

bookmaking, betting and wagering on horses or athletic events, or any lottery, game, table, or gaming device unlawful under the provisions of this article, all such money, currency or cash shall be deemed prima facie to be contraband of law as a gambling device or as a part of a gambling operation. ALL RIGHTS, TITLE AND INTEREST IN AND TO SUCH MONEY, CURRENCY OR CASH SHALL IMMEDIATELY VEST IN AND TO THE LOCAL GOVERNMENTS OF THE CITY AND COUNTIES AND [No] NO such money, currency or cash shall be returned to any person claiming the same, or to any other person, except in the manner hereinafter in this section provided.

(b) Pending trial or ultimate disposition of the charge or charges, indictment or indictments, growing out of any arrest in connection with which any such money, currency or cash may have been so seized or captured, the same shall be deposited [with,] IN AN INTEREST-BEARING BANK ACCOUNT and accounted for by the county treasurer of the county or the director of finance in Baltimore City.

(c) If the trial or other ultimate disposition of such charge or charges, indictment or indictments, results in a record of conviction being entered against the person or persons so arrested, in connection with which the said money, currency, or cash may have been so seized or captured, the county treasurer of the county or director of finance in Baltimore City [may], SHALL [after one month] WITHIN NINETY DAYS from the date of the record of the entry of such conviction, unless the case is appealed to [Court of Appeals] AN APPELLATE COURT, make application to the circuit court of the county, for an order declaring and ordering that such money, currency or cash in the custody of the director of finance or county treasurer shall be forfeited to the sole use and gain of the [said] county or city. The court to which any such application has been directed shall establish to its satisfaction that there is no pending and undetermined suit or proceeding which has been filed in any court of competent jurisdiction, against [said] THE director of finance or treasurer, seeking a return or recovery of the [said] money, currency or cash so held in custody, before [said] THE court shall proceed so to order a forfeiture of such money, currency or cash to the county.

(1) ALL APPLICATIONS FOR THE FORFEITURE OF CONTRABAND SHALL BE BY PETITION AND A COPY OF THE PETITION AND SHOW CAUSE ORDER SHALL BE SERVED IN THE FIRST INSTANCE PURSUANT TO RULE 104 OF THE MARYLAND RULES OF PROCEDURE OR RULE NO. 104 OF THE MARYLAND DISTRICT RULES, AND THEREAFTER, THE SUMMONS HAVING BEEN RETURNED NON EST, THE DIRECTOR OF FINANCE OF BALTIMORE CITY OR COUNTY TREASURER MAY PROCEED PURSUANT TO RULE 105, SUBSECTION 2 AND SUBSECTION 3 OF THE MARYLAND RULES OF