

The Master in Chambers was, however, right, I think, in holding that he had no jurisdiction to make the order which he was asked to make; and the proper practice in such cases as this, where the motion is one for judgment, and analogous, therefore, to a motion for judgment on the pleadings, is, in my opinion, to apply to a Judge in Court for such order as may be necessary to enforce the compromise.

Where the compromise is to be carried out by a stay or dismissal of the action, the Master in Chambers may have jurisdiction to make the order; as to this I express no opinion; this is not a case of that kind.

It follows that, in my opinion, plaintiffs fail in their appeal. But I may, I think, treat their substantive motion as having been transferred into and heard by me in Court, and make the order for payment by defendant of the \$160 to plaintiffs forthwith—and that is the order which I make.

No costs to either party of the motion before me or of the proceedings before the Master in Chambers.