

**Thomas Jefferson to Elias Shipman, et al, July 12, 1801, with Copy, The Works of Thomas Jefferson in Twelve Volumes. Federal Edition. Collected and Edited by Paul Leicester Ford.**

**TO ELIAS SHIPMAN AND OTHERS, A COMMITTEE OF THE MERCHANTS OF NEW HAVEN J. MSS.**

Washington, July 12, 1801.

Gentlemen, —I have received the remonstrance you were pleased to address to me, on the appointment of Samuel Bishop to the office of collector of New Haven, lately vacated by the death of David Austin. The right of our fellow citizens to represent to the public functionaries their opinion on proceedings interesting to them, is unquestionably a constitutional right, often useful, sometimes necessary, and will always be respectfully acknowledged by me.

Of the various executive duties, no one excites more anxious concern than that of placing the interests of our fellow citizens in the hands of honest men, with understandings sufficient for their station. No duty, at the same time, is more difficult to fulfill. The knowledge of characters possessed by a single individual is, of necessity, limited. To seek out the best through the whole Union, we must resort to other information, which, from the best of men, acting disinterestedly and with the purest motives, is sometimes incorrect. In the case of Samuel Bishop, however, the subject of your remonstrance, time was taken, information was sought, & such obtained as could leave no room for doubt of his fitness. From private sources it was learnt that his understanding was sound, his integrity pure, his character unstained. And the offices confided to him within his own State, are public evidences of the estimation in which he is held by the State in general, and the city &

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township particularly in which he lives. He is said to be the town clerk, a justice of the peace, mayor of the city of New Haven, an office held at the will of the legislature, chief judge of the court of common pleas for New Haven county, a court of high criminal and civil jurisdiction wherein most causes are decided without the right of appeal or review, and sole judge of the court of probates,

wherein he singly decides all questions of wills, settlement of estates, testate and intestate, appoints guardians, settles their accounts, and in fact has under his jurisdiction and care all the property real and personal of persons dying. The two last offices, in the annual gift of the legislature, were given to him in May last. Is it possible that the man to whom the legislature of Connecticut has so recently committed trusts of such difficulty & magnitude, is "unfit to be the collector of the district of New Haven," tho' acknowledged in the same writing, to have obtained all this confidence "by a long life of usefulness?" It is objected, indeed, in the remonstrance, that he is 77. years of age; but at a much more advanced age, our Franklin was the ornament of human nature.<sup>1</sup> He may not be able to perform in person, all the details of his office; but if he gives us the benefit of his understanding, his integrity, his watchfulness, and takes care that all the details are well performed by himself or his necessary assistants, all public purposes will be answered. The remonstrance, indeed, does

<sup>1</sup> Here the following passage is struck out:

["at 84. That he is unacquainted with the system of our revenue laws; but few, before their appointment to an office, make themselves acquainted with the laws which relate to it."] not allege that the office *has been* illy conducted, but only apprehends that it *will be* so. Should this happen in event, be assured I will do in it what shall be just and necessary for the public service. In the meantime, he should be tried without being prejudged.

The removal, as it is called, of Mr. Goodrich, forms another subject of complaint. Declarations by myself in favor of *political tolerance*, exhortations to *harmony* and affection

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in social intercourse, and to respect for the *equal rights* of the minority, have, on certain occasions, been quoted & misconstrued into assurances that the tenure of offices was to be undisturbed. But could candor apply such a con-

struction? It is not indeed in the remonstrance that we find it; but it leads to the explanations which that calls for. When it is considered, that during the late administration, those who were not of a particular sect of politics were excluded from all office; when, by a steady pursuit of this measure, nearly the whole offices of the U S were monopolized by that sect; when the public sentiment at length declared itself, and burst open the doors of honor and confidence to those whose opinions they more approved, was it to be imagined that this monopoly of office was still to be continued in the hands of the minority? Does it violate their *equal rights*, to assert some rights in the majority also? Is it *political intolerance* to claim a proportionate share in the direction of the public affairs? Can they not *harmonize* in society unless they have everything in their own hands? If the will of the nation, manifested by their various elections, calls for an administration of government according with the opinions of those elected; if, for the fulfilment of that will, displacements are necessary, with whom can they so justly begin as with persons appointed in the last moments of an administration, not for its own aid, but to begin a career at the same time with their successors, by whom they had never been approved, and who could scarcely expect from them a cordial co-operation? Mr. Goodrich was one of these. Was it proper for him to place himself in office, without knowing whether those whose agents he was to be would have confidence in his agency? Can the preference of another, as the successor to Mr. Austin, be candidly called a removal of Mr. Goodrich? If a due participation of office is a matter of right, how are vacancies to be obtained? Those by death are few;

by resignation, none. Can any other mode than that of removal be proposed? This is a painful office; but it is made my duty, and I meet it as such. I proceed in the operation with deliberation & inquiry, that it may injure the best men least, and effect the purposes of justice & public utility with the least private distress; that it may be thrown, as much

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as possible, on delinquency, on oppression, on intolerance, on incompetence, on ante-revolutionary adherence to our enemies.

The remonstrance laments “that a change in the administration must produce a change in the subordinate officers;” in other words, that it should be deemed necessary for all officers to think with their principal. But on whom does this imputation bear? On those who have excluded from office every shade of opinion which was not theirs? Or on those who have been so excluded? I lament sincerely that unessential differences of political opinion should ever have been deemed sufficient to interdict half the society from the rights and blessings of self-government, to proscribe them as characters unworthy of every trust. It would have been to me a circumstance of great relief, had I found a moderate participation of office in the hands of the majority. I would gladly have left to time and accident to raise them to their just share. But their total exclusion calls for prompt correctives. I shall correct the procedure; but that done, disdain to follow it, shall return with joy to that state of things, when the only questions concerning a candidate shall be, is he honest? Is he capable? Is he faithful to the Constitution?

I tender you the homage of my high respect.