

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 officers, 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 such trees, plants, shrubs, vines, buds or cuttings that have been shipped into this State in violation of this sub-title.

1898, ch. 289.

61. 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 60 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, the said trees, plants, vines and shrubs shall be destroyed, and the nurseryman,