

seized, and if he fail to appear, and it is shown to the satisfaction of the said Justice or person who issued the Warrant that the said Liquor was kept or intended for sale or barter, it shall be declared forfeited, and shall be destroyed by authority of the written order to that effect of said Justice, Reeve, Mayor, Police Magistrate, Recorder, Judge or Commissioner, and in his presence, or in the presence of some person appointed by him to witness the destruction thereof, and who shall join with the Officer by whom the said Liquor shall have been destroyed, in attesting that fact upon the back of the order by authority of which it was done; and the owner or keeper of such Liquor shall pay a fine of ten pounds and costs, or be committed to prison for three calendar months in default thereof.

Forfeiture and destruction of the liquor.

Penalty on offender.

VII. If the owner, keeper or possessor of Liquor seized under the provisions of this Act shall be unknown to the Officer seizing the same, it shall not be condemned and destroyed until the fact of such seizure shall have been advertised, with the number and description of the packages as near as may be, for two weeks, by posting up a written or printed notice and description thereof in at least three public places, and if it shall be proved within such two weeks to the satisfaction of the Justice, Reeve, Mayor, Police Magistrate, Recorder, Judge or Commissioner by whose authority said Liquor was seized, that it is actually the property of any person authorized to sell the same under the provisions of this Act, it shall not be destroyed, but shall be delivered to the owner, who shall give his receipt therefor upon the Warrant, which shall be returned to the said Justice or person who issued the same.

Provision if the owner of the liquor be unknown.

VIII. It shall be the duty of every Justice of the Peace, Mayor, Alderman, Councillor, Reeve, Deputy Reeve, Constable, or Policeman who shall have reason to believe, or who shall receive notice that any intoxicating Liquor is illegally kept or sold in any tent, shanty, booth, hut, or place of any kind for selling refreshment, in any public place or near the ground of any cattle show, fair or exhibition, or public meeting, or occasion of any kind, to search such suspected place, and if such Officer shall find upon the premises any intoxicating Liquor, he shall seize the same and arrest the keepers or keeper of such place, and (except he be merely a Constable or Policeman,) the Officer making such seizure may then and there order the Liquor to be destroyed, and it shall be destroyed accordingly; and if such seizure is made by a Constable or Policeman, or if the Officer making the same shall have any doubt as to the fact of the Liquor being alcoholic or intoxicating, and being illegally kept for sale or barter, the Liquor and keeper or keepers thereof shall be taken forthwith, or as soon as may be, before some Justice, Reeve, Mayor, Police Magistrate, Recorder or Judge of a Division or Circuit Court, or Commissioner, for the summary trial for Small Causes, other than the Officer making the seizure, and upon proof that the said Liquor is alcoholic or intoxicating, and that it was found in possession of the accused in a tent, shanty, or other place as aforesaid, he shall be fined five pounds, or sentenced to imprisonment for thirty days, and the Liquor so seized shall be destroyed by order of any Justice, Reeve, Mayor, Police Magistrate, Recorder, Judge, or any such Commissioner as aforesaid.

Search for liquor in booths, &c. at fairs, &c.

IX. Any payment or compensation for Liquor sold or bartered in violation of this Act, whether in money or securities for money, labor or property of any kind shall be held and considered to have been received

Payment or compensation, &c. for liquor, to be void.