

and in case the purchase is made of an agent, or any person, or persons, residing out of the limits of the State of Maryland, or any company, or corporation, whose principal place of business is out of the State of Maryland, the purchaser may at his, or her, option proceed by attachment as now provided for by law in case of non-resident and absconding debtors, against any property, rights or credits, of any person, or persons, company, or corporation, furnishing said fertilizer when such property rights, or credits, can be found within the State of Maryland; provided, the purchaser of any fertilizer shall not be deemed to be defrauded by a shortage in the constituents of said fertilizer when the said shortage does not exceed 5% of the amount guaranteed, but on account of said shortage shall be entitled to recover as liquidated damages the amount of the commercial value of said shortage, provided however, should said shortage be more than 5% of the commercial value guaranteed that the purchaser shall be entitled to recover as liquidated damages twice the amount of the shortage in commercial value and provided further should a shortage in one or more constituents exceed one-fifth of the guaranteed analysis the purchaser shall be entitled to recover as liquidated damages twice the commercial value of said shortage without any compensation being allowed for any excess in other constituent or constituents except however in no event shall the purchaser be entitled to recover an amount in excess of the purchase price of said fertilizer.

SEC. 12. That the inspection and brand fees provided for in this Act shall be paid to the Maryland State College of Agriculture, and disbursed by it, to cover the cost of the analysis, inspections, sampling, printing, and for the dissemination of information regarding the contents and the analysis of fertilizers subject to this Act, the use and compounding of commercial fertilizers, and the administration and the enforcement of the provisions of this Act.

SEC. 13. That the Board of Trustees of the Maryland State College of Agriculture shall have authority to establish rules and regulations in regard to the inspection, analysis, sale of fertilizer and fertilizer materials, and the publication of all information authorized herein, to the end that the provisions of this Act may be effectively administered and enforced.

SEC. 14. That the brand fee as provided in this Act shall not apply to any fertilizer mixed according to a formula furnished