

adopted is that of affording compensation for the moneys which the judgment has declared are due by the defendant, and that such compensation is given by the mode of calculation adopted by the Master.

The defendant also appeals against that part of the report which finds that he received a commission over and above his salary of \$5,000 per year prior to the 30th September, 1890. On the evidence before the Master, as well as from the knowledge I acquired at the trial, I see no reason for disturbing this finding. The conclusion is irresistible that the defendant must have had knowledge that these items now charged against him should have been taken into account in favour of the plaintiffs and credited upon his salary of \$5,000 per year from the beginning of his services; the express term being that this annual payment should include all claims for commission. Credit was not so given, and the two sums are now a proper charge against him.

The remaining ground of appeal is, that the Master wrongfully refused to allow a large number of items which the defendant contends come within paragraph 8 of the judgment, as sums due to him for expenses and disbursements made by him for and on behalf of the plaintiffs, and not included in other matters disposed of by the judgment. The Master was, I think, right in his finding. I need not go beyond the reasons which he has given to support his view.

After an exhaustive review of the whole evidence, in which I was aided by the knowledge acquired in dealing with the issues which were before me at the trial, I am of opinion that the appeal should be dismissed with costs.