

CASE NO.

VOLUME NO.

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1969

S. C. No. 13959

IN THE SUPREME COURT OF NOVA SCOTIA

APPEAL DIVISION

BETWEEN:

MARY JOAN EISAN

Appellant
(Petitioner)

- and -

EDWIN GEORGE EISAN

Respondent
(Respondent)

HEARD at Halifax, Nova Scotia, before the Honourable Chief Justice McKinnon, the Honourable Mr. Justice Coffin and the Honourable Mr. Justice Cooper of the Appeal Division, June 10, 1970

OPINION [oral] June 10, 1970

COUNSEL Mrs. S. Richter
Mr. M. L. Phalen, Clerk

Appellant

divorce: lump sum payment, allowance for children

1969

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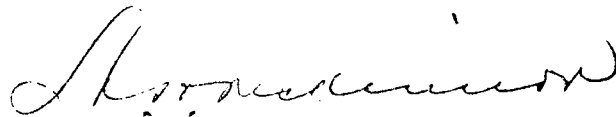
McKINNON, C.J.N.S.:

It is the unanimous opinion of the Court that leave to appeal should be granted.

The appeal is allowed to the extent that the finding of the trial Judge ordering the payment of \$50.00 per week be made on behalf of the petitioner and the children and a lump sum of \$750.00 be paid to the petitioner and on behalf of the children be varied as follows:

A lump sum payment of \$5,000.00 be paid by the respondent to the appellant (petitioner), and the sum of \$50.00 per week be paid by him to provide for the maintenance and support of the children.

The appellant will have her costs on appeal.



[A. H. McKinnon]
Chief Justice of Nova Scotia



[T. H. Coffin]
Justice, Appeal Division



[A. G. Cooper]
Justice, Appeal Division

Halifax, Nova Scotia
June 10, 1970