

mation to the State's attorney and grand juries, and whenever an indictment has been found in any such case, no State's attorney shall dismiss or stet, or fail to prosecute the same, except special order of the court; and if any State's attorney or justice of the peace shall refuse or knowingly neglect to allege such previous conviction, or if any State's attorney shall fail to prosecute as provided herein, in every such case he shall forfeit one hundred dollars, to be recovered in an action of debt to be brought by the Attorney General, in the name of the State.

May be amended.

SEC. 6. *And be it enacted*, That for a violation of the provisions of this act, relating to the sale of intoxicating liquors, other than for the first offence, it shall not be necessary to set forth particularly the record of any former conviction, but it shall be sufficient to allege briefly that such person, corporation, company or association has been convicted of a violation of any particular provisions of this act, and any such indictment or proceeding may be amended at any stage of the proceedings before final judgment.

How construed

False or fraudulent.

SEC. 7. *And be it enacted*, That nothing herein contained shall be construed to prevent the sale of intoxicating liquors for medicinal purposes, but no sale of such prohibited liquors shall be deemed a sale for medicinal purposes unless the buyer presents the prescription of some respectable physician, or unless the seller be a physician, in which case he shall take the buyer's certificate of the facts upon which he acts, said prescription and certificate to be preserved by the seller for his vindication; and the said prescription and certificate in all cases shall be proof of bona fides on the part of the seller, unless collusion be shown; and if it be shown the buyer procured a prescription by misrepresentation, or subscribe a false, fraudulent certificate, he shall be guilty of a misdemeanor, and on conviction, shall be punished in the same manner and to the same extent as the seller would have been had he been found guilty of a violation of the provisions of this act; and any physician who shall, by collusion or otherwise, violate the provisions of this section, shall, on conviction, be punished in the same man-