the sum of twenty dollars for each and every such sale, trade, barter, or gift, to be recovered by indictment in the county court, or before a justice of the peace, without the form of pleading.

§ 3. That if any person shall hereafter establish or carry on any manufactory or distillery of ardent spirits in Oregon, he shall be subject to be indicted before the county court, as for a nuisance, and if convicted, he shall be fined the sum of one hundred dollars; and the court shall issue an order to the sheriff, directing him to seize and destroy the distilling apparatus, which order the sheriff shall execute.

§ 4. Whenever it shall come to the knowledge of any officer of this government, or any private citizen, that any kind of spirituous liquors are being distilled or manufactured in Oregon, they are hereby authorised and required to proceed to the place where such illicit manufacture is known to exist, and seize the distilling apparatus, and deliver the same to the nearest district judge or justice of the peace, whose duty it shall be immediately to issue his warrant, and cause the house and premises of the person against whom such warrant shall be issued to be further searched; and in case any kind of spirituous liquors are found in or about said premises, or any implements or apparatus that have the appearance of having been used or constructed for the purpose of manufacturing any kind of spirituous liquors, the officer who shall have been duly authorised to execute said warrant, shall seize all such apparatus, implements, and spirituous liquors, and deliver the same to the judge or justice of the peace who issued the said warrant; said officer shall also arrest the person or persons in or about whose premises such apparatus, implements, or spirituous liquors are found, and conduct him or them to said judge or justice of the peace, whose duty it shall be to proceed against such criminal or criminals, and dispose of the articles siezed, according to law.

§ 5. All fines and penalties imposed under this act, shall go,