

ance, to enter into _____ (here describe the house or place described in the affidavit) of the said _____ of _____ in the county aforesaid, and there diligently search for the said intoxicating liquor and means used for the sale of same (here describe the articles as in the affidavit), and that you bring the same, or any part thereof, found in such search forthwith before me to be disposed of and dealt with according to law. Given under my hand this _____ day of _____ A. D. _____.
_____. Such liquor and means used for the sale of the same shall be held subject to the order of the justice of the peace or court issuing the warrant to be used as evidence in the prosecution of any case for the violation of this Act. (C) If fluids be poured out or otherwise destroyed when the premises are searched or about to be searched, said fluids shall be held prima facie to be intoxicating liquor and intended for sale in violation of this Act. (D) If upon final judgment of the justice of the peace or court, the accused shall be found guilty, the intoxicating liquor seized from him shall, after the time for appeal has expired and if no appeal is taken, be ordered to be destroyed, and the other property shall be held as the property of the accused or owner. If the accused shall be found not guilty, the whole of the property seized shall be returned to the person from which it was taken. (E) When any liquor shall have been seized by virtue of such warrant, the same shall not be discharged or returned to any person claiming the same by reason of any alleged insufficiency in the description in the complaint or warrant of the liquor or place, but the claimant shall be entitled to a hearing when the case is tried. (F) If no one is found in possession of the premises where intoxicating liquor may be found, the officer taking the same shall post in a conspicuous place on said premises a copy of his warrant, and take possession of such liquor and means used for the sale of the same, and hold them subject to the order of the court or justice of the peace issuing the warrant and make return of his doings thereto. Whereupon it shall be the duty of the justice of the peace or court to fix a time for hearing and determining the purpose for which such liquor is kept, and issue a notice thereof to the officer, who shall post a copy thereof on the premises where the liquors were found. If no one appears at the time fixed for said hearing, nor within thirty days thereafter to claim such liquor and means used for the sale of the same, the justice of the peace or court shall order the same destroyed. (G) No warrant shall be issued to search a private residence accepted as such unless it or some part of it is used as a store or shop, hotel or boarding house, or unless such residence is a place of public resort; provided, nevertheless, if the justice of the peace or judges of the court shall, after an examination of the party making the oath or after taking such other proof as may be produced, deem it proper to issue such warrant, then the said justice of the peace or the judge of the court may, in his discretion, issue the warrant as hereinbefore provided, for the searching of a private residence. (H) The person making affidavit for the warrant to search any place where intoxicating liquor is believed to be disposed of contrary to this Act, may personally or by agent accompany the officer who serves the war-