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Mark Twain — Senatorial Secretary

BY WM. HEDGES ROBINSON, JR.*

The famous Comstock Lode in Nevada produced many oddities, but none was so whimsical as the enmity which existed between Samuel L. Clemens and William M. Stewart, the outstanding lawyer of the Lode. It was an enmity born of the fact that neither man had a saving grace of humor.

It seems odd to say that Samuel Clemens did not possess a saving grace of humor; for his books such as the "Jumping Frog" and "The Connecticut Yankee" abound in humor, and his early biographical writings indicate that he was a participant in many a practical joke. But he could never find anything amusing in a situation which would cause others to laugh at him. Clemens himself recognized this fact when he remarked in *Roughing It* that he generally lost his temper when a joke was played on him.

It is equally odd that Bill Stewart had an attenuated sense of humor. Stewart, with his many years of experience as a lawyer in western mining camps, certainly participated in many a rough joke. But he likewise could not appreciate a joke when he was its butt. He had a keen wit, and as Nevada's first United States senator he was known in the national capital as the author of many an amusing barb. His characterization of Major Garrard, Superintendent of the New Orleans Mint, is a good example. Major Garrard, who opposed Stewart's desire to close the New Orleans Mint, was described as a "specimen of oleaginous senility who receives a gratuitous subsidy from the government, termed a salary, of \$3,000 a year for superintending a mint when there is no mint to superintend."

In a phrase, the vital weakness of both men was that while they delighted in having the world laugh with them, they could not endure it laughing at them. Both men were well aware of this weakness in the other, and took sadistic pleasure in doing anything that would bring laughter upon the other. It is amazing that men of such stature should stoop to childish tricks as these two did in their attempts to heap ridicule upon the other.

They knew each other almost from that day in August, 1862, when Clemens walked into the offices of the *Territorial Enterprise* at Virginia City and asked Editor Joe Goodman for a job. If it had not been for the fact that Goodman was short of help at the time, it is doubtful if Mark Twain would ever have come into being. Clemens

*Of the Denver bar.

certainly did not look like a reporter. His blue denims were carelessly stuffed into a pair of worn boots. His faded woolen shirt and uncombed beard were covered with alkali dust. A large slouch hat rested on his ears. A roll of blankets tied sloppily across his back and a revolver shoved into his belt were his only possessions. As Goodman later told Alf Dofen, a reporter on the *Enterprise*: "I've hired a pink-checked Sunday-School chap. I think he's too light in the saddle, but he's the best I can get. I don't think he can possibly stick, but the Lord knows we got to have somebody."

Shortly after he was engaged as a reporter, Clemens began to fill the columns of the *Enterprise* with stories of events which existed only in his imagination. During his entire career, he never was a reporter; at his best he was a satirist, and at his worst he was a very crude humorist whose writing was frequently in bad taste. But the Comstock Lode enjoyed this type of writing, and Clemens' own explanation of his acts was exceedingly naive and simple.

"I must make a living and so I must write," Clemens said. "My employers demanded it and I am helpless." Therefore, he wrote those stories because they were funny to the readers of the *Enterprise* even if they were not true, and everyone liked them so well that Clemens became a favorite of the Lode.

During the time Clemens was acquiring a reputation for his many hoaxes and humorous stories, Stewart was rapidly becoming known as an outstanding lawyer and as an astute and able politician. It was only natural that because of the limited confines of the Comstock Lode and the increasing part they played in the community, these two men frequently came into contact with each other.

Goodman had assigned Clemens to cover the sessions of the territorial legislature. Facetious stories concerning the legislature soon began to appear in the *Enterprise* under the by-line of Mark Twain. Many of the stories were directed against Stewart who was then scheming to convert the territory into a state and in the process to become United States senator.

Stewart had submitted to the constitutional convention held in the winter of 1863 a constitution which he had drafted almost entirely by himself. The constitution was designed to create the state of Nevada and at the same time make Stewart a senator. It provided that when the document was submitted to the people for approval, the officers created by it should be then selected.

This strategy was a bit too clever; for while the convention wanted statehood, it was not committed to the proposition of selecting Stewart as senator. Everyone of the delegates had political ambitions; and since Stewart was the strongest candidate, they all banded against him. By

trading honors among themselves, they agreed upon another delegate for the senatorship.

Stewart, of course, soon became aware of these plans and seizing upon a tax provision in the proposed constitution which would tax the mines unfairly, he started a campaign to defeat the constitution. Dressing himself in a miner's garb, he traveled over the territory calling upon the miners to reject the constitution.

"It may be all right to tax the product of your mines," Stewart shouted at every meeting hall. "It may be right to tax your gold and silver. But God forbid that a state shall tax the honest fellow's hopes, the aspirations of his soul, the yearnings of his heart of hearts. No! No, not these!

"Shall the poor honest miner be taxed for his work which yields no return? Silver lies within the heart of the Sun Mountain. To reach it requires many weary hours of hard, profitless work. Bed rock tunnels must be run. If you should chance to dig offside a vein, should you be taxed? No, by the Eternal! No miner who puts his honest work into a shaft without profits is in any shape to pay a tax on what he has done. Yet that is what the new constitution proposes to do to you. Since when has it been right to tax blasted hopes and to blight the toil of an honest miner with a tax?"

With few deviations, Stewart repeated that speech on every street corner, at every mine, at every rally, at every public dinner. For forty days the honest miner was told about the intended tax upon his hopes and aspirations. It was proper to tax productive claims on a basis of net proceeds, Stewart declared, but to tax unproductive mining claims was a dastardly crime. Toward the end of the campaign, Clemens, who had been assigned to report the speeches, concocted a ludicrous and satirical replica. But Stewart did not think the story was humorous. He sent for Clemens.

"Listen, Sam," he yelled, "that report of my speech yesterday was not funny. This is a serious thing that faces the hon—er—miners. Why do you write these things without any truth to them? You've already given the *Enterprise* a bad name. Every newspaper man in the world knows that you can't rely on a word that's printed in it. Now listen, Sam, I'm warning you not to repeat any of your tricks on me. If you do, I'm going to lose my temper."

"Now don't get so riled up, Bill," drawled Clemens. "I only wrote it for your good. You repeat yourself too much. That speech of yours has been said so many times that it has become humorous."

Stewart continued as the champion of the honest miner and fought battles daily against the tax that might be placed on blasted hopes.

Yet even in spite of Stewart's threats, Clemens could not appreciate that speech. The articles of disparagement continued. "If heaven forsakes the poor miner," Clemens wrote, "he'll be turned over to Bill Stewart."

"I am not going to sit and listen to that old song over and over again," Clemens declared a few days later in the columns of the *Enterprise*. "I have been reporting and reporting that infernal speech for the last thirty days. When I want to hear it, I will repeat it myself—I know it by heart—bed rock tunnels—blighted miners—blasted hopes. They have gotten to be sort of a nightmare to me, and I won't put up with it any longer. I don't wish to be too hard on that speech, but if Stewart can't add something fresh to it, or say it backwards, or sing it to a new tune, he has simply got to simmer down."

Clemens baited Stewart again a few days later. "Why, the man does bestride our narrow range like a colossus, and we petty men walk under his hind legs and peep about to find ourselves six feet of unclaimed ground."

This time Stewart ignored the articles. He had once made the mistake of answering Clemens, and he would not repeat it. In spite of the fact that Clemens wrote a lengthy article referring to the fact that Stewart had overnight deserted his party to urge defeat of the proposed constitution and dubbed him "Political Molock Bill," Stewart continued his silence.

While the stories which Clemens had written had little effect on the vote since the proposed constitution was rejected by a large majority, it undoubtedly was a source of irritation between the two men. Stewart often took pains to show that he was merely tolerating the reporter, and Clemens repaid by name-calling, especially delighting in the appellation, "Bully-ragging Bill."

Many years later Stewart described the Mark Twain of this day as a "very busy person who went around putting things in the paper about people and stirring up trouble. He did not care whether the things he wrote were true or not, just so he could write something, and naturally he was not popular."

Within the next year Stewart was successful in having the territory admitted as a state and in bringing about his selection as the first senator from Nevada. After Stewart went to Washington, the two men saw nothing of each other for about two years. Clemens sailed for the Sandwich Islands, and shortly after his return to America departed again on a trip through the Holy Land.

During this period, however, Clemens did appeal to Stewart to find a place for his brother, Orion Clemens, who was unsuccessfully

attempting to practice law. The senator secured an appointment for Orion in the patent office.

The next contact between these men seems to be in the selection of Clemens as Stewart's secretary. Just how or why this selection was ever made seems to depend on who tells the story. According to Clemens, Stewart believed that attaching Mark Twain to his staff would enhance his prestige. Hence Stewart wrote Clemens while the latter was in Europe, offering the secretaryship and pointing out that Clemens would have plenty of leisure time for literary work while at the same time receiving a supporting salary. Clemens replied from Naples that he would accept the offer, and upon his return from Europe went to Washington to begin his secretarial duties.

Stewart, on the other hand, denies that he ever solicited Clemens. As Stewart relates the incident, he was seated at the window of his room one morning when "a very disreputable looking person slouched into the room. He was arrayed in a seedy suit, which hung upon his lean frame in bunches with no style worth mentioning. A sheaf of scraggy black hair leaked out of a battered old slouch hat, like stuffing from an ancient colonial sofa, and an evil smelling cigar butt, very much frazzled, protruded from the corner of his mouth. He had a very sinister appearance. He was a man I had known around the Nevada mining camps several years before, and his name was Samuel L. Clemens. I suppose he was the most lovable scamp and nuisance who ever blighted Nevada. I thought he had been hanged, or elected to Congress, or something like that, and I had forgotten about him, until he slouched into my room.

" 'If you put anything in the paper about me I'll sue you for libel,' I said.

" 'Senator,' he threatened, waving the suggestion aside with easy familiarity, 'I've come to see you on important business. I'm just back from the Holy Land.'

" 'Did you walk home?' I asked looking him over.

" 'I have a proposition,' said Clemens, not at all ruffled. 'There's millions in it. All I need is a little cash stake. I have been to the Holy Land with a party of innocent and estimable people who are fairly aching to be written up, and I think I could do the job neatly and with dispatch if I were not troubled with other more pressing considerations. I've started the book already and it's a wonder. I can vouch for it.'

" 'Let me see the manuscript,' I said.

"He pulled a dozen sheets or so from his pocket and handed them to me. I read what he had written, and saw that it was bully, so I

continued, 'I'll appoint you my clerk at the Senate, and you can live on the salary. There's a little hall bedroom across the way where you can sleep, and you can write your book in there. Help yourself to the cigars and whiskey, and wade in.'

"He accepted all of my invitations, in the modest and unassuming manner for which he had been noted in Nevada, and became a member of my family, and my clerk."

The management was an unsatisfactory one, Clemens disliked the routine and punctuality required of a secretary. Stewart, on the other hand, soon forgot about his promise of free hours in which Clemens would be allowed to write. It was not many months before both men were seeking an excuse to end this relationship.

In the meantime, Stewart undertook to rebuke Clemens for his attitude toward their landlady who was a war-impooverished spinster named Virginia Wells. Clemens soon noticed that timid Miss Wells shrank from him, and he did not overlook any opportunity to play a joke on her. His favorite antic was to lurch about the hall, pretending to be intoxicated. One day she learned that he smoked a cigar in bed. She rarely slept after this discovery, expecting the place to burn down any minute. She became so troubled that one day she complained to Stewart who immediately sent for Clemens.

"Sam, if you don't stop annoying Miss Wells, I'm going to give you a sound thrashing after you've finished that book," Stewart threatened. "I don't want to interfere with literature, so I'll wait to thrash you after the book's finished."

"You are mighty unreasonable," Clemens replied. "Why do you always want to interfere with my pleasures?"

Stewart believed that his threat might serve its purpose, but within a week Miss Wells was back in his room complaining about Clemens.

"Senator, I can't stand that man any longer," she sobbed. "If he doesn't leave, I'll have to ask you to give up your rooms, and the good Lord knows when I'll be able to rent them again."

Stewart promised her that he could handle the matter, and again he sent for Clemens.

"You've got to stop this nonsense of annoying Miss Wells," Stewart sternly demanded. "If you don't, I'll amend my former resolution and give you that thrashing here and now. Then I'll send you to the hospital, pay your expenses, and bring you back here so you can finish your book, but in bandages."

Clemens realized that Stewart was serious. "All right. I'll give up my amusements, but I'll get even with you."

This threat Clemens fulfilled when he wrote *Roughing It*. In that book, he implies he gave Stewart a sound thrashing and he paints a picture of the senator with a patch on his eye, supposedly the result of a physical engagement with the author. Clemens also writes that Stewart promised to make him a gift of some "Justis" mining stock which at that time was worth about ten dollars a foot. The price of the stock rose rapidly to one hundred and fifty dollars before Clemens requested the stock. But Stewart refused to yield it. Clemens then charged that Stewart sold the stock and "placed the guilty proceeds in his pocket."

Several years later Stewart attempted to retaliate when he published his autobiography. He states that he was one of the persons who plotted the holdup of Clemens who then was in Virginia City, lecturing on his Sandwich Islands tour. Although the famous holdup did occur, Stewart could hardly have had a part in it for he was in Washington at the time. Hence his description of Clemens as "the scariest man west of the Mississippi" who, when it was light and safe the next day, was bragging about his narrow escape from "one of the most desperate stage robberies in the history of the west," is as unreliable a portrait as the one Clemens painted of the senator.

Clemens' career as a senatorial secretary came to an abrupt end one morning in the early part of 1868. He had ambled into Stewart's office about noontime. Stewart was at his desk busily writing and merely glanced up without even nodding when Clemens entered.

"You're not feeling well this morning?" Clemens inquired after a minute's silence.

"No," replied Stewart, continuing to write.

"Is there anything you wish me to do?"

"Yes, if it isn't asking too much of you. Would you mind writing this letter? You should have been here an hour ago. Sam, as an author you may be all right, but as a secretary you're a complete failure. I believe it is time that this intolerable relationship should be ended."

"Now you know Bill, I'm right glad you broached the subject," drawled Clemens. "I've been wanting to tell you for a long time that while you may be a howling success as a lawyer in Virginia City, you aren't worth a damn as a United States senator. I've had my resignation written out for some time, and I'm handing it to you right now."

Clemens bowed deeply, and swiftly left the room.

That was the last personal contact of any duration between the men. They continued to rib each other in the public press whenever the opportunity presented itself. Clemens, shortly after the "resignation," wrote several sketches for a New York paper and the *Galaxy Magazine* about his "Late Senatorial Secretaryship," and "Facts Concerning the Recent Resignation." Stewart, on the other hand, predicted that Clemens would "come to no good end." But he was forced to admit grudgingly a number of years later that the author had "settled down and become respectable."

After the secretaryship was terminated, they seemed deliberately to avoid each other. Their few subsequent meetings were chance ones, and their conversations seemed purposely short and devoted entirely to conventionalities. While they both rose to a high place in their chosen professions, they never seemed to be able to acknowledge the success of the other nor to discuss it. For the next half century these two carried on this childish game, and when they died within a few months of each other, there were few persons who could remember that these men had once been friends.

Winter Institutes Highly Successful More Scheduled for Spring

Two more successful institutes were held during February. The most ambitious of these was the two-day meeting held at Glenwood Springs on February 21 and 22 under the sponsorship of the Northwestern Colorado Bar Association. The first day was devoted to a discussion of the proposed new water code, which is being prepared by the state bar committee on water rights. The tentative new probate code, prepared by the state bar committee on probate and trust law, was discussed on the following day. These meetings were well attended.

The Weld County Bar Association sponsored an institute on February 28 at Greeley. More than seventy-five lawyers were in attendance. Negligence problems were the theme of the afternoon session, while the evening discussion centered around the defense work of the bar and the income tax problems of the farmer in making his return.

Other institutes are scheduled for Colorado Springs, Loveland and Monte Vista, but no definite date has yet been set for them, according to Edward L. Wood, chairman of the state bar committee on legal institutes.