

IN THE MATTER OF: The Estate of John Douglas Murray who died on November 9, 1997

- and -

IN THE MATTER OF: The Application of John Darrell Murray Executor and Beneficiary,
Eunice Murray, Beneficiary, Helen Sherry, Beneficiary and Christine
Mack, Beneficiary of the Estate of John Douglas Murray for the
interpretation of the Will of John Douglas Murray pursuant to
Section 153 (2) of the Probate Act, RSNS

JUSTICE WALTER R.E. GOODFELLOW

HALIFAX, NS

S.H. 10

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Cite as: Murray Estate (Re), 2000 NSSC

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HEARD: July 20, 2000

DECISION: July 20, 2000 (Orally)

WRITTEN RELEASE: August 11, 2000

SUBJECT: Wills - Interpretation - Costs

SUMMARY: Proctor entitled to solicitor and client costs payable by Estate *Veniot v. Veniot Estate et al* (1998), 167 N.S.R. (2d) 101. The claimants denied solicitor and client costs with respect to party and party costs. Tariff "A" may be utilized for Chambers matters *Hi-Fi Novelty Co. Ltd. v. Attorney General of Nova Scotia* (1993), 121 N.S.R. (2d) 63 and *Keating v. Bragg*, [1996] N.S.J. No. 554 confirmed on appeal (1997), 160 N.S.R. (2d) 363; however, it should only be used when a Chambers application is complex, lengthy and approximates a trial. This application was Special Time Chambers which commenced at 11:00 a.m. and concluded in the afternoon with the granting of an oral decision.

RESULT: Claimants awarded party and party costs of \$1,500.00 plus disbursements of \$633.00.

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