

if the State Board of Agriculture shall find upon examination, analysis or test that any person, firm or corporation has violated any of the provisions of this sub-title, said Board or its duly authorized agent or agents may institute proceedings in a court of competent jurisdiction to have such person, firm or corporation convicted therefor, or said Board, in its discretion, may report the results of such examination to the proper prosecuting attorney, together with the sworn statement of the inspector or analyst, duly acknowledged, and such other evidence of said violation as said Board shall deem necessary. Provided, however, that no prosecution of this sub-title shall be instituted except in the manner following: when said Board finds that the sub-title has been violated, it shall give notice to the persons, firms or corporations concerned, designating a time and place for a hearing. This hearing shall be private and the person, firm or corporation involved shall have the right to introduce evidence either in person, or by agent or attorney. If after said hearing, or without said hearing in case said person or agent fails or refuses to appear, the Board decides that the evidence warrants prosecution, said Board shall proceed as herein provided. It shall be the duty of the proper prosecuting attorney to institute proceedings at once against the person or persons, firms or corporations charged with such violation.

An. Code, sec. 108. 1918, ch. 200, sec. 108.

125. When any lot of agricultural seed, or mixture of agricultural seeds, is sold, offered or exposed for sale as free of weed seeds, this sub-title shall be deemed violated unless proper indication of such freedom is given on the tags or labels attached to such seed.

An. Code, sec. 109. 1918, ch. 200, sec. 109.

126. Any citizen of Maryland shall have the privilege of submitting to the State seed laboratory samples of agricultural seeds for test and analysis, subject to such rules and regulations as may be adopted by the State Board of Agriculture; provided that said Board may by such regulations fix the maximum number of samples that may be tested or analyzed free of charge for any one citizen in any one period of time and fix charges for tests or analyses of samples submitted in excess of the number tested free of charge.¹

An. Code, sec. 111. 1918, ch. 113, sec. 1.

127. It shall not be lawful for any corporation, co-partnership or individual, engaged in the canning or preserving of any fruit or vegetables, to sell or otherwise dispose of the seed of any fruit or vegetables obtained in the canning or preserving of any fruit or vegetables to any dealer in garden seed or other person under circumstances where the same may be resold for the purpose of planting or propagation, unless said corporation, co-partnership or individual shall sell said seed under an absolute guarantee as to purity and germinating properties.

¹ Act of 1918, ch. 200, sec. 110, repeals all acts or parts of acts inconsistent with said act.