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No. 132.

4th Session, 8th Parliament, 62 Victoria, 1899

BILL.

An Act to amend the General Inspection
Act.

First reading, May 27, 1899.

Sir H. JOLY DE LOTBINIÈRE.

OTTAWA

Printed by S. E. DAWSON
Printer to the Queen's most Excellent Majesty
1899

An Act to amend the General Inspection Act,

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Subsection 3 of section 2 of *The General Inspection Act*, R.S.C., c. 99, chapter 99 of the Revised Statutes, is hereby repealed, and s. 2 amended. the following is substituted therefor:—

“**3.** The Governor in Council may appoint chief inspectors Chief inspectors. of any of the articles hereinbefore enumerated, who shall hold office during pleasure and shall perform the duties hereinafter assigned to them by the Governor in Council.”

2. Subsection 4 of the section substituted for section 15 of the said Act by section 2 of chapter 23 of the statutes of 1892 Section 15 amended. is hereby repealed.

3. Section 44 of the said Act, as amended by section 2 of New s. 44. chapter 36 of the statutes of 1894, together with all Orders in Council passed in modification thereof, are hereby repealed and the following are substituted therefor:—

“**44.** The grades of grain shall be as follows:—

“*Spring Wheat.*

20 “Extra Manitoba hard wheat shall consist of wheat grown Grades of grain. wholly in Manitoba or the North-West Territories of Canada and shall weigh not less than sixty-two pounds per bushel, shall be plump, sound and well cleaned, and shall contain not less than eighty-five per cent of hard red Fife wheat.

25 “No. 1 Manitoba hard wheat shall consist wholly of wheat grown in Manitoba or the North-West Territories of Canada, and shall be sound and well cleaned, weighing not less than sixty pounds to the bushel and shall be composed of at least two-thirds hard red Fife wheat. No wheat which has been subjected to scouring or brushing for the removal of smut or

30 other fungoid growth, shall be included in this grade.
 “No 2 Manitoba hard wheat shall consist wholly of wheat grown in Manitoba or the North-West Territories of Canada, and shall be sound and reasonably clean, weighing not less than fifty-eight pounds to the bushel, and shall be composed

35 of at least two-thirds of hard red Fife wheat.
 No. 1 Hard white Fife wheat shall consist wholly of wheat grown in Manitoba or the North-West Territories of Canada, and shall be sound and well cleaned, weighing not less than

sixty pounds to the bushel, and shall be composed of not less than sixty per cent of hard white Fife wheat, and shall not contain more than twenty-five per cent of soft wheat.

“No. 1 Manitoba northern wheat shall consist wholly of wheat grown in Manitoba or the North-West Territories of Canada, and shall be sound and well cleaned, weighing not less than sixty pounds to the bushel, and shall be composed of at least fifty per cent of hard red Fife wheat. 5

“No. 2 Manitoba northern wheat shall consist wholly of wheat grown in Manitoba or the North-West Territories of Canada, and shall be sound and reasonably clean, of good milling qualities, and fit for warehousing, weighing not less than fifty-eight pounds to the bushel, and shall be composed of at least fifty per cent of hard red Fife wheat. 10

“No. 1 spring wheat shall be sound and well cleaned, weighing not less than sixty pounds to the bushel. 15

“No. 2 spring wheat shall be sound and reasonably clean, weighing not less than fifty-eight pounds to the bushel.

“No. 3 spring wheat shall comprise all wheat fit for warehousing, not good enough to be graded as No. 2, weighing not less than fifty-six pounds to the bushel. 20

“Rejected spring wheat shall comprise all wheat fit for warehousing, but too low in weight or otherwise unfit to be graded as No. 3.

“Goose wheat No. 1 shall be plump and well cleaned, weighing not less than sixty-one pounds to the bushel. 25

“Goose wheat No. 2 shall be plump and reasonably well cleaned, weighing not less than fifty-nine pounds to the bushel.

“Goose wheat No. 3 shall comprise such as is not good enough to be graded as No. 2, reasonably clean, and weighing not less than fifty-five pounds to the bushel. 30

“*Winter Wheat.*”

“Extra white winter wheat shall be pure white winter wheat, choice in colour, sound, plump and well cleaned, weighing not less than sixty-two pounds to the bushel. 35

“No. 1 white winter wheat shall be pure white winter wheat, sound, plump, and well cleaned, weighing not less than sixty pounds to the bushel.

“No. 2 white winter wheat, shall be white winter wheat, sound and reasonably clean, weighing not less than fifty-eight pounds to the bushel. 40

“No. 1 red winter wheat shall be pure red winter wheat, sound, plump and well cleaned, weighing not less than sixty-two pounds to the bushel.

“No. 2 red winter wheat shall be red winter wheat, sound and reasonably clean, weighing not less than sixty pounds to the bushel.

“No. 1 mixed winter wheat shall be white and red winter wheat mixed, sound, plump and well cleaned, weighing not less than sixty-two pounds to the bushel. 50

“No. 2 mixed winter wheat shall be white and red winter wheat mixed, sound, plump and well cleaned, weighing not less than fifty-nine pounds to the bushel.

"No. 3 winter wheat shall include winter wheat not clean and plump enough to be graded as No. 2, weighing not less than fifty-seven pounds to the bushel.

5 "Rejected winter wheat shall include winter wheat, damp, musty, or from any cause so badly damaged as to render it unfit to be graded as No. 3.

"All good wheat that is slightly damp shall be reported and entered on the inspector's book as 'no grade,' with the inspector's notations as to quality and condition.

10 "All wheat that is in a heating condition or too damp to be considered safe for warehousing, or that has any considerable admixture of foreign grain or seed, or is badly bin-burnt, whatever grade it might otherwise be, shall be reported and entered on the inspector's book as 'condemned,' with the in-

15 spector's notations as to the quality and condition.
 "Any material admixture of 'rice wheat' otherwise known as 'goose' or 'California' wheat, or of red chaff wheat, with other descriptions of wheat, shall exclude the parcel from inspection.

20 "All wheat shall be weighed and the weight per bushel entered on the inspection book.

"Indian Corn.

"No. 1 white corn shall be white, and in all other respects No. 1 corn.

25 "No. 1 yellow corn shall be yellow, and in all other respects No. 1 corn.

"No. 1 corn shall be sound, dry, plump, and well cleaned, white and yellow.

"No. 2 corn shall be dry, reasonably clean but not plump enough to be graded as No. 1.

30 "All damp, dirty, otherwise badly damaged corn, shall be graded "rejected."

"Oats.

"No. 1 oats shall be sound, plump, clean and free from other grain.

35 "No. 2 oats shall be sound, reasonably clean, and reasonably free from other grain

"No. 3 oats shall be sound but not clean enough to be graded as No. 2.

"Rejected oats shall include such as are damp, unsound, dirty, or from any other cause unfit to be graded as No. 3.

"Rye.

40 "No. 1 rye shall be sound, plump, and well cleaned.

"No. 2 rye shall be sound, reasonably clean and reasonably free from other grain.

45 "All rye which is damp, musty or dirty, or which is from any cause unfit to be graded as No. 2 rye, shall be graded as 'rejected.'

“ Barley.

“ No. 1 barley shall be plump, bright, sound, clean and free from other grain.

“ No. 2 barley shall be reasonably clean and sound, but not bright and plump enough to be graded as No. 1, and shall be reasonably free from other grain, and weigh not less than 5 forty-eight pounds to the bushel.

“ No. 3 extra barley shall be in all respects the same as No. 2 barley, except in colour, weighing not less than forty-seven pounds to the bushel.

“ No. 3 barley shall include shrunken or otherwise slightly 10 damaged barley, weighing not less than forty-five pounds to the bushel.

“ No. 4 barley shall include all barley equal to No. 3, weighing less than forty-five pounds to the bushel.

“ All barley which is damp, musty or from any cause badly 15 damaged or largely mixed with other grain, shall be graded as ‘ rejected.’

“ Pease.

“ No. 1 pease shall be white, clean, sound and not worm eaten.

“ No. 2 pease shall be moderately clean and sound. 20

“ No. 3 pease shall be such as are too dirty to be graded as No. 2, or are worm eaten.

“ All pease which are damp, wormy, or otherwise unfit to be graded as No. 3 pease, shall be graded as ‘ rejected.’

“ Fees for Inspection of Grain.

Fees for inspection.

“ 2. The fees for the inspection of grain shall be as follows: 25

“ For inspecting grain in sacks, one third of a cent per cental; for inspecting grain in bulk, per car load, forty cents; in cargoes, per 1000 bushels, fifty cents.

Hay.

Grades of hay.

“ 3. The grades of hay shall be as follows:—

“ Prime timothy, shall be pure timothy, perfect in colour, 30 sound and well cured;

“ No. 1 timothy, shall be timothy with not more than one-eighth of clover or other tame grasses mixed, of good colour, sound and well cured;

“ No. 2 timothy, shall be timothy with not more than one- 35 third of clover or other tame grasses mixed, of good colour, sound and well cured;

“ No. 3 timothy, shall consist of at least fifty per cent of timothy and the balance of clover or other tame grasses mixed, of fair colour, sound and well cured: 40

“ No. 1 clover, shall be clover with not more than one-quarter of timothy or other tame grasses mixed, of good colour, sound and well cured;

“ No. 2 clover, shall be clover with not more than one- 45 quarter of timothy or other tame grasses mixed, of fair colour, sound and well cured;

"Mixed hay, shall be hay which does not come under the description of timothy or clover, and which is in good condition, of good colour, sound and well cured ;

"No grade, shall include all kinds of hay badly cured, 5 stained or out of condition ;

"Shipping grade, shall be hay in good condition, pressed, sound and well cured ;

"4. The rates for the inspection of hay shall be as follows:—

"For every ton, twenty cents."

Fees for inspection.

- 10 4. The Governor in Council may make such regulations as he deems necessary for the governance of inspectors in their work of inspection and as to the method of dealing with public elevators and grain warehouses, and may require the owners of such public elevators and warehouses to make such 15 periodical statements and returns of their receipts and shipments of grain as to him seems necessary for the information of the Minister of Inland Revenue.

Regulations by Governor in Council.

5. Notwithstanding anything in this Act or in *The General Inspection Act* contained with respect to the inspection of 20 grains, the selection of standards, the settlement of disputes between inspectors or their deputies and the owners of inspected grains, and the duties of inspectors generally, the regulations contained in the schedule to this Act shall after the first day of September, 1899, govern with respect to all 25 grain grown west of Port Arthur.

Regulations in schedule to apply to grain grown west of Port Arthur.

SCHEDULE.

Regulations with respect to Wheat and other Grains grown west of Port Arthur.

1. On and after the first day of September, 1899, the Inspection Divisions of the city of Winnipeg, Brandon and Port Arthur shall cease to exist, and the whole of Manitoba and that portion of Ontario west of, and including, the existing district of Port Arthur, shall be known as the Inspection District of Manitoba.

2. The inspectors of grain and their qualified deputies who, at the date when these regulations come into force, are legally acting as inspectors and deputy inspectors at Winnipeg, Fort William or Emerson, shall, without necessity for further qualification or appointment, become inspectors and deputy inspectors for the District of Manitoba.

3. Inspectors shall be required and instructed, on and after the coming into force of these regulations, to grade in accordance with the *General Inspection Act* all grades defined therein.

4. Should the climatic or other conditions result in the production of a considerable proportion of grain not capable of being included in the classification provided in the said Act, the Western Grain Standard Board shall be convened for the selection of commercial grades and samples whenever the Chief Inspector notifies the chairman of the said board that such a course is necessary, and the inspectors shall grade all classes of

grain which cannot be graded according to the said Act, in accordance with the commercial samples so selected by the board.

5. On and after the first day of November in each year, or such prior date as the chief inspector fixes, inspectors shall furnish, on demand, samples of grain of any grade, such samples being equal to the average of the grain of such grade inspected by the inspectors at Winnipeg. Every sample so supplied shall be accompanied by a specific statement from the inspector that such sample is an average sample of the grain inspected by him at Winnipeg, and for the supply of such sample the inspectors shall make such charge as is approved by the Minister of Inland Revenue.

6. All grain placed in public elevators or warehouses east of Winnipeg, in the said district, shall be subject to inspection, both inwards and outwards.

7. All grain produced in the North-West Territories and in Manitoba, passing through Winnipeg or Emerson, *en route* to points to the east thereof, shall be inspected at Winnipeg or Emerson, and shall be placed in public elevators only as graded at such points; Provided that when, owing to extreme pressure of business, the Canadian Pacific Railway Company or any other transportation Company has reason to fear an undue congestion of traffic in and around the yards at Winnipeg, or that cars containing wheat are being delayed for inspection purposes in the Winnipeg yard, then the Company may, upon notification to the Chief Inspector at Winnipeg, (or, if a Chief Inspector has not been appointed or is not within immediate reach, then to the Inspector,) that a specified number of cars will be removed to Fort William, without prior inspection at Winnipeg, so remove such cars; and in such case the grain so moved shall be placed in the elevators there upon the official grading of the inspector at Fort William.

8. All grain shipped for eastern points from any public elevator within the Manitoba Inspection District, shall be shipped only as graded into such elevators by the official inspectors

9. If otherwise shipped, a Manitoba certificate for a straight grade shall be refused, and the quantity of each grade composing the mixed cargo (or carload, if shipped by rail) shall be written across the face of the certificate.

10. All grain of the same grade shall be kept together and stored only with grain of a similar grade, and a selection of different qualities of the same grade is prohibited; Provided, however, that should wheat of different grades be loaded together in the same compartment of any vessel, at any point within the jurisdiction of the inspectors of the Manitoba Inspection District, a certificate shall be issued for such mixed cargo, which certificate shall have written across its face a statement of the quantities of each grade entering into the composition of such mixed cargo, but no certificate for a straight grade shall be issued for such mixed cargo.

11. Public warehouses for the purposes of these regulations, are those which receive grain for storage purposes only after such grain has been inspected by a government inspector of the Manitoba Inspection District.

12. The certificates of inspection given by the Manitoba inspectors shall in all cases in which straight grades are granted ex-elevator for shipment to eastward points, accompany the grain to its destination; and no new certificate of any grain purporting to be of the grades or number one or two Manitoba hard or one or two Manitoba Northern wheat shall be issued by any inspector appointed for divisions east of the Manitoba district.

13. When inspectors in the Manitoba Inspection District are called on to inspect wheat shipped from any elevator or warehouse declared by the Chief Grain Inspector for such district to be a mixing elevator or warehouse, they shall be governed in their inspection of such wheat by the general standard of grades in force in the Winnipeg Inspection Division: Provided, however, that wheat may be cleaned only (and not mixed with wheat of any other grades) under such regulations as the Chief Grain Inspector of the said Inspection District from time to time orders to be observed, without coming under the above provisions.

14. Should the Chief Grain Inspector find on investigation that wheat shipped from any elevator is being systematically reduced in quality below the general average quality of the wheat of similar grades in the bins of the public elevators, he shall instruct inspectors that no such wheat shall be allowed to pass inspection except on a lower grade.

15. In any case where an inspector or deputy inspector inspects grain and the owner of such grain is dissatisfied with the grading of such grain by the inspector or deputy, the said owner may appeal from the said inspector's grading to the Chief Grain Inspector, who shall view a proper sample of the grain respecting which the grading is in dispute, drawn or secured in a manner satisfactory to the Chief Inspector, and give his decision thereon, which shall be final, unless the owner, within twenty-four hours, makes further appeal to the Survey Board for such District, in which case the said Survey Board shall give a final decision to settle the proper grading of wheat in dispute: Provided that nothing herein contained shall prevent the owner of the said grain appealing direct from the inspector to the Survey Board, whose decision in all cases shall be final and binding on all parties: Provided always that no appeal shall be considered in any case where the identity of the grain in dispute has not been preserved.

16. The Survey Board for the Manitoba Inspection District shall consist of competent persons to be nominated one half each by the Board of Trade of the city of Winnipeg, and by the Minister of Agriculture of the province of Manitoba and approved by the Minister of Inland Revenue, and such board shall be governed in the performance of their duties by such general regulations as are made by the Governor in Council.

17. The said board may make by-laws, subject to the approval of the Governor in Council, for the better carrying on of their business, and for the establishment of a schedule of fees for survey services.

18. The offices of the said board shall be situated in the city of Winnipeg; but for the purpose of better conducting any particular survey they or any number duly appointed in

any special case may hold sittings at any place in the Manitoba Inspection District other than the city of Winnipeg.

19. The members of the said board, before acting as such, shall take an oath of office in such form as is prescribed by the Minister of Inland Revenue.

20. The inspection fees upon grain originating within the Manitoba District, shall be treated as "advanced charges" to be paid by the common carrier or warehouseman in whose possession the grain is at the time of such inspection, and shall be paid over from time to time as the Minister of Inland Revenue directs, and the fund arising therefrom shall be known as the Manitoba Grain Inspection Fund, out of which shall be paid the salaries and expenses of the inspectors and their deputies, in such manner as is determined by the Department of Inland Revenue; and any balance which remains to the credit of the said fund shall be carried forward from year to year and shall be available for any of the purposes of this Act and of *The General Inspection Act* with respect to the said district.