

more than two hundred dollars, and cost of prosecution, or instead of such fine, imprisonment in the county jail for thirty days, or both, in the discretion of the court, and for each subsequent offence not less than two hundred dollars, nor more than five hundred dollars, or instead of such fine, imprisonment in the county jail for sixty days, or both, in the discretion of the court; and on failure to pay the fine, he, she or they shall be committed to the jail of said county until such fine and the costs are paid; and one-half of the 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 said county.

Subsequent  
offenses.

SEC. 5. *And be it enacted*, That nothing herein contained shall be construed to prevent the compounding or sale of any such liquors by a pharmacist and druggist who may or shall have obtained a license therefor as hereinafter provided upon the written *bona fide* prescription of a regular practicing physician of Worcester county, whose name shall be signed thereto, and all such prescriptions shall be filed and kept by such pharmacist and druggist, and no prescription shall serve for more than one purchase; but no physician shall make or sign any such prescription unless the person for whom it is made is actually sick, and such liquor is absolutely required as a medicine; nor shall any physician, who is also a pharmacist and druggist, sell any such liquor to any one upon his own prescription; any physician who shall, after said first day of May, eighteen hundred and eighty-three, make or sign any prescription for such liquor except as aforesaid, or who being a pharmacist and druggist shall sell any such liquor to anyone upon his own prescription, 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 nor more than five hundred dollars for each subsequent offence (one-half of said fines to be paid to the informer, and the balance to be paid to the Board of Public School Commission-

How con-  
strued.

Penalty for  
violation.