

STATE'S NEW LIQUOR LAW DEFINES STILL AND MOONSHINE VIOLATIONS
Various Charges Effective Under Statute Passed April 21st By Legislature.

The new liquor law in West Virginia, passed by the legislature on April 21st and signed by Governor Morgan on May 2d, makes various changes in the regulations, including the definition of a moonshine still and what constitute moonshine whiskey. The more important of the clauses are published below:

Section 31. It shall be unlawful for any person to bring or carry into the state or carry from one place to another within the state, or to have or carry in or on any passenger train or other vehicle or conveyance, in any manner whatsoever whether in his personal baggage or otherwise, any quantity of intoxicating liquors, whether such liquors are intended for personal use or any other purpose, and whether or not any such person shall be an intrastate or interstate passenger. If any person shall bring, or carry into the state, or from one place to another within the state, or shall have or carry in or on any passenger train or vehicle or conveyance, in any manner whatsoever, whether in his personal baggage or otherwise, any quantity of intoxicating liquors, whether the same is intended for personal use or for any other purpose, and whether any such person shall be an intrastate or interstate passenger or not, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars nor more than five hundred dollars, and imprisoned in the county jail not less than two nor more than six months. And upon conviction of the same person for the second offense under this act, he shall be guilty of a felony, and be confined in the penitentiary not less than one nor more than five years, and it shall be the duty of the prosecuting attorney in all cases, to ascertain whether or not the charge made by the grand jury is the first or second offense; and if it is a second offense, it shall be so stated in the indictment returned, and the prosecuting attorney shall introduce the record of the first conviction as evidence before the trial court of said second offense, and shall not be permitted to use his discretion in charging said second offense, or in introducing evidence and proving the same on the trial.

Section 37.—It shall be unlawful for any person to own, operate, maintain or have in his possession, or any interest in any apparatus for the manufacture of intoxicating liquors, commonly known as "moonshine still," or any device of like kind or character. For the purposes of this act, any mechanism, apparatus or device that is kept or maintained in any desert, secluded, hidden, secret or solitary place, away from the observation of the general public, or in any building, dwelling, house or other place, for the purpose of distilling, making or manufacturing intoxicating liquors, or which by any process of evaporation, separates alcoholic liquor from grain, molasses, fruit or any other fermented substance, or that is capable of any such use, shall be taken and deemed to be a "moonshine still"; and the owner or operator of any such "moonshine still" shall be deemed a "moonshiner." Any person owning, operating, maintaining, or having in his possession, or having any interest in any moonshine still, shall be guilty of a felony, and upon conviction thereof shall be fined not less than two hundred dollars nor more than five hundred dollars, and confined in the penitentiary not less than one nor more than three years.

Any person who has in his possession any quantity of moonshine liquor shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred dollars nor more than three hundred dollars, and confined in the county jail not less than thirty nor more than ninety days, provided, that if any such person shall fully and freely disclose the name or names of any person or persons from whom he received said moonshine liquor, and give any other information that he may have relative to the manufacture and distribution of the same, and shall truthfully testify as to any such matters of information, he shall be immune from further prosecution or punishment; and provided, further, that the finding of any quantity of intoxicating liquor in the possession of any person other than commercial wholesalers which were obtained and stored in homes for domestic use at a time when it was lawful so to do, shall be prima facie evidence that the same is moonshine liquor. It shall be unlawful for any person to make, or to have in his possession, or on his premises, or on the premises of another, or elsewhere, or to have under his control or an interest in any mixture or fermenting substances or materials, such as corn meal, or other crushed or ground cereals, or fruits or roots combined with water or other liquids or substances, commonly known as "mash," or any mixture of like kind of character, for the purpose of making intoxicating liquors.

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HE SAW HER ALL RIGHT

Wednesday night Sergeant W. W. Winters arrested a big one-armed man in the public telephone booth in Shepherdstown, who was charged with robbing the cash box and of using lead coins with which to operate the phone. It is said that the telephone people have been on his trail for a long time. The man was locked up in the town jail, but when his breakfast was taken to

him next morning it was found that the bird with the broken pinion had flown. He had gotten hold of a piece of iron in the jail, and had not only broken the lock from the door, but had carried the lock away with him. Before he was jailed the man had telephoned to a woman in Hagerstown that he meant to see her Thursday morning, if he had to go through hell to meet her.

EGG CRATES HELD BOOZE

Booze is again flowing into Hagerstown in large quantities, says a dispatch from that city. Some time ago, a certain individual from a northern state seemed to have a monopoly upon the booze traffic in Hagerstown, but he seems to have relinquished this and now it is reported to be a man from a southern state who is the "booze prince" for that locality.

From what can be learned this man has sent there last week a load of 1200 quarts of liquor, in quart bottles. This shipment came in egg crates, it is said, and was hauled through the streets as such, and attracted no attention.

It is also reported that this same man has another shipment of "crated eggs" arriving in Hagerstown this week. The shipment is said not to be as large as the shipment of last week. From what can be learned the shipment comes from Virginia.

APOLLO ESSAY PRIZES AWARDED

Manager Breitbarth of the Apollo, last night presented the prizes for the best essays on the first episode of "The Son of Tarzan" to the following grade school students whose essays were selected as the best by a committee of three judges:
First Prize—Larence Roberts, 526 West Stephen street.
Second prize—Elizabeth Neely, Shenandoah Valley Bank Bldg.
Third prize—Francis Hoffmann, 301 West Martin street.

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