

C. A. Masten, K.C., for the appellant.
 J. T. Small, K.C., for the executors.
 G. L. Smith, for the adult children of the testator other than
 the appellant.
 F. W. Harcourt, K.C., for the infants.

THE COURT dismissed the appeal; costs to all parties out of
 the estate.

MAY 10TH, 1915.

SOLOWAY v. GOW.

*Boundaries—Ascertainment of Line between Adjoining Lots—
 Evidence—Finding of Trial Judge—Appeal—Easement—
 Light—Limitations Act, R.S.O. 1914 ch. 75, sec. 37—Over-
 hanging Cornice.*

Appeal by the plaintiffs from the judgment of COATSWORTH,
 Jun.Co.C.J., York, in favour of the defendant, after trial with-
 out a jury of an action and counterclaim in that Court.

The claim was for a declaration of the true boundary-line
 between the land of the plaintiffs and the adjoining land of the
 defendant, and for damages for the removal of a brick areaway
 erected by the plaintiffs and the removal of fences and other
 trespasses. The counterclaim was for the removal of a verandah
 erected by the plaintiffs, said to enroach upon the defendant's
 land, and for the cost of replacing a fence said to have been
 wrongfully taken down by the plaintiffs.

The trial Judge found the line in accordance with the de-
 fendant's contention.

The appeal was heard by FALCONBRIDGE, C.J.K.B., RIDDELL,
 LATCHFORD, and KELLY, JJ.

Gordon Waldron, for the appellants.

W. A. Henderson, for the defendant, respondent.

LATCHFORD, J., delivering judgment, said that the decision of
 the County Court Judge was arrived at upon conflicting testi-
 mony. East and west of the plaintiffs' house, the present fences
 occupied the same position as the old fences; and, as the posses-