

*Senate of the United States,
Committee on Irrigation and Reclamation of Arid Lands,
Washington, DC 20515*

March 10th, 1897.

No Ans.

Private.

Hon. Willis VanDevanter,
Cheyenne, Wyoming.

My Dear Judge:

Since I last wrote I have completed the letter to the President in your behalf which I will put in his hand before 10 o'clock in the morning. It is signed by myself, Clark and Mondell endorsed by Wolcott, Brown and Shoup. These comprising all of the loyal Republican Senators and Members of Congress from the four states of Colorado, Utah, Idaho and Wyoming in the 54th Congress and in the 55th so far. I asked Carter if he was committed to anyone for Assistant Attorney-General; he answered no, except the candidates from his own state, that there were two or three and perhaps more and he mentioned the names of two. I said I had a candidate and I was in hopes that he would join and that I could reciprocate the favor in helping him for some general position that his state might want. He replied that it wouldn't do for him to sign for another but that he had little if any expectation of getting his candidates in and rather indicated that he should not push very hard, but this may be a blind. Carter does not know that I am pushing for you.

I told you in a former letter what Thurston said and I studied it over for a day or two to see if I wouldn't approach him again but decided not to do it, for the way he answered the first time about having so many candidates showed me that he was averse to endorsing, and if he had been relieved in the situation from his own state since and desired to do anything for you he

would certainly have spoken to me about it. I don't know just what to think of Thurston on general principles. He is an orator and splendid presiding officer of conventions, and a big man-- among strangers. He does not seem to catch on very much yet in the Senate, nor does he seem to be very sincere in many ways, and while I may think differently later on I do not just now have him on the very top shelf of my estimation.

I went in to see McKenna to-day and he gave me an audience with him alone until compelled to ring the bell on me in view of engagements he had. I reminded him of my remarks in Chicago that Wyoming had a candidate for Solicitor-Generalship and my questioning him if he knew anything about it. I told him more fully of my call at Canton; told him that we felt we must have one of the two or, as he thought, three Assistant Attorney-Generalships of his office, and that I wanted it to be the first one nominated and the senior place. The Judge shrugged his shoulders, pulled himself up in his chair and asked me if I knew what an immense pressure there was for the places. I remarked that I did but that I did not know of a single candidate, and I doubted if there were any, certainly not many, who were your equals, and that the place was really not large enough for a man of your calibre; that you had the capacity for Attorney-Generalship but the State being small we did not apply for that but asked the Solicitor-Generalship, and upon being told that was out of the question had applied for a senior place as above. The Judge reminded me that it was a great, big place being \$5,000 salary while his as Judge on the Pacific Coast was but \$6,000, and but \$8,000 now as Attorney-General, and that the requirements were those expected from best attorneys, etc., etc. I of course remarked that his Attorney-Generalship was but a stepping stone to the Supreme Bench; that we hoped and expected to see him get soon into Field's place. I knew I had him in this thrust and while he did not conceal his desire--on the contrary opened up quite confidentially on it - yet he did remark

that he had taken the Attorney-Generalship with the expectation of serving his time out, or at least long enough to become fully master of that great office and Department, that he was ambitious to have his own administration and that of his associates and assistants first class in every particular, but adding he thought it was nearly time for Judge Field to retire--it would be better for Judge Field, his friends, and all parties concerned. By this time I had him frozen to me in pretty good shape and I took up the matter of your coming to Wyoming about 1880, an ambitious and young lawyer; that you offered yourself to me in 1885, when I was Governor, to help me out in preparation and scrutiny of legislation, etc.; that you had constantly been the dependence of myself, my business associates, political associates, etc. in business and official matters. Then I entered into philippic encomiums, etc. of the method, of the thoroughness, the promptness and ability with which all your matters were conducted; told him how much he could lean and rely upon you if you were a trusted assistant, etc., etc. He listened very attentively; said he knew I would not place my reputation at stake in such recommendations unless I knew what I was talking about and had confidence in my man. "But, Senator Warren" he said, "with this terrible pressure for place and with this important position which is sought after by so many, you ought to have the entire western states at your back in order to be safe in this matter." I then told him I had all the loyal Representatives of the four states; told him of the letter which I had prepared and would give the President in the morning. I then told him, and I will admit my voice was tremulous and emotional in the conversation at this juncture, that if the President turned us down in this I felt I had no further interest in the patronage of my State for the gap would be too wide to fill; that we were all intent upon it, and that personally it was the one thing I felt I must have for I should feel disappointed and humiliated beyond measure if it was not granted. He then said: "Have you put it as strong to the President as to me? If not, I advise you to do so, and

let me advise you that you do not stand on ceremony, but make it understood how badly you want it and how you feel about it. Shall I speak to the President about it; will you allow me to tell him how you feel?" I said, certainly, that I had come to him because I did not wish, with my acquaintance with and friendship for him, to make any overtures about a Wyoming representative in his office unless he felt that I was working with him and for his best interests, and that our man would be a loyal friend and helper to him in his high office; that I knew Judge VanDevanter would not want to be crowded upon an unwilling superior and therefore I expected his, McKenna's, sympathy and efforts in the matter.

At this juncture the Judge shot off on another tangent saying "Warren, I want one of the best lawyers in the United States to take hold of the Interior Department, and he should be a western man. Of course Mr. Bliss should have something to say about it and about his legal adviser, but I feel that he ought to have a western man and one from the far west on account of his own eastern residence and environment. I believe this would be a more important and satisfactory place all around for Judge VanDevanter than to be attached to my office." I replied, "Mr. Attorney-General, I want to be entirely frank. I have no license from Judge VanDevanter to accept for him, nor to say that he will accept an Assistant Attorney Generalship unless it can be in this office and in general practice-in fact he has said that he would not accept a place in one of the Departments. Of course your influence or request of him would be very influential, and if he would serve with any Secretary of the Interior I feel that it would be with Mr. Bliss, but knowing Judge VanDevanter's ambition and wishes I do not feel that I can commit him in any way or in the slightest degree to a Department position. He then said, "I will take the matter up with the President" and rising reminded me that he had an engagement due; that he was sorry he

could not discuss it further, but he felt that he understood the situation pretty thoroughly, was very glad I had come to him and he would see what could be done about it.

I have not thought it best to undertake to secure the signatures of a lot of Senators to this letter because I think the President would look upon their signing--those who do not know you personally--as a sort of perfunctory deed, an acquiescence to my wishes, rather than a tribute to your worth or a reasonable demand from a given locality for a certain place. I shall pin a memoranda to the letter saying that "no Senators or Congressmen have been asked to sign except in states bordering on us, and all loyal representatives in four states have joined in this request."

Notwithstanding the order at Arlington Hotel of Senator Hanna's the office smuggled up my card upon which I had penciled that I must see him for four minutes on important business (I wanted to make it seem important and imperative as 30 lounge up against him in the Senate Chamber is seemingly too easy a way, although they don't give him even a minutes peace even there.) I was promptly ordered up to his room where Perry Heath (who is today notified he will be First Assistant Postmaster General) had him by one ear, and Dawes (who expects to be Comptroller of the Currency) had him by the other. After congratulating one and badgering the other, I asked them to hurry away as I wanted to see Hanna alone. He said yes, he wanted to shake them anyway, and I got him for about three minutes before a dozen personal friends had smuggled themselves in through the back way up stair cases, etc. I told him that notwithstanding I understood his resolve to keep out of the endorsing business I wanted his sincerest and most vigorous endorsement for you; that I wanted it right off and that I wanted it hard; that if was to receive the slightest recognition or the State was, that it must come in this way for I felt that in no other could I be satisfied inasmuch as the turning down of this

application now after I had slipped it down a notch from Solicitor-General would leave us with a gap that I could not fill, I should simply consider that was out of the Union. I then told him how you had come all the way to Philadelphia where I was in a hospital at my request in his, Hanna's, interest for McKinley; that incidentally--knowing you were to be in Washington at the time you had offered to help the State Attorney General on the Race Horse Indian case; that you had walked into the Supreme Court where Attorney-General Harmon had taken the case himself and had won it for the State against the government after the federal judge in Wyoming had decided in favor of the Indians, notwithstanding the Indian was always looked after by Uncle Sam and that Judge Riner had never up to that time had a case reversed on him; that Attorney-General Harmon had afterward written you a letter of congratulation saying that his esteem and admiration were all the more strong and acute because you had won a case over him where he still thought you had the wrong side and that he and the Government had the right one. Hanna smiled audibly at this and thought it was a good card. I rung it in on him because a moment before he had looked me in the eye and very solemnly said, "Warren, do you know that this man is absolutely capable and fully up to the place?" I had said "yes, and above the place, and I state my reputation and future expectations upon it." I also told Judge McKenna of your winning the case over Harmon. He seemed interested and wanted to know if Harmon conducted it himself and did the pleading. I assured him he did and told him of the Harmon letter to you.

Hanna said he had not written a letter of endorsement for anybody to the President and that he did not intend to, that what he did he must do verbally. I asked him if there was anything to hinder him doing what I wanted in that way and doing it quick, and he said no. By this time the room was filling up and I said "I leave you then with the assurance that you will go

to the President personally in our interest for Judge VanDevanter for this place.” He looked at me very hard, said “good-by, all right” and turned to the next fellow.

It is late and I close.

Sincerely yours,

Warren