

RETURN

(IN PART)

[81a]

To an ORDER of the HOUSE OF COMMONS, dated March 19, 1900, for a copy of the Report and Evidence of the Royal Commission on the shipment and transportation of grain.

R. W. SCOTT,
Secretary of State.

To the Right Honourable Sir Gilbert John Elliot Murray-Kynynmond, Earl of Minto and Viscount Melgund of Melgund, County of Forfar, in the Peerage of the United Kingdom, Baron Minto of Minto, County of Roxburgh, in the Peerage of Great Britain, Baronet of Nova Scotia, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, &c., &c., Governor General of Canada, in Council.

We, the undersigned, W. F. Sirett, William Lothian and Charles C. Castle, appointed by commission, dated the 7th day of October, 1899, and Albert Elswood Richards, appointed by supplementary commission, dated the 13th day of February, 1900, which commissions are herewith returned, to conduct an inquiry with regard to certain matters referred to in a report of the Committee of the Privy Council, approved by the Governor General in Council on the 7th day of October, 1899, an extract from which report is annexed to the said commission, dated the 7th day of October, 1899, beg respectfully to report as follows:—

The said W. F. Sirett, William Lothian and Charles C. Castle, and E. J. Senkler, one of the commissioners as originally named, held their first meeting at the city of Winnipeg, on the evening of the fourteenth day of October, 1899.

At the said meeting the said commissioners considered the best means of conducting the said inquiry and taking evidence upon the matters referred to them by said commission and as to the grievances complained of which led to said report and commission, the principal of which grievances are alleged to be as follows:—

First.—That a vendor of grain is at present subjected to an unfair and excessive dockage of his grain at the time of sale;

Second.—That doubts exist as to fairness of the weights allowed or used by owners of elevators;

Third.—That the owners of elevators enjoy a monopoly in the purchase of grain by refusing to permit the erection of flat warehouses where standard elevators are situated and are able to keep the prices of grain below its true value to their own benefit and the disadvantage of others who are specially interested in the grain trade, and of the public generally.

The commissioners considered that the best manner of taking evidence would be for them, the commissioners, to hold sittings at different places in Manitoba and the

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North-west Territories of Canada, after giving due notice of same, so that parties desirous of giving evidence which would bear upon the matters in question would know the proper time for attending before the commissioners at such of the places so appointed as were convenient for them to give evidence at.

The commissioners, therefore, issued printed public notices or posters, one of which is herewith submitted as schedule 'A' to this report, and caused a number of copies of the same to be sent to and publicly posted in each of the places mentioned therein for the taking of evidence and places adjacent thereto.

In addition to the above, such posters were sent to all members of the House of Commons representing constituencies in Manitoba and the North-west Territories, to all members of the legislative assemblies of Manitoba and the North-west Territories, to the mayors of the towns where sittings were to be held, to the reeves of the municipalities within which sittings were to be held, and to the postmasters and many merchants and others at the places of such sittings and adjacent places. At certain other places handbills stating the time and place of sittings were also distributed.

The commissioners further made every reasonable effort in their power to cause the times, places and purpose of their sittings to be publicly known in advance.

The commissioners subsequently attended at the different places mentioned in such notice (except Pipestone, the sitting at which was unavoidably cancelled) at the times mentioned in the said notice.

Afterwards, at the request of members of the government of the North-west Territories and others, the commissioners added other places for the taking of evidence, and after due notice similarly given of the times of taking evidence at said places, took evidence at Carnduff, one of said places. One of such notices is herewith submitted as schedule 'B.'

After the taking of evidence at Carnduff, the commissioners were requested by parties who wished to give evidence later on to postpone the time of their sittings at Regina till the early part of the year 1900.

In consequence of such requests and of the illness of his honour, Judge Senkler, then a member of the commission, and of his business appointments in connection with his work as a judge, the commission as then constituted, adjourned their sittings until January 11, 1900, when they met again and continued their inquiries and took further evidence, as follows:—

At Regina, on Friday, January 12, 1900; at Wolseley, on Saturday, January 13, 1900; at Winnipeg, on January 18, 19 and 20; at Fort William, on Tuesday, January 23, 1900; and at Winnipeg from January 24 to February 8, 1900, inclusive.

During the taking of evidence, the commissioners thought it advisable to inquire into the working of the laws affecting elevators, warehouses, grain storage and transportation in the states of Minnesota and North Dakota, and with that object in view, the said Charles C. Castle and Charles N. Bell, the secretary of the said commission, visited the cities of Duluth, Minneapolis and St. Paul, in said state of Minnesota, and carefully inquired into the working of said elevator system and grain storage and transportation in said states, and reported thereon to the other commissioners. Said reports are herewith submitted as schedules 'G' and 'H.'

At the different places where evidence was advertised to be taken, the commissioners attended and every person desirous of giving evidence was duly examined under oath as to the matters to be inquired into by the commissioners. Such witnesses as were suggested to the commissioners as able to give evidence and who were unable or unwilling to attend voluntarily were duly brought before the commissioners by subpoena.

At all of said meetings there were present parties interested on both sides of the question to be considered, and said parties were allowed freely to cross-examine all the witnesses, and every effort was made to get as full and complete evidence as possible bearing upon the matters in question.

As a fact, the witnesses were in nearly every case cross-examined by parties representing the different interests.

The witnesses examined and the places at which they were examined are set out in schedule 'C' to this report.

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The evidence of said witnesses is submitted herewith.

After considering the said evidence as so taken, we beg respectfully to submit certain facts which as shown by the evidence have given rise to most of the grievances complained of:—

As the elevator system is much referred to in this report, it seems to us advisable to give descriptions of the different classes of elevators and warehouses now or formerly used in Manitoba and the North-west Territories.

'Standard elevators' as constructed according to regulation plan required by the Canadian Pacific Railway Company, have steam or gasoline engines and a capacity of 25,000 bushels and upwards, and have also machinery for cleaning grain.

'Farmers' elevators' of standard size and construction, usually built by joint stock companies, the shareholders being almost all farmers. Such elevators have a large number of small bins and store grain solely, though individual grain buyers secure bin space and do business through these elevators. In these grain is generally cleaned before being weighed.

'Horse power elevators.' Generally old flat warehouses fitted up with elevating machinery but without cleaning apparatus, and chiefly owned and operated by milling companies for their own business.

'Flat warehouses.' Frame buildings of from 1,000 to 10,000 bushels capacity, with the floor on a level with car floor. Are entirely without machinery, and while divided into bins, the grain must be moved by hand or small truck on wheels when filling the bins from farmers' wagons or moving grain from bins to cars on track alongside the building.

Some elevators have machinery arranged to at once elevate, weigh, clean and re-weigh. Others elevate, clean, and then weigh the clean grain. Others weigh before cleaning and elevate to bins, and in such cases the dockage for dirt and seeds is determined by the judgment of the elevator operator or by use of a scale and sieve, called the 'dockage tester.'

In the earlier days of railroad building in Manitoba and the North-west Territories, the elevators, or other facilities for the handling of grain, were few in number. The shortness of the season, allowed by the climate for harvesting and marketing the crop, made it necessary that as much as possible of the carrying trade in connection therewith should in each year be done within a short time in order to get the grain to lake ports in time for transportation in vessels before winter set in, and there was consequently (as there still is) always a rush to get grain marketed. As a result, the ordinary rolling stock of the railways was insufficient to cope with the needs for transportation during the period between the time that grain first became ready for shipment and the time when it would be too late for it to be shipped in vessels at lake ports. As a consequence, there was great difficulty in finding proper accommodation for storage of the grain, which was brought in at country points faster than it could be shipped out.

To obviate such difficulties and to encourage the erection of elevators to store, ship and handle grain, the Canadian Pacific Railway Company offered the following inducement to parties who would build elevators of a capacity of at least 25,000 bushels, driven by steam or gasoline engines, and equipped with machinery for cleaning grain. That is to say, that at points where such elevators were erected the railway company would not allow cars to be loaded with grain through flat warehouses, or direct from farmers' vehicles, or otherwise than through such elevators. Elevators of the capacity and equipment so proposed are, as hereinbefore stated, known as 'standard elevators.' Where in this report we refer to elevators in Manitoba or the North-west Territories we mean such standard elevators, except in the case of elevators operated by certain milling companies, in some of which the railway company did not insist on said standard.

When giving such inducement, the railway company imposed the condition that such elevator owners should furnish storage and shipping facilities for parties wishing to store or ship grain.

On the strength of said inducement, a number of elevators were erected at different points by different persons and corporations engaged in the business of milling and grain buying and exporting.

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After the year 1887, in which the crop was unexpectedly large, the number of elevators was greatly increased and they have gone on increasing in number since that time, being erected on the same terms as originally offered by the railway company.

We find that the grievances complained of have arisen largely from the above mentioned protection offered by the railway company to elevator owners to induce them to build elevators, which resulted in placing the shipping of grain at elevator points in the hands solely of the elevator owners. Owners of flat warehouses were not allowed to ship at points where elevators were erected and their warehouses were practically done away with. No one desiring to ship grain in bulk could get it on cars otherwise than by having it handled through elevators.

The evidence shows that a standard elevator operated at the price of one and one-half cents per bushel (the present rate charged for handling, cleaning and giving fifteen days' storage) and at which no grain bought by the owner is handled, would require to be filled three times in each season to make it a profitable investment to the party erecting and working it. There are too many standard country elevators in Manitoba and the North-west Territories to allow of each being so filled three times in a season. This will be apparent when it is stated that the total capacity of the country elevators in the Manitoba inspection district is 15,000,000 bushels or thereabouts. There are, therefore, more elevators than can be operated at a profit if they handle and store grain for other parties only.

This inability to make a profit without three fillings per season is partly owing to the great cost of building and operating such elevators as the railway company require to be erected. As a result of the above, a country elevator can, as a rule, only be operated at a profit in Manitoba and the North-west Territories when the owner, in addition to storing and handling the grain for others, is himself largely a buyer of grain and in that way makes a buyer's profit on grain handled by himself in addition to the profit on storing and handling.

The parties, therefore, who built the standard elevators were chiefly, if not entirely themselves grain dealers, whose interest it was to buy grain rather than simply handle it for others.

While they were obliged to handle and store grain for other shippers and to furnish separate bins when possible, the conditions on which they built did not compel them to guarantee grades of grain shipped through their elevators. Though shippers were entitled to separate bins when possible, it was found in practice that this was unsatisfactory. The elevator owners having sole control of such separate bins, shippers were often led by the grading of their grain at terminals to suspect that their own grain had not been shipped out for them or had not been kept separate from that of others. In many cases separate bins were not furnished, in which cases, grain stored in elevators for shippers became mixed with other grain and its identity got lost. The grain so mixed was, when shipped out for the shipper, often graded when it reached the terminals at a lower grade than that at which the same shipper's grain had been received into the elevator. This naturally led to a suspicion on the part of the shipper that the grain shipped out for him was of an inferior grade to that which had been received in for him, he knowing, where he had got a separate bin, that his grain had not been kept separate; but, having no guarantee as to grade, he had to be content with such terminal grading and with the price received for such lower grade. This has been a cause of much dissatisfaction.

The evidence has shown that where farmers' elevators have been erected, which do not buy, but only ship and store grain, complaints of the grain shipped out being of a lower grade than that furnished, have been very few.

As farmers' elevators, however, have to be standard elevators, the cost of their erection and management debars their use except in a few places.

As a consequence of the refusal to furnish cars to shippers for loading direct from the farmers' vehicles, shippers have had to pay one and one-half cents per bushel for cleaning and loading on cars (with storage for fifteen days if required); whereas if allowed themselves to load cars direct from their own vehicles, shippers could, prior to 1899, have had their grain cleaned and stored at terminals for fifteen days for three-

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quarters of one cent per bushel. The direct loss, therefore, by shipping through the elevator was three-quarters of a cent per bushel, less such freight as would be paid on the cleanings contained in grain in addition to what would in any case have been paid on the weight of cleaned grain. In 1899, the terminal charges were reduced to one-half of one cent, which made the shipper's loss by shipment through elevators one cent per bushel instead of three-quarters of a cent, as was the case prior to 1899. By shipping through an elevator, the shipper saved the labour of loading; but many shippers preferred to give their labour for the sake of the saving in the elevator rate and of preserving the identity of their grain.

If a farmer, prior to 1898, did not ship through an elevator, his only alternative was to sell to some elevator operator for such prices as that operator offered and to submit to the weights and dockage which that operator allowed and imposed. Most elevators now guarantee grades and weights. But in our opinion, where the identity of a shipper's grain is not preserved, such guarantee should be made compulsory by law.

We do not desire in any way to censure elevator owners or employees as a body. But it is reasonable to believe that where there are so many elevators, there will be employees who will take advantage of the farmers if in their power to do so. It seems to us that, apart from any abuse of the power given by the elevator system, it is unfair to require a farmer to pay to have his grain passed through an elevator, so long as, either by loading direct on cars, or by the use of a flat warehouse such as recommended in this report he can save or decrease that expense.

We have reason to believe from the evidence that in cases where elevator employees appear to have dealt unfairly with farmers, the elevator owners have not profited thereby, as it has been shown that employees have in some instances not accounted to the owners of their elevators for all the grain taken in by them. There has been no evidence to show that any elevator owners have been consenting parties to any acts of extortion. In view of the above, however, we think it would improve matters very greatly if elevator and warehouse operators, as well as elevator and warehouse owners, were compelled to give security for the proper performance of their duties as such.

There were, and are, at most shipping points more than one elevator, so that a farmer could generally choose to which he would sell. The evidence, however, shows that in many cases there is little, if any, competition between elevators as to prices and that there is seldom any advance from other buyers on the offer made to a farmer by the first buyer he approaches. Of late years there have been combinations of elevator owners into large companies. This has resulted in fewer and larger elevator-owning corporations, which naturally tends to further decrease competition.

The evidence shows that there are now four hundred and forty-seven (447) elevators (exclusive of terminals) in the Manitoba inspection district, owned as follows:—

Three line elevator companies own	206	elevators
The Lake of the Woods Milling Company own.....	50	"
The Ogilvie Milling Company own.....	45	"
Farmers' Elevator Companies own.....	26	"
Individual millers and grain dealers own..	120	"
	447	"

Grain buyers, including elevator owners, testified before the commissioners that they were satisfied as buyers with a margin of three cents per bushel between 'street prices' at country points and 'Fort William' prices, less freight and floating charges. That three cent margin, after deducting the one and a half cents for elevator charges, and one-quarter of a cent for insurance, would leave one and a quarter cents as the buyer's gross profit.

As a result of the refusal of the railway companies to take grain from a flat warehouse (which resulted in driving many small buyers out of the market), and of their refusal until 1898, to furnish cars to farmers desirous of doing their own shipping, and of the consequent necessity of shipping through elevators, or of selling to the operators thereof, and of lack of competition between buyers, the elevator owners have had it in

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their power to depress prices below what in our opinion farmers should realize for their grain. It would naturally be to their interest to so depress prices; and when buying, to dock as much as possible.

It may be advisable here to explain what is meant by 'dockage.' Owing to the large average acreage sown and the large average of grain grown by each farmer, and to the shortness of the season for harvesting and marketing same, and to the scarcity of harvest hands (which has always been a difficulty in farming in Manitoba and the North-west Territories) most farmers find it impossible to get time to clean their grain at home. As a result, the great bulk of the grain has to be shipped, or taken to the elevator, in the same condition in which it is received from the thresher, that is with more or less admixture of weed seeds and dirt. The grain has, therefore, to be cleaned at some elevator. The amount taken off the total weight of the grain for loss by such cleaning is known as 'dockage.' In some cases the dockage necessary is determined by the buyer estimating the percentage of dirt and seeds per bushel in any load of grain offered to him. In other cases the dockage is arrived at by first cleaning the grain in the elevator and weighing the balance of clean grain. In other cases again, the dockage is arrived at by the buyer weighing a pound of grain on a scale especially made for the purpose, and then cleaning this pound of grain by use of a sieve and re-weighing the cleaned product, the beam of the scale being constructed to show the percentage of loss. This percentage determines the dockage to be taken from the whole wagon load of grain.

The evidence shows that in cleaning grain it is impossible to remove all weed seeds without taking out a certain proportion of small, not fully developed, grain; and such proportion of small grain is included in the dockage.

The term 'shrinkage' which is mentioned in this report may also need explanation. 'Shrinkage' is a term used to describe a loss which is alleged to occur in grain between the time it is received in store at country elevators after dockage has been taken out and the time of its delivery out of terminal elevators. This alleged loss is said to accrue either from natural drying out of the grain in storage or in its handling in an elevator, loading on cars or unloading from cars. It has been customary at country elevators in the case of grain cleaned before weighing it, to further deduct from the gross weight of cleaned grain from half a pound to a pound per bushel for this alleged shrinkage.

By the law of Minnesota, a dockage or allowance for shrinkage may be made at terminals where such shrinkage actually occurs, but not to exceed 60 pounds per carload. There appears, however, to be in Minnesota a trade practice of averaging this shrinkage at 30 pounds per car at terminals irrespective of actual loss (if any) or of size of car. It is the practice of the Canadian Pacific Railway at their Fort William terminal elevators to deduct 60 pounds on a 40,000 pound car and 100 pounds on a 60,000 pound car.

There has been no evidence before the commissioners to show what percentage of the alleged shrinkage in grain actually occurs between the time of its receipt into the country elevators and the time of its delivery at terminals. It is impossible to compute from the shrinkage allowance taken at Fort William what would be a fair allowance to be taken at country elevators. While, therefore, we are of opinion that the allowance of one pound per bushel at country elevators is excessive, we see no way of suggesting what would be a fair allowance to be taken there, and recommend that power to deal with same be given to the warehouse commissioner hereinafter named.

In 1898 and 1899, the railway companies furnished farmers wishing to ship direct, with cars into which the farmers could do their own loading direct.

While the evidence taken leads us to believe that from a number of the causes above given, farmers have in many cases been overdocked and have realized less than they should have, it also shows that since the privilege has been extended to farmers to themselves load cars and ship direct, they have realized not only in that way, but from elevator operators better proportionate prices than they previously got.

The above privilege to farmers of getting cars for shipping has, however, only partially removed the evil, as only those farmers living within four or five miles of shipping points can draw their grain fast enough to load a car within the time reasonably

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allowed by the railway company for such loading. This privilege of direct shipping has, therefore, given no practical relief to those living beyond that distance.

Farmers giving evidence have generally agreed that full freedom of the right to load direct on cars and through flat warehouses would remove most of the trouble.

We consider that proper relief from the possibility of being compelled to sell under value and of being unduly docked for cleaning, is only to be had by giving the fullest obtainable freedom in the way of shipping and selling grain. It is only in such a way that the great agitation and bitterness of feeling which has arisen can be ended. So long as any farmer is hampered in, or hindered from, himself shipping to terminal markets, he will be more or less at the mercy of elevator operators.

The discontent on this point is very serious; and, without further discussing the causes giving rise to same, this discontent seems to us an inevitable result of the restrictions under which farmers have been labouring as to the marketing of their grain. We consider that to remove this trouble, the law should require railroads to furnish cars to farmers for the shipping of their own grain and should allow the establishment at shipping points, if required, of flat warehouses under proper regulations, by means of which a farmer who cannot conveniently load on cars direct, can for a comparatively small sum, obtain for a limited number of days the use of a bin of the capacity of a carload. He can then transfer his grain to this bin until he accumulates a carload, to be then at once shipped. Though the furnishing of cars to farmers has been given as a privilege, they should, with proper restrictions, enjoy it as a legal right.

As a valuable accessory to the proper shipment of grain in carload lots by farmers, we recommend the erection at shipping points of loading platforms to be used by shippers free of charge.

We believe that the erection of flat warehouses will not in all instances be called for. The knowledge that farmers will have the right, under certain restrictions, to get the same erected, or to erect same, will lead to a desire on the part of elevator owners and employees to give fair prices for grain rather than to stir up feeling which will lead to the erection of those flat warehouses.

We further suggest that it be provided that, in cases where flat warehouses are now operated on any lines of railway, they should not be arbitrarily done away with or refused cars for shipping grain.

In our opinion, elevator and warehouse owners should be compelled by law, when shipping grain, the identity of which is not preserved by keeping it separate from other grain, to guarantee, as most of them now in fact do, the grade of such grain to the shipper and to give the shipper on each delivery of grain, written evidence of the gross weight, amount of dockage and net weight. When buying from anyone, there should be further given to the seller in writing, in addition to the above evidence, a statement of the price per bushel and of the total price of said delivery of grain. To accomplish the above, we suggest the adoption by law of uniform grain tickets to be furnished the farmer with each delivery at the elevator or warehouse.

While suggesting the above as to grain tickets, guarantee of grade, &c., we feel that this by itself will remove only a small portion of the trouble. Unless it is supplemented by the above suggested right to the farmer to load direct on cars, or through flat warehouses, he will not have adequate relief, as the tendency of elevator operators when obliged to guarantee grades and weights, would naturally be to guard themselves against loss by such careful grading or docking as would appear to the farmer to be undergrading or overdocking.

The system of docking by means of a sieve and scale is much used in Manitoba and the North-west Territories. We find that great dissatisfaction exists as to the nature of the sieve employed, and believe that unless regulated by law, this system may be much abused. Our opinion is that when such system is used, a sieve of wire-cloth ten meshes to the inch each way and of No. 28 standard gauge, hard tinned steel wire, such as is used by the inspection department in Minnesota, and which has been found to work satisfactorily there, is the proper one for use in such docking.

A grievance referred to in the evidence is the non-return to farmers of the small wheat taken out, with weed seeds and dirt in the dockage. This small wheat would be

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valuable for feeding stock if it could be properly returned to the producer. Being included in the dockage, it is wholly lost to the farmer. This has been a considerable grievance to the farmers. If such small wheat could be separated completely from the seeds of noxious weeds which go through the cleaner with it, it should be returned to the parties from whose grain it was taken. But after considering the provisions of chapter 109 of the Revised Statutes of Manitoba, and chapter 22 of the Ordinances of the North-west Territories passed in 1899, both of which expressly prohibit the removal of cleanings containing seeds of noxious weeds, we are unable to suggest any remedy which will not conflict with the foregoing Acts.

The evidence shows that doubts have arisen as to the correctness of the weights given in some instances at the elevators in the weighing of grain. Recommendations as to the same are submitted with our suggestions as to legislation.

A cause that has depressed prices a great deal, has been the annual shortage of car supply during the months of October and November, during which months most of the wheat is marketed. As a result of this shortage, elevators have been offered wheat during said months faster than they could forward it to terminal points before the close of navigation. In case of a car shortage, therefore, or a threatened shortage, prices of grain have been depressed, owing to elevator owners having to consider, in buying same, that they would either have to pay all rail rates in shipping same, or the 'carrying charges' to the following May. This has, in our opinion, been a serious cause of depression in prices, which should be remedied as far as possible by increase of transportation facilities during these months.

There being no rules laid down for the regulation of the grain trade other than those made by the railway companies and the elevator owners, we think it of great importance that laws should be enacted and that rules should be made under power given by such laws, which will properly regulate the trade.

We have considered the laws regulating the grain trade in the state of Minnesota, and base our recommendations as to legislation largely on those laws.

We find that by the laws of Minnesota, regulations affecting the grain trade are made by the board of commissioners appointed by law to supervise the carrying out of the laws affecting that trade. It appears to us, that as the grain trade of the inspection district of Manitoba, as defined by the schedule to 62-3 Vic., cap. 25 (to which we presume that the operation or legislation will be confined), is of less volume than that of Minnesota, one commissioner could perform the duties required, outside of the promulgation of the rules and regulations. We therefore, suggest the creation of one commissioner only.

In order not to place the onus of making regulations on that one person, such as are necessary should, we submit, be from time to time made by Order in Council.

As changes in the detail working of the law may from time to time be necessary, we suggest that as much of the details as conveniently can, shall be left to enforcement by regulations to be made as the need for them arises.

To properly enforce penalties for infringements of the proposed Act or regulations, prosecutions should, when thought proper by the warehouse commissioner, be instituted and carried on by him at public expense. This would insure the enforcement of the law, and while creating confidence in the good faith of the Act, would prevent petty prosecutions or prosecutions in the nature of persecution.

Schedule 'D' submitted herewith, contains such of the laws of Minnesota as seem to us applicable to the circumstances of Manitoba and the North-west Territories, with such changes and amendments as it has seemed to us advisable to suggest.

Schedule 'E' herewith contains suggestions as to legislation which seem to us suitable in addition to those contained in schedule 'D.'

Owing to the illness and death of His Honour Judge E. J. Senkler, a member of the commission as originally constituted, your commissioners feel that they have suffered a great loss in being deprived of his assistance in making this report; and we ask leave here to pay our respects to the memory of the said Judge Senkler as one who became a valued friend of each of us, and who, by his great abilities, attainments,

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courtesy and conscientious carefulness in discharging his onerous duties, commanded the respect and confidence of all with whom the commission came in contact.

All of which your commissioners beg respectfully to submit.

A. E. RICHARDS, *Chairman*.
 W. F. SIRETT,
 WM. LOTHIAN,
 CHARLES C. CASTLE, } *Commissioners*.

Dated at Winnipeg this day of March, A. D. 1900.

CHAS. N. BELL, Secretary.

SCHEDULE A.

PUBLIC NOTICE.

The members of the Royal Commission appointed by His Excellency the Governor General in Council to inquire into and report upon certain alleged irregularities which are claimed to exist in the shipping and transportation of grain from the Province of Manitoba and the North-west Territories, hereby give notice that they will attend at the following places and times for the purpose of hearing evidence from all persons who wish to give evidence on the subject of such irregularities or any matter connected therewith:—

Edmonton, Saturday	October 21, 10 a.m.
Moose Jaw, Wednesday	" 25 "
Indian Head, Thursday	" 26 "
Moosomin, Friday	" 27 "
Virden, Saturday	" 28 "
Morden, Tuesday	" 31 3 p.m.
Cartwright, Thursday	November 2, 10 a.m.
Boissevain, Friday	" 3 "
Melita, Saturday	" 4 "
Pipestone, Monday	" 6, 1 p.m.
Methven, Tuesday	" 7, 10 a.m.
Treherne, Wednesday	" 8, 1 p.m.
Neepawa, Tuesday	" 14, 2 p.m.
Portage la Prairie, Wednesday	" 15 "
Brandon, Friday	" 17, 10 a.m.
Forrest, Monday	" 20, 9 a.m.
Baldur, Tuesday	" 21, 1 p.m.
Emerson, Friday	" 24, 9 a.m.

Sittings will be held at Dauphin, Winnipeg and Fort William subsequent to the above at dates to be announced.

The grievances particularly referred to in said commission as being said to exist are:—

First.—That the vendor of grain is at present subjected to unfair and excessive dockage of grain at the time of sale.

Second.—That doubts exist as to the fairness of the weights allowed, or used by owners of elevators.

Third.—That the owners of elevators enjoy a monopoly in the purchase of grain by refusing to permit of the erection of flat warehouses where standard elevators are situated, and are able to keep the price of grain below its true market value, to their own benefit and to the disadvantage of others specially interested in the grain trade and the public generally.

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The members of the commission desire to hear evidence in reference to the existence of these grievances and the mode of remedying them, if found to exist, and upon any other grievances or subjects connected with the said grain trade, and for that purpose call upon all persons interested in said matters, and who have evidence to give in respect of them, to attend at the places and times above mentioned, where the fullest opportunity will be given to them to state what they know on the said subjects.

Dated the sixteenth day of October, A. D. 1899.

E. J. SENKLER,
Chairman of Commission.
 W. F. SIRETT,
 WILLIAM LOTHIAN, } *Commissioners.*
 CHARLES C. CASTLE, }

Please post this notice in a conspicuous place.

SCHEDULE B.

PUBLIC NOTICE.

The members of the Royal Commission appointed by His Excellency the Governor General in Council to inquire into and report upon certain alleged irregularities which are claimed to exist in the shipping and transportation of grain from the Province of Manitoba and the North-west Territories, hereby give notice that they will attend at the following places and times for the purpose of hearing evidence from all persons who wish to give evidence on the subject of such irregularities or any matter connected therewith (in addition to the places already advertised) :—

Carnduff, Tuesday, November 28, 1 p.m.

Regina, Friday, December 1, 10 a.m.

Sittings will be held at Dauphin, Winnipeg and Fort William subsequent to the above at dates to be announced.

The grievances particularly referred to in said commission as being said to exist are :

First.—That the vendor of grain is at present subjected to unfair and excessive dockage of grain at the time of sale.

Second.—That doubts exist as to the fairness of the weights allowed, or used by owners of elevators.

Third.—That the owners of elevators enjoy a monopoly in the purchase of grain by refusing to permit of the erection of flat warehouses where standard elevators are situated, and are able to keep the price of grain below its true market value, to their own benefit and to the disadvantage of others who are specially interested in the grain trade and the public generally.

The members of the commission desire to hear evidence in reference to the existence of these grievances and the mode of remedying them, if found to exist, and upon any other grievances or subjects connected with the said grain trade, and for that purpose call upon all persons interested in said matters, and who have evidence to give in respect of them, to attend at the places and times above mentioned, where the fullest opportunity will be given to them to state what they know on the said subjects.

Dated the twenty-eighth day of October, A.D. 1899.

E. J. SENKLER,
Chairman of Commission.
 W. F. SIRETT,
 WILLIAM LOTHIAN, } *Commissioners.*
 CHARLES C. CASTLE, }

Please post this notice in a conspicuous place.

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SCHEDULE C.

List of witnesses who gave evidence before the commission, with the name of the place where such evidence was given :—

A.

Adamson, Robert, Virden, Man.
Alexander, Robert, Regina, Assa.
Anderson, Joseph, Melita, Man.

Anderson, Wm., Indian Head, Assa.
Anderson, Wm., Forrest, Man.
Atkinson, Arthur, Winnipeg, Man.

B.

Bradley, James, Regina, Assa.
Banting, Thos. F. M., Methven, Man.
Barron, Walter J., Treherne, Man.
Bastedo, Lincoln, Moosejaw, Assa.
Battell, Joseph, E., Moosejaw, Assa.
Battell, Wm. J., Moosejaw, Assa.
Beavis, Thos., Moosejaw, Assa.
Beech, Samuel, Regina, Assa.
Bell, Harry, Edmonton, Alta.
Bennet, Isaac, Virden, Man.
Bennett, Richard Benson, Wolseley, Assa.
Biden, Charles, Wolseley, Assa.
Black, Geo. R., Brandon, Man.
Bogue, Richard, Moosejaw, Assa.

Booth, Jonathan, Indian Head, Assa.
Bouchier, Wm. J., Edmonton, Alta.
Bradley, Locke A., Portage la Prairie, Man.
Bray, Frank E., Winnipeg, Man.
Bready, T. T. W., Winnipeg, Man.
Bready, T. T. W., (recalled), Winnipeg, Man.
Brown, Frederick W., Portage la Prairie, Man.
Brown, John S., Brandon, Man.
Bulyea, Hon. Geo. H. V., Indian Head, Assa.
Burke, Jacob Geo., Carnduff, Assa.
Burritt, Arthur L., Morden, Man.
Burton, Thomas, Forrest, Man.
Burton, Geo., Forrest, Man.

C.

Callahan, Frank, Moosejaw, Assa.
Cameron, Alex. J., Boissevain, Man.
Cameron, Albert E., Melita, Man.
Cameron, Archibald Wm., Regina, Assa.
Carrol, George, Regina, Assa.
Carruthers, Jas., Winnipeg, Man.
Christie, George, Emerson, Man.
Clarke, Andrew C., Cartwright, Man.
Clark, Andrew C. (recalled), Cartwright, Man.

Colter, S. S., Virden, Man.
Connell, Jno. W., M. L. A., Carnduff, Assa.
Cotton, Almon, J., Treherne, Man.
Court, James, Indian Head, Assa.
Craig, Wm., Virden, Man.
Cumming Jas. A., Brandon, Man.
Curran, Robert, Emerson, Man.
Currie, Wm., Brandon, Man.

D.

Dale, Jas., Baldur, Man.
Dean, Edward, Edmonton, Alta.
Diehl, Charles, Portage la Prairie, Man.
Dobbyn, Richard, Melita, Man.
Donaldson, Thos., Neepawa, Man.
Dorrell, Henry, Moosejaw, Assa.

Dougan, John, Regina, Assa.
Douglas, Rev. James M., M.P., Winnipeg, Man.
Downie, James, Methven, Man.
Driver, Victor, Morden, Man.
Drysdale, James W., Neepawa, Man.

E.

Elliott, Thos., Regina, Assa.

Elliott, John, Wolseley, Assa.

F.

Fairburn, Geo., Carnduff, Assa.
Ferris, Robt. M., Treherne, Man.
Forrest, Horatio F., Brandon, Man.

Fowler, Frank O., M.P.P., Methven, Man.
Friend, Cecil E., Winnipeg, Man.

G.

Galbraith, Julius F., Morden, Man.
George, James, Indian Head, Assa.
Gibbins, W. T., Winnipeg, Man.
Gibbs, James, Winnipeg, Man.
Gibbs, Frank E. (grain insp'r.), Fort William, Ont.
Gimby, John, Cartwright, Man.
Gorrell, Frank, Carnduff, Assa.

Graham, Frank, Melita, Man.
Graham, Wm. C., Winnipeg, Man.
Green, Harry, Moosejaw, Assa.
Green, Ernest, Wolseley, Assa.
Greenwood, Thos. E., Brandon, Man.
Guthrie, Wm., Virden, Man.

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H.

Hartry, Robt., Melita, Man.
 Hawes, George, Neepawa, Man.
 Herrold, Jno., Edmonton, Alta.
 Heron, Wm. A., Moosejaw, Assa.

Hope, Thos., Melita, Man.
 Horn, D., Chief Grain Inspector, Winnipeg, Man.
 Hunter, Arthur T., Regina, Assa.
 Hurlburt, Asa. S., Moosejaw, Assa.

I.

Irwin, Jno. W., Emerson, Man.

J.

James, E., Moosomin, Assa.
 James, E. (recalled), Moosomin, Assa.
 Japp, Douglas, Neepawa, Man.

Johnson, James, M.P.P., Boissevain, Man.
 Johnston, Wm. T., Methven, Man.
 Jones, Evan, Baldur, Man.

K.

Kain, Jno., Melita, Man.
 Kennedy, Jno., Edmonton, Alta.
 Kennedy, Archibald, Forrest, Man.
 Keys, Joseph, Regina, Assa.

King, Oliver, Methven, Man.
 King, J. G., Fort William, Ont.
 Knowles, Thos. W., Emerson, Man.

L.

Lamb, Wm., Methven, Man.
 Latham, Mrs. Maria, Moosejaw, Assa.
 Latimer, Wm., Edmonton, Alta.
 Law, John, Neepawa, Man.
 Lawrence, James, Morden, Man.
 Lawrence, Joseph, Cartwright, Man.

Ledingham, Wm., Forrest, Man.
 Lee, Robert, Edmonton, Alta.
 Leech, R. E. A., Winnipeg, Man.
 Leech, R. E. A. (recalled), Winnipeg, Man.
 Lennox, Ignatius, Melita, Man.
 Long, Wm., Boissevain, Man.

M.

Mackenrot, Wm. H., Fort William, Ont.
 Mabon, Walter, Baldur, Ont.
 Magness, Robt., Winnipeg, Man.
 Magness, Robt. (recalled), Winnipeg, Man.
 Maitland, James B., Carnduff, Assa.
 Manning, Charles, Cartwright, Man.
 Marshall, Ralph, Melita, Man.
 Martin, Cornelius, Regina, Assa.
 Martin, George, Wolseley, Assa.
 Martin, Wm., Winnipeg, Man.
 Martin, Wm. (recalled), Winnipeg, Man.
 Massie, James, deputy grain insp'r., Emerson, Ont.

Merrell, Henry, Carnduff, Assa.
 Milliken, Peter, Virden, Man.
 Mitchell, Jno. A., Indian Head, Assa.
 Mitchell, Alexander, Wolseley, Assa.
 Moodie, Wm., Cartwright, Man.
 Moore, Frederick, Cartwright, Man.
 Moore, Robert, Moosejaw, Assa.
 Moore, Robert, Regina, Assa.
 Moore, E. D., Winnipeg, Man.
 Motherwell, Wm. R., Indian Head, Assa.
 Munro, James, Cartwright, Man.
 Murie, Jno., Fort William, Ont.

Mc.

Macdonald, Wm., Indian Head, Assa.
 Mackenzie, Roderick, Brandon, Man.
 MacLennan, Wm., Winnipeg, Man.
 McConnell, James, Melita, Man.
 McClain, Robert H., Morden, Man.
 McDiarid, Jas., Edmonton, Alta.
 McDonald, Donald, Melita, Man.
 McDonald, Alex., Forrest, Man.
 McDonald, Alex., Winnipeg, Man.
 McGaw, S. A., Winnipeg, Man.
 McGaw, S. A. (recalled), Winnipeg, Man.
 McGee, Robert A., Wolseley, Assa.

McKay, Robert, Winnipeg, Man.
 McKellar, John A., Brandon, Man.
 McKelvey, James, Cartwright, Man.
 McKenzie, Albert E., Brandon, Man.
 McKinley, M., Edmonton, Alta.
 McLane, Asa. M., Indian Head, Assa.
 McLennan, J. K., Treherne, Man.
 McPhail, Archibald, Forrest, Man.
 McVicar, John, Winnipeg, Man.
 McVicar, John (recalled), Winnipeg, Man.
 McVicar, John (recalled), Winnipeg, Man.

N.

Naismith, Alexander, Methven, Man.
 Neff, Oliver, Moosomin, Assa.
 Neff, Oliver (recalled), Moosomin, Assa.
 Nichol, Henry, Brandon, Man.

Nicholson, Robert, Moosomin, Assa.
 Noble, Francis, Methven, Man.
 Noble, Robert James, Carnduff, Assa.
 Noble, Wm., Carnduff, Assa.

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Oliver, Frank, M.P., Edmonton, Alta.
Oliver, Geo., Brandon, Man.

Paisley, Geo., Moosejaw, Assa.
Palmer, Matthew, R., Treherne, Man.
Parker, Francis J., Winnipeg, Man.
Paterson, H. S., Winnipeg, Man.
Percival, Spencer, Baldur, Man.
Perley, Senator, Wm. D., Wolsley, Assa.
Phillips, James, Boissevain, Man.

Quigley, A., Indian Head, Assa.

Rathwell, Samuel K., Moosejaw, Assa.
Realy, George, Regina, Assa.
Richardson, Robert L., M.P., Winnipeg, Man.
Robertson, Lawrence, Neepawa, Man.
Roberts, Eli, Portage la Prairie, Man.
Robinson, W. A., Winnipeg, Man.
Robinson, W. A. (recalled), Winnipeg, Man.
Roblin, Rodmond P., M.P.P., Winnipeg, Man.

Sanderson, Thomas, Treherne, Man.
Seed, Jno. C., Regina, Assa.
Sellers, M., Fort William, Ont.
Shaw, Elmer, Indian Head, Assa.
Shaw, Geo. H., C.P.Ry., Winnipeg, Man.
Shouldice, Wm., Carnduff, Assa.
Simpson, Walter, Regina, Assa.

Thompson, Jno. S., Melita, Man.
Thompson, Jno. A., Winnipeg, Man.
Thompson, Jno. A. (recalled), Winnipeg, Man.
Thompson, Richard S., Portage la Prairie, Man.

Underhill, Wm. B., Melita, Man.

Vanderslice, George W., N.E.Ry., Winnipeg, Man.

Wayland, E. R., Fort William, Ont.
Watts, Morris, Cartwright, Man.
Webster, Jno., Cartwright, Man.
Webster, Jno., Forrest, Man.
Wenman, William, Brandon, Man.
Williams, Jesse Jas., Cartwright, Man.

Young, Jno., Carnduff, Assa.

O.

Orchard, James, Forrest, Man.

P.

Picard, Jos. H., Edmonton, Alta.
Pinkness, Frederick W., Moosomin, Assa.
Porter, Wm. John, Baldur, Man.
Price, James, Edmonton, Alta.
Pummell, James, Melita, Man.
Purdy, Russell E., Regina, Assa.
Putnam, A. E., Edmonton, Alta.

Q.

R

Roblin, Rodmond P. (recalled), M.P.P., Winnipeg, Man.
Robson, Jno., Cartwright, Man.
Roe, Robert, Regina, Assa.
Rogers, Isaac, Methven, Man.
Rorison, Hugh, Moosejaw, Assa.
Ryan, Wm., Boissevain, Man.

S

Simpson, Samuel S., Brandon, Man.
Smith, Henry T., Indian Head, Assa.
Snow, Matthew, Wolsley, Man.
Stancombe, James, Cartwright, Man.
Stewart, Duncan, Morden, Man.
Sturgeon, Thos. D., Melita, Man.
Swinford, Herbert, N.P.Ry., Winnipeg, Man.

T

Townshend, Edward, Boissevain, Man.
Trerice, Alex., Melita, Man.
Truscott, Jno. O., Carnduff, Assa.

U

V

W

Williamson, Lancelot, Baldur, Man.
Wilson, Richard M., Baldur, Man.
Wilson, James, Morden, Man.
Winkler, Valentine, M.P.P., Morden, Man.
Wright, Jno., Virden, Man.
Whyte, Wm., Manager C.P.Ry., Winnipeg, Man.

Y

SCHEDULE D.

SECTIONS SUGGESTED AS APPLICABLE TO TERMINAL ELEVATORS,
WAREHOUSES, &c.

Sec. 1. All elevators or warehouses located at any point within the Manitoba grain inspection division declared by the warehouse commissioner to be a terminal, in which grain is stored in bulk, and in which the grain of different owners is mixed together, or in which grain is stored in such a manner that the identity of the different lots or parcels cannot be accurately preserved, and doing business for a compensation, are hereby declared to be public terminal warehouses.

Sec. 2. The proprietor, lessee, or manager of any public terminal warehouse shall be required, before transacting any business, to procure from the warehouse commissioner a license, permitting such proprietor, lessee or manager to transact business as a public warehouseman under the law, which license shall be issued by the Warehouse commissioner upon written application, which shall set forth the location and name of such warehouse, and the individual name of each person interested as owner or principal in the management of the same; or, if the warehouse be owned or managed by a corporation, the name of the president, secretary and treasurer of such corporation shall be stated, and the said license shall give authority to carry on and conduct the business of public terminal warehouse in accordance with the law and shall be revocable by said commissioner upon a summary proceeding before the commissioner upon complaint of any person, in writing, under oath, setting forth the particular violation of law, and upon satisfactory proof, to be taken in such manner as may be directed by the commissioner.

Sec. 3. The person receiving license as herein provided shall file with the commissioner granting the same a bond to _____, with good and sufficient sureties to be approved by said commissioner in the penal sum of not more than fifty thousand (50,000) dollars, in the discretion of the warehouse commissioner, for each terminal warehouse licensed in the said district conditional for the faithful performance of his duties as a public terminal warehouseman and his full and unreserved compliance with all laws in relation thereto. An annual fee for the issuance of such license of two (2) dollars shall be paid by the person applying for the same; provided, that when any person or corporation procures a license for more than one warehouse, no more than one bond need be given.

Sec. 4. Any person who shall transact the business of a public terminal warehouseman without first procuring a license as herein provided, or who shall continue to transact any such business after such license has been revoked (save only that he may be permitted to deliver grain previously stored in such warehouse), shall on conviction by indictment be fined in a sum not less than _____ nor more than _____ for each and every day such business is carried on, and the warehouse commissioner may refuse to renew any license or grant a new one to any of the persons whose license has been revoked, within one (1) year from the time the same was revoked.

Sec. 5. It shall be the duty of every terminal public warehouseman to receive for storage any grain, dry and in a suitable condition for warehouseing, that may be tendered to him in the usual manner in which such warehouses are accustomed to receive the same in the ordinary and usual course of business, not making any discrimination between persons desiring to avail themselves of warehouse facilities, such grain to be in all cases inspected and graded by a duly authorized inspector, and to be stored with grain of a similar grade. And in no case shall grain of a different grade be mixed together while in store. Nothing in this section shall be construed so as to require the receipt of any

Note.—It is suggested that the foregoing penal clause be recast as per recommendation of commissioners and that a clause be put in providing for an appeal to the Minister of Inland Revenue against the decision of the warehouse commissioner in revoking the license.

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kind of grain into any warehouse in which there is not sufficient room to accommodate or store it properly, or in cases where such warehouse is necessarily closed.

Sec. 6. Upon the application of the owner or consignee of grain stored in a terminal public warehouse, the same being accompanied with evidence that all transportation charges other than those due (if any) to the owner of such warehouse, and all other charges which may be a lien upon the grain, including charges for inspection and weighing, have been paid, the warehouseman shall issue to the person entitled to receive it a warehouse receipt therefor, subject to the order of the owner or consignee, which receipt shall bear date corresponding with the receipt of the grain in store, and shall state upon its face the quantity and inspected grade of the grain, and that the grain mentioned on it has been received into store to be stored with grain of the same grade by inspection; and that it is deliverable upon the return of the receipt properly indorsed by the person to whose order it was issued, and the payment of proper charges for storage, and the payment of the transportation charges (if any) due to the owner of such warehouse. All warehouse receipts for grain issued by the same warehouse shall be consecutively numbered, and no two receipts bearing the same number shall be issued from the same warehouse during any one year, except in a case of a lost or destroyed receipt, in which case the new receipt shall bear the same date and number as the original and shall be plainly marked on its face 'duplicate.' If the grain was received from railroad cars, the number of each car shall be stated upon the receipt with the amount it contained; if from barges or other vessels, the name of such craft, if from team or by other means, the manner of its receipt shall be stated on its face.

Sec. 7. Upon the delivery of grain from store in any terminal warehouse upon any receipt, such receipt shall be plainly marked across its face with the word 'cancelled,' and with the name of the person cancelling the same, and shall thereafter be void, and shall not again be put in circulation, nor shall grain be delivered twice upon the same receipt. No terminal warehouse receipt shall be issued except upon actual delivery of grain into store in the warehouse from which it purports to be issued, and which is to be represented by the receipts. Nor shall any receipt be issued for a greater quantity of grain than was contained in the lot or parcel stated to have been received. Nor shall more than one receipt be issued for the same lot of grain except in cases where receipt for a part of a lot is desired, and then the aggregate receipt for a particular lot shall cover that lot and no more. In cases where a part of the grain represented by the receipt is delivered out of store, and the remainder is left, a new receipt may be issued for such remainder, but the new receipt shall bear the same date as the original, and shall state on the face that it is balance of receipt of the original number, and the receipt upon which a part has been delivered shall be cancelled in the same manner as if it had all been delivered. In case it be desirable to divide one receipt into two or more, or in case it be desirable to consolidate two or more receipts into one, and the warehouseman consents thereto, the original receipt shall be cancelled the same as if the grain had been delivered from store, and the new receipts shall express on their face that they are a part of another receipt or a consolidation of other receipts as the case may be; and the numbers of the original receipts shall also appear upon the new ones issued, as explanatory of the change; but no consolidation of receipts of dates differing more than ten (10) days shall be permitted, and all new receipts issued for old ones cancelled, as herein provided, shall bear the same date as those originally issued, as near as may be.

Sec. 8. No terminal warehouseman shall insert in any receipt issued by him any language in anywise limiting or modifying his liabilities or responsibility as imposed by law.

Sec. 9. On the return of any terminal warehouse receipt by him properly endorsed, and the tender of all proper charges upon grain represented by it, such grain shall be immediately deliverable to the holder of such receipt, and it shall not be subject to any further charges for storage after demand for such delivery shall have been made, and the grain represented by such receipt shall be delivered within twenty-four (24) hours after such demand shall have been made and the cars or vessels for the same shall have been furnished. The warehouseman, in default, shall be liable to the owner of such receipt for damages for such default in the sum of one (1) cent per bushel, and addition thereto

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one (1) cent per bushel for each and every day such neglect or refusal to deliver: Provided, no warehouseman shall be held to be in default in delivery if the grain is delivered in the order demanded, and as rapidly as due diligence, care and prudence will justify.

Sec. 10. It shall be the duty of every owner, lessee and manager of every terminal public warehouse in the Manitoba inspection district to furnish in writing under oath, at such times as the warehouse commissioner shall require and prescribe, a statement concerning the condition and management of the business as such warehouse man.

Sec. 11. The warehouse man of every terminal public warehouse located in the Manitoba inspection district shall on each Tuesday morning render a statement made under oath, before some officer authorized by law to administer oaths, by one of the principal owners or operators thereof, or by the book-keeper thereof, having personal knowledge of the facts, to the warehouse commissioner of the amount of each kind and grade of grain in store in his warehouse at the close of the business on the previous Saturday.

Sec. 12. Every warehouseman of terminal public warehouse located in the Manitoba inspection district shall be required during the first (1st) week in September of each year to file with the warehouse commissioner a table or schedule of rates for the storage, cleaning and handling of grain in his warehouse during the ensuing year, which rates shall not be increased during the year, and such published rates, or any published reduction of them, shall apply to all grain received into such warehouse from any person or source, and no discrimination as to rates shall be made, directly or indirectly, by such warehouseman for the storage, cleaning or handling of grain. The maximum charge for storage, cleaning and handling of grain, including the cost of receiving and delivering shall be fixed by order in council.

Sec. 13. No public terminal warehouseman shall be held responsible for any loss or damage to grain by fire while in his custody, provided reasonable care and vigilance be exercised to protect and preserve the same.

Sec. 14. All persons owning grain or who may be interested in the same, in any public terminal warehouse, and all duly authorized inspectors of such grain, shall at all times during the ordinary business hours, be at full liberty to examine any and all grain stored in any such public warehouse. And all proper facilities shall be extended to such persons by the warehouseman, his agents and servants, for an examination, and all parts of the public terminal warehouses shall be free for examination and inspection by any person interested in any grain stored therein, or of any authorized inspector of such grain.

Sec. 15. The Governor General in Council may appoint a chief weighmaster whose duties and powers shall be defined by order in council, and may also in any place in the Manitoba inspection district where there is inspection of grain, appoint a government deputy weighmaster and such assistants as shall be necessary.

Sec. 16. Said government deputy weighmasters and assistants shall at all terminal places in the Manitoba inspection district under the direction of the chief weighmaster, supervise and have exclusive control of the weighing of grain which may be subject to inspection; and the action and certificates of such deputy weighmaster and his assistants in the discharge of their aforesaid duties shall be conclusive and binding upon all parties, either in interest or otherwise, as to the matters contained in said certificates.

Sec. 17. The Governor General in Council shall fix the fees to be paid for the weighing of grain, which fees shall be paid by the warehouseman and may be added to the charges for storage.

Sec. 18. Said government chief weighmaster, deputy weighmasters and assistants shall give such bonds conditioned for the faithful discharge of their duties and shall receive such compensation as may be determined by the Governor General in Council.

Sec. 19. All deputy weighmasters or assistants provided for by this law shall be required to make true weights under the penalties in this Act provided, and in addition thereto keep a correct record of all weighing done by them at the places for which they are appointed, in which record shall be entered an accurate account of all grain weighed, or the weighing of which was supervised by them or their assistants, giving the amount

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of each weight, the number of each car weighed, the initial letter of said car place where weighed, date of weighing and contents of car.

Sec. 20. Each said deputy weighmaster or assistant shall give upon demand to any person or persons having weighing done by him, a certificate under his hand and seal, showing the amount of each weight, number of each car weighed, the initial of said car, place where weighed, date of weighing and contents of car. And it is hereby provided that said deputy weighmaster's or assistant's certificate shall be admitted in all actions, either at law or in equity, as *prima facie* evidence of the facts therein contained, but the effect of such evidence may be rebutted by other competent testimony.

Sec. 21. The chief weighmaster shall adopt such rules and regulations for the weighing of grain as he shall deem proper.

Sec. 22. In case any person, warehouse or railroad corporation, or any of their agents or employees shall refuse or prevent any deputy weighmaster or any of his assistants from having access to their scales, in the regular performance of their duties in supervising the weighing of any grain in accordance with the tenor and meaning of this Act, they shall forfeit the sum of _____ dollars for each offence, such penalty or forfeiture to be paid to the _____ for the benefit of the Manitoba grain inspection fund.

(NOTE.—It is suggested that the foregoing penal clause be recast as per recommendation of commissioners.)

Sec. 23. It shall be unlawful for any proprietor, lessee, or manager of any terminal public warehouse, to enter into any contract, agreement, understanding or combination with any railroad company or other corporation, or with any individual or individuals, by which the grain of any person is to be delivered to any public warehouse for storage or for any other purpose, contrary to the direction of the owner, his agent or consignee.

Sec. 24. It will be the duty of the warehouse commissioner to assume and exercise a constant supervision over the grain interests of the Manitoba inspection district, to supervise the handling and storage of grain, and to recommend to the Minister of Inland Revenue rules or regulations for the management of the public terminal warehouses of the Manitoba inspection district that may appear to him necessary to enforce the provisions of this Act; to investigate all complaints of fraud or oppression in the grain trade, and to correct the same as far as it may be in his power.

Sec. 25. The aforesaid rules and regulations not being contrary to the provisions of law, shall be posted by said warehouse commissioner in some conspicuous place in every licensed terminal elevator and warehouse.

Sec. 26. All moneys collected by weighmasters and other officers, as herein provided for, shall by them be paid into the Manitoba grain inspection fund.

Sec. 27. It shall be the duty of _____ of the Manitoba grain inspection fund to receive all moneys aforesaid and all fines and penalties collected by virtue of this Act, and to keep a separate account of the same and to pay the same on the order of _____ and not otherwise.

Sec. 28. Nothing in this Act shall be so construed as to prevent any person from selling grain by sample, regardless of grades.

Sec. 29. The provisions of this Act shall not change the liability of warehousemen on grain now in store.

Sec. 30. The said warehouse commissioner shall keep on file for public inspection in his office in Winnipeg, publications showing the market price of grain in the markets of Liverpool, London, Glasgow, Winnipeg, Fort William, Toronto, Montreal, New York, Chicago, Minneapolis and Duluth.

Sec. 31. It shall be the duty of the chief inspector of grain, and of any deputies or officials serving under him, before opening the doors of any cars containing grain upon their arrival at any place designated by law as an inspection point for the purpose of inspecting the same, to first ascertain the condition of any such car or cars and determine whether any leakages have occurred while the said car or cars were in transit; also whether or not the end or side doors are properly secured and sealed, making a record of such facts in all cases.

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After such examination shall have been duly made and recorded it shall be the duty of the said officials of the grain inspection department, above mentioned, to securely close and reseal such doors as have been opened by them, using a special seal of the said grain inspection department for the purpose. A record of all original seals broken by said officials and the time when broken, also a record of all seals substituted therefor and the time when such seals were substituted, together with a full description of said seals, with their numbers, shall be made by the said officials.

Sec. 32. Any person other than those duly charged by this Act with the cars of the property described herein who shall tamper with or break any seals placed upon such cars of grain, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than dollars and not exceeding dollars, or by imprisonment not less than ten days and not exceeding ninety days upon conviction.

(NOTE.—Above to be recast. It is suggested that there may already be provisions in the General Railway Act covering this section).

SECTIONS SUGGESTED AS APPLICABLE TO COUNTRY ELEVATORS AND WAREHOUSES.

Sec. 1. All elevators and warehouses in which grain is received, stored, shipped or handled, and which are situated on the right of way of any railroad or on any siding or spur track connected therewith, depot grounds, or any lands acquired or reserved by any railroad company in the Manitoba inspection district to be used in connection with its line of railway at any station or siding in the said district, other than at terminal points, are hereby declared to be public elevators and shall be under the supervision and subject to the inspection of the warehouse commissioner, and shall, for the purposes of the following sections of this Act, be known and designated as public country elevators or country warehouses.

It shall be unlawful to receive, ship, store or handle any grain in any such elevator or warehouse unless the owner or owners thereof shall have procured a license therefor from the warehouse commissioner, which license shall be issued for the fee of two (2) dollars per year, and only upon written application under oath, specifying the location of such elevator or warehouse and the name of the person, firm or corporation owning and operating such elevator or warehouse, and the names of all the members of the firm, or the names of all the officers of the corporation owning and operating such elevator or warehouse, and all moneys received for such licenses shall be turned over to the Manitoba grain inspection fund. Such license shall confer upon the licensee full authority to operate such warehouse or elevator in accordance with law and the rules and regulations prescribed by said commission, and every person, company or corporation receiving such license shall be held to have accepted the provisions of this Act and thereby to have agreed to comply with the same.

If any elevator or warehouse is operated in violation or in disregard of law, its license shall, upon due proof of this fact, after proper hearing and notice to the licensee, be revoked by the said warehouse commissioner. Every such license shall expire on the thirty-first (31st) day of July of each year.

NOTE.—A clause to be inserted here providing for an appeal to the Minister of Inland Revenue against the decision of the warehouse commissioner in revoking the license. A further clause to be inserted providing for giving of bonds on same lines as in section 3 of the suggested legislation as to terminals, of these suggestions, and a clause empowering the Governor General in Council to pass regulations requiring every operator of warehouse or elevator to give security to his employer (to be approved by the warehouse commissioner) for the performance of his duties, all of such bonds to be filed with the warehouse commissioner.

Sec. 2. No person, firm or corporation shall in any manner operate such public country elevator or country warehouse without having a license as hereinbefore specified, and any attempts to operate such elevator or warehouse without such license shall be deemed a misdemeanor to be punished as hereinafter provided, and any attempts to operate such elevator or warehouse in violation of law and without having the license herein prescribed, may upon complaint of the party aggrieved, and upon complaint of

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the warehouse commissioner be enjoined and restrained by temporary and permanent injunction, conformably to the procedure in civil actions in the court.

NOTE.—The above section to be recast in accordance with the commissioners' recommendations as to penalties.

Sec. 3. The Governor General in Council may before the first (1st) of August of each year, and as often as he shall deem proper, make and promulgate all suitable and necessary rules and regulations for the government and control of public country elevators and warehouses, including flat warehouses, and the receipt, storage, insurance, handling and shipment of grain therein and therefrom, and the maximum rates of charges therefor, in cases where such handling includes cleaning grain and also in cases where it does not include such cleaning, and such rules and regulations shall be binding and have the force and effect of law; and a printed copy of such rules and regulations and a copy of the provisions of law as to the classification of the various grades of grain, shall at all times be posted in a conspicuous place in each of the said elevators and warehouses for the free inspection of the public. It shall be the duty of the warehouse commissioner to submit from time to time to the Minister of Inland Revenue suggestions as to such changes in or additions to the rules and regulations mentioned in this section as he shall deem necessary.

Sec. 4. The party operating such country elevator or country warehouse shall keep a true and correct account in writing, in proper books, of all grain received, stored and shipped at such elevator or warehouse, stating the weight, grade and dockage for dirt or other cause on each lot of grain received in store for sale, storage or shipment, except as hereinafter provided, and shall upon the request of any person delivering grain for storage or shipment, receive the same without discrimination during reasonable and proper business hours, and shall insure the same against loss by fire while in his warehouse, and shall, upon request, deliver to such person or his principal, a warehouse receipt or receipts therefor in favour of such person or his order, dated the day the grain was received and specifying upon its face the gross and net weight of such grain, the dockage for dirt or other cause, and the grade of such grain when graded conformable to the grade fixed by law and in force at terminal points, and every such receipt shall also state upon its face that the grain mentioned in such receipt has been received into store and that, upon the return of said receipt or receipts, and upon payment or tender of payment of all lawful charges for receiving, storing, insuring, delivering or otherwise handling said grain, which charges may have accrued up to the time of the return of said receipt or receipts, such grain is deliverable to the person named therein, or his order, either from the elevator or warehouse where it was received for storage; or, if either party so desires, in quantities not less than carload lots on track at any terminal elevator in the Manitoba inspection district on the same line of railway or any line connecting therewith. Except that in the case of a country elevator on the Northern Pacific and Manitoba Railway line or any line of Railway operated therewith, if either party desires such grain to be shipped to terminal point, it shall be delivered on track at the proper terminal elevator at or adjacent to Duluth. Such grain when so delivered at terminals, to be subject to freight, weighing and inspection charges and all other charges (if any) lawful at such terminal point; and the party delivering shall be liable for the delivery of such grain as will on Canadian Government inspection and on weighing at such terminal point conform to the grade and weight mentioned in such receipt.

Nothing herein shall prevent the owner of such grain from, at any time before the same is so shipped to terminals, requiring the same to be shipped to any other terminal than as above provided.

On the return or presentation of such receipts by the lawful holder thereof, properly endorsed, at the elevator or warehouse where the grain represented therein is made deliverable, and upon the payment or tender of payment of all lawful charges, as hereinbefore provided, the grain shall be immediately delivered to the holder of such receipt, and it shall not be subject to any further charges for storage after demand for such delivery shall have been made, and cars are furnished by the railway company,

which the party operating the elevator or warehouse shall have called for promptly upon the request for shipment made by the holder of such receipt in the order of the date upon which receipts are surrendered for shipment. Provided that in any case where at least seven days prior to the expiry of any storage period for which storage charges are lawfully payable or have accrued the holder of the receipt shall in writing have required his grain to be shipped out, he, the said holder, shall not for any cause be thereafter liable for storage charges for any further period than the one during which he so required said grain to be shipped. The grain represented by such receipt shall be delivered within twenty-four (24) hours after such demand shall have been made and cars or other means of receiving the same from the elevator or warehouse shall have been furnished.

The operator of any country elevator may at any time forward any grain stored in his elevator to any terminal elevator in the Manitoba inspection district on the same line of railway, or on railways connecting therewith, and on so doing shall be liable for the delivery thereof to its owner at such terminal elevator in the same manner and to the same extent in all respects as if the same had been so forwarded at the request of the owner of such grain. Such country elevator operator on so forwarding same shall at once notify in writing the owner of such grain of such forwarding thereof.

Provided, however, that whenever the party operating any country elevator or warehouse, agrees with the owner of any grain to store the same in such a manner as to preserve its identity, it shall be stored in a special bin or bins and shall be called special binned grain, and in such case only the weights, insurance and preservation of the identity of such grain shall be guaranteed by the said operator, and the operator shall mark on the storage tickets given for same the words 'special bin' and the number or numbers by which such special bin or bins is or are known in such elevator or warehouse.

Provided, that in the case of the allotting of a special bin or bins by the owner or operator of any elevator or warehouse to any buyer of grain who effects a general insurance on all grain bought or stored by him, said buyer may by agreement with such owner or operator dispense with insurance by such owner or operator of such buyer's grain while in such bins. Nothing in this Act shall be construed as permitting the owner or operator of any flat warehouse to allow special bins beyond the time allowed by the provisions of this Act, or for purposes other than as stated in the provisions of this Act as to the flat warehouses, or shall require the owner of such flat warehouse to insure grain while in his warehouse.

If not delivered upon such demand within twenty-four (24) hours after such car, vessel or other means for receiving the same shall have been furnished, the warehouse in default shall be liable to the owner of such receipt for damages for such default in the sum of one (1) cent per bushel, and in addition thereto one (1) cent per bushel for each and every day of such neglect or refusal to deliver. Provided no warehouseman shall be held to be in default in delivering if the grain is delivered in the order demanded by holders of different receipts or terminal orders and as rapidly as due diligence, care and prudence will justify.

On the return of said receipts, if the shipment or delivery of the grain at the terminal point is requested by the owner thereof, the party receiving such grain shall deliver to said owner a certificate in evidence of his right to such shipment or delivery, stating upon its face the date and place of its issue, the name of the consignor and consignee and place of destination, and shall also specify upon the face of such certificate the kind of grain and the grade and net quantity, exclusive of dockage, to which said owner is entitled by his original warehouse receipts and by official inspection and weighing at such designated terminal point.

The grain represented by such certificate shall be subject only to such freight or transportation or other lawful charges as would accrue upon said grain from the date of the issue of said certificate to the date of actual delivery, within the meaning of this Act, at such terminal point.

All warehouse receipts issued for grain received and all certificates shall be consecutively numbered, and no two receipts of the same kind or certificates bearing the

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same number shall be issued during the same year from the same warehouse, except when the same is lost or destroyed, in which case the new receipt or certificate shall bear the same date and number as the original and shall be plainly marked on its face, 'duplicate.' Warehouse receipts or certificates shall not be issued except upon grain which has actually been delivered in said country warehouse, nor shall such receipts or certificates be issued for a greater quantity of grain than was contained in the lot or parcel stated to have been received. No receipt or certificate shall contain language in anywise limiting or modifying the liability of the party issuing the same as imposed by law, and any such language, if inserted, shall be null and void.

Sec. 5. In case any country warehouseman shall discover that any portion of the specially binned grain in his warehouse is out of condition or becoming so and it is not in his power to preserve the same, he shall immediately give written notice thereof by registered letter to the warehouse commissioner and to the owner of the grain, when possible. He shall, when possible, state in such notice the kind and grade of the grain and the bin in which it is stored and the receipts outstanding upon which such grain will be delivered, giving the numbers, amounts and dates of each, the name of the party for whom such grain was stored, the date it was received, and the amount of it. He shall also at once post up a copy of such notice in some conspicuous place in his warehouse. Such grain shall be delivered upon the return and cancellation of the receipts. Nothing herein contained shall be held to relieve the said warehouseman from exercising proper care and vigilance in preserving such grain before or after such publication of its condition. But such grain shall be kept separate and apart from all direct contact with other grain and shall not be mixed with other grain while in store in such warehouse. Any warehouseman guilty of any act of neglect the effect of which is to depreciate property stored in the warehouse under his control, shall be held responsible at common law or upon the bond of such warehouseman and in addition thereto, the license of such warehouse may be revoked. In case the grain out of condition as in this section referred to, shall not be removed from store by the owner thereof within one month from the date of the notice of its being out of condition, it shall be lawful for the warehouseman where the grain is stored to sell the same at public auction for account of said owner after giving ten (10) days' public notice by advertisement in a newspaper (if there be such) published in the place where such warehouse is located, or, if no newspaper published in such place, then in the newspaper published nearest to such place, and also after posting up such notice in a conspicuous place in his warehouse for the ten (10) days immediately preceding such sale and after ten (10) days from the mailing of notice of the time and place of such sale to the owner by registered letter.

Sec. 6. In case there is a disagreement between the purchaser or the person in the immediate charge of and receiving the grain at such country elevator or warehouse, and the person delivering the grain to such elevator or warehouse for storage or shipment, at the time of such delivery, as to the proper grade or proper dockage for dirt or otherwise on any lot of grain delivered, an average sample of at least three (3) quarts of the grain in dispute may be taken by one or both parties and forwarded in a suitable sack, properly tied and sealed, express charges prepaid, to the chief inspector of grain, which shall be accompanied by the request, in writing, of either or both of the parties aforesaid, that the said chief inspector shall examine the same and report what grade or dockage or both the said grain is, in his opinion, entitled to and would receive if shipped to the terminal points and subjected to official inspection.

It shall be the duty of said chief inspector, as soon as practicable, to examine and inspect such sample of grain and to adjudge the proper grade or dockage, or both, to which said sample is (in his judgment) entitled, and which grain of like quality and character would receive if shipped to the terminal points in carload lots and subjected to official inspection.

As soon as said chief inspector has examined, inspected and adjudged the grade and dockage or either of them as aforesaid, he shall at once make out in writing and in triplicate, a statement of his judgment and finding in respect of the case under consideration, and shall transmit by mail to each of the parties to said disagreement, a copy of

said statement of his judgment and finding, preserving the original, together with the sample on file in his office.

The judgment and finding of said chief inspector shall be deemed conclusive as to the grade or dockage or both, of said sample submitted for his consideration, as herein provided, as well as conclusive evidence of the grade or dockage or both, that grain of the same quality and character would receive if shipped to the terminal points and subjected to official inspection.

Sec. 7. Whenever complaint is made, in writing under oath, to the warehouse commissioner by any person aggrieved, that the party operating any country elevator or country warehouse under this Act, fails to give just and fair weights or grades or is guilty of making unreasonable dockage for dirt or other cause, or fails in any manner to operate such elevator or warehouse fairly, justly and properly, or is guilty of any discrimination, then it shall be the duty of the warehouse commissioner to inquire into and investigate said complaint and the charge therein contained, and to this end and for this purpose, the commissioner shall have full authority to inspect and examine all the books, records and papers pertaining to the business of such elevator or warehouse and all the scales, machinery and fixtures and appliances used therein.

In case the said commissioner finds the complaint and charge therein contained, or any part thereof, true, he shall adjudge the same in writing, and shall at once serve a copy of such decision, with a notice to desist and abstain from the error and malpractice found, upon the party offending and against whom the complaint was made, and to afford prompt redress to the party injured, and if such party does not desist and abstain and does not give the proper redress and relief to the party injured, it shall be the duty of the said commissioner to make a special report of the facts found and ascertained upon the investigation of said complaint and charge therein contained, which report shall also include a copy of the decision by said commissioner made therein to the Minister of Inland Revenue, who may institute and carry on in the name of the complainant such actions, civil or otherwise, as may be necessary and appropriate to redress the wrongs complained of and to prevent their recurrence in the future.

Sec. 8. Any person, firm or corporation operating any country warehouse or country elevator under this Act shall at any and all times when requested by the warehouse commissioner, render and furnish in writing, under oath, to the said commissioner a report and itemized statement of all grain received and stored in or delivered or shipped from such elevator or warehouse during the year then last past; such statement shall specify the kind, grade, gross and net weight of all grain received or stored and all grain delivered or shipped; and shall particularly specify and account for all so-called overages or shortages that may have occurred during the year. Such statement and report shall be made upon blanks and forms furnished and prescribed by the warehouse commissioner.

The commissioner may inspect any warehouse and the business thereof, and the mode of conducting the same, at such time as the commissioner may order, and the property, books, records, accounts, papers and proceedings, so far as they relate to their condition, operation or management, shall at all times during business hours, be subject to the examination and inspection of such commissioner.

Sec. 9. Any person, firm or corporation who is guilty of any of the misdemeanours specified in this Act, or who is guilty of violating any of the provisions of this Act, shall, on conviction, be punished by a fine of not less than _____ dollars and not more than _____ dollars, and in case any individual is so convicted, he may be imprisoned until the fine is paid or until discharged by due course of law; and in case a corporation is so convicted, the fine may be collected by execution, as judgments are collected in civil actions, or the property of the corporation may be sequestered and charged with the same in appropriate legal proceedings.

NOTE.—The foregoing section to be adapted to law of Canada.

Sec. 10. The following form of cash purchase tickets, warehouse storage receipts, storage receipts for special binned grain and flat warehouse receipts and no other shall be used by the owners of country elevators and warehouses.

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CASH TICKET.

No.

..... Station.

..... (Date).

Purchased from

Net bushels pounds grade.

Kind of grain
(net weight in words).

Price per bushel \$... total cash payable \$. (total price in words)

..... Gross weight bushels.

pounds Dockage bushels. pounds

Net weight bushels pounds.

.....

By Agent.

STORAGE RECEIPT.

No

..... Elevator (or warehouse)

..... Man. 1900.

Received into store from bushels pounds.

Grade kind of grain (weight and grade
guaranteed by this warehouse) to be stored and insured against loss by fire under the
following conditions:—

The charge for receiving, cleaning, insuring against loss by fire, handling, storing
15 days and shipping grain is cents per bushel.

(It is provided by law that this charge shall not exceed cents per
bushel.)

Each succeeding 30 days or part thereof is of a cent per bushel including
insurance against loss by fire.

(It is provided by law that this charge shall not exceed of a cent per
bushel.)

Upon the return of this receipt and tender or payment of above named charges
accruing up to the time of said return of this receipt, the above quantity, grade and kind
of grain will be delivered within the time prescribed by law to the person above named
or his order either from this elevator or warehouse or if either party desired in quanti-
ties of not less than carload lots at any terminal elevator in the Manitoba inspection
district on same line of railway or any railway connecting therewith, subject to freight,
weighing and inspection charges at such terminal point, the grade and weight of such
grain to be delivered to be such as will conform to the grade and weight first above
mentioned on government inspection and weighing thereof at such terminal point.

No storage charges shall accrue in this elevator or warehouse after seven days'
notice has been given in writing by the owner of the grain to the warehouseman to ship
from this elevator or warehouse.

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Weight, gross.....bushels..... pounds. Dockage.....
bushels..... pounds. Weight, net.....bushels..... pounds
(Net weight in words).....

.....
By.....Agent.

STORAGE RECEIPT FOR SPECIAL BINNED GRAIN.

No.....

.....Elevator (or warehouse).....

.....Man.....1900

Received into store from.....bushels pounds.

Kind of grain..... Bin No..... (weight and identity of grain
guaranteed by this warehouse) to be stored and insured against loss by fire, under the
following conditions:—

The charge for receiving, cleaning, insuring against loss by fire, handling, storing
15 days and shipping grain is.....cents per bushel. (It is provided by
law that this charge shall not exceed.....cents per bushel.)

Each succeeding 30 days or part thereof is.....of a cent per bushel including
insurance against loss by fire.

(It is provided by law that this charge shall not exceed.....of a cent per
bushel.)

Upon return of this receipt and tender or payment of above named charges accru-
ing up to the time of the said return of this receipt the identical grain so received into
store will be delivered within the time prescribed by law to the person above named or his
order either from this elevator or warehouse, or if the owner so desires, in quantities of
not less than carload lots at any terminal elevator in the Manitoba inspection district
on same line of railway or any railway connecting therewith, subject to freight, weigh-
ing and inspection charges at such terminal point. It is guaranteed that the weight
of such grain to be delivered will conform to the weight first above mentioned on
government weighing thereof at terminal point.

No storage charges shall accrue in this elevator or warehouse after seven days'
notice has been given in writing by the owner of the grain to the warehouseman to ship
from this elevator or warehouse.

Weight, gross.....bushels..... pounds. Dockage.....
bushels..... pounds. Weight, net.....bushels..... pounds.
(Net weight in words).....

.....
By.....Agent.

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FLAT WAREHOUSE RECEIPT.

No.

..... Flat Warehouse.

..... Man. 1900.

Received into bin No. . . of this warehouse from

..... bushels. pounds.
 Kind of grain (weights and identity guaranteed by this warehouse) under the following conditions:—

The charge for use of such bin for five days (inclusive of one day for loading on car but exclusive of Sunday) and for weighing in and out is of a cent per bushel.

(The maximum charge allowed by law therefor being of a cent per bushel.)

This warehouse does not insure grain.

Upon return of this receipt and payment or tender of above charges, the owner of said grain will be entitled to have same weighed for him while the same is being taken out by him for shipping on car.

Such bin is furnished and such grain received on the understanding that the owner will within five days from the time such bin was furnished to him place therein and have ready for shipping and load on car, one carload of such grain. Provided, that if the owner is not furnished with car by the end of the fourth day of such period of five days, such period shall extend to twenty-four hours after car is furnished.

If a carload of such grain is not delivered in said bin and loaded on car within the time above provided, the grain then in said bin will be loaded on car by this warehouse at an additional charge of one-half of one cent per bushel and shipped to terminal elevator for the owner, subject to freight and weighing and inspection charges and all charges of this warehouse, including such additional half cent per bushel for loading on car.

By Agent.

In the case of country elevators or warehouses not equipped with cleaning machinery, the word 'cleaning' may be omitted from the above forms of 'storage receipt' and 'storage receipt for special binned grain.'

Provided, that to meet the case of country elevators or warehouses on lines of railway whose terminals are outside of the Manitoba inspection district, the Governor General may by order in council vary the above form for use in such last named elevators or warehouses so as to allow of shipment to such mentioned terminals.

Provided, that the Governor General in Council may at any time make changes in said forms or any of them or substitute other forms therefor. The use of any other form than such as shall be in force by virtue of this Act or of order in council is expressly prohibited under penalty of forfeiture of license.

Nothing in this Act shall be so construed as to prevent any person from buying or selling grain by sample regardless of grades.

SCHEDULE E.

CONTAINING RECOMMENDATIONS AS TO REMEDIAL LEGISLATION IN
ADDITION TO THOSE CONTAINED IN SCHEDULE D.

WAREHOUSE COMMISSIONER.

That there should be a warehouse commissioner appointed under the Inland Revenue Department, or such department as may seem proper, with head office at Winnipeg, whose duties, amongst others, shall be,—

(a.) To require all elevators, warehouses and mills to take out an annual license, the fee being, say, \$2.

(b.) To fix the amount of bonds to be given by the different owners and operators of elevators, mills and flat warehouses within the inspection district of Manitoba, as defined by the schedule to the General Inspection Amendment Act of 1899, 62-3 Vic., Cap. 25 (this now proposed Act being confined in its scope to the said inspection district of Manitoba).

(c.) To require the parties so licensed to keep books in forms to be approved of by the warehouse commissioner or as may be thought proper by the Governor General in Council.

(d.) To have free access to all licensed buildings and all books during business hours.

(e.) To receive and investigate all complaints made in writing, under oath, of undue dockage, improper weights or grading, refusal or neglect to furnish cars within a reasonable time, all complaints of fraud or oppression by any person, firm or corporation, owning or operating any elevator, warehouse or mill or railroad.

(f.) To enforce rules and regulations laid down and to exercise such powers as given by this Act.

(g.) Generally to perform all duties and exercise all powers assigned to him by order in council in pursuance of the Act, including the instituting of prosecutions at the government expense whenever he considers a case proper for the same.

That such warehouse commissioner shall have the right at all times to travel on all or any trains or any railway within the Manitoba inspection district free of charge.

That such warehouse commissioner should not later than the 1st of August in each year ascertain from each railway company doing business in the Manitoba inspection district what number of cars, locomotives and other facilities will be available for handling that year's crop. The railway companies should be compelled by law within a reasonable time, to be fixed by the Act, to make returns of such rolling stock and other facilities to the warehouse commissioner. The warehouse commissioner should then report to the railway commissioner (if any to be appointed under the amendments to the Railway Act,) or to such other officials as the Act may provide, as to the adequacy of such proposed accommodation for handling the then coming crop.

We are unable to suggest how the railway should be compelled to furnish the further facilities, if required by the warehouse commissioner, but we suggest that legislation to compel railways to give proper facilities might be worked out under the Railway Act.

That during such part in each year as the warehouse commissioner shall determine, there shall be daily posted at all shipping points in some conspicuous place the price of No. 1 hard wheat in cars or vessels at Fort William.

WAREHOUSES NOW EXISTING.

That where any warehouse or elevator has heretofore done business in the storing or shipping of grain at any point on the line of any railway in the Manitoba inspection district, such elevator or warehouse shall be allowed to continue to do business at such

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point and shall not be removed or refused cars for the shipping of grain, notwithstanding that elevators of any greater or other capacity shall be erected at such point or for any other cause other than non-compliance with the law or as next hereinafter provided. But nothing in this section shall interfere with or render void any condition, agreement or contract made between the owner of or party who erected such elevator or warehouse and the railway company on the faith of which a site was leased or granted to such elevator or warehouse.

FLAT WAREHOUSE.

That on a written application to the warehouse commissioner by any ten farmers residing within twenty miles of a shipping point, he, the warehouse commissioner, may give permission to any person or persons to erect, under the provisions of this Act, one flat warehouse of not less than 6,000 bushels capacity at such shipping point. Such flat warehouse to be erected on the railway company's premises after getting location of a siding, the railway company to be compelled to give such location with siding on their premises, in some place of convenient access, to be approved of by the warehouse commissioner, at a rental not greater than that charged to standard elevators. No owner or operator of any such flat warehouse to be allowed to store in or ship through such flat warehouse, grain purchased by or for himself.

Such warehouse to contain not less than six bins of 1,000 bushels capacity each and each bin to be numbered by a separate number.

The owner of any such warehouse shall on application of any farmer desirous of shipping a carload of grain, allot to such farmer a bin in said warehouse as soon as one shall be available. The allotment of bins to applicants to be made in order of applications for same, and without discrimination of any kind. No farmer to be allowed to hold more than one bin at any one time to the exclusion of other applicants. Applications for bins to be made in a form to be approved of by the warehouse commissioner and blank forms for such applications to be furnished to applicants by such flat warehouse operator.

The maximum charges for use of a bin and services of the warehouse operator in weighing the grain as the same is loaded into and out of the warehouse by the party to whom the bin is allotted, to be from time to time fixed by order in council.

The owner or operator of every flat warehouse to at once on every allotment of a bin apply in writing on a form approved of by the warehouse commissioner, but furnished by such warehouse operator, to the proper railway official to furnish a car to the party to whom such bin is allotted, stating in such application the time when the car will be required, such time to be not later than four days from allotment of bin.

The owner and operator of such flat warehouse to give bonds and be licensed in the same manner as elevator owners.

The shipper to be allowed for filling said bin and loading on car five clear days exclusive of Sundays, and as much longer time as may be necessary to get and load a car from such bin (twenty-four hours being allowed for such loading). In order to prevent delays in holding bins, we suggest that the Act provide that if a carload of grain is not delivered into said bin and loaded on car within the time above provided, it shall be the duty of the warehouse operator to load on car the grain then in such bin and to ship same for owner to terminal elevator subject to freight, inspection and weighing charges at terminal and all charges of such flat warehouse use, including an additional charge of one-half a cent per bushel for such loading.

AS TO LOADING PLATFORMS.

On a written application to the warehouse commissioner by any ten farmers resident within 20 miles of any shipping point, and on approval of the warehouse commissioner, the railway company to be compelled to erect a loading platform suitable for the purpose of loading from vehicles direct into cars. Such platforms to be at least 10 feet wide, and of such length as shall in each case be determined by the commissioner, in

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addition to the approaches at each end, and to have on the side farthest from the track a guard-rail not less than 3 feet high. The Act to provide that such platforms may be used for the loading or unloading of grain and all kinds of merchandise free of charge.

TIME ALLOWED FOR LOADING CARS.

That 24 hours be allowed for loading a car direct from vehicles or at a flat warehouse. Such 24 hours to count from the time when the car is placed at the shipper's disposal on siding.

That every operator of an elevator or warehouse shall, at the close of every day that such elevator or warehouse is open for business, furnish to the nearest station agent of the railway upon the line of which such elevator or warehouse is situate, a statement of the total quantity of grain that day taken into such elevator or warehouse and of the total quantity of grain in store in such elevator or warehouse at the end of such day.

PENALTIES.

Any person offering for sale or storage grain, the different qualities of which have been wilfully manipulated with intent to deceive the person to whom the same is so offered for sale or the person or persons receiving the same for warehousing, as to the true quality of such grain, to be liable to a penalty.

It is suggested here as to the above penalty and as to such penalties as are referred to in schedule 'D', that so far as possible, such penalties should be enforced by prosecution in a summary method, or by indictment rather than by a penalty recoverable by suit in some civil court.

We feel that the drafting of all penal clauses can be better dealt with by the proper law clerks or draftsmen of the House or departments than by ourselves.

REGULATIONS.

That such of the rules and regulations to be made pursuant to the Act as refer to dealings between producers, buyers, shippers and elevator or warehousemen (together with such portions of the Act as the warehouse commissioner, or the Governor General in Council, shall deem proper) shall be printed in reasonably large type by the warehouse commissioner and posted in a conspicuous place in every licensed elevator or warehouse by the owner thereof.

SUGGESTED CHANGE IN THE INSPECTION ACT.

That in the case of all uncleaned wheat inspected in the Manitoba inspection district, the inspector state on his certificate the percentage of dirt necessary to be cleaned out at terminals in order to clean the grain to the grade designated on such certificate.

CONSTRUCTION OF SIEVES WHERE USED IN DOCKING.

As to the testing sieve for the purpose of dockage, we recommend that the wire cloth used in the same should have ten meshes to the inch each way and be of No. 28 standard gauge hard tinned steel wire, every sieve to be stamped with the inland revenue test stamp. The use of damaged or defective sieves to be a misdemeanour.

WEIGHING OF GRAIN.

That parties interested in the weighing of any grain shall have free access to the scales while such grain is being weighed. That the wilful falsification or misstatement of the weight of grain as weighed and the use of concealed or other weights in such a way as to falsify or change the apparent weights of grain being weighed, be misdemeanours punishable with fine or loss of license or both.

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SCALES AND WEIGHTS USED IN WEIGHING GRAIN.

That any person in charge of scales at terminal or country elevators or warehouses discovering the same to be defective shall report the same to the chief weighmaster, the inspector of weights and measures and the owner of said elevator. No new elevator or warehouse to be operated till the scales are inspected and approved by the proper weights and measures officials.

CHIEF WEIGHMASTER.

That the office of chief weighmaster under this Act and that of chief inspector under the General Inspection Act be combined.

SUGGESTED CHANGE IN WEIGHTS AND MEASURES ACT.

That this Act be amended by providing that the elevator or warehouse owner or operator whose weights are complained of shall not receive notice of the intention to inspect his scales, or of the time of such inspection, but that such inspection shall be had without previous notice of any kind to him.

SCHEDULE G.

THE ROYAL COMMISSION ON THE SHIPMENT AND TRANSPORTATION OF GRAIN.

WINNIPEG, Man., Jan. 10, 1900.

His Honour E. J. SENKLER,
Chairman,
Royal Commission on the Shipment and Transportation of Grain,
Winnipeg.

DEAR SIR,—I beg herewith to submit to your honourable commission the following report of inquiries made by me—under authority of the honourable the Minister of the Interior—into questions affecting the transportation and handling of grain under the state regulations of Minnesota.

Leaving Winnipeg on December 26, in company with Mr. C. N. Bell, or secretary (who also had authority from the honourable the Minister of the Interior) we proceeded to Duluth, arriving there on the morning of December 27. Shortly afterwards we visited Duluth Corn Exchange, where we interviewed some of the officials of the grain inspection and weighing departments, viz., the chief deputy inspector, the chief weighmaster and registrar, all of whom showed us the greatest courtesy and attention, and at the same time went to an infinite amount of trouble in order to explain in detail how their various departments were administered. The various books and printed forms, &c., were produced and explained to us.

I do not think it will be necessary for me to refer to this matter at greater length, as our inspection department necessarily has a system of book-keeping, documents, &c., duly approved by the Inland Revenue Department. I must, however, take this opportunity of recording my very hearty appreciation and that of my colleague, Mr. C. N. Bell, to the courtesy and attention extended to us by the above named officials.

As a number of officials and gentlemen connected with the grain trade and whom we wished to see were, we found, living at St. Paul and Minneapolis, we proceeded next to St. Paul, arriving there the evening of December 27.

The next morning we visited the St. Paul Chamber of Commerce, where we interviewed Mr. R. C. Burdick, supervisor of country public elevators, who being an old Winnipeg man, gave us a very cordial reception. We explained the object of our visit to St. Paul and to him, when Mr. Burdick expressed his wish to give us all the information we desired. As Mr. Burdick has been connected with the grain inspection department since its inception, we felt that an expression of his views would be of the greatest assistance to us.

While in Mr. Burdick's office we were joined by Mr. Teisberg, secretary of the railroad and warehouse commission of the state of Minnesota, through whose kindness and courtesy we were supplied with the following laws and regulations governing the transportation and handling of grain in the state of Minnesota :—

- (1.) 'The Warehouse and grain laws' of the state of Minnesota.
- (2.) 'Rules and regulations' for the government and control of 'public country elevators and warehouses in the state of Minnesota.'
- (3.) 'Laws relating to the railroad and warehouse commission' of the state of Minnesota.'
- (4.) Amendments to existing laws and new laws—1899.
- (5.) 'Rules and regulations,' adopted by the railroad and warehouse commission, for the administration of the department of grain inspection, warehouse and weighing and for regulation of terminal elevators. Mr. Burdick furnishes this additional information regarding cars :—

Farmers are given, by the railroad companies, 24 hours for loading grain on cars before demurrage is charged.

Cars are to be equally divided among applicants.

See sec. 7, B, page 8, General Railroad Laws of Minnesota.

In answer to the question "If three elevators and three farmers ordered a car each on the same day at the same country point and only three cars were received how would they be distributed among applicants?" We were informed 'If elevators were not full up, and could still purchase grain, some of the cars would be given to the three farmers, as the railroad companies make it a point to give the farmers every opportunity to load cars.'

In answer to the question as to how the railroad company would know whether elevators were full up or not, we were told : 'Country elevators have to report to railroad agent the amount of wheat bought and in store every day.'

Another question asked was : "If elevators at country points had what is termed a standing order for five or more cars, and there were say three elevators at such a point, would not the farmer who wanted to ship his grain direct on cars find it impossible to get one as there would be orders for fifteen cars ahead of him.

We were told that there was a railroad rule, viz :—

'All car orders expire on Saturday night and have to be renewed on Monday morning.'

As regards loading platforms.

I will refer you to chapter 222, page 6 'Amendments to Existing Laws.'

Referring to shortage of cars.

It was found where two or more railroads operated in same territory, the railroads were keen for the business, consequently no shortage of cars was reported from such points, but where there was only one line of railroad there was generally, during the fall and busy season complaints made from time to time regarding car shortages. If, however, a complaint was made in writing before the railroad and warehouse commission that any point was discriminated against and that said point was unfairly treated in the matter of car supply, the commission can upon notice in writing to that effect hold an investigation, and should the case be proven, order the railroad at once to furnish a reasonable amount of cars at that point.

REGARDING COMPLAINTS OF UNFAIR DOCKAGE.

Whenever complaint is made in writing to railroad and warehouse commission by any person aggrieved, that the party operating any country elevator or warehouse

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under this Act fails to give just and fair weights and grades, or is guilty of making unreasonable dockage for dirt, or other cause, it shall then be the duty of the railroad and warehouse commission to investigate said complaint, and to this end and to this purpose the commission shall have full authority to inspect and examine all books, papers and records of such elevator or warehouse, and the scales, machinery and appliances used therein.

In case commission find the complaint and charge therein contained, or any part thereof true, they shall adjudge the same in writing with notice to offending party to desist, and to afford prompt redress to the party injured.

In reply to question.

'What size sieve was used for testing the percentage of dirt in a sample of wheat?'

Mr. Burdick states:—'That a sieve having ten spaces to the inch is the lawful size. This is governed by state regulation.'

PUBLIC COUNTRY ELEVATORS AND WAREHOUSES.

The party operating such elevator or warehouse shall keep a true and correct account of all grain received into such elevator or warehouse, showing the date of it, receipt, the grade, gross weight, tare, and net weight of each lot of grain received and a similar account of all grain shipped from such elevator or warehouse, showing date of shipment, number and initial of car, also the grade and the gross weight and net weight as returned by the state inspection and weighing department. If grain is received into such elevator or warehouse, for storage or shipment, a warehouse receipt must in all cases be issued for each separate lot of grain so received. Such receipt shall show upon its face the name of the owner, the date grain was received, the grade, gross weight, tare, net weight of each lot of grain mentioned in said receipt. Such receipt shall also contain on its face a schedule of the charges established by the commission for receiving, storing, cleaning and delivering grain.

If owner demands his grain from elevator or warehouse where it was originally received he shall be entitled to receive it in such lots or quantities as he may desire and to which he may be entitled, and the delivery of such grain so made and accepted shall be held to be a final and legal delivery.

If delivery is demanded by any owner on track at St. Paul, Minneapolis, St. Cloud, Duluth, Little Falls, Fergus Falls or Winona, said grain shall be held to be in the possession of said warehouseman until the grade and dockage of such grain has been finally established by the state inspection department at such point, when it may be delivered to the owner or his order. The said owner shall not be held responsible for any switching or other charges which may accrue upon said grain before its delivery to him at terminal point, except the charge for inspection and charges for freight on gross weight from the point where original receipts were issued to the terminal point where delivery is made.

Out-turn of grades and weights at terminals guaranteed.

The warehouseman shall be held liable to the owner for the delivery of the kind, grade, and net quantity called for by said receipts, less an allowance of 60 pounds per car load for shrinkage or loss in transit—if such shrinkage or loss occurs.

By regulation of department.

All grain stored over twenty-four hours is 'stored' grain.

All country elevators or warehouses shall store wheat, and a 'storage' ticket must be issued.

No receipt or certificate shall contain language in any wise limiting or modifying the liability of the party issuing the same as imposed by the laws of this state; if inserted shall be null and void.

The railroad and warehouse commission have drawn up and established a suitable 'form' of warehouse receipt to be used by owners or operators of country public elevators and warehouses. *It is distinctly prohibited by law to use any other 'form' under penalty of forfeiture of license.*

Should any dispute arise between the party receiving and the party delivering grain at any country elevator or warehouse as to proper grade or dockage for dirt, or

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both, an average sample of at least three (3) quarts may be taken by either or both of parties interested, and forwarded in suitable sack, express charges prepaid to the chief inspector, St. Paul, who will upon request, examine said sample or samples of grain, and adjudge what grade or dockage said sample of grain is, in his judgment properly entitled to under state inspection rules, and would receive, if shipped in car lots to terminal points, and subjected to inspection there.

All necessary information must accompany said sample or samples.

All elevators or warehouses on right of way of railroad must be registered, even if only handling 'own' grain, and are subject to state control and supervision.

Penalty for operating an elevator or warehouse on right of way of railroad without license, on conviction, from \$50 to \$100.

There appears to be marked dissatisfaction among owners of public country elevators by reason of the fact that elevators, mills and warehouses on private property, but adjoining the railroad and connected therewith by means of a side track, spur or switch, are not compelled to take out a license.

These are called private elevators and warehouses and are not under state control, while in most instances they do a similar business to that done by public country elevators and warehouses.

The owners or operators of all public country elevators or warehouses, shall at any or all times, when requested by the commission, promptly furnish a report and itemized statement under oath, and upon suitable blanks to be furnished by the commission, showing the amount, kind and grade of grain received into such elevator or warehouse, and the amount, kind or grade shipped therefrom, and such other facts regarding the nature and condition of such business as may be deemed necessary by the commission.

These reports so furnished show the grade, gross weight, dockage and net weight given to producers at country points by each public elevator or warehouse.

Also the grade, gross weight, dockage and net weight of shipments as given by the state inspection and weighing departments at terminal elevators, together, with the gain or loss in grade as determined by returns from the inspection department.

By this system of reports, as prepared by Mr. Burdick, it is an easy matter to find out and compare the various results of the season's operations of one public country elevator or warehouse with that of all others at same point. The average dockage and grade at one country elevator and the average dockage and grade given by the inspector should be about alike from one named country point, that is to say :

If the average dockage at a country elevator as shown by report of the inspector of public country elevators and warehouses for the season's operations was 25 ozs. per bushel and the average dockage by inspector at terminal was 25 ozs. per bushel and grades maintained, that would go to show that at that particular elevator the dockage was eminently very accurate, seeing that grain is not cleaned in the country elevators in Minnesota or Dakota.

If on the other hand the country public elevator's average dockage was 32ozs. and the dockage put on by inspectors at terminals was 16 ozs. and the country elevator man's grades were maintained by inspector it would then be necessary for the commission to inquire into the matter, as in that case the dockage would be excessive.

On December 29 we reached Minneapolis, where Mr. Bell and myself had interviews with several gentlemen connected with the grain and elevator trade and to whose courtesy I am indebted for the following :

It appears that none of the public country elevators or warehouses in the states of Minnesota or Dakota clean their wheat, nor do they weigh their wheat out.

The idea of elevator owners not allowing their buyers at country points to weigh their wheat out, is for the means of acting as a check on the buyers so that they shall not by reason of docking too heavily, accumulate an 'overage' or surplus quantity of wheat over and above what the elevator books show, and, possibly if the buyers so willed ship the 'overage,' either in their own or someone else's name. I would also add that the elevator owners stated that the shipping wheat out of public country elevators as it was received in the elevator, and cleaning the same at the 'Terminals' under state dockage and inspection, was considered by them the best system.

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The elevator owners intimated that they 'bonded' all their buyers with guarantee companies. This, we were told, was customary in Minnesota and North and South Dakota.

Also all elevator and warehouse men are required to give bonds to the state; and I may add that all elevator men whom we met expressed themselves as quite satisfied to do so.

In concluding my report, I must again express on behalf of Mr. C. N. Bell and myself, our thorough appreciation of the many courtesies shown us by all with whom we came in contact, both at Duluth, St. Paul and Minneapolis, and of the desire of each and all to willingly give us all the practical information we desired.

All of which I respectfully submit to your honourable commission.

I have the honour to be, sir,

Your obedient servant,

CHARLES C. CASTLE.

SCHEDULE H.

THE ROYAL COMMISSION ON THE SHIPMENT AND TRANSPORTATION OF GRAIN.

WINNIPEG, Jan. 4, 1900.

The Hon. CLIFFORD SIFTON,
Minister of the Interior,
Ottawa.

Re MINNESOTA ELEVATOR SYSTEM, ETC.

SIR,—Having received your instructions to proceed to St. Paul, Minneapolis, and Duluth, and secure information respecting the manner in which interior and terminal elevators in the state of Minnesota and North Dakota are controlled and regulated by the state authorities, I beg to report as follows:

At Terminal Points.

1. All grain arriving at terminal points in Minnesota is inspected and weighed by state officials.

2. An appeal lies from the inspection officials in the matter of grading to a board of appeal, there being a separate board for Duluth and Minneapolis. Each board is composed of three members, each member receiving \$2,000 per annum. I was informed by the chairman of the Minneapolis board that only three appeals had been made to his Board during the current season.

3. The state weighing officials weigh all grain entering into or shipped from every terminal elevator and grant certificates of the weight of each consignment and shipment, and by a very complete system of book-keeping have a complete record showing each day's work at the various elevators and the total stock on hand at the close of every day in the entire terminal district.

4. The system of inspection followed requires that the inspecting officer who grades any particular carload of grain shall, if the grain requires to be cleaned, state upon his certificate the exact weight of the dirt or foreign matter required to be cleaned out of such carload to take the grade defined in this certificate, and the elevator men must clean that exact amount from the grain.

At Interior Points.

1. All elevators or warehouses on the right of way of railroads must secure from the railroad and warehouse commission of the state a license to carry on their business, and this brings them under such regulations as may be imposed by law or by the rules of the commissioners. The license fee is \$1 per annum. In Minnesota this branch is managed by one official and a travelling assistant. The fee collected does not pay expenses of management, the deficiency being taken from the general inspection and weighing department fund. In such elevators and warehouses books of a prescribed form must be kept which show all the receipts of the various grades of grain as graded by the purchaser himself, the weight of each lot received, also the dockage taken from each lot, and the record of all shipments showing the car numbers, destination, dates, &c. The officials of the commission may require a statement from any warehouse man giving details of the business transacted in his elevator or warehouse, and such officials may enter and examine the books in any licensed warehouse that he desires to, and if the regulations imposed by the license are not complied with to the satisfaction of the commission, such license may be revoked, and this of necessity prohibits business being done in the elevator or warehouse so affected.

2. In North Dakota, and I believe in Minnesota, at the option of the commission, persons operating an elevator or warehouse are required to give a bond to the state to secure farmers or others storing grain in such elevator or warehouse.

3. In practice, if a person desires to erect an elevator or warehouse of any kind on a railroad right of way, and the railroad company refuses to allow him to do so, he may appeal to the commission, who inquire into the circumstances surrounding the case and if they consider that in the public interest it is proper that the petitioner's request should be granted, they order the railroad company to comply with the request. The officials informed me that many requests for permission to build elevators or warehouses on railroad grounds had not been allowed in cases where the commission, after investigation, found that the storage capacity at the place was fully as great as the necessities of the situation required.

4. Flat warehouses are allowed by law, but as a matter of fact few, if any, are now erected at points where there are elevators, as they cannot live in competition with properly constructed modern elevators. If a flat warehouse is erected a license must be secured to do business in it, and bonds must be given for the security of storers, just as in the case of a regular elevator.

5. A platform over which grain may be loaded from farmers' wagons into cars must be provided by railroad companies when a reasonable number of persons ask for them, and the commission considers all requests where railroad companies refuse to erect such platforms and practically act as arbitrators between the parties concerned, and their decision in each case is final. I was informed that but comparatively few of these platforms have been demanded of the railway companies, and the chief inspector of grain of the state of Minnesota, and as well the officer in charge of the licensing department, positively asserted that not more than five per cent of the wheat originating at country points was loaded direct to cars from wagons or sleighs by farmers.

6. The commission require that a storage ticket must be issued for any grain stored in any licensed warehouse for over 24 hours' time, and a regular form of storage ticket as prepared by the commission must be used by all grain warehouse men issuing such documents. This ticket guarantees to the person storing, a return of grain of the same quality and weight as is defined in the ticket, either to himself or on his order, from the original elevator or warehouse, or, if the owner so desires, in quantities not less than a car load on track on the same line of railway at any terminal point within the state designated by said owner where state inspection and weighing is in force, subject to freight, inspection and weighing charges. The ticket must also show the gross weight, dockage and net weight.

7. A miller or other owner of an elevator who holds the same on a railroad property simply for storing his own grain, must keep records showing what grade he gave the

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grain on receiving it from farmers or others, the dockage and weights, also shipments made, &c., exactly as if he was storing grain for other people.

8. Cleaning apparatus in country elevators in the states of Minnesota and Dakota are practically unknown. The grain is shipped to terminal points exactly in the condition in which it is received from farmers, and the cleaning is all done at the terminal elevators under the instruction of the grain inspectors and state weighmen. The chief officials of the commission and elevator men of both states stated to me that all their experience proved that this was the right system of handling grain, and that there should be ground for fraud if grain was cleaned at country points by elevator men, and that the true system was to have all the grain cleaned at terminals by state officials, even if the freight had to be paid on the dirt from the interior point.

9. In cases where a dispute arises between buyer and seller at an interior point as to the proper dockage to be taken on account of dirt in the grain, it is compulsory upon the buyer to make an actual test for dirt from a sample of the grain in dispute by the use of a sieve which has ten meshes to the linear inch. If the dispute cannot be settled in this way or if a dispute arises as to the proper grading of the grain a sample of at least 3 quarts of the grain in dispute may be taken by either or both of the parties interested and forwarded in a suitable sack, charges prepaid, to the chief inspector who will, upon request, examine said grain and adjudge what grade or dockage said sample of grain is in his judgment and opinion properly entitled to under State inspection rules.

10. Elevator men must report each day to the Railway agent at their station the stock of grain in store in their elevator at that point.

11. Grain must be received into a licensed elevator so long as there is space to store.

I beg to attach for your information a copy each of the laws relating to the Railroad and Warehouse Commission of the State of Minnesota and the warehouse and grain laws of the State of Minnesota with all amendments to date, also a pamphlet containing the rules and regulations adopted by the Railroad and Warehouse Commission in certain departments, and as well, a card giving the rules and regulations for the government and control of public country elevators and warehouses for the State of Minnesota.

In conclusion I may add that I secured in the States visited many minor details of the inspection, weighing and licensing system prevailing in Minnesota and North Dakota which will be of value to our Royal Commission now sitting to inquire into matters connected with the shipment and transportation of grain and which information I will submit to the Commissioners.

I have the honour to be, sir,
Your obedient servant,

CHAS. N. BELL,
Secretary.