

Rye, fifty-six pounds Averdupois, per bushel.

Indian Corn, fifty-eight pounds Averdupois, per bushel.

Oats, thirty-four pounds Averdupois, per bushel.

Malt, thirty-nine pounds Averdupois, per bushel.

III. *And be it further enacted*, That all Wheat and Barley, not of the growth or production of this Province, imported into this Province, shall hereafter be sold by weight, and the number of pounds weight hereby established as the standard weight of a Bushel of such Wheat or Barley respectively, shall be deemed and esteemed to be equal to, and to represent, a bushel of Wheat or Barley.

Wheat and Barley not of growth of Province, to be sold by weight

IV. *And be it further enacted*, That every Measurer and Weigher of Grain shall be entitled to, and shall be paid, for Measuring or Weighing, and Inspecting all Grain or Corn, at the following rates, that is to say:—For every hundred bushels of Wheat, of Foreign production, and Oats, whether of Foreign production or otherwise, two Shillings, and for every hundred bushels of all other Grain or Corn hereinbefore mentioned, except Wheat of Foreign production, and Oats, Four Shillings.

Allowance to Measurer and Weigher

VI. *And be it further enacted*, That all such rates shall be paid by the Seller of any Grain or Corn, as aforesaid, and in case of the said Grain or Corn being sold on board of any Ship or Vessel, and to be delivered therefrom, it shall be, and is hereby declared to be imperative upon the Seller, to have such Grain or Corn weighed or measured by some sworn measurer, agreeably to this Act, but upon the sale of any Grain or Corn in Store, or in any other place, and to be delivered therefrom, it shall not be necessary to have the same measured or weighed by some sworn Measurer, unless the purchaser shall desire the same.

Grain and Corn sold from Vessel must be measured by sworn Measurer—from Store need not be

VI. *And be it further enacted*, That it shall not be imperative to inspect, weigh or measure, any Grain or Corn exported from this Province, by a sworn Measurer, before the exportation thereof.

Grain or Corn exported

VII. *And be it further enacted*, That if, upon the weighing or measuring of any Grain or Corn, it shall be found that the same is heated, or in any other respect unmarketable, the sworn measurer shall be, and he is hereby required to report the same to the purchaser, and shall refuse to measure, or weigh, or mark, or take any account of the same, unless specially directed and authorized by the purchaser so to do.

Unmarketable Grain or Corn

VIII. *And be it further enacted*, That if any person shall sell and deliver any Grain or Corn, which, by or under the provisions of this Act, should or ought to be measured or weighed by some sworn Measurer of Grain, without having the same so measured or weighed, such person shall forfeit and pay a penalty of six pence for each and every bushel of Grain or Corn so sold and delivered, to be recovered upon complaint or information, made before any two Justices of the Peace, upon due conviction of the party offending, to be levied by Warrant of Distress and Sale of the offender's Goods and Chattles, and to be paid and applied, one half to the party complaining or informing for the same, and the other half to the use of the Poor of the Township or place wherein such offence shall be committed.

Penalty for violation of Act

IX. *And be it further enacted*, That if any sworn Measurer shall be guilty of any neglect or dereliction of duty in the exercise of his office, or shall undertake to attend the admeasurement of or weighing of Grain from more than one Vessel at one and the same time, he shall forfeit and pay a penalty of Five Pounds, to be recovered on the complaint of any person who shall sue for the same, upon conviction of the offender, before any one Justice of the Peace, to be levied by Warrant of Distress, of the offender's Goods and Chattles, and to be applied as hereinbefore directed, and for want of Goods and Chattles to satisfy such Warrant of Distress, the offender shall be committed to the Common Jail of the County, for a period of not more than twenty days.

Penalty to which Measurer may be subjected

CAP. V.

An Act for taking the Census of this Province.

(Passed the 17th day of April, 1838.)

WHEREAS, it is expedient to obtain a more correct Census of the Inhabitants of this Province, and it is necessary to provide for the expense thereof:

Preamble