

HYBRID TICKET ARGUED

At the meeting of the Board of Grain Commissioners held in Winnipeg on July 26, the Canadian Council of Agriculture presented on behalf of the organized farmers the final argument against the "subject to inspector's grade and dockage," or what is more familiarly known as the "Hybrid" ticket. The case presented by the Canadian Council was very carefully prepared and consisted of twenty-seven large typewritten sheets in which the whole case was reviewed and the relations between the farmer and the elevator company were clearly and distinctly set forth. The case was read by C. A. Dunning and it was clearly and specifically declared that in the opinion of the organized farmers no elevator company had a right to sell grain which was stored in its elevator and to substitute therefor a future contract. It was quite legitimate and it was according to the terms of the Grain Act that grain stored on graded storage tickets or on the "Hybrid" ticket could be dumped in with grain of a similar grade and either delivered to the owner at that elevator or at any terminal elevator. This was substitution of actual grain for actual grain, but what the elevator men wanted to do was to sell the grain and use the money and at the same time charge the farmer storage and interest on his advance until such time as he decided to sell.

Hon. Geo. Langley presented legal arguments to show that it was not within the legal jurisdiction of the Board of Grain Commissioners to permit the use of the "Hybrid" ticket and that substitution of grain as practiced by the elevator companies was against the law.

Line Companies' Case

Frank O. Fowler, secretary of the Northwestern Grain Dealers' Association, submitted a legal argument to show that the Board of Grain Commissioners were quite within their jurisdiction in permitting the use of the "Hybrid" ticket. A. K. Godfrey, on behalf of the Line Elevator Companies, read the legal opinion of the Grain Exchange solicitors, Isaac Pittblado and Hugh Phillips, and quoted from court decisions in the Manitoba Supreme Court as well as the Imperial Privy Council, to show that it was clearly established in law that when a farmer delivered grain to an elevator on a storage ticket, other than special bin, the grain was in reality and actually the property of the elevator company, but the farmer could call for settlement for same at any time he liked. This was the first time that the elevator companies have clearly stated their case in support of their action.

At the conclusion of the presentation of the written arguments there was a brief discussion, but both sides agreed that the case was closed and it will now remain for the Board of Grain Commissioners to make their ruling as to whether or not the "Hybrid" ticket may be further used. Mr. Fowler, speaking on behalf of the elevator companies, said that they would like to have their decision as soon as possible in order to prepare for the season's business. He also intimated that if it was demonstrated to the elevator companies that the farmers of the country were opposed to the use of the "Hybrid" ticket they would certainly discontinue to use it regardless of any ruling by the Grain Commission.

Board a Royal Commission

The Board of Grain Commissioners has recently been appointed as a Royal Commission of Investigation by the Dominion Government. The Order in Council appointing this commission requests the board to investigate every phase of the grain trade and to submit an exhaustive report to the government. The board is given full power to examine witnesses under oath and to compel the production of books and all other evidence that may be required. On Wednesday afternoon the board in their new capacity held a brief meeting with the Canadian Council of Agriculture, explaining the scope of their investigation and requesting the assistance and co-operation of the organized farmers in the preparation of information for the report which they are to make to the government.

The Canadian Council of Agriculture promised every assistance to the board in their work. It is anticipated that as a result of the investigation the whole matter will come up in Parliament and possibly the Canada Grain Act will be redrafted and altered in a number of respects.

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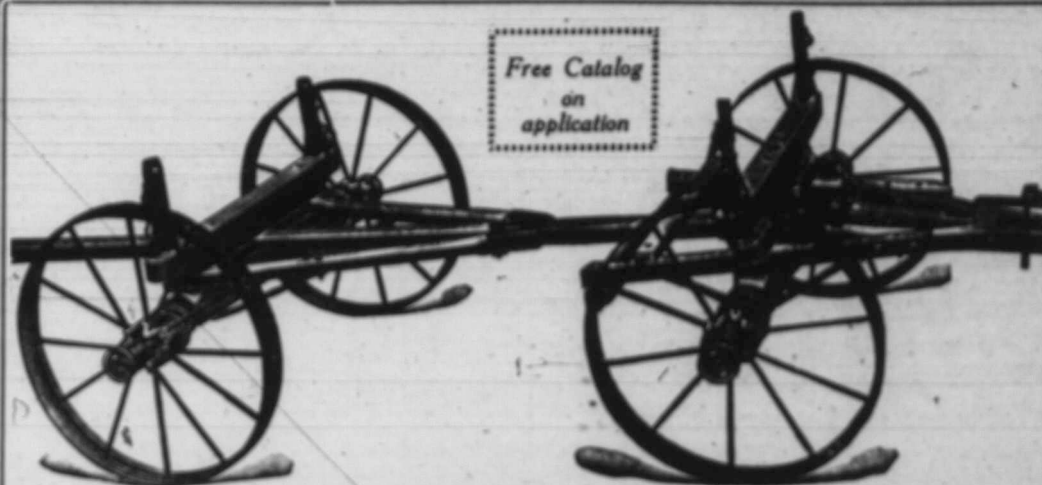
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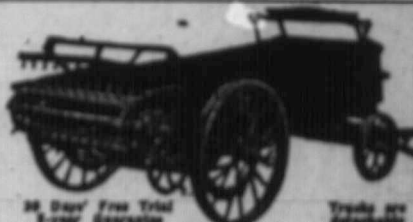
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