

the right to live in the house during the widow's lifetime, he could see no reason why the provision for maintenance did not continue until the death of the widow or her remarriage, the children or some or one of them living or desiring to live in the house.

The order of SUTHERLAND, J., was varied. The order as varied will declare that the widow's annuity is payable out of income and that there is no right to resort to the capital; that the period of distribution is at the death of the widow. Costs of all parties out of the estate—those of the trustees as between solicitor and client.

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SECOND DIVISIONAL COURT.

NOVEMBER 28TH, 1919.

RE TOWNSHIP OF CULROSS AND COUNTY OF BRUCE.

*Municipal Corporations—Bridge over River—Length of—Municipal Act, sec. 449—Amending Act, 7 Geo. V. ch. 42, sec. 21—Liability of County Corporation for Half Cost of Maintenance—Finding of County Court Judge—Appeal.*

An appeal by the county corporation from an order of the Judge of the County Court of the County of Bruce declaring a certain bridge over the river Teeswater to be a county bridge and the county corporation responsible for half the cost of maintenance.

The appeal was heard by RIDDELL, LATCHFORD, and MIDDLETON, JJ., and FERGUSON, J.A.

William Proudfoot, K.C., for the appellants.

David Robertson, K.C., for the township corporation, respondents.

RIDDELL, J., reading the judgment of the Court, said that the order was made and the appeal taken under sec. 449 of the Municipal Act, R.S.O. 1914 ch. 192, as amended by (1917) 7 Geo. V. ch. 42, sec. 21. It seemed to be clear, upon the evidence, that the length of what the amending Act called the "bridge" was much more than 300 feet, and there was, consequently, jurisdiction to make the order. There was also ample evidence upon which the County Court Judge could find, as he did, that clauses (a) and (b) of sec. 449(1) were satisfied. His finding, therefore, could not be reversed.

On the law and facts the order was right.

*Appeal dismissed with costs.*