

= John H. Clifford =

John Henry Clifford (January 16 , 1809 ? January 2 , 1876) was an American lawyer and politician from New Bedford , Massachusetts . He served as the state 's attorney general for much of the 1850s , retaining the office during administrations dominated by three different political parties . A Whig , he was elected the state 's 21st governor , serving a single term from 1853 to 1854 . He was the first governor of Massachusetts not born in the state .

As attorney general Clifford gained fame by leading the prosecution in one of the most sensational trials of the 19th century , the Parkman ? Webster murder case . The case , where both victim and assailant were from the upper crust of Boston society , featured the first use of forensic dentistry to secure a conviction . During the American Civil War Clifford supported the Union cause , and was involved in unsuccessful maneuvers to prosecute Confederate President Jefferson Davis after the war . In his later years he served as president of the Boston and Providence Railroad .

= = Early years = =

John Clifford was born to Benjamin and Achsah (Wade) Clifford in Providence , Rhode Island on January 16 , 1809 . He was the sixth of thirteen children . He graduated from Brown University in 1827 , read law with Timothy Coffin in New Bedford , Massachusetts and Theron Metcalf in Dedham , Massachusetts , and then opened a law practice in New Bedford . He maintained that practice , sometimes with partners , for the rest of his life . Clifford married Sarah Parker Allen on January 16 , 1832 . The couple had five children .

In 1835 , Clifford was elected to the Massachusetts legislature , where he sat on a committee that revised the state 's statutes . In 1836 he served as an aide to Governor Edward Everett , a position he held until Everett lost the 1839 election . Everett rewarded Clifford for his service by naming him district attorney for the southern district of the state in 1839 , a post he held for ten years . He was concurrently elected state senator representing Bristol County in 1845 . In 1849 he was appointed state attorney general by Governor George N. Briggs . He was the only major appointed Whig official retained by Democrat George S. Boutwell after he took office in 1851 . Boutwell explained in his memoirs that Clifford " was a good officer and an upright man , but he lacked the quality which enables a man to reach conclusions . This peculiarity made him useful to me . He would investigate a subject , give me the authorities and precedents , and leave the conclusions to me . Next , there was no one in the administration party whom I wished to appoint . Mr. [Benjamin] Hallett was the candidate most generally supported . He was full of prejudices and he was not well instructed as a lawyer . In these respects Clifford was his opposite . "

= = Attorney general and governor = =

The first major case that Clifford prosecuted was for the murder of Boston Brahmin George Parkman , and it was one of the most sensational of the 19th century . Parkman had disappeared in November 1849 and Harvard professor John White Webster had been arrested for his murder . The gruesome method of the body 's disposal (which was not complete) , the fact that it was a capital crime , and the high status of both victim and accused ensured a great deal of public interest in the case , and the courtroom was packed . Clifford 's case was complicated by the fact that there was no actual body . Assisted by George Bemis , who had been retained by the Parkman family , he resorted instead to dental forensics and strong circumstantial evidence to build the case against Webster . The jury returned a guilty verdict after two and one half hours of deliberation . There was much controversy afterward concerning the jury instructions given by Chief Justice Lemuel Shaw , but Webster was eventually hanged after confessing the crime . The case has continued to interest legal scholars , in part over allegations that the defense (which included one lawyer lacking significant criminal trial experience) failed to aggressively dispute the evidence presented , and also did not introduce potentially exculpatory evidence .

In 1852 the state Whig Party parlayed his popularity in the Parkman case into a nomination for the

governorship , which Clifford reluctantly accepted . The race was a difficult one , dominated by the presidential contest and candidate stands on the state 's temperance " Maine law " . In addition to Whig support , Clifford was nominated by a party opposed to the Maine law , while one of his opponents , Horace Mann , was running with both Free Soil and pro @-@ Maine law nominations . The Whigs had been divided by their reactions to the Compromise of 1850 , and the national election (held one week before the state election) saw many Whigs voting for Democrat Franklin Pierce . In a three way race involving Clifford , Mann , and Democrat Henry W. Bishop , Clifford received 45 % of the vote . A majority requirement still in effect for popular election , he was elected by the state senate 29 ? 4 over Bishop , although fractious Whigs demanded the replacement of Senator John Davis in exchange for their support for him .

After his single term as governor , Clifford refused to stand for reelection , preferring to work as a lawyer . His successor , Governor Emory Washburn , reappointed him to be attorney general , an office he held from 1854 to 1858 . This term of service notably included the tenure of Know Nothing Governor Henry J. Gardner . Gardner , who had politically been a Whig before the advent of the Know Nothings , retained Clifford in the office , and the two of them blunted some of anti @-@ immigrant legislation and (in their view) extreme reform proposals of the Know Nothing legislature . During Gardner 's tenure , the state constitution was amended so that the office of attorney general was elected rather than appointed . In the election of 1858 , Stephen Henry Phillips was elected to replace Clifford .

= = Later political and legal work = =

The state hired Clifford in 1859 to assist Phillips in prosecuting what turned out to be the final stages of a long @-@ running (200 year) series of issues concerning the state 's boundary with Rhode Island . Phillips and Clifford traveled to Washington , DC in January 1861 to make their appearance before the United States Supreme Court . At the time , tensions between North and South were exceptionally high , and United States Attorney General Edwin Stanton expressed to them concern that Washington might be attacked by rebel forces . Their letter to Massachusetts Governor John Albion Andrew was one of the warnings that prompted Andrew to begin organizing Massachusetts volunteer regiments for the American Civil War .

Clifford was , like other conservative Whigs , politically opposed to the abolitionist movement ; he was described by former slave Frederick Douglass as " pro @-@ slavery " and " about the most aristocratic gentleman in Bristol County " . However , once the Civil War broke out he supported the Union cause and the state 's participation in the conflict . In 1862 he joined in a call for the formation of an antiabolition party to oppose the Republicans . The " People 's Party " was formed primarily by people who had supported the pro @-@ Union Constitutional Union Party of 1860 , and failed to gain traction because of President Abraham Lincoln 's preliminary Emancipation Proclamation issued in September . Clifford was elected to the state senate that year , where he served as its president . Clifford supported Lincoln for reelection in 1864 . In 1868 he was chosen a presidential elector , casting his vote for Ulysses S. Grant .

In 1865 Clifford was chosen to act as one of the special counsels prosecuting former Confederate President Jefferson Davis . Davis was to be prosecuted for treason , but for a variety of reasons the charges were eventually dropped after four years of political and legal wrangling . Clifford contributed to a debate in 1866 over the difficulty of prosecuting Davis in Virginia , noting that without essentially packing the jury , a failed prosecution would result in the awkward outcome of a Virginia jury in some sense overturning the outcome of the war . He resigned from these duties in July 1866 .

= = Later years = =

In 1867 Clifford retired from the legal profession and became president of the Boston and Providence Railroad . During his tenure the railroad constructed a new terminal station in Boston at Park Square . He received the degree of LL.D. from Brown in 1849 , Amherst in 1853 , and Harvard

in 1853 . For several years he was president of the Harvard Board of Overseers . After the American Civil War he was appointed by George Peabody to the board of trustees of the Peabody Education Fund , a philanthropic initiative for building educational resources in the post @-@ war South . In his later years he was offered , but turned down , a number of diplomatic postings in Europe , including Ambassador to Russia and Ambassador to the Ottoman Empire . In 1873 and 1875 he traveled to warmer climates in a bid to improve his declining health .

In 1875 Clifford was appointed to a diplomatic commission established pursuant to the 1871 Treaty of Washington with the United Kingdom to resolve fishery issues . However , owing to a delay occasioned by the difficulty in selecting a neutral third commissioner , Clifford never assumed his duties . He died of heart disease , after a short illness , on January 2 , 1876 at his home in New Bedford , and was buried in New Bedford 's Rural Cemetery . Clifford 's Greek Revival mansion still stands on Orchard Street in New Bedford , contributing to the County Street Historic District .

= = Clifford and Melville = =

Clifford had a friendly and collegial relationship with Chief Justice Lemuel Shaw , who was the father @-@ in @-@ law of writer Herman Melville . Clifford and Melville crossed paths on a number of occasions , most notably on Nantucket in the summer of 1852 . On this occasion Clifford recounted to Melville a story about one of his early cases . Melville later wrote him , asking for further details , and Clifford sent Melville journal entries on the case . Melville ended up using the material for *Isle of the Cross* , a story that was never published .