

since the sheeting is partly on one side and partly on the other as shewn on my Plan hereto annexed.

I find, further, that the present line of division between the yards and sheds belonging respectively to the Plaintiff and the said M. P. Guy or representatives is very irregular, so that it would be impossible to give said Plaintiff a lot of exactly uniform width throughout, while at the same time making a straight division line between the property of the Plaintiff and that of the Defendant; that is, assuming that the twenty seven feet (27') in width claimed by the said Plaintiff would be measured from said present line of division. However, should the Court decide that the Plaintiff is entitled to a width of twenty seven (27') feet from the rear of his house to the lane in rear of the said properties, then, in my opinion, the said width of twenty seven (27') feet should be measured from the correct and legal boundary between the property of the Plaintiff and that of the said M. P. Guy or representatives as said legal boundary existed at the date of the sale from the said Morrison to Brand; viz: the seventeenth of October, eighteen hundred and seventy four.

It should be noted also that the gallery at rear of the Plaintiff's house, and at the level of the first floor of the upper tenement extends along the full width of the rear of the Plaintiff's house so that its roof slightly overlaps the Brick gable wall of said extension at rear of the Defendant's house, as shewn by the dotted line C. D. on my Plan hereto annexed, while the sheeting at the end of said gallery next the Defendant's house, which is square to the rear of the Plaintiff's house, slightly overlaps the centre of the last mentioned gable wall, as shewn by the dotted line E. F. on my plan hereto annexed.

Having granted the Defendant's Counsel a few days delay to produce farther evidence should he so desire, I finally notified the parties, as appears by the second notice hereto annexed, that I would hear any other witnesses on the tenth day of this present month; none, however, were produced, I therefore proceeded to complete my report.

#### TITLES.

From the title deeds fyled in this cause and from those hereto annexed, it appears that both properties in question were acquired by William Wilson from Henry Bulmer by deed passed before James Smith N. P. on the twenty fifth day of July, eighteen hundred and

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