

possession, and every such sample when taken by an agent or representative of the college, shall be taken in the presence of the owner, agent or dealer in possession thereof, or of his or their representative, and when taken by an owner or consumer, it shall be taken in the presence of two disinterested witnesses, and every sample shall be taken from a bag or package or a number of bags or packages which shall be not less than five per cent. of the whole lot to which the sampling pertains, and in every case about two pounds shall be taken from near the top, the bottom and the middle of the bag or package sampled, and these two pound lots shall be thoroughly mixed in a clean and dry place, and a sample of not less than two nor more than three pounds shall be taken from said mixture of samples and placed in a glass vessel or vessels, and the same then taken or sent by safe carriage to the said college for analysis, and there shall accompany every such sample a full and complete statement and description of the place and time of sampling, of the lot of fertilizer sampled, of all marks on the bags or packages thereof, and other facts relating to the same, and such statement and description shall be signed by the person who does the sampling and by the witnesses thereto.

Mode of  
sampling

7. That the funds received by the comptroller from the licenses issued under this act shall be paid into the treasury and be set apart as a specific fund to pay the cost and expenses of conducting the analysis provided for in section six of this act, and the treasurer shall annually pay over to the Maryland agricultural college the money received from said licenses; provided, that no larger sum than three thousand dollars shall be so paid in any one year.

Funds.

8. That any purchaser of fertilizer who shall be injured or defrauded by the contents of the bag, barrel or other package not conforming in quality and quantity to the marks, labels or statement on or accompanying the same, may recover from the seller or sellers thereof in an action of debt an amount equal to the purchase money of said fertilizer and cost of suit, and in case the purchase is made of an agent of any person or persons residing out of the limits of the State of Maryland, or company or corporation whose principal place of business is out of the State, manufacturing, compounding, preparing and furnishing for sale any such commercial fertilizer, the purchaser thereof may at his or her option proceed by attachment as now provided for by law in cases of non-resident and absconding debtors against any property, rights or credits of any person, persons, company or corporations, selling, manufacturing or compounding said fertilizer, when such property, rights or credits can be found within the limits of the State of Maryland.

May re-  
cover.

9. That any manufacturer, dealer, agent or other person or persons who shall adulterate, add to, take anything from any fertilizer sold or offered for sale within this State, or who shall use