

## THE CONTROVERSY BETWEEN SECRETARY CONWAY AND THE COUNCIL

[The two documents which follow are taken from original manuscripts found by the editor in the archives of the office of the Secretary of State at Des Moines, Iowa. Although they are official communications addressed to the Council of the Territory of Iowa, they do not appear in the *Journal of the Council*. The documents present the history of a tilt between William B. Conway, the Secretary of the Territory, and the members of the Council, which forms a prelude to the more serious controversy between Secretary Conway and Governor Robert Lucas. The offending report to the Council and the communication of Secretary Conway in reply to it were withdrawn by mutual agreement on December 27, 1838. In Chapters XVII-XXI of Parish's *Robert Lucas* and in Chapter VIII of Shambaugh's *History of the Constitutions of Iowa* the brief career of Conway as Secretary of the Territory of Iowa receives consideration.—THE EDITOR.]

### COMMUNICATION FROM CONWAY TO THE PRESIDENT OF THE COUNCIL

Secretary's Office,

Nov. 24. 1838.

To the Hon. J. B. BROWN,

President of the Council.

Sir. A Resolution, in relation to pen-knives, tin pans, &c, was transmitted to this Department of the Territorial Government, where it has received that attentive consideration which the magnitude of the subject appears to demand.

To prevent an interruption of that perfect harmony which has heretofore existed, and does still exist, between the Honorable the Legislative Assembly and the Department of State, it becomes necessary to offer, in a very respectful manner, a few explanatory remarks, and especially in relation to knives.—The Secretary would therefore, beg leave to explain.—

In the latter part of last summer, a young man, of rather an interesting personal appearance, associated, as then al-



leged with the executive Department, called on the Secretary, and stated that he (the young man) was then on his way to Cincinnati, in the State of Ohio, on business partly connected with the Territorial Library, and partly personal to himself; and then and there delivered, as an Executive opinion, that it would doubtless, be better to purchase the stationary at Cincinnati, and politely offered his services to procure the same, if authorized to do so.—The matter was held under advisement, and, in the meantime, a letter was rec'd from the Executive Department, directing the attention of the Sec'y to the facilities offered by the visit of the young man to Cincinnati, where it was believed that stationary could be had "on better terms, than at any other place." In reply, the Sec'y proposed a conference with the Executive, which resulted in a letter of instruction to the young man, (Mr. Parvin) then at, or on his way to, Cincinnati, authorizing him to make the purchases, which, (as alleged,) he did with his usual ability, and on advantageous terms.—A Bill of the articles has been returned, and the young man has returned, but he found it inconvenient, or, to use his own language, impossible, to bring the stationary:—Navigation on the Ohio was entirely suspended. This was the act of God; whose holy name is here pronounced with profound reverence. Human power cannot resist His will nor can human wisdom counteract his designs.

His Excellency the Governor, in pursuance of law, named the day on which the Legislature should convene, and the Sec'y. to meet the difficulties of a difficult case, proceeded to St. Louis, to make preparations for the approaching session, and returned, in despite of every peril, to provide for the comfort and convenience the dignity and elegance of the Honorable, the Legislative Assembly; and for whose comfort and convenience and dignity, he has made every



provision within the reach of his power always excepting knives.

Much exertion has been made to get knives, at Burlington, but knives of a suitable quality and in a sufficient quantity, cannot be procured in this town. And the Secretary can't make knives. If he could do so, he would do so, with expedition and pleasure.— But if it should comport with his own wishes, and the wishes of all those whom it may concern, that he should retain his present station until the next session, he will take especial care to supercede the necessity of any further legislation on the subject of knives; for it is the earnest wish of the Secretary that all the members should have knives and stamps, and folders, and all and singular such thing or things, device or devices whatsoever, as may facilitate the operation of the hands in yielding assistance to the deliberations of the head.

That part of the Resolution which relates to extra ink stands and tin patty pans can and will be promptly complied with. And, in conclusion the Secretary tenders to the members of the Honorable Council, individually and collectively the fullest assurance of that high consideration, which they cannot be more anxious to receive than he is to bestow, and whilst he has no reason to invoke their indulgence, he would make every proper exertion to conciliate their respect.—

WM B. CONWAY,  
Sec'y of the Territory.

COMMUNICATION FROM CONWAY TO THE COUNCIL

Secretary's Office.

December 3, 1838.

To the Honorable, the Legislative Council.

Gentlemen of the Council:—Your Journal of Friday, November 23'd, 1838, contains a Resolution which was



transmitted to this Department of the Territorial Government, and to which, on the 24th, the Secretary made a reply. That reply was on motion of Mr. Hempstead referred to the Committee on Expenditures; and, in the meantime, the Secretary was informally advised, that doubts were entertained whether said reply was not deficient, as regards the respect claimed by and due to, the Honorable Council. No sooner had this information reached the ears of the Secretary, than he, at once, suggested the adoption of that rule, which allows the right to explain, in all such cases; and he then and there avowed his desire to explain his own intentions, touching the question of respect for the Honorable Council; and having made the suggestion himself, he never expected that this right would have been either withheld or overlooked. No demand having been made for the frank explanation thus frankly tendered, and two days having then intervened, the Secretary "to make assurance doubly sure", addressed the following note to the Committee on Expenditures, that his wish to explain might thus become a matter of record. He knew that the position, thus taken, was the only one which, as a gentleman, he could occupy, and this position he was determined to maintain. Hence the following note to the Committee:

To the Committee on Expenditures, in the Legislative Council of the Territory of Iowa.

Gentlemen. I am advised by the Journal of the Council of last Saturday, that a communication from the Secretary of the Territory, was, on that day, referred to the Committee on Expenditures; and I was verbally informed, by two of the Members of that Committee, namely, Messrs. Hempstead and Payne, that the object of the reference was to inquire — whether the communication, thus referred, was, or was not, deficient in point of respect towards the Honorable the Legislative Council? to whom I then suggested, (in my office, and in the presence of Mr. Lewis, of the Council, and perhaps, Mr. Cox of the House of Representatives,) that the proper



course, according to my judgment, in such a juncture would be to enquire, in form, of the Secretary,— Whether disrespect was *intended* by said communication, or not? This statement was afterwards made to Mr. Ralston (the other member of the Committee) and the only object of this *private* note (of which I keep a copy,) is to have the fact, to wit, that I made the suggestion just mentioned that I may have *this same fact* before the Honorable Committee, in *writing*, to enable me to meet *all* the consequences which may grow out of this matter, without changing, or allowing others to change, my position, in the premises.

I remain, Gentlemen, your very obedient servant.

WM. B. CONWAY,

Secretary of the Territory.

Secretary's Office, Nov. 27, 1838.

Yet strange to say, the Journal of the Council, which appeared on the 28th of November, contained the following Report, from the Committee on Expenditures, in which the conduct of the Secretary, in regard to his communication of the 24th, and his official conduct, *generally* is made the subject of "severe animadversion," if not the theme of unqualified denunciation.<sup>1</sup>

#### REPORT

The committee on expenditures, to whom was referred the communication of the Honorable Wm. B. Conway, Secretary of the territory of Iowa, dated November 24th, 1838, beg leave to present the following report.

That in discharge of the duty assigned them, they find with much regret the communication of the Hon. Secretary of this territory to the Council, dated Nov. 24th, is of such a nature as to call forth a severe animadversion upon its tone and spirit. The evident intention of that communication was not only to treat the resolution offered by Mr. Hughes, and adopted by the Council, with irony and contempt, but at the same time to convey the idea that the articles asked for by the resolution were unnecessary and unimportant.

The reason of the adoption of the resolution offered by Mr. Hughes, is obvious to every member of the Council, but it may not

<sup>1</sup> This report does not appear in the permanent *Journal of the Council*.



be known to the community at large, that great pains were taken to prevent the Merchants and citizens of Burlington from crediting the officers of the Council and House of Representatives of this territory, for small articles necessary for their use, and the Hon. Secretary of the Territory, was understood to intimate that accounts made by the officers of the legislature, would not be paid by him. It therefore became necessary to ask by resolution, the furnishing of small articles.

On the arrival of the members of the Legislature in accordance with the proclamation of the Governor, they found the house which they were to occupy (notwithstanding the great PERIL which the Hon. Secretary experienced in returning from St. Louis, "to provide for the comfort and convenience, the ease, elegance, and dignity of the Honorable Legislative Assembly") unfurnished and unprepared for their reception and the reason assigned by the Hon. Secretary for this delay, is, that it "was the act of God &c," your committee would not pretend to impute blame to the Hon. Secretary, for the frustration of his great designs, by the Creator of the universe, whose powerful arm can arrest the progress of Governors, Secretaries, and Legislatures; but your committee do think it somewhat surprising that the acts of God, should so far intervene, as to prevent the officers of the Council and House of Representatives, from getting upon the credit of the Legislature, a few tin cups and a bucket to drink out of which articles as well as many others, the Hon. Secretary on account of PERIL, or some other cause unknown to your committee, neglected to furnish.

As the Legislature was not supplied with many necessary articles of stationary and furniture, they were left with no other alternative than to inform the Honorable Secretary of the Territory of their wants, presuming that, so far as he was able, he would comply with their requests; nor do your committee believe that any resolution has passed the Council, during the present session, disrespectful in any way to the Honorable Secretary or his office; nor could the Council possibly imagine, from their friendly intercourse with him heretofore, that he ever would have replied to a resolution of their body with such a communication as the committee now have under their consideration; and it is a source of much regret that the Honorable Secretary should have so far forgotten the dignity which he owed to himself, his office, and the Repre-



sentatives of the people, as to attempt to ridicule their proceedings and make their acts a subject of merriment and derision. The Honorable Secretary of this Territory may rest assured that the present Legislature will not tamely submit to the insults and derision of any officer of this Territory; and they, at all times, will defend to the last their honest rights, and the liberty of the people whom they have the honor to represent.

Mr. Whittlesey moved to concur in the report.

Mr. Hepner moved to amend the motion by referring the report to a committee of the whole, which was lost.

The question then recurred upon the adoption of the report, upon which question Mr. Payne called for the Yeas and Nays, which were ordered, and are as follows:

Those who voted in the affirmative, were, Messrs. Hempstead, Hepner, Hughes, Inghram, Keith, Lewis, Payne, Swazy, Whittlesey, and Mr. President—10.

In the negative—none.

The Secretary read the foregoing report with perfect astonishment, and, to prevent the possibility of a mistake, as well as to *justify* himself in adopting any alternative that might be presented in the progress of this unpleasant misunderstanding, he addressed the following communication to the Honorable Council, immediately after the appearance of the Report, in the printed Journal.

Secretary's Office.

Nov. 28. 1838.

To the Hon. J. B. BROWNE,  
Pres't of the Council.

Sir:—The Journal of the Honorable Council, of the 27th inst, and now on my table, contains a Report from the Committee on Expenditures, which said Report is predicated on a communication, from this Department, of the 24th inst,—and is condemnatory of the Secretary of the Territory, not only in connection with the communication referred to,—but also in what may be fairly regarded as general terms.

Now, the object of the present communication is to inquire,—



in a respectful manner,— Whether it was known to *all* the gentlemen, by whose votes this condemnatory Report was adopted, that the Secretary had stated to members, of the Committee on Expenditures, that (*before* any official action should be had on his communication of the 24th,) it was due to the true dignity of the Council to enquire, in form, whether any disrespect was *intended* by the Secretary in said communication? For it was stated, by the Secretary, that this was his *wish*, and the course which, under similar circumstances, he would feel bound to pursue; and it was *then* conceded, that this was a preliminary requirement which intercourse between *gentlemen*, whether official, or personal and private, imperatively required.

It is therefore repeated, that the object of this communication is to advise *all* the Members of the Honorable Council, that a willingness,—a wish,—a desire to *explain*, was earnestly manifested by the Secretary, to all the Members of the Committee, before whom his communication of the 24th was then pending; and this was *before* any official action was had in relation thereto.

And it is now respectfully submitted:—Whether the fact just stated, is not, in itself, sufficient to authorize the Members of the Council, as honest and honorable men, to *reconsider* the vote on the adoption of the Report, as due to their own honor and integrity of purpose, as well as to the official character and conduct of the Secretary of the Territory?

If this fair and gentlemanly requisition cannot, for incomprehensible reasons, induce the Honorable Council to reconsider;—then will the Secretary be reduced to the unpleasant alternative of joining issue on the Report itself, in which event he will be abundantly prepared to satisfy any, and every, honest, honorable and rational mind, that said Report *should* not only be reconsidered, but recinded, as regards both *fact* and *principle*. With all proper respect, I have the honor to remain your obedient servant,

WM. B. CONWAY,

Secretary of the Territory.

Of this (last) communication, the Journal of the Council, of Nov. 29th, contains the following laconic, yet expressive, notice.

The President submitted a communication from the Secretary of the Territory.



Mr. Payne moved that said communication be laid on the table, until the 4th day of July next.

Mr. Hempstead moved to amend the motion, by adding the following:— And that said communication do not appear upon the Journal; and the motion, as amended, was agreed to.<sup>2</sup>

Without stopping, in this place, to enquire: Whether the Honorable Council have not vastly transcended their rightful powers, in excluding from their Journal (a public Record, the property of the people,) an official communication from an officer of this Government; without stopping to enquire into a matter so grave and important as this, the Secretary will pass, at once, to a consideration of the Report itself, inasmuch as an alternative is now presented which he neither anticipated nor desired: The Report will therefore be examined, *first* in relation to the *facts* therein affirmed, and *secondly*, as regards the *principles* which its adoption has involved.

The leading facts assumed by this unwarrantable Report, may be reduced to the following methodical specifications. And

*First.* It is assumed, that the "*intention*" of the Secretary's communication, of the 24th, was to treat the Resolution to which it was a reply, with "*irony and contempt.*"

This is the first and the most material allegation, this question of *intention*, and who could explain the Secretary's intention but himself; which he offered to do and was denied a hearing! To assume a position, is often easier than to defend it, and if the Committee believed their position to be defensible, why did they not allow the Secretary to explain? But two illustrations of a similar principle occurred within the range of his professional experience. A man went before a Magistrate, and solemnly swore that his

<sup>2</sup> These lines appear on page 58 of the *Journal of the Council*, 1838-1839, and constitute the only official printed record except that of the final reconciliation on page 117 of the *Journal*.



brother-in-law was *afraid of his life*, and apprehended bodily harm from a refractory neighbor; who, strange to relate, was bound over to answer for the meditated evil, attested by *one* man swearing to *another man's fears*. The second instance was still more comprehensive. In a controversy pending before a Court of Quarter Sessions (having jurisdiction over the question,) for changing the name of a Township from Peebles to that of Liberty, a deposition was read, in which the deponent swore roundly, that *every man in* that Township, but three, *intended* to have the name changed, thus swearing to the intentions of a whole township with a very small exception. Will the Honorable, the Legislative Council of Iowa, confirm this principle by a solemn decision? Will they interpret the *intention* of the Secretary, and torture his language into contempt, by the mere force of construction, and deny him the right of explaining anything that may require additional light? The Secretary is the expositor of his own intentions, and has never yet shrunk from the responsibility of making them known.

*Secondly.* It is furthermore assumed by the Report, that the Secretary intended to "*convey the idea*", that the articles asked for by Mr. Hughes' Resolution were "unnecessary and unimportant." So far as the *necessity* of having such articles in the Legislature is concerned, the Secretary has only to refer to his two communications, to the Honorable Council, of November the 15th, which were deemed to have been sufficiently respectful; a reference to which will disclose, in very explicit terms, the estimation in which he held *all* that can be properly embraced within the range of the entire subject. So much for the necessity involved in the case; and as regards the "*importance*" of the matter, the progress of this unwelcome negotiation had



added Gothic proportions to a subject not heretofore believed to have been capable of such vast extension!

*Thirdly.* The next accusatory statement (accompanied by a side wind appeal to "the community at large,") charges the Secretary with having been "understood to intimate, that accounts made by the officers of the Legislature would not be paid by him." When the Secretary would be understood to make an intimation, or "convey an idea," on any subject, his meaning can seldom be misapprehended. He told all the officers of the Legislature, with whom he conversed, and before they were duly accredited to his Department in any official form, he told them, or their head men, that he would give an order, at any time, to any Merchant, or Mechanic, in Burlington for any article that might be required, in, or about the Legislative Assembly; and the fact defies refutation, that any article, thus required, and which could be procured, was ever refused, or withheld. The story about the "few tin cups and a bucket to drink out of," so beautifully and pathetically paraded before the public, through the medium of a Senatorial Report, had reached the ears of the Secretary through another channel. But the fact is undeniable, that no application was ever made to him, in form, or out of form, by any man, woman, or child, that does now exist, or ever has existed, for a "few tin cups and a bucket to drink out of"; for his heart would have melted within him, if such a touching idea had ever reached his feelings, even through the misty visions of a dream, that any Member of the Honorable Council should have suffered the slightest inconvenience for want of a "few tin cups and a bucket to drink out of." Nothing shall be said of the merits of the Report, as a *specimen of literary composition*; but it must be known, that the Secretary, as the disbursing officer of the Territorial Government, would not allow every man who might be, or might



call himself "an officer of the Legislature," to go and deal with whom he pleased, and for what he pleased, without the restrictions imposed by a specific order. But these orders were never withheld, or dealt out, by the Secretary, with a niggardly hand. He is bound to "account" for his disbursements,—bound under a penalty of Twenty Thousand dollars, and hence the necessity of, at least, proper circumspection!

*Fourthly.* It is solemnly alleged, that the Legislature (is the Council authorized to utter complaints for the House of Representatives?) it is alleged, that "the Legislature was not furnished with *many necessary* articles of stationary and furniture"! How is this charge sustained? Look round your Chamber, Gentlemen, and ask yourselves these questions. If the Laws passed, and to be passed, here, during the present session, should not bear the impress of wisdom; if they should fail to accomplish the object for the attainment of which we were sent here,—namely, the substantial welfare of a shrewd, intelligent, high minded and energetic people, can we, in this event, as honest men, declare to our constituents, that the Secretary of the Territory has, by his delinquencies, occasioned a result so much to be deplored? Would this be received as an excuse, or could it be *fairly* offered as such? Would this soothe the indignation of a disappointed people, or could it be sustained by facts?

*Fifthly.* A reference is also made, in the Report, to the condition of the House, at the commencement of the Session; and "this is the unkindest cut of all." It is known, that the duties of the Secretary, on that occasion, were unusually arduous. It was the *beginning* of the *first* session. A new Government was to be established. The Rivers were all down to the lowest ebb, and the season was anomalous, in the calender of Autumn. Still the Honorable



Representatives met; though the rain fell, and the winds blew, and the heavens lowered gloomily upon their meeting! May God forbid that this should be ominous of the result of their deliberations. The Secretary was out, through mud and rain, directing and assisting in every thing that could be done, to prepare comfortable and pleasant quarters for men who had the honor to represent a free people. The building had been erected with astonishing expedition; and the plaster was scarcely dry upon the walls which were to encircle the first statesmen of Iowa. The exertions of Mr. Sleeth, and his co-assistants of that congregation, deserve all praise. And as regards the preparations, made by the Secretary, can the Council consent to day, that the prosecution of the public business was injured or retarded, by his neglect?

But have not the Council already spoken loudly on this subject? Have they not, by a solemn act, recorded their judgment, in relation to the official conduct of the Secretary? By whom were they prompted to do this? Certainly not directly, nor indirectly, by the person who felt highly flattered by, and not less grateful for, the unsolicited honor. The published Journal of the Honorable Council, of the 17th day of November, 1838, contains the following Resolution, which the Secretary regarded as an higher reward for the faithful performance of his duty, than a salary of dollars and cents.

On motion of Mr. Hepner,

Resolved, that the communication from the Hon. Wm. B. Conway Secretary of the Territory of Iowa, in answer to the resolution of the Council of the 14th inst. be now taken up and read.

Whereupon, Mr. Hepner offered the following:

Resolved, that the communication now before the Council be voted satisfactory, and that the thanks of this House be tendered the Hon. Wm. B. Conway Secretary of the Territory of Iowa, for



the prompt and efficient manner in which he has complied with the request of this House and the duties of his office.

Which on motion of Mr. Keith, was adopted.

As has been already stated, this testimonial of your approbation was gratefully regarded, because, and only because it was believed to express the honest convictions of honest men. Yet strange to say, and marvellous to reflect upon, *the very same facts existed*, when the preceding Resolution was adopted, to praise the Secretary, which are now set forth, in the Report, as the grounds of his condemnation! It is true, that a special pleader might offer to *set off* the praise of Council, against the censure of the Council, upon the same state of facts; for, like the old case of *Flint against Flint*, there is a verdict, of *equal authority, on both sides!*

Gentlemen, it must not be overlooked, that the Report covers the entire official character and conduct of the Secretary; and what will appear remarkable, indeed, there is not a statement contained in his communication of November the 24th, that is called in question, by the condemnatory Report; although *that* communication was the only act of the Secretary (except his wish to explain it,) which was *properly* before the Committee. And yet, your Committee traveled out of the record, to seek for new grounds of accusation, and it is much to be deplored, that they were sustained by the Council. The *facts* contained in the communication from this Department of the 24th *ultimo*, were not refuted, nor even called in question, and shall it be believed, that the Honorable Council will sit in solemn deliberation upon the mere peculiarities of *style?*

It will be remembered, that many Resolutions not widely dissimilar in their object, to the one proposed by Mr. Hughes, had been transmitted to this Department; and to all of which respectful answers were promptly returned.



It is important, that a more careful reference had not been had to the statements set forth in these replies. The assiduity of the Secretary, in this respect, is abundantly attested by your Journal, and that of the Honorable the House of Representatives, from whose Hall the voice of complaint, or censure, has not yet proceeded. So much then, Gentlemen, for the material *facts* of this unpleasant case; and let us now consider it, as a matter of *principle*.

Gentlemen of the Council, you have solemnly condemned an officer of the Territorial Government upon the state of facts which has just been considered. And you have condemned him without a hearing! The common right of self defence, has, in his person, been rashly invaded. Jurisdiction has been assumed, by the Council, equivalent to the most despotic usurpation, by inflicting, in an evil hour, a sentence of condemnation, without allowing the accused the exercise of that right which the meanest criminal can claim, the sacred, the indefeasible right of self defence. The Secretary could not deliberately entertain the belief, that the Honorable Council intended to carry this procedure so far;—and his last communication (of the 28th of Nov.) was transmitted for the express purpose of affording another opportunity of calmly reviewing the rash course which had been so rashly pursued. A man, a citizen,—an officer of this Government, has been, in form, and in fact, condemned, and condemned without a hearing, by men who talk about their own "*honest rights!*" This is the rule, and this is the comment!

Gentlemen of the Council,—is there a man, in your Chamber, who would be thus condemned, and tamely submit to the condemnation? Who would hear his own conviction solemnly pronounced, and see that conviction as solemnly recorded, without being asked what he had to say, to arrest, or mitigate, the sentence? No, Gentlemen, the



last spark of manly feeling must be extinguished in your bosoms, before you could submit, with servile tameness to a proceeding like this! And you cannot ask the Secretary to bow down, in meek submission, before a rash decree, at which, if the case were your own, your sense of honor, and your sense of justice would indignantly revolt.

To "do unto others, as we would that others should do unto us," is a maxim which not only bears the sacred impress of Divine authority, and wisdom, and goodness; but it is also the test of true honor. Without a practical observance of this rule, dignity of character is a vain assumption, and honor the mere "shadow of a shade". That this doctrine may yet receive the assent of the Council, is a pleasing conviction to which the Secretary would still fondly cling.

With more than his usual prudence, he transmitted his communication of the 28th of November, accompanied by a hope that the Council might reconsider their indefensible Report. And that communication was received with contempt, and excluded from the Journal! Thus was a personal aspect given to the difficulty, and it remains to be seen whether that aspect shall be changed. In that communication, he invited the attention of the Council to the consideration of a fact, which would justify a change of position, without wounding your proper pride, or impairing, in any degree, your dignity and honor. But this alternative was unhappily rejected. His *official* communication was spurned from the Record; of which Record, the Secretary is the legal *Guardian*, and the record itself, is the *property of the people!* It is made his *duty*, which he has sworn to perform, to "record and preserve *all your Laws and proceedings,*" and less than all he will *not* receive.

Gentlemen of the Council, "there is a time for every thing," and this is the time to pause. The Secretary is



bound to transmit a copy of your proceedings to the Congress, and to the President of the United States, and his official certificate is required to authenticate the record, which the Law requires him to transmit. And to give validity to your proceedings (as published,) in the Courts of this Territory, the same certificate is essential. Like yourselves, Gentlemen, the Secretary is sworn to do his duty, and will any man presume to say, that he will certify that to be true, which he knows to be false? He will never give validity to a garbled account of your proceedings. He will never certify to *mere selections* from your Journal. If that record be mutilated, garbled and selected,— he will attest, before the people, and the Courts of this Territory,— before the Congress, and the President of the United States, and before high Heaven he will attest, that the record is false!

Gentlemen of the Council, the Secretary entertains no unkind feeling towards you, or any of you, and he asks nothing but justice at your hands. And while he would not inflict an injury on you, or any of you, he will nevertheless defend his own rights, and his own honor, nor shall that honor be tarnished with impunity. He has connections that are dear to him, and to whom his honor is dear; and he will hold no man guiltless, who, in the fancied security afforded by any station, would bring a tear to their eye, or a blush to their cheek. It must not be forgotten, that he has been condemned without a hearing,— and shall he be asked to certify that the record of his conviction is true?

Gentlemen of the Council, are you prepared to reconsider and recind your Report? The Secretary does not ask, that it shall be "*expunged*"; nor does he approve of this principle, if the defence be allowed to accompany the accusation. Are you prepared to restore the Journal to that condition which will authorize the Secretary to certify



that the record is entire? Are you prepared to do full and ample justice to your own character as men, and as Representatives of an honest people, by proving that, if, you commit an error of judgment, you are not disposed to sustain it, by an error of the heart? Gentlemen of the Council, the Secretary requires no sacrifice of your true dignity, nor would he inflict a wound on your proper pride. He asks only for justice; and shall this be withheld? He only asks for the revocation of a decree, which brands him with official delinquency, official delinquency, for what Rigor itself could not construe into an offence more serious, than a want of proportion between your Senatorial gravity, and the easy familiarity of his epistolary *style*.

The Secretary is willing, Gentlemen of the Council, to renew the kindest relations with you, and with each of you, provided you do unto him, as you would that he should do unto you;— and that is, provided you do him justice. With less he cannot be satisfied, and more he does not ask. He is anxious to renew his friendly intercourse with you, provided this can be done on honorable terms; and these terms are now presented,— that is to say, that your condemnatory Report, *in its moral effect*, shall be recinded, revoked, annulled and made void.

With due respect, Gentlemen, I remain your obedient servant,—

WM. B. CONWAY,  
Secretary of the Territory of Iowa.