

752 FISH AND FISHERIES—FINES, FORFEITURES. [ART. 39.]

P. G. L., (1860,) art. 41, sec. 29. 1843, ch. 275, sec. 4 1854, ch. 172, sec. 4.  
1854, ch. 310, sec. 2.

**66.** All forfeitures of property incurred under this article, unless otherwise specially provided, may be enforced in this way: the sheriff or constable shall, on complaint made to him, seize the property alleged to be so forfeited, and give notice to the owner thereof, if the owner can be found, to appear before a justice of the peace of the county where the seizure is made, on a certain day within five days from the time of seizure, to show cause why the property so seized should not be condemned; and if the owner of the property so seized evades the service of said notice, then the sheriff or constable may set up notices at three of the most public places in the neighborhood of the seizure, warning the owner of such property to appear before a justice of the peace to be therein named, on a certain day, not less than ten days from the time of seizure, to show cause why the said property should not be condemned.

Ibid. sec. 30. 1841, ch. 143. 1843, ch. 143, sec. 2. 1845, ch. 148, sec. 4.  
1854, ch. 172, sec. 2.

**67.** If upon the hearing in any case of seizure as aforesaid the justice is satisfied that the owner or person having charge of the property so seized is guilty of violating any of the provisions of this article which impose a forfeiture of such property for such violation, then such justice shall adjudge the same to be condemned and sold by the sheriff or constable seizing the same, (or if he be dead or removed away, by some other officer,) on ten days' public notice; and the justice may proceed *ex parte* to hear and determine any question of forfeiture, if the owner fails to appear after the notice herein required to be given.

Ibid. sec. 31. 1820, ch. 199, sec. 4. 1841, ch. 326, sec. 5.

**68.** If the sheriff or constable making a seizure of property under this article does not know the name of the owner or person having charge thereof, he may describe him in the notice he is required to give, as the owner of the property, without naming him; and the justice, if he does not know the name of the owner, may condemn the property as the property of a person guilty of violating the law, without naming such person.