

VOLUME XXXVI.

EXCLUSION LAWS HERE AND IN CHINA.

The Chinese have been boycotting goods made in the United States because we have too rigidly enforced our national laws excluding Chinese immigration to this country. We do not exactly exclude all Chinese but immigration from the Celestial Empire is so limited that only a certain class will be allowed to land on our shores.

China, however, ought not to have any kick coming, for she has been in the exclusion business a long time herself. She not only excludes Americans and Europeans from chasing all over China but she limits the trade of all foreign countries. For instance, Mr. Anderson, America's consul in China, furnishes the Washington government a statement from which we take the following:

"There is increasing reason to believe that many American manufacturers and traders in Chinese trade do not understand the limitations under which only foreign trade in China can be conducted. It should be realized, in the first place, that foreigners can reside in China for trade and general purposes only in the open or 'treaty' ports. Residence and trade by foreigners in other portions of Empire are not allowed by the government. There seems to be a hazy idea in the United States that these limitations, as to residence and trade, are no longer in force and that they can be avoided. As a matter of fact it is doubtful if there has been a time since the troubles of 1900 when these rules as to trade and residence were so carefully and persistently enforced. There has been a gradual lengthening of the list of open ports, and the right of entrance and trade has slowly been extended in this manner. But the government at Peking, and especially the local governments of the provinces and prefectures, still enforce exclusion where possible. One of the chief reasons why this is the case has to do with the relation of the open port system to the inland or 'likin' tax system of the Empire, a system that should be thoroughly understood by all men doing business with or in China."

American wonder that China is so far behind the times as not to want to trade freely with all the nations of the world, but we practice in a different way what China does as to trade. The laws of China actually prohibit trade except in what are called "open ports," whereas we do not prohibit foreign trade itself but we do close the door to it by what we some times call the "Chinese wall of protection." We simply tax it with our tariff till a considerable amount of foreign trade is actually kept out of every American port.

The limited trade privileges which foreigners have in China have been squeezed out of that quaint government by centuries of diplomacy and are secured by treaties. Originally China granted to foreign trade five "open ports," that is ports where foreigners could live and do business. The were Amoy, Canton, Ningpo, Shanghai and Foochow. From time to time, by operation of treaties and otherwise, but generally for the purpose of pledging the customs duties therein collected in behalf of foreign loans, other ports have been opened until the list includes 36 ports; as follows: Kiukiang, Wahu, Nankin, Ningpo, Canton, Kiangchow, Mengtze, Tengyueh, Nuchwang, Chungking, Chinkiang, Wenchow, Kongmoon, Kowloon, Szemas, Tientsin, Ichang, Shanghai, Foochow, Samshui, Lappa, Chingwantao, Chefoo, Shasi, Soochow, Wuchow, Kiachow, Yochow, Changsha, Hankow, Hangchow, Shantung, Pakhoi, Lunchow and Santuao.

Consul Anderson says some of the last named are only partially opened to trade, and many of those included in the list are small places connected with larger ports. A few other ports have been brought within measurable distance of foreign trade by special regulations and arrangements, but some of the largest and most important cities of the Empire are not open to foreigners at all. Peking, the capital of the Empire and its second city, is a closed port. For instance, in this district also the two largest cities—Changehow and Chinchow, cities of three-quarters to a million people each—are closed to foreign trade; and foreign goods can be entered only in the open ports above named by the payment of the imperial maritime customs duties of about 5 per cent. ad valorem.

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"Some Foundation for the Alleged Cruelty to Convicts," They Say.

MANY RECOMMENDATIONS

Reprimand For Superintendent and Presentation Against Foreman—Recorder's Court Recommended With Others.

"From the best testimony that we can gather from our investigation, the Grand Jury are of the opinion that there is some foundation for the alleged cruelty to convicts, and that after due consideration, we do recommend a severe reprimand to Superintendent W. H. Shearin and a presentation for brutal treatment of convicts by Foreman Hecutt."—Extract from Grand Jury report at yesterday's session of the Superior Court.

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Upon the reading of the report by Foreman L. B. Rogers, Judge Council thanked the jury very cordially for the thoroughness of its work and commended the members for their diligence and the business-like manner in which they had gone about their duties. A copy of the report was ordered served on the Board of County Commissioners and the court will take such action as is necessary in regard to the presentation at the next term of court. The solicitor stated yesterday that he would issue writs against Mr. Hecutt but that the usual course, that is: it will be held until the next criminal term, when an indictment will probably be sent down and returned as a true or not a true bill as the case may be. It is stated in behalf of those involved that the testimony is practically all from ex-convicts, whom the guards naturally set up have every motive for against Mr. Hecutt but that the usual course, that is: it will be held until the next criminal term, when an indictment will probably be sent down and returned as a true or not a true bill as the case may be.

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If the insurance scandals keep on growing Judge Parker will be glad that none of the insurance companies considered him accomplice enough to entitle him to their support.

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Governor Will Not Interfere in Criminal Assault in Madison. (Special Star Telegram.)

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It seemed almost impossible that an agreement would be reached. Just before court took a recess for the term yesterday evening Judge Council ordered the jury brought into court and polled. Each juror, in response to inquiry from His Honor, stated that no agreement had been reached and each one gave his opinion that there was no likelihood of an agreement. Judge Council explained that he very much desired to leave on the evening train for Hendersonville, N. C. to exchange coats with Judge W. R. Allen, who came to hold New Hanover court here, but the law that the jury must be kept together a reasonable length of time and that in one instance, which appeared from the reports, the Supreme Court had held that 48 hours was not more than a reasonable length of time. He regretted very much to inconvenience the jury by keeping them longer together, but the law left no alternative. He would remain, if necessary, until Monday. In sending them back to the room, Judge Council said he would come again at 10 o'clock at night and ascertain the probability of reaching an agreement. At the latter hour, the jury was again called and polled, each man answering that there was not probability of an agreement, but with less emphasis than during the afternoon. When the clerk was about half through calling the list, Juror DeWitt said that while he could not read the minds of his colleagues, he believed the outlook for an agreement more encouraging than in the afternoon. That settled any possibility of a mistrial and Judge Council was about to order them back to the room, saying he would come again at 8 o'clock the following morning, when Mr. Jesse Wilder asked 15 minutes longer and more instructions as to what to do in the event the jury failed to reach a verdict. Judge Council read the statute, supplemented it with further brief remarks and sent the jury out for the 15 minutes asked. At the end of about 20 minutes a knock was heard on the door and a few minutes later the verdict of not guilty was returned through Mr. Wilder, the foreman.

INTERESTING FAMILY REUNION.

Capt. Daniel T. McMillan and Wife Celebrated Golden Wedding. Mr. G. J. McMillan and little daughter, Annie Augusta, and Miss Wilhelmina Ulrich returned yesterday evening from Magnolia where on Wednesday they attended the fiftieth anniversary of the marriage of the golden wedding of Capt. Daniel Teachey McMillan and wife, as this hospital was pulled out on the 45th anniversary was remarked upon as excellent work. The passengers injured were strangers, two or three of them being colored. Their injuries were slight.

When the verdict had been rendered Mr. Wilder said he thought it due the jury to say that the publication of a morning paper of how the jury was divided in number was mere conjecture; that the jury had given out nothing and that even the balliff in charge did not know how they were divided and the jury had agreed not to discuss the status of the case in their hands, even after their discharge. Judge Council replied that, of course, it was understood to be mere speculation in which all men, even a self, indulged in and that no offense was meant. The jury was then discharged with thanks for its service. Judge Council saying he appreciated the hardship under which they labored but that it was merely the price of citizenship and a duty which should be cheerfully performed. Mr. Wilder voiced the thanks of the jury for the kindness and consideration shown by His Honor and the court then took a recess for the term.

Court met at 9:30 A. M. as usual yesterday and of the 25 taleness summoned for the day 17 were returned and 8 were not found. Excused by the court, Stephen Jewett, J. Shrier and W. F. F. Newton.

Henry Pierce was given trial in four cases, one for selling liquor on Sunday and three for retailing with out license. In the case for selling on Sunday, defendant was given 12 months in jail with leave to commissioners to work on the county roads or at the county farm and in one case for selling without license, he was given 6 months. Judgment was suspended in the two other cases.

Louis Landard, charged with larceny was found guilty, and defendant was sentenced to three years on the roads or at work on the county farm. In an additional case the same defendant was given an additional sentence of one year. Lavender stole a box of axes and a trunk from the Seaboard Air Line depot.

Alfred Hooper, charged with carrying concealed weapons, was found not guilty. Wesley Sanders, charged with selling liquor without license, was found guilty and sentenced to eight months on the roads or at the county farm as the commissioners may elect. Shockley and Lamb were brought into court just before adjournment and their cases were formally continued until next term. Mr. Shockley shook hands with his friends in the court room and laughed and joked with them, apparently perfectly confident of his acquittal. Lamb had a far-away look, said nothing and wore a dejected countenance. Both have grown full beards since they were placed in jail, but otherwise show little effect of confinement.

All the jail cases on the docket have been disposed of except those mentioned above and that of W. E. Parnell, the young white man charged with embezzlement by Parker & Sneed, the furniture merchants, by whom he was employed as a collector. Parnell's bond was increased yesterday from \$200 to \$400.

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The Summer absentees are returning to their homes. Cheerful lights from the windows of the homes of the absentees for the Summer, are a welcome sight to many.

Mrs. Ed. L. Prince, who has been spending some time in Chicago and at her old home in Louisville, Ky., is expected to return by the end of the week.

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The return of Mrs. Elizabeth Volters and her daughter, Mrs. Louis E. Volters, after a pleasant Summer's outing, is of much pleasure to their many friends.

The many friends are looking forward joyously to the twenty-fifth anniversary of the marriage of Mr. W. A. Davis to Mrs. Margaret M. Davis, which falls in December.

The announcement of the engagement of Miss Mary M. Wooten to Mr. W. A. Davis is interesting to many friends. The date of marriage has not been decided, but is supposed will be next Spring.

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RALEIGH HOSPITAL INQUIRY.

Cases of Attendants Continued in Wake Superior Court.

Raleigh, N. C., Sept. 28.—An order was made this afternoon continuing the trial of the four attendants charged with causing the death of the patient, Thomas Nash, at the State Hospital until the January term. This action was at the request of counsel for the defense on the ground they had not had time to prepare the defense since the death of the patient returned by the grand jury. The continuance came as a surprise late this afternoon after the case had been called for trial. It was stated here before the case was called to-day that the solicitor would prosecute for second degree murder only.

LOCAL NOTES.

Through the real estate agency of M. C. Darby & Co., the Dixon Kelly property on Second street, between Chesnut and Grace streets, was sold yesterday morning to Mr. Annie Quin