

Penalty. SEC. 2. *And be it enacted,* If any person, house, company, association or body corporate, his or their agents or servants, shall sell or barter, directly or indirectly, any spirituous or fermented liquors, alcoholic bitters or intoxicating drinks of any kind, within the limits aforesaid, he or they shall, on conviction thereof, forfeit and pay a fine of not less than fifty dollars or more than three hundred dollars, and the costs of prosecution, or be confined in the Maryland House of Correction for thirty days or in the county jail for thirty days, or be both fined and imprisoned, in the discretion of the court or justice of the peace.

Powers of justices of the peace. SEC. 3. *And be it enacted,* That all prosecutions for violations of above sections may be either upon presentment and indictment in the Circuit Court or by trial before a justice of the peace; and all justices of the peace in said county shall have jurisdiction, original and concurrent, with the Circuit Court for said county; and said justices of the peace shall have power to issue all process and do all acts which may be necessary to the exercise of his said jurisdiction, and may try and determine all cases for the violation of said sections and pronounce judgment and sentence and enforce the same to the same extent and manner as the Circuit Court for said county can do in criminal cases; provided, that if any person when brought before any justice shall before trial pray a jury trial, or if the State's Attorney shall pray a jury trial, it shall be the duty of said justice to commit such offender for trial, or hold him to bail to appear for trial at the next Circuit Court for said county, and to return the commitment or recognizance, with the names of witnesses endorsed thereon, forthwith to the clerk of said court; and said justice shall in every case inform the offender of his right to jury trial.

Jury trial.

Provisions as to druggists. SEC. 4. *And be it enacted,* That nothing contained in sections one and two shall be construed to prevent the compounding of liquors in a prescription by a pharmacist or druggist upon a written and bona fide prescription of a regular practising physician of medicine, whose name shall be signed thereto, and such prescriptions shall be filed and numbered in regular order, and no prescription shall serve for more than one purchase. No physician shall give any such prescription unless the person is actually sick, and in the opinion of such physician actually requires the same; and any physician who shall under any other circumstances give such a prescription, shall be liable to the penalties prescribed by section two; but nothing in this