

**CASE NO.**

THE REGISTRAR OF PROBATE  
FOR THE COUNTY OF HALIFAX  
and THE ATTORNEY GENERAL  
OF NOVA SCOTIA, REPRESENTING  
HER MAJESTY THE QUEEN IN  
RIGHTS OF THE PROVINCE OF  
NOVA SCOTIA

Appellants

**VOL. NO.**

- and -

HUGH BALDERS and DAVID A.  
STEWART, AS CO-EXECUTORS  
OF THE ESTATE OF NORA  
LANGTON BALDERS

**PAGE**

Respondents

C.A. No. 156442

Halifax

ROSCOE, J.A.

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[Cite as: Nova Scotia (Probate Court) v. Balders Estate, 1999 NSCA 119]

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**APPEAL HEARD:**

October 8, 1999

**JUDGMENT DELIVERED:**

October 8, 1999

**WRITTEN RELEASE OF ORAL:**

October 18, 1999

**SUBJECT:**

**Evidence, Practice: Admissibility of Affidavit**

**SUMMARY:**

Appeal from evidentiary ruling of Supreme Court judge in Chambers who admitted affidavit of solicitor which contained an opinion on an application to determine the validity of fees charged by the Registrar of Probate.

**ISSUE:**

Whether Chambers judge erred.

**RESULT:**

Leave to appeal denied. Appeal Court not prepared to interfere with the exercise of discretion of the Chambers judge in admitting the affidavit.

<p><b>THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S JUDGMENT. QUOTES MUST BE FROM THE JUDGMENT, NOT FROM THIS COVER SHEET. THE FULL COURT JUDGMENT CONSISTS OF 3 PAGES.</b></p>
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