

nor more than five hundred dollars, and in addition to such fine be imprisoned in the county jail for not less than thirty days, nor more than ninety days, in the discretion of the court; and on failure to pay any such fine as herein prescribed, he shall be committed to jail of said county until such fine and costs are paid.

249. Nothing contained in the two preceding sections shall be construed to prevent the compounding or sale of any such liquors for medicinal purposes by a pharmacist or druggist, who shall or may obtain a license under the license laws 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 or druggist, and no prescription shall serve for more than one purchase, but no physician make or sign any such prescription unless the person for whom it is made is actually sick, and such liquor is absolutely necessary as a medicine; any physician who shall make or sign any prescription for such liquor except as aforesaid, shall be deemed guilty of a violation of said sections, and upon conviction thereof shall be fined not less than fifty dollars, nor more than two hundred dollars for the first offense, and not less than two hundred dollars, nor more than five hundred dollars for each subsequent offense; 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 the physician who shall violate the same, 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, when delay may be dangerous to the patient.

250. All prosecutions for violations of the three preceding sections, which are hereby declared to be criminal offenses, may be either upon presentment and indictment, or 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 all 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 therein in the same manner and to the same extent as the Circuit Court for said county could do in such cases, if such cases were tried before said court without the intervention of a jury; provided, however, that if any person, when brought before any such justice having jurisdiction of the case, shall, before trial for the alleged offense, pray a jury trial, or if the State's At-