

There is another thing, perhaps, included under the broad term of "such other matters touching the Agricultural interest of the State, as may be considered necessary," which is the difficulty that sometimes happens, between the purchaser and the seller of wheat and other grain, as to its merchantable condition.

A load of grain is frequently contracted for by the merchant, and afterwards thrown upon the hands of the producer, or his agent, from the alledged difference in the condition of the sample and the load. When a merchant thus refuses to take the grain, there is no remedy left, but to sue for breach of contract, a course for obvious reasons, not always practicable. In the present state of things, wheat brought in the evening, is frequently returned in the morning, *especially when the market declines*. It thus happens that the producer sometimes loses by a decline in the price of grain between the contract for sale and delivery and never gains by any rise, for when any rise takes place, the *grain is never returned*.

That the load of grain sometimes does not correspond to the sample, I have no doubt; when it does, and a decline in price takes place, between the bargain for sale and its delivery, that it is sometimes thrown back upon the producer, is well known. There should be some fixed law, with a competent officer, to determine the merchantable quality of all grain offered for sale, and thus give fair play alike to the purchaser and grower.

This officer, moreover, could keep a strict account of all wheat, corn, &c., brought to the market, and give statistical information in regard to the amount of these crops, which would be of great value in an agricultural, as well as a commercial point of view.

I do not mean to accuse all of the dealers in grain of dishonesty, but to trust to the universal existence of its opposite virtue, is to have a greater amount of confidence than the experience of any would warrant. There is an obvious necessity for some legislation on this subject.

The office which the undersigned has the honor to fill, being a new one in this State, the bill creating it was, of course, liable to imperfections, which experience only could correct, and I would fail in my duty, were I not to make such recommendations to the Legislature, and people of this State, as would lead to the construction of a law better calculated to carry out their liberal views.

1st. I shall call your honorable body's attention to the purposes of the present law creating the office of State Agricultural Chemist. 2nd. Show in what particulars its errors consist, and recommend such changes as my experience convinces me are necessary. 3rd. *Show the utility of the office to the agricultural interest of our State.* The intent of the law of 1847, ch. 249, is best shown by its 4th section, which declares:

"That it shall be the duty of said Agricultural Chemist to analyze specimens of each variety of soil of the county in which he shall be, that may be brought to him, or that he may find to exist,