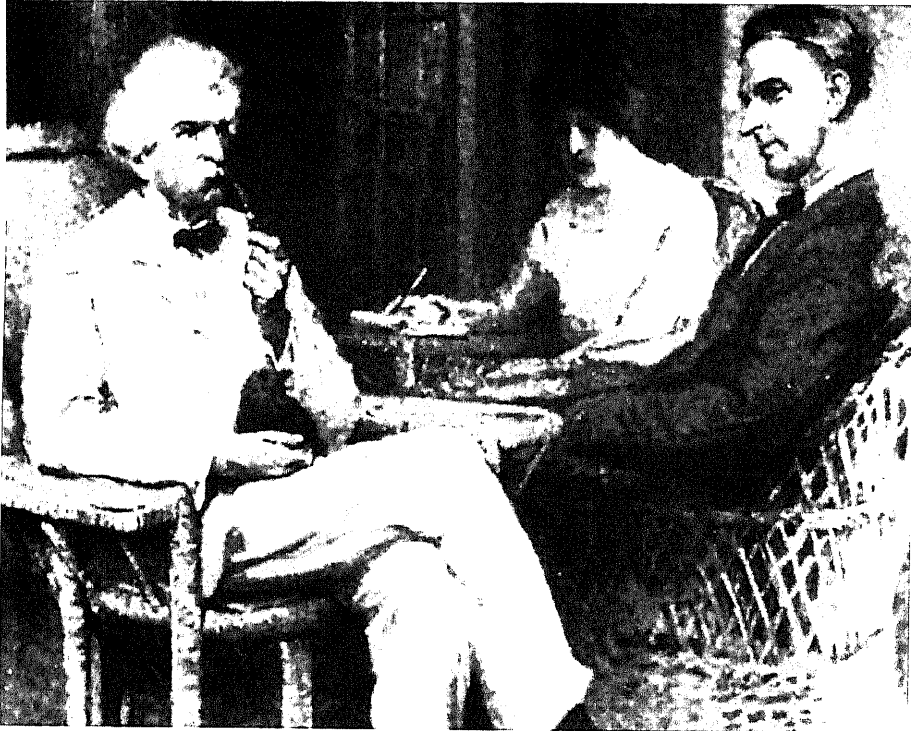


The Lie is Eternal: A Novelist's Take on Portraying Twain in Fiction

by Max McCoy



Mark Twain dictates his autobiography to Albert Bigelow Paine and, presumably, stenographer Josephine Hobby, at Dublin, New Hampshire. The illustration is by E.F. Ward—a friend of Norman Rockwell—and accompanied the final installment of the serialized *Boy's Life of Mark Twain* in the October 1916 issue of *St. Nicholas* magazine.

Note: The following was delivered Nov. 14, 2015, to the Mark Twain Circle of America at the South Atlantic Modern Language Association at Durham, N.C. It is presented here with some additional notes on sources.

The curious tale I'm about to share with you—the story, that is, of how I came to use Mark Twain as a character in one of my novels—began as something of a literary detective story. *That* story involves a fair dose of scandal and imposture, and we'll get to it soon enough. To begin, however, I need to tell you where I was in my writing career some years ago, when I was writing the novel that was published by Bantam in 1999 called *Jesse: A Novel of the Outlaw Jesse James*.¹

Now, that probably doesn't sound much like a novel that is likely to feature Mark Twain as a character. But given my background as a bastard son of Missouri, my childhood love of Twain, and my taste for literary frames, it was a natural. I was born in southeast Kansas, but my father's family was from the Missouri Ozarks, and I cut my teeth on *Tom Sawyer* and *Huckleberry Finn*. One of my most vivid childhood memories was when *Life* magazine published, in 1968, an unfinished Twain story about Huck and Tom lighting out for the territories. It wasn't the story that I remember best, but the reverence with which the adults around me passed the magazine from hand to hand. My father wasn't a reader, but my troubled mother—who had a high school education but thirsted for books—regarded literature as something sacred. Another piece of magazine fiction I remember from that year, which passed back and forth from my mother to the neighbors across the street, and eventually to me, was the serialization of *True Grit* in *The Saturday Evening Post*. The scene in which Mattie Ross tumbles into the rattlesnake pit provided my 9-year-old self with a suspension of disbelief so complete that it approached transcendence.

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It was about that time that I resolved to become a writer of books.

Jesse was my ninth novel, written when I was not yet 40 years old, and after a string of books that ranged from hardcover westerns for Doubleday to original Indiana Jones adventures, under license from Lucasfilm. It was not a bad start for someone who was told by his high school guidance counselor that he ought to give up “these pipe dreams of being a writer.” I was a student who was more interested in making trouble than in making grades. And, the counselor quite sensibly pointed out, just who in Baxter Springs, Kansas, made a living writing books? But in my twenties, I would become a journalist and a novelist, dual professions that I continue today.

Despite my early publishing successes, it was a difficult time for me. I was in an unhappy marriage, in the thick of a years-long battle with clinical depression, and my place in the world seemed uncertain². Paralyzed by depression and contemplating suicide, I blew an important deadline, failing to deliver a book on time. In fact, I had failed to deliver a single chapter of the contracted book, and lost my agent and my self-confidence in the process. Still, my editor at Bantam wanted another historical novel set in the Civil War (thank you, Harry Helm, wherever you are). The problem—other than an inability to drag myself into the sunlight every day, much less write a single word—was that I felt I had already said everything I needed to say about that war with two previous novels (*Sons of Fire* and *Home to Texas*). Early on, I had decided that I would never tackle a novel in which Jesse James was the protagonist. Reader expectations of just what such a story should be were unlikely to mesh with my peculiar approach to fiction, an approach which relies on deep research and morally ambiguous characters. Let me say here, however, that the author is often the worst person to ask for an explanation of how fiction is made, because so much of the work comes from the subconscious that it’s like trying to describe one’s approach to dreaming.

In those dark days, when I was searching for a suitable idea to fashion into a book to fulfill my contract to Bantam, I remembered a Twain class I’d had with Americanist Gary Bleeker in graduate school at Emporia State in east central Kansas (where now, these many years later, I teach journalism). During that class, I’d come across a few paragraphs in a book called *Mark Twain and I*, by Opie

Read, who claimed that Twain had told him that he and Jesse James had actually met once at a small store in Missouri. The story may be apocryphal, but the outlaw supposedly introduced himself to Twain and remarked, “Guess you and I are ‘bout the greatest in our line.”

My conviction never to use James as a protagonist began to crumble. And in my dark turn of mind, that chance meeting began to grow into something more elaborate, something that pivoted on the mystery, and something that would reflect Twain’s darkening view of the world. In my imagining, they would meet during Twain’s last visit to Hannibal in 1902. Sons of Missouri, and being born on the frontier a generation or so apart as it swept west, I felt they would understand each other. During a series of leisurely all-night conversations, the aging outlaw—who had escaped the assassin’s bullet in St. Joseph in 1882 through a case of swapped identities—would tell his life story to America’s most celebrated author.

The idea—no, the conceit—was audacious enough to draw me once again to the keyboard, where my depression became Twain’s depression, and where my disassociation with the world became Jesse’s.

I don’t remember the actual writing of the book—I seldom do, and when I look at the work later, it as if it were written by someone else, a phenomenon I share with not a few other authors—but I do recall the plotting and the strategizing, and most importantly, the decision to avoid turning Twain into a caricature.

Twain has been used before in fiction, and for me the most disappointing treatments are the ones that portray him as the saintly and wise old man in the white suit. Wise he was, and he did wear a white suit near the end, but he was also a broken-hearted and affectionate fool who used his luminous wit to fight his bitterness. But saintly? There are those who believe his Aquarium, populated by girls from ten to fourteen, was nothing more than an innocent collection of surrogate daughters. But I’m not so sure. Even if there was no inappropriate behavior, I believe it represents a darker—and understandably human, though no less damning—impulse.

Now having a basic plot and characters, I needed a structure upon which to hang the story. As a boy, I had relished Victorian literature

in which there was some kind of literary frame, and I knew this book needed such a frame to ease readers into the suspension of disbelief. Again, I found my hook in the Twain class I'd had in graduate school, and fashioned a solution that was based in large part on truth.

For the Twain class, I had written a paper on the secret life of Albert Bigelow Paine.

The paper was based on some primary documents saved from the rubbish heap by my friend, Gene DeGruson. A local historian and Special Collections Librarian at Axe Library at Pittsburg (Kansas) State University, and the editor of *The Lost First Edition of Upton Sinclair's The Jungle*, DeGruson had recently recovered a pile of papers from Albert Bigelow Paine's divorce case that had been discarded by the Bourbon County District Court in Fort Scott, Kansas. DeGruson mentioned this to me in a local coffee shop in Pittsburg. From my paper:

DeGruson said (during an interview Dec. 12, 1993) he found the materials in a room filled with papers in a Fort Scott home that was designated as an antique shop, but was really more of a 'junk' shop.

"One afternoon," DeGruson recalled, "I sat down and went through every single piece of paper." When he came across the Paine divorce papers, DeGruson said, he didn't know who Paine was except the author of some children's books.

DeGruson soon discovered, of course, that Albert Bigelow Paine was Twain's biographer and friend, and eventually his literary executor. The divorce papers were a mostly complete set of originals filed March 30, 1896, *Minnie F. Paine v. Albert Bigelow Paine*, Case No. 6389. There was also a summons for Paine, an entry of appearance, and a consent for the case to be placed on the docket for the court's April term.

Paine had married Minnie Schultz, the daughter of a wealthy Fort Scott brewer, in 1885. At Fort Scott, Paine ran a photography supply store, dabbled in poetry and short stories, and collaborated with Emporia's William Allen White in *Rhymes by Two Friends*. The friendship dissolved because White believed Paine had robbed him of his share of copies.

In the complaint, Minnie Paine sought divorce, alimony, attorney's fees, costs, and "genuine relief." She accused Paine of gross neglect of his marital duty – and adultery. Paine had abandoned Minnie in Kansas for a new literary life in New York with another woman, the complaint alleged.

The other woman was Dora Locey.

By the time the divorce was filed by Minnie, Albert and Dora's first child was approaching her second birthday. Her name was Louise, and she was born Aug. 5, 1894 (I can find no birth certificate for Louise, but that's the date she gave on a ship's passenger manifest in 1933). Louise would, at the age of 11, become one of the charter members of Twain's Aquarium Club.

Paine first met Mark Twain on New Year's Eve 1901, at a Player's Club Dinner in New York. An "acquaintance" developed, Paine recalled, and he received Twain's permission to use some of his letters in a biography of Thomas Nast. In January 1906, after a dinner at the club celebrating Twain's seventieth birthday, Paine became his official biographer. By March, Twain had purchased the property that would become "Stormfield" near Redding, Connecticut, a property that was near the farm home where Paine lived with Dora and their children.

The divorce papers DeGruson found didn't include the resolution of the divorce case. When the date of the divorce case (1896) was compared to the date given for Paine's marriage to Dora in several biographical sketches, 1892³, it appeared to DeGruson—and to me—that Paine was married to both women at the same time.

Intrigued by the recovery of legal documents that suggested Paine was a bigamist, and fascinated by questions of identity and fidelity, I was drawn to the cache of court papers as my frame for *Jesse*. In a first-person introduction to the novel, I described DeGruson's discovery just as he had described it to me, but with one whopper thrown in: a 267-page manuscript that appeared to be the life story of Jesse James, as told to Mark Twain. It is the sort of outrage that I imagine Sam would have enjoyed, for he knew a thing or two about lying.

I also had another reason to include DeGruson in the introduction. He had died in 1997, after a long battle with leukemia, at the age of 64. I wanted in some way to acknowledge his passing.

The writing of *Jesse* proceeded rather quickly after I had the frame, and although I don't remember actually composing the damned thing, I must have had some fun in using some of my favorite macabre Twain stories from his childhood to set the tone: his pathological desire to contract the black measles, his spying through a keyhole the grisly autopsy of his father, his memories of the incorrupt corpse of a young girl suspended in a glass casket in McDowell's Cave.

If there's a theme in *Jesse*, it's that of identity and truth, and how we can ever know who we really are. Both Twain and James had public personas that no mortal could live up to. But Twain enjoyed a good lie in a way that was probably beyond the outlaw, so perhaps he bore his burden lighter. Twain at least wrote at length about lying, both in his own voice and through his characters. "On the Decay of the Art of Lying" gives us a truth, that lies are the lubricant which makes a civil society possible.

"The Lie," Twain wrote, as a Virtue, a Principle, is eternal; the Lie, as a recreation, a solace, a refuge in time of need, the fourth Grace, the tenth Muse, man's best and surest friend, is immortal."

My challenge was to portray two American icons as two very real, but very different, human beings. I had the impression, I recall, that what made these seminal Missourians so different (besides literary genius) was the handful of years that separated their births. Sam Clemens was born in 1835 and grew up in Hannibal, in an oppressive and highly stratified slave-holding society which he transcended by the force of his intellect and a change of geography; Jesse James was born in 1847 on the other side of the state, and became a teen-aged partisan on the wrong side of a bloody guerrilla war that, for him, would never end.

I attempted to make Jesse a complex character, poisoned by the kind of Walter Scott romanticism that Twain hated so much, a screwed up outlaw who earned the nickname "Dingus" because he once clipped off the tip of a finger while loading a cap-and-ball revolver. He is superstitious, preoccupied with scripture, and overly attached to the memory of his mother. As an old man, he dresses in black, walks with a cane, but carries a loaded Civil War era cap-and-ball revolver beneath his coat.

Twain, of course, is the man who knows – or, in this case, the man who knows too much and is ready to be done with it all. From the first chapter:

My mind had become increasingly mired in melancholy during the last few years, caused both by a natural inclination for the morbid and by family losses that are too painful to chronicle here. The effects of age had also taken their toll on my mental state. Frankly, more than once I had pondered whether a human being was little more than a bag of skin containing offal. And yet I planned the pilgrimage to Missouri in some small, bittersweet hope that those feelings of youth that had once stirred my pen could be refined and captured. I wished to return to the sun-drenched river, to feel hope once again stir in my aged breast. And what was it that a young acquaintance had once said to me? *That it is a fundamental act of hope to write a book.* I had the feeling, however, that death himself was dogging my footsteps, and when I saw the stranger in the crowd, I had no doubt. Death had come home to greet me with an antique gun.

I prepared for the book by going to Hannibal. I walked the hilly streets, visited the Mark Twain Boyhood Home and Museum, and tried to get a feel for Sam Clemens beneath all of the kitsch. At the time, Mark Twain Bank was still a going concern in Missouri, and it was the type of enterprise I'm not sure that Sam would have approved of. Boats? Of course. Bourbon? He apparently favored *Old Crow*. But banks?

McDowell's Cave—I'm sorry, Mark Twain Cave—is the oldest continuously operated show cave in the state of Missouri. Caves are another of my interests, and not long after I wrote *Jesse*, I wrote a thriller called *The Moon Pool* which is set against the background of cave diving, at a real location about an hour south outside St. Louis. My visit to the Mark Twain Cave was brief, and remarkable only in that it was like so many other tourist caves. But MacKinley Kantor, in 1969's *Missouri Bittersweet*, had a somewhat better recollection of his visit to the cave:

But I discovered something I'd not realized before, even though I'd probably read it in many books. Maybe, God bless him, in some of Mark Twain's own. Fact: after you've been alone awhile, in mystery unknown and previously unplumbed, you lose all sense of the passage of time. You cannot tell whether five minutes have elapsed since a given event.

"Mystery unknown and previously unplumbed." What a lovely phrase, and an apt description of the territory encountered when committing fiction. Time disappears and is replaced (at least for me) by something else, something akin to Gardner's fictive dream, a trance-like state in which the story unspools from the unconscious. Ask what my process is in writing fiction and it's like asking a sleepwalker her destination. The explanation you get may be a rationalization that has little relation to knowing.

That said, I can say that my portrayal of Twain came after a long period of research; that I attempted to match the rhythm of his speech, as it comes through in his writing; that it reflects a fondness for certain comfortable words and phrases; and that my goal was an authentic portrayal of Sam's mood in 1902, or at least as authentic as possible with the given evidence and old-fashioned dead reckoning.

Twain, of course, had been used before in fiction and drama, but I found none of those representations to be of much help with *Jesse*. The best portrayal that I know—that is, the most entertaining, and possibly one of the most authentic in terms of character—is young Sam in Phillip Jose Farmer's *Riverworld* series. More typical is the white-suited bit of comic relief in a 1992 episode or two of *Star Trek: The Next Generation*. Twain has a few good lines, at least. The extraterrestrial Guinan opines that humanity may still be special, even though there are many alien civilizations in the universe: "A diamond is still a diamond even when it is among other millions of diamonds. It would shine as bright."

"Sure, someone might say that," Twain replies, "if he was firmly convinced that the human race is comparable to a precious jewel. But this someone, if he exists, it's not me."

Science fiction writers have had an easier time than other novelists in using Twain as a character, because at his best he was a visionary. He was also obsessed with technology—he was acquainted with Thomas Edison and Nikola Tesla—and his faith in an automatic typesetting machine ruined him financially.

Using Twain as a major character—or in my case, the narrator—for a historical novel is a more dangerous business. The future is alive with possibilities. The past is dead—and immutable. On the one hand, you run the risk of getting wrong an indisputable fact that is likely to rankle more knowledgeable readers. On the other, you may be so tempted to throw away the biographical canon that your reach will always exceed your grasp.

How do I gauge my own attempt at portraying Twain in fiction?

As flirting with sacrilege.

Beyond that, I offer no judgment. The work stands or falls on its own merits, and no amount of puffery or false modesty will change that. It is painful for me to go back and read passages from the novel, but that is true of all of my books. Writing is damned hard work and I'm suspicious of those who claim it's fun. After each book—and there are twenty-two now—I feel a little like Huck Finn, who in his last paragraph says that if he'd have known how much trouble it was to make a book that he wouldn't have tackled it, and resolves to do it no more.

But after a while I forget the trouble and start a new one.

Come to think of it, I have used Mark Twain as a character in one other, more recent book. In *Of Grave Concern*, a paranormal mystery which appeared in 2013, there's a scene in which my first-person narrator, Ophelia Wylde, observes Sam Clemens attending the death of his younger brother, Henry. The scene is based on the real-life tragedy of the steamboat *Pennsylvania*, which sank after a boiler exploded near Memphis in 1858. Hank Clemens was badly scalded in the explosion and died eight days later. Twain recounts the prophetic dream he had of his brother's death, but does not otherwise figure in the story.

Recently, I have returned to the mystery of Albert Bigelow Paine, the device that got me started on *Jesse* in the first place. It is an artifact of

the book on which my career pivoted, not necessarily for better climes but at least for more exotic—and perhaps more authentic—ones. At least, I became a bolder writer.

After *Jesse*, I suspected that some enterprising scholar would come along and pick up the thread of Albert Bigelow Paine’s secret life and make hay of it. That hasn’t happened. So, beginning this year—and assisted by my new wife (of four years), Kim, an expert researcher—I have begun to gather material for, perhaps, some new trouble.

For more than forty years, Paine encouraged a sanitized version of his domestic relations to become central to the literary record, while hiding the truth behind a carefully constructive narrative that portrayed himself as a proper family man and loving husband.

Paine indeed came to New York in 1895, claiming to have left behind an unhappy and short-lived marriage to Minnie. But the divorce case, filed in 1896, remained unresolved at the time. He and Dora hid under his mother’s maiden name, Kirby, in Harlem. The birth of their second child, Frances, was recorded with that last name of Kirby, in 1898.⁴ The divorce action filed by Minnie in 1896 was never granted, and after her death in 1901, Paine returned to Kansas with the intent of seeking half of her estate, as her legal husband. If his marriage to Dora had indeed taken place in 1892, as claimed, it would have made Paine a bigamist.

The divorce scandal was covered at length in Kansas newspapers, including reports of Minnie’s failing health and her trips to New York in hope of reconciliation.⁵ The articles do not, however, name Dora or describe Paine’s living arrangements in New York. The rest of the story is contained in primary documents that include court filings, census records, and vital statistics from the Municipal Archives of the City of New York. Corroborating evidence is found in city directories, contemporary articles about Paine’s publishing ventures in New York, and in fiction and nonfiction written by Paine himself. In 1895, Paine published “Tinnie” in the *Overland Monthly*, a short story in which a guilty young man is caught between an older woman, Tinnie, and a rival named Dora. In *The Van Dwellers*, published in 1901, he recounts the challenge of finding suitable housing for himself, “the little woman,”

and their growing family, and describes in detail the neighborhood near the Harlem River in which they lived as Albert and Dora Kirby.

Paine—and his family, including Louise, his eldest daughter and a founding member of Twain’s “Aquarium Club” of adolescent girls—became a part of Twain’s inner circle. After Twain’s death in 1910, he exerted near-total control over Twain’s papers and legacy. He also, as scholars beginning with John S. Tuckey have pointed out, patched together unfinished manuscripts to create a new work, and added material never written by Twain.

Paine, a social climber who described himself as “acutely sensitive to ridicule,” rarely spoke in public because of a near-lifelong stutter. Late in life, Paine sought the help of a speech therapist for his stutter, saying he often uttered things which were untrue, because they were “easier to say.” But after an apparently successful treatment, he reported that he could speak “anything without difficulty—even the truth.”⁶

Paine is a thoroughly American character, a man who reinvented his own narrative to better suit his ambition. In Kansas, he left behind a broken-hearted wife and some bitter friends. In New York, Paine presented himself as a modest family man and the victim of an unhappy earlier marriage that ended in divorce. The story must have become a bit confusing for his children; in 1944, Frances Paine sought her birth certificate in the New York City archives, in order to fulfill a requirement for a wartime job with the state department. Failing to find it—perhaps because she did not know to search under the surname “Kirby”—she applied for and received a “delayed certificate of birth” for herself, forty-six years after the fact.

Albert Bigelow Paine was a wildly unreliable narrator of his own life story. He was a liar, a cad, a poser. He did things that, even today, are blush worthy. I can’t tell you how much he irritates me. The working title for this new book is *All the Things We Hate*.

I think he’ll make a wonderful character.

1 New York: Bantam, 1999. *Jesse* was a finalist for the Spur Award for best novel from the Western Writers of America. The novel is currently scheduled for republication in 2016 by a different house.

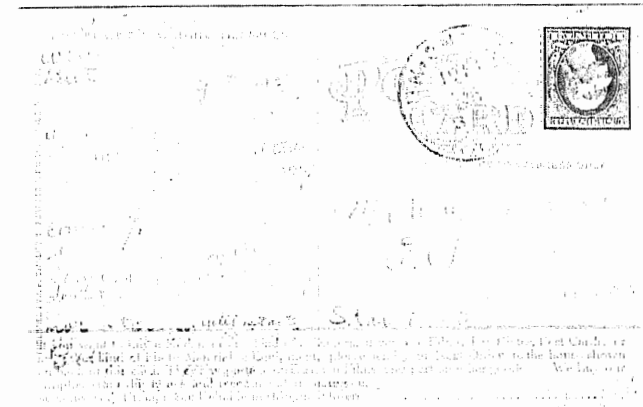
2 For the record, I've been married three times.

3 In a 1923 passport application, Dora gave the date of their marriage as Aug. 2, 1893, in St. Louis. *The Abridged Compendium of American Genealogy: First Families of America*, 1925, lists the year of the marriage as 1892; it also lists the year of Louise's birth as 1894. *American National Biography*, decades later, also listed the date of the marriage as 1892.

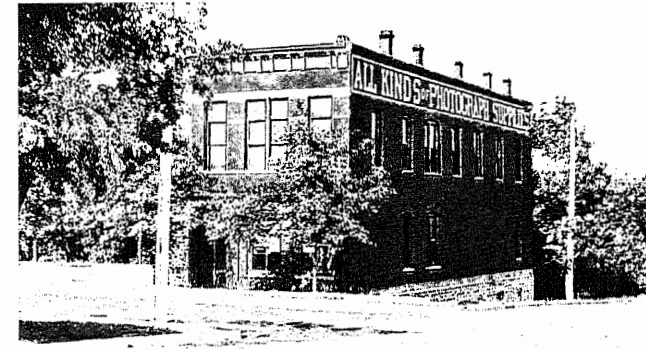
4 The New York City Directories of 1898 and 1899 have Albert Kirby, journalist, living at 606 E. 156th. Also listed is Albert Paine, author, at 127 Fifth Ave., the editorial offices of *Youth and Home*, a publication he edited. At first glance, these might seem to be separate individuals. But when compared with a birth certificate for "Dora Kirby," a child born in March 19, 1898, the confusion is resolved. The certificate of birth, No. 929, lists the parents as Dora Locey Paine and Albert Paine, 606 E. 156th St., as reported by Dr. John B. Rae. Later, the child must have been renamed Frances; in 1944, she obtained a delayed certificate of birth, in which she is listed as born March 19, 1898, at 127 Fifth Ave., the magazine offices. Both birth certificates were obtained by the author from the Municipal Archives of the City of New York in July 2015.

5 On Sept. 12, 1896, the *Fort Scott Daily Monitor* reported "Mrs. Minnie Paine of this city, who last year brought suit against her husband, Albert Bigelow Paine, for divorce, and who for several months has been visiting her husband's parents in Illinois, has gone to New York to meet Mr. Paine, and where, it is thought, a reconciliation will be effected." Mrs. Paine's hopes were, ultimately, dashed.

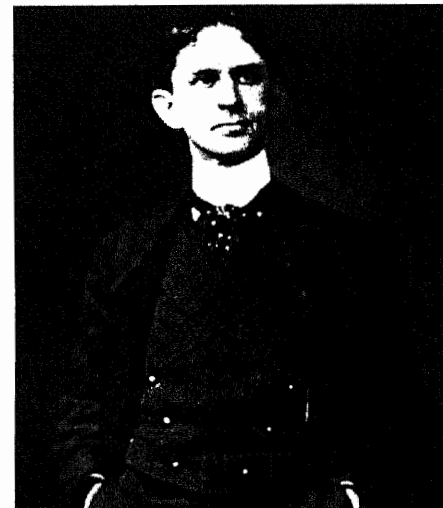
6 According to the *Charlotte News* of Feb. 21, 1921, and other sources, Paine was reportedly cured of stuttering in a day by Dr. James Sonnett Greene, a physician who ran a clinic for speech defects in New York. Paine would later write the introduction to Greene's book on stuttering.



Postcard showing Paine's photo supply business in Fort Scott as it appeared in the 1890s.



The A. B. Paine Photo Supply Co., Ft. Scott, Kansas.



Albert Bigelow Paine in a photograph published in a 1901 issue of *The Book Buyer*.

CITY OF NEW YORK	
BUREAU OF THE CITY CLERK	
OFFICE OF THE CITY CLERK	
AND RECORD OF BIRTH	
No. of Certificate (1921)	
Name of child	DORA KIRBY
Sex	F
Date of Birth	MAR 19 1898
Place of Birth	NEW YORK
Parents	ALBERT PAINE and DORA LOCEY PAINE
Address	606 E. 156th St.
Occupation	
Weight	12 lbs.
Height	18 in.
Color of Hair	Brown
Color of Eyes	Blue
Color of Skin	Fair
Signature	John B. Rae M.D.
Date of Report	MAR 21 1898

An 1891 birth certificate for Dora Kirby from the Municipal Archives of the City of New York. 17