

Fraud—Sales of New and Novel Seeds.

1904, art. 27, sec. 168. 1888, art. 27, sec. 113. 1888, ch. 415, sec. 1.

186. It shall not be lawful for any person or persons, company or firm, or any agent of any person or persons, company or firm, to sell or offer for sale or traffic in the State of Maryland any variety of new or novel seed, such as wheat, oats, corn, rye, clover seed, grass seeds or other agricultural products, or any variety of the same, claiming or representing the same to be new, novel or excelling in quality or productiveness the ordinary seeds or agricultural products in general cultivation, without first filing with the clerk of the circuit court for the county in which such sale or sales, or traffic of such seeds, or any of them, or other agricultural products is proposed to be made, a written statement of the kind of seed or agricultural product offered for sale or traffic, with a full description of the same and the advantages claimed for the same over other seed or products of the same variety, to which written statement shall be attached the name and place of residence of the person or persons, company or firm offering for sale or traffic such seeds or products.

Ibid. sec. 169. 1888, art. 27, sec. 114. 1888, ch. 415, sec. 2.

187. Any person or persons, company, firm or agent violating the provisions of the foregoing section shall be guilty of a misdemeanor, and upon conviction thereof before a justice of the peace, on a warrant to be issued in the name of the State of Maryland, shall be fined not less than fifty nor more than one hundred dollars or imprisoned in the county jail for not less than three nor more than six months, or be both fined and imprisoned in the discretion of the justice or the court, if the accused demand a trial by jury before the circuit court.

Ibid. sec. 170. 1888, art. 27, sec. 115. 1888, ch. 415, sec. 3.

188. Any person or persons, firm or company, offering for barter, sale or traffic any oats, wheat, rye, corn, clover seed or other agricultural product, representing them or any of them as possessing qualities or productiveness superior to the same varieties in general cultivation, and selling the same on credit, or in any way bartering or trafficking in the same, shall in each and every case state in the note or bill of exchange taken for the same the kind or variety of the seed sold or bartered, with a succinct statement of the advantages or superior qualities claimed for such seed or product, and the terms on which the same is or are bartered or sold; and the note taken shall contain a general warranty as to the kind, quality and value of the article sold.

Ibid. sec. 171. 1888, art. 27, sec. 116. 1888, ch. 415, sec. 4.

189. Any person who shall violate either of the provisions of the foregoing section shall be guilty of a misdemeanor, and upon conviction on indictment in the courts of this State having criminal jurisdiction of the offense shall be fined not less than five hundred dollars nor more than one thousand dollars, or imprisoned in the penitentiary for not less than one nor more than five years.