

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 dollars 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 a physician who shall violate the same; one-half of said fine shall 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 of said county 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, where delay may be dangerous to the patient.

1886, ch. 241.

142. All prosecutions for violations of this sub-title of this article, may either be upon presentment and 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 process, and to do all acts which may be necessary to the exercise of his said jurisdiction; and may try and determine all cases whereof he may have jurisdiction, and may pronounce judgment and sentence to the same extent and manner as the circuit court for said county could do in such case if they were tried before said court without the intervention of a jury; provided, however, that if any person, when brought to trial, or if the State's attorney for said county shall pray a jury trial for the alleged offence, on the part of the State, it shall be the duty of said justice of the peace to commit such offender for trial, or hold him to bail to appear for trial at the then term of the circuit court, if it be in session, and if not, to the next term, and to return the commitment or recognizance, with the names and residence of the witnesses for the prosecution endorsed thereon, forthwith to the clerk of said court; and it shall be the duty of said justice of the peace to inform the person charged, of his right to a trial by jury in all cases.