

INAUGURAL ADDRESS

DELIVERED TO THE

TENTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

BY

GOVERNOR WILLIAM M. STONE.

DES MOINES:
F. W. PALMER, STATE PRINTER.
1864.

INAUGURAL ADDRESS.

Gentlemen of the Senate and House of Representatives :

Assuming the Executive office, at a momentous period in public affairs, I have taken the oath prescribed by the Constitution, under a full sense of the grave obligations imposed. Profoundly grateful for the confidence of a generous and patriotic people, and with humble reliance on Him who has guided us through many trials, I shall endeavor to meet their just expectations, by an earnest and faithful discharge of the duties assigned me.

The duty of communicating to the General Assembly the condition of the State, as required by the Constitution, and recommending such measures as may be deemed expedient, for legislative action, more properly belongs to the out-going Executive, whose official connection with the affairs of government, for a term of years, has afforded him the benefit of that observation and experience, necessary to a proper understanding of the various measures demanded by the general welfare.

The recent message of my predecessor furnishes you the necessary information, concerning the condition and affairs of the State, during his official term; and is so specific in its recommendations that I need do but little more, on this occasion, than express my concurrence in the suggestions therein contained, and ask for them your favorable consideration.

Representing, as you do, the different portions of the State, and being conversant with their wants and interests, your aggregated information, and joint counsels, will enable you to perceive, and readily comprehend, every material subject which may demand your action. In our zeal to advance the public interests, however, we should bear in mind, that multiplicity of legislation, is neither wise nor expedient. Innovation is not always reform. And experience has abundantly demonstrated, that the utility of laws, to a great extent, depends upon their certainty; and that frequent

changes, in established rules, are a source of great inconvenience, and productive of less good than mischief.

The subjects of finance and revenue, common schools, militia, currency, the practice of the courts, and county government, are of primary importance to the State, and should receive a liberal share of your attention. But the various laws now in force upon these subjects, have been so long in operation, and so thoroughly tested, that their defects, if any exist, will be readily perceived. I would recommend extreme caution in their consideration, and advise no change in any of them, unless demanded by obvious utility and sound experience.

From various sources, my attention has been earnestly invited to what, in the opinion of many, are cogent reasons for changing our present form of county government. The Supervisor system, created by Act of the Eighth General Assembly, has failed to command that general satisfaction which its advocates predicted and desired. The objections urged against it are quite numerous, and, apparently, substantial in their character. Those who desire a change, express their preference for the Commissioner system, which has prevailed so long, and operated successfully, in many of the older States, and if, after due investigation, any change may be deemed advisable, I would recommend this system to your consideration, as being the most simple and practical, of any that could be adopted. I cannot assume the responsibility of recommending a change; for the reason, that my observation of the present system, has been much too limited to justify me in entertaining a satisfactory opinion as to the soundness of the objections urged against it, and I therefore commend the entire subject to your earnest and considerate attention.

Your attention is invited to the expediency of abolishing the Board of Education, created by Article 9, of the new Constitution. This Board, in the sessions already held, has accomplished much valuable labor, and to it are we mainly indebted for the framework of our present admirable system of Common Schools, which needs but little additional legislation, to render it sufficiently comprehensive to meet the demands of our educational interests for many years to come. It is now thought the period has arrived, when this Board is no longer required; and that it can be abolished without detriment to the public service. The framers of the

Constitution evidently contemplated, that after its labor, in maturing a permanent and satisfactory system of schools, should be completed, its utility, as a separate department, would terminate. In view of this contingency, the 15th Section of said Article, confers upon the General Assembly the power, after the year 1863, to abolish or re-organize the Board, and to provide for the educational interests of the State, in any other manner that to them shall seem best and proper. Should you concur in the expediency of this measure, it will become necessary to create the office of Superintendent of Public Instruction, in order that the important duties now devolving upon the Secretary of the Board, may be transferred to and performed by an appropriate officer.

I desire to invoke the earnest attention of the General Assembly, to the necessity of providing additional means for supporting the families of the deserving men who are absent, in the public service. Many of these men, in limited circumstances when they volunteered, have no means of supporting their families, except the scanty wages received from the Government; obviously inadequate, under the present high rates of living, to properly maintain a soldier, and meet the legitimate wants of his family.

I am aware that, at the Special Session of the General Assembly, in 1861, an Act was passed empowering the Boards of Supervisors to appropriate money out of the County Treasuries, for the support of soldiers' families within their respective counties. But, I regret the necessity which compels me to say, that this highly commendable and patriotic enactment, has signally failed to accomplish the object intended. In counties where a majority of the Supervisors are friendly to the Union, and the prosecution of the war, this relief has been furnished to a liberal extent; but in many others, where that majority is with the opposite party, they have persistently refused to appropriate a single dollar to this humane and Christian purpose.

In considering the question, we should not confine ourselves to the theory adopted by some, that this is a mere county matter, and, therefore, not the appropriate subject of State action. From whatever county the man enters the service, he becomes a soldier of the State, fighting for one county as well as another, and has an equal claim upon the generosity and gratitude of all our people. In the absence of an adequate law, providing relief for these meritorious

families, out of the public revenue, these burthens, necessarily, fall upon a few liberal and patriotic individuals in each community. This is clearly wrong, and should not be permitted. None should be allowed to escape this imperative public and patriotic duty. Every individual in the State should be required to contribute, for this purpose, his full share, in proportion to the amount of his taxable property. I, therefore, earnestly recommend that a liberal appropriation be made for this purpose, out of the State revenue; to be disbursed through the agencies of the State Sanitary Commission, in such manner as you may deem it wise to direct. This Commission, recently organized, and incorporated, has acquired a responsible character, and enjoys, as it should, a full degree of public confidence.

By such an Act, we shall seal, in perpetual memory, the gratitude so eminently due to exalted patriotism, and unrivaled valor.

The soldiers of Iowa need no eulogy now, to secure for their deeds the admiration of history. Their unselfish devotion to the cause of the country; their patient endurance of the untold hardships incident to service in a distant and strange climate; and the sturdy heroism they have illustrated on so many fields, have given to our young State a record of valor as imperishable as the bloody annals of the war; and aided, in securing for our common country, a fame co-extensive with the civilized world. On every battle ground from Wilson's Creek, where, amid the deadly hail of an unequal contest, they rallied 'round the heroic Lyon, and freely mingled their blood with his, to the gory mountain heights and passes in front of Chattanooga, and the *now* glorious field of Chickamauga, the Flag of Iowa has been borne by brave hands to triumphant victory. Where all have done so well, to particularize would be invidious; and I could not name all who are entitled to honorable mention for noble and valorous deeds, without calling the entire muster rolls of Regiments, Battalions and Batteries. Impartial history will attest the significant fact, that no great battle has yet been lost, in which Iowa troops were engaged; and none gained, on western fields, in which they have not borne a conspicuous part. Among the first in the field, and ever to the front, their numberless graves are scattered from the plains of Texas to the banks of the Cumberland, and from the shores of Lake Michigan to the waters of the Gulf—sad, yet truthful witnesses of how bravely they fought and nobly died.

Fathers and sons, husbands, brothers and friends, sleep in those narrow tenements, far from their beloved Iowa; but enshrined in the hearts of a grateful people, their memories, like the unfading laurel, will survive the dreary winters of coming time.

Contemplating the condition and affairs of our own State, let us not be unmindful that our common country is still involved in cruel and relentless war. The god of ambition is yet unappeased, and the demon of civil strife is making sad havoc in the land. The great struggle for the integrity of the Union and the preservation of the National Government, is yet to be decided. After a trial of nearly eighty years, embracing the most comprehensive experience, and affording ample proofs of its power, utility and beneficence, the existence of this unrivaled Government is committed to a bloody conflict between its own citizens.

The constitutional right of a State, or any number of States, to withdraw from the Union, is no longer a practical question for discussion. If that right be conceded, the action of the Federal Government, in compelling obedience to its laws, is indefensible, and the war, on our part, clearly wrong. The determination of that question was preliminary to war, and to any effort by the Government to reduce the seceding States to submission.

In the absence of a constitutional right to dismember the Union, by secession, the attempt was treason and insurrection, which the President of the United States, under the solemn obligations of his oath, was as much bound to suppress, as he would have been to repel an invasion of our soil by a foreign enemy. Existing laws, adopted in the early years of the Republic, clothed him with ample authority over the subject, and made his duty imperative. In promptly meeting the aggressions of treason, and placing the Government in a state of defence against this long projected, and wicked rebellion, he fulfilled the just demands of the Nation, and entitled himself to the lasting gratitude of mankind.

For nearly three years, this deplorable war, inaugurated by the mad ambition, and treason, of Southern men, has progressed with its varied results. Though disasters have sometimes overtaken our advancing columns, the triumphs which have crowned their heroic efforts, in the glorious cause of the country, have far outweighed all the reverses they have sustained. We have penetrated the insurgent country from almost every point, by land and sea, and res-

cued from their grasp the most productive and populous States of the South. To-day the ancient Flag of the Union floats triumphantly over the soil of every rebel State, and waves from the battered walls of Sumter, back as far as the serpent of rebellion can be traced.

The rebel armies, defeated and demoralized, are being rapidly driven to a common centre; their currency worthless, and their credit gone; their pretended jurisdiction reduced to nearly one-third of its original limits, and a surplus population crowded within them to subsist upon their meagre harvests; impending death, or exile, to the leaders, ruined fortunes and desolated homes to the unwilling masses—this is the end of treason, and the doom of traitors!

Supported, and elected by the loyal and patriotic people of Iowa, in a contest presenting the grave questions which here, as elsewhere through the loyal States, alone pervaded the public mind and determined the result of the recent elections, I but discharge a plain duty to them, when I express the convictions of my own mind, upon the portentous issues yet to be decided by the valor of our arms. While entertaining a profound respect for the opinions of all loyal men, in whatever locality they may be found, I am aware of no rule requiring deference to the opinions of their enemies, or of any obligation I am under to consult their views, or wishes, in the discharge of my official duties.

There is no longer any middle ground where loyal men can stand, and find refuge from the stern, and positive obligations of the hour. The times are fraught with mighty events, involving the welfare of the present and future generations, and impose the most solemn duties upon every patriot in the land. It is not the mere dominion of a political party, nor territory, nor empire; but liberty, and the eternal principles of natural justice, born of God and, under Him, established on this Continent by our fathers, which are staked upon the issue of the struggle.

It needs no words of mine to show that the vigorous and successful prosecution of this war is *life* to the Republic, while to hesitate for a single hour, upon any pretext whatever, or stop short of the unconditional recognition of Federal authority by all the revolted States, would be but a hollow truce, and *death* to our unity and Nationality.

Great and holy interests are involved in the contest. There is no longer any hope of their preservation by the ordinary modes of adjustment. They are, therefore, to be saved or lost, by the arbitrament of battle. In the terrible ordeal through which we are passing, many old conditions are likely to be rejected, and some things which have been, may not be again; but the patriotic heart may find reasons for its faith, that all such as are good and substantial will be retained and consecrated in the new life of the Nation. Let us hope that enemies in the disguise of friends, will never again occupy the high places of power; that the people's Treasury will not again be robbed by official hands, their arms, their arsenals and fortifications turned against their own Government; that the blighting curse of Human Slavery will no longer receive protection by the statutes of the land, nor exist in any form under the National Flag; and that traitors may never again sit in the Council Chambers of the Nation, nor plot their treason beneath the dome of its Capitol. Let us pray to a righteous God that such scenes may never stain the coming annals of the Republic, and if need be, that the havoc of bloody, desolating war, may abate not until the day of regeneration shall come.

The events of the hour, grand and irresistible in their course, are rapidly hastening to their legitimate results. He who disposes while man struggles, and proposes, has pronounced His imperial decree.

Those who hesitate now to yield an unreserved support to the Federal Government, or fail to sustain its constituted authorities, unmistakably array themselves on the side of its enemies, and will be so recorded in the history of the times. If treason is crime, to sympathize with traitors is also clearly criminal. While there is treason in the heart, the man cannot be truly loyal, and we know not how soon his hesitating courage may nerve him to commit the overt act. The line of demarkation between loyalty and treason, is plainly defined, and exceedingly narrow.

Obvious as these considerations are to all discerning minds, it is a painful reflection, that there exists a faction, in the Northern States, which has persistently opposed the action of our Government in its efforts to subdue the Rebellion, and clamored for peace upon any terms. While professing to be loyal, the members of this faction have given strength and courage to traitors, and by

their conduct proved themselves the most insidious, and dangerous foes of the Union. Recent events, however, have demonstrated the continued attachment of the patriotic masses of all parties, to the perpetuity of our free institutions; and shown that they cannot be deceived by mere pretences of loyalty, or misled by the cry of peace, when there is no honorable or permanent peace, short of vigorous and successful war.

Systematically opposing every measure yet devised, for a successful prosecution of the war, and having no mode of their own for an honorable solution of existing troubles, these malcontents seek to justify their course by creating a distinction between the Government and its Administration; confronting us with the novel doctrine that the Government is the Constitution and the institutions founded thereon, while the Administration is merely the agents chosen by the people, and responsible to them. Assuming to act upon this theory, they claim the right to oppose the latter, while pretending to support and maintain the former.

This dangerous paradox is a fit companion of the doctrine of "State Rights," which held the American Union to be only a league between sovereign States, dissolvable at their will; and that the citizen owed a paramount allegiance to his State, and only a subordinate one to the Federal Government. A doctrine which, although denounced by the stern old leaders of democracy, as destructive of the Union, yet succeeded in diffusing its subtle poison through the Southern mind, and, finally, culminated in the crime of treason.

It needs but a word of refutation. I do but adopt the idea of a great writer, when I say, that our free, written Constitution is not Government, but the warrant and representative of Government. It is not power, but the symbol of power, and will, in any emergency, prove altogether useless, unless the power for which it stands be forthcoming. Where does this power reside? Not in the Constitution, nor in any of the co-ordinate departments created by it; nor in the people, but in all combined. These constituent elements compose the Government, the powers of which are exercised through its constitutionally appointed agents, the legislative, executive and judicial departments. Without these, the powers defined in the Constitution could not be appropriately exercised; and without them, it is obvious, we should have no government.

Therefore, to strike at any of these, is to injure the Government itself to the full extent of the blow.

The President of the United States, for the time being, is the Supreme Executive of the Nation, the chosen agent of the people, the pilot who guides the Ship of State. The liberty of speech, and of the press, guaranteed by the Constitution, is formidable only to the enemies of liberty, in its broader and more extended sense. The right to freely discuss the affairs of Government, and criticise the acts of its agents, is fundamental to liberty, and cannot safely be denied.

To all this I fully subscribe. But the right claimed by some, to oppose the execution of the laws, and, by factious opposition, to thwart the President in the discharge of his high duties, at so important a juncture, is subversive of all liberty, and a right which belongs to treason only.

Again, the War Policy of the Government has been continuously denounced, as subversive of the rights of the South, and in violation of the Federal Constitution. It is reasonable to presume that these men have either forgotten, or never known; that Abraham Lincoln is not only President of the United States, charged with the execution of *civil* power, but also Commander-in-Chief of the Army and Navy of the Union, and thereby clothed with the *war* power of the Government. In the exercise of his civil functions, he is guided by the plain language of the Constitution, which defines the limits of his power, and beyond this he cannot go; but in the discharge of his duties as Commander-in-Chief, in time of war, he is governed only by the laws of war, as recognized among civilized nations, and such other restrictions as Congress and the people may impose. Deriving his authority by appointment of the Constitution, he is thereby vested with all the power which rightfully belongs to the Commander-in-Chief of any other army upon the face of the Globe. This extraordinary power, it must be understood, is called into exercise only from a state of war, and cannot be exerted in time of peace.

By his oath of office, the President is sworn "to the best of his ability, to *preserve, protect and defend* the Constitution," and in the discharge of this solemn obligation, he may rightfully exercise all the power inherent in the people, whose agent he is; and that he may do this, they have made him Commander-in-Chief of their

army and navy, and the Constitution is the warrant of his appointment. To hold, that when called upon to "preserve, protect and defend the Constitution, to the best of his ability," he is restricted to the mere letter of his civil authority, is to deprive him of the very means of discharging that high duty, and make the Constitution, thereby, the weapon of its own destruction.

The Constitution is neither a war-making nor a war-prosecuting document. It empowers Congress to declare, and the President to prosecute war, as the honor of the Nation and the exigencies of the case may demand. It undertakes neither to inform Congress when, or in what case war may be declared, nor the President the manner of carrying it on. Having made them judges of the situation, it leaves the details of war to their intelligent patriotism and sound discretion.

Wherein has the Constitution been violated, and whose rights have been subverted by the Federal Government? The loyal States have no reason to complain, and do not, for the people thereof having said, at the beginning, that the rebellion should be put down, become a party to the war; and after a long hearing, and full understanding of the case, they have returned a verdict, magnificent and overwhelming in its proportions, that the Administration was *not guilty* of the charges preferred against it. The people of the insurgent States have no right to complain; for, having renounced their allegiance to the Constitution, levied war against it, adopted a Constitution and government of their own, and claiming recognition as a separate and independent sovereignty, they have assumed the attitude of belligerents to the Federal Government, and thereby acknowledged themselves entitled only to belligerent rights. Every right which, as citizens of the United States, they possessed under the Constitution, has been voluntarily abandoned, and forfeited, by the rebellion. These rights can not, and should not be restored to them, until they shall lay down their arms, submit to the jurisdiction of the Federal Government, and obtain pardon for their treason. In every sense of the term, they are enemies to the Constitution, to our Republican Government, to liberty and humanity, having but a single constitutional right left, that of being dealt with according to the laws of the land, for the atrocious crime they have committed. No other people or nation, upon the face of the earth, could have committed so high a crime against

this Government, and its flag. And now, while standing as the flagrant, deadly enemies of the Constitution, with their hands uplifted at the nation's throat, we are told that their Constitutional rights are unimpaired, and as substantial as when they were law-abiding and peaceful subjects of the Government. Thus we are asked to give immunity to crime, by exculpating the criminal.

As enemies and belligerents, to what rights are the insurgent States entitled? The Constitution being entirely silent upon this subject, we must resort for information, to the laws of war, as established and recognized among the nations of the world. The eminent writers upon this subject agree in saying, that in war we may do any act not forbidden by humanity or the laws of nature, which may harass or weaken our enemy. We may confiscate his property of every kind, and appropriate it to our own use, for the double purpose of diminishing his strength and augmenting our own. We may capture and detain his soldiers, and take their lives if we can, in legitimate combat. All this we are allowed to do, because it is a right which belongs to every nation at war, is derived *from* and attaches *to* a state of war. These well established and fundamental principles, have been recognized by our Government in its intercourse with other nations, sustained by repeated decisions of the Federal Courts, and never denied or doubted, except during the present war, by certain northern politicians, who have throughout, manifested more interest in the rebellion than love for the Union of these States. And it is proper here to remark that the character of belligerents, has been given to the insurgent States by the legislative and executive departments of the Government; that we have so treated them during the entire war, and that this action has been sustained by a late well considered opinion of the Supreme Court of the United States, in a case fully and fairly presented. This question may, therefore, be regarded as settled, so far as the action of this Government and people, can settle any question.

During the first months of this war, in common with what I believe to have been a decided majority of the people, both in and out of the army, I indulged the hope, and expressed the belief that it could be successfully terminated without a direct attack upon the local institutions of the south. The Government itself seems to have entertained the same view, for a remarkable tenderness char-

acterized its dealings with traitors, and the war was prosecuted during the first year, with eminent success, upon the theory of doing the rebellion as little damage as possible. Bitter experience and observation, however, finally convinced me as it did others, that slavery was not only "the corner stone of the Confederacy," but was the *power* which sustained, and the motive which impelled the rebellion. Every negro that worked with a hoe, or drove a mule on a southern plantation, was as much enlisted against the Union, as the soldier who served with his gun in the ranks of the rebel army; and more effectively so because the grain upon which our enemy subsists, renders him more formidable than his shells or his bullets.

Slavery stood like a mountain before the advance of our armies, and could neither be avoided nor defied. It enabled the insurgents to place their entire militia force in the field against us, and added more than one-half to their available strength. While slavery existed, treason had power and object, and so long would the rebellion continue, and the war be protracted.

At the commencement of this rebellion, the four millions of slaves inhabiting the Southern States, were peaceful and loyal subjects of this Government; owing allegiance to it, and amenable to its laws. And although they became the unwilling instruments of treason, yet their allegiance has not been and could not be dissolved. Upon this people, therefore, as its legitimate subjects, the Government had as high claims as it had upon the white population of the south. By State laws only, they were held as slaves, but this was in subordination to their status as subjects; for, at any time the Government could have taken them from their masters, and punished them, like other men, for violation of its laws, and the fact that they were slaves would have been no defense. By no act, or deed has the Federal Government ever relinquished its sovereign claim upon this class of its people; and it could not have done so, with due regard to the peace and safety of the Union. No wise Government would permit a large and permanent population to reside within its limits, who are beyond its ultimate control. Whatever may be the character given them by mere local regulations, can not affect the authority of the sovereign power over them. These people are not only denominated as *persons* by the Constitution, but they have so been treated by the Government, for

all purposes, during its entire history. In all these respects, at least, the slaves were the equals of their masters; they could perpetrate the same crimes, be tried therefor by the same tribunals, incarcerated in the same prisons, and hung upon the same scaffolds. And while their masters commit atrocious treason against the Government which shelters all, have not these oppressed subjects a right to fight for it, and shed their blood in defense of its flag?

If by the offer of freedom we could induce these bond subjects to leave their treasonable masters, and return to their legitimate sovereign, whom they have never willingly offended, what principle of law or right would be thereby contravened? Has not any established Government an absolute right to exercise this sovereign authority over its own subjects? If it be alleged that this would be a violation of our faith with the Southern States, the conclusive answer is, that they had already violated theirs with us by attempting to dissolve the Union. We could as rightfully do this, as we could induce the soldiers in the rebel armies to leave their ranks and return to their allegiance, by the offer of a general pardon. And to deny that we can rightfully do either, is to hold that the individual claims of traitors, the rights and local regulations of insurgent States, are paramount to the sovereignty of the General Government.

The period at length arrived when, to insure success to our arms, and make the overthrow of the Rebellion a speedy and certain event, an effectual blow at this formidable element of rebel power was imperatively demanded. Our authority over the subject was broad and ample, and the necessity for the step no longer doubtful. Why hesitate to terminate the war, and save the Union, by losing slavery? It became obvious, that amid the throes of this mighty revolution, one or the other must go down. The Union and Slavery cannot both be saved from the wreck, for the same power which rescues the one must inevitably crush the other. Which is the more valuable for preservation? After all its manifold crimes against liberty and humanity, against God and His holy laws, what claim has Slavery upon this Government for protection and perpetuity? To this reckoning had the Nation come on the first day of January, 1863.

I thank Almighty God, that at this momentous juncture, we had a man at the helm of this Government, who fully realized the situ-

ation, and possessed the sublime courage to perform his duty, and place the seal of condemnation irrevocably, and forever, upon this convicted criminal of mankind. The deed is done; the righteous judgment has been pronounced, and from his honest heart the author tells us, "it cannot be retracted." No earthly power can send back to slavery, these millions of freedmen; for between them and such power stand more than twenty millions of other men, to defend the broad seal which that proclamation bears.

In its diminished and attenuated form, slavery still lingers; but it is robed in the habiliments of the grave, waiting only for the rites of sepulture. How these shall be performed the world may not care; for over its accursed remains the star of freedom shall forever shine, and the loud hosannas of an emancipated race be sung through all succeeding ages.

The victim of a morbid and treasonable ambition, slavery, has been murdered in the house of its friends. Upon them, not us, the responsibility of its death must forever rest. The Union as it was, the people of the North were willing to maintain and abide by; but, as the South have determined otherwise, it is our duty now, to insist upon the Union as it should be, and as our fathers intended it.

My ardent wish is, that this desolating war may speedily close, and the insurgent States resume their political rights in the Union.

That we may properly understand the theory of reconstruction, it is important to avoid a misapplication of the term. The rebellion having failed of success, the Union is not dissolved; and therefore, the disorganized States, only, require to be re-constructed. Had they succeeded in achieving their separation, the Union, to that extent, would have been dissolved, and the question of reconstruction have presented a different aspect.

Having, by treason to the General Government, and the inevitable consequences of civil war, accomplished the destruction of their local organizations, and not their disseverance from the Union, they stand in the attitude of States, with their government subverted and overthrown. Re-organization, therefore, becomes an indispensable pre-requisite to the resumption of their powers, and privileges, as sovereign States in the Union. Without this, they have no appropriate medium through which their constitutional rights can be secured or exercised. They cannot choose

Senators or Representatives to Congress, participate in the election of a President, or enjoy any other regulation designed for the common benefit of the States. And it is only by means of State Governments, that they can perform the functions of States, and discharge the various obligations and duties they owe to the General Government. Until then, the people of those disorganized States must, from necessity, depend for protection upon the Federal Government, under the arm of its military power. But this theory by no means implies that these States must be reduced to a territorial condition, maintained, during their territorial minorage, under a Government provided for them, at the expense of the National Treasury, and be re-admitted into the Union as States. It simply means, what is obviously true, that they have State limits, territory and people, without the essential machinery of State Governments, which are the tests and means of their political existence.

Government represents, not merely land and certain defined territorial limits, but the people who established it, and who speak and act through it, as their political organ. These people, in consequence of their treason, having disqualified themselves for the exercise of political rights, and privileges, their State Governments have thereby become suspended, and must remain in abeyance, until this disqualification is removed by act of Federal authority.

Reduced to this condition, the provisional control over these States, until fully re-organized, and restored, is vested in the Federal Government; but when restored it must be under governments which have emanated from their own people, under Constitutional restrictions. I recognize the right of every State to regulate and shape its own institutions, but this right can and should be exercised, only, in clear conformity with the letter and spirit of the Federal Constitution.

The Constitution prescribes, that "The United States shall guaranty to every State in this Union, a republican form of government." This provision clearly implies an obligation, on the part of the United States, not only to guaranty this form of government "to every State," but the guaranty is to all the States, that the government of each State *shall* be republican in form, whether the people thereof will it or not. This is the plain spirit and intent, of the compact; otherwise, the right already adverted to, that each State may regulate its own institutions, would become a source of

imminent peril to the Union. Without this salutary check upon the action of States, we might soon have a cluster of anti-republican governments, springing up within the limits of the Union, to accomplish its retrogression and ultimate overthrow.

The events of the last few years, having fully demonstrated the irrepressible antagonism of slavery, to our Republican institutions, and left the question no longer to abstract discussion, or interpretation; our manifest duty, under the Constitution, is, while the authority is rightfully in our hands, to see that no new or remodeled Government is received, which presents this obviously anti-republican feature.

Under proper auspices, and a just regard for mutual rights, the process of reconstruction may keep pace with the advance of our arms. With suitable assistance the people of the insurgent States may be restored to their legitimate rights in the Union, as rapidly as the hostile power is expelled from their borders. To effect this consummation, some rule should be prescribed, plain and just in itself, compatible with the dignity of the Government, and the perpetuity of the Union. Emerging from the calamities of this conflict, let us secure an honorable and permanent peace, and seal forever the terrific fountains of civil war. By doing less than this, we would prove faithless to the sacred trusts committed to our care, embitter the heritage of posterity, and commit a monstrous crime. No true patriot, no sincere wisher of a restored and honored Union, could desire the wicked and infamous leaders of this rebellion reinstated in their places under this Government, where, by a repetition of their gigantic frauds, and intrigues, they might again attempt, what they have so signally failed to accomplish by the gage of battle. Every motive of self-preservation and the sternest dictates of patriotic duty, demand of us to guard well this vital point. Let us expunge forever these infamous names from the roll of the Union. Let us appeal directly to the less criminal offenders and the more tractable masses. To none others would it be safe or expedient to extend the boon of amnesty or enfranchisement, and not to these even, except upon the just and easy terms of being purged of their treason and plighting anew their faith to the Union.

Any effort at restoration, to be substantial and productive of satisfactory results, should be inaugurated upon a theory which will

inspire mutual confidence between the parties, and constitute a basis sufficiently comprehensive to embrace all who, by a recantation of their disloyalty, may qualify themselves for and become entitled to its benefits. The initial point is obviously the most vital, and difficult; for if we start with a wrong reckoning, our future course will be one of constant embarrassments, and fail of ultimate success.

Profoundly impressed with these convictions, and firmly believing that no more feasible mode has yet been devised for securing a speedy and honorable adjustment of our disordered Union, I am prepared to fully endorse the late eminently plain and sensible proclamation of President Lincoln, and until withdrawn, or superseded by some more authoritative act, shall yield to it my earnest and unequivocal support.

I can see, in this Proclamation, much to admire and nothing to condemn. If it be objected that one-tenth, being the number of persons therein designated as the basis of re-organization, be too small, the appropriate answer is, that it bears a fair proportion to those who, for the last half century have controlled the politics of and usurped authority in the South; and will exceed, in each State, the number of those who kindled the fires of this rebellion, and whose treason created the condition of things of which this restored tenth have become the sad and unwilling victims. It is but the beginning of a great consummation, and forms a nucleus, around which the returning loyalty of the South may, daily, and rapidly gather, as they comply with the just and easy terms of the Proclamation.

The Proclamation prescribes only the minimum number necessary to constitute the basis of re-organization, excluding only the more criminal actors, and those who persist in adhering to their treason.

Amnesty is a boon, not a right, and, as criminals before the law, they are in no situation to dictate its terms, but must submit to those which the Government, in the exercise of its clemency, may deem it wise to grant.

If this mode of adjustment engenders revolution in the political relations of the South, it will be a revolution of right against wrong, and of which the oppressed and injured masses will derive the benefits.

By steadily adhering to these principles, as I trust we shall, we may succeed, after much wandering, and great tribulation, in

bringing this Government back to its ancient and safer land-marks of universal freedom, and perpetual unity.

I can not close this communication, and forego the opportunity presented, to congratulate the General Assembly, and the people upon the auspicious condition of the State. A kind Providence has blessed us with adequate harvests, and a full measure of prosperity in all our undertakings. By His mercy we have been enabled to pass through the trying scenes, now drawing to a close, with honor and success. All efforts, by bad and reckless men, to obstruct the execution of the laws and disturb our domestic peace, have been promptly thwarted. Our obligations to the National Government have been faithfully performed; and our people, whether at home or in the field, have nobly vindicated their devotion to the Union. The financial affairs of the State were never in a sounder condition. Notwithstanding the extraordinary expenditures, rendered unavoidable by military operations, the revenue on hand, and due from the several sources, exceeds, by many thousand dollars, the total indebtedness of the State. Without hazard to our credit, we may challenge comparison with any other State in the Union. For this, much credit is due, and should be awarded, to the out-going Executive, who has administered the affairs of the State with marked economy, and discharged his onerous and complicated duties, with an ability and patriotism deserving of the highest commendation.

Entertaining implicit confidence in your intelligent and patriotic regard for the public interests, and conscious of no motive, on my own part, inconsistent with their advancement, I shall indulge in the hope that our mutual counsels and joint labors, may be productive of good to the commonwealth.

With humble faith that God will continue to bless our young State, and in His own good time deliver our common country from the calamities of cruel war, let us enter upon the discharge of our respective duties.

W. M. STONE.

OF THE

AUDITOR OF STATE

TO THE

TENTH GENERAL ASSEMBLY OF THE STATE OF IOWA.

NOVEMBER 2, 1863.

DES MOINES:

F. W. PALMER, STATE PRINTER.
1863.