

THE ADMINISTRATION OF GOVERNOR BULLOCK OF GEORGIA

1868-1871

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To most of the younger generation, the Civil War and its aftermath, the Reconstruction Period, is only another incident in the history of this nation. To them battles were fought, the South was defeated, and life soon resumed its even tenor. In selecting this subject it has been my purpose to picture some of the more interesting events in the history of the State of Georgia during the years 1865-1871 and show how the forces of ignorance and injustice were let loose on a prostrate state at the time of its greatest trials.

I have tried to remain unbiased and state only facts that could be substantiated. Several days were spent in and around Atlanta looking up old records and historical landmarks and conversing with those whose parents resided there and took active part in many episodes of this period.

I wish to express my appreciation to Dr. T. H. Reynolds for his valuable suggestions and assistance, to Dr. D. W. Davis, Professor of History, Oglethorpe University, Atlanta, Georgia, and to Miss Mildred Clark of the Atlanta Public Schools, who so generously aided me in securing many interesting details.

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CHAPTER I

RECONSTRUCTION LAWS AND DOCTRINES

Many volumes have been written about the South and its problems during the decade immediately following the war between the States. After the publication of Margaret Mitchell's Pulitzer prize novel, Gone with the Wind, the widespread popularity of this best-seller has turned the eyes of students to Georgia. A great deal that has been written about this state has been told from a prejudiced point of view; indeed, since not only writers of books and articles in the period but also newspaper editors and holders of public office all supported strongly their particular sides of current questions it is very hard to tell the truth about events without swaying the reader in one direction. By checking statements against sources available for the period, I have tried to be fair to both Republicans and Democrats during the "Tragic Era".¹

No state in the Confederacy suffered so great a loss of property as did Georgia in the war. Three-fourths of her wealth was gone. The state's expenditures during 1864 were \$13,288,435 and the public debt had climbed to \$23,980,692 by the end of the war. Bank capital had fallen fearfully. The number of paupers, mostly families of soldiers had increased to 117,889--more than the entire

1. Title of book by C. G. Bowers, Cambridge, Houghton Mifflin and Co., 1929.

voting strength of the state at the beginning of the war.²

Even before the surrender at Appomattox, Confederate money was rapidly losing value. On December 31, 1864, it took forty-nine dollars in Confederate money to buy a dollar's worth of gold. For the eleven dollars salary a Confederate soldier received per month he could buy a pound of meat that would last two days.

No one was more hated than William Sherman, who, on his historic "March to the Sea" linked his name for generations to come with ruthless destruction. The young Atlanta poet Gilbert Maxwell voices the feeling of the third generation since the march in these lines:

With Sherman's name as vitriol in his mouth
My grandsire told how in a month or less
The little sleeping cities of the south
Became a charred and smoking wilderness.³

Sherman took without reservation all that was near and dear to Georgians in his path. After burning Atlanta and Marietta, Sherman and his army set out to "make Georgia howl". He left a path three hundred miles long and forty miles wide marked by burned cities, fields stripped, horses and cattle appropriated to the use of the soldiers, and farm buildings and implements burned. The stretch of land he visited was marked by "Sherman's hairpins", the name given to pieces of railroad track that were torn up,

². Walter G. Cooper, The Story of Georgia, III, p. 59

³. Gilbert Maxwell, Stranger's Garment, p. 3

heated in the center, and twisted around trees.

Describing a portion of Sherman's track, Frances Butler Leigh says:

Here the ruin and desolation was complete. Hardly any of the town remained; street after street was merely one long line of blackened ruins, which showed from their size and beautifully laid-out gardens how handsome some of the houses had been.⁴

Sherman reported that he had destroyed railroads in Georgia for more than one hundred miles, carried away more 10,000 horses and mules and a countless number of slaves. He estimated the damage done to the State of Georgia and its military resources at \$100,000,000 of which \$20,000,000 was to the advantage of the Federal army and the "remainder was simply waste and destruction".⁵

Indeed, the spirit of the Georgia people was crushed.

Mrs. Leigh wrote again:

I can hardly give a true account of how crushed and sad the people are. You hear no bitterness towards the North; they are too sad to be bitter; their grief is overwhelming. Nothing can make any difference to them now; the women live in the past and the men only in the daily present, trying in a listless sort of way, to repair their ruined fortunes.⁶

4. Frances B. Leigh, Ten Years on a Georgia Plantation Since the War, p. 9

5. Cooper, op., cit., p. 62

6. Leigh, op., cit., p. 12

Of conditions of the day, Henry G. Turner wrote:

Cities and great tracts of country were in ashes. Colleges and schools were silent, teachers without pupils, pupils without teachers. Even the great charities and asylums were unable to take care of lunatics, the deaf, and the blind. Repudiation by states of bonds, treasury notes, and other obligations issued during the war reduced to penury thousands of widows and orphans and many people too old to start life over again.⁷

In addition to the waste and destruction of property and the loss of lives estimated at not less than 50,000--nearly two-thirds of the taxable wealth of the state was wiped out by emancipation. The task of helping the negroes adjust themselves to their new freedom loomed large. The slaves were given freedom before they realized what it was, and many of them interpreted it as freedom from work. Hundreds left the plantations and flocked to the cities, where they thronged the streets in idleness. In Macon, in December, 1865, five hundred negroes died and in one week one hundred-fifty were arrested for theft.

In order to protect the negro and help him adjust himself to his new freedom, the Freedman's Bureau was established by a statute of the War Department, March 3, 1865. It had its advantages and disadvantages. Thompson says:

Conditions as they were, even with the large bulk of evil influence justly charged against some of its agents, the Freedman's Bureau was

7. Myra Lockett Avary, Dixie After the War, p. 302

on the whole an important constructive force towards economic adjustment in the immediate transition from slavery to freedom.⁸

Agents of the Freedman's Bureau supervised making of labor contracts between employers and freedmen. Before contracts were made and negroes were forced to finish their year's work, many left their employers before crops were completed. This is indicated in the provisions made in many contracts supervised by Freedman's Bureau Agents in which the laborer would be required to forfeit his promised wage if he did not finish his year's work.

Labor contracts made in Brooks County, Georgia⁹ reveal that the work demanded of negroes in relation to their wages was somewhat on the same basis as slavery. As an example of the similarity to slave conditions I should like to give the labor contract between Culpepper Creech and one Margy Young, a freedwoman:

Georgia
Brooks County

This contract entered into this day, between Culpepper Creech and Company of the first part and Margy Young of the second part. Witnesseth that the said Culpepper Creech and Company agrees to furnish the said Margy Young and her six children with victuals and clothes, that is three suits each. The said Margy Young agrees to put in two of her children as hands and they agree to labor for the said Culpepper Creech and Company faithfully and diligently during the year beginning January first, Eighteen hundred and Sixty-Seven and ending December thirty-first same year. The said Margy Young agrees to obey and cause her children to obey

8. C. Mildred Thompson, Reconstruction in Georgia, Economic, Social, Political, 1865-1872, p. 67

9. Now in the possession of the Atlanta University

all orders from the said Culpepper Creech and Company and also the said Culpepper and Company has the privilege to correct her children and make them work and obey them or the colored man Henry or whoever may be over them.

Fees paid \$1.00 Culpepper Creech and Company. Approved January 7, 1866

her
Margy X Young
(mark)

The Freedman's Bureau was very helpful in distributing food and supplies to the negroes before they were able to make labor contracts, and but for this agency many negroes would have starved.

The Freedman's Bureau also did a great deal to stir up interest in the education of negroes among people with money in the north. The Atlanta University for negroes and many other institutions of learning came as a result of this awakened interest.

There were many disadvantages, however, in the intimidation of whites; in the anxiety to mete out justice to the freedmen sometimes the whites received gross injustices. So eager were the Republicans to win the favor of negroes they resorted to gross misrepresentations to them. Some were guilty of spreading the idea that the negroes were to own the property of their masters. The cry of "forty acres and a mule" became a slogan with numbers of them.

While the agents of the Freedman's Bureau were enlisting sympathy of northern people and establishing schools for the colored, little was done for the education

of southern white children, especially those of less fortunate parents and orphans. Avary says,

Words cannot describe the destitute condition of the orphaned children. It excites my deepest commiseration. The children of the dead soldiers are wandering beggars, hand in hand with want. Except in large cities there are no schools or homes for the fatherless. An attractive academy has been built by citizens of Northern cities for the children of the freedmen; and it is in a flourishing condition.¹⁰

An editorial of the day reads, "The white children of the South are growing up in pitiful neglect and we are wrong to permit it".

After the war there were many theories as to how the conquered states should be reconstructed. Of all attitudes, that of Abraham Lincoln was kindest toward the South and it was a tragic day for the Confederate States when he was assassinated. Besides leaving the states in the hands of those less kindly disposed, it served to infuriate the northern people, many of whom held the South responsible for his death.

Lincoln believed that the Confederate States had never been out of the Union. He therefore made known his policy that a state might be restored to its place in the Union if duly organized by a loyal element, even though it were only one tenth of the voting population.

After Lincoln's death, Andrew Johnson, an east

10. Avary, op. cit., p.2

Tennessean who was not from the slave-holding aristocracy, was of a somewhat different temperament. He followed Lincoln to a large extent in policy but he did not receive the cooperation of Congress. Many of the Congressmen, wishing to punish the South and insure the keeping of the Republican party in office, introduced measures that caused the people of the southern states more suffering and humiliation than the war itself. Soon after the war a number of Georgians who were prominent rebel leaders were imprisoned. These included Governor Joseph E. Brown, Howell Cobb, Benjamin Harvey Hill, and Alexander H. Stephens. Robert Toombs was also designated for punishment but he escaped. Each of these men had held important positions. Governor Brown was serving as the chief executive of the state, General Cobb had been secretary of the treasury under President Buchanan, General Toombs was for a brief period premier of the Confederate Cabinet and was ardent toward the cause for secession. Mr. Hill had been the recognized spokesman for Mr. Davis in the Confederate Senate. Mr. Stephens at first was opposed to secession, but after he had taken the office of vice-president of the Confederacy, became a loyal supporter. All of these leaders were imprisoned in various institutions throughout the country.

Trying to follow in the steps of Lincoln, President Johnson issued an amnesty proclamation on May 29, 1865. Like Lincoln, he took the attitude that the Confederate

States had never been out of the Union. His requirements were that the southern states free the slaves, repudiate the war debt, and take the oath of amnesty. He believed that not reconstruction but restoration was needed. Therefore, when a state, assembled in a constitutional convention, rescinded its ordinance of secession and ratified the Thirteenth Amendment abolishing slavery, he, without consulting Congress, recognized such a state as fully restored to its rights and privileges under Federal Government.

The accounts of the thirty-ninth and fortieth sessions of Congress show that Congressmen were violently opposed to the Presidential Doctrine. In the House of Representatives on the first day of the thirty-ninth session, Thaddeus Stevens asked consent to introduce a joint resolution, providing that a joint committee of fifteen be appointed, nine of whom were to be members of the House. This resolution, which was later made into a motion by Mr. Stevens and passed, provided for the appointment of the joint committee "who should inquire into the condition of the States which formed the so-called Confederate States of America, and report whether they, or any of them, were entitled to be represented in either House of Congress, with leave to report at any time by bill or otherwise".¹¹

11. Henry Wilson, History of the Reconstruction Measures of the Thirty-ninth and Fortieth Congresses 1865, p. 15

Stevens believed that the states fighting against the Union should be punished. In his own words he proclaimed the policy he later carried out as one of the leaders in passing the Reconstruction Acts. He said,

Strip a proud nobility of their bloated estates; reduce them to a level with plain republicans, send them forth to labor, and teach their children to enter the workshops or handle the plow, and you will thus humble the proud traitors.¹²

This was the beginning of what Don Vorhees, Representative for many years and later a United States Senator from Indiana, characterized as the "Plunder of Eleven States" in a speech made in the House of Representatives March 23, 1872. He said:

From turret to foundation you tore down the government of eleven states. You left not one stone upon another. You not only destroyed their local laws, but you trampled upon their ruins. You called conventions to frame new Constitutions for these old states. You not only said who should be elected to rule over these states, but you said who should elect them. You fixed the quality and the color of the voters. You purged the ballot box of intelligence and virtue, and in their stead you placed the most ignorant and unqualified race in the world to rule over these people.¹³

Of Thad Stevens' policy toward Georgia his words became even more accusing in their nature.

Let the great State of Georgia speak first. You permitted her to stand up and start in her new career, but seeing some flaw in your handiwork, you again reconstructed her State government. You

12. Ibid., p. 78

13. Loc. cit.

clung to her throat; you battered her features out of shape and recognition, determined that your party should have undisputed possession and enjoyment of her offices, her honors, and her substance. Then bound hand and foot you handed her over to the rapacity of robbers. Her prolific and unbounded resources inflamed their desires.¹⁴

The Republicans wished to keep their party in office; the eleven Confederate states, being conquered, were powerless. Republican leaders, then, by enfranchising negroes and spreading pro-Republican propaganda among them, sought to secure the Republican Party in the south. On June 7, 1866, Mr. Davis of Kentucky said that "the paramount object of the radical party was continuance in office and power, and their chief means negro suffrage; and the machinery was a perpetual howl for justice and protection to loyal citizens of African descent!"¹⁵

The history of the thirty-ninth and fortieth sessions of Congress shows that the President vetoed several measures which would be hard on the ex-Confederate states, only to have them passed over his veto by a Congress determined to make the South "pay the penalty for treason".

The truth of Don Voorhees' words are borne out by the fact that Georgia was "reconstructed" three times between April, 1865 and December, 1870. In this paper I shall try to give a picture of the political situation at each "reconstruction" with particular emphasis on the career of

¹⁴. Rutherford, Truths of History p. 87

¹⁵. Wilson, op. cit., p. 263

Rufus Brown Bullock, who was held responsible for much of the misfortune that came to the state during his administration as governor and provisional governor.

In adopting his reconstruction policy President Johnson took precaution against turning the government back over to those who had taken a prominent part in the Confederacy by refusing immediate pardon to some classes who were mostly the civil, diplomatic, and military leaders. President Johnson inaugurated his plan in Georgia on June 17, 1865 by issuing his restoration policy and appointing James Johnson provisional governor of the state. In July Governor Johnson called for an election to be held in October to choose delegates for a constitutional convention to meet the same month. The qualifications for voting were the same as before the war except for those people not yet pardoned by the President. Most of the leaders before the war were still disfranchised, leaving inexperienced men to be sent to the convention. Herschel V. Johnson presided over the body, and Charles J. Jenkins became the most powerful leader in it. The convention made and adopted a new constitution and agreed to the three conditions which President Johnson had laid down.

There was much opposition to repudiation of the state debt because it was felt that the state's credit would be ruined and also because those Georgians who held state bonds would lose their investments. In

November elections were held for all state officials and Congress. Charles J. Jenkins was elected governor.

The Legislature met in December for the first time since the war at Milledgeville. There seemed no end of the problems the group faced. With towns and cities in ashes, farms and plantations stripped of tools, stock, and laborers, railroads ruined, and factories either burned or closed, commerce had ceased to exist. Provisional Governor Johnson was anxious that there be no delay in restoring Georgia to the Union. Hence the ratification of the Thirteenth Amendment was the most important topic of his speech to the new Legislature.

This newly set-up government was to be short-lived, however, for that group of Congressmen, led by Thad Stevens, proclaiming that the right to plan for the reconstructed states lay in the power of Congress instead of in the hands of the President--refused to recognize the states which had been reconstructed under President Johnson's plan. They denied seats in Congress to representatives from these states.

Under the new plan, they required the former Confederate States to ratify the Fourteenth Amendment and let it be known that they might be asked to meet other conditions. The Fourteenth Amendment made negroes

citizens, forced the Southern States to give them a right to vote or lose some of their representatives in Congress, disqualified for state and federal offices many white people, and named other penalties.

CHAPTER II

STEPS IN ORGANIZING THE RECONSTRUCTION GOVERNMENT

Since Georgia believed that she was already in the Union, having ratified the Thirteenth Amendment, she believed that she had the power to reject or accept the Fourteenth Amendment. The people almost unanimously rejected it in November, 1866. The President himself had advised the South not to accept it.

The rejection of the Fourteenth Amendment made the radical leaders in Congress furious. None of the former Confederate States ratified it except Tennessee, which was influenced by Governor Brownlow. As a result of their anger and determination to force the states into doing their will, they made these states into military districts and ruled them with bayonets.

One of the interesting conventions of 1866 was the meeting of one hundred Negro delegates from eighteen counties, with the agents of the Freedman's Bureau in Augusta. Under the influence and instruction of the Freedman's Bureau agents, Negroes fast became aware of their rights and privileges. These important resolutions were passed by the convention:

- (1). They stated that coast lands held by Negroes were not to be taken away from them

except by an act of Congress. (These lands, known as the Sherman tracts, were the object of much discussion in Congress.)

2). They declared that Southern States were not territories and not land to be confiscated. (In this declaration they denied the dogma of Thaddeus Stevens.)

3). They appealed to the Georgia Legislature for equal rights for Negroes before courts, because courts subjected Negroes to equal taxes and charges on public conveyances. 1

Georgia became a part of the Third Military District, ruled over by General Pope. The first step in reorganizing the government was registering the voters. The state was divided into forty-four registration districts, with two white registrars and one colored for each district. 2 In order that registrars would get as many names as possible on the rolls, provision was made to pay for voters. Those whites who were excluded by provisions of the Fourteenth Amendment were not allowed to register, even though the amendment had not yet been ratified by the required number of states and was not yet a part of the Constitution. Many were not allowed to register because those with a certain amount of property were excluded. The white registrars were appointed by General Pope and they were to select the negro members.

1. Southern Recorder, "The Colored Convention in Augusta", January 30, 1866.

2. General Orders for Third District, 1867-1871. No. 5, P. 9

Although the Conservative leaders, such as Herschel V. Johnson, urged the white people to go to the polls, many of them stayed away for various reasons. Some were disgusted at the sight of the ignorant, illiterate Negroes, once their slaves, at the ballot box. About 10,500 whites were disfranchised; 60,000 whites stayed away from the polls, through a non-active policy. In Baldwin County only seven whites voted, and in Jefferson County only one. In McIntosh County, only three whites voted, while 524 Negro votes were cast.

Different writers have expressed various views, trying to account for the difference between the number of voters who registered and the number of votes cast. Some believe that a number of negroes were intimidated and prevented from voting. Since 102,283 votes were for a constitutional convention and 4,127 were against it, and since most of the Georgia whites were opposed to a convention, it always has seemed that many whites stayed away from the polls.

The Constitutional Convention met in Atlanta Monday, December 9, 1867. Of the one hundred sixty-nine delegates, thirty-seven were Negroes, (four mulattos, whose race it was hard to determine, which accounts for the difference in numbers), nine were white carpet-baggers and about twelve were conservative whites. ³

3. Thompson, Op. cit., p. 189

The majority of delegates in this group were native white Georgians known as Scalawags because they had turned to the reconstructionists. The delegation from Augusta furnished the leaders of the radicals--two being Benjamin Conley, the President of the Senate in 1868, and Foster Blodgett, a close friend of Bullock. Augusta was also the home of Rufus Brown Bullock, who was to become the hated Republican governor.

Because the Georgia convention was not managed entirely by Negroes and carpet-baggers, Georgia, during 1867 suffered less than South Carolina, Alabama, Mississippi, and other states. According to Wooley, Reconstruction in Georgia was a struggle between Republicans and Democrats, two well-matched parties. That the Democratic Party finally gained control over state affairs seems to bear out the truth of this, in spite of the support of the Republican Party by Congress when Democratic hands were tied.

The Constitutional Convention met in Atlanta on December 9, 1867 and the constitution which they drew up was adopted. One of the first acts was the choosing of a committee to wait upon General Pope and invite him to the Convention.⁴ He accepted the invitation and cooperated with the delegates beyond their expectations. He called

4. Journal of the Constitutional Convention of Georgia, December 1867 to March 1868, p. 38.

upon the treasurer, John Jones, to pay the delegates \$40,000 of the state's money. Jones refused on the ground that it was illegal for him to pay a voucher without a warrant from the governor. Governor Jenkins would not sign the warrant, for, he said, the constitution and laws did not give him a right to expend money for such a purpose.⁵

At this point, General George Meade became military supervisor. He demanded money for paying the delegates, and, not being granted the money, wrecked the state civil government by removing the governor, treasurer, secretary of state, and comptroller general, and filling vacancies with officers from his army. Governor Jenkins hid the great seal and left the state, taking with him \$400,000 of the public funds, which he deposited in a New York bank.

The Constitutional Convention framed a new Constitution which had some features other than giving the privilege of voting to Negroes. Imprisonment for debt was abolished. Lotteries were not to be permitted. The right of Georgia to secede was denied. The right of a married woman to the complete control of her property was guaranteed. White people were not disfranchised in Georgia as they had been in Tennessee and other states. Two provisions partly

5. Avery, History of Georgia, p. 378

laid the way for subsequent corruption. Atlanta was made the capital of the state (more will be given about it).⁶ and a provision was made allowing state and local divisions to aid with money railways and public works.⁷ The constitution was adopted.

Bullock managed to turn the Constitutional Convention into a party nominating convention, and, since the majority of the group were for him, he was nominated for governor. A conflict between General Meade and Bullock arose over the question of eligibility of certain members of the legislature. General Meade selected John B. Gordon as the Democratic candidate.

In the election Bullock carried most of the counties where a majority of registered voters were negroes, and also nine of the white counties in northeast Georgia, three in northwest and three on the southern border. Fifteen counties in which negro registered voters outnumbered whites were carried by Gordon. Each side charged unfairness in the election to the other side. Bullock won the election, receiving over seven thousand more votes than Gordon.

Although he was born in Bethlehem, Albany County, New York, March 28, 1834, Bullock was not, strictly speaking a carpet-bagger, for he moved to Georgia in 1857, when he

6. Constitution of the State of Georgia, Art. 10, Sec. 1.
7. Constitution of the State of Georgia, Op. cit., Art. 3, Sec. 6, Paragraph 5.

was appointed assistant superintendent of the Adams Express Company to extend that service in the south, with headquarters in Augusta. He had had an outstanding career. Before the war, the Southern Express Company had been organized with H. B. Plant as President and Bullock as secretary. The new company bought all of the Adams Express Company's interests in the southern states. Mr. Plant went to Europe, seeking rest and relaxation, and Bullock was made trustee, secretary, and superintendent of the company in 1860. Under his direction telegraph lines were constructed on interior routes to promote efficient management of the service.

When the regular telegraph lines were captured by Federal forces, the interior lines established by Bullock proved very valuable. Communication between President Davis, General Lee, Beauregard, and Johnston was carried on over these wires. The order from General Sherman restraining Federal forces from destroying Macon and Augusta was also telegraphed over these wires.

Another service he rendered to the Confederate Army was in having agents of the Southern Express Company take charge of contributions and food and clothing for General Lee's army. These were forwarded free and distributed to the persons to whom they were directed. By an order of the War Department, Bullock was appointed

Acting Assistant Quartermaster General of the Confederate States Army in Charge of Railroad Transportation. As Such he was paroled at Appomattox in April, 1865.

After the war, Bullock went to New York, secured capital, stopped by Washington, D. C. and obtained a charter for a National Bank in Augusta and returned to become a director. Thus Augusta, with \$500,000 in bank notes soon after the surrender, had an advantage over other cities.

Shortly afterward Bullock became the president of the Macon and Augusta Railway. He found that a great deal of money was needed to put affairs in order. When he appealed to friends in the North, he found that they lacked faith in Georgia. The antagonism between President Johnson and Congress over methods of reconstruction had become widespread.

Failing in this venture, Bullock turned to politics with a determination to get state aid for the railways. The result of this determination will be seen later in the great debt encountered by the state during his administration as governor.

At the election the new Constitution was ratified by a large majority and Atlanta was decided as the place for the state capital. Twenty-eight negroes were elected to the legislature.

In June, 1868 an act was passed by Congress,⁸ admitting Georgia to the Union on certain conditions--one being that the state legislature should ratify the Fourteenth Amendment to the Constitution of the United States. In July the legislature met and complied with the conditions, after which Governor Bullock was inaugurated and the government transferred from the military to the civil authorities of the state.⁹ Federal troops were withdrawn, but only for a short while.

8. United States Statutes at Large, XV, Public Acts, p. 73.

9. Richardson, Messages and Papers of the Presidents,
VI, p. 660.

CHAPTER III

THE WORK OF THE LEGISLATURE; MILITARY CONTROL
AGAIN

The conservative members of the legislature were very anxious to be rid of the Negro members. Claiming that no provision had been made in the Constitution for persons of color to help make the laws, on August 26, 1868, they introduced a measure declaring twenty-nine members of the House ineligible for being colored.¹ On September 3, this resolution to unseat the Negroes passed the House eighty-three to twenty-three.

Governor Bullock, reporting to the House the list of candidates having the next highest vote, protested against the expulsion of Negro members as being unconstitutional and illegal.. In a resolution, the House replied that "the Constitution declares that the members of each House are judges of the qualification of its members, and not the governor. They are the keepers of their own consciences, and not his Excellency."²

This action by the House was followed by the members of the Senate when they, on September 12, expelled the two remaining Negro senators.³ The other Negro senator, Aaron Alpeoria Bradley, had been previously expelled for making false accusation after

1. House Journal, 1868, pp. 242, 247

2. Ibid, pp. 296, 302-303

3. Senate Journal, 1868, pp. 278-280.

after his own character was being investigated on a charge of seduction, for which he had been convicted several years before in a New York court.

All of the Democrats and many Republicans had voted to unseat the Negroes. Congress was not in session when this action was taken. When it met, however, the first Monday in December, 1868, the Republican leaders were anxious about the fate of the party; it was very soon clear that the expulsion of Negroes from the Legislature was the worst thing that could have happened for Georgia, for it gave Bullock an excuse to call for military control again. ⁴

He gave as reasons for calling for military control the disorder in the State for which he held the Ku Klux Klan responsible, and the failure of the Legislature to accept the Fifteenth Amendment. He cited various cases of activities of the Ku Klux Klan and demanded an investigation. How guilty the Klan was of the outrages charged against it, is, of course, not known. When any organization made up of men in disguise attempts to mete out justice it runs into grave dangers. It is reasonable to suppose that many mistakes were made in their efforts to punish the guilty; it is equally safe to say that they were charged with much which they did not do.

4. House Executive Document, No. 288, 41 Congress, 2 sess., XII. p. 18.

Defeated and helpless as they were, the men of the day turned to the Klan as their only means of self-protection. The Freedman's Bureau looked after the provision for Negroes. The Klan stated its purpose as being to administer justice to the white people. Perhaps the severity with which the Klan treated the blacks grew out of the widespread feeling that a Negro had only to make a complaint to an agent of the Bureau in order to get what he believed he deserved. With their new freedom and power and with various forces deliberately stirring up antagonism between them and white people, they became bold enough to commit outrages against the whites. The reckless way that Governor Bullock handed out pardons to offenders also did much to aggravate troubles that arose between the blacks and whites. Dunning says:

The really novel and peculiar element in the maladministration in the South was the social and race issue that underlay it and which came to the surface when any attempt at reform was instituted. ⁵

Simmons says that the Congress of the United States instituted an investigation that totaled forty-six volumes in reports and findings, but not in one instance was an outrage or an atrocity in the South fastened on the organization. ⁶ Because the courts of

⁵. W. A. Dunning, Reconstruction, Political and Economic, 1865-1877, p. 208.

⁶. Simmons, The Klan Unmasked, p. 21.

the day were ineffective the Klan took the administration of justice into its own hands. 7

It is generally agreed that the Klan was founded by a group of college boys in Pulaski, Tennessee, who on finding life dull after the war decided to band themselves together in a fraternity with initiation rites, signals, oaths, secrecy, and a name after the Greek *kyklos*, a circle, corrupted into *kukulos*, and later *Ku Klux Klan* was added because the leaders proposed to make it something of the nature of the Scotch clans. At first the members of the Klan rode out in disguise for diversion, but when they found that their hooded robes, and berobed horses with their footsteps silenced by trappings struck terror in the hearts of Negroes, they used it as a new way to bring them under control and to humble them. Negroes told and retold tales of seeing noseless "hants dat rode like de win'" and they were observed to work more and to be more careful in their conduct than before. Members of the *Ku Klux* would, bu using a rubber hose and bucket, ride up to an unsuspecting Negro's house and, saying they had had "nary a drop since Shiloh" ask for a drink and appear to swallow gallons.

Another secret organization--the Union League

7. Report of Joint Committee of Congress, VI, p. 93, Testimony of Augustus R. Wright.

competing with the Klan, also worked in disguise. How many offenses charged to the Klan that were committed by members of the Union League will of course never be known, but it is reasonable to guess that the Klan was not guilty of all with which it was charged. The only way that it can be justified, however, is that conditions of the time seemed to demand it.

The second reason for Bullock's calling for military aid was the failure of the Legislature to ratify the Fifteenth Amendment. The members of the Legislature, believing that Georgia was already in the Union, thought they had a right to ratify or not to ratify, as they chose. The important point here, however, was the fact that Georgia offered Congress the strategic opportunity of getting the amendment passed. Only one vote was needed to get it ratified. If Georgia could be forced to accept it, the amendment would be gained. ⁸

Georgia's Senators, who were elected in July, 1868, had reached Washington too late to be admitted by the second session of the Congress. They were in Washington seeking admission to the third session. Governor Bullock was also there using all his influence to bring about military control again. On December 7, he addressed Congress, declaring that Georgia had not

8. Edwin C. Wooley, Reconstruction of Georgia, p. 66

complied with the laws of Congress and that it had "no adequate protection for life and property, the maintenance of peace and good order, and free expression of political opinion." ⁹ He asked for interference of Congress and suggested that the state be put under military rule again. ¹⁰

When the House of Representatives referred the matter to the Committee on Reconstruction, Bullock declared that the Reconstruction Acts had not been fulfilled in the state--that the legislature was not duly constituted since its members had taken only the oath required by the state constitution and not the test oath required by the Reconstruction Acts--that because of this about forty members of the House and fifteen or eighteen members of the Senate held seats unconstitutionally. He stated that negro members of the Legislature had been expelled illegally and recommended that the commanding general reassemble the legislature elected in April, 1868, require the test oath of all members and thus reinstate the colored members and eliminate those ineligible under the Reconstruction Acts. ¹¹ Two of the expelled negro members appeared before the committee, testifying that conditions in Georgia demanded interference from Congress. ¹²

9. Atlanta Constitution, Jan. 16, 1869

10. Haywood, J. Pearce, Jr., Benjamin H. Hill, Secession and Reconstruction, p. 201.

11. House Miscellaneous Document, No. 32, 40 Congress, 3 sess. I, pt. 2, p. 109.

12. Thompson, op. cit., pp. 256-57.

The Ogeechee Riot broke out in Georgia early in January and Bullock and his followers were said by the Conservative press of the state to have incited the uprising in order to further his scheme for bringing the state again under military rule. Many tales of murders and outrages were circulated and Bullock and his party received much criticism for operating the slander mills.¹³ Early in 1869 the Conservatives began an active campaign to fight this and tried to prove that many of the stories circulated were entirely false and that in others the facts were distorted for political purposes.

Of Bullock's procedure, Avery writes:

It was a curious reversal of positions that Bullock was seeking to uprear and demolish the regime he had so toiled to erect while the people sought to continue the role of Bullock, whose installation they had so resisted and whose incumbency they so detested--Bullock had failed to get complete power. To get it, he was willing to undo his own work, strike down the state government--remit a great commonwealth to bayonet despotism-----
The spirit that would invite the rude hand of inimical power to crush out liberties and dominate us with despotism rather than witness another political party control one of the branches of our State government was something so unnatural that the people of Georgia regarded it with the same horror that they would have given to the crime of parricide.¹⁴

13. House Miscellaneous Document No. 34, 41 Congress, 1 sess. I. p. 79.

14. Avery, Op. Cit., pp. 408-409

The Senate refused to admit Joshua Hill and thereby declared itself in opposition to the restoration of the state. ¹⁵ At the counting of the votes for President in 1869 there came the question of counting Georgia's vote. After Butler had protested against counting it, Wade announced the vote with and without Georgia; and the result was not changed in either case. ¹⁶

The Georgia legislature had met on January 13, 1869. Governor Bullock's message made it known that he had been informed by Congress that the Reconstruction Acts had not been carried out in Georgia; the members of the legislature should have had to take the ironclad oath prescribed for officers of the United States: the members had decided their own qualifications, and made wrong decisions--the result of which was to defeat Congress in its purpose to establish a loyal and Republican state government. He said that the government was provisional until the legislature organized under and in compliance with the Reconstruction Acts. He insisted that the legislature undo its work. Bullock not only wanted the negroes reseated, he wanted the legislature purged of all who could not take the test oath. ¹⁷

15. Thompson, Op. Cit., p. 259

16. Loc. Cit

17. Senate Journal, 1869, pp. 21-26.

In a special message, Governor Bullock construed the Fifteenth Amendment to include all political privileges--the right to hold office as well as the right to vote. ¹⁸ Bullock and his supporters were accused of influencing the Senate not to ratify the Fifteenth Amendment, in order to bring about more reconstruction in Georgia. The amendment was not passed.

At the close of legislature on March 18, 1869, Bullock went back to Washington carrying with him the offense that Georgia failed to ratify the amendment. The Forty-first Congress had come together in March but had failed to admit the Georgia Congressmen because their credentials did not state in which house they were to sit. In spite of Ben Butler's efforts to get additional reconstruction measures passed for Georgia, Congress adjourned without interfering and Bullock went home to hatch up other plans.

President Grant had asked General Terry, as Commander of the Department of the Southeast, for a report on conditions in Georgia. In the report, submitted in August, he said that the abuse and murder of Negroes was common and indicted the Ku Klux Klan severely.

18. House Journal, 1869, pp. 575-580

General Terry recommended that Congress and the President return Georgia to military rule. 19

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Avery gives an account of the secret meeting of the Radical party executive committee in Atlanta where Bullock, with the help of Blodgett, forced the adoption in a stormy session of the minority report of a sub-committee, urging upon Congress the further reconstruction of Georgia. 20 Governor Bullock then went to Washington, taking this paper with him. Before he left he indicted the good order of the state, declaring that the executive was prevented from suppressing civil disorder under the existing statutes. He offered a reward of five thousand dollars each for groups committing a long list of alleged crimes covering the state and including hundreds of men.

By his extravagant use of Georgia funds in Washington, Governor Bullock gained for himself an odious reputation. At his expensive suite in the Hotel Willard he "entertained with the prodigality of a nabob, wined and dined members of Congress and charged the cost to Georgia. Daily he lolled in his carriage to the Capitol, strolled about the House and Senate, gorged himself and guests in the restaurants, entertained at elaborate dinners in the evening." 21

19. House Executive Document, No. 288, 41 Cong. 2 sess, p. 184

20. Avery, Op. Cit., p. 420

21. C. G. Bowers, The Tragic Era, p. 303.

At this stage President Grant suggested to Congress the reorganization of the legislature of Georgia²² and both houses of Congress introduced bills dealing with the subject. Governor Bullock stayed on the floor all day in the House and at times in the Senate and consulted with Butler frequently. A law was passed December 22, 1869, providing that members of the Georgia Legislature must take an oath that they did not come under the disabilities of the Fourteenth Amendment or that their disabilities had been removed--that no member should be excluded on account of his color; that upon application of the Governor, the President should employ whatever military force was necessary to execute the act; and that before Georgia's senators and representatives were admitted to Congress the state must ratify the Fifteenth Amendment. ²³

Since the success of the Fifteenth Amendment depended on the vote of Georgia,²⁴ this was of great importance. Governor Bullock went with the Chairman of the Committee on Enrolled Bills when he went to get it signed by President Grant.

According to writers of the period, that night Governor Bullock celebrated at the Cafe Francais with

22. Richardson, Op. Cit., VII P. 49

23. Rhodes, VI, pp. 422-423

24. Avery, Op. Cit., p. 422

a "royal feast" where "every delicacy of the market was on the board and wine flowed freely at the expense of Georgia." 25

General Terry was put in charge of Georgia with all the power given to military commanders by Congress in the Reconstruction Acts of 1867. 26 Following the reorganization bill, Bullock issued a call for all members who had been declared elected in 1868, including the negroes who had been expelled, to meet on January 10, 1870. 27 The question of eligibility was now left in the hands of Governor Bullock and General Terry. The process of elimination and reseating that gave Bullock a Radical legislature is known as "Terry's Purge," because the final authority concerning eligibility was vested in a military board appointed by General Terry. Thirty-two expelled negro members were reseated and twenty-four Democrats or Conservatives were replaced by Radicals. 28

In February this legislature ratified the Fifteenth Amendment and the Fourteenth, which had already been proclaimed law with Georgia as one of the ratifying states. This legislature worked on the assumption that

- 25. Bowers, Op. Cit., p. 303
- 26. Rhodes, Op. Cit., p. 289
- 27. Thompson, Op. Cit., p. 262
- 28. Pearce, Op. Cit., p. 202
- Avery, Op. Cit., pp. 424-432
- Thompson, Op. Cit., pp. 263-64

the legislature of 1868 was illegal and so held the election for United States Senators again, choosing this time two Bullock men, to replace Hill and Miller, who had never been admitted to the Senate.

After the ratification of the Amendments and the election of Senators, the legislature did not transact any business. It adjourned from February until April, awaiting the action of Congress, and adjourned after a two weeks session because Congress still had not been dealt with. In this way General Terry and "Provisional Governor" Bullock were left to manage the state as they chose. In the House thirty-one Negroes were reelected and twenty-four Democrats lost their places because of ineligibility, making the House strongly Republican.

After the members who were found ineligible were expelled, the Governor called for those candidates having the next highest number of votes to take their places. Bullock created much ill-feeling toward himself by bringing A. L. Harris, a man weighing about three hundred pounds, to reorganize the House. He had held a responsible position with the Western and Atlantic Railroad under Foster Blodgett, the superintendent Governor Bullock had appointed. Harris made many enemies for himself by running the House in accordance with his own beliefs and desires.

CHAPTER IV

FACTORS LEADING TO THE RESTORATION OF DEMOCRATIC CONTROL

The terms of this "purged" assembly expired in December, 1870. Hence, in order to keep this power in office longer, Bullock originated a scheme which Ben Butler sponsored in Congress. In this plan he proposed to keep the existing Assembly in Georgia for two years by putting off the election of a new Assembly, which was due in December. Bullock had made several trips to Washington in order to secure his plan--but by this time the tide had turned. There was the widespread feeling in Congress that Georgia should be let alone--that she has been punished enough. The House Committee appointed to investigate reported against every act of the reorganization of the Georgia legislature.¹ By this time charges of corruption and mismanagement of funds were well known in Georgia; Angier, the state treasurer, had told of some of the irregularities in a letter written to one of the members of the Reconstruction Committee of Congress. Newspapers all over the country were criticizing Bullock and his administration in the severest terms. In desperation he used the state's money to buy space in many of the papers. In Forney's paper this came at a very high price. Forney received \$4,459 for his work

1. Congressional Record 41 Congress, 2 sess. p. 576.

and a series of articles. ² Bowers says he "summoned negro delegations to Washington to support his plans, kept them living there on the fat of the land, and Georgia paid the bill." ³

Bullock and his lobby became so hated that the Senate in April asked its Judiciary Committee to investigate their operations. The only definite findings of the committee, however, were that almost \$15,000 had been paid out by Bullock for expenses of Negroes in Washington and for printing, and for favorable publicity. ⁴

Butler worked for Bullock's plan and brought in a bill to prolong the existing assembly's stay, but it was amended to prevent such a hardship on Georgia. It called for an election in 1870. After many differences and much deliberation a bill passed which declared that Georgia was entitled to representation in Congress, pronounced in set terms against Bullock's scheme, and confirmed the right of the people of Georgia to an election for members of the legislature in November, 1870. ⁵ Even after this had become a law, Bullock made another fight to keep his group in control.

The General Assembly had met on July 6, and Bullock,

- 1.
2. Avery, History of the State of Georgia, 1850-1881 pp. 443-434
3. Op. cit. p. 304
4. Oberholtzer, A History of the United States Since The Civil War, I, p. 265
5. United States Statutes at Large, XVI, Public Laws, 363-64

on his return, spoke briefly to them. He told them of the act admitting Georgia, but said that Congress had adjourned without admitting Georgia's senators and representatives, and therefore military authority would continue until the Assembling of Congress in the winter because Section Five of the Reconstruction Act of 1867 made the actual admission of senators and representatives a condition that must exist before removing military authority. ⁶ From his action here he brought against himself the condemnation of the entire state and of people all over the country.

Untiring in his efforts to perpetuate Radical control, he got the Senate to pass a resolution saying that the legislature should not meet until January, 1872, that no election of members for it should be held until November of the year, and that all state officers should remain in office until after the election. After a heated contest, however, the bill was defeated in the House. ⁷

Not giving up, he tried to engineer laws that would cause his party to win the election. He was able to get a law passed fixing December 22, as the date for the beginning of the election, and providing three days continuation. His opponents insisted that this was to give the negroes time to go from one voting place to another, so that

6. Avery, Op. Cit., p. 439

7. Rhodes, VI, pp. 297-98.

Avery, Op. Cit., pp. 439-440

voters could count more than once. According to the law no vote could be challenged, and none refused. The poll tax that had been levied for the last three years was also declared illegal. Many believed that this was in order to keep from disfranchising the negroes who had not paid their taxes.⁸

Finally the people became aware what was happening. At the election, the Democratic Party won a big majority in both Houses and of the seven Congressmen elected, four were Democrats. Before the new legislature met on November 1, 1871, the "purged" legislature was in session. It had met for three hundred twenty-eight days, costing the State \$979,055.⁹ No group in the history of Georgia was criticized so severely or had so dark a record in spending unwisely the State funds.

After Bullock realized that the Conservatives had won at the election, he knew that he was likely to be impeached. On October 23, he filed his resignation to take effect October 30 with the secretary of the executive department.¹⁰ This was eight days before the legislature was to meet. It was kept secret until then and B. F. Conley, the president of the last Senate, was sworn in as Governor. In the meantime Bullock had left Georgia.

8. Rhodes, Op. Cit., p. 298

9. Thompson, Op. Cit., p. 271

10. Thompson, Op. Cit., pp. 271-72

Since Conley was a friend of Bullock--in sympathy with his ideas, it is clearly seen that even to the last Bullock was trying to keep a Republican Governor in control. Soon after the legislature organized, they questioned the right of Conley to hold office. Over his veto a law was passed calling for an election of governor to be held in December. At this election James M. Smith, a Democrat, was victorious, and with his inauguration conservative white rule in Georgia was restored. Thus Georgia, after being reconstructed three times at last gained home rule once more.

CHAPTER V

THE MISUSE OF GEORGIA FINANCES UNDER THE BULLOCK REGIME

No paper on the reconstruction period of Georgia would be complete without a somewhat detailed account of the misuse of the State's money by the Bullock administration. Numbers of accusations were made against him. He was charged with many types of fraud, corruption, and dishonesty. To his partner in deception, H. I. Kimball, much of the fraudulent planning and scheming can be attributed. The most glaring examples of graft in the hands of Bullock were his activities in connection with state printing and the railroads. The schemes in which H. I. Kimball was most concerned had to do with the Opera House Capitol and the Kimball House.

Although the total expenditures of Governor Bullock's administration were not much greater than those of Governor Jenkins in 1865-1866,¹ it must be taken into consideration the fact that during Jenkins' administration large sums were spent to relieve suffering and distress not existing in 1868.

When one compares the amounts spent during the years 1855 -1860 and the years 1868-1870, one understands the charges of extravagance that were made against him.

1. Wooley, Op. Cit., pp. 100-105

	() 1855-60	() 1868-70
Amount spent for extra	()	()
legal services	() \$17,000	() \$36,000
Rewards for fugitives	() 1,400	() 51,000
Advertisements of	()	()
proclamations	() 5,000	() 98,300
Incidental expenses	() 2,188	() 23,800
(The incidental	()	()
expenses quoted under	()	()
1855-60 also includes	()	()
those for the years	()	()
1866-67.) ²	()	()

Furthermore, a comparison of figures of other expenses shows a decided leap in expenditures during the Bullock administration. The special appropriations for 1866, including large funds to relieve destitution and care for needy Confederate soldiers, amounts to \$304,955.05. Without the funds to relieve destitution in 1870 the special appropriations were \$1,073,595.18. The civil establishment in 1866 cost Georgia \$20,771.66 and in 1870 it cost \$76,492.38. A comparison of the contingent funds shows that it was \$6,128.62 in 1866-- but in 1870 it leaped to \$36,284.44. Whereas the printing in 1866 cost \$1,021--the cost in 1870 was \$57,323.52.²

Although the taxes were not increased much, the state was allowed to issue bonds, and this gave Bullock and his men a chance to waste much of the state's money in a fraudulent manner. The investigating committee

2. Thompson, Op. Cit., p. 229

3. Thompson, Loc. Cit.,

of 1872 found these:

Bonds issued before 1868	\$5,618,750
Bonds issued after July 4, 1868.	
endorsed railroad bonds	5,733,000
Other bonds	6,831,250
Total state and endorsed bonds	18,183,000

The part H. I. Kimball played in the corruption that went on in the state cannot be overemphasized. Kimball was very friendly to the negroes--so friendly that this slogan circulated:

"H. I. Kimball's on de floo'
It ain't gonna rain no mo'."

While the investigations were partisan affairs, still no denial was made to the charges brought against Bullock and Kimball. The investigating committee concluded that:

It is certainly established the Kimball had an absolute control over Bullock in all matters of legislation and of official patronage in which money was to be made for himself, his relatives, and friends.... The question arises, how did H. I. Kimball obtain such power over Governor Bullock? The question is answered in this way by E. L. Jones, cashier of the Georgia National Bank. This witness says 'that Governor Bullock was constantly supplied with money by H. I. Kimball; that they were mutually interested in all matters of business'.⁴

In January, 1869, Angier, the State Treasurer, acting under the resolution of the House, presented a report concerning the sale and hypothecation of state bonds and the ways the money received had been spent.

4. Thompson, Op. Cit., p. 253

In this report, he stated that Governor Bullock had drawn drafts on \$35,000--which had never been paid in or reported to the State Treasurer's office. From New York the Treasurer had secured drafts showing that \$25,000 had been paid to the Governor personally and \$10,000 had been paid to H. I. Kimball. 5

Bullock greatly resented this action on the part of Angier. In his reply he accused Angier of maliciously attempting to discredit the integrity of the executive for partisan political reasons. Trying to justify himself, he argued that he had to make advances to Kimball in order to get the capitol completed in time for the General Assembly. He also said that he had directed the bank to mail the Treasurer a statement concerning the drafts and he censured Angier for going secretly to New York to investigate the situation, rather than asking an explanation of him. 6

Angier replied that he had become suspicious because of the way the money had been charged and that the Governor seemed to be involved in unlawful use of state funds. He stated that he had investigated for the protection of himself and of the people of Georgia. He also brought up other charges against the Governor,

5. Weekly Sun, January 26, 1869

6. Op. Cit., February 2, 1869

including the issuing of certain warrants, appropriating \$25,000 rental for the Opera House, which was used as the Capitol, and his desire to pay subordinate clerks. ⁷

This opened the eyes of the people of Georgia to what was going on and from this time feeling grew more and more hostile toward Bullock. Angier's conduct was also investigated, but the report showed that all money that had been turned over to him was accounted for. ⁸

On the investigation of the Finance Committee of the House it was found that Bullock had drawn \$35,000 from the State's account; and that Kimball had been advanced \$31,000 to heat and light the Capitol and the other \$4,000 was in cash and cash items to be cancelled by warrants when the Treasurer was in proper relation to the Governor. From the investigations came two reports, that of the majority and that of the minority. The majority report upheld the Governor and stated that Angier's suspicions had no foundation, but the minority report, which was accepted by a vote of eighty-six to thirty-seven stated that Angier was right in examining the warrants issued by the Executive and that the warrants were not authorized by law. ⁹ Kimball had bills against the state for \$75,000. \$30,000 of this had been paid. Included in these were charges for heating

7. Ibid

8. Proceedings of the Committee Investigating Charges Against N. L. Angier, State Treasurer, 1870.

9. Proceedings of the Committee Investigating Charges Made by Angier against Bullock and others, 1870.

apparatus, gas fixtures, desks, chairs, carpets, shelving, and other things. The minority report stated that the question of payment of these bills between the Kimballs and the City of Atlanta and that the state was not touched by it.

The Opera House, which was to be the capitol, was the cause of much difficulty. A resolution had been approved in October, 1870, to buy the building on the corner of Marietta and Forsyth Streets for the Capitol. When it was completed it had cost Kimball \$291,038.56., Bullock had advanced him \$54,500 of this. In accordance with a new contract, the City of Atlanta was to give to the State \$130,000 to be used in buying the capitol. This was offered as an inducement to move the Capitol from Milledgeville to Atlanta. This resolution did not mention the purchase price but it indicated that the proposition of Kimball for \$250,000 of State bonds should be accepted. Bullock was to issue seven per cent bonds, running twenty years--putting aside bonds enough to secure the \$54,500 already advanced to Kimball by him.

Kimball received \$130,000 of Atlanta city bonds, said to have a market price of \$90,000 and \$250,00 of State bonds ¹⁰--the market price of which was estimated at \$225,000. From this deal he received a profit of \$23,961.44 at the depreciated price of the bonds or a profit of \$88,961.44 at their face value. Kimball had given a mortgage for \$60,000 which the City of

Atlanta had to pay. A certificate to the effect that \$130,000 of city bonds was due on the opera house and would be paid to the holder of the certificate was issued by the mayor of Atlanta for the State to hold until the mortgage was paid. The mortgage went unpaid and Kimball used the bonds against the contract. The state bonds that were given to Kimball were currency bonds. The deal was closed for currency bonds, but when gold bonds were later issued to be exchanged for currency bonds, Governor Bullock gave Kimball the gold bonds without exchanging them for currency bonds and both sets were used by Kimball. The \$54,500 that had been advanced Kimball was not kept in the transaction in spite of the instructions contained in the resolution authorizing the purchase. 11

Of the close association of Kimball with Bullock, the Report of the Investigation Committee gives these findings:

The State of Georgia seems to have had a dual executive, Rufus B. Bullock and Hannibal I. Kimball, from July 4, 1868 until the last of October, 1871, and so inseparable were these, par nobile fratrum, that whenever you see the foot prints of the one, you may look with confidence for the track of the other. 12

In addition to the statement of E. L. Jones, the cashier

11. Avery, Op. Cit., pp. 444 -446

12. Bond Investigating Committee pp. 424-425

of the Georgia National Bank, that such a partnership existed, there is the additional evidence shown by the books that Kimball and Burns, his chief clerk, frequently made deposits to Bullock's credit.

One of the outstanding examples of the misuse of Georgia funds was in the control and operation of the railroads. After the War between the States, the railroads of Georgia were of course in a bad state of affairs. A great deal of money had to be spent on them before they could be brought to running order again. The State endorsed bonds, received by the railroads before 1872, were:

Brunswick and Albany R. R.	\$3,300,000
Bainbridge, Cuthbert, and Colum.	600,00
Cartersville and Van Wert	275,000
Cherokee	300,000
South Georgia and Florida	464,000
Alabama and Chattanooga	194,000
Macon and Brunswick	600,000 13

Georgia really needed to invest in railroads during the period, but as Bullock managed the finances, the funds were used for political gains instead of as aids to the transportation system. Miss Thompson writes:

Funds obtained by the hypothecation of Georgia bonds unfortunately, did not all find their way into cross-ties and iron rails and engines for the new roads of Georgia. The affairs of the state-aid railroads, especially those with which H. I. Kimball was connected, were so badly managed that all, with the exception of the South Georgia and Florida R. R. soon defaulted in payment of the interest on their bonds and went into the hands of the receivers. 14

13. Thompson, Op. Cit., p. 238

14. Loc. Cit.,

In the eyes of the investigating committee, the unauthorized endorsement of some of these railroad bonds was the worst breach of conduct of which Bullock was guilty. These endorsements were done in the interests of the roads of which Kimball was president--which made the feeling even more bitter. The investigating committee found that some of the bonds on the Brunswick and Albany road were issued when no road was completed.¹⁵ According to law, twenty miles of road were supposed to be completed before the bonds were issued. Even where the work was complete, endorsement had taken place before the work was done. Investigating the bonds of the Bainbridge, Cuthbert, and Columbus road the committee found that \$240,000 worth were endorsed before a mile of track had been completed, and that the bonds were not endorsed legally. Since the Great Seal of the State was hidden, they of course did not bear its stamp. They also lacked the signature of the Secretary of State and the committee did not consider them a binding force upon the State.

The endorsement of bonds for the Cartersville and Van Wert road was illegal.¹⁶ Five miles were supposed to be completed and put in good running order before bonds were endorsed, but some of the bonds were issued in April, 1870 when only one and one half miles had been

15. House Committee Report, 42 Cong. 2 sess. I. p. 102

16. Ibid, p. 217

laid in an incomplete and imperfect condition. Bullock endorsed the rest when three miles had been laid, also in an imperfect and incomplete condition. Later, the name of the company was changed to the Cherokee, with H. I. Kimball as president and new bonds, bearing the name of Cherokee were endorsed to replace those of the Cartersville and Van Wert.

The report of the investigating committee showed that Bullock endorsed bonds amounting to \$300,000 without waiting for the return of the Cartersville and Van Wert bonds. Kimball had negotiated the new ones in New York without taking up the old ones, and \$275,000 of the Cherokee bonds were in the hands of Henry Clews. Clews knew of the premature and illegal endorsements and the Cherokee bonds were meant to take up the Cartersville and Van Wert. The committee declared that the State's endorsement was null, void, and of no binding force. 17

Bullock endorsed \$1,500,000 in September, 1868 under an Act of 1866, in addition to the \$600,000 in bonds signed for the Macon and Brunswick. After investigating into the bonds of the Alabama and Chattanooga road, the committee recommended that on the surrender of the bonds, the \$100,000 owed to the New York Warehouse and Security Company be paid with the accrued lawful

interest. This road was in the hands of the receiver. ¹⁸

Many thought the mismanagement of the State's railroad, the Western and Atlantic, the worst crime of Governor Bullock. Before the war, the Western and Atlantic had been bringing into the State treasury more than \$25,000 a month. ¹⁹ After the war, \$800,000 was raised by mortgage bonds and spent in equipment and construction to place the road in satisfactory condition. Bullock dismissed old employees, selected officials for political reasons with no thought as to their knowledge of the business, and allowed so much graft to be carried on in connection with the road that there was a debt of nearly three quarters of a million dollars in 1868-1870 instead of the profit which should have been made. ²⁰

There seems to have been no end of graft and corruption. The road was leased in December to a private company headed by ex-Governor Brown for \$25,000 a month, though a rival company had offered higher rent. Kimball and some of Bullock's friends with money in the East were among the stockholders. Although many people condemned Bullock for the least, Pearce concluded in his study that it was the wisest thing to be done, because things other than the difference in money had

18. Ibid, pp. 154-55

19. Thompson, Op. Cit., p. 239

20. Thompson, Loc. Cit.

to be considered. ²¹

There was so much corruption in Bullock's administration that people began to doubt whether there was any good in it.

One of the instances where Bullock was accused of bribery and corruption was in the settlement of the claims of the Mitchell heirs to part of the property known as the Railroad Park. Samuel Mitchell in 1842 had deeded the City of Atlanta five acres of ground, bounded by Alabama, Lloyd, Pryor, and Decatur Streets, to be used for whatever buildings might be necessary for public buildings at the end of the State railroad. In 1859 the State gave a part of the land which was not used to the City of Atlanta to enclose and beautify as a park. In 1867 the Mitchell heirs employed ex-Governor Brown as counsel and brought suit to regain the property being used as a park. No action was taken on the suit and in 1868 a claim was put before the legislature and rejected. After Bullock and his group came into power, the claims were again put before the legislature--the value of the property at that time being estimated at between \$300,000 and \$400,000.

Kimball, trying to buy up all of the claims in 1870, and failing to do so, agreed to act as agent for the Mitchell heirs. The legislature was offered a

²¹. Pearce, Op. Cit., p 223

compromise in which the heirs would pay Georgia \$35,000. While the compromise was being debated another offer of \$100,000 was made for the property. Finally the proposition of the Mitchell heirs was accepted. The testimony before the investigating committee in 1872 stated that the Mitchell heirs realized only about \$50,000 from the property, after all of the fees were paid. The committee concluded that Governor Bullock had had interests in the claims of the Mitchell heirs.²²

In 1870 the Atlanta Constitution began a campaign against the wrongs of Bullock's administration. Bullock started a \$25,000 libel suit against the paper, but it only fed fuel to the fire.

The Constitution exposed the large amounts that were being spent for attorney fees and printing. Although the Republican investigating committee said that Bullock was guiltless in 1870, the Democratic investigation in 1872 showed that \$49,361.75 was paid out to attorneys. Before the war Brown paid out only \$600 in 1857 and \$1,100 in 1859-60. The committee also found that \$140,397 was spent for printing besides that paid to the public printer and the amount spent by the W. and A. Railroad. The report shows that most of the printing was of executive orders, proclamations,

²². Avery, Op. Cit., p.452

and rewards for criminals, continued even after the guilty ones had been caught. 23

Of such was the administration of Governor Bullock. One can scarcely believe that he came back to Georgia in 1876, was tried and with the help of capable lawyers, was acquitted. After his resignation he fled the state, writing back that political conspirators seeking to overthrow the government of the United States had secured enough members in the lower house to vote articles of impeachment. He warned the people that some of the old leaders were trying to control the government and reverse the political control of the past few years. If the system should change, all of the measures of reform and progress would be abolished.

When the investigations of Bullock's administration began, a warrant charging him with larceny after trust was sworn out against him. The efforts made to arrest him in 1872 failed, however, and in October he tried to defend himself in an address to the people of Georgia which he called "a review of the revolutionary proceedings of the late repudiating legislature, the slander and misrepresentation of the committee exposed... a Republican administration contrasted with the corrupt and reckless action of the present usurping minority under the lead of General Toombs." Of the report, Miss Thompson says,

23. Bullock Investigating Committee Report, 1872, p. 18

A careful reading of Bullock's defense fails to bring conviction that he disproved a single charge of the investigating committee. The best that he could do to justify his administration was to insist that it was not so bad after all....six hundred miles of railroad had been constructed, property had increased in value by \$50,000,000. and ²⁴ the rate of taxation had not been increased.

A warrant for cheating and swindling, growing out of the transactions of the state railroad and the Tennessee Car Company was issued against him. Bullock made bail and the cases of the state against him did not come to trial until 1878. In the presence of a large crowd of citizens the state brought charges against Bullock, Blodgett, and Kimball, for cheating and swindling in connection with the Tennessee Car Company. The state claimed that this company received \$43,500. for fifty box cars under a contract that was fraudulent in intention and design--that no such company existed and since Bullock knew it they received the money dishonestly. After a long trial the jury gave a verdict of not guilty.²⁵

The next trial was the case of the state against Bullock for obtaining money under color of a false writing. Bullock was acquitted of this and of another misdemeanor charge. Thus with the help of able lawyers, Bullock was exonerated.

24. Thompson, Op. Cit., p. 274

25. Wooley, Op. Cit., p. 107

The newspapers generally accepted the verdict of the jury; the Atlanta Constitution stated in an editorial that it was not a part of the duty of a public journalist to try to influence or gainsay the administration of public justice.

Concerning Governor Bullock's exoneration, a writer in the Constitution said this:

Whatever individuals may believe--one cardinal fact stood out above all others in the Bullock trials and accounts for the differences that embarrassed the State counsel and forestalled their efforts from the very beginning of the trials. Much of the testimony popularly presumed to be extant against the defendant was based upon published evidence before the investigating committees who inquired into these matters immediately after the turn of the tables which caused the downfall of the Bullock administration. But when the witnesses were put upon the stand, under oath to confirm their published utterances--among them were some of the most reliable and honest men in Georgia, they denied that they had ever so testified.²⁶

After Bullock was exonerated, he held several positions of honor and trust in Atlanta; he was president of the Atlanta Cotton Mills, was twice elected president of the Chamber of Commerce, vice-president of the Piedmont Exposition, a trustee of Atlanta University and a director of the Union Pacific Railroad. He took an active interest in the religious life of the city and was a vestryman in the St. Phillips Episcopal Church.²⁷

26. Rice, Op. Cit., p. 97

27. Dictionary of American Biography, III, p. 259
Appleton's Cyclopaedia of American Biography, I, p. 447

After his death the Constitution published an editorial on his long and useful years as a citizen of Atlanta and though it did not wipe the slate of the blame attached to his administration, still it suggested that dangerous and designing men made corrupt use of his administration.

How much blame may be attached to Bullock, the man, would be very hard to ascertain. Thinking of the man's ability, it is hard to believe that he did not know that he was a tool in the hands of the Radicals and it is also hard, in the light of his later actions, to see how he could have been willing to take part in such actions. It would be very hard to explain the motives for his actions. Although he became a good citizen after his acquittal, and highly respected by some groups, he was never able to prove satisfactorily his claim that his administration from July, 1868 to November, 1871 was all that it should have been.

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