CHINESE EXCLUSION ACTS

ion of the American manufacturers, in so far as we represent them, and for practical purposes, that Chinese coolle labor ought to be excluded from this country, not alone in the interest of labor but in the ultimate interest of our industrial development. The Chinese claim that discrimination ought not to be made against them in any shape or form, but that our other immigration laws ought to be applicable to them; but that is a matter that is in their hands, and not ter that is in their hands, and not in ours. It is in China that the dis-tinction has been made between the upper and lower classes. That distinction is as great as was formerly made between the upper and lower asses in the Southern States when avery existed. It is as incompatible slavery existed. It is as incompatible for us to undertake to make a law common for Europe and China in the matter of immigration as it was formerly incompatible for Kentucky and Ohio to agree upon the subject of migration of the lower classes from one State to the other. That is a matter that is in the hands of na. Our answer is that we have

is one of his own creation and not of ours, and his position is one as wholly incompatible with our institutions as slavery ever was, and the world knows how the United States dealt with that subject.

Having agreed upon that point, the

manufacturers are here to try to straighten out the other points, to meet the reasonable views of China as to rules and regulation for the travel of that upper class of China, for the social and commercial intercourse of that upper class with our people, and if we can improve upon that it does not seem to matter to me whether the boycett is a consequence of our bad handling of it or not. If we can im-prove upon it we ought to improve upon it, and I believe we can improve pon it very much, inasmuch as the hing that we do not want is exceedingly simple. It stands solitary and alone, and masmuch as the complications that have come out of this subdertook to define the kind of people that can come in, would it not be simer to go to the proposition of defining, as in the case of our own trouble with slavery, that it shall not exist in America? That was the only

Now, instead of making definitions of who may come, let us make a defi-nition of the fact that the coolie may not come, and define the coolie as defi-nitely—and I understand he may be as definitely defined—as it was formerly possible to define in this country anything that we wanted to define as to the slave. It is useless to say what would have happened to the white people if they went over to Ohio; but if the slave crossed the river, that

Now, can we not say that if the coolie crosses the Pacific ocean he has got to go back, and that all other Chinamen may come?

It is not the wish of the centlemen for whom I speak that the Chinese immigration laws shall be in the slightest degree modified in so far as the excluded class is concerned, or in so far as it is intended to exclude the present excluded class. But had we not better make a new law in order to make a simple definition and get rid of all the complications in the matter? We think the suggestion of the President of the United States on this subject would meet all the re-

As to whether we would seem to be receding from our position upon the demand of China, I wish to answer the question of the gentlemen over there (Mr. Denby.) If we first put there (Mr. Denby.) If we first put ourselves in the right, I have no apprehension upon that subject at all. If we do not, then we will get more confusion, and it is going to be more difficult for us to set ourselves up in a position where we can demand the execution of the treaty we have with Chins and to demand just treatment at the hands of China.

I think one of the chief complaints made by China is because two or three peeple were shut up overnight in the custom house in Bostos. How does that compare with our people being shut up in China, and our having to gend an army over there to rescue them? How does that compare with

does that compare with our people being shut up in China, and our having to gend an army over there to rescue them? How does that compare with our missionaries being slaughtered in China, and with our having infinite difficulty in atraightening out such matters? China has no right to make demands upon us, but we should stand in the face of those demands and demands upon us, but we should stand in the face of those demands and demands of them and send the necessary force to correct them. If we first straighten out our own affairs in our relations with them and do reasonable justice to them, we could stand infinitely better, and China could be made the better to understand that we had first perfectly cleaned our own hands and then had come with Anglo-Saxon courage to demand what our rights were and intended to hars them.

For my part, as an economic proposition, I would not admit any race into this country as immigrants who are not capable of amsignmenting with the American people. I do not think there is any advantage in it. We have had some experience in dealing with other races—the indians, for instance—and we have had no good results to grow out of that experience, and we have had no good results to grow out of that experience, and we have had experience with the colored race, through the institution of slavery, tind we have experience with the colored race, through the institution of slavery, tind we have experience with the colored race, through the limitation of slavery, tind we have experience with the colored race, through the limitation of slavery, tind we have seen industry dried up through it; and in the South now where the industrial resources of the country lay dormant through the whole period in which we depended upon an alien yace for lamburance and we have had experience of the country lay dorman through the whole period in which we depended upon an alien yace for lamburance and we have had experience of the country lay dorman through the whole period in which we depended upon an alien yace for l

CHINESE EXCLUSION ACTS

HOUSE COMMITTEE HEARING

Seenographic Report of the Testmeay Given Before the House
Sub-Committee on Foreign Affair
is Regard to the Bill Introduced
by Hon. David J. Foster, of Vermout, for the Amendment of the
Chinese Enclusion Acts.
Journal of the American Asiatic
Association.

(Continued from last Sunday.)

Statement of Mr. D. A. Tompkins of
Charlotts, N. C., Representing the
National Association of Manufacturers.
Mr. Thomkins.—Mr. Chairman and
gentlemen, I will undertake to make
a few remarks, with some feelings of
apprehension. I represent generally
a large number of business men, nonof whom are skilled in parliamentary
practice or in law.

It should be unnecessary to state
that so many husiness men as are
here to-day representing large interests have not come here without a
strong impuise. It should be unnecessary
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here as much to look after the interests have not to look after the interests of the American workingman as
they are to look after the vested interrates which are in their control.

T believe it is the unanimous opinfon of the American workingman as
they are to lo

We are protecting not only the inerests of labor in excluding Chinese labor—a class of people that China has made itself, and we are not responsible for—we are not only pro-tecting the interests of labor, but we are protecting vested interests and the interests of Angle-Saxon civiliza-tion, to keep up a standard of Amerition, to keep up a standard of American labor to the level, as it has transpired, that the white man alone is capable of obtaining. Therefore I wish to make it plain that nothing that we say or do here to-day should be construed in any way as advocating the bringing in of Chinese cheap labor, either to manufacture or to make cotton; and in so far as the manufacture of cotton is concerned. I do not think they are capable of I do not think they are capable of making cotton goods.

Mr. McKinlay They makek it in China."

Mr. Tompkins-"With labor and intelligence such as theirs they have made no progress. The progress in Chins. Our answer is that we have to deal with two sets of people as wide apart as the upper and lower classes of China as we did deal in this country with two classes who were as far apart as the slave-owner and the slave.

China. I do not mean to say that they are wholly incapable of making any kind of cloth at all. The colored people of the South are capable, but they have not yet made any great headway in making cloth for the markets of the world. China and this country is tenfold what it is in China. I do not mean to say that were as far apart as the slave-owned and the slave.

Therefore I think we need not conmarkets of the world. China and markets of the world. China and Japan have not made the progress predicted of them, and I think it is predicted of them, and I think it is because the white man's body and mind are capable of higher developmen of skill than these inferior races are able to maintain. At least it has been so in the past. What it may be in the future I do not know." -"Are you aware that Mr. McKinlay-

the appraiser of San Francisco within two or three weeks has reported a large shipment of Japanese goods manufactured goods and piece goods coming into this country from Japan? Mr. Tompkins—"I dont know as to that. But even if what you mention is true, it would prove the rule, if it had any effect upon the rule at all. I heard fifteen years ago that Japan was going to make bicycles and land them in San Francisco at \$12 apiece, and that it had been done, but it does not seem to have been done really, and at least it was not repeated."

Mr. Fassett-"Probabry they were not worth 12 cents." (Laughter.) ter wait for the end, as to Japan's ultimate success in making cotton goods,

velop her army so as to whip Russia would not have believed that.

Mr. Tompkins—"We did not know enough about Russia or Japan to pre-dict whether she would or would not. Jentlemen, while we are not people of parliamentary or legal skill, we come valent for distinction. The to answer all questions, whether they are confusing or not."

"To make a very concise summary, our commercial relations with class, China so as not to entangle ourselves in this question to excluding Chinese labor at all, so far as that is pos-sible, but to make even more definite the proposition that we do not wish that class of Chinamen here which has been in China relegated to a condition lower than any we have in this country. We do not wish them to be-admitted to this country at all, in the interest of our civilization and our labor and our vested interests. With equal carnestness we wish all the parts of these laws and their execution relating to the commerce of the two countries to be simplified and made plain, so that if China seems distnclined to carry out the conditions of her treaty and agreement with us, we, with perfectly clean hands, can stand up and ask the United States to take such measures as are necessary to make China carry out her agreement. That is all I have

people of this country have got access to the natural resources and the natural forces we are developing a sountry that is incomparably better as regards beneficial results than it would be with Chinese immigration here in great numbers.

Within 60 miles of the City in which is the best-pacity to do work. Now, which is the best-accondition in which isber is more than 10,000 horse-power being developed, which is equal to 860,000 coolies in their capacity to do work. Now, which is the best-accondition in which isber is accarce and high-priced and intelligent, and capable of harnessing the natural forces and resources and of doing an immense amount of work, or the condition we would have if we brought people of inferior grade if from all over the world? Would every large protecting the only the office and live in a good house?

There is no question of doubt upon this subject in my mind. Within a short line of the Southern Railway, in the pledmont region, there is more than 10,000 than more power which is not incompared to the chinese coolie.

There is no question of doubt upon this subject in my mind. Within a short line of the Southern Railway, in the pledmont region, there is more than on million horse-power which is now inselved in process of developing anything or giving up one than the should be some modification of the exclusion have a short line of the Southern Railway, in the pledmont region, there is more than on million horse-power which is now inselved in process of developing than the pledmont region that the refugility of the white man's mind for development of his natural forces and resources would be accessed to the chinese coolie.

We are uponeed the certain the content was a short line of the Southern Railway, in the pledmont region that they will so operate the refugility of the white man's mind for development, for training, and for the development of his natural forces and resources would be accessed to the trade in flour, tobacco and perfolaum. We would be a some well that you have here this m

did not feel that some modifications were necessary to protect the trade we have already, and to protect that which we hope to get in the future."

The Chairman—"Then you think it is not only a theoretical, but a

practical question?"
Mr. Tompkins—"To my mind it is without doubt a most practical question. We would defer to the lawmakers for the remedy. But for the moment, in the light we now stand in, we feel that if the class which nominated in the law, and if the determination of whether the intending immigrant belonging to that class were made on the other side and there, those two propositions would seem to cover the whole subject.
They are propositions that would particularly strengthen us in going before the Chinamen and saying: Now, you must keep the treaty. We have given you everything you are entitled to. We put it to you in your own country to determine grate.' And the definition of who is not allowed to come in is so simple and so comprehensive that there should be no mistake on the part of our consuls. It would simplify the proceeding from beginning to end. As ordinary business men we can understand that. We want a law to be enacted that is intelligible to the ordinary business man. But, as I said before, we defer to the lawmakers. We do not even undertake to sugges to you with undue pressure that that vould be the right remedy; but we do

feel strongly that it is."
Mr. Livingston—"Do you not think that the line of distinction between the classes there in South China is so plain that our agents would have no trouble in discriminating between them?"

Mr. Tompking-"I am not so well posted, perhaps, as some of these gentlemen who have lived in China. but the impression is upon my mind that what we had to say about slavery fifty years ago—the term 'slave' covered it all—is applicable to this situation, and that in China the term 'coolie' is equally distinctive and

Mr. Denby-"There is no label on coolie." (Laughter.) simply to compare it with the word 'slave.'

before we argue on that line.

Mr. Denby—"You could not mistake the slave then. He was of one
we had told you that Japan could derace and color only, whereas the coo-Mr. Denby-"You could not mistake the slave then. He was of one lies are of different appearance." Mr. Tompkins-"Is way of defining the Chinese laborers

that we want to exclude?"
Mr. Denby—"I do not know about that, but there is no absolute equihere with perfect frankness, and desire | ment in China may rise and fail. A coolie may be prime minister. There is no way except by inspecting the callouses on the hands that you can propose, first, that we try and regu- tell a Chinese laborer from any other

> Mr. Tompkins-"It would be for our consuls to determine whether he was a skilled or an unskilled laborer. If they merge one class into the other, I think we would be in danger of being overwhelmed by the coolie class. That is what we want to prevent.

> Mr. Denby-"Mr. Tompkins has very clearly expressed his objection to the modification of the law for the admission of the coolies.' Mr. Tompkins-"We do not want

o extend that law. We would make it more definite." Mr. Denby-"If on investigation

became thoroughly convinced that the definition of the excluded class, and the attempt to enforce the law under the definition of the cluded class rather than a definition of the admitted classes would be capable of easy evasion—the law would be capable of easy evasion, and

Mr. Denby.—"If you found the law as proposed could be easily evaded, and there would be great danger of a large influx of Chinese, would you ask that this law be passed?"

Mr. Tompkins—"That is a hypothetical question that I would not like to admit, because it would be admitting something that I do not think will come about. I think we can define more easily who shall not come than to define a multitudinous list of people who ought to come."

list of people who ought to come."

Mr. Denby—"The objection of the proposed legislation is that it can not be enforced without a great influx of Chinese. So I ask you, if you

found upon investigation that such is the case, would you still ask that this legislation be enacted?"

Mr. Tompkins—"No. I am peremptorily opposed to bringing them swer here under any circumstances."

Mr. Denby—"Then, you would be opposed to the enactment of the Foster bill?"

Mr. Tompkins—"That is patting up

ter bill?"

Mr. Tompkins—"That is putting up a proposition that I do not think is probable and making me seem to acquiesce in it. (Laughter.) This much I am sure of: We have tried this law, and it has not worked successfully—"

Mr. Denby—"Except to keep out the Chinese. It has excluded the Chinese."

and it has not worked successfully—"

Mr. Denby—"Except to keep out the Chinese. It has excluded the Chinese. It has excluded the Chinese."

Mr. Tompkins—"Yes: but it has not accomplished anything else. We would not be here if we did not think it interfered with American trade. Do you not think, if we could get a law—to put a hypothetical question to you (laughter)—that would still keep out the Chinamen and is addition quadruple our trade, that we ought to try it?"

Mr. Denby—"I will not attempt to the is a traveler in China to the effect that he is a traveler?"

Mr. Tompkins—"The coustoms of ficer may or may not pay attention to that certificate, as he likes."

The Chairman—"If Congress says that any Chinese traveler who is not a coolie or a laborer of a certain class was a

think it would have alone and improve its execution? What are we to do, when we find things going on? What would you do to remedy the difficulties that we do this country?"

do not take recreation enough, and some of whom are going to die because they do not take recreation enough in their business. Yet these people are here, and they would not be here if they did not believe that we ought to have a law that would exclude and still not hamper trade, There would be a great many less here than there are if they did not believe that. We believe that with strong conviction, so much so that in this body of gentlemen from Boston and New York and Philadelphia and Chicago and the Southern States there is no sectional representation.

are doubtless very much in earnest about this matter, as you say, otherwise you gentlemen would not be here. You are successful business men?" Mr. Tompkins-"Some of us are."

Mr. Foster-"Mr. Tompkins, you

Mr. Foster-"You do not act upon whims or impulse. You must have some grounds for the faith that is in I would like to know what the entitled to. We put it to you in abuses are that you think this bill your own country to determine will eliminate. I understand the comwhether a man has a right to emiplaint is from China as to the severity with which the immigration regulations are formulated and en-forced. As I understand this bill, it simply transfers the ground or place of enforcement from our ports to the Mr. Tompkins—"Yes; on the ground

here they can find out the facts." Mr. Foster-"I understand there is no complaint as to the severity with which the coolie is excluded."

Mr. Tompkins—"If there is any way of making it stricter, we are with

you."
Mr. Hayes-"That is the bone of Mr. Foster-"They do not make that complaint. It is the imprison-ment of the King family, over in Boston, and the sending back of some eighty merchants in 1899 from San Francisco, and things like that, which

they complain of. Now, how does this law change, or give up any hope of change in the treatment of the really desirable classes?"
Mr. Tompkins—"The proposed change is, first that the class excluded shall be definite, instead of the mul-tifarious classes that are eligible. We

feel it would be difficult to pass a law that nominated all the multitudinous classes." the word Mr. Fassett-"The experiment shows that the present law does ex-clude effectually. Why then both-er with that particular feature of the Why not introduce some sec-

tions that would mollify the conditions? Mr. Tompkins-"It is not excluded ones that make the trouble. It is those whom we intend to admit but who do not get admitted because it was forgotten to define them properly. There seems to be a great difficulty in that multitudinous definition."

Mr. Fassett-"Outside of the five classes mentioned as exempt from the law you would like to add other classes whom it would be proper to admit-perhaps ten or fifteen more classes?

Mr. Tompkins-"It looks as though would be easier to define the coolie. whom it is desired to keep out." Mr. Fassett-"Would it not be easier if you confined your investigation to China, and if a certificate was finally vised by the United States officer to allow the holder to come

Mr. Tompkins—"That is the proposition in the bill." Mr. Fassett-"Is not that all you want?"

Mr. Tompkins-"Besides excluding the coolle class, we want it fixed that none others will be forgotten to be admitted; otherwise it will be a source of dissatisfaction. I have not the slightest doubt but that the present discontent manifested by China has three motives behind it. One is to get from us all they can with respect to our present laws. Another is to force us to put China upon the same plane as that on which we put Germany, which, I may say, we can never do—make a law applicable to China as it would be to Germany. There we have to part company with China. We can never get together on that. Her low class laborers are of allen blood, and cannot amaiga-mate with American citizens. I, for one, think so, and I think my associagree with me. We object to We object to the admission of

inferior aliens just as firmly as we now believe that slavery was wrong." Mr. Denby-"What do you mean by

Mr. Tompkins—"A laborer."
Mr. Denby—"Of all classes?"
Mr. Tompkins—"Yes."
Mr. Denby—" 'Coolie' is a misne

The Chairman-"You said that thought the terminology of the bill, as it now stands, should be modified, because the definition of those allowed to come in was not suffic broad. The law as it now exists al lows travelers to come in, does it

Mr. Tempkins-"That is my un-

derstanding."

The Chairman—"Why does not the word 'traveler' cover every class that has a right to some?"

Mr. Tompkins—"Because the customs officer exercises his discretion. He is in doubt and does not know. The man in China, however, can go and find out." Do you not think

he can get a certificate now from our consulal officer in China to the ef-

this?"

Mr. Fassett—"That is what we are asking you. If we made that certificate from the other side complete evidence of the man's right to come to this country, would not that remedy the condition? Every time you change the law it has to be interpreted over and over again. This law has been interpreted."

Mr. Tompkins—"We want a law that we can interpret a little differ-

that we can interpret a little differ-

ently from this."

Mr. Foord— The courts have defined that the traveler can come here, but they have turned back students." Mr. McKinlay-"The law allows the travelers and students and diplomatic people to come here freely and travel through the country."

Mr. Foord—"Do you know of any Chinese doctors or lawyers coming

Mr. McKinlay-"I have known of those who alleged that they were, but they could not prove it. But those who proved it were admitted." Mr. Foord-"Is not the phraseology of the second article of the treaty with

the limitation thereunder subject Mr. McKinlay-"That has been defined by the Supreme Court over and over again. At San Francisco I have had some experience with the administration of those laws. The trouble with the administration is trouble with the administration is that thousands come to the port of San Francisco alleging that they are merchants and have no proof of it, not even a consular certificate, and they are refused the privilege of landing. Thousands come alleging to be doctors and have no proof of it, and

are turned back."
Mr. Hayes—"I want to ask Mr. Tompkins if he has in mind any class that he would like to include under the excepted classes that are not ex-Mr. Tompkins-"I do not know the

definition sufficietly in detail. I have definitely in my mind what I would exclude, and beyond that I would let in Chinese upon the same terms as people of other countries." Mr. McKinlay-"You say you are

manufacturer of cotton and machinery?" Mr. Tompkins-"Yes."
Mr. McKinlay-"Do you send any

of your goods to China?"
Mr. Tompkins—"It does not matter whether I do or not. if I may nswer in that way without disrespect. I am as much interested in export goods as anybody else that exports As a matter of fact, I do exnort them. That is, I sell them to New York merchants who export

Mr. McKinlay-"Do you notice any diminution of your trade of this year over that of last year?"

Mr. Tompkins—"No. On the con-trary, the trade is in better shape.

could hardly tell in the case of actual goods, because I could go through New York merchants. The condition of our side, however, is better than it was." Mr. McKinlay-"So far as you can

trace your own goods, your condition is better than it was?" Mr. Tompkins-"Yes, and we expected last year it would be. Then there was no discussion of this sub-

The war stopped it. Mr. McKinlay-"Did you ever live China? Mr. Tompkins-"No, sir." Mr. McKinlay-"Did you ever live on the Pacific coast?"

Mr. Tompkins-"No, sir." Mr. Hayes—"Have you had any practical experience with the Chinese

Tompkins--"No. str: not Mr. Hayes-"Has anybody of this association? Mr. Foord-"Yes; these gentlemen

Mr. McKinlay-"Have you gone inan investigation of-Mr. Tompkins-"We have had plenly of experience with alien races of

ople. Mr. McKinlay-"Have you gone over the old Chinese exclusion laws that have been passed for twenty

or thirty years? Mr. Tompkins—"I have read them carefully, but not latterly. I stated in the beginning that none of us were expert in the law."

Mr. McKinlay-"You substantially express the desire, or wish, here that the eld exclusion laws be so changed as to permit the examination of the Chinese in China instead of here. If that be so, what would you do with the tens of thousands of those who go to the Mexican and Canadian borders and cross over the border into this country every year? What would you do with those? They did not depart from China to the United States.

Mr. Tompkins-"They could not get

Mr. McKinlay-"Why?"
Mr. Tompkins-"Because Mr yould not have the certificate from China under this Foster bill. Pri-marily I would keep them out if they do not have a certificate from China whether they come from Kamchatka

or anywhere else." Mr. McKinlay—"The lines of the Immigration Bureau are stretched along our frontiers, and when the Chinese come to our frontiers they are stopped if they have not the right to come in. If you make the examination of a Chinaman in China, and there give him a certificate to land in the United States, and make it all powerful, do you think that would be a better system than the

present system?" Mr. Tompkins-"I believe it would be better to have the investigation made at the home of the Chinaman, where you can quickly determine whether or not he is a doctor, rather than have him refused the privi-lege of landing here and sent back." Mr. McKinlay-"Suppose a China-men is landed in Mexico and crosses the line. What would you do?" A
Mr. Tompkins—"I would keep him

Mr. McKinlay-"Would you want two sets of lines instead of one?" Mr. Tompkins-"No. I would keep him out."
Mr. McKinlay-"How would

keep him out when he lands on the Mexican border?"

keep him out when he lands on the Mexican border?"

Mr. Tompkins—"He must have a certificate brought from china when he lands in this country."

The Chairman—"There is no difficulty about that."

Mr. McKinlay—"You still want to obtain this legislation?"

Mr. Tompkins—"Yes; certainly."

Mr. Tompkins—"Yes; certainly."

Mr. Foord—"Mr. Chairman, let me introduce Bishop Moore."

Representative Johnson, of South Carolina—"Just a moment. I would like to ask the gentleman a question. The large trade that we recently had with China is largely the filling of orders received before the disturbance begin?"

Mr. Tompkins—"I think a number of orders have been entered since. To speak with that full frankness which we should speak with, I do not think any disturbance in China has yet reached the territory where we send our cotton goods. But we have perceived a disturbance by which other people have been interfered with, and we do not want to wait until we are up to our neeks in water before making an appeal to Congress to do some elimple things that we think will pre-

t this and keep it from reaching Mr. McKinley—"Has the Chinese government requested that these laws be amended?" Mr. Tompkins—"Minister Wu stated that these laws were very injurious and unfair to China and ought to be

Mr. McKinlay-"To whom did he state that?"
Mr. Tompkins—"To me, in a let-(To be Continued.)

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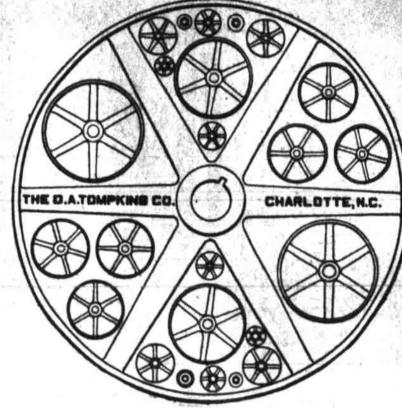
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