

H. I. KIMBALL; HIS CAREER AND DEFENSE By

Eugene Muse Mitchell

Atlanta has had many "promoters" during the short period of its history. Of these H. I. Kimball was the greatest. He was not a mere promoter. He was preeminently a builder. He cast his fortunes with us when Atlanta had less than 20,000 people. Among the enterprises he conceived or assisted in carrying out were:

Locating the capital in Atlanta;

Completing the opera house building and selling it to the State for a capitol;

Building the H. I. Kimball House in Atlanta;

Settling the dispute about the City Park and developing it as business block;

Inducing the building of the Union Passenger Depot;

Purchasing Oglethorpe Park for the City as a fair ground;

Establishing the annual North Georgia fairs at Oglethorpe Park;

Organizing the Atlanta Cotton Factory;

Influencing the location at Atlanta of the International Cotton Exposition which was held at Oglethorpe Park in 1881 and conducting the Exposition as the Director General;

Rebuilding the H. I. Kimball House in 1883;

Seeming the International Commercial Convention in Atlanta

Mr. Kimball was also a contributor to the establishment of Oglethorpe University in Atlanta in 1870 and to many other enterprises.

Besides these affairs directly of interest to the City of

Atlanta he was the chief promoter of the Brunswick & Albany Railroad and six other railroads in Georgia.

Mr. Kimball was a man of vision. He went into the Brunswick & Albany Railroad enterprise with the notion that it would be the last eastern link in the great Southern Pacific system and would make Brunswick a very important Atlantic seaport. And he had the idea that the Bainbridge, Cuthbert & Columbus Railroad and the Marietta & North Georgia Railroad with contemplated connecting links would form a great railway system through Atlanta from Cincinnati to the Gulf of Mexico.

From all the enterprises in which he engaged he profited little personally. He sought the joy of accomplishing things. Like nearly all the great promoters of Atlanta he missed the accumulation of personal wealth.

Is it any wonder that so many Atlantians cherish the memory of H. I. Kimball and are willing to overlook his mistakes?

A few weeks ago Ralph Smith, the noted columnist of the *Atlanta Journal*, printed in his "Crackerland" column an interview with a Southwest Georgian who took to task the people of Atlanta for permitting the life size portrait of Mr. Kimball, accepted some years ago by the Mayor and Council, to hang in the new city hall. He represented the sentiment of great numbers of Georgians who have been educated in the belief that there was nothing good in anyone who was connected with the Bullock administration. But his attack met an immediate defense by Thomas J. Peeples, vice president of First National Bank, who enumerated some of Mr. Kimball's achievements for the benefit of Atlanta.

I have been able to find no biography of Mr. Kimball except the very short account in Wallace P. Reed's *History of Atlanta*. His career is scattered through a multitude of documents many of which are not easily accessible. He was engaged in such a number of transactions and the sources of information are so scattered that it is impossible for me to attempt anything more than a very incomplete account.

Hannibal Ingalls Kimball was born in 1832 in Oxford County, Maine. He died April 28, 1895 and is buried in Greenwood Cemetery, New York City. From his father and older brothers Mr. Kimball had acquired a knowledge of the business of manufacturing carriages. When only 19 years old he removed to New Haven, Connecticut, where he became manager of a carriage factory. In 1858 he married Miss Mary Cook, daughter of George Cook, a prominent carriage manufacturer of Boston.

Mr. Kimball became associated as a partner with George M. Pullman in the sleeping car business and was one of the founders of the town of Pullman, now a part of the City of Chicago. While engaged in establishing sleeping car lines in the South in 1866, he became familiar with conditions in this section. He believed that Atlanta would become the largest city in the Southeast and determined to link his fortunes with Atlanta. Most of that city, including nearly all the business part, had been destroyed in the recent war and needed rebuilding. Much of Georgia and surrounding States had been devastated. He saw that the rebuilding gave large opportunities to men of vision and enterprise.

Mr. Kimball must have made Atlanta his home in 1868. His name does not appear in the City Directory for 1867 which was compiled principally in January of that year. His brother, Edwin N. Kimball, bought the lot in the fork of Peachtree and West Peachtree Streets January 7, 1868 and conveyed it to H. I. Kimball October 15, 1868.¹

The attractive Kimball home at that place is one of my early childhood memories.

I knew Mr. Kimball by sight and saw him occasionally when I was a boy. He was tall and well formed, possessed of a handsome and pleasing countenance and engaging ways. He was brim full of courage and energy. No one could look upon him without being conscious that he was in the presence of a remarkable man. He was held in affection by many friends. He was a Republican in politics and a Methodist in

1. *Deed Books* K, 412, and M, 714, Fulton County records.

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religion. One of his daughters taught Sunday School in the old Merritts' Avenue M. E. Church (South). Mrs. Kimball and their three children were esteemed by a wide acquaintance. Mrs. Kimball survived her husband more than 35 years and died August 30, 1930 in her 91st year at the home of her daughter, Mrs. George Hale (formerly May Kimball), in Providence, Rhode Island. She was survived by her two daughters, Mrs. Hale and Mrs. W. B. Covell (formerly Laura Kimball) and her son, Hannibal Ingalls Kimball, Jr. It is stated in her obituary notice in the *Atlanta Constitution* of September 1, 1930 (furnished me by the kindness of Franklin Garrett) that "funeral arrangements contemplate interment at Greenwood Cemetery, New York City, beside her late husband."

Mr. Kimball settled in Atlanta at a time of public upheaval. Numbers of adventurous men from all parts of the country swarmed upon the scene, ready to help in the process of rebuilding. Eighteen hundred sixty-eight was the year of the building of the Kimball Opera House, the sitting of the Constitutional Convention and the removal of the State Capitol to Atlanta; with all of which he had much to do. There was nothing mean or humble about him. He was generous, bold, dashing and gifted with extraordinary magnetism. He burst at once upon the public view of Atlanta and blazed like a comet for more than 15 years. It was not long before he had his hand in more public enterprises than any other half dozen men in Georgia; many of them seeking to advance the interests of Atlanta and incidentally the improvement of his own fortune.

The City of Atlanta had offered "to furnish for the space of ten years, if needed, suitable buildings for the general assembly, for the residence of the governors and for all the offices needed by such officers as are generally located in the state house, and also suitable rooms for the state library and for the supreme court."

THE OLD CAPITOL SALE.

In 1867 the Atlanta Opera House and Building Association had built the hull of a large six-story building at the Northwest corner of Marietta and Forsyth Streets. The Company failed, leaving the building in an incomplete state. Edwin N. Kimball bought it at a receiver's sale on June 2,

1868 for \$31,750 as shown by the deed recorded in Book M, page 553 of the Fulton County records. The building was then completed. The City rented part of it for five years for \$6,000 a year and turned over the rented portion to Governor Bullock but declined to install heating and lighting apparatus, carpets and furniture, as these were not part of the City's proposal. Governor Bullock advanced to the Kimballs \$54,500 to heat, furnish, carpet and light the building; claiming that it was done on account of the necessity of the case, as otherwise there would be no place for the Legislature to meet. For this the Governor was severely condemned by the Legislative Investigating committee. The State afterwards bought the property for a capitol for \$250,000, to be paid by the State in State bonds and \$130,000 to be paid by the City of Atlanta in City bonds. The resolution of the General Assembly, approved Oct. 25, 1870 accepting the City's proposition and that of "the Messrs. Kimball" required that a committee be appointed whose duty it shall be to see that the \$54,500 advanced them by Governor Bullock is returned to the State. The investigating committee in 1872 found no evidence that the \$54,500 was ever returned. The resolution does not state what the Kimballs' proposition was, but Col. 1. W. Avery states in his history that it was for \$250,000 in bonds. Meanwhile Edwin N. Kimball had sold and conveyed the property to H. I. Kimball by a deed dated August 5, 1869 which plainly covenants that the property is unencumbered except a mortgage for \$60,000 to the Northwestern Mutual Life Insurance Company. H. I. Kimball conveyed to the State of Georgia, on

August 23, 1870, the land "and all improvements thereon including the heating and lighting apparatus and all the furniture and fixtures in use by the State in said building and all the fixtures in the post office which is in said building." This deed covenants that said H. I. Kimball "is fully seized, has a good right to convey and *that it is unencumbered* and I warrant the title to said property unto the State of Georgia against the lawful claims of all persons." The deed recites that it is in consideration of \$250,000 and in further consideration of \$130,000 in bonds of the City of Atlanta, pursuant to action of the Legislature, in acceptance of my proposal to said Legislature dated July 27, 1870."

Mr. Kimball failed to payoff the \$60,000 mortgage. Members of the General Assembly threatened to inaugurate a movement to change the capitol back to Milledgeville. The City of Atlanta paid the Northwestern Mutual Life Insurance Company \$60,000 and interest and had the mortgage transferred to the City by whom it was eventually cancelled. The City held the mortgage uncanceled until the State agreed to build the present capitol.

The General Assembly of 1872 appointed a "Committee to Investigate the Official Conduct of Rufus B. Bullock." The members were, on part of the House of Representatives: E. F. Hoge, S. A. McNeil and W. H. Payne and on part the Senate: C. J. Wellborn and John C. Nichols. Their report was published in pamphlet form. From the evidence published with this report it appears that the existence of the mortgage was not unknown to the Governor and the officials who closed up the trade for the capitol. There is in the record a copy of a written agreement signed by H. I. Kimball, produced from the files of the Executive Department, stating that the building was subject to the \$60,000 mortgage and that he guaranteed that it would be paid and as security for this guarantee he deposited with the Governor the certificate of the City of Atlanta that H. I. Kimball or the holder of the certificate was entitled to \$130,000 of City bonds. The Investigating Committee had to content itself in Mr. Kim

ball's case with the use of strong condemnatory language. There is a copy of the report of this Bullock Investigating Committee (and also of the Bond committee) in the State Library and in the Carnegie Library of Atlanta.

The charges against Mr. Kimball in connection with the sale of this property to the State are set forth in I. W. Avery's *History of Georgia* and quoted in Walter G. Cooper's *Official History of Fulton County*.

Mr. Kimball denounced the charges against him as "utterly false" and declared that he had committed no act in connection with his private or public enterprises which he was not able "triumphantly to defend."

OGLETHORPE PARK AND THE NORTH GEORGIA FAIRS.

The old fair ground of the City on East Fair Street had become unsuitable for the purpose. On March 30, 1869 the City had purchased from Chapman Powell a tract of 42% acres where the Exposition Cotton Mills are now located and named it Oglethorpe Park. In 1870 Mr. Kimball exercised himself to promote an agricultural fair, which the City permitted at Oglethorpe Park. The fair was a success and thereafter the North Georgia' Fairs were held annually at Oglethorpe Park until 1881 when the International Cotton Exposition, of which Mr. Kimball was director-general, was held there.

THE H. I. KIMBALL HOUSE

Early in 1870 the advantages of the site of the old Atlanta Hotel came under Mr. Kimball's observation. The hotel had been burned by the Federal army under General Sherman. The land was owned by Dr. Joseph Thompson, except two small parcels he had sold to John P. King and Richard Peters. The property lay along Pryor Street opposite the City Park and diagonally across from the site of the destroyed Union Depot. Mr. Kimball obtained bonds for title from Dr. Thompson to the greater part of this land

and leases to the two small pieces. These lands were subject to large sums for unpaid purchase money except the leased pieces which were merely rented. With these tenuous equities and no money, Mr. Kimball planned and built the largest hotel in the Southern States. It was a magnificent example of frenzied finance operating on a shoe string. Mr. Kimball had the magic touch. He could persuade anyone who had money to invest it in his enterprises. I used to hear it said that the only way to escape from such persuasion was to refuse to see him.

He mortgaged the Hotel to John Rice for \$100,500 and to H. A. Johnson for \$57,000 and then sold it to the Atlanta Improvement Company (a corporation organized presumably for that purpose) for the alleged consideration of \$650,000 and that Company mortgaged it July 7, 1871 to secure an issue of \$400,000 of bonds. Even these large sums did not suffice to complete the job. J. C. Peck & Co. foreclosed a mechanics lien for \$1,694 and the sheriff sold the property for \$15,010 to Dr. Joseph Thompson. State and County taxes for more than \$6,600 were unpaid and the sheriff again sold it to Joseph Thompson & Co. for \$3,100. John Rice foreclosed his mortgage and the property was again sold by the sheriff, still subject to the purchase money of Joseph Thompson, to a syndicate who paid off the purchase money claims and obtained title from Dr. Thompson. The bondholders lost out. Mr. Kimball lost out. But Atlanta got the hotel-to quote from Mr. Kimball's deed to the Atlanta Improvement Company-"The large, elegant and substantial structure of stone, brick and iron, known as the H. I. Kimball House, containing 317 rooms exclusive of stores and offices." The facts about the H. I. Kimball House were obtained by me from the deed records of Fulton County.

THE CITY PARK

In 1842 Samuel Mitchell, a generous citizen of Pike County, (not related to me) donated to the State of Georgia,

five acres now bounded by Pryor, Decatur and Alabama Streets and Central Avenue for "placing thereon the necessary buildings which may hereafter be required for public purposes at the termination of "the Western & Atlantic Railroad. The railroad did not find it necessary to use any part except that whereon the tracts and depot were located. The City of Atlanta was permitted to use the part from Wall to Decatur Street for a public park. The Central Railroad was permitted to occupy a part near Alabama Street for a turn table. Mr. Mitchell was dead and his heirs claimed that these parts of the gift had reverted to them because they were no longer necessary for railroad purposes. What Mr. Kimball had to do with it is not perfectly clear from the deed records, but it is evident that he had some connection with the claim. On June 18, 1870 the heirs deeded him all their interest. On June 20, 1870 he deeded it back to them. The General Assembly by joint resolution approved by Governor Rufus B. Bullock October 25, 1870, surrendered these lands to the Mitchell heirs. On November 4, 1870 they deeded ten (10) lots of approximately 20 feet front to Mr. Kimball for the alleged consideration of \$4,802.40. Mr. Kimball went to New York and found a purchaser to whom he conveyed these lots for the alleged consideration of \$57,000.

And so Atlanta lost its park, a beauty spot in the middle of town with large forest trees, white sanded walks, flower beds and rustic benches. The cause of the Mitchell heirs was of doubtful legality but was probably just in the domain of morals. The surrender was criticized by many who could not conceive of that particular legislature being animated by any lofty motive. It was denounced by General Robert Toombs.

In the report of the investigating committee in 1872 is the evidence of Mr. Powell, one of the Mitchell heirs, that Mr. Kimball was employed by them to effect the settlement.

The park site was soon covered with valuable buildings and the tax digest of the City was considerably enhanced.

THE REPUDIATED BONDS

On August 27, 1870, the Legislature passed an act authorizing and requesting the Governor to effect a loan "by bond or otherwise sufficient to payoff the members, officers and other expenses of the General Assembly." By another act approved October 5, 1870, said act was amended so as to authorize bonds at not exceeding 7 per cent. Sufficient to payoff the officers of the civil establishment and other officers of the State, with the proviso that "nothing in this act contained shall be construed to authorize the Governor to issue any other character of bonds than those authorized by an act approved Sept. 15, 1870." Under the Act of August 27, 1870 the Governor issued \$2,000,000 of "currency bonds."

Both the original act of August 27 and the amendatory act of October 5, 1870 are printed on pages 419-420 of the published laws of 1870. They are indexed under the head of "Legislature." I almost never found them. Under the head of "Bonds" there is indexed the Act approved September 15, 1870 under which the Governor issued \$3,000,000 of "gold bonds." It authorized the Governor to issue bonds sufficient in amount to meet all outstanding bonds and to bear interest at the rate of 7 per cent. payable quarterly in gold, to be signed by the Governor and countersigned by the Comptroller General and contained the proviso "That nothing in this act shall be construed to authorize the use of said gold bonds in funding the outstanding bonds, or to authorize the exchange of said gold bonds for any outstanding bonds of the State." Nevertheless it was widely stated that these gold bonds were intended to take up the currency bonds but this was not done and both sets of bonds were left outstanding.

Besides these currency and gold bonds there were the bonds of a number of railroads endorsed by the State for the purpose of aiding such railroads.

Mr. Kimball was said to have figured largely in the affairs of Governor Bullock's administration as the semi-official

Financial agent of the Governor in disposing of currency and gold bonds. It was also said that he was instrumental in dwelling the endorsed bonds of some of the railroads of which he was president or in which he was interested.

Mr. Kimball became president of the Brunswick & Albany Railroad the Bainbridge, Cuthbert & Columbus Railroad, and Cartersville & Van Wert Railroad, the name of which was later changed by the General Assembly to the Cherokee Railroad. It is said that he was president of seven railroads in all.

After the War Between the States the State of Georgia endeavored to aid in the construction of a number of railroad enterprises for the purpose of developing the State.

By Act of the General Assembly September 21, 1868 the (credit of the State was loaned to the Georgia Air Line Railroad September 26, 1868, to South Georgia and Florida Railroad; October 5, 1868 to Macon & Augusta Railroad; March 20, 1869 to Alabama & Chattanooga Railroad³; March 18, 1869 to Brunswick & Albany Railroad⁴; March 12, 1869 to Cartersville & Van Wert Railroad; March 18, 1869 to Bainbridge, Cuthbert & Columbus Railroad, and there were others.

The following are excerpts from the act extending aid to the Brunswick & Albany Railroad Company:

"As soon as said (Railroad) Company shall have built 20 consecutive miles of their said main railroad, in a substantial manner and shall have the same in good running and working order, which shall be certified to by an engineer appointed by his Excellency the Governor or the State of Georgia for that purpose, the said Company shall present to the Treasurer of the State of Georgia, for the time being, thereafter as often as said Company, such as are described in the first section of this act, amounting in the aggregate to \$15,000 per mile upon the road so completed and from time to time thereafter as often as said Company shall have completed any additional 10 miles of said main road to be certified to as above, said Company may present to said Treasurer the bonds of said Company amounting to \$15,000 per mile upon all of said Company's main road so built until the whole main

road from the harbor of Brunswick to Albany and the line of the State of Alabama is built and the said Treasurer, for the time being, shall make an endorsement upon the back of said bonds" etc., "and shall deliver the bonds so certified and guaranteed to the President of said Company, or other officer authorized by the Board of Director of said Company to receive the same, etc."

The Governor was required to endorse the bonds of the Bainbridge, Cuthbert & Columbus Railroad Company on the same terms and conditions prescribed for the Georgia Air Line Railroad Company, which were that the endorsements were to be \$12,000 per mile when sections of twenty miles shall have been completed and equipped. The Cartersville & Van Wert endorsements were to be \$12,500 per mile as and when each five miles shall have been completed and put in running order.

On September 30, 1870 the Legislature passed an act that

"neither his Excellency the Governor nor any other officer of this State, shall endorse the guaranty of the State upon the bonds of any railroad to which this or any other legislature of this State has loaned the credit of the State, until an amount equal to the amount of bonds for which the guaranty or endorsement of the State is applied for has, in good faith, been first invested and actually paid in and expended by the owners or stockholders of the road, upon the bonds of which the endorsement or guaranty is asked, and the Governor shall, in every case, require satisfactory evidence in every case that such investment has been made."

On October 17, 1870 an Act was passed to issue gold bonds in aid of the Brunswick & Albany Railroad. I have not found it in the printed volume of Georgia Laws of 1870.

The pinch of harder times began to be felt. With seven railroads and a mammoth hotel on his hands, Kimball's task was too much for mortal man. His railroads went into receivership. All his numerous enterprises failed and tumbled about his head like a castle of cards. He lost his fortune and became a poor man. His health failed. He left Georgia. The great Chicago fire of 1872 and the awful financial panic of 1873 intervened. Nearly everything in the Nation "went to smash."

In 1872 the Republican or Reconstruction regime had fallen in Georgia and the Democratic legislature appointed a committee for investigation of Governor Bullock's administration, whose report criticized many of his official acts as I have already narrated. The legislature also appointed a bond Committee composed of Thomas J. Simmons, Garnett McMillan and John I. Hall to enquire into the validity of the railroad bonds endorsed and the other bonds issued by the State. This Committee reported against the validity of the Brunswick & Albany, the Bainbridge, Cuthbert & Columbus, the Cartersville & Van Wert, and the Cherokee bonds, because the condition that they could only be issued on completion of the required sections had not been complied with. Additional reasons were given in the case of the Brunswick & Albany for which the reader is referred to the Report.

Two million dollars of the currency bonds and three million of the gold bonds had been issued. The General Assembly August 23, 1872 declared void \$102,000 of gold bonds in Clews' hands; \$1,660,000 of gold bonds, second issue to Brunswick & Albany Railroad; \$1,500,000 currency bonds in \$3,300,000 endorsements for Brunswick & Albany railroad; \$600,000 endorsements for Bainbridge, Cuthbert & Columbus Railroad; \$275,000 endorsements for the Cartersville & Van Wert Railroad, and \$300,000 for the Cherokee Railroad; total \$7,957,000.² The Constitution of Georgia was amended, forever forbidding payment or recognition of the validity of any of these bonds.³ The amendment describes the bonds repudiated, among them "the State gold bonds issued under the Act of October 17, 1870 in aid of the Brunswick & Albany Railroad."

On February 12, 1873 the bondholders proposed to surrender \$8,425,000 of gold currency and endorsed bonds, including all those declared void, if the State would pay \$1,500,000 and interest actually and in good faith advanced by them and would declare its readiness to carry out its promise as to endorsement of the first mortgage bonds of the Brunswick & Albany and Cherokee Valley Railroad Companies when they shall have complied with the Constitution and laws of Georgia and shall have also completed their respective roads.

Many prominent Georgians favored and others opposed the compromise. As showing the division of opinion, ex Governor Joseph E. Brown, Major Campbell Wallace, Colonel T. M. Norwood, Judge David Irwin and Hon. John E. Ward advocated compromise in some shape. General H. L. Benning, General Robert Toombs, Benjamin H. Hill, Colonel William M. Wadley, John H. James, William Hope Hull and Herbert Fielder opposed it.

Those who favored the compromise mostly thought that where the State had received the benefit of the money invested, the right thing was to assume the obligation; that some of the bonds were good and the equities should be recognized.

Those who opposed the compromise mostly contended that the bonds lacked the validity of popular consent and were not in conformity with law or the Constitution.

The great majority of the people believed that the bonds had been foisted on a helpless people by a carpetbag State government supported by Federal bayonets. To quote from the *Report of the Bond Committee*:

"when politically prostrate, wrecked in fortune and citizenship, the wretched remnant of our substance devoured by greedy beasts and birds flung upon us in the wake of war, and under color of the laws of the land, to make complete our disaster and desolation, etc."

The great majority of the people of Georgia have believed for two-thirds of a century that these bonds were

fraudulent. I trust that others who have more time and opportunity than I will delve into the musty records and analyze the facts and tell us more in detail the history of Georgia's repudiated bonds.

MR. KIMBALL RETURNS TO ATLANTA.

In February, 1874 Mr. Kimball suddenly turned up in Atlanta with health restored, and announced that he was ready to meet his detractors and defied anyone to produce any evidence that he had done any wrong or illegal act about the endorsement of the railroad bonds or the disposition of the other bonds of the State or about any other thing. He challenged them to indict him. He stated that he had gone to Governor James Milton Smith and asked if there were any charge against him and the Governor told him he had employed Judge Linton Stephens to make a full investigation of all Mr. Kimball's acts; that Judge Stephens had reported that he could find no evidence on which to predicate an indictment. Mr. Kimball's challenge was not accepted. Shortly afterwards he again returned to Atlanta and made it his home.

Few people know that Mr. Kimball ever made these statements. They have lain forgotten in the newspaper files for sixty-four years. It is simple justice that they be published again. They are filled with appealing eloquence.

The grand jury of Fulton County at April Term, 1872, investigated the conduct of Governor Bullock and various officials and others connected with his administration.

Indictments were found against several officials and others for various offences. But no indictment was found against H. I. Kimball. To make certain of this point Miss Jamison of the reference department of the Carnegie Library has had all the old newspaper files searched and I have myself searched the minutes of Fulton Superior Court

from October 1871 to March 187-6. Mr. Kimball was not indicted, although he returned to Atlanta in 1874 to face his accusers and defied them to indict him or to produce any evidence of wrong doing on his part. A circumstance in favor of Mr. Kimball is that W. L. Hubbard the foreman of the grand jury which conducted the investigation and found so many indictments against others, was one of the signers of the invitation to Mr. Kimball to a vindication banquet.

It will be noted that Mr. Kimball's defense does not specifically touch on the subject of the mortgage on the capitol or the bonds of the Bainbridge, Cuthbert & Columbus Railroad. Perhaps he considered this railroad a part of the Brunswick & Albany system. He does not discuss the Cartersville & Van Wert or Cherokee Railroad bonds because there was litigation pending in the U. S. Court in which his testimony would be required. I trust that someone with more energy than I may dig up this testimony from the ancient files (if any written record can be found).

It should be borne in mind that the Legislature which repudiated the bonds represented a party long excluded from power while the State government was trodden beneath the heel of a Federal despotism and they were eager for revenge and not in the mood to give kindly consideration to the claims of the bondholders. Perhaps it is some mitigation that the State lost nothing but declared the bonds void and has never paid them. The people of Georgia got the railroads. The purchasers of the bonds in the North and in Europe lost out, but no indignation of the multitude has been expressed in their behalf.

Whatever views one may have of the moral propriety of Mr. Kimball's conduct in the old capitol sale or in receiving for his companies the bonds or endorsements of the State, it was evident that he had not transgressed any penal law of the State. And there was not sufficient evidence that he had done anything illegal as the State's financial agent.

Mr. Kimball Runs For Mayor

Among my recollections is the famous campaign of H. I. Kimball and James W. English for the mayoralty of Atlanta in 1880. At that time my father, the late Russell Crawford Mitchell had been a Confederate soldier, was Alderman at large and Mayor Protem and was a friend and supporter of Captain English. Captain English had been a distinguished Confederate Soldier. He had achieved a large fortune. He had aided in all the commendable public enterprises. Opposing him was H. I. Kimball with the record of having engaged in a multitude of movements for the benefit of Atlanta. The Confederate sentiment was strong, but there were many who were willing to forget that Kimball was Republican in gratitude to him as one of the City's builders. When the election returns were received it was found that Captain English had won by the small margin of 54 votes.

REBUILDING THE H. I. KIMBALL HOUSE.

The H. I. Kimball House was burned August 12, 1883. I witnessed conflagration. That night Mr. Kimball, while in Chicago, was informed of its destruction. The people of Atlanta thought no greater calamity could have befallen the City. They were eager for someone to begin the work of reconstruction. Mr. Kimball returned to Atlanta and organized a stock company and undertook the difficult task of raising the money and rebuilding the hotel. In this he was successful and within a few months the new Kimball House was completed.

THE INTERNATIONAL COTTON EXPOSITION.

In 1880 Edward Atkinson of Boston wrote the New York Herald suggesting the holding of an exposition devoted to cotton culture, trade and manufacture. Mr. Kimball invited Mr. Atkinson to Atlanta where he made a public address.

An exposition company was organized and the International

Cotton Exposition was held at Oglethorpe Park in 1881. H. I. Kimball was made its Director General. It was, within its scope, a magnificent exhibition. I attended it many days while a young boy and marveled at its wonders. I was at the opening exercises and heard the speeches of H. I. Kimball, Zebulon Vance, Daniel W. Voorhes and Alfred H. Colquitt. A history of this exposition is in Walter G. Cooper's *History of Fulton County*.

THE ATLANTA COTTON FACTORY.

About 1876 Mr. Kimball was one of the organizers of the Atlanta Cotton Factory, an enterprise which enlisted the cooperation of many public spirited citizens. The factory was built, a large four or five story brick building, at corner of Marietta and Magnolia Streets. H. I. Kimball became president of this cotton factory and his friend and financial associate of former years, former Governor Rufus B. Bullock, was its treasurer.

MR. KIMBALL'S HOME.

In 1875 Mr. Kimball built a new home at the Northwest corner of Peachtree and Kimball Streets, the property consisting of 5.93 acres purchased from George H. Camp in the name of Mrs. Mary C. Kimball, who is said to have had some separate estate.

Looking back over old City Directories we find Hannibal I. Kimball listed in 1877 and 1878 as residing at the Northwest corner of Peachtree and Kimball Streets. This is where the Shrine Mosque and Fox Theatre are now located.

The name of Kimball Street has been changed to Ponce de

Leon Avenue (of which it is a continuation). Mr. Kimball had disposed of his earlier home in the fork of the Peachtrees. The 1882 directory lists him as "Director General of International Cotton Exposition, residence, New York."

He does not appear in the 1883 directory but in 1884 he is listed at 292 Peachtree Street. In 1885 and 1886 he boarded

at the H. I. Kimball House. In 1884 he is listed as a member of the firm of H. I. Kimball, L. B. Wheeler and W. H. Smyth, Architects and Engineers, 9-1/2 Peachtree Street, Atlanta, and 38 Broad Street, New York. The same appears in the 1885 directory except that the offices were in the Constitution Bldg. In 1886 the firm had changed to H.I. Kimball, L. B. Wheeler and W. H. Parkins. Mr. Kimball was afterwards connected with a firm engaged in the business of constructing cold storage plants throughout the country.

A STEAM ENGINE IN BREECHES.

Mr. Kimball was engaged in such a large number of affairs that it is impossible for one to enumerate-much less to describe them. . His tendency to undertake enterprises without thoroughly counting the costs and the hazards is illustrated in the article in the *Cracker*, an Atlanta publication of May 3, 1884, entitled "An Engine in Breeches" accompanied by a cartoon. "Mr. Kimball is known to be one of the most energetic men in the South. His talent as an organizer is unquestioned and his ability to handle men conceded by all. . But his effort to build a high trestle at noonday resulted in an absolute failure. It is no discredit to Mr. Kimball that he failed --- Experienced railroad men like Temple, Sage or Peters would have studied well the situation and the possible action of the water upon the treacherous bank before they would have attempted the erection * * * * fortunately there was no loss of life * * * * Our neighbor the *Constitution* went into raptures over Mr. Kimball when he undertook the job and carried the expression "STEAM ENGINE IN BREECHES" which is the subject of our first page illustration".

In the preparation of this article I have received valuable assistance from Ruth Blair, Executive Secretary, and Franklin M. Garrett, Vice President, of the Atlanta Historical Society; from Alma Jamison of the Reference Department of the Carnegie Library of Atlanta; and from Ella May Thornton, State Librarian.

THE WEEKLY CONSTITUTION
Atlanta, Georgia, Tuesday, February 10, 1874.
(Back Page)

"LOCAL AFFAIRS "H. I. Kimball Back in Atlanta.

"Last night among the arrivals at the Kimball House was H. I. Kimball himself who came on the midnight train by the State road. Mr. Kimball returns after something more than two years' absence. He has grown quite fleshy, enjoys fine health, and is in excellent spirits. He brings with him his little daughter, who is somewhat out of health.

He says he voluntarily and of his own motion returns to Georgia to personally set himself right, and respond to any scrutiny. This is, at least, manly and courageous, and will ensure him a fair reception. He has no definite plans as to length of stay."

:H. I. Kimball"

Last evening about half past seven o'clock some former employees of H. I. Kimball tendered to him a serenade at the Kimball House, where he is at present staying. The object of the serenade was simply to pay their respects to their former employer, and it had no political or other significance. The whole affair was so secretly managed that very few except those engaged in the serenade, knew that any was contemplated. As soon as it became known, a strong disposition was manifested by those who happened to be in the hotel to stop it; and at any rate had it distinctly understood that the serenade was no action of the Atlanta people. The band played one air, and then followed a few scattering calls for Kimball. These were instantly followed by calls for Bullock, Fatty Harris and Blodgett, and some hissing. Considerable confusion prevailed in the hall for the moment of two, when the band began playing a second piece. At the conclusion of this piece came the cries for repeated, together with loud cries for Senator Hillyer. In response to these calls, the senator ascended the steps leading to the dining room, and stated that "This was no move of the Atlanta people. They had nothing to do with it, and he moved that every Atlanta man leave the room.

But the crowd about the door prevented egress. The cries for Kimball were renewed, when this gentlemen appeared upon the stairway of the ladies entrance. Temporary quiet was restored, and Mr. Kimball confined himself to simply thanking his friends for the serenade, and stating that he had been talking to friends all day and was so hoarse as to make it impossible for him to speak. He started to say something more when the cries for Bullock were renewed and Mr. Kimball, seeing that he could not be heard, withdrew. The band also performed one or more air, and departed. Considerable feeling was manifested during the speaking and it was suggested that a meeting be organized to pass resolutions expressive of all disapprobation, and of the fact that the Atlanta people had nothing at all to do with the serenade. However this gradually cooled down, and the crowd slowly dispersed.

It is due to Mr. Kimball, to state that he declares he did not desire the serenade made, and by his friends endeavored to prevent it.

ACCOUNT BY ANOTHER REPORTER.

IT was rumored last evening that H. I. Kimball would be serenaded at the Hotel 1 About 8 o'clock a band of music struck up in front of the Hotel. Accompanying it were a number of old employees and mechanic friends of Mr. Kimball. After playing one or two pieces they called for Kimball. The crowd inside called for Blodgett, Bullock, Clews, Hill, and Hillyer. There was some hissing.

ATLANTA'S PROTEST.

Major Hillyer got up and requested all Atlanta men to leave. After ' some little confusion Mr. Kimball appeared with some gentlemen on the steps leading up from the ladies' entrance on Pryor street, and said that the serenade was wholly unexpected to him, thanked them, stated that he had talked so much during the day he was very hoarse, and requested to be excused from speaking. The crowd outside called out asking him to say more, when he again began to excuse himself, but the noise of the crowd so interferred he ceased.

The crowd was not large, consisting of former employees, legislators stopping at the House and a few others."

THE WEEKLY CONSTITUTION

Atlanta, Georgia, Tuesday, February 24, 1874.

(Front Page)

"BANQUET TENDERED TO MR. H. I. KIMBALL.

"The Correspondence.

"Atlanta, February 19, 1874

"Mr. H. I. Kimball: Dear Sir- We desire to express to you our gratification at again meeting you in our midst, and welcome you back to Atlanta where you have illustrated, by your energy, how much a real *working man* may do to benefit a people.

When we look around at the evidences of your enterprise in this city, we are satisfied that nothing we would say *could* add to your reputation; however, we desire the pleasure of meeting you and expressing our feelings personally.

We therefore ask you to signify at what time it would best suit you to join with us at "The H. I. Kimball House" in a banquet, which we have the honor to hereby tender you.

J. C. Peck,
C. W. Hunnicut,
J. R. Merchant,
Isaac Robinson,
Morrison, Bain & Co.,
J. A. Alexander,
N. R. Fowler,
W. H. Patterson,
O. A. Lochrane,
V. Dunning,
W. H. Parkins,
Wm. Jennings,
M. & H. Hirsch,
John H. Flynn,
J. A. Taylor,
W. G. Gramling,
W. G. Ashley,
F. M. Eddleman,
A. Bellingrath,
Joseph E. Brown,
W. L. Hubbar!l,
R. G. Thompson,
Geo. E. Chamberlin,

Yours truly,
G. W. Adair,
J. M. Willis,
Ed Mercer,
L. Schofield,
L. Bellingrath,
Edward Parsons,
B. W. Briscoe,
F. M. Jack,
Anthony Murphy,
Wm. S. Thomson
A. T. Finney,
J. W. Allen,
Wm. Goodnow,
Perino Brown,
W. C. Morrill,
A. Alexander,
J. M. Alexander,
B. F. Longley,
R. Alston,
Healy, Berry & Co.
Joseph Thompson,
J. G. Thrower,
F. H. Orme,

John T. Grant

The WEEKLY CONSTITUTION

Atlanta, Georgia, February 24, 1874.

"The H. I. Kimball House, Parlor No.5.

Atlanta, Ga., Feb. 21, 1874.

"Messrs. J. C. Peck; G. W. Adair, John H. Flynn, Perino Brown and others: Gentlemen: Your very kind letter of the 19th instant, in which you say: "We, therefore, ask you to signify at what time it would best suit you to join with us at the H. I. Kimball House in a banquet, which we have the honor to hereby tender you," is before me, and I assure you that this very marked and unusual compliment even to distinguished men, which you have seen fit to confer on me, has stirred every emotion of my breast and filled my heart with gratitude. I am but a private citizen never having sought or held any political office here, or elsewhere, whether Federal, State, or Municipal. The occasion of this compliment is therefore due to the efforts and energies I expended among you to build up the State, stimulate her enterprise, and awaken her people into an appreciation of the vast and boundless resources and wealth by which they are surrounded. It is a tribute to the energy and enterprise of what you express so well in the plain but glorious and comprehensive word, a Workingman. In your kindness and generosity overlooking the failure of the individual to honor the principle. Had you honored me with your suffrages for Chief Magistrate of your noble Commonwealth, I could not have esteemed it higher than I do to be addressed as the person embracing that energy and enterprise which you honor. But, gentlemen, while you for the moment forget the man, I do not; neither do I forget that my "good name," which I have been taught from my infancy to regard, and which I do still regard of vastly more value to myself and family than all the world beside, has been and is still being publicly assailed by my enemies in your very midst. And though I cannot doubt that you, with a host of my friends, (to thousands of whom I personally unknown) stood unmoved by the calumnies of the hour, and the clouds which hang over and about my name and do not cast even a shadow across your vision on my honor and integrity, and while I thank you from the bottom of my heart and inmost soul for this confidence I assure you, my friends, in all kindness, that I cannot accept, even from you, any public demonstration of confidence and regard, until after the people of Georgia are satisfied that the broad, sweeping charges which have been made against me, personally, in connection with the late State administration, are not only without foundation in fact, but utterly false. I affirm boldly, that during my entire residence in Georgia, I committed no act in connection with my private or public enterprises that I am either ashamed of or afraid to have publicly investigated before the world – and which I am not able triumphantly to defend and which time, in its unalterable vindication of justice sooner or later will overwhelming evidence. You will pardon me for saying, no man, however firmly he may feel himself established in the hearts of the people, can remain indifferent to such warm, arbitrary and earnest endorsement as I have received during my visit here. Hundreds of Georgia's best citizen's from all parts of the State, have done me the honor to call upon me at my room in the hotel, and while warmly pressing the hand, expressed their congratulations on my return and urged me to again take up my residence in Georgia, all of which I can but esteem as personally highly complimentary.

room in the hotel, and while warmly pressing the hand, expressed their congratulations on my return and urged me to again take up my residence in Georgia, all of which I can but esteem as personally highly complimentary.

But I look beyond this temporary handshaking and expressions of kind feeling, and even your complimentary banquet, and regard the recognition of what I did in your State as destined to work out for Georgia far grander results than even its authors have contemplated, for it is an unmistakable indication of a determination on the part of the people of Georgia to recognize the necessity of encouraging "*energy and enterprise*," come from whatever sections it may.

It is, I trust, the dawn of a new era that will yet raise this Still. to be once again the Empire State of the South.

When I think of Georgia, with her soft, delightful, healthy climate, her fertility of soil, her vast belts of magnificent timber, her rich bUlh\ of slate, marble, coal, iron, gold, silver and copper, all of these needing only to be touched by the finger, of "energy and enterprise" that wealth and prosperity may spring into the laps of the people, it brings back to my mind very forcibly the plans which I had conceived, and which it was the ambition of my life to have carried into successful operation, and which would have resulted in stirring into life everyone of these group interests that now lie dormant and useless.

What I actually did accomplish, to which you have so kindly referred, was a mere nothing as compared to what I would have done for the development of these great resources, but for the powerful and un. principled opposition that met me at almost every step, by envious and interested attacks on the very means by which I was bringing money into the State, and by the general howl of croakers who have hung lil<u a mill stone around the neck of every new enterprise and effort to develop the great resources of the State, and have misled the great majority of the people in regard to the facts.

But for these blighting and oppressive influences, aided by selfish and scheming politicians, which resulted in depreciating values to 80 great an extent as no individual or corporation that owed large sums *of* money dependent upon these values could stand, (a fact which have been fully demonstrated by the results of the great financial panic of the past year) the people of Georgia would, to-day, have been enjoying the full benefits of direct trade.

Brunswick would have been linked by the iron rails direct with Eufaula, and so on to Montgomery, to Selma, to Shreveport and soon to the Pacific coast. Connecting and really a part of this great East and West trunk line, would have been a railway extending northward from Cuthbert on to Columbus, Atlanta, Marietta, Canton, Ducktown, and thence to Cincinnati. Contracts had been entered into by these railroad companies for direct steamship lines between the ports of Brunswick and Liverpool, and but for the crisis produced, as before stated, and culminating in the panic caused by the Chicago fire, the first steamship of the line would have been at the wharf in Brunswick within thirty days thereafter, which would have poured emigration from Europe, In upon the rich cotton fields, and stimulate manufactories along the lines of these railways, and kept back the tide of labor which I regret to learn, is now fast rolling away from them. These, and the connecting railways, would now have been carrying across your State to the splendid harbor at Brunswick, for direct exportation to Europe, the

He declines. In his letter he states plainly his position in Georgia. He asserts, over his own signature, as one of his chief objects in coming here that he has come to confront his enemies. He declines testimonials of honor until he can answer those enemies. He emphatically invites accusation to face it.

A short while back we stated our views of Mr. Kimball's position. We gave what we thought was justice to him and the people of Georgia. Mr. Kimball's letter conforms with our views then expressed, and we reiterate the suggestion then made, that advantage should be true of Mr. Kimball's self-imposed presence here to bring him before the courts if he has committed crime, and to draw forth his information upon the bond transactions.

If he is not arrested, then he can claim that he has committed no crime. If he is not put on the witness-stand to give his version of the bond, and other transactions, in which he bore so important and leading a part, he can claim that those transactions were voluntarily left half investigated by the State authorities, and that, therefore, in the light of his willingness to tell what he knows of them, and of his assault of his integrity in them, no blame shall be attached to him.

It is due to him to state, as we are informed, that upon his arrival here when he announced his presence to Governor Smith, inviting his readiness to answer any responsibility, Governor Smith frankly informed him that Judge Linton Stephens, who had thoroughly looked into all these matters as the State's lawyer, had, after full and exhaustive inquiry, declared that he could find no act of Mr. Kimball on which to base a criminal prosecution.

If the sharp intelligence, active law and stern duty of Judge Stephens could find no clue to an indictment, there may be grave doubt of its existence.

But while there may be no violation of penal law, there can be and there is the appearance in some of Mr. Kimball's transactions of moral wrong. And this appearance has been heightened by his leaving and staying away from Georgia, and his failure to come before the State authorities who were empowered to and did investigate his matters. His voluntary return removes the suspicion that grew out of his absence. His proffer to respond to any investigation affords the opportunity to test all charges against him. And it is just and fair to all that some steps should be taken by those who have the authority to get his information. And he cannot be denied the inference of integrity deducible from his demand for specific charges and a failure to make and investigate them.

At the same time it is but fair to state, that as Mr. Kimball once had the opportunity to explain his part in these transactions and did not avail himself of it, he owes it to himself and the people to explain, whether sought or not, whatever of wrong attaches to him from the result of that investigation which he permitted to go on, without sharing in it, when his own conduct was under scrutiny, and he will doubtless do so at some day. But it must be admitted that in courting full inquiry and facing its results, Mr. Kimball has put the burden of assault upon his accusers."

THE WEEKLY CONSTITUTION
Atlanta, Georgia, Tuesday, July 21, 1874.
(Front Page)

"H.I. Kimball.

THIS REPLY TO THE CHRONICLE AND SENTINEL.

"The H. I. Kimball House, Room 43,
Atlanta, Ga., July 17, 1874.

Editors Chronicle and Sentinel, Augusta, GA:

From your issue of the 1st with instant I clip the following: "We have received a letter from Mr. H. I. Kimball"..... the people will be against him.'

When I address you the letter referred to, calling your attention to the scandalous and libelous letter from your Atlanta correspondent published in your issue of the 9th instant, I fully believed what I said in the note, viz: that it had been published without your knowledge or consent, and that I had only to call your attention to the fact to have you me full justice. I was confident that from the position which you had occupied you could not be ignorant of facts that would wholly controvert the statements of your correspondent, but judging from *your comments upon my letter, I assume that you are still in ignorance as to the facts, and while I dislike a newspaper controversy, and disclaim any intention of entering the lists against so distinguished and polished a writer as yourself, or of descending to the level of your slanderous Atlanta correspondent, nevertheless, I do "feel aggrieved" at your comments, and accept the opportunity offered for "a hearing through your columns."* The charges which are made against my character are generally of that vague, indefinite kind, founded only on belief without evidence, and upon surmise without knowledge, and are, therefore, very difficult to answer specifically; but in this "hearing" I shall endeavor to meet with the plain facts every charge against my character has come to my knowledge from any responsible source—and with this I have done. The charge that such railroads as the Brunswick and Albany, the Cartersville and Van Wert, and the Marietta and N. GA, are "reckless and extravagant wildcat railroad enterprises," is not supported by the FACT. I will not prolong this hearing to lay before you the history of these enterprises; suffice it to say they were inaugurated, advocated, and encouraged before the people, in the legislative halls of GA, and before the financiers of the world, by many of Georgia's ablest men, for many years before I had the pleasure of residence in your State, or the honor of a connection with these great enterprises, This is an undeniable FACT. State aid was urged before the war, and the men and the newspapers that urged it were among the substantial and most able in GA.

Sixty-five miles of the Brunswick and Albany railroad were completed and running before the war, and hundreds of tons of iron lay at the wharf at Brunswick to extend it. No man can deny this. When the secession convention of GA met Judge Nesbit introduced and passed an ordinance guaranteeing the protection of the State to works of internal improvement on her soil, belonging to aliens. This convention is said to have been composed of the best men of Georgia. Would they have solemnly guaranteed protection to "a reckless and extravagant wildcat railroad enterprise?"

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The iron was taken from this road by the public authorities during the war and used on other railroads in the State. After the war the owners demanded payment (under the authority of this guaranty) for the railroad which had been destroyed to the amount of three millions four hundred thousand dollars-this claim was presented to the Governor and by him submitted to the Legislature-a committee WUII appointed who recognized the legality of the claim but were unable to agree upon the amount.

As a solution of the matter the State's endorsement on the first mortgage bonds of the company at the rate of (\$15,000) fifteen thousand dollars per mile was offered by the State in settlement of the claim, in consideration of a release of the State from that claim. Was it "a wildcat enterprise" then? It has been charged that the Legislature making this settlement, and granting the State's endorsement, was a Radical Legislature which I manipulated. The facts do not support this charge. At that time, the Democrats had at least thirty majority in the House of Representatives, and this bill passed that body by so overwhelming a majority that the yeas and nays were not called. The strongest opponents in the Senate were the President of the Senate until the Chairman of the Finance Committee-the two leading Republican members. I had no interest in the bill, and scarcely knew such a bill was pending, nor did I have any interest in the road until nearly one year thereafter. Is there any evidence in this that it was a *Radical* scheme passed by a *Radical Legislature under my manipulation*? The people even cannot be accused of believing that charge.

At the outset of rebuilding the Brunswick & Albany Railroad, the contractors were met with lawsuits, injunctions, strikes and other