

or allow to be and remain on his lands or premises, in the State of Maryland, any peach, almond, apricot or nectarine tree infected with the contagious disease known as the yellows, or to offer for sale, or shipment, or to sell or ship to others any such trees, or the fruit thereof in any form; and any person convicted before any justice of the peace of selling or shipping said trees or the fruit thereof in any form, knowing the same to be so diseased, shall be fined a sum not exceeding ten dollars and costs, or upon failure to pay the same shall be confined in the county jail for a term not exceeding thirty days; provided, the provisions of this act shall not apply to Washington County.

Unlawful to allow trees having yellows to remain.

SEC. 2. *And be it enacted,* That the trees and fruit so infected shall be subject to destruction as public nuisance, as hereinafter provided; and no damages shall be awarded in any court of this State, or by any justice of the peace thereof, against any person or persons for entering upon lands or premises and destroying such disused trees and fruit if done in accordance with the provisions of this act; and it shall be the duty of every person as soon as he becomes aware of the existence of such disease in any tree or fruit owned by him to forthwith destroy by burning the same, or cause it to be destroyed by burning.

Trees so infected to be destroyed.

SEC. 3. *And be it enacted,* That it shall be the duty of the county commissioners of the various counties, on the application of three or more citizens of said county, to appoint each year three competent peach growers for each election district of the several counties, or for such of said election districts as said commissioners may deem fit, to act as "Tree and Fruit Inspectors," who shall hold said office during the year following their appointment, or during the pleasure of said county commissioners.

To appoint inspectors

SEC. 4. *And be it enacted,* It shall be the duty of said "Tree and Fruit Inspectors" immediately after their appointment to give notice thereof in such newspapers of their county as they may select; and it shall be their duty whenever it comes to their notice that the disease known as the "yellows" exists in any trees or fruit in their respective election districts to proceed forthwith to examine or cause to be examined the trees or fruit supposed to be infected, and if the disease is found after such examination to exist, a distinguishing mark shall be placed upon said diseased trees by said "Tree and Fruit Inspectors," or by some one directed by them, and the owner thereof notified personally or by a written notice left at his usual place of residence, or by leaving the notice with the person in charge of the trees or fruit, or in whose possession the same may be, said notice

Duty of inspectors.