

made by the defendants the Provincial Natural Gas and Fuel Co. They denied from the start the plaintiffs' rights.

As to price, there is a wide divergence in the evidence—5 cents per 1,000 cubic feet to 25 cents. I am not able to say that the Master is wrong in fixing the value at 12½ cents per 1,000 cubic feet.

In determining the quantity there is very great difficulty. It can not be done with anything like mathematical accuracy. There was no measurement of the gas plaintiffs were using while it was being used. The plaintiffs rely upon evidence of the quantity of gas that flowed through their supply pipe in a given time, and upon evidence of the gas consumed in operating plaintiffs' plant at times when tests were applied.

Mr. E. A. Hitchcock was called as a witness, and he was highly regarded and greatly relied upon by the Master. Mr. Hitchcock is a consulting and testing mechanical engineer in the Ohio University—no doubt a man of ability and of some experience; and he is able, with the aid of instruments, as he explained, to test the volume of gas passing through a pipe in a given time and under different conditions of the atmosphere. At plaintiffs' instance, Mr. Hitchcock visited their plant on 19th January, 1900, and was there 2 days, a second time in March, 1901, 2 days, and a third time, after plaintiffs had sold out their plant, on 29th, 30th, and 31st July, 1903. On this occasion, with the aid of a metre called the "Petot," which Mr. Hitchcock vouches for as the most perfect of the kind known, he obtains data—from which calculations are made shewing the quantity of gas required and used by plaintiffs from November, 1894, to July, 1902.

It is only on this last occasion that the tests are presented as accurate. Mr. Hitchcock says that in view of what he found on the last occasion the first and second are not to be relied on.

In accordance with this evidence and the computations made the Master has found the gas used, and for which defendants are liable, to be:—

(1) For operating lime kilns	520,056,670	c.f.
(2) For operating the other plant of plaintiffs	391,665,631	c.f.
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	911,722,301	c.f.