

Founded 1866

March was being 9.3° twenty-eight December and months that time averages, st. relatively, zing is a com-

1882-1909	
35.1	
23.6	
17.7	
17.4	
27.0	
41.5	
27.1	

the three win- January and inches, or 5.3 corresponding 09 period. in and snow for given in the

1882-1909	
now. Rain. Snow	
6.0	2.03
8.8	1.26
10.2	0.98
7.0	0.94
11.6	1.23
1.7	1.76
45.4	8.20
1	15.80

the produce of (8151), Baron's th dam by the 998), and grand-arruchan. The ns include three A four-year-old oldfinder (6807), Knight Errant e three-year-old ald (11121), out (3987). Three is are by Royal go (10924), and), a son of Hiam of this one is the dam of the Prince of Albion a two-year-old (76), the dam of ice of Roxburgh purchased from Mains, Renfrew, 1 fillies, and one s last was got by t of a mare by The three-year-ely by Leading Hugo (10924) e is another, a y Baron Ruby

FOR REPORT

jections of operators at the lake of fines totalling t the council of Winnipeg, desire on. What action t announced.

Warehouse Com- garded the in- onducted as for- tment of Trade va, is as follows: supplied by the tent that there ncies in returns ompanies' reports se of the Inspe- vering the same

s information I with A. B. Hud- re Department of nore definite en- r. The managers rs against whom leged (viz., Cana- The Consolidated Port Arthur Ele- e called in bu- ion was given by se of the C. P. R., er seeing me had ose of the Inspe- arefully checked 1 were of a purely at all differences rily accounted for E. Gibbs, Inspector personally cross-

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checked his entries with those of C.P.R. and certified to the correctness, whereupon the matter was dropped.

Upon my return to Winnipeg, Inspector Gibbs at my request made a formal complaint in writing under oath to enable me to hold an investigation under the provisions of the Manitoba Grain Act.

The companies involved were the Consolidated Elevator Company, Limited, the Port Arthur Elevator Company, Limited, and the Empire Elevator Company, Limited.

THE CONSOLIDATED CASE.
At the request of counsel for these companies the investigation was held at Winnipeg instead of at Port William, and the Consolidated case was taken up first. At the outset counsel for the company raised the objection that the Commissioner had no power to administer the oath, and as no provision is made for that in the Act witnesses were not sworn.

Mr. Gibbs gave evidence that in the weekly sworn return to the Commissioner for the week ended 26th November, 1909, the amount of 1 Northern wheat inspected out of the elevator exceeded the amount shown on the weekly return to the Warehouse Commissioner by 80,000 bushels. He also showed that a measurement had been made of the grain in store in the elevator on the 12th of December last and such measurement indicated that the total quantity of 1 Northern wheat in store exceeded the amount shown by the weekly returns at that time by about 61,000 bushels.

The company in defence called their manager (who had certified to the correctness of the weekly statements). He produced books and records of the company to show that the discrepancy complained arose through an error on the part of the accountant who compiled the weekly statement. The accountant was also called and gave similar evidence. The books kept were of a somewhat primitive character and apparently in a negligent manner.

The result of correcting the company's statement was to show for the week ended the 26th of November, there was an over-shipment of about 3,200 bushels of 1 Northern over and above the total receipts of that grade (including the amount brought forward at the weigh-up on the 27th of August, 1908) apart from any outstanding warehouse storage receipts against the grade at that time. I then asked the manager of the elevator to compile a statement showing the total receipts of 1 Northern inclusive of the amount carried forward from the 27th of August, 1909, to the 12th of December, 1909, with the dates of receipt of each car, car number, number of storage receipt issued against same, the net weight, the date of surrender of warehouse receipt and the name of the shipper. In order to get this report it was necessary to make an adjournment for a week. At the expiration of that time a statement was sent in certified to by Mr. Gibbs' accountant as correct.

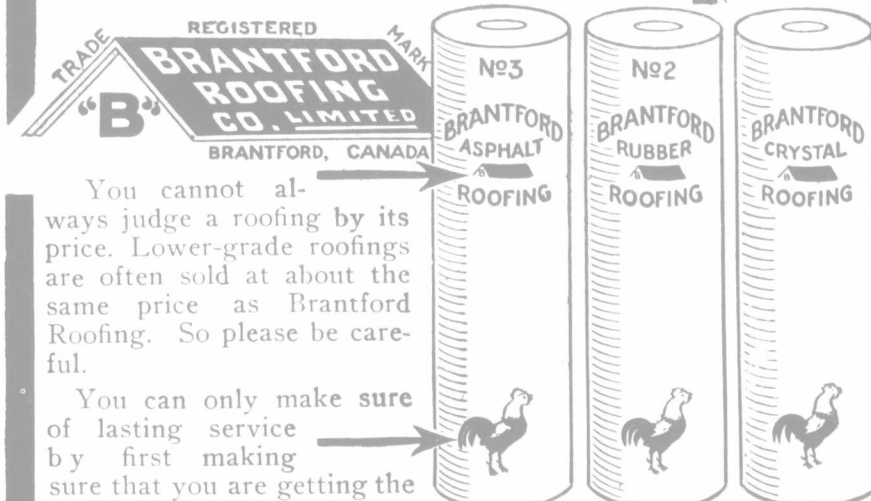
Upon examination of this statement it appeared that on the 12th of December (close of navigation) there were outstanding warehouse receipts to the extent of over 60,000 bushels of 1 Northern over the amount shown by the statements as being in store after the 80,000 bushels not included in the report for the 26th of November had been deducted.

Counsel for the Company then asked that he be allowed a further adjournment for the purpose of bringing the statement down to date. This was agreed to and subsequently a supplementary statement was handed in and the manager of the elevator recalled for the purpose of explaining same.

His explanation was that shipments made prior to the 12th of December were cancelled against receipts subsequent to that date and that in several instances wheat was loaned by him to the Lake Shippers' Association, which they subsequently made good by the surrender of the necessary paper.

Evidence was also offered that the measurement made under the Inspector's orders on the 12th of December, was only approximate and that a mistake in the measurements might easily occur. They offered to have a weigh-up made of the wheat in the elevator

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