

(cider and home-made wine excepted), on or after the first day of May, in the year eighteen hundred and eighty-one, he, she, or they shall, on conviction thereof in the circuit court for said county, be fined for the first offence not less than fifty dollars nor more than two hundred dollars, and for each subsequent offence not less than two hundred dollars nor more than five hundred dollars, and on failure to pay the same shall be committed to the jail of said county until such fine and the costs are paid; and one-half of said fine shall be paid to the informer, and the other half to the board of school commissioners of said county, for the benefit of the public schools in the election district wherein the violation of this act occurred.

Disposal of fines.

SEC. 6. *And be it enacted*, That nothing herein contained shall be construed to prevent the compounding or sale of any such liquors by a pharmacist or druggist, who may or shall have obtained license therefor under the license laws of the State, upon the written bona fide prescription of a regular practicing physician of such district, whose name shall be signed thereto; and every such prescription shall be filed and kept by such pharmacist or druggist, and no prescription shall serve more than one purchaser; but no physician shall make or sign any such prescription unless the person for whom it is made is actually sick, or such liquor is absolutely required as a medicine; and any physician who shall, after said first day of May, eighteen hundred and eighty-one, make or sign any prescription for such liquor, except as aforesaid, shall be deemed guilty of a violation of this act, and upon conviction thereof, shall be fined not less than fifty dollars, nor more than two hundred dollars for the first offence, and not less than two hundred dollars, nor more than five hundred dollars for each subsequent offence; one-half of said fine to be paid to the informer, and the balance to be paid to the Board of Public School Commissioners of Frederick county, for the use of the said public schools, and be committed to the county jail of the county until such fine and costs of the same are paid; nor shall any thing herein be construed to prohibit a sale by such pharmacist

How construed.

May be sold as medicine.

Penalty.

Disposition of fine.

Not construed.