

**Thomas Jefferson to Albert Gallatin, November 17,
1808, from Thomas Jefferson and the National Capital.
Edited by Saul K. Padover.**

Jefferson to Gallatin

TH: J. TO MR GALLATIN

I am really at a loss what to do in the inclosed case. the President as trustee for the city by it's constitution, is nominally the plaintiff. but the US. as creditors to more than the whole amount of the proceeds of the sale, being really the cestui que trust, I believe it will be more correct for the trustee to abandon the management of the case to the creditor, if so, it will fall under your direction, aided by the advice & agency of the Attorney General. if I rightly recollect my law, a plaintiff may, in any case of execution, give what indulgences he pleases as to pressing or not pressing the sales; and consequently there would be no necessity for the US. becoming the purchasers merely to prevent loss by forced sales. I will govern myself however in the case by your advice & that of the Attorney general. it seems to be urgent. Affectte. salutns

Nov. 17. 08.

[*Letters of the President of the U. S. to the Commissioners of Public Buildings and Grounds*, original in the Manuscripts Division, Library of Congress, photostat in the National Archives.]