

steamship company, if present, to take for analysis a composite sample of such agricultural seeds. On demand of the dealer or his agent, or at the discretion of the inspector concerned, the sample drawn shall be mixed as thoroughly as possible and divided into two portions, and one part left with the dealer or his agent. On demand of the dealer or his agent, any sample drawn shall be paid for by the inspector, on a basis not exceeding the local market price for the seed sampled. In case a sample, drawn as provided herein, upon test or analysis is found to fall, in excess of the allowance for variation made by said Board, below the statement on the tag or label attached to the lot from which said sample was drawn, or to violate any of the provisions of this sub-title, the vendor or consignee of said lot of seed shall be notified and a copy of said notice mailed to the person, firm or corporation whose tag or label was found affixed thereto.

An. Code, 1924, sec. 123. 1912, sec. 106. 1918, ch. 200, sec. 106. 1927, ch. 460, sec. 123.

136. It shall be unlawful for any person, firm or corporation to sell, offer or expose for sale within this State any agricultural seeds, or mixtures of agricultural seeds, as defined in this sub-title, for seeding purposes within this State without complying with the requirements of this sub-title, or falsely to mark, label or misrepresent any agricultural seeds, or to interfere in any way with the State Board of Agriculture or its inspectors or assistants in the discharge of the duties herein named.

An. Code, 1924, sec. 124. 1912, sec. 107. 1918, ch. 200, sec. 107.

137. Every violation of the provisions of this sub-title shall be deemed a misdemeanor punishable by a fine not exceeding one hundred dollars, and 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, 1924, sec. 125. 1912, sec. 108. 1918, ch. 200, sec. 108.

138. 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.