

1904, art. 61, sec. 8. 1890, ch. 387, sec. 8.

8. Any purchaser of fertilizer who shall be injured or defrauded by the contents of the bag, barrel or other packages not conforming in quantity or quality to the marks, labels or statements on or accompanying the same may recover from the seller or sellers thereof in an action of debt an amount equal to the purchase money of said fertilizer and cost of suit, and in case the purchase is made of an agent of any person or persons residing out of the limits of the State of Maryland, or company or corporation whose principal place of business is out of the State, manufacturing, compounding, preparing and furnishing for sale any such commercial fertilizer, the purchaser thereof may, at his or her option, proceed by attachment as now provided for by law in cases of non-resident and absconding debtors against any property, rights or credit of any person, persons, company or corporation selling, manufacturing, preparing, compounding or furnishing said fertilizer when such property, rights or credits can be found within the limits of the State of Maryland.

*Ibid.* sec. 9. 1890, ch. 387, sec. 9. 1894, ch. 397.

9. Any manufacturer, dealer, agent or other person or persons who shall adulterate, add or take anything from any fertilizer sold or offered for sale within this State, or who shall use the brand or trade-mark of any manufacturer or dealer other than his own, shall be deemed guilty of a misdemeanor and shall upon conviction thereof in any court having jurisdiction, be punished by a fine not exceeding two hundred dollars and imprisonment in jail not exceeding six months, or by fine and imprisonment, in the discretion of the court before whom he shall be tried.

*Ibid.* sec. 10. 1890, ch. 387, sec. 10.

10. This article shall not affect parties importing, manufacturing or manipulating fertilizer for their own use if not sold or disposed of; and it shall not apply to substances and materials sold in bulk to manufacturers or manipulators of fertilizer, and nothing in this article shall prevent the buyer and seller from making contracts in reference to the price to be paid dependent upon the composition or quality of the fertilizer contracted for; but no arrangement or agreement, verbal or written, made by or between any seller and buyer of fertilizer in this State for the purpose of exonerating the seller or manufacturer from liability for any violation of any of the provisions of this article shall exempt any person from such liability.

*Ibid.* sec. 11. 1890, ch. 387, sec. 11. 1894 ch. 397.

11. It shall be the duty of all state's attorneys to prosecute all persons accused of violating any of the provisions of this article.