

CENTRAL EXPRESS



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HENRY W. GRADY'S LIFE STORY.

The Career of the Most Brilliant Son of the South.

When Henry W. Grady was a boy he chose his life's occupation. He followed his bent with diligence and power from the time he left school until he died. He was therefore in many respects a great man. He thought, he worked, he pleaded with pen and tongue as few men of his years have ever been able to do in this country. He was broadminded, enthusiastic eloquent and patriotic. He was a wonderful advocate whenever he opened his mouth or put his pen to paper. He was so brilliant in all the best powers of brain and heart that he was an inspiration to the section in which he lived. He knew so much of national life that he was a great counselor for the South.

In all his fiber there was not a narrow cord. While he loved his home, and all that belonged to the sunny land in which he lived, with a sublime devotion, he was broad enough to handle the problem now being worked out by that section with a frankness that no other writer or speaker living in it has attempted.

Mr. Grady led a very singular and charming life. He was filled with sentiment. He loved the euphony of language, and few men ever lived in this country who could frame it so well into beautiful pictures. But he was more than an orator. He possessed a strong power of statement which he could couple with the rhyme and melody of the choicest rhetoric. He should say much in a few words, and yet elaborate any idea that he had with a wealth of expression. He had a poetical mind, which illuminated prose rather than verse. Terseness and beautiful descriptions each always at his command. He knew so much of affairs and of men that he was trusted by all.

The practical North looked to him more than to any other man in the South to speak for that section. His words and his influence took a far wider scope than those of any political dignitary in it. His influence was wider and stronger than that of Congressmen, Senators or Governors, and his career demonstrates the wonderful effect of a well trained mind and honest purpose devoted to journalism. No man north of Mason and Dixon's line ever exerted a better influence on society than he who has been laid low in the gladder and holiest season of all the year.

Mr. Grady was in love with life. The altar of his profession was a sacred pulpit to him. He believed in the power of his pen, and his wonderful gifts of tongue were secondary to the mute messenger in black which he guided so skillfully over white paper. His library of thought, expression and action not only marked him as a genius, but made him a benefactor of the broad community which he represented; for Mr. Grady lived beyond the limits of the State of Georgia, and argued for a great section with wonderful power. He presented his case at the National altar with the skill of a great advocate, stating a proposition to learned judges. Yet, he was a born journalist. His first ambition was to write well. While at the University of Georgia he wrote a series of letters signed "King Ban," which attracted attention and marked him as a lad of superior mental gifts.

The moment he left school he established the *Daily Commercial* at Rome, Ga., not far from Athens, where he was born and raised. With all the pluck, energy and ability he could put in it, there was nothing but failure in store for him, in a slow old town where people were poor and the energies of life sluggish from the cruelties of war. Mr. Grady's father was a Colonel in the Confederate Army, being killed before Petersburg. He left some money to his family, and the son's share was

invested in type, presses and the paraphernalia of a newspaper office.

The venture at Rome did not last long, and he abandoned it for a liberal investment in Atlanta, the city his energy and example has done so much to build up. Young, full of ambition and brains, he started the *Herald*, having as his partner Colonel Bob Alston, the brother-in-law of Governor J. B. Gordon. Alston was a pushing, restless, ambitious man, and the *Herald* naturally became a power in the community. During all its career under Mr. Grady's management, it was a thorn in the side of the old, conservative *Constitution*. But the day came when money ran low, the resources of Mr. Grady and his partner were exhausted, and the *Herald* passed out of existence. Alston was killed by Captain Cox, and Henry Grady, broke in fortune, started to begin life anew in 1876, at the age of twenty-five. He had been offered a position on the *Chronicle* at Augusta, and was just about taking the train to begin life as a servant when he had been a master.

"Accident changes all our lives." So the old adage runs. Captain Evan P. Howell had just bought a controlling interest in the *Constitution*. He met Grady on the street, and they stopped to chat. Howell asked Grady about his intentions for the future.

"Oh, I'm going to Augusta, I have got a place up there," said he.

"What are you going to Augusta for?" inquired Howell.

"Because I cannot get anything to do here," said Grady. "There is no work except on the *Constitution* and they would not have me there."

"I think they will," replied Howell. "I own the controlling interest, and you need not go to Augusta for a place."

Before they parted they had made a bargain, and the two men have never been separated in interest from that day until the dark messenger of death yesterday struck the fairest flower of the Southland. This union of strong forces took place in 1876, and Mr. Grady began on the *Constitution* at a salary of \$25 a week. Of course he succeeded at the start in the local endeavors of a thriving town. His first experience in National journalism was during the dispute between Hayes and Tilden over the Southern Electoral vote. In this contest Mr. Grady was sent to Florida to represent the *Constitution* and the *New York Herald*.

By common consent his work was regarded as the broadest and fairest done upon that topic. It marked him as a broad-minded, manly writer, with the truest instincts of a great journalist, and from that day his career has mounted step by step until his fame was as wide as the nation and his influence commanding throughout the land. He never held a political office. He had higher views of his profession, and when they proposed to elect him United States Senator a year ago, he refused to be tempted from his work that he loved so well into the uncertainties, disappointments and servility of a political life.

Nothing could illustrate how clear-headed he was more fully than this declination of official position. His commanding place as the writer and spokesman for the section in which he lived was his ideal. He had the ear of the nation, and men warm with ambition for controversy upon subjects he most loved to discuss would give heed to his words. There was a subtle power in everything that he said and did that was charming. He believed in his cause; and it was worthy of his name and fame that his last utterance should have been delivered in Boston upon the relations of the two races, which is one of the burning questions of the hour in the South. While he naturally took the white man's view of the situation, he was fair to the black, and has ever taken a bold stand against every and any assault upon

the negro race. In this as in all other matters concerning the South, he has been a bold leader and an advocate of the new South rather than the old.

Mr. Grady was never a money-maker. No man of his peculiar habits of thought and action ever was. He loved to weave beautiful thoughts in his busy brain and give them expression, either on paper or in the forum. He was a delightful companion. His keen wit and quaint humor were constantly brightening his conversation and narrow ideas of life never found a place in his composition. He thought well of mankind, and played the game of life amid flowers. His home was a paradise, as his mind was a storehouse of gems. He never had an ambition to be rich, but was constantly hunting for some chance to improve those around him.

In 1880, when he purchased a fourth interest in the *Constitution* his life became jeweled with a great joy, and started on a pathway strewn with flowers. His income was ample to save him from any financial trouble, and he gave his mind the fullest freedom at all times. He wrote a great deal, but always upon matters tending to the elevation of the South. He never lost an opportunity to speak whenever he could enliven the land he loved. No trouble was too great for him when he had an opportunity of advocating the cause of his people, or of presenting the facts of their remarkable progress.

Ever since he began his career as a journalist he has taken a liberal view of his duty. He has dealt much with practical affairs, and whenever a great event occurred he bore a big hand in picturing it to the world. His prosperity never made him un-mindful of the duty he owed to those who read his paper, and he would handle any event worthy of his power, whether it was an editorial or the description of an earthquake. This made him popular both in his sanctum and out of it, and Grady's name was upon every one's tongue. Few men ever possessed so many and varied gifts, and his place will not soon be filled in the land of his birth. There was not an unmanly element in his composition. To him all the world was glorious in its action and in itself, and almost the last words that he spoke were tempered with that idea.

His career should be an example to every American boy. He was well educated, but not overchoked. Very early in life he began sharpening his remarkable talents by grinding them on the stone of practical life. He and Captain Howell were well suited to each other for the management of a newspaper, but they were entirely unlike in every element of life. The one is a blunt, plain, outspoken soldier whose career in the War was filled with gallant deeds, and since with good works; the other just that class of man who lives in a realm of thought, every hour of which sparkles with gems.

His career has been cut short just as it was really beginning. What there was in store for him we can never know; but could he have lived ten years longer, and have advanced as rapidly as he had in the past decade, there is no measuring the breadth of his influence upon our national life.

When the historian comes to deal with his life, it will not be the gift and tinsel of official position that he will write; but of the genius in the man, and his high aspirations for the good of the people in whose cause he met his death.

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HENRY GRADY'S LAST WORDS.

An Eloquent Description of a Quiet Country Home.

Mr. Henry W. Grady's last speech was delivered at a reception given to him and other gentlemen of the South by the Bay State Club of Boston on the evening of December 13. This was the day after his great speech before the Boston Merchants' Association. In the course of his speech before the Bay State Club, Mr. Grady said:

"It seems to me that the great struggle in this country is a fight against the consolidation of power, the concentration of capital, the domination of local sovereignty and the dwarfing of individual citizen. Boston is the home on one side of the Nationalist party, that claims that the remedy of our troubles is to put all our interests under Governmental control. The Government thus usurps the functions of the citizen; and, on the other hand, of Democratic doctrine, which says that the citizen is master, and that he is best fitted to carry out the diversified interests of the country. It is the pride, I believe of the South that her simple and sturdy faith, the homogeneous nature of her people, elevates her citizens above party and above everything. We teach man that his best guide is the conscientiousness of his sovereignty, and that his strong arm and stout heart are the best evidences that he can give to his State that he is able to do for himself. That he may not ask the National Government for anything the State can do for him, and not ask anything of the State that he can do for himself. That he should stand up and be respectable, loyal to the Republic, earnest in his allegiance, building at last his altar above his own hearthstone, shirring his own liberty in his own heart. [Applause.] What I have spoken I should not have been afraid to speak last night and yet it is mighty good Democratic doctrine. I was in Washington the other day and I stood on Capitol Hill, and my heart beat quick as I saw the towering marble buildings of my country's government. A mist gathered before my eyes as I thought of the tremendous significance. There were the buildings of the Treasury, the Courts and Judges, of the President and Congress, and, as I thought of what gathered there, I felt the sun in all its course could not look down on a grander sight than the domestic home of the Republic—a Republic that has taught the world its best lessons of liberty and patriotism. While there another vision came to me of a modest quiet country home. It was just a simple, unpretentious house, set about with great big trees, encircled in meadow rich with the promises of harvest. The fragrance of the pink and hollyhock in the front yard was mingled with the aroma of the orchards and of the gardens, and resonant with the cluck of poultry and hum of bees. Inside was quiet, cleanliness, thrift and comfort. There was the old clock that had welcomed in steady measure every newcomer to the family, that had ticked the solemn requiem of the dead, and had kept company with the wether at the bedside. There were the big, restful beds and the old open fireplace and the old family Bible, thumbed with the fingers of hand long since still, and stained with the tears of eyes long since closed, holding the simple annals of the family and of the heart and conscience of the home. Outside there stood my friend the master, a simple, upright, independent man, with no mortgage on his roof, no lien on his crops, master of his land and master of himself. There was his old father, an aged, trembling man, but happy in the heart and home of his son. And as they started to their home the hands of the old man went down on the young man's shoulder, laying there the unspeakable blessing of the honorable and grateful father and

enobling it with the knighthood of the fifth commandment. And as they got to the door the old mother came with the sunset falling fair on her face and lighting up her deep patient eyes, while with lips trembling with the rich music of her heart she bade her husband and her son welcome to their home. Beyond was the housewife, busy with her household cares, clean of heart and conscience, the buckler and helmet of her husband. Down the lane came the children, trooping home after the cows, seeking, as truant birds do, the quiet of their home nest. And I saw the night come down on that house, falling gently as from the wings of the unseen dove. And the old man, while a startled bird called from the forest, and the trees were shrill with the cricket's cry and the stars were swarming in the sky, got the family around him, and taking the old Bible from the table, called them to their knees, the little baby hiding in the folds of its mother's dress, while he closed the record of that simple day by calling down God's benediction on that family and that home. My gaze faded from that marble Capitol; forgotten were its treasures and majesty, and I said: Here in the homes of the people were lodged the strength and responsibility of this Government—the security and promise of this Republic. My friends, that is democracy, and in the South we are preaching that doctrine, and we aim to make our homes self respecting and independent. We try to make them temples of refinement, knowledge and of liberty, in which our sons may learn that no power can justify the surrender of the slightest right of a free and independent American citizen. You do not know how we Democrats live. You cannot tell how we live from reports you hear, but we have had a very hard time since the war. I remember the story they tell of a poor old fellow who was buried down there. They cut his grave right out of marble in a quarry, yet they had to send to Vermont for the little tombstone. He was buried near a woods, yet his coffin was brought from Cincinnati and his coat from New York, although right about him was the best sheep-raising country in the world. The nails in the coffin were brought from Pennsylvania, although an iron mine was near by. In fact, the South did not contribute anything but the corpse and hole in the ground, leaving him nothing to carry to the next world but the chill blood in his veins and the marrow in his bones. [Laughter.] But we have improved since then, and now have got the biggest marble quarry in the country, located right on that spot, and within 100 yards we have an iron mine, and as the speaker said last night, we are coming to take our revenge upon you by invading you with our iron, as you did us twenty-nine years ago.

A Lot of Interesting Supreme Court Decisions.
Raleigh News and Observer.

State vs. Anderson.—A father having hired his son, a minor, to the prosecutor for a definite time, before the expiration of the time ordered his son to quit work, which he did.

Held, That The Code, section 3-119, 3120, forbidding any person from enticing away any servant who shall have contracted to serve an employer, does not apply; first, because the minor has been hired out by his father and had not contracted himself; and second because the father had not enticed the servant away, but had exercised the right of a father and ordered him away.

The statute was made to protect employers against sinister and officious intermeddling—and not to a case of this character.

Alsop vs. Southern Express Company.—The express agent at Weldon, in pursuance of regulations prescribed by his company, refused to take a package of money tender-

ed after the train had left for that day. Plaintiff sued for the penalty allowed by section 1064 of The Code.

Avery J. filed the opinion of the court: The statute embraces express companies. While business must be transacted in reasonable hours, the regulations of the express company forbidding an agent to receive money packages except on the day they are to be sent away, is unreasonable.

Under the statute goods are to be received whenever tendered at reasonable hours.

Clark J. filed a concurring opinion.

Merrimon C. J. filed a dissenting opinion.

State vs. Wilson.—Drunkenness and mere drunken excitement and rage constitute no excuse for crime. The court should never give instructions based upon a statement of facts not presented by some reasonable view of the evidence.

State vs. Panky.—When a person forms a definite purpose to kill and in pursuance thereof procures a weapon and slays the deceased and kills him, it is murder, no matter what the deceased was doing at the time he was killed.

When there is no question about the presence of the prisoner, the failure to require him to stand up and look upon the jury is not fatal.

The refusal to continue a case because of the absence of a witness is not reviewable.

Morris vs. Tomlinson.—Thomas Osborne, the intestate of the defendant, had endorsed on a note, that would otherwise be out of date, "Renewed," and signed his name. His administrator concluded that he did not then have the capacity to know what he was doing.

The court charged that if the jury believed that Osborne had understood sufficient to know the meaning, import and consequences of the words, and meant to acknowledge that the note had not been paid they should find for the plaintiff, otherwise not; held that the charge was not erroneous.

Woodruff vs. Bowles.—When fraud appears so expressly and plainly upon the face of the deed as to be incapable of explanation (as where it is manifest from reading the conveyance that it is made to secure the case of a debtor embarrassed with debt at the time of its execution) here is conclusive presumption of fraud and the court without the intervention of a jury will declare the deed fraudulent.

Stone vs. Marshall and Johnson vs. Murchison were overruled in *Morris vs. Pearson*, 79th North Carolina, and a deed is not to be declared void because the consideration is bad in part, the other part being good and valid.

When a deed contains no internal evidence that the grantor is indebted, it cannot be declared fraudulent because to the pecuniary consideration there is added that of natural affection.

It is only when in the aspect of the evidence most favorable to the defendants, the deed is fraudulent in law, that the court should so instruct the jury.

If a part of the consideration in a deed made by husband to wife, be the wife's money, the deed is not fraudulent in law.

The voluntary deed of a husband who is insolvent, to his wife is void; but unless insolvent, he can make her a gift and agree with her to sell the property and hold the money to her use as a trustee.

An assignment by a debtor of all his property ostensibly to provide for the payment of debts, but with the intent to delay creditors is void, though neither the trustee nor *cestui que trusts* had knowledge of the corrupt intent.

A mortgage to secure money borrowed, or a valid debt, but also with the intent on the part of the mortgagor to delay creditors is valid unless the beneficiary under the mortgage had knowledge of and participated in the fraud.

When the grantee in absolute deed pays a valuable consideration he gets a good title, though the grantor executed the deed with intent to defraud creditors, if the grantee had no knowledge of the fraudulent intent.

Centralization in the Federal Government.

If the statesmen who framed the Constitution of the United States could be cognizant of human affairs today they would doubtless be amazed at the government as it is now administered.

The government they founded was of dual form—national and States. The powers of the former were specifically enumerated and defined, and all powers not expressly or by clear implication withheld from the States were reserved to them. In its own sphere the State was to be sovereign. Its people were to be their own rulers in matters within their own domain. Such was the system designed by the founders. Yet since the Republican party came into power thirty years ago there has been a marked and steady tendency toward a centralized power in the federal government and a corresponding curtailment of State sovereignty. That is the party of centralization—the one averse to State rights. It is the party of the few as opposed to the people—the party of national as against home rule, represents aristocracy distinguished from Democracy.

During its existence it has steadily headed toward a government concentrated at Washington. It has invaded the domain of State sovereignty with many measures clearly unconstitutional and many others of doubtful constitutionality. Act after act passed by Republican Congress since the war have been set aside as invasions of State sovereignty, even by a Republican Supreme Court, and others need only to be tested to be condemned on the same ground.

The government has now entered upon the first year of its second century. It happens to be also the first year of the Republican party's return to power. Yet in the first message of its President to Congress we find a steady drift toward centralization, an earnest appeal for rushing federal government further than ever before into the province of State sovereignty.

President Harrison recommends—
First—The enactment of a federal law for the protection of all federal officers and the trial of all such cases in the courts of the United States.
Second—Prohibitory and penal legislation against trusts.

Third—Transferring all naturalization matters from State to Federal courts.
Fourth—A statute regulating the constitution and equipment of railway cars.

Fifth—National aid to aid education—the notorious Blair scheme.
Sixth—Federal control of elections.
Seventh—Legislation to secure civil rights to colored citizens.

These matters are now and always have been left to the States. With regard to some of them the power of Congress is doubtful, and as to others it is more than doubtful. Whether that body has any authority to oust the States from their jurisdictions over assaults by or against federal officers is a vitally important question now awaiting decision by the Supreme Court in the *Nagle* case. As to trusts, it is difficult to conceive of any practicable measure not connected with interstate traffic Congress can enact which the Supreme Court would allow to stand. The Blair scheme is a piece of paternalism which if constitutional could serve no better purpose than to reduce the surplus. No doubt Congress has power to enact a proper federal election law, but a statute which would virtually take the whole matter out of the hands of the State authorities would be a flagrant abuse of that power.

As to the civil rights of colored citizens, both Mr. Harrison and the Republican party seem to be laboring under a delusion if they think that protection is to come from Congress. These rights are guaranteed by the fourteenth amendment. That simply prohibits the States from denying or abridging the rights. It does not empower Congress to protect them primarily or by direct legislation. A Republican Congress attempted to exercise that power once. But the United States Supreme Court held that the power belonged to the States, not to Congress.

Should the Republican party in Congress heed the appeals of its President and enact the measures recommended, most of them would doubtless be condemned by the Supreme Court as unconstitutional. And they would be condemned on the ground of an unwarranted exercise of centralized power, and invasion by Congress of the domain of State sovereignty.