

tion, provided that nothing in this act shall be construed to forbid or prevent the sale of any of the above mentioned drugs or patent medicines by a bona fide druggist or pharmacist upon a prescription of a regular practicing physician of Wicomico county.

SEC. 2. *And be it further enacted*, That any person or persons who shall be guilty of violating any of the provisions of this act direct or indirectly, shall upon conviction by a justice of the peace of said county or by the judges of the Circuit Court of Wicomico County be fined a sum not exceeding \$25.00 for the first offense and for each subsequent conviction shall be fined a sum not exceeding \$50.00, or sentenced to imprisonment in the House of Correction for not less than six months nor more than twelve months or both in the discretion of the Court or justice of the peace having jurisdiction.

SEC. 3. *And be it further enacted*, That if any person makes a sworn complaint or affidavit before any justice of the peace in and for Wicomico county having criminal jurisdiction (particularly describing the house or place to be searched and the things to be searched for) that he has reason to believe and does believe that the aforesaid drugs or patent medicines or any one of them are sold or kept for the purpose of being sold in violation of the provisions of this act, such justice of the peace shall issue his warrant to any officer the complainant may designate having power to serve criminal process, commanding him to search the premises described in such complaint and warrant, and if any such shall there be found in quantities and under such conditions to suggest that it be kept for sale, the same shall be taken into his custody, and shall be safely kept and produced before the justice of the peace issuing the warrant, and he shall make a full and complete return in writing to the justice of the peace issuing the warrant within five days from the date of the issuance of said warrant, and otherwise the proceedings shall be substantially the same as provided for prosecutions under section 11 of Chapter 139 of the Acts of 1908, to which extent and purpose the said section 11 is hereby made to apply to this act, and the possession of each of all of the aforementioned drugs or patent medicines in quantities and under such conditions as to suggest that it is kept for sale shall be prima facie evidence of a violation of this act.

SEC. 4. *And be it further enacted*, That this act shall take effect from the date of its passage.

Approved April 11, 1912.