



Mr. Jefferson Dec. 10. 1820

Dear Sir

Your of Nov. 29 came to hand in four days ago. The letter from V. Love is returned. I had one pen been called on the same subject, and in consequence considered the precedent of his political career. Dropping at the same time a few lines on this favor to our Senator Mr. Barlow, I sincerely wish some thing paper in itself, would be done for him. He needs it, & deserves it.

The law terminating appointments at periods of years is repugnant with ourselves, such as you describe. It overlooks the important distinction between repealing or modifying the office, & displacing the officer. The former is a legislative, the latter and Executive function and even the former if done with a view of re-establishing the office & letting in a new appointment is an odd most violation of the Theory & policy of the Constitution. If the principle of the late Article be a sound one, nothing is necessary but to let it apply to hold during pleasure, to a single year or the next meeting of Congress in order to make the pleasure of the Senate a tenure of office instead of that of the President alone. If the error be not soon corrected, the lock will be very difficult, for it is of a nature to take a deep root.

On application this Mr. Jefferson, I have obtained from the Legislative files at Richmond, a copy of Col. Bland's letter to you, for which I gave you the honor of a search last fall. The letter being of a public not private one, was sent to the Legislature, according to the intention of the writer. It contains what I expected to find in it, a proof that I suffered from him on the question of ceding the business of the to Spain in 1790.

This will wait for your return from Poplar Forest, accompanied I hope with ardor of the good effects of the trip on your health.

J. M.

proportion is however poor, and more than from any thing, that is seen in nature.