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No. 15.

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

BILL.

An Act to regulate the Trade in Grain
in Manitoba and the North-West Ter-
ritories.

First reading, March 29, 1899.

Mr. DOUGLAS.

OTTAWA

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

An Act to regulate the Trade in Grain in Manitoba and the North-West Territories.

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

1. Every railway company now or hereafter engaged in the transportation of grain in the Province of Manitoba and the North-West Territories shall, at every station on its lines of railway from which grain is now shipped, or other points on the said lines from which in future it may be shipped, either provide at its own expense adequate facilities to receive and ship such grain at such station, or grant to any person who demands it in writing the privilege to erect, maintain and use, on some portion of the company's land adjoining the railway main track, siding or spur at such station, an elevator, flat warehouse or grain chute for the purpose of storing and shipping grain by the said railway; but the said elevator, flat warehouse or grain chute shall not be used for any other purpose.
- Railway company to give facilities for shipment of grain.
Or grant privilege of erecting warehouses, etc., on its lands.
2. Where a flat warehouse now exists or an elevator of less capacity than a standard elevator (viz.: twenty-five thousand bushels), such flat warehouse or elevator may be used for shipping grain under the terms of this Act, and no discrimination shall be made against it in favour of standard elevators.
- As to flat warehouses or elevators below standard.
3. The period and the terms of the holding of such privilege so granted by the railway company shall be arranged between the parties; and such period and terms shall be substantially the same as those under which the standard elevators are held and operated.
- Period and terms of privilege.
4. Where such elevator, flat warehouse or grain chute is from necessity constructed on land not the property of the railway company, the company shall, in lieu of granting the privilege aforesaid, build and maintain a side track or spur to such elevator, flat warehouse or grain chute, not less than one hundred yards and not more than three hundred yards in length; if such track or spur requires to be of greater length, then the additional length shall be built and maintained by the person applying for the said privilege or the owner of such elevator, flat warehouse or grain chute so situated; and in either case any person keeping and operating such elevator, flat warehouse or grain chute shall not be compelled to pay for the privilege of doing business in it any sum or compensa-
- Side tracks to elevators not on company's land.

- Proviso as to demurrage. tion to any other person: Provided always that in the event of the cars not being loaded within a reasonable time customary demurrage charges may be exacted from the shippers by the company.
- Grain shipped directly from vehicles. **5.** The railway company shall permit the producer to ship grain directly from his vehicle into the car, either through a grain chute over the company's platform, or over a portable platform erected by him at his own expense. When grain is shipped directly from vehicles, no charge shall be made by any elevator owner or other person for such privilege, except when the grain chute is the possession of a private party, and such charge shall not exceed one-half of one cent per bushel. 5
- Grain chutes. **6.** Grain chutes shall not hold less than seven hundred bushels and not more than one thousand four hundred bushels; they shall protect the grain from the weather; and they shall be constructed high enough to run the grain into the car without the aid of machinery. 15
- Company to supply cars. **7.** The company shall, on reasonable demand, supply cars for the purpose of carrying the grain received and stored, in such elevators, flat warehouses and grain chutes, and grain to be shipped directly from the producers' vehicles; and when the company is unable, from any reasonable cause, to furnish cars according to the demand, such cars as are furnished shall be divided equally among the applicants until each has received one car, and after that the available cars shall be distributed in proportion to the amount of business transacted by such applicants. 20
- If number is not sufficient. **8.** The tolls or rates to be charged by the railway company or by any person who owns an elevator or flat warehouse on the station grounds of the company, or on the ground to which the company has built a side track or spur, as provided for herein, shall not exceed the following sums for the services mentioned, viz.:— 25
- Tolls. (a.) For receiving, storing and shipping grain, one cent per bushel; 35
- (b.) For cleaning it, in addition, if required by the shipper, one-half cent per bushel;
- (c.) For storing twenty days, if stored at the request of the shippers, one-half cent per bushel; and so for each additional thirty days thereafter. 40
- Inspector to be appointed. **9.** With a view to an intelligent oversight and just control of the grain trade in the public interest, and to check some of the irregularities that exist in the matter of weight and dockages made by dealers in the said trade, a competent inspector, directly responsible to the Government, shall be appointed. 45
- Title. **2.** He shall be called the General Inspector of the grain trade of the Province of Manitoba and the North-West Territories.
- Investigation of irregularities, etc. **3.** He may investigate all irregularities in weights and dockages, and call for and examine the grain accounts of each elevator company and individual grain dealer in the said pro- 50

vince and territories; and may institute a comparison as to the amount paid for grain, the number of bushels bought and received under each particular standard grade, and the number of bushels under each such grade shipped out to Fort William, 5 Port Arthur, and other ports to which the grain may be sent, or sold to other parties within the said province and territories.

4. If in any case, after deducting one bushel as demurrage for every carload of seven hundred bushels exported, or sold 10 within the said province and territories, any considerable surplus is at any time discovered in the possession of the company or dealer at the point of purchase or elsewhere exceeding five hundred bushels, such surplus shall be seized and sold, and the amount thus recovered shall be paid to the 15 Minister of Inland Revenue as funds to pay the salary of the general inspector. The company or dealer with whom this surplus of grain is discovered shall be held guilty of an indictable offence and liable to the penalties of *The Criminal Code*, 1892, for theft, and dealt with accordingly. Seizure and sale of surplus grain. Disposal of proceeds. Penalty.

20 5. The general inspector shall overlook the work of the other inspectors of grain at present employed by the Government, and prepare an annual detailed report of the whole grain traffic, giving the number of bushels received into, and 25 graded out from, terminal elevators under each particular grain standard. This report shall be a sworn statement. The general inspector shall be sworn not to divulge the business of any company or individual grain dealer to any other company or dealer; and a full report of his work shall be annually published and submitted to the Government through the 30 Minister of Inland Revenue. Annual report of inspector.

10. The provisions of this Act shall apply to every elevator or warehouse now situated on the station grounds or property of the railway companies mentioned in the first section hereof, or operated in connection with the lines of such companies, 35 and to which this Act applies. Application of Act.

11. Every railway company, elevator company, flat warehouse owner and individual grain dealer operating in the Province of Manitoba and the North-West Territories, failing or refusing to comply with the provisions of this Act shall, on 40 summary conviction, be subject to a penalty of not less than three hundred dollars and not more than one thousand dollars. Penalty for non-compliance with Act.

12. All prosecutions under this Act shall be in the name of Her Majesty, under the direction of the Attorney General of Canada. Prosecutions.

45 13. Nothing herein contained shall interfere with the duties and obligations of the railway companies as common carriers at common law, or under the provisions of *The Railway Act*. Saving. 1888, c. 29.