

the prison premises used in the manufacture of binder twine pursuant to paragraph 8 of the original contract, and there remains due by the suppliants to the Crown \$51,818.24, for which the Attorney-General for the respondent claims judgment with costs.

The suppliants delivered a reply in which they alleged that by an order in council approved by the Lieutenant-Governor on 27th May, 1902, it was provided: first, that the charge to the contractor for repairs in keeping the twine and cordage machinery in running order, be at the fixed rate of \$1.25 per ton on gross output of the factory; second, that the charge made against William Field for silent time during the term of his contract be remitted; third, that the contracting company continue to be charged on the gross weights of the factory products, as they are put up and prepared for shipping; fourth, that any charges made against William Field during the term of his contract for shortage on the daily output of 4 tons per day be remitted, and that no charge be made against the contracting company for such shortage, should any have occurred, until after 1st June, 1901. The suppliants denied that they were indebted as alleged by the respondent, and asserted a lien for the balance claimed in the petition upon the machinery supplied at the request of the respondent.

The agreement of 25th September, 1895, was made between the inspector of prisons and public charities for Ontario, called "the inspector," for and on behalf of Her Majesty, by virtue of sec. 30 of the Act respecting the Central Prison, of the first part, and Patrick Louis Connor, called "the contractor," of the second part, and was in part as follows:—

1. The government of the province of Ontario shall provide a cordage plant with the main line shafting in the cordage building maintained in motion, as now installed at the central prison of Ontario, but made equal to a capacity to turn out 4 tons or over of binder twine per day of 10 hours, running 550 feet to the pound, and prison labour to operate it, taking the material as it enters and until it leaves the prison, but limited to an average of not more than one prisoner for each 130 pounds of twine made for all purposes, the prisoners supplied to perform the labour to be able-bodied men, who, after having entered on the work, shall