

any Justice, Reeve, Mayor or Police Magistrate, Recorder or Judge of a Circuit Court or Division Court or Commissioner for the summary trial of Small Causes, that they have reason to believe and do believe that alcoholic or intoxicating Liquor intended for sale or barter are kept or deposited in any Steam-boat or other vessel, or in any carriage or vehicle, or in any store, shop, warehouse, or other building or place in such Municipality, or on any river, lake or water adjoining the same, by any person not authorized to sell the same under the provisions of this Act, the said Justice, Mayor, Reeve, Police Magistrate, Recorder, Judge or Commissioner shall issue his Warrant of Search to any Sheriff, Police Officer, Bailiff or Constable, who shall forthwith proceed to search the premises or place described in said Warrant, and if any alcoholic or intoxicating Liquor be found therein, he shall seize the same and the barrels, casks or other packages in which it may be contained and convey them to some proper place of security, and there keep them until final action is had thereon; but no dwelling house in which, or in part of which a shop or bar is not kept, shall be searched, unless one at least of the said complainants shall testify on oath to some act of sale of alcoholic or intoxicating Liquor therein or therefrom, within one calendar month of the time of making the said complaint; and the owner or keeper of the Liquor seized as aforesaid, if he shall be known to the Officer seizing the same, shall be summoned forthwith before the Justice or person by whose Warrant the Liquor was 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.

contravention
of this Act.

Proviso.

Owner sum-
moned.

Forfeiture and
destruction of
the liquor.

Penalty on
offender.

Provision if
the owner of
the liquor be
unknown.

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