

**Thomas Jefferson to James Madison, April 21, 1807,  
The Works of Thomas Jefferson in Twelve Volumes.  
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Ford.**

**TO THE SECRETARY OF STATE J. MSS. (JAMES MADISON.)**

Monticello, April 21, 1807.

Dear Sir, —Yours of the 13th came to hand only yesterday, and I now return you the letters of Turreau, Yrujo, and Woodward, and Mr. Gallatin's paper on foreign seamen. I retain Monroe & Pinckney's letters, to give them a more deliberate perusal than I can now before the departure of the post. By the next they shall be returned. I should think it best to answer Turreau at once, as he will ascribe delay to a supposed difficulty, & will be sure to force an answer at last. I take the true principle to be, that "for violations of jurisdiction, with the consent of the sovereign, or his voluntary sufferance, indemnification is due; but that for others he is bound only to use all *reasonable* means to obtain indemnification from the aggressor, which must be calculated on his circumstances, and these endeavors *bonâ fide* made; & failing, he is no further responsible." It would be extraordinary indeed if we were to be answerable for the conduct of belligerents through our whole coasts, whether inhabited or not.

Will you be so good as to send a passport to Julian V. Neimcewicz, an American citizen, of New Jersey, going to Europe on his private affairs? I have known him intimately for 30. years, the last 12, of which he has resided in the U S, of which he has a certificate of citizenship. He was the companion of Kosciusko. Be so good as to direct it to him at Elizabethtown, and without delay, as he is on his departure. Mr. Gallatin's estimate of

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the number of foreign seamen in our employ renders it prudent, I think, to suspend all propositions respecting our non-employment of them.

As, on a consultation when we were all together, we had made up our minds on every article of the British treaty, and this of not employing their seamen was only mentioned for further inquiry & consideration, we had better let the negotiations go on, on the ground then agreed on, & take time to consider this supplementary proposition. Such an addition as this to a treaty already so bad would fill up the measure of public condemnation. It would indeed be making bad worse. I am more & more convinced that our best course is, to let the negotiation take a friendly nap, & endeavor in the meantime to practice on such of it's principles as are mutually acceptable. Perhaps we may hereafter barter the stipulation not to employ their seamen for some equivalent to our flag, by way of convention; or perhaps the general treaty of peace may do better for us, if we shall not, in the meantime, have done worse for ourselves. At any rate, it will not be the worse for lying three weeks longer. I salute you with sincere affection.

P. S. Will you be so good as to have me furnished with a copy of Mr. Gallatin's estimate of the number of foreign seamen? I think he overrates the number of officers greatly.