

Seizure to be advertised before liquor is destroyed.

“ to the officer seizing the same, it shall not be condemned and destroyed until the fact of such seizure, with the number and description of the packages, as near as may be, has been advertised, for two weeks by posting up a written or a printed notice and description thereof in at least three public places of the place where it was seized :

When liquor may be delivered to owner.

“ 2. And if it is proved within such two weeks, to the satisfaction of the commissioner or justice by whose authority such intoxicating liquor was seized, that with respect to such intoxicating liquor no violation of the provisions of the eleventh section of this Act has been committed nor is intended to be committed, it shall not be destroyed, but shall be delivered to the owner, who shall give his receipt therefor in writing upon the back of the search-warrant, which shall be returned to the commissioner or justice who issued the same ; but if after such advertisement as aforesaid, it appears to such commissioner or justice that a violation of the provisions of the eleventh section of this Act has been committed or is intended to be committed, then such intoxicating liquor, with any package in which it is contained, shall be forfeited and destroyed, according to the provisions of the next preceding section.”

Forfeiture and destruction in other cases.

Money paid or consideration given for liquor sold contrary to Act, cannot be recovered.

“ 16. Any payment or compensation, whether in money or securities for money, labor or property of any kind, for intoxicating liquor sold, bartered, exchanged, supplied or disposed of, contrary to the provisions of the eleventh section of this Act, shall be held to have been criminally received without consideration, and against law, equity and good conscience, and the amount or value thereof may be recovered from the receiver by the party making, paying or furnishing the same ; and all sales, transfers, conveyances, liens and securities of every kind, which either in whole or in part have been made or given for or on account of intoxicating liquor sold, bartered, exchanged, supplied or disposed of contrary to the provisions of the eleventh section of this Act, shall be null against all persons, and no right shall be acquired thereby ; and no action of any kind shall be maintained, either in whole or in part, for or on account of intoxicating liquor sold, bartered, exchanged, supplied or disposed of, contrary to the provisions of the eleventh section of this Act.”

No action to be for or on account of such liquor.

Evidence of precise description of liquor not necessary, nor of personal knowledge of sale, &c.

4. In any prosecution under this Act or the Acts hereby amended, for any offence with respect to intoxicating liquor, it shall not be necessary that any witness should depose directly to the precise description of the liquor with respect to which the offence has been committed, or to the precise consideration therefor, or to the fact of the offence having been committed with his participation or to his own personal and certain knowledge, but the commissioner or justice of the peace trying the case, so soon as it appears to him that the circumstances in evidence sufficiently establish the offence complained of, shall put the defendant on his defence, and in default of such evidence being rebutted, shall convict the defendant accordingly.