

1839

as the Senate has been well warranted in believing disqualified for that office. As it is not probable that your Excellency will conform your nominations to the suggestions of your friends before referred to and as the public interest may suffer by a continued conflict of opinion upon this subject between the Senate and the Governor we are willing as before indicated to re-  
vise the nomination of Mr Gallagher

governed by no proscriptive spirit, far less by any hostility to that estimable and respected class of mechanics to which Mr Gallagher belongs and which has at all times furnished its own full and liberal share of virtue, intelligence and patriotism, the Senate in their former action only aimed to exercise their constitutional power for the public good

By order

Geo D Nicholson Clk

To which the Governor on the second day of March sent the following message in answer

Executive Department

March 2<sup>d</sup> 1839

Gentlemen of the Senate

In your message of the 28<sup>th</sup> Ult. you express your willingness to receive a second nomination of Francis Gallagher as Inspector of Leather, and state as your reasons for so doing respecting him in the first instance, that he did not belong to that class of mechanics whose previous pursuits would ensure their qualification for the office; and that you expected me in a future nomination to sanction the views of those who entertained that opinion.

You are willing to reconsider Mr Gallagher's nomination because you conclude there is no probability of my making any other selection in conformity with the views expressed in your message which conclusion you draw from the nomination of Mr Dayhoff, a gentleman of the same profession as Mr Gallagher, and on that account as the Senate had been well warranted in believing disqualified for the office

I have neither the right nor the inclination to enquire into the motives which influence the Senate, nor do I think it necessary to explain my own reasons for selecting either of the persons named or for declining to nominate others.

The name of Mr Dayhoff is now before you and it did not occur to me that it would be advisable to make two nominations in a case which will admit of but one appointment. I must therefore wait for your decision in this case, before I can avail myself of your permission to nominate Mr Gallagher

I have the honor to be very respectfully

your obedient servant

Wm Gordon

March 6<sup>th</sup>

The following message with the letter and other documents therein mentioned was sent to the Senate and House of Delegates