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Correspondence, 1865-1873. Edited by John
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Salmon P. Chase and Reconstruction

JEFFREY M. FLANNERY

The Salmon P. Chase Papers, Volume 5: Correspondence, 1865–1873. Edited by John Niven, James P. McClure, Leigh Johnson, Holly Byers Ochoa, and Kathleen Norman. Kent, Ohio: Kent State University Press, 1998. xxvi + 401pp. \$45.00, ISBN 0-87338-618-3.

Tumultuous and momentous events occurred in the United States between 1865 and 1873. Dominating the political arena was the end of the nation's bloody civil war and the assassination of Abraham Lincoln, followed by the struggle over Reconstruction and the impeachment of President Andrew Johnson. In the middle of this ferment stirred the impressive figure of Salmon P. Chase, who served as chief justice of the Supreme Court from 1864 to 1873. Born in 1808, in New Hampshire, Chase was nine years old when sent out West (Ohio) to live with relatives after his father died. Although fatherless, his family was not without connections, and his uncles included a U.S. senator, Dudley Chase, and a prominent bishop in the Episcopal Church, Philander Chase, from whom the youngster received his initial education and training. Physically large, and described as handsome, Chase was also imbued with a fine intellect and strong work ethic. After graduation from Dartmouth, and a brief flirtation with teaching in Washington, D.C., Chase returned to Cincinnati, where he started practicing law. He gained some recognition as a legal scholar by publishing a three-volume edition of the *Statutes of Ohio*, and in 1834 married Catherine Jane Garniss. She died less than two years later, and in 1839 he married Eliza Ann Smith, who died in 1845. In 1846, Chase married Sarah Bella Dunlop Ludlow, who died in 1852. Only two of the six children from these marriages reached adulthood. Clearly, Chase suffered terrible blows in his personal life, and never married after the death of his third wife.

In contrast to these personal misfortunes, Chase's public life prospered. Early in his legal career he represented slaves in freedom cases, which in turn drew him into the abolition movement. Subsequently, a political life

beckoned, and Chase became increasingly active in the issues of his day. In Ohio, he first aligned himself with the Liberty Party, followed in turn by the Free Soilers, the Democrats, and, from the late 1850s, the Republicans. Although he was never beholden to one party, this political flitting about did not seem to inhibit his rise, and Chase's career generally followed an upward progression from local to state to national levels. By 1860, he had served as senator and governor from Ohio, and was active in seeking the presidential nomination from the Republican Party. Although he lost that bid to Abraham Lincoln, his prominence was such that he was appointed secretary of the Treasury. In this capacity, he served ably, helping to secure financing for the Union cause, though he clashed with Lincoln on matters of policy and personality. He threatened to resign on more than one occasion, and a Chase-weary Lincoln finally accepted the latest resignation threat in July 1864, much to the secretary's surprise. In October, however, Lincoln nominated him as chief justice of the Supreme Court to replace the deceased Roger B. Taney, and he assumed his duties before the year was out.¹

Volume 5 is the concluding issue of the Chase Papers series. The volume begins on 2 January 1865, with a polite but somewhat chastising letter written by Chase to General William T. Sherman, and finishes with a brief note written on 5 May 1873, by a man obviously afflicted with the accumulated slights of old age, and who knows he is near his end (he died 7 May). In between are 213 letters and other documents selected from a considerably larger body of papers left by Chase. Though volume 5 covers a broader chronological span than the two preceding volumes, which included the Civil War years, this arrangement "reflects the actual quantities of correspondence surviving from the major phases of his career."² The majority of the entries are writings by Chase, but this last volume does include a fair number of letters addressed to him.

The emphasis of the correspondence weighs heavily on the political events of the day. By January 1865, the Confederacy was staggering toward defeat, and Chase was turning his attention toward Reconstruction. His position notwithstanding, the new chief justice was not going to shy away from offering his written opinion to

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political followers, military commanders, congressional officials, and presidents, which was pretty much the way he had acted in his previous offices. In the 2 January letter to Sherman, Chase spoke up for the rights of African Americans, who he feared were suffering “harshness” during Sherman’s march to the sea. He privately distributed the text of his letter to President Lincoln advising him on Reconstruction policy. Shortly after Lincoln’s assassination, he toured several Southern states, and sent his observations to President Johnson.³ Students of the Reconstruction period can debate the correctness or effectiveness of Chase’s efforts, but his transition to the third branch of government certainly did not silence his voice.

As might be expected, Chase’s work on the Supreme Court engaged much of his time, and the editors are careful not to exclude correspondence relating to the most important cases. Interwoven among political missives are several exchanges discussing *ex Parte McCordle*, *Texas v. White*, *Hepburn v. Griswold*, and others, where the chief justice and his correspondents discuss the merits and results of the Court’s opinions. Of course, most of the important litigation before the Court involved Reconstruction issues, such as the authority of military courts, the integration of the former Confederate states into the Union, and loyalty oaths. These discussions complement other correspondence found in the book

But perhaps Chase’s most visible duty as chief justice was displayed during President Johnson’s Senate impeachment trial in the spring of 1868. Chase thought impeachment “unwise,” even though he disagreed with the president’s policies, but he wrote that “I have endeavored to be & I believe I have been perfectly unbiased,” and carried out his responsibilities very seriously in his role as presiding judge.⁴ It is probably safe to assume that when the editors were compiling this volume they did not anticipate that the second presidential impeachment trial in the nation’s history would begin so soon after publication. If they could have foretold the future they might have included more items relating to the trial.

Or maybe not, because the impeachment issue is soon supplanted by attention to the upcoming presidential election. Like other nominees, Justice Chase was positioning himself (or allowing himself to be positioned) as a presidential candidate for the Democratic Party in 1868. If the record casts a good and proper light on Chase’s conduct during the impeachment trial, it also shines a bit brightly and unseemly on his attempts to secure the presidency. Chase’s ambition, noted by his contemporaries and biographers, propelled him to seek the presidency, even at the risk of abandoning his party of the moment, the

Republicans. But even in allowing for the nineteenth century’s usual custom of candidates’ demurrals when seeking higher office, the editors show through their selections that Chase’s protestations did not ring so convincingly in the summer of 1868. He permitted his daughter, Kate Chase Sprague, to act as his campaign manager during the complicated maneuvering which accompanied the Democratic convention in New York, but the prize was not to be bestowed. One of the nation’s most involved politicians was going to remain on the Court, but his activity was seriously curtailed when he suffered a debilitating stroke in August 1870. Chase recovered to some degree, but his physical decline is reflected in the volume, and it is instructive to note that the first 339 pages cover the years 1865 through 1870, while only 30 pages treat the remaining two and a half years of his life.

Editorially, volume 5 follows in the capable footsteps of its predecessors. The textual procedures are delineated clearly and followed consistently. Annotations are relevant and concise, and it is rare when an individual is not identified, no matter how obscure. A useful feature at the head of each entry lists the reel and frame number on the microfilm edition of the Chase Papers, thereby directing readers to that fuller trove of documents. Some readers may wish for more documentation of Chase’s family, social, or legal careers (Chase’s daughter, Kate, may be worth a volume of letters unto herself), but the truth is that Chase’s life was consumed and driven by politics, specifically by his quest for the presidency. Students seeking insights into the other sides of Chase’s life will have to refer to the microfilm edition.

Since the inception of the Salmon P. Chase Papers, the project has been shepherded by an able team of editors, headed by the late John Niven, who died while the last volume was in press. Although disheartened by this loss, students and scholars can take solace in the fact that Professor Niven’s work ably preserved and disseminated the legacy of Chase, a pivotal figure during the nineteenth century struggles to shape and define America.

Notes

1. Chase’s life has received full treatments in John Niven, *Salmon P. Chase: A Biography* (New York: Oxford University Press, 1995); Albert Bushnell Hart, *Salmon Portland Chase* (Boston: Houghton, Mifflin, 1899); and Frederick Blue, *Salmon P. Chase: A Life in Politics* (Kent, Ohio: Kent State University Press, 1987). Concise biographical information can be found in the *American National Biography* (New York: Oxford University Press, 1999), *Dictionary of American Biography* (New York: Scribner’s, 1930), and *Justices of the United States Supreme Court: Their Lives and Major Opinions*

(New York: Chelsea House, 1969).

2. *Salmon P. Chase Papers*, p. xxiii.

3. *Ibid.*, Salmon P. Chase (SPC) to William T. Sherman, p. 3; SPC to Abraham Lincoln, pp.15–16; SPC to Andrew Johnson, p.47–51.

4. *Ibid.*, SPC to Milton Sutliff, p. 226, SPC to Clark Williams, p. 215.

Correspondence of William James Wins Morton N. Cohen Award

The fifth Morton N. Cohen Award for a Distinguished Edition of Letters has been given to *The Correspondence of William James*, edited by Ignas K. Skrupskelis and Elizabeth M. Berkeley and published by the University Press of Virginia. The award is sponsored by the Modern Language Association of America.

The citation for the edition reads: “This volume fulfills all the criteria for the award, including the stipulation that the edition ‘should be in itself a work of literature.’ The editorial apparatus is outstanding and includes a number of features that any scholar will greet with delight. The family tree, the list of letters, the chronology of extant letters, the Biographical Register, and the Bibliographical Note give clear and useful information about the corpus of letters. A sort of minibiography, the introduction offers an overview of the letters to follow. The notes cover what any biographer or scholar would want to know about William James and his correspondents. This beautifully laid out edition enables readers to watch a fertile, brilliant, and affectionate mind at work and play.”

Ignas K. Skrupskelis is professor emeritus of philosophy at the University of South Carolina and has headed the editing team since 1988. Elizabeth M. Berkeley has served as associate editor since the first volume of *The Correspondence of William James* was published in 1988.

The Morton N. Cohen Award is presented biennially, in odd-numbered years. The winner of the first award, presented in 1991, was *The Correspondence of Charles Darwin*, edited by Frederick Burkhardt and Sydney Smith and published by Cambridge University Press.

Elizabeth Nuxoll and Mary Gallagher Receive 1999 Butterfield Award

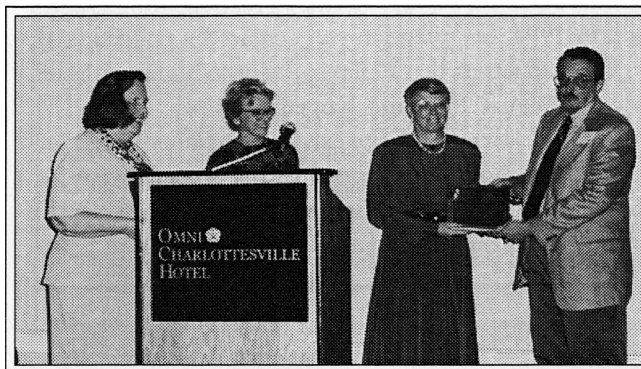
Elizabeth Nuxoll and Mary Gallagher, editors of *The Papers of Robert Morris*, were named recipients of the 1999 Butterfield Award.

The award committee described them as “loyal and active members of the ADE,” who “are being given the award because of their good work as editors, keeping the edition going through extremely difficult times of funding and moving it to completion, and because of their many other services to the editorial community.

“Both of them are tireless in their efforts to keep up with a wide range of list serves that are of interest to editors, passing on pertinent information through SEDIT-L. They give papers at scholarly conferences and to public gatherings that make use of documentary editions and illustrate the importance of primary research.”

The committee also cited their service to the ADE: Mary Gallagher has chaired the Butterfield Award, Nominating, and Membership committees and has served on the Program, Education, and Publications committees. Betty Nuxoll has coordinated the annual Women’s Interest Breakfast. “They are excellent editors and exemplary colleagues.”

This year’s awards committee was Joel Myerson (chair), Cullom Davis, Helen Deese, Dorothy Twohig, and Conrad E. Wright.



Elizabeth Nuxoll, Ann Gordon, Mary Gallagher, and Joel Myerson. Photo by Tom Mason.