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SEARCH AND SEIZURE ACT

To Secure the Enforcement of the Laws Against the Sale and Manufacture of Intoxicating Liquors.

We give herewith the full text of the search and seizure bill which passed the late legislature and goes into effect April 1:

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm, corporation, association, or company, by whatever name called, other than druggists and medical depositories duly licensed thereto, to engage in the business of selling, exchanging, bartering, giving away for the purpose of direct or indirect gain, or otherwise handling spirituous, vinous or malt liquors in the state of North Carolina. Any person, firm, corporation or association violating the provisions of this act shall be guilty of a misdemeanor.

Sec. 2. That it shall be unlawful for any person, firm, association or corporation by whatever name called, other than druggists and medical depositories duly licensed thereto, to have or keep in his, their or its possession for the purpose of sale, any spirituous, vinous or malt liquors; and proof of any one of the following facts shall constitute prima facie evidence of the violation of this section:

First: The possession of a license from the government of the United States to sell or manufacture intoxicating liquors; or

Second: The possession of more than one gallon of spirituous liquors at any one time, whether in one or more places; or

Third: The possession of more than three gallons of vinous liquors at any one time, whether in one or more places; or

Fourth: The possession of more than five gallons of malt liquors at any one time, whether in one or more places; or

Fifth: The delivery to such person, firm, association or corporation of more than five gallons of spirituous or vinous liquors, or more than twenty gallons of malt liquors within any four successive weeks, whether in one or more places; or

Sixth: The possession of intoxicating liquors as samples to obtain orders thereon: Provided that this section shall not prohibit any person from keeping in his possession wines and ciders in any quantity where such wines and ciders have been manufactured from grapes or fruit grown on the premises of the person in whose possession said wines and ciders may be.

Sec. 3. Upon the filing of complaint, under oath, by a reputable citizen, or information furnished under oath, by an officer charged with the execution of the law, before a justice of the peace, recorder, mayor, or other officer authorized by law to issue warrants, charging that any person, firm, corporation, association or company, by whatever name called, has in his, their or its possession, at a place or places specified, more than one gallon of spirituous or vinous liquors or more than five gallons of malt liquors for the purpose of sale, a warrant shall be issued commanding the officer to

whom it is directed to search the place or places described in such complaint or information, and if more than one gallon of spirituous or vinous liquors or more than five gallons of malt liquors be found in any such place or places to seize and take into his custody all such intoxicating liquors described in said complaint or information, and seize and take into his custody all glasses, bottles, kegs, pumps, bars or other equipment used in the business of selling intoxicating liquors which may be found at such place or places, and safely keep the same subject to the orders of the court. The complaint or information shall describe the place or places to be searched with sufficient particularity to identify the same, and shall describe the intoxicating liquors or other property alleged to be used in carrying on the business of selling intoxicating liquors as particularly as practicable, and any description, however general, that will enable the officer executing the warrant to identify the property seized shall be deemed sufficient. All spirituous, vinous or malt liquors seized under this section shall be held, and upon acquittal of the person so charged, shall be returned to such person and, upon conviction, or upon default of appearance, shall be destroyed.

Sec. 4. It shall be unlawful for any bank incorporated under the laws of this state, or national bank, or any individual, firm or association, to present, collect or in any wise handle any draft, bill of exchange, or order to pay money to which draft, bill of exchange, or order to pay money is attached a bill of lading, or order, or receipt for intoxicating liquors, or which draft is enclosed with, connected with, or in any way related to, directly or indirectly any bill of lading, order or receipt for intoxicating liquors. Any person, firm, corporation, association, or bank violating the provisions of this act shall be guilty of a misdemeanor.

Sec. 5. All express companies, railroad companies or other transportation companies doing business in this state are required hereby to keep a separate book in which shall be entered immediately upon receipt thereof the name of the person to whom liquor is shipped, the amount and kind received, and the date when received, the date when delivered and by whom delivered and to whom delivered, after which record shall be a blank space in which the consignee shall be required to sign his name, or if he cannot write, shall make his mark in the presence of a witness, before such liquor is delivered to such consignee, and which said book shall be open for inspection to any officer or citizen of the state, county or municipality any time during business hours of the company, and said book shall constitute prima facie evidence of the facts therein and will be admissible in any of the courts of this state. Any express company, railroad company, or other transportation company or any employee or agent of any express company, railroad company, or other transportation company violating the provisions of this section shall be guilty of a misdemeanor: Provided, upon the filing of a certificate signed by a reputable physician or two (2) re-

STATE NEWS OF THE WEEK

Items Concerning Events of Interest and Importance Throughout the State.

Vice President Marshall will deliver the address at the University commencement this year.

At an election held in Hickory Monday the commission form of government was adopted by a vote of 291 to 256.

The Training School in Boone will receive from the State \$15,000 for improvements and an annual appropriation of \$12,500.

The Washington correspondent of the Charlotte Observer says it is probable that ex-Sheriff Manly McDowell of Burke will be appointed United States marshal.

Mrs. Cornelia Holeman died in Raleigh Tuesday of last week, aged 100 years and five months. She was born in Hartford, Conn., and was a church member for 80 years.

Mrs. Nancy Gardner, Yancey county's oldest citizen, died at the home of her son, G. E. Gardner, in Burnsville March 11. She was 99 years old and bore the distinction of having been a member of the Methodist church for 86 years.

Governor Craig has re-appointed Mr. A. Cannon of Horse Shoe as a member of the Board of Agriculture from the tenth district for a term of six years. This is the third consecutive time Mr. Cannon has been appointed to this position.

Governor Craig announces the appointment of J. S. Bower, of Lexington, as solicitor for the new Eleventh judicial district, one of the four new solicitorships that he is to fill along with his appointment of judges for the four new districts.

The grand jury of Burke Superior Court last week returned a true bill for murder against Dr. E. A. Hennessee for the killing of Gorman Pitts. The case was continued to the August term of court. After hearing testimony as to Dr. Hennessee's condition, Judge Lyon decided to admit him to bail in the sum of \$20,000. Dr. Hennessee was taken to Dr. Long's Sanatorium at Statesville for further

putable citizens that the consignee is unable, by reason of sickness or infirmities of age, to appear in person, then the said company is authorized to deliver any package to the agent of said consignee and the agent shall sign the name of the consignee and his own name, and the certificate shall be filed of record.

Sec. 6. That in indictments for violating section one of this act it shall not be necessary to allege a sale to a particular person, and the violation of law may be proven by circumstantial evidence as well as by direct evidence.

Sec. 7. That no person shall be excused from testifying on any prosecution for violating this act or any law against the sale or manufacture of intoxicating liquors, but no discovery made by such person shall be used against him in any penal or criminal prosecution, and he shall be altogether pardoned for the offense done or participated in by him.

Sec. 8. That all laws or parts of laws in conflict with this act be, and the same are hereby to the extent of such conflict, repealed:

treatment. The bullet in his right leg seems to be giving him trouble, having caused a numbness on that side.

The committee appointed by Governor Craig and the legislature to consider and recommend amendments to the State constitution, will meet in Raleigh next month to organize. During the session of the Legislature a number of amendments to the constitution were proposed, which will be considered by the commission.

The election for officers of the commission form of government recently granted Morganton, by the legislature, has been called for April 7. At the election there will be three commissioners chosen for purpose of running the town and three supervisors to issue bonds for the purpose of building good roads in Morganton township.

Application for patents is now pending in the U. S. Patents office for Miller's cylinder washer and cooker, an invention of Mr. B. A. Miller of Hickory. This is claimed to be the most practical combination article that has been put on the market. It can be used for doing the family washing, heating water, cooking food, and, during the canning season can be utilized in canning fruits and vegetables.

E. E. Sams Named Supervisor.

State Superintendent of Public Instruction Joyner announces the appointment of E. E. Sams as supervisor of teacher training to succeed the late J. A. Bivens who died suddenly two weeks ago. Mr. Sams has for more than a year been chief clerk in the state department of education. He is a native of Madison county, was superintendent of schools in McDowell county and later organized and supervised the Marion graded school.

Mr. Sams' many friends in McDowell will rejoice to learn of his appointment. He is a splendid school man and is well fitted for the high position to which he has been appointed.

A lazy man is always making idle remarks.

Provided, however, that nothing in this act shall operate to repeal any of the local or special acts of the general assembly of North Carolina prohibiting the manufacture or sale or other disposition of any of the liquors mentioned in this act, or any laws for the enforcement of the same, but all such acts shall continue in full force and effect and in concurrence herewith, and indictment or prosecution may be had either under this act or any special or local act relating to the same: Provided, further, that this act shall not in any way repeal or modify chapter seventy-one of the Public Laws of North Carolina of the extra session of one thousand nine hundred and eight.

Sec. 9. That this act shall not apply to any act committed prior to its ratification.

Sec. 10. That this act shall be in force from and after first day of April, one thousand nine hundred and thirteen.

In the general assembly read three times and ratified this the 3rd day of March, 1913.

MANY KILLED IN STORM

Fully 90 Lost Their Lives in the Southern States, While Property Damage Was Heavy.

Indications from late reports are that more than 90 people were killed, scores severely injured, and great property loss sustained in the disastrous electrical tornado which swept parts of Tennessee, Georgia, Alabama, Louisiana, Mississippi and Texas Thursday afternoon and night. Eighty odd deaths have been reported and the total loss of life probably will be increased when wire communication is restored in remote sections devastated by the cyclone. The damage to property can not be estimated, but probably will have to be computed in millions.

Twenty-nine persons are reported to have perished in Georgia and damage to property is roughly estimated at \$1,000,000. Calhoun, Gordon county, Georgia, and vicinity, bore the brunt of the storm in this state, where 11 persons are reported to have been killed. The other fatalities in Georgia were nine at Tucker, four at Eaglesville, three at Clarkston and two at Columbus.

Late reports from Tennessee have increased the death toll in that state to 23 persons. Six perished in Middleton, four at South Berlin, three at Haron, two each at Colleoka and Lexington, and one each at Leesburg, Rally Hill and Bryant station. Many sections swept by the storm have not been heard from.

The loss of life in Alabama is estimated at 13, although several persons are still reported missing. Five negroes were killed near New Decatur, three persons perished at Calera, and two each at Hokes Bluff, Gayesville and Duke.

Four additional deaths have been reported in Texas at Hulig.

The total in that state is now placed at five.

Advises from Louisiana and Mississippi contain advices of no additional death, seven having been previously reported in each state.

The greatest damage to property was the destruction of buildings and houses, in the sections of the states where deaths were reported. Telephone and telegraphic communication has been restored to most of the larger towns and all of the cities in the storm-swept territory.

Light Sentence for Snipes.

Morganton, March 15. — Bob Snipes, who was arrested in Los Angeles several months ago and brought here to be tried on a charge of the murder of John Britain in this county 15 years ago, plead guilty to manslaughter in Burke Superior Court today, and was sentenced to four months in the State Penitentiary at light labor.

The light sentence seems due to the fact that there is some doubt as to Snipes' sanity.

King George of Greece was assassinated while walking in the streets of Saloniki Tuesday. The assassin was a Greek of low mental type who gave his name as Aleko Schinas. He shot the King through the heart.

Don't forget the 'Saturday Special Program at the Savoy Theatre. Five long reels and a special feature film.