WASHINGTON DAILY NEWS

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Weather: Rain

SEARCH AND SEIZURE LAW AS PASSED BY LEGISLATURE

Act to Stamp Out Blind Tigers by Allowing Suspected Places to Be Searched By Officers.

Recorder W. B. Windley is in receipt of an official copy of the new search and seizure law passed by the Legislature of North Carolina. This copy of the act comes direct from Secretary of State J. Bryan Grimes, and therefore may be accepted as beyond question the official act, word for word, as passed by the General Assembly. The purpose of this law, as is well known, is the stamping out of blind tigers by allowing suspected places to be searched. The law follows:

S. B. 597.
H. B. 938
S. B. 598

An act to secure the enforcement of the laws against the sale and manufacture of intoxicating liquors.

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 or 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 indirect for intoxicating liquors. Any receipt, bill of lading order or 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 the liquor is shipped, the amount and kind received, and the date when received, the date when delivered and to 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 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) reputable citizens that the consignee is unable, by reason of sickness or infirmities of ages, 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 on 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 disclosure 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: 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.

H. N. PARR,
H. N. PHARR,
President pro tempore of the Senate.
GEO. W. CONNOR,
Speaker of the House of Representatives.

State of North Carolina,
Department of State,
Raleigh, March 18, 1913.

I, J. Bryan Grimes, Secretary of State of the State of North Carolina, do hereby certify the foregoing and attached (five (5) sheets) to be a true copy from the records of this office.

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this 18 day of March in the year of our Lord 1913.

J. BRYAN GRIMES,
Secretary of State.

N. S. OFFICIALS MAY BEAUTIFY STATION

For a long time there has been a feeling that the Norfolk Southern should do something towards improving their station and surroundings. Mr. Frank Kugler brought up the matter in an Aldermen's meeting not long ago, and an editorial appeared shortly after in the Daily News on the subject.

The Woman's Civic Club of Washington took the matter up, and a letter written to the president of the Norfolk Southern.

The following letter was received in reply:

Norfolk, Va.,
March 25, 1913.

Mrs. Henry Walton Carter,
President, The Wamn's Civic Club,
Washington, N. C.

Dear Madam:

I beg to acknowledge receipt of yours 20th and I have asked our Chief Engineer to confer with you and see what suggestion you have in regard to beautifying the grounds at Washington.

Yours truly,
C. H. HIX,
President.

This morning, Mrs. H. W. Carter, President of the Club, Mayor Harding, and Mr. Harvey Myers, the local agent of the Norfolk Southern inspected the vicinity of the station with a view to formulating some definite plans to present to the Chief Engineer when he comes.

It is planned to make a park at the station. Suggestions from any one are invited.

EASTERN DOG SEES WESTERN HONORS.

Chicago, March 26.—The twelfth annual bench show of the Chicago Kennel Club which opened at the First Regiment Armory here today has been invaded by a number of famous Eastern dogs. Chicago owners won many of the principal honors at the show of the Westminster Kennel Club in New York last month, carrying off the laurels in two of the most important classes, English bulldogs and Airedales, as well as the special for the best dog in the show. The Easterners have an ambition to get even and have sent some of their best dogs here to make another try for the honors in these classes.

The club has been fortunate this year in engaging for judges some of the best known men in dogdom. Dudley E. Waters, the Grand Rapids banker, will pass on St. Bernards. M. M. Palmer of Stamford, Conn., former president of the American Collie Club, will rule on his favorite breed. Gen. Roger D. Williams of Lexington, Ky., who frequently has judged at the Westminster shows in New York, will have the bloodhounds and other hounds. T. A. Donoghue of La Salle, Ill., who has a record of having attended every dog show in Chicago in the last twenty years, will judge pointers and setters.

The entire city will regret to learn of the illness of Rev. H. P. Dalton of the First Baptist church. He has been indisposed since Sunday.

ONE WAREHOUSE MANAGED BY LOVELACE

The Trustees of the Tobacco Warehouse Association held a meeting this morning at 10 o'clock and awarded the contract for the management of one of the warehouses during the coming season to Mr. John C. Lovelace of Wilson.

Mr. Lovelace is one of the best known tobacco men in this section. He has been in the business 25 years, and managed a warehouse in Wilson last season which was highly successful.

This meeting was arranged between the trustees and Mr. Lovelace according to instructions given last night at the stockholders meeting in the Chamber of Commerce rooms. The trustees of the Tobacco Warehouse Association as elected recently are as follows: Messrs. C. M. Brown, A. M. Dumay, J. F. Buckman, George Leach, F. J. Berry, J. K. Hoyt, and J. D. Grimes.

MISS ROSE STOCK RETURNS FROM SISTER'S WEDDING.

Miss Rose Stock of the millinery department of the J. K. Hoyt store, returned to the city yesterday from New Bern, where she attended the marriage of her sister, Miss Dora Stock to Dr. Leroy Habenicht of Kershaw, S. C., who is an expert chemist.

The wedding was quiet, the ceremony being performed by Father Gallagher at the Catholic rectory in the presence of only three witnesses.

The bride was becomingly dressed in white accordion-pleated chiffon over white messaline over white charmeuse. She wore a small imported hat with French plumes, and carried an immense bouquet of white bridal roses.

The engagement of Miss Stock and Dr. Habenicht was announced sometime ago.

HONOR ROLL OF HIGH SCHOOL.

(By J. C. Taylor.)

The three highest averages in the High School were Bernice Nicholson 98.4, Elizabeth McIlhenny 97.9, Archbell and Marjorie Spain each 97.1. The following is the honor roll for the past month:

First Year B—Freda Williams 95.3, Georgia Tripp 91.8, Rachel Tripp 91.3.

Fourth Year—Marjorie Spain 97.1, Rena Harding 95.2, Bettie Spencer 94.9.

First Year A—Bernice Nicholson 98.4, Elizabeth McIlhenny 97.9, Bonner Archbell 97.1.

Second Year—Margaret Handy 95.6, Rose Orleans 93.2; Francis Charles 93.

Third Year—James Fowle 95.7, Margaret Wells 95.3, David Smith 95.3.

"A Smiling Kitchen Makes a Happy Cook."

This statement was made by a prominent Washington merchant a year ago upon the occasion of his March Housewares Sale.

A smiling kitchen is one in which there is a place for everything and everything in its place. It is also one in which you will find a complete outfit of utensils and labor-saving and time-saving devices that have changed "poor luck" cooking into assured success always.

Every kitchen should be smiling because the smile is reflected in the dishes that are prepared there. Every cook should be happy because happiness and contentment are essential to good cooking.

Put a smile in your kitchen that won't come off by replenishing your stock of utensils with bright new pans, kettles, baking tins, bread and cake mixers, and the numerous other.

Read the advertisements in The Daily News closely and constantly every day and see how Washington merchants can help you to make a "Smiling Kitchen." In this way you will find many opportunities to purchase the things you need at a big saving.

YOUNG MEN WANT LEGITIMATE PLEASURE

There is a movement on foot among the young men of Washington for the establishment of a club, where any young man in town can obtain clean and wholesome amusement, as well as benefit from the high moral atmosphere which it is planned to maintain.

The club will be somewhat on the order of the various Y. M. C. A. associations scattered through the towns and cities of the country, but not, however, affiliated with that organization.

The young men intended at first to carry through the project themselves, but found the expense would be so great for each member that many desirable members would be excluded on account of not being financially able to join. It is also impossible to obtain suitable rooms without outside aid.

For these reasons, they are asking the business men of Washington to take out memberships by pledging $10 per year, in order to give assurance that quarters may be maintained, and in order that they may make club dues so low that no desirable members will be excluded, especially those still in school.

In addition to these memberships to be taken out by business men, a donation from anybody who desires to help the young men got started will be be thankfully accepted.

Following is a statement of their aims and purposes:

A Statement of Plans.

Every wide-a-wake business man is individually interested in and profits by any movement which benefits the town as a whole.

A good citizenship of upright, industrious young men is a great asset to any town, and what helps them to be good citizens, benefits the town as a whole.

Many young men in this town are ruining their characters seeking pleasure and means of spending their leisure hours.

At present in this town, the forces working toward the degradation of young manhood are by no means in excess of those working for their uplifting but they alone offer to the young man the amusements and pastimes which his nature craves. It is essential that he have legitimate and interesting recreation.

The business men of some towns of this size, and of a great many more towns and cities having a larger population support expensive Y. M. C. A. buildings or similar institutions.

This town is making great strides in progress and the business men are looking forward to great achievements in its upbuilding and this takes enthusiastic and industrious work in that direction. An enthusiastic and contented young manhood will surely help more toward this town's development than will a dissatisfied and discontented young manhood.

It is proposed:—To fit up and maintain suitable and attractive club rooms. These are to contain a reading room, a game room and a billiard or pool room.

To in no way tolerate drinking nor gambling in these rooms.

To limit the membership to young men between the ages of 16 and 30 years, who are trying to live a moral life.

To manage so as to keep up interest in the club, that its usefulness may be maintained.

To have Christian business men on our executive committee and with us in our rooms as much as possible.

Three times to our knowledge, similar organizations have been started here but in each case they failed to prosper. They were all right for awhile but interest soon vanished. The young men failed to avail themselves of the things offered them in the rooms which were fitted up for them. They loafed elsewhere. Why? Because the management did not take into consideration the inclinations of young men or else did not understand human nature.

We believe the business men will admit that our aims and the principles involved are all right, and will stand back of us if we can give them sufficient assurance that our project can be made permanent.

Something must have been wrong with the previous attempts to solve this problem; some fundamental mistakes must have been made, else interest would have been maintained.

(Continued on Page Four.)

ELKS MINGLE AT FEAST IN GOOD FELLOWSHIP

Last night from 9 o'clock till long after midnight there was a sound of revelry emanating from the Elks Home, where the members of Washington Lodge were entertaining at a banquet many visiting brothers from far and near, as well as a number of friends who are not yet initiated into the mysteries of the order.

The large hall where the feast took place contained three long tables running the length of the apartment, and a small table running side-ways at one end. At the head of the long table in the center, Congressman John H. Small presided as toast-master in the same graceful manner which has caused Mr. Small to be much sought-after in this capacity.

"Life," began Mr. Small, when all had been comfortably seated, "is in many respects kaleidoscopic. Today we are absorbed in the serious things of life; tomorrow we may be seeking the pleasure and joy of life." He referred to the passage in Ecclesiastes to the effect that for everything there is a season, there being a time for weeping and a time for laughter, a time for mourning and a time for dancing.

The Elks, went on the speaker, afford an admirable opportunity for touching elbows, for bringing mind against mind to the end that frailties may be recognized and virtues emphasized. "There isn't a member who has not the blessed opportunity to feel the touch of human sympathy."

All of us owe a duty to our fellows, declared the toast-master. We all face the duty of service, in an individual capacity and as men in relation to a community. "What first attracted me to the Elks was the opportunity for service," said Mr. Small. When this lodge was first established, some were inclined to look askance at it, saying it was to be devoted solely to pleasure. But since then the old prejudice has been eliminated by the sight of unselfish service rendered by its members to their fellows.

"There is a time for dancing and a time for mourning," he concluded. "I hope that all may enjoy this banquet, that it may be an occasion of unalloyed fellowship and that it may be repeated as often as is necessary to maintain good fellowship."

Those present were:

J. K. Hoyt, T. J. Sugg, Dr. E. M. Brown, A. L. Bowers, S. R. Cleary, W. R. Roberson, A. C. Harrison, F. P. Woolard, J. T. Bland, L. B. Paul of Pungo, Geo. E. Ricks, J. D. Meredith of Tarboro, E. C. Marfield, D. T. Fowle, H. M. Stilley, J. H. Bonner, S. Parker of Pinetown, Geo. T. Leach, F. Burbank, George Paul, Wm. Knight, J. M. Hodges, D. M. Carter Jr., S. H. Williams, H. G. Windfield, W. J. Pippin, D. W. Bell, J. C. Buckman, F. S. Fleming, J. D. Calais, L. E. Archer of New York City, Lieut. J. B. Coyle of Revenue Cutter Pamlico, Lieut. Com. C. L. Morton, Capt. Horace B. West, of Revenue Cutter Pamlico, John H. Small, Baker, photographer, Claton Moon of Williamston, Dr. Joshue Tayloe, Brevard D. Stephenson, B. J. Dunning, Dr. Armstead Tayloe, Fred Malison, Harvey Sparrow, ex-Sheriff J. D. Biggs, J. E. Clark, Jr., J. F. Weathers lodge 111 Columbus, Ga., Charles Little, Hugh Paul, W T. Hudnell, J. W. Bell of Belhaven, C. A. Little, Dr. H. H. Hunter of Pinetown, Dr. H. W. Carter, Dr. N. M. Gibbs of New Bern, E. S. Hoyt, G. Levy Keen of New Haven No. 927, Judge W. B. Windley, Dr. E. S. Credle of Pantego, P. H. Johnson of Pantego, Dr. John Rodman, Dr. L. H. Mann, Dr. H. C. Carter, Jr., B. L. Susman, O. B. Wynn, W. A. Chancey, Chas. Wright, Surry Parker of Pinetown, Geo. T. Leacr, Dr. Ira Hardy of Kinston, J. D. Archbell of Bath, Capt. C. H. Sterling, Walter Credle, H. M. Jenkins, W. B. Rodman, Jr., B. W. Payton, C. H. Sterling, Jr., F. R. Young of Titusville, Pa., N. L. Simmons, Dr. D. T. Tayloe, A. M. Dumay, E. H. Jefferson, Geo. Hackney, John W. Smith, G. W. Miller of Bath, N. W. Outlaw of Greenville, N. H. Cary of Pittsburg, Ned Laughinghouse, W. E. Proctor of Grimesland, Arthur S. Cheason, W. M. Cooper, J. P. Lovelace of Wilson, F. J. Berry, J. W. Oden, B. G.

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SHIPPING NEWS

The Pungo of Lowland, Capt. Howerin, is in port with a cargo of country produce. When she leaves this port, it will be with a load of merchandise.

The Victor of Ransomville, Capt. Capt. J. R. Paul, is in port discharging a cargo of country produce preparatory to taking on one of merchandise.

The Arcadia, which hails from New Bern, but sails between Washington and South Creek and Yeatesville, is in port to take on a cargo of merchandise.

The fish boat A. L. White, owned by the Swindell-Fulford Fish Co. of Washington, Capt. Luther, is in port from Hatteras.

The fish boat Knox, owned by the Swindell-Fulford Fish Co., Capt. Leland Green, is in port from Bath.

The oyster boats: Casey Jones of Goose Creek Island, Pamlico county, Capt. Popperwill; and Lucy May, of Goose Creek Island, Capt. George Clark, are in part.

The Otis D. Terrell of Swan Quarter, Capt. H. W. Mason, is still in port.

Capt. Carawan is here with his oyster boat from Swan Quarter.

The Daniel Cressie of Swan Quarter, Capt. Thomas Credle, is still lying in port taking on a cargo of fertilizer.

The Ida V. of Swan Quarter, Capt. Cleveland Sermons, is taking on a cargo of merchandise.

The Joseph W. Janey of Philadelphia, Capt. William P. Joseph, is discharging a cargo of fertilizer from Baltimore.

The Emma and Bessie of Philadelphia, Capt. Aelchner, is discharging a cargo of fertilizer, preparatory to taking on a load of lumber.

The W. B. Blades of Hyde county, Capt. Edward Bell, is still in port.

The Rosland of Swan Quarter, Capt. Gibbs, expects to leave Washington tomorrow.

EXECUTIVE COMMITTEE TO MEET TONIGHT

The Executive Committee of the Associated Charities meets tonight in the city hall at 8 o'clock.

This is an important meeting, and all members are urged to be present.

GRAND OPERA SINGING IS ATTRACTION

"The last and best number of the season," is the most fitting way to anhounce the Fellows Grand Opera Quartet, which comes to the public school auditorium tonight at 8:30 with laurels won from highly critical musical audiences.

It is ony in the great cities that the public may have the pleasure of listening to grand opera with all its embellishments of a sumptuous theatre and stage, a symphony orchestra, realistic scenery, and a large company of highly paid artists. But after all, it is the melodies—the superb inspirations of the masters of music—which make up the whole thing. The very same music may be heard in Washington tonight as is being sung in New York, London, Rome, Vienna, and other grand opera centers.

No education is complete without a realizations of the significance of such names as Gounod and Verdi. The following is what the Louisville Courier Journal, the paper of that dean of American editors, Henry Watterson, has to say of the Fellows Quartet:

"Fellows was heard in the afternoon in an aria by Gomez, 'Mia Piacarelli' and at night with the other singers in the quartet from 'Rigoletto.' His style and method are particularly refined and artistic and he has the virue of an 'express and admirable' enunciation."

MARCH 26 IN HISTORY.

1609—Henrik Hudson sailed from Amsterdam on the voyage that ended in the discovery of the Hudson.

1692—Printing ordered to be introduced in New York.

1761—First tree cut towards clearing land for cultivation in the town of Bennington, Vt.

1854—Orange Free State was founding a government.

1904—Kuropatkin arrives in Mukden.

1912—Serious political trouble reported threatened in Cuba.