous avions rempli les formalités les
plus strictes. Jaurais l'honneur de vous voir incessamment a cet
égard. J'ai celui de vous dire que vous êtes un noble et un trez
obeissant serviteur.

Le Cte. de Lespinnasse Langleac

RC (DLC: Short Papers). For enclosure, see note to preceding.

From John and Lucy Ludwell Paradise

Bergamo, 10 Oct. 1788. Is grateful for TJ's favors to himself and
his family; their trip was "prosperous" and they found their "friends in
perfect health and completely happy." Awaits the arrival of William
Short. Was "under a necessity of using Mr. Grand's letter to the banker
at Lyons," and is thus accountable on demand to TJ for thirty Louis
d'or. [Beneath Paradise's signature, in the hand of Lucy Ludwell Para-
dise:] Thanks TJ for his attentions; when Short arrives, he "will learn
things from the Count that will be of great service to Virginia"; sends
"affectionate Love" to TJ's daughters; asks that their letters be for-
warded in care of the Count Barziza.

RC (DLC); 2 p.; endorsed; printed in Shepperson, John Paradise and Lucy
Ludwell, Richmond, 1942, p. 341-2. Although there is no mention of an
enclosure, Paradise must have enclosed the letter mentioned in TJ to Trumbull,
1 Nov. 1788, as being addressed on the first page to William Anderson and
on the second page to TJ; from TJ's remarks to Trumbull it is also evident
that the substance of this joint letter must have been concerned with Para-
dise's indebtedness to TJ for the thirty Louis d'or.

From John Trumbull

Dear Sir

London Octo. 10th. 1788.

Your two letters of Septr. 10th. and Octr. 2d. are before me.
Those enclos'd in the latter will be deliver'd the first morning I am
in that quarter. Mrs. Cosway is at present in the country with Mrs.
Church, and both are well.—The books shall come as soon as
possible.

The Chariot will be finish'd in about two weeks, and I venture
to promise you it shall be a very elegant one. No opportunity comes
within my knowledge at present of sending it by a private hand.

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11 October 1788

How shall I send the Harness? As there is but one trunk to the chariot, it cannot well go in that, and if it goes in this way or by the diligence, does it pay a Duty: or what precaution can I take to save you that. Meantime I will look out for any private conveyance by which I may venture to send it.

If you go to America in the Spring, will it be early, and directly from France? If so I am afraid I shall not have the pleasure to see you before you go:—The only chance of my visiting Paris in that time, will be in my way to Stuttgart in Wirttemberg, where my pictures are engraving by Mr. Müller:—and this tour I do not intend to make, if it can be avoided with propriety. But I shall hope to meet you in America. I mean to go in the course of next Summer and as early as I can be ready.

When the Chariot is finishd I shall state your account. I paid Dr. Gordon yesterday your subscription for Six sets of his History which will be published in a few Weeks. Your oblig'd

Jno Trumbull

RC (DLC); endorsed. Enclosure (MHI): Although not mentioned as enclosed, Trumbull probably sent with this letter a receipt, dated 9 Oct. 1788, signed by William Gordon, for £7 4s. "by the hands of Mr. Trumbull", endorsed by Trumbull: "Dr. Gordon's Rect. in full for subscription for 6 sets of his History. Mr. Jefferson. £7 4s. Enter'd 10th Octo."

From Edward Hall, Jr.

Bordeaux, 11 Oct. 1788. As requested, has sent TJ's letter to Jay by the ship America, Capt. Goodwin, from L'Orient for Boston; could not send it sooner, "there not being a single vessel at any Port I have been at for America." Vessels are daily expected at Bordeaux from Philadelphia and Baltimore, and he will inform TJ of their arrival.—If TJ has any business at Bordeaux, or dispatches to be forwarded, may address him in care of Matthew Rucker of this place.

RC (DLC); 2 p.; endorsed.

From William Short

Geneva, 11 Oct. 1788. Acknowledges TJ's letters of 20 and 24 Sep.; has not been able to use the letter to Tronchin because of the shortness of his stay in Geneva; would write more fully except that he has at this moment found an opportunity of crossing the Alps and must set off in half an hour; does not know whether he will go from Milan to Venice or to Florence. "The Voiturier is at my back and insists on my finishing. Still I cannot leave off without begging you to recall me to the memory
15 October 1788

of your amiable family, and to be assured of the sentiments of inviolable attachment with which is bound to you for life Your friend & servant, W. Short.”

RC (DLC); 2 p.; endorsed.

From Dugnani

Ce 13. Lundi [Oct. 1788?]

Agrez, Monsieur, mes remerciemens les plus sinceres de la peine, que vous avez bien voulu vous donner de me procurer des nouvelles informations au sujet de l'heritage de Mde. Kingston. Je me flatte, de vous les renouveler demain de vive voix à Versailles. Je ne vous repond pas en Anglois pour ne pas faire attendre votre domestique. Soyez persuadé que personne n'est plus que moi avec un tendre attachement, Monsieur, Votre tres humble, et tres Obeysant serviteur.

Le Nonge

RC (DLC); undated as to month and year and not recorded in SJI Index; endorsed. Of the seven possible dates in the years 1784-1789 when Monday fell on the 13th, only those for Aug. 1787, Oct. 1788, and Apr. and July 1789 are subsequent to Dugnani's appointment as Papal Nuncio; the second of these seems logical because it occurs during the time when TJ was encouraging Dugnani in the use of English (see Dugnani to TJ, 12 July 1788).

From Boyd, Ker & Co.

Paris, 15 Oct. 1788. Have received from TJ a bill of exchange for £200, "dated Mephin Plantation," S.C., 20 Aug. 1788, at 60 days by Henry Laurens to order of John Rutledge, endorsed to and by TJ, on Manning & Vaughan of London, which they will negotiate and credit to the account of John Rutledge, Jr.

RC (MHi); 1 p.

From Fulwar Skipwith

Dear Sir

London Octr. 15. 1788

I feel sensibly the want of some papers which I left in a little trunk under the care of Mr. Short, whom I presume is in Italy, therefore Sir I take the liberty of requesting that you will do me the favour to have it put in some early channel of conveyance to me at No. 66 New bond Street. A private opportunity probably may offer.

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16 OCTOBER 1788

With best wishes for your Health I remain my Dr. Sir with much Respect and Affection Your Mo Ob servant,

FULWAR SKIPEWITH

RC (MHi); endorsed.

From Willink & Van Staphorst

Amsterdam 16 Octr. 1788.

Sir,

We are honor’d with Your Excellency’s favor of 3 Currt. Conveying the act of ratification by Congress, of the loan of one million of Guilders, engaged for by Mr. Adams in March last. We shou’d be exceeding happy had we it in our power to inform your Excellency of the disposal of these bonds. The Negotiations opened this Year by our States and East India Company, have caused an incredible Scarcity of Cash, add to which the effects of a Negotiation that is to take place for the use of this Province in the Course of next month, in which every Inhabitant that has a Capital of £2500. or upwards, is obliged to partake to the amount of 4 £ Ct. thereon, and we fear will for some time to come baffle all our efforts, and render our endeavours to that purpose ineffectual. The unfavourable Aspect of the Political Hemisphere, is also a great impediment to our Success, we hope however such measures will be put in execution during the Winter, as to remove every obstacle that now obstructs our proceeding, of which shall not fail to give you immediate Information.

As the drawing of the premiums, on the bonds of the Negotiation of 4 £ Ct., is now about taking place, we pray to be favor’d with Your Excellency’s directions, whether we are to discharge the amount in Cash, as included in the Estimate you left with us, in Expectation of which we have the honor to remain very respectfully Sir Your most obedient. Hhble Servants,

WILHEM & JAN WILLINK
NIC: & JACOB VAN STAPHORST

RC (DLC); in a clerk’s hand, signed by a member of each firm for the firm; endorsed.

From John Brown Cutting

London 17th Octr. 1788.

Sir,

Respecting the prohibition of american wheat here there is little to be learnt. The fact speaks for itself. The apprehension of intro-
17 October 1788

ducing a pernicious insect into the future growth of wheat in this
country is the pretext or ostensible ground of the measure. If there
be truth in the rumour that american wheat is also prohibited in
Hanover, fear of the insect may possibly be the real ground for the
hanoverian edict. For certainly a district that produces grain so
abundantly cou'd not apprehend much mischief from any compe-
tition of foreign corn in its market: what grower of wheat cou'd
think of sending it into the granary of Hanover?

The motives of ministers are sometimes inscrutable; but in Eng-
land whenever I am at a loss to assign a motive rationally political
for any portion of any law or proclamation touching the interests
of our country, I resolve it into the obvious principle of a hatred
personally or nationally inextinguishable: an envious malignant
disposition that is gratified in puny efforts to fetter the commerce
and check the prosperity of a country whom it cannot forgive be-
because it cou'd not subdue; a temper that policy does not mask,
time ameliorate nor experience correct. And which I believe noth-
ing will correct but such arrangements on the part of the govern-
ment of the United States as will make any future correction of it
quite immaterial to America and unbeneafaicial to Britain. In those
arrangements I know, and I rejoice that You will assist. Hence it
is that I am sedulous to communicate to You every scrap of in-
formation that I can collect, wishing nothing so much as that some
portion of it may be rendered useful to our common country, of
whose solid greatness and superiour elevation to the puerile politics
of Europe, I fully expect within the fourth part of a century to be
a proud, living witness. Among other strong and natural founda-
tions of the western empire, I rank the faculties of our citizens in
the most hazardous naval enterprizes. In their spirit and expertness
they stand alone. The skill and intrepidity which they have here-
tofore exhibited in the most difficult and dangerous of the whale
fisheries are still unrival'd. Nor have the seamen of this nation yet
ventured to imitate their undaunted habits in any one instance. No
notwithstanding the affluent bounties which this government have
expended in augmenting and cherishing the british whale fisheries,
They have not yet struck the swift sperma ceti whale in the open
sea and pursued him in his desperate track till he yielded. They
but fish coldly around the Islands of ice and harpoon his more un-
wieldy Cousin. Hence perhaps it is that so many of their ships are
lost. Depend upon it that compar'd with our Nantucket people,
they carry on their whale fisheries most clumsily. And perhaps
17 October 1788

without some auxiliaries from our school, it wou'd move still more heavily. Even this year the individual owners of the whale fishing ships complain of little gains and great losses notwithstanding the following statements. Vizt. Greenland Fishery, June 17th. 1788.

<table>
<thead>
<tr>
<th>London Ships</th>
<th>Number of Fish</th>
<th>Newcastle Ships</th>
<th>No. of Fish</th>
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<tbody>
<tr>
<td>Broderick</td>
<td>5</td>
<td>Disco Bay</td>
<td>3</td>
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<tr>
<td>John &amp; Margaret</td>
<td>7</td>
<td>Kitty</td>
<td>3</td>
</tr>
<tr>
<td>Butterworth</td>
<td>3</td>
<td>Kingston</td>
<td>3</td>
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<tr>
<td>Leviathan</td>
<td>5</td>
<td>Mars</td>
<td>3</td>
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<tr>
<td>Branthall</td>
<td>4</td>
<td>Sarah</td>
<td>3</td>
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<td>Mellish</td>
<td>4</td>
<td>Matthew &amp; Thomas</td>
<td>2</td>
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<td>Hannah</td>
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<td>Sarda</td>
<td>2</td>
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<td>Supply</td>
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<td>Spencer</td>
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<td>Two Friends</td>
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<tr>
<th>Hull &amp; Ipsich Ships</th>
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<tr>
<td>Gainsborough</td>
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<tr>
<td>Palliser</td>
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<tr>
<td>Simone</td>
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| Six Scotch Ships    | 13 |

| The Trial Hamilton of Newcastle lost, crew saved. The Mary Bell of London lost, with part of her crew. |

<table>
<thead>
<tr>
<th>Sunderland &amp; Lynn Ships</th>
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<tbody>
<tr>
<td>Blacket</td>
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<tr>
<td>Queen</td>
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<td>Eclipse</td>
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Southern Whale Fishery June 1 1788: was never before so fortunate.

<table>
<thead>
<tr>
<th>Ships</th>
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<tbody>
<tr>
<td>London</td>
<td>31</td>
</tr>
<tr>
<td>Whitby</td>
<td>9</td>
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<td>Hull</td>
<td>9</td>
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<td>Liverpool</td>
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<td>Leith</td>
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<td>Montrose</td>
<td>3</td>
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<td>Borrowstoness</td>
<td>2</td>
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<tr>
<td>Lynn</td>
<td>2</td>
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In the year 1785 there were but eighteen ships employed in the British southern whale fishery. The amount of the cargoes of which were estimated at £30,000. Last year the number of ships more than doubled, and the value of the trade more than trebled. There were then thirty eight ships employed, the cargoes of which amounted to more than £100,000. This year the number of ships employed is upwards of fifty, the cargoes of which are expected to amount nearly to £200,000.

At no period previous to the late revolution did Britain ever employ in the Greenland Fishery one hundred ships. The year before last however she employed one hundred and fifty one ships; and last year notwithstanding some diminution of the bounty she employed two hundred and forty eight ships, the cargoes of which are valued at more than the fourth of a million sterling. Yet still this season the shipping has augmented in this fishery. Upon facts like the foregoing how superfluous to You wou’d be any commentary of mine!

By the first of November I expect to embark for Charlestown to prosecute a business concerning the successful issue of which I confess I do not entertain the most sanguine expectations. I fear disinclination to provide for the just claims which I am to advocate as well as inability to make adequate provision. I mention this to You in confidence. My apprehension is however founded on facts. It gave me much pain when I accompanied Mr. Adams to Amsterdam in June 1787 to hear respectable merchants complain, and I fear justly complain, of the conduct of the legislature of South Carolina; who eager to evade the payment of a debt most fairly and solemnly contracted, in some of their resolutions almost forgot even to save appearances. In essaying to extenuate this conduct of a state many citizens of which I most highly respect and esteem, I betrayed such a sanguine belief both of the ability and disposition of South Carolina to pay her foreign creditors that warmed with what they wished might prove true, they immediately then engaged me to undertake an agency in the business. I cou’d not decline their offers without departing in some degree from the opinion I had maintained. And this engagement led to another for the Prince of Luxemburg; in fixing the powers for which as well as in every circumstance relevant to his claim I gratefully reflect the essential aid you afforded me last autumn. I well remember You gave me a letter to Governor Pinckney that is still in my possession, and which I doubt not will have great weight with the government.
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And I also remember that you honor'd me with several conversations on the subject. But I really forget whether in the course of any of those conversations I mention'd to You the undesirable influence which the backwardness of Carolina in making arrangements to pay the interest of her foreign debt to the dutch creditors, manifestly had upon the credit even of the United States collectively in Amsterdam. In that City the idea made a forcible impression upon my mind; and I fully meant to seek an opportunity of suggesting it to You and at the same time of beseeching You to enquire into the truth of the fact, Well knowing that if such a fact was demonstrated to You, You might probably urge it as an additional motive with South Carolina to express her arrangements for doing justice. Perhaps you may from the extent of your memory be enabled to ascertain even at the expiration of a year whether I hinted aught of the kind to You. But at any rate I feel so diffident of success in my approaching negociations with the Government of Carolina and so fearful that I may have omitted any step on this side of the Atlantic requisite to impress upon their minds what is so strongly impressed on my own, the national necessity and importance of public justice, that if your leisure permits and no particular objection on your part prohibits, I venture to solicit a renewal of the Letter to the Governor of South Carolina recommendatory of arrangements by the state for doing justice to the dutch creditors as well as to the french.

I have the honor to be with sentiments equally affectionate and respectful Your obliged & mo obedt srt,

John Brown Cutting

RC (DLC); endorsed. The letter to Governor Pinckney was that addressed by TJ to the governor of South Carolina, 4 Oct. 1787.

From James Madison

Dear Sir

New York Ocr. 17. 1788

I have written a number of letters to you since my return here, and shall add this by another casual opportunity just notified to me by Mr. St. John. Your favor of July 31. came to hand the day before yesterday. The pamphlets of the Marquis Condorcet and Mr. Dupont referred to in it have also been received. Your other letters inclosed to the Delegation have been and will be disposed of as you wish; particularly those to Mr. Eppes and Col. Lewis.

Nothing has been done on the subject of the outfit, there not
having been a Congress of nine States for some time, nor even of seven for the last week. It is pretty certain that there will not again be a quorum of either number within the present year; and by no means certain that there will be one at all under the old Confederation. The Committee finding that nothing could be done have neglected to make a report as yet. I have spoken with a member of it in order to get one made, that the case may fall of course and in a favorable shape within the attention of the new Government. The fear of a precedent will probably lead to an allowance for a limited time of the salary as enjoined originally by foreign ministers in preference to a separate allowance for outfit. One of the members of the treasury board who ought, if certain facts have not escaped his memory to witness the reasonableness of your calculations, takes occasion I find to impress a contrary idea. Fortunately his influence will not be a very formidable obstacle to right.

The States which have adopted the new Constitution are all proceeding to the arrangements for putting it into action in March next. Pennsylvania alone has as yet actually appointed deputies; and that only for the Senate. My last mentioned that these were Mr. R. Morris and a Mr. McClay. How the other elections there and elsewhere will run is matter of uncertainty. The Presidency alone unites the conjectures of the public. The vice president is not at all marked out by the general voice. As the President will be from a Southern State, it falls almost of course for the other part of the Continent to supply the next in rank. South Carolina may however think of Mr. Rutledge unless it should be previously discovered that votes will be wasted on him. The only candidates in the Northern States brought forward with their known consent are Hancock and Adams and between these it seems probable the question will lie. Both of them are objectionable and would I think be postponed by the general suffrage to several others if they would accept the place. Hancock is weak, ambitious, a courtier of popularity given to low intrigue and lately reunited by a factious friendship with S. Adams.—J. Adams has made himself obnoxious to many particularly in the Southern states by the political principles avowed in his book. Others recolecting his cabal during the war against General Washington, knowing his extravagant self importance and considering his preference of an unprofitable dignity to some place of emolument better adapted to private fortune as a proof of his having an eye to the presidency conclude that he would not be a very cordial second to the General and that an impatient ambition might even

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intrigue for a premature advancement. The danger would be the
greater if particular factious characters, as may be the case, should
get into the public councils. Adams it appears, is not unaware of
some of the obstacles to his wish and thro a letter to Smith has
thrown out popular sentiments as to the proposed president.

The little pamphlet herewith inclosed will give you a collective
view of the alterations which have been proposed for the new Con-
istitution. Various and numerous as they appear they certainly omit
many of the true grounds of opposition. The articles relating to
Treaties, to paper money, and to contracts, created more enemies
than all the errors in the System positive and negative put together.
It is true nevertheless that not a few, particularly in Virginia have
contended for the proposed alterations from the most honorable
and patriotic motives; and that among the advocates for the Con-
istitution there are some who wish for further guards to public lib-
erty and individual rights. As far as these may consist of a con-
stitutional declaration of the most essential rights, it is probable they
will be added; though there are many a who think such addition
unnecessary, and not a few who think it misplaced in such a Con-
stitution. There is scarce any point on which the party in opposition
is so much divided as to its importance and its propriety. My own
opinion has always been in favor of a bill of rights; provided it be
so framed as not to imply powers not meant to be included in the
enumeration. At the same time I have never thought the omission
a material defect, nor been anxious to supply it even by subsequent
amendment, for any other reason than that it is anxiously desired
by others. I have favored it because I supposed it might be of use,
and if properly executed could not be of disservice. I have not
viewed it in an important light 1. Because I conceive that in a cer-
tain degree, though not in the extent argued by Mr. Wilson, the
rights in question are reserved by the manner in which the federal
powers are granted. 2. Because there is great reason to fear that a
positive declaration of some of the most essential rights could not
be obtained in the requisite latitude. I am sure that the rights of
conscience in particular, if submitted to public definition would be
narrowed much more than they are likely ever to be by an assumed
power. One of the objections in New England was that the Con-
istitution by prohibiting religious tests opened a door for Jews
Turks and infidels. 3. Because the limited powers of the federal
Government and the jealousy of the subordinate Governments, af-
ford a security which has not existed in the case of the State Gov-

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governments, and exists in no other. 4. Because experience proves the inefficacy of a bill of rights on those occasions when its controul is most needed. Repeated violations of these parchment barriers have been committed by overbearing majorities in every State. In Virginia I have seen the bill of rights violated in every instance where it has been opposed to a popular current. Notwithstanding the explicit provision contained in that instrument for the rights of Con-
science it is well known that a religious establishment would have taken place in that State, if the legislative majority had found as they expected, a majority of the people in favor of the measure; and I am persuaded that if a majority of the people were now of one sect, the measure would still take place and on narrower ground than was then proposed, notwithstanding the additional obstacle which the law has since created. Wherever the real power in a Government lies, there is the danger of oppression. In our Gov-
ernments the real power lies in the majority of the Community, and the invasion of private rights is chiefly to be apprehended, not from acts of Government contrary to the sense of its constituents, but from acts in which the Government is the mere instrument of the major number of the constituents. This is a truth of great importance, but not yet sufficiently attended to: and is probably more strongly impressed on my mind by facts, and reflections suggested by them, than on yours which has contemplated abuses of power issuing from a very different quarter. Wherever there is an interest and power to do wrong, wrong will generally be done, and not less readily by a powerful and interested party than by a powerful and interested prince. The difference, so far as it relates to the superiority of republics over monarchies, lies in the less degree of prob-
ability that interest may prompt abuses of power in the former than in the latter; and in the security in the former against oppression of more than the smaller part of the Society, whereas in the former it may be extended in a manner to the whole. The difference so far as it relates to the point in question—the efficacy of a bill of rights in controuling abuses of power—lies in this: that in a monarchy the latent force of the nation is superior to that of the Sovereign, and a solemn charter of popular rights must have a great effect, as a standard for trying the validity of public acts, and a signal for rousing and uniting the superior force of the community; whereas in a popular Government, the political and physical power may be considered as vested in the same hands, that is in a majority of the people, and consequently the tyrannical will of the sovereign is not
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to be controuled by the dread of an appeal to any other force within the community. What use then it may be asked can a bill of rights serve in popular Governments? I answer the two following which though less essential than in other Governments, sufficiently recommend the precaution. 1. The political truths declared in that solemn manner acquire by degrees the character of fundamental maxims of free Government, and as they become incorporated with the national sentiment, counteract the impulses of interest and passion. 2. Altho' it be generally true as above stated that the danger of oppression lies in the interested majorities of the people rather than in usurped acts of the Government, yet there may be occasions on which the evil may spring from the latter sources; and on such, a bill of rights will be a good ground for an appeal to the sense of the community. Perhaps too there may be a certain degree of danger, that a succession of artful and ambitious rulers, may by gradual and well-timed advances, finally erect an independent Government on the subversion of liberty. Should this danger exist at all, it is prudent to guard against it, especially when the precaution can do no injury. At the same time I must own that I see no tendency in our governments to danger on that side. It has been remarked that there is a tendency in all Governments to an augmentation of power at the expence of liberty. But the remark as usually understood does not appear to me well founded. Power when it has attained a certain degree of energy and independence goes on generally to further degrees. But when below that degree, the direct tendency is to further degrees of relaxation, until the abuses of liberty beget a sudden transition to an undue degree of power. With this explanation the remark may be true; and in the latter sense only is it in my opinion applicable to the* Governments in America. It is a melancholy reflection that liberty should be equally exposed to danger whether the Government have too much or too little power; and that the line which divides these extremes should be so inaccurately defined by experience.

Supposing a bill of rights to be proper the articles which ought to compose it, admit of much discussion. I am inclined to think that absolute restrictions in cases that are doubtful, or where emergencies may overrule them, ought to be avoided. The restrictions however strongly marked on paper will never be regarded when opposed to the decided sense of the public; and after repeated violations in extraordinary cases, they will lose even their ordinary efficacy. Should a Rebellion or insurrection alarm the people as well

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as the Government, and a suspension of the Hab. Corp. be dictated by the alarm, no written prohibitions on earth would prevent the measure. Should an army in time of peace be gradually established in our neighbourhood by Britn: or Spain, declarations on paper would have as little effect in preventing a standing force for the public safety. The best security against these evils is to remove the pretext for them. With regard to Monopolies they are justly classed among the greatest nuisances in Government. But is it clear that as encouragements to literary works and ingenious discoveries, they are not too valuable to be wholly renounced? Would it not suffice to reserve in all cases a right to the public to abolish the privilege at a price to be specified in the grant of it? Is there not also infinitely less danger of this abuse in our Governments than in most others? Monopolies are sacrifices of the many to the few. Where the power is in the few it is natural for them to sacrifice the many to their own partialities and corruptions. Where the power, as with us, is in the many not in the few, the danger can not be very great that the few will be thus favored. It is much more to be dreaded that the few will be unnecessarily sacrificed to the many.

I inclose a paper containing the late proceedings in Kentucky. I wish the ensuing Convention may take no step injurious to the character of the district, and favorable to the views of those who wish ill to the U. States. One of my late letters communicated some circumstances which will not fail to occur on perusing the objects of the proposed Convention in next month. Perhaps however there may be less connection between the two cases than at first one is ready to conjecture.

I am Dr. Sir with the sincerest esteem & affectn. Yours,

JS. Madison Jr

RC (DLC: Madison Papers); partly in code; endorsed both by TJ and by Madison. Recorded in SJL as received 23 Feb. 1789. Enclosures: (1) Probably a copy of the New-York Journal, and Weekly Register of 23 Oct. 1788 (if, as is almost certain, the casual opportunity mentioned by Crévecoeur did not depart before that date), wherein there appeared an extract from the journals of the convention held at Danville, Kentucky, on 28 July 1788, reading in part as follows: "Whereas it appears to the members of this convention, that the United States in Congress assembled, have for the present declined to ratify the compact entered into between the legislature of Virginia and the people of this district, respecting the erection of the district into an independent state," the convention calls upon the inhabitants of the counties of Kentucky to elect representatives to meet in November and to invest in them "full powers to take such measures for obtaining admission of the district as a separate and independent member of the United States of America, and the navigation of the river Mississippi, as may appear more conducive to those important purposes: and also to form a constitution of government for the district, and organize the same when they shall judge it necessary, or to do and accomplish whatever on a consideration

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of the state of the district may in their opinion promote its interest” (it is to be noted that it was during Oct. 1788 that Madison sent to John Brown of Kentucky his comments on TJ’s draft of a constitution for Virginia; see Vol. 6: 308-17, especially p. 316). (2) The little pamphlet was evidently The Ratifications of the New Federal Constitution, together with the Amendments, proposed by the Several States (Richmond, 1788), a copy of which is in the Madison Papers (DLC: Vol. 76, p. 35).

1 Date changed by overwriting from “16” to “17.”
2 This and subsequent words in italics, unless otherwise indicated, are written in code and were decoded interlineally by TJ; his decoding has been verified by the Editors, employing Code No. 9. Several minor errors of encoding were corrected by TJ and have not been noted here.
3 This word interlined in substitution for “not a few,” deleted.
4 Preceding seven words interlined in substitution for “should happen now to be of one sect.”
5 This word underscored in MS.
6 At this point Madison interlined the word “existing,” an alteration evidently made late in life after the letter had been returned to him.
7 As originally written this sentence ended: “... nuances in Governments which establish them.”

From Moustier

Monsieur

a Newyork le 17 Octobre 1788.

Sans vous, mes correspondants de France me feroient croire que toutes les voies de communication entre nos deux pays sont entièrement fermées. Depuis un temps infini, je n’ai reçu que par hazard quelques lettres. Vous jugez bien que je n’ai négligé aucune occasion d’exprimer la peine que me cause une pareille privation. J’espère que la répétition perseverante de mes reclamations en faveur des paquebots, supleera à la distance d’où elles partent. Les derniers détails que vous avez eût la complaisance de me donner sont infiniment interessants et fournissent matière à de grandes speculations politiques. Celle qui m’occupe davantage est comme de raison celle qui porte sur le sort de ma patrie. Je n’ai pas cessé de bien augurer de l’issue du mouvement donné à la masse du Royaume et qui y a produit une fermentation nécessaire. Il est facheux qu’elle ait été portée trop loin dans quelques parties, mais les ecarts de quelques individus ne peuvent nuire qu’à eux-mêmes sans affecter la direction que prend le plus grand nombre. L’opération qui se murit en France n’est ni moins importante ni moins difficile que celle qui vient de réussir dans les E. U. Une regeneration est bien autrement difficile qu’une création. Nos defauts sont bien plus anciens que les vostres et vous avez à peine des privilegiés. Si notre peuple etoit dans le cas de former des conventions pour considerer un plan de Constitution, il y auroit bien autrement d’amendments de proposés. Il est heureux qu’il soit gouverné par un Souverain qui desire d’ecouter sa voix, mais il seroit à plaindre si ce même

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Souverain manquait de volonté ou de force pour décider et faire exécuter en dépit des privilégiés ce qui est à l'avantage du plus grand nombre et par conséquent conforme au véritable intérêt du Chef.

Je viens de faire une tournée dans les Etats de l’Est. J’ai été très satisfait sur beaucoup de points; mais pour asseoir mieux mon jugement il faudrait que je pusse consacrer plus de temps aux différents endroits que je parcours. Mes voyages sont un vrai cours de Géographie pratique, que je me presse d’étendre le plus qu’il m’est possible. Je suis à la veille de mon départ pour une nouvelle course jusqu’en Virginie. La saison est malheureusement trop avancée pour que je puisse avoir le temps de voir cet État intéressant. Je m’arrêterai précisément sur la frontière, mon principal objet n’étant pour le moment que de m’acquitter de la promesse que j’ai faite au Gal. Washington d’aller le voir à Mount Vernon.

J’espère que l’organisation du nouveau Gouvernement nous permettra de fonder une correspondance et des rapports solides entre nos deux nations. Nous n’avons nous François bâti que sur du sable jusqu’apresent. Je regrette que la Virginie soit précisément l’État qui en fournisse la preuve la plus forte. L’impunité que y a trouvée une especie de Forban François sur le procedé duquel on refuse satisfaction au Roi, en se retraitant dans les detours de la chicane apliquée à une grande question qui interesse le droit des gens et toutes les nations qui veulent commercer, est un argument bien frappant contre l’organisation actuelle du Gouvernement Americain. Il y a bien des objections à faire sur d’autres objets, j’ai examiné selon mes facultés tous ceux qui m’ont frappé et je n’ai ni dissimulé ce qui m’a paru blamable, ni atténué ce qui m’a paru louable. En eprouvant moins d’agremens personels que ma grande prevention pour les Americains m’avait fait presummer que je pourrais trouver, je n’en rends pas moins justice à toutes les qualités qu’ils ont et aux moyens qu’ils ont de les perfectionner et d’y en ajouter de nouvelles. Je crois même qu’il serait difficile que le Roi employat un Ministre plus porté à cimenter une bonne union entre les deux Nations, mais comme je la desire solide et durable, il est naturel que je cherche à lui donner la justice comme base. Au reste j’ai fait ma profession de foi. J’ai promis aux Americains de leur parler toujours ouvertement et sans detour sur les sujets sur lesquels je crois avoir lieu de me plaindre et les ai assurés que je serai toujours fort aise qu’on puisse me prouver que je me suis trompé. J’aime mieux etre accusé d’erreur quand je leur trouve des
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torts, que de perseverer par un menagement mal entendu de mon amour propre dans une opinion dont on m’auroit demontré la fausseté. Voilà comme je crois pouvoir me conduire avec des amis. Avec ceux que je ne regarderons pas comme tels, je ne voudrais aucune explication.

Les desagremens auxquels une femme estrangere peut etre exposee ici, surtout ayant une santé delicate qui la rend necessairement casaniere, craignant naturellement le grand monde et d’un caractere timide et reserve, sont bien plus grands qu’on n’imagine. Ma Soeur y est plus sensible a raison de l’excès d’enthousiasme auquel elle s’etoit livre. Mais Elle rend justice à quelques femmes et à beaucoup d’hommes. Vous jugez bien d’apres cela qu’Elle n’a jamais varié à votre egard. Elle me charge de vous en donner les assurances et de vous faire ses compliments. Agreez les nouvelles assurances du très sincere et parfait attachement avec lequel j’ai l’honneur d’etre, Monsieur, Votre tres humble et tres obeissant serviteur,

Le Cte. de Moustier

Le 20. J’ai reçu hier les deux brochures avec reconnaissance comme une nouvelle marque de votre souvenir.—J’aprends en ce moment une nouvelle extraordinaire si elle est vraie en datte du 30 août.

RC (DLC); endorsed. Recorded in Sjl as received 21 Feb. 1789.

Moustier, accompanied by Madame de Bréhan, her son, and Victor Marie Dupont, arrived at Mount Vernon on 2 Nov. 1788; George Mason had dined with Washington that day, and just after the midday dinner “word was brought from Alexandria that the Minister of France was arrived there” and intended to arrive at Mount Vernon for dinner (Washington, Diaries, ed. Fitzpatrick, iv, 441). One other contretemps occurred during the five-day visit: on the morning of the 5th, Washington made a long tour of four of his plantations before breakfast; subsequently “The Minister and Madame de Bréhan expressing a desire to walk to the New Barn we accordingly did so ... completing a tour of at least seven Miles” (same). Washington merely recorded these facts without comment, and late in November he wrote to Lafayette: “A few weeks ago, I was favored with a visit from the Minister of France, his sister, her son, and M. du Pont. They have made great journeys this fall, having traversed the whole distance between New Hampshire and this place, and been at the Indian trysty at Fort Schuyler. I can with pleasure inform you, that the Count de Moustier seems at present to be persuaded that some little uneasinesses about etiquette, originated from misunderstanding alone, and not from intention. He appears, also, to be heartily inclined to promote the interests of the two Countries, by improving and extending their commercial intercourse” (Washington to Lafayette, 27 Nov. 1788, Writings, ed. Fitzpatrick, xxx, 139). The lessening of concern about etiquette may have been due in part to the dinner given by Washington in Moustier’s honor, to addresses of welcome presented by the citizens of Alexandria and Georgetown, and to the warm hospitality of Virginia’s first citizen.