

**Thomas Jefferson to James Madison, February 22, 1798, from The Works of Thomas Jefferson in Twelve Volumes. Federal Edition. Collected and Edited by Paul Leicester Ford.**

**TO JAMES MADISON MAD. MSS.**

Philadelphia, February 22, 98.

Yours of the 12th is received. I wrote you last on the 15th, but the letter getting misplaced, will only go by this post. We still hear nothing from our envoys. Whether the Executive hear, we know not. But if war were to be apprehended, it is impossible our envoys should not find means of putting us on our guard, or that the Executive should hold back their information. No news, therefore, is good news. The countervailing act, which I sent you by the last post, will, confessedly, put American bottoms out of employ in our trade with Gr Britain. So say well-informed merchants. Indeed, it seems probable, when we consider that hitherto, with the advantage of our foreign tonnage, our vessels could only share with the British, and the countervailing duties will, it is said, make a difference of 500. guineas to our prejudice on a ship of 350. tons. Still the Eastern men say nothing. Every appearance & consideration render it probable, that on the restoration of peace, both France & Britain will consider it their interest to exclude us from the ocean, by such peaceable means as are in their power. Should this take place, perhaps it may be thought just & politic to give to our *native capitalists* the monopoly of our internal commerce. This may at once relieve us from the danger of wars abroad and British thraldom at home. The news from the Natchez, of the delivery of the posts, which you will see in the papers, is to be relied on. We have escaped a dangerous crisis there. The great contest between Israel & Morgan, of which you will see the papers full, is to be decided this day. It is snowing fast

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at this time, and the most sloppy walking I ever saw. This will be to the disadvantage of the party which has the most invalids. Whether the event will be known this evening, I am uncertain. I rather presume not, & therefore, that you will not learn it till next post.

You will see in the papers, the ground on which the introduction of the jury into the trial by impeachment was advocated by mr. Tazewell, & the fate of the question. Reade's motion, which I enclosed you, will probably be amended & established, so as to declare a Senator unimpeachable, absolutely; and yesterday an opinion was declared, that not only officers of the State governments, but every private citizen of the U S, is impeachable. Whether they will think this the time to make the declaration,

I know not; but if they bring it on, I think there will be not more than two votes north of the Patowmac against the universality of the impeaching power. The system of the Senate may be inferred from their transactions heretofore, and from the following declaration made to me personally by their oracle,<sup>1</sup> No republic can ever be of any duration, without a Senate, & a Senate deeply and strongly rooted, strong enough to bear up against all popular storms & passions. The only fault in the constitution of our Senate is, that their term of office is not durable enough. Hitherto they have done well, but probably they will be forced to give way in time. I suppose their having done well hitherto, alluded to the stand they made on the British treaty. This declaration may be considered as their text; that they consider themselves as the bulwarks of the government, and will be rendering that the more secure, in proportion as they can assume greater powers. The foreign intercourse bill is set for to-day; but the parties are so equal on that in the H Repr that they seem mutually to fear the encounter. \* \* \*

1 On the margin of the press copy Jefferson has noted in pencil "Mr. Adams."