

scribed, he, she 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 act 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.

Fines—how disposed of.

SEC. 5. *And be it enacted*, That 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 practicing 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, after the said first day of May, in the year eighteen hundred and eighty-three, make or sign any prescription for such liquor except as aforesaid, shall be deemed guilty of a violation of this act, 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 this act, 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 of said county until such fine and costs are paid; nor shall anything herein be construed to prohibit a sale by a pharmacist or druggist, in case of extreme illness, when delay may be dangerous to the patient.

How construed.

Necessary as a medicine.

How construed.