

*Canada Grain Act*

the wheat board were to bring this matter to the attention of the board of grain commissioners, and were to make representation that this diversion charge in the case of Churchill be dropped, that matter could be accomplished. I just wanted to bring this matter to the minister's attention, and ask him to bring it to the attention of the wheat board and have them make application to the board of grain commissioners respecting it.

**Mr. Howe:** Section 2 provides that instead of the regulations being published at the end of the crop year, the consolidation be published at the beginning of the crop year. I think my hon. friend would be favourable to that procedure. I understand the problem to which my hon. friend has referred in the debate on his own amendment and again today. I did not realize that it infringes upon the duties of the board of grain commissioners, but I rather think it does; and I shall be pleased to call his remarks to the attention of the board.

**Mr. Cruickshank:** As Vancouver has been mentioned, I should like to make one remark. Although I do not happen to represent that particular city, I am from British Columbia. I should like to point out to the committee that the port of Vancouver, unlike Churchill, is open three hundred and sixty-five and a half days of the year, not just about thirty days.

Section agreed to.

Sections 3 to 5 inclusive agreed to.

On section 6—*Grain to be received as offered without discrimination.*

**Mr. Charlton:** By section 6, subsection one of section 133 of the old act is to be repealed and the following substituted therefor:

Subject to this section, the operator of every licensed public or semi-public terminal elevator and, unless otherwise provided by the terms of his licence, the operator of every eastern elevator, shall, without discrimination and in the order in which the same arrives at such elevator and is offered, receive into such elevator all grain of any grade for which there is available storage of the kind required by the person by whom such grain is offered.

Does that include all grain elevators? Section 10 reads:

All elevators in Canada heretofore or hereafter constructed are hereby declared to be works for the general advantage of Canada.

Does section 6 include all elevators? If it does, I think it is going a little too far.

**Mr. Howe:** According to the definitions of the act:

"Elevator" means any premises into which western grain may be received, or out of which it may be discharged, directly from or into railway cars or vessels, and, notwithstanding anything contained

[Mr. Wright.]

in any other general or special act, includes any such premises owned or operated by His Majesty, either directly or through any individual, public body or company.

Therefore, if it is an elevator to receive and discharge western grain it comes under the act. If it is holding only local grain it does not come under the act.

**Mr. Charlton:** It does not include an ordinary feed elevator in eastern Canada—

**Mr. Howe:** No.

**Mr. Charlton:** —buying western feed grain?

**Mr. Howe:** No, it would not; it speaks of shipping western grain. It would not include a feed elevator that ships western feed.

**Mr. Charlton:** This section does not mention anything about reshipment at all, as I see it.

**Mr. Howe:** The elevator definition is as I just read it. An eastern feed mill is not a work for the benefit of Canada and does not come under the grain act.

**Mr. Charlton:** I do not think that is a satisfactory answer because there is nothing in the bill which says it is confined to grain in transit, western grain or eastern grain. The words "eastern elevator" are used in section 6. If this is discrimination against an eastern elevator that is buying feed grain and has to accept grade 3 grain in lieu of grade 2, which it ordered, I do not think it is right.

**Mr. Howe:** Which would my hon. friend consider discrimination—to have it declared a work for the benefit of Canada and subject to the jurisdiction of the board of grain commissioners, or otherwise?

**Mr. Charlton:** I am not saying anything about that.

**Mr. Howe:** My hon. friend spoke of discrimination.

**Mr. Charlton:** As I see it the discrimination is right in this section of the bill.

**Mr. Howe:** Does the hon. member want the feed mill to be a public elevator or not?

**Mr. Charlton:** It is right in the bill. He must accept the grain regardless of whether it was what he ordered or not. That is the discrimination I am speaking of.

**Mr. Howe:** No. A feed mill in eastern Canada is a private institution. The owner of the mill does not have to accept any grain unless he wishes to. He does not handle the public's grain. I do not know of any feed mill in eastern Canada that handles public grain.

Section agreed to.

Sections 7 to 9 inclusive agreed to.