

WITH THE GENERAL ASSEMBLY

MOORE MOVES TO PASS FREE CONFERENCE BILL, WANTING REDUCTIONS.

Senate Had Already Passed Measure, Moore Now Moves to Reconsider Its Passage Action, or Take up Work of Committee Now Set to Provide Funds for State Purposes—Indications are That It Will be Several Days Before Adjournment.

Columbia, Feb. 20.—The general assembly is apparently in a hopeless deadlock on the general appropriation bill. The senate passed the free conference report today, carrying 1-3 mills levy and a total of \$2,982,761, while the house adopted a concurrent resolution, introduced by Mr. Moore of Abbeville, recommending the bill to the committee for the purpose of restoring the appropriations. The resolution was adopted by a vote of 19 to 20. Should the senate refuse to concur with the house resolution the general appropriations measure will be killed, as the "parliamentary" clause was applied to the Moore resolution in the house which prohibits its reconsideration, except by unanimous consent, which cannot be obtained.

It looks as if present session will have to continue for two more weeks before another appropriation bill can be introduced and passed, or that there will have to be an extraordinary session of the general assembly to take care of the appropriations. However, it all depends on what the senate will do. If it will compromise and accept the resolution, and the free conference bills out all appropriations which were approved in the house bill, there will be an adjournment sine die within the next few days.

Columbia, Feb. 20.—Both houses of the general assembly appeared for time yesterday morning, waiting for free conference reports on the entangled appropriation proposition and the approved bill. Although the senate and the conference group on appropriations were in consultation the greater portion of the morning the senate session was not called until 3 o'clock this afternoon. The committee on the adjournment of differring until the next session on the part of the houses on

the bill to require State colleges to give preferential enrollment to students from South Carolina over applicants from other States was passed and ordered enrolled for ratification. A bill was killed to permit the investment of trust funds in farm loan bonds. This was lost by a vote of 13 to 12. The Rector-Riddle bill from the house to provide for the consolidation of rural graded schools was passed and ordered enrolled for ratification. The bill carries with it an appropriation of \$187,500. In the original draft this was \$200,000. Provision was made in the appropriation measure for this bill in anticipation of its passage. A bill to amend an act relating to the affidavits which must be given by parents with children working cotton mills was passed to third reading. This is to make the State law conform to that passed by congress last year, whereby goods manufactured by the employment of children under 14 years old would be denied transportation in interstate commerce.

Columbia, Feb. 20.—The bill creating the State highway department, which after much discussion has passed both houses, is really the work of W. L. McCutchen of Sumter, although the bill goes under title of the Bisco-Sinkler bill. Mr. McCutchen, who is in the house from Sumter, drew a bill and intended introducing it but when there were so many State highway measures did not do so. The house could not determine exactly what it wanted so a select committee of five was appointed to which matter was referred. The select committee reported Mr. McCutchen's bill which was adopted. The senate passed the Sinkler-Brice bill. The house amended it with the McCutchen bill. The free conference report was practically the McCutchen bill, so really it is Representative W. L. McCutchen, of Sumter who is responsible for the act in the form in which it was passed.

Columbia, Feb. 20.—Income or receipts other than of an intrastate nature can not be included in the assessment against railway corporations by the South Carolina tax commission under a decision filed yesterday by Judge Mendel L. Smith in the Richland county court. The case in question is that of the Southern Railway company against A. W. Jones, John P. Derham and W. G. Query members of the South Carolina tax

TEXT OF DU RANT BILL.

MEASURE WHICH HAS BECOME LAW RELATING TO LIQUOR IN STATE.

Allows Purchase of One Quart of Whiskey Every Month for Medicinal Purposes, and Gallon of Wine for Sacramental Purposes—Certificates Must be Issued by Judge of Probate and Filled with Common Carrier.

Columbia, Feb. 21.—The DuRant quart a month liquor bill, modified in free conference, was adopted by both houses of the general assembly yesterday. Provisions of the measure are that a quart of whiskey may be procured each month on certificates issued by the judge of probate. The permit is issued upon payment of a fee of 10 cents, accompanied by affidavit that the whiskey is for medicinal purposes. A gallon of wine may be procured each month by congregations for sacramental or religious purposes. Women, not the heads of families, students and minors are excluded from the provisions of the bill. Punishment for violation is not to exceed one year's imprisonment or a fine of \$1,000 or both. The law is to become effective within 60 days. It reads:

"Section 1. It shall be unlawful for any person, firm, corporation or company to receive, store, keep, or have in possession, or to ship, transport, or convey any alcoholic liquors from any port without the State into this State, or from one point to another in this State, or to deliver the same to any person, firm, corporation or company within this State, except as hereinafter provided.

"Sec. 2. Any natural person over the age of 21 years, except as hereinafter forbidden, may order and receive or transport in his personal baggage from any point without this State not exceeding one quart of alcoholic liquors containing not more than 60 per centum by volume of alcohol within any one calendar month, for medicinal purposes for his or her own use or the use of his or her immediate family, and not more than one gallon of wine for religious purposes.

"Sec. 3. It shall be unlawful for any common carrier to deliver or any person to receive any package containing such liquors in the night time, which shall be construed to mean

the duty of the common carrier to keep a true and correct record of all alcoholic liquors transported and delivered by them to any person or persons, and to file with the Clerk of Court of the county in which such liquors are delivered, at least once a week, a verified statement, either printed plainly, written or typewritten in duplicate, clearly stating what liquors were delivered by it since its last statement, the date on which the said alcoholic liquors were delivered, the name and post-office address of the consignee, the place of delivery, and the kind and amount of alcoholic liquors delivered, and the canceled permits upon which said deliveries were made. Said report and permits shall be kept in condition for convenient reference for two years and then destroyed.

"Sec. 5. Such common carrier shall permit any person to inspect and examine from time to time said records, kept as required in the preceding paragraph, as and when they may make reasonable request therefor, and any person shall have a right at any time to examine and inspect the reports filed by such common carrier in the office of the clerk of court or other officer as herein provided.

"Sec. 6. Any peace officer shall have the right at any time to inspect all packages of alcoholic liquors in the possession of any common carrier in this State, and seize such as are being transported for unlawful sale or in violation of law.

"Sec. 7. It shall be unlawful for any person or any common carrier, servant, agent or employee thereof, to knowingly ship or transport from without this State into this State, or from any one point or place in this State to another point or place in this State, any trunk, valise, or package of any kind, containing any alcoholic liquors, unless the true nature and character of the contents of such package is clearly and legibly marked on the outside thereof in letters at least one inch high. This provision shall not apply to one quart or less of such liquors in the baggage of a passenger and carried for his personal use or that of his immediate family, or for sacramental purposes.

"Sec. 8. In prosecution under this act for unlawful shipment or transportation of alcoholic liquors, and Thos. H. Peoples, attorney general.

In this action the Southern railway sought to enjoin the tax commission from including interstate receipts in its determination of gross receipts for business done within the State for the fiscal year preceding, upon which is laid the annual license fee prescribed by section 369 of the civil code, 1912.

portation of alcoholic liquors, the offense shall be held to be committed in any county of the State through which or into which said alcoholic liquors have been carried or transported, or to which they have been conveyed or delivered.

"Sec. 9. No person shall receive any alcoholic liquors shipped to him within the State except at the office of the common carrier transporting same nearest the residence of the consignee.

"Sec. 10. Any person desiring to import any alcoholic liquors under this act shall apply to the judge of probate of the county in which he resides and file with him an affidavit that he has not received any like permit during the same calendar month, and containing one of the following statements:

"(a) The amount and kind of alcoholic liquors desired, not exceeding one quart, thus the consignee is not a minor nor a student of any institution of learning, and if a woman, that she is the head of a family; the office of the common carrier from which delivery is desired and that same is the nearest office of said common carrier to the residence of the applicant, and that same is desired for medicinal purposes; or

"(b) Applicant is a minister, pastor, priest, rabbi or regularly constituted officer of a regularly organized religious congregation or church, and the name and location of the church or congregation for which the same is desired, and that the same is purchased in good faith to be used for sacramental or religious purposes, and no other, the amount and kind of alcoholic liquors not exceeding one gallon of wine; or

"(c) That the applicant is the head of a family of the Hebrew faith, is not a minor, the amount and kind of alcoholic liquors desired not exceeding one gallon of wine, and that the same is desired for religious purposes for use during Passover. This application shall only be filed during the month of March of any year.

Upon the receipt of such affidavit and the payment of a fee of 10 cents the said probate judge shall issue a permit under his hand and official seal to receive the alcoholic liquors specified, which permit shall contain the name of the consignee, the amount and kind of alcoholic liquors and the office of the common carrier from which delivery is to be made.

The said probate judge shall keep a record of all permits issued in a permanently bound book, in which the names of the applicants are entered alphabetically and said permits shall be numbered consecutively and the number, the name of the consignee, the amount of alcoholic liquors and the office of the delivering carrier and the date of said permit shall be entered on said record. The said probate judge shall, out of the fees received, procure the permits and records herein required to be kept, and shall keep the remainder as his compensation for the issuance of the said permit.

"Sec. 11. No common carrier shall deliver any alcoholic liquors to any person until he has filed with the delivering carrier a permit issued as above provided and dated within two weeks of said delivery, which permit shall be immediately cancelled by said common carrier.

"Sec. 12. The making, uttering, or using of any false permit shall constitute the crime of forgery.

"Sec. 13. Whoever shall knowingly transport or convey from one place to another, or from one person to another, any alcoholic liquors known by him to have been illegally sold or procured, shall receive the same punishment as if convicted of the illegal sale of such alcoholic liquors. Charges of illegal sale of alcoholic liquors and illegal transportation thereof may be joined in the same indictment.

"Sec. 14. It shall be unlawful for any intoxicating liquors to be stored or kept except for one's own personal use, or that of his immediate family, or for religious purposes, and then only at his usual place of residence and only when the same shall have been procured in a lawful manner. The residence of a person shall be where his family resides; if he has a family residing in this State, and if not, at the place where he usually sleeps: Provided, however, That it shall be unlawful for any person to have in his possession, or to store or keep, for any purpose, any quantity of such liquors in any room in which or in connection with which, there is maintained or conducted and place of amusement, club house, fraternity house, lodge or meeting place, cafe, rest room, store, office, shop or factory, and no such place shall be considered a residence within the meaning of this act.

"Sec. 15. Storage of any unusual amount or in an unusual way of any alcoholic liquors shall be evidence of violation of this act.

"Sec. 16. It shall be unlawful for any common carrier to deliver to any minor, or any person not the consignee, or to any woman not the head of a family, or to any student of an institution of learning; or for any minor

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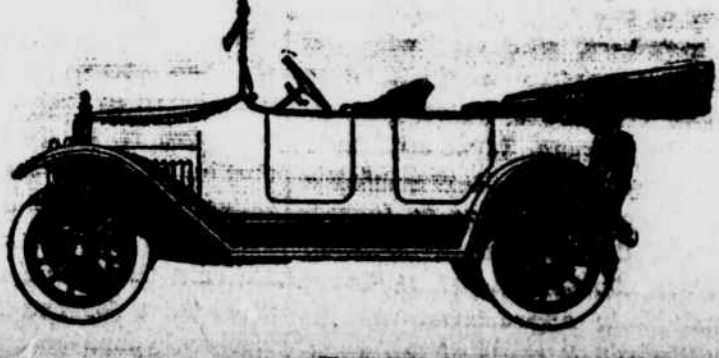
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or any person not the consignee, or any student of an institution of learning to receive any package containing alcoholic liquors.

"Sec. 17. The original record which common carriers are required to make under the terms of this act shall be kept in the county in which the delivery of said alcoholic liquors is made and if practicable, at the same office making delivery, and said common carrier shall produce such records for the use and benefit of any officer of said county or of the courts of the State when requested so to do.

"Sec. 18. Any violation of the provisions of this act for which no other punishment is provided, shall be punished by imprisonment for not more than one year, or a fine of not more than \$1,000, or both.

"Sec. 19. The words 'alcoholic liquors' as used herein, shall be considered to mean any liquor, beer, beverage, or compound, whether distilled, fermented, or otherwise, by whatever name known or called, which will produce intoxication, or which contains in excess of one percentum of alcohol and is used as a beverage.

"Sec. 20. This act shall not affect any existing law regulating the transportation for, or the receipt, storage, sale or use by druggists, hospitals and laboratories, or for scientific or mechanical purposes of alcohol or preparations containing alcohol, or any law regulating the transportation and storage of medicines or extracts which shall remain as heretofore: And provided, That this act shall not apply to alcoholic liquors required and used by hospitals or sanatoria bona fide established and maintained for the treatment of patients addicted to the use of liquors, morphine, opium, cocaine, or other deleterious drugs, when the same are administered to patients actually in such hospitals or sanatoria for treatment, and when the same are administered as an essential part of the particular system or method of treatment, and exclusively by or under the direction of a duly licensed and registered physician of good moral character and standing: And provided, further: That shipments of such liquors be shipped in the name of such hospitals or sanatoria, and that the amount of such shipment shall not exceed five gallons in any one calendar month, and no permit shall be required therefor.

"Sec. 21. That any person, firm, or corporation manufacturing in this State ginger ale or similar soft drinks in which there is an alcoholic ingredient not exceeding one third of one

per cent. may import alcohol into this State, or order and receive the same from another State in quantities not exceeding 10 gallons, for which no permit shall be required: Provided, That such person, firm or corporation first file with the clerk of court of the county in which said manufacturing plant is located a bond with an approved surety company as surety in the sum of \$1,000 to be forfeited to the State upon proof of misuse of such alcohol or disposition of it otherwise than contemplated in this section for the manufacture of the said product. The solicitor shall bring action upon said bond upon information or belief as he may see fit.

"Sec. 22. This act shall not affect any existing law regulating the manufacture, sale or disposition of ethyl or methyl alcohol from sawdust, slabs or other wood substance, which shall remain as heretofore.

"Sec. 23. Any person shall have the right to manufacture not exceeding five gallons annually of wine from fruits, berries or grapes, and to keep the same for his own use and that of his immediate family, or for sacramental purposes.

"Sec. 24. The making of any false or untrue statement in any affidavit required herein, or the taking of such affidavit by any officer or person who knows same to be false, shall be deemed a violation of this act.

"Sec. 25. That if for any reason any section, paragraph, provision, clause or part of this act shall be held unconstitutional or invalid, that fact shall not affect or destroy any other section, paragraph, provision, clause or part of the act not in and of itself invalid, but the remaining portion shall be in force without regard to that so invalidated.

"Sec. 26. Should any agent or agents of any common carrier violate any of the provisions of this act, the said common carrier may be indicted, and upon conviction, fined for such violation, and in addition, such agent or agents may be personally indicted, and upon conviction, fined or imprisoned, or both for the same violation. Jurisdiction of said common carrier, if a corporation, shall be obtained by serving upon said corporation a certified copy of the indictment against it in the same way and upon the same persons as provided for the service of a summons in civil actions.

"Sec. 27. Any buggy, wagon, automobile, railroad car, bicycle, motorcycle, or other vehicle, or any boat, launch or other vessel used in the illegal transporting of alcoholic liquors,

as herein forbidden, with the knowledge or consent of the owner thereof, or of the agent of such owner in charge of such vehicle or vessel, is hereby declared forfeited to the State, and may be confiscated by any peace officer, and after due advertisement, sold, and proceeds paid into the county treasury: Provided, That where said vehicle or vessel is of greater value than \$1,000, the owner thereof may at any time before sale redeem same by paying into the county treasury the sum of \$1,000 therefor.

"Sec. 28. The act entitled "an act to regulate the shipment of spirituous, vinous, fermented, or malt liquors or beverages, into this State, etc.," approved February 20, 1915, is hereby repealed.

"Sec. 29. The provisions of this act are intended to be in addition to the existing laws on the same subject, and not intended and shall not operate as a repeal of any such laws except in so far as same are inconsistent with this act.

"Sec. 30. This act shall take effect 60 days after its approval.

"Sec. 31. All acts and parts of acts inconsistent herewith are hereby repealed."

**A \$160 Hay Press for \$20.**

It usually takes time to arrange for operative purchase of improved implements or machinery, so it's none too early now to decide what lines you would like to buy in this way. We are constantly running up on examples of the wisdom of cooperative purchase. Only a few days ago, for example, a friend remarked to us: "I bought a \$160 hay press last year for \$20." The statement was rather startling, but he at once explained how he did it: "I paid \$20 and seven other men paid \$20 each, and I got just as much service out of the press as if I had owned it all by myself. So to all intents and purposes, I simply bought a \$160 machine for \$20. And seven other men did the same thing."

—The Progressive Farmer.

A number of the public spirited citizens of Sumter have in the past two days made donations to a very worthy cause. They have contributed funds for the purchase of a car for the city nurse, and Mayor L. D. Jennings, who seems to be at the head of the movement, is still working on the proposition, which is one which should receive the attention and assistance of citizens, as the city nurse is doing a great work for good in Sumter.