

Any member of any Board, or any employee of any Board, violating the provisions of this Section shall, upon conviction, be subject to a fine not exceeding five thousand dollars (\$5,000) or to imprisonment not exceeding twelve years, or both fine and imprisonment in the discretion of the Court.

This discretion in Board to fix price of alcoholic beverages was repealed or modified by Ch. 476, Acts of 1937 (Art. 2B, Sec. 8), which fixed price. *Fowler v. Harris*, 174 Md. 398.

An. Code, 1924, sec. 48AA. 1935, ch. 576.

65. In Montgomery County the owner of any restaurant which is located in the Fourth, Eighth and Tenth Election Districts of said County and was doing business in 1932, and which had a seating capacity of thirty chairs and a capital investment of thirty thousand (\$30,000.00) dollars or more in 1932, shall be entitled to procure a license for the sale of any and all alcoholic beverages upon payment of a license fee of seven hundred and fifty (\$750.00) dollars to the Clerk of the Circuit Court of said County. Any such restaurant obtaining such license shall purchase and/or procure its alcoholic beverages from the Montgomery County Dispensary only, and any such restaurant selling or offering for sale any alcoholic beverages not purchased and/or procured shall be deemed to have forfeited its license.¹

An. Code, 1924, sec. 48B. 1933 (Special Sess.), ch. 2, sec. 48B. 1935, ch. 65, sec. 48B.

66. (Liquor Control Board—Powers and Duties; County Dispensary.) In Wicomico County, there shall be a Liquor Control Board consisting of 3 members and Jos. Y. Gunby, Henry S. Todd and J. Waller Williams shall constitute the first Board, who shall serve until June 1, 1935, and their successors shall be appointed by the Governor with the advice and consent of the Senate, for a term of 2 years. The Board shall organize by electing its own Chairman. In case of a vacancy, the vacancy shall be filled by the Governor for the unexpired term. The members of said Board shall receive as compensation \$5. per day for every day devoted to the duties of the Board but not exceeding \$300.00 per annum and, in addition thereto, the Chairman of said Board shall receive a salary of \$200.00 per year.

The said Board shall have full power and authority to establish and maintain at Salisbury, a store to be known as "Wicomico County Liquor Dispensary," for the sale of any sparkling or fortified wine and any other alcoholic beverage containing more than fourteen per centum of alcohol by volume, in sealed packages or containers, which packages or containers shall not be opened nor their contents consumed upon the premises where sold. The said Board shall have power to establish branch dispensaries at such places in Wicomico County as it deems desirable and proper. For the purpose of establishing and operating such dispensary and/or branch dispensaries, the Board of County Commissioners of Wicomico County is hereby authorized and directed to advance, from time to time, to the Liquor Control Board, such sum or sums of money, not exceeding \$8,000.00, as may be necessary to provide adequate working capital for said Liquor Control Board, and the said Board of County Commissioners is hereby authorized and empowered to borrow, upon the credit of said County, such sum or sums as may be necessary to meet such advances, and the

¹ Sec. 2 of ch. 576 of acts of 1935 repealed all laws inconsistent therewith to the extent of such inconsistency.