

This is an appeal by a former husband from that part of a corollary relief judgment fixing support for two children of the marriage at \$1,100 per month and support for the former spouse at \$150.00 per month.

The principle that governs us on this appeal is stated by Morden, J.A. in **Harrington v. Harrington** (1981), 22 R.F.L. (2d) 40, 33 O.R. (2d) 150, 123 D.L.R. (3d) 689, at p. 154 [O.R., p. 45 R.F.L.]:

"As far as the applicable standard of appellate review is concerned I am of the view that we should not interfere with the trial Judge's decision unless we are persuaded that his reasons disclose material error and this would include a significant misapprehension of the evidence, of course, and to use familiar language, the trial Judge's having 'gone wrong in principle or [his] final award [being] otherwise clearly wrong': **Attwood v. Attwood**, [1968] P. 591 at p. 596. In other words, in the absence of material error, I do not think that this Court has an 'independent discretion' to decide afresh the question of maintenance and I say this with due respect for decisions to the contrary."

After hearing the appellant and reading the materials he has filed today and after hearing counsel for the respondent, we are satisfied that the trial judge made no such material error. There was ample evidence before her to support the conclusions that she reached.

This appeal is dismissed but without costs having regard to all the circumstances.

Chipman, J.A.

Concurred in:

Hart, J.A.

Bateman, J.A.