

**IN THE SUPREME COURT OF NOVA SCOTIA**

**Citation:** Porteous v. Hurley, 2005 NSSC 229

**Date:** 20050816

**Docket:** SAM 190783

**Registry:** Amherst

**Between:**

Richard Porteous

Plaintiff

v.

Daniel A. Hurley and Norma J. Hurley

Defendants

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**Judge:** The Honourable Justice Charles E. Haliburton

**Heard:** June 14 - 16, 2005, in Amherst, Nova Scotia

**Written Decision:** August 16, 2005

**Subject:** **Action for Trespass to Real Property; location of boundary line in dispute**

**Summary:** **Present occupants of two wood lots found conflicting evidence of established boundary. Crown Grant lines not established. Suggestion of conventional line dismissed. Evidence of occupation of one discreet area by predecessor of Defendants. Evidence of sale of land implicitly recognizing boundary line of Defendants by predecessor of Plaintiff.**

**Result:** **Plaintiff's action in trespass dismissed.**

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.  
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***