Supreme Court of Canada

Chisholm *v.* Robinson (1895) 24 SCR 704

Date: 1895-03-11

Chisholm *v.* Robinson

1894: Nov. 6; 1895: Mar. 11

Present:—Sir Henry Strong C.J., and Taschereau, Gwynne, Sedgewick and King JJ.

Title to land—Grown grant—Possession.

Appeal from a decision of the Supreme Court of Nova Scotia[[1]](#footnote-2), affirming the judgment for respondent at the trial.

The action was for possession of land, plaintiffs claiming title by possession and defendants through a grant from the Crown in 1892 and a conveyance from the owner of adjoining land. It was shown that the

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Crown had granted this land before the beginning of the present century.

The Supreme Court affirmed the decision appealed from, holding that the Crown had nothing to grant in 1892, having by the prior grant parted with its title and never resumed it, and there was nothing to show that the owner of the adjoining land had any title to the locus.

Appeal dismissed with costs.

Russell Q.C. for the appellants.

Harrington Q.C. for the respondent.

1. 27 N. S. Rep. 74. [↑](#footnote-ref-2)