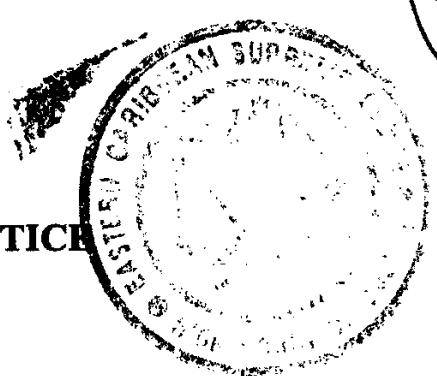


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(4)

SAINT VINCENT AND THE GRENADINES
IN THE HIGH COURT OF JUSTICE
(DIVORCE)
A.D. 1987



NO. 395 OF 1987

**IN THE MATTER OF THE PETITION OF EVELYN ROBINSON NEE DEANE FOR
DISSOLUTION OF MARRIAGE**

BETWEEN:

EVELYN ROBINSON NEE DEANE
AND
KENNETH ROBINSON

Mrs A. Cato for Plaintiff

Dr R. Gonsalves for Respondent

[July 24, 26, 1995]

[Delivered July 31, 1995]

DECISION

The duty of the Court is to ensure that the wife and children have a roof over their heads and also to look after the husband's interests. The interests of all are therefore to be balanced.

The wife lives in the matrimonial house at Peruvian Vale valued at \$134,492.00 which needs repairs but is habitable. The husband lives in an uninhabitable structure on property at Argyle valued at \$143,500.00. It is reasonable to conclude that at some point in time the house will have to be

repaired but it is also reasonable to conclude that the husband cannot live indefinitely in an uninhabitable structure.

The husband's salary is \$2434.00 and his take home pay is \$1934.00. The wife's salary is \$1650.00 and her take home pay is \$1400.00.

Proposals were made by counsel for both parties. Dr. Gonsalves' proposal was that the husband meet the mortgage of \$400.00 pm the Argyle property and pay maintenance of \$500.00 for the children of the marriage.

Mrs. Cato's proposal was that the husband meet mortgage payment on Argyle property and \$800.00 mortgage on the Peruvian Vale property and the wife would maintain the children and pay educational expenses.

The wife offers to maintain the children and meet their educational expenses. Where is the money coming from to meet these expenses? I think that the Court should ensure that the children of the marriage are adequately provided for and I move in the direction of equality as far as possible.

I make the following orders:

- 1) The matrimonial house with adjoining land at Peruvian Vale to the wife for herself and the children of the marriage subject to a survey being carried out to determine the square footage of land for the children.
- 2) The land at Argyle to the husband
- 3) The husband to pay \$600.00 for maintenance of two children of the marriage commencing from August 1, 1995. From 31st August 1995 the respondent to meet maintenance of the nine year old child at the rate of \$300.00 a month until the age of 18.

- 4) The husband to pay the mortgage of \$400.00 on the Argyle property and from 1st September 1995 to pay \$300.00 towards the mortgage on the Peruvian Vale property.

- 5) Liberty to apply.



M. Joseph
Puisne Judge
31.7.95