

Board, or its duly authorized agent, institute and prosecute such action as may be proper under the provisions of this sub-title.

37. No person shall be prosecuted for violation of the provisions of this sub-title where it can be established that the fruit or vegetable passed inspection by an authorized inspector of the Department or by an inspector of the United States Department of Agriculture and was graded, packed and marked in accordance with the provisions of this sub-title. Certificates of inspection issued by all such inspectors shall be accepted as prima facie evidence in any Court of the facts contained therein.

38. Any person who sells any fruit or vegetable in a container which is not properly marked shall not be prosecuted therefor when he can establish by satisfactory evidence that he was not a party to the grading or packing of the fruit or vegetable in question, and had no knowledge that the same was mismarked or illegally packed.

39. This sub-title shall not be construed as repealing any existing law, but shall be in addition thereto, and the powers and duties herein vested in the State Board of Agriculture and the Maryland State Department of Markets shall be in addition to, and not in limitation of, any powers or duties which now are, or hereafter may be conferred upon the State Board of Agriculture or the Maryland State Department of Markets.

SEC. 2. *And be it further enacted*, That if any of the provisions of this Act or the application thereof to any person or circumstance is held invalid, or is in conflict with any Federal law, the validity of the remainder of the Act and the application thereof to other persons or circumstances shall not be affected thereby.

SEC. 3. *And be it further enacted*, That this Act shall take effect June 1, 1939.

Approved May 11, 1939.

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CHAPTER 576.

(House Bill 429)

AN ACT to repeal and re-enact, with amendments, Section 1 of Article 10 of the Annotated Code of Maryland (1935 Supplement), title "Attorneys At Law and Attorneys In