

books of the central prison. These were treated as the accounts between the parties, as evidencing the condition of matters, and the substance of what was done was that the disbursements which are now attacked, which the suppliants were making, were periodically settled by the Crown by the deduction of them from the gross indebtedness on account of the rental (if it may be so called) which the suppliants were to pay. Even in the case of private individuals it would be impossible to disturb a transaction of that kind—no fraud, no concealment, the persons acting at arm's length—and it seems to me an extraordinary proposition to ask the Court to review the discretion which has been exercised by the Crown in regard to these matters, and to substitute its own view of what ought to have been done under the circumstances.

I have nothing to do with the policy of these matters. That is a matter that is wholly outside of this inquiry. These are matters for the executive government of the province to deal with. The remedy, if anything was wrong, is to be found by Parliament acting, and ultimately by going to the final court of appeal—the people of the province.

I think that disposes practically of all the matters that have been discussed except the matter of a payment for prisoners in excess of those that, under the terms of the contract, the contractors were entitled to, and who were engaged in the work. By the terms of the contract each prisoner would turn out 130 pounds in a working day. Of course, if that had been found practicable, the result would have been that a much less number of men would have been required for the purpose of turning out the output which went from the work. But it is manifest from the correspondence, and from the evidence of the inspector, that at the outset it was found it was entirely impracticable to get prison men to do that amount of work, and deductions were made from time to time, with protests on the one side by the inspector, and demands on the other from time to time for more men. It never occurred to anybody that any charge should be made in respect of the additional men. That item of the claim was not very strenuously opposed by Mr. Hodgins, I fancy. He appealed to some very general words of the agreement; but it seemed to me that he had not very much faith in that branch, at all events, of the claim which