

tion violating the provisions of this Section shall, on conviction thereof, forfeit and pay on the first conviction a fine of not less than Fifty Dollars, nor more than Three Hundred Dollars, and the cost of prosecution, and be imprisoned in the County Jail for thirty days; and on the second and every subsequent conviction, not less than One Hundred Dollars, nor more than Five Hundred Dollars, and costs of prosecution, and be imprisoned in the County Jail for not less than sixty, nor more than ninety days and in default of the payment of such fine and costs, he or they shall remain in the said County Jail after his or their terms of imprisonment until such fines and costs are paid, one-half of any fine imposed for the violation of this Section shall go to the informer and the residue to the Board of School Commissioners of Kent County, or if no informer, the whole fine to the Board of School Commissioners of said County, for the use of the public schools therein.

P. L. L., 1888, Art. 15, sec. 152. 1884, ch. 54. 1896, ch. 78, sec. 152.

**254.** Nothing contained in said section shall be construed to prevent the sale of spirituous or fermented liquors, alcoholic bitters or intoxicating drinks in Kent county, for medicinal purposes, by a regular pharmacist and druggist having a license for such business under the laws of this State; provided, such sale be made only upon the written *bona fide* prescription of a regular physician practicing in said county, containing the name of the person for whom the liquor, alcoholic bitters or other intoxicants are prescribed, the kind and quantity of the same, the date on which the prescription is made, and the full ordinary name of the physician making it, all written in ink; the date of filling such prescription shall be endorsed on the back thereof, by the pharmacist and druggist filling the same, in ink, who shall file and keep all such prescriptions filed separate from all other prescriptions and exhibit the same to the State's attorney or any grand jury or justice of the peace of said county, calling for the producing thereof; and no such prescription shall serve for more than one purchase. No physician shall make or sign any such prescription, unless the person for whom it is made is actually sick, or such liquor or alcoholic bitters or intoxicants is absolutely required as a medicine. In no case shall a pharmacist or druggist permit any liquor, alcoholic bitters or other intoxicating drinks obtained under such prescription to be drunk any where on his premises except in cases of sudden illness. All pharmacists and druggists shall be liable for the acts of their clerks, agents and assistants, with reference to the matters and things herein embraced; nothing, however, herein contained shall be construed to prohibit a sale by such pharmacist and druggist in cases of extreme illness when delay would be dangerous; any pharmacist and druggist or physician violating any provisions or requirement of this section, shall be guilty of misdemeanor, and on conviction thereof, shall be fined the sum of not less than fifty dollars nor more than three hundred dollars for every such offence, and shall stand committed until such fine and costs of prosecution are paid.