

dollars and costs, or shall be imprisoned not less than one nor more than six months, or both, in the discretion of the court.

SEC. 13. *And be it enacted*, That every sale, gift or disposal of liquor shall be presumed to be made by the occupier of the premises where the same was made; and that whenever it shall be unlawful to sell, give away or dispense intoxicating liquors to any person, it shall be likewise unlawful in the same manner for any other person or persons to procure, or aid in procuring it for such person, and the person convicted of this offence shall pay a fine of fifty dollars.

Who presumed to be sold by.

SEC. 14. *And be it enacted*, That the court may take official notice of the fact that spirituous, mixed or fermented liquors, by their usual common names, are intoxicating, except cider, but that cider unmixed shall not be considered an intoxicating liquor.

Who to take official notice.

SEC. 15. *And be it enacted*, That any person or persons to whom the clerk aforesaid shall issue a license to keep an inn or tavern, or a license under section ten of this act, or a license under section eleven of this act, shall pay to the said clerk the amount now required by the laws of this state for said license, and the further sum of twenty-five dollars, the said latter sum to be paid by said clerk to the school commissioners of Wicomico county, for the use of the public schools in said county.

Sum to be paid for license.

SEC. 16. *And be it enacted*, That any person found drunk or disorderly, from the effects of liquor, on the street, highway or public place, may be arrested by any officer, with or without a warrant, and taken before a justice of the peace, whose duty it shall be to hear the case, and if the party be found guilty to fine him in a sum not exceeding ten dollars and costs, and in default of payment of fine and costs, to commit him to the county jail for ten days. And it shall be the duty of every sheriff or constable to enforce the provisions of this section, and a failure so to do shall be a misdemeanor, and on conviction thereof, every such officer so failing shall forfeit and pay a fine of not less than fifty nor more than one hundred dollars.

Arrest drunken persons.

SEC. 17. *And be it enacted*, That judicial powers are hereby conferred on the clerk of the circuit court for Wicomico county for the purposes herein mentioned.

Judicial powers.

SEC. 18. *And be it enacted*, That the bond of the clerk aforesaid shall be liable to the school commis-