

free from the insects and diseases herein provided for. Whenever any trees, plants, vines, shrubs, buds or cuttings are shipped into this State from any other State or territory or the District of Columbia, without such certificate plainly fixed on the outside of each carload, box, bale or package, the agent of the transportation company, firm or person receiving same shall not deliver said nursery stock to the consignee or agent representing the consignor, and said agent of the transportation company, firm or person shall notify the State entomologist or State pathologist at the Maryland State College of Agriculture and said State officer receiving such notification shall immediately notify any justice of the peace of this State to issue a summons for the consignee, and the agent or consignor, if he be known, of such carload, bale, box or package of nursery stock, to appear before him on a certain day to be named therein, to show why such trees, plants, vines, shrubs, buds or cuttings should not be seized as being in violation of the provisions of this sub-title, and on trial thereof, if said justice be satisfied that the provisions of this sub-title have been violated, said justice shall order said agent or consignee to return such carload, box, bale or package of trees, plants, shrubs, vines, buds or cuttings immediately to the shipper or consignor unless said consignee or agent of the consignor at his expense shall forthwith have said nursery stock examined by the State entomologist and the State pathologist of this State, and said officers certify to such justice of the peace that said nursery stock is apparently free from the insects and diseases mentioned herein and tag every such carload, box, bale and package inspected by said officer, with their certificate of inspection, and if said agent or consignee shall fail to have said nursery stock examined by said State officials or fail to return such carload, box, bale or package thereof, then said justice of the peace shall order and direct the constable or sheriff to burn and destroy all trees, plants, shrubs, vines, buds or cuttings that have been shipped into this State in violation of this sub-title.

An. Code, sec. 61. 1904, sec. 63. 1898, ch. 289, sec. 61.

67. Whenever any agent of a transportation company, firm or person shall receive a carload, box, bale or package of trees, plants, shrubs, vines, buds or cuttings, without a certificate attached, as provided for in section 66 of this sub-title, and shall fail to notify the state entomologist or state pathologist of this fact immediately upon the arrival of such nursery stock, and before delivering the same to the consignee, said agent of the transportation company, firm or person shall be adjudged guilty of a misdemeanor, and shall upon conviction before a justice of the peace be fined a sum not less than ten dollars (\$10) nor more than one hundred dollars (\$100) and costs of prosecution for each and every offense, and stand committed until such fine and costs are paid; and the fines so collected shall be paid to the trustees of said college to be added to the funds herein provided for carrying out the provisions of this sub-title. If any nurseryman, dealer or agent sell, ship or deliver any trees, plants, shrubs or vines into or in this State, which are infected with San Jose scale, peach-yellow, pear-blight or other injurious diseases, and upon examination by the state pathologist, state entomologist or their assistants, are condemned by being so infected,