

1916, ch. 456, sec. 14. 1918 Code, sec. 63.

44. It shall not be lawful for any person or body corporate to sell, directly or indirectly, at any place within the limits of the Town of Brunswick or to give away, at his place of business, or upon any street, alley or thoroughfare in said town, any spirituous or fermented liquors or lager beer, or intoxicating drinks of any kind, nor shall any license be issued or granted for the sale of the same within the limits of said town of Brunswick. The Council shall have power to pass an ordinance or ordinances, to suppress the sale or giving away of spirituous or fermented liquors or lager beer, or intoxicating drinks of any kind, within the corporate limits of said town, and may provide therein a fine and penalty, not exceeding the fine and penalty authorized by the preceding section, for a violation of said ordinance or ordinances; this power shall not, however, be construed to forbid or deny the jurisdiction of the Circuit Court in the premises, as provided in the next succeeding section.

If any person or body corporate shall sell, directly or indirectly, at any place, or give away at his place of business or upon any street, alley or thoroughfare, any spirituous or fermented liquors or lager beer, or intoxicating drinks of any kind, within the limits of the town of Brunswick, he shall, on conviction thereof in the Circuit Court for said Frederick County be fined for the first offense not less than fifty dollars nor more than two hundred dollars, and for each subsequent offense not less than two hundred dollars, nor more than five hundred dollars, and on failure to pay the same shall be committed to the jail of said county until said fine and costs are paid; one-half of said fine shall be paid to the informer, and the other half to the Board of School Commissioners of Frederick County, for the benefit of the public schools situated in the Town of Brunswick.

Nothing in the two preceding sections shall be construed to prevent the compounding or sale of any such liquors by pharmacists or druggists who shall or may have obtained license therefor under the license laws of the State, upon the written bona fide prescription of a regular practicing physician, whose name shall be signed thereto, and every such prescription shall be filed and kept by said pharmacist or druggist; and no prescription shall serve more than one purchaser; but no physician shall make and sign any such prescription, unless the person for whom it is made is actually sick, or such liquor is actually required as a medicine; and any physician who shall make or sign any prescription for such liquor, except as aforesaid, shall be deemed guilty of a violation of said section, and upon conviction thereof shall be fined not less than fifty dollars nor more than two hundred dollars for the first offense, and not less than two hundred nor more than five hundred dollars for each subsequent offense, one-half of said fine to be paid to the informer, the other half to the Board of School Commissioners of said county, for the use of the public schools situated in the town of Brunswick; and upon failure to pay the said fine shall be committed to the jail of said county until said fine and costs are paid; nor shall anything herein be construed to prohibit the sale