

ROBERT TOOMBS

Member of the Confederate Congress of the Virginia Convention of the Congress of the United States and President of the Virginia Constitutional Convention of 1861-2.

Robert Toombs declared that three things are necessary for the successful conduct of a revolution: "Audacity, audacity, audacity." It is certain that Robert Toombs acted upon this principle. When the Confederate States seceded from the American Union he espoused their cause with all the energy and enthusiasm of his manly nature. Although a Whig in politics, he belonged to the State rights wing. He loved his native South, and believed that the highest energies of his nature and the best affections of his heart were due to her. He would have freely offered at any time in her defense his fortunes and his sacred honor.

When Georgia was financially embarrassed and needed money, he loaned the State from his own funds a large sum, and used his personal credit to obtain a much larger sum. He was an earnest disciple of the States' rights school, of which Jefferson, Madison, and Mason were the great exponents. He believed that the Constitution was not made by any man or any set of men, but that it was made by the States as States, and that in entering into the compact, or union, they had not surrendered their sovereignty as free and independent Commonwealths.

HIS STATEMENT OF RIGHTS

At the first session of the Provisional Congress at Montgomery he was appointed Secretary of State for the Confederate States. In his diplomatic correspondence with William L. Yancey, Pierre A. Rost and A. W. Mann, in which he sent their commissions to Great Britain, France, Russia and Belgium, accrediting them to represent the Confederate States near the governments of those countries, he took advantage of the opportunity to inform the governments of the world that the several Commonwealths comprising the Confederate States of America had, by act of their people, in convention assembled, severed their connection with the United States; had resumed the powers which they delegated to the Federal government for certain specified purposes, and had formed an independent government, perfect in all its attributes and provided with every attribute of sovereignty and power necessary to entitle them to assume a place among the nations of the world.

Mr. Toombs was born in Wilkes county, Ga., July 2, 1810. His grandfather was a soldier in Braddock's disastrous campaign. His father, Major Robert Toombs, commanded a Virginia regiment during the Revolutionary War, rendering conspicuous service in that capacity. Robert Toombs entered the University of Georgia in 1824, but not being satisfied with the severe discipline to which the students were subjected, he was granted a discharge. He then entered Union College, New York, from which he graduated in 1828. He studied law at the University of Virginia in 1829-30, and although he did not attain the requisite age, he was by act of the Legislature of Georgia admitted to the bar on the 18th of March, 1834. In November, 1834, he was married to Julia Dubose, and in 1836 celebrated his golden wedding with his children, grandchildren and great-grandchildren around his hearth. He and his wife extended their felicitations.

FOUGHT INDIANS

He commanded a company in the Creek War, represented his county in the Legislature in 1837-40 and 1841-44 at which time he served as chairman of the Committee of the Judiciary. He was the Whig candidate for Speaker of the House in 1842, delegate to the National Convention in 1844, member of the House of Representatives from the Twenty-ninth to the Thirty-second Congress, and United States Senator from 1852 to 1861, when he retired. On January 7, 1861, he made his last speech in the United States Senate and announced his retirement from that body. He was a member of the State convention that passed the ordinance of secession, and on the 17th of April, 1861, voted with 207 other delegates in favor of secession. He was unanimously selected as the first delegate at the Provisional Congress at Montgomery. His name was presented to the Congress as the first choice for President, but four States having agreed on Mr. Davis as the candidate he was unanimously chosen.

HE TOOK TO THE FIELD

Mr. Toombs was made chairman of the Finance Committee of the Provisional Congress, and in the proposed attack on the United States forts in Charleston Harbor as a movement fatal to the Confederacy, and thereby demonstrated his far-seeing statesmanship. On July 21, 1861, he joined the Confederate Army as brigadier general, and commanded the First Brigade of the First Division of the Army of Northern Virginia. In January, 1862, the General Assembly of Georgia elected him to the Senate of the Confederate States, with Benjamin H. Hill as his colleague, but he declined to command his brigade during the Peninsula campaign and in the siege of Yorktown.

At the battle of Malvern Hill his brigade lost one-third of its entire number. After a controversy with D. H. Hill, and in arrest by order of President Davis, he rejoined his brigade during the fight at the second battle of Manassas, in August, 1862. He received the highest commendations for his gallantry and courage in guarding the bridge over Antietam with 401 men. He was severely wounded in that engagement, and went home to recover from his wounds, but rejoined his command in the spring of 1862.

In the following March, however, he resigned his commission in the army, after he had returned to Georgia he offered his services to Governor Brown, and was made adjutant and inspector-general of the Georgia militia, taking part in the battles before Atlanta, the siege of Savannah, and in the battle of Pocotaligo, S. C.

NEVER RECONSTRUCTED

When the Confederacy finally collapsed he escaped to Europe, but never asked for pardon, and always insisted that he was an "Unreconstructed and unrepentant rebel." After the war he practiced law and amassed a considerable fortune. He was a delegate to the State convention in 1877, was made chairman of the committee on legislation and final revision. When the convention was embarrassed for the want of funds he insisted on advancing the money from his own pocket. One of the last acts of his life was to pronounce a great eulogy on the life and character of his intimate, bosom friend, Alexander H. Stephens. He died at his home in Georgia, December 25, 1885, universally beloved and lamented. In 1884 Toombs was elected to Congress, was re-elected, and served for

eight years in the House, supported for President, William Henry Harrison, in 1838 and Mr. Clay, in 1844. His first speech in the House was made on the Oregon question; he was an earnest advocate of the compromise measure in 1850, took his seat in the Senate, in March, 1853, and remained in that body until 1861. Mr. Toombs was one of the most remarkable men whom it has been his pleasure to know personally. He was able, eloquent, impetuous and entered into a debate with the fiery energy of one who felt that he must do his full part in the fray. He was the evidence of his great honesty of purpose and unyielding resolution, he refused, as I have said, to make an application for pardon after the close of the war. He insisted that he had done nothing for which he should sue for executive pardon, and that he would live and die unreconstructed. During the last years of his life, it was his custom to pass the summer months at the Greenbrier White Sulphur Springs, and I have often listened to him as he gave his views about public men and public measures. He was a true patriot, and beneath the patrimonial oak at that famous resort, with a crowd around him, especially of Northern listeners, eagerly attending to every word that dropped from his lips, he declared that he had no country since the subjugation of his beloved South, that he felt an exile in the language of the bard of Erin, he felt like exclaiming: "The harp that once through Tara's halls, The soul of music shed, Now lies as mute on Tara's walls, As though that soul were dead."

A LORDLY LIFE

Not long prior to his death a public journal in his State said of him: "The people of Georgia never loved any man better than they loved General Toombs, and the signs that his race has been nearly run have awakened a tender interest in him and in all that to him pertains. He is the most remarkable man in many respects that the South has ever produced, and it is doubtful if the records of a lordly life than his can be found in the history of our republic. He has never moved as other men, nor worked by ordinary methods. He has been kindly in all his ways, lavish in his opinions, disdainful all expedients of deliberation, and moving to his admirers with a princely assumption that has never been gained by the people and seldom by circumstances." He was earnest and zealous in the cause of the Ancient and Accepted Scottish Rite of Freemasonry, of which he became a member of the thirty-third, or the highest, grade, and from 1875 to 1880 he was an active member of the rite in the State of Georgia. After his death Albert Pike, the most eminent Mason in this country, who had known him long and intimately, wrote of him as follows: "A great man, old and full of days, had been gathered unto his fathers, a man of transcendent ability, pre-eminently gifted with logical faculty of strong, clear intellect; a great lover of the truth, and singularly keen in distinguishing it from the false; a man quick in determining, resolute and adhering to and bold in announcing his conclusions and convictions; an accomplished lawyer, an ardent and impassioned orator, vehement and imperious in debate; a student who had accumulated great stores of knowledge of many kinds; a man of antique greatness of soul, of true nobility of character, and of perfect integrity, scornful of compliments and devoid of the smallest of flatteries; impetuous and sometimes in his utterances harsh, indelicate and reckless, as if moved by passion, and intolerance of opinion; and yet, for all this outward seeming, genial and generous, most hospitable, kind-hearted, amiable, forgiving; a man whom one could not love him; a man who, take him all in all, had in his prime of life no equal in intellect in the Southern States of the Union."

HIS DEFIANCE TO THE SENATE

In his last address to the Senate Mr. Toombs was very defiant, and spoke as follows: "You will not regard Confederate obligations; you will not regard constitutional obligations; you will not regard your oaths. What, then, am I to do? Am I a free man? Is my State a free State? We are free men, we are free rights; I have studied them. We have wrongs; I have recounted them. I have demonstrated that the party now coming into power has declared us outlaws, and is determined to exclude thousands of millions of our property from the commerce of the world; that it has declared us under the ban of the Union, and out of the protection of the laws of the United States everywhere. They have refused to protect us from invasion and insurrection by the Federal power, and the Constitution denies to us in the Union the right to raise fleets or armies for our defense. "All these charges I have proven by the record; and I put them before the civilized world and demand the judgment of to-day, of to-morrow, of distant ages, and of heaven itself upon the justice of these charges. I am content, whatever it be, to perish all in so noble, so holy a cause. We have appealed time and time again for these constitutional rights; you have refused them. "We appeal again. Restore us these rights as we had them, as your court adjudges them to be, just as our people have said they are; redress these flagrant wrongs, seen of all men, and it will restore fraternity and peace and unity to all of us. Refuse them, and what then? We shall then ask you: 'Let us depart in peace.' Refuse that and you present us with war. We accept it; and inscribing upon our banners the glorious words, 'Liberty and Equality,' we will trust to the blood of the brave and the God of battles for security and tranquility."

TOOMBS AND STEPHENS

In a publication entitled "Southern Statesman of the Old Regime," in which a very striking contrast is drawn between two great Georgians—Alexander H. Stephens and Robert Toombs—showing the predominant characteristics of each, the writer says: "As to the actual eloquence of the two men, it is hard to reach any conclusion. Both could carry away a jury or a crowd upon the hustings, and the secret of their power lay not so much in the matter of their speeches as in the way they delivered them. Yet, never did two orators present a greater contrast. Toombs, with his puny frame, thin voice and calm persuasiveness, they may not have been as great orators as their admirers have asserted, but the fact remains that they exerted great power over all sorts and conditions of men."

In an address delivered by Colonel

HOLIDAY TRADE IS GOOD

No Falling Off in Buying at Yorkville—Sales of Cotton Pick Up Considerably—York Cures on the Road to Giving Corporations Justice.

Yorkville, S. C., Dec. 22.—The holiday trade in this section appears to be about the same volume as for several years past. The merchants of this place laid in their usual stocks and it is not likely that they will have any more let over than usual at the end of the holiday season. While there is no general movement in the matter of selling cotton, still it is safe to say that during the past two weeks the aggregate sales have amounted to considerably more than during the month previous. The bulk of the cotton offered for sale is that belonging to negroes. It is estimated that the total crop produced in York county this year will amount to about 40,000 bales and that at least half of the crop is still in the hands of the producers. The fall term of the Circuit Court for York county, after being in session for four weeks, adjourned yesterday afternoon. In many respects it was one of the most satisfactory terms to thinking people that has been held in several years, and this is especially true with reference to the damage suit industry. It is a well-known fact that York has acquired an unenviable reputation during the past four or five years by reason of the outrageous manner in which corporations have been held up by juries supposed to be composed of citizens of "average intelligence." Its reputation has become so individual that it has attracted various parts of the State and living in counties through which the Southern Railway or the Seaboard Air Line extended, having very weak or no claims at all against either of these corporations and fully realizing that there was little prospect for successful suits at home, have removed their suits to York. During the recent term of court there was every indication of returning sanity, as in only one or two instances were excessive damages allowed by juries, and in these, although the damages allowed were excessive, the amounts were not large, the largest being \$1,350, when in reality if the plaintiff was entitled to anything at all the amount should not have been in excess of \$500. This verdict was against the Southern and was awarded to a citizen of Fort Mill township, who alleged that he was injured in a rear-end collision, being severely bumped and knocked insensible by a lamp, which was wrenched from his hands by the jar and struck him on the head. He alleged that he was permanently injured, although his individual testimony on this point was all that was before the jury. It is believed by many that the damage suit industry in York county has now passed its worst stage, and that from now on conditions will gradually improve until they finally reach the point at which a corporation will receive the same consideration at the hands of a York jury that it would give an individual, and all fair-minded, unprejudiced citizens fully realize that conditions will not be as they should until juries come to take this view. It is safe to say that the improvement would not be gradual, but instantaneous, were it possible to so amend the jury laws as to exclude all except fair-minded, intelligent citizens. The damage suit lawyers would then retire from practice.

The Buckhorn Power Plant Ready For Business

Sanford Express.

Mr. T. S. Cross and family came up from Buckhorn last week. Mr. Cross, who has been employed by the Phoenix Construction Company, tells us that the plant was put in operation for the first time Friday. Everything worked smoothly and the test of the machinery proved satisfactory. The plant will be in regular operation by the 1st of January. About thirty feet of water was reported in the river and the stream is in better condition than it has been in many years. The plant will develop about 5,000 horsepower. It has been in course of construction for about seven years, having been started by Capt. Perry Gray, of Greenboro, and W. M. Morgan, of Fayetteville, both of whom are now dead. Many thousands of dollars have been spent in the construction of the plant and hundreds of men have worked on it. The plant is now contracted for much of the power. Some of it will be transmitted to Raleigh and some to Sanford.

Another Way to Get Even

Durham Herald.

It does not make so much difference about the rate. What we do not get off in rates we will make up in damage suits.

When winds strike high in Spanish seas, And enters winter with his key, Prostrate yourself from dizziness free; For, 'tis a rocky mountain's fate, To be so Jordan's sea.

Tilman Gets Ten Figs

Washington Dispatch to New York World.

Senator Tilman to-day received a certificate for a government sash, backed up by 10 figs, a picture of which accompanied the certificate. It reads: "Ten figs—\$10—Ten Dollars (these figs are back of the certificate)." The paper is signed "Oregon Buckhorn," president of the "Oregon Farmer, registrar." They are both old friends of mine," said Senator Tilman, "and not only do I know that they sent a certificate which is as good as if it had been issued by the Bank of England, but I knew that they were good for ten and twelve and multiply as they had awarded the Robert race-slides preventative, both and all."

To Cure a Cold in One Day

Take LAXATIVE-BROMO Quinine Tablets. Druggists refund money if not cured. Beware of cheap imitations. Signature is on each box. 25c.

THE PLAY GIVEN BY AMATEURS FOR BENEFIT OF FIRE COMPANY A PERFORMANCE OF MUCH MERIT AND PLEASURE—STUDENTS ADDRESSED ON THE SUBJECT OF HYGIENE—EDITOR BODDIE BEING CONGRATULATED ON HIS MILITARY APTITUDE.

Special to The Observer.

Louisburg, Dec. 22.—The play, "Under the American Flag," was given Friday night at the opera house for the benefit of the fire company. It was rendered by Louisburg amateurs and it was well done too. There was a delicious absence of amateurishness that made the play especially enjoyable. Instead of merely repeating the lines there was surely enough acting and some of the situations were really exciting. The cast was composed of Misses Hattie Harrison, Alice Spruill and May Jones, and Messrs. W. W. Boddie, Dr. A. H. Fleming, J. A. Turner, Dr. S. Ford, F. Lacy, and K. S. Clifton. Though the girls with a keen sense of humor did see the ridiculous in the highly tragic and laughed sometimes, it made no difference whatever—in fact, the show was the better for it, the acting of Misses Harris, Spruill and Jones being especially meritorious. It was a good show and those kind-hearted souls who made up their minds to martyr themselves for a couple of hours in the interest of a good cause were surprised to find themselves genuinely entertained. There was a large audience present, but there was plenty of room for those who ought to have attended and didn't. Mrs. J. R. Collier, Mrs. F. S. Spruill and Mrs. Sumner Parham, the committee of arrangements, are to be congratulated on the success of the entertainment.

MUSCULAR PAINS CURED

"During the summer of 1901 I was troubled with muscular pains in the instep of my foot," says Mr. S. Pedlar, of Thompson, Ont. "I tried Chamberlain's Pain Balm was recommended to me, so I tried it and was completely cured by one small bottle. I have since recommended it to several of my friends, all of whom speak highly of it." For sale by W. L. Hand & Co.

TIME MOST UP

Only a few days more to try for the \$25

Write an advertisement for Mrs. Joe Person's Remedy and send it in at once. Address MRS. JOE PERSON Charlotte, N. C.

75 Milk Street, Boston, Mass. CHARLOTTE, N. C.

PROF. W. F. MASSEY Joins the Progressive Farmer Staff

The Raleigh Progressive Farmer, already the foremost farm weekly in the South, announces another big hit this week. Prof. W. F. Massey, formerly editor of The Practical Farmer, who has perhaps the largest following of any agricultural writer in America, and who has certainly done more to promote progressive and profitable farm methods than any other Southern writer, has been engaged by The Progressive Farmer as Associate Editor and will enter upon his new duties January 1st.

"The Progressive Farmer," says Mr. J. M. Paris, "has given me \$100 profit in improved land, crops and stock for every \$1 I have paid for it." And to convince every Charlotte Observer reader who owns a farm that he too can make 1,000 per cent. profit by reading it himself and having his every tenant, farm laborer, or farm manager read the paper every week. We now offer

One Month's Subscription Free if You Own a Farm

Fill up the blank—do it to-day. Get the paper and see for yourself.

F. O. State..... Date..... 1901.

Publishers Progressive Farmer, Raleigh, N. C.

Gentlemen: I own a farm and am not taking The Progressive Farmer. Send it to me one month free as advertised in The Charlotte Observer, that I may examine it with a view to subscribing.

Yours truly,

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