

NOW, THEREFORE, I, JAMES ALBERT EDWARD, DUKE OF ABERCORN, Knight of the Most Noble Order of the Garter, Knight of the Most Illustrious Order of Saint Patrick, Governor of Northern Ireland, under and by virtue of the County Officers and Courts Act (Northern Ireland), 1933, after consultation with the Lord Chief Justice of Northern Ireland do hereby direct that Charles Leo Sheil who has duly taken the oath required by Section 3 of the Civil Bill Courts (Ireland) Act, 1851, as County Court Judge for the County of Tyrone, shall in addition to the duties for which he has been appointed have jurisdiction and authority as an additional judge to do and execute the duty of County Court Judge for the Division of Belfast in the County of Antrim and the Division of Lisburn in the County of Down.

Given at Belfast this 9th day of September, Nineteen Hundred and Forty-three.

By His Grace's Command,

William Lowry.

COUNTY COURT COSTS.

Direction Framing the Scales.

1943. No. 80.

WHEREAS by section 84 of the County Officers and Courts (Ireland) Act, 1877 (as now in force in Northern Ireland) the Lord Chief Justice of Northern Ireland is empowered with the concurrence of the Chairmen within the meaning of that Act or any two of them duly nominated pursuant to section 10 of the County Officers and Courts Act (Northern Ireland), 1925, to frame and from time to time amend a scale of fees costs and charges to be paid to counsel and solicitors in suits and proceedings in the County Courts

AND WHEREAS by the County Court Jurisdiction Act (Northern Ireland), 1942, the jurisdiction of the County Courts has been extended

NOW I, THE RIGHT HONOURABLE SIR JAMES ANDREWS, Baronet, Lord Chief Justice of Northern Ireland, by virtue of the powers aforesaid and any and every other power me thereunto enabling and with the concurrence of His Honour ARTHUR BLACK, Recorder of Belfast and County Court Judge and Chairman of Antrim, and of His Honour JOHN CLARKE DAVISON, Recorder of Londonderry, being two chairmen duly nominated as aforesaid, do hereby direct

1. that the scale of fees costs and charges hereby framed and set forth in the schedule hereto shall henceforth be payable in suits and proceedings within the jurisdiction conferred by the County Court Jurisdiction Act (Northern Ireland), 1942 (hereinafter and in such schedule referred to as "the extended jurisdiction")

2. in particular in relation to the equitable jurisdiction that
- i. in respect of suits and proceedings within the extended jurisdiction there shall be a Lower Scale and a Higher Scale of fees costs and charges as in the said schedule respectively set forth
 - ii. Rule 1 of the Order made the 19th day of February, 1878, framing a scale of costs shall be amended as follows :— in paragraph (e) thereof the words “ Married Women’s Property Acts, 1882 to 1907,” shall be substituted for the words “ Married Women’s Property Act, 1870 ” ; and immediately after paragraph (1) thereof the following paragraph shall be added :—“(m) In all proceedings under any statute for the time being in force and not otherwise provided for.”
 - iii. unless the judge shall order to the contrary
 - a. the Lower Scale aforesaid shall be payable in any of the suits or proceedings referred to in Rule 1 of the above-mentioned Order (as hereby amended) where the value of the property to which such suit or proceeding relates as by such amended Rule defined does not exceed the sum of £750
 - b. the Higher Scale aforesaid shall be payable in respect of any such suit or proceeding to which the Lower Scale is not hereby made applicable
 - iv. Rules 3 to 10 inclusive of the abovementioned Order shall apply *mutatis mutandis* to any suit or proceeding within the extended jurisdiction in so far as they may be applicable thereto and not inconsistent herewith

and

3. generally, that the several scales of fees costs and charges heretofore in force shall apply *mutatis mutandis* in all suits and proceedings within the extended jurisdiction in so far as they may respectively be applicable thereto and not inconsistent with the scale hereby framed.

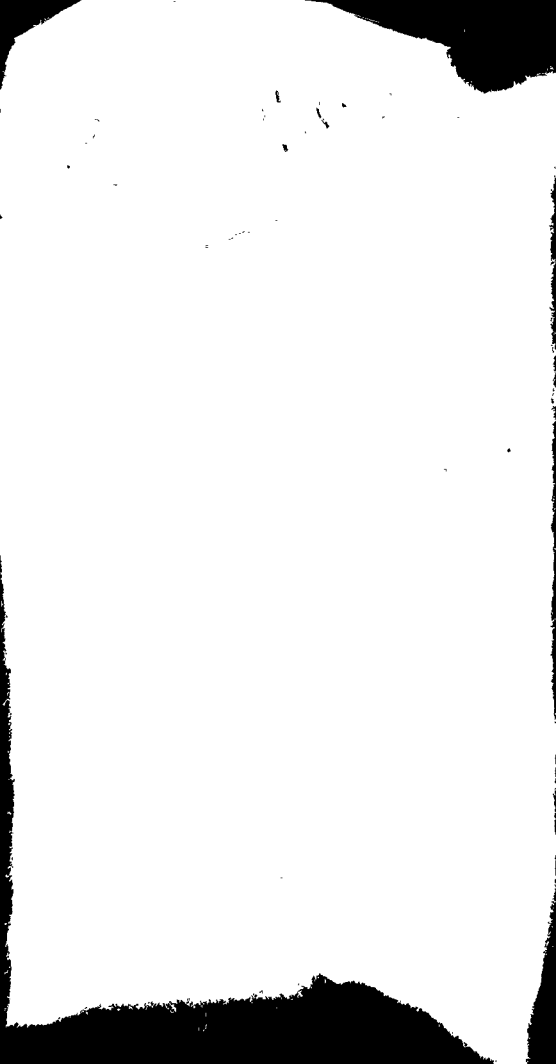
Dated this 11th day of May, 1943.

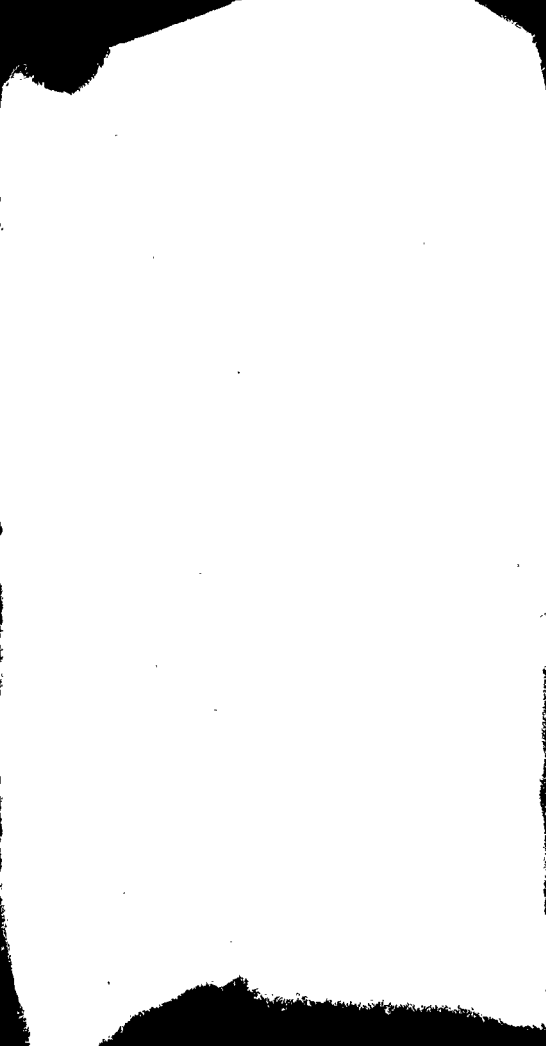
(Signed) *James Andrews*
Lord Chief Justice of Northern Ireland.

We Concur :

Arthur Black
Recorder of Belfast and County Court Judge
and Chairman of Antrim.

John C. Davison
Recorder of Londonderry.





SCHEDULE.

I. The following additions shall be made to the schedule of costs appended to the Consolidated Rules and Orders of 1890 :—

PART I — ORDINARY CIVIL BILLS.

Counsel's Fees

To plaintiff's counsel in each case of ordinary civil bill where the sum decreed exceeds £50 but does not exceed £75	...	£4 4 0
exceeds £75	5 5 0

To defendant's counsel, like fees on sums sued for.

Solicitors' Costs and Charges

	Number of item in schedule of 1890	In actions when the amount recovered	
		Exceeds £50 but does not exceed £75	Exceeds £75
		£ s. d.	£ s. d.
To the plaintiff's solicitor	1	— 6 0	— 8 0
	3	1 10 0	2 10 0
	4	5 0 0	6 0 0
	5	5 0 0	6 0 0
	6	5 0 0	6 0 0
	7	5 0 0	6 0 0
	8	5 0 0	6 0 0
	9	— 12 6	— 15 0
	10	2 10 0	3 10 0
	11	2 10 0	3 10 0
	13	2 10 0	3 10 0
	14	2 10 0	3 10 0
	15	— 6 0	— 8 0
	16	— 10 0	— 12 6
	17	1 10 0	2 10 0
To the defendant's Solicitor	21	1 10 0	2 10 0
	22	5 0 0	6 0 0
	23	5 0 0	6 0 0
	24	— 4 6	— 5 3
	25	5 0 0	6 0 0
	26	5 0 0	6 0 0
Re-hearing in case of decree by default	27	— 4 6	— 5 3
	29	— 4 6	— 5 3
	30	2 10 0	3 10 0
	31	2 10 0	3 10 0
	32	2 10 0	3 10 0
	33	2 10 0	3 10 0
Drawing and signing Dismiss	34	— 4 6	— 5 3
BRIEFS	35	1 10 0	2 10 0

PART II — REMITTED ACTIONS.

A. <i>Counsel's fees</i> —To counsel for plaintiff or defendant when the sum decreed or sued for respectively shall exceed £50 but shall not exceed £75	£4 4 0
shall exceed £75	£5 5 0
To Counsel for defendant where no specific sum is sued for	..	£5 5 0
B. <i>Solicitor's Costs and Charges</i> —To the Solicitor for plaintiff or defendant— For instructing counsel and preparing brief and proofs or where counsel not allowed conducting the case, attending the hearing and all duties incident thereto, when the amount decreed or sued for respectively shall exceed £50 but shall not exceed £75	£5 15 0
shall exceed £75	£7 0 0
To the Solicitor for the defendant where no specific sum is sued for	..	£7 0 0
C. When the sum decreed or sued for exceeds £100 or where no specific sum is sued for the fees costs and charges set forth at A and B above may be increased by such amount as the Judge may think proper having regard to the sum of money involved or the difficulty or importance of the case.		

PART V — EJECTMENTS.

	In cases within the extended jurisdiction		
	£	s.	d.
(a) <i>On the Title etc.</i>			
<i>Counsel's Fees</i> — To counsel for either party	4	4	0
Like, where in the opinion of the Judge questions of importance are involved, a fee not exceeding	5	5	0
<i>Solicitors' Costs and Charges</i>			
To plaintiff's solicitor	4	1	0
	5	-	3
	6	-	5
	7	2	2
Subject to increase at the Judge's discretion to a sum not exceeding	8	4	4
	9	-	10
		1	0
To defendant's solicitor subject to increase at the Judge's discretion to a sum not exceeding		4	4
	11	-	10
	12	1	0

(b) *Non payment of rent (Non-agricultural holdings)*

		In cases within the extended jurisdiction		
		£	s.	d.
<i>Counsel's Fees —</i>				
To Counsel for either party	4	4	0
		Number of item in schedule of 1890		
<i>Solicitor's Costs and Charges</i>				
To plaintiff's solicitor		1	0	0
		2	5	0
		3	5	0
		4	2	3
		5	2	0
		6	10	0
		7	7	6
To defendant's solicitor		8	3	0
		9	7	6
		10	10	0

PART VIII — GRANT AND REVOCATION OF PROBATE OR ADMINISTRATION.

		In cases within the extended jurisdiction where the personal estate is sworn at a sum					
		Exceeding £500 but not exceeding £750			Exceeding £750		
		£	s.	d.	£	s.	d.
<i>Counsel's Fees —</i>							
Counsel for either party		4	4	0	6	6	0
		Number of item in schedule of 1890					
<i>Solicitor's Costs and Charges</i>							
To plaintiff's solicitor		1	1	0	1	7	6
		2	4	6	—	4	6
		3	4	6	—	4	6
		4	2	0	—	2	0
		5	15	0	1	0	0
		6	6	3	—	6	3
		7	4	6	—	4	6
		8	5	10	0	7	0
		9	1	0	0	1	0
		10	—	6	3	—	6
		11	1	7	6	1	17
To defendant's solicitor		12	1	1	0	1	7
		13	5	10	0	7	0
		14	1	0	0	1	0
		15	—	6	3	—	6
		16	1	7	6	1	17

PART X.— OCCASIONAL COSTS.

	In cases within the extended jurisdiction		
	£	s.	d.
For writing a letter before action (to be chargeable between party and party only when the letter is written at least a week before the process issued)	—	3	6
For all proceedings as to the re-execution of ejectment decrees under 27 & 28 Vict. cap. 99, ss. 44 & 53.	1	0	0
Fee on adjournment to subsequent sessions	—	12	6

II. TITLE JURISDICTION.

In addition to any fees costs and charges which may otherwise properly be allowed, the Judge may allow such further sums as having regard to the difficulty or importance of the case he may think proper.

III. The following additions shall be made to the scale of costs heretofore allowed on the Renewal of a Decree or Dismiss :—

	In actions within the extended jurisdiction— amount due sworn at a sum					
	Exceeding £50 but not exceeding £75		Exceeding £75			
	£	s.	d.	£	s.	d.
<i>When Not on Notice —</i>						
For drawing and signing Renewal	—	5	0	—	6	6
<i>When on Notice —</i>						
For drawing and signing Notice	—	4	0	—	5	6
For instructions for hearing	—	10	0	—	15	0
For entering the renewal, attending and conducting the case at hearing and for any other charges incident thereto	—	15	0	1	0	0
For drawing and signing renewal	—	5	0	—	6	6

IV. The following additions shall be made to the scale of costs prescribed by the order made the 19th day of February, 1878 :—

	In cases within the extended jurisdiction					
	Lower Scale		Higher Scale			
	£	s.	d.	£	s.	d.
<i>Counsel's Fees</i>						
For advising proceeding or defence, settling the Equity Civil Bill or petition, and directing proofs	4	4	0	5	5	0
On the hearing of every Equity Civil Bill or petition	5	5	0	6	6	0
In suits for equitable relief the right to which is not contested, the fees allowed on the hearing shall subject to any order by the Judge not exceed	3	3	0	4	4	0

Solicitors' Costs and Charges when the principle of Allowance by Percentage or Commission does not apply.

	In cases within the extended jurisdiction					
	Lower Scale		Higher Scale			
	£	s.	d.	£	s.	d.
For taking instructions for Civil Bill or defence, advising thereon, taking instructions for hearing, advising proofs, and attending and instructing counsel when employed	2	0	0	3	10	0
For drawing bill or statement of defence and copy for service, and instructing counsel when employed ...	1	0	0	1	10	0
For entering bill or defence, and attending the hearing, with or without counsel, and for all other charges (save brief for counsel) up to the decree, and taking out same ...	4	0	0	5	0	0
In cases of account or inquiry, or further hearing or decree, in addition to the above :						
For attending with or without counsel, and in case of the plaintiff entering the suit for further hearing, taking out the decree or dismiss, and for all other charges (save costs in office and brief for counsel) up to the conclusion of the suit	4	0	0	5	0	0
For instructions and attendances, drawing, engrossing and filing an affidavit for the purpose of payment of money, transfer of stock, or deposit of security under the Trustee Acts, obtaining the certificate, paying in the money, transferring the stock, or depositing the security, and all other charges	4	0	0	5	0	0
For instructions and attendances, drawing, engrossing, and filing petition for order to invest, notice and copies thereof, attending the Judge, and taking out the order to invest, and all other charges of and incident to investment	4	0	0	5	0	0
For instructions and attendances, drawing, and filing petition for order to pay out or distribute a fund or the income thereof, entering and attending the hearing, and taking out the order, and all other charges ...	4	0	0	5	0	0
For instructions for, and drawing, engrossing, and filing a petition relating to the maintenance or advancement, or for the protection of the property of an infant, entering and attending the hearing, and taking out the order, and all other charges	4	0	0	5	0	0
<i>Costs in the Office of the Clerk of the Crown and Peace.</i>						
To the Solicitor for the plaintiff, petitioner, or party having the carriage of the proceedings : In all cases of account or inquiry directed by any decree or order to be taken or made before any officer of the Court, and in lieu of all other costs and charges incurred between the primary decree and the termination of the taking of such account, or the making of such inquiry, the following allowance shall be made to the solicitor for the plaintiff, petitioner, or party having the carriage of the proceedings, as the case may be a sum not exceeding	16	0	0	20	0	0

Occasional Costs

	In cases within the extended jurisdiction					
	Lower Scale			Higher Scale		
	£	s.	d.	£	s.	d.
<i>Receivers.</i>						
When a Receiver is appointed by or under a decree or order of the Court :—						
For all costs and charges in relation to the completion of the security and the appointment of the receiver ...	4	0	0	5	0	0
For instructions for the account of a receiver, drawing and preparing the same, and all attendances to lodge vouch and pass the same, and the distribution or application of the balance	4	0	0	5	0	0
<i>Interlocutory Applications and Attendances.</i>						
For attending before the Judge on any interlocutory application (and instructing counsel when employed) when certified for by the Judge	1	0	0	1	10	0
For each proper and necessary attendance upon the Judge, or by his direction, in relation to any matter in respect of which no allowance is included, or provision made by any other item herein contained	1	0	0	1	10	0
<i>Briefs, Drafts and Copies.</i>						
For brief for counsel of necessary documents, 4d. per folio, but in no case to exceed	2	0	0	2	0	0
<i>Costs.</i>						
For drawing costs, and copy	—	10	0	—	15	0

Fees.**Civil Bill Courts in Northern Ireland.**

1943. No. 82.

WHEREAS the fees to be taken in the Civil Bill Courts were duly fixed by an order (a) made by the Lord Chief Justice of Northern Ireland by virtue of the powers and with the concurrence and consent therein recited and operative as from the 1st day of May, 1926

AND WHEREAS by The County Court Jurisdiction Act (Northern Ireland), 1942, the jurisdiction of the County Courts has been extended.

NOW, I, THE RIGHT HONOURABLE SIR JAMES ANDREWS, Baronet, Lord Chief Justice of Northern Ireland, by virtue of the powers aforesaid and any and every other power me thereunto enabling, and with the concurrence of His Honour ARTHUR BLACK, Recorder of Belfast and County Court Judge and Chairman of Antrim, and of His

(a) S. R. & O., Northern Ireland, 1926, No. 21.