

ted, or if committed in the city of Baltimore, to the mayor and city council of Baltimore, for the use of the public schools of said city, and in no case shall judgment be suspended beyond the last day of the term of the court, during which such conviction shall have taken place.

Upon affidavit  
justice of  
peace to issue  
warrant.

SEC. 3. *And be it enacted*, That if an affidavit shall be filed with any justice of the peace for any county of this State, or of the city of Baltimore, before whom complaint shall have been made of an offence against any provision of this act, stating that the affiant has reason to believe, and does believe that the person so charged in such complaint, has upon his person or at any other place named in such affidavit, any money or other specified articles of personal property, or any gambling table, device or apparatus, the discovery of which might lead to establish the truth of such charge, the said justice of the peace shall issue a warrant commanding the officer, who is authorised to arrest the person so charged, to make diligent search for such money, property, table, device or apparatus, and if found, to bring the same before such justice, and the officer so seizing, shall deliver the same to the justice before whom they are taken, who shall retain possession of said property, and be responsible therefor until the discharge or commitment, or holding to bail of the person so charged, and in case of such commitment or holding to bail of the person so charged, such officer shall retain such property subject to the order of the court before which the person charged with such offence, may be required to appear until his discharge or conviction, and in case of the conviction of such person, the gambling table, device or apparatus shall be destroyed, and the household property and other fixtures, with the money belonging to such gambling place, shall be sold by the sheriff of the county or city in which such conviction shall be had, to pay any judgment and costs which may be rendered against such person, and after the payment of such judgment and costs, the surplus, if any, shall be paid, for the use of the public schools of the county or city of Baltimore, as the case may be, where such prosecution shall take place, as provided for in the preceding section; and in case of the discharge of such person by the justice of the peace or court, the officer having such property in his custody, shall, on demand, deliver it up to such person.

Authority for  
officer to  
break open  
house, &c.

SEC. 4. *And be it enacted*, That it shall and may be lawful for any justice of the peace, or any court having criminal jurisdiction, or any judge of any such