

alcoholic bitters, or intoxicating drinks of any kind, within the limits of said county, he or they shall, on conviction thereof, forfeit and pay on the first conviction a fine of not less than fifty dollars nor more than three hundred dollars, and costs of prosecution; or instead of such fine, be imprisoned in the county jail for thirty days, or both, in the discretion of the court; and on the second and every subsequent conviction, not less than one hundred dollars nor more than five hundred dollars, and in addition to such fine, be imprisoned in the county jail for not less than thirty days nor more than ninety days, in the discretion of the court; and on failure to pay any such fine as herein described, he or they shall be committed to the jail of said county until such fine and costs be paid; one-half of the fine imposed for the violation of this sub-title of this article shall go to the informer, and the residue to the board of school commissioners of said county, for the benefit of the public schools therein.

P. L. L., 1888, Art. 14, sec. 96. 1882, ch. 450.

**208.** Nothing herein contained shall be construed to prevent the compounding or sale of any such liquors for medicinal purposes by a pharmacist and druggist who shall or may obtain a license under the license law of this State; and upon a written *bona fide* prescription of a regular practising physician, whose name shall be signed thereto; and all such prescriptions shall be filed and kept by such pharmacist and druggist, and no prescription shall serve for more than one purchase; but no physician shall make or sign any such prescription unless the person for whom it is made is actually sick, and such liquor is deemed by said physician necessary as a medicine; any physician who shall make or sign any prescription for such liquor, except as aforesaid, shall be deemed guilty of a violation of the two preceding sections, and upon conviction thereof, shall be fined not less than fifty dollars nor more than two hundred dollars for the first offence, and not less than two hundred nor more than five hundred dollars for each subsequent offence; and if the buyer shall obtain a prescription by misrepresentation, he shall likewise be deemed guilty of a violation of said sections, and, upon conviction thereof, shall be subject to the same fine as the physician who shall violate the same; the one-half of said fine to be paid to the informer, and the residue to the board of school commissioners of said county, for the benefit of the public schools thereof; and said violators shall be committed to the county jail until such fine and costs are paid; but nothing herein shall be construed to prohibit a sale by a pharmacist or druggist, in case of extreme illness, when delay may be dangerous to the patient.

P. L. L., 1888, Art. 14, sec. 97. 1882, ch. 450.

**209.** All prosecutions for violations of the provisions of said sections which are hereby declared to be criminal offences, may be either upon presentment or indictment, or by trial before a justice of the peace, who shall have jurisdiction original and concurrent with the circuit court for said county; and the said justice shall have power to issue all process and to do all acts which may be necessary to the exercise of his said jurisdic-