

The Messenger.

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COMMERCIAL TREATY WITH CHINA

The state department announces that our representative in China has concluded a treaty of commerce with representatives of that nation. This treaty provides for the repeal of all the old intricate tariff laws of that country, especially of the likin tax, which was a series of duties imposed by officials at various interior points on importations. The new treaty provides for fixed duties at ports of entry and allows no others. Similar treaties have been signed by representatives of most of the powers of Europe. The treaty has not yet been approved by the Chinese imperial government. If it should make any changes, in the instrument, of course the signatures of the representatives of the other powers would be void; but it is hardly likely that any material changes will be made. The Austrian, Belgian and Dutch representatives signed the treaty with the understanding that it should be referred to their governments for approval; those of the British, American, German and Japanese governments signed it unconditionally. Portugal has thrown the only obstacle in the way by demanding cession of two small islands near Macao. These matters, though, will hardly prevent ratification of the treaty, which are to go into effect November 1st.

This brings about the principle of the "open door" for commerce with China, for which our government has contended from the beginning of the international negotiations with that government consequent upon the suppression of the Boxer uprising. Mr. T. S. Sharratt was sent to China a year ago by our government to negotiate a treaty of commerce, and he has been at work ever since, with the above result.

This treaty will be of great importance to the southern states and especially so to their cotton manufacturing industries. Before the breaking out of the Boxer troubles the southern states had a large and rapidly increasing export trade in cotton goods with China. In fact this nation was the chief customer of the southern cotton mills for their coarse fabrics. This trade was almost entirely destroyed by the Boxer war, which had a serious effect upon the prosperity of these mills, but they are again beginning to work up these Chinese markets. Nothing could hardly be of greater advantage to the cotton milling industry of the south than the opening up of the interior of China to foreign trade. The goods made by these mills are in greater demand in China than any other kind and the demand for them there is rapidly increasing. No section of this country, and perhaps of the world, will be more greatly benefited by these treaties than the south, and their ratification comes at a very opportune time for our cotton factories.

LYNCHINGS.

All lynchings are violations of the law—are crimes. Still, when a crime against a chaste woman is committed and the brute is taken by a party of men and hanged to the nearest tree no man who has regard for the honor of woman and is willing to protect her can say that those men who meted out swift justice to her assailant should be punished. The great danger liable to result from lynchings even in such cases is that men grow callous and are led to take the law into their own hands in other cases where there is not the slightest reason for not allowing the law to take its own course. Worse than this—there is danger of men, in the excitement of the moment, paying too little regard to the question of guilt or innocence of the accused. More than one innocent man has suffered death at the hands of a mob for a crime committed by another person. This is the most horrible phase of lynch law.

An instance of this kind has just occurred in West Virginia, where two men were killed by a mob on the charge of having murdered the chief of police of the town of Wilmoth in that state. It turns out now that these victims of mob law were innocent of the crime; that the murder was committed by a third person who is still at large.

There is no excuse ever for lynch law to avenge a murder or any lesser crime. Two wrongs do not make a right. The murder by a mob of a man who has committed the same offense does not satisfy the law's demands for the life of the first murderer. It creates disregard for human life and lessens its value in the eyes of the public. Lawlessness begets lawlessness. Lynchings pave the way for other lynchings. They create disregard for law and educate the crowds in the idea that they are above the law. They are a menace to society and calculated to destroy law and order. Unchecked they will lead to anarchy.

The Wilmoth lynching was a most horrible affair and should make every man shudder who contemplates the extent to which this kind of mob-law may be carried if the courts and the grand juries do not check it by just and severe punishment of the guilty ones. The recent lynching in Leesburg, Va., and the killing by a mob of two men in Salisbury in this state, while not attended with the appalling fact that innocent men were put to death, were as unjustifiable from the viewpoint of the law. The men who committed these crimes should be brought to justice so that all men may be made to know that the law is supreme.

THE SUNDAY MORNING PAPER.

The Public Ledger, of Philadelphia, before its purchase by Mr. Ochs and consolidation with The Times was only a six-day paper, having no Sunday morning issue, being published Monday morning instead, as was the Baltimore Sun up to a short while ago. The reason the Ledger published no Sunday morning issue was that there were so many of its city subscribers who were too pious to read a secular newspaper on that day, no matter how clean and chaste its reading matter. These pious people ignored the fact that in issuing a Monday morning paper more Sunday work was required of the editors, news reporters and compositors than on a Sunday morning issue. This was no concern of theirs. The editors and printers had to look out for themselves.

The attitude of these pious subscribers toward these men was by the same order as that of a very pious citizen of a North Carolina town toward a neighbor, reputed to have no religion, at the time the earthquake in 1886. While the houses were racking and shaking and the earth trembling and groaning this ungodly man, frightened nearly to death, ran to the house of his pious neighbor and begged for his prayers. The reply to this request was: "Get away from here. I have no time to pray for anybody but myself now. You must look out for yourself."

REJOICING AT MORGAN'S RETURN.

When it was announced in Wilkes-barre, Pa., that J. Pierpont Morgan had sailed from Liverpool for New York there was rejoicing among the coal mine strikers as well as among the operators. Each side seemed to think the great money king would put an end to the strike as soon as he arrived on this side. The universal expression was "He will make them come to terms." The "them" is supposed to refer to the coal roads. The general impression was that Mr. Morgan had such control over these railroads that he could force, or, anyhow, induce them to come to terms with the strikers.

Whether Mr. Morgan has the influence or control, and if he has it whether he will care to use it, the strikers seem to think they have a friend in him who will look after their interests in this great labor war. Perhaps Mr. Morgan's influence by reason of his money will be able to accomplish more than Senator Hanna's civic federation could do by voluntary advice.

DEATH OF WILLIAM A. HEMPHILL.

Colonel William A. Hemphill, of Atlanta, died Sunday night. The news of his death caused a great shock to the people of that city in which he had made his home since 1867. While he had been in feeble health for some time his death was quite sudden. Apoplexy was the cause of death. He was down town attending to business Saturday and even drove to church Sunday morning, but returned to his home without entering the church, because of a sudden attack of illness.

Colonel Hemphill founded the Atlanta Constitution nearly 35 years ago and was one of its principal owners up to 1892. He was 60 years of age. He was as prominent in local and political life as in journalism.

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PACKING THE SUPREME COURT.

When, during President Grant's administration, the membership of the supreme court was increased from seven to nine judges it was stated and generally believed that it was done for the express purpose of securing a court of the last resort which would declare the "greenback" currency a legal tender. As the court stood before its increase of membership a majority of the judges were opposed to this construction of the law. It was well known at the time that the views of the two additional judges were known by the president to be in accord with the desire of the administration and Wall Street on this point before they were appointed and that they were placed on the supreme court bench for the purpose of securing this very decision by that court.

Again in later days another prominent railroad lawyer was placed on the bench of this court, the appointing power well knowing his views on important railroad questions before the office was tendered him and it was promised that the big railway corporations would subscribe a large sum to the republican campaign fund if this man was given the appointment.

These appointments were made when the court was almost evenly divided on the questions which the administration and its supporters were most anxious to have decided in a certain way.

A majority of only one on this court, composed of nine members, is too close to be comfortable to the powers that be, for some one of the majority might change his mind. The income tax case, decided by the supreme court a few years ago, is an illustration. It will be remembered there was not a full court when the case was first argued and those of the judges present requested a re-argument before a full court before they would decide the case. The absent justice came, the case was again argued and the income tax law decided unconstitutional by a majority of one, four holding it valid and five declaring against it. To the surprise of every one, though, it was not the justice absent on the first argument who cast the deciding vote against the law, but one of those present at the first hearing and who up to the time of the second argument was of opinion that the law was constitutional; but the second argument or something else changed his views on this most important question, the judge who was absent on the first hearing voting for the constitutionality of the law.

This shows how dangerous it is for the administration to rely upon the slim majority of one member of this court of last resort for deciding measures involving the legality of measures it wishes to carry through.

In the appointment of Hon. Oliver Wendell Holmes to the vacancy on the supreme court bench President Roosevelt seems to have remembered these past circumstances in connection with the appointments to this court and has governed himself accordingly, with the view of strengthening the administration's position as to the novel principle that in matters pertaining to our new possessions an act of congress is superior to the constitution and that only such provisions of the latter apply to them as congress chooses to make applicable. The supreme court, by a division of five to four decided that congress had absolute control over Porto Rico and the Philippines and that the constitution did not cover these portions of the United States, except when put in force by the will of congress. This majority of one was too small for the president; so on the first opportunity that offers he takes steps to secure the permanency of this construction of the law and the constitution. This he does by finding out before hand the opinion of the proposed new justices before he tenders him the appointment. Before appointing Justice Holmes his views on this important point of law were ascertained. The president was informed that Justice Holmes' opinion was that "the constitution extends to our colonies only to the degree to which the congress of the United States carries it by legislation". So now the advocates of this remarkable construction of the constitution that the creator is subject to the will of the created have a court of final resort in which there is less danger of overruling the former decision and taking from the president and the congress absolute, despotic rule over those colonies.

It is true, Justice Holmes' title to the office is not yet complete; his nomination must be confirmed by the senate before it becomes so; but there is no danger there; the republican senators will be sure to confirm the nomination of a man who they know is ready to carry out their ideas on this very important question and will decide in favor of their contention for absolute rule in these islands.

The descendants of Benjamin Franklin make claim against the cities of Philadelphia and Boston for money left to those cities by their ancestors to be used for the benefit of printers and artisans of the printers' craft. They contend that the gifts have been forfeited because never used for the purposes intended by the donor. The original sum was two thousand, one hundred pounds sterling. It is claimed that the amount is now about four hundred thousand dollars.

The Lewiston (Me.) Journal, once edited by the late Nelson Dingley, says: "A general revision of the tariff will be in order after 1904." From a republican standpoint what great changes are going to occur which will make necessary a revision two years hence of tariff laws that need no change now. Is not it a covert way of begging for two more years of pillage for the trusts?

BOUNTIFUL CROPS ALL OVER THE COUNTRY.

The average production of corn in this country from 1895 to 1900 was a little over 2,000,000,000 bushels a year. Last year the crop was cut short by hot winds and drought, so that the yield was only about 1,500,000,000 bushels. This year, though, will make up for last year's shortage. The government department of agriculture estimates the present crop at 2,600,000,000 or over 1,000,000,000 greater than last year and 300,000,000 larger than the crop of 1896, which was the largest ever produced.

The indications are for a wheat crop this year of 650,000,000 bushels. This, while not as large a yield as the crop of last year, is, excepting that and the crop of 1898, the largest on record.

In the aggregate the grain crop of the country this year will be the largest ever produced, and the generally good seasons throughout the country have ensured extraordinary good crops of other kinds. From all parts of the country there come reports of greater prosperity than in many years among the agricultural interests.

COTTON GROWING IN SOUTH AFRICA.

A rumor was recently sent out that a British syndicate had been formed and had taken options on immense tracts of land in the "cotton zone" of Africa and would begin the production of cotton on a scale that would threaten the supremacy of the United States as the cotton producer for the world. This rumor was promptly denied though. Regarding this report and the question of cotton production in South Africa, The Manufacturers' Record says:

"On its face the story was a dream, and it was denied within forty-eight hours after its first publication. That the growing of cotton in Africa may be extended is a possibility. That its extension shall threaten the supremacy of the United States is a very distant contingency, and an utter impossibility should the cotton-grower of America adopt more generally the policy of increasing the production of the staple per acre along with the natural increase of acreage devoted to the crop."

Three new diseases have lately developed. Each is confined to a distinct class of our population. The man whose necessities compel him to stand on his feet about fourteen hours a day and handle the lever and brake of an electric car is subject to the "trolley car stomach." A man who can not conceive of anything more enlightening or profitable than to dance around a table after a ping-pong ball hours at a time is liable to suffer from "ping-pong ankle." The man whose most arduous duties are clipping coupons is now warned against the dreadful disease of "coupon wrist."

King Edward's gift of Osborne House to the nation was not such a magnificent deed after all. It is now learned that the king when he first acceded to the throne decided not to use the place as a residence. Being his individual property the expenses of keeping it up falls upon his private funds and amounts to a considerable sum annually. A year ago he proposed to Lord Salisbury that the government buy it at a fair price. The premier refused to do so. Now, to get rid of the expense of keeping it up, the king gives it to the nation, as it is useless to him.

According to the decision of the superior court of this state in an indictment tried in Charlotte, sun time and not standard time is statutory in this state. A saloon keeper was indicted for selling liquor after 9 o'clock, the time the bars are required to close. The evidence was that the sale was made at 9:18 o'clock standard time. This time at Charlotte is about thirty minutes faster than sun time at that point. On this evidence the judge decided the defendant was not guilty.

That little boom for the vice-presidency gotten up by Governor Yates is said to have been started to sidetrack him in the gubernatorial race. You see his friends cannot push his name for the latter while he is being urged for the former by so-called supporters.

The color line is again drawn in New York. A negro is employed in the construction of the East River bridge and all the white laborers quit work. In the south the whites and blacks work together; the so-called friends of the negro at the north will not allow it there.

The populist party does not seem to be growing fast in Texas. Its state convention was held the other day. The two hundred and forty-seven counties of that state were represented by fifty delegates.

Wonder how Mr. Littlehead is getting on with the preparation of his anti-trust bill. We have not heard of any conferences between him, the president and the attorney general of late on the subject.

It has been suggested that the British insurance companies, who did such a big business insuring King Edward's life up to the time of his coronation, started and "boomed" the prophecy that he would not live to be crowned.

Poor Tillman, the Lesser. He is so mortified at the treatment he receives from the press of his state that he sheds tears when alluding to it upon the stump.

Governor Aycock is being universally young man charged with betraying the arrest of Paul McDonald, the commended for offering a reward for young girl in Harnett county.

Bird S. Color's friends are trying to start a boom for him as the democratic candidate for governor of New York.

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