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ASTORIA, OREGON, THURSDAY, APRIL 12, 1888.

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CUSHING'S BIG MISTAKE.
Why the Great Lawyers Lost the Chief Justiceship.
Inside History of a Memorable Senatorial Campaign.

The inside history of the executive sessions of the senate which made the confirmation of Morrison R. Waite possible by the rejection of the two former nominees, Landaulet Williams and Caleb Cushing, has never been told. It was given to me to-night by the private secretary and confidential friend of one of the senators who took part in the confirmation. When chief justice Chase died president Grant first tendered the nomination to Roscoe Conkling, who was then 41 years of age. Conkling declined to accept the position, and when asked why, replied that he preferred "some other way of being buried than by taking a seat upon the supreme bench." Grant then sent in the nomination of his attorney-general, George H. Williams, of Oregon, who had been chief justice of Oregon territory, and who was noted as a lawyer, but who, from his extravagant equipage which he drove about Washington at the expense of the government, was dubbed "Landaulet" Williams.

Williams was rejected and the secret of his rejection lay in the extraordinary beauty of his wife, Mrs. Attorney General Williams was by all odds the greatest beauty among the Washington ladies of that day. Her only rival was Mme. Catacazy, the wife of the Russian minister, who is considered one of the most beautiful women in the world. Mrs. Williams was tall, well formed and graceful. She had a beautiful, rosy face, dark brown hair and blue eyes. She was an accomplished conversationalist and her social powers were such that she was envied and hated by the wives of many of the senators. She had had somewhat of the same record as the wife of Andrew Jackson, in that her first husband was a brute, and in that her divorce was secured by the aid of Williams, who afterwards married her. The wives of the senators could not think of the social reign of Mrs. Williams being perpetuated, as it would be if her husband became chief justice of the United States for life. They quietly talked the matter over together, and it was their influence with their husbands that brought about the adverse vote which secured Williams' rejection.

President Grant became very angry at the action of the senate, and he asked a number of the senators whom he knew had voted against Williams as to their reasons. They replied that Williams was not a great enough lawyer. Grantsaid nothing, but he astonished the Republican members of the senate one day by sending in the name of Caleb Cushing as chief justice of the United States. This was just after the passage of the constitutional amendments relating to negro suffrage and the radical republican members of the senate considered it very important that a chief justice should be appointed who would be in accord with the most pronounced views of the Republican party as to these. They were opposed to the selection of any man whose party fidelity was questionable, and they were astonished at the presentation of the name of Caleb Cushing. Cushing had been a whig member of congress in 1841, and he had, as Parson Brownlow said at this time, gone over to Tyler and been paid for doing so by being made commissioner to China, and he negotiated, I think, the first treaty between that country and the United States. He had been in president Pierce's cabinet as attorney general when Jeff. Davis was secretary of war, and he had introduced William L. Yancy, of Alabama, at a meeting at Boston, and had introduced a state rights speech which Yancy had made there in 1850. On this ground many of the Republicans deemed his nomination and appointment inadvisable, and no one supposed he would be confirmed. Some of the senators remonstrated with Grant. He replied that he had not known of Cushing's record, that he had offered them a man sound politically in Williams, but that he was not a good enough lawyer for them, but

now he had given them a good lawyer, and they were not satisfied with him as a politician.

Charles Sumner was not thought to be in favor of Caleb Cushing, and the two had been enemies, and no one thought Conkling would support him. When the matter came up in the caucus of the Republicans, senator Sumner made an ardent speech in his favor, and Ben Butler assured the senators that Cushing was now a strong Republican, and that he was in accord with the amendments. Parson Brownlow said he could not vote for Cushing, and accused him of being a political prostitute. He had been approached by a private secretary of one of the other senators and had been assured that Cushing was a strong Republican. He had replied that he had no doubt that he would promise to be a Republican in the future to get the position, but as for him (Brownlow) he would a thousand times rather vote to confirm as chief justice such Democrats as Allan G. Thurman, of Ohio, or Bayard, of Delaware, whom he regarded as honest men. Nevertheless, after Boutwell, Conkling and Sumner, had vouched for Cushing's future, the senate felt inclined to confirm him, and he would have been but for senator Sargent, of California, who rose just about as the vote was to be taken and threw a bombshell into the senate in the shape of a letter taken from the archives of Richmond. It was a copy of a letter taken from the papers which Pickett, who had been connected with the state department at Richmond, had carried off and sold to the United States government for \$80,000. It was a letter from Caleb Cushing, dated Washington, 1861, and it was addressed to Jefferson Davis, president of the Confederate States of America. It was a letter of introduction, and it read somewhat as follows:

WASHINGTON, 1861.—Hon. Jefferson Davis, president of the Confederate States of America.—MY DEAR SIR: This will introduce to you Mr. Archibald Roone, who has long been a clerk in the department of justice at Washington, and who is anxious to link his fortunes with yours. He has recently patented a valuable gun, which I have no doubt you can use to advantage, and I commend him to you.
CALEB CUSHING.

After the reading of this letter, a silence fell upon the caucus, which was only broken at the instance of Parson Brownlow, who, then ill and unable to talk, got senator Lewis to make a motion for him, and this motion was: "That this caucus of Republican senators now adjourn, and that the senate be convened in open session that it may remove the political disabilities of Caleb Cushing, of Massachusetts. That's all." There was a laugh at this motion and the caucus adjourned. Grant, on hearing of the action, made no further movement in favor of Cushing, and when Waite's name was proposed some time later, he received every vote cast and was unanimously confirmed.
—Washington Dispatch.

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