

publication of notice, file a claim protesting such seizure with the Comptroller. When such a claim and protest is filed the Circuit Court for the County or City of Baltimore wherein the property was confiscated shall proceed in rem to hear and determine the question of forfeiture.

(4) *Rights of Lienholders:* If the court determines any property is subject to forfeiture it shall also determine whether any lawful lienholder who has filed a timely claim and protest had knowledge of such intended unlawful use. If the court shall find such knowledge then the lienholder's right, title and interest to the property shall likewise be deemed forfeited. If the court does not find such knowledge and the property is otherwise subject to forfeiture, it shall be forfeited and the Comptroller may as he deems in the best interest of the State, pay the outstanding indebtedness secured by such lawful lien and keep the property or deliver the property to the said lienholder.

(5) *Disposition of Confiscated Property:* Any property confiscated and forfeited under this Article shall become the property of the respective County or City of Baltimore wherein confiscated, except that property confiscated by officers of the State of Maryland which shall become the property of the State of Maryland. The Comptroller of the Treasury, the County Commissioners of the respective counties, or the Mayor of Baltimore City, as the case may be, shall as they deem in the best public interest, retain for official use, sell or otherwise dispose of such forfeited property, provided however that any lawfully manufactured alcoholic beverages forfeited to a County in which there is a Liquor Control Board shall become the property of the Liquor Control Board for such county and shall be sold by the County Dispensaries in such counties and the proceeds from such sales shall be treated in the same way as the proceeds from ordinary sales made by such dispensaries. Provided, further, however, that no illicit alcoholic beverages shall be returned or given to any person or otherwise disposed of except by destruction.

(6) *Destruction of Certain Contraband:* An officer confiscating any unlicensed distillery or unlawful distillery materials, equipment or devices under circumstances which render it impractical or impossible to remove the same to a safe place of custody and storage, or confiscating any illicit alcoholic beverages, except that seized for evidence or forfeiture, shall forthwith destroy the same only insofar as is necessary to render it unfit for further unlawful use and shall report such confiscation and destruction to the Alcoholic Beverages Division of the Comptroller of the Treasury of Maryland.

3 (g) *Evidence—Destruction to Prevent Seizure:* It shall be unlawful to remove or destroy or cause to be removed or destroyed any property which has been seized under this Article, or to prevent or attempt to prevent the seizure of any property by pouring out, breaking, destroying, removing or otherwise disposing of the same, and any fluid poured out or otherwise disposed of when any premises, place or thing are searched or about to be searched shall be held prima facie to be an alcoholic beverage and intended for sale or other use in violation of this Article.