

EBENEZER ROCKWOOD HOAR.

ON conscience, as on rock New England's hills,
 His life was built. With reason's inward sight,
 He saw as though from a cold mountain height,
 When the white day pure winter's radiance fills.
 Hot with the wrath of justice, against ills
 Wrought out of wrong he waged a fearless fight,
 And stood unflinching for imperiled right,
 Freedom, and country, — one who greatly wills.
 Sparkling his wit as beads of foaming wine,
 But keen to pierce as pointed rapier blade;
 Tender in heart, wise, cheerful to the end,
 To Concord's soil as native as its vine,
 There with most precious dust New England laid
 The statesman, jurist, judge, and steadfast friend.

Darwin E. Ware.

HOW JUDGE HOAR CEASED TO BE ATTORNEY-GENERAL.

THE recent death of Judge Hoar so nearly ends the list of living men who were his colleagues in the Cabinet when he was Grant's first Attorney-General that the events of that time may fairly be considered matter for historical treatment. What we call political reasons for reticence have lost their force. If the facts connected with his retirement from office teach any lesson, there seems to be no good reason why it should not be taught. If they throw light upon the characteristics of President Grant and help to make him and his administration more clearly intelligible, it may be of service to true history to make them known. Not even party interests can now be promoted by concealment, and there is always a chance that the cause of good government may be helped by indicating what led to past errors which are pretty generally confessed.

Current popular opinion in 1870 ascribed Judge Hoar's retirement from the Cabinet to discontent with his position

and duties, to irritation at the rejection of his nomination to the Supreme Court, and to personal chafing in his relations to those with whom a public officer must work. It was left, in most men's minds, vaguely doubtful whether he had taken the initiative in the matter of his resignation, or whether the President had been led to ask for it on account of embarrassments growing out of supposed eccentricities of temper which interfered with cordiality between the executive and legislative departments of the government.

It is the essence of apology to put strongly forward the plausible circumstances which mitigate a severe judgment, and political apologies are apt to be the most perfunctory of all. Anything is urged which may silence or soften public complaint, and in Judge Hoar's case it became very quickly evident that the popular instinct had divined that a blunder had been made, if a positive wrong had not been done. His magnanimity was shown by his silence, for he must

have been sorely tempted at times to tell what the facts were. He was so sincerely anxious that Grant's administration should be a success that he urged his friends to ignore everything which was personal to himself, and to treat his retirement as an incident so naturally resulting from circumstances as not to call for discussion.

His intellectual ability, his learning, his sterling integrity, were universally recognized. His wit was of the highest and purest flavor, and was not merely an adornment of his conversation; he made it a potent auxiliary of his logic, clinching the triumph of an argument and disarming an adversary by an illustration that made opposition seem ridiculous. When dealing with injustice or dishonesty, the edge of his humorous sarcasm cut like a knife, and the doer of a wrong had no refuge from self-contempt but in wrath and hatred. With those who tried to force incompetent or unworthy men into positions in the Department of Justice he was righteously indignant, and nearly every complaint of acerbity in his temper could be traced directly to discomfited attempts to make judges or district attorneys of disreputable or unfit men. With spoilsmen of this class he was apt to use plain English. No doubt he had thus made a considerable number of influential enemies by the close of 1869. The passage of the new judiciary act called for the nomination of the whole class of circuit judges, and the Attorney-General's heart was set on having the new places filled by men who would honor the bench in the performance of judicial duties subordinate only to those of the Supreme Court. He could not always make his judgment of men potent, but the President stood by him so well, on the whole, that the judicial nominations sent to the Senate that winter are proof enough of his character and his courage.

It was in the midst of irritations thus growing out of struggles to influence a

large batch of appointments of so important a kind that Judge Hoar's own name was sent to the Senate with the nomination to the bench of the Supreme Court. There were two vacancies, and Edwin M. Stanton was nominated to the other. Judge Hoar did not seek the place, nor take any initiative in the matter. He was too thoroughly a lawyer not to be fully sensible of the great honor of the position, but he was too clear-headed not to estimate at their value the antagonisms he must meet. The reasons for the President's action are found, in part, in circumstances which grew out of the original organization of the Cabinet.

As will be remembered, Grant's first nomination to the Treasury Department was that of Mr. A. T. Stewart, of New York. He was chagrined that legal objections to a merchant's serving in that office should interfere with his plan. Governor Boutwell, of Massachusetts, was the strong choice of many members of Congress, but to appoint two Cabinet officers from the same State was unusual, and the President hesitated. It was then, at the very beginning of his service, that Judge Hoar assured the President that if, at that time or any other, his resignation would relieve him of any embarrassment in the matter, he would tender it at once. It is, perhaps, enough for the moment to say that the vacancy in the Supreme Court appeared to the President to offer an honorable solution of the anomaly in the Cabinet organization.

It has been stated with some color of authority that Grant had offered the post of Secretary of the Interior to Governor Boutwell, in the first cast of the Cabinet, and that the nomination of Judge Hoar to the attorney-generalship was determined on when Mr. Boutwell had declined the place as taking him out of the line of congressional work, for which he had special predilection. I do not know that this is true, but it accords well with Judge Hoar's suggestion that if any embarrassment resulted from the pre-

sence of two Massachusetts men in the Cabinet, he himself should be the one to retire.

The interesting question then is, How did any embarrassment for the President arise, and how did he act upon it? The answer is found in the history of the effort to annex San Domingo to the United States, a curious chapter in American administration.

General Rawlins had died at the beginning of September, 1869, and his death was an irreparable loss to Grant and to the administration. Other men might fill the office of Secretary of War, but no other man could be found who could be the successful intermediary between General Grant and his associates in public duty. His friendship for his chief was of so sacredly intimate a character that he alone could break through the taciturnity into which Grant settled when he found himself in any way out of accord with the thoughts and opinions of those around him. Rawlins could argue, could expostulate, could condemn, could even upbraid, without interrupting for an hour the fraternal confidence and good will of Grant. He had won the right to this relation by an absolute devotion which dated from Grant's appointment to be a brigadier-general in 1861, and which had made him the good genius of his friend in every crisis of Grant's wonderful career. This was not because of Rawlins's great intellect, for he was of only moderate mental powers. It was rather that he became a living and speaking conscience for his general; as courageous to speak in a time of need as Nathan the prophet, and as absolutely trusted as Jonathan by David. In military problems Grant had a strong and almost intuitive sagacity in determining upon the path to victory; not always the easiest or the most economical in blood and treasure, but a sure one when his own indomitable courage and will had clear scope. He silently listened to the discussion of such men as Sherman and McPherson, he pa-

tiently turned the matter over in his own thoughts, and after a while enounced a decision which showed the aid he got from intelligent debate, whilst it was clearly marked with his own directness of purpose and boldness of action. Rawlins knew how to bring on such helpful discussion in Grant's presence. He knew how to reinforce the influence of those who deserved to be trusted, and to expose insidious and false friendship. He had blunt, wrathful words of objurgation for those who put in Grant's way temptations which he knew to be dangerous. A moral monitor and guide not hesitating at big oaths and camp expletives seems a strange type of man, but no one could deny that Rawlins's heart was as true and his perception of the thing demanded by the honor and the welfare of his chief was as clear as his manners and words often were rough.

It will not need argument to show how useful such a friend and counselor might be as a Cabinet officer. He could give warnings that no one else could utter; he could insist upon debate and information before settled purposes should be adopted; he would know of influences at work that others would learn of only when some important step was already taken; his own openness of character would make him frank in action with his colleagues, and an honorable representative of their general judgment and policy. Rawlins might have differed from Mr. Fish as to the foreign policy of the government, especially in regard to Cuba, but he would have seen to it that no kitchen cabinet committed the President to schemes of which his responsible advisers were ignorant. Indeed, there was no danger that a kitchen cabinet could exist till Rawlins was dead.

In the early months of Grant's administration there was at Washington a representative of the Baez government in San Domingo, named Fabens. That country was in a revolutionary condition, and it was not certain that Baez would

be able to maintain himself against his rival, Cabral, who was at the head of an armed force in the interior of the island. Fabens professed to be negotiating for the purchase of some of the old arms which filled our arsenals after the close of the civil war. He was, however, constantly suggesting the annexation of San Domingo to the United States, and Mr. Fish from time to time reported these overtures, and the annoyance which the persistence of Fabens gave him. The annexation scheme met with little favor in the Cabinet, and Congress showed itself consistently opposed to it. The objections were various, and were based on grounds of general policy as well as on the particular circumstances of the case and of the time.

First, there were those who held firmly that the only sound policy of the United States is a strictly continental one, coupling a leading influence on the mainland of America with deliberate abstinence from distant extensions of territory. Second, there were those who, in view of the fact that the dominant population of the island was of the negro race, felt that the problems involved in our own great emancipation were quite as large as this generation could satisfactorily handle or solve. Third, still others thought that as the whole island of Hispaniola was divided between the two republics of Hayti and San Domingo, jealous of each other, the one speaking only French, the other only Spanish, the acquisition of the Spanish half would necessarily be followed by the annexation of the whole, each contingency seeming to excel the other in troublesome complications. Fourth, men of statesmanlike character felt deeply the inconsistency of opening a new scheme of West India colonies while the treaty with Denmark for the purchase of St. Thomas, negotiated by Mr. Seward, was still pending, and not formally rejected by the Senate, though there was time for repentance, as the period for final ratification

would not expire till the middle of April, 1870. Lastly, there were some scrupulous enough to be deterred from favoring annexation because Baez was forbidden by the Constitution of his country from negotiating it; and who believed with Charles Sumner that it would be a wrong to the people of the colored race to take from them the territory which gave them the opportunity to work out the problem of their capacity for independent self-government.

The discussion of the subject at Cabinet meetings had been free, and although Grant was a listener rather than a participant in the debate, there was a general acquiescence in the opinion of Mr. Fish that a cordially friendly attitude to the actual government in San Domingo, with decided discouragement to all intervention and filibustering, should be our policy. This was so well understood that there was no hesitation in talking about the matter in this sense, and in letting it be known that the administration had taken this line of conduct.

One day, however, the President casually remarked that the navy people seemed so anxious to have the bay of Samana as a coaling station that he thought he would send Colonel Babcock down to examine it and report upon it as an engineer. Babcock, as will be remembered, was one of the group of young army officers who, having been members of Grant's military staff, were retained in duties near his person during his presidency. His position was nominally that of assistant private secretary. His army service had been creditable, and he was a very intelligent and competent military engineer. The suggestion of sending him on the errand was not welcome to those who were anxious to avoid complications, but there was no objection raised, and the acquiescence was a silent one. It was stated that no publicity would be given to the mission, and that a confidential report upon the country, its people, its harbors, would be useful.

Before Babcock was ready to go, the President, in the same casual way, remarked that the New York merchants who had control of the trade with the island had courteously tendered to Babcock a free passage on one of their ships. This showed that somebody was giving publicity to the mission, but it had greater significance in showing that the State Department had no part in its management. Mr. Fish, evidently surprised, remarked that it seemed to him very undesirable that Colonel Babcock should be the guest of merchants having great trading interests in San Domingo, whilst he was upon a confidential investigation for the President. General Grant acquiesced, and said he would direct the navy to give Colonel Babcock transportation, as vessels were going down to join the West India squadron. Still again, a day or two later, it was said that, as Babcock did not speak Spanish, a well-known officer of the Inspector-General's department would accompany him. Lastly, it appeared that Mr. Columbus Cole, then a Senator from California, was to be of the party on this new voyage of discovery to Hispaniola. As the members of the Cabinet were carefully discreet in their reticence, the increase of the party and of the apparent importance of the mission caused a certain uneasiness, especially as rumors began to fly about that business speculations were involved, and that the official character of the affair was much less than its real significance. The members of the government felt loyally bound to suppress their own doubts, and to attribute to the excitability of the quidnuncs the rumors of important purposes connected with Babcock's voyage.

After some weeks' absence, Babcock's return was announced by the New York newspapers, with suggestions of interesting results. On seeing this, I called upon Mr. Fish at the State Department the same afternoon. He sent his private secretary from the room, and closed the

door; then coming toward me with manifest feeling, he said, "What do you think! Babcock is back, and has actually brought a treaty for the cession of San Domingo; yet I pledge you my word he had no more diplomatic authority than any other casual visitor to that island!" An earnest discussion of the situation followed, in which we agreed that the proper course was to treat Babcock's action as null, and to insist upon burying the whole in oblivion as a state secret; this being the only way, apparently, to save him from the grave consequences of a usurpation of power. It did not occur to either of us, in view of the past history of the matter, that the President would assume the responsibility for the illegal act of his messenger.

In the informal discussion of the subject which incidentally occurred before the next Cabinet meeting, the view Mr. Fish had taken seemed to be the general one, and it was expected that he would present it when we should be assembled. When the heads of departments came for the purpose to the President's room at the White House, they found Babcock already there, showing to each, as he arrived, specimens of the ores and products of the island, and descanting upon its extraordinary value. He met a rather chilling reception, and soon left the room.

It had been the President's habit, at such meetings, to call upon the members of the Cabinet to bring forward the business contained in their portfolios, beginning with the Secretary of State. This would at once have brought the action of Babcock up by Mr. Fish's disclaimer of all part in the matter, and his statement of its utter illegality. On this occasion, however, General Grant departed from his uniform custom, and took the initiative. "Babcock has returned, as you see," said he, "and has brought a treaty of annexation. I suppose it is not formal, as he had no diplomatic powers; but we can easily cure that. We can send back the treaty, and have Perry,

the consular agent, sign it; and as he is an officer of the State Department it would make it all right."

This took everybody so completely by surprise that they seemed dumfounded. After an awkward interval, as nobody else broke the silence, I said, "But, Mr. President, has it been settled, then, that we *want* to annex San Domingo?" The direct question evidently embarrassed General Grant. He colored, and smoked hard at his cigar. He glanced at Mr. Fish on his right, but the face of the Secretary was impassive, and his eyes were fixed on the portfolio before him. He turned to Mr. Boutwell on his left, but no response met him there. As the silence became painful, the President called for another item of business, and left the question unanswered. The subject was never again brought up before the assembled Cabinet.

It would naturally be supposed that a breaking-up of the Cabinet would follow; but on the mere suspicion of such differences as I have described, strong party influences were set at work to prevent a rupture. General Grant became, afterward, so thorough a party man that it is necessary to recall by a positive effort of memory that his position was looked upon as very uncertain when his administration began. His report to President Johnson on the condition of the Southern States had indicated that he was not in sympathy with the congressional plan of reconstruction, which was the burning question of the time. Party leaders were nervous lest he should prove unwilling to conduct his administration in harmony with them, and in case of a break they feared a total loss of party control in the country. Members of the administration were therefore urged strenuously to make no issue on what might be regarded as a personal wish of the President, and they shared the opinions of their party friends enough to make them feel the importance of avoiding collision. The probability that the treaty could not be

ratified made the dropping of the subject more easy.

The position of Mr. Fish was the most difficult one. He was on terms of intimate friendship with Charles Sumner, the chairman of the Committee on Foreign Relations in the Senate, and both official propriety and personal feeling had made him frankly open in discussing diplomatic affairs with the Senator. He had honestly treated the talk of Dominican annexation as mere gossip, without solid foundation, and now he suddenly found his sincerity in question, under circumstances which forbade him to say how gravely the State Department had been compromised. The situation seemed so intolerable that he took the very natural course of tendering his resignation. The President was far from wishing this result, though it did not make him abandon the annexation scheme. His strong request that Mr. Fish should not insist, joined to the pressure from outside to which I have alluded, made a postponement, at least, of the question of the resignation. The other members of the government could more easily ignore the subject, and immerse themselves in the special duties of their own departments.

The treaty which was finally submitted to the Senate was signed on November 29, 1869, and was transmitted for ratification in December. The President had been committed to the strange promise to use his personal influence to secure its acceptance, and the effort to do this through direct application to Senators was one of the things which was felt to be most objectionable at the time. It opened the way to bargaining for votes, and directly compromised the dignity of the Executive. The nomination of Judge Hoar to the Supreme Court was so nearly coincident with the transmittal of the treaty that it is fair to regard it, in part, as an attempt to conciliate adverse influences. It lay before the Senate for some time, and confirmation was finally refused in the early part of February, 1870.

The efforts to secure ratification of the treaty languished during the winter and spring; but after the time had elapsed within which the purchase of St. Thomas must be completed, and that embarrassment was supposed to be out of the way, a very active effort was made to bring the San Domingo scheme to a successful termination. The headquarters of this activity were in the private secretary's office at the Executive Mansion. Papers and files from the State Department were sent for and retained without even the formality of using the President's name and authority, so that Mr. Fish was obliged to protest against the irregularity, and demand that it be stopped. He was ready, he said, to attend the President with any papers in his department at any time, but he could not permit their custody to be transferred to any other place.

Notwithstanding the effort to conduct the business as an exceptional one, in which only acquiescence on the part of the Secretary was expected, Mr. Fish found his position so irksome that he again tendered his resignation in writing. I happened to be present, and saw the earnestness with which General Grant repelled the idea of there being any necessity for it. Manifestly he had not appreciated Mr. Fish's embarrassments, and seemed to think it an easy matter to pass over the irregularities whose importance he did not rightly estimate. He insisted on delay, and it was later understood that a definite arrangement was made that the Secretary of State should be untrammelled in the conduct of all other business of the department, and relieved of the annoyances, in this matter, of which he had complained. The President was by no means lacking in personal regard for Mr. Fish, and estimated highly the value of his character, his knowledge of the world, his facility of intercourse with foreign representatives, and his tact in dealing with officials of all classes. He insisted that

Mr. Fish must not leave him, and that the difficulties of the situation could soon be ended by the disposal of the treaty in one way or another. Unless ratified by the 1st of July, it would expire by its own limitation.

When Judge Hoar's nomination to the bench had been defeated, in the winter, he again sent word by closest friends that his resignation would be at the President's disposal; but General Grant saw nothing to make a change in their relations desirable, and the subject was dropped, definitively, as I supposed. Delicacy had prompted the judge thus to speak through others, so that no feeling of personal regard might make the President hesitate to express his wish. More than four months had elapsed, and the Attorney-General, like the other members of the administration, had devoted himself to the work of his own office, forgetting as far as possible everything, including San Domingo, which did not directly affect his own responsibilities.

On one afternoon in June I had gone home from my office to dinner, and about seven o'clock received the New York papers which the messenger usually brought to my house after the arrival of the Eastern mail. Opening a copy of the Times, I was amazed to see the announcement that the Attorney-General had resigned, and that his resignation had been accepted by the President. I knew that nothing had been further from Judge Hoar's thoughts two or three days before, and there had not, since the winter, been any suggestion or intimation of such a thing from other quarters. I could hardly believe my eyes. That such changes in the administration could be made without announcement to its members, leaving them to learn it from the public press, was incredible.

Hastily taking my hat, I went from my house on Capitol Hill down through the park to catch the horse-car on Pennsylvania Avenue and go to Judge Hoar's lodgings, which were on F Street, not

far from the Treasury building. At the lower park gate I almost ran against Senator Henry Wilson, of Massachusetts, who actually buttonholed me. "See here, Mr. Secretary," he said, "tell me what this means!" "What do you refer to?" "The Attorney-General's resignation, of course," was the reply. Nonplused how to answer, and shrinking from revealing the fact that I was more ignorant than he, I took refuge in commonplaces about the natural result of there being two Cabinet officers from one State, and the known wish of the judge to retire whenever this should cause embarrassment. "I know all that," said he, "but we thought that talk had gone by, and I am greatly disturbed lest it means a breaking-up which may lead we can't tell where." I tried to reassure him by saying I thought there was no such danger, that we all had confidence in Grant's honesty and patriotism, and it would turn out that there was nothing more in it than I had intimated. He shook his head seriously and doubtfully; then turned on me with, "But what do you know of the new man whose name has been sent in this afternoon?" Worse cornered than ever, as I could not even guess who had been nominated, and had never heard a name officially mentioned in connection with a possible vacancy in the office, I could only mumble, "Oh, I think you'll find he's all right;" and the approaching street-car giving me an escape I added, "But you must excuse me; I must catch this car," and broke away from him, repeating to myself Chancellor Oxenstiern's famous saying.

Reaching the Attorney-General's lodgings, I opened the conversation almost in the words Senator Wilson had used to me: "Well, judge, what *does* this mean?" "Sit down," he said, "and I will tell you." The recollection of what he said is so vivid that I may safely say that I give it in his own words: "I was sitting in my office yesterday morning, attending to routine business, with no

more thought of what was to come than you had at that moment, when a messenger entered with a letter from the President. Opening it, I was amazed to read a naked statement that he found himself under the necessity of asking for my resignation. No explanation of any kind was given, or reason assigned. The request was as curt and as direct as possible. My first thought was that the President had been imposed upon by some grave charge against me. A thunder-clap could not have been more startling to me. I sat for a while wondering what it could mean, — why there had been no warning, no reference to the subject in our almost daily conversations. The impulse was to go at once and ask the reasons for the demand; but self-respect would not permit this, and I said to myself that I must let the matter take its own course, and not even seem disturbed about it. I took up my pen to write the resignation, and found myself naturally framing some of the conventional reasons for it; but I stopped, and destroyed the sheet, saying to myself, 'Since no reasons are given or suggested for the demand, it is hardly honest to invent them in the reply;' so I made the resignation as simple and unvarnished as the request for it had been."

Before sending it to the White House, Judge Hoar, to avoid any possibility of its becoming public by his act, made a copy with his own hand, and locked up the letter and the answer in a private drawer of his desk. In the afternoon he had occasion to submit papers in some pardon cases to the President, and went to the Executive Office for the purpose. Meanwhile the acceptance of the resignation had been sent to him, and this was so framed as to convey the sentiments of personal good will and high respect which no one in near relations to them doubted that General Grant actually felt. This letter was published with the brief resignation. The equally brief request for the resignation has

never been given to the public. The omission, as every one must see, wholly changes the effect of the correspondence.

On meeting Judge Hoar, the President enlarged to some extent upon his personal confidence in him, and the real regret with which he severed their relations, and now frankly connected his own action with the exigency in which he found himself, and the necessity, to carry out his purposes, of securing support in the Senate from Southern Republicans, who demanded that the Cabinet place should be filled from the South. He reminded the Attorney-General of what had passed in the winter, relative to his resigning, and said he had assumed that this connection of things would be understood without further words. Judge Hoar assured him that the explanation removed any painful impression that might have been made at first, that his only wish was that the administration might be a success in every respect, and that no personal interest of his should for a moment stand in the way of it. He then, however, took the liberty of saying that he thought he knew the class of men who had desired his removal, and he hoped, for the President's own sake, that he had chosen his successor, since otherwise he would be subjected to a pressure in favor of unfit men which might prove most embarrassing to him. General Grant naively admitted that he had not yet given any thought to that part of the matter, but appeared to be struck with the wisdom of the judge's suggestion, and himself asked that the whole matter remain strictly confidential till he could reflect upon it, when he would call it up again.

On the next morning (which was that of the day on which I was having the evening interview I am narrating) the Attorney-General was again in his office attending to business, when he was once more surprised by an interruption. This time it was by a well-known correspondent of the New York Tribune, who sent

in his card with an urgent request to be admitted. Feeling a vague suspicion that it might prove embarrassing, Judge Hoar peremptorily excused himself. His clerk returned after a moment, evidently disturbed, and said, "I beg your pardon, Mr. Attorney-General, for coming back, but the gentleman says that if you will look at this paper he thinks you will see him." The judge took the offered paper, and found it was a dispatch from the editor of the Tribune to the correspondent, saying, "The Times, this morning, says the Attorney-General has resigned, and his resignation accepted; why have we not heard from you?" Puzzled for a moment how to act, ready wit came to his aid in a characteristic way, and he said to the clerk, with a significant smile, "Mr. Pleasants, you may give the gentleman any information you are possessed of."

The Attorney-General's office, at that time, was in the south front of the Treasury building, and his anteroom, with the usual approach to it, was on the side toward Fourteenth Street. A private door, however, led to the south portico, and no sooner was his clerk gone than Judge Hoar put on his hat, and, going out by this way, took the short path across the park to the Executive Mansion. Being admitted, he said, "Mr. President, I have come to tell you that somebody about you betrays you." He then told the story of the dispatch from New York. General Grant was deeply stirred by it, and saying he would severely punish the breach of confidence, went into the private secretary's room to investigate. He soon returned, mollified, and explained that the secretaries could account for the leak only by supposing that some unauthorized person must have got access in the outer office to the letterpress copy-book in which was the acceptance of the resignation.

The idea of a secret guarded in that way made the matter too amusing for comment, if not for credence, and the

judge contented himself with recalling what he had said the day before of the desirability of decisive action. The President said he had been thinking of Mr. Akerman, of Georgia, who had been appointed district attorney for Georgia, and whom Judge Hoar had spoken well of when he had been a candidate for the judgeship of the Southern circuit. He asked whether the judge did not think he would be a fit man. Judge Hoar replied that he believed Mr. Akerman to be an honest man and a good lawyer; but he added, "It would hardly be proper for me, Mr. President, to say what should be the standard of fitness for the attorney-generalship of the United States."

He took his leave, and Mr. Akerman's nomination was immediately made. It was necessary that it should be authenticated by the great seal, so it went to the State Department before it was sent to the Senate, and Mr. Fish thus learned of the change among his colleagues. I have stated how I learned it.

My conversation with Judge Hoar was on the evening of Thursday, the 16th of June, and at the next regular Cabinet meeting it was so confidently assumed that the President would enter into explanations of the serious step taken that, by common consent, no other business was brought forward. Judge Hoar was not present, and each Secretary, as called upon, answered that he had nothing to offer. The President waited a moment, as if somewhat surprised, and then simply remarked that if there was no business to be done, the meeting might as well adjourn. It did so, and no reference to the subject, of any sort, was ever made by General Grant in the presence of his assembled advisers. Judge Hoar remained in office some weeks (a short absence intervening), till Mr. Akerman could be ready to assume his duties. He brought the new Attorney-General to the Cabinet room and introduced him to his colleagues; then turning to the President, he said, "Having presented my

successor, I will take my leave, wishing the most abundant success to your administration." General Grant replied that although he should not see the judge again in that place, he hoped to meet him elsewhere frequently.

It was part of current information on which I fully relied, though I cannot give its source as explicitly as I can that of my other statements, that General Grant's interviews with Senators from the Southern States had been marked by great directness of dealing. The "carpet-bag" Senators were men of different characters and qualities. There were some, like General Willard Warner, of Alabama, whose motives no one would impugn, whether he took sides with the President or with Mr. Sumner. Senator Warner's colleague was, justly or unjustly, looked upon as a type of a quite different class of politicians; and it was in negotiation with such a one, representing his class, that Grant learned the demands of these Senators.

He was told that they desired to please him and to support his plans, but, considering Mr. Sumner's controlling influence with their colored constituents, it would be at no small political peril to themselves if they opposed that Senator on the San Domingo question. Instead of receiving the help of the administration in matters of patronage, which might smooth over home opposition, they found themselves less influential than they had a right to expect. Reciprocity was necessary if the President required their aid. When asked in what departments they found a lack of consideration, the Attorney-General's was named, and it was strongly urged that Judge Hoar should be displaced by a Southern man acceptable to them.

I had promised Judge Hoar to make a visit to Concord, when he went home, near the end of June, to attend Harvard College Commencement; he being one of the governing Fellows of the university, and his son, Mr. Sherman Hoar, taking

his first degree that year. It seemed to me that the return to the associations of his home was peculiarly grateful to him, in the stress of spirit to which he had been subjected. He dwelt with evident pleasure upon everything which recalled the self-devotion of the old patriots, and upon the incentive it was to act from nobler motives than personal ambition, or even the confidence of success. We visited Plymouth Rock together, and he himself drove me from Cambridge to Concord by the Lexington road, the American *via sacra*, and pointed out every historic house and field and stone fence along the line of the advance and the retreat of the British troops on their march against Concord. At Concord he took me to the field where the "embattled farmers" opened the fight for independence, and showed where the detachment from each of the surrounding towns was placed. I stood with him also in the cemetery, uncovered before the grave of his father, Samuel Hoar, who had not stopped to count the cost when Massachusetts called upon him to defend the freedom of her citizens. An ashlar wall, pierced above as for a window, simulated a bay in the House Beautiful of Bunyan's immortal allegory, and on the panel in the lower story filial piety had inscribed the words, "The Pilgrim they laid in an upper chamber whose window opened toward the sun-rising: the name of the chamber was Peace, where he slept till break of day, and then he awoke and sang."

It was perhaps only natural that he should take his guest over these paths, but it seemed to me very plain that he was himself drinking in the inspiration of each scene, and finding new strength of resolution and high purpose in renewing contact with the great departed who so thickly clustered in the narrow circuit about his native town. It was thus that he became so preëminently, like Horatio,

"A man that Fortune's buffets and rewards
Hast ta'en with equal thanks."

Another incident of my visit must be mentioned. General Sherman also was in Boston at the time, and I was invited with him to dinner by the Saturday Club, of which Judge Hoar was a member. Emerson, Longfellow, Lowell, and Holmes were all there, and I need not say it was an occasion to remember. It only concerns my present story, however, to tell what occurred just before we parted. Mr. Longfellow was presiding, and unexpectedly I found that he was speaking to me in the name of the Club. He said that they had been much disturbed by rumors then current that Mr. Motley was to be recalled from England on account of Senator Sumner's opposition to the San Domingo treaty. They would be very far indeed from seeking to influence any action of the President which was based on Mr. Motley's conduct in his diplomatic duties, of which they knew little, and could not judge; but they thought the President ought to know that if the rumor referred to was well founded, he would, in their opinion, offend all the educated men of New England. It could not be right to make a disagreement with Mr. Sumner prejudice Mr. Motley by reason of the friendship between the two. I could only answer that no body of men had better right to speak for American men of letters, and that I would faithfully convey their message.

On my return to Washington, I first made known to Mr. Fish the duty that had been committed to me. Not only did he interpose no objection to it; he expressed an earnest wish that it might change the President's purpose. I took an early opportunity of reporting to General Grant what the eminent men of the Saturday Club said to him. His only reply was, "I made up my mind to remove Mr. Motley before there was any quarrel with Mr. Sumner." This he said in an impatient tone, as if repelling interference.

Senator Wilson also had visited Boston, and had been told of the request made

by the Saturday Club. He called on me, and asked whether I intended to fulfill it. I answered that I undoubtedly should. He then told me that he had been asked to support my statement, and that he should do so most earnestly. In pursuance of this purpose, he wrote a friendly but strong letter of remonstrance to the President, dated on the 5th of July.¹

Mr. Fish's relations to Mr. Sumner were still friendly, and Judge Hoar was and continued to be the friend of both; but the progress of the San Domingo business had put Mr. Fish in a false position, apparently, and having yielded to the President's urgency that he should remain in the Cabinet, he could not, at the moment, explain fully to Mr. Sumner the seeming changes of his attitude. It is in the nature of such differences to grow larger, and in the following winter they led to an open rupture between the old friends. I myself have never doubted that Mr. Fish's stay in the State Department was a sacrifice of personal feeling to a sense of duty to the country; and that, despite the complications and annoyances which I have had to recount, every lover of the country has reason to rejoice that he remained at his post. His confidence in and regard for Judge Hoar were such as to be decisive, a little later, in placing the latter upon the commission to negotiate the remaining differences with Great Britain. The President also retained and increased his respect for the judge, but by that time the Secretary of State was recognized as having the rightful initiation in the formation of such a commission.

It ought to be added that whatever may seem singular in the conduct of this business by General Grant was not at the time attributed to any wrong purpose by those who were closest to him. He lacked the faculty of conversational discussion, which is the very essence of the

¹ Pierce's Memoir and Letters of Sumner, iv. 446.

successful conduct of business where cooperation is necessary. In military matters the objective is usually a very definite one, and the end being clearly aimed at, the intervening steps arrange themselves when there is true courage and tenacity of purpose. In civil affairs there would be danger that such a rule would run into the pernicious maxim that the end justifies the means. A very different kind of knowledge, both of men and of affairs, is needed to conduct properly the civil business of the state.

Self-seeking men studied General Grant's peculiarities, and took shrewd advantage of them. A certain class of public men adopted the practice of getting an audience and making speeches before him, urging their plans with skillful advocacy and impassioned manner. They would then leave him without asking for any reply, and trust to the effect they had produced. Perhaps their associates would follow the matter up in a similar way. It would thus sometimes happen that, for lack of the assistance which a disinterested adviser could give, his habitual reticence would make him the victim of sophistries which were not exposed, and which his tenacity of purpose would make him cling to when once he had accepted them.

I have nothing now to do with the later period of his administration, when the abuse of his confidence by those who had private ends to gain became deplorably notorious. The facts which I have narrated are intended to help in the understanding of the situation at an earlier time, and to show how it happened that those who were supposed to be consulted on all important public matters found themselves shorn of their power to help their chief as they would gladly have done, and had to look on and see the gradual increase of mischievous influences. "It is the first step that costs," and the cost soon became only too plainly apparent.

Jacob Dolson Cox.

AN ARCHITECT'S VACATION.

II.

FRENCH AND ENGLISH CHURCHES.

ALTHOUGH the mediæval churches of France and England were built by men of the same faith, and for the same Catholic ritual; although England was long under a distinctly French domination, and a large part of France was for one or two hundred years occupied by and ruled over by Englishmen; yet national traits asserted themselves, as they usually do, and English and French churches differ as much as if an ocean parted them instead of the narrow flashing "silver streak."

In a few exceptional instances we find a church that seems misplaced. Westminster Abbey, with its apsidal east end and encircling eastern chapels, is built upon a French plan. Norwich, Peterborough, Lichfield, and Canterbury have circular endings, and the choir of the latter, built by a Frenchman, recalls in its Corinthianesque shafts and capitals, as well as in other details, the cathedral in the ancient French town of Sens, from whence its builder came to Canterbury. On the other hand, Laon is one of the few French cathedrals that have that square eastern termination which is so nearly universal in England. These are, however, exceptions, and in general we find on one side of the Channel both cathedral and parish church of an undemonstrative, long, low, picturesque, and domestic style, and on the other side of the water they are self-asserting, aspiring, stately, and majestic. The English buildings blend with the rural landscape, while the churches of France are of a grander type, and rise from stone-paved streets and from amid the burghers' houses.

And yet, though lowness and length are such marked characteristics of the

English cathedral, by a strange contradiction there is nothing about these English churches carried to a greater degree of perfection, or which brings them greater glory, than their clustered towers and their groups of heaven-soaring spires. At Caen and Coutances and Bayeux and Saint-Ouen we see the Frenchman attempting a central lantern over the crossing of nave and transept; but the Englishman, with his unerring instinct for a pleasing group and a picturesque arrangement, seized upon the idea of combining three towers on one church as his own, and at most of the English cathedrals we find, besides the western towers, either a central spire, or the preparation for one in the shape of an incomplete tower. This ambitious tendency frequently ended in disaster, and many a cathedral such as Lincoln has boasted of lofty spires which do not exist to-day. Doubtless the western towers of the great French cathedrals, and perhaps even single western spires on those majestic temples, taken by themselves, are more grand and stately structures than similar features in England. In such a comparison England makes a poor showing. At Rouen, at Bordeaux, at Laon, the Frenchman was most ambitious, and started to raise towers at the west end and at both transepts; but all are incomplete, and no French church possesses a single central spire to vie with that of Salisbury or of Norwich; and surely none can offer a group of three spires to compare with those of Lichfield; nor can many foreign examples compete, as graceful and beautiful compositions, with the three uncrowned towers of Canterbury, or with their sisters at Lincoln or at Wells.

But of all the features that mark and identify the English church, its square eastern ending would seem to be the most universal and the most self-evident. In