

SECTION V

**THE PERIOD OF DIVISION, OR GEORGIA IN THE ASSERTION
OF STATE RIGHTS**

CHAPTER I

TWO FUNDAMENTAL CAUSES OF THE CIVIL WAR IN AMERICA: THE COTTON GIN AND THE DOCTRINE OF SECESSION—THE CONVENTION OF 1867 IN A DEADLOCK—FIVE CANDIDATES, LUMPKIN, GARDNER, LAMAR, STILES AND WARNER—JOSEPH E. BROWN A COMPROMISE CANDIDATE—AT WORK IN HIS WHEAT FIELD WHEN NOTIFIED—HOW MR. TOOMBS RECEIVED THE NEWS—BENJAMIN H. HILL NOMINATED BY THE OPPOSITION—CANDIDATES CONTRASTED—THE BED-QUILT EPISODE—BROWN WINS THE GOVERNORSHIP BY 10,000 VOTES—GEORGIA'S WAR GOVERNOR—HIS HUMBLE START IN LIFE—WITHOUT INHERITING SLAVE PROPERTY, HE BECOMES AN ARDENT CHAMPION OF THE SOUTH'S PECULIAR INSTITUTION—THE CONGRESSIONAL ELECTION—THE NEW STATE LEGISLATURE—ROBERT TOOMBS RE-ELECTED UNITED STATES SENATOR—GOVERNOR BROWN'S INAUGURAL—THE NEW EXECUTIVE IN A CLASH WITH THE STATE BANKS—FORFEITURE OF CHARTERS THREATENED—BILL TO DELAY PROCEEDINGS PASS OVER THE GOVERNOR'S VETO—PUBLIC SENTIMENT SUSTAINS THE EXECUTIVE—GOVERNOR BROWN UPROOTS ESTABLISHED CUSTOMS, PUTTING AN END TO SOCIAL LEVEES AND OUTLAWING INTOXICANTS FROM THE MANSION.

When Eli Whitney, a New Englander, then visiting the family of Gen. Nathanael Greene, near Savannah, Georgia, invented the cotton gin in 1793, he unconsciously riveted the institution of slavery upon the South and changed the whole future course of American history. When, in 1814, the Hartford convention boldly asserted the right of secession, it spoke only for the merchants of New England whose commerce was endangered by our second war for independence. But the doctrine enunciated by the Hartford convention became a disturbing factor in American politics, destined to play the part of Banquo's ghost.*

Great events are oftentimes cradled in obscure beginnings. To find the headwaters of the Mississippi River we must follow its current back to a secluded lake, in the great heart of the Rocky Mountains; and from these two apparently unrelated facts, the invention of the cotton gin and the right of a state to secede, first boldly asserted in the form of a threat by the Hartford convention, we may date the beginnings of our great Civil war. Ten years in advance of Mr. Lincoln's election to the presidency, William L. Yancey, a native Georgian, led a revolt which shook the

* See "History of the Hartford Convention," by Timothy Dwight, secretary of the convention, 1833. Schuyler's "History of United States," Vol. II, pp. 469-476. Going still further back, three states, before entering the Union, expressly reserved the right to secede. These were, Rhode Island, New York, and North Carolina. Bancroft's "History of the United States." Author's last revision. New York, D. Appleton & Co., 1884, pp. 452-462. Chapter on "The lingering States."

nation to its vital center and threatened a dismemberment of the Union.* But the fires of this volcanic upheaval were happily soon extinguished; and, for the purposes of this work, it will suffice to date the period of division in Georgia from the famous convention of 1857, which resulted in the nomination of Georgia's renowned war governor: Joseph E. Brown.

There were five candidates before this convention: John H. Lumpkin, of Rome, an ex-congressman; James Gardner, of Augusta, perhaps the foremost editor in the state, then editing the famous Constitutionalist; William H. Stiles, of Savannah, a diplomat, whose "History of Austria" had appeared in 1848; Henry G. Lamar, of Macon, an ex-congressman; and Hiram Warner, of Greenville, a former occupant of the Supreme Bench, afterwards chief justice of the state. These men were all richly endowed and well equipped for public life. Judges Lumpkin and Lamar had won national distinction in Congress and had also made fine records as Superior Court judges. William H. Stiles was one of the most polished orators in the state, brilliant, erudite, accomplished. James Gardner was a man, small in stature but powerful in intellect and possessed of a rare quality of personal courage. Hiram Warner was one of the state's wisest oracles, a man whose great brain, like his pure life, was crystal-clear. Never perhaps in Georgia have abler men contested for the gubernatorial honors.

But scarcely less distinguished was the personnel of the convention itself, an extraordinary assemblage of men. There were nearly 400 delegates in attendance, representing 107 counties.† Hon. Tennent Lomax, of Columbus, a gifted editor, then wielding a powerful pen in state politics, was made the convention's presiding officer. To mention some of the delegates, we find enrolled: Linton Stephens, Osborne A. Lochrane, John W. H. Underwood, William Phillips, George A. Gordon, Alfred Austell, Richard H. Clark, Leander N. Trammell, P. M. Russell, William Hope Hull, T. W. Thomas, E. W. Chastain, William H. Dabney, Julian Cumming, George T. Barnes, Peyton H. Colquitt, Charles J. Williams, E. W. Beck, T. L. Guerrey, George Hillyer, B. D. Evans, Sr., E. H. Pottle, D. B. Harrell, Hugh Buchanan and F. H. West. One of these, Judge Lochrane, afterwards became chief justice of Georgia. Judge Linton Stephens was also destined to occupy a seat on the supreme bench. In the opinion of many, his powers of mind transcended those of his half-brother, Alexander H. Stephens. Six of these delegates, Messrs. Chastain, Wright, Underwood, Barnes, Beck and Buchanan, afterwards became members of Congress. Perhaps at least twenty afterwards became judges of the Superior Court. Gen. William Phillips was to command a famous legion in the Civil war. Gen. Alfred Austell was to organize the first national bank in the Southern States. So much for the younger delegates; most of the older ones were seasoned veterans, rich alike in the honors and in the scars of democracy.

But to proceed. The convention assembled on June 24, 1857. Each of the candidates possessed an enthusiastic following. All were confident of success; and there was little talk of a dark horse. But the uncer-

tainties of politics are proverbial. On the first ballot the vote stood: Lumpkin, 112; Gardner, 100; Lamar, 97; Warner, 53; and Stiles, 35. Subsequent ballots revealed a hopeless deadlock. Vote after vote was taken without success. Other candidates were named, but only to receive a minority support; and the situation remained substantially unchanged. Thereupon some of the candidates were dropped. First, the name of Stiles was withdrawn; then Warner's; and, finally, on the twentieth ballot, the vote stood: Lumpkin, 179; Lamar, 175; Herschel V. Johnson, 11; Augustus R. Wright, 5; Hiram Warner, 1; John E. Ward, 3; and Joseph E. Brown, 3. Still there was no result. The deadlock still continued; but unconsciously, at least to most of the delegates, the name of the successful candidate had been sounded.

It was in this wise that a nomination was finally made: On motion of William Hope Hull, of Athens, a committee of three from each congressional district was appointed to report a compromise candidate, and this committee, consisting of twenty-four members in all, was named as follows: 1. Randolph Spalding, George A. Gordon and William Nichols. 2. C. J. Williams, N. McBain and J. A. Tucker. 3. R. H. Clark, J. A. Ramsay and B. H. Ward. 4. Hugh Buchanan, W. T. Thurmond and William Phillips. 5. John W. H. Underwood, E. W. Chastain and Wesley Shropshire. 6. S. J. Smith, J. E. Roberts and William Hope Hull. 7. Linton Stephens, William McKinley and Jefferson M. Lamar. 8. Isaiah T. Irwin, Alex. C. Walker and E. H. Pottle. This committee immediately retired from the hall.

Credit for its effective work must be given to Col. L. N. Trammell, one of the great political Warwicks of his day in Georgia. On leaving his home in the mountains to attend the convention, Colonel Trammell was bent upon nominating his candidate, who, a mountaineer like himself, was then judge of the Blue Ridge Circuit—Joseph E. Brown. Seeing an opportunity for success in the organization of this committee, he secured the appointment of three Brown delegates as members from the Sixth District. In the committee room, Judge Linton Stephens, of Sparta, proposed Judge Brown's name, and sentiment in favor of the North Georgia jurist was so pronounced that he was presented to the convention as the committee's compromise candidate for governor. Hon. Isaiah T. Irwin, of Wilkes, presented Judge Brown's name. His nomination followed.

Like the Roman Cincinnatus, when summoned to the capital in an hour full of anxiety for Rome, Georgia's future war governor was at work in his wheat field, near Canton, engaged in binding wheat, when the news came from Milledgeville telling him of the convention's action. It was like a bolt from the blue. Judge Brown was taken wholly unawares. But not less surprised was Mr. Toombs, when he received the news, out in Texas. Leaving home early in June, Mr. Toombs on the eve of departure had conferred with the democratic leaders and had, so to speak, mapped out a program. But the political slate was broken into fragments. On hearing the result, Mr. Toombs, in an outburst of profanity, is said to have asked the question, afterwards much quoted:

"Who in the devil is Joe Brown?"

* "Life and Times of Wm. L. Yancey," by John Wetherspoon Du Bose.

† Files of the Milledgeville Federal Union, June 24, 1857, et seq. Avery's "History of Georgia," 1850-1881, pp. 31-38.

* "Life of Toombs," by P. A. Stovall. Also Sketch on Atlanta Constitution, Signed "H. W. G."

There was good reason for this mental disquietude on the part of Mr. Toombs. His re-election to the United States Senate hung in the balance. Everything depended upon democratic success. Judge Brown was at this time a somewhat obscure figure in Georgia politics and to entrust the banner of democracy into the hands of a candidate who was scarcely known beyond the Blue Ridge Circuit was, in the opinion of Mr. Toombs, a hazardous experiment. At least it put his own political head in peril; and, hastily packing his leather satchel, he returned to Georgia by the next train.

But there was little need for apprehension or alarm. The democratic candidate was fully equal to the situation, even though his opponent at this time was the afterwards illustrious Benjamin H. Hill, who in this campaign became the American or know-nothing candidate for governor. This political organization included among its members in Georgia at this time some unusually strong men, among them Dr. H. V. M. Miller, styled the "Demosthenes of the Mountains"; Judge R. P. Trippe, Hon. Ambrose R. Wright, John Milledge, Francis S. Bartow, Judge F. H. Cone, Judge Eugenius A. Nisbet, Washington Poe, Thomas Harde-man, E. G. Cabaniss, James Johnson, afterwards governor; N. G. Foster, Andrew J. Miller, and a host of others. Most of the northern whigs had gone into the know-nothing camp only to meet a crushing defeat in the presidential campaign of 1856, with Mr. Fillmore for a candidate, but despite this disastrous result the party was sufficiently strong in Georgia to put a candidate in the field for governor in 1857, Mr. Hill having been nominated by a convention in which fifty-seven counties were represented. Judge Nisbet, a recognized leader of the party, had voted for Buchanan in 1856, as the strongest candidate in opposition to Fremont, but he had returned to his allegiance in state politics. The organization was maintained in Georgia chiefly because an opposition party was needed to hold the ground formerly occupied by the old-line whigs. The effect produced at the North by the Dred Scott decision was to drive the know-nothing and whig remnants almost bodily into the republican fold; while its effect at the South was to furnish thousands of recruits to the ranks of democracy, a course already taken by two staunch whigs, Mr. Toombs and Mr. Stephens, the former of whom, however, preceded the latter. In fact, Mr. Toombs became a democrat early in the '50s. Neither of these Georgians could embrace know-nothingism; to both of them its principles were repugnant. Charles J. Jenkins had likewise refused to embrace its tenets. But, in large numbers, the Georgia whigs found a temporary shelter in the know-nothing camp, where some of them remained until 1863. But with this campaign the organization began to disintegrate even in Georgia, and what remained of it in the nation was eventually absorbed into the two great political parties which stood angrily facing each other on the eve of the Civil war. But Mr. Hill, always a minority leader, was stronger than his party even when his party was strongest.

There were several joint debates between the two rival candidates for governor, in the first of which, due to his inexperience as a campaigner, Mr. Brown was worsted; but he improved with each public address, growing steadily in favor with the masses, to whom his homely style of speech appealed with telling effect. Mr. Hill found him a foeman worthy of his steel. What the mountaineer candidate lacked in bril-



JOSEPH E. BROWN
War Governor, Chief-Justice and United States Senator

liancy of epigram he supplied by directness of speech; and his practical, common-sense way of putting things caught the favor of the public. Col. Isaac W. Avery has drawn the following vivid contrast between the two candidates. Says he:

"The discussion between Judge Brown and Mr. Hill began at Newnan. It would be difficult to conceive two more radically different men in mind and methods. Mr. Hill was and is a hard foeman to tackle on the stump. He is both showy and strong. He had brilliant reputation as a political controversialist. Judge Brown was unshowy, conversational and unknown. Both were bold men. Hill was imprudent sometimes, Brown never. Brown was just the man to puncture imaginative rhetoric. When the heat occasioned by Hill's entrancing declamation had passed off, Brown had the faculty to put the common sense of the situation in a clear, direct, unanswerable way. Brown was cool, wary and ready-witted. In his first speeches alone he did not pass for his real worth. His conversational talks disappointed expectation. But he grew wonderfully. And discussion drew out his power. Hill made some inaccurate statements. Brown used these inaccuracies with tremendous effect. Hill was magnificently mature. Brown improved with an accelerating rapidity every trial. It was with him a constant and marvelous development. Every discussion added to his controversial capacity. He never winced under a blow no matter how severe, and the harder he was hit the harder he struck back. Without humor he yet had a grim perception of incongruity that he put so plainly that it was like humor. The Democratic press crowed lustily over some of Brown's strokes at Hill."

One incident of the campaign deserves to be specially mentioned, both for its spice of humor and because of its bearing upon the final result. Some of the good ladies of Cherokee, Georgia, most of them neighbors of Judge Brown, living in the neighborhood of Canton, made for him a calico bed-quilt in honor of his nomination. Much amusement was created by this incident, which an opposition press employed with great gusto to make the democratic candidate appear ridiculous in the eyes of the public. It produced no end of fun, but the effect of this amusing episode was to endear Judge Brown to the common people and to make friends for him at every humble fireside. This paragraph from the Milledgeville Federal-Union shows how the incident was treated by one of the Brown newspapers. It reads as follows:†

"All we have to say is—go ahead gals—give Joe Brown just as many calico bed-quilts as you please—it will be a compliment to the *Mountain Boy*, and save the state some hundreds beside. Hurrah for the girls of Cherokee, the plough-boy Judge and the calico bed-quilt."

To hasten on, Judge Brown was elected.‡ He defeated by a majority of 10,000 votes the most brilliant orator of his day in Georgia and, for the next generation, became the foremost figure in the state. Less than twenty years before his elevation to this high office he might have been seen plowing a rocky hillside with a bull calf. In 1840, then a slender lad

* Avery's "History of Georgia," pp. 43-44.

† Ibid., p. 42.

‡ The vote was as follows: Brown, 57,568; Hill, 46,826. Federal Union, October 20, 1837.

of nineteen, he had gone forth into the world driving a pair of steers; and not since the penniless Gascon set out for Paris to become the great marshal of France did a more resolute ambition ever link itself to a greater achievement.*

But this mountaineer was a man of destiny. Perhaps no greater proof of the divine agency employed on behalf of Joseph E. Brown could possibly be furnished than the spectacle of this exciting contest of 1857, in which even the Olympian eloquence of Mr. Hill was powerless to overcome him; and concerning the marvelous oratory of this matchless Georgian it may be gravely doubted if any voice in the councils of this country has ever framed such syllables since death silenced the tongue of Daniel Webster. But there were other honors in store for this favorite son.

To some of the aristocratic element this election came as a distinct shock. But while Mr. Brown was of humble birth, in the sense that he was born poor, he nevertheless boasted a lineage which ran back to the siege of Londonderry and which connected him in ties of blood with the highland clans of Scotland. Though he inherited no feudal estate, with a retinue of slaves to wait upon him, and though he received but little in the way of an educational equipment, having attended only for a short while at his own expense the school taught by Dr. Moses Waddell, at Williston, South Carolina, after which on borrowed money he took a law course at Yale, this self-made man of the people nevertheless became the most zealous champion of the South's peculiar institution, claiming that the slaveholder and the non-slaveholder were alike its beneficiaries; and he also became a devoted, loyal and lifelong friend to education. Moreover, he brought to the public life of the state at this time qualities which it greatly needed, a rugged independence of thought, a new point of view, a sympathetic and vital relationship to the masses, and a love for democracy, derived from its fountain springs. Even his sojourn in New England as a law student did not lessen the tenacity with which he upheld slavery and maintained the rights of a sovereign state.

The delegation chosen to represent Georgia in Congress for the next two years was as follows: James L. Seward, Martin J. Crawford, Robert P. Trippe, Lucius J. Gartrell, James Jackson, Joshua Hill, and Alexander H. Stephens.† Mr. Seward defeated Francis S. Bartow. Mr.

* Attitude of the Poorer Whites to Slavery.—The personality of the democratic candidate is important, in that it throws strong light upon the attitude of the poorer class of white citizens in the state. . . . Born and raised without the personal service of slaves, he was, like many others in the same circumstances, strong in support of the institution and firm in the belief that the non-slaveholding Southerners derived much benefit from the existence of slavery in their country. Speaking on February 1, 1850, upon the subject of legislation contemplated by Congress, he defended the justice of slavery, showing that its hardships had been greatly lightened since the colonial period, when the system was in existence throughout the colonies. He declared that the Constitution gave Congress no right to abolish slavery in the territories and stated that in his opinion the South had surrendered valuable rights when the Missouri Compromise line was established. He was in favor of calling a state convention in order that firm ground might be taken for the protection of the rights of the South. . . . The nomination of such a man by the democratic party and his subsequent election with a large majority of votes was, in its moral effect, similar to the accession of Andrew Jackson to the presidency, in 1828. "Georgia and State Rights," by Ulrich B. Phillips, pp. 180-181.

† Biographical Congressional Directory, 1774 to 1911, p. 205.

Hill defeated Linton Stephens. Four of these congressmen-elect, Messrs. Seward, Crawford, Trippe and Stephens, had been members of the preceding Congress. Mr. Stephens was the Nestor of the delegation, having first entered the national councils in 1843. He was also one of the foremost men of the nation. All were democrats except Joshua Hill, who was elected by the know-nothings.

On November 4, 1857, the new State Legislature convened at Mill-edgeville and elected Hon. John E. Ward, of Chatham, president of the Senate, and Hon. John W. H. Underwood, of Floyd, speaker of the House.* As soon as the work of organization was completed, Judge Brown was formally inaugurated governor. His age at this time was thirty-six.

Some of the legislators were as follows: Senators—L. H. Briscoe, Peter Cox, Hugh Buchanan, Jared I. Whitaker, Joel A. Billups, Randolph Spalding, Parmedus Reynolds, T. L. Guerry, W. W. Payne, William Gibson, A. G. Fambro and W. A. Harris. Representatives—Augustus H. Kenan, Thomas Hardeman, George A. Gordon, R. L. McWhorter, Miles W. Lewis, David W. Lewis, B. H. Bigham, George Hillyer, John Milledge and William A. Reid.† President John E. Ward, of the Senate, was an extraordinary man. He presided over the National Democratic Convention of 1856, at Cincinnati, the nominee of which was James Buchanan, the last democrat to occupy the White House prior to the Civil war. Receiving from Mr. Buchanan an appointment as minister to China, he relinquished the presidency of the Senate and embarked at once for the Orient, where he remained until the outbreak of hostilities recalled him to the homeland. Subsequently he removed to New York to practice law. Speaker Underwood was afterwards a member of Congress and a distinguished jurist. He was a son of the equally renowned Judge William H. Underwood. The Underwoods, father and son, were both noted wits.

This Legislature re-elected Robert Toombs to the United States Senate for a full term of six years.

Chief Justice Joseph Henry Lumpkin was chosen to succeed himself on the Supreme Bench for an equal length of time. The state house officers chosen, each for a term of two years, were: E. P. Watkins, secretary of state; Peterson Thweat, comptroller-general; James A. Gagn, surveyor-general; and John B. Trippe, state treasurer.‡

Indicative of the force of will which was destined to command with imperious sway an era of bloody violence was the bold stand which Governor Brown took in his first inaugural against the state banks. These had entailed unnecessary hardships upon the people of the state, by suspending specie payment when there was no occasion for doing so. This suspension had occurred during Governor Johnson's administration. The former chief executive, in his last annual message to the Legislature, had called attention to this fact which, declared he, in an era of prosperity, had wrought panic, loss of confidence and business stagnation. It remained to be seen whether the incoming Legislature would legalize the suspension or adopt drastic measures in dealing with these lords of

finance. Governor Johnson had taken no positive stand in the matter nor indicated any distinct line of policy to be pursued. This devolved upon Governor Brown, who began his administration by threatening to institute proceedings for forfeiture of charters. The banks maintained a powerful lobby while the Legislature was in session and sought in every way to circumvent the new chief executive. But Governor Brown was not to be intimidated. He was resolved to keep the banks within the leashes of the law.

But the members of the Legislature were not equal to Governor Brown in backbone and were much weaker in the knees-joints. Consequently a bill suspending forfeiture proceedings for one year—until November 15, 1858—passed both bodies. In the Senate the vote stood 57 to 33,* and in the House 64 to 50.† One less well supplied with vertebrae than Governor Brown might have quailed before an expression of opposition so pronounced; but Governor Brown's determination to veto the bill was not in the least weakened. On the contrary, it was reinvigorated. He vetoed the bill, giving his reasons for this action in a strong state paper. He characterized the banking business of the state as a "legalized system of speculation, oppression and wrong." This was a scathing indictment. Had not President Ward left the chair to combat Governor Brown's logic in a powerful appeal to the Senate, the bill might have met defeat. One of the arguments for its passage was that while the banks owed the people only five millions, the people owed the banks twenty-two millions; therefore it was best for the people to stand by the banks, to which they were debtors. Governor Brown's veto was overridden. But the matter did not end here. The whole state became a battleground. Mass-meetings were held in every section of Georgia to voice the indignant protest of an outraged people and with overwhelming unanimity public sentiment rallied to Governor Brown, whose Jacksonian firmness became the toast of the hour.

Georgia's new governor increased the hostility of his enemies at this time and brought upon himself the bantering criticism of the rabble by certain reforms which he instituted in the executive mansion. For example, he put an end to the bacchanalian revels or levees into which the social receptions given from time to time by the governors of the state had eventually fallen. It seemed to be an undemocratic thing to do, since these social fetes gave the people an opportunity to touch elbows with the chief executive and became increasingly from year to year events to which the whole countryside looked forward; but, in the opinion of Governor Brown, these state occasions fostered a spirit of intemperance and set a vicious example to the youth of the state. Consequently, in place of the time-honored fetes, he substituted evenings at home and expelled from his board all intoxicating liquors. This uprooting of established customs gave rise to numerous yarns and stories dealing with the rural simplicity of the Browns; but Georgia's war governor kept the even tenor of his way and, far above these rumblings, in the higher and serenest altitudes of an unclouded conscience, he maintained the calm poise of a planet.

* House and Senate Journals, 1857.

† House and Senate Journals, 1857.

‡ House Journal, 1857, pp. 35-38.

* Senate Journal, 1857, p. 156.

† House Journal, 1857, p. 416.

CHAPTER II

EIGHT NEW COUNTIES CREATED—BIENNIAL SESSIONS DISCONTINUED—STATE AID STRONGLY URGED—JOHN W. LEWIS MADE SUPERINTENDENT OF STATE ROAD—THE SOUTHERN COMMERCIAL CONGRESS—THE LEGISLATIVE SESSION OF 1858—AUTHORIZES A CODIFICATION OF THE LAW—GEORGIA'S FIRST CODE—ITS COMPILERS, CLARK, COBB AND IRWIN—PAYMENT OF SPECIE RESUMED—GOVERNOR BROWN'S FIGHT VICTORIOUS—JOHN E. WARD, MADE MINISTER TO CHINA, RESIGNS PRESIDENCY OF SENATE—T. L. GUERRY SUCCEEDS HIM AS PRESIDENT—SIX NEW COUNTIES CREATED—THE GUBERNATORIAL CONVENTION OF 1859—GOVERNOR BROWN RENOMINATED WITHOUT OPPOSITION—COL. WARREN AKIN NOMINATED BY THE KNOW-NOTHINGS—THE NEW CONGRESSIONAL DELEGATION—THE NEW LEGISLATURE—TWO NEW SUPREME COURT JUDGES—SENATOR IVERSON'S PROPHETIC SPEECH—JOHN BROWN'S RAID—THE DRED SCOTT DECISION—THE PRESIDENTIAL CAMPAIGN OF 1860 APPROACHES—TWO STATE DEMOCRATIC CONVENTIONS, ONE CALLED BY DEMOCRATIC MEMBERS OF LEGISLATURE, THE OTHER BY EXECUTIVE COMMITTEE—THE DECEMBER CONVENTION ELECTS DELEGATES TO CHARLESTON AND ENDORSES HOWELL COBB FOR PRESIDENT—THE MARCH CONVENTION ALSO ELECTS DELEGATES, BUT FAILS TO ENDORSE MR. COBB, WHO IN A PATRIOTIC LETTER WITHDRAWS FROM THE RACE—AN UNFORTUNATE DIVISION—HOW A PRECEDENT IN CALLING STATE DEMOCRATIC CONVENTIONS WAS ESTABLISHED.

Eight new counties were created by the Legislature at its session in 1857. These were: Dawson, Glascock, Milton, Mitchell, Pierce, Schley, White and Wilcox.* Salaries to public officials were increased as follows: The governor's, from \$1,000 to \$4,000; judges of the Supreme Court, from \$2,500 to \$3,500; and judges of the Superior Court, from \$1,800 to \$2,500. Biennial sessions having failed to give satisfaction, it was decided to return to annual sessions, a policy which had been abandoned in 1843, and to limit these annual sessions to forty days each, unless lengthened by a two-thirds vote of the lawmakers. The policy of state aid to public enterprises was warmly debated at this session of the Legislature, but was voted down. In the light of the Reconstruction period, this was not an unwise course to pursue, but an era of industrial development was just dawning upon the state and legislative encouragement gave promise of large returns. Governor Brown himself was not averse to this policy, in support of which such strong men as Speaker Underwood, David W. Lewis, Thomas Hardeman and others were enlisted. Those who opposed state aid at this time were: Benjamin H. Bigham, August

* Acts 1857, pp. 32-45.

tus H. Kenan, George A. Gordon, John Milledge, and others, who thought it an unwise policy for the state to increase its liabilities along this line, having already pledged a million dollars to railways.

On January 1, 1858, Governor Brown appointed his old friend and benefactor, Dr. John W. Lewis, superintendent of the Western & Atlantic Railroad.* This appointment marked an era in the development of the state's property, which soon paid into the public treasury \$400,000 per annum. Doctor Lewis faithfully executed his trust.

There was held in Montgomery, Alabama, on the second Monday in May of this year, a great Southern Commercial Congress, to which each state in this section was urged to send delegates. Governor Brown appointed the following distinguished citizens to represent Georgia:†

Delegates from the State at Large—Wilson Lumpkin, George R. Gilmer, William Schley, George W. Crawford, H. V. Johnson, H. Warner, Hines Holt, Thomas W. Thomas, C. J. Jenkins, William H. Stiles, James Gardner, B. H. Hill, F. H. Cone, L. Stephens, E. A. Nisbet, M. A. Cooper, D. J. Bailey, A. H. Chappell, Joel Crawford.

First District—A. H. Hansell, P. Cone, E. J. Blackshear, Charles Spalding, J. H. Cooper, F. S. Bartow, J. P. Screven, G. P. Harrison, John W. Anderson, A. R. Lamar.

Second District—William Dougherty, T. Lomax, J. N. Bethune, J. A. Jones, Jr., John A. Tucker, R. H. Clarke, L. M. Felton, A. H. Colquitt, W. A. Hawkins, W. M. Brown.

Third District—W. Poe, O. A. Lochrane, W. K. De Graffenried, P. W. Alexander, D. P. Hill, C. Peeples, A. F. Owen, George R. Hunter, J. D. Watkins, A. R. Moore.

Fourth District—E. Y. Hill, L. H. Featherstone, A. J. Boggess, B. H. Overby, J. W. Duncan, Robert J. Cowart, J. O. Gartrell, W. C. Daniel, William A. Harris, H. Buchanan.

Fifth District—John H. Lumpkin, H. V. M. Miller, S. Fouche, John A. Jones, W. T. Wofford, Lindsay Johnson, Joseph Pickett, G. J. Fain, C. B. Wellborn, Elisha Dyer.

Sixth District—Sumner J. Smith, Robert McMillan, Asbury Hull, William L. Mitchell, John Billups, William A. Lewis, James P. Simmons, Samuel Knox, W. Boyd, S. Reid.

Seventh District—Augustus Reese, George R. Jesup, P. Reynolds, Miller Grieve, Sr., S. N. Boughton, R. M. Orme, Sr., David W. Lewis, J. W. Burney, Robert R. Slappey, Junius Wingfield.

Eighth District—Isaiah T. Irwin, John Milledge, James T. Nisbet, W. Gibson, Thomas Barrett, A. J. Lawson, A. R. Wright, E. H. Pottle, Robert Hester, Dr. W. Willingham.

Much was expected from this convention, but little was done to stimulate the commercial activities of the South. Its deliberations were altogether sectional in character and it served rather to inflame latent passions than to effectuate practical results. William L. Yancey, of Alabama, and Robert B. Rhett, of South Carolina, both men of fiery tempers, were among its dominating spirits.

* It was from Doctor Lewis that the future governor borrowed enough money to defray the expenses of a law course at Yale.

† Avery's "History of Georgia," p. 72.

To glance a moment at the state's judiciary for 1857, the Supreme Court at this time was constituted as follows: Chief Justice Joseph Henry Lumpkin, and Associates Charles J. McDonald and Henry L. Benning. Judge Lumpkin had occupied his seat on this bench continuously since the organization of the Supreme Court in 1845; but his two associates were recent accessions. The Superior Court judges at this time were as follows:

Brunswick Circuit, A. E. Cochran; Blue Ridge Circuit, Geo. D. Rice; Chattahoochee Circuit, E. H. Worrell; Cherokee Circuit, R. H. Trippe; Coweta Circuit, O. A. Bull; Eastern Circuit, W. B. Fleming; Flint Circuit, E. G. Cabaniss; Macon Circuit, A. P. Powers; Middle Circuit, W. W. Holt; Northern Circuit, James Thomas; Ocmulgee Circuit, R. V. Hardeman; Pataula Circuit, David J. Kiddoo; Southern Circuit, Peter E. Love; Southwestern Circuit, Alex. A. Allen; Tallapoosa Circuit, Dennis F. Hammond; Western Circuit, N. L. Hutchins.

The Legislature at its session of 1858 passed an act providing for codification of the laws of this state.* To execute the task in question, three commissioners were to be elected by the Legislature, each of whom was to receive \$4,000 as his compensation. In the matter of adopting a code, Georgia was a pioneer among the states. Her earliest constitution provided for a codification of the law within five years. On December 6, 1792, an act was passed to carry this provision into effect, but for some reason it became a dead letter. Governor Forsyth, in 1827, sought to revive an interest in the matter but without success. Under the act of 1858 an election for commissioners was held by the Legislature, which body chose for this task ex-Gov. Herschel V. Johnson, Judge Iverson L. Harris and Judge David Irwin.† The two first named declined to serve, whereupon Judge Richard H. Clark and Hon. Thomas R. R. Cobb were elected. Three abler lawyers could not have been found. Mr. Cobb was a younger brother of Hon. Howell Cobb, then secretary of the treasury in President Buchanan's cabinet. He had compiled a digest of the laws of Georgia, had published an authoritative work on slavery, and at this time was a professor in the Lumpkin Law School at Athens. He was afterwards to play a most dramatic part in the drama of hostilities. Judge Irwin and Judge Clark were both well known in public affairs. The work of codification proceeded slowly; there were no precedents to guide these pioneers, all of whom were busy lawyers, with professional obligations to meet, but the task was completed in less than two years, was adopted in 1860, and went into effect in 1862. To pass on the code, Messrs. Hines Holt, Daniel S. Printup and W. W. Payne from the Senate, and Messrs. George N. Lester, Isham S. Fannin, W. G. Deloney, Miles W. Lewis, E. N. Broyles and Chas. J. Williams from the House were named as a joint legislative committee; and the action of this committee in approving the code was unanimous.

Governor Brown's uncompromising fight on the banks was at last victorious. During the year 1858, the payment of specie was resumed. This was some time in advance of the date set for resumption. But quite a number of the banks failed to make, on June 1st, of this year, the semi-

* Acts 1858, pp. 95-96.

† House Journal, 1858, p. 348.

annual returns required by law. At this time no penalty whatever attached to such delinquencies; and without mincing matters, Governor Brown again opened fire upon the banks. Though Georgia's chief executive was only a countryman, he was making his power tremendously felt in the great financial centers of the state. Bank presidents were beginning to look upon him with awe and to impute to this frail but wonderfully firm, self-poised and tranquil man the powers of a magician. To correct the existing defects in the law, Governor Brown proposed that a penalty of 2½ per cent per month be imposed upon the capital stock of every bank failing to make returns within the statutory limit; and this recommendation became the law. In the midst of the session of 1858, Hon. John E. Ward, president of the Senate, received his appointment as minister to China; and to succeed him as president, Hon. T. L. Guerry was elected for the remainder of the session, while Hon. William H. Stiles succeeded him as state senator from Chatham. The Legislature at this session created six new counties, to-wit: Clayton, Quitman, Banks, Johnson, Brooks and Echols.*

On June 15, 1858, the state democratic convention met in Milledgeville to name a governor for the next two years; but so entrenched was Governor Brown in public favor, due to his bold stand for the rights of the people, that opposition to his re-election was not for one moment entertained by democrats. Without a dissenting vote he was again renominated by his party and given the most unreserved commendation. Gen. Henry R. Jackson, of Savannah, voiced the sentiment of the convention in an impromptu speech of exquisite diction. Resolutions were adopted reaffirming the Cincinnati platform of 1856 and endorsing the administration of President Buchanan.

But while the democrats were united in supporting Governor Brown, the know-nothings were not idle and, after wavering for some time, nominated Hon. Warren Akin, of Cass. Colonel Akin was one of the purest and best men in the state, a local Methodist preacher, a planter, and a man of superior gifts, with unusual powers as a public speaker. But he belonged to a minority party whose strength was waning with the approach of the great Civil war. In the election which followed Governor Brown's popular majority was 22,000 votes. The state house officials elected were: E. P. Watkins, secretary of state; Peterson Thweat, comptroller-general; A. J. Boggess, surveyor-general; and John B. Trippe, state treasurer.†

To represent the state in Congress for the next two years a strong delegation was chosen, as follows: Peter E. Love, Martin J. Crawford, Thomas Hardeman, L. J. Gartrell, J. W. H. Underwood, James Jackson, Joshua Hill and John J. Jones.‡ Two of these, Joshua Hill and Thomas Hardeman, were elected on an opposition ticket; but all the rest were democrats. Mr. Jones succeeded Alexander H. Stephens, who voluntarily retired from Congress at this time, after a continuous service of sixteen years. Messrs. Crawford, Jackson and Gartrell were all former members. When Georgia seceded from the Union six of her representatives

* Acts 1858, pp. 25-40.

† House Journal, 1859, p. 47.

‡ Biographical Congressional Directory, 1774-1911, p. 212.
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withdrew in a body, considering themselves automatically recalled by Georgia's action; while Hon. Joshua Hill, in a written communication addressed to the speaker, formally resigned his seat. But more of this later.

The new Legislature convened on November 2, 1859. Hon. T. L. Guerry, of Quitman, was elected president of the Senate and Hon. Isaiah T. Irwin, of Wilkes, speaker of the House. As usual, there were strong men in both branches.* Messrs. L. H. Briscoe, Peter Cone, Philemon Tracy, Alexander B. Lawton, Alexander S. Atkinson, A. T. Hackett, Daniel S. Printup, Thomas Butler King, Clement A. Evans, George T. Bartlett and William A. Harris were enrolled as senators; while prominent among the representatives were Clifford Anderson, George N. Lester, T. W. Alexander, William Gibson, Robert N. Ely, David W. Lewis, Miles W. Lewis, Julian Hartridge, R. L. McWhorter, John L. Harris and Charles J. Williams. Few were elected to this Legislature who fought Governor Brown in his efforts to control the banks.†

Governor Brown, in his second inaugural, took precisely the same stand, with respect to Federal issues, as Senator Iverson did in his Griffin speech, during the midsummer, maintaining that the next presidential contest might decide the fate of the Union, at which time he could see only two parties in the field: the black republicans and the national democrats.

Important changes were made this year in the personnel of the Supreme Court, Judges R. F. Lyon and Linton Stephens going upon the bench to succeed Judges Charles J. McDonald and Henry L. Benning.‡ Judge Benning and Judge Lyon were first cousins, both grandsons of Basil Lamar, of Lincoln County, Georgia, and kinsmen of the great jurist and statesman, Judge L. Q. C. Lamar, of Mississippi. This was also the time for electing a successor to Hon. Alfred Iverson, whose term of office as United States senator was to expire in 1861; but on motion this election was postponed for one year. Senator Iverson had given great offense to the conservatives of the state by his Griffin speech, the strong anti-Union sentiment of which was most hostile but at the same time most prophetic. He predicted the inauguration of a free soil President in 1861, declared the northern democracy paralyzed and powerless, and announced the time at hand for a Southern Confederacy. Georgia was not yet ready to entertain such radical views.**

But the events of this fateful year were destined to make decided inroads upon the state's conservatism. It was at this time that John Brown's famous raid upon Harper's Ferry occurred, kindling the latent fires of passion not only in Virginia, but throughout the South, and lighting this whole section into a blaze of hostile indignation. The attempt to create a slave insurrection was the act of a madman, but its effect was to apply a lighted match to a magazine of powder. Governor Wise, of Virginia, took prompt action. President Buchanan likewise made use of the powers of his office to suppress the outbreak. But the



JUDGE LINTON STEPHENS

* House Journal, 1859, opening pages.

† House and Senate Journals, 1859.

‡ Senate Journal, 1859, p. 80.

** Milledgeville Federal Union, July 26, 1859; Avery's "History of Georgia," p. 104.

flood-gates were opened; the portents of disaster were at hand; and it required no prophet's ear to detect the fury of the oncoming storm.

In the Georgia Legislature, Mr. Hartridge, of Chatham, drafted a set of resolutions, declaring that the late attempt at Harper's Ferry to incite a portion of the slaves of the South to insurrection had produced the highest degree of indignation in the minds of the southern people against its perpetrators; that unqualified approbation was due Governor Wise and President Buchanan for suppressing the insurrection; and that the state's co-operation was pledged in a sleepless vigilance to prevent a similar outbreak not only in Georgia but elsewhere in the South.

Such were the contending elements of discord amid which another presidential campaign approached. But, to make the situation in Georgia still more acute, a division of the state into factional camps threatened to end in a serious rupture at a time when unity was most essential. As far back as 1842, it had been customary for members of the General Assembly to issue calls for state conventions, the purpose of which was to choose delegates to national conventions; and, in line with this unbroken practice, there assembled in the representative hall, at Milledgeville, on the evening of November 21, 1859, a large contingent of democratic members, who called Hon. Peter Cone to the chair. At this meeting resolutions were adopted, calling for a state convention to be held in Milledgeville on the 8th of December. As stated in the resolution, the purpose of this convention was to elect delegates to Charleston. But most of the members calling this convention were strong supporters of Howell Cobb for the presidential nomination. Herein lay the bone of contention.

On November 22d the State Democratic Executive Committee threw down the gage of battle by calling a state convention to assemble in Milledgeville the second Monday in March, 1860. Four out of the five committee members united in issuing this call, to-wit: Messrs. D. C. Campbell, E. J. McGehee, Thomas P. Saffold and J. W. Burney.* The committee's fifth member, Col. W. K. DeGraffenreid, dissented from its action and joined the democratic members of the Legislature in calling for an earlier convention friendly to Mr. Cobb's nomination.

Pursuant to call, the December convention met in Milledgeville, with Hon. Isaiah T. Irwin in the chair.† Messrs. F. H. West and George Hillyer were elected secretaries. Only seventy-five counties out of 132 were represented, but the attendance was numerically large and great enthusiasm prevailed. Howell Cobb was endorsed for the presidency on a platform asserting the equality of the states and the rights of the South. This was the only condition on which Georgia could or would support the nominee of the Charleston convention; nor was she willing for the mere sake of harmony to renounce an accepted principle. She proposed to stand upon her constitutional rights, as interpreted by the Supreme Court in its Dred Scott decision, giving the South equal rights in the common territories of the Union.

Delegates to the Charleston convention were chosen as follows: From the state at large—Isaiah T. Irwin, John H. Lumpkin, Henry L.

Benning and Henry R. Jackson; alternates, Charles J. McDonald, Thomas Butler King, Wm. H. Stiles and O. A. Lochrane. District delegates—James L. Seward, Julian Hartridge, Arthur Hood, J. W. Evans, L. B. Smith, E. Strohecker, J. J. Diamond, L. H. Featherstone, G. J. Fain, W. T. Wofford, Wm. Hope Hull, S. J. Smith, Jefferson M. Lamar, L. H. Briscoe, David C. Barrow and L. A. Nelms.

Following an adjournment of this convention, fifty-two democratic members of the Legislature published an open letter dissenting from its action and protesting against its authority to bind the democracy of Georgia to the line of policy indicated. Several of the delegates-elect declined to serve, among them ex-Governor McDonald, Judge Benning, Mr. Lochrane and Mr. Featherstone. Two members of the executive committee, residing in Milledgeville, Colonel Campbell and Doctor McGehee, published a card setting forth in temperate language the reasons which influenced the committee in calling the March convention. Hon. Wm. H. Stiles, a district alternate, published a letter in one of the Savannah papers, admitting the regularity of the committee's action but suggesting a compromise. His plan was this: for the delegates chosen to resign subject to reappointment by the new convention and to present in this way an unbroken front.

At this juncture Mr. Cobb himself published a letter in which he disclaimed any ambition for the presidency, with a divided state behind him at Charleston.* "This," said he, "is no time for divisions in the South and any personal sacrifice which I may be called upon to make to insure union and harmony in our ranks shall be cheerfully made. So far as I am personally concerned a demonstration of serious opposition to my nomination from the Democracy of Georgia, in any shape or form, or from any convention, would end all connection of my name with the nomination at Charleston." This letter was characteristic of Howell Cobb. It was not only patriotic but it breathed the spirit of self-abnegation. As secretary of the treasury in Mr. Buchanan's cabinet his ability had won for him a well-deserved recognition; but, in the opinion of some, his extreme Union views were not in harmony with the prevailing sentiment among democrats. Mr. Cobb was an ardent unionist, but not at the expense of the rights of the South under the Constitution; and he was soon to prove his allegiance to the South by resigning his seat in Mr. Buchanan's cabinet.

On March 14, 1860, the state convention called by the executive committee assembled in Milledgeville, with 203 delegates present, representing ninety counties. Hon. Alexander R. Lawton, of Savannah, was chosen to preside over its deliberations. The resolutions of the December convention endorsing Mr. Cobb for the presidency met defeat, but the same delegates at large were chosen to represent the state at Charleston. These were: Isaiah T. Irwin, J. H. Lumpkin, Henry L. Benning and Henry R. Jackson. Of the alternates, ex-Gov. Charles J. McDonald was the only one retained; the others chosen were: Hiram Warner, Solomon Cohen and Julius A. Wingfield. Four delegates were chosen from each of the congressional districts as follows: †

* "Memorial of Howell Cobb," by Samuel Boykin.

† Milledgeville Federal Union, Files March, 1860; Ayery's "History of Georgia," 110-111.

* Ayery's "History of Georgia," p. 107.

† Ibid., p. 108.

First, J. L. Seward, J. Hartridge, H. M. Moore, Wm. B. Gaulden; Second, W. Johnson, John A. Jones, Wm. M. Slaughter, Jas. M. Clark; Third, E. L. Strohecker, L. B. Smith, O. C. Gibson, E. J. McGeehee; Fourth, J. J. Diamond, L. H. Featherstone, W. Phillips, S. C. Candler; Fifth, G. J. Fain, W. T. Wofford, James Hoge, Lawson Fields; Sixth, Wm. H. Hull, S. J. Smith, H. P. Thomas, A. Franklin Hill; Seventh, L. H. Briscoe, Jefferson Lamar, J. W. Burner, James Thoming; Eighth, L. A. Nelms, D. C. Barrow, J. D. Ashton, H. R. Casey.

During the session of this convention, Hon. Julian Hartridge, of Savannah, offered a resolution which received unanimous adoption, providing for an executive committee to be appointed by the President, with power to call all conventions of the democratic party in Georgia and to exercise all powers rightfully belonging to such committee until another state convention should assemble to appoint its successor. In this action originated a practice which has since been followed without interruption, except for the fact that, under existing laws, the state executive committee is named every two years in the regular primary election. The committee appointed at this time was as follows: Porter Ingram, Alex. S. Atkinson, Philemon Tracy, Charles Murphey, Daniel S. Printup, S. J. Smith, L. H. Briscoe and Henry Cleveland. The breach in the party caused by the convention's failure to endorse Mr. Cobb for the presidency was much to be regretted. It entailed its legacy of discord upon the state; but true to the line of policy announced in his former letter, Mr. Cobb addressed a communication to Hon. Isaiah T. Irwin, president of the December convention, withdrawing his name from further consideration during the canvass. Mr. Cobb's letter was a model of its kind, lofty in tone and noble in sentiment.*

* "Memorial of Howell Cobb," by Samuel Boykin.

CHAPTER III

THE RUPTURE OF THE CHARLESTON CONVENTION—SIX STATES WITHDRAW, LED BY WM. L. YANCEY, A NATIVE GEORGIAN—RIGHTS OF THE SOUTH DENIED PROTECTION BY THE NATIONAL DEMOCRACY—THE CONVENTION ADJOURNS TO MEET IN BALTIMORE—SECEDERS CALL A CONVENTION TO MEET IN RICHMOND—BOTH FACTIONS OF THE STATE DELEGATION PUBLISH LETTERS DISCUSSING THE SITUATION—GEORGIA DEMOCRATS HOLD A STATE CONVENTION WHICH ENDORSES THE SECEDERS AND TAKES AN EXTREME POSITION ON PUBLIC ISSUES—EX-GOVERNOR JOHNSON LEADS A REVOLT—THE RESULT IS A STATE CONVENTION WHOSE INSTRUCTIONS ARE MILD—RIVAL DELEGATIONS TO BALTIMORE—THE GEORGIAN SECEDERS ADMITTED, BUT FINDING THOSE FROM OTHER STATES EXCLUDED, THE DELEGATION DECLINES TO ENTER—SOUTHERN RIGHTS CONVENTION PUTS BRECKINRIDGE AND LANE IN THE FIELD—THE NATIONAL DEMOCRATIC CONVENTION NOMINATES DOUGLAS AND JOHNSON—THE CONSTITUTIONAL UNION PARTY NOMINATES BELL AND EVERETT—DIVISION FATAL TO DEMOCRATS—MR. LINCOLN'S ELECTION—THE POLITICAL HUSTINGS OF 1860—THE GEORGIA LEGISLATURE ASSEMBLES—GOVERNOR BROWN'S SPECIAL MESSAGE ON FEDERAL RELATIONS—ITS WAR-LIKE TONE—LEADERS ADDRESS THE GENERAL ASSEMBLY—THOMAS R. R. COBB—ROBERT TOOMBS—ALEXANDER H. STEPHENS—GEORGIA'S POPULATION AND WEALTH IN 1860.

On April 23, 1860, the great National Democratic Convention assembled in Charleston, South Carolina, to adopt a platform for the party and to nominate a presidential ticket. But the spirit of discord reigned supreme. The democracy of the Union had come to a parting of the ways. It is not within the scope of this work to discuss minutely the routine of the Charleston convention. We must, therefore, be brief. Fifty-seven ballots were taken without a choice, though Mr. Douglas consistently maintained his lead. The platform was the storm-center of discussion; and it proved to be the reef on which democracy, in the most crucial hour of the nation's history, was to make shipwreck of its high hopes and to end, for a period of fifty years, the South's ascendancy in American politics.*

Three reports were submitted by the committee on platform. We will take the majority report first. This was made by fifteen members, representing the extreme southern wing of the party, reenforced by two members from California and Oregon. Planting themselves squarely

* "Life and Times of Yancey," by Du Bose. "Story of the Confederate States," by Derry. Millersville Federal Union, Files April and May, 1860.

upon the Dred Scott decision, these members submitted a report declaring it to be the duty of Congress to protect slave property in the territories. The Cincinnati platform of 1856 had simply declared for non-interference with slavery in the territories on the part of Congress. Thus a distinct advance was registered by the South, in taking this extreme position.

As for the two minority reports, one reaffirmed the Cincinnati platform, with an additional paragraph condemning interference with the Fugitive Slave Law. The other minority report favored the squatter sovereignty program of Mr. Douglas, referring the question of slavery to the territories themselves for settlement. This report was adopted. Then came the fatal bolt. Under the leadership of Wm. L. Yancey, of Alabama, six entire state delegations left the hall, in protest against the convention's refusal to protect slavery with the safe-guards provided by the Supreme Court of the United States. These retiring delegations represented Alabama, Mississippi, Florida, Louisiana, Arkansas and Texas, and with them a part of the delegation from Delaware likewise seceded.

Inclined to be conservative, the Georgia delegation obtained leave to retire for consultation. But the delegates were found to be hopelessly divided. Twenty-six members, led by Judge Henry L. Benning, withdrew at once. Ten remained. These were Hiram Warner, James L. Seward, Samuel C. Candler, Solomon Cohen, Henry Cleveland, L. A. Nelms, J. A. Render, James Thomas, J. W. Burney, and Wm. B. Gaulden.

Failing to make a nomination and hoping by delay to reunite a sundered democracy, the convention adjourned to meet in Baltimore. The seceding members called a convention to meet in Richmond.

Both factions of the state's disrupted delegation on returning home published letters discussing the situation at length. The result was a call issued by the executive committee for a state convention to be held in Milledgeville on the 4th day of June. Meanwhile the popular leaders were asked for an expression of opinion relative to what was best under these circumstances. Mr. Cobb endorsed the action of the seceding delegates, but suggested a postponement of the Richmond convention until every effort had been exhausted to unite the party at Baltimore. Judge Warner deplored the bolt. He believed in the doctrine of non-intervention by Congress and favored the Cincinnati platform of 1856. He held that the best guarantee of southern rights was in the democratic organization of the Federal Union. Mr. Stephens stated that since the birth of the party its policy had been non-intervention in the territories. He favored a convention to send delegates to Baltimore. Ex-Governor Johnson took substantially the same position. As a strong unionist he stood opposed to extreme measures. Judge Nisbet was not in sympathy with the Richmond convention and condemned the seceders. He was also against intervention. Mr. Toombs suggested that the seceding delegates meet in Baltimore and endeavor to effect an adjustment, but while he advocated a conciliatory course his language to quote an apt expression "snapped like a pistol" and made one think that its author "held a sword in a gloved hand." His advice was conservative, but his language radical. He was not in the least apprehensive of disunion. "Our

greater danger," said he, "is that the Union will survive the Constitution." Ex-Governor Brown favored a convention to send delegates to Baltimore. But having been a consistent believer in non-intervention he advocated accepting the Cincinnati platform of 1856 and meeting the northern democracy on common ground.

While this controversy was pending, the know-nothing remnant held a state convention at Milledgeville, on May 2, 1860, over which Gen. John W. A. Sanford presided and at this time delegates were chosen to a Constitutional Union Convention at Baltimore. Joshua Hill, R. A. T. Ridley, Ambrose R. Wright and J. C. S. Lee were named as delegates at large to this convention. Resolutions were adopted pledging cooperation with all men who believed it to be the duty of the government to protect slave property in the territories. But there were only 111 delegates in attendance representing forty-two counties. These delegates included Messrs. A. H. Kenan, R. M. Orme, David W. and Miles W. Lewis, R. P. Trippe, Clement A. Evans, and Parmedus Reynolds.

Pursuant to call, the state democratic convention assembled in Milledgeville on June 4, 1860, with 340 delegates enrolled. There were few counties unrepresented.* Hon. T. L. Guerri was chosen the convention's president. The chairman of the business committee was Hon. Wm. H. Stiles, and on this committee were Georgia's two rival favorites for the presidential nomination: Howell Cobb and Herschel V. Johnson. The view point of these men had radically changed. In 1850 Cobb was for Union, Johnson for extreme state rights; in 1860 Johnson was for Union, Cobb for extreme state rights; and while Johnson was condemning, Cobb was commending the seceders from the Charleston convention. Prominent among the delegates in attendance were: Julian Hartridge, Henry R. Jackson, Wm. H. Stiles, Solomon Cohen, Howell Cobb, Herschel V. Johnson, Nelson Tift, John H. Lumpkin, Benj. C. Yancey, Thos. C. Howard, Thos. Butler King, Wm. H. Dabney, Wm. E. Simmons, James Gardner, Julian Cumming, W. W. Montgomery, T. M. Furlow, Willis A. Hawkins, H. K. McCay, James L. Seward, George Hillyer, Carey W. Styles, L. H. Briscoe, Philemon Tracy, Herschel V. Johnson, Samuel Hall, James S. Hook, R. L. Warthen, B. D. Evans, Isaiah T. Irwin and John C. Nichols.

But the convention was hopelessly divided. As usual, two reports were submitted. The majority report endorsed the seceders and took a bold stand for the protection of slavery in the territories. It favored a re-appointment of the entire delegation to attend the convention at Baltimore and, in the event the interests of slavery were not protected, to proceed thence to Richmond. The minority report reaffirmed the Cincinnati platform, with an assertion of the legal rights of slaveholders in the territories. This report was made by four members: Herschel V. Johnson, T. P. Saffold, H. K. McCay, and A. Colvard. There were speeches on both sides; but the majority report was adopted by a two-thirds vote of the convention.

Thereupon, the minority entered its protest against repudiating the established democratic doctrine of nonintervention by Congress; against condemning by implication the delegates who refused to secede at

* Federal Union Files, June, 1860.

Charleston; and against sending a delegate to Richmond, as this course virtually detached the convention from the national democratic organization. But the protesting delegates went still further. Led by ex-Governor Johnson, they organized themselves at once into a national state democratic convention over which Judge Hiram Warner was called to preside. Sixty-three members were enrolled from twenty-four counties.* Delegates, under moderate instructions, were sent to the Baltimore convention as follows: From the state at large—Herschel V. Johnson, James Gardner, Absalom H. Chappell and Hiram Warner. **District delegates**—First, J. L. Seward and Wm. B. Gauden; Second, Richard Whitely and B. Y. Martin; Third, Nathan Bass and S. W. Burney; Fourth, J. P. Hambleton and S. C. Candler; Fifth, A. R. Wright and H. P. Farrar; Sixth, Robert McMillan and J. P. Simmons; Seventh, T. P. Saffold and James Thomas; Eighth, L. A. Nelms and Alex. C. Walker.

To summarize events somewhat hurriedly, the Richmond convention of seceders met at the time set, but adjourned until June 21, 1860. The Baltimore convention assembled at the time specified, with two Georgia delegations applying for admission. The committee on credentials was divided, but the majority report favored admitting both delegations, with a division of Georgia's vote; the other favored admitting the seceders. The latter report was adopted, seating the delegation of which Judge Henry L. Benning was chairman. From the other states, however, the nonseceding delegations were admitted; and from Alabama and Louisiana no delegations were admitted. Since this drastic action excluded most of the Charleston seceders, Georgia's delegation refused to enter the convention. At the same time a majority of the delegations from Virginia, North Carolina, Tennessee, California and Oregon, withdrew from the convention, while Delaware, for the present, decided to take no part in its deliberations. Missouri was the only southern state whose entire delegation refused to withdraw. Even Kentucky left the hall, while most of the delegation from Massachusetts did likewise, causing Hon. Caleb Cushing, president of the convention, whose sympathies were with the seceders, to resign his seat as the convention's presiding officer. However, 129 delegates remained. These, on a platform favoring squatter sovereignty, nominated Hon. Stephen A. Douglas, of Illinois for President and Governor Fitzpatrick, of Alabama, for vice president. But the latter declined; and, on June 25, in Washington, D. C., the Douglas delegates selected Hon. Herschel V. Johnson, of Georgia.

Without returning home, the seceders from the Baltimore convention met with the unseat delegations and organized in Baltimore a national state rights convention, of which Hon. Caleb Cushing, of Massachusetts, was made president with 210 delegates, representing twenty-one states. This convention nominated Hon. John C. Breckinridge, of Kentucky, for President and Joseph Lane, of Oregon, for vice president. The Richmond convention subsequently endorsed this ticket.

The Constitutional Union Convention, which also met in Baltimore, nominated John Bell, of Tennessee, for President and Edward Everett, of Massachusetts, for vice president. Under this banner were gathered

* Federal Union Files, June, 1860.

the know-nothing and whig remnants, together with other floating elements.

Electors of the Breckinridge and Lane ticket were chosen at a state convention held on August 8, at which time ex-Gov. Charles J. McDonald and Hon. Henry R. Jackson were chosen from the state at large, with Messrs. A. H. Colquitt and Wm. H. Dabney as alternates. The district electors were as follows: Peter Cone, Wm. M. Slaughter, O. C. Gibson, Hugh Buchanan, Lewis Tumlia, Henry Strickland, W. A. Lofton, and Wm. M. McIntosh.

At the state convention, held August 15, Douglas and Johnson electors were chosen as follows: From the state at large—Alexander H. Stephens and Augustus R. Wright; alternates, James Gardner and T. P. Saffold. District electors—James L. Seward, B. Y. Martin, Nathan Bass, Hiram Warner, J. W. Harris, J. P. Simmons, James S. Hook and Julian Cumming.

Bell and Everett electors were also chosen at a state convention. These were as follows: Wm. Law and Benj. H. Hill, from the state at large; and Samuel B. Spencer, M. Douglass, T. L. Doyal, W. T. Wright, J. R. Parrott, Hiram P. Bell, J. E. Dupree and Lafayette Lamar.

Thus, in the face of a great national crisis, threatening the overthrow of slavery, the national democracy was rent by a fatal schism, while the republican organization presented an unbroken phalanx in support of an anti-slavery ticket on which Abraham Lincoln, of Illinois, and Hannibal Hamlin, of Maine, were the respective candidates. These names were ominous of fate. The doom of democracy was sealed.

During the momentous campaign of 1860, the political hustings in Georgia presented a dramatic spectacle, in many respects suggestive of the golden age of Greece. Men of gigantic intellect discussed the paramount issue of the hour before great bodies of people who listened spell-bound to impassioned arguments, the like of which has seldom been heard on this continent. There were the two noted brothers, Howell and Thomas R. R. Cobb; the two equally noted half-brothers, Alexander H. and Linton Stephens; Benjamin H. Hill, Robert Toombs, Herschel V. Johnson, Eugenius A. Nisbet, Hiram Warner, Absalom H. Chappell, Dr. H. V. M. Miller, Henry R. Jackson, Francis S. Bartow, Ambrose and Augustus Wright, and Warren Akin. The elder Colquitt was dead; but his oratorical mantle had fallen upon a gifted son. These men constituted a superb galaxy of statesmen. Most of them supported the Breckinridge and Lane ticket. Alexander H. Stephens espoused the fortunes of Mr. Douglas, and with him stood Eugenius A. Nisbet, Hiram Warner, Ambrose R. Wright, James L. Seward and Absalom H. Chappell; but Colonel Chappell left the Douglas standard when he began to suspect the Little Giant of coquetting with the black republicans. Dr. H. V. M. Miller, in this campaign, came over to the Breckinridge and Lane camp; so likewise did Francis S. Bartow. Benj. H. Hill and Warren Akin alone championed Bell and Everett. Before the campaign was over, Mr. Douglas made a speech in Atlanta, but his visit failed to revive his waning fortunes. He was fated to poll in Georgia the smallest vote of any of the candidates, despite the fact that his running mate was a Georgian: Herschel V. Johnson.

In the presidential campaign which followed in November, victory

perched upon the republican banners. Breckinridge and Lane carried Georgia, with 51,893 votes; Bell and Everett came next, with 42,855 votes; Douglas and Johnson third, with only 11,500 votes.

Then came secession. There were thousands of conservative democrats throughout the South who did not see in Mr. Lincoln's election to the presidency a sufficient cause for dissolving the Union. Mr. Lincoln, it is true, had been elected on a platform opposed to the extension of slavery in the territories, but he was not committed to the abolition of slavery in the states. Nor did the republican platform fail to denounce the John Brown raid upon Harper's Ferry, Virginia.

Nevertheless, Mr. Lincoln's election carried a distinct menace to slavery. Howell Cobb resigned his seat in Mr. Buchanan's cabinet before the year expired. South Carolina was aflame with protest. The state in whose soil reposed the ashes of the Great Nullifier lost no time in calling a convention, whose action was to start the process of dismemberment and to point the way to a Southern Confederacy.

Coincidental with Mr. Lincoln's election, the Georgia Legislature convened at Milledgeville, on November 7, 1860. Speaker Isaiah T. Irwin having died during the legislative recess, Hon. Charles J. Williams, of Muscogee, was chosen to succeed him for the remainder of the term. Governor Brown sent to the Legislature a special message dealing with Federal relations, in addition to his annual message, in which he discussed a number of practical matters. We will dispose of the annual message first. He was gratified to inform the Legislature that the state road had paid into the treasury \$450,000 for the preceding fiscal year. All the institutions of the state were in a prosperous condition. Besides paying what was then due on the public debt, both principal and interest, Governor Brown had paid an additional \$117,000, thus reducing the sum total of indebtedness. The school fund had been increased \$200,000, besides which an additional \$150,000 had been expended for educational purposes.

Governor Brown's special message was a vigorous state paper. The presidential election had not occurred when this important document was penned, but the air was electrical with tokens announcing that a crisis was at hand. Some of the states had passed measures neutralizing the Fugitive Slave Law and to meet this embarrassing situation Governor Brown advocated a system of retaliatory legislation. In the event of Mr. Lincoln's election, he urged the calling of a state convention to devise a definite plan of action. Meanwhile he believed in taking time by the forelock, and accordingly recommended that \$1,000,000 be appropriated as a military fund, with which to prepare for an armed resistance to northern aggression.* Something like \$170,000 had already been spent for arms. Far in advance of many others, Governor Brown saw the war cloud darkening upon the horizon, and as commander-in-chief of Georgia's military and naval forces he was determined not to be caught unawares. The General Assembly appropriated \$1,000,000 to be used by the governor for purposes of state defense, said amount to be raised by an issue of 6 per cent bonds to run for twenty years.†

* House Journal, 1860.

† Acts, 1860, p. 49.

In a former message to the Legislature, Governor Brown had discussed at some length the state militia, recommending that a tax be imposed on all citizens who were not members of some military organization, the proceeds of said tax to be applied to the erection of a foundry for arms. The purpose of this recommendation was to make Georgia independent, in the event of hostilities. But the Legislature, unfortunately, did not share Governor Brown's farsightedness of vision. The military spirit had waned considerably since the war with Mexico. To quote a well-known historian, "the old-fashioned public drills and musters had so long been discontinued as to be known from the tales of the old citizens only as a farcical and valueless relic of colonial and revolutionary times."* But it was time for the sword to be leaping from its scabbard. Hannibal was already at the gates. Such, if not the exact language of Governor Brown's special message, was at least its tenor.

Early in the session, by request, several distinguished Georgians addressed the Legislature on the duty of the hour. One of these was Hon. Thomas R. R. Cobb, of Athens. He delivered an impassioned speech, urging immediate and unconditional secession. Mr. Cobb had hitherto taken no part in politics, but Mr. Lincoln's election had filled him with anxiety for the safety of southern institutions. He had been a deep student. His work on "Slavery" bears the impress of a master-mind. His part in compiling the state's first code will likewise remain for all time to come a monument to his genius. He was only thirty-eight when he made this great speech; and was barely thirty-nine when he fell mortally wounded at Fredericksburg, Virginia. He was a recognized leader of the Georgia bar, but what accounted most for the powerful influence which he exercised at this time was not his intellectual prestige, but his strong moral and religious nature, coupled with the fact that his voice was a new one in the public councils. With the zeal of a Peter the Hermit and with the eloquence of a Patrick Henry, he plunged into the arena of debate. His speech before the Georgia Legislature was logic on fire. Its effect was most powerful. We quote from it this single paragraph. Said he: †

"What, then, is our remedy? Shall it be the boy's redress of recrimination, the bully's redress of braggadocio or boasting, or the manly freeman's redress of independence? This is a most solemn question and no man should rashly advise his countrymen at such a time. For myself, for months, nay years, I have foreseen this coming cloud. I have given it all the study of which my mind is possessed. I have called my heart into the council and listened to its beatings. Nay more, my friends, I fear not to say, I have gone to the God I worship and begged Him to advise me. On the night of the sixth of November I called my wife and little ones together around my family altar and together we prayed to God to stay the wrath of our oppressors and preserve the Union of our fathers. The rising sun of the seventh of November found me on my knees, begging the same kind Father to make that wrath to praise Him and the remainder of wrath to restrain. I believe that the hearts of men are in His hands and when the telegraph announced to me that the voice

* "Georgia and State Rights," Phillips, p. 187.

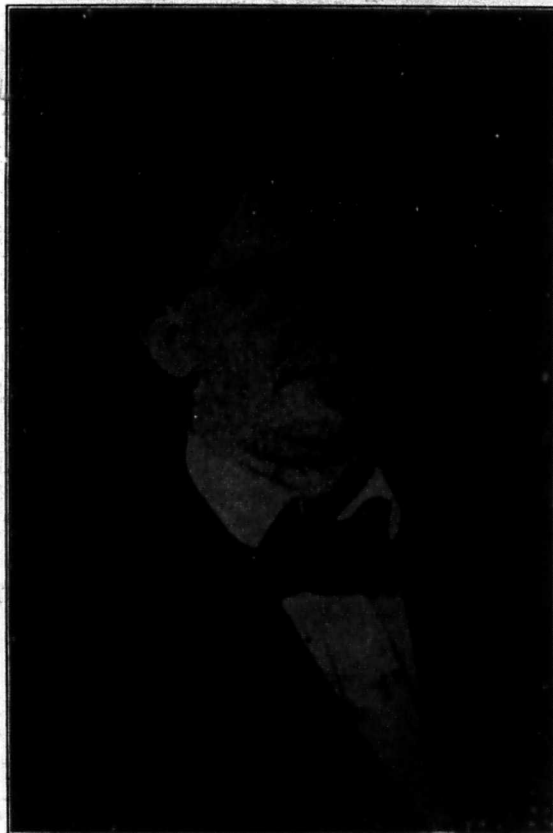
† "Confederate Records," Candler, Vol. I, p. 175.

of the North proclaimed at the ballot-box that I should be a slave I heard in the same sound the voice of my God speaking through His providence and saying to his child: 'Be free! Be free!' Marvel not then that I say my voice is for immediate, unconditional secession."

Mr. Toombs also advocated secession, in a magnificent speech before the Legislature, but his views on the subject were already well known and, though he spoke with great rapidity, launching his thunderbolts, in quick succession, amid vivid flashes of lightning, his speech fell far below the standard set by Mr. Cobb's, both in its rhetorical beauty and in its tone of deep moral earnestness. It was likewise before this session of the Legislature that Mr. Stephens delivered his great speech in opposition to secession. He did not question the constitutional right of a state to secede, but he did question the wisdom of such a course as a practical remedy for existing evils, and with all the vigor of his splendid intellect he endeavored to avert the impending disaster. Less eloquent than Mr. Cobb, he read the future with the eye of a seer, and his speech was a marvel of predictive wisdom, perhaps unexcelled in this respect by any speech ever delivered before an assemblage of Georgians. Conservative men of the class represented by Mr. Stephens knew well enough that the people of the North were not all abolitionists, and that in many cities of the North, on the day of John Brown's execution, Union meetings were held to offset the fanatical assemblages in which this cracked-brain insurrectionist was canonized as a martyr.* But the tide was rising. Though prone to be conservative, events were fast sweeping Georgia into the vortex of secession. Hon. Howell Cobb in December resigned his seat in Mr. Buchanan's cabinet, but before returning home indicted a powerful letter to the people of Georgia, informing them that the time for disunion was at hand. This letter influenced thousands of voters.† Its effect was profound. The state had been prospering for years. Its population in 1860 was 1,057,286 souls, of which number nearly one-half were slaves. The value of the state's real and personal property exceeded \$600,000,000, while its manufactures were climbing upward. But present issues were not to be weighed in the scales of merchandise, nor appraised by the standards of mammon.

* Federal Union, December 27, 1859.²⁸

† "Memorial of Howell Cobb," by Samuel Boykin.



GEN. THOS. R. R. COBB

CHAPTER IV

THE LEGISLATURE CALLS A STATE CONVENTION, FOLLOWING A POWERFUL ADDRESS BY HON. WM. L. HARRIS, OF MISSISSIPPI—VARIOUS COUNTY MEMORIALS—RESOLUTIONS FROM GREENE AND DOUGHERTY COUNTIES—GEORGIA'S CONSERVATISM—SENTIMENT EVENLY DIVIDED ON SECESSION—EVENTS MOVE ON APACE—THE BURNING OF FORT MOULTRIE—BARTOW'S SPEECH IN ATLANTA—GOVERNOR BROWN TAKES TIME BY THE FORELOCK—ORDERS THE SEIZURE OF FORT PULASKI—COLONEL LAWTON EXECUTES THIS ORDER—ITS CHARACTER DISCUSSED—AN ACT OF TECHNICAL TREASON, SINCE GEORGIA WAS STILL IN THE UNION, BUT JUSTIFIED AS A NECESSARY MEASURE OF PROTECTION—THE SECESSION CONVENTION ASSEMBLES—ITS DISTINGUISHED PERSONNEL—EX-GOVERNOR GEORGE W. CRAWFORD MADE PRESIDENT—SOME OF THE DELEGATES—THREE IMPORTANT QUESTIONS TO BE SETTLED—ALL AGREED ON THE ABSTRACT RIGHT OF SECESSION—JUDGE NISBET'S RESOLUTIONS—EX-GOVERNOR JOHNSON'S SUBSTITUTE—THE GREAT DEBATE—THE PART PLAYED BY A GLASS OF BRANDY IN TURNING THE SCALES—SECESSION WINS—THE COMMITTEE TO REPORT AN ORDINANCE SELECTED FROM BOTH SIDES—AN ORDINANCE REPORTED BY JUDGE NISBET—ITS ADOPTION—ALL DELEGATES SIGN THE ORDINANCE, BUT SIX DO SO UNDER FORMAL PROTEST—GEORGIA LEAVES THE UNION—POPULAR DEMONSTRATIONS—SOME MOVED TO REJOICING, OTHERS TO TEARS—COMMISSIONERS APPOINTED TO THE VARIOUS SOUTHERN STATES—SOME OBSERVATIONS ON SLAVERY.

On November 17th, following a powerful address delivered by Hon. Wm. L. Harris, of Mississippi, the Legislature of Georgia passed an act calling for a state convention to assemble in Milledgeville on January 16, 1861, to consider the paramount question of the hour: Union or Secession. To insure the attendance of Georgia's ablest sons an act was passed ordering the adjournment of all the state courts during the deliberations of the Secession Convention.* Resolutions were also adopted setting forth the aggressive acts of the non-slave-holding states.† Mr. Harris appeared before the Legislature as Mississippi's accredited commissioner, that state having already called a convention; and in his speech, urging co-operation on the part of Georgia, he called to mind the bold stand taken for state rights by the dauntless Troup. Its effect can easily be imagined; for immediately thereafter decisive action was taken. The election of delegates to this convention was set for the first Monday in January. The office of adjutant-general was re-established ‡

* Acts 1860, p. 240.

† Acts 1860, p. 26.

‡ Discontinued since 1840.

and to fill this arduous position, Governor Brown appointed Henry C. Wayne. As we have already seen, \$1,000,000 had been voted for state defense. The purchase of 1,000 Maynard rifles and carbines was now ordered. At the same time Governor Brown was authorized to accept 10,000 state troops for immediate demands.* To serve the state more effectively, at this crisis in its affairs, Judge Linton Stephens resigned his seat on the Supreme Bench, and the Legislature elected as his successor, Hon. Charles J. Jenkins, of Augusta.†

Quite a number of counties memorialized the Legislature at this session, most of them taking a vigorous stand for secession.‡ Some, as in the resolutions from Greene County, submitted by Hon. Miles W. Lewis, urged delay on the ground that Mr. Lincoln's election was constitutional, that the South was not yet fully united, that the North should be given an opportunity for making amends, that the masses of the people were not ready for disunion, and that an undue haste in overturning the Government would inevitably react upon the South. To the same effect, were the Dougherty County resolutions reported by Hon. Robert N. Ely, afterwards attorney-general. These urged the necessity of co-operation before any radical steps were taken.

Four states preceded Georgia in severing the bonds of union, viz., South Carolina, Mississippi, Florida and Alabama. Upon Georgia's action, success or failure for the southern exodus in large measure depended. This was due in part to her geographical location and in part to her prestige among the slave-holding states. The issues at stake only tended to strengthen her conservative bias; and Georgia became the battleground of the most stubborn contest between the rival parties. In breathless excitement the North looked on, hoping that Georgia's action might check the drift toward disunion.

Except to address the State Legislature soon after President Lincoln's election, Mr. Toombs, who was regarded as the leader of the secession movement in Georgia, took no active part in the state canvass, but remained at the national capital until January 7, 1861, when he made his celebrated farewell speech. Howell Cobb, who had retired from the cabinet of President Buchanan, was in the field; and so were Thomas R. R. Cobb and Judge Eugenius A. Nisbet, both recent converts. Another eloquent apostle of secession, whose tongue was tireless in kindling the revolutionary fires, was Francis S. Bartow, an enthusiastic young Hotspur from Savannah. But the opposing side was represented with equal vigor of intellect by men like Herschel V. Johnson, the Stephens brothers, Alexander H. and Linton, and Georgia's matchless orator, Benjamin H. Hill. In view of such an array of talent, it is not surprising if Georgia's action was embarrassed when, like a perplexed traveler in an unfamiliar region, she stood at the parting of the ways.

But events were soon to furnish the determining factors. On December 28, 1860, came the news of the burning of Fort Moultrie in Charleston Harbor. It proved an effective argument. Francis S. Bartow was

* Acts 1860, pp. 50-52.

† Senate Journal, 1860, p. 58.

‡ "Confederate Records," Vol. I. Candler, pp. 56-153.

addressing an audience in Atlanta, when telegraphic tidings reached the platform, telling of this incendiary act. The dispatch was read amid the wildest excitement. Flourishing the paper in the passionate air above him, the speaker exclaimed in language which carried the temperature still higher:

"Can you talk of co-operation when you hear the thunder of cannon and the clash of sabers from South Carolina? Is the noble old state to be left alone? Awake, men, awake! Acquit yourselves like Georgians!"

From all over the vast assemblage rose the lusty shouts, and the volume of sound seemed to roll in prophetic thunder southward to join the approaching volleys of Fort Sumter. Bartow was soon to fall in the blood-red arms of Manassas. There was reserved for him a brigadier's uniform and a martyr's crown. But no premonition of his approaching death could chill the voice which now rang upon the resonant air or darken the brow on which glistened the rising star of Dixie. The fame of the brilliant young enthusiast, who subsequently resigned his seat in the Confederate Congress at Montgomery, to lead his regiment to battle in Virginia, will always be fragrant with the sentiment with which he started for the front. Objection was raised to his taking guns which belonged to the state and were likely to be needed in defending the state from invasion. "But," said he, "I go to illustrate Georgia!" and with the fadeless fame of the gallant martyr, one of the first to fall, this sentiment will forever be associated.

Resolved that the state should profit by the lesson of Fort Moultrie, Governor Brown no sooner received the news from Charleston than he directed Col. Alexander R. Lawton, commanding the First Regiment of Georgia Volunteers, to seize Fort Pulaski, at the mouth of the Savannah River. The order was executed on January 3, 1861. Georgia was still in the Union. This executive step, therefore, was technical treason; but the bold initiative was fully justified by the issues at stake. Governor Brown knew Georgia well enough to reasonably anticipate the action of the Secession Convention; and notwithstanding Georgia's well-deserved reputation for conservatism, she was credited in this affair with the most aggressive act of defiance recorded during the history of this period.

On January 16, 1861, the Secession Convention assembled in Milledgeville.* This was unquestionably the ablest body of men ever convened in Georgia; and its animating spirit recalled the scene in Tonder's Tavern, where the colonial patriots assembled in 1775 to defy the Crown of England. The foremost men of the state were chosen as delegates. George W. Crawford, one of Georgia's most distinguished ex-governors, wielded the gavel. Albert R. Lamar, one of the state's most brilliant editors, performed the duties of secretary. The convention's temporary chairman was Henry L. Benning, an ex-judge of the Supreme Court of Georgia, afterward a Confederate brigadier general. Toombs was on hand, kingly, imperious and eloquent. With the prestige of long established leadership, he was the central figure of the

* "Confederate Records," Vol. I. Candler, pp. 212-617. Federal Union, Files, January, 1861.

distinguished gathering. In his physical and intellectual prime, he was the perfect flower of manhood; and keyed for the great fight which was shortly to begin, he was in very truth the impassioned Mirabeau. Lined up on the same side with him, were Thomas R. R. Cobb, Eugenius A. Nisbet, Augustus W. Reese and Francis S. Bartow. But, on the other side, were Alexander and Linton Stephens, Hiram Warner, Herschel V. Johnson and Benjamin H. Hill. These were the great leaders; but scarcely less distinguished were a score of others. Looking over this sea of anxious faces, whose grave calm foretells the coming storm, it is easy to recognize the following notables:

Alfred H. Colquitt, Henry L. Benning, Hiram P. Bell, Richard H. Clark, Nathaniel M. Crawford, Samuel Hall, Henry R. Jackson, D. P. Hill, L. J. Glenn, D. C. Campbell, Augustus H. Kenan, William T. Wofford, Henry D. McDaniel, Washington Poe, David J. Bailey, William H. Dabney, W. M. Browne, Goode Bryan, William B. Fleming, Henry R. Harris, H. R. Casey, T. M. Furlow, Alexander Means, C. J. Munnerlyn, Willis A. Hawkins, Augustus H. Hansell, P. W. Alexander, S. B. Spencer, J. P. Logan, N. A. Carswell, Carey W. Styles, John L. Harris, Thomas P. Stafford and Parmedus Reynolds. To quote Ex-Gov. Allen D. Candler's * careful analysis of its personnel:

"It was probably the most representative body that ever assembled in the state. The people sent up as delegates their wisest, purest, and most conservative men, regardless of former political alignment. There came, from their respective counties, statesmen of ripest experience and most unquestioned patriotism; men who, in the cabinet and in both houses of the national Congress, had stood the peers of the greatest in the old Republic; profound jurists who had always eschewed politics and devoted their lives to the study of the constitution and the laws; ministers of religion, venerated doctors of divinity, who had grown gray in preaching the doctrine of peace on earth and good will to men; educated planters from the cotton plantations of Middle and South Georgia and the rice fields of the coast country who, by reason of their affluence, had always had abundant leisure to study public questions and who were, therefore, as well informed on these questions as their representatives in the national House and Senate; small farmers from the hills and valleys of North Georgia and the wire-grass plains of South Georgia, lineal descendants of the heroes of the first war for independence, who had never owned a slave in their lives, but lovers of liberty, independence, and equal rights, and full of the fire that animated their revolutionary ancestors when they threw off the British yoke; bankers, merchants, doctors, representatives of every class of people; all preferred Union under the constitution, as interpreted by the Supreme Court, but none so craven as to tamely submit to the domination of a party which had denounced the constitution, reviled the Union, and defied the highest judicial tribunal in the world, without some sort of a guarantee that their honor would be respected and their rights protected. They entered upon their duties by first invoking the guidance of the God of nations and of men in their efforts to so steer the ship of state as to avoid both

* The Journal of the Secession Convention. "Confederate Records," Candler, Vol. I, p. 11.

Scylla and Charybdis, both disunion and dishonor. Such were the men and such the manner in which they met the fearful crisis that confronted them."

Governor Brown was invited to occupy a seat on the floor of the convention. This courtesy was likewise extended to two other distinguished Georgians: Hon. Howell Cobb and Judge Charles J. Jenkins. Every recognized political leader was in attendance upon the convention. But political lines were all obliterated; party watchwords and shibboleths were all fused in the motto of D'Artagnan: "all for one and one for all."

Addresses from two state commissioners, Hon. James L. Orr, of South Carolina, and Hon. John G. Shorter, of Alabama, set forth, in eloquent terms, the action taken by these commonwealths and urged Georgia to take the same decisive step. These preliminary exhortations greatly comforted the secessionists. But the clear note of challenge also served to arouse the Unionists.

To quote Governor Candler again, there were three questions for the convention to consider: First—Has the state a right to withdraw from the Union? Second—Do the prevailing conditions require resort to so extreme a measure? Third—If these questions are determined in the affirmative, should Georgia exercise the right and secede at once, regardless of the action of any other state, or should she postpone action and wait for the co-operation of her sister Southern States.

With reference to the first question, there was a marked unanimity of opinion. All were agreed as to the abstract right of a state to secede. During the first half century of the Republic's life, there had been no denial of this right, by any party, in any section of the Union. In fact, three states, Rhode Island, New York, and North Carolina, had expressly reserved this right on becoming members of the Union. At the same time, some half dozen others, while not expressly reserving the right, had by implication recognized it on entering the Confederation. Says Governor Candler:

"In New England, where the right to peaceably withdraw was now most stubbornly denied to the Southern States, leaders of public sentiment not only claimed, but often threatened, on the hustings, on the floors of Congress, and through the press, when questions affecting the interest of their section were under discussion, to resort to what they called the 'unquestioned right of secession'; and when the bill to admit Louisiana into the Union was under discussion in Congress, a distinguished son of Massachusetts (Josiah Quincy), declared that if the bill should pass 'it was his deliberate judgment that it would be virtually a dissolution of the Union and would free the states from their moral obligations; and as it would be the right of all, so it would be the duty of some, definitely to prepare for a separation, amicably if they can, violently if they must.' Indeed, at that time, when the Republic was young and many of those who had taken a part in its establishment were still living, we hear of but few anywhere, North or South, who denied this right to the states."*

With respect to the second question above indicated, the convention

was likewise almost a unit. The republican party had not only elected a President but had secured half the seats in both houses of Congress. This party was distinctly inimical to slavery. It denied to the people of the South an equality of rights in the territories. It had trampled upon the Constitution. It had defied the Supreme Court of the United States. It had sought in every way to nullify the Fugitive Slave law. It had preached fanaticism. It had reddened with blood the soil of Kansas. It had canonized John Brown; and from such a party, however sugar-coated its platform in 1860, when votes were in demand, there was nothing to be expected by the South; and its success at the polls meant the defeat of constitutional government.

But while the convention was united on two of these questions, it was hopelessly divided on the last. This concerned the wisdom of immediate secession, irrespective of other states. It was Judge Nisbet who precipitated a debate upon this issue by introducing his famous resolutions, declaring that "in the opinion of this convention, it is the right and duty of Georgia to secede from the present Union and to co-operate with such of the other states as have or shall do the same, for the purpose of forming a Southern Confederacy, upon the basis of the Constitution of the United States." These same resolutions also called for the appointment of a committee to report an ordinance of secession.*

In lieu of this proposed action, ex-Gov. Herschel V. Johnson offered his equally famous substitute. It breathed a spirit of resistance, rehearsed the story of repeated wrongs from which the South had long suffered, and dealt in no lukewarm language with the dangers which menaced free institutions, but in the interest of some unanimity of action it advocated a convention of all the Southern States to meet in Atlanta, at a date to be selected. The gist of the substitute was disunion if necessary, but union if possible.

In support of the substitute, Governor Johnson, both the Stephenses and Benjamin H. Hill made eloquent speeches, in which it was urged that the most positive iron-clad instructions from the ballot-box could not militate against the wisdom of this sound course which was distinctly in the interest of southern rights. But Judge Nisbet, Mr. Toombs and Mr. Cobb stubbornly opposed postponement. They declared all delays to be dangerous. It was evident that both sides were actuated by the strongest love for the Union and by the deepest desire to see the wrongs from which the state was suffering fully redressed. The constitutional right of secession was not traversed; and the only difference of opinion concerned the propriety of exercising the right to accomplish the end in view. Stubbornly as the substitute was opposed, it might have carried but for the argument of Mr. Cobb, who took the position that better terms could be made outside the Union than within. It was the opinion of Mr. Stephens that the eloquent Athenian turned the tide of battle by this masterful but mistaken argument; and the fact serves to emphasize the strength of the ties which still bound Georgia to the Union. Despite Mr. Cobb's powerful argument the Secessionists

* Journal of the Secession Convention. "Confederate Records," Vol. I, pp. 229-230.

* "Confederate Records," Vol. I, pp. 12-13.

might have encountered a Waterloo had it not been for the part played by a glass of brandy in turning the scales. Before the noon recess Governor Johnson had begun a magnificent speech, fairly sweeping the convention off its feet. It was a masterful effort. The old governor was at his best. Every sentence rang like a thunderbolt hurled from the arm of Jupiter. But in the midst of its delivery Governor Johnson yielded to a motion to adjourn. During the noon recess, to revive his strength, a stimulant was taken, the effect of which was to make his brain sluggish. The interrupted speech was resumed; but the magic spell was broken. Governor Johnson's superb effort ended in an anti-climax. At last a vote was taken. Governor Johnson's substitute was rejected and Judge Nisbet's resolution was adopted by a vote of 166 yeas against 130 nays.*

This virtually settled the issue. The rest was purely formal. Patriotic solicitude for the welfare of the state in this solemn crisis was too deep to admit of any demonstration which was not tempered by the gravest decorum; but the excitement was most intense. It is not always the strongest and deepest passion whose force is vented in trumpet tones of thunder. Sometimes the wildest waves of emotion break only against the breast; and such was the profound feeling which characterized most of the delegates to the secession convention, that even the victors were awed into silence by a triumph whose sequel no seer could foretell.

The adoption of Judge Nisbet's resolution necessitated, at this stage of the proceedings, the appointment of an ordinance committee of seventeen members and the delegates named were: Eugenius A. Nisbet, chairman; Robert Toombs, Herschel V. Johnson, Francis S. Bartow, Henry L. Benning, W. M. Browne, G. D. Rice, R. H. Trippe, T. R. R. Cobb, A. H. Kenan, A. H. Stephens, D. P. Hill, B. H. Hill, E. W. Chastain, A. H. Colquitt and Augustus Reese.

It will be observed that secessionists and anti-secessionists both were put upon the committee. This was because the sovereign voice of Georgia had spoken; and it was logically expected that both parties should unite in shaping the ordinance which was to constitute Georgia's declaration of independence. Judge Nisbet drafted the ordinance which was duly reported to the convention, declaring the ordinance of 1788 to be rescinded and the State of Georgia to be in full possession of her sovereign rights. This document deserves to be reproduced in full. Its importance as a state paper is of the highest character. Besides, the part which it played in this historic drama will invest it with a fascinating interest for all time to come. It severed the tie of allegiance and made Georgia an independent republic. The ordinance was as follows:†

"AN ORDINANCE

"To dissolve the Union between the State of Georgia and other states united with her under a compact of government entitled: 'The Constitution of the United States of America.'

"We, the people of the State of Georgia, in Convention assembled, do

* Journal of the Secession Convention. "Confederate Records." Candler. Vol. I, p. 236.

† Journal of the Secession Convention. "Confederate Records." Candler. Vol. I, p. 237.

declare and ordain, and it is hereby declared and ordained: That the ordinance adopted by the people of the State of Georgia in Convention, on the second day of January, in the year of our Lord seventeen hundred and eighty-eight, whereby the Constitution of the United States of America was assented to, ratified and adopted; and also all acts and parts of acts of the General Assembly of this State ratifying and adopting amendments of the said Constitution are hereby repealed, rescinded and abrogated.

"We do further declare and ordain: That the Union now subsisting between the State of Georgia and other states, under the name of 'The United States of America,' is hereby dissolved, and that the State of Georgia is in the full possession and exercise of all those rights of sovereignty which belong and appertain to a free and sovereign state."

Before the question was put upon the passage of the ordinance Mr. Hill made one more final effort to save the day for the anti-secessionists by moving in lieu thereof the adoption of Governor Johnson's substitute; and on the motion the vote stood yeas 133, nays 164, showing slight variations in the figures but no essential change in the result. Judge Nisbet then moved the adoption of the committee's ordinance. All hope of keeping Georgia within the Union being lost, many of the anti-secessionists supported the ordinance and the ballot stood 208 yeas and 89 nays, forty-four anti-secessionists having joined the secession camp. On this last ballot Mr. Hill voted for the ordinance; but Mr. Stephens, Judge Warner and Governor Johnson still demurred.

But the ordinance was eventually signed by all the members of the secession convention, only six of the whole number signing the document under protest. The dissenters were: James P. Simmons, Thomas M. McRae, F. H. Latimer, David Welchel, P. M. Bird and James Simmons. This formal act of attesting the document was consummated in the presence of the governor, statehouse officers and judges. The great seal of the state was attached and the eventful scene was invested with all the solemnity which attended the signing of the immortal scroll, amid the blazing bonfires of Philadelphia in 1776.

It has been observed that a grave sense of responsibility tempered somewhat the demonstration of applause with which the members of the convention themselves greeted the passage of the ordinance of secession. But this restraint was not shared by the multitudes at large, to whom the news of the convention's action came like the spark which ignites the powder fuse and explodes the shell. All over Georgia the news was borne on the crests of wild flames and voiced in the brazen accents of delirious bells.

But among the riotous multitudes there were many sad-hearted men who, while loyal to Georgia, deplored the necessity which had forced this radical step. They were willing to share the fortunes of Georgia for weal or for woe, but they felt more like weeping than rejoicing when they looked back upon the old union and thought of the blood which had sprinkled the doorposts and the lintels. Perhaps they also glanced ahead and caught sickening sight of the crimson holocaust. But the die was cast. Georgia had spoken the word which meant separation. Not

without moistened eyelids, but resolutely and firmly she had crossed the threshold of the old homestead and now stood listening for kindred voices in the twilight hush of the gray Confederate dawn.

Before adjournment, the convention appointed commissioners to visit the several Southern States which still remained within the Union, to inform them officially of Georgia's action, and to urge upon these states the paramount wisdom of a similar course. These commissioners were: Henry L. Benning, to Virginia; Ambrose R. Wright, to Maryland; Henry R. Jackson, to Kentucky; Hiram P. Bell, to Tennessee; Luther J. Glenn, to Missouri; D. P. Hill, to Arkansas; D. C. Campbell, to Delaware; Samuel Hall, to North Carolina; and J. W. A. Sanford, to Texas. On January 29, the convention adjourned to meet in Savannah during the month of March.

It is useless to deny that the precipitating cause of the great civil conflict in America was slavery,* but its ultimate or real cause lay deeper than the issues of African servitude; it involved principles older than the common law of England, and sprang from the roots of an Anglo-Saxon race. It was a war for constitutional liberty, for local self-government, for home-rule; in short, for everything dear to hearts and to hearth-stones. The right of secession has already been discussed at some length in these pages. It is needless to enlarge upon it again. But with respect to slavery, let us in closing this chapter endeavor to recall certain well-established facts.

First: The only one of the English colonies in North America whose charter forbade African slavery and whose existence was derived from a powerful humanitarian impulse was the colony of Georgia. It was on the petition of great moral leaders like George Whitefield and James Habersham, reinforced by the appeals of the pious Salzburgers, that slavery was finally permitted by the trustees. It came in response to the necessities of competition. Nor was it until the ban on slavery was

* The Value of Slaves.—From the southern standpoint, the institution of domestic servitude was more firmly established in 1858 than ever before. The suggestion that slavery was not ethically right was frowned down and denied utterance. The number of slaves in Georgia was almost equal to the number of white persons, and their value as property was considerably greater than that of all the land in the state, with town and city property included. The market value of slaves increased rapidly in the years just preceding secession. Throughout the preceding decade or two the rule for pricing slaves had been to multiply the price of a pound of cotton by 10,000—e. g., if cotton sold at 12 cents, an able-bodied negro would be worth \$1,200. But that rule was now abandoned. The price of slaves rose 25 per cent in three years. Well-grown negro boys were sold in Milledgeville in 1860 for \$2,000 each.

The project of emancipation, even with compensation to the master, found very little favor. Several plans were brought forward to strengthen the local support of the institution, which might have been adopted had they been thought necessary for the purpose. One of these was that one slave should be included in the homestead legally exempt from levy or sale, in order to encourage every family to have one slave. But even without such legislation the poorer whites were rightly thought to be, in thousands of cases, as sturdy defenders of the institution as those who owned slaves. A few individuals favored the reopening of the slave trade; but, as a Georgia editor very aptly said: "The southern people have no more idea of reviving the slave trade than they have of admitting their slaves to the rights and privileges of citizenship."—"Georgia and State Rights," by Ulrich B. Phillips, p. 184.

removed that the Dorchester Puritans crossed over from South Carolina and began to settle in the Midway district. These colonists were originally from Dorchester, Mass. They became in time the largest slave-owners in the state, cultivating immense plantations in the Georgia lowlands and operating slaves in vast bodies. On some of these plantations as many as 500 slaves were employed. Rice and indigo were the chief products of agriculture, until cotton stimulated by Whitney's invention came to its coronation.

With the resultant increase of slave-labor, Georgia, in common with the other states of the South, found herself increasingly committed to an institution with which she was at first not in sympathy; and at the outbreak of the Civil war much of her material wealth was invested in slaves. This property was acquired by legal purchase; it was protected by constitutional safeguards; and, under the sacred law of inheritance, its transmission from sire to son made it a possession to be prized as a birthright and to be defended with the heart's blood.

But the South's interest in the slave trade was restricted largely to its domestic features. The foreign slave traffic was carried on almost exclusively in New England bottoms. Peter Faneuil, who built old Faneuil Hall, in Boston, "the cradle of American liberty," made almost his entire fortune out of the traffic which denied liberty to Africans. At one time, in the harbor at Newport, Rhode Island, there were 170 vessels flying the slave-trader's flag. The South did not impress the negro into slavery; but she did teach him the musical language of King Alfred; she did train him to become an industrious if not a skillful laborer; she did give him the consolations of religion; and she did commit him in gentle bondage to a heavenly master. It can easily be proven that the South did more to evangelize and to Christianize the black man than have all the missionaries to the Dark Continent since Livingstone entered the Congo.

If slavery became riveted upon the South, it was due not to ethical but to economic reasons. The late United States Senator John J. Ingalls, of Kansas, himself a New Englander, has contributed this luminous spark to the literature of servitude. Said he: "The conscience of New England, in regard to servitude, did not hurt her so long as her profits in the trade continued." But the chill winters of New England proved too rigorous for a people whose original habitat was underneath an equatorial sun.

To attribute to conscience what belongs to climate is an amusing sophistry almost Pickwickian in its droll humor; and, remembering how prompt New England was to assert the doctrine of secession in 1814, it requires no great stretch of the imagination to picture the Confederate States of New England, had the cotton-plant been indigenous to the Connecticut Valley or had the mercury stood only ten degrees higher on the commons of Boston. In such an event, Uncle Tom's cabin might today be perched upon Bunker Hill.

Slaves were constitutional property; but, notwithstanding this fact, thousands of slave-owners in the South had already commenced a gradual process of manumission, and this policy might have prevailed had not fanatics on the one side and fire-eaters on the other forced us into an iron argument. Less than 5 per cent of those who fought our battles were

enor's demands. The troops thus called out were the Oglethorpe Infantry, Clinch Rifles, Irish Volunteers, Montgomery Guards, two companies of minute men (from which was soon after organized the Walker Light Infantry), the Washington Artillery and the Richmond Hussars. As a reinforcement to these came 200 mounted men from Burke County, Georgia, and a company of infantry from Edgefield District, South Carolina. In obedience to instructions from J. Holt, secretary of war of the United States, who advised that no resistance be attempted against greatly superior forces, Captain Elzey accepted the terms offered by Governor Brown and surrendered the arsenal.

The United States troops were not treated as prisoners of war, but retained their arms and company property, occupied quarters at the arsenal, had free intercourse with the city and surrounding country and were to have unobstructed passage through and out of the state, by water to New York via Savannah. One of the terms of surrender was that the public property was to be receipted for by the state authorities, and accounted for upon adjustment between the State of Georgia and the United States. The State of Georgia thus obtained 22,000 small arms, two howitzers, two cannon and much ammunition.

During this same month of January, 1861, thirty-eight boxes of muskets, that were about to be shipped from New York to Savannah, were seized and held, probably under orders of the governor of New York. After a sharp remonstrance, which was unheeded, Governor Brown directed Colonel Lawton to take sufficient military force and seize and hold every ship in the Harbor of Savannah belonging to citizens of New York. This caused a release of the guns, but because of delay in forwarding them other New York vessels were seized. When news was received that the guns were on the way, the seized vessels were released.

Georgia's delegation to the Confederate Provisional Congress, which met at Montgomery, Alabama, in February, consisted of Francis S. Bartow, George W. Crawford, Augustus H. Kenan, Alexander H. Stephens, Robert Toombs, Howell Cobb, Thomas R. R. Cobb, Benjamin Harvey Hill and Augustus R. Wright. Hon. Howell Cobb was elected president of the congress. His brother, Thos. R. R. Cobb, drafted the new republic's original Constitution.

When the provisional government of the Confederate States was organized with Jefferson Davis of Mississippi as president and Alexander H. Stephens of Georgia as vice president, Robert Toombs of Georgia was appointed secretary of state.

The Georgia convention resumed its session at Savannah, March 7, 1861, ratified the Confederate Constitution on March 16th, adopted a new State Constitution, authorized the issuance of treasury notes and bonds for revenue for public defense, tendered a tract ten miles square for the Confederate seat of government and transferred to that government the control of military operations, as well as forts and arms. The State Constitution of 1861, drafted by Thomas R. R. Cobb, differed in no essential particulars from the Constitution of 1798. As an introductory feature, however, it contained a "Declaration of Fundamental Principles."

Georgia had ready for any duty for which they might be needed numerous independent companies representing every arm of the service,

some battalions and the First Volunteer Regiment of Georgia, organized prior to the war and commanded by Col. A. R. Lawton. This officer, under instructions from Governor Brown, on the morning of January 3, 1861, before the secession of Georgia, had with detachments from the Oglethorpe Light Infantry of Savannah, the Savannah Guards and the Chatham Artillery seized Fort Pulaski, and a few days after secession was accomplished occurred the taking of the Augusta arsenal by the Augusta Independent Battalion and other troops, as already told in this chapter.

In March the government of the Confederate States called upon Georgia for troops for Pensacola, Florida. The governor accordingly issued a call for volunteers. The enthusiastic response was the tender of their services by 250 companies. From these 250 companies ten were



ALEXANDER H. STEPHENS

Vice-President of the Confederate States, Member of Congress and Governor

formed into a regiment at Macon and organized as the First Regiment of Georgia Volunteers, with James N. Ramsey as colonel. These were sent to Pensacola and about six weeks later to Virginia, where in the Laurel Hill campaign they were the first Georgia troops to experience actual war.

The First Independent Battalion of Georgia, under Maj. Peter H. Larey, consisting of four companies, was also sent to Pensacola, to which was added a company under Capt. G. W. Lee from Atlanta, being the first troops that had gone from Georgia to Pensacola.

The Georgia Secession Convention, prior to its adjournment at Mill-edgeville to meet in March at Savannah, had authorized the equipment of two regiments, to be either all infantry or infantry and artillery as the governor should decide. Before the organization of these two regiments could be completed active hostilities began. Therefore the companies already formed were consolidated into one command under Col.

Charles. J. Williams and turned over to the Confederate Government as the First Georgia Regulars.

Thus we see there were three First Georgia regiments. But since the First Regiment of Georgia Volunteers under Col. James N. Ramsey were the first of the three to experience real war, the men of that regiment always felt that they had the clearest right to the name. They were camped on the outskirts of Richmond, when Big Bethel, the first field engagement of the war, was fought and won by North Carolina and Virginia troops. President Davis made a speech to them the day before their departure from Richmond for Staunton, whence after a few days' rest they began their march across the Shenandoah, Allegheny and Cheat Mountains to join the little army under Brig.-Gen. Robert S. Garnett at Laurel Hill. Here they skirmished successfully for several days with McClellan's advance troops and, when the flank of Garnett's position at Laurel Hill had been turned by the fall of the post at Rich Mountain, shared with Garnett's troops the severe hardships of a retreat conducted with great skill by their gallant leader until his death at Carrick's Ford, where the Federal pursuit was halted. Reaching at last Monterey, where they were met by reinforcements under Brig.-Gen. Henry R. Jackson, of Georgia, and went into camp, they heard with delight the news of the first great pitched battle of the war at Manassas, the thunder of whose artillery had been heard by them at intervals on that ever memorable 21st of July, 1861, the reverberations from that distant field rolling through valleys between hills and mountains far away to the northwest and exciting wonder and many conjectures, until late that night a courier rode into Monterey with the report of overwhelming victory.

To the Virginians and Georgians of the lamented Garnett's little army how thrilling was the story of the stand of the "Stonewall Brigade," of Bee, the gallant Carolinian, who shortly before his death had uttered the words which gave to Jackson and his men the name which they were to make immortal; of Francis S. Barton, whose Seventh and Eighth Georgia shared equal glories with "Stonewall" Jackson's men and Jones' Fourth Alabama. The last words of Barton, "They have killed me, but never give up the fight," were like a bugle call to valorous deeds that found an echo in the hearts of southern patriots ready to do or die in the cause of home and native land.

At the time of the first battle of Manassas, Georgia had organized 17,000 men, had armed and equipped them herself at an expense of \$300,000. When in September, 1861, Gen. Albert Sidney Johnston, commanding the Department of the West, called upon the governors for arms, Governor Brown was compelled to reply with great regret: "There are no arms belonging to the state at my disposal. All have been exhausted in arming the volunteers of the state now in the Confederate service in Virginia, at Pensacola and on our own coast, in all some twenty-three regiments. Georgia has now to look to the shot-guns and rifles in the hands of her people for coast defense, and to guns which her gunsmiths are slowly manufacturing."

Allowing for re-enlistments and reorganization of commands, Georgia from first to last gave to the cause of the Confederate States ninety-four regiments and thirty-six battalions, embracing every arm of the service.

There were commissioned from Georgia the following general officers:

Major-Generals—Howell Cobb, Lafayette McLaws, David Emanuel Twiggs, Wm. H. T. Walker, Ambrose Ransom Wright and Pierce M. B. Young. Brigadier-Generals—E. Porter Alexander, George T. Anderson, Robert H. Anderson, Francis S. Barton, Henry L. Benning, Wm. R. Boggs, Wm. M. Browne, Goode Bryan, Thomas Reed Rootes Cobb, Alfred H. Colquitt, Philip Cook, Charles C. Crews, Alfred Cumming, George Pierce Doles, Dudley M. Du Bose, Clement A. Evans, Wm. M. Gardner, Lucius J. Gartrell, Victor J. B. Girardy, George P. Harrison, Alfred Iverson, Henry Rootes Jackson, John K. Jackson, A. R. Lawton, Hugh W. Mercer, Paul J. Semmes, James P. Simms, Wm. Duncan Smith, Moxley Sowel, Marcellus A. Stovall, Bryan M. Thomas, Edward Lloyd Thomas, Robert Toombs, Claudius C. Wilson and Wm. T. Wofford. Of these Brig.-Gen. Clement A. Evans commanded a division for the last five months of the war and it is said that commissions as major-general had been made out for him and for Brig.-Gen. Henry L. Benning just before the collapse of the Confederacy.

Georgia furnished three lieutenant-generals, Wm. J. Hardee, John B. Gordon and Joseph Wheeler, the latter of whom became a citizen of Alabama and congressman from that state. General Gordon commanded a corps for the last five or six months of the war and was informed that his commission as lieutenant-general had been issued just before the fall of Richmond and Petersburg. Lieut.-Gen. James Longstreet who made his home in Gainesville, Georgia after the war, was, like Gordon and Evans, a private member of Atlanta Camp No. 159, U. C. V., and all that was mortal of him sleeps in Georgia soil.

The naval officer of highest rank from Georgia was Commodore Josiah Tattnall.

Of civil officers of the Confederacy and members of the military staff of President Davis, the following were from Georgia: Vice President Alexander H. Stephens; First Secretary of State Robert Toombs; Assistant Secretary of the Treasury Philip Clayton; John Archibald Campbell, assistant secretary of war; Alexander Robert Lawton, quartermaster-general of the Confederate States; Isaac Munroe St. John, commissary-general; Wm. M. Browne, an Englishman by birth, but a citizen of Georgia, assistant secretary of state; and James D. Bullock, naval agent to England.

The military operations in Virginia during the fall of 1861 were most important. The First and Twelfth regiments of Georgia Volunteers served in the division of Brig.-Gen. Henry R. Jackson of the army commanded by Gen. Robert E. Lee in the Cheat Mountain campaign, in which there were hard marches, skirmishes and heavy picketing, but no battle. They also served under Henry R. Jackson in the battle of Greenbriar River, October 3, 1861, repulsing the attack of General Reynolds, and until the end of the fall scouted and skirmished from the foot of the Alleghenies to the summit of Cheat Mountain. Early in December the First Georgia, now in Loring's division, left the mountains and, marching through the lovely Valley of the Shenandoah, joined the army under "Stonewall" Jackson, camped just outside of the patriotic little City of Winchester.

The Twelfth Regiment of Georgia Volunteers remained with Edward

Johnson, now a brigadier-general, and on the 13th of December, 1861, acted an heroic part in the brilliant little victory at Camp Alleghany.

In the fall of 1861 there was a gubernatorial election. Gov. Joseph E. Brown had already been twice elected to this high office, and never in the history of the state had anyone held the governorship for three consecutive terms. But some of the most influential men in Georgia urged Governor Brown to run again.

Hon. Eugenius A. Nisbet was nominated by the opposition. But the vote stood 46,493 for Brown, 32,802 for Nisbet, a majority of 13,691 for Governor Brown.

On December 12, 1861, in the old First Presbyterian Church of Augusta—one of the most famous of the state's ecclesiastical landmarks—the first general assembly of the Southern Presbyterian Church met, and here what is known as the "Presbyterian Church in the United States" was organized. Rev. John R. Wilson, D. D., the father of our present great chief-executive, President Woodrow Wilson, was then pastor of the Augusta church. He was also the general assembly's first stated clerk. Dr. Benjamin M. Palmer of New Orleans preached the opening sermon and was the general assembly's first moderator.

CHAPTER VI

GEORGIA'S COAST DEFENSES FOUND TO BE INADEQUATE—GEN. GEORGE P. HARRISON ORGANIZES A BRIGADE OF STATE TROOPS—LACK OF ARMS—GEN. F. W. CAPERS AND GEN. WM. H. T. WALKER ALSO ORGANIZE BRIGADES—THE COMMISSARY DEPARTMENT—THOMAS BUTLER KING SENT TO EUROPE—GEORGIA SPENDS \$1,000,000 TO EQUIP FORT PULASKI—COMMODORE JOSIAH TATTNALL ORGANIZES A MOSQUITO FLEET—THE FAMOUS STEAMSHIP FINGAL, AFTER EVADING THE BLOCKADE, ENTERS SAVANNAH HARBOR WITH MILITARY SUPPLIES, INCLUDING 10,000 ENFIELD RIFLES—CAPT. JAMES D. BULLOCK, ITS COMMANDER—GEN. HENRY R. JACKSON PUT IN COMMAND OF STATE TROOPS—REGIMENTS ORGANIZE IN GEORGIA DURING THE FIRST YEAR OF THE WAR—ALL ENLISTMENTS FOR TWELVE MONTHS, BUT MANY RE-ENLIST AT THE EXPIRATION OF THIS TERM—THE SECOND GEORGIA BATTALION OF INFANTRY—HOW IT WAS ORGANIZED—CAPT. PEYTON H. COLQUITT IN CHARGE OF FORTIFICATIONS AT SEWELL'S POINT, VIRGINIA—THE CONFEDERATE CONGRESS AUTHORIZES ENLISTMENTS FOR THE WAR—ORGANIZATION TO ENLIST UNDER THE NEW TERMS—COBB'S LEGION—PHILLIPS' LEGION—LIST OF REMAINING GEORGIA COMMANDS, WITH THEIR VARIOUS FIELDS OF OPERATION.

Written in coöperation with Prof. Joseph T. Derry.

Early in September, 1861, Governor Brown having visited the Georgia coast and having found the defenses inadequate, appointed George P. Harrison brigadier-general of state troops and ordered that he organize a brigade and arm it as far as possible with army rifles, and supply the balance with country rifles and shot-guns. This brigade was rapidly formed of volunteers eager for the service and was soon in good condition. F. W. Capers, likewise commissioned soon, had another brigade in readiness, while a third brigade was speedily put in readiness by Brig-Gen. W. H. T. Walker, lately of the United States Regular Army.

During this period Ira R. Foster acted as state quartermaster general and Col. J. I. Whitaker as state commissary general. Hon. Thomas Butler King had been to Europe as commissioner to arrange for direct trade. Georgia had spent \$1,000,000 in equipping Fort Pulaski and other fortifications in arming and maintaining troops and in other expenses of the war, including steamers for coast defense.

Commodore Josiah Tattnall, a native of Georgia, who in the United States Navy had won distinction in China and Japan and was now in the Confederate service having been appointed commodore in March, 1861, had been diligently at work all summer and with such guns as could

be procured and mounted on a river steamer and a few tugs, organized what was styled a mosquito fleet, and from Port Royal southward aided vessels coming from England with war supplies. The gallant commodore was of great help to Brig.-Gen. A. R. Lawton and his second in command Brig.-Gen. Hugh Mercer, whose forces consisted of some 5,500 well equipped and drilled Confederate troops including 500 cavalry and three batteries of artillery, and who also had in easy call 3,000 state troops "armed in a fashion" but eager to render any service required.

After the capture by the Federal fleet of Forts Walker and Beauregard and the occupation of Hilton Head by the enemy, Tattnall brought off his little fleet with safety and drove off Lieut. James H. Wilson, later a great Federal cavalry leader, when he with forces from the Union fleet and army was trying to remove some piles that had been driven down in the channels which open into the river on the north and south of Fort Pulaski, in order to compel Federal gunboats attempting to approach Savannah to pass under the fire of Fort Pulaski's guns.

In November, 1861, the famous steamship Fingal, that had been bought on the Clyde in September, 1861, by Capt. James D. Bullock of Georgia, naval agent of the Confederate states, and which had sailed from Greenock, Scotland, early in October under the British flag and with a British captain, under the direction of Captain Bullock and Pilot Meakin, having evaded the blockaders, entered the port of Savannah. She brought 10,000 Enfield rifles, 1,000,000 ball cartridges, 2,000,000 percussion caps, 3,000 cavalry sabers, 1,000 short rifles and cutlass bayonets, 1,000 rounds of ammunition to the rifle, 500 revolvers and ammunition, two large rifled cannon, two smaller rifled guns, 400 barrels of cannon powder, besides medical stores and material for clothing. Of this rich cargo 1,000 Enfield rifles had been shipped directly to Governor Brown and 9,000 for the Confederate government. Gen. Robert E. Lee, who at this time commanded all the coast defenses of South Carolina and Georgia, ordered one-half of these to be distributed among the troops of South Carolina and Georgia on condition that the troops receiving them would enlist for three years or for the war.

Gen. Henry R. Jackson, who as brigadier-general, commanded Georgia troops in the West Virginia campaign of Cheat Mountain and along the Greenbrier River during the summer and fall of 1861, having been appointed by Governor Brown major-general of state forces, assumed command December 28, 1861, with headquarters at Savannah.

Before entering upon the events of 1862 it is well to name the commands enlisted in Georgia from the first to the closing months of the war between the states.

LIST OF GEORGIA TROOPS

The First Regiment of Georgia Volunteers, twelve-month troops, served at Pensacola, Florida, and in Virginia. When the term of enlistment expired, four companies re-enlisted as the Twelfth Georgia Battalion of Artillery.

The First Volunteer Regiment of Georgia, organized before the war, served on the Georgia coast until 1864, then in the Army of Tennessee until the close of the war.

The First Georgia Regulars served in Virginia.

The Second Regiment of Georgia Volunteers, enlisted June 1, 1861, served through the war in the Army of Northern Virginia.

The Third Regiment of Georgia Volunteers enlisted May 8, 1861, and served on the North Carolina coast a short time, then in the Army of Northern Virginia. Its first colonel, Ambrose R. Wright, became major-general.

The Second Regiment of Georgia Volunteers, although classed as second, did not complete its organization until June 1, 1861. It served in the Army of Northern Virginia and its first colonel, Paul J. Semmes, became brigadier-general and was mortally wounded at Gettysburg.

The organization of the Fourth Regiment of Georgia Volunteers was completed April 26, 1861. It served in the Army of Northern Virginia and had the distinction of giving two brigadier-generals to the Confederate Army, viz.: its first colonel, George F. Doler, and its first adjutant and later colonel, Philip Cook.

The organization of the Fifth Regiment of Georgia Volunteers was completed May 11, 1861. It served at Pensacola through 1861, then in the Army of Tennessee, then on the Georgia coast and after the fall of Savannah in the Army of Tennessee again. Its first colonel, John K. Jackson, became a brigadier-general.

The Second, Third, Fourth and Fifth regiments were twelve-month troops like the First. At the expiration of this term they re-enlisted for the war. Four companies of the First did the same, while the other companies of this command enlisted in various organizations. Thus by June 1, 1861, five twelve-month infantry regiments had been formed in addition to the First Volunteer Regiment of Georgia and the First Regulars. In addition to these were the First and Second Georgia infantry battalions, the Washington Artillery of Augusta, the Chatham battery of Savannah, the Hardaway battery of Columbus and a large number of companies as yet unassigned. The governor was beset with requests for arms, equipments and orders to march to Virginia by volunteers, who pressed in faster than they could be used.

The Second Georgia battalion of infantry had been organized under the following circumstances: Governor Letcher of Virginia had on April 19, 1861, telegraphed to Governor Brown asking for two or three companies to go immediately to Norfolk, Virginia. Governor Brown immediately telegraphed to Macon, Columbus, and Griffin, for companies that were waiting orders, and gave but half an hour for deliberation. The response was quick and in less than twenty-four hours four companies, viz., the Floyd Rifles, Macon Volunteers (both of Macon), the City Light Guards of Columbus and the Griffin Guards were on their way to Virginia. Capt. Thomas Hardeman of the Floyd Rifles of Macon was elected battalion commander, with rank of major. After reaching Norfolk Capt. Peyton H. Colquitt of the City Light Guards of Columbus, with his own company and detachments of Virginia organizations, was put in charge of a fortification at Sewell's Point. Here on May 19, 1861, the United States steamer Monticello accompanied by a steam tug made a vigorous but fruitless attack. Because of the lack of a Confederate flag the Georgia flag of Colquitt's company was planted on the ramparts during the engagement. During the hot-

test fire two members of the Light Guards went to the outside of the works and removed the sand, which obstructed one of the port holes of the battery.

It was in May, 1861, that the Confederate Congress first authorized enlistments for the full term of the war. Francis S. Barton, captain of the Oglethorpe Light Infantry of Savannah, at once obtained by telegram the consent of his company and offered their services with his own for the war. Going to Virginia they became a part of the famous Eighth Regiment of Georgia Volunteers.

The earliest regiments enlisted for the war from Georgia were: the Sixth, Col. (later Brig-Gen.) Alfred H. Colquitt; the Seventh, Col. L. J. Gartrell; Eighth, Col. Francis S. Barton, who was mortally wounded at First Manassas while leading a brigade; Ninth, Col. E. R. Goulding; Tenth, Col. LaFayette McLaws, who rose to major-general; Eleventh, Col. George T. Anderson, who became brigadier-general; Twelfth, Col. Edward Johnson, who rose to major-general; Thirteenth, Col. Walker Ector, who upon his death was succeeded by Marcellus Douglas.

The Sixth Regiment served in Virginia, in North Carolina, in Florida, again in Virginia and finally in North Carolina.

The Seventh, Eighth, Ninth and Eleventh regiments served throughout the war in the Army of Northern Virginia except when with Longstreet at Chickamauga and in East Tennessee.

The Tenth Regiment served throughout the war in the Army of Northern Virginia.

The Twelfth Regiment served in West Virginia in 1861, and afterward in the Army of Northern Virginia to the end of the war.

The Thirteenth Regiment served in 1861 in West Virginia; in December, 1861, was sent to Gen. R. E. Lee at Charleston; in the spring of 1862 served with distinction on the Georgia coast on Whitemarsh Island, was then sent back to Virginia and served in the Army of Northern Virginia to the end of the war.

One of the other organizations of this early period was the Georgia Legion, called Cobb's Legion from its first commander, and composed of seven companies of infantry, four of cavalry and one of artillery. Its first commander, Col. Thomas R. R. Cobb became brigadier-general and was mortally wounded at the battle of Fredericksburg. Its lieutenant-colonel, P. M. B. Young rose to be major-general. The last colonel, G. I. Wright, was acting brigadier-general at the close of the war. This legion served mostly in the Army of Northern Virginia, was with Longstreet at Chattanooga and in East Tennessee. Ten companies, as the Ninth Georgia Cavalry served under Hampton in the final campaign in the Carolinas.

A similar legion organized and commanded by Col. Wm. Phillips, known as the Phillips' Georgia legion, served first under Floyd in West Virginia, next for a few months on the Georgia coast, then in the Army of Northern Virginia, then with Longstreet in East Tennessee. Its cavalry companies served with Wade Hampton in Virginia through 1864 and were with him in 1865 in the campaign of the Carolinas.

We complete the list of Georgia's commands and where they served as follows:

Fourteenth Regiment of Georgia Infantry—In West Virginia, then in the Army of Northern Virginia.

Fifteenth Regiment of Georgia Infantry—With Army of Northern Virginia and with Longstreet in East Tennessee and again in Virginia.

Sixteenth Regiment of Georgia Infantry—Virginia, East Tennessee, Virginia. Its colonel, Howell Cobb, became major-general and Lieut.-Col. Goode Bryan became brigadier-general.

Seventeenth Regiment of Georgia Infantry—Virginia, East Tennessee and Virginia. Its colonel, H. L. Benning, became brigadier-general.

Eighteenth Regiment of Georgia Infantry—Virginia throughout the war. Its first colonel, Wm. T. Wofford, became brigadier-general.

Nineteenth Regiment of Georgia Infantry—In Virginia, North Carolina, Virginia and North Carolina again.

Twentieth Regiment of Georgia Infantry—In Virginia, East Tennessee and Virginia. Its first colonel, Wm. Duncan Smith, became brigadier-general and died at Charleston, South Carolina, in 1862.

Twenty-First Regiment of Georgia Infantry—In Virginia.

Twenty-Second Regiment of Georgia Infantry—In Virginia.

Twenty-Third Regiment of Georgia Infantry—In Virginia, in Florida, again in Virginia and in North Carolina.

Twenty-Fourth Regiment of Georgia Infantry—In Virginia.

Twenty-Fifth Regiment of Georgia Infantry—In Georgia, South Carolina, Mississippi, at Chickamauga, Georgia, in Georgia, Tennessee and North Carolina. Its colonel, Claudius C. Wilson, became brigadier-general after Chickamauga and died the same month.

Twenty-Sixth Regiment of Georgia Infantry—On Georgia Coast, then in Virginia.

Twenty-Seventh Regiment of Georgia Infantry—In Virginia, North Carolina, Florida, Virginia and last in North Carolina.

Twenty-Eighth Regiment of Georgia Infantry—In Virginia, North Carolina, Florida, Virginia and last in North Carolina.

Twenty-Ninth Regiment of Georgia Infantry—In Department of South Carolina, Georgia, and Florida, Mississippi, Tennessee, Georgia, North Carolina.

Thirtieth Regiment of Georgia Infantry—In Department of South Carolina, Georgia, and Florida, Mississippi, Tennessee, Georgia, North Carolina.

Thirty-First Regiment of Georgia Infantry—In all the campaigns of Army of Northern Virginia after first Manassas. Its major, C. A. Evans, became brigadier-general and was acting major-general at Appomattox.

Thirty-Second Regiment of Georgia Infantry—In Department of Georgia, South Carolina, and Florida, was at Olustee, Battery Wagner and in North Carolina. Its colonel, Geo. P. Harrison, was acting brigadier-general at the surrender.

The Thirty-Third Regiment of Georgia Infantry never completed its organization and was merged in other commands.

Thirty-Fourth Regiment of Georgia Infantry—In East Tennessee, Kentucky, Mississippi, Georgia, Tennessee, and campaign of the Carolinas.

Thirty-Fifth Regiment of Georgia Infantry—In all campaigns of Army of Northern Virginia. Its first colonel, Edward L. Thomas, became brigadier-general.

Thirty-Sixth Regiment of Georgia Infantry (formed in part from the First Georgia Independent Battalion)—At Pensacola, Tennessee, Mississippi, Georgia and North Carolina. Its first colonel, J. B. Villapigne, became a brigadier-general.

First Confederate Regiment of Georgia Infantry (partly from First Georgia Independent Battalion and other commands)—In Tennessee, Georgia and the Carolinas.

Thirty-Seventh Regiment of Georgia Infantry (formed in part from two splendid battalions, the Third and the Ninth)—In Tennessee, Georgia and the Carolinas.

Thirty-Eighth Regiment of Georgia Infantry (formed from Augustus R. Wright's Georgia Legion and detachments from other commands)—In the Army of Northern Virginia from 1862 to Appomattox.

Thirty-Ninth Regiment of Georgia Infantry—In Tennessee, Kentucky, Mississippi, Georgia and the Carolinas.

Fortieth Regiment of Georgia Infantry—In Tennessee, Mississippi, Georgia and the Carolinas.

Forty-First Regiment of Georgia Infantry—In Tennessee, Mississippi, Kentucky, Mississippi, Tennessee, Georgia and the Carolinas.

Forty-Second Regiment of Georgia Infantry—In Tennessee, Mississippi, Kentucky, Mississippi, Tennessee, Georgia and the Carolinas.

Forty-Third Regiment of Georgia Infantry—In Tennessee, Mississippi, Kentucky, Mississippi, Tennessee, Georgia and the Carolinas.

Forty-Fourth Regiment of Georgia Infantry—In Army of Northern Virginia.

Forty-Fifth Regiment of Georgia Infantry—In Army of Northern Virginia.

Forty-Sixth Regiment of Georgia Infantry—Georgia, South Carolina, Mississippi, Tennessee, Georgia and the Carolinas. Its colonel, Peyton H. Colquitt, was killed at Chickamauga, leading a brigade.

Forty-Seventh Regiment of Georgia Infantry (made up from the Eleventh Georgia Battalion)—In Georgia, Tennessee, Georgia and the Carolinas.

Forty-Eighth Regiment of Georgia Infantry—In Army of Northern Virginia.

Forty-Ninth Regiment of Georgia Infantry—In Army of Northern Virginia.

Fiftieth Regiment of Georgia Infantry—In Army of Northern Virginia.

Fifty-First Regiment of Georgia Infantry—In Army of Northern Virginia.

Fifty-Second Regiment of Georgia Infantry—East Tennessee, Kentucky, Mississippi, Tennessee, Georgia and the Carolinas.

Fifty-Third Regiment of Georgia Infantry—In Virginia, East Tennessee and Virginia.

Fifty-Fourth Regiment of Georgia Infantry—Georgia, South Carolina, in Army of Tennessee from Dalton to the end of the campaign of the Carolinas.

Fifty-Fifth Regiment of Georgia Infantry—East Tennessee, Kentucky and detached service.

Fifty-Sixth Regiment of Georgia Infantry—East Tennessee, Kentucky, Georgia and the Carolinas.

Fifty-Seventh Regiment of Georgia Infantry—East Tennessee, Kentucky, Georgia and the Carolinas.

Fifty-Eighth Regiment of Georgia Infantry—Record not available.

Fifty-Ninth Regiment of Georgia Infantry—South Carolina, Georgia, Virginia, Tennessee and Virginia.

Sixtieth Regiment of Georgia Infantry—In Virginia until the end.

Sixty-First Regiment of Georgia Infantry—In Virginia until the end.

Sixty-Second Regiment of Georgia Infantry—In North Carolina and Virginia.

Sixty-Third Regiment of Georgia Infantry—In South Carolina, Georgia, Atlanta campaign and campaign of the Carolinas.

Sixty-Fourth Regiment of Georgia Infantry—In Florida and Virginia.

Sixty-Fifth Regiment of Georgia Infantry—In East Tennessee, Georgia and the Carolinas.

Sixty-Sixth Regiment of Georgia Infantry—In Georgia, Tennessee and the Carolinas.

First Battalion of Georgia Sharpshooters—On Georgia coast, in Tennessee, in Georgia and Tennessee campaigns, and in the Carolinas.

Second Battalion of Georgia Sharpshooters—In Tennessee, Georgia and the Carolinas.

Third Battalion of Georgia Sharpshooters—In Virginia, Tennessee and Virginia.

Fourth Battalion of Georgia Infantry—At Hilton Head, South Carolina, then merged in the Sixtieth Infantry and served in Virginia.

Fourth Battalion of Georgia Infantry—In Tennessee, Georgia and the Carolinas.

Fifth Battalion of Georgia Infantry merged in other commands.

Seventh Battalion of Georgia Infantry (consolidated with the Sixty-First)—It served in Virginia.

Eighth Battalion of Georgia Infantry—In South Carolina, Georgia, Mississippi, Tennessee, Georgia and the Carolinas.

Ninth Battalion of Georgia Infantry—In Tennessee and Kentucky, and after battle of Murfreesboro was united with the Third Battalion to form the Thirty-seventh Georgia Infantry, which see.

Tenth Battalion of Georgia Infantry—In Georgia, Virginia, North Carolina and Virginia.

Eleventh Battalion of Georgia Infantry—On Georgia coast, then merged with the Forty-seventh Georgia, which see.

Twelfth Battalion of Georgia Infantry (organized as artillery)—In Tennessee, Georgia and Virginia.

Thirteenth Battalion of Georgia Infantry—On Georgia coast; united with Oglethorpe Artillery from the Twentieth Artillery Battalion and six other companies to form the Sixty-third Georgia, which see.

Seventeenth Battalion of Georgia Infantry—Changed to the Ninth, which see.

Eighteenth Battalion of Georgia Infantry—Made up of the Savannah Volunteer Guards Battalion, one of the crack commands of the state before the war. It served in 1862 on the Georgia coast. In July, 1863, a detachment from this command, with detachments from the Sixty-third Regiment and Twelfth Battalion of Artillery, formed part of the garrison of Battery Wagner in Charleston Harbor.

Smith's Georgia Legion (Col. Sumner J. Smith) just after the Kentucky campaign gave its infantry companies to form a great part of the Sixty-fifth Georgia Infantry Regiment, while the cavalry companies were the main component of Col. John R. Hart's Sixth Georgia Cavalry.

The Thomas Georgia Legion served in East Tennessee and Southwest Virginia.

Wright's Georgia Legion and the Twenty-fifth Battalion of Infantry were united to form the Thirty-eighth Regiment of Infantry, which see.

GEORGIA ARTILLERY COMMANDS

Ninth Battalion (the Gate City Guards of Ramsey's First Georgia Infantry were part of this battalion)—Tennessee, Kentucky and Virginia.

Eleventh (Cutts')—In Virginia, Maryland and Pennsylvania.

Twelfth—Tennessee, Georgia, South Carolina and Virginia.

Fourteenth—Tennessee, Mississippi, Georgia.

Eighteenth—In Virginia.

Twenty-Second, Siege Artillery—On Georgia coast and in the Carolinas.

Twenty-Eighth—Georgia, Florida and Virginia.

Cherokee Light Artillery—In Tennessee, Mississippi, Georgia.

White's Artillery.

Terrell Light Artillery—In Georgia, Florida and the Carolinas.

Columbus Light Artillery—In Tennessee and Mississippi.

Campbell Siege Artillery—Served in Georgia and Florida.

Chestatee Artillery—Charleston and Virginia.

Martin's Light Artillery (later Evan Howell's Battery)—Served in Mississippi, Tennessee and Georgia.

Jackson Artillery—Served in Tennessee and Georgia.

Daniel's Light Artillery—Served in Georgia.

Thompson Artillery—Served in Georgia.

Pritchard's Artillery—Served in Army of Tennessee.

Maxwell Artillery—Served in Georgia.

Macon Light Artillery—Served in Virginia and North Carolina.

Scrogin's Light Artillery—Served in Army of Tennessee.

Oglethorpe Siege Artillery—Merged in Twenty-second Georgia Battalion, which see.

Pulaski Artillery—Served in Virginia.

Macon Artillery—Served in Virginia.

Clinch Artillery—On Georgia coast.

Merier Artillery—On Georgia coast.

Troup Artillery—In Army of Northern Virginia.

Echols' Light Artillery—Served on Georgia coast.

Barnwell's Light Artillery—Served on Georgia coast.

Barton Artillery—Merged in Twenty-second Georgia Battalion, which see.

Massenburg Battery—Served in Tennessee and Alabama.

Capt. John Milledge's Battery—Served in Virginia.

Chatham Artillery—Charleston, Florida and the Carolinas.

Girardez's Battery—Florida and Mississippi.

GEORGIA CAVALRY

First Regiment—Served in Kentucky, Tennessee, Georgia and the Carolinas.

Second Regiment—Served in Tennessee, Georgia and the Carolinas.

Third Regiment—Served in Kentucky, Tennessee, Georgia and the Carolinas.

Fourth Regiment (Col. Isaac W. Avery)—Served in Tennessee, Georgia and the Carolinas.

Fourth Regiment (Col. Duncan L. Clinch)—Served in Georgia, Florida and the Carolinas.

Fifth Regiment (Col. Robt. H. Anderson)—Served in Georgia, Mississippi, Tennessee and the Carolinas.

Sixth Regiment—Served in Kentucky, Tennessee, Georgia and the Carolinas.

Seventh Regiment (formed from Twenty-first and Twenty-fourth battalions)—Served in Georgia and Virginia.

Eighth Regiment (formed from seven companies of the Sixty-second Georgia Infantry and three companies of the Twentieth Georgia Battalion)—Served in North Carolina, Virginia and Georgia.

Ninth Regiment (the cavalry of Cobb's Legion)—Served in Virginia.

Tenth Regiment (formed from seven Georgia companies of the Seventh Confederate Regiment and three companies of Millen's Twentieth Battalion of Cavalry)—Served on the Georgia coast, in Virginia and in the campaign of the Carolinas.

Eleventh Regiment (formed from the Thirtieth Battalion of Cavalry and four new companies)—Served in Virginia and last in the campaign of the Carolinas.

Ninth Battalion of Georgia Cavalry—Served in Tennessee and with J. H. Morgan. The Tenth Battalion of Georgia Cavalry has an incomplete roster.

The Fifteenth Battalion of Georgia Cavalry became merged in the Sixty-second Georgia Regiment, thereafter known as the Eighth Georgia Cavalry.

The Sixteenth Battalion, sometimes called the First Partisan Rangers, served in East Tennessee and Virginia, part of it being with General Early in the Valley of Virginia in 1864.

The Twentieth Battalion (Partisan Rangers) served on the Georgia coast and then in Virginia. Three companies became part of the Eighth Georgia Cavalry Regiment, three others helped to form the Tenth Cavalry Regiment and one which had been added to the battalion was placed in the Jeff Davis Legion, Mississippi troops.

The Twenty-first Battalion, after serving on the South Carolina coast, united with the Twenty-fourth Battalion to form the Seventh Georgia

Cavalry Regiment, and served in Virginia. The Twenty-third Battalion was raised to a regiment, known as Avery's Fourth Georgia Cavalry.

The Twenty-ninth Battalion served on the Georgia coast.

The Thirtieth Battalion of Georgia Cavalry, with the addition of four other companies, formed the Eleventh Regiment of Georgia Cavalry.

Other commands were Stephens' Battalion, Lieut.-Col. Linton Stephens; T. M. Nelson's company, distinguished at Richmond, Ky., after Nelson's death commanded by Gill Ragland and later Stephen D. Lee's escort; Culbertson's Battalion of State Guards; Major John T. Stephens' Battalion; Ninth Battalion of Georgia Light Guards; the Provost Battalion of Georgia Volunteers.

STATE GUARDS AND RESERVES

First Battalion, First Regiment, Augusta Fire Brigade, Atlanta Fire Battalion, Georgia State Guards, the Second, Third, Fourth and Fifth regiments of Georgia Reserves.

Most of the officers and men in all the reserve regiments and battalions were exempt from the regular Confederate service, many having been discharged on account of wounds or failing health. Many others were employes in government workshops; some were state and county officers, while many were either too young or too old for the regular service. There were also many independent companies.

CHAPTER VII

THE YEAR 1862 OPENS—GEN. H. G. WRIGHT, COMMANDING AN EXPEDITION OF 2,400 FEDERAL INFANTRY, ENTERS WASSAU SOUND, NEAR SAVANNAH, CONVOYED BY SIX GUNBOATS—COMMODORE TATTNALL'S MOSQUITO FLEET, UNDER HEAVY FIRE, SUCCESSFULLY REACHES FORT PULASKI WITH SUPPLIES FOR FOUR MONTHS—FORT DONELSON FALLS IN THE WEST—GENERAL LEE CALLED TO RICHMOND AS MILITARY ADVISER TO PRESIDENT DAVIS—GENERAL PEMBERTON APPOINTED TO COMMAND THE DEPARTMENT OF SOUTH CAROLINA, GEORGIA AND FLORIDA—FEDERALS DEMAND THE SURRENDER OF FORT PULASKI—COLONEL OLMSTEAD'S BRAVE REPLY—THE FORT AT LAST SUCCUMBS, ITS GARRISON OVERPOWERED—GENERAL HUNTER REBUKED FOR HIS ORDER FREEING ALL SLAVES—THE FIRST NEGRO REGIMENT IN THE UNITED STATES SERVICE ORGANIZED AT THIS TIME—SKIRMISH AT WHITEMARSH ISLAND—THE CELEBRATED ANDREWS RAID—"THE GENERAL"—"THE TEXAS"—CAPT. W. A. FULLER—HOW THE RAIDERS WERE CAPTURED AND EXECUTED—OPERATIONS IN THE WEST—JACKSON'S BRILLIANT SHENANDOAH CAMPAIGN IN VIRGINIA—THE KENTUCKY AND MARYLAND CAMPAIGNS—THE PROGRESS OF THE WAR—THE LEGISLATURE OF 1861-1862—SOME OF THE MEMBERS—WAR MEASURES ENACTED—THE CONFEDERATE CONGRESS—GEORGIANS IN BOTH HOUSES—GOVERNOR BROWN TAKES ISSUE WITH PRESIDENT DAVIS ON CONSCRIPTION.

Written in cooperation with Prof. Joseph T. Derry.

The year 1862 opened with considerable activity along the coast of South Carolina and Georgia. On January 26th an expedition of 2,400 Federal infantry under Gen. Horatio G. Wright, in transports convoyed by six gunboats, anchored in Wassau Sound and next day made a reconnaissance of Wilmington Narrows up to the obstructions of sunken hulks and pilings, while a similar reconnaissance reached the obstructions at Wall's Cut. Upon the 28th Commodore Tattnall with his little fleet undertook to throw four months' supplies of provisions and ammunition into Fort Pulaski, and succeeded notwithstanding the heavy fire of the Federal gunboats. As Tattnall and his little "mosquito fleet," returning from their daring errand, approached the docks at Savannah, they were wildly cheered by the vast crowds there assembled.

The terms of many state troops expired about this time and great difficulty was experienced in getting them to re-enlist. But there was no trouble about getting regiments to enlist for Confederate service, for when Georgia was asked to furnish twelve new regiments, eighteen were promptly forthcoming.

On February 18, 1862, came news of the fall of Fort Donelson and

the capture of its garrison. President Davis now called Gen. Robert E. Lee to Richmond as his military adviser and sent Maj.-Gen. John C. Pemberton, an officer of the old army having a fine reputation as an engineer, to command the Department of South Carolina, Georgia and Florida.

The Federal forces, which since the last of January had been erecting batteries along the north side of Tybee, were ready by April 10th to attack the Confederate garrison of Fort Pulaski, 400 men under Col. Charles H. Olmstead. The Federals numbered 3,000 men under Maj.-Gen. David Hunter. To the demand for a surrender Colonel Olmstead replied: "I am here to defend the fort, not to surrender it." After a furious bombardment the fort was obliged to yield. Under the terms of capitulation the sick and wounded of the garrison were to be sent to the Confederate lines. But General Hunter refused to ratify this provision and the whole garrison was sent to the forts in New York Harbor. General Hunter on May 9th proclaimed all slaves in South Carolina, Georgia and Florida henceforth forever free. President Lincoln annulled this order and rebuked General Hunter. The first negro regiment in United States service was at this time organized by Hunter.

It soon became evident that the fall of Fort Pulaski did not involve the capture of Savannah. The Confederate forces on the Georgia coast were amply able to resist any force of Federals then in that quarter.

On April 16th a reconnaissance of Whitmarsh Island by seven companies of the Eighth Michigan Regiment under Col. W. M. Fenton led to a brisk skirmish. Fenton's force, 300 strong, was resisted by 100 men of the Thirteenth Georgia Regiment under Captains Crawford and McCally, who held the superior force of the enemy at bay until reinforced by Col. Marcellus Douglas, when they drove back the Federals with a loss to the Georgians of four killed and fifteen wounded. Colonel Fenton reported his loss at ten killed and thirty-five wounded. The Thirteenth Georgia was soon afterwards ordered to Virginia to help form the splendid Army of Northern Virginia, which by the midsummer of 1862 had been made the wonderful military power that was to fill the world with the splendor of its exploits.

In the spring of 1862 occurred the celebrated Andrews raid, whose purpose was to break up railroad communication south of Chattanooga, so that Buell might the more readily capture that important point. James J. Andrews and nineteen men according to appointment met in Marietta and, buying tickets to various points, boarded the northward bound train drawn by an engine called "The General." When the train stopped for breakfast at Big Shanty, now called Kenesaw, Andrews and his men uncoupled three empty box cars with the engine, which they manned with two experienced engineers. By them this fraction of the train was started off in rapid motion before the sentinels near by suspected the movement.

But Wm. A. Fuller, conductor of the train, and Anthony Murphy, foreman of the Atlanta machine shops, comprehending what had happened, ran on foot until they found a handcar. With this they pushed on until they found an engine called "The Texas," when they made such rapid progress and pressed Andrews and his men so hard that they abandoned "The General" and took to the woods.

In a few days they were all captured and Andrews and seven of his men, who had gone into the expedition with full knowledge of its character, were executed as spies. Some of the others finally escaped and others were exchanged.

The Federal officer was probably correct in his views who said that Andrews and his bridge burners "took desperate chances to accomplish objects of no substantial advantage."

In all the campaigns east of the Mississippi River in 1862 the soldiers of Georgia appeared to great advantage. At Shiloh the Washington Light Artillery of Augusta under Capt. Isadore P. Girardey, and attached to the brigade of John K. Jackson, did splendid service and suffered heavy loss, while the Mountain Dragoons of Capt. I. W. Avery proved worthy of their comrades of the infantry and artillery.

Although the battle of Shiloh, which began with such glorious promise and closed with such disappointment of exalted hopes, had failed of its main object, yet coupled with subsequent movements of the western Confederate armies, it gave a decisive check to the triumphant march into the heart of the Southwest which Grant had planned and begun immediately after his great victory at Fort Donelson. The bare escape from overwhelming disaster at Shiloh brought Grant into such temporary disfavor at Washington that men of less ability were put ahead of him.

While vacillation characterized Federal movements in the West, Gen. Braxton Bragg with Kirby Smith conducted a campaign, in which by rapid movements and brilliant strokes the Confederates recovered Cumberland Gap and all East Tennessee, with the greater part of Middle Tennessee, and bore their victorious standards through Kentucky to the banks of the Ohio.

The brilliant campaign of Jackson in the Shenandoah Valley, his skillful march to form a junction with Robert E. Lee at Richmond, followed by the raising of the siege of the Confederate capital in the Seven Days' battles, the northward march of the Army of Northern Virginia after the defeat of Banks at Cedar Run (or Slaughter Mountain) and Pope at Second Manassas (Bull Run), with the crossing of the Potomac and the march into Maryland, broke up the whole Federal plan of campaign in the East even more effectually than the Kentucky campaign had done in the West.

The Kentucky campaign closed with the drawn battle of Perryville. In Maryland Stonewall Jackson captured a Federal garrison and rich supplies at Harper's Ferry, while D. H. Hill, McLaws and Longstreet held in check a much larger force under McClellan, who did not succeed in forcing the passes of South Mountain until it was too late to prevent Jackson's great success. The battle of Sharpsburg, or Antietam, where Lee and Jackson repulsed more than double their numbers led by McClellan, was nevertheless a drawn battle, because the brave Southerners found it impossible to make a farther northward advance.

The Union army resumed the aggressive, but in such a halting and timorous manner that it was brought to a halt for several months by the decisive Confederate victory at Fredericksburg in Virginia, the drawn battle of Murfreesboro (Stone River) in Tennessee and the disastrous repulse of Sherman's attack by a much smaller Confederate force under Stephen D. Lee at Chickasaw Bayou, near Vicksburg, Mississippi.

In all these marches and battles the officers and men of the Georgia commands by their heroic deeds shed undying luster upon the proud escutcheons of the Empire State of the South.

In July of 1862 the armed cruiser Nashville ran the blockade into Savannah with a cargo of arms. This vessel was the first armed cruiser of the Confederate States.

In November, 1862, Col. Thomas Wentworth Higginson, with his regiment of South Carolina negroes, committed many depredations on the Georgia coast.

To take a retrospective glance:

In the fall of 1861 an election was held for members of Congress under the permanent government of the Confederate States which was to take the place of the Provisional Government, put into operation at Montgomery in February, 1861.

The following were elected to the House of Representatives from Georgia:

First District, Julian Hartridge; Second District, C. J. Munnerlyn; Third District, Hines Holt; Fourth District, A. H. Kenan; Fifth District, David W. Lewis; Sixth District, W. W. Clarke; Seventh District, R. P. Trippe; Eighth District, L. J. Gartrell; Ninth District, Hardy Strickland; Tenth District, Augustus R. Wright.

The Legislature elected Benjamin H. Hill and John W. Lewis to represent Georgia in the Confederate Senate.

In the fall of 1863 the Legislature elected to the Confederate Senate Benjamin H. Hill and Robert Toombs. The latter resigned and Governor Brown appointed John W. Lewis to serve until the Legislature should meet. That body elected Herschel V. Johnson in place of Mr. Toombs.

In the fall elections the following gentlemen were elected to the Confederate House of Representatives:

First District, Julian Hartridge; Second District, Wm. E. Smith; Third District, Mark H. Blanford; Fourth District, Clifford Anderson; Fifth District, John T. Shewmake; Sixth District, J. H. Echols; Seventh District, James M. Smith; Eighth District, George N. Lester; Ninth District, Hiram P. Bell; Tenth District, Warren Akin.

Several of Georgia's members of Congress served in the Confederate army. Hon. James M. Smith rose to the rank of colonel. Lucius J. Gartrell became brigadier-general and was wounded in battle. Hon. W. E. Smith lost a leg and M. H. Blanford an arm. Col. George N. Lester lost an arm. Hon. Hiram P. Bell served as colonel of the Forty-Third Georgia and was wounded at the battle of Chickasaw Bayou in Mississippi.

On November 6, 1861, the newly elected State Legislature convened at the capital and chose Hon. John Billups of the Twenty-seventh District president of the Senate and Hon. Warren Akin, of Cass, Speaker of the House of Representatives. It was at this session of the Legislature that the division of the state into forty-four senatorial districts first went into effect. Messrs. George A. Gordon, David A. Vason, Timothy M. Furlow, J. T. Shewmake, Wm. Gibson, Miles W. Lewis, L. M. Hill, Wier Boyd, A. J. Hansell and Hiram P. Bell were among the leading senators; while prominent in the House were: Messrs. J. H. R.

Washington, T. M. Norwood, L. N. Trammell, George N. Lester, Milton A. Candler, J. A. Render, R. J. Bacon, E. G. Cabaniss, Thomas G. Lawson, Peter E. Love, Benning B. Moore, B. H. Bigham, James S. Hook, George T. Barnes and Wm. Schley. During this session the name of Cass County was changed to Bartow, in honor of the gallant Francis S. Bartow, who fell at Manassas. It was also in protest against the sectional attitude of Gen. Lewis Cass, of Michigan, for whom the county had originally been named.

The message of Governor Brown to the Legislature in November, 1862, thus described some of the military work of the year: Of \$5,000,000 appropriated \$2,081,004 had been expended; 8,000 state troops had been employed and supported for six months; the state's quota of Confederate war tax, \$2,500,000, had been paid; a state armory had been established in the penitentiary which was turning out 125 guns a month.

To the above report may be added that the Confederate Government had since the summer of 1861 built immense powder works on the canal at Augusta which had proved as useful in supplying ammunition for the armies of the Confederacy as the Tredegar works at Richmond had been in providing all kinds of arms. But a vast proportion of arms and other military supplies of the Confederates were the rich spoils of their numerous victories.

Governor Brown had earnestly opposed the conscription acts of the Confederate Government and had submitted to the Legislature the question of their constitutionality. That body referred the matter to the State Supreme Court which fully sustained those acts.

Some important war measures of the Georgia Legislature of 1862 were: Acts restricting the cultivation of cotton to three acres a hand, for the purpose of diversifying agricultural industry and making the people self-supporting; appropriating \$500,000 to supply the people with salt; \$100,000 for cotton cards; more than \$500,000 for obstruction of rivers; \$400,000 for the relief and hospital association; \$1,500,000 for clothing for Georgia soldiers; \$2,500,000 for the support of widows and families of dead or disabled soldiers; \$1,000,000 for a military fund and \$300,000 to assist in removing indigent non-combatants from any part of the state threatened with invasion.

The governor was also authorized to raise two regiments for home defense and to impress slaves for the defense of Savannah. It is well to add here that Georgia factories were supplying the people of that and other states with cotton fabrics, turning out uniforms for Confederate soldiers and making good dress goods for citizens. Georgia had been quite an extensive manufacturing state for many years before the war and did not lack for skilled spinners and weavers.

CHAPTER VIII

OPENING OF THE YEAR 1863—ADMIRAL DUPONT SENDS THE MONTAUK AGAINST FORT McALLISTER, ON GENESIS POINT—ONLY AN EARTHWORK FEEBLY GARRISONED—REPELS TWO SEPARATE ATTACKS. THE MONTAUK DESTROYS THE RATTLESNAKE—IS IN TURN TORPEDOED—ADMIRAL DUPONT MAKES A LAST DESPERATE ATTEMPT—ABANDONS GEORGIA WATERS—FORREST, NEAR ROME, GEORGIA, CAPTURES A BODY OF TROOPS UNDER COLONEL STREIGHT—ILL-FATED ATTACK UPON FEDERAL MONITORS MADE BY THE ATLANTA IN WARSAW SOUND—VICKSBURG AND GETTYSBURG—GEORGIA FEELS THE SHOCK OF AN INVADING HOST—THE DEFENSE OF CHATTANOOGA—GEORGIA COMMANDS IN THE ARMY OF GENERAL BRAGG—ROSECRANS CONCENTRATES HIS FORCES NEAR LEE AND GORDON'S MILL IN GEORGIA—THE BATTLE OF CHICKAMAUGA—LONGSTREET COMES TO THE SUPPORT OF BRAGG—DRIVES THE FEDERALS BACK TO CHATTANOOGA WITH GREAT SLAUGHTER—HOOD WOUNDED—GEORGE H. THOMAS, OF THE FEDERAL ARMY, MAKES A GALLANT RECORD—CHICKAMAUGA, THE GREATEST BATTLE FOUGHT ON GEORGIA SOIL—MISSIONARY RIDGE—HARDEE'S GALLANT SUPPORT OF BRAGG—CLEBURNE AT TAYLOR'S RIDGE, SAVES WAGON TRAINS—THE CONFEDERATE ARMY GOES INTO WINTER QUARTERS AT DALTON—GOVERNOR BROWN ORGANIZES A FORCE OF HOME GUARDS, 18,000 STRONG—MAJ.-GEN. HOWELL COBB IN COMMAND—GEORGIA'S LOSS OF LIFE THE HEAVIEST OF ANY STATE AT THE CLOSE OF 1863—GOVERNOR BROWN ELECTED FOR A FOURTH TERM.

Written in cooperation with Prof. Joseph T. Derry.

At the beginning of 1863 the United States authorities began to collect in southern waters a fleet of nine iron-clads with intent to capture Fort Sumter and Charleston Harbor. Admiral Dupont, commander of the fleet sent one of these, the Montauk, against Fort McAllister, an earthwork on Genesis Point, which guarded the approach to Savannah by the Ogeechee River. Its main armament was one thirty-two-pound rifled gun and one eight-inch columbiad and the little fort was manned by a small garrison under Maj. John B. Gallie, supported by other troops under Col. Robert A. Anderson. The Montauk under John L. Worden, who had fought the Virginia in Hampton Roads, assisted by four wooden gunboats attached Fort McAllister on January 27, 1863, and after a few hours bombardment withdrew defeated.

But Worden resolved to try it again and with the same vessels made a more determined attack February 1, suffering another defeat, although the Confederates paid for their victory by the death of the brave Major Gallie.

The armed cruiser Nashville (now called the Rattlesnake), which in the previous July had run the blockade into Savannah with a cargo of arms, while trying to get to sea again, ran aground not far above the obstructions in the Ogeechee, February 27, 1863. On the next morning Worden steamed down with his vessel under the guns of Fort McAllister and from a distance of 1,200 yards poured in so heavy a fire as to blow up the Rattlesnake. But on the other hand the Montauk had been so much injured by the explosion of a torpedo in the channel, that she was compelled to run upon a bank out of range of the guns of the fort to repair damages, while her pumps with difficulty kept her afloat.

The most formidable attack upon Fort McAllister was made on March 3d by three new monitors, the Passaic, Patapsco and Nahant assisted by mortar boats. These boats for seven hours hurled 11 and 15-inch shell and shot at the fort and all night the mortar boats kept up the din with no result except the slight wounding of two men and the temporary dismounting of the 8-inch columbiad and the 32-pound rifled gun. The dawn of March 4th showed every damage repaired and the guns remounted and ready for action.

Admiral Dupont, who was preparing for a grand naval attack upon Charleston, concluded to waste no more ammunition upon Fort McAllister.

On the night of April 26, 1863, Col. A. D. Streight at the head of 1,500 Federal troopers set out from Tusculum, Alabama, for the purpose of destroying railroads and machine shops, of which there were some very important ones in North Alabama and Georgia. But N. B. Forrest, the brilliant Confederate general of cavalry, with a force of about one-third the strength of the enemy, by rapid pursuit, persistent attacks and a skilful game of bluff caused the surrender of Streight and his whole command, May 3rd, not far from Rome, Georgia. Forrest sent his captives as prisoners of war to Richmond, Virginia.

But the Georgians during these same early days of May were winning renown on the right, center and left of the Army of Northern Virginia, which under Lee and Jackson gained at Chancellorsville one of the most marvelous victories recorded in the history of those heroic days, and two months later Georgia's soldiers at Gettysburg wrote their names high upon the roll of fame.

Coming nearer home we find the record of a raiding expedition, which, setting out from St. Simon's Island on June 8th for the purpose of destroying the Confederate salt works near Brunswick, met with defeat. But other raiders from the Union fleet on June 11th burned the town of Darien.

It will be remembered that in November, 1861, the ship Fingal had run the blockade and landed at Savannah a valuable cargo of arms and ammunition for the Confederates. This ship had been converted into an ironclad and named the Atlanta in honor of Georgia's then young and rapidly growing center of commerce and manufactures. This new Confederate ironclad with a gallant crew under the command of Lieut. Wm. A. Webb entered Warsaw Sound, June 17, 1863, for the purpose of attacking two of the best monitors of the Federal fleet, the Weehawken and Nahant. But the Atlanta was not suited for shallow water and running fast aground within 600 yards of the Weehawken, with heavy

loss of her crew was compelled to surrender. This was a sad disappointment to the Confederates, who had hoped much from the Atlanta in the way of effective service against the blockading fleet. But the strength of their defence of Charleston and Savannah was not shaken.

As the fall of 1863 came in, Georgia for the first time, during the mighty struggle of the sixties felt the shock of a great invading host. Her troops had won distinction upon the battlefields of Virginia, Kentucky, Tennessee and Mississippi, and thousands of her valiant soldiers, through every grade from general officers to privates, had freely poured out their patriotic blood for the southern cause.

The fall of Vicksburg and the yielding up of vital points in middle and eastern Tennessee were now imperiling the heart of the Confederacy. The giving up of Chattanooga made it evident that something must be promptly done to save the cause of the Confederate states in the West. Lee and his splendid army after the drawn battle of Gettysburg had returned to Virginia, where they felt strong enough to keep their foes at bay and at the same time send Longstreet with part of his corps to aid Gen. Braxton Bragg and the Army of Tennessee.

In the Confederate army assembled in August, 1863, under Gen. Braxton Bragg for the defence of Chattanooga were the following Georgia commands: In John K. Jackson's Brigade of Cheatham's Division the Second Battalion of the First Confederate Regiment, Maj. James Clark Gordon; Fifth Regiment Col. Charles P. Daniel, and the Second Battalion of Sharpshooters, Maj. Richard H. Whitely; in Bates' Brigade of Stewart's Division the Thirty-Seventh Regiment and Fourth Battalion of Sharpshooters; in the Brigade of Marcellus A. Stovall of John C. Breckinridge's Division the Forty-Seventh Georgia Regiment, Capt. W. S. Phillips; in W. H. T. Walker's Division, S. R. Gist's Brigade half Georgian and C. C. Wilson's Brigade almost entirely of Georgians; in the Brigade of Gen. John H. Kelley of Brig.-Gen. Wm. Preston's Division the Sixty-Fifth Georgia, Col. R. H. Moore; in Maj.-Gen. Joseph Wheeler's Cavalry Corps in Colonel C. C. Crew's Brigade the Second Georgia Regiment, Lieut. Col. F. M. Ison, the Third, Col. R. Thompson and the Fourth, Col. I. W. Avery; in Brig.-Gen. Forrest's Cavalry Corps the First Georgia, Col. J. J. Morrison and the Sixth Georgia, Col. John R. Hart in H. B. Davidson's Brigade of Pegram's Division; Company G of Second Cavalry, Capt. Thomas M. Merritt, escort for General Cheatham; Scogin's Georgia Battery of Melancthon Smith's Battalion; Capt. Evan P. Howell's Battery, attached to Walker's Division; Dawson's Battery, Lieut. R. W. Anderson and Company E of the Ninth Artillery Battalion, Lieut. W. S. Everett, attached to Stewart's Division; the Batteries of Captains Tyler M. Peeples and Andrew M. Welihin of Leyden's Ninth Battalion; the Batteries of Captains W. M. Harris and T. L. Massenburg in the reserve artillery under Maj. F. H. Robertson.

When on September 7, 1863, Rosecrans sent McCook and Thomas to such positions south of Chattanooga as would flank that Confederate stronghold, Bragg abandoned the town and retired southward. After several days of marching and countermarching, during which he had at one time come so near entrapping a large part of the Union army that Rosecrans took alarm and began to fall back and Bragg to pursue, the

Confederates were reinforced by part of Longstreet's corps from the Army of Northern Virginia. Bragg began then to press Rosecrans who was concentrating his forces near Lee and Gordon's mills, twelve miles south of Chattanooga. Of Longstreet's corps Anderson's, Wofford's and Bryan's Georgia brigades did not arrive in time to take part in the battle. But in the Georgia brigade of Gen. Henry L. Benning, which shared the fight of both days, were the following Georgia regiments: the Second, Lieut.-Col. Wm. S. Shepard; the Fifteenth, Col. Dudley M. Du Bose; the Seventeenth, Lieut.-Col. Charles W. Matthews; the Twentieth, Col. J. D. Waddell.

On September 19th Bragg attacked General Thomas, who commanded the left of Rosecrans' army. The day closed without much real advantage to either side. During the night of the 19th each commander prepared for the decisive struggle, which all believed the morrow would bring.

General Bragg placed Lieut.-Gen. Leonidas Polk in command of his right wing, consisting of the corps of D. H. Hill and Wm. H. T. Walker, the division of Cheatham and the cavalry of Forrest. To Lieut.-Gen. James Longstreet he gave the left wing, embracing the corps of Buckner and Hood, the division of Hindman and the cavalry of Wheeler. Each wing had its full complement of artillery.

General George H. Thomas, commanding the left of Rosecrans' army, so arranged his force as to cover the Rossville (or Chattanooga) and Dry Valley roads. His line of battle began 400 yards east of the Chattanooga road on a crest which was occupied from left to right by four divisions. Baird's of Thomas' Corps, R. W. Johnson's of McCook's Corps, Palmer's of Crittenden's and Joseph J. Reynolds' Division of Thomas' Corps. On the right of Reynolds stood the divisions of Brannan and Negley. Across the Chattanooga road toward Missionary Ridge came the divisions of Sheridan and Jeff C. Davis under McCook as corps commander, while Crittenden stood in reserve with the divisions of Wood and Van Cleve.

Bragg's plan of battle was successive attacks from right to left. On the morning of the 20th of September, 1863, the divisions of Breckinridge and Cleburne of D. H. Hill's Corps made a fierce assault upon Thomas, while to their help came the divisions of Gist and Liddell in the corps of Gen. Wm. H. T. Walker, while the advance of Cheatham's Division added greatly to the strong pressure of the Confederates.

So hard was Thomas pushed that he called for help, and Rosecrans in response to his appeal hurried troops from the Union right, who, as they hastened to the left, exposed to the watchful eye of Longstreet a gap in the Federal line, through which that wary leader pushed the eight brigades of Bushrod Johnson, McNair, Gregg, Kershaw, Law, Humphrey, Benning and Robertson. Led on by the intrepid Hood, their strong force swept from the field Sheridan's entire division, two brigades of Davis' division and one of Van Cleve's, Hood falling desperately wounded as the shouts of victory rang in his ears. Longstreet, seeing at once the necessity of disregarding the order of the day, wheeled to the right instead of the left, overrunning and capturing battery after battery, wagon trains, thousands of prisoners and the headquarters of Rosecrans, who, borne forcibly away with his routed right, hastened to Chattanooga—which had been for more than ten days in his possession—seeking in

its fortifications refuge for his routed wing as well as for the troops under Thomas, who, helped by Gordon Granger, fought desperately to hold his ground until night should enable him to withdraw the left wing of the defeated army without further disaster. As the shades of evening were gathering thick around, the Federals under the continued attack of the Confederates' left under Longstreet and their right under Polk were forced to give way, Gen. Wm. Preston's division gaining the heights and firing the last shots of the battle by moonlight. As the Federals fell back a tremendous shout from the charging Confederates thrilled their entire host with the story of victory.

The defeated Union army retreated to Chattanooga, where Rosecrans spent the day and night of the 21st hurrying his trains and artillery out



GEN. JAMES LONGSTREET
Lee's Old War-Horse

of town, but, finding that he was not pressed, remained there with his army.

Bragg spent the 21st in burying the dead and gathering the trophies of the field, among which were fifty-one cannon and 15,000 small arms. During the next two days he came slowly into position on Missionary Ridge and Lookout Mountain, which he connected by a line of earthworks across Chattanooga Valley, and sent into Lookout Valley a force which commanded the twenty-six mile wagon road to Bridgeport, thus compelling the Union army to draw its supplies by an almost impassable mountain road of sixty miles. Thus Bragg hoped to force the defeated army to a surrender. The Federals were reduced to the verge of starvation when the two corps of Howard and Slocum from their Army of the Potomac under Hooker, and Sherman's army from Mississippi came to their relief, and through dispositions made by Gen. U. S. Grant opened the way for obtaining supplies as well as for attacking the army under Bragg.

While Grant was concentrating everything for raising the siege of

Chattanooga, the Confederate Government sent 15,000 from Bragg under the command of Longstreet to drive Burnside out of East Tennessee. Thus it happened that a little over two months after the great Confederate victory of Chickamauga, Bragg was defeated at Missionary Ridge, November 25th, and Longstreet was repulsed at Knoxville, November 29th.

The silver lining to the cloud that overhung the South and South-west was the brilliant little battle of Ringgold, where Cleburne gave check to the pursuing victors and for the time turned them back.

Chickamauga was the greatest battle fought on Georgia soil. Missionary Ridge and the battle of Knoxville were fought entirely in Tennessee, while Ringgold made illustrious Northwest Georgia.

In the assault on Fort Loudon at Knoxville, November 29th, four Georgia brigades were conspicuous: Bryan's and Wofford's of McLaws' Division, and Anderson's and Benning's of Hood's Division, Benning being in support of the other three, upon whom fell three-fourths of the loss in that day's battle.

At Missionary Ridge, November 25, 1863, Lieut.-Gen. Wm. J. Hardee commanded the right wing of Bragg's army and John C. Breckinridge the left. If George Thomas, who held the left of Rosecrans' army at Chickamauga, deservedly obtained by his bold stand the title "Rock of Chickamauga," Hardee, who just as stoutly held Bragg's right at Missionary Ridge, deserves equally the wreath of fame. Gen. Alfred Cumming's Brigade of Stevenson's Division won high praise from General Cleburne commanding Hardee's right in the repulse of Sherman at the Tunnel and the Georgians in Bate's Brigade of Breckinridge's Division were also distinguished in repelling attacks upon their front. According to the reports of both Stevenson and Cleburne, the Georgians of Cumming's Brigade joined with the Tennesseans, Arkansans and Texans of Cleburne's division in driving back Sherman's troops, capturing prisoners and two of the eight stand of colors, taken in this victorious charge. The disastrous result elsewhere on the ridge made it necessary for Hardee to withdraw his wing that night. Cleburne's Division covered the retreat.

At Ringgold in Catoosa County, Georgia, Cleburne received orders to hold the main gap in Taylor's Ridge and check the pursuing enemy, until the trains and rear of Bragg's army were well advanced. Here Cleburne advantageously posted his division, embracing troops of Alabama, Texas, Arkansas, Mississippi and Tennessee and Goldthwaite's battery of Napoleon guns. Hooker with the three divisions of Osterhaus, Geary and Cruft at 8 A. M. of November 27th formed line and moved to the attack, which was so effectually repulsed by Cleburne's one division, that the pursuit was checked and Hooker by Grant's orders returned to Chattanooga. By this brilliant battle, for which Cleburne and his men received the thanks of the Confederate Congress, the artillery and wagon trains of Bragg's army were saved and the Confederate army went into winter quarters around Dalton. This position they fortified with a strong outpost at Tunnel Hill. In this new position they remained during the winter of 1863-64 and until the opening of the Atlanta campaign, May 5, 1864.

Obeys a requisition of the Confederate Government, Governor

Brown had on June 22, 1863, called for the organization of a force of 8,000 men over forty-five years of age or otherwise not subject to military duty to serve for six months from August 1st for home defense, so that President Davis might be able to mass the armies of the Confederacy at strategic points, while these extra duty men attending to their avocations at home should keep themselves ready to take up arms at a moment's warning and drive back any marauding bands. To this call 18,000 men responded. Howell Cobb, promoted to major-general, was placed in command with headquarters at Atlanta and subject to his orders were Brig.-Gens. Alfred Iverson, Jr., with headquarters at Rome and Henry R. Jackson at Savannah. Maj.-Gen. Gustavus W. Smith, who on account of ill-health had resigned from the Confederate army, entered the service of Georgia with special charge of fortifications.

According to a statement published by authority of the Government at Richmond at the close of the year 1863, Georgia had up to that time lost a greater number of her soldiers than any other state of the Confederacy. The list, as published, stands thus: Georgia, 9,504; Alabama, 8,987; North Carolina, 8,361; Texas, 6,377; Virginia, 5,943; Mississippi, 6,367; South Carolina, 4,511; Louisiana, 3,039; Tennessee, 2,849; Arkansas, 1,948; Florida, 1,119.

In Georgia's loss were included the following general officers killed in battle: Francis S. Barton, acting brigadier at First Manassas; Capt. W. F. Brown of the Twelfth Georgia, acting as brigadier-general at Chantilly or Ox Hill (commanding Trimble's Brigade); Col. Marcus Douglas, acting as brigadier-general (in command of Lawton's Brigade), at Sharpsburg; Brig.-Gen. T. R. R. Cobb, at Fredericksburg; Brig.-Gen. Paul J. Semmes, at Gettysburg; Col. Peyton H. Colquitt, acting as brigadier-general at Chickamauga. To the above list of patriotic dead should be added Brig.-Gen. Wm. Duncan Smith, who died of yellow fever at Charleston, South Carolina, in 1862, and Brig.-Gen. Claudius C. Wilson, who died in the service after the battle of Chickamauga.

The fall of 1863 marked the end of Joseph E. Brown's third term as governor. His admirers insisted that he run again and he consented. Two candidates were brought out against him: Hon. Timothy Furlow, an earnest state rights democrat, as was also Governor Brown, and Hon. Joshua Hill, who, while ever true to Georgia, was supposed to be friendly to the idea of a restoration of the Union under favorable conditions. There were polled 64,804 votes. Of these Brown received 36,558; Hill, 18,222; Furlow, 10,024. Brown's majority over Hill was 18,336; over Furlow, 26,534; over both, 8,312. In the army vote Brown received 10,012; Hill, 3,324; and Furlow, 1,887. Brown's majority over Hill in the army vote was 6,688; over Furlow, 8,125; over both, 5,801. Only a small proportion of the soldiers voted; for their vote does not begin to represent the number of Georgia-soldiers then under arms.

CHAPTER IX

BRAGG'S FAREWELL ADDRESS TO THE ARMY OF TENNESSEE—JOHNSTON PUT IN COMMAND AT DALTON—THOMAS FINDS THE CONFEDERATE POSITION TOO STRONG TO ATTACK—THE YEAR 1864 OPENS WITH BRILLIANT VICTORIES IN VARIOUS PARTS OF THE CONFEDERACY—GEORGIA COMMANDS IN THE ARMY OF NORTHERN VIRGINIA—OPERATIONS IN THE SHENANDOAH VALLEY—GEORGIA COMMANDS IN THE WESTERN ARMY—STATE GUARDS AND RESERVES—STATE TROOPS ENGAGED IN THE DEFENSE OF ATLANTA—GEORGIA MILITARY INSTITUTE CADETS—THE HISTORIC CAMPAIGN OF 1864—JOHNSTON VERSUS SHERMAN—THE RELATIVE STRENGTH OF THE TWO OPPOSING ARMIES—OPERATIONS AROUND RESACA—BATTLE OF NEW HOPE CHURCH—POLK KILLED WHILE RECONNOITERING ON PINE MOUNTAIN—FIGHTING NEAR KULP'S FARM—BATTLE OF KENESAW MOUNTAIN—SHERMAN FAILS IN AN EFFORT TO STORM THE HEIGHTS—ONE OF THE BLOODIEST ENGAGEMENTS OF THE CAMPAIGN—JOHNSTON CROSSES THE CHATTAHOOCHEE—SUPERSEDED BY HOOD—TOO SLOW IN WINNING A DECISIVE ENGAGEMENT—FAILS TO CHECK THE ADVANCE OF SHERMAN INTO GEORGIA—JOHNSTON A SKILLFUL TACTICIAN—HIS POLICY TO SAVE HIS MEN BY A MASTERFUL SERIES OF RETREATS—RESEMBLES THE ROMAN FABIUS—HOOD AN AGGRESSIVE FIGHTER—BEFORE THE GATES OF ATLANTA.

Written in coöperation with Prof. Joseph T. Derry.

At Dalton, December 2, 1863, General Bragg issued a farewell address to the Army of Tennessee and turned over the command temporarily to Lieut.-Gen. Wm. J. Hardee. Gen. Joseph E. Johnston was assigned to the command of this army on the 16th of December, 1863. The closing months of this year had been marked by disaster to the Confederates, who had seen the fruits of one of their greatest victories (that of Chickamauga) blighted by a failure promptly to follow up that brilliant triumph.

The early months of 1864 revived hope in the most despondent hearts. The first success was by the Army of Tennessee at Dalton. The division of Cheatham, Cleburne and Walker under Lieutenant-General Hardee had been started, February 17th, to re-enforce Lieut.-Gen. Leonidas Polk in Mississippi upon receipt of the information that General Sherman was on the march to Meridian with the aim of attacking Mobile. Alabama, in the rear. But when Sherman after the defeat of his cavalry under Wm. S. Smith by Gen. N. B. Forrest at Okolona (February 22d), returned to Vicksburg, the troops under Hardee were ordered back to Dalton.

General Grant had heard of the departure of troops to Mississippi and ordered Gen. George E. Thomas to move forward, capture Dalton

and push his advance as far south as possible. Fighting began near Dalton, February 24th, but Thomas, finding the Confederate position very strong, after two days of tentative efforts returned to the camps around Chattanooga.

Now followed a series of Confederate triumphs along the whole field of action from Virginia to Louisiana. The troops of Georgia and Florida under Brig.-Gen. Alfred N. Colquitt and Col. George P. Harrison gained a brilliant victory at Olustee, Florida, before Brig.-Gen. Joseph Finigan, commander of the department, could reach the field, and Forrest won victory after victory in North Mississippi and West Tennessee, finishing with the capture of Fort Pillow (April 12th); while the defeat of the formidable expedition of Banks in Louisiana (April 8th and 9th) followed by his retreat to New Orleans and similar defeats of Steele in Arkansas (April 25th and 30th) with the recovery by the Confederates of much lost territory; the successes of the Confederate iron-clad Albemarle on the Roanoke River in North Carolina, especially in assistance rendered Major-General Hoke in the capture of Plymouth (April 19th and 20th) added to the defeat of the raid of Kilpatrick and Dahlgren in Virginia in March, a series of surprising exploits raised to the highest pitch the hopes of the valiant hosts, who under Lee in Virginia and Johnston in Georgia stood ready to dispute the advance of the invading armies of Grant and Sherman. In each of these grand armies Georgia was well represented.

In the Army of Northern Virginia four of the nine brigades of Longstreet's corps were Georgians, those of Wm. T. Wofford, Goode Bryan, George T. Anderson and Henry L. Benning. In Ewell's corps were the Georgia brigades of George Doles of Rode's division and of John B. Gordon of Early's division. In A. P. Hill's corps were the Georgia brigades of Ambrose A. Wright of R. H. Anderson's division, and of Edward L. Thomas of Wilcox's division. The Georgia batteries of Callaway and Carlton (the latter known as the Troup Artillery) were attached to the artillery of Longstreet's corps, commanded by a Georgian, Brig.-Gen. E. P. Alexander. With the Second or Ewell's corps was the Georgia battery of Capt. John Milledge, while with A. P. Hill's corps was the Georgia Artillery Battalion of Col. A. S. Cutts, known as the Sumter Battalion. In the cavalry corps of Gen. J. E. B. Stuart Georgia was represented by the brigade of Gen. P. M. B. Young containing the Seventh Regiment, Col. W. P. White; Cobb's Legion, Col. G. J. Wright; Phillips' Legion; Twentieth Battalion, Col. J. M. Millen; and after July, one Georgia Company with the Jeff Davis (Mississippi) Legion.

Grant with two-fold odds crossed the Rapidan and, following the line of the water courses patrolled by Federal gunboats, in a flank march toward Richmond tried to break Lee's lines in the Wilderness at Spottsylvania Courthouse, on the North Anna and at Cold Harbor, but was in each of these battles repulsed, in the last one so severely that Lee felt such confidence in his ability to battle Grant's desperate efforts and bounteous resources, that he sent his Second corps under Early to drive Hunter from before Lynchburg. This task Early accomplished and then moving rapidly northeastward crossed the Potomac, won a brilliant victory at the Monocacy in Maryland and marched to the very suburbs of Washington. Returning thence to the Valley of Virginia Early sent

his cavalry under McCausland to Chambersburg, Pennsylvania, and threw all Southern Pennsylvania into such a panic that Grant who had tried to take Petersburg with his army and break the Confederate communications northward with his cavalry and had failed in both, decided to stop his vigorous aggressive against Lee, and sent Sheridan to the Valley with 50,000 men to put an end to Early's operations. Although Early was three times defeated by Sheridan's overwhelming odds, the campaign in 1864 in Virginia closed with Richmond and Petersburg still firmly held by the Army of Northern Virginia, all of Lee's northward lines of communication still intact and more of the Shenandoah Valley in Confederate possession than at the beginning of the campaign in the preceding May. The entire Virginia campaign had been one of the most marvelous in history and the Georgians in every arm of the service and at every point of conflict had reflected the highest honor on their state. The Confederate Army of Northern Virginia had put out of the fight more men than their own numbers.

Now let us turn westward and see what had during the same period been going on in Georgia and Tennessee.

First we must review the list of Georgia troops engaged in this important field of operation. In early May the Georgia troops in the Confederate Army of Tennessee were: In Hardee's corps and Gen. Wm. H. T. Walker's Division, John K. Jackson's Georgia and Mississippi Brigade, Gist's Georgia and South Carolina Brigade, the Georgia brigades of C. H. Stevens and H. W. Mercer; in Wm. B. Bate's division of the same corps Tyler's brigade of Georgians and Tennesseans; in Maj.-Gen. C. L. Stevenson's division of Hood's corps Alfred Cumming's Georgia brigade, and in Maj.-Gen. A. P. Stewart's division of Hood's corps Stovall's Georgia brigade. In Maj.-Gen. W. H. Martin's division of Maj.-Gen. Joseph Wheeler's cavalry corps was the Georgia brigade of Alfred Iverson.

In the artillery of Martin's battalion was Capt. Evan P. Howell's Georgia battery; in Palmer's battalion were the Georgia batteries of Capts. R. W. Anderson and M. W. Havis; in Johnson's battalion Capt. Max Van D. Coput's Georgia battery; in Robertson's battalion the Georgia battery of Lieut. W. B. S. Davis.

The State Guards and Reserves were men who had been regular soldiers, but were honorably discharged, also of men over the military age, of youths under it, also of state and county civil officers or employees in government shops, who upon the invasion of the state were called into the field. These troops consisted of: First Battalion, Maj. W. R. Symons; First Regiment, Col. J. H. Fannin; Augusta Fire Brigade, Lieut. Col. C. A. Platt; Atlanta Fire Brigade, Lieut.-Col. G. W. Lee; Georgia State Guards, Lieut.-Col. J. R. Freeman; Second Regiment, Col. R. F. Maddox; Third Regiment, Col. E. J. Harris; Fourth Regiment, Col. R. S. Taylor; Fifth Regiment, Col. J. B. Cumming; also twenty-six independent companies.

During the siege of Atlanta the following state troops participated: First Brigade, Brig.-Gen. R. W. Casswell, consisting of Col. E. H. Pottle's regiment (First) Second Regiment, Col. C. D. Anderson; Fifth Regiment, Col. S. S. Stafford; First Battalion, Lieut.-Col. H. K. McCoy; Second Brigade, Brig.-Gen. P. G. Phillips, consisting of Third

Regiment, Col. Q. M. Hill; Fourth Regiment, Col. R. McMillan; Sixth Regiment, Col. J. W. Burney; Artillery Battalion, Col. C. W. Styler; Third Brigade, Brig.-Gen. C. D. Anderson; Fourth Brigade, Brig.-Gen. H. H. McKay. The regiments composing the last two brigades are not given in the official records.

Just as the cadets of the Virginia Military Institute (Lexington, Virginia) participated with great honor in the Virginia campaign of 1864, so likewise the Cadet Battalion from the Georgia Military Institute (Marietta, Georgia) served with distinction from Dalton to the sea.

At the opening of the Georgia campaign, May 5, 1864, the Confederate Army at and near Dalton under Gen. Joseph E. Johnston numbered about 50,000 men. At Resaca, when Polk's corps from Mississippi had joined him, Johnston's strength was something over 70,000. The three field armies concentrated under Sherman for the advance against Atlanta numbered 98,235, but was soon increased to 112,000.

On May 7, 1864, the Federal army had advanced past Tunnell Hill to Mill Creek Gap. On the 8th and 9th at Rocky Face, before Dalton and at Dug Gap the Federal assaults were repulsed.

Meanwhile McPherson marched toward Resaca to get behind Johnston's force and cut off his retreat southward. Reaching Snake Creek Gap he met with such stout resistance from Grigsby's Kentucky Cavalry, the cadets of the Georgia Military Institute and Cantey's Brigade, that he withdrew for the night to a position between Sugar Valley and the entrance to the Gap.

Johnston had sent Hood to Resaca with the divisions of Hindman, Cleburne and Walker, but, learning of McPherson's withdrawal, ordered Cleburne and Walker to Tilton, midway. Being now advised of the arrival of Polk at Resaca with Loring's division of the Army of the Mississippi, Johnston remained at Dalton during the 11th and 12th. During this time Wheeler with his cavalry moved around the north end of the ridge and defeated the Federal cavalry under Stoneman with heavy loss in men and wagons.

On May 14th Sherman's flanking movements caused Johnston to leave Dalton and concentrate his army around Resaca. The losses around Dalton had been 800 Federals and 400 Confederates.

In the heavy fighting at Resaca May 14th and 15th Hood with Stewart's and Stevenson's divisions drove the Federal left from its ground and Hindman repulsed Hooker's advance. But McPherson drove Polk's skirmishers from the hill in front of his left, which commanded the Western and Atlanta's railroad bridge over the Oostenanla, and held it. John K. Jackson's brigade failed to drive back Sweeney's flanking force. So Johnston decided to abandon Resaca and retire toward Kingston. The losses at Resaca had been between 2,500 and 3,000 on each side.

On May 19th in and around Cassville there was heavy skirmishing and Johnston planned to give battle here; but for reasons, which were subject of considerable dispute between him and two of his three corps commanders, Hood and Polk, he decided to retire and crossed the Etowah next morning.

Meanwhile a Federal division had occupied Rome, capturing a large amount of commissary and quartermaster stores.

On the third day after crossing to the south of the Etowah River Johnston learned that the Federal army had also crossed that stream far to his left, so he moved to meet them and took up a position between Dallas and the railroad. On this line for ten days there was continuous heavy skirmishing besides three spirited battles, the ten days fighting being called by both Sherman and Johnston the Battle of New Hope Church.

The first of these engagements between portions of each army occurred on May 25th at and near New Hope Church, in the midst of a heavy storm, vivid lightning and peals of thunder mingled with the cannon's roar and the musket's sheet of flame. Hooker hurled his divisions upon Stewart's single division in charge after charge, but was repulsed with the loss of 1,406 men. Stewart's one division of Wood's corps had lost 400 men and gained a brilliant victory.

Two days later the effort of Howard with two divisions of Sherman's army to turn Johnston's right brought on a spirited engagement at Pickett's Mill, in which Cleburne's single division of Hardee's corps repulsed Howard, inflicting on the Federals a loss of 1,500 men and losing a little less than 400 of their own force.

Next day, May 28th, as McPherson began to withdraw from Dallas, his three divisions were assailed by Bate's division of Hardee's corps. But it was the Confederates who failed this time. The loss on each side in this affair was near 400 men. For a week longer there was heavy skirmishing all along the line. Then Johnston finding that the Federal left extended far beyond his right, changed position, June 4th, occupying a new line a little farther to the east. The "drawn battle of New Hope Church" as Sherman styles it, was ended, without much advantages to either side.

During the movements that followed, the constant skirmishing and steady rains kept the opposing armies in great discomfort both night and day. It was while reconnoitering the position of the Federals from an exposed point on Pine Mountain, June 14th, that the Confederate, Lieut.-Gen. Leonidas Polk, was killed by a cannon shot. Five days later Johnston so arranged his army that the key point of the new position was Kennesaw Mountain. There now occurred sixteen days of constant fighting, as Sherman felt for some weak point in the Confederate line of battle.

At Kulp's (or Kolb's) Farm, on June 22d, Hooker and Schofield led their two corps against the position held by Hood's corps. So decisive was their repulse that Hood in turn attacked the entrenched artillery of the Federals and was in turn repulsed, losing 1,000 men which exceeded the Federal loss by several hundred. Five days later, June 27th, Sherman assaulted along the whole Confederate front. Logan supported by Blair and Dodge moved against the mountain and the positions to the east of it. They were repulsed with heavy loss including seven regimental commanders. French's Confederate division easily held its ground and the skirmish of Walker's division, although driven from their first position, halting on a hill and aided by the artillery from French's position on Little Kennesaw, repulsed the Federals before they came under the fire of Walker's troops. Palmer's corps with Hooker in reserve made a furious assault upon the intrenchments of

Cheatham and Cleburne to the south and west of the mountain but were hurled back with great slaughter. Among Sherman's killed were Generals Harker and McCook.

Sherman says of this battle: "By 11-30 the assault was in fact over and had failed . . . and further on in his report added: "We failed, losing 3,000 men to the Confederate loss of 630."

This battle of June 27th at Kennesaw Mountain was the most important of all those fought by the Confederate Army of Tennessee while under the command of Gen. Joseph E. Johnston. It had been a very bloody repulse of Sherman's larger army.

But within the next five days Sherman tried another flank movement and on the night of July 2nd Johnston abandoned the scene of his recent victory, giving up Kennesaw Mountain and Marietta, but leaving no trophies of any kind to the enemy.

In all the skirmishing and battles on this line the Federals had lost 8,000 men and the Confederates 4,000.

ACROSS THE CHATTAHOOCHEE

Johnston fell back deliberately and skilfully, delaying his pursuers by successful rear-guard fighting until he had crossed the Chattahoochee and was arranging his army for an effort to save Atlanta, when on July 17th he received orders from Richmond to turn his army over to Lieut.-Gen. J. B. Hood, who had been temporarily commissioned as general.

General Johnston in turning over his command claimed that General Grant had penetrated farther into Virginia than Sherman had into Georgia. But the facts are all against that declaration. Grant had not penetrated Virginia at all. He had been hurled off at every point, where he had tried to do so. Lee still held the country over which they had fought, and all his lines of communication were intact from Petersburg to the Shenandoah Valley. Grant had made no captures of manufacturing or of towns of any kind.

Sherman had marched from Dalton to the vicinity of Atlanta, capturing several towns with manufacturing establishments that were sorely needed by the Confederacy and was about to drive another wedge to split the Confederacy completely asunder.

It was time to be alarmed. So the Confederate Government made a change, believing that the situation in the central west could not get much worse and might perhaps be improved under a new commander, who, if less cautious than General Johnston, was more aggressive and having been one of the most successful division commanders under Lee and Jackson, was an ardent admirer of their aggressive tactics.

General Hood had lost the use of an arm at Gettysburg and had lost a leg at Chickamauga. Yet at the beginning of the Atlanta campaign he was again in the saddle and rode as well as most men with all their limbs intact.

Hood urged General Johnston to remain with him and fight the battle for Atlanta, promising Johnston that all the honor should be given to him in case of victory, while, if defeated, Hood would assume all the blame. Johnston would not do this, but explained to him the plan that he had intended to use in the fight for Atlanta.



TABLET TO GEN. LEONIDAS POLK, SOLDIER-BISHOP,
ON THE WALLS OF ST. PAUL'S CHURCH, AUGUSTA

CHAPTER X

HOOD'S DIFFICULT TASK—WHY THE BATTLE OF PEACHTREE CREEK WAS A FAILURE—MCPHERSON SEIZES THE GEORGIA RAILROAD—PREPARES TO SEIZE THE CENTRAL ALSO—EFFORT TO CHECK THIS MOVEMENT BRINGS ON THE GREAT BATTLE OF JULY 22—HARDEE AND CHEATHAM CAPTURE TROPHIES—RESULT NOT DECISIVE—BOTH SIDES CLAIM VICTORY—MCPHERSON AND WALKER KILLED—BATTLE OF EZRA CHURCH—TWO CAVALRY EXPEDITIONS SENT OUT BY SHERMAN—ONE UNDER MCCOOK TO JONESBORO AND ONE UNDER STONEMAN TO MACON—PLANS TO RELEASE 34,000 FEDERAL PRISONERS AT ANDERSONVILLE—WHEELER ROUTS MCCOOK—IVERSON CAPTURES STONEMAN—WHEELER IN SHERMAN'S REAR—BOMBARDMENT OF ATLANTA—HOOD WITHDRAWS—ATLANTA FALLS—SOME COMPARATIVE FIGURES—HOOD'S ARMY AT PALMETTO ADDRESSED BY PRESIDENT DAVIS—ADVANCES INTO TENNESSEE—HIS CAMPAIGN A DISASTROUS ROUT—THE BURNING OF ATLANTA—SHERMAN RESUMES HIS MARCH—WHEELER'S CAVALRY UBIQUITOUS—MILLEDGEVILLE IN ALARM—PROGRESS THROUGH THE STATE—FORT McALLISTER FALLS—HARDEE EVACUATES SAVANNAH AFTER HOLDING IT FOR EIGHT DAYS—ODDS AGAINST HIM, THREE TO ONE—SHERMAN REACHES THE SEA—THEN MOVES NORTHWARD—LAST FIGHTING OF THE YEAR IN GEORGIA—WEST POINT AND COLUMBUS RIVALS FOR THIS HONOR—WILSON'S HEADQUARTERS IN MACON—GEORGIA AT THE CLOSE OF THE WAR.

The army turned over to General Hood was about 50,000 strong, to which should be added some 5,000 state troops under Maj.-Gen. Gustavus W. Smith. Hood had before him the difficult task of holding Atlanta with its important workshops and of preventing Federal cavalry raids against Georgia cities and fields and, what seemed still more difficult, the holding back of the raiders from the capture of Andersonville, and the rescue of thousands of Federal soldiers there imprisoned. What he did accomplish should bring him praise and not harsh criticism. Let it be remembered that he did not ask for the command, but was too good a soldier to refuse the leading of a forlorn hope to save the Central West for the South.

The battle of Peachtree Creek, July 20th, was a failure, because the attack which Hood sent the corps of Hardee and Stewart to make upon Thomas' wing of Sherman's army, while only partially intrenched, was for some reason delayed, and this proved fatal to the whole plan. Among the killed was Gen. C. H. Stevens of South Carolina, commanding a Georgia brigade.

McPherson with Sherman's left wing had already seized the Augusta railroad and was preparing to continue his flanking movement to the

Macon Road. Unless this movement were checked Atlanta would be soon captured. It was either attack or give up Atlanta. Hood ordered Hardee and Wheeler to march on the night of the 21st to the extreme left and rear of the Federal army, and attack as near daylight as possible on the morning of July 22d. Cheatham was to take up the movement from his right and G. W. Smith with the Georgia State Troops was to join in the attack. General Stewart on Hood's left was to watch Thomas and prevent his going to the aid of Schofield and McPherson. The attack was not made until the morning was far advanced, and though gallantly made, was only partially successful. At the close of the day the Confederate right held part of the ground previously occupied by Sherman's left, which had been bent back until it was at right angles to its original position. Hardee bore off as trophies eight guns and thirteen stands of colors, while Cheatham captured five guns and five stands of colors.

Both Hood and Sherman claimed to be the victors in this battle of Atlanta, July 22, 1864. But Sherman's orders show that he expected to occupy Atlanta that day, which he failed to do. Hood hoped to surprise and drive Sherman's army down Peachtree Creek, and this he failed to do. But he had defeated Sherman's flank movement toward the Macon Road and saved Atlanta for a time. The loss of the Federals in this day's fight was near 4,000 men, among whom Gen. James B. McPherson was killed. Since the Confederates repeatedly charged strong positions their loss in men was perhaps somewhat greater, but was not given separately. Among their killed was Maj.-Gen. W. H. T. Walker, of Georgia.

Six days later, July 28th, was fought the battle of Ezra Church, fought by Lieut.-Gen. Stephen D. Lee, now in command of Hood's left wing. The Confederate attacks were repulsed, but the Federals failed to turn Hood's left.

Meanwhile Sherman sent a cavalry expedition under General McCook from the Federal right across the West Point Road to the Macon Road below Jonesboro, and another under General Stoneman from the Federal left to meet McCook's force at Macon, whence both should sweep down to Andersonville and release 34,000 Union prisoners there confined. Lieut.-Gen. Joseph Wheeler, who commanded Hood's cavalry, sent Brig.-Gen. Alfred Iverson to look after Stoneman, while he attended to McCook. Near Newnan Wheeler routed McCook and chased him beyond the Chattahoochee, capturing 950 men, 1,200 horses with equipments and two cannons, well-nigh wiping out McCook's command, August 2, 1864. On the same day, Iverson, aided by Maj.-Gen. Howell Cobb, who had defeated Stoneman at Macon the day before, captured Stoneman and 500 of his men at Cross Keys with their horses and two cannons, and closely pursuing the routed Federals past Eatonton and back to their lines north of Atlanta increased greatly the number of captured prisoners and horses. These two victories had deprived Sherman of 3,000 of his 10,000 cavalry.

Wheeler, being now sent to the rear of Sherman's army, burned the bridge over the Etowah, captured Dalton and Resaca, destroyed thirty-five miles of railroad, then going into Tennessee and uniting with Forrest wrought havoc with Federal lines of supply in that state.

Sherman continued to extend his lines westward and southward from Atlanta. On August 6th General Schofield's corps of Sherman's army met with a severe repulse from Major-General Bate on Hood's left at Utoy Creek.

Sherman, thinking that in the absence of Wheeler his own cavalry could do some good work, sent Kilpatrick against the Macon Road, who was defeated by Gen. W. H. Jackson's Confederate horsemen, and a Federal raid along the Augusta Road was at the same time (August 22d), driven back.

Atlanta was subjected to a furious bombardment from the 9th to the 25th of August. That of the 9th was the most terrible of all. General Hood, in his book entitled "Advance and Retreat," says:

"Women and children fled into cellars. It was painful, yet strange, to see how expert grew the old men, women and children in building their little underground forts, into which to fly for safety during the storm of shell and shot. Often mid the darkness of night were they constrained to seek refuge in these dungeons beneath the earth. Albeit I cannot recall one word from their lips expressive of dissatisfaction or willingness to surrender."

Sherman, despairing of taking Atlanta by direct attack, sent Slocum with his sick and wounded back to the Chattahoochee to entrench a camp there and hold it with one corps, while with his other five corps he began to march on the night of August 25th to the westward. Reaching Farburn on the West Point Road, he turned southward towards Jonesboro, which placed the head of his column reached on August 30th. Thither Hood sent Hardee with his corps and that of Stephen D. Lee to attack the Federals. But Hardee found them intrenched and failed to drive them out (August 31st). Lee's corps then marched back toward Atlanta to protect Hood's line of retreat, while Hardee, with his one corps against heavy odds, held his ground in spite of the piercing of his center and the capture of the larger part of Goren's brigade and eight cannons, actually restoring his line and holding back Sherman's five corps, until Hood could withdraw from Atlanta and on the morning of September 2d concentrate his forces at Lovejoy. Contrary to the expectations of Sherman, Hood had under the most difficult conditions saved his army. But he had left Atlanta to Sherman, who had now scored the first decisive victory won by Union land forces in 1864.

The strength and losses of the opposing armies from the opening of the campaign at Dalton, May 7, 1864, to the fall of Atlanta, September 2, 1864, as stated in their official reports, were as follows:

Union Army—Greatest strength, 113,000 effective troops, and losses of 4,423 killed, 22,822 wounded and 4,442 captured or missing—31,087.

Confederate Army—Greatest strength, 71,000 effective, and losses of 3,044 killed, 18,952 wounded and 12,983 captured or missing—34,979.

Major Dawes of Cincinnati, an officer of the Union army, estimates the losses as about equal, 40,000 on each side.

Sherman in his congratulations to his army said that the Confederate defense of Atlanta had been gallant and skillful.

Sherman thought that he could now detach Georgia from the other states of the Confederacy, but his propositions were promptly rejected by

Vice President Stephens and Governor Brown, who both declared that Georgia would stand or fall with her Southern sisters.

Sherman was now in doubt as to what move to make next; "for" said he, "Hood still has an army of 40,000 men, who, though shaken, are not yet beaten."

Hood, instead of retreating southward, had in less than two weeks moved westward and on September 20th fixed his headquarters at Palmetto on the West Point Railroad. Here President Davis visited the army, to which he made an encouraging speech and in conjunction with General Hood formed a plan by which it was hoped Sherman might be made to let go his conquests in Georgia. It was hoped that by marching northward and destroying the single line of railroad over which the Federal army drew its supplies Hood could force Sherman to retire into Tennessee. But, if he should start from Atlanta to march through Georgia, Hood's army could fall upon his rear, while other forces placed in his front, might by united efforts effect his overthrow. President Davis never intended that General Hood should move his army beyond striking distance of Sherman.

Hood crossed the Chattahoochee on October 1st, marched to Dallas, destroyed the railroad for fifteen miles above Marietta and sent General French to capture Allatoona. This post French attacked in the early morning of October 5th, captured part of the Federal works and drove the Federals under Corse into a little star-shaped fort, which he would have forced into a surrender but for the approach by Sherman with his army.

Retiring, French joined Hood, who still moved northward, tore up the railroad from Resaca to Tunnel Hill and captured the Federal posts at Tilton, Dalton and Mill Creek Gap. The first important effect of Hood's northward movement was that Sherman, leaving a corps to hold Atlanta, marched with the rest of his army after Hood. The Confederate general avoided battle with Sherman and marched to Gadsden in Alabama, where he had abundant supplies. Thence he moved to Florence on the Tennessee. Sherman says that "thus far Hood's movements had been rapid and skillful."

In fact more than two months had passed since the fall of Atlanta and Hood's tactics had kept Sherman up to this time from making any farther advance.

Sherman now sent by rail two corps to reinforce Thomas who had been put in command of Tennessee with headquarters at Nashville. Then with three corps he turned back to join the other corps at Atlanta.

Hood, instead of hanging on his rear according to the plan of President Davis, after consulting with General Beauregard, now in command of the western department, marched for Tennessee. In that state he was joined by the splendid cavalry corps of Gen. N. B. Forrest, a body of soldiers that had for months gained wonderful victories in North Mississippi and Tennessee.

We cannot trace in these pages Hood's movements and battles in Tennessee. Suffice it to say that, after as gallant an effort as soldier ever made to retrieve what had been lost, he failed irretrievably. Hood had sent Wheeler's cavalry back to Georgia and thither also went Gen-

eral Beauregard, to gather a force and hold Sherman in check as best he could, while Hood in Tennessee decided the fate of the central west.

On November 14th Sherman concentrated around Atlanta 60,000 infantry and artillery in four corps, the right wing under Howard and the left under Slocum, and 5,500 cavalry under Kilpatrick.

Under Sherman's orders Capt. O. M. Poe "thoroughly destroyed Atlanta, save its mere dwelling houses and churches." There was no effort to keep the flames from spreading and about eleven-twelfths of the city was destroyed. Capt. Daniel Oakey, of the Second Massachusetts Volunteers, says: "Sixty thousand of us witnessed the destruction of Atlanta, while our post band and that of the Thirty-third Massachusetts played martial airs and operatic selections." The barbarism of this whole transaction is a fitting sequel to the expulsion of the people of Atlanta soon after its occupation by General Sherman.

Four months from the time that Hood took command Sherman began his devastating march. The only force available to oppose him consisted of 3,000 Georgia reserves (state troops) under Maj.-Gen. Gustavus W. Smith and Wheeler's cavalry. By presenting a bold front these forces caused Howard to pass Griffin, Forsyth and Macon unmolested.

At Griswoldville contrary to General Smith's orders the state troops attacked an entrenched Federal division and were repulsed, losing 51 killed and 472 wounded. Yet they remained close to the Federal line until dark, when they were withdrawn to Macon and sent by rail to Thomasville, and from that point to Savannah.

As the Federal army approached Milledgeville, attempts were made to remove the state property and archives. Since the penitentiary had been used for the manufacture of arms and was liable to be destroyed, Governor Brown released the convicts and organized them into a uniformed and enlisted battalion under Captain Roberts. They did good service in removing property and in resisting the advance of the enemy.

Along the line of march Sherman's "bummers" entered private houses, took everything valuable, burned what they could not carry off and in some instances set fire to the house itself. They tore rings from the fingers of ladies and hung up old men to make them tell where treasures were buried.

Wheeler with his cavalry was almost ubiquitous, defeating exposed detachments, preventing foragers from going far from the main body, defending cities and towns along the railroad lines and in some instances saving arsenals and depots of supplies. For instance, Wheeler heard at midnight of November 25th that Kilpatrick was moving against Augusta. He led his horsemen in hot pursuit, their way lighted by the barns, cotton gins, corn cribs and houses fired by the Federals. Near Waynesboro he overtook Kilpatrick, whom he routed so effectually that the Federal horsemen sought the protection of the infantry, from which they did not venture again during the campaign.

At the railroad bridge over the Oconee River part of the Georgia Reserves and the cadets of the Georgia Military Institute held in check Howard's advance during the 23d and part of the 24th of November. Austin led the cadets at the railroad bridge on the 23d and Maj. A. L. Hartridge drove back a Federal detachment which had crossed the river. On the 24th Gen. H. C. Wayne in command at this point stoutly held one

end of the bridge until night, although the enemy had set fire to the other end.

General Beauregard had been unable to collect a force sufficient to do more than delay Sherman's large army, which on December 10th appeared near Savannah. This city was defended by 18,000 Confederates under Lieut.-Gen. W. J. Hardee.

All the approaches to Savannah by water had been hitherto successfully defended. Fort McAllister had scored victory after victory over the Union fleet. But now the severest test of all was coming. The fort with its heavy guns and valiant hearts had been able to keep Federal ironclads from going up the Ogeechee or Federal transports from landing troops to march upon the city from the rear. But what could its little garrison of 230 men avail against Major-General Hazen's division 4,000 strong? They could fight and, upon the testimony of the enemy, this they did until every man was individually overpowered. This occurred December 13, 1864.

Sherman was now able to communicate with the Union fleet. He expected to capture Savannah and its defending army. But Hardee for eight days more held the city against more than three times his numbers. Then he withdrew across the Savannah, having made one of the most successful retreats of the war.

The Confederate fleet in the Savannah River, which hitherto added greatly to the strength of the land batteries that defended all the approaches in that direction, consisted of the Milledgeville, the ironclad Savannah, the Waterwitch and the small steamers, Beauregard and General Lee, all under command of Commodore Tattnall.

The Waterwitch had been a vessel of the Federal blockading fleet and had been captured on the night of July 3, 1864, while Johnston and Sherman were still maneuvering and fighting between Marietta and the Chattahoochee River. The capture had been accomplished by a boarding party under Lieuts. Thomas P. Pelot and Joseph Price. In this brilliant affair Lieutenant Pelot was killed. The Waterwitch was added to the Confederate navy with Lieut. W. W. Carnes in command.

Before the evacuation of Savannah by Hardee, Commodore Tattnall destroyed the navy yard and naval property including a large quantity of ship timber, blew up the water battery, Georgia, and sank the Confederate ships, Waterwitch and Milledgeville. The small steamers, Beauregard and General Lee, an unfinished torpedo boat, 150 cannons and 32,000 bales of cotton fell into the hands of the Federals.

Captain Brent commanding the ironclad Savannah was still in the river, when the flag of the United States was raised over Fort Jackson. Captain Brent promptly opened fire, drove the troops from the guns of the fort and, game to the last, flew the Confederate flag until the night of the 21st. Then, running his vessel over to the Carolina shore, he blew it up at 10 P. M. and marched with his crew to join General Hardee's column.

General Sherman reported that he had destroyed the railroads for more than 100 miles, had carried away more than 10,000 horses and mules, as well as a countless number of slaves. He said: "I estimate the damage done to the State of Georgia and its military resources at

\$100,000,000, at least \$20,000,000 of which has inured to our advantage, and the remainder is simply waste and destruction."

As the year 1864 came to an end Georgia was in a deplorable condition. The polls of the state had decreased from 52,764 to 39,863. The state's expenditures for the year had been \$13,288,435 and bank capital had decreased one half. It required \$49.00 of Confederate money to buy \$1.00 of gold. Governor Brown claimed that during the fall and winter Georgia had a larger proportion of her white population under arms than any other state in the Confederacy.

As the year 1865 opened there was no prospect for better things. Sherman's army had swept through the state leaving a wide trail of devastation. But his army was not occupying the state and the Legislature met at the usual time and place (Milledgeville), and passed resolutions sustaining the continuance of the war. This showed that Georgia was still ready to succeed or perish with her southern sisters.

Even before Sherman had reached the coast in December, 1864, citizens of Atlanta were moving back to Atlanta and putting up temporary buildings in which to transact business. Confederate cavalry had reoccupied the city and on January 23, 1865, Brig.-Gen. Wm. T. Wofford assumed command of all Confederate troops in North Georgia with headquarters at Atlanta. He called in and organized several thousand men and brought order out of chaos. There was much destitution throughout all that section of the state. To the north of the Chattahoochee was a Federal force under Brigadier-General Judah. With him General Wofford opened a correspondence and the two arranged a truce. Wofford had supplies of corn and Judah furnished the wagons for distributing the corn among the people.

After Hood's army had retreated from Nashville into North Mississippi many thousands had been furloughed. They were now reporting for duty again. Partly by sail and part of the way on foot they were crossing Georgia to engage in the campaign of the Carolinas. Gen. Richard Taylor was in command in Alabama and Mississippi and General Forrest in Alabama, and his gallant cavalry were ready to do all in their power to hold back invasions.

When Sherman was on his northward march through South Carolina in February, 1865, he sent Kilpatrick with his cavalry against Augusta, Georgia. But the gallant Georgian, Joseph Wheeler, routed Kilpatrick at Aiken, South Carolina, as he had at Waynesboro, Georgia, the preceding November, and a second time saved Augusta from pillage and destruction.

When the campaign of 1865 opened, the soldiers of Georgia, both in Virginia and in the Carolinas, stood as ready as ever to stand by their colors even to the death.

When Lee ordered the attack at Fort Steadman, it was Georgia's dashing Lieut.-Gen. John B. Gordon, who led the assault and it was he, who at Appomattox in command of Lee's left wing, led the last attack made by the Army of Northern Virginia, and Brig.-Gen. Clement A. Evans, who was for several months acting major-general, commanded Gordon's old division including the famous Stonewall brigade, who on the extreme left, not knowing that Lee and Grant had agreed

upon terms of surrender, led a successful charge which shed a parting glory over the Army of Northern Virginia.

In the Confederate army in the Carolinas under Gen. Joseph E. Johnston, the Georgians of the Army of Tennessee acted a brilliant part in the charges at Bentonville led by the distinguished Georgia soldier, Lieut.-Gen. Wm. J. Hardee.

The last noted military events in Georgia were those connected with the cavalry raid of Maj.-Gen. James H. Wilson, who with 10,000 Federal cavalry swept across Alabama and entered Georgia near West Point. One of his detachments under Colonel La Grange defeated a small Confederate force under Gen. Robert C. Tyler (who was killed), April 16th. On the same day at Columbus another division of General Wilson's force defeated Gen. Howell Cobb, capturing 1,200 men and fifty-two field guns. They also destroyed all Confederate river craft and burned the cotton mills. But neither of these combats was the last one of the war. That distinction belongs to Texas in which state at Palmetto Ranch, May 13th, the Confederates won a brilliant little victory.

From Columbus Wilson's forces began to move toward Macon. Within thirteen miles of that city they were met by Brigadier-General Robertson of Wheeler's corps under a flag of truce, bearing a letter from General Cobb announcing an armistice between Generals Johnston and Sherman. Before General Wilson could take action Colonel White of his command had dashed into the city and received the surrender of the garrison with Generals Cobb, Smith and Marshall. When informed of the armistice, General Wilson issued the necessary orders to carry it out. He received notice (April 30th) of the final capitulation of all the Confederate forces east of the Chattahoochee River.

President Davis held his last cabinet meeting in Washington, Georgia, on May 4 and 5, 1865. He was captured near Irwinville, Georgia, on the morning of May 10, 1865.

Georgia was left in a sad condition. The assessed valuation of the whole taxable property of the state had been reduced from \$600,000,000 in 1860 to less than \$200,000,000. Her resources of every kind had been fearfully depleted, her territory ravaged, many of her factories and workshops destroyed, her slaves freed and her people reduced to poverty. But to a dauntless people no disaster is irreparable, as is proved by Georgia's present wealth and proud position among the states of the restored Union.

CHAPTER XI

PRESIDENT LINCOLN'S ASSASSINATION—A CALAMITY TO THE SOUTH—JOHN WILKES BOOTH—ESTIMATES OF THE MARTYRED PRESIDENT—ANDREW JOHNSON INAUGURATED—HIS HUMBLE ORIGIN—TABOOED BY THE TENNESSEE ARISTOCRATS—RESOLVES TO MAKE TREASON ODIOS—ORDERS THE ARREST OF SOUTHERN LEADERS—MR. TOOMBS MAKES HIS ESCAPE TO EUROPE—GEORGIA AN ASYLUM FOR THE FUGITIVE CONFEDERACY—THE LAST MEETING OF THE CONFEDERATE CABINET IN THE OLD HEARD HOUSE, AT WASHINGTON, GEORGIA—HISTORY REPEATS ITSELF—THE ARRIVAL OF THE SPECIE TRAIN—THE LAST ORDER OF THE CONFEDERATE GOVERNMENT—MAJ. R. J. MOSES—THE FAMOUS RAID ON THE CONFEDERATE TREASURE WAGONS—PRESIDENT DAVIS OVERTAKEN BY FEDERAL CAVALRY, NEAR IRWINVILLE, GEORGIA, AND PLACED UNDER ARREST—AN AUTHORITATIVE ACCOUNT OF THE AFFAIR—PRESIDENT DAVIS WHEN ARRESTED WAS NOT WEARING HIS WIFE'S HOOP-SKIRT AND SUN-BONNET—FALSEHOODS CONCERNING HIM REPUTED.

President Abraham Lincoln was assassinated on April 14, 1865, within five days after Appomattox. His death at the hands of one in sympathy with the Confederate cause was a dire calamity to the South. It removed from the presidential chair a far greater man than Andrew Johnson. It served, moreover, to place this section in a false light before the world and to cast reproach upon a brave people who, with a record for heroism unsurpassed in the world's history, were not slow, even amid the ashes of defeat, to condemn an act for which there was neither palliation nor excuse. The South was not in need of an assassin's arm to defend her, when Robert E. Lee's stainless sword, through four splendid years, had blazed the way for her victorious legions. But she did need a friend in the White House; and she undoubtedly possessed such a friend in the tender-hearted, broad-minded, fun-loving, genial and gentle man of the people, concerning whom our own matchless Grady, in a great speech before a New England audience, said, in after years: *

"My friends, Doctor Talmage has told you that the typical American has yet to come. Let me tell you that he has already come. Great types, like rare plants, are slow to flower and fruit. But from the union of these colonists, Puritan and Cavalier, from the straightening of their purposes and the crossing of their blood, slow-perfecting through a century, came he who stands as the first typical American, the first to comprehend within himself, all the strength and gentleness, all the majesty

* Banquet speech before the New England Society of New York, delivered December 21, 1886.

and grace of this Republic—Abraham Lincoln. He was the sum of Puritan and Cavalier, for in his ardent nature were fused the virtues of both and in the depths of his great soul the faults of both were lost. He was greater than Puritan, greater than Cavalier, in that he was American, and that in his honest form were gathered the vast and thrilling forces of his ideal government, charging it with such tremendous meaning and so lifting it above human suffering that martyrdom, though infamously aimed, came as a fitting crown to a life, consecrated from the cradle to human liberty."

John Wilkes Booth was a fanatic and a madman. His life on the tragic stage supplied food to a nature inherently morbid. He craved notoriety; and on more than one occasion he is said to have expressed a desire to make his final exit in a spectacular fashion. True to his theatrical instincts, therefore, he planned a drama in which his insane wish was to be realized; but for the South as well as for himself, it was fated to prove a tragedy. Its only effect was to multiply the atrocities of a lawless era and to impart new terrors to the hideous nightmare of reconstruction.

Unexpectedly summoned to the helm, Mr. Johnson began his administration with an avowed intention "to make treason odious." This malignant threat was aimed at the southern leaders. To quote a phrase of the period, these had started "a rich man's war and a poor man's fight." Though an East Tennessean, it was not from the slave-holding aristocracy that he derived his birthright; he sprang from an humble element of the state's population known as "poor whites," among whom slave-holding was almost unknown. It is not to Mr. Johnson's discredit that he began his career in a tailor's work-shop; but there was always an air of resentment in the attitude which he assumed toward the ruling classes, some of whom, even when he became governor of the state, were outspoken enough to remind him that, in spite of his political prestige, he was still an outcast from the best social life of Tennessee. Mr. Lincoln was of an equally humble origin, but his outlook upon life was much broader, and he was dominated less by his dislikes than by his sympathies.

Pursuant to his announced purpose, Mr. Johnson at once began to make an example of the leaders. Governor Brown, Howell Cobb, Robert Toombs, Benjamin H. Hill, and Alexander H. Stephens were all designated as arch-offenders and marked for condign punishment. Governor Brown was then occupying the executive chair at Milledgeville. General Cobb had been secretary of the treasury under President Buchanan, had been an ardent secessionist, and had presided over the Provisional Congress at Montgomery, Alabama. General Toombs was for a short time premier of the Confederate Cabinet. He had also been a fire-brand in the cause of secession—its master-spirit. Mr. Hill had been the recognized spokesman for Mr. Davis in the Confederate Senate and, though originally opposed to secession, had sought with unrivalled eloquence to revive the drooping spirits of the army, and had urged our soldiers at the front to fight on. Mr. Stephens had also been a strong anti-secessionist; but, having accepted the office of vice president of the Confederate States, he had become a shining mark for political proscription.

Each of these leaders, with the exception of Mr. Toombs, was duly arrested and imprisoned. Mr. Stephens, notwithstanding his frail health,

was incarcerated at Fort Warren in Boston Harbor. Governor Brown was confined in Carroll prison, in Washington, D. C. and Mr. Hill in Fort LaFayette, New York. But all were subsequently released; and, with the single exception of Mr. Toombs, all were pardoned. Mr. Toombs eluded arrest by taking a path which led from the rear of his home in Washington, Georgia, to the forest stretches beyond. Mrs. Toombs delayed the arresting officer at the front door, while Mr. Toombs momentarily increased the distance which lay behind him, thus finding his way to a saddled horse. It proved to be his faithful mare, Gray Alice. On the back of this faithful animal, he traveled all the way to New Orleans, through which port he finally made his escape to Europe. He was for six months in the saddle and at times was closely pressed by his pursuers. Once out of the country, his safety was assured. The flight of Mr. Toombs constitutes a dramatic episode in the history of Reconstruction but one hardly in keeping with the heroic mold of the kingly Georgian. The following particulars are condensed from an account furnished by Prof. U. B. Phillips: *

"Toombs was left unmolested by the Federal military until May 11. On that day, however, a fresh detachment of troops entered the town and proceeded to Toombs's home with an order from the Secretary of War for his arrest. But Toombs fled from the house as the soldiers were approaching and lay in hiding until a young friend, Charles E. Irwin, who had just returned from a lieutenancy in the artillery under Longstreet, got into communication with him and arranged a rendezvous at a farm some eighteen miles from Washington. He led thither next morning Toombs's well-known war-horse, Gray Alice, and served as companion and messenger for the fugitive during the following weeks. The two men journeyed into northeastern Georgia, where Toombs kept moving about to avoid capture, while Irwin went on errands to open communication for Toombs at his home and at Savannah.

"On August 5, 1865, General J. B. Steedman, in command of the Federal troops in the district, telegraphed from Augusta to the Secretary of War: 'The wife of Robert Toombs, of Georgia, desires to know whether Mr. Toombs can be paroled if he surrenders to the military authorities.' Secretary Stanton replied, August 11: 'Your telegram respecting Robert Toombs has been submitted to the President, who directs that if Mr. Toombs comes within reach of the U. S. forces he be immediately arrested and sent in close custody to Fort Warren.' At Savannah, Irwin tried unsuccessfully to make arrangements for Toombs to leave the country through that port. He then rejoined Toombs in central Georgia and accompanied him on a cautious horseback journey to the latter's plantation in Stewart county, and thence by rail and steamboat to Mobile and New Orleans, whence Toombs sailed November 4, for Havana. There, at last, on foreign soil, he was safe from arrest. . . .

"Toombs thought for a time of locating in Mexico; but he soon gave up that plan. His wife joined him at Havana and they sojourned there during the winter and spring. In May, she returned home, while he proceeded to Europe in further prospecting for a home. Mrs. Toombs

* "The Life of Robert Toombs," by U. B. Phillips. The Macmillan Co., 254-256.

joined him in Paris in July and they spent the following year and a half in European exile. Their living expenses were defrayed by the sale of part of his great tract of land in Texas. The land was wild and the price was low; and Toombs was fond of saying while abroad that he was eating an acre of dirt a day.

"Neither Toombs's spirit nor his resolution to remain in exile appear to have flagged until in December, 1866, he received a cable dispatch telling him of the death of his daughter, Mrs. Dudley M. DuBose. Mrs. Toombs at once returned, leaving her husband, like herself, bowed down. For the first time he felt the pangs of a genuine exile. Grief-stricken and lonely, he felt the weight of increasing years and his dependence upon the remaining dear ones at home. Within a few weeks he found his exile insupportable, and notified his wife that he was about to return. 'The worst that can happen to me is a prison,' said he, 'and I don't see much to choose between my present position and any decent fort.' Returning to the United States in the spring of 1867 he had a satisfactory interview with President Johnson, went home, and was never molested by the Federal authorities."

It so happened that upon Georgia's soil the last pathetic chapter in the life of our "storm-cradled nation" was written; for it was in the Town of Washington, Wilkes County, Georgia, that the Confederacy's expiring breath was drawn, its last cabinet meeting held, its last order signed. Strange, indeed, are the ironies of fate. Robert Toombs was Georgia's impassioned Mirabeau. He stormed the state into secession. Jefferson Davis was the titular head of the Southern Confederacy; but Toombs was its genius. In after years he refused to take the oath of allegiance. Like Robin Hood, he gloried in his outlawry, and, impenitent to the last, died an "unpardoned rebel." It was not unmeet, therefore, that, when tottering to its fall, the government which he had helped to form, which he had almost called into existence, should have found its last asylum in the Town of Washington, the home of Robert Toombs. Thus it came about that the same man who rocked its cradle furnished its death bed.

Mr. Davis, withdrawing from Richmond in advance of its evacuation, refuged to Danville, accompanied by a small retinue of followers. Greensboro, North Carolina, and Abbeville, South Carolina, were his next stopping places. Thence he turned his face toward Washington, Georgia, where, in the famous old Heard House, the last meeting of the Confederate cabinet was held. This historic land-mark has long since disappeared. It was built in 1824 and occupied for years as a bank, constituting one of the tributaries of the Georgia State Bank of Savannah. Later it became the home of Gen. B. W. Heard, a descendant of the noted pioneer family of this name who founded the Town of Washington. The old Heard House formally stood on a lot facing the present Court House Square, but was demolished in 1904 to make way for the present handsome building in which the county offices are located. Here, in a room occupied by Dr. J. J. Robertson, then cashier of the bank, Mr. Davis, on May 5, 1865, met for the last time the members of his official household. Those present were: John C. Breckinridge, secretary of war; John H. Reagan, postmaster-general, and several members of the president's military staff, including Gen. A. R. Lawton,

was incarcerated at Fort Warren, in Boston Harbor. Governor Brown was confined in Carroll prison, in Washington, D. C. and Mr. Hill in Fort LaFayette, New York. But all were subsequently released; and, with the single exception of Mr. Toombs, all were pardoned. Mr. Toombs eluded arrest by taking a path which led from the rear of his home in Washington, Georgia, to the forest stretches beyond. Mrs. Toombs delayed the arresting officer at the front door, while Mr. Toombs momentarily increased the distance which lay behind him, thus finding his way to a saddled horse. It proved to be his faithful mare, Gray Alice. On the back of this faithful animal, he traveled all the way to New Orleans, through which port he finally made his escape to Europe. He was for six months in the saddle and at times was closely pressed by his pursuers. Once out of the country, his safety was assured. The flight of Mr. Toombs constitutes a dramatic episode in the history of Reconstruction but one hardly in keeping with the heroic mold of the kingly Georgian. The following particulars are condensed from an account furnished by Prof. U. B. Phillips:

"Toombs was left unmolested by the Federal military until May 11. On that day, however, a fresh detachment of troops entered the town and proceeded to Toombs's home with an order from the Secretary of War for his arrest. But Toombs fled from the house as the soldiers were approaching and lay in hiding until a young friend, Charles E. Irwin, who had just returned from a lieutenancy in the artillery under Longstreet, got into communication with him and arranged a rendezvous at a farm some eighteen miles from Washington. He led thither next morning Toombs's well-known war-horse, Gray Alice, and served as companion and messenger for the fugitive during the following weeks. The two men journeyed into northeastern Georgia, where Toombs kept moving about to avoid capture, while Irwin went on errands to open communication for Toombs at his home and at Savannah.

"On August 5, 1865, General J. B. Steedman, in command of the Federal troops in the district, telegraphed from Augusta to the Secretary of War: 'The wife of Robert Toombs, of Georgia, desires to know whether Mr. Toombs can be paroled if he surrenders to the military authorities.' Secretary Stanton replied, August 11: 'Your telegram respecting Robert Toombs has been submitted to the President, who directs that if Mr. Toombs comes within reach of the U. S. forces he be immediately arrested and sent in close custody to Fort Warren.' At Savannah, Irwin tried unsuccessfully to make arrangements for Toombs to leave the country through that port. He then rejoined Toombs in central Georgia and accompanied him on a cautious horseback journey to the latter's plantation in Stewart county, and thence by rail and steamboat to Mobile and New Orleans, whence Toombs sailed, November 4, for Havana. There, at last, on foreign soil, he was safe from arrest. . . .

"Toombs thought for a time of locating in Mexico; but he soon gave up that plan. His wife joined him at Havana and they sojourned there during the winter and spring. In May, she returned home, while he proceeded to Europe in further prospecting for a home. Mrs. Toombs

* "The Life of Robert Toombs," by U. B. Phillips. The Macmillan Co., 254-256.

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THE OLD HEARD HOUSE AT WASHINGTON, IN WHICH THE LAST MEETING OF THE CONFEDERATE CABINET WAS HELD

quartermaster-general; Gen. I. M. St. John, commissary-general; Maj. R. J. Moses and others. It so happened that General Tombs was also in Washington when the Confederate cabinet met, in the old Heard House for its final deliberations, and though not on the best of terms with Mr. Davis, he offered to put a horse at his disposal for the homeward journey. But this offer Mr. Davis politely declined. Here the final deliberations occurred, after which the cabinet ceased to exist and the Confederate Government passed into history. It is a somewhat unique and singular coincidence that almost on this same spot—eighty-five years before—the state authorities of Georgia, refugeeing from the British, here found an asylum at Heard's Fort, thus making the Town of Washington a place of refuge for two separate and distinct fugitive governments: the State of Georgia and the Confederate States of America.*

During the stay of the Confederate officials in Washington great excitement was produced by the arrival upon the scene of a train of wagons bearing gold and silver in large quantities. It belonged to the Confederate Government and was carefully guarded by an armed force of men. Actual money was a scarce commodity in the South at this time, and, since little value any longer attached to Confederate notes, this train of wagons made the countryside almost hysterical; it became known as the "Specie Train," and as such it is still recalled to this day in the local traditions. To as many soldiers as could be reached, the sum of \$26.25 each was paid, on proper attestation of service, according to the rolls; and, at the same time, \$40,000 was reserved for rations, to be issued to soldiers returning from the front. It is to the distribution of this specie that the final orders of the Confederate Government relate.

To the dry official records we are indebted for a choice bit of information concerning the last order of the Confederate Government, issued while the authorities still lingered in this Georgia town, whose pathetic but immortal duty it was to furnish a dying couch for a Lost Cause and to witness the death-throes of an empire. This document is commonplace in itself. It deals with what is seemingly an unimportant transaction. But viewed as the culminating order of a government which for four years had fought an unparalleled fight, which with only 600,000 men had faced an army in magnitude more than four times greater, which had disbursed billions of treasure and made an admiring world pay homage to southern chivalry; viewed in this light the last order of the Confederate Government is one of the most precious relics in the world's historic museum. The paper containing this order tells its own story, apart from the message which it preserves in writing. It was manufactured under the adverse conditions incident to the Confederacy's last days. Thin, yellow, coarse, porous, it reflects the prevailing destitution. In size, it resembles commercial note paper, but here the resemblance ends. To scan the contents, it directs Maj. R. J. Moses, a Georgian, to pay \$10,000 in gold bullion to its bearer, Maj. R. R. Wood, whose signature attached to the receipt shows the prompt-

* Authorities: Miss Eliza F. Andrews, Miss Annie M. Lane and Mrs. T. M. Green, all of Washington, Georgia.

ness, the fidelity, and the honesty with which this final order was executed. Here follows the order:

"Maj. R. J. Moses, C. S., will pay \$10,000; the amount of bullion appropriated to Q. M. Dep. by Sec. War, to Maj. R. R. Wood. By order of Q. M. Gen.

"W. F. ALEXANDER, Maj. and Ass. to Q. M. Gen.
"5 May, 1865, Washington."

The receipt is as follows:

"Washington, May 5, '65.

"Received from Maj. R. J. Moses three boxes estimated to contain \$10,000 in bullion. This has not been weighed or counted, and is to be opened before two commissioned officers and a certificate of contents made, which certificate is to be forwarded to Maj. R. J. Moses, and by the amount certified to the undersigned is to be bound.

"R. R. Wood, Maj. and Q. M."

It was on the old Abbeville Road, between Washington, Georgia, and Abbeville, South Carolina, at a point occupied by the old Chenault home, that the famous raid on the Confederate treasure wagons occurred. This dramatic episode is too vitally interwoven with the history of the reconstruction period in Georgia to escape mention somewhat more in detail. We quote the following account from one who, if not an eye-witness, was at the time a resident of Wilkes, old enough to recall the excitement occasioned by the incidents which we here set forth. As told by this authority, the narrative runs as follows:*

"I do not know how many generations have lived in the old Chenault home, but representatives of the family still occupy it. In 1805, old Dionysius Chenault, a Methodist preacher of high standing, held sway over a large plantation, and, by virtue of his office was an oracle for the surrounding neighborhood. The house, a fine old ante-bellum mansion, crowns a gently rising slope, as one travels the old stage road between Washington and Abbeville, S. C.; the same road—crossing the Savannah River at Lisbon—over which our ancestors of the Revolution travelled from Virginia and North Carolina into Wilkes County—the same road, too, over which Jefferson Davis took his flight from Richmond, to the South; and it was here, at the old Chenault home, that Mrs. Davis was entertained as she preceded her husband by a few days.

"Dionysius Chenault was an old time Georgia planter. He lived in great affluence, surrounded by his broad, fertile acres, and served by his sleek, well-fed negroes. He was also much given to hospitality. His daughters were great country belles, and Chenault's tent, at the old Wheat camp-meeting grounds, furnished the headquarters for whatever was going on in a social way. In short, no better people lived in Wilkes, or in the world, than the Chenaults.

"On a day in the latter part of April, 1865, about ten o'clock in the forenoon, a train of five wagons moved slowly out of Washington on the Abbeville road. They were bound for Richmond, Va., and were occupied by five well-dressed, city-bred men, besides five wagoners, one

* Mrs. T. M. Green, in "Georgia's Landmarks, Memorials and Legends," by L. L. Knight, Vol. II, pp. 213-216.

of which number was a negro. The wagons were covered with white canvas and looked for all the world like an emigrant train or a party of North Carolina apple venders. Slowly they toiled along, picking their way between ruts and gullies cut in the road by the passing of two great armies. At night-fall, having come only 12 miles, they pulled up in front of the home of Dionysius Chenault. They asked permission to camp for the night and were given the use of a large horse-lot fenced in on all sides, with a double gate opening at one end. The sturdy old planter bade them welcome and offered them such refreshments as lay in his power, for it must be remembered that, at this time, Georgia was under the rule of a military despotism and Wilkes was trampled barren by the passing of both Confederate and Federal troops through her borders.

"Our travellers prepared for the night by drawing their wagons close together in the center of the field and by stabling their horses in the empty sheds. Across the road and through the woods, campfires were glimmering. Bands of straggling Confederates were resting here and there, and troops of well-armed Union soldiers were moving hither and thither. By and by, the moon rose full and clear, and, outside the enclosure, a solitary horseman was seen. He was in full Federal uniform, with bars on his coat denoting the rank of an officer. He was well-mounted, and the sabre of a cavalryman hung by his side. Our travellers noted his appearance with some alarm, for he was evidently taking an inventory of the camp. However, he disappeared as quickly as he came, and after several hours of watching, the wagoners, overcome by fatigue, fell asleep.

"These wagons contained gold and silver coin and bullion, belonging to certain Virginia banks. It is not a part of this story to go into details of the affair further than concerns the Chenaults. Suffice it to say that the treasure had been concealed in Washington for weeks. The guardians of it had obtained from General Upton, at Augusta, an order for its safe conduct back to Richmond and, armed with this passport, they hoped to make their way quietly without arousing suspicion, across the gap, over to Abbeville, where they hoped to land it safely on board freight cars bound for Richmond.

"While they were wrapped in deep slumber, suddenly the camp was aroused by cries, and shouts, and cursing. At the same time, a party of horsemen dashed through the gate, up to the wagons, and upon the sleeping travellers. Resistance was useless. The surprise was complete. Bankers and drivers were captured, and the treasure train plundered. It was said afterwards that the men waded ankle deep in gold and silver. The raiders filled their haversacks and their pockets. They tied bags of gold to the pommels of their saddles. They went away so heavily laden that they were compelled to throw away much of their booty by the wayside. The negro driver took to the woods and the rest of the party were released unhurt, after the robbers were surfeited with gold.

"When a report of the outrage reached Washington next day General E. P. Alexander raised a company of men and went to the rescue. But it was too late to do anything except to gather up the fragments. Many Confederate soldiers, who were camped in the neighborhood, hearing the noise and believing the stories circulated by the raiders that it was

Confederate treasury money, helped themselves liberally, but, when told that it was private property, much of it belonging to widows and orphans of Virginia soldiers, they at once turned it all over to General Alexander. The money was kept under guard for several days, and it was hoped that the bankers might be able to take it back to Richmond. But, alas, the town was soon put under Federal control and one General Wilde made commander. He no sooner heard of the existence of the treasure than he took possession of it, and not one dollar was ever returned to the rightful owners.

"Stories began to circulate about this time concerning fabulous sums of money concealed on the Chenault plantation. It was said that boxes and bags of gold had been sunk in the Savannah river. It was told that the Chenaults had thousands of dollars. These tales were brought by negroes, and, of course, the Yankees believed them. Hundreds of arrests were made. These were the days of the freedman's bureau and if a negro entertained a grudge against a white man, all that he needed to do was to make a report to the bureau. General Wilde set up his court. A detail of soldiers was sent to the Chenault home for purposes of search. Things were done which I blush to tell. One feature of the inquisition was the stripping of helpless and innocent young women, who were thus exposed to the insults of the soldiers. The whole Chenault family, besides many others, were brought to Washington and imprisoned. Mrs. Chenault at the time was carrying a young infant, but no mercy was shown her on account of her condition. The citizens went to General Wilde and besought him to allow Mrs. Chenault and the other female prisoners to be taken to private homes and held under bond, but the request was refused. Old Dionysius Chenault, his son and his brother, were strung up by the thumbs, in order that treasure which they never possessed might be extracted from them. This torture of the men took place in the hearing of wives, mothers, and sisters; and Mrs. Chenault, in her unhappy condition, was forced to witness the sufferings of both her son and her husband. With their hands tied behind them, they were racked by cruel treatment until their arms reached over their heads. Old Dionysius Chenault fainted, and they cut him down to keep him from dying, under the ordeal.

"What became of the money? About \$75,000 was recovered by General Alexander. Also \$10,000 or more was found secreted among the negroes, and the raiders are supposed to have carried off an equal amount. The wagons started with \$250,000 or \$300,000. Great excitement prevailed for years and reports were constantly starting up of the discovery of hidden treasure. Even to this day negroes may sometimes be seen plowing among hollow stumps and fallen trees, or fishing in the Savannah river for bags of gold. For it was told at the time that the robbers had concealed much treasure, expecting to return for it when the opportune moment arrived; but if they ever came they left no tracks by which they could afterwards be traced."

On quitting Washington, Georgia, President Davis bent his course southward. He sought by slow stages to reach his home in Mississippi, there to resume the life of a Southern planter. But while encamped within two miles of the little Town of Irwinville, in Irwin County, Georgia, on land today owned by Judge J. B. Clements, the fugitives were



WHERE PRESIDENT DAVIS WAS ARRESTED

overtaken by the Fourth Regiment of Michigan Cavalry and put under arrest. It was in the gray morning in twilight of May 10, 1865, that the illustrious ex-chieftain of the Southern Confederacy found himself a prisoner on Georgia soil, in the custody of an armed detachment of Federal soldiers. Any statement to the effect that when arrested the ex-President was clad in his wife's calico wrapper and that among the articles of feminine attire which he wore at this time were a hoop-skirt and a sun-bonnet, is sheerest fiction.*

* See arrest of Mr. Davis, in "Georgia in Realm of Anecdote."

CHAPTER XII.

PRESIDENT JOHNSON'S RADICAL CHANGE OF FRONT—ADOPTS MR. LINCOLN'S PLAN OF RECONSTRUCTION—THIS CHANGE DUE TO THE INFLUENCE OF HIS SECRETARY OF STATE WILLIAM H. SEWARD—PRESIDENT JOHNSON'S THEORY OF THE GOVERNMENT—HIS POLICY DISCUSSED IN DETAIL—GENERAL SHERMAN'S VIEW-POINT—GOVERNOR BROWN ISSUES A CALL FOR THE STATE LEGISLATURE TO MEET—ANXIOUS TO COMPLY WITH CONDITIONS REQUISITE FOR GEORGIA'S RESTORATION—GENERAL WILSON FORBIDS THE GENERAL ASSEMBLY TO CONVENE—GOVERNOR BROWN'S IMPRISONMENT—WRITES TO PRESIDENT JOHNSON—HIS RELEASE FROM PRISON—GEORGIA UNDER MILITARY CONTROL—COURTESIES SHOWN BY FEDERAL OFFICERS—GOVERNOR BROWN RESIGNS THE EXECUTIVE HELM—JAMES JOHNSON DESIGNATED TO ACT AS PROVISIONAL GOVERNOR—CALLS FOR A CONSTITUTIONAL CONVENTION TO ASSEMBLE IN MILLEDGEVILLE—THE OATH OF AMNESTY—FEW LEADERS FAIL TO OBTAIN PARDONS—THE CONSTITUTIONAL CONVENTION OF 1865 ASSEMBLES—ITS PERSONNEL—THE THIRTEENTH AMENDMENT RATIFIED—SLAVERY ABOLISHED—UNDER COMPULSION GEORGIA REPUDIATES HER WAR DEBT—STATE OFFICIALS VINDICATED OF SERIOUS CHARGES—CHARLES J. JENKINS ELECTED GOVERNOR—THE STATE LEGISLATURE CONVENES—GOVERNOR JENKINS INAUGURATED—GEORGIA'S FIRST RECONSTRUCTION ENDS.

As we have already observed, it was Mr. Johnson's openly declared purpose, on assuming the Presidency, in 1865, "to make treason odious." He proposed to accomplish this end by punishing the Southern leaders. Those who had amassed property to the amount of \$20,000 and those who had held high office under the Confederate Government, all fell under the ban of Mr. Johnson's proscriptive edict; and if any one of these had held office under the Federal Government, prior to 1861, he was deemed an exceptional offender. But while Mr. Johnson began his administration in this vindictive spirit, he soon found himself granting amnesty to all applicants. He even adopted Mr. Lincoln's plan of reconstruction. It was the martyred President's theory that no state had withdrawn from the Union, although most of the inhabitants in some of the states were in organized insurrection against the Federal Government. As soon as certain requirements were met, these states were automatically restored; and recognition of statehood in such cases was purely an executive act. Mr. Lincoln held that a state government might be restored to its rightful place in the Union if duly organized by the loyal element even though such element constituted only one-tenth of the voting population. As military governor of Tennessee, Mr. Johnson had organized a loyal state government in harmony with Mr. Lin-

coln's aims. But he lacked the breadth of vision and the greatness of soul which belonged to the martyred Lincoln. The result was failure. To quote a Northern writer,*

"It is hardly conceivable that any leader except Lincoln could have conquered the difficulties of the period of reconstruction; and even he, with all the prestige and confidence he had earned by his tact, philanthropy and perseverance, might not have been able to direct a thorough system of reconciliation."

President Johnson's undertaking was a task for Hercules. Without entirely winning the South, he was destined in the course of time to lose the support of his closest political allies, to establish a breach between himself and Congress, to escape impeachment at the hands of his own party by only one vote and, finally, to end his days in the upper House of Congress as a democratic senator from the State of Tennessee. Never was a President's policy more completely revolutionized. This change in Mr. Johnson was wrought by a wizard who sat in his own cabinet as secretary of state, a man who in 1860 had been the logical candidate of his party for President of the United States: Wm. H. Seward, of New York. Mr. Seward, though a staunch republican, was born a slaveholder. When a young man, he had taught school for a while in Georgia. His esteem for the Southern people was genuine, sincere and honest. He desired to see them restored without delay to full citizenship in a Union of equal sovereignties; and once and forever he wished to heal the wounds of war and to make the Union strong and great and powerful. The only element of discord among the American people, in Mr. Seward's judgment, was slavery; and with slavery removed peace was sure to prevail. To the highest order of statesmanship, Mr. Seward united the kindly spirit of the great Lincoln. It was from the latter's official household that he came into Mr. Johnson's cabinet. Seemingly, he brought a message, direct and powerful, from the grave of the martyred President. When Mr. Johnson's policy was at last fixed it offered no indignities to the people of the South. His amnesty proclamation of May 29, 1865, closely followed Mr. Lincoln's. At first, he wished to exclude from amnesty all voluntary participants in the Confederate outbreak who possessed property estimated in value at \$20,000. But he gradually relented. Even the men in the excepted classes were finally promised that, on special application, clemency would be liberally extended, so far as might be consistent with the facts and with the peace and dignity of the United States.†

From Mr. Johnson's point of view, the Confederate States, having failed in an effort to secede from the Union, were, therefore, still within the Union; and what was needed with respect to these states was not reconstruction but simply restoration. In the end he was willing to extend amnesty to all; and, whenever a state, in constitutional convention assembled, rescinded its ordinance of secession and ratified the new Thirteenth Amendment to the Federal Constitution, abolishing slavery, it was his policy, without consulting Congress, to recognize such a state as fully restored to its rights and privileges under the Federal Government.

* "Life of Wm. H. Seward," by F. W. Seward, p. 443.

† "Life of Wm. H. Seward," by F. W. Seward, pp. 443-470.

But we shall observe the workings of this policy as we proceed. Let us now go back. Just before his arrest, Governor Brown had called the Legislature to meet in special session on May 22, 1865. His purpose was to comply with whatever requirements were needed to restore Georgia to full statehood. General Sherman—grim fighter though he was—had, in dictating terms of surrender, at Greensboro, North Carolina, announced a policy whose wise and humane statesmanship promised an early solution of existing problems. It was General Sherman's belief that as soon as arms were laid down and terms of surrender were accepted, the autonomy of states was restored; and, acting without delay upon this line of policy, Governor Brown issued his proclamation for the Legislature to meet. Had General Sherman's policy been accepted by the authorities in Washington, the atrocities of reconstruction in the South would have been unknown and the history of this period would have left no blot upon an Anglo-Saxon civilization. Despite his definition of war, General Sherman was both a humanitarian and a statesman, in his attitude toward the issues of this period; and, compared with Edwin M. Stanton, Mr. Johnson's secretary of war, he was an angel of light. It was because of Mr. Stanton's inhumanity that the terms of peace proposed by General Sherman were rejected in Washington and the way opened for an epoch of unparalleled usurpation whose only counterpart in history is to be found in the Reign of Terror. What Mr. Stanton was in the cabinet, Thaddeus Stevens was on the floor of Congress, a foe, bitter, relentless and implacable in his hostility toward the South; and, from the viewpoint of these political charlatans, reconstruction was a matter which came within the sphere of Congress; it was not the President's problem. But more of this later.

General Wilson, the Federal commander at Macon, having notified Governor Brown to surrender the state troops, there was a prompt compliance with this order on the part of the governor who was thereupon duly paroled. Nevertheless, on the following night, the executive mansion at Milledgeville was surrounded by Federal troops. The captain made known his orders without much ado. These were to arrest Governor Brown. But the governor, producing his parole, denied the officer's right to arrest him. The latter merely replied:

"I am ordered by General Wilson to take that from you."

Given only thirty minutes in which to make such hasty preparations as were necessary before leaving the state, Governor Brown was soon on his way to Washington, to be immured within the walls of Carroll prison. En route, he addressed a letter to President Johnson, reciting the facts and protesting against the injustice of his arrest when on parole. Within less than a week thereafter, he was accorded an interview by President Johnson who, satisfied with his assurances, gave orders for his release at once.

On returning home, Governor Brown found the state under military control. General Wilson, in the meantime, had issued an order forbidding the Legislature to meet. At the same time, he assured the people of Georgia that all lawful powers would be exerted by the President "to relieve them from the bondage of rebel tyranny." It was not General Wilson's purpose, in dictating this harsh military order, to

pose as a humorist; but the order is ridiculous enough to be genuinely amusing.

Despite the harshness which, in the nature of things, must attach to military rule, there were many acts of kindness shown at this time by the Federal authorities in Georgia. General Wilson himself was most considerate, turning over to Gen. Ira R. Foster all the Confederate mules, horses, wagons, etc., to be distributed among the poor, and designating Col. J. H. R. Washington, of Macon, to assist him in this humane task. General Thomas, in like manner, true Virginian that he was, promptly issued to the people in North Georgia, at the instance of General Wofford, 30,000 bushels of corn, on which to subsist while trying to make a crop. These incidents are gratefully remembered.

Finding the state completely under the control of Federal bayonets and in command of General Wilson who had forbidden the Legislature to assemble, Governor Brown, on his return to Georgia, declined to be an official nullity or to hold, subject to a higher power, the governorship of a sovereign state. Accordingly, on June 26, 1865, he resigned his commission and relinquished an office which he had occupied for eight years, covering the stormiest period of the state's history and constituting the longest tenure of service by any chief executive in Georgia's civic annals.

On June 17, 1865, an ex-member of Congress from Georgia, Hon. James Johnson, was designated by the President to act as provisional governor, pending a reorganization of the state government. Governor Johnson, in his race for Congress in 1850, had defeated the illustrious Charles J. Jenkins, destined within a few months to succeed him as governor by the spontaneous vote of the people of Georgia. Repairing to Milledgeville, Governor Johnson issued a proclamation setting forth his appointment and calling a convention to assemble on the fourth Wednesday in October, 1865. Delegates to this convention were to be chosen at an election to be held on the first Wednesday in October, and all who were willing to take the oath of amnesty were qualified to vote in this election. Mr. Seward's influence was already beginning to produce its effect.

Two days later, Governor Johnson made an address in Macon, in which he discussed at some length the political conditions, stating that his appointment as provisional governor was for the sole purpose of enabling the people to form a government, that it was necessary to abolish slavery and to embody a recognition of this fact in the organic law. On the stage with Governor Johnson, in the Macon City Hall, were General Wilson and Col. Thomas Hardeman, the latter a loyal democrat and a true Georgian. It was hoped that Governor Johnson's policy would produce the happy effect of uniting all factions in a common effort for the state's speedy restoration; but Governor Johnson's speech on this occasion contained many infelicities of expression and it failed to produce a quieting effect upon the public mind.

Prior to the time set for the general election, Governor Johnson, on August 7, issued a proclamation, authorizing ordinaries to administer the oath of amnesty and permitting all civil officers throughout the state to resume their customary duties, provided they did not fall within the excepted classes. All who had fought on the Confederate

side were required to take an oath known as the oath of amnesty, in which they solemnly swore allegiance to the United States. But all who had held any Federal office before the war and had afterwards taken any part in the uprising were debarred from voting, unless pardoned on special application. Georgia's war governor received his pardon early in September; and one after another the leaders of the state were relieved of their disabilities, until few remained unabsolved. Some were disposed to sulk, like Achilles in his tent, but most of the public men of Georgia took advantage of the proposed clemency, seeing in it an opportunity to aid in the work of restoring Georgia to her rightful place among the states, to shape her organic law in the constitutional convention shortly to assemble, and to mold her future greatness as a free commonwealth, under the new order of things. So complete was the change of mind which President Johnson experienced under the powerful influence of Mr. Seward's persuasive logic that many were pardoned who had been exempted from amnesty, in order that at this crisis in the state's history they might participate in the deliberations of this momentous body—the Constitutional Convention of 1865.

The convention assembled in Milledgeville, on Wednesday, October 25, of the year above named. Governor Johnson himself called the assemblage to order and Judge Iverson L. Harris, of the Supreme Bench of Georgia, administered the oath of amnesty to the delegates. Scores of Georgia's favorite sons were enrolled as members of this great law-making body, some of whom had already served the state in high official position, while others were yet to mount the golden ladder of distinction. Ex-Gov. Herschel V. Johnson, a candidate in 1860, on the Douglas ticket, for vice-president of the United States, was honored by this convention with the gavel as its presiding officer. Hon. James D. Waddell, a sterling democrat, afterwards distinguished as the biographer of Judge Linton Stephens, was stationed at the secretary's desk.

To glance hurriedly over the personnel of this august body of men, its membership included: Augustus H. Kenan, an ex-member of the Confederate Congress; David Irwin, a noted jurist, one of the original codifiers of the law of Georgia; Gen. Andrew J. Hansell, president of the Roswell Mills; Carlton B. Cole and Thaddeus G. Holt, both eminent judges of the Superior Court; Joshua Hill, a former member of Congress, afterwards a United States Senator; Milton A. Candler, Morgan Rawls, N. J. Hammond, John C. Nichols, J. H. Blount, Philip Cook, George R. Black and A. T. MacIntyre, all of whom afterwards became members of Congress; John P. King, an ex-president of the Georgia Railroad and an ex-United States senator; Henry D. McDaniel, a future governor of Georgia; Absalom H. Chappell and James L. Seward, both ex-members of Congress; Charles J. Jenkins, an ex-judge of the Supreme Court of Georgia and a future governor; J. R. Parrott, afterwards president of the famous Constitutional Convention of 1868, otherwise known as the "Bullock Convention;" John H. Christy and J. I. Whitaker, both noted editors; and scores of delegates prominent in all walks of life, some of whom, to mention names only, were: Thomas E. Lloyd, W. F. Wright, George W. Adams, Young L. G. Harris, W. D. Anderson, Miles W. Lewis, Wier Boyd, C. T. Goode, E. G. Cabaniss, James S. Lamar, Thos. P. Saffold, R. A. T. Ridley, Chas. W. DuBose, E. C.

Anderson, Solomon Cohen, James P. Simmons, Parmedus Reynolds, Hines Holt, J. J. Floyd, J. D. Matthews, J. A. Blanc, J. L. Warren, J. L. Wimberley, Gen. Marion Bethune, James S. Hook, W. M. Reese and Wm. A. Harris.*

Two weeks were consumed by this convention in its deliberations. The date of final adjournment was November 8, 1865. Judge Charles J. Jenkins, of Richmond, was perhaps the most dominant figure in this assemblage of giants and it was due largely to his prestige as a leader in this great law-making body that he was soon to be called to the helm of affairs in what was fondly hoped to be a reorganized commonwealth. To quote Colonel Avery, he was a leader "upon whose clear judgment and crystal honesty the members reposed with an unreserved trust."

Governor Johnson, in a message wholly unsympathetic, if not severely cold and repellent, put before the convention certain facts. Among other things he informed the delegates that the state road had been rebuilt by the United States Government and turned over to the State of Georgia, this transfer having taken effect on September 25, 1865. Cotton purchased by the state had in large quantities been either burned or captured and credits abroad had been exhausted by drafts. The public debt was \$20,813,535, of which \$2,667,750 was contracted prior to the war and \$18,135,775 incurred during the war. With respect to the latter debt he urged repudiation, using emphatic language in this connection, the force of which admitted of no doubtful interpretation. The duty of the convention in dealing with the matter of slavery was also indicated.

There was no discretion in regard to issues settled by the arbitrament of the sword; but when the proposition was sprung to repudiate the state debt, an indignant protest was entered. Judge Charles J. Jenkins, in an unsurpassed speech, voiced the majority sentiment. Georgia's honor was at stake. Her good faith was committed to the redemption of her obligations. Common honesty demanded that she pay dollar for dollar. To repudiate a just debt was to renounce the principle of fair dealing and to belie the lessons of honesty taught at every home fireside of the state. But this protest was unavailing. To elicit an expression from headquarters, Governor Johnson sent this sententious dispatch to Washington:

"We need some aid to reject the war debt."

Promptly the answer came back that repudiation was essential to the state's restoration. Telegrams to this effect were received from both President Johnson and Secretary Seward. There was no alternative; it was either repudiation or vassalage; and, under stern and relentless compulsion, therefore, the convention at last yielded to a mandate whose force it was powerless to resist. Let this record go thundering down to future generations.

To summarize the work accomplished by this body, the ordinance of secession passed by the convention of 1861 was repealed; slavery was abolished in Georgia; the public debt incurred during the war period

* Journal of the Constitution Convention of 1865, Confederate Records, Vol. IV, Candler, pp. 133-442.

† Avery's "History of Georgia," p. 348.

was repudiated; and a new state constitution, engrafting these changes upon the state's fundamental law, was adopted. Under this new state constitution, Georgia was divided into seven congressional and forty-four senatorial districts.

Before adjourning, the convention authorized the Provisional governor to investigate certain matters connected with the state's finances from 1861 to 1865, giving special attention to the disposition of cotton purchased by Governor Brown for the state during the Civil war. These purchases aggregated 6,432 bales, valued at \$1,500,000. Messrs. Thomas P. Saffold, Chas. S. Jordan, Sr., and O. A. Lochrane were appointed by Governor Johnson as a committee to conduct the investigation.*

This committee remained in session for three months, exhausted every source of information, and exonerated without question every one of the state officials from wrong-doing. The report closed with this statement:

"Our conclusion is, after the most rigid scrutiny into the public and private affairs of these officers, from Governor Brown down, that not one of these rumors has been sustained by the slightest proof."†

Rumors had been industriously circulated to the effect that some of the state house officers had made fortunes out of the state during the Civil war; but, as disclosed by this investigation, there was not one scintilla of evidence upon which to base these slanderous and unjust accusations.

The convention's action in abolishing slavery and repudiating the war debt was all that was needed, according to President Johnson's plan of reconstruction, to restore Georgia to her full rights and privileges within the Union. These requirements having been met, it was next in order to choose a governor, to preside over the destinies of the state, to convene the General Assembly, to elect state house officers and to name senators and representatives to the Federal Congress. For the office of governor, Judge Charles J. Jenkins was the universal choice, and at a general election held a few days subsequent to the convention's adjournment, he was elected governor without opposition. The following delegation was chosen at this time to represent Georgia in Congress: Solomon Cohen, Philip Cook, Hugh Buchanan, E. G. Cabaniss, James D. Matthews, J. H. Christy, and Wm. T. Wofford. But when the time came for these representatives to be seated, there was an issue between Congress and President Johnson, relative to the latter's plan of reconstruction and until this issue was settled Georgia became once more a mere province, held in subjugation by Federal bayonets.

On December 4, 1865, the newly elected State Legislature convened at Milledgeville and organized by electing Hon. William Gibson, of the Eighteenth District, president of the Senate and Hon. Thomas Harde-man, of Bibb, speaker of the House. The prevailing chaos gave the Legislature a difficult task to accomplish. Railroads were in ruins. Towns and cities were in ashes. Farms were destitute of laborers. The status of the negro population was still undetermined. Commerce was paralyzed, business at a standstill, and industry inert, all awaiting a

* Confederate Records, Vol. IV, p. 98.

† Avery's "History of Georgia," p. 350.

departure of the blue coats and an end to the military regime. It was an era of problems. But there were strong men in both houses to cope with the difficulties which at this time menaced the state. Among the senators were: Thomas J. Simmons, afterwards chief-justice; Col. David E. Butler, Dr. H. R. Casey, Judge Benning B. Moore, George S. Owens, L. H. Kenan, and J. A. W. Johnson. The representatives included: George P. Harrison, a distinguished Confederate brigadier; T. B. Cabaniss, T. G. Lawson, J. D. Stewart and George T. Barnes, all afterwards members of Congress; John J. Jones, an ex-congressman; Maj. Raphael J. Moses, Philip M. Russell, R. L. McWhorter, C. W. DuBose, Samuel C. Candler and J. O. Gartrell.

Ratification of the Thirteenth Amendment to the Federal Constitution was the central topic discussed by Governor Johnson, in his message to the newly assembled Legislature. On December 6, a joint committee waited upon the governor-elect, notifying him officially of his election and requesting him to designate a date for his inauguration. But the governor-elect was not prepared to set a date until first ascertaining how matters stood, if there was likely to be any conflict of authority between himself and Governor Johnson. It was also necessary for his election to be validated by the Federal authorities. However, January 16, 1866, was chosen tentatively as the date of this ceremonial. Meanwhile the Legislature ratified the Thirteenth Amendment, abolishing slavery, and also passed a law allowing freed men to testify in the courts. These measures indicated the spirit of concession in which Georgia accepted President Johnson's plan of reconstruction.

On December 11, 1865, instructions came from Washington authorizing the inauguration to proceed. Conditions had been fulfilled. On December 14, Governor-Elect Jenkins formally took the oath of office and entered upon his duties as governor. The hour of Georgia's restoration to sovereign statehood was seemingly at hand. There was cause for thanksgiving in every breast. The inaugural of Governor Jenkins was a classic, irradiated by the cheerful optimism in which the moment abounded. It was exquisite in diction, lofty in tone, magnanimous in spirit, and broadly patriotic in its point of view. His message was also a strong and vigorous state paper. We quote only this paragraph from his inaugural address:

"Five years since reason abandoned and the sword assumed the arbitrament. We open not that record of violence; would that we could stamp it with the seal of oblivion. Now the wager of battle is over, and the award is against us as parties to the issue. Our whole people have risen up and accepted it as the will of one man. What valor failed to achieve, wisdom has promptly renounced, and truth herself has set her signet to the attestation of the deed."*

On December 19, 1865, the following telegraphic dispatch from Washington, addressed to Gov. Charles J. Jenkins, was received at Milledgeville:

"WASHINGTON, D. C., 19th December, 1865.

"TO HIS EXCELLENCY THE GOVERNOR OF THE STATE OF GEORGIA:

"Sir.—By direction of the President I have the honor herewith to transmit to you a copy of a communication which has been addressed to his Excellency, James Johnson, late Provisional Governor, whereby he has been relieved of the trust heretofore reposed in him, and directed to deliver into your possession the papers and property relating to the trust.

"I have the honor to tender you the coöperation of the Government of the United States, whenever it may be found necessary, in effecting the early restoration and the permanent prosperity of the state over which you have been called to preside.

"I have the honor to be, with great respect, your most obedient servant.

"W. H. SEWARD."

But the ironical fates were only smiling in derision. Reconstruction was not an accomplished fact. Before Georgia was to obtain full recognition in a Union of equal sovereignties, she was destined to drink to the lees of the bitter cup of humiliation; to witness an inferior race seated in her legislative halls and in her constitutional conventions, while the brand of outlawry was stamped upon her own brave sons; to endure the rule of her former slaves, reinforced by Federal bayonets, to see courts disbanded, sanctuaries defiled, justice traduced, society disorganized, and religion dishonored; to see carpet-baggers inundating the land like a sea of foul waters or beclouding the sky like a swarm of hungry vultures; to see not only ignorant negroes but vicious white men, some of whom had served in state penitentiaries, engaged in trifling with her organic law. In a word, it was reserved for Georgia to experience an agony of soul such as she had never known during the entire four years of the Civil war and to endure the anguish of the bitter cup, amid the deep solitudes of Gethsemane's olive glooms.

* Avery's "History of Georgia," pp. 352-353.

† Confederate Records, Vol. IV, Candler, p. 446.

CHAPTER XIII

CONGRESS ON ASSEMBLING TAKES ISSUE WITH PRESIDENT JOHNSON—WAR BETWEEN THE LEGISLATIVE AND THE EXECUTIVE DEPARTMENTS ENDS IN AN EFFORT TO IMPEACH THE PRESIDENT—THADDEUS STEVENS—THE RECONSTRUCTION MEASURES OF CONGRESS—PASSED OVER THE PRESIDENT'S VETO—POLITICAL AND CIVIL RIGHTS TO BE GIVEN THE NEGRO—THE PURPOSE OF THIS LEGISLATION TO RECRUIT THE REPUBLICAN PARTY AND TO HUMILIATE THE SOUTH—SUFFRAGE FOR THE BLACKS PREMATURE AND ILL-ADVISED—WHILE THESE ISSUES ARE PENDING IN CONGRESS, THE LEGISLATURE OF GEORGIA RE-ASSEMBLES—ELECTS STATE HOUSE OFFICERS AND SUPREME COURT JUDGES—HERSCHEL V. JOHNSON AND ALEXANDER H. STEPHENS CHOSEN UNITED STATES SENATORS—BOTH, HOWEVER, ARE DENIED SEATS—THE BANK OF THE STATE OF GEORGIA FAILS—ITS EFFECT UPON THE STATE UNIVERSITY—THE LEGISLATURE ASSUMES AN OBLIGATION TO PAY INTEREST ON \$100,000—GEORGIA'S PROBLEM AT THIS TIME—HOW TO GOVERN THE EMANCIPATED BLACKS—MASTER AND SERVANT IN ANTE-BELLUM DAYS—TENDER MEMORIES RECALLED—THE FAITHFUL SLAVES—THE OLD BLACK MAMMY—THE CARPET-BAGGER—HIS NEFARIOUS WORK—THE SCALAWAG—THE FREEDMAN'S BUREAU—ITS HARMFUL AND GOOD RESULTS CONTRASTED—THE FREEDMAN'S CODE.

Congress was not in session when President Johnson's plan of reconstruction for the Southern States was first put into effect; but no sooner were the national law-makers convened than trouble became imminent. Thaddeus Stevens was not satisfied with the easy manner in which the rebellious states had slipped back into the Union. Nor was Charles Sumner, of Massachusetts. There was still another egg to be incubated: suffrage for the negro. The excuse for resisting the President's policy was that the subject-matter of reconstruction did not come properly within the executive department; that it belonged to Congress; and that, in order to give the black man an instrument with which to defend his newly acquired freedom, it was necessary to accord him the ballot. But the real purpose of the opposition was to humiliate the South and at the same time to insure the continuance of the republican party in power, by reason of this accession of strength. Police regulation adopted in various southern states, including vagrancy laws, furnished a pretext for the course; and with great vehemence it was urged that all such measures were only veiled attempts to re-enslave the negro.

Such were the political portents when Congress assembled in December, 1865.

It was, therefore, with lightning in his eyes and with thunder on his tongue that Thaddeus Stevens arose from his seat in Congress to defy the White House. His ally in President Johnson's Cabinet was Edwin M. Stanton, secretary of war. To state the issue in a nutshell, Congress regarded the Southern States in the light of conquered provinces; they needed to be purged of treason. As a condition precedent to readmission into the Union, it was necessary not only to abolish slavery but to recognize the political rights of the black man. But, according to President Johnson's way of thinking, the Southern States, having failed to establish the right of secession, were still within the Union. Those who had taken no part in the war and those who had been duly pardoned for this offense constituted the new commonwealth. With slavery abolished, the ordinance of secession repealed and the war debt repudiated, each state was automatically reconstructed, and did not require to be readmitted. In the opinion of President Johnson, the negro was not ready for citizenship. It was also his belief that reconstruction could be best directed by the executive department. Consequently, he vetoed both the Fourteenth and the Fifteenth amendments, which Congress proceeded to pass over his official protest. In like manner, he placed the seal of his condemnation upon various other reconstruction measures. He also dismissed Edwin M. Stanton from the cabinet and at the hands of his own party underwent a trial for impeachment, which lacked only one vote of ousting him from the presidential chair.

But history has vindicated the soundness of President Johnson's position. Unlike Mr. Lincoln, he lacked the genius for conciliating his enemies; he possessed no amiability of character; but he grasped the real situation with the clear brain and with the keen eye of a statesman. On the other hand, it was a monumental blunder on the part of the republican party to confer suffrage upon the negro, without any previous tutelage or preparation for the duties of citizenship. Even God's chosen people, the Israelites, before exchanging the slavery of Egypt for the freedom of Canaan, were required to wander for forty years in the wilderness; and then only two of all who were born in Egypt entered the promised land: Caleb and Joshua.

But to return to the Legislature. Following a brief recess taken for the holidays, its deliberations were resumed on January 16, 1866. The state house officers elected on the eve of adjournment were as follows: Nathan C. Barnett, Secretary of State; J. T. Burns, comptroller-general; John Jones, treasurer, and J. W. Burke, public printer.*

To the Supreme Court bench, Dawson A. Walker and Iverson L. Harris were elected early in January, 1866. Judge Walker's opponent was Gen. Henry L. Benning, a former occupant of the bench. The defeat of General Benning was a great surprise to the state. His successful rival was a non-combatant. On the other hand, General Benning was a gallant Confederate officer whose prowess on the field had won for him the sobriquet of "Old Rock." But his decision in the Columbus Bank cases had caused the enmity of William Dougherty, one of the state's ablest lawyers. Colonel Dougherty took an active part in the

* House Journal, 1865, p. 74.

campaign and left no card unplayed in his relentless opposition to General Benning. Judge Richard H. Lyon, who met defeat at the hands of Judge Iverson L. Harris, was a man of great force but somewhat blunt of speech. He was a first cousin to Judge Benning. Two United States senators were elected at this session, neither of whom were seated. Alexander H. Stephens defeated Joshua Hill; while Herschel V. Johnson vanquished three strong competitors: Lucius J. Gartrell, Cincinnati Peeples, and ex-Gov. James Johnson. But without avail. Neither of these successful candidates was destined to clutch the senatorial toga. Georgia was not to be represented in the halls of Congress until she had swallowed negro suffrage and accorded the black man full political rights. The congressional delegation elected in the fall of 1865 was also refused seats. Mr. Stephens addressed the Legislature during the campaign, urging acceptance of the situation. His speech appears in the journals of both houses—an unwonted compliment.*

One of the results of the late war was the utter failure of the Bank of the State of Georgia. It was a severe blow to the university, whose support was in the main derived from its holdings in this bank, supposed to be as firm as Gibraltar. The state had invested \$100,000 for the university in the capital stock of this bank, and until something was done to supply the deficit in its revenues, the doors of the institution could not be re-opened. Governor Jenkins, in his message to the Legislature, declared that the state's obligation in this matter remained unimpaired; and that while the principal sum could not be paid it was incumbent upon the state to pay the annuity of \$8,000, for which it was bound in honor. Moreover, the late convention had placed upon the General Assembly a constitutional obligation to provide for the early resumption of its exercises.†

As recommended by the governor, this appropriation was made, and its payment became a fixed annual charge upon the state.

The Legislature remained in session continuously for two full months, adjourning on March 13, 1866. It made appropriations to purchase artificial limbs for maimed Confederate soldiers and to supply the state road with needed equipment. It also passed stay and homestead laws which Governor Jenkins, such was his punctilious regard for principle, saw fit to veto, since these measures, in his judgment, impaired the obligations of contract; but such was the demand for relief, under existing conditions, that his veto proved an ineffectual barrier. Resolutions were also passed in compliment to President Johnson for his wise policy of reconstruction and requesting of him a withdrawal of Federal troops.

But the most vital topic of discussion was the government of the emancipated blacks. As a result of the great conflict of arms, there was thrust upon the Southern States for solution the gravest problem with which the white race on this continent has ever been perplexed. The emancipation of four millions of slaves, representing in value over \$2,000,000,000, presented a most difficult economic problem. To regulate this vast body of laborers, untutored, simple, credulous, with no preparation whatever for the responsibilities of freedom, was a monumental

* House Journal, pp. 113-428; Senate Journal, pp. 391-406.

† Senate Journal, 1866, p. 94.

task. Between the whites and the blacks there had always existed a feeling of tenderness and the history of the world will be searched in vain for a more beautiful civilization than the one which existed at the South under the old regime of slavery. The folk-lore tales and songs of plantation days bear teeny testimony to this tender relationship between master and servant; testifying, on the one hand, to the fidelity with which an humble race performed its simple rounds of daily toil, in a bondage which, though it denied to them the boon of freedom, conferred upon them much happiness; and testifying, on the other hand, to the compassionate interest with which the slave-owner safe-guarded the health and protected the welfare of his slaves, rarely failing to win the eternal gratitude and the deathless devotion of this gentle people. The steadfast loyalty with which they kept ward and watch, over defenseless wives and children, during the entire four years of the war, when the heads of households were on the firing-line of battle, has never been surpassed. Nor did one of them stop to think, while charged with this sacred responsibility, that the absent master whose home he was guarding from harm was away at the front, fighting to keep him in slavery; for, even with the chains riveted upon his ankles, he was in some respects as free as the birds, and he was far happier in the freedom of slavery than he has since been in the slavery of freedom. The Black Knight of the English tournament was not more truly the champion of the helpless than was the Black Knight of the southern plantation. In the quaint molds of dialect, Joel Chandler Harris has embalmed both the genial humor and the fine loyalty of the ante-bellum negro. All the world loves "Uncle Remus." He has carried the glow of the cabin-fire-side around the globe, touched and warmed and vivified all landscapes with the genial rays of the southern sun, sweetened every home and hearthstone with the music of his tender melodies and, even in the library of the scholar, has made the southern cotton-patch as classic as the Roman arena. Grady's tribute to the negro race is one of the gems of our literature. His picture of the old Black Mammy is an exquisite idyll, worthy to hang beside the immortal creations of Raphael. Take, for example, these paragraphs. Said he, in his last great speech, delivered in Boston, Massachusetts: *

"The love we feel for that race you can neither measure nor comprehend. As I attest it here, the spirit of my old black mammy from her home up there looks down to bless me and, through the tumult of this night, steals the sweet music of her croonings, as thirty years ago she held me in her black arms and led me smiling into sleep.

"This scene vanishes as I speak, and I catch a vision of an old southern home, with its lofty pillars and its white pigeons fluttering down through the golden air. I see women with strained and anxious faces and children alert yet helpless. I see night come down with its dangers and its apprehensions and in a big homely room I feel on my tired brow the touch of loving hands, now worn and wrinkled, but fairer to me yet than the hands of mortal woman and stronger yet to lead me than the hands of mortal man; and as they lay a mother's blessing there, while at her knees—the truest altar I have ever known—I thank God that she

* Speech at the banquet of the Merchants' Association, delivered in December, 1889.

is safe in her sanctuary, because her slaves, sentinel in the silent cabin or guard at the cabin door, put a black man's loyalty between her and danger.

"But I catch another vision. The crisis of battle; a soldier struck, staggering, falls. I see a slave scuffling through the smoke, winding his black arms about the fallen form, reckless of the hurtling death, bending his trusty face to catch the words that tremble on the stricken lips, so wrestling meanwhile with agony that he would lay down his life in his master's stead. I see him by the weary bedside, ministering with uncomplaining patience, praying with all his humble heart that God would lift his master up, until death comes in mercy and in honor, to still the soldier's agony and seal the soldier's life. I see him by the open grave, mute, motionless, uncovered, suffering for the death of him who in life fought against his freedom. I see him when the mound is heaped and the great drama of his life is closed turn away, and with downcast eyes and uncertain step, start out into new and strange fields, faltering, struggling, but moving on, until his shambling figure is lost in the light of this better and brighter day. And from the grave comes a voice saying: 'Follow him! Put your arms about him in his need, even as he put his about me. Be his friend as he was mine.' And out into this new world—strange to me as to him—bewildering to both—I follow. And may God forget my people, when they forget these!"

Nor can we forbear quoting, in this connection, a paragraph from one less widely known, but with an equally keen appreciation of negro character:*

"God bless the forlorn and ragged remnants of a race now passing away. God bless the old black hand that rocked our infant cradles, smoothed the pillow of our infant sleep and fanned the fever from our cheeks. God bless the old tongue that immortalized the nursery rhymes; the old eyes that guided our truant feet; and the old heart that laughed at our childish freaks. God bless the dusky old brow, whose wrinkles told of toil and sweat and sorrow. May the green turf rest lightly on their ashes and the wild flowers deck every lonely grave where 'He giveth His beloved sleep.' May their golden dreams of golden slippers, of golden streets, of golden harps and of golden crowns, have become golden realities."

It was not until the carpet-bagger appeared upon the scene that the reciprocal feeling of kindness between the two races was disturbed and this ancient relationship became embittered. The carpet-bagger was a peculiar excrecence. He was a product of the northern latitudes, but in sheer justice to our former enemies it must be said that he did not represent the better element of the northern people, nor did he come South for the purpose of identifying himself with this section. He did not bring his trunk but his carpet-bag. Hence the name by which he was known. He came with the instincts of the vulture to prey upon the misfortunes of a conquered people, to poison the minds of the negroes, to delude a credulous race with false promises, to plant the seeds of discord, of enmity, and of strife, in bosoms which had hitherto nurtured

* Peter E. Smith, in "Knight's Reminiscences of Famous Georgians," Vol. I, pp. 569-570.

only the flower of friendship; and to what extent he wrought mischief is known only to the Evil Spirit who presides over the infernal regions. There were many chivalrous and true northern men among the Federal officers in Georgia, who discharged the unwelcome duties under which they acted by superior orders, without sympathizing with the wrongs which were wantonly perpetrated in the name of law upon virtuous and upright citizens.

But nothing can be said in extenuation of the baser characters of reconstruction—the hordes of carpet-baggers who descended upon the state like birds of prey and the corrupt native whites or scalawags who affiliated with these emissaries from the North. If there is any difference in the degree of turpitude attaching to these excrescent products, the crown of infamy must be awarded to the scalawag; for he was base enough to betray his own people. Let him be forever "Anathema Mare-natha!"

This Judas Iscariot of reconstruction even dared at times to wear the holy vestments of religion; but, without straining through the glass of prophecy, it may be said that the only way in which such a mass of corruption can ever encumber the approaches to the New Jerusalem will be to sit among the lepers who groan outside the gates. He may have supped with Dives in the halls of power, but he can have no seat of honor in the halls of history;—for his place will be upon the steps. Even the lapping tongues of the faithful dogs will deny him the mental offices of brute compassion; and he will linger upon the cheerless stones for eternity to punish; an unmitigated moral mendicant, redeemed by none of the soul and cursed with all of the sores of Lazarus.

Ex-United States Senator Thomas M. Norwood, of Savannah, has cleverly portrayed the carpet-bagger in the following most felicitous little pen-sketch:*

"His like the world has never seen from the days of Cain, or of the forty thieves in the fabled time of Ali Baba. Like the wind he blows, and we hear the sound thereof, but no man knoweth whence he cometh, or whither he goeth. National historians will be in doubt how to class him. Ornithologists will claim him, because in many respects he is a bird of prey. He lives only on corruption, and takes his flight as soon as the carcass is picked. . . . He is no product of the war. He is 'the canker of a calm world,' and of a peace which is despotism enforced by bayonets. His valor is discretion; his industry, perpetual strife, and his eloquence 'the parcel of a reckoning' of chances, as he smells out a path which may lead from the White House to a custom house, a post office, the internal revenue bureaus, or perchance to either wing of the Federal capitol. His shibboleth is 'the Republican party.' From that party he sprang as naturally as maggots from putrefaction. . . . Wherever two or three, or more negroes are gathered together, he like a leprous spot is seen, and his cry, like the daughter of the horse-leech, is always 'give—give—me office!' 'Without office he is nothing; with office he is a pest and public nuisance. Out of office he is a beggar; in office he grows rich till his ears stick out with fatness. Out of office he is, hat in hand, the outside ornament of every negro's cabin, a plantation

* Avery's "History of Georgia," p. 366.

loafer, and the nation's lazarene; in office he is an adept in 'addition, division and silence.' Out of office he is the orphan ward of the administration and the general sign-post of penury; in office he is the complaining suppliant for social equality with Southern gentlemen."

As a rule, the carpet-bagger was identified with an agency which came to be the disseminating center of untold mischief throughout the South, known as the Freedman's Bureau. It was established by statute under the War Department, on March 3, 1865, though its field of operations was enlarged by subsequent enactments. Local magistrates, if endorsed by negroes, were sometimes designated as agents, but almost without exception carpet-baggers filled these places. The purpose for which the bureau was organized was to safeguard the interests of the negro, whose recent emancipation from slavery made him a ward of the government. He was no longer under his master's care or protection. He was wholly without means, ignorant, unemployed and helpless. Something of the kind, therefore, was evidently needed; and had it not been for corrupt political huxtors the bureau would have been an unmixed blessing to both races. It was the duty of agents to supervise all contracts made by the whites for negro labor and to regulate the conduct of affairs between employer and employe and though, in most cases, these agents were men of dissolute character, they were nevertheless invested with the most solemn judicial functions; in fact, they possessed final jurisdiction in matters of the most vital importance, and judgments rendered by them were enforced, whenever necessary, by troops from the garrison. Offices were usually opened at the county-seats, where complaints made by the negroes were usually lodged and court proceedings were held.*

These agents decided land titles, granted divorces, imprisoned debtors and made compulsory labor contracts for unwilling freedmen. Says Colonel Avery:

"It was under these conditions that planters began the suicidal policy which has ever since resulted in such pecuniary embarrassment of raising cotton to the exclusion of provision crops. The West became the corn-crib and the smoke-house of the South."

The Freedman's Bureau was also given supervision over all abandoned lands and from this fact which was frequently overworked by agents arose the prevalent belief among the negroes that each head of a household was to receive forty acres of land and a mule, with which to begin his new career of freedom. This belief was sedulously cultivated by the bureau. But to make bad matters worse, bogus land-agents, in a swindling game, started a fictitious land lottery and sold tickets to the negroes, together with painted sticks, to be driven into the ground as markers for boundary lines.†

The bureau was planned ostensibly to protect the negro but its operation in effect only served to humiliate the southern whites and to furnish an unlimited opportunity for graft to men of dissolute habits. It converted the negro from a well-behaved, industrious and diligent laborer into a worthless vagabond, taught to look to the Government for sup-

* "When the Ku Klux Rode," by Eyre Damer, Neale Co., 1912, p. 34.

† "When the Ku Klux Rode," by Eyre Damer, Neale Co., 1912, p. 48.

port, to believe that if his former master should gain political control it would mean his re-enslavement, to expect from the Government a liberal share of the spoils when his former master's property should be confiscated and to enjoy the luxury of idleness as a recompense for long years of enforced and unrequited labor under an overseer's lash. Even the most trifling black was to have his "forty acres and a mule." Disappointed, disheartened, bereft of his illusions, he was, therefore, ready to steal and to plunder. In the hands of designing politicians he was like potter's clay; and, taught to believe that his only friends were the carpet-baggers, he became embittered against his former master. For deluding this simple child of nature, there is much for which these vicious intermeddlers must answer before the bar of God.

As soon as the bureaus were opened, agents gave notice that all contracts for the labor of negroes must be approved by them and must be kept in the custody of the bureau. To the wildest tales of complaining freedmen, these agents gave ear. As a result, planters were often haled into court without rhyme or reason and condemned for the offense charged, without recourse, unless they were willing to purchase immunity by what was equivalent to a bribe. Some of the agents were preachers, who told the negroes that it was necessary for them, though married according to plantation custom, to procure licenses and to be re-married. In this way a harvest of fees was reaped from old couples, some of whom had great-grandchildren. It often happened that when crops were in process of cultivation hands would quit work and, in such an extremity, planters were forced to apply to the bureau for coercive help in making the negroes conform to terms of agreement. But this sort of intervention came high. It usually cost the planter \$10 per hand; and from this source the agents derived large revenues. Some of them even bought plantations to use as asylums for dissatisfied negroes who, betaking themselves to these plantations, were held there until the usual fee was forthcoming. Agents were oftentimes fanatics, but still more frequently they were unscrupulous rascals, intent upon plunder.*

Something like \$15,000,000 was dispensed by the Freedman's Bureau, first and last. It was not an unmixed evil. Substantial help was given in many directions to a dependent race of people. It also aided appreciably in extending educational facilities. Atlanta, Fisk, and Howard universities grew out of the financial acorns planted by the bureau. The last mentioned institution was named for Gen. O. O. Howard, a Federal officer, who, as commissioner of the bureau, became prominent in educational work among the negroes of the South.†

But the Freedman's Bureau was a disseminator of mischievous ideas. Upon the race at large its influence was undoubtedly harmful. Few of the agents were anything but adventurers; nor did even the best of them have the negro's welfare seriously at heart. Conditions were repugnant enough even at the start; but when the reconstruction measures of Congress went into effect in 1867 when the ballot was put into the hands of the negro, when the rule of the bayonet superseded the rule

* "When the Ku Klux Rode," Eyre Damer, Neale Co., 1912, p. 35.

† See Gen. O. O. Howard's Report for 1869, Executive Documents, Forty-first Congress, Second Session.
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of the people, the grand climax of infamy was reached. It was the hour of Georgia's crucifixion.

What was the Legislature to do? Definite action finally shaped itself into a resolution directing the governor to appoint a committee charged with the responsibility of drafting a Freeman's Code of Laws. This committee was duly appointed. It consisted of Judge Ebenezer Stearns, Wm. Hope Hull, Logan E. Bleckley and Samuel Barnett. The task involved great labor on the part of master minds. It bore fruit in a code which was duly presented to the Legislature; but it proved fruitless. This code was really a splendid piece of work. It was just to the whites and liberal to the blacks, giving ample security to the personal and property rights of the freedmen, but deeming the ballot a thing too sacred to be hastily conferred upon an untutored race of ex-slaves. Former Governor Brown, in response to a request signed by several members of the Legislature, published an open letter, on February 14, 1866, in which he strongly opposed a Freedman's Code, stating that while, in many respects, such a code was to be commended, and while madness alone could dream of political equality for the negro, he was certain that the United States Government would not for one moment permit its enforcement. Governor Brown evinced his usual far-sightedness in advancing this opinion. He read the signs of the times aright.

CHAPTER XIV

PRESIDENT JOHNSON PREMATURELY ANNOUNCES THE END OF RECONSTRUCTION—THE REAL SATURNALIA STILL TO COME—DARK HOURS AHEAD—TO AVERT THE IMPENDING DISASTER A NATIONAL UNION CONVENTION HELD IN PHILADELPHIA—THE FOURTEENTH AMENDMENT—THE CIVIL RIGHTS BILL—GEORGIA REFUSES TO RATIFY THE FOURTEENTH AMENDMENT—TWO SOUND REASONS FOR THIS ACTION—FORMER GOVERNOR BROWN GOES TO WASHINGTON, D. C., TO INTERVIEW LEADERS—RETURNS HOME AND ADVISES ACCEPTANCE OF THE SITUATION—HIS OBLOQUY BEGINS—TO TEST THE CONSTITUTIONALITY OF THE RECONSTRUCTION MEASURES, GOVERNOR JENKINS FILES A BILL OF INJUNCTION IN THE UNITED STATES SUPREME COURT—HIS EFFORT FAILS—GEORGIA AGAIN UNDER THE BAYONET—GENERAL POPE IN COMMAND—THE REGISTRATION ACT—THOUSANDS OF NEGROES ILLEGALLY ENROLLED AS VOTERS—VARIANT OPINIONS EXPRESSED BY LEADERS—MR. HILL'S GREAT DAVIS HALL SPEECH, IN WHICH HE DEFIES THE MILITARY POWER—HIS FAMOUS "NOTES ON THE SITUATION"—RAILWAY ENTERPRISE AND REHABILITATION—PARDONS GRANTED BY PRESIDENT JOHNSON—THOUSANDS OF WHITES AGAIN DISFRANCHISED BY REFUSING TO REGISTER—JUDGE JOHN ERSKINE—THE TEST OATH—ORIGIN OF MEMORIAL DAY.

During the month of April, 1866, President Johnson announced the restoration of peace and the end of reconstruction, according to his plan for rehabilitating the states. But the announcement was premature. The worst phases of reconstruction, its severest ordeals, its greatest trials, its most revolting tragedies, were still to be endured; and what the state had already suffered was only a foretaste of what it was still to suffer. The former condition of affairs bore to the latter exactly the relation which a passing cloud bears to a starless midnight. Congress was not in accord with President Johnson's plan of reconstruction. Between the legislative and the executive departments there was precipitated a fight destined to keep the state in a painful turmoil of suspense for a long protracted season, to reopen wounds which time had commenced to heal, and to postpone for an indefinite period the reign of the olive branch in American politics. Thaddeus Stevens, as chairman of the Reconstruction Committee of Congress, led the fight against President Johnson and for reasons purely political began to undo the work of healing. His name can never be honored in the South. It was a politician's job which he sought to execute, not a patriot's.

To avert the impending disaster, wise men in both sections held a gathering in Philadelphia, on August 14, 1866, known as the National Union Convention. Georgia sent a delegation of her best citizens to this gath-

ering: from the state at large—Alexander M. Stephens, Herschel V. Johnson, Absalom H. Chappell, and Dawson A. Walker; district delegates—W. B. Fleming, John B. Gordon, Eli Warren, J. L. Wimberley, Hiram Warner, E. H. Worrell, Thomas Hardeman, P. W. Alexander, Linton Stephens, Ambrose R. Wright, J. H. Christy, Robert McMillan, Richard F. Lyon and James Milner. But nothing was accomplished.

Despite the opposition of patriots, the Fourteenth Amendment to the Federal Constitution was passed over President Johnson's veto, on June 16, 1866. It did not confer suffrage upon the negro in express terms, for which reason it was open to misconstruction. Besides giving restricted citizenship to the negro, and franchising the leading white citizens, provided for a reduction of the state's representation in Congress, where suffrage was denied to any of the male inhabitants, and declared the war debt of the Confederate States null and void. Upon the ratification of this amendment, the readmission of the seceding states was made contingent. Georgia's reconstruction, therefore, was no longer an accomplished fact. To complicate matters still further and to widen the already yawning breach between the sections, this Congress also passed the Civil Rights bill, giving to negroes the right of accommodation at public hotels, in railway trains, on steamboats, at theatres, and other places of entertainment. These were extreme measures—radical to the point of revolution. But the republican majority in Congress was all powerful. The South was prostrate in the dust. Again the bayonet became supreme.

Such was the situation when the Georgia Legislature convened in November. To ratify or not to ratify the Fourteenth Amendment—this was the paramount question. Governor Jenkins, in his annual message, voiced the popular indignation aroused by this oppressive demand of Congress. The opposition to ratification was well formulated by Maj. R. J. Moses, in two sententious paragraphs, as follows:

"1. If Georgia is not a state composing a part of the Federal government, known as the Government of the United States, amendments to the Constitution of the United States are not properly before this body.

"2. If Georgia is a state, composing a part of the Federal government, known as the government of the United States, then these amendments are not proposed according to the requirements of the Federal Constitution, and are proposed in such a manner as to forbid the Legislature from discussing the merits of the amendments without an implied surrender of the rights of the state."

These paragraphs were embodied in a strong report, which closed with the recommendation that the Legislature decline to ratify the proposed amendment to the Federal Constitution. The Senate adopted this report by a unanimous vote; while in the House only two members were recorded in opposition.*

Exasperated by the South's delay in ratifying the Fourteenth Amendment, Congress, under the control of a tyrannical republican majority, was bent upon heaping still greater ignominies upon this section. It was now proposed to cap the climax with negro suffrage and to place the South under an iron rule of Federal bayonets. For the purpose of ascertaining the exact situation of affairs and to avert

* Milledgeville Federal-Union, November 13, 1866.

this crowning infamy if possible, ex-Governor Brown, while the reconstruction measures were still pending, repaired to Washington for a conference with the leaders on both sides. Judge Dawson A. Walker accompanied him on this trip. But, he found the situation hopeless. The dominant party in Congress was fixed in its resolve to rehabilitate the South according to its own plan of reconstruction. It was suffrage for the negro or nothing. The utter hopelessness of the situation was only too apparent. Impeachment proceedings against President Johnson had already been instituted. Georgia's war governor was not in sympathy with these abortive measures, which were, in fact, abhorrent to him, but he realized the futility of resistance. On returning home, therefore, he advised the people to submit with patience to wrongs which could not be righted in a day and which time alone could redress. Opposition was likely only to aggravate them. If the South, when armed with muskets, was powerless to resist the North, he failed to see how the South, who prostrate in defeat, could force the North by coercive measures into a change of mind; and he reasoned that by adopting a policy of acquiescence the ordeal or reconstruction might be mitigated in severity, if not shortened in duration.

But Georgia was in no mood for accepting the situation. Ex-Governor Brown instantly became the most unpopular man in the state. Nor was this ostracism softened when Congress, over President Johnson's veto, enacted the atrocious legislation of March 2nd and March 23rd, the effect of which was to confer suffrage upon the negroes, to disfranchise the southern whites, to destroy the re-established state government, and to put Georgia under an atrocious military regime.* Governor Brown became a target for personal abuse and villification. His bold advocacy of secession was forgotten. His prompt seizure of Fort Pulaski was no longer remembered. His record as Georgia's war governor was now eclipsed and obscured. For more than a decade he became the victim of a most relentless proscription. Harsher epithets have seldom been coined than during this period. But he chose his path deliberately and calmly, and he stood in no fear of consequences.

Governor Jenkins also went to Washington at this crisis in the state's affairs, resolved to test the constitutionality of the reconstruction measures of Congress. On Georgia's behalf, he filed a bill of injunction in the Supreme Court of the United States. Proceedings were instituted on April 10, 1867. Jeremiah S. Black, Charles O'Connor, Robert S. Brent and Edgar Cowan appeared as counsel for the state. It was argued with great force that Georgia, having failed to establish her right to secede, was therefore still within the Union; and that it was in violation of the Constitution for measures of such a harsh and drastic character to be forced upon her by a Congress from which her representatives were excluded. But the bill was dismissed and Georgia was left without recourse. While the issue was still pending, Governor Jenkins addressed an open letter to the people of Georgia, advocating a temperate but firm refusal to acquiesce in the Congressional plan of reconstruction.

But the republican party in Congress was bent upon bringing the

* "Life of Toombs" by Phillips, p. 2.

South to her knees. Early in the summer an act was passed under which Georgia, Alabama, and Florida were organized into the Third Military District, with Maj.-Gen. John Pope, in command. Still later a measure was enacted, at the instance of the Reconstruction Committee of Congress, calling for a general registration of voters. In accordance with this act, a registration took place in each county, under a military officer, and, despite its illegality, there were as many negroes as whites enrolled at this time as voters. The total enrollment reached almost 200,000, of which number half were negroes.

Thousands of the best people of the state refused to register, on account of the test oath which they were first required to take. Ex-Gov. Herschel V. Johnson, inveighed heavily against the injustice of this measure, but urged registration. Judge Hiram Warner, Judge John W. H. Underwood, and Judge Iverson L. Harris gave advice to the same effect, urging a participation in state affairs. Mr. Stephens was quiescent, but his attitude of silence virtually favored submission. Robert Toombs and Benjamin H. Hill both stood for bold resistance. These were the leaders whose advice best suited the temper of the times. General Toombs had just returned from Europe, and as usual was ready with impetuous thunder to defy the Federal Government. Mr. Hill with consummate eloquence urged the people to take no part whatever in this mockery of state control and to assume an attitude of eternal defiance to such monstrous wrongs. He hoped by this policy of resistance to touch the national conscience and to influence public sentiment at the ballot-box.

Mr. Hill's immortal Davis Hall speech, delivered in Atlanta during the mid-summer of 1867 has doubtless never been surpassed in its Olympian thunderbolts of denunciation. It was on this occasion that he defied the Federal soldiers who with bristling bayonets, entered the hall and marched down the aisle to seats directly in front of the platform. These troops were present for the sole purpose of intimidating the speaker. General Pope himself was in command. But Mr. Hill was not to be deterred. This interruption only produced the effect of oil upon angry flames; it fired him to greater boldness. His friends trembled for his safety, expecting to see a bullet end his life at any moment; but no resistance was offered. Nor did his arrest follow.

Mr. Hill subsequently re-enforced his Davis Hall speech with a series of letters entitled: "Notes on the Situation," which, for power of invective, will remain the admiration of all succeeding ages. To quote Mr. Grady, these letters were discussed on the boulevards of Paris and on the streets of London. Most of Mr. Hill's burning shafts were aimed at the high-handed acts of Congress, which he denounced as subversive of constitutional government, but he also paid his respects to the military satraps, to the carpet-baggers, and to the renegades and turn-coats among the natives whites; nor did he fail to reserve some of his choice brimstone for his old antagonist: Joseph E. Brown.

Before tracing further the rapid sequence of events in this direction, we must note some important developments which can best be recorded in this connection. During the year 1866, Maj. Campbell Wallace became superintendent of the Western and Atlantic Railroad and entered upon his great task of rehabilitating the state's splendid



BENJAMIN H. HILL

United States Senator, Whose Thunderbolts of Eloquence in Protest
Against the Enormities of Reconstruction Recalled
the Philippias of Demosthenes

property. At the same time, Col. W. M. Wadley was made president of the Central of Georgia and began to inaugurate an industrial revival. It was little short of marvelous what both of these men accomplished under the stress of adverse conditions. Bonds to the amount of \$3,630,000 were issued with which to repair the state road, liquidate maturing obligations, purchase supplies of corn and meet other pressing necessities. Georgia's bonded indebtedness was increased \$5,840,000 but her securities brought 90 cents on the dollar, despite the prevailing distress. Though treated as a conquered province and denied recognition as a state, she had nevertheless been called upon to pay her quota of a direct tax levied by the Federal authorities.

President Johnson, on May 1, 1866, had granted pardons to 1,228 of the leading citizens of Georgia and had intimated his willingness to extend clemency on application to all who might apply. The success of his plan of reconstruction seemed to be assured and the state was a unit in supporting him; but there were breakers ahead. The military measures of Congress inaugurated an era of despotism, hitherto unknown in the history of free government. The registration act disfranchised thousands who had received amnesty from President Johnson. On January 9, 1866, Judge John Erskine opened the United States Court for the District of Georgia and, though a consistent republican, became a tower of defense in protecting the defenseless state from numberless wrongs to which these times exposed her, in the way of litigation. Georgia today remembers this golden-hearted Irishman with gratitude and honor. Hugh S. Fitch, an Indiana lawyer, held at this time the office of district attorney, and when Judge Wm. Law applied for admission to practice law in the District Court he opposed his application on the ground that he was not able to take the test oath. Judge Law had practiced in this court for nearly half a century—to show the injustice of the proposed exclusion. Former Governor Brown represented him; and, in a powerful argument, assailed the constitutionality of the act creating the test oath, and was sustained in this contention by Judge Erskine.

On April 26, 1866, Memorial Day was observed for the first time in the South. The custom originated at Columbus, Georgia, where Col. J. N. Ramsay was the first Memorial Day orator. The graves of all the Confederate soldiers buried in Linwood Cemetery were at this time decorated with flowers, and the patriotic daughter of Dixie in whose loyal heart the idea first took definite form was Miss Lizzie Rutherford, afterwards Mrs. Roswell Ellis, the wife of a gallant ex-Confederate officer. The date in question was selected for two reasons: first, it marked the anniversary of General Johnston's surrender, an event which terminated the war and, second, it registered the maturity of the vernal season. The exercises began with an impressive program in St. Luke's Methodist Church, following which the multitude repaired to Linwood Cemetery, where the graves of the silent heroes in gray were lovingly decorated with blooms.

Next to Miss Lizzie Rutherford, the honors of pioneerhood belong to Mrs. Charles J. Williams. As secretary of the Columbus Memorial Association it fell to the lot of this sweet-spirited and gifted lady to frame the first letter which appeared in the newspapers of the state on

this subject, urging the formation of similar organizations. It was not alone the beautiful thought itself but the delicate and subtle power of the writer's eloquent appeal to sacred memories that fired the popular imagination; and Mrs. Williams has ever since shared with her fair rival in the homage which the multiplying years have brought.

For a long period of time there waged in the public prints a controversy between enthusiastic partisans respecting the true parentage of the Memorial Day idea; but the issue has at length happily been settled by an authoritative pamphlet. On April 26, 1898, the return of the day was made an occasion for dedicating the "Lizzie Rutherford Chapter, of the U. D. C.," at Columbus, and the orator, Hon. Henry R. Goetehuis, was introduced to the audience by Hon. Robert M. Howard. At the same time, an official paper from the Ladies' Memorial Association of Columbus—the mother society—setting forth the true history of Memorial Day, with affidavits thereto attached, was read by Mr. Frank U. Garrard. Three survivors of the period—Mrs. Jane E. Ware Martin, Mrs. Wm. G. Woolfork, and Mrs. Clara M. Dexter—testified to the facts therein recited. Briefly stated, the circumstances leading to the origin of Memorial Day are as follows:

During the last days of the Civil war there existed at Columbus, in common with many other towns and cities throughout the South, an aid society, the purpose of which was to serve the Confederacy by such means as lay within the power of the gentler sex. Garments were made and sent to the boys at the front. The wounded in the hospitals were nursed and the dead were given the rites of Christian burial. Some of the hardest fighting incident to the last days of the war took place on the slopes around Columbus. As a consequence, the offices of the local aid society were frequently called into requisition. Mrs. Absalom H. Chappell was the first president. But she was soon succeeded by Mrs. Robert Carter, who remained at the helm of affairs until the aid society was merged into the Ladies' Memorial Association. When the war closed the work of the aid society seemed to be at an end. Some time during the month of January, 1866, Mrs. Jane Martin was visiting Columbus. One afternoon, Miss Lizzie Rutherford, making her a visit, asked Mrs. Martin to accompany her to the cemetery, there to join some other ladies in looking after the graves of the soldiers who had died in the Columbus hospitals. The invitation was accepted. On returning home, the two ladies discussed the work in which they had been engaged. Miss Rutherford remarked that she had just been reading "The Initials," a popular novel by the Baroness Tautphoeus, and that from this book she had derived an idea in regard to decorating the graves of the dead which the aid society, with no special work to engage them for the present, other than caring for the sacred shrines, might profitably put into effect; and she stated that for her own part she would like very much to see the aid society reorganized, with this definite object in view. Happening to meet Mrs. John A. Jones some few moments later, the matter was discussed with her; and still later it was mentioned to Mrs. Robert Carter, president of the aid society, with the result that both ladies were most favorably impressed with the suggestion. As it devolved upon Miss Rutherford, as secretary of the aid society, to call a meeting for the purpose of disposing of certain personal property which belonged

to the organization, it was thought best to present the matter in a formal way at this time. Accordingly, not long thereafter, a meeting was called for a given date, to be held at Mrs. John Tyler's, on what is now the corner of Fourteenth Street and Fourth Avenue; and the ladies responding to the call were: Mrs. Robert Carter, Mrs. R. A. Ware, Mrs. William G. Woolfork, Mrs. Clara M. Dexter, Mrs. J. M. McAllister and Mrs. Charles J. Williams. On account of a message which summoned her somewhat unexpectedly to the bedside of a sick relative, in Montgomery, Alabama, Miss Rutherford was not present at the meeting; but her resolution was duly offered by one of her friends and adopted without a single vote in opposition. Thereupon the Ladies' Memorial Association, of Columbus, was formally organized, with the following set of officers: Mrs. Robert Carter, president; Mrs. R. A. Ware, first vice president; Mrs. J. M. McAllister, second vice president; Mrs. M. A. Patton, treasurer; and Mrs. Charles J. Williams, secretary. There was no date set for the formal observance of Memorial Day; but after Miss Lizzie Rutherford returned to Columbus, when she, with other members, were working at the cemetery and discussing the best day for the observance, she suggested April the 26th, the anniversary of General Johnston's surrender, and it met with subsequent adoption. Mrs. Williams, as secretary of the Ladies' Memorial Association, was then requested to draft a letter, addressed to the various patriotic societies throughout the South, urging them to unite in making the observance of Memorial Day a universal custom. This she did in a manner which was soon destined to make her name a household word throughout the land; and with what effect she gave herself to the task is attested by the fact that today there is scarcely to be found a hamlet, in the remotest corner of the South, where the day is not fittingly observed. Nor is it too much to claim that the action of the Grand Army of the Republic, in setting apart a day on which to honor the memory of departed comrades, is an offspring of the modest seedlet which, on April 26, 1866, was planted upon the banks of the Chattahoochee River, to furnish a harvest of incense for a continent; and thus even the victorious North has deigned to emulate the example of the vanquished South.

In addition to the names hereinbefore mentioned, the membership of this pioneer organization included the following ladies of Columbus: Mrs. George W. Woodruff, Mrs. Henry L. Benning, Mrs. John A. Jones, Mrs. H. R. Goetchius, Mrs. L. T. Downing, Mrs. John A. Urquhart, Miss Anna Benning, Mrs. John Tyler, Miss Mary Tyler, Miss Emma Tyler, Miss Anna Tyler, Mrs. L. E. Carnes, Mrs. M. E. Hodges, Mrs. Anne Shepherd, Miss Mary Elizabeth Rutherford, Mrs. Seaborn Jones, Miss Mary Hodges, Mrs. David Hudson, Mrs. M. A. Patten, Mrs. R. B. Murdoch, Mrs. Laura Beecher Comer, Mrs. John D. Carter, Miss Harriet Torrence, Miss Matilda Torrence, Mrs. Brad Chapman, Miss Anna Forsyth, Mrs. F. O. Ticknor, and others.

Memorial Day was made a legal holiday in Georgia by an act approved February 24, 1874.

It is not strange that the observance of Memorial Day should have originated in this section. The South is proverbially the land of flowers. During the late Civil war it was also an area of invasion. The burning plowshares of battle prepared the soil for an imperial harvest of heroic

legends. Besides, the history of the world teems with testimony to the fact that the most enduring chaplets have ever been woven for the vanquished. One needs only to cite Thermopylae and Troy to prove that literature is partial to a lost cause. Perhaps another reason for the southern origin of Memorial Day is found in the fact that the heroism of the southern soldier was inspired not alone by his resolute fidelity to principle but by his paramount allegiance to the gentler sex. He was instinctively and racially a Cavalier. It was ever the work of some fair woman to buckle on his belt; and whether she printed upon his brow a mother's or a sweetheart's kiss, he jauntily sallied forth to the wars, like an armored knight. He went to the front, bearing her colors, to revive the old romantic days of chivalry and to write with his trusty sword or his brave musket, on many an ensanguined field, the bloody sequel of the tournament. If heroism alone could have prevailed, he would not have lost an unequal fight; and around the fireside of an after-time, he would have told in another key the story of Appomattox.

But an all-wise God held the scales of battle in His omnipotent hand; and while the North was elated with her laurels the South was left to her memories. It was in this sorrowful extremity that the Daughter of Dixie began to think of the humble graves on the hillsides. She could rear no costly monument over her champion, but she could make the earth above him fragrant with her unbought forget-me-nots. In the first gray mists of the early morning, these gentle Marys of our Southland—shedding tears and bearing incense—sought the sepulchres in which lay buried the Templar Knights of the Southern Cross. It was love's sweet "In Memoriam"—an elegy of the most exquisite perfume, written in the unlettered language of flowers.

Despite the financial stress, \$5,000 was appropriated by the Legislature of 1866 to the Ladies' Memorial Association, of Atlanta, and elsewhere, with which to re-inter the bones of the dead soldiers lying in the trenches and to erect simple head-stones. It was also at this session that the iniquitous precedent of state aid to railroads was established, a precedent which was destined to bear fruit in the monstrous frauds of the Bullock administration. State aid to the Macon and Brunswick Railroad was granted after an animated debate in both Houses and trouble for the future was insured.* Pandora's box was opened.

* Acts 1866, pp. 127-128.

CHAPTER XV

HIGH-HANDED DESPOTISM BEGINS TO REIGN—OFFICIALS REMOVED BY THE MILITARY POWER—ALBERT H. COX'S BOLD SPEECH IN THE UNIVERSITY CHAPEL—HILL AND BROWN BOTH ON THE STAGE—A DRAMATIC EPISODE—GENERAL POPE ISSUES A CALL FOR A NEW CONSTITUTIONAL CONVENTION TO ASSEMBLE IN ATLANTA—COLONEL HULBERT IN CHARGE OF THE REGISTRATION—THE DEMOCRATS HOLD A CONVENTION IN MACON—RESOLUTIONS OF PROTEST—THE CONSTITUTIONAL CONVENTION OF 1867-1868—MANY NEGRO DELEGATES ENROLLED—SOME OF ITS MEMBERS MEN OF HIGH CHARACTER—QUITE A NUMBER OF GOOD DEMOCRATS IN ATTENDANCE, WHO FAVORED PARTICIPATING IN THE WORK OF REORGANIZATION—BUT THE MAJORITY ELEMENT OF THE WHITES UNREPRESENTED—GENERAL MEADE SUPERSEDES GENERAL POPE IN COMMAND—THE CONVENTION ADOPTS A NEW STATE CONSTITUTION RATIFYING THE FOURTEENTH AMENDMENT AND FAVORING FREE PUBLIC SCHOOLS—ATLANTA DESIGNATED AS THE PERMANENT CAPITAL—FUNDS NEEDED WITH WHICH TO DEFRAY THE CONVENTIONAL EXPENSES—GOVERNOR JENKINS, REFUSING TO DRAW HIS WARRANT UPON THE TREASURY, IS DEPOSED BY GENERAL MEADE—GEN. THOS. H. RUGER "DETAILED FOR DUTY" AS GOVERNOR—TO PREVENT THE EXECUTIVE SEAL FROM FALLING INTO PROFANE HANDS, GOVERNOR JENKINS TAKES THE EMBLEM OF GEORGIA'S SOVEREIGNTY INTO EXILE—EN ROUTE, HE FILES A SECOND BILL OF INJUNCTION IN WASHINGTON, D. C., BUT WITHOUT SUCCESS—COLONEL BARNETT BURIES THE GREAT SEAL OF GEORGIA UNDER HIS RESIDENCE IN MILLEDGEVILLE—THE UNION LEAGUE—THE KU KLUX KLAN—GEORGIA UNDER THE REIGN OF TERROR—DEATH OF CHIEF JUSTICE LUMPKIN—HIRAM WARNER NAMED HIS SUCCESSOR.

High-handed despotism began to reign with the establishment of military rule in Georgia. General Pope speedily developed autocratic powers. Mayors of cities, sheriffs, solicitors, and other public officials were displaced by the creatures of martial law. Foster Blodgett was appointed to act as mayor of Augusta. Capt. J. A. Blance, solicitor-general of the Tallapoosa Circuit, and Col. Albert R. Lamar, solicitor-general of the Muscogee Circuit, were both removed. Men who had failed to register, were not even allowed to serve on juries. The times were sadly out of joint. The negro was becoming a dominant factor in politics. Because of the test oath, men who had formerly ruled the state were disfranchised. It was a dark hour for Anglo-Saxons. At the State University, during the commencement of 1867, a brilliant young member of the graduating class, Albert H. Cox, of LaGrange,

exploded a bomb-shell on the public rostrum by assailing the reconstruction authorities. His speech was on "The Vital Principle of Nations: Obedience to Organic Law." It thrilled and electrified his audience and gave the young orator a national reputation. The speech was one of dramatic power. Ex-Gov. Joseph E. Brown was on the platform, and, though a target for some of the shafts of rhetoric fired by the youthful speaker, his countenance betrayed no emotion. Hon. Benjamin H. Hill, who also occupied a seat on the rostrum, is said to have greatly enjoyed the discomfiture of his antagonist. The affair promised serious results. General Pope requested a copy of the speech. To protect the university from any embarrassment likely to be occasioned by his outburst of temper, Mr. Cox offered to withdraw from college. But no drastic action was taken. The doors of the university were not closed and the situation in time quieted. Judge Augustus W. Reese incurred the displeasure of the military governor but greatly endeared himself to the people by refusing to obey the newly promulgated order which excluded non-registered persons from serving as jurors.

On September 19, 1867, General Pope ordered an election to be held for delegates to a state constitutional convention. This election was set for October 29, but was to continue for three consecutive days, a novel innovation. Col. E. Hulbert, an ex-superintendent of the Southern Express Company, was made superintendent of registration. He was a man of powerful build, resourceful, adroit, energetic, vigilant, one well suited for the task in hand. He became a dominant figure in the politics of this troubled era. According to Colonel Hulbert, the registration lists showed 188,647 voters; but the number of absentees from the polls in this election is indicated by the fact that 106,410 votes were cast, of which number 102,283 supported the conventional call. Most of these were negroes. The date set for the monster gathering was December 9, 1867, and the place selected was Atlanta.

Meanwhile, the democrats made a counter move by holding a convention in Macon on December 5, over which the great Benjamin H. Hill presided. His temper was well attested by its choice of a presiding officer. Mr. Hill was the recognized leader of the anti-reconstructionists, a walking arsenal of impassioned rhetoric. Sixty counties were represented, but few of these were in North Georgia, where the spell of ex-Governor Brown's influence was widely felt. To glance over the list of delegates, there were among the number: Augustus W. Reese, Thaddeus G. Holt, Wm. S. Holt, Thomas Hardeman, George A. Mercer, James Cooper Nisbet, Gen. A. R. Wright, Wm. T. Thompson, C. A. Nutting, L. N. Whipple, R. A. Alston, Herbert Fielder, Augustus R. Wright, Wm. M. Browne, and W. F. Wright.* There was a stormy debate over the line of policy to be pursued, whether to assume an attitude of non-action or denounce the advocates of reconstruction as enemies of popular government. Mr. Hill himself favored the latter. But a compromise resolution was finally adopted, protesting against the reconstruction measures, and ex-Gov. Herschel V. Johnson, as chairman of a committee to issue an address to the people, drafted a vigorous

* Avery's "History of Georgia," p. 23.

document, appealing for a united effort to restore constitutional government. This completed the convention's work.

Four days later there assembled in Atlanta to remodel the Constitution of Georgia a nondescript assemblage, in which not only carpet-baggers and scalawags were conspicuous but the hereditary slaves of two centuries were enrolled among the delegates. It was an odious gathering. At least one-sixth of the membership consisted of negroes. To witness these ex-slaves, occupying seats in a body from which some of the best people of the state were excluded and tinkering with the state's organic law, was to say the least a novel spectacle, one well calculated to fire Caucasian blood. It was an hour dark with menace for the security of Georgia when vicious and ignorant blacks were permitted to tinker with her organic law, while disfranchisement was the penalty visited upon her favorite sons for advocating resistance to an unparalleled wrong.

But there were not a few men of high character among the delegates who served to leaven this heterogeneous lump. Some were good democrats who, holding it folly to offer a futile resistance to armed power, had registered in order to qualify themselves for service to the state in an hour of need. Dr. H. V. M. Miller, David Irwin, A. W. Holcombe, L. N. Trammell, S. E. Field, and James D. Waddell were of this number.* Nor were all of the republicans men of sinister motives, like Aaron Alpeoria Bradley, an incendiary leader from the Savannah district. He was an obstreperous member, tackling with venomous impartiality, first the democrats and then the republicans. But he was subsequently expelled from the body when it was learned that he had served a term in the penitentiary of some northern state for seduction.† Such delegates as the following enjoyed public esteem and stood deservedly high: Amos T. Akerman, Henry K. McCay, Rufus B. Bullock, Benjamin Conley, Thos. P. Saffold, David C. Cotting, Madison Bell, N. L. Angier, J. L. Dunning, J. H. Flynn, J. R. Parrott, A. G. Cole, and Albert G. Foster. Colonel Akerman was soon to become attorney-general in President Grant's cabinet. Judge McCay had served on the Supreme bench of Georgia; Rufus B. Bullock and Benjamin Conley were future governors of the state, while David G. Cotting, N. L. Angier and Madison Bell were future state house officers, under the regime of reconstruction. Other influential members of the body, some of them good and true men were: R. H. Whitely, Foster Blodgett, James Adkins, J. E. Bryant, Thos. J. Speer, Henry M. Turner, G. W. Ashburn, Tunis Campbell, Isaac Seely, Samuel Cove, John S. Bigby, N. P. Hotchkiss, W. L. Clift, C. H. Hopkins, Moses H. Bentley, G. P. Burnett and C. H. Hopkins.‡ Some of these became congressmen, under the reconstruction regime, to wit: Messrs. Whitely, Gove, Speer, Clift, and Bigby. Foster Blodgett became superintendent of the state road.

The presiding officer of the convention was J. R. Parrott. Without going into needless details, it suffices to say that, except for a short

* Journal of the Constitution Convention of 1867-1868, Confederate Records, Vol. VI, Candler, pp. 201-204.

† Avery's "History of Georgia," p. 382.

‡ Journal of the Constitutional Convention of 1867-1868, Confederate Records, Vol. VI, Candler, pp. 201-204.

recess of twelve days taken at Christmas, the convention remained in session until March 11, 1868, in the end producing what became known as the State Constitution in 1868, under which the people of Georgia lived for nearly a decade. This Constitution ratified the Fourteenth Amendment. It contained many excellent features and brought into existence Georgia's present system of popular education, but the Constitution was never popular, due to the conditions of upheaval which brought it forth and to the political agencies with which it was indissolubly associated. Provision was made for submitting the new constitution to popular ratification at a general election to be held commencing April 20, at which time a governor, a general assembly, a set of state house officers and a delegation to Congress were to be elected. The choice of a permanent site for a state capital was also to be made at this time. Atlanta, having achieved wide note as a depot of supplies for the Confederate Government and as military headquarters under the reconstruction regime, offered an executive mansion, a building for legislative purposes and a lot on which to build a new state capitol. Milledgeville offered to repair all damages to the old capitol buildings and to make other improvements. Atlanta's offer was preferred. The convention put itself en rapport with the Congressional plan of reconstruction and nominated Rufus B. Bullock for governor, permission having been obtained from Congress to declare this high office vacant.

On December 28, 1867, while the convention was still in session, General Pope was recalled by the Federal authorities and Gen. George C. Meade, the hero of Gettysburg, placed in charge as commander of the Third Military District. The credit for this change of officers must be given to Governor Jenkins, who was tireless in his complaints to the Federal authorities in Washington of the high-handed acts of General Pope; nor was this peppery official long in exhausting the patience of his own party at the North. There was no regret over his departure from Georgia.

But a serious crisis was near at hand. The reconstruction convention before adjournment needed funds with which to defray its expenses and accordingly passed an ordinance directing the state treasurer to pay \$40,000 to the convention's disbursing agent. But Treasurer Jones was not in the habit of honoring demands to which the seal of Georgia's sovereign statehood was not attached, and he declined to pay out money from the treasury, "except upon the warrant of the Governor, countersigned by the Comptroller-General." This was a most aggravating hitch in the program of the reconstructionists. It was necessary to bring higher officials into the chain of correspondence. Accordingly, on January 7, 1868, General Meade, the new district commander, addressed an order to Governor Jenkins, directing him to draw his warrant for \$40,000 to meet the existing exigency, "an appropriation made by law." To this demand, Governor Jenkins replied that the convention had been called under an act of Congress which prescribed tax for raising funds with which to pay the expenses of this body; that the funds so raised did not come within the purview of either state or Federal constitutions; and that, in declining to obey the behest of the convention, he only paid a dutiful homage to both constitutions. This reply, though couched in the language of courtesy, laid the foundations for an act of tyranny

almost unparalleled in the history of free government. On January 13, General Meade promulgated an order removing Governor Jenkins from office and appointing in his place Gen. Thomas H. Ruger who, according to the extraordinary terms of his commission was "detailed for duty" as governor. Such trifling with the sacred rights and liberties of a great state was galling to the sensibilities of a proud people; but there sat in Georgia's executive chair at this time a Roman, cast in the molds of the great Cato.

This ejection of Governor Jenkins from office by the iron hand of the military power was the crowning indignity in a catalogue of outrages to which the State of Georgia was subjected during this period. It was subversive of every principle of constitutional government for the duly elected governor of a great state to be hurled from his seat of authority in this despotic manner but for his successor in office to be "detailed for duty" as the chief magistrate of a sovereign people was a wanton insult. This same order also displaced State Treasurer John Jones and designated as his successor Capt. Charles F. Rockwell. He, too, was detailed for duty. So extraordinary is this document, known as order Number Eight, that the relic is herewith reproduced in its entirety as a quaint and curious document of this infamous regime.* It reads as follows:

“Headquarters Third Military District,
Dept. of Ga., Ala. and Fla.

ATLANTA, Ga., Jan. 13, 1868.

General Order No. 8:

"I. Charles J. Jenkins, Provisional Governor, and John Jones, Provisional Treasurer of the State of Georgia, having declined to respect the instructions of, and failed to co-operate with the Major General commanding the Third Military District, are hereby removed from office.

"H. By virtue of the authority granted by the Supplementary Reconstruction Act of Congress, passed July 19th, 1867, the following named offices are detailed for duty in the District of Georgia: Brevet Brigadier General Thomas H. Ruger, Colonel 33d Infantry, to be Governor of the State of Georgia; Brevet Captain Charles F. Rockwell, Ordnance Corps, U. S. Army, to be Treasurer of the State of Georgia.

*III. The above named officers will proceed without delay to Milledgeville, Georgia, and enter upon the discharge of the duties devolving upon them, subject to instructions from these Head-quarters.

By order of GENERAL MEADE.

[Official:] R. C. DRUM, Assistant Adjutant General.

GEORGE K. SANDERSON, Capt. and Act. Asst. Adit. Gen."

But Governor Jenkins was resolved that the seal of his office should not be desecrated by the profane hands of the military usurpers. Accordingly, he took the seal of the executive department, with \$400,000 in cash and left for Washington, District of Columbia, where he filed a second bill in the Supreme Court of the United States, protesting on constitutional grounds against the seizure of the state government by the military power. He next went to New York, where he deposited the \$400,000 to the state's credit, in one of the banks, to be used later in making a payment on the public debt. The executive seal accompanied

him first to Nova Scotia and afterwards to Europe and remained in his custody until Georgia's statehood was restored, at which time it was duly surrendered to the properly constituted authorities.

Sweeping changes now occurred in rapid succession. Col. Nathan C. Barnett, Georgia's secretary of state, was the next official whose head was marked for the guillotine. Capt. Charles Wheaton was detailed to succeed him in this department. But, on retiring from office, Colonel Barnett took with him the Great Seal of State, which he secretly buried at night under his home in Milledgeville, his wife alone sharing with him the knowledge of its exact whereabouts. Judge John T. Clarke, of the Pataula circuit, was removed from the bench for adjourning court on the ground of General Meade's "illegal, unconstitutional and dangerous orders." Comptroller-General Burns was imprisoned for two days on a warrant confusing him with a man named Barnes. Justice was a mockery in Georgia at this time; and supreme over all was the Federal bayonet.

To improve the outlook for republican success, in the presidential campaign of 1868, the Union League was organized; and, in connection with the Freedman's Bureau, this league was instrumental in propagating a harvest of willful and malicious falsehoods and in producing widespread demoralization. It was organized by political adventurers—most of them carpet-baggers—whose interest in the black man was a secondary consideration. The first Union League made its appearance in 1867. Others followed in rapid succession, until leagues were organized in all the important towns and cities. Its members were united in an oath-bound organization of wonderful cohesiveness. Its discipline was strict and its activities for the most part hidden and secret. Meeting places were guarded by armed sentinels; and obedience to commands was enjoined under extreme penalties, including even death. It ruled the negroes with a rod of iron. We quote this pungent paragraph from the pen of Col. Isaac W. Avery, an eye-witness to much of what he records. Says Colonel Avery: *

"No picture of that day will be complete that omits that truly 'loyal' organism, the 'Union League,' founded and run in secret deliberations in the interest of the Republican party. Its chiefs were William Markham and Henry P. Farrow. It united its members in a compact, oath-bound organization of wonderful cohesiveness and discipline. Its hidden partisan efficiency was remarkable, and it ruled consummately its unlettered legionaries from Africa. Perhaps the most pernicious damage done by this order was the utter loathsome disrepute into which it brought the sacred idea of loyalty to government. All dissent from the sanctity of oppression and the virtue of tyranny was 'disloyal;' all abject approval of every hideous abortion of relentless despotism was 'loyal.' The line of loyalty was ignominious subservience to power."

As a means of keeping the negro loyal, he was taught to believe that, if his former master was successful in the struggle for the spoils, it would result in his re-enslavement, and to an ignorant race of people who were enjoying the luxury of freedom for the first time, such an appeal was most powerful. At the same time, in the event of republican success, he was promised

* Confederate Records, Vol. VI, Candler, p. 366.

* Avery's "History of Georgia," p. 382.
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large returns, including not only the fabled "forty acres and a mule," but material benefits to be derived from the confiscated property of the whites. Little was required to excite the imagination of the negro. These false promises filled his mind with dreams and visions and to the enfeebling effects of idle habits added the vicious contaminations of politics. To be disloyal to the league was worse than to be disloyal to the church. As a result of such heresies, untold mischief was accomplished; and today, after a lapse of half a century, the South is still reaping the fruits of this vicious propaganda.*

To maintain the ascendancy of the white race, at a time when thousands of its best and noblest representatives were disfranchised, when the civil law was suspended and when the bayonet ruled supreme; to keep the negro in his proper place; and to checkmate the harmful effects wrought by those twin monsters of reconstruction, the Freedman's Bureau and the Union League, it was necessary to inaugurate a counter-movement. This brought into existence the famous Ku Klux. The sole objects of this organization were to preserve law and order, to maintain an Anglo-Saxon supremacy, and to keep the negro in subjection. It was demanded for society's protection; and was well-adapted to the superstitious fears of the black man and to the exigencies of the times. As a rule, the Ku Klux rode at night, in single file. The costume worn by its members was most sepulchral. It consisted, in the main, of a long white gown, surmounted by a mask. The utmost secrecy characterized the movements of the Ku Klux. It moved with the grimness of death, but with the precision of clockwork, to the accomplishment of its purposes, oftentimes appearing with mysterious suddenness and disappearing in like manner, as if made to vanish into thin air by some magician's wand. Whenever a negro committed a crime or rendered himself obnoxious to the whites he was sure to receive a visit from the Klan. Sometimes his punishment was light; sometimes extreme. Brutal outrages were not infrequently perpetrated in the name of the Ku Klux; but, in the main, its work was salutary. The defence of Southern womanhood made its existence imperative, sanctified its ritual, hallowed its meeting-places, and glorified its membership with some of the loftiest names in the land. From an authoritative source, the story of its origin is thus told:†

"The first den was organized in Pulaski, Giles County, Tennessee, in 1866, and Pulaski continued to be the center of the order throughout its existence as an interstate organization. Six men organized the den for diversion and amusement in a community where life was dull and monotonous. The original name was Ku Kloi—from the Greek word Ku Klos—meaning band or circle. It was changed to Ku Klux and Klan added. The constitution of Tennessee was imposed by a fraction of the people. The Legislature passed an act restricting suffrage, which disfranchised three-fourths of the native population of the middle and western parts of the state. This obsequious Legislature also passed acts ratifying the illegal edicts of the autocratic and tyrannical Governor Brownlow—"The Parson." . . . At an election enough men had been permitted to register to thwart Brownlow's plans. He threw out the entire vote of

* "When the Ku Klux Rode," by Eyre Damer, Neale Co., 1912, pp. 47-50.

† "When the Ku Klux Rode," by Eyre Damer, The Neale Co., 1912, pp. 90-93.

twenty-eight counties. Registrars were removed, registration set aside, the counties placed under martial law, and negro militia quartered therein. The Legislature had become unanimously republican in both branches.

"The people began to consider means of counteracting this high-handed tyranny. The Pulaski Ku Klux organization had attracted much attention, and many branches had been organized. Leaders of the people quickly saw that it could be utilized for the purpose in view. And this was quickly done. The order, thus perverted, quickly spread from Virginia to Texas. The ritual was simple and easily memorized and was never printed; but a copy of the prescript was obtained and used in a trial in Tennessee and reproduced in United States Government publications. At a meeting in Nashville of delegates from all dens, this was modified. That convention designated the Southern territory as "The Invisible Empire." It was subdivided into "realms," corresponding to states; realms were divided into "dominions" (congressional districts), dominions into "provinces" (counties); provinces into "dens."

Officers were designated as follows: the Grand Wizard of the Invisible Empire, with his ten Genii (and the Grand Wizard's powers were almost autocratic); the Grand Dragon of the Realm and his eight Hydras; the Grand Titan of the Dominion and his six Furies; the Grand Cyclops of the Den and his two Night Hawks, the Grand Monk, the Grand Scrib, the Grand Exchequer, the Grand Turk, the Grand Sentinel, the Genii, the Hydras, the Furies, the Goblins and the Night Hawks were all staff officers. It is said that the graduation and distribution of authority were perfect, and that no more perfectly organized body ever existed in the world. The costume consisted of a mask with openings for the nose and eyes, a tall, pointed hat, of stiff material, a gown or robe to cover the entire person. Each member was provided with a whistle, and with this, and by means of a code of signals, communicated with his comrades. They used a cypher to fix dates, etc., and published their notices in the newspapers until repressive laws forbade this. Their horses were robed and their hoofs muffled.

"Meanwhile, other orders formed: the White Brotherhood, the White League, the Pale Faces, the Constitutional Union Guards, and the Knights of the White Camelia; but all evidence shows that for the most part there were short-lived, the very name of Ku Klux having caught the fancy of the members. General Forrest is credited with having consolidated all of them into the one grand order. An interview with General Forrest was published in the Cincinnati Commercial, in September, 1868, in which he was reported as saying that in Tennessee the klan embraced a membership of 40,000, and in all the states, of 550,000. He said to the congressional commission that the order was disbanded by him when it had fulfilled its purpose. No doubt he meant that the general organization was disbanded, for certainly detached bodies existed after the date fixed by him as that of the disbandment. Fleming says that the general was initiated by Capt. John W. Morton, formerly his chief of artillery, and became Grand Wizard. In his testimony, General Forrest said that the klan in Tennessee was intended as a defensive organization to offset the Union League; to protect ex-Confederates from extermination; to prevent the burning of gins, mills, and residences.

Congress and the radical Legislatures resorted to all possible means to break up the klans, but they existed until after white supremacy was restored. . . . Following the Nashville convention, the order courted publicity in order to inspire respect for its powers, and the Ku Klux sometimes paraded in daylight. Their appearance in public was sudden and unheralded; and they disappeared as silently and mysteriously. The perfection of their movements in drill revealed the training which the members had received as cavalrymen during the war. Sometimes the parades were at night, and then the mystery of their sudden appearance and the weirdness of the spectacle were heightened."

In the midst of this saturnalia of reconstruction, one of Georgia's most illustrious spirits, Chief Justice Joseph Henry Lumpkin, entered into rest. Judge Lumpkin died at his home in Athens, on June 4, 1867. Frequent, profound, upright, learned, Judge Lumpkin was revered in Georgia as "the Great Chief-Justice," nor have the succeeding years robbed him of this august distinction. As an orator, the bench of Georgia has never known his equal. During the days of Judge Lumpkin, the opinions of the court were orally delivered; and for the solemn duty enjoined upon him by this custom he possessed in an eminent degree every requisite: personal magnetism, voice, gesture, an unrivaled command of language, an impressive dignity of manner, an imagination tropical in its luxuriance of color. For twenty-one years, beginning with the establishment of this lofty tribunal, he presided over the deliberations of the Supreme Court of Georgia. His decisions run, like a thread of silver, through more than thirty volumes of reports, covering a wide range of important cases. These volumes are fragrant with the aroma of his genius. Such an unbroken file of opinions cannot be duplicated in the judicial archives of any state in the Union; and taking them, first and last, no richer caravan ever bore the spices of the Orient. To succeed him, in this exalted seat, Governor Jenkins appointed a former occupant of the Supreme Bench—"a Roman in feature and a Roman in soul"—Judge Hiram Warner.

CHAPTER XVI

THE NEW STATE CONSTITUTION RATIFIED AT THE POLLS, BUT MOST OF THE WHITES FAIL TO VOTE—RUFUS B. BULLOCK DEFEATS GEN. JOHN B. GORDON FOR GOVERNOR—ELECTED BY CARPET-BAGGERS AND NEGROES—THE FOURTEENTH AMENDMENT HAVING BEEN SWALLOWED, GEORGIA IS RESTORED TO FAVOR—BUT FULL RECOGNITION OF STATEHOOD IS DELAYED—NEGRO RULE A SORE TRIAL—THE STATE DEMOCRATIC CONVENTION OF 1868—ENDORSES SEYMOUR AND BLAIR AND CHOOSES ELECTORS—THE GREAT BUSH ARBOR MEETING—HILL, TOOMBS, COBB AND MOSES DENOUNCE THE CONGRESSIONAL MEASURES OF RECONSTRUCTION, HOPING TO INFLUENCE PUBLIC SENTIMENT AT THE NORTH—AN HISTORIC OCCASION—HENRY W. GRADY RESTORES GENERAL TOOMB'S HAT—THE KILLING OF ASHBURN—EX-GOVERNOR BROWN'S PART IN THE TRIAL—THE LEGISLATURE MEETS—THE ELIGIBILITY OF NEGRO MEMBERS AN ISSUE—DECIDED IN THE NEGRO'S FAVOR—GOVERNOR BULLOCK INAUGURATED—GEORGIA'S SECOND RECONSTRUCTION ENDS—BUT THE BULLOCK REGIME IS NO IMPROVEMENT UPON MILITARY RULE—JOSHUA HILL AND H. V. M. MILLER ELECTED UNITED STATES SENATORS—NEITHER SEATED UNTIL THE END OF THE SESSION—THE STATE'S CONGRESSIONAL DELEGATION SEATED AT ONCE—NELSON TIFT—P. M. B. YOUNG—JOSEPH E. BROWN APPOINTED CHIEF JUSTICE BY GOVERNOR BULLOCK—JUDGE H. K. MCCAY—FRESH COMPLICATIONS—THE EXPULSION OF THE BLACKS FROM THE STATE LEGISLATURE—GEORGIA ONCE MORE ADRIPT.

But to resume the narrative of events. On April 20, 1868, the new state constitution was submitted to a vote of the people. At the same time an election was held for governor, the republicans having nominated Hon. Rufus B. Bullock, and the democrats, Gen. John B. Gordon. It seems that Hon. Henry P. Farrar was at first scheduled for the republican nomination. He belonged to the conservative element of the party and was a man of proven courage as well as of high character. This was shown in his correspondence with Col. M. A. Nevin, of Rome, who denounced him as a coward. Such an epithet, applied to a brave man, under ordinary circumstances, provokes but one answer. But Colonel Nevin was crippled. Too chivalrous to fight a disabled antagonist, Colonel Farrar declined to meet him on the field of honor, but engaged in a duel with his second, Capt. Thomas Connor, who, after an exchange of shots, manfully withdrew the charges of his principal. Colonel Farrar would have made a strong candidate for governor and would have given tone to the campaign, but he failed to secure the nomination, due largely to the manipulations of Foster Blodgett, Governor Bullock's "Fidus Achates."

Thousands of democrats were still disfranchised. Unwilling to take the test oath, necessary for registration, they absented themselves from the polls. As a result, the constitution was ratified, together with the abhorred Fourteenth Amendment, and Rufus B. Bullock was elected governor, defeating the scarred hero of Appomattox. Those supporting him constituted a motley aggregation. Carpet baggers, sealawags and negroes won the day; while Georgia's noblest sons were denied the ballot; were subjected to gross indignities; and, on the very plantations over which they had once ruled with princely sway, were branded as rebels and denounced as outlaws. The republican majority was 17,000 votes. Governor-Elect Bullock was politically and personally a commanding figure, handsome, tall, and well-built. Though a native of New York, he had served in the Confederate army, making a good soldier. At the close of the war, in pursuance of what he felt to be the wisest course, he had identified himself with the reconstructionists. His reputation as an organizer was well established. He had managed the affairs of the express company in this state and had also been president of the Macon and Brunswick Railroad. With the acceptance of the new state constitution, Atlanta became the future capital of the state.

Georgia having ratified the Fourteenth Amendment, a bill to readmit her into the Union was introduced in Congress during the month of May. It passed the House by a vote of 109 to 35 and the Senate by a vote of 31 to 5. Forty-five members of the former body declined to vote and eighteen of the latter. The act readmitting Georgia went into effect on June 25th, at which time Governor-Elect Bullock, pending his inauguration as governor, was appointed provisional governor to succeed General Ruger. On July 22d, he formally took the oath of office as governor before the General Assembly which convened in Atlanta for the first time in the midsummer of this year.

Co-incidental with the assembling of the new State Legislature, there was held in Atlanta a convention of Georgia democrats, to ratify the nomination of Seymour and Blair as candidates for president and vice president on the national democratic ticket, and to choose electors. Judge Augustus W. Reese was made president of the convention. There were seven vice presidents chosen from the various Congressional districts as follows: Dr. R. D. Arnold, Gen. A. H. Colquitt, L. H. Featherstone, John J. Floyd, B. T. Harris, S. J. Smith, and C. D. McCutcheon. More than 1,000 delegates were in attendance, representing 108 counties, and constituting the flower of Georgia's social, intellectual, and moral life. The electors chosen were as follows: from the state at large—John B. Gordon and John T. Clarke; alternates, Wm. T. Wofford and Thomas M. Norwood. District electors—John C. Nichols, Charles T. Goode, Raphael J. Moses, Augustus O. Bacon, Joseph B. Cumming, Hiram P. Bell, and James D. Waddell; alternates, J. H. Hunter, Wm. B. Fleming, W. O. Tuggle, Dr. H. Wimberly, Gen. D. M. DuBose, and Garnett McMillan. Some of these men were already distinguished; others were destined to achieve high political honors.

Perhaps the largest political mass-meeting ever held in Georgia—beyond any question the most dramatic and electrical—was held in Atlanta on July 23, 1868, just after the adjournment of the State Democratic Convention. It is doubtful if any age of the world since

Demosthenes hurled his thunderbolts at Philip has witnessed such an exhibition of impassioned oratory as occurred at this mass-meeting held under an immense bush arbor, near the site of the present union passenger depot. The speakers on this occasion were all renowned orators: Robert Toombs, Howell Cobb, Benjamin H. Hill, Raphael J. Moses. Mr. Hill delivered on this occasion what was probably the greatest effort of his life, surpassing even his Davis Hall speech, though he was not at this time in the best of health. General Cobb's speech was also a masterpiece of invective, delivered with powerful effect. It was his last appearance in public and his parting message to the people of Georgia recalled the accents of Elijah ascending to heaven in his chariot of fire. General Toombs had just returned from Europe. His majestic figure, so often the storm center of debate in the halls of Congress, aroused on this occasion the greatest enthusiasm, though his speech failed to awake its customary thrill. It did not bespeak the magnificent Toombs of the old days, when a nation felt the spell of his accents. Most of the barbed shafts of this heated hour were aimed at Georgia's former war governor, Joseph E. Brown, who this year attended as a delegate the republican national convention, which nominated Gen. U. S. Grant for president. At the close of Mr. Hill's superb speech, General Toombs, always magnanimous, tossed his hat high in mid-air. Descending, it fell at the feet of a beardless youngster who stooped to pick it up, little dreaming that some day his own eloquence, attuned to a far gentler key, would rival the golden accents to which he was then listening. This youth was the future renowned peace-maker between the sections: Henry W. Grady, who was then just entering upon his journalistic career. It is doubtful if the Bush Arbor speeches will ever be surpassed in Georgia. The conditions which called them forth were volcanic. It was a period of violent passion and of tremendous upheaval. These speeches voiced the indignant protest of an outraged people against the Saturnalia of Reconstruction; they illuminated a fateful hour with the fires of genius; they set fair-minded people to thinking in all parts of the Union; and they resounded with telling effect in the democratic gains registered in the fall election.

There occurred at Columbus during the period of reconstruction an episode which plunged the whole nation into a fever of excitement, and which evinced a fixed purpose on the part of the people of the South to maintain the integrity of an Anglo-Saxon civilization. It was the killing, by unknown parties, of G. W. Ashburn, an offensive partisan, who represented the most extreme type of radicalism. He was a member of the Constitutional Convention of 1865, in which body he made himself peculiarly odious to the white people of Georgia. The feeling of revulsion naturally reached a climax in Columbus, where he lived with the negro element of the population—an object of great loathsomeness to the Caucasian race. The following account of the trial is condensed from an authentic source:

"The killing of Ashburn occurred on the night of March 31, 1868. He is said to have been a native of North Carolina, from which State he came to Georgia some thirty years prior to his death. There is very little known concerning him prior to the era of military usurpation, which, in addition to unloosing upon Georgia a swarm of vultures from

other sections, developed the baser instincts of men who were already residents of the State and who identified themselves for vicious purposes with these ignoble birds of prey. There were undoubtedly some good and true men who, from conviction, advocated a policy of non-resistance; but they were few in number. Ashburn's mysterious taking off, therefore, at a time when passion was inflamed, when civil courts were suppressed, when Georgia's sovereign Statehood was outraged in the most flagrant manner, and when there was no redress for the whites except through the instrumentality of the Ku-Klux, was a matter little calculated to produce surprise, though it created a tremendous sensation. The military authorities took the matter in hand and caused arrest on suspicion of the following parties: William R. Bedell, Columbus C. Bedell, James W. Barber, Alva C. Roper, William D. Chipley, Robert A. Ennis, William L. Cash, Elisha J. Kirlsey, Thomas N. Primes, Wade H. Stephens, R. Hudson, W. A. Duke, J. S. Wiggins, and R. A. Wood. Besides these, there were several negroes implicated. It seems that even the blacks entertained toward Ashburn a feeling of mingled fear and disgust.

For the purpose of trying these alleged offenders, a military court was organized at McPherson's Barracks, in Atlanta. The counsel for the prisoners included Alexander H. Stephens, Martin J. Crawford, James M. Smith, Lucius J. Gartrell, Henry L. Benning, James N. Ramsey and Raphael J. Moses. On the side of the prosecution, General Dunn, the judge advocate, was assisted by ex-Governor Joseph E. Brown and Major William M. Smythe. While in prison the defendants were subjected to great indignities. They were eventually admitted to bail, however, in the sum of \$2,500 each, and not less than four hundred citizens of Columbus, representing both races, signed the required bonds.

It was on June 29, 1868, that the court was duly constituted, but, at the request of Mr. Stephens, a postponement was granted until the day following. The trial then began with the filing by Mr. Stephens of an answer in plea to the specific charges, in which, on behalf of the several prisoners, he entered a plea of not guilty to the crimes set forth. At the same time, the rightful jurisdiction of the court was traversed. With slow progress the case proceeded until the twentieth day, when orders were received from General Meade suspending the investigation until further notice from headquarters. On July 25, 1868, the prisoners were taken to Columbus, under guard. It was at this stage of the proceedings that they were finally admitted to bail; and, for reasons best known perhaps to the military authorities, the trial of the alleged murderers was never resumed."

Governor Brown's part in the prosecution of the Columbus prisoners charged with the murder of Ashburn only served to increase the obloquy in which he was held at this time by Georgians, due to his course in supporting the election of General Grant and in upholding the policy of reconstruction. The following explanation of his course in the Columbus affair has been given by Col. Isaac W. Avery, his accredited biographer. Says he:

"Weighing the evidence in the matter fairly and dispassionately,

* Avery's "History of Georgia," p. 387.

it may be shown that Governor Brown, in taking part in this prosecution, was governed by proper motives and rendered a service, both to the State and to the prisoners. He alleges that General Meade employed him, on the condition which he insisted upon making, that he—Governor Brown—should control the case, and that, upon the restoration of civil law, the case should be surrendered by the military authorities. His employment prevented the retention of very extreme men. The corroboration of Governor Brown, in this statement, has been very striking. It has been argued against its credibility that during General Meade's life, when the latter could either have verified or denied it, no explanation was made by Governor Brown of his conduct in the matter. Major A. Leyden, of Atlanta, who talked with General Meade several times about the affair, says that he was assured by General Meade that his fears for the prisoners would not be realized. Mr. John C. Whitner, of Atlanta, states that Detective Whiteley, who worked up the evidence for the prosecution, told him that the understanding when Brown was employed was that the military trial was to be remanded to the State authorities, on the reorganization of the civil government. General William Phillips, of Marietta, testifies that Governor Brown consulted with him at the time on the subject and explained to him his attitude of mind. Major Campbell Wallace, in an interview at the time with General Meade, confirms Governor Brown's statement. Many years ago Governor Brown gave his version of the affair to Hon. Alexander H. Stephens and Dr. J. S. Lawton."

With the inauguration of Governor Bullock, Georgia was at last for the second time reconstructed. But difficulties were already brewing which were destined once more to send her adrift upon the political seas. One event in particular was of overshadowing importance. This was the expulsion of the blacks from the State Legislature. It is necessary at this point to inquire into the personnel of the General Assembly which convened in the summer of 1868 to make laws for the State of Georgia. This body, otherwise known as the "Bullock Legislature," assembled in Atlanta on July 4, 1868, under an order from General Meade and organized by electing Hon. Benjamin Conley, of the Eighteenth District, president of the Senate and Hon. R. L. McWhorter, of Greene, speaker of the House. The latter defeated by only one vote Hon. W. P. Price, of Lumpkin, the democratic candidate. Despite the disfranchisement of white voters, there was still a strong democratic contingent in each legislative branch. Among the state senators were: Milton A. Candler, W. T. Winn, C. J. Wellborn, A. D. Nunnally, E. D. Graham, C. B. Wooten, Joel C. Fain, A. W. Holcombe and B. B. Hinton. In the House were: I. E. Shumate—perhaps its most brilliant member—Wm. D. Anderson, Morgan Rawls, Dunlap Scott, W. M. Tumlin and others. Mark A. Hardin, a democrat, was elected clerk, an office which he afterwards held continuously for more than sixteen years; and there was not a legislative gathering—a political assemblage of any importance at the state capital during this long interval in which the stentorian voice of Mark Hardin was not heard. He became a familiar figure in state politics, almost an essential part of its mechanism.

Early in the session an issue arose which for nearly three weeks was debated with impassioned fervor. It concerned the eligibility of

the negro members, of whom there were twenty-five in the House and three in the Senate. One of the latter was the notorious Aaron Alpeoria Bradley from the First District. The Fourteenth Amendment did not confer upon the negro, in express terms, the right to vote or to hold office, and, under the State Constitution, he was not a citizen in the sense that he was vested with full political rights. As a result of this protracted debate, however, the majority report, favoring eligibility, was adopted. This quieted matters for the time being; and, on July 22d, as we have already seen, Governor Bullock was inaugurated. General Meade, with his staff, attended the ceremonies. The negro members were seated. Most of these were ex-slaves, ignorant and illiterate; but among the number was Henry M. Turner, afterwards a bishop of the A. M. E. Church. As a manipulator of the black element, J. E. Bryant was perhaps the most influential personality on the republican side of the House. Says Col. Isaac W. Avery:

"He has played a highly colored part in all the shifting scenes of Reconstruction. No man has ever joined to the deftest pen and the glibbest tongue, in presenting the humanitarian aspects of Reconstruction, a keener clutch of the more practical instrumentalities that govern the untutored colored intelligence. He has been both a subtle and a bold leader of the dark element of suffrage."

Next came the election of United States senators. The balloting began on April 28th and continued for two days. Dr. H. V. M. Miller defeated Foster Blodgett and Hon. Joshua Hill was successful over two distinguished opponents, Joseph E. Brown and Alexander H. Stephens. This was the only political defeat ever sustained by Georgia's war governor. His career hitherto had been an unimpeded march over an Appian Way of triumph. Later he accepted from Governor Bullock the ermine of Georgia's chief justiceship, an appointment which only served to increase the odium in which he was held, though his acceptance was prompted by a patriotic desire to serve the state in this hour of need. Governor Brown's defeat for the senatorship caused great rejoicing among his enemies, but in electing Joshua Hill a Roland was exchanged for an Oliver. Neither of the two senators elected at this time were seated until the closing hours of the Forty-first Congress, more than two years later. It was different with the state's delegation in the Lower House. All of the members were admitted and Georgia's electoral vote was duly counted this year for Seymour and Blair. The state's delegation in Congress, seated during the mid-summer of 1868, was as follows: Joseph W. Clift, Nelson Tift, Wm. P. Edwards, Samuel F. Gove, Charles H. Prince and Gen. P. M. B. Young. Only two of these were democrats: Mr. Tift and Gen. P. M. B. Young. Mr. Tift was a New Englander. But he had cast his fortunes with the South at an early age and had become one of the industrial captains of the state. The whole of wire-grass Georgia is today his monument. General Young was a West Pointer. Entering the war as an officer in Cobb's famous legion, he became a division commander at the age of twenty-five and was famed for his dashing intrepidity on the field. But the general was addicted to an occasional use of profanity, and on

* Avery's "History of Georgia," p. 396.

the point of making a charge, on one occasion, he is said to have used this expression:

"Here's to hell or the Major-Generalship!"

He won his stars. Subsequent to the war he became a consul at St. Petersburg, and was afterwards minister to Guatemala and Honduras.

Governor Bullock overhauled the Supreme Bench. Besides naming Joseph E. Brown for chief justice, he named Henry K. McCay and Hiram Warner for associate justices. Judge Warner had been chief justice under Governor Jenkins and was not, therefore, in full sympathy with the reconstructionists. For this reason, while retained on the bench, he was degraded in rank. Judge McCay afterwards became judge of the Federal Court for the Northern District of Georgia. He was a staunch republican, but a Confederate soldier. The following Superior Court judges were appointed at this time: J. R. Parrott, Cherokee; C. W. Davis, Western; Garnett Andrews, Northern; Carlton B. Cole, Macon; J. R. Alexander, Southern; D. B. Harrell, Pataula; James M. Clark, Southeastern; J. W. Greene, Flint; John D. Pope, Coweta; William Gibson, Middle; P. B. Robinson, Ocmulgee; Noel B. Knight, Blue Ridge; William Schley, Eastern; and John S. Bigby, Tallapoosa.

Hon. Henry P. Farrar was appointed attorney-general.

These nominations, as then required by law, were confirmed by the Senate.

At this session of the Legislature, State House officers were elected as follows: David G. Cotting, secretary of state; N. L. Angier, state treasurer; Madison Bell, comptroller-general; and Samuel Bard, state printer. To succeed Maj. Campbell Wallace as superintendent of the state road, Governor Bullock appointed his faithful ally, Col. E. Hülbert, whose success in handling the registration lists had shown him to be a master craftsman. Before the session was half over, the infamous Aaron Alpeoria Bradley, a state senator from the First District, to avoid expulsion as a seducer, for which crime he had been convicted and sentenced in a northern state, resigned. He was succeeded by the polished Rufus E. Lester, who later became president of the Senate.

But the negro was still a disturbing factor. His presence in the General Assembly was a constant source of irritation to the white members, including not a few republicans. Moreover, the right to vote and to hold office was making the blacks increasingly arrogant and was hourly widening the breach between the races. Some time after the organization of the House, two negroes, Isaac Reynolds and James Jackson, instigated by certain vindictive partisans, entered a contest for seats occupied by Messrs. W. M. Tumlin and David Goff from the County of Randolph. General Meade, in his order convening the Legislature, had already declared these representatives duly elected and they had duly qualified. On the 8th of August Mr. Tumlin, irritated by these proceedings, introduced in the House a resolution declaring persons of color ineligible to seats in the General Assembly under the state constitution of Georgia. On the same day Henry M. Turner, of Bibb, introduced a resolution declaring Tumlin's seat vacant. This precipitated a fight which lasted for more than a month, finally ending in a most dramatic climax—the expulsion of the blacks. Nor was it on

a strict partisan vote that this drastic action was taken, for the democrats were in a minority. The vote in the House stood eighty-two to twenty-three and in the Senate twenty-four to eleven. Several republicans voted with the democrats. This action unseated the negroes. The candidates receiving the next highest vote in the recent election were then seated, and included in this new contingent was Hon. Thomas G. Lawson, afterwards a member of Congress. An issue involving the right of the negro to hold office under the laws of this state came before the Supreme Court from the Superior Court of Chatham, and was decided in the negro's favor, Brown and McCay affirming, Warner dissenting.* But the expulsion of the negroes had already taken place when this decision was rendered. At a convention of negroes held in Macon, over which Henry M. Turner presided, a protest was made against the expulsion of the blacks from the State Legislature; but this action was hardly needed to arouse the ever vigilant Reconstruction Committee of Congress. Georgia's punishment was already decreed.

* White versus Clements, 1868.

CHAPTER XVII

CONGRESS REFUSES TO SEAT THE NEW STATE DELEGATION FROM GEORGIA, ON MARCH 4, 1869—SENATORS-ELECT ALSO DEBARRED—GOVERNOR BULLOCK GOES TO WASHINGTON TO URGE A PROVISIONAL GOVERNMENT—GENERAL TERRY IS PLACED IN COMMAND—TWO REQUIREMENTS MADE BY CONGRESS AS CONDITIONS PRECEDENT TO READMISSION, TO-WIT: A RECONVENING OF THE STATE LEGISLATURE WITH THE EXPELLED NEGROES RESEATED, AND A RATIFICATION OF THE FIFTEENTH AMENDMENT, CONFERRING SUFFRAGE UPON NEGROES, IN EXPRESS TERMS—HOW THE LEGISLATURE WAS REORGANIZED—DRAMATIC SCENES—GOVERNOR BULLOCK'S HIGH-HANDED REGIME CAUSES A DIVISION IN HIS OWN PARTY RANKS—STATE TREASURER N. L. ANGIER EXPOSES HIS IRREGULAR DEALINGS IN THE KIMBALL OPERA HOUSE TRANSACTION—THIS OPERA HOUSE AFTERWARDS BECOMES THE STATE CAPITOL—FRAUDS OF THE BULLOCK ADMINISTRATION—UNAUTHORIZED AND RECKLESS ENDORSEMENT OF RAILROAD BONDS—SCANDALS IN THE ISSUE OF STATE BONDS—AN APPALLING SUMMARY—GEORGIA AGAIN RECONSTRUCTED—SENATORS AND REPRESENTATIVES IN CONGRESS FINALLY SEATED, BUT UNDER THE BULLOCK REGIME GEORGIA STILL BEARS A CROSS OF AFFLICTION—THREE SEPARATE RECONSTRUCTIONS—FOSTER BLODGETT MAKES THE STATE ROAD A POLITICAL MACHINE—ENTAILS A LEGACY OF DEBT—ONE REDEEMING FEATURE OF THE BULLOCK ADMINISTRATION—IT INAUGURATES A SYSTEM OF FREE SCHOOLS—THE STATE DEMOCRATIC CONVENTION OF 1870—GEN. ALFRED H. COLQUITT ITS CHAIRMAN—JUDGE LINTON STEPHENS WRITES ITS RESOLUTION—BENJ. H. HILL ACCEPTS RECONSTRUCTION AS AN ACCOMPLISHED FACT—HIS ATTITUDE UNJUSTLY CRITICISED—NEW MEMBERS OF CONGRESS—COL. A. T. MACINTYRE—GEN. D. M. DUBOSE—THE SENATORIAL ELECTION—THOMAS M. NORWOOD—GEN. ROBERT E. LEE'S DEATH—HIS LAST VISIT TO GEORGIA—THE NEW STATE LEGISLATURE OVERWHELMINGLY DEMOCRATIC—GOVERNOR BULLOCK READS THE HAND-WRITING ON THE WALL—QUITS THE STATE BETWEEN TWO SUNS—BENJAMIN CONLEY BECOMES GOVERNOR AD INTERIM—AN ELECTION FOR GOVERNOR ORDERED—JAMES M. SMITH ELECTED BY THE UNTRAMIELLED VOTE OF THE SOVEREIGN PEOPLE—LAST ACT IN THE TRAGIC DRAMA OF RECONSTRUCTION.

Construing the action of the State Legislature, in expelling the blacks, as a violation of the reconstructed acts, Congress on assembling, March 4, 1869, refused to allow the senators and representatives elected from Georgia to be seated. As we have seen, Georgia's two senators-elect were: Hon. Joshua Hill and Dr. H. V. M. Miller. The new congressional delegation elected in the fall of 1868 was as follows: Wm. W.

Payne, Richard H. Whiteley, Marion Bethune, Jefferson F. Long, Stephen A. Corker, Wm. P. Price and Gen. P. M. B. Young. Only the three last named were democrats. Meanwhile, the Supreme Court having decided that negroes were entitled to hold office, Georgia was again in the hands of the Reconstruction Committee of Congress. Thaddeus Stevens was dead. But, under the leadership of Charles Sumner, of Massachusetts, a resolution was passed putting Georgia for a third time under military rule. Governor Bullock himself went to Washington to urge the re-establishment of a provisional government. He wished to reseat the negro and to purge Georgia of democracy under the test oath. Henry M. Turner also went to Washington at this time, to re-enforce Governor Bullock.

For some reason the Senate resolution introduced by Mr. Sumner did not become effective, but, under an act passed December 29, 1869, Congress required Governor Bullock to reconvene the Georgia Legislature, with the expelled negroes re-seated as members. As a condition precedent to readmission it was also necessary to ratify the Fifteenth Amendment to the Federal Constitution. At the same time, Gen. A. H. Terry was ordered by General Sherman to take command of affairs in Georgia. Ulysses S. Grant was at this time in the White House.

Dark clouds once more overhung the sky. On January 10, 1870, the Legislature was reconvened by proclamation of Governor Bullock, but the two houses were not permitted to organize themselves. J. G. W. Mills was designated to organize the Senate and A. L. Harris to organize the House. Some turbulent scenes were enacted. But such arbitrary resort to external force in organizing a legislative body of freemen was well calculated to provoke an indignant outburst. Five members were removed by the military board, on application of the test oath, while nineteen others either refused or failed to qualify. Benjamin Conley was re-elected president of the Senate and R. L. McWhorter speaker of the House. The latter defeated J. E. Bryant, a candidate put forth by the anti-Bullock faction.

All of the negro members expelled from the Legislature in 1868 were at this time re-seated. Thereupon the Fifteenth Amendment was duly ratified. To quote the exact language of this amendment to the Federal Constitution, it forbade the denial or abridgement of political rights to any citizen "on account of race, color, or previous condition of servitude."

Governor Bullock's high-handed course, in reorganizing the State Legislature caused a division in the ranks of his own party, with the result that two of its conservative members, J. E. Bryant and J. H. Caldwell, appeared before the Judiciary Committee of the United States Senate, in complaint of Governor Bullock, whose arbitrary conduct was severely criticised.

State Treasurer N. L. Angier also exhibited Roman courage at this time in resisting Governor Bullock's autocratic demands. Though of the same political party, he was not of the same school of ethics. Nor did he hesitate to lay before the General Assembly such facts as came within his knowledge concerning a certain transaction between Governor Bullock and H. I. Kimball, in which the sum of \$31,000 was advanced to Mr. Kimball for repairing the old opera house in Atlanta,

afterwards used as a state capitol. In the opinion of Mr. Angier, this repair work was an obligation assumed by the City of Atlanta, when she made her offer to the state of a permanent site for the seat of government. Governor Bullock sought to justify himself on the ground that it was necessary to make this advance in order to provide accommodations for the General Assembly by the time fixed for its assembling in Atlanta. Says Colonel Avery:

"The resolution for the purchase of the Kimball opera house was passed, August 19th, 1870; and approved, October 25th, 1870, and the resolution for the purchase of the residence of John H. James, for an Executive mansion, was approved October 27, 1870. The first resolution accepted the proposition of the city of Atlanta to donate \$130,000 of its bonds, ten acres of unoccupied land, and an Executive mansion, free of cost to the State for ten years, in lieu of the existing contract. The State was to buy the State House from Mr. Kimball, the Governor to issue seven per cent. bonds running 20 years, reserving enough bonds to secure the \$54,500 advanced to Kimball by Bullock. The resolution does not mention the price to be paid by the State, but accepts Mr. Kimball's proposition, which was for \$250,000 of State bonds.

"A committee reporting upon the matter stated that the original hull of the building cost the Opera House company that put it up, \$83,000. Kimball paid \$32,000 for it, and expended \$182,167.56 upon it. Add the \$76,871 paid for heating, light and furniture, and the whole cost to Kimball was \$291,038.56, of which Bullock illegally advanced him \$54,500. Kimball received \$130,000 of Atlanta city bonds, said to be worth then \$90,000, and \$250,000 claimed worth only \$225,000, making an actual cash value of \$315,000, or a clear profit to Kimball of \$23,961.44, at the depreciated price of the bonds. Estimating the bonds at their face value his profit was \$88,961.44.

"This whole State House matter has proven to be a source of mortification and trouble. Every step was marked by wrong. Gov. Bullock had, without authority, advanced \$31,000 to Mr. Kimball in doing what the city of Atlanta should have done. Though rebuked by the legislative committee and the House, Gov. Bullock repeated his unauthorized act, and advanced \$23,500 more to Kimball on the same account. When the sale was made there was a mortgage of \$60,000 to the North-Western Life Insurance Company from Kimball, which was not paid, though the titles were made, and the full amount of purchase bonds paid and received. This mortgage the City council of Atlanta had to pay, and now holds. The Mayor of Atlanta, Wm. Ezzard, gave a certificate that \$130,000 of the city bonds were due on the Opera House, the bonds to be paid to the holder of the certificate. This certificate was untrue, in fact, as by an arrangement with Mr. Kimball, only \$100,000 of bonds were to be paid. He had already received \$30,000 of rent bonds, of which he had used \$10,500, and at the purchase returned the balance, \$19,500. This certificate, by written agreement, was turned over to Gov. Bullock to hold until the \$60,000 mortgage was paid. The mortgage was not paid and the bonds were used by Mr. Kimball against the contract, and in neglect of the State's interest."

Thus an ugly scandal was unearthed. The matter was referred to a committee of the Legislature, which in time reported a proposition for the City of Atlanta to pay \$100,000 toward the purchase price of the old opera house and for the state to appropriate \$200,000 in interest-bearing 7 per cent bonds for the balance, the Kimballs to refund the \$31,000 originally received, thus making the net cost to the State of Georgia only \$169,000. But no action was taken. The Legislature only passed a resolution of censure, which did not deter Governor Bullock from making a second advance to Mr. Kimball of \$23,500. If these transactions were not corrupt, they were certainly irregular. It appears from the committee's report that Mr. Kimball was permitted to borrow, first and last, as much as \$255,000 in the name and upon the credit of the state and to retain the money in his hands. Between Governor Bullock and State Treasurer Angier an open warfare continued for months, touching these transactions. Some of the caustic letters of Mr. Angier were read in Congress; nor was this episode without its effect upon the history of a troubled era.

Too numerous to be separately considered in this chapter were the flagrant irregularities of the Bullock administration. It was reported by the committee to which reference has already been made that Governor Bullock kept a special account with the Georgia National Bank, the amount of which at the time was \$776,834; that in this account both private and official money was mingled; and that Bullock and Kimball both were in the habit of diving into these funds. It was found that for executive orders and proclamations, published in forty-two newspapers, Governor Bullock had paid the enormous sum of \$143,397. Quite a number of instances were cited to show that proclamations of reward were followed by proclamations of pardon, often relating to the same criminal whose pardon followed the payment of the sum offered for his arrest. Proclamations of reward were frequently published after the criminals were captured. Nearly \$50,000 was spent by Governor Bullock in fees paid to lawyers, though his own attorney-general was at his beck and call. It was charged that some of the members of Governor Bullock's own political household were engaged in pardon brokerage, as a result of which over 566 persons received pardons, some of them convicted of the most brutal murders.

But Governor Bullock's worst offense, perhaps, was found in the unauthorized endorsement which he gave to railroad bonds. Strange to say, most of these transactions relate to the roads of which Mr. H. I. Kimball was president. On the bonds of the Brunswick and Albany Railroad alone endorsements were given to the amount of \$5,210,000 and in each instance these endorsements were given in advance of work actually done. The law regulating state aid required the road to be completed before endorsements could be given; but fractional endorsements were allowed as the work of building progressed, twenty miles at a time. Governor Bullock ignored this wise limitation. Furthermore, he endorsed the bonds of the Bainbridge, Cuthbert and Columbus Railroad, to the amount of \$600,000, before one mile of the road was constructed. The Cherokee Railroad and the Cartersville and Van Wert Railroad were both one and the same, but Governor Bullock helped each of them as if they were independent enterprises, accommodating Mr. Kimball when-

ever he applied for the governor's endorsement. In the matter of issuing state bonds Governor Bullock was equally reckless. To raise \$300,000 with which to meet the expenses of the Legislature, he issued currency bonds to the amount of \$2,000,000, expecting to raise the desired sum by hypothecation. To quote Colonel Avery: "These bonds were issued under the Act of August 27, 1870. An act was passed September 15, 1870, authorizing the issue of gold quarterly bonds to take up the currency bonds and for other purposes. Gov. Bullock issued three millions of these bonds, largely in excess of any need. The gold bonds were put out, but a million and a half of the currency bonds were left uncanceled. Henry Clews had \$800,000, and Russell Sage \$530,000 of the dead currency securities. Mr. Kimball used \$120,000 of them to get a loan of \$50,000 from the firm of J. Boorman Johnston & Co., and \$50,000 for a loan of \$35,000 from the Fulton Bank of Brooklyn. Both Mr. Clews and Russell Sage, though receiving ample gold bonds to secure them, refused to give up their currency bonds. The committee says that it is forced to the conclusion that a portion of this money was raised for the private account of Mr. Kimball.

"Of the three million gold bonds, \$1,750,000 were placed with Clews; \$500,000 with Russell Sage to secure a loan of \$375,000; \$300,000 with the Fourth National Bank; A. L. Whiton \$100,000; \$250,000 to H. I. Kimball on the Opera House, and \$100,000 to J. H. James for the Executive mansion. Mr. Clews presented his account. He sold \$1,650,000 of gold bonds for \$1,432,230. He had claims against the State of \$1,489,284.04, of which \$41,061.78 was interest, and \$92,995.30 commissions, making the handsome interest and commission account of \$134,057.08 for handling less than a million and a half dollars. Of this account, \$609,192.78 was paid on notes and drafts of Gov. Bullock and Foster Blodgett in violation of law, and \$377,000 was paid on account of the State Road. The sum of \$10,687 was paid by Clews to newspapers. Add to the enormous commissions the loss of \$211,500 upon the face value of these bonds, and we see the State out \$350,000 through Clews.

"Gov. Jenkins had negotiated three millions of bonds at a cost of \$1,110, and with an advertising bill of only \$931, selling our securities at ninety-five cents. When Gov. Jenkins did this, gold was \$2 premium, while when Gov. Bullock was mismanaging our finances, it was \$1.12 premium. It would require a volume to detail the particulars of the mismanagement of Gov. Bullock's financial administration."

To summarize: the Bullock Legislature was in session for 328 days. It cost the state in round numbers nearly \$1,000,000. On its pay rolls there were eighty-four employes. The per diem of members was raised to \$9.00. Payment was allowed to include the recess of twelve days. But some of the democratic members refused to draw this money. The expelled members were paid \$28,938, covering the full term for which they were elected, in addition to which members holding their seats also drew per diem. There was also an overpaid mileage account, aggregating for one year nearly \$65,000. State aid was granted to thirty-one railroads,† representing in the aggregate a liability of over

Avery's "History of Georgia," pp. 447-448.

† Acts 1870, pp. 278-360.

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\$30,000,000 pledged to railroads, the total length of whose mileage was 2,500 miles. Three new judicial circuits were created: the Albany, the Augusta, and the Allapaha; * four new counties were added to the map: Douglas, Dodge, Rockdale, McDuffee; † a public school system was organized, ‡ and an act passed authorizing the lease of the Western and Atlantic Railroad. ** This last named measure was introduced by Dunlap Scott. It provided for a twenty year lease of this property at a fixed rental of \$25,000 per month or \$300,000 per annum. The act was approved October 24, 1870. Under the terms of this act the road was leased to a company of which Ex-Gov. Joseph E. Brown was president, December 27, 1870. Bond was given by the lessees for \$8,000,000. While the Bullock Legislature organized a public school system, it used for other purposes the sum of \$327,000, belonging to the school fund, and left the support of the public schools to Governor Smith's administration. First and last, the Bullock Legislature cost Georgia a king's ransom. Its very name to this day is a synonym and a by-word for corruption. Operating expenses alone taken into account, it surpassed all records. To quote Colonel Avery: ¶ "Nine years of Democratic Legislation, from 1853 to 1862, cost only \$866,385, or less than this single Radical General Assembly."

But reconstruction was in its last throes. The Bullock Legislature, overwhelmingly republican, ratified the Fifteenth Amendment, thus bringing the state once more en rapport with the congressional statutes and making reconstruction an accomplished fact. When Congress met in December, 1870, the entire delegation elected to represent Georgia in the House was seated. There were two sets of credentials presented to the Senate, those by Messrs. Hill and Miller, elected in 1868, before the unseating of the negroes and those presented by Messrs. Farrar and Whitely, elected afterwards. But the seats were rightfully awarded to the former. Hill was at once seated on taking the test oath. He had given no aid to the Confederacy and had opposed secession. Doctor Miller was not seated until his disabilities were formally removed by Congress, in February, 1871, on the eve of final adjournment. The state's congressional delegation chosen in the fall of 1868 was as follows: Wm. W. Payne, R. H. Whitely, Marion Bethune, Jefferson F. Long, Stephen A. Corker, Wm. P. Price, and Gen. P. M. B. Young. Three of these were sterling democrats; but all were seated early in 1871. To capitulate, Georgia had three times been reconstructed; and in this connection we quote the excellent summary made by Governor Candler. Says he:

"The first reconstruction was that of President Andrew Johnson, made as commander-in-chief of the United States, under the power recognized by all nations of the victor to prescribe terms to the vanquished. Under this reconstruction the state was required to repudiate her war debt and ratify the Thirteenth Amendment to the Constitution

* Acts 1870, pp. 37-38.

† Acts 1870, pp. 13-21.

‡ Acts 1870, pp. 49-60.

** Acts 1870, p. 423.

¶ Avery's "History of Georgia," p. 444.

of the United States, abolishing slavery. She promptly, for the sake of peace, did both.

"She was again reconstructed under the General Reconstruction Act of March, 1867, and was required to ratify the Fourteenth Amendment conferring civil rights on the negro. She first rejected it, but it was afterwards ratified by the Bullock Legislature.

"She was finally reconstructed under the provisions of the Reorganization Act, which required her to reseat the negro members of the Legislature who had been ejected, and to ratify the Fifteenth Amendment, conferring the elective franchise on negroes.

"All of the reconstructions were under the direction and control of a military commander, under whose orders the Provisional Government and the Legislature were required to act.

"The first reconstruction, inaugurated by Lincoln and adopted by Johnson, was necessary and proper, and was the logical sequence of the war between the states. The other two were wicked and unnecessary, and were required by the radicals for two purposes, to punish and humiliate the Southern people and to recruit the ranks of the Republican party by enfranchising the recently emancipated slaves and thus enable the party to perpetuate itself in power indefinitely."

Once more Georgia was a sovereign state in the American Union. But her State Government was still in the hands of the radicals. To purge her legislative halls, to inaugurate a governor of her own choice, and to vest the law-making power in the hands of her own representatives, chosen without fear of the bayonet—these were tasks which still remained to be accomplished. The Bullock Legislature had been a travesty upon the law-making power. It had inaugurated an extravagant system of state aid to railroads, as the result of which money was borrowed and bonds of the state issued, fixing upon the state liabilities to the extent of \$30,000,000. Most of this was incurred by pledging the state's credit to railroads, either in course of construction or in contemplation. But before some of these lines were completed a new Legislature was elected which repealed state aid in all cases where rights had not become vested. Some of the bonds endorsed by Governor Bullock, in violation of law or without authority of law, were outlawed by the state, but every dollar of bona fide liability, direct or contingent, was recognized and paid by the State of Georgia.

Foster Blodgett was a loyal friend to Governor Bullock, but a friend whose demands were extortionate. He worked for his share of the spoils. To provide a berth for him, Governor Bullock first dismissed from office William W. Clayton, treasurer of the state road, after which Colonel Hulbert, the road's efficient superintendent was sacrificed. Blodgett knew as much about practical railroading as he did about astronomy, and though the state road had been a paying investment ever since its restoration under Maj. Campbell Wallace, often paying into the treasury as much as \$50,000 per annum, Foster Blodgett made it a liability to the state, whereas hitherto it had always been an asset. Blodgett succeeded Colonel Hulbert in office on January 1, 1870. His administration ended with the calendar year, but during this short length of time he achieved a record without parallel in the annals of railroading. He ran the road purely as a partisan machine. The receipts

during Blodgett's administration aggregated \$1,464,737, but of this only \$45,000 was paid into the treasury of the state. Colonel Hulbert had turned over to him \$109,131, showing the road's fine condition at this time. But Blodgett represented to the Legislature that half a million dollars was needed for repairs; and he left behind him a legacy of debt, in the round sum of \$600,000 which the state afterwards paid.*

But there was one redeeming feature of the Bullock administration. It inaugurated a system of free schools for which provision was made in the State Constitution of 1868 and in this way laid the foundation for Georgia's splendid present-day system of public instruction. Gen. J. R. Lewis, an appointee of Governor Bullock, was Georgia's first state school commissioner.

On August 17, 1870, Gen. Alfred H. Colquitt was made the recipient of a double honor, foreshadowing his future career of brilliant achievement in Georgia politics. He was chosen to preside over a state democratic convention in Macon, and on the same day was made president of the State Agricultural Society, an association famous for its leverage in elevating public men to office in Georgia. Some of the prominent men in attendance upon the state democratic convention were: Thomas Hardeman, Wm. S. Holt, Augustus O. Bacon, Stephen A. Corker, Wm. M. Browne, James S. Boynton, Cincinnatus Peeples, Rufus E. Lester, John Collier, E. F. Hoge, Nelson Tift, Robert N. Ely, L. N. Trammell, George T. Barnes, James R. Randall, Ambrose R. Wright, Willis A. Hawkins, Linton Stephens, Wm. M. Reese, Albert R. Lamar, James L. Seward, Peterson Thweat, Julian Hartridge, and Alexander R. Lawton. There were 300 delegates in attendance from 109 counties. It was a strong body of men. Judge Linton Stephens wrote its resolutions, pledging the democracy of Georgia to an uncompromising stand for constitutional government. Benjamin H. Hill had ceased to hurl his thunderbolts against the radicals, since reconstruction had become an accomplished fact; and in consequence of his silence he suffered criticism at the hands of many who had formerly been his ardent political admirers. But he was destined to emerge from this cloud and to represent Georgia ere long in the world's greatest forum, the American Senate.

Here, too, another Georgian who had tasted of the bitter herbs, who had long endured ostracism and estrangement, was destined to be his colleague: Joseph E. Brown.

Members of Congress were elected this year as follows: A. T. MacIntyre, R. H. Whitely, John S. Bigby, Thomas J. Speer, Dudley M. DuBose, Wm. P. Price, and P. M. B. Young. Some of these were republicans; but most of the congressmen-elect were democrats. Thomas J. Speer, a republican, died during the session and Erasmus W. Beck, a democrat, was elected to his vacant seat. Colonel MacIntyre and General DuBose were both new members. Colonel MacIntyre was a Scotchman, and was the first democrat to be elected from his district after the war. He had served in the state constitutional convention of 1865 and had been a strong supporter of President Johnson's plan of Reconstruction. General DuBose was a son-in-law of Robert Toombs.

* Avery's "History of Georgia," p. 449.

He had also been a Confederate brigadier-general. There were two other democrats in the delegation, Gen. P. M. B. Young and Col. Wm. P. Price; but these had served in the preceding Congress. When the new State Legislature met, Hon. Thomas M. Norwood, of Savannah, was chosen to succeed Dr. H. V. M. Miller in the United States Senate. Colonel Norwood was a man of scholarly attainments, a brilliant writer, especially in the vein of satire, and a most cultured gentleman; but he possessed no personal magnetism, he lacked initiative, and as a consequence held the toga for only one term. Chief-Justice Joseph E. Brown, in the meantime, having resigned the judicial ermine to become president of the company leasing the Western & Atlantic Railroad, Governor Bullock designated as his successor Hon. Osborne A. Lochrane, one of the state's most gifted sons, but a strong supporter of the policies of reconstruction.

Robert E. Lee, the illustrious commander of the Army of Northern Virginia and one of the greatest soldiers of the age, according to the unbiased judgment of military critics, died at his home in Lexington, Virginia, on October 12, 1870. Two days thereafter, the Georgia Legislature, then in session, adopted the following resolution:

"Robert E. Lee is dead. The brightest of virtue's stars has fallen; the noblest of patriotism's exemplars is gone; the peerless hero and the guileless Christian sleeps with Washington; the Union has lost her most gifted pupil and soldier; the South her most loved son and peerless chief; mourning darkens the whole land, and the heart of the South is in tears; such a death, so great a loss, and so overwhelming a sorrow, stay the hand of labor, and suspend the contests of the day; therefore—

"1. Resolved, That the General Assembly will attend the citizens' meeting of the city of Atlanta, to be held on Saturday morning next, to give expression to the feeling of sorrow, which fills the public heart.

"2. Resolved, That a committee of two from the Senate and three from the House be appointed to confer with the committee of arrangements of said citizens' meeting as to the participation of this General Assembly in the same.

"3. Resolved, That the Senate and House adjourn tomorrow, each House to adjourn to Monday morning.

"Approved October 14, 1870."

Only a few months before his death, General Lee, in the spring of 1870, came to Georgia for a brief visit to the grave of his father, the renowned "Light-Horse Harry" Lee of the Revolution.* The latter was buried at Dungeness, on Cumberland Island, having died at this place while visiting the family of his deceased comrade-in-arms, Gen. Nathanael Greene.† In a letter, written from Savannah, on April 18, 1870, Robert E. Lee thus speaks of his filial pilgrimage to Dungeness:

"We visited Cumberland Island where Alice decorated my father's grave with beautiful fresh flowers. I presume it will be the last time I shall be able to pay it my tribute of respect. The cemetery is unharmed

* The remains of "Light Horse Harry" Lee were exhumed in 1914 and taken to Lexington, Virginia, where they now occupy a crypt in the chapel of Washington Lee University, beside the ashes of Robert E. Lee.

† Fitzhugh Lee's "Life of General Lee," Great Commander Series, New York, 1899, p. 410.

and the grave in good condition, but the house at Dungeness has been burned and the island devastated. I hope I am better."

But it was not to be. He resumed his arduous duties only to lay them down in a few short weeks. The end came gently but suddenly—almost in a flash. It was not disease in the ordinary sense that severed the mysterious thread of life, but anguish of soul. Six months from the date when the above letter was penned the renowned warrior fell asleep at Lexington, bequeathing to his fellow-countrymen and to the whole Anglo-Saxon race, the untarnished sword, the matchless example, and the immortal name of Robert E. Lee.

On November 1, 1871, the newly elected State Legislature assembled in Atlanta. Both houses were overwhelmingly democratic, a result which had been foreshadowed in the fall elections; and throughout the state there was profound rejoicing. The downfall of the radical regime in Georgia was at hand. Hon. L. N. Trammell, of the Forty-third District, was elected president of the Senate and Hon. James M. Smith, of Muscogee, speaker of the House. The State Senate at this time was a perpetual body, half of its old membership holding over, while the other half was newly elected. Prominent among the state senators were: Rufus E. Lester, John C. Nichols, L. C. Hoyle, Charles C. Kibbee, Thomas J. Simmons, Wm. M. Reese, Wm. S. Erwin, George Hillyer, E. Steadman, and James R. Brown. The leaders in the House were: Morgan Rawls, Joseph B. Cumming, Claiborne Snead, Henry Jackson, E. F. Hoge, Joel C. Fain, J. H. Guerry, John I. Hall, J. W. Renfree, John W. Wofford, E. D. Graham, R. W. Phillips, Wm. D. Anderson, R. L. McWhorter, George F. Pierce, Jr., W. P. Johnson, Isaac Russell, Emanuel Heidt, L. J. Allred, and W. H. Payne.

But Governor Bullock was not on hand to greet the law-makers. He had read the handwriting on the wall. Impeachment loomed before him. Exposure was imminent. How to escape the evil day was a question uppermost in the executive mind. There was only one safe course to adopt; and just one week in advance of the ominous day set for the assembling of the State Legislature, Governor Bullock played his trump card. On October 23, 1871, Georgia's chief-magistrate fled the state between two suns, quietly slipping his resignation into the hands of Benjamin Conley, president of the Senate who, pending an election, became governor ad interim. At a special election held on the third Tuesday in December, Hon. James M. Smith, of Muscogee, then speaker of the House, was elected, receiving 39,705 votes, with only a few scattering ballots cast in opposition.*

When the Legislature re-convened after the Christmas holidays, Speaker Smith transmitted his resignation to the governor; and Hon. Joseph B. Cumming, of Richmond, formerly speaker pro tem., was elected speaker. Georgia had called one of her most distinguished sons to the governorship; and thus fell the curtain upon the last act in the tragic drama of reconstruction.

* House Journal, p. 25.