

REPORT AND RETURN

To *Hon.*, [Esq., Trial Magistrate for] *Judge of the District Court in* County.

This Return and Report, made this day of, 19....., is to certify, That pursuant and in obedience to the commands of the annexed warrant to me directed, I did on the day of, 19....., enter and search the place, house and premises described in said warrant and found and seized the following, to wit: (here set forth what was found and seized), and do forthwith bring the same, and one the person in whose custody the same were found before you.

.....
(Person serving warrant)

(c) Evidence.—(1) Such liquor and means used for the sale of the same *shall* be held subject to the order of [such justice of the peace] *the court* to be used as evidence in the prosecution of any case before [him or] the court for the violation of this article, and any such or the possession of any such liquor or the means, materials and instrumentalities for manufacturing, transporting, dispensing, handling or otherwise disposing of the same or the paraphernalia or part of the paraphernalia of a barroom or drinking saloon shall constitute *prima facie* evidence of the violation of the provisions of this subtitle as charged or presented. If fluids be poured out or otherwise destroyed when the premises, place or thing 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 article.

(2) In all prosecutions under this article, by charge, indictment or otherwise, it shall not be necessary to state the kind of liquor sold, handled or involved, nor to describe the place where sold, handled or involved, nor to show the knowledge of the principal to convict for the acts of an agent or servant, nor to state the name of any person to whom the liquor is sold, but it shall be sufficient to state in that regard that the act complained of took place in the county. The issuance of an internal revenue special tax stamp, or receipt by the United States, to any person as a wholesale or retail dealer in liquors or in malt liquors at any place within the county shall be *prima facie* evidence of the sale of alcoholic beverages of the class authorized to be sold under such stamp or receipt by such person at such place, or at any place of business of such person, within such territory where such stamp or receipt is posted, and at the time charged in any suit or prosecution under this article; provided, such time is within the life of such stamp or receipt. This paragraph shall apply only in Queen Anne's County.

(d) Property taken from accused.—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. When any liquor shall have been seized by virtue of such warrant, the same shall not be discharged or returned to any person