

About the time that Mrs. Adams first occupied the property, she had a stable built on the rear part of the property, at a distance of about 20 feet back from the westerly limit of Darling avenue, but in 1890 or 1891 it was moved to within 4 or 5 feet of Darling avenue.

Some years before Mrs. Adams purchased the property, a fence had been erected along the rear end of Nos. 610, 612, and 614, on the east limit of Darling avenue, and a stable stood at the rear of No. 610, just inside the fence, but prior to such purchase this fence and stable had disappeared, and a stable had been erected further in on the lot, the west side thereof being about 11 feet east of Darling avenue. From the north-west corner of this stable a fence had been constructed northerly, keeping at about 11 feet easterly of Darling avenue, and upon its reaching the northerly limit of No. 612, it proceeded in a north-westerly direction until it reached the easterly limit of Darling avenue, at a point about half way across No. 614. The portions of premises 610, 612, and 614, westerly of the line thus formed by the stable and fence, constitute the strip in question. They were never thereafter enclosed, and, except as hereinafter mentioned, from May, 1881, until December, 1905, there was nothing to prevent the public, including plaintiff and his predecessor in title, from using the strip as a way.

Much traffic passed along Darling avenue, and the strip was freely used by the public, especially in order to allow vehicles to pass each other.

Plaintiff testified that when his wife purchased the property, the strip was unenclosed; that he thought it formed part of Darling avenue; and that he remained under that impression until December, 1905, when defendants commenced to build upon it.

It was shewn at the trial that plaintiff's wife during her occupancy, and plaintiff since, had continuously kept a horse and carriage, using therefor the stable on plaintiff's land, and that the way to and from this stable was by Darling avenue, and that it was their habit to drive in and out by Darling avenue.

Plaintiff testified that from May, 1881, until the commencement of this action, it was his daily practice when returning to approach the stable from Ontario street by the land referred to, to turn the corner of Darling avenue close