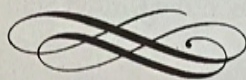


The Salmon P. Chase Papers

VOLUME 5

Correspondence, 1865-1873



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next Street. He paid no attention & I was obliged to ring the bell to stop. Probably the signal was wrong for the car kept on. Under the impression it would stop, however, I jumped down, as passengers frequently do, but the street being covered with ice I was obliged to run or rather allow myself to be dragged several paces before the car was stopped by the conductor. I just escaped a bad fall.

A man on the platform with the conductor seemed to enjoy the thing very much.

Knowing how important proper conductors are to the comfort of passengers & to the success of your road, in which though not interested I have taken a lively interest, I have thought it best to report this matter to you.

Very respectfully yours

S: P: CHASE

President Thompson
Metropolitan R.R. Co.

1. As indicated later in this letter, Thompson was president of the Metropolitan Rail Road Company, a Washington streetcar company incorporated in 1864. DeB. Randolph Keim, *Keim's Illustrated Handbook: Washington and Its Environs* . . . 4th ed. (Washington, D.C., 1874), x; *Wash. Dir. (1867)*, 87, 547.

2. Physicist Joseph Henry was first secretary and director of the Smithsonian Institution.

TO ROBERT A. HILL

Letterpress copy of autograph letter. Chase Papers, Library of Congress (*micro* 37:0117).

Washington, March [1],¹ 1867

My dear Judge²

I thank you for your letters. They are very interesting to me and though I am necessarily a not very good correspondent I hope you will continue to write often.³

It seems to me that you have pursued a very wise course. Your charge to the Grand Jury was exactly what it should have been. The Civil Rights Bill is as important to the prosperity of the Whites as it is to the security of the blacks. It is greatly to be desired that the course of the High Court of Errors will verify your anticipations.

It is deeply to be lamented that the Legislatures of the Several Southern States did not ratify the Constitutional amendment. Prompt ratification would have ensured complete restoration in my judgment. The refusal to ratify has resulted, as I expected, in a more stringent measure. I am glad to see that Gov. Brown of Georgia re[co]mmends to the people the acceptance of the new bill [& org]anization under it by universal suffrage.⁴ If I were [a] Southern man I should follow this lead. Universal Suffrage is sure to come & the sooner it is conceded the sooner will

all political questions be settled. Then no objection can exist to the ratification of the amendment—as required by the new bill—and prompt organization & ratification will certainly lead to the early modification if not complete removal of the disabling clause of the amendment.⁵ If I had been in rebellion I would rather owe my restoration to political privileges to the removal of a disability by the people through Congress than to a pardon by the President. And if those who were leaders would now lead in restoration, preferring the welfare of the people & the states to their own aspirations or sensibilities for the present, I am very sure they would do the best possible thing for their states & for themselves.

For one I am exceedingly anxious for the complete recovery of the Southern States from the evils of the war. They are a most important part of the Country. Their prosperity is the prosperity of the whole. I know that the path of restoration is a hard one: but with wise men difficulty & even harshness is better than permanent or long continued distraction.

The decision of the majority of the Court is law until reversed and you do right in conforming your action to it.⁶ I do not regard it as denying the right of Congress to require the oath as a prerequisite to entering on the duties of an office where the appointment has been made since the act: but only as denying the right to impose the oath as a condition of continuing to exercise an office or profession. I may be mistaken in this but such is my understanding.

Hoping that you will find your new residence at Oxford agreeable and thanking you warmly for all your expressions of kindness which I cordially reciprocate I remain

Very truly & respectfully

Your friend
S P CHASE

Hon Robert A. Hill
District Judge U. States
Jacinto,
Mississippi

1. In the original, Chase evidently wrote over the 2 with a 1.

2. Andrew Johnson had made Jacinto, Mississippi, resident Robert Andrews Hill (1811–1900) a U.S. district judge in 1866. *DAB*, 9:44–45.

3. Hill corresponded regularly with Chase on legal affairs in Mississippi. His most recent letter, written on February 20, told of his impending move to Oxford, Mississippi, and discussed a recent charge to a grand jury in Jackson in which he “commented in very strong terms on all the State laws in any way restricting the civil rights of the colored population, holding the civil rights law, constitutional, and directing prosecutions against those who have violated it. . . . The Circuit Judges so far as I have heard sustain the act of Congress,” wrote Hill in regard to the Civil Rights Act of 1866; “I am inclined to the opinion that a majority of the Supreme Court, or High Court of Errors and Appeals as it is termed, will do the same thing[.]” The letter also asked whether the Supreme Court’s decisions in *Cummings v. Missouri* and *Ex parte Garland* nullified the “ironclad” oath required by legislation of July 2, 1862. Hill to Chase, Feb. 20, 1867 (Chase Papers, L.C.).

4. Joseph Emerson Brown (1821-94) governed Georgia from 1858 to 1865. Overriding President Johnson's veto, Congress had passed the first of four Reconstruction acts on March 2. The law divided all former Confederate states except Tennessee into five military districts under commanders empowered to use the U.S. Army to protect life and property. Also outlined were the requirements needed for congressional recognition of new state governments, including ratification of the Fourteenth Amendment and creation of new state constitutions that authorized suffrage for African Americans. A second, supplementary bill, which Chase authored and Congress passed over President Johnson's veto on March 23, provided processes to achieve the goals of its predecessor. *DAB*, 3:141-43; Fairman, *Reconstruction and Reunion*, 318, 324-26; *Statutes at Large*, 14:428-29, 15:2-4.

5. As ratified, sec. 3 of the Fourteenth Amendment disqualified certain former Confederate officers from holding federal or state office unless permitted by act of Congress.

6. Chase refers to *Cummings v. Missouri* and *Ex parte Garland*.

TO ISAAC N. ARNOLD

Letterpress copy of autograph letter. Chase Papers, Library of Congress (micro 37:0114).

Washington, March 2, 1867

My dear Sir,¹

I have nothing of Mr. Lincoln's which seems proper for publication at this time; unless it be what he said to the Cabinet at the final reading of the proclamation of Emancipation. I hardly know whether this should be published; but if on reflection I think it may be, it was promised to Mr. Owen for his book before I knew of your intended publication.²

The draft of a proclamation to which you refer as submitted to the President by me was very brief and not at all "a grand paper."³ It is remarkable for nothing except for the concluding paragraph, which, with some modification, Mr. Lincoln adopted as his concluding paragraph.

The paragraph as I wrote it was as follows: And upon this act sincerely believed to be an act of justice warranted by the Constitution [& an act of duty demanded by the circumstances of the country,] I invoke the considerate judgment of mankind & the gracious favor of Almighty God."

Mr. Lincoln struck out the words in brackets & inserted instead "upon military necessity".

Hoping to see you before long I remain

Very sincerely your friend
S P CHASE

Hon. I. N. Arnold.

1. Arnold, a former Illinois congressman and Treasury auditor, had authored *A History of Abraham Lincoln and the Overthrow of Slavery* (Chicago, 1866). Earlier, Chase had corresponded with Arnold about possible errors and omissions in the volume, which emerged later as *Sketch of the Life of Abraham Lincoln* (New York, 1869). *DAB*, 1:369; Chase to Arnold, Feb. 9, 1867 (Chase Papers, Hist. Soc. of Pa.); Chase to Arnold, Feb. 18, 1867 (Chase Papers, L.C.)

2. In his diary, Chase had recorded impressions at the final reading of the Emancipation Proclamation, which had occurred in cabinet on September 22, 1862. Robert Dale