

this Act within one month of the time of making the said complaint :

Forfeiture of  
Liquor.

2. The owner or keeper of the Liquor seized as aforesaid, if he is known to the Officer seizing the same, shall be summoned forthwith before the Commissioner or Justice by whose warrant the Liquor was seized, and if he fails to appear, and it appears to the satisfaction of such Commissioner or Justice, that the said Liquor was kept or intended for sale or barter, in contravention of this Act, it shall be declared forfeited with any package in which it is contained, and shall be destroyed by authority of the written Order to that effect of the said Commissioner or Justice, 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 has 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 *forty dollars and costs*, or be committed to prison for three months in default thereof.

In case owner  
be unknown.

16. If the owner, keeper or possessor of liquor seized under the next preceding section is unknown to the officer seizing the same, it shall not be condemned and destroyed until the fact of such seizure has been advertised, with the number and description of the package 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 of the place where it was seized :

Delivery back  
in certain  
cases.

2. And if it is proved within such two weeks to the satisfaction of the Commissioner or Justice by whose authority such Liquor was seized, that it was not intended for sale or barter in contravention of this Act, it shall not be destroyed, but shall be delivered to the owner, who shall give his receipt therefor upon the back of the Warrant, which shall be returned to the said Commissioner or Justice who issued the same; but if after such advertisement as aforesaid, it appears to such Commissioner, or Justice, that such liquor was intended for sale or barter, in contravention of this Act, then such liquor, with any package in which it is contained, shall be condemned, forfeited, and destroyed.

Money for  
Liquor may be  
recovered  
back.

17. Any payment or compensation for liquor sold or bartered in contravention of this Act, whether in money or securities for money, labor or property of any kind, 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 given for or on account of Intoxicating Liquor sold or bartered in contravention 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 or bartered in contravention of this Act.

Procedure.

18. Any Commissioner or Justice of the Peace may hear and determine in a summary manner any case arising within his jurisdiction under this Act; and every person making complaint against any other person for contravening this Act, or any part or portion thereof, before such Commissioner or Justice, may be admitted as a witness; and if the Commissioner or Justice before whom the examination or trial is had, so orders, as he may if he thinks there was probable cause for the prosecution, the defendant shall not recover costs though the prosecution fails.