

Sec. 39—Persons receiving injury to themselves or property by the act of an intoxicated person may sue any person who contributed to such intoxication, if done in violation of this chapter, and may include the intoxicated person in the same action.

Sec. 40—Persons found intoxicated in a public place, or intoxicated and disorderly in any place, shall be arrested by any public officer and taken before a justice of the peace and be charged with the crime of drunkenness.

Sec. 41—Such person so charged, to be discharged, and used as a witness, if he or she discloses the name of the person from whom the liquor was obtained, together with time, place, and manner of delivery ; and if it appears that an offence against this Act has been committed, then the officer shall proceed against the person so named.

Sec. 42—Warrant of search and seizure to issue on oath of two competent witnesses that they have reason to believe, and do believe, that liquors are kept, by the person named, in any place.

Sec. 43—Dwelling houses exempt from search when used strictly as such, unless one of the complainants makes oath that he has reason to believe, and does believe, that liquor has been sold therein contrary to law, within one month from date of complaint.

Sec. 44—Complaint to specify all particulars, including the precise description of building to be searched, the name of person by whom the liquors are said to be owned, kept or possessed, and shall allege the intent of such person to sell said liquor contrary to law.

Sec. 45—Officer charged with warrant to execute same and to remove all liquors seized to a place of security.

Sec. 46—Provides for summary action when value of liquor seized is under twenty dollars.

Sec. 47—Provides for giving notice of said seizure and how published.

Sec. 48—Trial may be postponed if notice has not been duly served or for other reasonable cause.

Sec. 49—Case may be heard and disposed of in the absence of the party complained of, after due notice has been given ; liquor and vessels may be forfeited to the commonwealth.

Sec. 50—Liquor so forfeited, suitable for mechanical, medicinal or chemical purposes, to be handed over to some legally appointed agent and proceeds paid to treasurer of commonwealth. Liquor not so applicable to be destroyed.

Sec. 51—The liquor or any part of it not proved to be kept in violation of law to be returned to place whence it was taken, or to the person claiming same.

Sec. 52—When no person appears, or appearing makes good his claim, the costs to be paid as in other criminal cases. Costs, except for search and custody, to be paid by the persons claiming when the liquor is condemned.